

TOWN PLANNING SUBMISSION

338 GORDON STREET, MARIBYRNONG, VIC 3032

Maribyrnong Planning Scheme

AUG 2024

BETTER DESIGN ARCHITECT

Address: U303 – 47 Nelson Pl., Williamstown 3016.

Phone: (03) 9101 9898 | Mobile: 0421 561 090

Email: info@betterdesign.com.au

Website: betterdesign.com.au



01 | LOCATION AND LOCAL

Subject Site



Figure 1 - the subject site

Location: The site is located on the western side of Gordon Street.

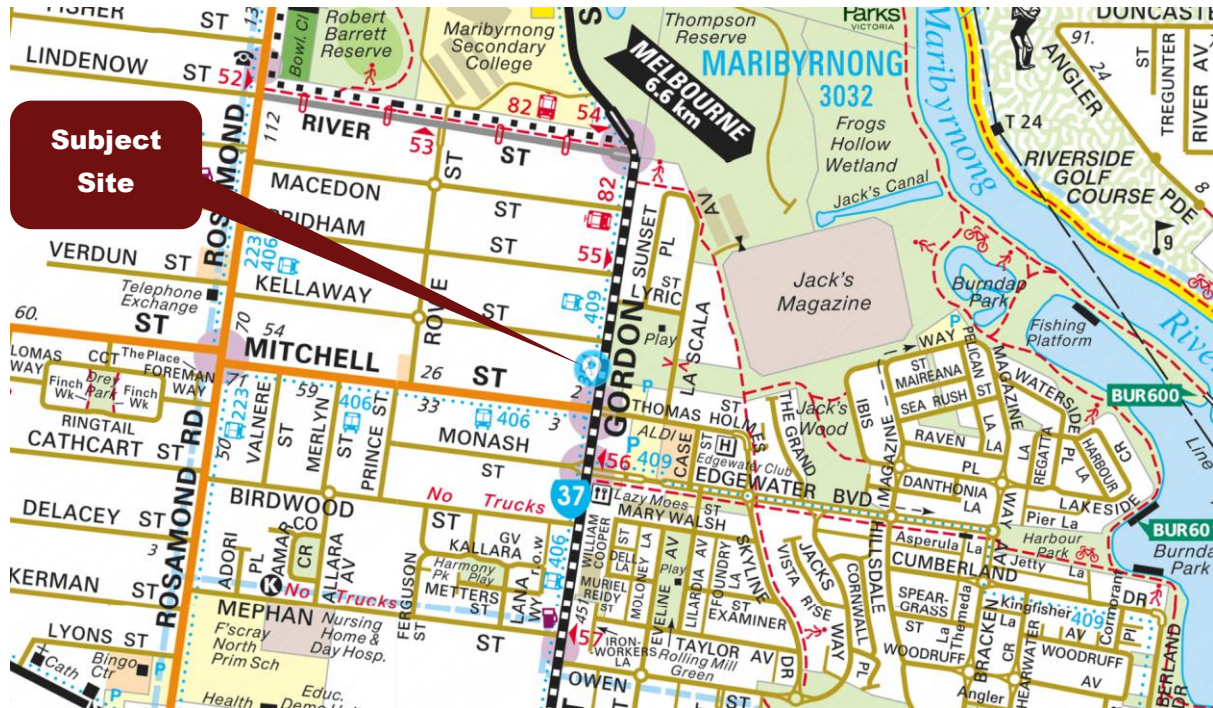


Figure 2 - Melway map of the site (Extract from Melway Online)

The Site: The site is 602sq.m, with a frontage of 15.30m to Gordon St. It is about 39.34m and 38.86m in length. The site has a moderate slope of 0.3m. The existing building is a single storey brick dwelling with tile roof.

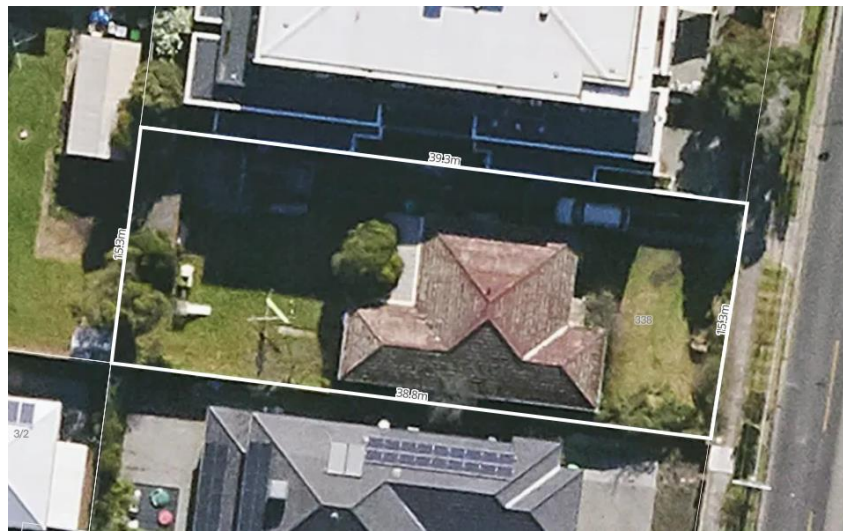


Figure 3 - Satellite image of the site - Extract from Landchecker

The backyard has few small sized trees and shrubbery. There are two sheds towards the rear of the lot behind the existing dwelling

The Surrounds: To the left of the site at No.340 Gordon St is a double storey dwelling on a slightly smaller sized lot. To the right side of the site at No.334-336 Gordon Street is an a tripple storey apartmen on a larger sized lot.



334-336 Gordon St



340 Gordon St



2 Gordon St



8 Gordon St

Figure 4 – Surrounding photos

Neighbourhood and Site Description (Clause 55 01-1)

(Refer neighbourhood site description plan)

Pattern of development of the neighbourhood:

Predominantly 1960s and 1970s dwellings and recent developments.

- A mixture of brick dwellings generally. Predominantly concrete tiles of various colours and metal roofs.
- Subdivision pattern site sizes are similar and range from 500-900sqm. Frontages are generally 11-25m. Subdivision pattern provides similar size, shape and orientation of sites in the direct area.
- Land topography is generally flat and sloping across the area from west to east.
- Front boundary fences when present are a mix of timber, wire, and rock and brick construction. Front gardens are generally low level with lawn and shrubs/trees.
- Dwelling heights are a predominantly single storey with instances of 2 storey dwellings.
- Street tree plantings are irregular. Street trees are predominantly small and medium size natives.
- Vehicle Side driveways are provided; carports and garages are generally present, adjacent to access/storage the dwelling.
- Areas in the immediate surrounding are residential.
- Surrounding homes are sited on similar sized allotments with a side setback from one side boundary to accommodate vehicle accommodation and access and a side setback from the other side boundary.

Built form, scale and character of surrounding development including front fencing:

- The predominant dwelling style is single storey dwelling.
- The building form is rectangular extending the width of the allotment.
- Predominantly 1960s and 1970s dwellings and recent developments.
- Generally, a mixture of brick dwellings. Predominantly concrete tiles of various colours with some instances of metal roofs.

Architectural and roof styles:

- The predominant building material is brick with roof tiles.
- Combination of gable and hip roof forms.

Notable features or characteristics of the neighbourhood:

- Front setbacks of dwellings along Gordon St are varied ranging from 7.3 to 9.0m.
- Front gardens of adjoining properties are a combination of low maintenance and fully established with lawn cover, flower beds and small to medium sized native trees and shrubs.
- Front boundary fences when present are generally timber and brick. Front gardens are generally low level with lawn and shrubs, becoming more established with larger trees to rear yards.
- There are instances of solid high front fences along Gordon St.

In relation to the site:

Site shape, size, orientation, site levels and easements:

- The site has a frontage width of approximately 15.30m along Gordon St.
- There are minimal height variations along the street frontage and to adjacent land.
- There is approximately 0.3m fall across the site.
- There is no easement of the site.
- Allotment area is 602sq.m.
- A single storey brick dwelling with tile roof occupies the site.
- The site has a crossover to Gordon St.
- The front garden is low maintenance with lawn cover, no tree within the front setback of the dwelling that contribute to the neighbourhood and streetscape character of the area.
- There is a brick front fence to Gordon St.

Significant trees on site and any trees to be removed:

- There are no mature/significant trees on the site to be removed.

Soil conditions:

- There are no soil contaminations or fill on the site.

Local Provision: Maribyrnong Planning Scheme

The subject site is situated within a Neighbourhood Residential Zone (NRZ1) and Design And Development Overlay (DDO10). There is no heritage overlay applicable to the site.

This planning submission highlights the development's ability to comply with the relevant Clauses of the Maribyrnong Planning Scheme, Clause 43.02 Design and Development Overlay, Clause 32.09 Neighbourhood Residential Zone and Clause 55 Two or more dwellings on a lot and residential buildings.

PLANNING INFORMATION

- Planning Zone:** [NEIGHBOURHOOD RESIDENTIAL ZONE \(NRZ\)](#)
 [NEIGHBOURHOOD RESIDENTIAL ZONE - SCHEDULE 1 \(NRZ1\)](#)
- Planning Overlay:** [DESIGN AND DEVELOPMENT OVERLAY \(DDO\)](#)
 [DESIGN AND DEVELOPMENT OVERLAY – SCHEDULE \(DDO10\)](#)

Extract from Property Report (<https://mapshare.vic.gov.au/MapShareVic/>)

02 | Proposal Summary

Development summary

The development proposes three new dwellings on a site. The proposed development is an appropriate form of infill for the site based on existing development in the immediate and surrounding area.

AREA SCHEDULE						
SITE AREA	SITE COVERAGE		SITE PERMEABILITY		GARDEN AREA	
	AREA	%	AREA	%	AREA	%
602 m ²	281 m ²	46.7%	183 m ²	30.3%	181 m ²	30.1%

DWELLING 1

1. GROUND FLOOR	60.4 m ²	6.5 SQ
2. FIRST FLOOR	78.2 m ²	8.4 SQ
3. PORCH	1.7 m ²	0.2 SQ
4. GARAGE	37.6 m ²	4.0 SQ
	177.9 m ²	19.1
POS	81.2 m ²	
SPOS	32.6 m ²	
	113.8 m ²	

DWELLING 2

1. GROUND FLOOR	58.5 m ²	6.3 SQ
2. FIRST FLOOR	52.9 m ²	5.7 SQ
3. PORCH	1.4 m ²	0.2 SQ
4. GARAGE	24.4 m ²	2.6 SQ
5. BALCONY	12.4 m ²	1.3 SQ
	149.7 m ²	16.1
POS	11.0 m ²	
SPOS	18.4 m ²	
	29.3 m ²	

DWELLING 3

1. GROUND FLOOR	66.8 m ²	7.2 SQ
2. FIRST FLOOR	73.5 m ²	7.9 SQ
3. PORCH	1.1 m ²	0.1 SQ
4. GARAGE	24.1 m ²	2.6 SQ
	165.5 m ²	17.8
POS	9.9 m ²	
SPOS	28.5 m ²	
	38.3 m ²	

CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Design Objectives:

- To ensure development fits with the surrounding context.
- To maintain the sense of spaciousness and garden setting of the precinct.
- To encourage the continuation of the prevalent subdivision pattern with a predominance of low scale detached dwellings with pitched roofs, in a garden setting.
- To maintain the consistent streetscape rhythm by ensuring appropriate side setbacks and with front setbacks of approximately 8 metres.
- To ensure that fences are low scale and allow views into front gardens.

Design Guidelines:

Maribyrnong Neighbourhood Character Guidelines (Garden Suburban 2)	
--	--

DESIGN GUIDELINES			
CHARACTER ELEMENT	OBJECTIVE	DESIGN RESPONSE	AVOID
Existing Buildings	To encourage the retention of older dwellings that contribute to the valued character of the area.	> Retain dwellings from the Interwar and Postwar era that are intact and in good condition wherever possible.	<i>Loss of older dwellings that contribute to the character of the area. Demolition of intact parts of older dwellings that are visible from the street.</i>
Vegetation	To maintain and strengthen the garden setting of the dwellings.	> Retain large, established trees and provide for the planting of new trees wherever possible. > Buildings should be sited and designed to incorporate space for the planting of substantial vegetation.	<i>Removal of large, established trees. Dwellings that do not provide sufficient space to accommodate trees.</i>
Siting	To maintain the consistency, where present, of front boundary setbacks.	> The front setback should be no less than the average setback of the adjoining two dwellings.	<i>Buildings that are set further forward than the closest of the buildings on the adjoining two properties.</i>
	To maintain gaps between dwellings where this is a characteristic of the street.	> Buildings should be set back from the side boundaries in accordance with the pattern in the street.	<i>Side boundaries that do not reflect the dominant setback pattern of the street.</i>
	To minimise the loss of front garden space and the dominance of car parking structures.	> Locate garages and carports behind the line of the dwelling. > Minimise hard paving in front garden areas, including driveways and crossovers.	<i>Car parking structures that dominate the façade or view of the dwelling. Creation of new crossovers and driveways, or wide crossovers. Front setbacks dominated by impervious surfaces.</i>
Height and building form	To ensure that buildings and extensions do not dominate the streetscape.	> Respect the predominant building height in the street and nearby properties. > Recess two storey elements from the front facade.	<i>Buildings that appear to exceed by more than one storey the predominant height of buildings in the street and on nearby properties.</i>
Front boundary treatment	To enhance the security of properties and maintain views into front gardens.	> Provide low or open style front fences. > Front fences should be appropriate to the building era or reflect the typical fencing height of the street.	<i>High, solid front fencing.</i>

Satisfied.

Satisfied.

Satisfied.

Satisfied.

Satisfied.

Response to design objective and guideline:

The proposed development plan has been carefully designed to align with the surrounding context and the established design objectives. Recognizing the 6.2-meter front setback of the northern adjoining apartment, we propose a 6.2-meter front setback on the north side of our site to ensure consistency. On the south side, a 6.6-meter front setback is proposed to create a smooth transition with the southern adjoining site, thereby maintaining the streetscape rhythm.

Generous side setbacks and a substantial rear secluded private open space (SPOS) are included to provide ample room for landscaping and the development of greenery. The building height is kept to a modest 6.7 meters, ensuring that it does not dominate the streetscape. A 0.9-meter front fence is proposed to enhance security while maintaining clear views into the front garden, aligning with the guideline to keep fences low and open.

Strategic siting and design of the buildings will include ample vegetation, with particular attention paid to preserving existing street trees. To further enhance greenery in the frontage, garages are positioned behind the dwelling line, and paving in the front garden areas is minimized, ensuring the garden setting is preserved. This thoughtful approach ensures that the development will fit harmoniously with the character of the area while contributing positively to the neighborhood's greenery and spaciousness.

03| Clause 55 Assessment

Neighbourhood Character

Clause 55.02

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
B1 Neighbourhood Character Design respects existing neighbourhood character or contributes to a preferred neighbourhood character. Development responds to features of the site and surrounding area.	1. Appropriate design response to the neighbourhood and site.	- Complies
	2. Design respects the existing or preferred neighbourhood character & responds to site features.	- Complies
B2 Residential Policy Residential development is consistent with housing policies in the SPPF, LPPF including the MSS and local planning policies. Support medium densities in areas to take advantage of public transport and community infrastructure and services.	1. Application to be accompanied by written statement that explains consistency with relevant housing policy in SPPF, LPPF, MSS and local planning policies.	- N/A
B3 Dwelling Diversity Encourages a range of dwelling sizes and types in developments of ten or more dwellings.	1. Developments of ten or more dwellings to provide for: Dwellings with a different number of bedrooms. At least one dwelling containing a kitchen, bath or shower, and a toilet and wash basin at ground floor level.	- N/A
B4 Infrastructure Provides appropriate utility services and infrastructure without overloading the capacity.	1. Connection to reticulated sewerage, electricity, gas and drainage services.	Complies
	2. Capacity of infrastructure and utility services should not be exceeded unreasonably.	Complies
	3. Provision should be made for upgrading and mitigation of the impact of services or infrastructure where little or no spare capacity exists.	- N/A
B5 Integration with the Street Integrate the layout of development with the street.	1. Development orientated to front existing and proposed streets.	Complies
	2. Vehicle and pedestrian links that maintain and enhance local accessibility.	
	3. High fences in front of dwellings should be avoided if practicable.	
	4. Development next to public open space should be laid out to complement the open space.	

Site Layout and Building Massing

Clause 55.03

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>B6 Street Setback</p> <p>The setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.</p>	<p>1. Walls of buildings should be set back from streets: at least the distance specified in the schedule to the zone, or If no distance is specified in the schedule to the zone setbacks should be as set out below. <i>Porches, pergolas and verandahs less than 3.6m high and eaves may encroach not more than 2.5m into the setbacks of this standard.</i></p>	<p>Complies</p>
	<p>2. Existing building on both the abutting allotments facing the same street & site is not on a corner. Min front Setback = average setback of existing buildings on abutting allotments facing the front street or 9m, whichever is the lesser.</p>	<p>Complies</p>
	<p>3. Existing building + vacant site either side of the subject site facing the same street & site is not on a corner Min front Setback = same setback of front wall of existing building or 9m, whichever is the lesser.</p>	<p>- N/A</p>
	<p>4. The site is on a corner Min side setback for front walls = Same setback of existing building or 9m, whichever is the lesser. If no building 6m for streets in a RDZ1 and 4m for other. Min side setback for side walls = same setback of existing building or 3m, whichever is the lesser.</p>	<p>- N/A</p>
<p>B7 Building Height</p> <p>Building height should respect the existing or preferred neighbourhood character.</p>	<p>1. The maximum building height should not exceed that specified in the zone, schedule to the zone or any overlay that applies to the land.</p>	<p>Complies The maximum height is lower than 9m.</p>
	<p>2. Where no maximum height is specified, the max height should not exceed 9m, unless the slope of the natural ground level at any cross section wider than 8m of the site is 2.5 degrees or more, in which case the max height should not exceed 10m.</p>	
	<p>3. Changes of building height between new and existing should be graduated.</p>	<p>Complies</p>
<p>B8 Site Coverage</p> <p>Site coverage should respect the existing or preferred neighbourhood character and respond to the features of the site.</p>	<p>1. The site area covered by buildings should not exceed: The max site coverage specified in the schedule to the zone, or If no max site coverage is specified 60%</p>	<p>Complies (49.5%)</p>

<p>B9 Permeability Reduce the impact of stormwater run-off on the drainage system and facilitate on-site stormwater infiltration.</p>	<p>1. At least 20% of the site should not be covered by impervious surfaces</p>	<p>Complies (30.1%)</p>
<p>B10 Energy Efficiency Achieve and protect energy efficient dwellings and residential buildings. Ensure orientation and layout reduces fossil fuel energy use and makes appropriate use of daylight and solar energy.</p>	<p>1. Orientation of buildings should make appropriate use of solar energy.</p>	<p>Complies</p>
	<p>2. Siting and design of buildings should not reduce the energy efficiency of buildings on adjoining lots.</p>	<p>Complies</p>
	<p>3. If practicable the living areas and private open space are to be located on the north side.</p>	<p>Complies</p>
	<p>4. Solar access for north-facing windows should be maximized.</p>	<p>Complies</p>
<p>B11 Open Space Integrate layout of development with any public and communal open space provided in or adjacent to the development.</p>	<p>1. Public open spaces should: Be substantially fronted by dwellings. Provide outlook for dwellings. Be designed to protect natural features. Be accessible and usable.</p>	<p>Complies</p>
<p>B12 Safety Layout to provide safety and security for residents and property.</p>	<p>1. Entrances to dwellings and residential buildings should not be isolated or obscured from the street and internal accessways.</p>	<p>Complies</p>
	<p>2. Planting should not create unsafe spaces along streets and accessways</p>	<p>Complies</p>
	<p>3. Good lighting, visibility and surveillance of car parks and internal accessways.</p>	<p>Complies</p>
	<p>4. Protection of private spaces from inappropriate use as public thoroughfares.</p>	<p>Complies</p>
<p>B13 Landscaping To provide appropriate landscaping To encourage: Development that respects the landscape character of the neighbourhood. Development that maintains and enhances habitat for plants and animals in locations of habitat importance. The retention of mature vegetation on the site.</p>	<p>1. Landscape layout and design should: Protect predominant landscape features of the neighbourhood Take into account the soil type and drainage patterns of the site Allow for intended veg. growth and structural protection of buildings In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals. Provide a safe, attractive and functional environment for residents</p>	<p>Complies</p>
	<p>2. Development should: Provide for the retention or planting of trees, where these are part of the character of neighbourhood. Provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.</p>	<p>Complies</p>

	3. Landscape design should specify landscape themes, vegetation location & species, paving & lighting.	Complies
B14 Access Ensure the safe, manageable and convenient vehicle access to and from the development. Ensure the number and design of vehicle crossovers respects neighbourhood character.	1. Accessways should provide: Safe, convenient and efficient vehicle movements and connections to the street network Designed to ensure that vehicles can exit in a forward direction if the accessway serves more than 5 car spaces, 3 or more dwellings or connects to a road in a Road Zone. A width of at least 3m. An internal radius of at least 4m at changes of direction. A passing area at the entrance that is at least 5m wide and 7m long if the accessway serves 10 or more car spaces and connects to a road in a Road Zone.	Complies
	2. The width of the accessways or car spaces should not exceed: 33% of the street frontage; or 40% if the width of the street frontage is less than 20m.	Complies
	3. For each dwelling fronting a street, only one single width crossover should be provided.	Complies
	4. The location of crossovers will maximize the retention of on- street car parking spaces.	Complies
	5. Access points to a road in Road Zones to be minimized.	Complies
	6. Access for service, emergency and delivery vehicles must be provided.	Complies
	B15 Parking Location Provide resident and visitor vehicles with convenient parking. Avoid parking and traffic difficulties in the development and the neighbourhood. Protect residents from vehicular noise within developments.	1. Car parking facilities should be: - Close and convenient to dwellings. - Secure. - Designed to allow safe and efficient movements. - Well ventilated if enclosed. - Broken up with trees and buildings or different surface treatments (applicable to Large Parking Areas.)
2. Shared access ways, car parks of other dwellings/ residential buildings should be at least 1.5m from the windows of habitable rooms. This setback may be reduced to 1m, where there is a fence at least 1.5m high or window sills are at least 1.4m above the access way.		Complies

<p>B16</p> <p>Parking Provision</p> <p>Ensure car and bicycle parking meets the needs of residents and visitors.</p> <p>Access ways should be practical, attractive and easily maintainable.</p>	<p>1. Car parking for residents to be provided as follows:</p> <p>1 car space for each 1 or 2 bedroom dwelling.</p> <p>2 spaces for each 3 or more bedroom dwelling with 1 space under cover.</p> <p>Note: Separate studies or studios must be counted as bedrooms.</p>	Complies
	<p>2. Developments of 5 or more dwellings should provide visitor parking of 1 per 5 dwellings and marked for visitor parking.</p>	N/A
	<p>3. In developments of five or more dwellings bicycle parking spaces should be provided.</p>	N/A
	<p>4. Minimum car park and access way dimensions met:</p> <p>Parallel 2.3m x 6.7m.</p> <p>Access way width: 3.6m</p> <p>45 degrees 2.6m x 4.9m</p> <p>Access way width: 3.5m</p> <p>60 degrees 2.6m x 4.9m</p> <p>Access way width: 4.9m</p> <p>90 degrees 2.6m x 4.9m</p> <p>Access way width: 6.4m</p> <p>(refer to the table in 55.03-11 detailing further options of minimum dimensions for 90 degree angle parking).</p>	Complies
	<p>5. A building may project into a car space, if it is at least 2.1m above the space.</p>	Complies
	<p>6. Car spaces provided in a garage, carport or otherwise constrained by walls should be:</p> <p>One space: 6m long + 3.5m wide.</p> <p>Two spaces: 6m long + 5.5m wide measured inside the garage or carport.</p>	Complies
	<p>7. Car parking facilities should:</p> <ul style="list-style-type: none"> - Be designed for efficient use and management. - Minimise hard surface areas. - Be designed, surfaced and graded to reduce run-off and allow for stormwater to drain into the site. - Be lit. 	Complies

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>B17 Side and Rear Setbacks Ensure the height and setback respects the existing or preferred neighbourhood character and limits the amenity impacts on existing dwellings.</p>	<p>1. A new building not on or within 150mm of a boundary should be setback from side or rear boundaries: At least the distance specified in the schedule to the zone, or 1m+ 0.3m for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. (refer Diagram B1 for more detail and information about minor encroachments).</p>	<p>Complies</p>
<p>B18 Walls on Boundaries Ensure the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the amenity impacts on existing dwellings.</p>	<p>1. A new wall constructed on or within 150mm of a side or rear boundary of a lot or a carport constructed on or within 1m of a side or rear boundary of a lot should not abut the boundary for a length of more than: 10m plus 25 % of the remaining length of the boundary of an adjoining lot. or Where there are existing or simultaneously constructed walls or carports abutting the boundary of an abutting lot, the length of the existing or simultaneously constructed walls or carports - whichever is the greater. A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in effective height of the wall or carport being less than 2m on the abutting property boundary. A height of a new wall constructed on or within 150mm of a side or rear boundary or a carport constructed on or within 1m of a side or rear boundary should not exceed an average of 3m with no part higher than 3.6m unless abutting a higher existing or simultaneously constructed wall.</p>	<p>Complies</p>
<p>B19 Daylight to Existing Windows Allow adequate daylight into existing habitable room windows.</p>	<p>1. Buildings opposite an existing habitable room window should provide a light court of at least 3sqm and a minimum dimension of 1m clear to the sky (this can include land on the adjoining lot). 2. Walls or carports more than 3m in height opposite should be setback from the window at least 50% of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.</p>	<p>- N/A</p> <p>- N/A</p>

<p>B20 North Facing Windows Allow adequate solar access to existing north-facing habitable room windows.</p>	<p>1. Buildings should be setback 1m if an existing north-facing habitable window is within 3m of the abutting lot boundary. (Add 0.6m to this setback for every metre of height over 3.6m and add 1m for every metre over 6.9m.) Refer to 55.04-4 for further clarification (a diagram is included).</p>	<p>- N/A</p>
<p>B21 Overshadowing Open Space Ensure buildings do not significantly overshadow existing secluded private open space.</p>	<p>1. Where sunlight to a private open space of an existing dwelling is reduced, at least 75%, or 40sqm with min. 3m, whichever is the lesser area, of the open space should receive a min. of 5 hours of sunlight between 9 am and 3pm on 22 Sept. If the existing sunlight to the private open space of an existing dwelling is less than these requirements, the amount of sunlight should not be reduced further.</p>	<p>Complies</p>
<p>B22 Overlooking Limit views into existing secluded private open space and habitable room windows.</p>	<p>1. A habitable room window, balcony, terrace, deck or patio should be designed to avoid direct views into the secluded private open space of an existing dwelling within 9m (see clause for details) should have either: A minimum offset of 1.5m from the edge of one window to the other. Sill heights of at least 1.7m above floor level. Fixed obscure glazing in any part of the window below 1.7m above floor level. Permanently fixed external screens to at least 1.7m above floor level and be no more than 25 % transparent.</p>	<p>Complies</p>
	<p>2. Obscure glazing below 1.7m above floor level may be openable if there are no direct views as specified in this standard.</p>	<p>Complies</p>
	<p>3. Screens to obscure view should be: Perforated panels or trellis with solid translucent panels or a maximum 25% openings. Permanent, fixed and durable. Blended into the development. See Clause 55.04-6 for instances where this standard does not apply.</p>	<p>Complies</p>
<p>B23 Internal Views Limit views into existing secluded private open space and habitable room windows of dwellings and residential buildings within the same development.</p>	<p>1. Windows and balconies should to be designed to prevent overlooking of more than 50% of the secluded private open space of a lower level dwelling or residential building within the same development.</p>	<p>Complies</p>

B24 Noise Impacts Protect residents from external noise and contain noise sources in developments that may affect existing dwellings.	1. Noise sources should not be located near bedrooms of immediately adjacent existing dwellings.	Complies
	2. Noise sensitive rooms and private open space should consider noise sources on immediately adjacent properties.	- N/A
	3. Noise levels should be limited in habitable rooms in dwellings and residential buildings. Dwellings and residential buildings should be designed to limit noise levels in habitable rooms close to busy roads, railway lines or industry.	- N/A

On-Site Amenity and Facilities

Clause 55.05

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
B25 Accessibility Consider people with limited mobility in the design of developments.	1. Dwelling entries of the ground floor of buildings should be accessible or able to be easily made accessible to people with limited mobility.	Complies
B26 Dwelling Entry Provide a sense of identity to each dwelling/residential building.	1. Entries are to be visible and easily identifiable from streets and other public areas.	Complies
	2. The entries should provide shelter, a sense of personal address and a transitional space.	Complies
B27 Daylight to New Windows Allow adequate daylight into new habitable room windows.	1. Habitable room windows to face: Outdoor space open to the sky or light court with minimum area of 3sqm and a min. dimension of 1m clear to the sky or; Verandah, provided it is open for at least one third of its perimeter or; A carport provided it has two or more open sides and is open for at least one third of its perimeter.	Complies

<p>B28 Private Open Space Provide reasonable recreation and service needs of residents by adequate private open space</p>	<p>1. Unless specified in the schedule to the zone, a dwelling should have private open space consisting of: 40sqm with one part at the side or rear of the dwelling/residential building with a minimum dimension of 3m, a minimum area of 25sqm and convenient access from a living room or; Balcony - minimum 8sqm, minimum width 1.6m and accessed from living room or; Roof-top minimum 10sqm, minimum width 2m and convenient access from living room.</p>	<p>Complies</p>
<p>B29 Solar Access to Open Space Allow solar access into the secluded private open space of new dwellings/buildings.</p>	<p>1. The private open space should be located on the north side of the dwelling if appropriate.</p>	<p>Complies</p>
	<p>2. Southern boundary of open space should be setback from any wall on the north of the space at least $(2+0.9h)$ h= height of wall.</p>	<p>- N/A</p>
<p>B30 Storage Provide adequate storage facilities for each dwelling.</p>	<p>1. Each dwelling should have access to a minimum 6m³ of externally accessible, secure storage space.</p>	<p>Complies</p>

Detailed Design

Clause 55.06

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>B31 Design Detail Encourage design detail that respects the existing or preferred neighbourhood character.</p>	<p>1. Design of buildings should respect the existing or preferred neighbourhood character and address: Façade articulation & detailing. Window and door proportions. Roof form. Verandahs, eaves and parapets.</p>	<p>Complies</p>
	<p>2. Garages and carports should be visually compatible with the development and neighbourhood character.</p>	<p>Complies</p>
<p>B32 Front Fences Encourage front fence design that respects the existing or preferred neighbourhood character</p>	<p>1. The front fence should complement the design of the dwelling or any front fences on adjoining properties.</p>	<p>- N/A</p>
	<p>2. A front fence within 3m of the street should not exceed the maximum height specified in the schedule to the zone or if no max. specified, the front fence should not exceed: 2m if abutting a Road Zone, Category 1. 1.5m in any other streets.</p>	<p>Complies</p>
<p>B33 Common Property Ensure car parking, access areas and other communal open space is practical, attractive and easily maintained. Avoid future management difficulties in common ownership areas.</p>	<p>1. Should be functional and capable of efficient management.</p>	<p>Complies</p>
	<p>2. Public, communal and private areas should be clearly delineated. Common property should be functional and capable of efficient management.</p>	<p>Complies</p>
<p>B34 Site Services Ensure site services and facilities can be installed and easily maintained and are accessible, adequate and attractive.</p>	<p>1. Dwelling layout and design should provide for sufficient space and facilities for services to be installed and maintained.</p>	<p>Complies</p>
	<p>2. Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and should blend in with in with the development.</p>	<p>Complies</p>
	<p>3. The site facilities including mailboxes should be located for convenient access. Bin and recycling enclosures located for convenient access. Mailboxes provided and located for convenient access as required by Aust. Post.</p>	<p>Complies</p>

04 | Conclusion

It is submitted that the proposal of three new dwellings on a site is consistent with the State and Local Policy Framework and relevant provisions set out in the Maribyrnong Planning Scheme.

The proposed development provides a satisfactory response to neighbourhood character objectives, and the objectives of Clause 55 and will provide a high standard of onsite amenity without unreasonably affecting the amenity of the adjoining dwellings.

We submit that the proposal is worthy of Council support.

TREEMAP

ARBORICULTURE



Arboricultural Assessment & Report 338 Gordon Street, Maribyrnong



1 Name and address of consultant

Dean Simonsen (AQF Level 7)
Treemap Arboriculture
PO Box 465, Heidelberg, Victoria 3084

2 Instructions

- 2.1 The instructions provided to Treemap Arboriculture on 25/07/24 by Better Design Architecture were to provide an Arboricultural assessment and report for 2 street trees located along the frontage of the subject site, the subject site being 338 Gordon Street, Maribyrnong.

3 Introduction

- 3.1 The owners of the subject site are undertaking investigations to develop the property. As part of the design and application process, the owners are undertaking investigations with regard to the vegetation located on or near the site. This report examines the arboricultural matters associated with this vegetation.
- 3.2 Under the guidelines of AS4970-2009 (Australian Standard – Protection of trees on development sites), the following report would be defined as an ‘Arboricultural impact assessment’. The standard indicates that “*The report will identify possible impacts on trees to be retained. The report will explain design and construction methods proposed to minimize impacts on retained trees where there is encroachment into the calculated TPZ.*”

4 Key Objectives

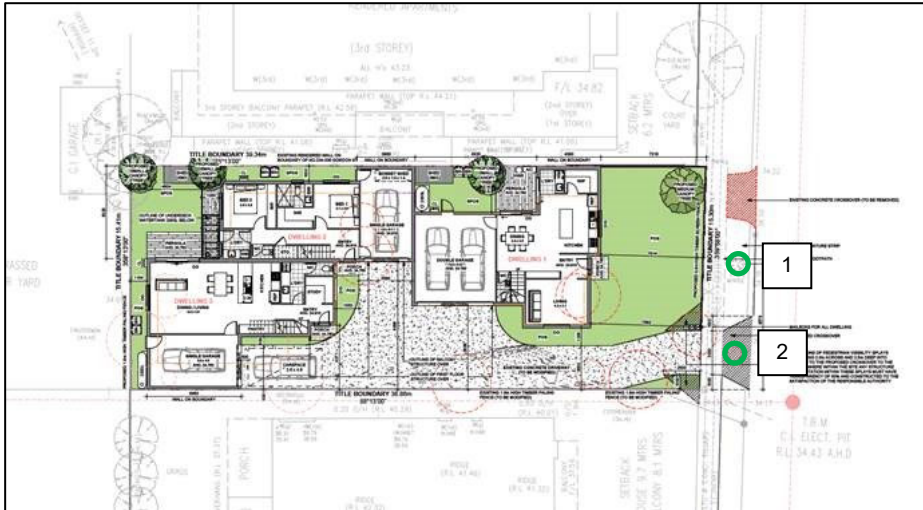
- 4.1 To undertake a general assessment of trees located on or near the subject site.
- 4.2 To provide an assessment of the subject trees with respect to their overall condition, structure, safety and suitability for protection.
- 4.3 To provide recommendations on the suitability of the trees for protection, and provide approved methods of tree protection.

5 Method

- 5.1 A site and tree inspection were conducted on Friday 2nd August 2024.
- 5.2 The tree assessment consisted of a visual inspection, which was undertaken with regard to modern arboricultural principles and practices. The assessment did not involve a detailed examination of below ground or internal tree parts. The assessment was undertaken from the ground of the subject site to determine tree condition and species type. Measurements were taken to establish trunk and crown dimensions. No tree samples or site soil samples were taken unless specified. Trunk diameters for trees on adjoining properties may be estimated due to site access limitations.
- 5.3 The trees have been allocated a retention value rating which combines tree condition factors with functional and aesthetic characteristics in the context of an urban landscape. The

retention or preservation of trees may not depend solely on arboricultural considerations; therefore, the ratings may act as a guide to assist in decisions relating to tree management and retention.

- 5.4 A survey plan was provided by the client (Plan of Feature Survey prepared by FeatureSurvey.com.au, Ref. no: 245402, dated 08/08/23). The assessed trees have been numbered on a section of this plan (Appendix 3).
- 5.5 A proposed ground floor plan was provided by the client for analysis (Proposed Ground Floor Plan prepared by Better Design Architecture, Ref. no: RF117WAR.S, Revision A dated 17/07/24). The trees have been indicated on this plan below.



6 Observations

- 6.1 The site under review presented as a single residential allotment with an existing dwelling and detached garage. The site residential properties to the north, south and west. Gordon Street frontage is located to the east. The subject site contained no vegetation of any significance.



- 6.2 Two (2) street trees were assessed in detail as part of the site review. The detail of each individual tree assessment is provided in table format at Appendix 1. Tree numbers within the assessment table correspond to those provided on the marked-up feature survey plan (Appendix 3).
- 6.3 The property is not influenced by any vegetation controls under the City of Maribyrnong Planning Scheme. This is based on a planning property report for the site being obtained from www.planning.vic.gov.au/ on 02/08/24.
- 6.4 The proposed design indicates a 3 Unit development.

7 Discussion

The Australian Standard (AS4970-2009) – ‘Protection of trees on development sites’ puts forward a process for undertaking tree inspections and reports on property where development is being considered. It recommends a preliminary assessment be undertaken to help guide planners and property owners with regard to the preservation of existing trees; that is trees that might contribute to the completed proposal. The standard points out that the preliminary report ‘information is to be used by planners, architects and designers, in conjunction with any planning controls and other legislation, to develop the design layout in such a way that trees selected for retention are provided with enough space’.

These assessments typically reveal a range of trees with varying attributes for health, structure and overall value. Some trees may be considered insignificant for their size, age, species type or condition, but they might still be considered for retention because they are situated conveniently on the site. Conversely, some trees may be exceptional for various reasons but there may be no scope for their retention because of their location or other site constraints. An objective of the tree assessment is to determine the trees that may be preferable, in terms of preservation, and to identify poor or insignificant trees that might be easily replaced or replaced with better species.

The arborist must also exercise judgement and expertise with respect to the types of trees that are deemed suitable for retention, and they should also consider what stage the tree is at in its overall lifecycle.

The subject site contained no vegetation of any significance.

A factor that may influence the proposed development on the subject site will be the impact of the design towards the 2 street trees. The Tree Protection Zone and Structural Root Zone for street trees have been indicated on the proposed plan at Appendix 3a.

Street tree 1 - *Lagerstroemia indica* (Crape Myrtle) is distant from any proposed site changes and no harm is predicted towards it.

Street tree 2 - *Lagerstroemia indica* (Crape Myrtle) is a semi-mature tree that is proposed to be removed or relocated to allow the installation of a crossover. The tree was planted in 2010 and it exhibits very poor growth performance, given it has been in the ground for 14 years and it is less than 2.3m tall. A new tree that is properly planted and maintained would achieve much better growth performance.

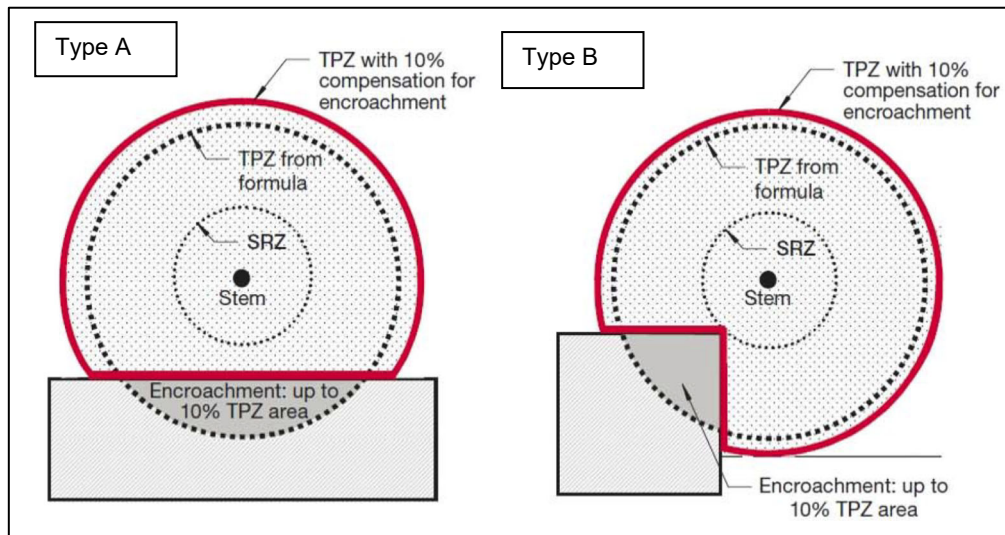


7.1 Tree protection zones on development sites

The level of encroachment and the impact to specific trees can be estimated by comparing standard or modified tree protection clearances with those clearances provided to trees in the development design. The overall impact towards a specific tree will be based on the severity of encroachment into the respective tree protection zones. The degree of root activity in the tree protection zone can vary significantly with local growing conditions, which may result in more or less severe impacts to trees. The most accurate means of determining root activity in these zones is to undertake subsurface root investigations. The alternative to undertaking root investigations is to assign appropriate tree protection zones.

This report adopts AS4970-2009, Australian Standard – Protection of trees on development sites as the preferred tree protection method. The method provides a tree protection zone and a tree protection fencing distance (radial measurement from trunk centre) by using the width of the trunk at 1.4m above ground multiplied by 12. The prescribed TPZ distances are provided for each tree in Appendix 1.

There is scope to reduce the tree protection zone by an area of 10% without further investigations. The rationale for any reduced tree protection distance is detailed in AS4970-2009 (*Australian Standard – Protection of trees on development sites*). Under encroachment Type A, it is acceptable to reduce the Tree Protection Zone (TPZ) area by 10%. This translates to a reduction in radial clearance distance of approximately 33% on one side of the tree only. This can be applied if there is contiguous space around the tree for root development to occur. The following diagram, from AS4970-2009, is provided to illustrate the approach.



8 Recommendations

- 8.1 The subject site contained no vegetation of any significance.
- 8.2 Street tree 1 - *Lagerstroemia indica* (Crape Myrtle) is distant from any proposed site changes and no harm is predicted towards it.
- 8.3 Street tree 2 - *Lagerstroemia indica* (Crape Myrtle) is a semi-mature tree that is proposed to be removed or relocated to allow the installation of a crossover. The tree was planted in 2010 and it exhibits very poor growth performance, given it has been in the ground for 14 years and it is less than 2.3m tall. A new tree that is properly planted and maintained would achieve much better growth performance.
- 8.4 Any vegetation in the study area that was not assessed as part of this report was considered insignificant, generally undesirable or sufficiently clear of any expected works.
- 8.5 Any proposed development on the site should make provision for landscaping and the planting of new trees.



Dean Simonsen (BAppSc *Melb.*)
Consultant Arborist

9 References

Australian Standard AS 4970, 2009. *Protection of trees on development sites*. Standards Australia

10 Definitions

The TPZ and SRZ are defined in AS4970-2009, Australian Standard – Protection of trees on development sites as:

Tree protection zone (TPZ)

A specified area above and below ground and at a given distance from the trunk set aside for the protection of a tree's roots and crown to provide for the viability and stability of a tree to be retained where it is potentially subject to damage by development.

Structural root zone (SRZ)

The area around the base of a tree required for the tree's stability in the ground. The woody root growth and soil cohesion in this area are necessary to hold the tree upright. The SRZ is nominally circular with the trunk at its centre and is expressed by its radius in metres. This zone considers a tree's structural stability only, not the root zone required for a tree's vigour and long-term viability, which will usually be a much larger area.

11 Qualifications and expertise of consultant

- Bachelor of Applied Science, Horticulture (Plant Production) – University of Melbourne, Burnley College.
- Diploma of Applied Science, Horticulture (Arboriculture) – University of Melbourne, Burnley College. Dux of Arboriculture.
- More than 25 years of experience in the arboriculture/horticulture industry (private and local government experience).
- Consultant Arborist and Director at Tree Logic Pty Ltd from June 1999 to September 2011.
- Manager of Arboriculture – Royal Botanic Gardens, Melbourne (27 Months 1997-1999).
- Secretary for the Victorian Tree Industry Organisation (VTIO) 2007-2012.
- Financial member of the International Society of Arboriculture (ISA).
- Trained and registered to use VALID Tree Risk Assessment method.
- Presented a paper at the International Society of Arboriculture Conference, July 2011 at Parramatta, NSW.
- My qualifications and experience have primarily involved the management of tree issues in the urban landscape. Specifically, this has involved hazard, general or detailed assessment of tree condition on private and public land with recommendations made on preservation strategies or remedial works.
- Tree assessments to establish tree health, tree structure and arboricultural values are core components of Treemap Arboriculture's business activities.
- I have experience at Victorian Civil Administrative Tribunal and the magistrate's court as an expert witness on arboricultural matters.
- I have inspected and assessed well over one hundred thousand trees and managed assessment projects for at least ten times as many.

Appendix 1

Tree Assessment Table

No	Species	Common Name	DBH (cm)	TPZ AS4970 (m)	SRZ AS4970 (m)	HxW (m)	Age	Health	Structure	Form	Comment	Tree Type	Retention value	Recommend
1	<i>Lagerstroemia indica</i>	Crape Myrtle	3	2.00	1.50	2x1	Young	Fair	Fair	Symmetric		Exotic deciduous	Low	Street tree
2	<i>Lagerstroemia indica</i>	Crape Myrtle	7	2.00	1.50	2.3x2	Young	Fair	Fair	Symmetric		Exotic deciduous	Low	Street tree

*Descriptors in Appendix 2

DBH = Diameter at Breast Height in centimetres (bracketed dimension = modified diameter according to AS4970)

HxW= Height and Width of crown, in metres.

TPZ – optimum radial clearance distance as per AS4970.

SRZ – radial clearance distance to maintain tree stability, as per AS4970.

Woody weeds determined from White, M., Cheal, D., Carr, G. W., Adair, R., Blood, K. and Meagher, D. (2018). Advisory list of environmental weeds in Victoria. Arthur Rylah Institute for Environmental Research Technical Report Series No. 287. Department of Environment, Land, Water and Planning, Heidelberg, Victoria

Appendix 2 Descriptors

Field name	Description
No.	Tree identification number. Unique numbers are assigned to each assessed individual tree or tree group.
Species	Identifies the tree using the international taxonomic classification system of binomial (or trinomial) nomenclature (genus, species, variety and cultivar).
Common Name	Provides the common name as occurs in current Australian horticultural literature. More than one common name can exist for a single tree species, or several species can share the same common name.
DBH (Diameter at breast height)	Indicates the trunk diameter (expressed in centimetres) of an individual tree usually measured at 1.4m above the existing ground level. Multiple stemmed trees are calculated using a formula to combine the stems into a single stem for tree protection zone calculations.
TPZ (Tree protection zone)	Tree protection zone expressed as a radial distance in metres, measured from trunk centre. Based on AS 4970
SRZ (Structural Root Zone)	Radial distance in metres measured from trunk centre to maintain tree stability - AS4970
HxW (Height x Width)	Indicates height and width of single tree and measurement generally expressed in whole metres

Age	Description
<i>Young</i>	Sapling tree and/or recently planted
<i>Semi-mature</i>	Tree rapidly increasing in size and yet to achieve expected size in situation
<i>Maturing</i>	Specimen approaching expected size in situation, with reduced incremental growth
<i>Over-mature</i>	Tree is senescent and in decline

Health	Term assigned that provides a broad description of the health and vigour of the tree.					
Ratings	<i>Good</i>	<i>Fair</i>	<i>Fair to Poor</i>	<i>Poor</i>	<i>Very poor</i>	<i>Dead</i>

Structure	Term assigned that provides a broad description of the structure and stability of the tree.					
Ratings	<i>Good</i>	<i>Fair</i>	<i>Fair to Poor</i>	<i>Poor</i>	<i>Very poor</i>	<i>Failed</i>

Form	Description
<i>Symmetric</i>	Evenly balanced crown
<i>Asymmetric</i>	Crown biased in one direction; can be minor or major
<i>Stump re-sprout</i>	Adventitious shoots originating from stump or trunk
<i>Manipulated</i>	Hedge, pollard, topiary, windrow; managed for specific landscape use or aesthetic outcome

Comment	Additional comments that provide specific detail on the condition of the tree or management requirements

Tree type	Description
<i>Indigenous</i>	Occurs naturally in the area or region of the subject site
<i>Victorian native</i>	Occurs naturally within some part of Victoria (not exclusively) but is not indigenous
<i>Australian native</i>	Occurs naturally within Australia but is not a Victorian native or indigenous
<i>Exotic deciduous</i>	Occurs outside of Australia and typically sheds its leaves during winter
<i>Exotic evergreen</i>	Occurs outside of Australia and typically holds its leaves all year round
<i>Exotic conifer</i>	Occurs outside of Australia and is classified as a gymnosperm
<i>Native conifer</i>	Occurs naturally within Australia and is classified as a gymnosperm
<i>Palm</i>	Woody monocotyledon
<i>Other</i>	Other descriptions as indicated

Retention value	Qualitative rating provided on tree based on assessment factors. Provided as a guide for management decisions.			
Ratings	<i>High</i>	<i>Moderate</i>	<i>Low</i>	<i>None</i>

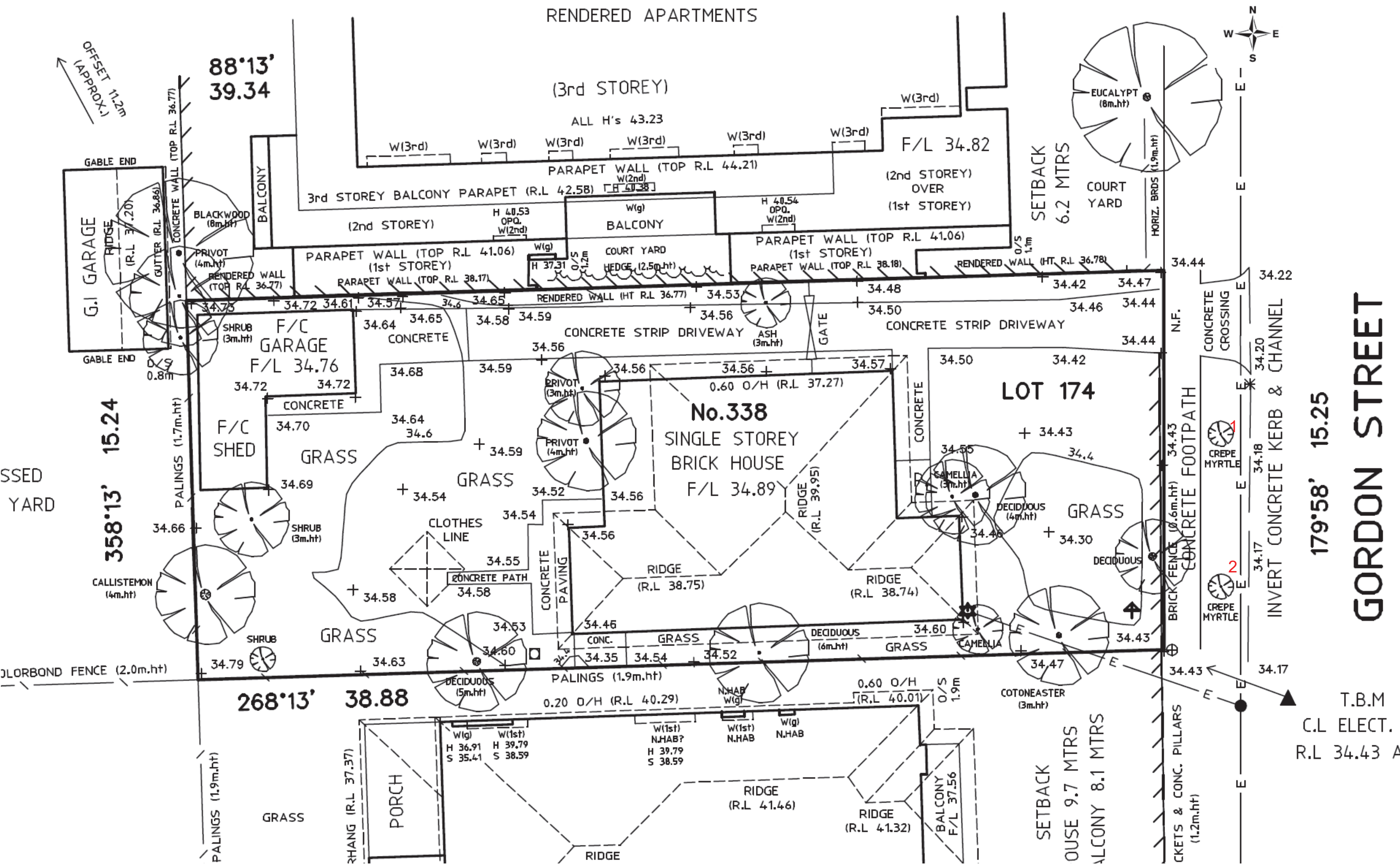
Recommend	Recommended action based on condition of the tree with reference to proposed site changes							
Responses	<i>Retain</i>	<i>Could be retained</i>	<i>Consider removal</i>	<i>Remove</i>	<i>Street tree</i>	<i>Neighbour's Tree</i>	<i>Already removed</i>	<i>Transplant</i>

Descriptors reviewed annually and subject to change

No.334-336

THREE STOREY
RENDERED APARTMENTS

Appendix 3



179'58" 15.25
GORDON STREET

T.B.M
C.L ELECT.
R.L 34.43 A

Assumptions and limiting conditions of arboricultural consultancy report

1. Any legal description provided to Treemap Arboriculture is assumed to be correct. Any titles and ownerships to any property are assumed to be correct. No responsibility is assumed for matters outside the consultant's control.
2. Treemap Arboriculture assumes that any property or project is not in violation of any applicable codes, ordinances, statutes or other local, state or federal government regulations.
3. Treemap Arboriculture has taken care to obtain all information from reliable sources. All data has been verified insofar as possible; however Treemap Arboriculture can neither guarantee nor be responsible for the accuracy of the information provided by others not directly under Treemap Arboriculture control.
4. No Treemap Arboriculture employee shall be required to give testimony or to attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services.
5. Loss of this report or alteration of any part of this report not undertaken by Treemap Arboriculture invalidates the entire report.
6. Possession of this report or a copy thereof does not imply right of publication or use for any purpose by anyone but the client or their directed representatives, without the prior consent of the Treemap Arboriculture.
7. This report and any values expressed herein represent the opinion of the Treemap Arboriculture consultant and the Treemap Arboriculture fee is in no way conditional upon the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, nor upon any finding to be reported.
8. Sketches, diagrams, graphs and photographs in this report, being intended as visual aids, are not necessarily to scale and should not be construed as engineering or architectural drawings, reports or surveys.
9. Unless expressed otherwise: 1) Information contained in this report covers only those items that were covered in the project brief or that were examined during the assessment and reflect the condition of those items at the time of inspection; and 2) The inspection is limited to visual examination of accessible components without dissection, excavation or probing unless otherwise stipulated.
10. There is no warranty or guarantee, expressed or implied by Treemap Arboriculture, that the problems or deficiencies of the plants or site in question may not arise in the future.
11. All instructions (verbal or written) that define the scope of the report have been included in the report and all documents and other materials that the Treemap Arboriculture consultant has been instructed to consider or to take into account in preparing this report have been included or listed within the report.
12. To the writer's knowledge all facts, matter and all assumptions upon which the report proceeds have been stated within the body of the report and all opinion contained within the report have been fully researched and referenced and any such opinion not duly researched is based upon the writers experience and observations.