

Application for a Planning Permit

If you need help to complete this form, read **MORE INFORMATION** at the end of this form.

⚠ Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the Planning and Environment Act 1987. If you have any questions, please contact Council planning department.

⚠ Questions marked with an asterisk (*) must be completed.

⚠ If the space provided on the form is insufficient, attach a separate sheet

i Click for further information.

CITY OF MARIBYRNONG
RECEIVED
15/08/2024
URBAN PLANNING

Planning Enquiries
Phone: (03) 9688 0200
Web: www.maribyrnong.vic.gov.au

The Land **i**

Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

Street Address *

Unit No:	St. No.: 48	St. Name: Frederick Street
Suburb/Locality: YARRAVILLE		Post Code: 3013

Formal Land Description *

Complete either A or B.

⚠ This information can be found on the certificate of title

If this application relates to more than one address, attach a separate sheet setting out any additional property details.

A Lodged Plan Title Plan Plan of Subdivision
OR
B

The Proposal

⚠ You must give full details of your proposal and attach the information required to assess the application. Insufficient or unclear information will delay your application

i For what use, development or other matter do you require a permit? *

Proposed Single Extension

🔗 Provide additional information about the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal.

i Estimated cost of any development for which the permit is required *

⚠ You may be required to verify this estimate. Insert '0' if no development is proposed.

If the application is for land within **metropolitan Melbourne** (as defined in section 3 of the Planning and Environment Act 1987) and the estimated cost of the development exceeds \$1.093 million (adjusted annually by CPI) the Metropolitan Planning Levy must be paid to the State Revenue Office and a current levy certificate **must** be submitted with the application.


Visit www.sro.vic.gov.au for information.

Existing Conditions i

Describe how the land is used and developed now *

For example, vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

Single storey dwelling


 Provide a plan of the existing conditions. Photos are also helpful.

Title Information i

Encumbrances on title *

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

- Yes (If 'yes' contact Council for advice on how to proceed before continuing with this application.)
- No
- Not applicable (no such encumbrance applies).

 Provide a full, current copy of the title for each individual parcel of land forming the subject site. The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', for example, restrictive covenants.

Applicant and Owner Details i

Provide details of the applicant and the owner of the land.

Applicant *

The person who wants the permit.

Name:		
Title:	First Name: 2Form	Surname: P/L
Organisation (if applicable):		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No: 46	St. No: 131	St. Name: Hyde Street
Title:	State: VIC	Postcode: 3011

Please provide at least one contact phone number *

Contact information for applicant OR contact person below	
Business phone: 0419585604	Email: rob@2form.com.au
Mobile phone:	Fax:

Where the preferred contact person for the application is different from the applicant, provide the details of that person.

Contact person's details*		
Name:	Same as applicant <input type="checkbox"/>	
Title:	First Name: undefined	Surname:
Organisation (if applicable):		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No:	St. No:	St. No:
Suburb/Locality:	State:	Postcode:

Owner *


The person or organisation who owns the land

Where the owner is different from the applicant, provide the details of that person or organisation.

Name:		Same as applicant <input type="checkbox"/>
Title: NA	First Name: NATHAN	Surname: KURZEMNIEKS
Organisation (if applicable):		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No:	St. No: 66	St. No: Blackwood Street
Suburb/Locality: YARRAVILLE	State: VIC	Postcode: 3013
Postcode: 3013	Date : 15 08 2024 day / month / year	

Declaration

This form must be signed by the applicant *

 Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

I declare that I am the applicant; and that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application.

Signature:

2 Form P/L

Date:

day / month / year

Need help with the Application?

General information about the planning process is available at planning.vic.gov.au

Contact Council's planning department to discuss the specific requirements for his application and obtain a planning permit checklist. Insufficient or unclear information may delay your application

Has there been a pre-application meeting with a council planning officer

No Yes

If 'Yes', with whom?:

Date:


day / month / year


Checklist

Have you:

Filled in the form completely?

Paid or included the application fee?

 Most applications require a fee to be paid. Contact Council to determine the appropriate fee.

 Provided all necessary supporting information and documents?

A full, current copy of title information for each individual parcel of land forming the subject site

A plan of existing conditions.

Plans showing the layout and details of the proposal.

Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.

If required, a description of the likely effect of the proposal (for example, traffic, noise, environmental impacts)

If applicable, a current Metropolitan Planning Levy certificate (a levy certificate expires 90 days after the day on which it is issued by the State Revenue Office and then cannot be used). Failure to comply means the application is void

Completed the relevant council planning permit checklist?

Signed the declaration?

Lodgement

Lodge the completed and signed form, the fee and all documents with:

Maribyrnong City Council
PO Box 58
Footscray VIC 3011
Cnr Napier and Hyde Streets
Footscray VIC 3011

Contact information:

Phone: (03) 9688 0200

Email: email@maribyrnong.vic.gov.au

DX: 81112

Deliver application in person, by post or by electronic lodgement.

MORE INFORMATION

The Land

Planning permits relate to the use and development of the land. It is important that accurate, clear and concise details of the land are provided with the application.

How is land identified


Land is commonly identified by a street address, but sometimes this alone does not provide an accurate identification of the relevant parcel of land relating to an application. Make sure you also provide the formal land description - the lot and plan number or the crown, section and parish/township details (as applicable) for the subject site. This information is shown on the title.

See **Example 1**.

The Proposal

Why is it important to describe the proposal correctly?


The application requires a description of what you want to do with the land. You must describe how the land will be used or developed as a result of the proposal. It is important that you understand the reasons why you need a permit in order to suitably describe the proposal. By providing an accurate description of the proposal, you will avoid unnecessary delays associated with amending the description at a later date.

 Planning schemes use specific definitions for different types of use and development. Contact the Council planning office at an early stage in preparing your application to ensure that you use the appropriate terminology and provide the required details.

How do planning schemes affect proposals?

A planning scheme sets out policies and requirements for the use, development and protection of land. There is a planning scheme for every municipality in Victoria. Development of land includes the construction of a building, carrying out works, subdividing land or buildings and displaying signs.

Proposals must comply with the planning scheme provisions in accordance with Clause 61.05 of the planning scheme. Provisions may relate to the State Planning Policy Framework, the Local Planning Policy Framework, zones, overlays, particular and general provisions. You can access the planning scheme by either contacting Council's planning department or by visiting Planning Schemes Online at planning-schemes.delwp.vic.gov.au

 You can obtain a planning certificate to establish planning scheme details about your property. A planning certificate identifies the zones and overlays that apply to the land, but it does not identify all of the provisions of the planning scheme that may be relevant to your application. Planning certificates for land in metropolitan areas and most rural areas can be obtained by visiting www.landata.vic.gov.au Contact your local Council to obtain a planning certificate in Central Goldfields, Corangamite, Macedon Ranges and Greater Geelong. You can also use the free Planning Property Report to obtain the same information.

See **Example 2**.


Estimated cost of development

In most instances an application fee will be required. This fee must be paid when you lodge the application. The fee is set down by government regulations.

To help Council calculate the application fee, you must provide an accurate cost estimate of the proposed development. This cost does not include the costs of development that you could undertake without a permit or that are separate from the permit process. Development costs should be calculated at a normal industry rate for the type of construction you propose.

Council may ask you to justify your cost estimates. Costs are required solely to allow Council to calculate the permit application fee. Fees are exempt from GST.

 Costs for different types of development can be obtained from specialist publications such as Cordell Housing: Building Cost Guide or Rawlinsons: Australian Construction Handbook

 Contact the Council to determine the appropriate fee. Go to planning.vic.gov.au to view a summary of fees in the Planning and Environment (Fees) Regulations.

Metropolitan Planning Levy refer Division 5A of Part 4 of the Planning and Environment Act 1987 (the Act). A planning permit application under section 47 or 96A of the Act for a development of land in metropolitan Melbourne as defined in section 3 of the Act may be a leviable application. If the cost of the development exceeds the threshold of \$1 million (adjusted annually by consumer price index) a levy certificate must be obtained from the State Revenue Office after payment of the levy. A valid levy certificate must be submitted to the responsible planning authority (usually council) with a leviable planning permit application. Refer to the State Revenue Office website at www.sro.vic.gov.au for more information. A leviable application submitted without a levy certificate is void

Existing Conditions

How should land be described?

You need to describe, in general terms, the way the land is used now, including the activities, buildings, structures and works that exist (e.g. single dwelling, 24 dwellings in a three-storey building, medical centre with three practitioners and 8 car parking spaces, vacant building, vacant land, grazing land, bush block)

Please attach to your application a plan of the existing conditions of the land. Check with the local Council for the quantity, scale and level of detail required. It is also helpful to include photographs of the existing conditions.

See **Example 3**.

Title Information

What is an encumbrance?

An encumbrance is a formal obligation on the land, with the most common type being a mortgage. Other common examples of encumbrances include:

- **Restrictive Covenants:** A restrictive covenant is a written agreement between owners of land restricting the use or development of the land for the benefit of others. (eg. a limit of one dwelling or limits on types of building materials to be used).
- **Section 173 Agreements:** A section 173 agreement is a contract between an owner of the land and the Council which sets out limitations on the use or development of the land.
- **Easements:** An easement gives rights to other parties to use the land or provide for services or access on, under or above the surface of the land.
- **Building Envelopes:** A building envelope defines the development boundaries for the land.
- signed the declaration on the last page of the application form

Aside from mortgages, the above encumbrances can potentially limit or even prevent certain types of proposals.

What documents should I check to find encumbrances

Encumbrances are identified on the title (register search statement) under the header encumbrances, caveats and notices. The actual details of an encumbrance are usually provided in a separate document (instrument) associated with the title. Sometimes encumbrances are also marked on the title diagram or plan, such as easements or building envelopes.

What about caveats and notices?

A caveat is a record of a claim from a party to an interest in the land. Caveats are not normally relevant to planning applications as they typically relate to a purchaser, mortgagee or chargee claim, but can sometimes include claims to a covenant or easement on the land. These types of caveats may affect your proposal.

Other less common types of obligations may also be specified on title in the form of notices. These may have an effect on your proposal, such as a notice that the building on the land is listed on the Heritage Register.

What happens if the proposal contravenes an encumbrance on title?

Encumbrances may affect or limit your proposal or prevent it from proceeding. Section 61(4) of the *Planning and Environment Act 1987* for example, prevents a Council from granting a permit if it would result in a breach of a registered restrictive covenant. If the proposal contravenes any encumbrance, contact the Council for advice on how to proceed.

REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 05522 FOLIO 254

Security no : 124117446244S
Produced 15/08/2024 07:54 AM



LAND DESCRIPTION

Lots 1,2 and 3 on Title Plan 225658Y.
PARENT TITLE Volume 04541 Folio 159
Created by instrument 1407918 05/04/1929

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
HELENA ANNALISE WITTE
NATHAN RYAN KURZEMNIEKS both of 66 BLACKWOOD STREET YARRAVILLE VIC 3013
AW580498K 24/02/2023

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AW580499H 24/02/2023
HSBC BANK AUSTRALIA LTD

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP225658Y FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

ADMINISTRATIVE NOTICES

NIL

eCT Control 18478R FIRST LEGAL
Effective from 24/02/2023

DOCUMENT END

Imaged Document Cover Sheet

The document following this cover sheet is an imaged document supplied by LANDATA®, Secure Electronic Registries Victoria.

Document Type	Plan
Document Identification	TP225658Y
Number of Pages (excluding this cover sheet)	1
Document Assembled	15/08/2024 07:54

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The document is invalid if this cover sheet is removed or altered.

TITLE PLAN	EDITION 1	TP 225658Y
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<p>Location of Land</p> <p>Parish: AT YARRAVILLE PARISH OF CUT-PAW-PAW Township: Section: 8 Crown Allotment: 1V (PT) Crown Portion:</p> <p>Last Plan Reference: LP7387 Derived From: VOL 5522 FOL 254 Depth Limitation: NIL</p>	<p style="text-align: center;">Notations</p> <p>ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN</p>
--	--

<p>Description of Land / Easement Information</p>	<p>THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT</p> <p>COMPILED: 24-07-2000 VERIFIED: PC</p>
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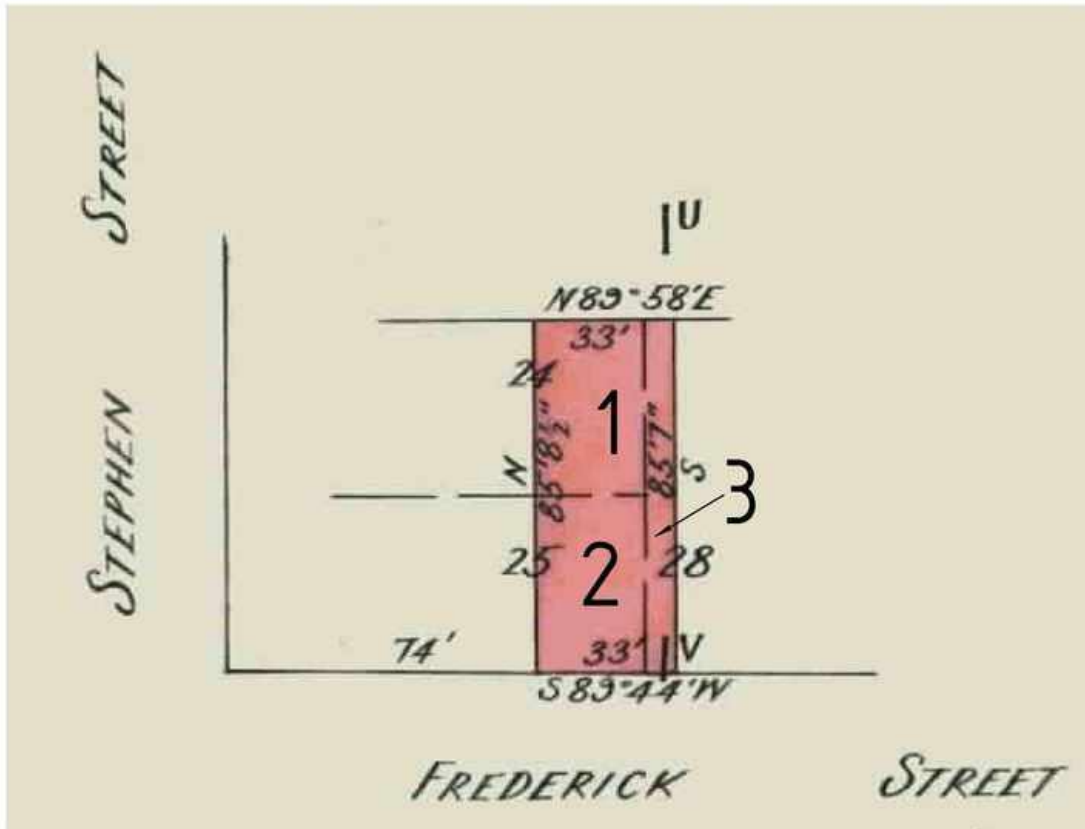
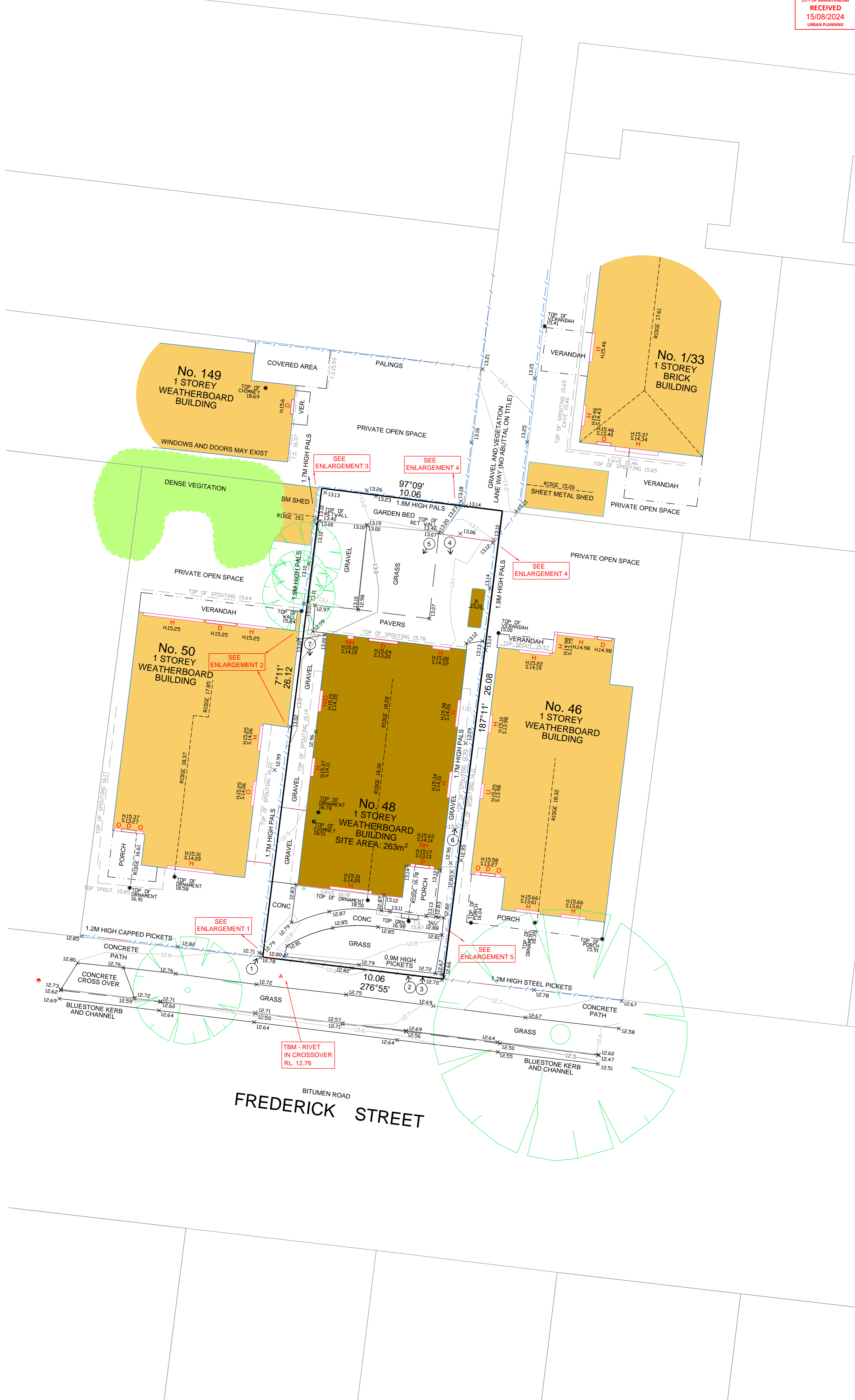
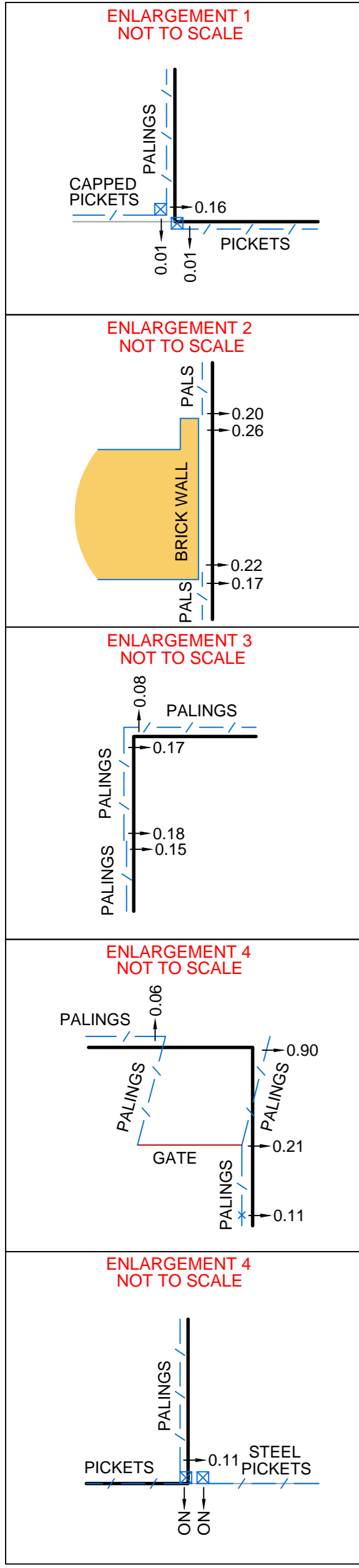
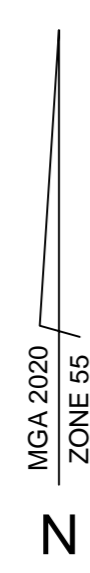


TABLE OF PARCEL IDENTIFIERS
WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962
PARCEL 1 = LOT 24 (PT) ON LP7387
PARCEL 2 = LOT 25 (PT) ON LP7387
PARCEL 3 = LOT 28 (PT) ON LP7387



LEGEND		
SYM	LINE	LAYER NAME
X	4	Control
X	104	Natural Surface
X	110	Breakline
X	201	Tree
X	205	Garden
X	319	Invert of Pipe
X	406	Lip of Kerb
X	407	Invert of Kerb
X	408	Back of Kerb
X	410	Path
X	413	Edge of Concrete
X	414	Paving
X	601	House
X	602	Shed
X	603	Major Building
X	604	Verandah
X	605	Ridge
X	606	Spouting
X	607	Eave
X	608	Parapet
X	611	Window
X	612	Door
X	613	Retaining Wall
X	614	Retaining Wall - Timber
X	615	Retaining Wall - Brick
X	616	Retaining Wall - Concrete
X	617	Stairs
X	735	Gas Meter
X	753	Fire Hydrant/Plug
X	754	Water Meter
X	758	Water Tap
X	901	Title Boundary
X	903	Fence
X	904	Gate
H		DOMB Lot (Indicative Only)
NH		Habitable Window
O		Non-Habitable Window
U		Opaque Window
		Unknown Window



NOTATIONS
This Plan must be read together with the attached Licensed Surveyor's Report.
Location of buildings outside the subject site are indicative only
All grey lines representing neighbouring property boundaries are from Vicmap Property and are indicative only.
Windows on this page have been plotted from external measurements

Levels are to the Australian Height Datum (AHD) through connection to CUT-PAW-PAW PM (R.L. 11.885m)
Certain layers have been frozen for clarity but can be thawed if required
Contour interval 0.1m

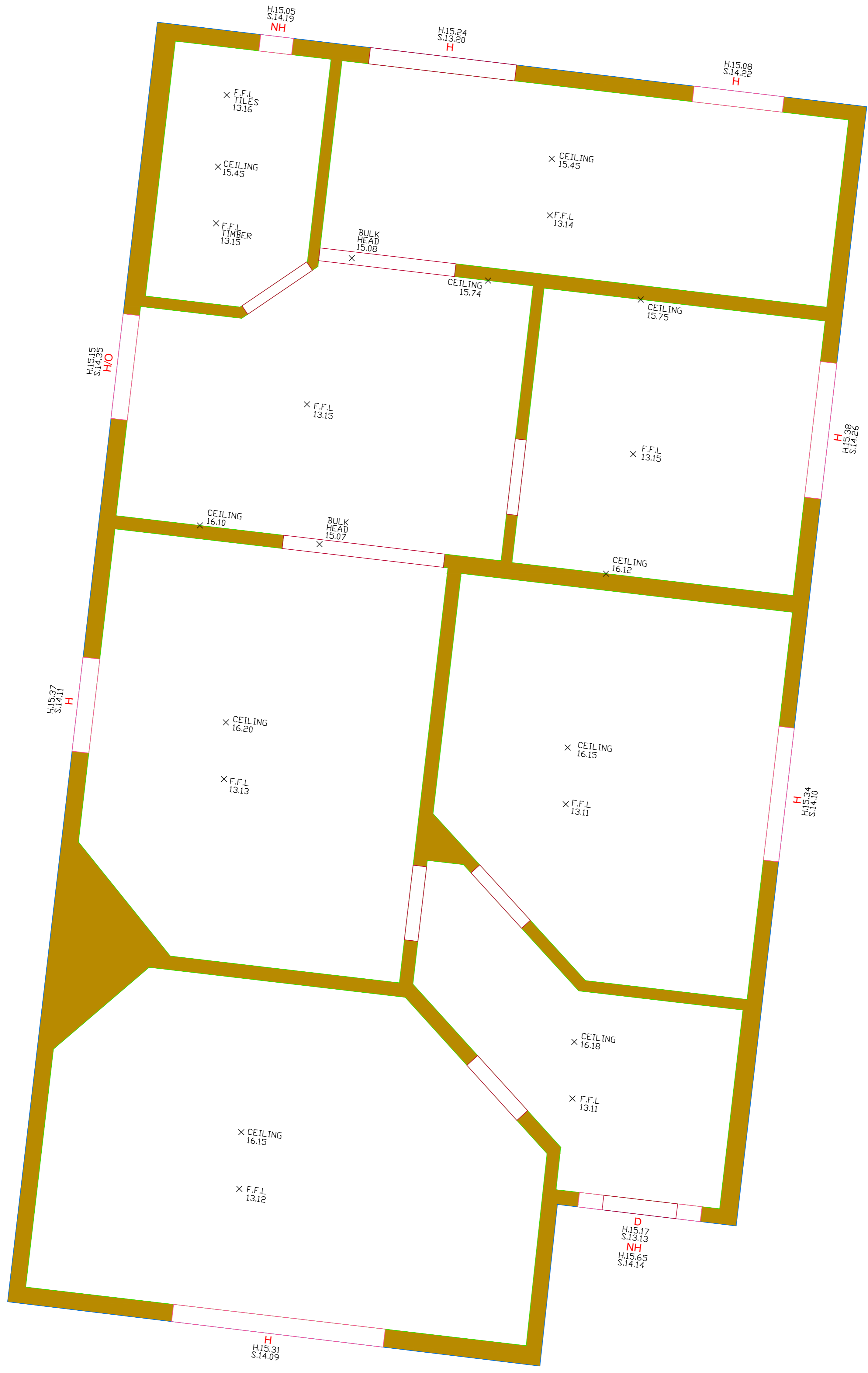
CLIENT
Nathan Kurzemnieks

PROJECT
48 Frederick Street
Yarraville

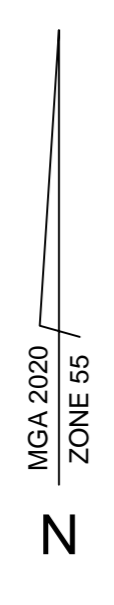
CERTIFICATE OF TITLE
C/T Vol. 5522 Fol. 254

Scale 1:100	1 0.5 0 1 2 3	Sheet Size: A1
Date: 14/12/2023	Date of Survey: 12/12/2023	
Drawn: DH	Surveyor: DH	
Licensed Surveyor: Luke Mackie		
Sheet 1 of 2	Drawing No.: 347100AA	
Version A		

Mackie Surveying
PO Box 62,
Seddon West 3011
P: 1300 663 676
luke@mackiesurveying.com



LEGEND		
SYM	LINE	LAYER NAME
		603 Internal Wall
		603 External Wall
		611 Window
		612 Door
H		Habitable Window
NH		Non-Habitable Window
O		Opaque Window
U		Unknown Window



NOTATIONS
This Plan must be read together with the attached Licensed Surveyor's Report.
Location of buildings outside the subject site are indicative only
All grey lines representing neighbouring property boundaries are from Vicmap Property and are indicative only.
Windows on this page have been plotted from internal measurements

Levels are to the Australian Height Datum (AHD) through connection to CUT-PAW-PAW PM (RL. 11.885m)
Certain layers have been frozen for clarity but can be thawed if required
Contour interval 0.1m

PROJECT DETAILS
Title Re-establishment, Feature, Level and Internals Survey

CLIENT
Nathan Kurzemnieks

PROJECT
48 Frederick Street
Yarraville

CERTIFICATE OF TITLE
C/T Vol. 5522 Fol. 254

Scale 1:25		Sheet Size: A1
Date: 14/12/2023	Date of Survey: 12/12/2023	
Drawn: DH	Surveyor: DH	
Licensed Surveyor: Luke Mackie		
Sheet 2	Drawing No.: 347100AA	
Version A		

Mackie Surveying

PO Box 62,
Seddon West 3011
P. 1300 663 676
luke@mackiesurveying.com



Mackie Surveying

14th December 2023

Nathan Kurzemnieks
nkurzem@hotmail.com

Dear Nathan,

**TITLE RE-ESTABLISHMENT, FEATURE, LEVEL AND INTERNALS SURVEY
48 FREDERICK STREET, YARRAVILLE
CERTIFICATE OF TITLE VOLUME 5522 FOLIO 254
OUR REF: 3471**

The Title Re-establishment, Feature, Level and Internals Survey for 48 Frederick Street, Yarraville is now complete. The following documentation has now been provided:

- A copy of the Re-establishment, Feature Level and Internals Survey plan in AutoCad and pdf formats.
- A site photograph sheet,
- A copy of the current Certificate of Title for the subject land.

RE-ESTABLISHMENT SURVEY

The land under survey is described in Certificate of Title Volume 5522 Folio 254 as Lot 1, 2 and 3 on Title Plan TP 225658Y and has a site area of 263m².

The attached plan shows the relationship between the perimeter fencing/walls and the Title boundaries. Please refer to the enlargements on the plan of survey for specific relationships of occupation to the Title boundary.

In general perimeter walls and fencing agree along the northern and southern boundaries. Along the eastern and western boundaries, all fencing and walls sit west of title. The largest discrepancies occur along the western boundary where the brick wall on the neighbouring house is 0.22m to 0.26m west of boundary and the northeastern corner where the fence has been splayed to allow vehicular access to the rear yard. At the northern extent of the title the fence sits 0.91 east of the eastern boundary.

In general, where perimeter fencing/walls encroach into the subject site, along boundaries abutting private land, we recommend limiting any development to the line of that point if it is over 15 years old. This is under the assumption that the adjoining owner may have accrued possessory rights over the portion of the subject land that they occupy. If you wish to relocate the structure to the boundary, we would recommend that written consent from the relevant adjoining owner is first obtained. Even if the structure is less than 15 years old, possessory rights may still apply if the fence replaced an older one. This would not apply to secondary chain-wire mesh fence as the neighbours do not occupy up to that fencing.

Where fencing/walls are outside the Title boundary, development should be limited to the boundary as shown on our plan.

ROAD ABUTTALS

It appears the occupants have been accessing the rear laneway from the rear of the site. As the laneway is not shown on the subject Title as a formal abuttal, we are unsure whether the subject



Mackie Surveying

owners have legal access to the laneway or not. If not, they may have accrued access through long term use. Where the fence is splayed into the neighbouring land which appears to allow vehicular access into the laneway, the subject owners could look into claiming the neighbouring land where the fence encroaches into their property, but it may prove difficult to argue exclusive use over that land as it is not fully enclosed by fencing. The owners could also look into whether they have accrued rights to pass over the neighbour's land through long term use. Please let us know if you wish to look into these matters further.

FEATURE AND LEVEL SURVEY

All heights shown are to the Australian Height Datum (AHD) through connection to permanent mark CUT-PAW-PAW PM 187 with a stated AHD height of 11.885m. The co-ordinate datum is arbitrary and our bearing datum is MGA2020 Zone 55. In general, MGA is within a degree or two of true north.

We have attempted to note whether windows belong to habitable or non-habitable rooms to the best of our ability based on using our best judgment from within the subject property. This assessment may not always be 100% correct. Where there is little evidence to suggest whether windows are habitable or non-habitable, we have labeled windows with a 'U' for unknown.

Layers, including a 3D triangle file, have been frozen for clarity and can be thawed if required.

If you have any queries regarding the survey, please do not hesitate to contact me at luke@mackiesurveying.com.

Yours faithfully,

Luke Mackie
Licensed Surveyor
Mackie Surveying Pty Ltd

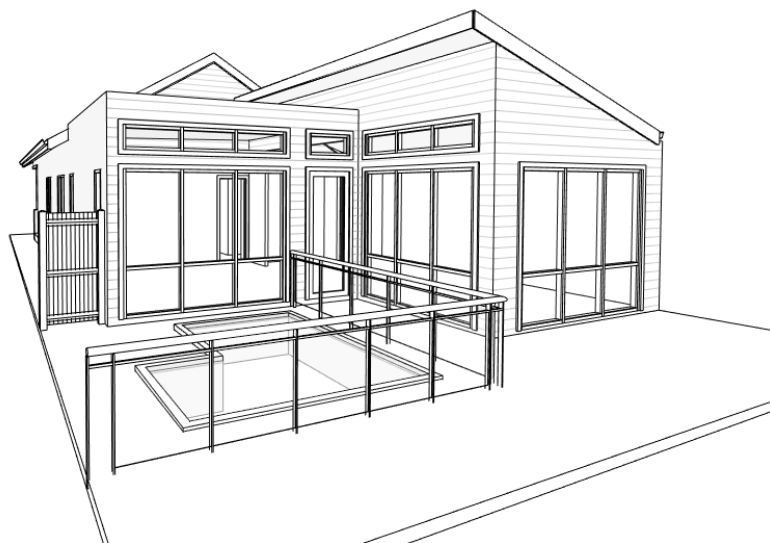
2FORM

CONSULTING

Town Planning Submission

PROPOSED EXTENSION

48 FREDERICK STREET YARRAVILLE VIC 3011



- Maribyrnong Planning Scheme -

30 July 2024

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1 Introduction

1.1 Overview

Planning permission is sought to construct an addition and renovation on the land at 48 Frederick Street Yarraville. The proposed unit will have a frontage and can be accessed from Frederick Street.

The site is within a General Residential (GRZ1) Zone 1 pursuant to provisions of the Maribyrnong Planning Scheme and is covered by a Development Contribution Plan and Design & Development Overlay controls.

Pursuant to Clause 32.08-4 of the General Residential (GRZ1) Zone 1, a permit is required to construct two or more dwellings on a lot.

This report provides an assessment of the proposal against the relevant provisions of the Maribyrnong Planning Scheme.

1.2 Development Summary

As part of the assessment, the following development summary has been prepared:

DEVELOPMENT SUMMARY

AREA

TOTAL FLOOR	150.79sqm
SITE COVERAGE	57.33%
CAR PARKING SPACES	- spaces
TOTAL PRIVATE OPEN SPACE (POS)	111.75sqm
SECLUDED POS	32.81sqm

TOTAL SITE AREA : 263sqm

PERMEABLE PERC : 90.75sqm (34.51%)

BUILDING AREA

EXISTING FLOOR AREA	103.65sqm	11.2sq
EXISTING PORCH AREA	5.77sqm	0.6sq
PROPOSED EXTENSION	41.37sqm	4.5sq
TOTAL AREA	150.79sqm	16.2sq

2 Subject Site

The subject site is located on the northern side of Frederick Street between Admiral Street and Staff Street. The site is within a residential area of Yarraville.

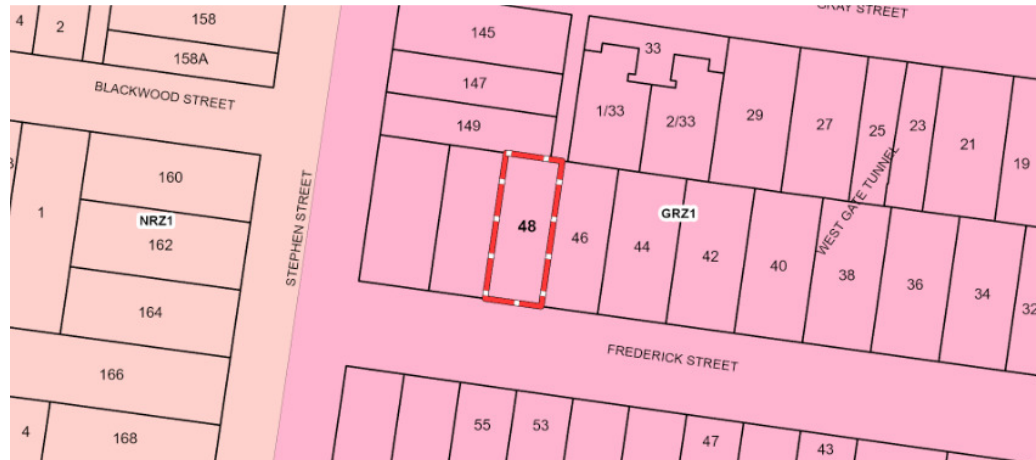


Figure 1 - Cadastral Map

The site has a frontage to Frederick Street of approximately 10.06m, a depth of 26.08m. The overall site area is approximately 263 square metres.

The land is quite flat and contains no significant vegetation.

The site is not affected by a covenant. The land does not fall within a heritage area and any other overlays affecting the proposed development.

The streetscape character of the dwellings adjoining and at the rear of the site is a combination of brick veneer and weatherboard dwellings with tiled roofs or roof sheeting.

3 Site Context and Locality

The subject site is within close proximity approx.:

- 500M TO YARRAVILLE TRAIN STATION
- 900M TO YARRAVILLE WEST PRIMARY SCHOOL
- 660M TO BEATON RESERVE
- 650M TO YARRAVILLE GARDEN
- 710M TO YARRAVILLE SHOPPING STRIP
- 5.6KM MELBOURNE CBD

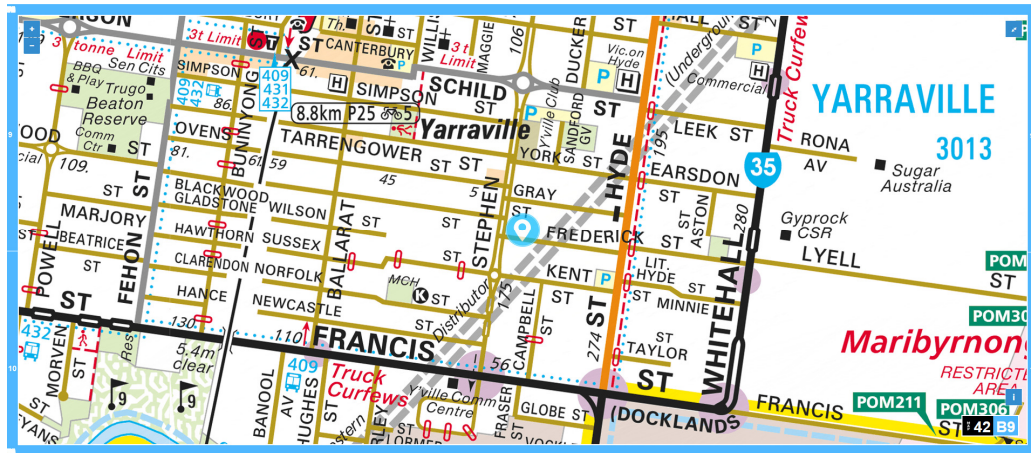
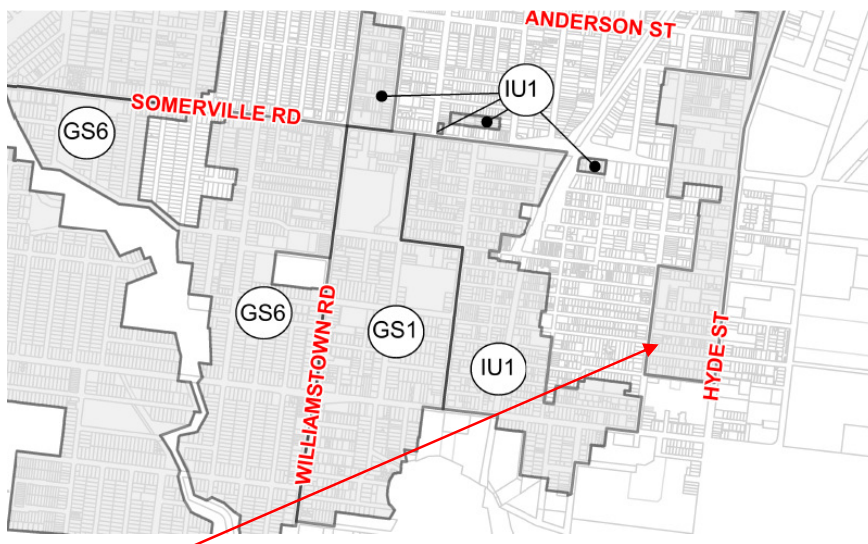


Figure 2 - Location Map

The site is located in the corner between Admiral Street and Staff Street. Both streets comprise a residential street that carries double lanes of traffic in opposite directions. Public footpaths extend along both sides of the road reserve.

The subject site and wider area are located within Inner Urban Precinct 1 – GS1 of the Maribyrnong Neighbourhood Guideline.



The area is provided with the following description:

The larger streets of this precinct are open and spacious, despite the compact lot sizes. This is due to the wide road pavements combined with predominantly narrow nature strips, and minimal vegetation. Smaller streets have a more intimate feel, with narrow road widths, no nature strips, small lots, and limited front and side setbacks. This intimacy is strengthened in certain streets that consist of large, established vegetation and planting. Bluestone kerb and channelling and laneways provide another key feature in certain areas of this precinct. There is a diverse range of housing styles, from the Victorian, Federation, Edwardian, Interwar, and Postwar eras, with some contemporary scattered throughout. Despite this diversity, the dwellings complement one another due to the relatively low scale nature, consistent setbacks, and low front fencing.

Some of keys existing character are:

- Architectural styles are a combination of Victorian, Federation, Edwardian, Interwar, Postwar and contemporary.
- Building materials are predominantly brick or weatherboard, with either tile or iron roofs.
- Dwellings are predominantly single storey, with some two to three storey development scattered throughout.
- Front setbacks are generally 1 to 2 metres or 3 to 4 metres. Parts of Yarraville have wider setbacks, ranging from 6 to 7 metres. Side setbacks are between 0 to 3 metres.
- Gardens are generally low level with occasional tall trees, and mostly exotic planting.
- Front fences are low and consist of transparent and solid materials.
- Street trees range from small to large and are regularly or irregularly planted.
- Nature strips vary in width from 1 to 4 metres. Some streets do not have nature strips.
- A substantial number of streets have bluestone kerb and channels.

In relation to the site's immediate context, the abutting properties;

To the east boundary (46 Frederick Street) is developed with single storey weatherboard dwellings with hipped tiled roofs. The dwelling has a front setback of approximately 4.2 metres with a side setback abut to the boundary of the subject site. There is a habitable room window to the proposed works. The property has picket front fencing.

To the west boundary (50 Frederick Street) is developed with single storey weatherboard dwellings with hipped tiled roofs. The dwelling has a front setback of approximately 4.26 metres with a side setback abut to the boundary of the subject site. There is a habitable room window relative to the proposed works. The property has 1.2mH capped picket front fencing.

4 The Proposal

Planning permission is sought to construct an addition and renovation on the land at 48 Frederick Street Yarraville. The proposed extension will be arranged to not affect the front setback and to remain consistent with the existing dwellings.

A development summary is provided below:

DEVELOPMENT SUMMARY

AREA

TOTAL FLOOR	150.79sqm
SITE COVERAGE	57.33%
CAR PARKING SPACES	- spaces
TOTAL PRIVATE OPEN SPACE (POS)	111.75sqm
SECLUDED POS	32.81sqm

TOTAL SITE AREA : 263sqm

PERMEABLE PERC : 90.75sqm (34.51%)

BUILDING AREA

EXISTING FLOOR AREA	103.65sqm	11.2sq
EXISTING PORCH AREA	5.77sqm	0.6sq
PROPOSED EXTENSION	41.37sqm	4.5sq
<i>TOTAL AREA</i>	150.79sqm	16.2sq

Secluded private open spaces will be located to the rear side of each dwelling. The proposed renovation will increase total area of ground floor approx. 40sqm.

Total site coverage of 57.33 percent is proposed with permeable surfaces to cover 34 percent of the site.

The proposed development is to renovate and rearrange some rooms at the rear of dwelling. Existing living, dining, bath and kitchen rooms will be demolished internally and renovated as per proposed plan. The proposed renovation will have bigger living, meals and kitchen areas. Ensuite, bathroom and a toilet will be added to the project. A pool also will be added to the rear of extension rooms.

In general, the development proposed is considered to have been carefully conceived, having full regard to both the constraints exhibited by the site, and the neighbourhood context into which the proposal is to be incorporated.

5 Planning Policy

5.1 State Planning Policy Framework

The State Planning Policy Framework (SPPF) seeks to ensure that the objectives of planning in Victoria (as set out in the Planning and Environment Act 1987) are fostered through appropriate land use and development planning policies and practices which integrate relevant environmental, social, and economic factors in the interests of net community benefit and sustainable development.

Clause	Planning Policy
11	Settlement
11 .02	Urban growth
11 .04	Metropolitan Melbourne
12	Environmental and landscape values
12.01	Biodiversity
12.04	Significant environments and landscapes
15	Built Environment and heritage
15.01	Urban environment
15.02	Sustainable development
16	Housing
16.01	Residential development
16.02	Housing form
17	Economic development
17.01	Commercial
17.02	Industry
17.03	Tourism
18	Transport
18.01	Integrated transport
18.02	Movement networks

The objective of the above policies is to encourage development in locations with access to physical and community infrastructure while providing a range of lot sizes to allow housing for varying sized households. At the same time, development should provide for, convenient and safe road network, appropriate pedestrian and cycle paths, sufficient, useable public open space and low vulnerability to fire. Residential development should be cost-effective in infrastructure provision and use, be energy efficient, incorporate water-sensitive design principles and encourage public transport use whilst maximising opportunities for increased residential densities to help consolidate urban areas.

The proposal's consistency with State policy is primarily a result of its infill scale development within an existing urban area and its careful consideration of adjoining land uses and utilisation of effective urban design principles. Overall, the proposal respects the amenity of adjoining properties given the site layout and responds to topography. The proposed dwellings will positively enhance the character of the area.

Of particular relevance to this application are the following policies:

Clause 11 Settlement

Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

Planning is to prevent environmental problems created by siting incompatible land uses close together.

Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns, and investment in transport and communication, water and sewerage and social facilities.

Clause 15 Built Environment and Heritage

Planning should ensure all new land use and development appropriately responds to its landscape, valued built form and cultural context, and protects places and sites with significant heritage, architectural, aesthetic, scientific and cultural value.

Creating quality built environments supports the social, cultural, economic and environmental wellbeing of our communities, cities and towns.

Land use and development planning must support the development and maintenance of communities with adequate and safe physical and social environments for their residents, through the appropriate location of uses and development and quality of urban design.

Planning should achieve high quality urban design and architecture that:

- Contributes positively to local urban character and sense of place.
- Reflects the particular characteristics, aspirations and cultural identity of the community.
- Enhances liveability, diversity, amenity and safety of the public realm.
- Promotes attractiveness of towns and cities within broader strategic contexts.
- Minimises detrimental impact on neighbouring properties.

15.01-1 Urban design

Objective: To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.

15.01-5 Cultural identity and neighbourhood character

Objective: To recognise and protect cultural identity, neighbourhood character and sense of place.

15.02-1 Energy and resource efficiency

Objective: To encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.

Clause 16 Housing

Planning should provide for housing diversity, and ensure the efficient provision of supporting infrastructure. New housing should have access to services and be planned for long term sustainability, including walkability to activity centres, public transport, schools and open space.

Planning for housing should include providing land for affordable housing.

16.01-2 Location of Residential Development

Objective: To locate new housing in or close to activity centres and employment corridors and at other strategic redevelopment sites that offer good access to services and transport.

16.01-4 Housing diversity

Objective: To provide for a range of housing types to meet increasingly diverse needs.

The clause encourages the development of well-designed medium-density housing which:

- Respects the neighbourhood character.
- Improves housing choice.
- Makes better use of existing infrastructure.
- Improves energy efficiency of housing.

16.01-5 Housing affordability

Objective: To deliver more affordable housing closer to jobs, transport and services.

Clause 18 Transport

18.01-1 Land use and transport planning

Objective: To create a safe and sustainable transport system by integrating land-use and transport.

Overall it is submitted that this four dwelling medium density housing development is consistent with State planning policy because it:

- Assists with urban consolidation.
- Adds to housing choice and diversity by providing smaller sized two and three bedroom dwellings on smaller sites (with small garden areas and as an alternative to the older single family homes on large allotments) in an area of Brooklyn that overall still largely comprises single detached dwellings on reasonably large allotments. The proposed dwellings will be suited to smaller households.
- Makes efficient use of a quite large and well located parcel of residential land in an established residential area that is obviously experiencing some residential redevelopment. There are existing and approved medium density developments adjoining the site and elsewhere in the street and precinct.
- The site is quite well located in relation to a major shopping/activity centre , schools, recreation reserves and several bus routes.
- Adequately respects the established and currently changing neighbourhood character in a street where there is a mix of single-storey and two-storey built form.
- Minimise impacts on local residential amenity.

5.2 Local Planning Policy Framework

The Local Planning Policy Framework (LPPF) identifies long term directions about land use and development in the municipality and provides the rationale for the zone and overlay requirements and particular provisions in the Scheme. The LPPF includes the Municipal Strategic Statement (MSS) and local planning policies.

Municipal Strategic Statement

The Maribyrnong Municipal Strategic Statement (MSS) at Clause 21 sets out the future strategic direction for the municipality. The MSS is divided into a number of sections which the following sections being relevant to the current planning permit application:

Clause 21.06 - Built Environment and Heritage

This policy states that the Council is dedicated to a well-designed urban environment that enhances the image, aesthetics and amenity of the city. The changing pattern of land uses and extensive development occurring in the city affords opportunities to achieve high standards of urban design and architecture. Excellence in urban design can improve streetscapes and public spaces. It can also help to achieve more sustainable development and a more attractive and liveable city

The objectives of relevance to the application of Maribyrnong Council are:

- *To support a sense of place and community in activity centres*
- *To create activity centres with a high quality public realm*
- *To encourage well designed residential development*
- *To support appropriate development on rear laneways.*

Clause 21.07 – Housing

The mixed use and residential developments occurring in key activity centres will continue and increase. This will extend housing choice, improve access to infrastructure, services and transport for residents and will help support and broaden the function of centres. Core industrial areas, key passenger and freight transport corridors and major hazard facilities need protection from residential encroachment to maintain their viability and prevent adverse risk and amenity impacts.

The objectives of relevance to the application are:

- *To provide significant opportunities for new residential development in substantial change areas and substantial change activity centres.*
- *To provide incremental opportunities for new residential development in incremental change areas and incremental change activity centres.*
- *In Limited change areas, limit development in residential areas with heritage significance; an identified residential character protected through a specific overlay; and identified constraints, such as inundation, that necessitate protection through an overlay.*

- *To protect core industrial areas, key passenger and freight transport corridors and major hazard facilities from residential encroachment.*

22.08 – Maribyrnong Garden Suburban Neighbourhood Character Policy

This policy divides the area of Maribyrnong into some different neighbourhood character precincts. They are Garden Suburban, Inner Urban, garden Court and Urban Contemporary. The subject site falls within the *Inner Urban 1* of the Neighbourhood Characters. The policy contains the following character description:

The larger streets of this precinct are open and spacious, despite the compact lot sizes. This is due to the wide road pavements combined with predominantly narrow nature strips, and minimal vegetation. Smaller streets have a more intimate feel, with narrow road widths, no nature strips, small lots, and limited front and side setbacks. This intimacy is strengthened in certain streets that consist of large, established vegetation and planting. Bluestone kerb and channelling and laneways provide another key feature in certain areas of this precinct. There is a diverse range of housing styles, from the Victorian, Federation, Edwardian, Interwar, and Postwar eras, with some contemporary scattered throughout. Despite this diversity, the dwellings complement one another due to the relatively low scale nature, consistent setbacks, and low front fencing.

The preferred neighbourhood character statement states that:

The low-scale intimacy of the streetscapes and the sense of history will be maintained and strengthened throughout this precinct. Older dwellings, including those from the Victorian, Edwardian and Interwar eras will be retained and complemented by newer development that is distinguishable from original building stock, but respectful of the key elements of these styles. New low-scale buildings with pitched roofs will incorporate lightly-coloured timber and other non-masonry materials within well-articulated facades. Where new development exceeds the predominant height in the street, upper levels will be recessed to reduce their prominence. New buildings will be sited in accordance with the predominant pattern of setbacks in the street, which may include terraced housing or buildings abutting one side boundary. The visual interaction between dwellings and streetscapes will be maintained and strengthened by providing low, permeable front fences and small front setbacks with space for shrubs and flowering plants to soften the built form. Particularly intact areas, including parts of Yarraville and Yarraville directly south of the Footscray Activity Centre and the area south-west of Yarraville Station will continue to display consistency in characteristics such as height, built form, siting and use of materials

The Preferred Neighbourhood Character is to be achieved by the following Design Guideline:

Character Element	Objective	Design Response
Existing Building	To encourage the retention of older dwellings that contribute to the valued character of the area.	Retain dwellings from the Federation and Interwar era that are intact and in good condition wherever possible
	To respect the qualities of older adjoining buildings that are in good condition.	Where adjoining an older building in good condition, respect the height, building forms, siting and materials of the building(s) in new building design.
	The existing dwelling will be retained, proposed renovation only modify the rear of the dwelling.	
Vegetation	To maintain and strengthen the garden setting of the dwellings	<ul style="list-style-type: none"> > Retain large, established trees and provide for the planting of new trees and substantial vegetation, wherever possible. > Buildings should be sited and designed to incorporate space for the planting of substantial vegetation.
	The subject site contains no significant vegetation that warrants protection. Landscaping is proposed along rear secluded private open space areas. Canopy trees consistent with the neighbourhood street character are proposed for secluded private open spaces.	
Sitting	To maintain the consistency, where present, of front boundary setbacks.	<ul style="list-style-type: none"> ▪ The front setback should be no less than the average setback of the adjoining two dwellings
	To maintain gaps between dwellings where this is a characteristic of the street	<ul style="list-style-type: none"> ▪ Buildings should be set back from the side boundaries in accordance with the pattern in the street
	To minimise the loss of front garden space and the dominance of car parking structures	<ul style="list-style-type: none"> ▪ Locate garages and carports behind the line of the dwelling. ▪ Minimise paving in front garden areas, including driveways and crossovers. ▪ Provide vehicular access from a rear laneway if available.
	The front setback will not changes and within the requirements.	
Height and Building Form	To ensure that buildings and extensions do not dominate the streetscape	<ul style="list-style-type: none"> Respect the predominant building height in the street and nearby properties Recess two storey elements from the front facade. Use low pitched roof forms.

	To encourage innovative and contemporary architectural responses that are in harmony with surrounding heritage buildings and streetscapes	New development, including additions to existing buildings, should be distinguishable from the original dwelling stock through the use of innovative and contemporary architecture. Use simple building details.
	To maintain the sense of openness in backyards.	The scale and massing of second dwellings built in the backyard should be designed so that upper level components are contained within a single storey roof form.
	The proposed renovation and addition will not dominate the streetscape and will use contemporary design to match surrounding areas.	
Front Boundary Treatment	To enhance the security of properties and maintain views into front gardens.	<ul style="list-style-type: none"> • 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
	Front fencing will be kept.	

6 Zoning and Overlay Controls

6.1 Zone

The site and most of the land in the precinct/area are zoned Neighbourhood Residential Zone (NRZ1) under the Maribyrnong Planning Scheme.

- The relevant sections of the purpose of the Neighbourhood Residential (NRZ1) Zone are:
- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To recognise areas of predominantly single and double storey residential development.
- To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Pursuant to Clause 32.08-4 specifies that a permit is required to construct two or more dwellings on a lot and this clause also requires that a development must meet the requirements of Clause 55.

6.2 Overlays

DEVELOPMENT CONTRIBUTION PLAN

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.

DESIGN AND DEVELOPMENT OVERLAY

- To avoid direct contact with and to provide a safe working clearance around the West Gate Tunnel.
- To ensure development does not adversely affect or put at risk the construction, integrity or operation of the Project or West Gate Tunnel.
- To avoid Loading onto the West Gate Tunnel that could lead to structural damage or impact, reduced structural capacity, damage detrimental to the serviceability of the structures, or displacement of the West Gate Tunnel to the detriment of freeway operations.
- To avoid excavations or other unloading of the ground that could lead to structural, serviceability, or operational damage to the West Gate Tunnel.
- To prevent development and construction methods that could generate unacceptable levels of vibration in the West Gate Tunnel.
- To ensure that development of land does not rely upon direct structural support from the West Gate Tunnel unless specifically envisaged in the West Gate Tunnel design.
- To ensure that the potential effects of development on the West Gate Tunnel, and the consequences of those effects on the wider Melbourne transport network are appropriately managed or mitigated.

7 Particular and General Provisions

52.06 Car parking

The purpose of this provision is to:

- *To ensure that car parking is provided in accordance with the State Planning Policy Framework and Local Planning Policy Framework.*
- *To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated the activities on the land and the nature of the locality.*
- *To support sustainable transport alternatives to the motor car.*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*
- *To ensure that car parking does not adversely affect the amenity of the locality.*
- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

Clause 52.06-5 - Table 1 of this clause sets out the car parking requirement that applies to a new dwelling. Where land is proposed to be used for a dwelling, the Clause identifies that the following parking requirements apply:

- 1 space to each one or two-bedroom dwelling
- 2 space to each three or more-bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus
- 1 space for visitors to every 5 dwellings for developments of 5 or more dwellings

55 Two or more dwellings on a lot and residential buildings

The purpose of this provision is to:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.*
- *To encourage residential development that provides reasonable standards of amenity for existing and new residents.*
- *To encourage residential development that is responsive to the site and the neighbourhood.*
- *The provisions of this clause contain objectives which describe the desired outcome to be achieved in the completed development and standards which contain the requirements to meet the objective.*
- *An assessment of the proposed development is provided at Attachment 1 of this submission against the provisions of Clause 55.*

65 Decision guidelines

- The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.

8 Planning Considerations

Having regard to the policy objectives outlined above, it is submitted that the proposed development is consistent with the State and Local Planning Policy Frameworks detailed in the Maribyrnong Planning Scheme.

The relevant policy directions outlined in the scheme encourage the development of well-designed housing which makes effective use of existing infrastructure and provides housing diversity.

Plan Melbourne and the Maribyrnong Planning Scheme seek to facilitate sustainable development that takes full advantage of existing settlement patterns to create opportunities for consolidation of established urban areas.

Planning must consider as relevant or as required the document Plan Melbourne: Metropolitan Planning Strategy (Department of Transport, Planning and Local Infrastructure, 2014). This document is referenced in the Maribyrnong Planning Scheme at Clauses 9, 11 and 16.

The strategy continues the focus on housing choice and affordability and one of its key directions is to understand and plan for expected future housing needs.

Initiatives include applying the reformed residential zones, delivering houses close to jobs and transport, increasing housing choice within walkable distance of railway stations and facilitating the supply of affordable housing.

The Maribyrnong Planning Scheme seeks to encourage housing diversity and housing affordability by supporting the provision of well-designed and located medium density housing.

It is submitted that the proposed development addresses these policy objectives by providing for a development that:

- Improves housing choice and furthers the aims of urban consolidation;
- has excellent access to existing physical and social infrastructure and public transport;
- provides adequate car parking and will allow safe and efficient vehicle movements to and from the site; and
- Will enhance the local neighbourhood by providing a well-designed development that relates well to its environment and respects neighbourhood character.

9 Conclusion

It is submitted that the proposal on the land at 48 Frederick Street, Yarraville has been designed with regards to the State and Local Policy Framework and relevant provisions set out in the Maribyrnong Planning Scheme.

The proposed development provides a satisfactory response to the existing neighbourhood character and objectives of Clause 54. The result is that the development will provide a high standard of on-site amenity without unreasonably affecting the amenity of the adjoining dwellings. We submit that the proposal is worthy of Council support.

Response to RFI (29/08/2024)

48 Frederick Street Yarraville VIC 3013

Planning Permit Application No: TP343/2024(1)

Response of the RFI:

1. Clause 54 assessment has been provided
2. A schedule of material, colours and finishes have been added to the drawing.
3. A note to confirm that development will not include any works below 3 metres of surface level has been added to the drawing.
4. Shadow diagrams added as required. There are additional of minor overshadows to SPOS areas of 46 Frederick Street, but not reduce sunlight area to the min required amount. Please see page 6 for details.

10/09/2024

ResCode Clause 54

48 Frederick Street YARRAVILLE VIC 3013

CLAUSE 54.01

NEIGHBOURHOOD & SITE DESCRIPTION & DESIGN RESPONSE

CLAUSE 54.01-1

NEIGHBOURHOOD AND SITE DESCRIPTION

The neighbourhood and site description may use a site plan, photographs or other techniques and must accurately describe:

- **In relation to the neighbourhood**
 - The built form, scale and character of surrounding development including front fencing.
 - Architectural and roof styles.
 - Any other notable features or characteristics of the neighbourhood.
- **In relation to the site**
 - Site shape, size, orientation and easements.
 - Levels of the site and the difference in levels between the site and surrounding properties.
 - Location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
 - The use of surrounding buildings.
 - The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
 - Solar access to the site and to surrounding properties.
 - Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known.
 - Any contaminated soils and filled areas, where known.
 - Views to and from the site.
 - Street frontage features such as poles, street trees and kerb crossovers.
 - Any other notable features or characteristics of the site.

✓ **Complies**

Comments

The whole façade will be kept include veranda form and style including front verandah, window and door.

CLAUSE 54.01-2

DESIGN RESPONSE

The design response must explain how the proposed design:

- Derives from and responds to the neighbourhood and site description.
- Meets the objectives of Clause 54.
- Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay.
- The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings.

✓ **Complies**

<p>CLAUSE 54.02 NEIGHBOURHOOD CHARACTER</p>	
<p>CLAUSE 54.02-1 NEIGHBOURHOOD CHARACTER</p> <p>Objectives To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.</p> <p>To ensure that the design responds to the features of the site and the surrounding area.</p> <p>Standard A1</p> <ul style="list-style-type: none"> • The design response must be appropriate to the neighbourhood and the site. • The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site. <p>Decision Guidelines <i>Before deciding on an application, the responsible authority must consider:</i></p> <ul style="list-style-type: none"> • Any relevant neighbourhood character objective, policy or statement set out in this scheme. • The neighbourhood and site description. • The design response. 	<p>✓ Complies</p>
<p>CLAUSE 54.02-2 INTEGRATION WITH THE STREET</p> <p>Objective To integrate the layout of development with the street.</p> <p>Standard A2</p> <ul style="list-style-type: none"> • Dwellings should be orientated to front existing and proposed streets • High fencing in front of dwellings should be avoided if practicable. <p>Dwellings should be designed to promote the observation of abutting streets and any abutting public open spaces.</p> <p>Decision Guidelines <i>Before deciding on an application, the responsible authority must consider:</i></p> <ul style="list-style-type: none"> • Any relevant neighbourhood character objective, policy or statement set out in this scheme. • The design response. 	<p>✓ Complies</p> <p>Comments There is no alteration to the front facade include windows and doors and roof above.</p>

**CLAUSE 54.03
SITE LAYOUT AND BUILDING MASSING**

**CLAUSE 54.03-1
STREET SETBACK**

Objective

To ensure that setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site

Standard A3

Walls of buildings should be setback from streets the distance specified in Table A1 as follows:

- Where there are existing buildings on both abutting lots facing the same street, and the site is not on a corner, the average distance of front walls of existing adjacent buildings facing the same street or 9m, whichever is lesser.
- Where there is an existing buildings on one abutting lot facing the same street, and no existing building on the other abutting lot facing the same street and the site is not on a corner, the same distance as the front wall of the existing adjacent building or 9m, whichever is lesser.
- Where there is no existing buildings on either abutting lot facing the same street and the site is not on a corner, 6m for streets in a Road Zone Category 1, and 4m for other streets.
- Where the site is on a corner, and there is a building on the abutting lot facing the front street, the same distance as the setback of the front wall of the existing abutting building facing the front street, or 9m whichever is lesser.
- Where the site is on a corner and there is no building on the abutting lot facing the front street, 6m for streets in a Road Zone Category 1, and 4m for other streets.
- Buildings should be setback from the side street of a corner site, the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street, or 2m, whichever is the lesser.

Note 1: for a corner lot, the frontage or front street is the smaller frontage. For lots with equal frontage to two streets, the Council may nominate the frontage or front street.

Note 2: Porches, pergolas and verandahs that are less than 3.6m high and eaves may encroach not more than 2.5m into the setbacks of this standard.

Decision Guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots.
- The visual impact of the building when viewed from the street and adjoining properties.
- The value or retaining vegetation within the front setback.

✓ **Complies**

Comments

There is no change to the existing front street setback

**CLAUSE 54.03-2
BUILDING HEIGHT**

Objective

To ensure that the height of the buildings respects the existing or preferred neighbourhood character

Standard A4

- The maximum building height should not exceed 9m, unless the slope of the natural ground level at any cross section wider than 8m of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10m.
- Change of building height between existing buildings and new buildings should be graduated.

Decision Guidelines

Before deciding on an application, the responsible authority must consider:

- *Any relevant neighbourhood character objective, policy or statement set out in this scheme.*
- *The design response.*
- *The effect of the slope of the site on the height of the building.*
- *The relationship between the proposed building height and the height of existing adjacent buildings.*
- *The visual impact of the building when viewed from the street and adjoining properties.*

✓ **Complies**

**CLAUSE 54.03-3
SITE COVERAGE**

Objective

To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site

Standard A5

- The site area covered by buildings should not exceed 60%.

Decision Guidelines

Before deciding on an application, the responsible authority must consider:

- *Any relevant neighbourhood character objective, policy or statement set out in this scheme.*
- *The design response.*
- *The existing site coverage and any constraints imposed by existing development or the features of the site.*
- *The site coverage of adjacent properties.*
- *The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.*

✓ **Complies**

<p>CLAUSE 54.03-4 PERMEABILITY</p> <p>Objectives To reduce the impact of increased stormwater run-off on the drainage system.</p> <p>To facilitate on-site stormwater infiltration</p> <p>Standard A6</p> <ul style="list-style-type: none"> • At least 20 % of the site should not be covered by impervious surfaces. <p>Decision Guidelines <i>Before deciding on an application, the responsible authority must consider:</i></p> <ul style="list-style-type: none"> • <i>The design response</i> • <i>The existing site coverage and any constraints imposed by existing development or the features of the site.</i> • <i>The capacity of the drainage network to accommodate additional stormwater.</i> • <i>The capacity of the site to absorb run-off.</i> • <i>The practicality of achieving at least 20 per-cent site coverage of pervious surfaces, particularly on lots of less than 300m2.</i> 	<p>✓ Complies</p> <p>Comments Permeability = 34.51%</p>
<p>CLAUSE 54.03-5 ENERGY EFFICIENCY PROTECTION</p> <p>Objectives To achieve and protect energy efficient dwellings.</p> <p>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.</p> <p>Standard A7</p> <ul style="list-style-type: none"> • Buildings should be: <ul style="list-style-type: none"> - Orientated to make appropriate use of solar energy. - Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. • Living areas and private open space should be located on the north side of the dwelling, if practicable. • Dwellings should be designed so that solar access to north-facing windows is maximised. <p>Decision Guidelines <i>Before deciding on an application, the responsible authority must consider:</i></p> <ul style="list-style-type: none"> • <i>The design response</i> • <i>The size, orientation and slope of the lot.</i> • <i>The existing amount of solar access to abutting properties.</i> • <i>The availability of solar access to north facing windows on the site.</i> 	<p>✓ Complies</p> <ul style="list-style-type: none"> • More glass to the rear of extension to provide natural light • Trees and shrubs added to the rear backyard

<p>CLAUSE 54.03-6 SIGNIFICANT TREES</p> <p>Objectives To encourage development that respects the landscape character of the neighbourhood.</p> <p>To encourage the retention of significant trees on the site</p> <p>Standard A8</p> <ul style="list-style-type: none"> • Development should provide for the retention or planting of trees, where these are part of the neighbourhood character. • Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made. <p>Decision Guidelines <i>Before deciding on an application, the responsible authority must consider:</i></p> <ul style="list-style-type: none"> • Any relevant neighbourhood character objective, policy or statement set out in this scheme. • The design response. • The health of any trees that were removed or are proposed to be removed. • Whether a tree was removed to gain a development advantage. 	<p>✓ NA</p> <p>Comments No Significant trees</p>
<p>CLAUSE 54.03-7 PARKING</p> <p>Objective To ensure that car parking is adequate for the needs of residents.</p> <p>Standard A9</p> <p>Two car spaces should be provide per dwelling with:</p> <ul style="list-style-type: none"> • one space at least 6m x 3.5m and covered or capable of being covered. • One space at least 4.9m x 2.6m. • If the car spaces are in a garage, car port or otherwise constrained by walls, a double space may have an internal width of 5.5m. • A building may project into a car space if it is at least 2.1m above the space. <p>Note: the requirements of this standard do not apply to extensions to existing dwellings.</p> <p>Decision Guidelines <i>Before deciding on an application, the responsible authority must consider:</i></p> <ul style="list-style-type: none"> • The likely needs of users • The practicality of providing car parking on the site, particularly for lots of less than 300 square metres. • The reduction of on-street car parking spaces resulting from the provision of car parking on the site, particularly for lots of less than 300 square metres. 	<p>✓ NA</p> <p>Comments N/A</p>

<ul style="list-style-type: none"> • <i>The availability of public transport and on-street parking.</i> • <i>Any relevant local planning policy or parking precinct plan.</i> 	
<p>CLAUSE 54.04 AMENITY IMPACTS</p>	
<p>CLAUSE 54.04-1 SIDE AND REAR SETBACKS</p> <p>Objective To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</p> <p>Standard A10</p> <ul style="list-style-type: none"> • New building not on, or within 150mm of boundary should be setback from side or rear boundaries: <ul style="list-style-type: none"> - 1m, plus 0.3m for every metre height over 3.6m up to 6.9m, plus 1m for every metre height over 6.9m. • Sunblinds, verandahs, porches, eaves, gutters etc may encroach not more than 0.5m into the setbacks of this standard. • Landings with an area of not more than 2m², and less than 1m high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard. <p>Decision Guidelines <i>Before deciding on an application, the responsible authority must consider:</i></p> <ul style="list-style-type: none"> • <i>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</i> • <i>The design response.</i> • <i>The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.</i> • <i>Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.</i> • <i>Whether the wall abuts a side or rear lane.</i> 	<p>✓ Complies</p>
<p>CLAUSE 54.04-2 WALLS ON BOUNDARIES</p> <p>Objective To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</p> <p>Standard A11</p> <ul style="list-style-type: none"> • New wall on or within 150mm of a side or rear boundary of a lot, or a carport on or within 1m of a side or rear boundary should not abut the boundary for a length of more than: <ul style="list-style-type: none"> - 10m plus 25% of the remaining length of the boundary of an adjoining lot; or - the length of an existing or simultaneously constructed wall or carport whichever is the greater. 	<p>✓ Complies</p>

<ul style="list-style-type: none"> • A new wall or carport may fully abut a side or rear boundary where the slope and retaining walls would result in the effective height of the wall or carport being less than 2m on the abutting property boundary. • A building on a boundary includes a building up to 150mm from a boundary. • New wall on or within 150mm of a side or rear boundary of a lot, or a carport on or within 1m of a side or rear boundary should not exceed an average of 3m height, with no part higher than 3.6m, unless abutting a higher existing or simultaneously constructed wall. <p>Decision Guidelines <i>Before deciding on an application, the responsible authority must consider:</i></p> <ul style="list-style-type: none"> • Any relevant neighbourhood character objective, policy or statement set out in this scheme. • The design response. • The extent to which wall on boundaries are part of the neighbourhood character. • The visual impact of the building when viewed from adjoining properties. • The impact on the amenity of existing dwellings. • The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property. • The orientation of the boundary that the wall is being built on. • The width of the lot. • Whether the wall abuts a side or rear lane. • The need to increase the wall height to screen a box gutter. 	
<p>CLAUSE 54.04-3 DAYLIGHT TO EXISTING WINDOWS</p> <p>Objective</p> <p>To allow adequate daylight into existing habitable room windows.</p> <p>Standard A12</p> <ul style="list-style-type: none"> • Buildings opposite an existing habitable room window should provide for a light court to the existing window, of at least 3m² and 1m clear to the sky. The area may include land on the abutting lot. • Walls or carports more than 3m height opposite an existing habitable room window 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>Note: Where the existing window is above ground level, the wall height is measured from the floor level of the room containing the window.</p> <p>Decision Guidelines <i>Before deciding on an application, the responsible authority must consider:</i></p>	<p>✓ Complies</p>

<ul style="list-style-type: none"> • <i>The design response.</i> • <i>The extent to which the existing dwelling has provided for reasonable daylight access to its habitable rooms through the siting and orientation of its habitable room windows.</i> • <i>The impact on the amenity of existing dwellings.</i> 	
<p>CLAUSE 54.04-4 NORTH FACING WINDOWS</p> <p>Objective To allow adequate solar access to existing north facing habitable room windows.</p> <p>Standard A13</p> <ul style="list-style-type: none"> • If a north-facing habitable room window of an existing dwelling is within 3m of a boundary of an abutting lot, a building should be setback: <ul style="list-style-type: none"> - 1m, plus 0.6m for every metre height over 3.6m up to 6.9m, plus 1m for every metre height over 6.9m, for a distance of 3m from the edge of each side of the window. <p>Note: A north facing window is a window with an axis perpendicular to its surface orientated north 20 degrees west to north 30 degrees east.</p> <p>Decision Guidelines <i>Before deciding on an application, the responsible authority must consider:</i></p> <ul style="list-style-type: none"> • <i>The design response.</i> • <i>Existing sunlight on the north-facing habitable room window of the existing dwelling</i> • <i>The impact on the amenity of existing dwellings.</i> 	<p>✓ Complies</p> <p>Comments The development doesn't affect any adjoining north windows.</p>
<p>CLAUSE 54.04-5 OVERSHADOWING OPEN SPACE</p> <p>Objective To ensure buildings do not unreasonably overshadow existing secluded private open space.</p> <p>Standard A14</p> <ul style="list-style-type: none"> • Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75%, or 40m² with a minimum dimension of 3m, whichever is the lesser area, or the secluded open space should receive a minimum of 5 hours sunlight between 9am and 3pm at 22 September. • If existing sunlight to the secluded private open space of a dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced. <p>Decision Guidelines <i>Before deciding on an application, the responsible authority must consider:</i></p> <ul style="list-style-type: none"> • <i>The design response.</i> • <i>The impact on the amenity of existing dwellings.</i> • <i>Existing sunlight penetration to the secluded private open space of the existing dwelling.</i> 	<p>✓ Complies</p>

<ul style="list-style-type: none"> • <i>The time of day that sunlight is available to the secluded private open space of the existing dwelling.</i> • <i>The effect of a reduction in sunlight on the existing use of the secluded private open space.</i> 	
<p>CLAUSE 54.04-6 OVERLOOKING</p> <p>Objective</p> <p>To limit views into existing secluded private open space and habitable room windows.</p> <p>Standard A15</p> <ul style="list-style-type: none"> • Habitable room windows, balconies, terraces etc should be located and designed to avoid direct view to secluded private open space and habitable room windows of an existing dwelling within 9m distance, and a 45 degree arc from the window, balcony etc. • The window, balcony etc may: <ul style="list-style-type: none"> - Be offset at least 1.5m from the edge of one window to the edge of the other; or - Have sill heights, obscure glazing or permanent screens of at least 1.7m above floor level. • Obscure glazing may be openable provided it does not allow direct views. <p>Note: This standard does not apply to a new habitable room window, balcony, terrace etc which faces a property boundary where there is a visual barrier at least 1.8m high and the floor level of the habitable room, balcony, terrace etc is less than 0.8m above ground level at the boundary.</p> <p>Decision Guidelines <i>Before deciding on an application, the responsible authority must consider:</i></p> <ul style="list-style-type: none"> • <i>The design response.</i> • <i>The impact on the amenity of the secluded private open space or habitable room window.</i> • <i>The existing extent of overlooking into the secluded private open space and habitable room windows of existing dwellings.</i> • <i>The internal daylight to and amenity of the proposed dwelling.</i> 	<p>✓ Complies</p>
<p>CLAUSE 54.05 ON-SITE AMENITY AND FACILITIES</p>	
<p>CLAUSE 54.05-1 DAYLIGHT TO NEW WINDOWS</p> <p>Objective</p> <p>To allow adequate daylight into new habitable room windows.</p> <p>Standard A16</p> <ul style="list-style-type: none"> • A window in a habitable room should be located to face: <ul style="list-style-type: none"> - an outdoor space clear to the sky or a light court with a minimum area of 3m² and minimum dimension of 1m, not including land on an abutting lot, or 	<p>✓ Complies</p> <p>Comments The proposed extension maximises daylight access to the new large windows.</p>

<ul style="list-style-type: none"> - a verandah provided it is open for at least 1/3rd of its perimeter, or - a carport provided it has two or more open sides and is open for at least 1/3rd of its perimeter. <p>Decision Guidelines <i>Before deciding on an application, the responsible authority must consider:</i></p> <ul style="list-style-type: none"> • <i>The design response.</i> • <i>Whether there are other windows in the habitable room which have access to daylight.</i> 	
<p>CLAUSE 54.05-2 PRIVATE OPEN SPACE</p> <p>Objective</p> <p>To provide adequate private open space for the reasonable recreation and service needs of residents.</p> <p>Standard A17</p> <ul style="list-style-type: none"> • A dwelling should have private open space of: <ul style="list-style-type: none"> - 80m² or 20% of the lot area, whichever is the lesser, but not less than 40m². - At least one part of the private open space should consist of secluded private open space with a minimum area of 25m² and a minimum dimension of 3m at the side or rear of the dwelling, with convenient access from a living room. <p>Decision Guidelines <i>Before deciding on an application, the responsible authority must consider:</i></p> <ul style="list-style-type: none"> • <i>The design response.</i> • <i>The useability of the private open space, including its size and accessibility.</i> • <i>The availability of and access to public open space.</i> • <i>The orientation of the lot to the street and the sun.</i> 	<p>✓ Complies</p>
<p>CLAUSE 54.05-3 SOLAR ACCESS TO OPEN SPACE</p> <p>Objective</p> <p>To allow solar access into the secluded private open space of a new dwelling.</p> <p>Standard A18</p> <ul style="list-style-type: none"> • The private open space should be located on the north side of the dwelling, if practicable. • The southern boundary of secluded private open space should be setback from any wall on the north of the space at least (2 +0.9h), where 'h' is the height of the wall. <p>Decision Guidelines <i>Before deciding on an application, the responsible authority must consider: The design response; The useability and amenity of the secluded private open space based on the sunlight it will receive.</i></p>	<p>✓ Complies</p>

CLAUSE 54.06 DETAILED DESIGN	
<p>CLAUSE 54.06-1 DESIGN DETAIL</p> <p>Objective</p> <p>To encourage design detail that respects the existing or preferred neighbourhood character.</p> <p>Standard A19</p> <ul style="list-style-type: none"> • The design of buildings should respect the existing or preferred neighbourhood character, including: <ul style="list-style-type: none"> - facade articulation and detailing; - window and door proportions; - roof form; and - verandahs, eaves and parapets. • Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character. <p>Decision Guidelines</p> <p><i>Before deciding on an application, the responsible authority must consider:</i></p> <ul style="list-style-type: none"> • Any relevant neighbourhood character objective, policy or statement set out in this scheme. • The design response. • The effect on the visual bulk of the building and whether this is acceptable in the neighbourhood setting. • Whether the design is innovative and of a high architectural standard. 	<p>✓ Complies</p>
<p>CLAUSE 54.06-2 FRONT FENCES</p> <p>Objective</p> <p>To encourage front fence design that respects the existing or preferred neighbourhood character.</p> <p>Standard A20</p> <ul style="list-style-type: none"> • The design of front fences should complement the design of the dwelling and any front fences on adjoining properties. • A front fence within 3m of a street should not exceed: <ul style="list-style-type: none"> - 2m height for streets in a Road Zone, Category 1; or - 1.5m height for any other street. <p>Decision Guidelines</p> <p><i>Before deciding on an application, the responsible authority must consider:</i></p> <ul style="list-style-type: none"> • Any relevant neighbourhood character objective, policy or statement set out in this scheme. • The design response. • The setback, height and appearance of front fences on adjacent properties. 	<p>✓ Complies</p> <p>Comments</p> <p>There is no change to the existing front fence</p>

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| <ul style="list-style-type: none">• <i>The extent to which slope and retaining walls reduce the effective height of the front fence.</i>• <i>Whether the fence is needed to minimise noise intrusion.</i> | |
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