



APPLICATION FOR A PLANNING PERMIT

508/44 Skyline Drive, Maribyrnong

PROPERTY:	508/44 Skyline Drive, Maribyrnong
PLANNING SCHEME:	Maribyrnong Planning Scheme
ZONING:	Comprehensive Development Zone – Schedule 3 (CDZ3)
OVERLAYS:	<input checked="" type="checkbox"/> Environmental Audit Overlay (EAO) <input checked="" type="checkbox"/> Development Contributions Plan Overlay – Schedule 2 (DCPO2)

Prepared by

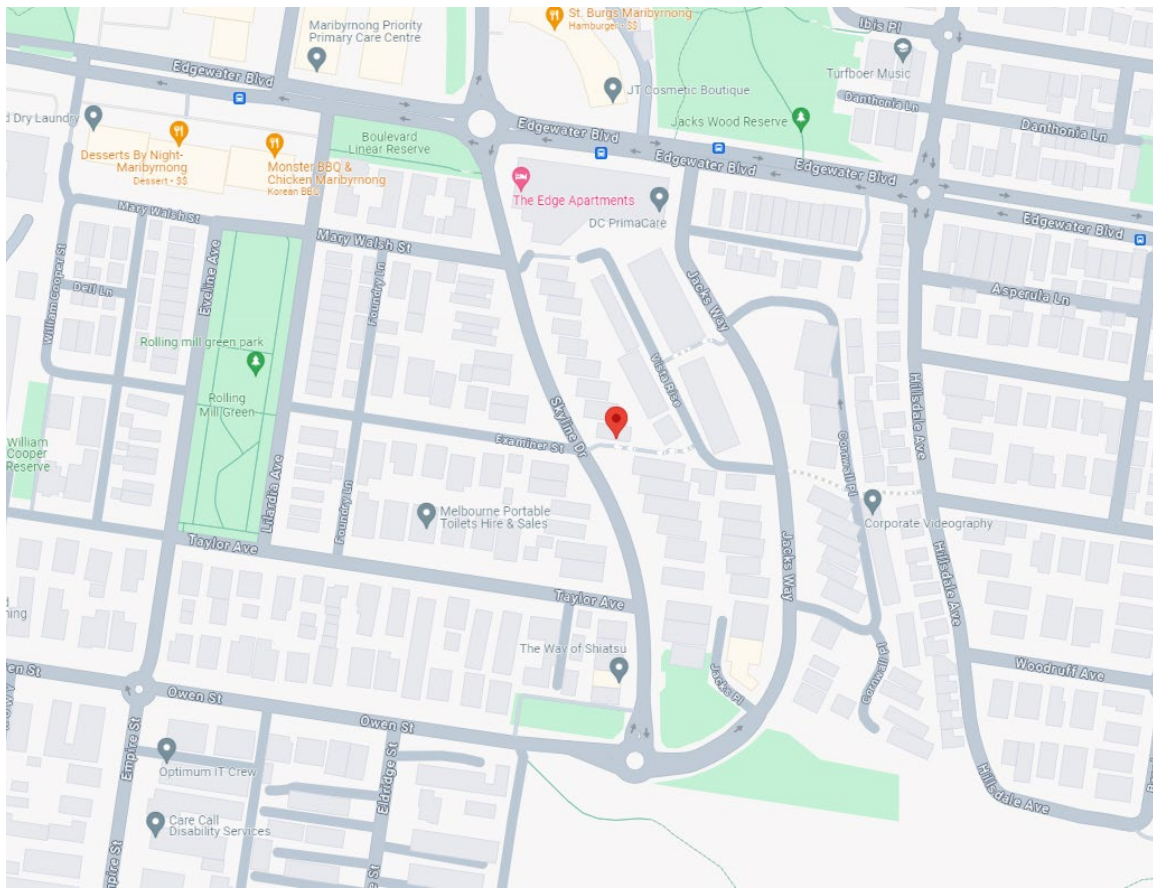
SKT Building Designs

INTRODUCTION

This is an application to:

The following report provides a detailed assessment of the proposal having regard to the provisions of Maribyrnong Planning Scheme.

- Extension of bedrooms by 2m onto existing balcony.
- New covered area over the southern balcony
- New doors and window changes as noted on architectural plans
- New kitchenette
- Minor changes not relevant to local council approval.



A Site and Surrounds Local Map also depicting current lot configuration

The subject site contains no restrictive covenant. A copy of the certificate of title and restrictive covenant declaration are contained in town planning application to Council. The subject site is located on the Western side of Gordon Street in the suburb of Maribyrnong. The topography of the site suits the proposed development being sloped site on existing developed land.

The site is presently occupied by an existing multilevel development approved under planning permit TP99/2010.

The subject site is quite a large piece of commercial land comprising frontages along Skyline Drive and Edgewater Blvd Street

The subject property is currently provided with all reticulated services including sewerage, water, telecom, electricity, stormwater, drainage connection point, gas, vehicle access and all available services and utilities.

The site is well located for multi-level dwellings development with close proximity to major commercial, recreational, health, educational and public transport facilities and services inclusive.

The subject site itself forms a typical multi-unit allotments within close proximity to Highpoint Shopping Precinct as well as the many surrounding Metropolitan Melbourne suburbs. This area is similar in comparison to many other properties within the local and immediate area. This characteristic is well depicted when viewing the above mentioned existing lot configuration plan where a large number of allotments have experienced subdivision within close vicinity.

The site itself presents excellent opportunities for residential development with all physical and infrastructure services provided inclusive. The subject site is closely located to the many facilities outlined in site context plan. As a result the local and immediate area has experienced a development transformation with many medium density housing developments quite evident throughout the local surrounding area.



37.02
31/07/2018
VC148

COMPREHENSIVE DEVELOPMENT ZONE

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for a range of uses and the development of land in accordance with a comprehensive development plan incorporated in this scheme.

37.02-4
20/12/2021
VC174

Buildings and works

Permit requirement

A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.

Any requirement in the schedule to this zone must be met.

An apartment development must meet the requirements of Clause 58.

Response:

Clause 58 does not apply to *“An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.”*

Purpose

To encourage redevelopment of land located on the east side of Gordon Street, City of Maribyrnong in a comprehensive manner for a mixture of residential, commercial, office, light industrial, entertainment, community, residential and ancillary uses.

To encourage employment opportunities.

To provide for limited retail activities to meet the requirements of the population of the local neighbourhood.

To ensure that the combination of uses, their density and the scale and character of any redevelopment are compatible with:

- The amenity of the surrounding area and the existing and future residential density.
- The capacity of the existing road system and any proposed modifications to accommodate an increase in vehicle traffic.
- The capacity of existing essential services and any proposed modifications.

To encourage the adaptation and re-use of existing buildings especially in the areas marked Building Re-Use on the Riverside Physical Framework Plan No 1.

To encourage a high standard of urban design and landscape treatment especially along Gordon Street.

To encourage high quality development that enhances the prominent riverside location and capitalises on the views to the city skyline and along the Maribyrnong River valley.

To ensure that land is developed in an orderly manner.

To encourage residential development on land adjacent to the Maribyrnong River.

To provide for a variety of residential densities and dwelling types.

To encourage a high standard of landscape treatment for open space areas.

To ensure that development along the Maribyrnong River does not adversely affect drainage or flooding.

To ensure that the siting or appearance of buildings or works along the river is compatible with the character of the river valley.

To ensure that the appearance of development on the escarpment and or adjacent to any water bodies does not adversely affect the amenity of the area.

To ensure that if land is used for multi-dwelling development, adequate provision is made for daylight, privacy and landscaping and that the amenity of adjoining land is not impaired.

Response:

- Clause 58 does not “An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.”

45.06

31/07/2018

VC148

DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO with a number.

Purpose

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.

Response:

Clause 58 does not apply to “An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.”

SCHEDULE 2

15/01/2024

VC249

SCHEDULE 2 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Response:

Not applicable to this application.

45.03
01/07/2021
VC203

ENVIRONMENTAL AUDIT OVERLAY

Shown on the planning scheme map as EAO.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.

Response:

Not applicable to this application. The application is exempt:

“The buildings and works are associated with an existing sensitive use secondary school or children’s playground, included in Clause 62.02-1 or 62.02-2, and the soil is not disturbed;”

34.01-1
26/09/2023

55.02 NEIGHBOURHOOD CHARACTER AND INFRASTRUCTURE				
55.02-1 Neighbourhood Character	Met	Standard B1	Met	Comments
<p><i>To ensure that the design respects the existing neighbourhood character or contributes to neighbourhood character.</i></p> <p><i>To ensure that development responds to the features of the site and the surrounding area</i></p>	Yes	<i>The design response must be appropriate to the neighbourhood and the site.</i>	Yes	Compliant
		<i>The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site</i>	Yes	
55.02-2 Residential Policy	Met	Standard B3	Met	Comments
<i>To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</i>	Yes	<i>An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</i>	Yes	Compliant

<p><i>To support medium densities in areas where development can take advantage of public transport and community infrastructure and services</i></p>				
<p>55.02-3 Dwelling Diversity</p>	<p>Met</p>	<p>Standard B3</p>	<p>Met</p>	<p>Comments</p>
<p><i>To encourage a range of dwelling sizes and types in developments of ten or more dwellings</i></p>	<p>N/A</p>	<p><i>Developments of ten or more dwellings should provide a range of dwelling sizes and types, including:</i></p> <ul style="list-style-type: none"> • <i>Dwellings with a different number of bedrooms.</i> • <i>At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.</i> 	<p>Yes</p>	<p>Compliant</p>

55.02-4 Infrastructure	Met ?	Standard B4	Met ?	Comments
<i>To ensure development is provided with appropriate utility services and infrastructure.</i>	Yes	<i>Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.</i>	Yes	Compliant
<i>To ensure development does not unreasonably overload the capacity of utility services and infrastructure.</i>		<i>Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.</i>	Yes	
		<i>In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.</i>	Yes	

55.02-4 Integration With The Street	Met ?	Standard B5	Met ?	Comments
<i>To integrate the layout of development with the street</i>	Yes	<i>Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.</i>	Yes	Compliant
		<i>Development should be oriented to front existing and proposed streets</i>	Yes	
		<i>High fencing in front of dwellings should be avoided if practicable</i>	Yes	
		<i>Development next to existing public open space should be laid out to complement the open space.</i>	Yes	

55.03 SITE LAYOUT AND BUILDING MASSING				
55.03-1 Street Setback	Met ?	Standard B6	Met ?	Comments
<i>To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site</i>	Yes No N/A	<p><i>Walls of buildings should be set back from streets the distance specified below:</i></p> <p><i>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</i></p> <p><i>The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.</i></p> <p><i>There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner:</i></p> <ul style="list-style-type: none"> ▪ <i>The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</i> <p><i>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</i></p> <p><i>6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</i></p> <p><i>The site is on a corner.</i></p> <p><i>Min front setback if there is a building on the abutting</i></p>	Yes	Compliant

		<p><i>allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</i></p> <p><i>Min front setback if there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</i></p> <p><i>Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser.</i></p> <p><i>Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</i></p>		
		<p><i>Porches, pergolas and verandahs that are < 3.6m high and eaves may encroach £ 2.5m into the setbacks of this standard</i></p>	<p>Yes</p>	

55.03-2 Building Height	Met ?	Standard B7	Met ?	Comments
<i>To ensure that the height of buildings respects the existing or preferred neighbourhood character</i>	Yes	<i>The maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.</i>	Yes	na
		<i>Changes of building height between existing buildings and new buildings should be graduated.</i>	Yes	
55.03-3 Site Coverage	Met ?	Standard B8	Met ?	Comments
<i>To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site</i>	No	<i>The site area covered by buildings should not exceed 60 per cent</i>	No	na
55.03-4 Permeability	Met ?	Standard B9	Met ?	Comments
<i>To reduce the impact of increased stormwater run-off on the drainage system</i>	No	<i>The site area covered by the pervious surfaces should be at least 20% of the site</i>	No	na

<p>To facilitate on-site stormwater infiltration</p>		<p>The stormwater management system should be designed to:</p> <ul style="list-style-type: none"> • Meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999). • Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces. 	<p>Yes</p>	
<p>55.03-5 Energy Efficiency</p>	<p>Met ?</p>	<p>Standard B10</p>	<p>Met ?</p>	<p>Comments</p>
<p>To achieve and protect energy efficient dwellings and residential buildings</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>Yes No N/A</p>	<p>Buildings should be:</p> <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 <p>Living areas and private open space should be located on the north side of the development if practicable</p> <p>Developments should be designed so that solar access to north-facing windows is maximised</p> <p>The stormwater management system should be designed to:</p> <ul style="list-style-type: none"> • Meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice 	<p>Yes</p> <p>NA</p> <p>NA</p> <p>NA</p>	<p>Complies</p> <p>Complies</p>

		<p><i>Environmental Management Guidelines (Victorian Stormwater Committee, 1999).</i></p> <ul style="list-style-type: none"> • <i>Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.</i> 		
55.03-6 Open Space	Met ?	Standard B11	Met ?	Comments
<i>To integrate the layout of the development with any public and communal open space provided in or adjacent to the development</i>	Yes No N/A	<p><i>If any public or communal open space is provided on site, it should:</i></p> <ul style="list-style-type: none"> • <i>Be substantially fronted by dwellings, where appropriate</i> • <i>Provide outlook for as many dwellings as practicable</i> • <i>Be designed to protect any natural features on the site</i> • <i>Be accessible and useable</i> 	Yes	Complies
55.03-7 Safety	Met ?	Standard B12	Met ?	Comments
<i>To ensure the layout of development provides for the safety and security of residents and property</i>	Yes No N/A	<i>Entrances to dwellings should not be obscured or isolated from the street and internal accessways</i>	Yes	Complies- Safety is to remain complaint with existing development.
		<i>Planting which creates unsafe spaces along streets and accessways should be avoided</i>	NA	
		<i>Developments should be designed to provided good lighting, visibility and surveillance of car parks and internal accessways</i>	Yes	
		<i>Private spaces within developments should be protected from inappropriate use as public thoroughfares</i>	NA	

55.03-8 Landscaping	Met ?	Standard B13	Met ?	Comments
<p><i>To encourage development that respects the landscape character of the neighbourhood</i></p> <p><i>To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance</i></p> <p><i>To provide appropriate landscaping</i></p>	<p>Yes No N/A</p>	<p><i>The landscape layout and design should:</i></p> <ul style="list-style-type: none"> • <i>Protect any predominant landscape features of the neighbourhood</i> • <i>Take into account the soil type and drainage patterns of the site</i> • <i>Allow for intended vegetation growth and structural protection of buildings</i> • <i>In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals</i> • <i>Provide a safe, attractive and functional environment for residents</i> 	<p>Yes</p>	<p>Complies</p>
<p><i>To encourage the retention of mature vegetation on the site</i></p>		<p><i>Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood</i></p>	<p>NA</p>	<p>Typical of a commercial site there is not room that caters for trees in the private open space</p>
		<p><i>Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made</i></p>	<p>NA</p>	
		<p><i>The landscape design should specify landscape themes, vegetation (location and species), paving and lighting</i></p>	<p>Yes</p>	<p>Landscaping has been provided but is limited by the POS typical of commercial dwellings being smaller in nature. This does include pathways, vegetation and lighting</p>

55.03-9 Access	Met ?	Standard B14	Met ?	Comments
<p>To ensure the number and design of vehicle crossovers respects the neighbourhood character</p>	<p>Yes No N/A</p>	<p>The width of accessways or car spaces should not exceed:</p> <ul style="list-style-type: none"> • 33% of the street frontage, or • if the width of the street frontage is less than 20m, 40% of the street frontage 	<p>Yes</p>	<p>Compliant</p>
		<p>No more than one single-width crossover should be provided for each dwelling fronting a street</p>	<p>Yes</p>	
		<p>The location of crossovers should maximize the retention of on-street car parking spaces</p>	<p>Yes</p>	
		<p>The number of access point to a road in a Road Zone should be minimised</p>	<p>Yes</p>	
		<p>Developments must provide access for service, emergency and delivery vehicles</p>	<p>Yes</p>	
55.03-10 Parking Location	Met ?	Standard B15	Met ?	Comments
<p>To provide convenient parking for resident and visitor vehicles</p> <p>To protect residents from vehicular noise within developments</p>	<p>Yes No N/A</p>	<p>Car parking facilities should:</p> <ul style="list-style-type: none"> • Be reasonably close and convenient to dwellings and residential buildings • Be secure • Be well ventilated if enclosed 	<p>Yes</p>	<p>Compliant</p>
		<p>Shared accessways or car parks of other dwellings and residential buildings should be located 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 where window sills are at least 1.4m above the accessway</p>	<p>NA</p>	

55.04 AMENITY IMPACTS				
55.04-1 Side And Rear Setback	Met ?	Standard B17	Met ?	Comments
<i>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</i>	Yes	<i>A new building not on or within 200mm of a boundary should be set back from side or rear boundaries 1 metre, plus 0.3 metres 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.</i>	Yes	na
	No	<i>A new building not on or within 200mm of a boundary should be setback from side or rear boundaries 1m, plus 0.3m for every metre of height over 3.6m up to 6.9m, plus 1m for every metre of height over 6.9m</i>	Yes	
	N/A	<i>Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5m into the setbacks of this standard</i>	NA	
		<i>Landings having an area of not more than 2sqm and less than 1m high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard</i>	NA	

55.04-2 Wall On Boundaries	Met ?	Standard B18	Met ?	Comments
<p><i>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</i></p>	<p>Yes No N/A</p>	<p><i>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot should not abut the boundary for a length of more than:</i></p> <p><i>10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or</i></p> <p><i>Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports,</i></p> <p><i>whichever is the greater.</i></p>	<p>Yes</p>	<p>Compliant</p>
		<p><i>A new wall constructed on or within 200mm 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:</i></p> <p><i>10m plus 25% of the remaining length of the boundary of an adjoining lot, or</i></p> <p><i>Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports,</i></p>	<p>Yes</p>	

		<i>whichever is the greater.</i>		
		<i>A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.</i>	NA	
		<i>The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.</i>	Yes	

55.04-3 Daylight To Existing Windows	Met ?	Standard B19	Met ?	Comments
To allow adequate daylight into existing habitable room windows	Yes No N/A	<i>Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3sqm and minimum dimensions of 1m clear to the sky. The calculation of the area may include land on the abutting lot</i>	Yes	Compliant
		<i>Walls or carports more than 3m in height opposite an existing habitable room window should be set back from the window at least 50% of the height of the new wall if the wall is within a 55° arc from the centre of the existing window. The arc may be swung to within 35° of the plane of the wall containing the existing window Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window Refer to Diagram B2</i>	Yes	Compliant

55.04-4 North Facing Windows	Met ?	Standard B20	Met ?	Comments
<i>To allow adequate solar access to existing north-facing habitable room windows</i>	Yes No N/A	<i>If a north-facing habitable window of an existing dwelling is within 3m of a boundary on an abutting lot, a building should be setback from the boundary 1m, plus 0.6m for every metre of height over 3.6m up to 6.9m, plus 1m for every metre of height over 6.9m, for a distance of 3m from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east. Refer to Diagram B3</i>	NA	Compliant
55.04-5 Overshadow Open Space	Met ?	Standard B21	Met ?	Comments
<i>To ensure buildings do not significantly overshadow existing secluded private open space</i>	Yes No N/A	<i>Where sunlight to secluded private open space of an existing dwelling is reduced, at least 75%, or 40sqm with minimum dimension of 3m, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9am and 3pm on 22 September</i>	Yes	Compliant
		<i>If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced</i>	NA	Compliant

55.04-6 Overlooking	Met ?	Standard B22	Met ?	Comments
To limit views into existing secluded private open space and habitable room windows	Yes No N/A	A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9m (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45° angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7m above the floor level	Yes	Compliant
		A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of an existing dwelling within a horizontal distance of 9m (measured at ground level) of the window, balcony, terrace, deck or patio should be either: <ul style="list-style-type: none"> • offset a minimum of 1.5m from the edge of one window to the edge of the other • have sill heights of at least 1.7m above floor level • have fixed, obscure glazing in any part of the window below 1.7m above floor level • have permanently fixed external screens to at least 1.7m above floor level and be no more than 25% transparent 	Yes	Compliant

		Obscure glazing in any part of the window below 1.7m above floor level may be openable provided that there are no direct views as specified in this standard	NA	
		Screens used to obscure a view should be: <ul style="list-style-type: none"> perforated panels or trellis with a maximum of 25% openings or solid translucent panels permanent, fixed and durable designed and coloured to blend with the development 	NA	
55.04-7 Internal Views	Met ?	Standard B23	Met ?	Comments
To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development	Yes No N/A	Windows and balconies should be designed to prevent overlooking of more than 50% of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development	NA	
55.04-8 Noise Impacts Objective	Met ?	Standard B24	Met ?	Comments
To contain noise sources in developments that may affect existing dwellings	Yes No N/A	Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings	Yes	Compliant
To protect residents from external noise		Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately	Yes	Compliant

		<i>adjacent properties</i>		
		<i>Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms</i>	NA	

55.05 ON-SITE AMENITY AND FACILITIES				
55.05-1 Accessibility	Met ?	Standard B25	Met ?	Comments
<i>To encourage the consideration of the needs of people with limited mobility in the design of developments</i>	Yes No N/A	<i>The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.</i>	Yes	The proposed office is easily accessible to people with limited mobility.
55.05-2 Dwelling Entry	Met ?	Standard B26	Met ?	Comments
<i>To provide each dwelling or residential building with its own sense of identity</i>	Yes No N/A	<i>Entries to dwellings and residential buildings should:</i> <ul style="list-style-type: none"> <i>be visible and easily identifiable from streets and other public areas</i> <i>provide shelter, a sense of personal address and a transitional space around the entry</i> 	Yes	The entry is easily accessible and located from the Street and it defined by landscaping via pedestrian accessible gate, vegetation and paved pathways
55.05-3 Daylight To New Windows	Met ?	Standard B27	Met ?	Comments
<i>To allow adequate daylight into new habitable room windows</i>	Yes No N/A	<i>A window in a habitable room should be located to face:</i> <ul style="list-style-type: none"> <i>an outdoor space or a light court with a minimum area of 3sqm and minimum dimension of 1m clear to the sky, not including land on an abutting lot, or</i> <i>a verandah provided it is open for at least one third</i> 	Yes	Compliant

		<p><i>its perimeter, or</i></p> <ul style="list-style-type: none"> • <i>a carport provided it has two or more open sides and is open for at least one third of its perimeter</i> 		
55.05-4 Private Open Space	Met ?	Standard B28	Met ?	Comments
<i>To provide adequate private open space for the reasonable recreation and service needs of residents</i>	Yes No N/A	<p><i>A dwelling or residential building should have private open space:</i></p> <ul style="list-style-type: none"> • <i>an area of 40sqm, with one part secluded at the side or rear with a min area of 25sqm, a min dimension of 3m and convenient access from a living room, or</i> • <i>a balcony of 8sqm with a min width of 1.6m and convenient access from a living room, or</i> • <i>a roof-top area of 10sqm with a min width of 2m and convenient access from a living room</i> 	No	Private open space is not relevant to the commercial/ office submission.
55.05-5 Solar Access To Open Space	Met ?	Standard B29	Met ?	Comments
<i>To allow solar access into the secluded private open space of new dwellings and residential buildings</i>	Yes No N/A	<i>The private open space should be located on the north side of the dwelling or residential buildings</i>	Yes	Compliant
		<i>The southern boundary of secluded private open space should be set back from any wall on the north of the space at least (2 + 0.9h) metres, where 'h' is the height of the wall</i> Refer to Diagram B29	NA	Compliant

55.05-6 Storage	Met ?	Standard B30	Met ?	Comments
<i>To provide adequate storage facilities for each dwelling</i>	Yes No N/A	<i>Each dwelling should have convenient access to at least 6m³ of externally accessible, secure storage space</i>	No	Storage is not relevant to the commercial/ office submission.

55.06 DETAILED DESIGN

55.06-1 Design Detail	Met ?	Standard B31	Met ?	Comments
<i>To encourage design detail that respects the existing or preferred neighbourhood character</i>	Yes No N/A	<i>The design of buildings, including:</i> <ul style="list-style-type: none"> • <i>Facade articulation and detailing,</i> • <i>Window and door proportions,</i> • <i>Roof form, and</i> • <i>Verandahs, eaves and parapets,</i> <i>should respect the existing or preferred neighbourhood character.</i>	Yes	Compliant
		<i>Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character</i>	Yes	
55.06-2 Front Fences	Met ?	Standard B32	Met ?	Comments
<i>To encourage front fence design that respects the existing or preferred neighbourhood</i>	Yes No N/A	<i>The design of front fences should complement the design of the dwelling and any front fences on adjoining properties</i>	na	
		<i>A front fence within 3m of a street should not exceed:</i>	na	

character		<ul style="list-style-type: none"> Streets in a Road Zone – 2m Other Streets – 1.5m 		
55.06-3 Common Property	Met ?	Standard B33	Met ?	Comments
<p>To ensure that communal open space, car parking, access lanes and site facilities are practical, attractive and easily maintained</p> <p>To avoid future management difficulties in areas of common ownership</p>	<p>Yes No N/A</p>	Developments should clearly delineate public, communal and private areas	NA	No common property is proposed
		Common property, should be functional and capable of efficient management	NA	
55.06-4 Site Service	Met ?	Standard B34	Met ?	Comments
<p>To ensure that site services can be installed and easily maintained</p> <p>To ensure that site facilities are accessible,</p>	<p>Yes No N/A</p>	The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically	Yes	Compliant
		Bin and recycling enclosures,	Yes	

<i>adequate and attractive</i>	<i>mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development</i>	NA	
	<i>Bin and recycling enclosures should be located for convenient access</i>	NA	Bin location to remain existing and not for part of this permit
	<i>Mailboxes should be provided and located for convenient access</i>	na	Mailbox provided to remain existing and not for part of this permit

Additional comments:

Shadowing:

The proposal does not have any relevant shadows. The existing structure casts shadows over the proposal.

The original Town Planning permit TP99/2010 overall height of the building was approved above the four storey height limit along the Edgewater Boulevard. It is suggesting the proposal does not contradict this approval.

The existing approval architecture is of a contemporary nature which incorporate a “step down” style of vertical articulation. The proposal respects and does not contradict this concept. The bedroom extension is deliberately kept at a 2m extension which does not extend to the title boundary and is on private land. The “bedroom balcony” is maintained in the proposal in a direct effort to maintain the “step in” form of contemporary architecture.

The covered area is an open style form and proposes and class 10A non-habitable structure. The architecture does not demonstrate the same type of visual bulk that an extension of a dwelling provides. The proposal is deliberately open in nature

In additional to respectful architecture it is suggested the proposal incorporates the theme of the street and neighbourhood character. Due to the existing building form the proposal will not be seen from the street. This is demonstrated in the artistic impression below.



CONCLUSION

It is submitted that the proposal accords with the relevant objectives and strategies of both the State and Local Planning Policy Framework of the Maribyrnong Planning Scheme.

The proposed use and development on the subject site is appropriate for the site and is reflective of the current and existing pattern of residential development within the immediate surrounds.

In this regard, it is considered that the proposal is respectful of the existing and preferred neighbourhood character and will ensure the appropriate siting of future dwellings as well as providing sufficient open spaces for landscaping to both maintain and enhance the environmental values of the site and also the local area.

In light of the above, it is respectfully requested that City of Maribyrnong Council issue a planning permit allowing the proposal at Heights 508/44 Skyline Drive, Maribyrnong.

1 May 2024

CITY OF MARIBYRNONG
ADVERTISED PLAN

Isabelle Major
Maribyrnong City Council
Via email:
Isabelle.Major@maribyrnong.vic.gov.au

Dear Isabelle,

**Planning Permit Application No. TP98/2024(1)
Land at 508/44 Skyline Drive Maribyrnong**

We refer to your letter 17 April 2024 regarding the above planning permit application. We have been instructed by the client to provide a response to your request for further information.

In reference to your letter the applicant provides the following:

1. A copy of title and plan of subdivision is attached, which is less than 3 months old.
2. The architectural plans and elevations prepared by SKT Building Design have been amended to include an urban context and design response plan so to facilitate a Clause 58 Assessment. The site/floor plans, elevations together with colour and material schedule has been updated.
3. A planning submission has been prepared by our office to accompany the application. As noted in the report, the application provides a considered response to the surrounding context as detailed further below. A Clause 58 Assessment has been included which finds the minor works proposed by the application respond well to the context and are in accordance with the standards of Clause 58.

Preliminary Concerns

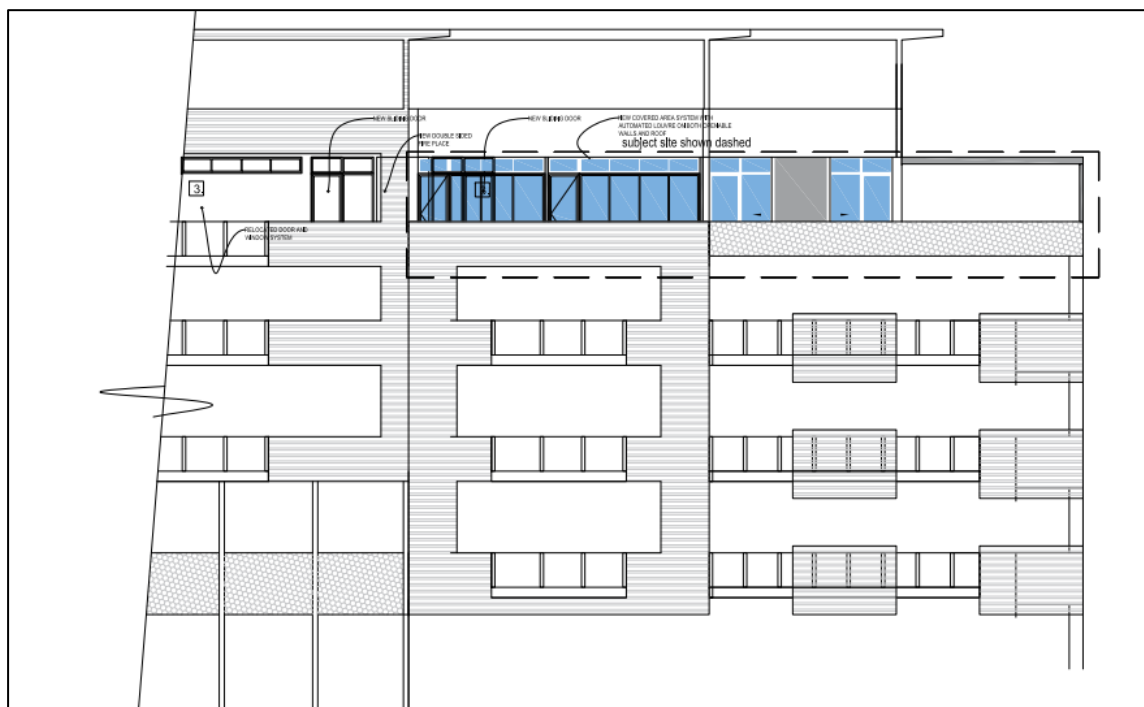
We acknowledge Council's request for 3D renders and respectfully submit that these should not be required for such a minor building and works application to an existing building. As noted in the submission, the works are contained within the existing building envelope and will not result in a change to the overall height of the building nor scale. The works are minor and will be barely discernible when viewing the building. This is clear from a review of the photographs included in the town planning submission.

The upper level will continue to be setback 2.59 metres from the podium level of the western façade, with the extension unlikely to be visible from Skyline Drive. A 2.0 metre wide south facing wall will adjoin the existing wall and be finished in the same material. No addition is proposed to the roof structure to the western facade, as the existing roof that forms part of the balcony above is to be retained, with the proposed works sitting within the existing 4th floor footprint.

The pergola comprises a lightweight structure that lacks solidity in its expressed form and is consistent with the framing elements associated with the building, as the excerpt below shows. Architecturally the works proposed by the application will result in a minor addition that is unlikely to be discernible from the public realm.



An excerpt of the western elevation is shown below:



As the works are contained within the existing footprint and building envelope, with no additional roofing, there will be no offsite amenity impacts with respect to overshadowing or overlooking.

With respect to the appropriateness of the building and works against the original approval allowed under permit TP99/2010, it is submitted that given the lack of visibility to the public realm, the proposal is consistent with the approval. The lack of visibility will allow for the development to appear to “step down” appropriately to the adjoining residential zone. The overall height of the building and the solidity of the four-storey façade, podium and appearance will not be altered should the works be approved.

We respectfully submit that Council examines the photographs within the attached submission, together with the improved plans to assess the application.

Summary

We trust that the information provided above, and enclosed documentation will be sufficient to allow the application to proceed.

However, should any of the matters raised in your letter remain outstanding, we request a 30 day extension of the lapse date to provide additional time to respond.

Should you have any additional queries, please feel free to contact our office.

Yours sincerely,

Robyn Gray
GrayKinnane

Town Planning Submission

508/44 Skyline Drive, Maribyrnong

Maribyrnong Planning Scheme



**CITY OF MARIBYRNONG
ADVERTISED PLAN**

April 2024



01

Introduction

Planning approval is sought for buildings and works to construct an extension to an apartment development in a Comprehensive Development Zone (CDZ3) on land at 508/44 Skyline Drive, Maribyrnong.

The site is located within a Comprehensive Development Zone (Schedule 3 - CDZ3) pursuant to provisions of the Maribyrnong Planning Scheme and is affected by a Development Contributions Plan Overlay (Schedule 2 – DCPO2) and an Environmental Audit Overlay (EAO) control.

The application seeks the following planning approvals under the Maribyrnong Planning Scheme:

- Construct a building or construct or carry out works pursuant to Clause 37.02-4 of the Comprehensive Development Zone.

This report provides an assessment of the proposal against relevant provisions of the Maribyrnong Planning Scheme and should be read in association with:

- Architectural plans and elevations prepared by SKT Building Design.

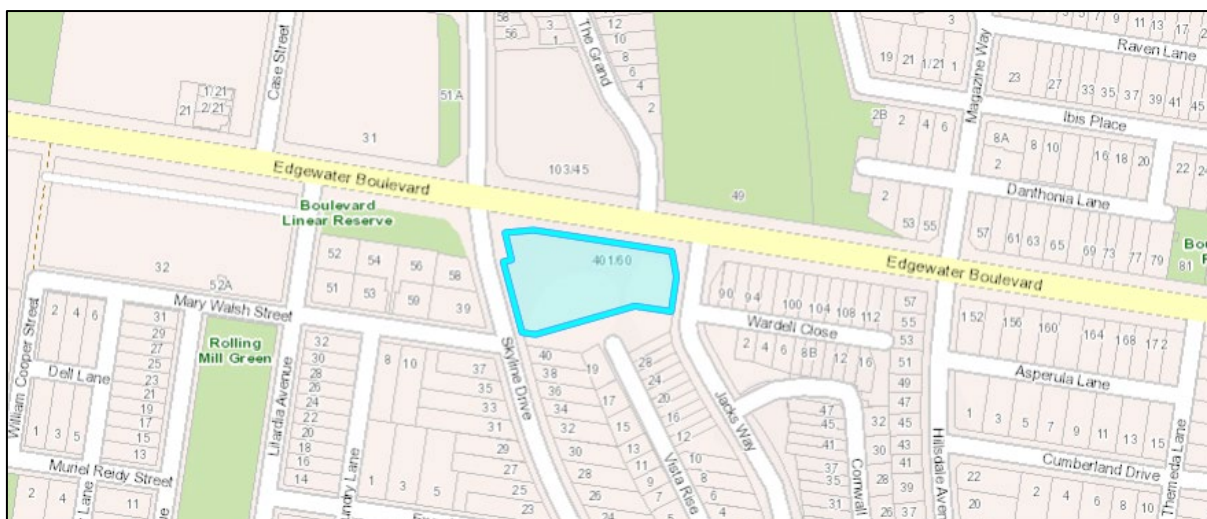


02

Site Analysis

02.1 Subject Site

The subject site is located on the north-western corner of the intersection of Skyline Drive and Edgewater Boulevard, at the gateway of the Edgewater Neighbourhood Activity Centre.

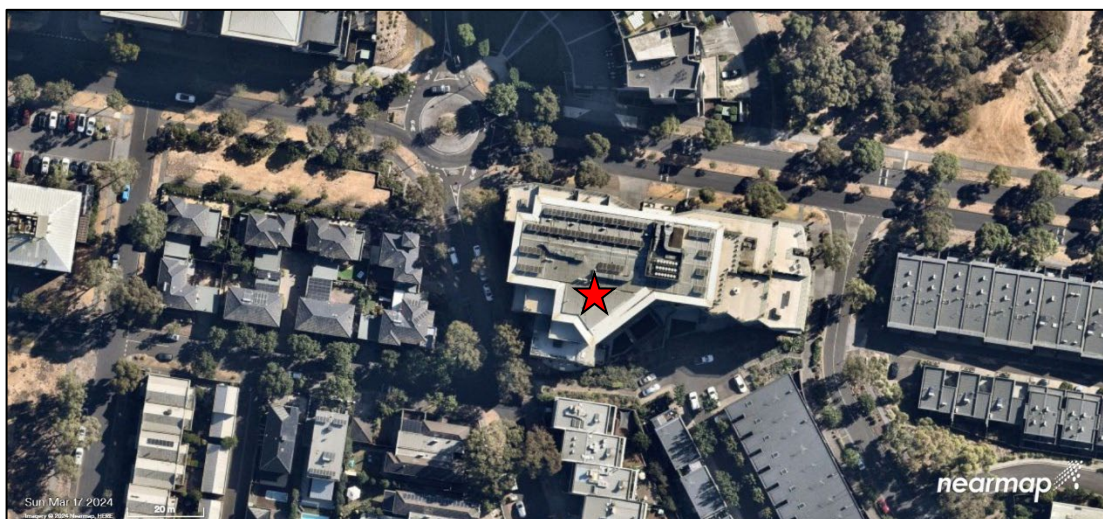


Cadastral map of the subject site (Source: VicPlan)

The land is formally described as Lot 508E on Plan of Subdivision 643213. No easements or restrictive covenants encumber the land.

The land forms an irregular shape parcel with an east to west orientation. It has a frontage to Edgewater Boulevard of 67.5 metres and an abuttal to Skyline Drive of 51.5 metres. The land features an overall area of approximately 3016 square metres.

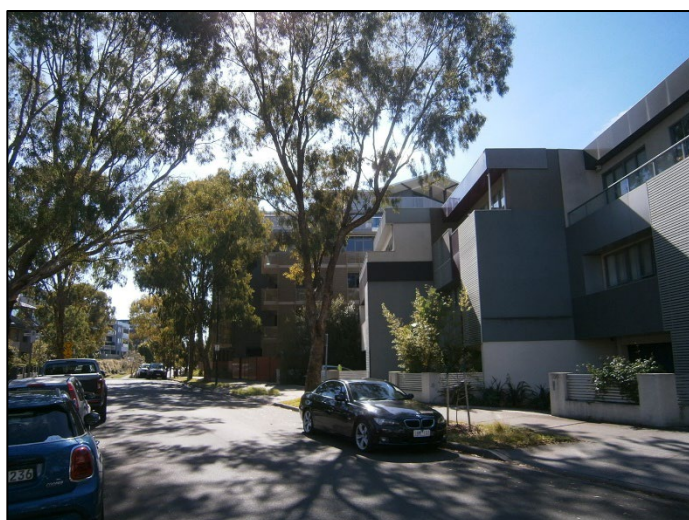
The land has been developed with a six storey building, with the application apartment being located on the fifth floor, to the south-western corner of the building.



Aerial Photograph (Source: Nearmaps – 17 March 2024)



Subject site from Corner of Edgware Boulevard and Skyline Drive



Subject site from Skyline Drive (looking north)



02.2 Surrounds

The subject site is located on the periphery the Edgewater Neighbourhood Activity Centre, in a mixed though predominantly residential context.



Location Map (source: Melways)

The Activity Centre covers large areas of land to the north-west of the subject site with the remaining surrounding areas being residential. Land within the activity centre is predominately used and developed for commercial purposes, which includes shopping and restaurants.

Skyline Drive, to the site's frontage, runs north to south connecting to Edgewater Boulevard and Owen Street respectively. Edgewater Boulevard, to the site's north, comprises a two street (with central landscaped strip) connecting to Gordon Street in the west and the Harbour Park to the east. On street car parking is featured along both sides of Skyline Drive, with landscaping (including canopy trees) and footpaths provided to both sides of the road reserve.

Within the existing building, the subject site abuts an apartment to the north and to the east on level 5. Apartment 509, to the east, comprises a three bedroom apartment with a south facing balcony area. Apartment 507, to the north, comprises a two bedroom apartment with a balcony area addressing the western elevation.

In relation to the site's immediate context, the land to the south at 40 Skyline Drive, has been developed with a three-storey town house style development. The building is built to the site boundaries with garaging and an entry occupying the ground floor frontage. A public pathway providing a link between Skyline Drive and Vista Rise is featured, with adjoining landscaping.

Photographs of the surrounding context are provided below:



40 Skyline Drive



**Subject Site from Vista Rise,
noting public walkway**



Subject Site from Vista Rise



**View of development along
Skyline drive**



03

Proposal

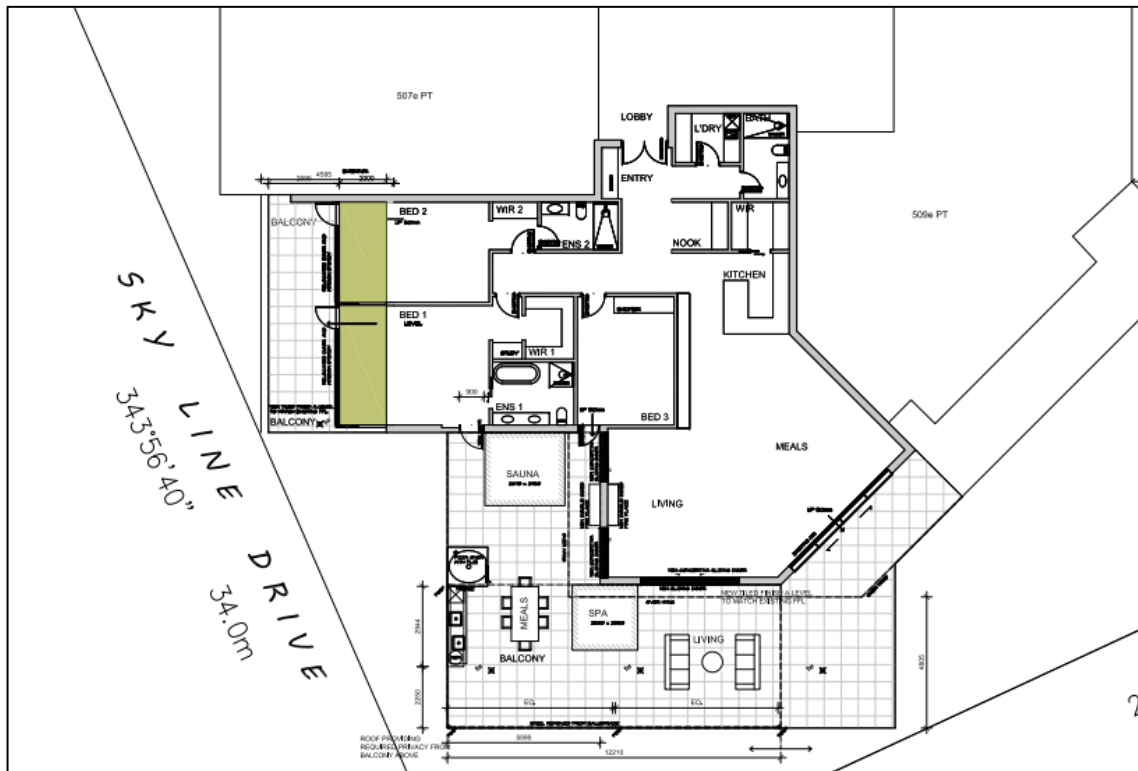
Planning approval is sought for buildings and works to construct an extension to an apartment development in a Comprehensive Development Zone (CDZ3) on land at 508/44 Skyline Drive, Maribyrnong.

Building and Works

The building and works proposed by the application are minor and comprise the following:

- A 2.0 metre wide extension of Bedroom 1 and Bedroom 2 to the western elevation. The works will be finished in fenestration to match/replace the existing fenestration. The works will retain 2.595 metres of the secondary balcony.
- No works are proposed with respect to extending the existing wingwall to the northern side of the balcony, however a 2.0 metre wide extension is proposed to the southern wall to accommodate the extension. The wall will be finished to match the existing wall.
- The inclusion of a replacement (double sided) fireplace that addresses the Loungeroom and the SPOS area, together with the replacement of the fenestration as it addresses the western elevation.
- A pergola is proposed, with a louvre system, so to assist with moderating the effects of the western sun so to provide shade and privacy to part of the balcony area where appropriate.

An excerpt of the proposal is provided below:



The scale and design of the proposed works will provide for a high-quality urban design outcome that reflects the positioning of the site, the works contained within the existing building envelope. The application will not result in any change to the overall height of the building nor scale. An excerpt of the western elevation is provided below:





04

Relevant Planning Provisions

Clauses of the Maribyrnong Planning Scheme of relevance to the application are identified below:

04.1 Planning Policy Framework

- **Clause 11** **Settlement**
 - 11.01-1R Settlement - Metropolitan Melbourne
 - 11.03-1S Activity centres
 - 11.03-1R Activity centres - Metropolitan Melbourne
- **Clause 15** **Built Environment and Heritage**
 - 15.01-1S Urban design
 - 15.01-1R Urban design - Metropolitan Melbourne
 - 15.01-2S Building design
- **Clause 16** **Housing**
 - 16.01-1S Housing Supply
 - 16.01-1R Housing Supply - Metropolitan Melbourne

04.2 Local Planning Policy Framework

- 21.02 Municipal Profile
- 21.03 Council vision
- 21.04 Settlement
- 21.06 Built Environment and Heritage
- 21.11 Local Areas



04.3 Zoning

- 37.04 Comprehensive Development Zone (CDZ3)

04.4 Overlays

- 45.06 Development Contributions Plan Overlay (DCPO2)
- 45.03 Environmental Audit Overlay (EAO)

04.5 Particular and General Provisions

- 65 - Decision guidelines



05

Planning Assessment

05.1 Preamble

An assessment of the proposed development requires consideration of the following matters:

- The level of strategic support at both the State and Local Planning Policy Framework levels;
- The appropriateness of the proposed uses and development having regard for the surrounding context, the CDZ and the built form objectives of the Planning Scheme;
- Clause 58 (Apartment Development) of the Moonee Valley Planning Scheme inclusive of amenity considerations for the future occupiers and surrounding uses/occupiers; and
- Other relevant planning matters.

A consideration of these matters is provided below.

05.2 Strategic Considerations

The relevant policy directions outlined in the Maribyrnong Planning Scheme encourages well-designed development which make effective use of existing infrastructure. The relevant policy directions outlined in the scheme encourage the development of well-designed buildings which make effective use of existing infrastructure and provide additional housing opportunities.

The addition to the existing housing stock will improve housing choice and to ensure supply is sufficient to meet demands of the growing and changing demographic and population. This development is required to meet the communities' needs for a variety of services and to improve residential amenity.



In relation to the State Planning Policies Clause 11 (Settlement) and Clause 16 (Housing) seeks to facilitate sustainable development that takes full advantage of existing settlement patterns by consolidating established urban areas. The policies identify the need for a diversity of housing types to locate in areas where good access to services is available in accordance with the following objectives and strategies:

16.01-1R Housing supply – Metropolitan Melbourne

Manage the supply of new housing to meet population growth and create a sustainable city by developing housing and mixed use development opportunities in locations that are:

- *Metropolitan activity centres and major activity centres*

Facilitate increased housing in established areas to create a city of 20 minute neighbourhoods close to existing services, jobs and public transport.

Allow for a range of minimal, incremental and high change residential areas that balance the need to protect valued areas with the need to ensure choice and growth in housing.

Furthermore, the Planning Policy Framework seeks to:

16.01-1S Housing Supply

Objective: To facilitate well-located, integrated and diverse housing that meets community needs.

Clause 16.01-1S (Housing Supply)

- *•facilitate well-located, integrated and diverse housing that meets community needs; and*
- *•ensure that an appropriate quantity, quality and type of housing is provided, including aged care facilities and other housing suitable for older people, supported accommodation for people with disability, rooming houses, student accommodation and social housing.*

The increased demand for housing, requires additional and appropriate development within the existing settlement pattern of Maribyrnong with the built form and heritage component of the profile noting:



Built Form and Heritage (inter alia)

The context for development varies from established residential neighbourhoods and commercial centres to large scale new estates. New development needs to be responsive to its context. The extent of new development provides opportunities to build on the qualities of the city's heritage and neighbourhood character and streetscapes whilst also introducing new forms of development that can enhance the city's role, design, image and liveability.

Council's Local Planning Policy Framework also identifies that need to provide additional housing opportunities for a growing population for an increasingly diverse population. The municipal profile at Clause 21.02 (Housing) states (emphasis added):

Compared to the metropolitan area, the city has a culturally diverse population and has a lower proportion of younger and older age groups and a larger proportion of family age groups. The city has a higher proportion of lone person households and an increasing proportion of family households. Compared to the metropolitan area there is a relatively high proportion of public housing stock (6%) which is predominantly located in Braybrook, Maidstone and parts of Footscray.

In particular, Council notes at Clause 21.04-2 - Housing Growth:

The city's population is growing and is forecast to reach 104,000 by 2031, an increase of 30,800 from 2011. It is anticipated that about 14,000 - 16,000 new dwellings will be needed to support this increase. With an increasing proportion of Melbourne's growth expected to occur within established suburbs and at higher densities, this forecast may increase in the future.

The population structure of the municipality will change depending upon the form of development, the increase in population and through ageing.

Council's Land Use Framework Plan seeks to accommodate the increased population demands by providing housing opportunities directed to areas near Activity Centres, employment areas and the transport network. With the following Objectives at Clause 21.04-2:

Objective 5: To accommodate between 14,000 and 16,000 additional households by 2031.



Strategies:

Direct most of the residential development to identified substantial change areas, and substantial change activity centres.

Support incremental change across residential areas.

Limit change in established residential areas with heritage significance or an identified residential character, and areas with an identified constraint, such as inundation, that necessitate protection through a specific overlay.

Further to these housing objectives, Council provides the Housing Growth Area Framework (at Clause 21.07) that indicates the opportunities for residential development (by capacity and location) to cater for the forecast population and housing increase should be in areas that have greater capacity for higher density, which include the “substantial change areas”, noting:

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.

With the following objectives and strategies of relevance to the application:

Objective 1: To provide significant opportunities for new residential development in substantial change areas and substantial change activity centres.

Strategies (inter alia):

Encourage residential development in substantial change areas to predominantly comprise medium and higher density housing in the form of townhouses; units; apartments; and shop-top dwellings.

Encourage a range of dwelling types and sizes, including affordable housing, to be provided in larger developments.

Ensure new development integrates with existing areas and communities.

Ensure new larger scale developments establish a preferred urban design and architectural character that complements existing areas and creates safe and liveable communities.



Encourage new higher density development to provide space for planting, communal spaces and rooftop gardens to improve amenity and liveability of dwellings.

Ensure developments with sensitive interfaces have a scale and massing that respects the character and scale of their context.

Council seeks to support the provision of a diversity of housing types for a diverse population with strategic support is found at Clause 21.07-2 (Housing Diversity and Affordability) where the objectives include:

Objective 5: To encourage a mix of housing.

Strategies

Support increased housing choice by providing a diversity of dwelling types, sizes and tenures.

Ensure new residential developments provide a mix of housing that caters for a range of households, lifestyles, age, incomes and life stages appropriate to the scale and nature of the project.

Having regard to the policy objective outlined above, it is submitted that the proposed building and works, to extend an existing dwelling, are consistent with the State and Local Planning Policy Framework contained in the Maribyrnong Planning Scheme and will provide for a high quality addition to residential development within an existing building envelope.

The works proposed will allow for the owners to upgrade the accommodation and provide additional housing diversity on the periphery of a designated activity centre and within comfortable walking distance to a range of public transport options.

On the basis of these policies, it is submitted that the current minor works as proposed by the application represents an appropriate response to the site's strategic context.

The residential nature of the development is also in accordance with the site's Comprehensive Development zoning, which includes the purpose:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for a range of uses and the development of land in accordance*



with a comprehensive development plan incorporated in this scheme.

The application is consistent with *the Riverside Physical Framework Plan No 1 (1992)*, which is the incorporated document within the schedule. As a result, the proposed minor additions in this location are supported by objectives of the Maribyrnong Planning Scheme and will support the objectives and strategies of the Zoning and the Local Planning Policies.

05.3 Urban Design

As a result of the strategic planning policies applying to the subject site, the scale and configuration of the proposed development will provide a measured response to the site's context.

The Schedule to the Comprehensive Development Zone, relating to "Footscray Land, Gordon Street" provides the following broad purpose to the wider Riverside Area (inter-alia):

- *To encourage redevelopment of land located on the east side of Gordon Street, City of Maribyrnong in a comprehensive manner for a mixture of residential, commercial, office, light industrial, entertainment, community, residential and ancillary uses.*
- *To ensure that the combination of uses, their density and the scale and character of any redevelopment are compatible with:*
 - *The amenity of the surrounding area and the existing and future residential density.*
 - *The capacity of the existing road system and any proposed modifications to accommodate an increase in vehicle traffic.*
 - *The capacity of existing essential services and any proposed modifications.*
- *To encourage the adaptation and re-use of existing buildings especially in the areas marked Building Re-Use on the Riverside Physical Framework Plan No 1.*
- *To encourage a high standard of urban design and landscape treatment especially along Gordon Street.*
- *To encourage high quality development that enhances the prominent riverside location and capitalises on the views to the city skyline and along the Maribyrnong River valley.*



- *To ensure that land is developed in an orderly manner.*
- *To provide for a variety of residential densities and dwelling types.*
- *To encourage a high standard of landscape treatment for open space areas.*
- *To ensure that development along the Maribyrnong River does not adversely affect drainage or flooding.*
- *To ensure that the siting or appearance of buildings or works along the river is compatible with the character of the river valley.*
- *To ensure that the appearance of development on the escarpment and or adjacent to any water bodies does not adversely affect the amenity of the area.*
- *To ensure that if land is used for multi-dwelling development, adequate provision is made for daylight, privacy and landscaping and that the amenity of adjoining land is not impaired.*

Built Form Response

It is submitted that the proposal represents an appropriate design response to the physical context and planning framework for the land and is of such a minor scale that can be justified given the location, design and lack of visibility from the public realm.

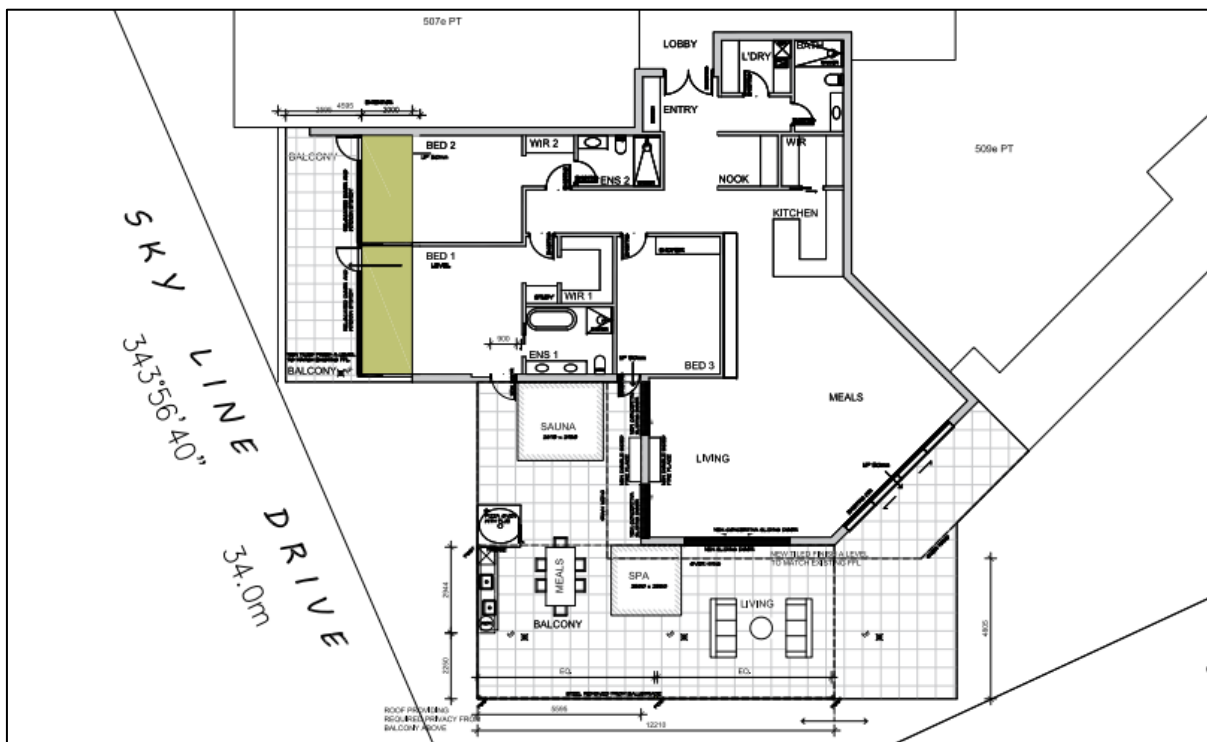
The building and works proposed by the application are minor and comprise the following:

- A 2.0 metre wide extension of Bedroom 1 and Bedroom 2 to the western elevation. The works will be finished in fenestration to match/replace the existing fenestration. The works will retain 2.595 metres of the secondary balcony.
- No works are proposed with respect to extending the existing wingwall to the northern side of the balcony, however a 2.0 metre wide extension is proposed to the southern wall to accommodate the extension. The wall will be finished to match the existing wall.
- The inclusion of a replacement fireplace that addresses the lounge room, with a double sided fireplace proposed together with the replacement of the fenestration as it addresses the western elevation.



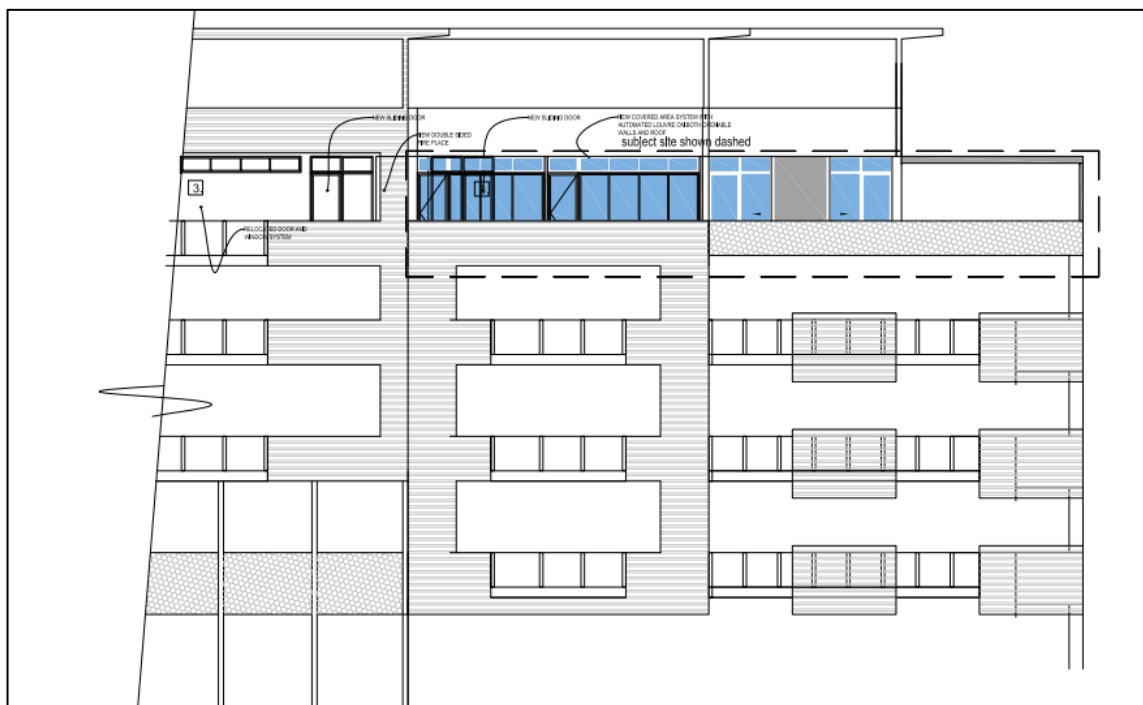
- A pergola is proposed, with a louvre system, so to assist with moderating the effects of the western sun so to provide shade and privacy to part of the balcony area where appropriate.

An excerpt of the proposal is provided below:



The scale and design of the proposed works will provide for a high-quality urban design outcome that reflects the positioning of the site, the works contained within the existing building envelope. The application will not result in any change to the overall height of the building nor scale.

An excerpt of the western elevation is shown below:



The upper level will continue to be setback 2.59 metres from the podium level of the western façade, with the extension unlikely to be visible from Skyline Drive. A 2.0 metre wide south facing wall will adjoin the existing wall and be finished in the same material. No addition to the roof structure to the western facade is proposed, as the existing roof that forms part of the balcony above is to be retained, with the proposed works sitting within the existing 4th floor footprint.

The pergola comprises a lightweight structure that lack solidity in its expressed form and is consistent with the framing elements associated with the building, as the excerpt above shows. Architecturally the works proposed by the application will result in an addition that is unlikely to be discernible from the public realm.

As the works are contained within the existing footprint and building envelope, with no additional roofing, there will be no offsite amenity impacts with respect to overshadowing or overlooking.

With respect to the appropriateness of the building and works against the original approval allowed under permit TP99/2010, it is submitted that given the lack of visibility to the public realm, the proposal is consistent with the approval. The lack of visibility will allow for the development to appear to “step down” appropriately to the adjoining residential zone. The overall height of the building and the solidity of the four-storey façade, podium and appearance will not be altered should the works be approved.



It is submitted that the proposal represents an appropriate design response to the physical context, the original approval, the planning framework for the land and to be of a scale that can be justified given the location and design of the project.

05.4 Residential Amenity and Apartment Developments

Onsite amenity tests for future residents of the building are detailed at Clause 58 (Apartment Developments) of the Maribyrnong Planning Scheme. An assessment is provided at Attachment 1 to this submission.

In summary the proposal satisfies all the relevant requirements at Clause 58, having regard for the limitations of applying Clause 58 to an individual apartment within a development approved and completed pursuant to Planning Permit TP99/2010.

The building and works will continue to provide for a high-quality amenity outcome for current and future residents. The design has carefully improved the apartment with respect to providing views and an outlook, improving the access to daylight and sunlight, moderating the effects of the western sun in summer, and providing usable areas of secluded open space and limiting the ability of internal views from above, within the existing development.

As the assessment at Attachment 1 identifies, as appropriate to the individual apartment:

- With respect to “Dwelling Diversity”, dwelling diversity is improved and supported with the extension of the bedrooms by way of providing improved accommodation for the residents.
- Regarding “Energy Efficiency” the proposal will result in improved fenestration to the western elevation, together with shading elements to the balcony area which will improve the energy efficiency of the built form for the occupier.
- With respect to “Street Integration” and “Building Setbacks” the works proposed by the application are confined to within the existing building envelope and footprint. No change is proposed to the setback of the façade wall to Skyline Drive, nor will the works be visible from Skyline Drive.
- Regarding “Internal Views” The orientation or separation of balconies and habitable room windows within the development will continue to limit internal overlooking opportunities. The application will allow a level of privacy for the occupiers from overlooking from the terrace area relating to the apartment



above.

- Regarding works to the open space areas, the application will result in a three bedroom apartment that will satisfy the requirement of Table D8 with respect to areas and dimensions, with the SPOS areas exceeding the requirements.
- With respect to “functional layout” the application will result in an improved functional layout for “Bedroom 1” and “Bedroom 2” within the apartment with an extra 2.0 metres in length from the door. The standard is satisfied by the improvement to the apartment.
- With respect to “Windows” and “Ventilation” Each habitable room continues to have a window in an external wall of the building with no reliance on borrowed light. The dual aspect of the existing floor plan will allow for cross ventilation to occur.

05.5 General Provisions

Clause 65 of the requires that before deciding on an application or approval of a plan, the Responsible Authority must consider a number of matters. An assessment against these provisions is provided as follows:

- The proposal is consistent with the matters set out in Section 60 of the *Planning and Environment Act 1987*.
- The proposal is consistent with the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement.
- The proposal is consistent with the purpose of the Comprehensive Development Zone and the overlay controls affecting the land.
- The proposed development would not have an adverse impact on the amenity of the area.
- The subject site does not interface with any public open space areas.
- The proposed development will be connected to underground drainage and as such will not have any adverse impact on the quality of stormwater within and exiting the site.
- The subject site does not contain any indigenous native vegetation in the meaning of the Planning Scheme.



- The proposed development would not contribute to any flood, erosion or fire hazard.

06

Conclusion

It is submitted that the application for buildings and works to construct an extension to an apartment development in a Comprehensive Development Zone (CDZ3) on land at 508/44 Skyline Drive, Maribyrnong is consistent with the Planning Policy Framework and other relevant provisions set out in the Maribyrnong Planning Scheme.

The development proposed by the application responds to its surrounding context and surrounding Comprehensive Development Zoned land. This locality will consolidate additional housing opportunities at a site within the PPTN area.

The proposed development provides a satisfactory response to the existing neighbourhood and commercial character and objectives of Clause 58. The result is that the development 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.



01

Attachment

Clause 58 Assessment

CLAUSE	STANDARD	ASSESSMENT
58.02-1 Urban Context	D1	COMPLIES The proposal satisfies the urban context objectives as discussed in the planning submission and shown on the Urban Context plans that accompany the application.
58.02-2 Residential Policy	D2	COMPLIES The proposal satisfies the residential policy objectives as discussed in Section 5.2 of the attached report.
58.02-3 Dwelling Diversity	D3	NOT APPLICABLE The application relates to an individual apartment within a wider development completed pursuant to Planning Permit TP99/2010. Dwelling diversity is improved with the extension of the bedrooms by way of providing improved accommodation for the residents.
58.02-4 Infrastructure	D4	NOT APPLICABLE The application relates to an individual apartment within a wider development completed pursuant to Planning Permit TP99/2010.
58.02-5 Integration with the Street	D5	NOT APPLICABLE The application relates to an individual apartment within a wider development completed pursuant to Planning Permit TP99/2010. The works will not be visible from the street.



CLAUSE	STANDARD	ASSESSMENT
58.03-1 Energy Efficiency	D6	<p>NOT APPLICABLE</p> <p>The application relates to an individual apartment within a wider development completed pursuant to Planning Permit TP99/2010.</p> <p>The proposal will result in improved fenestration to the western elevation, together with shading elements to the balcony area which will improve the energy efficiency of the built form for the occupier.</p>
58.03-2 Communal Open Space	D7	<p>NOT APPLICABLE</p> <p>The application relates to an individual apartment within a wider development completed pursuant to Planning Permit TP99/2010.</p>
58.03-3 Solar Access to Communal Open Space	D8	<p>NOT APPLICABLE</p> <p>The application relates to an individual apartment within a wider development completed pursuant to Planning Permit TP99/2010.</p>
58.03-4 Safety	D9	<p>NOT APPLICABLE</p> <p>The application relates to an individual apartment within a wider development completed pursuant to Planning Permit TP99/2010.</p>
58.03-5 Landscaping	D10	<p>NOT APPLICABLE</p> <p>The application relates to an individual apartment within a wider development completed pursuant to Planning Permit TP99/2010.</p> <p>Landscaping can be accommodated on the balcony areas within a pot plant context.</p>
58.03-6 Access	D11	<p>NOT APPLICABLE</p> <p>The application relates to an individual apartment within a wider development completed pursuant to Planning Permit TP99/2010.</p>
58.03-7 Parking Location	D12	<p>NOT APPLICABLE</p> <p>The application relates to an individual apartment within a wider development completed pursuant to Planning Permit TP99/2010.</p>
58.03-8 Integrated Water and Stormwater Management	D13	<p>NOT APPLICABLE</p> <p>The application relates to an individual apartment within a wider development completed pursuant to Planning Permit TP99/2010.</p>



CLAUSE	STANDARD	ASSESSMENT
58.04-1 Building Setback	D14	<p>NOT APPLICABLE</p> <p>The application relates to an individual apartment within a wider development completed pursuant to Planning Permit TP99/2010.</p> <p>The works proposed by the application are confined to within the existing building envelope and footprint. No change is proposed to the setback of the façade wall to Skyline Drive.</p>
58.04-2 Internal Views	D15	<p>COMPLIES</p> <p>The orientation or separation of balconies and habitable room windows within the development will continue to limit internal overlooking opportunities.</p>
58.04-3 Noise Impact	D16	<p>NOT APPLICABLE</p> <p>The application relates to an individual apartment within a wider development completed pursuant to Planning Permit TP99/2010.</p>
58.04-4 Wind Impacts Objective	D17	<p>NOT APPLICABLE</p> <p>The application relates to an individual apartment within a wider development completed pursuant to Planning Permit TP99/2010.</p>
58.05-1 Accessibility	D18	<p>NOT APPLICABLE</p> <p>The application relates to an individual apartment within a wider development completed pursuant to Planning Permit TP99/2010.</p>
58.05-2 Building Entry and Circulation	D19	<p>NOT APPLICABLE</p> <p>The application relates to an individual apartment within a wider development completed pursuant to Planning Permit TP99/2010.</p>
58.05-3 Private Open Space	D20	<p>COMPLIES</p> <p>The application will result in a three bedroom apartment that will satisfy the requirement of Table D8 with respect to areas and dimensions, with the SPOS areas exceeding the requirements. The standard is therefore satisfied.</p>
58.05-4 Storage	D21	<p>NOT APPLICABLE</p> <p>The application relates to an individual apartment within a wider development completed pursuant to Planning Permit TP99/2010.</p>



CLAUSE	STANDARD	ASSESSMENT
58.06-1 Common Property	D22	NOT APPLICABLE The application relates to an individual apartment within a wider development completed pursuant to Planning Permit TP99/2010.
58.06-2 Site Services	D23	NOT APPLICABLE The application relates to an individual apartment within a wider development completed pursuant to Planning Permit TP99/2010.
58.06-3 Waste and Recycling	D24	NOT APPLICABLE The application relates to an individual apartment within a wider development completed pursuant to Planning Permit TP99/2010.
58.06-4 External walls and materials	D25	NOT APPLICABLE The application relates to an individual apartment within a wider development completed pursuant to Planning Permit TP99/2010.
58.07-1 Functional Layout	D26	COMPLIES The application will result in an improved functional layout for "Bedroom 1" and "Bedroom 2" within the apartment with an extra 2.0 metres in length from the door. The standard is satisfied by the improvement to the apartment.
58.07-2 Room Depth	D27	NOT APPLICABLE The application relates to an individual apartment within a wider development completed pursuant to Planning Permit TP99/2010. The standard cannot be applied to the existing built form.
58.07-3 Windows	D28	COMPLIES Each habitable room continues to have a window in an external wall of the building with no reliance on borrowed light.
58.07-4 Natural Ventilation	D29	NOT APPLICABLE The application relates to an individual apartment within a wider development completed pursuant to Planning Permit TP99/2010. Natural ventilation will continue to occur by way of the dual aspect of the design.