

APPLICATION FOR A PLANNING PERMIT

**CITY OF MARIBYRNONG
ADVERTISED PLAN**

PROPERTY: 44 Lynch Street, Footscray, Vic, 3011

PLANNING SCHEME: Maribyrnong Planning Scheme

ZONING: [NEIGHBOURHOOD RESIDENTIAL ZONE - SCHEDULE 1](#)

OVERLAYS: [HERITAGE OVERLAY \(HO4\)](#)
[DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY - SCHEDULE 2](#)

Summary of Application:

Alterations and additional to existing residential dwelling

Prepared by SKT Building Designs

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework. To conserve and enhance heritage places of natural or cultural significance. To conserve and enhance those elements which contribute to the significance of heritage places. To ensure that development does not adversely affect the significance of heritage places. To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

Permit required?

A permit is required to construct a building or construct or carry out works, including: – Domestic services normal to a dwelling if the services are visible from a street (other than a lane) or public park

Heritage overlay schedule (Ho24) Decision Guidelines**The Municipal Planning Strategy and the Planning Policy Framework.**

Yes, the design is compliant with Municipal Planning Strategy and the Planning Policy Framework. Please refer Architectural drawings

The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.

Footscray (/ˈfʊt.skreɪ/ @ FOOT-scraɪ or /ˈfʊt.ɪs.kreɪ/) is an inner-city suburb in Melbourne, Victoria, Australia, 5 km (3.1 mi) west of Melbourne's [Central Business District](#), located within the [City of Maribyrnong local government area](#) and its council seat. Footscray recorded a population of 17,131 at the [2021 census](#).^[1]

Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.**Any applicable heritage design guideline specified in the schedule to this overlay.****Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.**

The proposed addition is located behind the existing heritage façade in an effort to retain the existing heritage façade. All demolition including the front and rear of property is to the non-original additions to the dwelling.

Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.

Yes, please refer to photographic surveyor in this report for images of similar project the proposal keeps with the character of the area.

Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.

All demolition to the property in a decking / lean to and internal works which to not affect the heritage overlay

Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.

The proposed does not negatively affect the significant character but enhances it. The renovation is largely internal, unoriginal features to the street facing façade are proposed to be removed and replaced with original features.

Whether the proposed subdivision will adversely affect the significance of the heritage place.

na

Whether the proposed subdivision may result in development which will adversely affect the significance, character or appearance of the heritage place.

na

Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.

na

Whether the lopping or development will adversely affect the health, appearance or significance of the tree.

na

Whether the location, style, size, colour and materials of the proposed solar energy facility will adversely affect the significance, character or appearance of the heritage place

na

Clause 11- Settlement

This proposal satisfies the intent of this Clause through diversity of housing choice, facilitating economic viability of this area and promoting energy efficiency by providing housing close to public transportation. The subject site is located in close proximity to a local athletics field, recreation reserves, community facilities as well as the area being well-served by buses on Ballarat Road

Clause 11.02- Growth

By providing for additional housing with an area that is relatively close proximity of an existing activity centre reduces pressure on supply of urban land

Clause 11.04-Metropolitain Melbourne

One of the strategies of the clause seeks the development of the new sustainable communities that provide jobs and housing in growth areas in the north and west, recognizing the diminishing options in the south east. The proposed development is consistent with the afore mentioned strategy.

Clause 16 Housing

Clause 16.01 Residential Development

Clause 16.01-1 Integrated Housing

Objective

To promote a housing market that meets community needs.

Strategies

- Increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land.
- Ensure housing developments are integrated with infrastructure and services, whether they are located in existing suburbs, growth areas or regional towns.

Response

The proposal promotes community needs by providing a more functional family home

Clause 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.

Strategies

- Increase the proportion of housing in Metropolitan Melbourne to be developed within the established urban area, particularly at activity centres, employment corridors and at other strategic sites, and reduce the share of new dwellings in greenfield and dispersed development areas
- Ensure an adequate supply of redevelopment opportunities within the established urban area to reduce the pressure for fringe development.
- Facilitate residential development that is cost-effective in infrastructure provision and use, energy efficient, incorporates water efficient design principles and encourages public transport use.

Clause 16.01-4 Housing Diversity**Objective**

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

Strategies

- Ensure housing stock matches changing demand by widening housing choice, particularly in the middle and outer suburbs.
- Encourage 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.
- Support opportunities for a wide range of income groups to choose housing in well serviced locations.

Response

The proposal will positively contribute to the cultural significance of the area.

Clause 16.01-5 Housing Affordability**Objective**

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

Strategies

Improve housing affordability by:

- Ensuring land supply continues to be sufficient to meet demand.
- Increasing choice in housing type, tenure and cost to meet the needs of households as they move through life cycle changes and to support diverse communities.
- Promoting good housing and urban design to minimise negative environmental impacts and keep down costs for residents and the wider community.
- Encouraging a significant proportion of new development, including development at activity centres and strategic redevelopment sites to be affordable for households on low to moderate incomes.

Increase the supply of well-located affordable housing by:

- Facilitating a mix of private, affordable and social housing in activity centres and strategic redevelopment sites.

Response

Planning should provide for housing diversity, and ensure the efficient provision of supporting infrastructure. New structures 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.

The proposed represents ideal housing for younger growing families, as the dwelling has four rooms that are to be used as bedrooms and single carport. The type of housing that is proposed is suitable for a very wide cross-section of the community. It is important for all areas to have housing options to meet all the increasingly diverse housing needs

Clause 21.05 - Housing**Clause 21.05-1 - Housing Growth****Objective**

To provide a variety of housing choices in appropriate locations to meet the needs of an increasingly diverse range of households.

Strategies

- To encourage housing growth while ensuring that new residential development does not compromise the heritage and neighbourhood character values of established residential area. The Policy Guideline for High to Substantial Housing Intensification is:

Consider the majority of housing growth and higher density development to occur within Activity Centres identified in Plan Melbourne, provided that the height, scale and massing of new development is in accordance with the requirements and recommendations of adopted structure plans or strategies for those centres, and that development respects the surrounding built form context.

Clause 21.05-2 - Housing Diversity**Objective**

To encourage new housing to be designed which caters for changing needs over time.

Strategies

- To encourage accessible housing to be located close to public transport and local services to reduce the risk of social isolation for occupants from the broader community.

Response

The proposal is not a new house.

Clause 21.05-3 - Affordable Housing**Objective**

To improve housing affordability within the municipality for households with household incomes below the 60th percentile of income groups.

Strategies

- Encourage adaptable housing that provides flexible housing layouts for people with disabilities and for older persons.
- Encourage affordable housing in locations with good access to public transport, services and retail opportunities.

Clause 21.06 - Built Environment

Clause 21.06-1 - Neighbourhood Character

Objective 1

To ensure new development is in accordance with the preferred character of each residential precinct as outlined in the Neighbourhood Character Precinct Profiles 2012.

Strategies

- Maintain and enhance residential streetscape quality and character.
- To ensure that new development makes a positive contribution to the appearance and amenity of the streetscape.
- Ensure new residential development considers the design objectives as outlined in the Neighbourhood Character Precinct Profiles 2012 as appropriate.
- Ensure the siting of new development contributes to the preferred character of the neighbourhood.
- Ensure that the distinct neighbourhood character attributes within identified significant neighbourhood character areas within the municipality are retained and enhanced.

Clause 21.06-3 - Safety, Health & Wellbeing

Objective 1

To ensure new development creates safe environments

Strategies

- Encourage the design of buildings, subdivisions, car parks and public open space that maximises natural surveillance to provide for safe neighbourhoods.
- Encourage building design with active street frontages.

Clause 21.06-4 - Urban Design

Objective

To achieve contemporary development that is innovative, legible and designed in a manner that responds to its location and context.

Strategies

- Encourage development that provides an appropriate degree of visual interest and design articulation and a high standard of amenity for residents.
- Ensure the siting (including setbacks and site coverage) of new development responds to the opportunities, constraints and features of the site.
- Ensure development minimises off-site amenity impacts.
- Ensure new development presents integrated building forms that have a sense of address.
- Encourage new development to apply design techniques (including façade variation, contrast/repetition, colour, texture and detail) that will integrate a building with its surroundings and create attractive and interesting forms.
- Ensure that new development highlights key corners or intersections through the use of design projections, detailing and massing that presents to its surroundings and street frontages.

Response

The proposal is not relevant to a new development

22.03 STORMWATER MANAGEMENT (WATER SENSITIVE URBAN DESIGN)

Water sensitive urban design report to be provided upon council request.

Neighbourhood Character

Clause 54.02

Title & Objective	Standard	Complies / Does not comply / Variation required
A1 Neighbourhood Character Design respects existing neighbourhood character or contributes to a preferred neighbourhood character. Design responds to features of the site and surrounding area.	1. Appropriate design response to the neighbourhood and site.	✓ Complies
	2. Design respects the existing or preferred neighbourhood character & responds to site features.	✓ Complies
A2 Integration with Street Integrate the layout of development with the street.	1. Dwelling oriented to front of the street.	✓ Complies
	2. High fences avoided where practicable.	✓ Complies
	3. Dwellings designed to promote the observation of abutting streets / public open spaces.	✓ Complies

Site Layout and Building Massing

Clause 54.03

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
A3 Street Setback Setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.	1. Walls of buildings should be setback from streets at least the distance specified in the schedule to the zone or <ul style="list-style-type: none"> ■ If no distance is specified as outlined below. ■ Existing building on both the abutting allotments facing the same street & site is not on a corner. Min front Setback = average setback of existing buildings on abutting allotments facing the front street or 9m, whichever is the lesser.	✓ Complies Existing to remain
	2. Existing building + vacant site either side of the subject site facing the same street & site is not on a corner Min front Setback = same setback of front wall of existing building or 9m, whichever is the lesser.	✓ Complies
	3. There is no existing building on either of the abutting allotments facing the same street & site is not on a corner Min front Setback = 6m in RDZ1 & 4m for other streets.	- N/A

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
	4. The site is on a corner <ul style="list-style-type: none"> ■ If there is a building on the abutting allotment facing the front street Min front setback = same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9m, whichever is the lesser ■ If there is no building on the abutting allotment facing the front street, 6m from street in RDZ1 And 4m for other streets. Min setback from side street = same setback of existing building or 2m, whichever is the lesser. 	n/a
A4 Building Height Building height respects the existing or preferred neighbourhood character.	1. The maximum building height should not exceed that specified in the schedule to the zone. Where no maximum height is specified, the 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 this case max height not to exceed 10m.	✓ Complies
	2. Changes of building height should be graduated between new and existing buildings.	✓ Complies
A5 Site Coverage Site coverage should respect the existing or preferred neighbourhood character and respond to the features of the site.	1. Buildings should not exceed 60% of the site covered, unless otherwise specified in a schedule to the zone.	✓ Complies
A6 Permeability Reduce the impact of stormwater run-off on the drainage system and facilitate on-site stormwater infiltration.	1. Site should not be covered by any more than 20% of impervious surface.	✓ Complies
A7 Energy Efficiency Protection	1. Orientation of buildings should make appropriate use of solar energy.	✓ Complies

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>Achieve and protect energy efficient dwellings. Ensure the development's orientation and layout reduce fossil fuel energy use and makes appropriate use of daylight and solar energy.</p>	<p>2. If practicable the living areas and private open space are to be located on the north side.</p>	<p>✓ Complies</p>

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
	<p>3. Solar access for north-facing windows should be maximised.</p>	<p>✓ Complies</p>
	<p>4. Siting and design of buildings should not reduce the energy efficiency of adjoining buildings.</p>	<p>✓ Complies</p>
<p>A8 Significant Trees Development respects the landscape character of the neighbourhood and retains significant trees on site.</p>	<p>1. Provide for the retention or planting of trees, where these are part of the neighbourhood character.</p>	<p>✓ Complies</p>
	<p>2. Replace significant trees removed in 12 months prior to application.</p>	<p>N/A Comments: No <u>significant</u> trees removed</p>
<p>A9 Parking Ensure car parking is adequate for the needs of residents.</p>	<p>1. Two car spaces should be provided per dwelling with:</p> <ul style="list-style-type: none"> ■ One space: minimum 6m long & 3.5m wide and covered or capable of being covered. ■ Second space: minimum 4.9m long and 2.6m wide. 	<p>N/A Existing car parking to remain</p>
	<p>2. For spaces provided in a garage, carport or otherwise constrained by walls, a double space may be 5.5m wide. (measured inside the garage or carport). A building may project into a car space, if it is at least 2.1m above the space. <i>Note: The above standards do not apply to extensions to existing dwellings.</i></p>	<p>N/A Existing car parking to remain</p>

Amenity Impacts

Clause 54.04

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>A10 Side and Rear Setbacks Ensure 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>1. New building not on or within 150mm of a boundary should be setback from side or rear boundaries:</p> <ul style="list-style-type: none"> ▪ distance specified in the schedule to the zone or ▪ a minimum 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. <p>Refer to standards for more information on encroachments.</p>	<p>The topography of the area along with the narrow lots means there is consistent theme regarding site and rear setbacks.</p> <p>The neighbourhood character of this General Residential area differs from common residential lots, the dwellings commonly have double storeys built up against their side and rear boundaries.</p> <p>The proposal is also non-compliant and variation is required.</p> <p>This is not a result of inappropriate design but rather continuing existing structure.</p> <p>Essential there are no side setbacks in this approved development. This is further demonstrated as the proposal is built against a sheer walls built directly in close proximity boundary.</p>
<p>A11 Walls on Boundaries Ensure the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</p>	<p>1. A new wall that is on or within 150mm of a side or rear boundary of a lot or a carport constructed on or within 1m of a side or rear boundary of a lot, should not abut the boundary for a length more than:</p> <ul style="list-style-type: none"> ▪ 10m plus 25 % of the remaining length of the boundary of an adjoining lot, or ▪ Where there are existing or simultaneously constructed wall/carport abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports whichever is the greater. <p>2. A new wall or carport may fully abut a side or rear boundary where the slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2m on the abutting property boundary.</p>	<p>The distance of the combined existing and proposed length will exceed what is allowable.</p> <p>The neighbourhood character of this General Residential area differs from common residential lots, the dwellings commonly have built up against their rear boundaries.</p> <p>There is a common theme within the area and specifically the estate of non-compliance with A11. The vast majority of buildings in the immediate street are built along the boundary. This is part of the architectural design of the estate.</p> <p>This is not the result of inappropriate design but rather an infill of a "closed in" balcony.</p> <p>N/A</p>

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
	<p>3. The height of a new wall constructed on or within 150mm of a side or rear boundary or a carport on or within 1m of a side or rear boundary should not exceed an average of 3m, with no part higher than 3.6m, unless abutting a higher existing or simultaneously constructed wall.</p> <p>Refer to 54.04-2 for further clarification of the standards.</p>	<p>✓ Complies</p>
<p>A12 Daylight to Existing Windows Allow adequate daylight into existing habitable room windows.</p>	<p>1. Buildings opposite an existing habitable room window should provide a light court of at least 3sqm and a minimum of 1m clear to the sky. (Calculation area may include abutting lot).</p>	<p>✓ Complies</p>
	<p>2. Walls and carports of more than 3m 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.</p> <p>Refer to 54.04-3 for further clarification (a diagram is included).</p>	<p>✓ Complies</p>
<p>A13 North Facing Windows Allow adequate solar access to existing north-facing habitable room windows.</p>	<p>1. Building should be setback 1m if an existing north-facing habitable room window is within 3m of the abutting lot boundary. (Add 0.6m to this setback for every metre of height over 3.6m and add 1m for every metre over 6.9m.)</p> <p>Refer to 54.04-4 for further clarification (a definition of a north facing window and a diagram is included).</p>	<p>✓ Complies</p>

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>A14 Overshadowing Open Space Ensure buildings do not unreasonably overshadow existing secluded private open space.</p>	<p>1. Where sunlight to the secluded private open space of an existing dwelling is reduced at least 75% or 40sqm with min. dimension of 3m, whichever is the lesser area, the secluded private open space should receive a min. of 5 hours of sunlight between 9am and 3pm on 22 September</p> <p>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.</p>	<p>✓ Complies</p>
<p>A15 Overlooking Limit views into existing secluded private open space and habitable room windows.</p>	<p>1. A habitable room window, balcony, terrace, deck or patio with a direct view into an existing habitable window within a horizontal distance of 9m should have either:</p> <ul style="list-style-type: none"> ■ A minimum offset of 1.5m from the edge of the window to the edge of the other. ■ Sill heights of at least 1.7m above floor level. ■ Obscure glazing in any part of the window below 1.7m above floor level. ■ Permanently fixed external screens to at least 1.7m above floor level and be no more than 25% transparent. 	<p>✓ Complies</p>
	<p>2. Obscure glazing to 1.7m above floor level may be openable if there are no direct views as specified in this standard.</p>	<p>✓ Complies</p>

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
	<p>3. Screens to obscure view should be:</p> <ul style="list-style-type: none"> ■ Perforated panels or trellis with solid translucent panels or a maximum 25% openings. ■ Permanent, fixed and durable. ■ Blended into the development. <p>Refer to 55.04-4 for further clarification (a diagram is included).</p>	<p>✓ Complies</p>

On-Site Amenity and Facilities

Clause 54.05

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>A16 Daylight to New Windows Allow adequate daylight into new habitable room windows.</p>	<p>1. A habitable room window should be located to face:</p> <ul style="list-style-type: none"> ■ An outdoor space with a minimum area of 3sqm and minimum dimension of 1m clear to the sky, not including land on an abutting lot. ■ A verandah with at least one third of its perimeter open. ■ A carport with two or more open sides and is open for at least one third of its perimeter. 	<p>✓ Complies</p>
<p>A17 Private Open Space Provide adequate private open space for the recreation and service needs of residents.</p>	<p>1. Unless specified in the schedule to the zone, a dwelling should have private open space of at least:</p> <ul style="list-style-type: none"> ■ 80sqm or 20% of the area of the lot, whichever is the lesser, but not less than 40sqm. ■ At least one part of the private open space should have a min. area of 25 sqm with a min. 3m at the side or rear of the dwelling with convenient access from a living room. 	<p>✓ Complies</p>
<p>A18 Solar Access to Open Space Allow solar access into secluded private open space of a new dwelling.</p>	<p>1. The private open space should be located on the north side of the dwelling if practicable.</p>	<p>✓ Complies</p>
	<p>2. Southern boundary of open space should be setback from any wall on the north side of space by a minimum of 2m + 0.9 x wall height.</p>	<p>✓ Complies</p>

Detailed Design

Clause 54.06

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>A19 Design Detail Encourage design detail that respects the existing or preferred neighbourhood character.</p>	<p>1. Design of buildings should respect the existing or preferred neighbourhood character and address:</p> <ul style="list-style-type: none"> ■ Façade articulation & detailing. ■ Window and door proportions. ■ Roof form. ■ Verandahs, eaves and parapets. 	<p>✓ Complies</p>

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
	2. Garages and carports should be visually compatible with the development and neighbourhood character.	NA
<p>A20 Front Fences Encourage front fence design that respects the existing or preferred neighbourhood character.</p>	1. The front fence should complement the design of the dwelling or any front fences on adjoining properties.	NA
Title & Objective	Standard	Complies / Does Not Comply / Variation Required
	2. A front fence within 3m of the street should not exceed the maximum height specified in the schedule to the zone. If no schedule is specified, the front fence should not exceed: <ul style="list-style-type: none"> ■ 2m if abutting a RDZ1 ■ 1.5m in any other streets. 	NA