

# Application for a Planning Permit

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

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

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

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

**i** Click for further information.

## The Land **i**

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

### Street Address \*

Unit No:	St. No.: 20	St. Name: Ovens Street
Suburb/Locality: YARRAVILLE		Post Code: 3013

### Formal Land Description \*

Complete either A or B.

**⚠** This information can be found on the certificate of title

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

A   Lodged Plan  Title Plan  Plan of Subdivision   
OR  
B

## The Proposal

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

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

2 Storey Extension

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

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

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

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


Visit [www.sro.vic.gov.au](http://www.sro.vic.gov.au) for information.

## Existing Conditions i

### Describe how the land is used and developed now \*

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

Single storey dwelling


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

## Title Information i

### Encumbrances on title \*

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

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

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

## Applicant and Owner Details i

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

### Applicant \*

The person who wants the permit.

Name:		
Title:	First Name: Achieve	Surname: Group
Organisation (if applicable):		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No:	St. No:	St. Name:
Title:	State:	Postcode:

Please provide at least one contact phone number \*

### Contact information for applicant OR contact person below

Business phone: 0414377118	Email: achieve@achievedesign.com.au
Mobile phone: 9364 2811	Fax:

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

### Contact person's details\*

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

### Owner \*


The person or organisation who owns the land

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

Name:		Same as applicant <input type="checkbox"/>
Title: MR	First Name: Timothy	Surname: Drewitz
Organisation (if applicable):		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No:	St. No: 20	St. No: Ovens Street
Suburb/Locality: YARRAVILLE	State: VIC	Postcode: 3013
Postcode: 3013	Date : 23 07 2024	
day / month / year		

## Declaration

This form must be signed by the applicant \*

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

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

Signature:

*Achieve Group*

Date:

day / month / year

## Need help with the Application?

General information about the planning process is available at [planning.vic.gov.au](http://planning.vic.gov.au)

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

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

No  Yes

If 'Yes', with whom?:

Date:

day / month / year

## Checklist

Have you:

Filled in the form completely?

Paid or included the application fee?



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

 Provided all necessary supporting information and documents?

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

A plan of existing conditions.

Plans showing the layout and details of the proposal.

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

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

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

Completed the relevant council planning permit checklist?

Signed the declaration?

## Lodgement

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

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

### Contact information:

Phone: (03) 9688 0200

Email: [email@maribyrnong.vic.gov.au](mailto:email@maribyrnong.vic.gov.au)

DX: 81112

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

# MORE INFORMATION

---

## The Land

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

### How is land identified

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


See **Example 1**.

---

## The Proposal

### Why is it important to describe the proposal correctly?


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

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

### How do planning schemes affect proposals?

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

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

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

See **Example 2**.


### Estimated cost of development

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

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

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

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

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

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

---

## Existing Conditions

### How should land be described?

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

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

See **Example 3**.

---

## Title Information

### What is an encumbrance?

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

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

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

### What documents should I check to find encumbrances

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

### What about caveats and notices?

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

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

### What happens if the proposal contravenes an encumbrance on title?

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

Copyright State of Victoria. No part of this publication may be reproduced except as permitted by the Copyright Act 1968 (Cth), to comply with a statutory requirement or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA REGD TM System. None of the State of Victoria, its agents or contractors, accepts responsibility for any subsequent publication or reproduction of the information.

The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

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

VOLUME 09377 FOLIO 754

Security no : 124117495028R  
Produced 16/08/2024 02:44 PM

LAND DESCRIPTION

Lot 1 on Title Plan 964749W.  
PARENT TITLE Volume 01503 Folio 519  
Created by instrument H448644 19/03/1979

REGISTERED PROPRIETOR

Estate Fee Simple  
Sole Proprietor  
TIMOTHY JAMES DREWITZ of 20 OVENS STREET YARRAVILLE VIC 3013  
AX935142T 24/04/2024

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AX935143R 24/04/2024  
WESTPAC BANKING CORPORATION

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

DIAGRAM LOCATION

SEE TP964749W FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
AX930917K (E)	CONV PCT & NOM ECT TO LC	Completed	23/04/2024
AX935142T (E)	TRANSFER	Registered	24/04/2024
AX935143R (E)	MORTGAGE	Registered	24/04/2024

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

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

Street Address: 20 OVENS STREET YARRAVILLE VIC 3013

ADMINISTRATIVE NOTICES

NIL

eCT Control 16977H ST GEORGE BANK  
Effective from 24/04/2024

DOCUMENT END

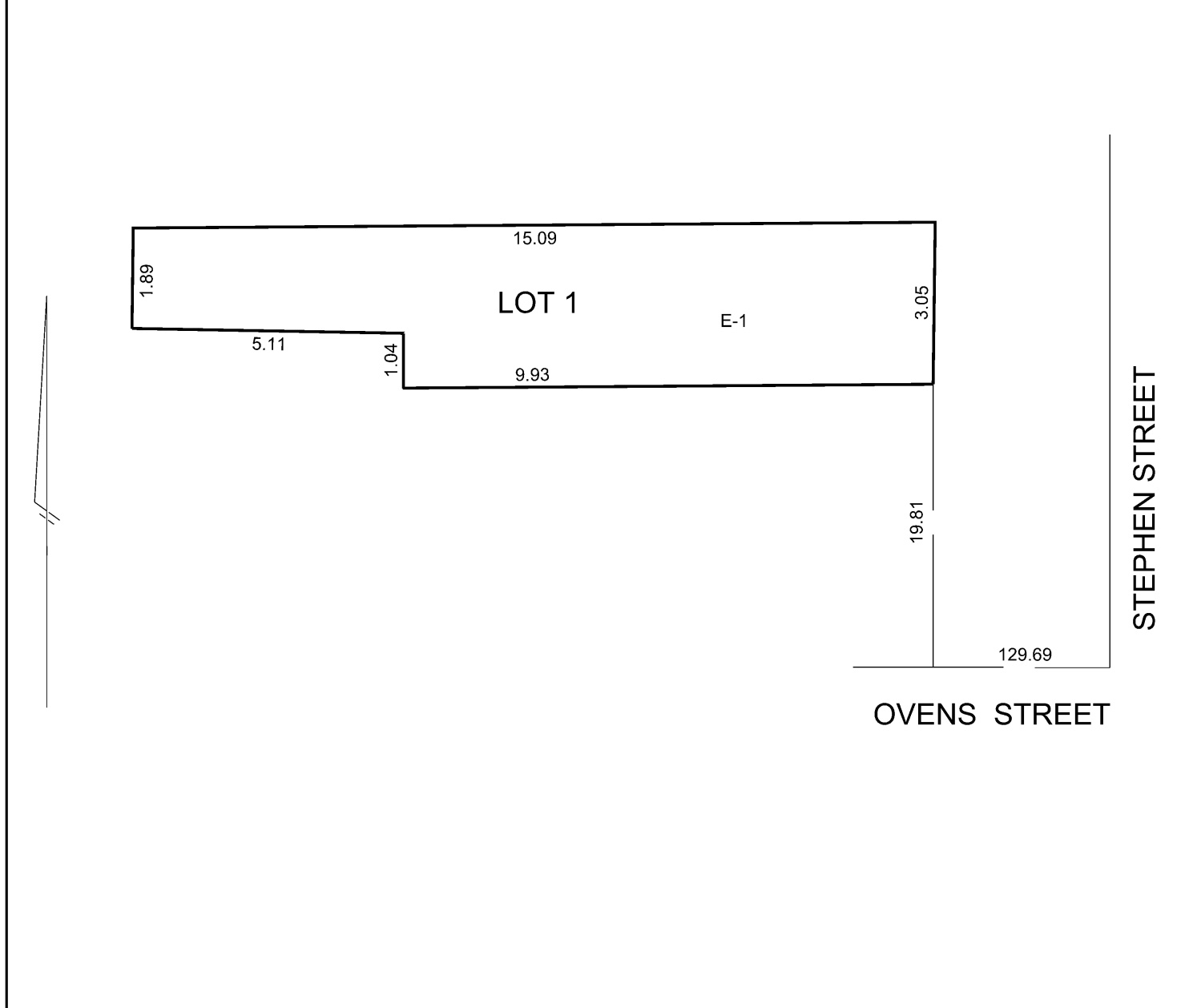
<h1>TITLE PLAN</h1>	EDITION 1	<h1>TP 964749W</h1>
---------------------	-----------	---------------------

<p><b>LOCATION OF LAND</b>                  PARISH: CUT-PAW-PAW                  TOWNSHIP:                  SECTION: 8                  CROWN ALLOTMENT: 1G(PT)                  LAST PLAN REFERENCE: LOT 1 TP 859403X</p> <p>DERIVED FROM: VOL 9377 FOL 754                  DEPTH LIMITATION: NIL</p>	<p><b>NOTATIONS</b></p>
---	-------------------------

<p><b>EASEMENT INFORMATION</b>                  E - ENCUMBERING EASEMENT R - ENCUMBERING EASEMENT (ROAD) A - APPURTENANT EASEMENT</p>	<p>THIS PLAN HAS BEEN PREPARED BY LAND VICTORIA FOR TITLE DIAGRAM PURPOSES</p>
---	--

Easement Reference	Purpose	Width (Metres)	Origin	Land benefited / In favour of
E-1	AS PROVIDED FOR IN SEC 528(2)(e) OF THE LOCAL GOVERNMENT ACT 1958	SEE DIAG.	SEC 528(2)(e) OF THE LOCAL GOVERNMENT ACT 1958	MELBOURNE METROPOLITAN BOARD OF WORKS

Checked by: GA  
 Date: 12/01/18  
 Assistant Registrar of Titles



Copyright State of Victoria. No part of this publication may be reproduced except as permitted by the Copyright Act 1968 (Cth), to comply with a statutory requirement or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA REGD TM System. None of the State of Victoria, its agents or contractors, accepts responsibility for any subsequent publication or reproduction of the information.

The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

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

VOLUME 01448 FOLIO 419

Security no : 124117495027S  
Produced 16/08/2024 02:44 PM

LAND DESCRIPTION

Lots 1 and 2 on Title Plan 900865F.  
PARENT TITLE Volume 00808 Folio 498  
Created by instrument 0115815 02/04/1883

REGISTERED PROPRIETOR

Estate Fee Simple  
Sole Proprietor  
TIMOTHY JAMES DREWITZ of 20 OVENS STREET YARRAVILLE VIC 3013  
AX935142T 24/04/2024

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AX935143R 24/04/2024  
WESTPAC BANKING CORPORATION

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

DIAGRAM LOCATION

SEE TP900865F FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
AX930917K (E)	CONV PCT & NOM ECT TO LC	Completed	23/04/2024
AX935142T (E)	TRANSFER	Registered	24/04/2024
AX935143R (E)	MORTGAGE	Registered	24/04/2024

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

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

ADMINISTRATIVE NOTICES

NIL

eCT Control 16977H ST GEORGE BANK  
Effective from 24/04/2024

DOCUMENT END

<b>TITLE PLAN</b>	<b>EDITION 1</b>	<b>TP900865F</b>
-------------------	------------------	------------------

**LOCATION OF LAND**

Parish: CUT PAW PAW  
 Township: -  
 Section: 8  
 Crown Allotment: 1G ( PT ) & 1H ( PT )  
 Crown Portion: -

Last Plan Reference:-  
 Derived From: VOL. 1448 FOL. 419

Depth Limitation: NIL

Notations

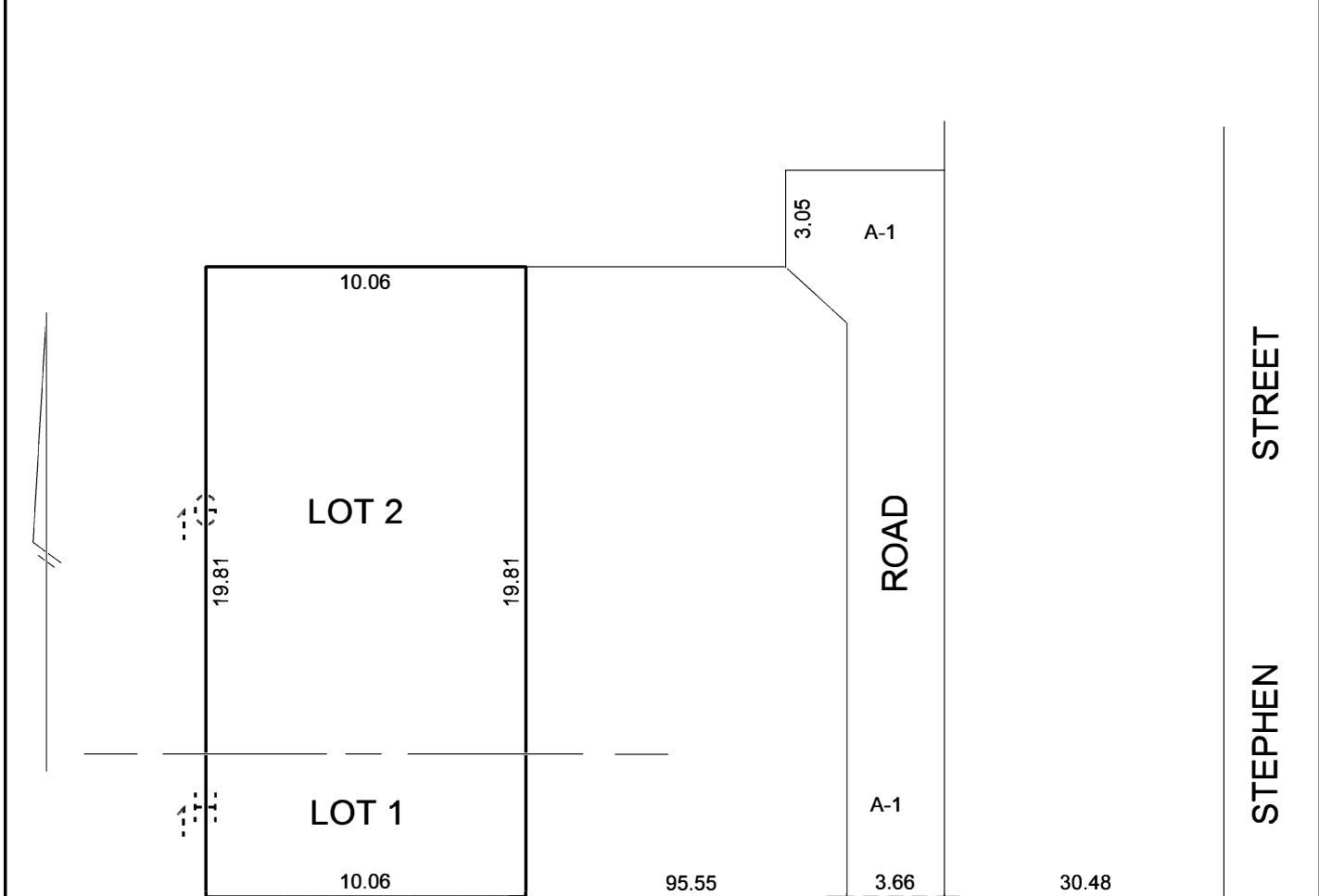
ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN

**Description of Land/Easement Information**

TOGETHER WITH A RIGHT OF CARRIAGEWAY OVER THE ROADS MARKED A-1 ON THIS MAP

THIS PLAN HAS BEEN PREPARED BY LAND REGISTRY, LAND VICTORIA FOR TITLE DIAGRAM PURPOSES

COMPILED: Date: 10 - 7 - 2009  
 VERIFIED: A. DALLAS  
*Assistant Registrar of Titles*



**OVENS STREET**

**STEPHEN STREET**

**TOTAL AREA = 200 m<sup>2</sup>**

<b>TABLE OF PARCEL IDENTIFIERS</b>
WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962
LOT 1 = CROWN ALLOTMENT 1H ( PT ) LOT 2 = CROWN ALLOTMENT 1G ( PT )

<b>LENGTHS ARE IN METRES</b>	Metres = 0.3048 x Feet Metres = 0.201168 x Links	<b>Sheet 1 of 1 Sheets</b>
------------------------------	---	----------------------------



# Design Response Report

Proposed Alterations & Additions  
**20 Ovens Street, Yarraville**

July 2024

Narelle Cassar

6/6 Leake Street Essendon Victoria 3040

[info@townplannersmelbourne.com.au](mailto:info@townplannersmelbourne.com.au)

## Contents

Subject Site & Surrounds .....	4
Subject site .....	4
Surrounding area.....	5
Details of Proposal .....	6
Planning Policies .....	7
10 Planning Policy Framework .....	7
The City of Maribyrnong Municipal Strategic Statement.....	7
11 SETTLEMENT .....	7
11.01 VICTORIA .....	7
11.02 MANAGING GROWTH .....	7
11.03 PLANNING FOR PLACES .....	7
12 ENVIRONMENTAL AND LANDSCAPE VALUES.....	8
12.01 BIODIVERSITY .....	8
12.02 MARINE AND COASTAL ENVIRONMENT.....	8
12.03 WATER BODIES AND WETLANDS.....	8
12.04 ALPINE AREAS .....	8
12.05 SIGNIFICANT ENVIRONMENTS AND LANDSCAPES.....	8
13 ENVIRONMENTAL RISKS AND AMENITY .....	8
13.01 CLIMATE CHANGE IMPACTS.....	9
13.02 BUSHFIRE.....	9
13.03 FLOODPLAINS .....	9
13.04 SOIL DEGRADATION.....	9
13.05 NOISE.....	9
13.06 AIR QUALITY .....	9
13.07 AMENITY, HUMAN HEALTH AND SAFETY .....	9
14 NATURAL RESOURCE MANAGEMENT .....	10
14.01 AGRICULTURE .....	10
14.02 WATER.....	10
14.03 EARTH AND ENERGY RESOURCES.....	10
15 BUILT ENVIRONMENT AND HERITAGE.....	10
15.01 BUILT ENVIRONMENT .....	11
15.02 No content.....	11

15.03	HERITAGE.....	11
16	HOUSING.....	11
16.01	RESIDENTIAL DEVELOPMENT.....	11
19	INFRASTRUCTURE.....	12
19.01	ENERGY.....	12
19.02	COMMUNITY INFRASTRUCTURE.....	12
19.03	DEVELOPMENT INFRASTRUCTURE.....	13
	To reduce waste and maximise resource recovery to reduce reliance on landfills and minimise environmental, amenity and public health impacts.....	13
	Local Planning Policies.....	13
	The City of Maribyrnong Municipal Strategic Statement.....	13
21.01	Municipal Strategic Statement.....	13
21.07	Housing.....	13
21.07-2	Housing Diversity and Affordability.....	14
21.11	Local Areas.....	14
21.11-4	Yarraville Neighbourhood Activity Centre.....	15
22.05	Preferred Neighbourhood Character Statement.....	16
	Zoning and Overlays.....	16
30.0	Zoning.....	16
32.09	Neighbourhood Residential Zone.....	16
32.09-2	Table of uses – Section 1 Permit not required.....	17
32.09-5	Construction and extension of one dwelling on a lot.....	17
	Schedule 1 to the Neighbourhood Residential Zone.....	17
	Zoning – Design Response Discussion.....	17
4.0	Overlays.....	18
43.01	Heritage Overlay.....	18
43.01-1	Permit requirement.....	18
43.01-8	Decision Guidelines.....	18
	Victorian Heritage Database – Statement of significance.....	20
45.06	Development Contributions Plan Overlay.....	22
	Heritage Overlay – Design Response Discussion.....	23
	Particular Provisions.....	23
52.06	Car Parking.....	23
52.06-5	Table 1 – Car Parking Requirements.....	24
54	One dwelling on a lot.....	24
54.02	NEIGHBOURHOOD CHARACTER.....	24

54.03	SITE LAYOUT AND BUILDING MASSING.....	25
54.04	AMENITY IMPACTS.....	27
54.05	ON-SITE AMENITY AND FACILITIES.....	31
54.06	DETAILED DESIGN.....	32
Conclusion.....		33

## Subject Site & Surrounds

### Subject site

The subject site is a rectangular in shape parcel of approximately 239.67 square metres located on the northern side of Ovens Street. The frontage of the site to Ovens Street is 10.06 metres and the site has a depth of 19.81 metres.

The site has three parcels; legally referred to as

- Lot 1 on title plan TP900865
- Lot 2 title plan 900865

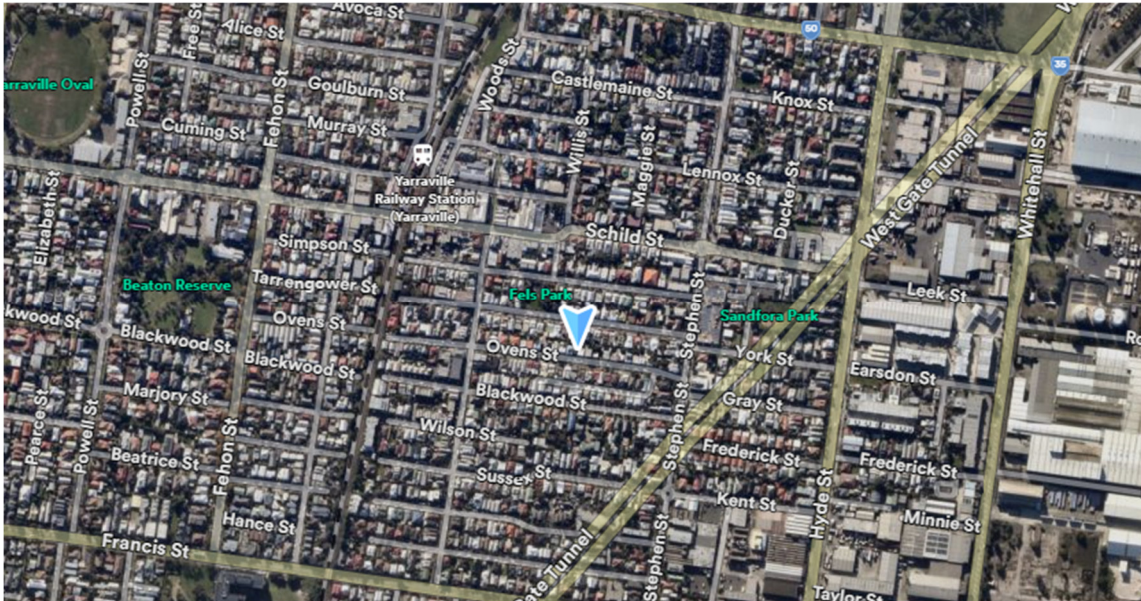
- Lot 1 title plan 964749

At present, no provisions for vehicular access or on site car parking have been made. There is a concrete pedestrian foot path along the street frontage and grassed nature strip.

The subject site is not within area of Aboriginal Cultural Heritage Significance. A cultural heritage management plan is not required.

The site is zoned Neighbourhood Residential - schedule 1 (NRZ1) and has two overlays:

- Development Contributions Overlay – schedule 2 (DCPO2)
- Heritage Overlay – schedule 15 (HO15)



Subject Site Source: Nearmap 23 June 2024

## Surrounding area

The surrounding area is primarily residential with heritage overlay locally prevalent. The vast majority of allotments range from 200 to 400 square metres in area accommodating single detached dwellings. Much of the built form comprises original housing stock within Yarraville with additions to the rear; examples of more recent infill development.

*The site is within Yarraville Residential Precinct characterised by its small Victorian & Edwardian single-storey detached housing with mainly weatherboard and some brick wall cladding, corrugated iron roofing, front verandahs, similar front and side setbacks and narrow block frontages. Houses were originally with timber picket front fences and streets with asphalt footpaths and stone kerb and channel, with some surviving. Originally there was no provision for on-site vehicle parking for most of the identified housing. The major built form is of the typical Victorian era hipped roof and Edwardian era main hip and projecting gable roof form combination although there are some early two storey masonry parapeted houses. The corner-sited commercial development, had zero lot lines. Properties are generally surviving in the grid lot layout from the 1859 township layout as shown in the 'Township of Yarraville' plan and there is mature elm street tree planting typical of the Victorian-era. Of the 507*

*places in the precinct as a whole 429 are contributory.*

*In the residential areas there are concentrations of 19th century housing which survives in Ovens Street (north side), Stephen (north end) and Castlemaine Street (west end). Edwardian groups are in Sussex, Knox and part of Stephen (north) Streets. Later eras are represented in a lesser concentration in Frederick Street. Some areas, such as Stephen Street have elements of an early commercial- civic core (former Lyric Theatre) which has been superseded by the present centre grouped around the railway. Most houses are altered in detail but retain enough original fabric to express their development period better than most in the City. This is aided by rare (in the City of Maribyrnong) mature public landscape (elms, street trees) in Stephen St, south of Somerville Road. Very little of the bluestone kerb and channel which was once prevalent in the precinct has remained except for the east end of Blackwood and Lennox Streets and the large and notable expanse of basalt pitchers on the railway yard next to Woods St.*

## Details of Proposal

This application proposes alterations and additions to the existing dwelling at 20 Ovens Street Yarraville. The existing dwelling comprises Kitchen, dining, separate living room, bedrooms 1, 2 and 3, bathroom and laundry. There is an attached verandah at front and covered area at rear.

This proposal seeks to demolish the rear portion comprising laundry, bathroom, kitchen and dining area to accommodate the proposed addition. The proposed addition consists of an open kitchen, meals and living area with separate laundry at ground level and bedroom 1, ensuite and retreat within the upper level. This application presents no change to the original dwelling (front portion) with exception to internal alterations to convert an existing bedroom into a bathroom with subsequent relocation of window along the eastern (side) elevation and removal of the non-original front door whilst preserving the original door frame.

Proposed works employ passive design solutions supporting sustainability whilst accommodating accustomed requirements of contemporary living without compromising established vegetation on the site and the heritage integrity of the existing dwelling.

### **Planning triggers:**

Pursuant to 32.09-5 of the Planning Scheme a permit is required to construct or extend one dwelling on a lot less than 300 square metres. No 20 Ovens Street Yarraville is under 300 square metres, as such a planning permit is triggered by this clause.

Pursuant to 43.01-1 of the Planning Scheme a permit is required to demolish or remove a building and construct a building or construct or carry out works. As such, a planning permit for this application is triggered by this clause.

## 10 Planning Policy Framework

The City of Maribyrnong Municipal Strategic Statement

### 11 SETTLEMENT

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

Planning is to recognise the need for, and as far as practicable contribute towards:

- Health, wellbeing and safety.
- Diversity of choice.
- Adaptation in response to changing technology.
- Economic viability.
- A high standard of urban design and amenity.
- Energy efficiency.
- Prevention of pollution to land, water and air.
- Protection of environmentally sensitive areas and natural resources.
- Accessibility.
- Land use and transport integration.

Planning is to prevent environmental, human health and amenity problems created by siting incompatible land uses close together.

Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns and investment in transport, utility, social, community and commercial infrastructure and services.

11.01 VICTORIA  
11.01-1S Settlement  
To facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

11.02 MANAGING GROWTH  
11.02-1S Supply of urban land  
To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.  
11.02-2S Structure planning  
To facilitate the fair, orderly, economic and sustainable use and development of urban areas.  
11.02-3S Sequencing of development  
To manage the sequence of development in areas of growth so that services are available from early in the life of new communities.

11.03 PLANNING FOR PLACES  
11.03-1S Activity centres  
To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.  
11.03-2S Growth areas  
To locate urban growth close to transport corridors and services and provide efficient and effective infrastructure to create sustainability benefits while protecting primary production, major sources of raw materials and valued environmental areas.  
11.03-3S Peri-urban areas  
To manage growth in peri-urban areas to protect and enhance their identified valued attributes.  
11.03-4S Coastal settlement  
To plan for sustainable coastal development.

11.03-5S	Distinctive areas and landscapes
To recognise the importance of distinctive areas and landscapes to the people of Victoria and protect and enhance the valued attributes of identified or declared distinctive areas and landscapes.	
11.03-6S	Regional and local places
To facilitate integrated place-based planning.	

## 12 ENVIRONMENTAL AND LANDSCAPE VALUES

Planning should help to protect the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity) and conserve areas with identified environmental and landscape values.

Planning must implement environmental principles for ecologically sustainable development that have been established by international and national agreements. Foremost amongst the national agreements is the Intergovernmental Agreement on the Environment, which sets out key principles for environmental policy in Australia. Other agreements include the National Strategy for Ecologically Sustainable Development, National Greenhouse Strategy, the National Water Quality Management Strategy, Australia's Strategy for Nature 2019-2030, the National Forest Policy Statement and National Environment Protection Measures.

Planning should protect, restore and enhance sites and features of nature conservation, biodiversity, geological or landscape value.

12.01	BIODIVERSITY
12.01-1S	Protection of biodiversity
To protect and enhance Victoria's biodiversity.	
12.01-2S	Native vegetation management
To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.	

12.02	MARINE AND COASTAL ENVIRONMENT
12.02-1S	Protection of the marine and coastal environment
To protect and enhance the marine and coastal environment.	
12.02-2S	Marine and coastal Crown land
To ensure the use and development of marine and coastal Crown land is ecologically sustainable, minimises impacts on cultural and environmental values, and improves public benefit for current and future generations.	

12.03	WATER BODIES AND WETLANDS
12.03-1S	River and riparian corridors, waterways, lakes, wetlands and billabongs
To protect and enhance waterway systems including river and riparian corridors, waterways, lakes, wetlands and billabongs.	

12.04	ALPINE AREAS
12.04-1S	Sustainable development in alpine areas
To facilitate sustainable use and development of Alpine areas for year-round use and activity.	

12.05	SIGNIFICANT ENVIRONMENTS AND LANDSCAPES
12.05-1S	Environmentally sensitive areas
To protect and conserve environmentally sensitive areas.	
12.05-2S	Landscapes
To protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments.	

## 13 ENVIRONMENTAL RISKS AND AMENITY

Planning should strengthen the resilience and safety of communities by adopting a best practice environmental management and risk management approach.



Planning should identify, prevent and minimise the risk of harm to the environment, human health, and amenity through:

Land use and development compatibility.

- Effective controls to prevent or mitigate significant impacts.
- Planning should identify and manage the potential for the environment and environmental changes to impact on the economic, environmental or social wellbeing of society.

Planning should ensure development and risk mitigation does not detrimentally interfere with important natural processes.

Planning should prepare for and respond to the impacts of climate change.

**13.01 CLIMATE CHANGE IMPACTS**

**13.01-1S Natural hazards and climate change**

To minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning.

**13.01-2S Coastal inundation and erosion**

To plan for and manage coastal hazard risk and climate change impacts.

**13.02 BUSHFIRE**

**13.02-1S Bushfire planning**

To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

**13.03 FLOODPLAINS**

**13.03-1S Floodplain management**

To assist the protection of:

- Life, property and community infrastructure from flood hazard, including coastal inundation, riverine and overland flows.
- The natural flood carrying capacity of rivers, streams and floodways.
- The flood storage function of floodplains and waterways.
- Floodplain areas of environmental significance or of importance to river, wetland or coastal health.

**13.04 SOIL DEGRADATION**

**13.04-1S Contaminated and potentially contaminated land**

To ensure that contaminated and potentially contaminated land is used and developed safely.

**13.04-2S Erosion and landslip**

To protect areas prone to erosion, landslip or other land degradation processes.

**13.04-3S Salinity**

To minimise the impact of salinity and rising water tables on land uses, buildings and infrastructure in rural and urban areas and areas of environmental significance and reduce salt load in rivers.

**13.05 NOISE**

**13.05-1S Noise management**

To assist the management of noise effects on sensitive land uses..

**13.06 AIR QUALITY**

**13.06-1S Air quality management**

To assist the protection and improvement of air quality.

**13.07 AMENITY, HUMAN HEALTH AND SAFETY**

**13.07-1S Land use compatibility**

To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.

**13.07-2S Major hazard facilities**

To minimise the potential for human and property exposure to risk from incidents that may occur at a major hazard facility and to ensure the ongoing viability of major hazard facilities.

**13.07-3S Live music**

## 14 NATURAL RESOURCE MANAGEMENT

Planning is to assist in the conservation and wise use of natural resources including energy, water, land, stone and minerals to support both environmental quality and sustainable development.

Planning should ensure agricultural land is managed sustainably, while acknowledging the economic importance of agricultural production.

### 14.01 AGRICULTURE

#### 14.01-1S Protection of agricultural land

To protect the state's agricultural base by preserving productive farmland.

#### 14.01-2S Sustainable agricultural land use

To encourage sustainable agricultural land use.

#### 14.01-3S Forestry and timber production

To facilitate the establishment, management and harvesting of plantations and the harvesting of timber from native forests.

### 14.02 WATER

#### 14.02-1S Catchment planning and management

To assist the protection and restoration of catchments, waterways, estuaries, bays, water bodies, groundwater, and the marine environment.

#### 14.02-2S Water quality

To protect water quality.

#### 14.02-3S Protection of declared irrigation districts

To plan and manage for sustainable change within irrigation districts declared under Part 6A of the Water Act 1989.

### 14.03 EARTH AND ENERGY RESOURCES

#### 14.03-1S Resource exploration and extraction

To encourage exploration and extraction of natural resources in accordance with acceptable environmental standards.

## 15 BUILT ENVIRONMENT AND HERITAGE

Planning is to recognise the role of urban design, building design, heritage and energy and resource efficiency in delivering liveable and sustainable cities, towns and neighbourhoods.

Planning should ensure all land use and development appropriately responds to its surrounding landscape and character, valued built form and cultural context.

Planning should protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value.

Planning must support the establishment and maintenance of communities by delivering functional, accessible, safe and diverse physical and social environments, through the appropriate location of use and development and through high quality buildings and urban design.

Planning should promote development that is environmentally sustainable and should minimize detrimental impacts on the built and natural environment.

Planning should promote excellence in the built environment and create places that:

- Are enjoyable, engaging and comfortable to be in.
- Accommodate people of all abilities, ages and cultures.
- Contribute positively to local character and sense of place.
- Reflect the particular characteristics and cultural identity of the community.
- Enhance the function, amenity and safety of the public realm.

Planning should promote development that is environmentally sustainable and minimise detrimental impacts on the built and natural environment.

Planning should facilitate development that:

- Is adapted and resilient to climate related hazards.
- Supports the transition to net zero greenhouse gas emissions.
- Minimises waste generation and supports resource recovery.
- Conserves potable water.
- Supports the use of, and access to, low emission forms of transport.
- Protects and enhances natural values.
- Minimises off-site detrimental impacts on people and the environment.

15.01	BUILT ENVIRONMENT
15.01-1S	Urban design To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.
15.01-2S	Building design To achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.
15.01-3S	Subdivision design To ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.
15.01-4S	Healthy neighbourhoods To achieve neighbourhoods that foster healthy and active living and community wellbeing.
15.01-5S	Neighbourhood character To recognise, support and protect neighbourhood character, cultural identity, and sense of place.
15.01-6S	Design for rural areas To ensure development respects valued areas of rural character.
15.02	No content
15.03	HERITAGE
15.03-1S	Heritage conservation To ensure the conservation of places of heritage significance.
15.03-2S	Aboriginal cultural heritage To ensure the protection and conservation of places of Aboriginal cultural heritage significance.

## 16 HOUSING

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

Planning should ensure the long term sustainability of new housing, including access to services, walkability to activity centres, public transport, schools and open space.

Planning for housing should include the provision of land for affordable housing.

16.01	RESIDENTIAL DEVELOPMENT
16.01-1S	Housing supply To facilitate well-located, integrated and diverse housing that meets community needs.

16.01-2S	Housing affordability	To deliver more affordable housing closer to jobs, transport and services.
16.01-3S	Rural residential development	To identify land suitable for rural residential development.
16.01-4S	Community care accommodation	To facilitate the establishment of community care accommodation and support their location being kept confidential.

## 19 INFRASTRUCTURE

Planning for development of social and physical infrastructure should enable it to be provided in a way that is efficient, equitable, accessible and timely.

Planning is to recognise social needs by providing land for a range of accessible community resources, such as education, cultural, health and community support (mental health, aged care, disability, youth and family services) facilities.

Planning should ensure that the growth and redevelopment of settlements is planned in a manner that allows for the logical and efficient provision and maintenance of infrastructure, including the setting aside of land for the construction of future transport routes.

Planning should facilitate efficient use of existing infrastructure and human services.

Providers of infrastructure, whether public or private bodies, are to be guided by planning policies and should assist strategic land use planning.

Planning should minimise the impact of use and development on the operation of major infrastructure of national, state and regional significance, including communication networks and energy generation and distribution systems.

Infrastructure planning should avoid, minimise and offset environmental impacts, and incorporate resilience to natural hazards, including future climate change risks.

Planning authorities should consider the use of development and infrastructure contributions in the funding of infrastructure.

19.01	ENERGY	
19.01-1S	Energy supply	To facilitate appropriate development of energy supply infrastructure.
19.01-2S	Renewable energy	To support the provision and use of renewable energy in a manner that ensures appropriate siting and design considerations are met.
19.01-3S	Pipeline infrastructure	To ensure that gas, oil and other substances are safely delivered to users and to and from port terminals at minimal risk to people, other critical infrastructure and the environment.
19.02	COMMUNITY INFRASTRUCTURE	
19.02-1S	Health facilities	To assist the integration of health facilities with local and regional communities.
19.02-2S	Education facilities	To assist the integration of education and early childhood facilities with local and regional communities.
19.02-3S	Cultural facilities	To develop a strong cultural environment and increase access to arts, recreation and other cultural facilities.
19.02-4S	Social and cultural infrastructure	To provide fairer distribution of and access to, social and cultural infrastructure.
19.02-5S	Emergency services	To ensure suitable locations for police, fire, ambulance and other emergency services.
19.02-6S	Open space	To establish, manage and improve a diverse and integrated network of public open space that meets the needs of the community.

19.03	DEVELOPMENT INFRASTRUCTURE
19.03-1S	Development and infrastructure contributions plans To facilitate the timely provision of planned infrastructure to communities through the preparation and implementation of development contributions plans and infrastructure contributions plans.
19.03-2S	Infrastructure design and provision To provide timely, efficient and cost-effective development infrastructure that meets the needs of the community.
19.03-3S	Integrated water management To sustainably manage water supply and demand, water resources, wastewater, drainage and stormwater through an integrated water management approach.
19.03-4S	Telecommunications To facilitate the orderly development, extension and maintenance of telecommunications infrastructure.
19.03-5S	Waste and resource recovery To reduce waste and maximise resource recovery to reduce reliance on landfills and minimise environmental, amenity and public health impacts.

## Local Planning Policies

The City of Maribyrnong Municipal Strategic Statement

The relevant provisions of the MSS include:

### 21.01 Municipal Strategic Statement

Provides the key policy objectives and strategies for land use planning within Maribyrnong.

The objectives and strategies are set out under seven themes, as follows:

- Settlement
- Environment and landscape values
- Built environment and heritage
- Housing
- Economic development
- Transport
- Community and development infrastructure

Maribyrnong identifies seven local areas:

- Footscray central activities district
- Highpoint principle activity centre, Maribyrnong
- Central west major activity centre, Braybrook
- Yarraville neighbourhood activity centre
- Seddon neighbourhood activity centre
- West Footscray neighbourhood activity centre
- Edgewater neighbourhood activity centre
- Maidstone Hampstead Road East Precinct
- Gordan and Mephan Street Precinct

### 21.07 Housing

Maribyrnong recognises opportunity for significant residential development for the next 20 years catering for population and housing increase. No 95 Alma Street West Footscray lies within an 'incremental change area'.

Objective:

- To provide significant opportunities for new residential development in substantial changes areas and substantial change activity centres.
- To provide incremental opportunities for new residential development in incremental change areas and incremental change activity centres.
- In limited change areas, limit development in residential areas with heritage significance; an identified residential character protected through a specific overlay; and identified constraints, such as inundation, that necessitate protection through an overlay
- To protect core employment areas, key passenger and freight transport corridors and major hazard facilities from residential encroachment

### **21.07-2 Housing Diversity and Affordability**

Maribyrnong acknowledges the range of different housing present across its suburbs. Recent times are indicating increase in densities with more MDH and high rise developments.

Although Maribyrnong recognises detached family housing provides choice and caters for people preferring to live in family homes, Maribyrnong expects a reduction in these types of housing in the future.

Maribyrnong has become increasingly popular causing rise in property prices which in turn reduces housing affordability, by increasing the diversity of housing opportunities within the area affordability potential will be assisted.

Objective:

- To encourage a mix in housing.
- To encourage housing affordability.

### **21.11 Local Areas**

Maribyrnong realises this area as the most significant activity centre of Melbourne's west. It is a culturally diverse hub for retail, commercial, civic, health, educational and residential activities and acts as a major interchange for Melbourne's (and Victoria's) public transport service.

Maribyrnong recognises eight precincts:

- P1. Central
- P2. Station
- P3. Victoria University
- P4. Riverside
- P5. Joseph Road
- P6. Peripheral Activity (north and south)
- P7. Neighbourhood (north, west, south and east)
- P8. Civic

Objectives:

- To accommodate an increased residential population in Footscray MAC and a more diverse dwelling mix;
- To support/generate local opportunities for employment and business through new development;
- To ensure new development is of high quality design, environmentally sustainable and has regard for the existing built form context;
- To maintain and strengthen the sense of place by recognising, conserving and enhancing place of Aboriginal and post-settlement heritage significance;

- To facilitate and sustainable, safe and efficient movement network that promotes sustainable modes of travel;
- To ensure the centre is well served by accessible high quality public open space and community infrastructure to meet community needs;
- To further Footscray MAC's identity as a centre for the arts and cultural activities.

#### 21.11-4 Yarraville Neighbourhood Activity Centre

Yarraville Village is a neighbourhood activity centre providing local convenience retailing plus specialty shops, cafes, restaurants and entertainment. The activity centre has a niche role as a historic village with a healthy mix of commercial, retail and entertainment activity over extended opening hours attracting people from a wide catchment. The Sun Theatre cinema is a regional entertainment attraction and a local landmark building around which an entertainment precinct has formed.

The Yarraville activity centre is well served by public transport facilities located at the bus/train interchange. Vehicle access to the activity centre is constrained by the railway line and by narrow road widths within the centre, though these factors have led to a stronger pedestrian orientation. Parking is located at the periphery of the centre which discourages vehicles from travelling through the core.

The consistent strip of Victorian and Edwardian-era one and two storey shopfronts and station buildings creates a distinctive character in the centre. The compact nature of the centre limits opportunities for redevelopment so only incremental intensification is expected. Higher density residential development has tended to occur outside the centre in re-used larger buildings such as theatres and hotels.

There is very limited opportunity to increase car parking to support future intensification of the activity within the centre, and edge-of-centre development is constrained by the interface with existing residential areas abutting the boundary.

Yarraville Village has an eclectic, idiosyncratic, intimate and distinct character as a vibrant 'non-mainstream' centre in the west. Local residents and the broader community wish to ensure that the growth of the centre does not compromise its unique character.

Objectives:

- To consolidate and intensify mixed uses within the centre.
- To reinforce the existing character and sense of place.
- To limit vehicular traffic in the centre.
- To build up the cultural and social role of the centre.



*Although 20 Ovens Street Yarraville is outside of the Yarraville Neighbourhood Activity Centre it is within close proximity; 50 metres.*

## 22.05 Preferred Neighbourhood Character Statement

Maribyrnong neighbourhood character areas comprise 13 neighbourhood character types. This policy builds on the objectives of 21.06 and 21.07 ensuring that new development respects and enhances the preferred neighbourhood character of the residential areas.

Objectives:

- To ensure that development is responsive to the preferred future character of the area
- To retain and enhance the identified elements that contribute to the character of the area
- To implement the recommendations of the Maribyrnong Neighbourhood Character Review, February 2010'



*No 20 Ovens Street Yarraville is not within a precinct.*

## Planning Policies - Design Response Discussion

The proposal generally satisfies the abovementioned objectives in the PPF and Purposes & Vision. This application builds on the policy expectation for housing improvement close to existing infrastructure, in creating better livability without diminishing the heritage neighbourhood character of Maribyrnong.

The proposed addition improves on existing housing stock within Maribyrnong. An open living area proposed to the rear adjoining the original structure maintaining a cohesive floor layout making a positive contribution towards sustainability. Retention of the original portion of the dwelling and proposed siting of the upper storey addition accommodates the accustomed requirements of contemporary living without having impact on the existing streetscape of Ovens Street.

Proposed addition thoughtfully responds to the existing built form in terms of its scale and form, it does not attempt to mimic period architecture rather a contemporary response.

## Zoning and Overlays

### 30.0 Zoning

#### 32.09 Neighbourhood Residential Zone

Purpose:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To recognise areas of predominantly single and double storey residential development.



- To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

### 32.09-2 Table of uses – Section 1 Permit not required

Use	Condition
<b>Dwelling (other than Bed and breakfast)</b>	None
Home based business	
Informal outdoor recreation	

### 32.09-5 Construction and extension of one dwelling on a lot

Pursuant to 32.09-5 of the Planning Scheme a permit is required to construct or extend one dwelling on a lot less than 300 square metres. No 20 Ovens Street Yarraville is under 300 square, as such a planning permit for this proposal is triggered by this clause.

## Schedule 1 to the Neighbourhood Residential Zone

Standard	Ref	Description	
<b>Minimum Street Setback</b>	A3	None specified	<i>In compliance with A3</i> ✓
<b>Site Coverage</b>	A5	None specified	<i>In compliance with A5</i> ✓
<b>Permeability</b>	A6	None specified	<i>In compliance with A6</i> ✓
<b>Landscaping</b>	B13	None specified	<i>Not applicable</i> ✓
<b>Side and Rear Setbacks</b>	A10	None specified	<i>In compliance with A10</i> ✓
<b>Walls on Boundaries</b>	A11	None specified	<i>In compliance with A11</i> ✓
<b>Private Open Space</b>	A17	None specified	<i>In compliance with A17</i> ✓
<b>Front Fence Height</b>	A20	None specified	<i>In compliance with A20</i> ✓

### Zoning – Design Response Discussion

The proposed alteration and additions have considered and responded to the purpose of the zone. The subject land is located in close proximity to a variety of facilities and services. In summary the policy context encourages greater choice in the type of housing to meet the varied accommodation needs of the community and is situated within easy access to public transport, shopping and community facilities; while respecting character and residential amenity, including natural assets and consideration of views.

This proposal strikes a balance between improving living standards and maintaining the original character of our neighbourhoods. It reflects a high standard of design, and has been reached through careful consideration of adjoining properties and the nature of the proposed site.

The site is located in close proximity to Yarraville Neighbourhood Activity Centre local shopping, community facilities, education facilities, and public open space reserves. The character of the neighbourhood and surrounds have been fully considered in the design response for this development and is considered to be consistent and in keeping.

## 4.0 Overlays

### 43.01 Heritage Overlay

Objectives:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including Municipal Strategic Statement and local planning policies.
- To conserve and enhance heritage places of natural and cultural significance.
- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that new development does not adversely affect the significance of heritage places.
- To conserve specifically identified 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.

#### 43.01-1 Permit requirement

Pursuant to 43.01-1 of the Planning Scheme a permit is required to demolish or remove a building and construct a building or construct or carry out works. As such, a planning permit for this application is triggered by this clause.

#### 43.01-8 Decision Guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

<b>Guideline</b>	<b>Design response</b>
The Municipal Planning Strategy and the Planning Policy Framework.	<i>Refer to state planning policy framework above</i>
The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.	<i>Proposal retains the original structure at front consequently having no impact on the contributory elements of the existing structure</i>
Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.	<i>Refer to Victorian Heritage Database and Maribyrnong's Alterations &amp; Additions to Heritage Dwellings September 2010 Guidelines below</i>
Any applicable heritage design guideline specified in the schedule to this overlay.	<i>As above</i>
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.	<i>The proposed addition is to the rear of the existing dwelling and well setback from the street</i>

	<i>frontage resulting in minimum impact on the existing streetscape of Ovens Street.</i>
	<i>Its scale/form further enhances this aspect.</i>
Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.	<i>This application preserves the original structure at front and the proposed addition applies to the rear; non contributory elements and will have minimum impact on significance of Ovens Street</i>
Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.	<i>Proposed addition will not adversely impact the heritage significance of the existing structure</i>
Whether the proposed subdivision will adversely affect the significance of the heritage place.	<i>Not applicable</i>
Whether the proposed subdivision may result in development which will adversely affect the significance, character or appearance of the heritage place.	<i>Not applicable</i>
Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.	<i>Not applicable</i>
Whether the lopping or development will adversely affect the health, appearance or significance of the tree.	<i>Not applicable</i>
Whether the location, style, size, colour and materials of the proposed solar energy system will adversely affect the significance, character or appearance of the heritage place.	<i>Not applicable</i>

### **Schedule 15 to Heritage Overlay - Yarraville residential heritage area**

<b>Heritage place</b>	No	
<b>External paint controls apply?</b>	No	
<b>Internal alteration controls apply?</b>	No	
<b>Tree controls apply?</b>	No	
<b>Solar energy system controls apply?</b>	Yes	<i>This application does not introduce any solar panels</i>
<b>Outbuildings or fences not exempt under Clause 43.01-4</b>	No	
<b>Included on the Victorian Heritage Register under the Heritage Act 2017?</b>	No	
<b>Prohibited uses permitted?</b>	No	
<b>Aboriginal heritage place?</b>	No	

---

## **Victorian Heritage Database – Statement of significance**

The Yarraville Residential Precinct is significant to the City of Maribyrnong because:

- it (with the Yarraville Commercial & Civic precinct) is expressive of two major development periods in the City's history (Victorian-era, Edwardian-era), with all of the elements which make up an urban area from these periods, such as the transport hub and associated entertainment, civic and commercial buildings close to the station, and the surrounding residential areas which still express the dominant Edwardian and Victorian-eras, as expressed by:

- small Victorian & Edwardian single-storey detached housing with mainly weatherboard and some brick wall
- cladding, corrugated iron roofing, front verandahs, similar front and side setbacks and narrow block frontages,
- some surviving early asphalt footpaths and stone kerb and channel,
- pre motor-car age indicated by no provision originally for on-site vehicle parking for most of the identified
- housing,
- major built form of the typical Victorian era hipped roof and Edwardian era main hip and projecting gable roof
- form combination,
- some early two storey masonry parapeted, zero lot line, corner-sited commercial development at prominent locations in the streetscape,
- mature elm street tree planting typical of the Victorian-era (Criteria A3, A4);
- of the early underlying street, subdivision pattern and street names (1859 plan of Yarraville Township) which
- derive from one of the early private town surveys in the Colony of Victoria and the oldest known private township
- plan to be created and sold within the City ( Criterion A4); and
- it contains elements of the earlier phase of Yarraville's commercial development which occupied prominent street corners (Criterion A4).

Australian Heritage Commission (AHC) criteria

- The Australian Heritage Commission criteria consist of a set of eight criteria which cover social, aesthetic, scientific, and historic values. Each criterion has sub-criteria written specifically for cultural or natural values. The relevant criteria are:
- A.3 richness and diversity of cultural features
- A.4 demonstrates well the course and pattern of history, important historic events

## **Alterations & Additions to Heritage Dwellings, September 2010**

Maribyrnong recognises the importance of ensuring alterations and additions to heritage places do not adversely affect their significance, character and appearance. This document provides guidance on appropriate approaches for alterations and additions to houses in

Heritage Overlay areas based on Heritage Victoria's 'The Heritage Overlay Guidelines' (2007) and are illustrated with examples from the City of Maribyrnong.

	Guideline	<b>Design response</b>
<b>General Form of Proposed Additions</b>	<p>Additions should be sited and scaled to ensure the prominences of the significant parts of a heritage place are retained.</p> <p>High quality contemporary design; however, new additions should be undertaken in a sympathetic style. The addition should be identifiable as a 21st Century change, but it should not be so distinctive that it takes attention away from the original house.</p> <p>Visual separation and distinction from the original building form in the proposed design. Either a low-level link or recess in plan form is good ways of achieving this.</p> <p>When additions are proposed, any necessary works to repair or reinstate original features to the front of the house, such as verandah posts, should be undertaken at the same time.</p> <p>Neighbouring properties in Heritage Overlays should be considered and an addition should not overwhelm an adjoining or adjacent building.</p>	<p><i>This application preserves the original structure at front and the addition applies to the rear. Proposed scale is contextually responsive to local built form.</i></p> <p><i>Proposed addition does not attempt to mimic period architecture, rather a contemporary response providing clear delineation</i></p> <p><i>Proposed form, elevation and selection of external materials provides clear distinction</i></p> <p><i>This application seeks to remove the non-original front door whilst preserving original frame. Additionally, the internal alterations involve transforming a bedroom into a bathroom with subsequent change in window along the side elevation. Works will be undertaken simultaneously</i></p> <p><i>Proposed addition integrates well and has been reached through careful consideration of adjoining properties</i></p>
<b>Scale of Proposed Addition</b>	<p>The scale of the addition should respond to the existing house and should not dominate in terms of bulk.</p> <p>Reducing the ceiling heights of additions can reduce the height, and therefore the bulk of additions.</p>	<p><i>Proposed addition is setback over 10 metres from Ovens Street frontage with an overall height well under the maximum height specified minimising visual bulk</i></p>
<b>Roof Form</b>	<p>The original roof form, as seen from the public domain, should be maintained. This means that ridges, hips and gables at the front of the house should not be altered to accommodate an extension.</p> <p>Hipped, flat and skillion roof forms, when used for additions, are usually</p>	<p><i>This application presents no change to the existing structure including roof form.</i></p> <p><i>Incorporates skillion roof form minimising visual dominance</i></p>

	<p>less visually dominant than gabled roof forms.</p> <p>It is preferable that the original roof form is not simply extended, so that the old is separated from the new. But this may be acceptable in certain situations, such as where space is restrictive and where the extension cannot be seen from the public domain. Seek advice from Planning Officers and the Heritage Advisor</p>	<p><i>Proposal does not alter/extend the existing structure's roof providing clear delineation between old and new</i></p>
<b>Detailing the Addition</b>	<p>Original chimneys, particularly those that are visible from the public domain, should be retained.</p>	<p><i>Not applicable</i></p>
	<p>There should be no replication of period details, such as decorative gables or finials, on the new addition. Alterations and additions which copy historic styles misrepresent the history of the building and can create confusion.</p>	<p><i>Proposed addition does not attempt to mimic period architecture, rather a contemporary response ensuring no misinterpretation</i></p>
<b>Building Materials</b>	<p>Where the original roof is to be replaced it should be undertaken in the same materials or the appropriate material for the period of the heritage place where the original has been previously altered. For example, metal roofs should be replaced with galvanised corrugated roof sheeting, not Colorbond or Zinalume and terracotta tiled roofs should be replaced with the same.</p>	<p><i>Not applicable</i></p>
	<p>The building materials of the new addition should be the same or similar to the original, particularly with regard to the status (e.g. modest or grand) of the original house. For instance, brick additions are not appropriate to a weatherboard house, but a corrugated sheet addition would be appropriate. Subtle material differences or paint colours can help to differentiate the old from the new</p>	<p><i>Although proposed external materials differ to those within the original dwelling their colours, textures and finishes are similar ensuring commonality</i></p>

#### 45.06 Development Contributions Plan Overlay

Purpose:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies
- 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 developments can commence.

Schedule 1 applies

### **Heritage Overlay – Design Response Discussion**

No 20 Ovens Street is within Yarraville Residential Precinct. This application involves retention of the existing structure at front and demolition of the rear portion which does not contribute to the historic importance of a property. The proposed alterations and additions preserve the contributory elements consistent with Maribyrnong's guidelines for Alterations & Additions to Heritage Dwellings September 2010.

Proposed addition applies to the rear maintaining existing side setbacks and well setback from the street frontage resulting in minimum impact on the existing streetscape of Ovens Street. Open plan nature provides a more sustainable floor plan. The scale, form and choice of materials proposed thoughtfully responds to the existing built form whilst ensuring detracting away from the main dwelling does not occur.

The nature of the proposed alterations and addition complies with the general objectives of clause 43.01 and the decision guidelines outlined in clause 43.01-8. This application is coherent with schedule 15 of the heritage overlay and reflects Maribyrnong's guidelines for Alterations & Additions to Heritage Dwellings September 2010.

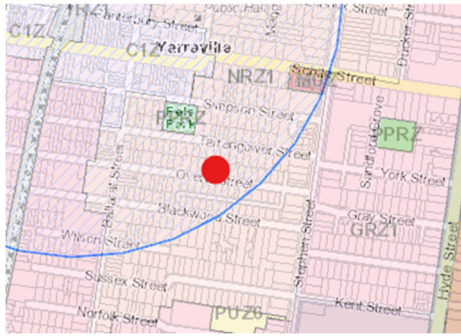
## **Particular Provisions**

### **52.06 Car Parking**

Purpose:

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

**52.06-5 Table 1 – Car Parking Requirements**



Column B applies:  
No 20 Ovens Street Yarraville is within a Principal Public Transport Network Area

The proposal is consistent with this particular provision as:

- This proposal presents no change to the objective
- Car parking capacity is responsive to the likely demand generated
- Local public transport infrastructure provide transport alternative.

**54 One dwelling on a lot**

Standard	Standard
✓ A1 'Neighbourhood Character Objective'	✓ A11 ' Walls on Boundaries Objective'
✓ A2 'Integration with Street Objective'	✓ A12 ' Daylight to existing Windows Objective'
✓ A3 ' Street Setback Objective'	✓ A13 'North Facing Windows'
✓ A4 ' Building Height objective'	✓ A14 'Overshadowing Objective'
✓ A5 'Site Coverage Objective'	✓ A15 'Overlooking Objective'
✓ A6 'Permeability Objective'	✓ A16 'Daylight to new Windows'
✓ A7 ' Energy Efficiency Protection Objective'	✓ A17 ' Private Open Space'
✓ A8 ' Significant Trees Objective'	✓ A18 'Solar Access to Open Space'
✓ Refer 52.06	✓ A19 'Design Detail'
✓ A10 ' Side and Rear Setbacks Objective'	✓ A20 'Front Fence'

**54.02 NEIGHBOURHOOD CHARACTER**

**54.02-1 Neighbourhood character objective**

- To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.
- To ensure that the design responds to the features of the site and the surrounding area.

**Standard A1**

The design response must be appropriate to the neighbourhood and the site.

**Response**

*Yarraville Residential Precinct characterised by its small Victorian & Edwardian single-storey detached housing with mainly weatherboard and*



The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.

*some brick wall cladding, corrugated iron roofing, front verandahs, similar front and side setbacks and narrow block frontages. Houses were originally with timber picket front fences and streets with asphalt footpaths and stone kerb and channel, with some surviving. Originally there was no provision for on-site vehicle parking for most of the identified housing. The major built form is of the typical Victorian era hipped roof and Edwardian era main hip and projecting gable roof form combination although there are some early two storey masonry parapeted houses.*

*Proposed addition is site responsive and reflects the existing built form. The addition applies to the side having minimum impact on the existing streetscape of Oven Street.*

**Complies / Does not comply**

#### 54.02-2 Integration with street objective

- To integrate the layout of development with the street.

##### Standard A2

Dwellings should be oriented to front existing and proposed streets.

High fencing in front of dwellings should be avoided if practicable.

Dwellings should be designed to promote the observation of abutting streets and any abutting public open spaces.

##### Response

*The existing residence of 20 Ovens Street is orientated to front Ovens Street, this proposal presents no change to this objective.*

*This application seeks to introduce timber picket fencing, 900mm in height along the frontage in keeping with front boundary treatment locally prevalent.*

*Relatively low permeable fencing encourages greater observation of adjacent streets.*

**Complies / Does not comply**

### 54.03 SITE LAYOUT AND BUILDING MASSING

#### 54.03-1 Street setback objective

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

##### Standard A3

**Walls of buildings should be set back from streets:**

- At least the distance specified in a schedule to the zone, or**
- If no distance is specified in a schedule to the zone, the distance specified in Table A1.**

Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may

##### Response

*This proposal presents no change to this objective.*

encroach not more than 2.5 metres into the setbacks of this standard.

*Complies / Does not comply*

#### 54.03-2 Building height objective

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

##### Standard A4

The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.

If no maximum height is specified in the zone, schedule to the zone or an overlay, 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.

##### Response

*The height to the uppermost point of the proposal is 7.6 metres, well under the maximum height specified, reducing the appearance of visual bulk, impacts of overshadowing on adjoining properties and overall protects neighbourhood character.*

*Complies / Does not comply*

#### 54.03-3 Site coverage objective

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

##### Standard A5

The site area covered by buildings should not exceed:

- The maximum site coverage specified in a schedule to the zone, or
- If no maximum site coverage is specified in a schedule to the zone, 60 per cent.

##### Response

*The site occupies an area of approx 239.67 square metres and the proposal presents a site coverage of 59.68%, promoting planting of trees and the provision of open space and permeable surfaces.*

*Complies / Does not comply*

#### 54.03-4 Permeability objective

- To reduce the impact of increased stormwater run-off on the drainage system.
- To facilitate on-site stormwater infiltration.

##### Standard A6

The site area covered by pervious surfaces should be at least:

- The minimum area specified in a schedule to the zone; or
- If no minimum area is specified in a schedule to the zone, 20 per cent of the site.

##### Response

*Due to a site coverage of 59.68% there is sufficient remaining land to provide for more than 20% of the surface to be permeable promoting increased absorption of stormwater on the site. This application includes 27.14% permeability.*

*Complies / Does not comply*

#### 54.03-5 Energy efficiency protection objective

- To achieve and protect energy efficient dwellings.

- To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

**Standard A7**

**Buildings should be:**

- **Oriented 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.**
- Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the dwelling, if practicable.

Dwellings should be designed so that solar access to north-facing windows is maximised.

**Response**

*This proposal has been designed to make the best use of natural light by providing open plan living towards the rear and introduction of north habitable room windows along the rear elevation allows access to passive solar radiation, hence minimising the need for artificial daylight during the day.*

*Proposed internal alterations and addition improves the existing floor layout; open plan kitchen and dining area to the rear.*

*Secluded private open space is orientated to the north maximising solar access.*

**Complies / Does-not-comply**

**54.03-6 Significant trees objective**

- To encourage development that respects the landscape character of the neighbourhood.
- To encourage the retention of significant trees on the site.

**Standard A8**

Development should provide for the retention or planting of trees, where these are part of the neighbourhood character.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

**Response**

*The proposed addition does result in the removal significant vegetation preserving the existing landscape character of the neighbourhood.*

**Complies / Does-not-comply**

**54.04 AMENITY IMPACTS**

**54.04-1 Side and rear setbacks objective**

- To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

**Standard A10**

**A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:**

- **At least the distance specified in a schedule to the zone, or**
- If no distance is specified in a schedule to the zone, 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.

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 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.

**Response**

*The proposed addition has a rear setback of 4.05 metres and is setback 1.30 metres from the eastern boundary. The kitchen area partially occupies the western boundary at ground level. The upper level is setback 1.83 metres and 1.78 metres from the western and eastern boundaries, respectively; reducing adverse amenity impacts on neighbouring dwellings together with reducing impact of visual bulk on neighbourhood character.*

**Complies / Does-not-comply**

**54.04-2 Walls on boundaries objective**

- To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

**Standard A11**

**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 more than the distance specified in a schedule to the zone; or
- If no distance is specified in a schedule to the zone, for a length of more than:
  - 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
  - Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed

**Response**

*The addition partially occupying the western boundary has a length of 8.51 metres; well under the maximum allowable length.*

*The proposed wall has a maximum average height of 3.2 metres with no part exceeding 3.6 metres in height.*

<p>walls or carports, whichever is the greater.</p> <p>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 2 metres on the abutting property boundary.</p> <p>A building on a boundary includes a building set back up to 200mm from a boundary.</p> <p>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.</p>	<p><b>Complies / Does not comply</b></p>
---	--

**54.04-3 Daylight to existing windows objective**

- To allow adequate daylight into existing habitable room windows.

**Standard A12**

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

**Response**

*This proposal will not reduce the amount of natural daylight entering habitable room windows within neighbouring properties; sufficiently setback.*

**Complies / Does not comply**

**54.04-4 North facing windows objective**

- To allow adequate solar access to existing north-facing habitable room windows.

**Standard A13**

If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should

**Response**

*There are no habitable room windows within 3m of the southern boundary.*

be setback from the boundary 1 metre, plus 0.6 metre 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, for a distance of 3 metres 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.

*Complies / Does-not-comply*

#### 54.04-5 Overshadowing open space objective

- To ensure buildings do not unreasonably overshadow existing secluded private open space.

##### Standard A14

Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

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.

##### Response

*There is private open space within nine metres of the site and are situated to the rear of the existing residence of Nos 18 and 24 Ovens Street and directly behind. According to attached shadow diagrams this proposal will not overshadow these areas.*

*Complies / Does-not-comply*

#### 54.04-6 Overlooking objective

- To limit views into existing secluded private open space and habitable room windows.

##### Standard A15

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space and habitable room windows of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

**A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:**

##### Response

*Existing habitable room windows and private open space are within 9m of the proposal, however potential for overlooking is minimised as the proposed addition introduces a height of 1700mm above floor level to all upper storey habitable room windows; providing reasonable protection against visual intrusion into neighbouring properties.*

- **Offset a minimum of 1.5 metres from the edge of one window to the edge of the other, or**
- **Have sill heights of at least 1.7 metres above floor level, or**
- **Have obscure glazing in any part of the window below 1.7 metres above floor level, or**
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

**Screens used to obscure a view should be:**

- **Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.**
- **Permanent, fixed and durable.**
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

*Complies / Does not comply*

## 54.05 ON-SITE AMENITY AND FACILITIES

### 54.05-1 Daylight to new windows objective

- To allow adequate daylight into new habitable room windows.

#### **Standard A16**

A window in a habitable room should be located to face:

- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

#### **Response**

*Habitable room windows of the proposed addition face open space and are open to the sky promoting penetration of natural daylight into these windows for amenity while limiting the need for artificial light during the day.*

*Complies / Does not comply*

#### 54.05-2 Private open space objective

- To provide adequate private open space for the reasonable recreation and service needs of residents.

##### Standard A17

A dwelling should have private open space of an area and dimensions specified in a schedule to the zone.

If no area or dimensions is specified in a schedule to the zone, a dwelling should have private open space consisting of an area of 80 square metres or 20 per cent of the area of the lot, whichever is the lesser, but not less than 40 square metres. At least one part of the private open space should consist of secluded private open space with a minimum area of 25 square metres and a minimum dimension of 3 metres at the side or rear of the dwelling with convenient access from a living room.

##### Response

*The proposal addition presents results in 60.46 square metres of secluded private open space, of which 43.35 square metres has a minimum dimension of 3 metres towards the rear of the site, that is safe, easily accessible from living areas while contributing to neighbourhood character.*

*Complies / Does not comply*

#### 54.05-3 Solar access to open space objective

- To allow solar access into the secluded private open space of a new dwelling.

##### Standard A18

The private open space should be located on the north side of the dwelling, if practicable.

The southern boundary of secluded private open space should be 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.

##### Response

*Secluded private open space is located to the north of the site and has access to northern solar access during the day.  
The proposed addition will not reduce the amount of solar access.*

*Complies / Does not comply*

### 54.06 DETAILED DESIGN

#### 54.06-1 Design detail objective

- To encourage design detail that respects the existing or preferred neighbourhood character.

##### Standard A19

The design of buildings, including:

- Facade articulation and detailing,
- Window and door proportions,
- Roof form, and
- Verandahs, eaves and parapets,

##### Response

*Application seeks to extend the rear portion of the existing dwelling and provide an upper level well setback from Ovens Street frontage ensuring minimum impact on the existing streetscape.*



should respect the existing or preferred neighbourhood character.

Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.

*Proposal involves preservation of the original dwelling; addition comprises light-weight materials at rear incorporating:*

- *Scyon linea weatherboard 'Lexicon' by Dulux*
- *Scyon matrix cladding 'Raku' by Dulux*
- *Scyon oblique cladding 'Lexicon' by Dulux*
- *Metall roofing 'Monument' by Colorbond*

*Selection of materials and design elements reflect the existing built form whilst creating clear delineation between old and new.*

***Complies / Does not comply***

#### 54.06-2 Front fences objective

- To encourage front fence design that respects the existing or preferred neighbourhood character.

##### Standard A20

**A front fence within 3 metres of a street should not exceed:**

- **The maximum height specified in a schedule to the zone, or**
- If no maximum height is specified in a schedule to the zone, the maximum height specified in Table A2.

Street context	Maximum front fence height
Streets in a Transport Zone 2	2 metres
Other streets	1.5 metres

##### Response

*This application introduces 900mm high timber picket pickets front fencing.*

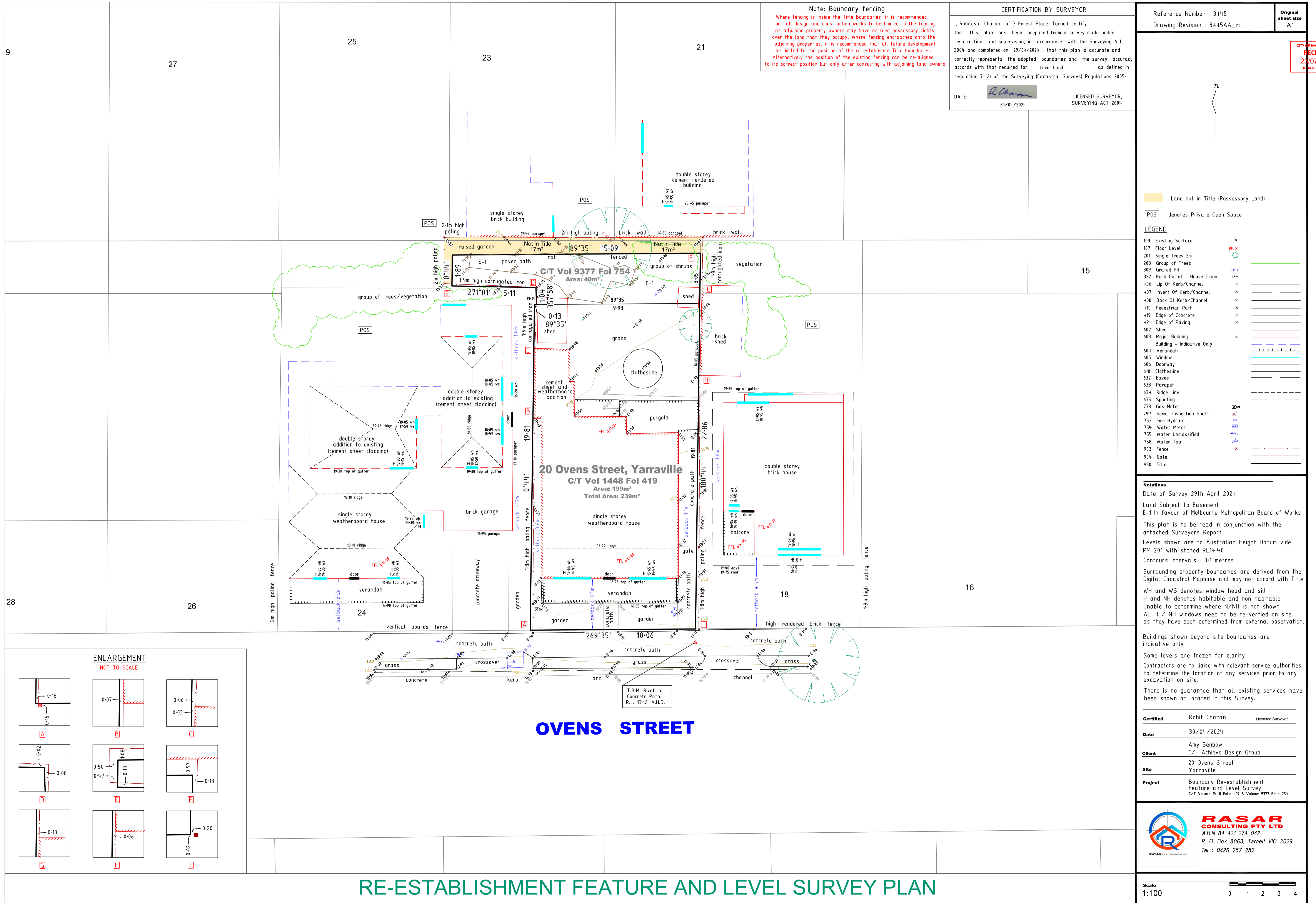
***Complies / Does not comply***

## Conclusion

This proposal presents addition/alteration to the existing dwelling at 20 Ovens Street, Yarraville strikes a balance between improving living standards while protecting the original character of our neighbourhoods. It reflects a high standard of design, and has been reached through careful consideration of adjoining properties and the nature of the proposed site.



**Narelle Cassar**  
BAppSc(Surv) BaPlanning  
Planning Inst of Aust 147874



**Note: Boundary fencing**  
 Where fencing is inside the Title Boundaries, it is recommended that all design and construction works to be limited to the fencing as adjoining property owners may have accrued possessory rights over the land that they occupy. Where fencing encroaches onto the adjoining properties, it is recommended that all future development be limited to the position of the re-established Title boundaries. Alternatively the position of the existing fencing can be re-aligned to its correct position but only after consulting with adjoining land owners.

**CERTIFICATION BY SURVEYOR**  
 I, Rohit Charan of 3 Forest Place, Tarnet certify that this plan has been prepared from a survey made under my direction and supervision, in accordance with the Surveying Act 2004 and completed on 29/04/2024, that this plan is accurate and correctly represents the adopted boundaries and the survey accuracy accords with that required for Level Land as defined in regulation 7 (2) of the Surveying (Cadastral Surveys) Regulations 2005.  
 DATE: 30/04/2024  
 LICENSED SURVEYOR, SURVEYING ACT 2004

Reference Number : 3445  
 Drawing Revision : 3445AA\_rc  
 Original sheet size A1

CITY OF MARRIBYRNONG  
**RECEIVED**  
 23/07/2024  
 URBAN PLANNING

Land not in Title (Possessory Land)

POS denotes Private Open Space

**LEGEND**

104 Existing Surface	x
107 Floor Level	FFL x
201 Single Trees- 2m	(Tree Symbol)
203 Group of Trees	(Group of Trees Symbol)
309 Grated Pit	GP+
322 Kerb Outlet - House Drain	GP+
406 Lip Of Kerb/Channel	x
407 Invert Of Kerb/Channel	x
408 Back Of Kerb/Channel	x
410 Pedestrian Path	x
419 Edge of Concrete	x
421 Edge of Paving	x
602 Shed	x
603 Major Building	x
Building - Indicative Only	(Dashed Line)
604 Verandah	(Dashed Line)
605 Window	(Dashed Line)
606 Doorway	(Dashed Line)
610 Clothesline	(Dashed Line)
632 Parapet	(Dashed Line)
634 Ridge Line	(Dashed Line)
635 Spouting	(Dashed Line)
738 Gas Meter	(Gas Meter Symbol)
747 Sewer Inspection Shaft	(Sewer Inspection Shaft Symbol)
753 Fire Hydrant	(Fire Hydrant Symbol)
754 Water Meter	(Water Meter Symbol)
755 Water Unclassified	(Water Unclassified Symbol)
758 Water Tap	(Water Tap Symbol)
903 Fence	x
904 Gate	x
950 Title	(Title Boundary Line)

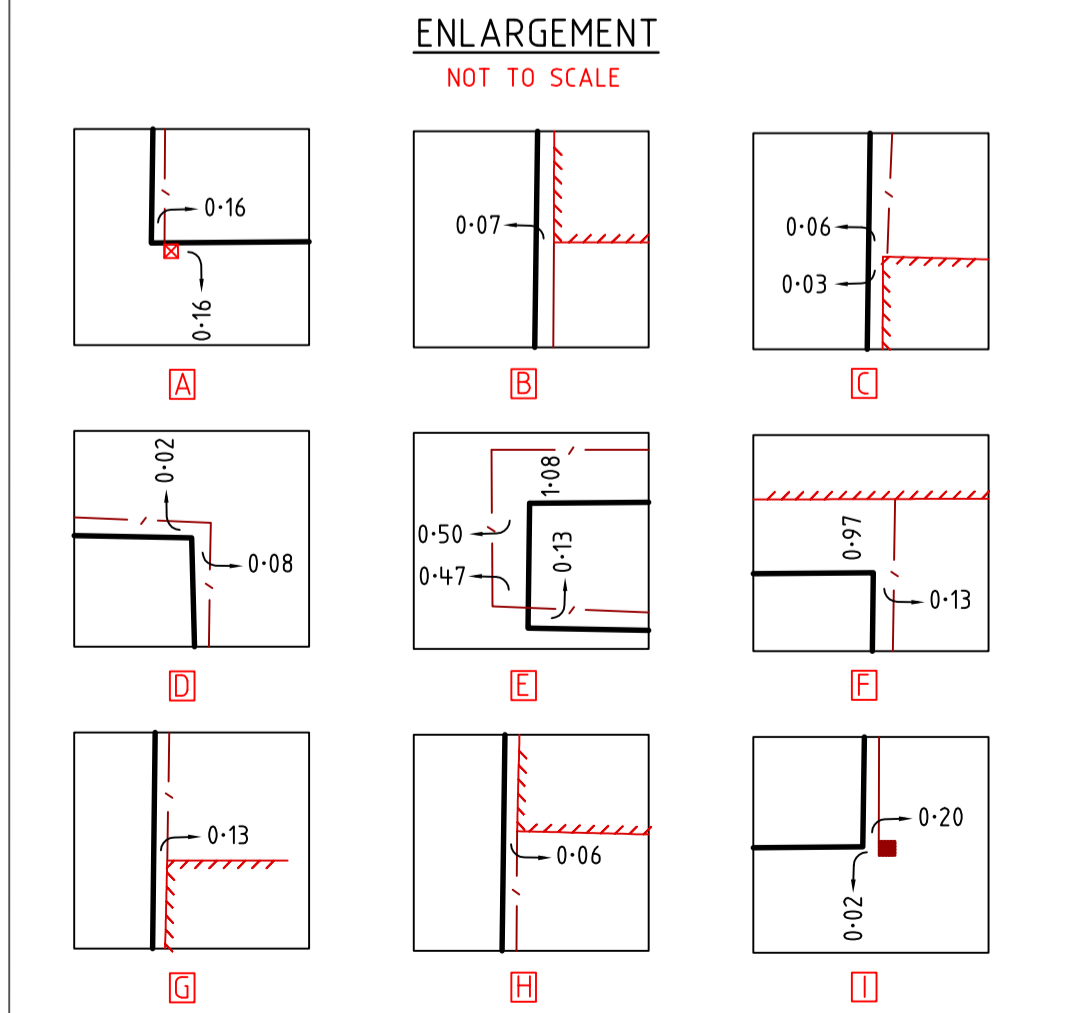
**Notations**  
 Date of Survey 29th April 2024  
 Land Subject to Easement  
 E-1 In favour of Melbourne Metropolitan Board of Works  
 This plan is to be read in conjunction with the attached Surveyors Report  
 Levels shown are to Australian Height Datum vide PM 201 with stated RL14-40  
 Contours intervals : 0-1 metres  
 Surrounding property boundaries are derived from the Digital Cadastral Mapbase and may not accord with Title  
 WH and WS denotes window head and sill  
 H and NH denotes habitable and non habitable  
 Unable to determine where N/NH is not shown  
 All H / NH windows need to be re-verified on site as they have been determined from external observation.

Buildings shown beyond site boundaries are indicative only  
 Some levels are frozen for clarity  
 Contractors are to liaise with relevant service authorities to determine the location of any services prior to any excavation on site.  
 There is no guarantee that all existing services have been shown or located in this Survey.

<b>Certified</b>	Rohit Charan	Licensed Surveyor
<b>Date</b>	30/04/2024	
<b>Client</b>	Amy Benbow C/- Achieve Design Group	
<b>Site</b>	20 Ovens Street Yarraville	
<b>Project</b>	Boundary Re-establishment Feature and Level Survey C/T Volume 1448 Folio 419 & Volume 9377 Folio 754	

**RASAR CONSULTING PTY LTD**  
 A.B.N 64 421 274 042  
 P. O. Box 8063, Tarnet VIC 3029  
 Tel : 0426 257 282

Scale 1:100  
 0 1 2 3 4



**RE-ESTABLISHMENT FEATURE AND LEVEL SURVEY PLAN**