



**AMENDMENT TO AN APPLICATION FOR A PLANNING PERMIT - Request Form
 (before permit is issued)**

Privacy Information: Any material submitted with this application, including plans and personal information, will be available for public viewing, including electronically, and copies may be made to interested parties for the purpose of enabling consideration and review as part of a planning process under the Planning and Environment Act 1987.
Requests for access to and/or amendment of the information provided may be made to Council's Privacy Officer on: 9688 0200.

DETAILS OF APPLICATION TO BE AMENDED

Application Number: TP502/2023(1)	Address of Land : 135 Summerhill Road FOOTSCRAY
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Under what section of the Planning and Environment Act 1987, is the amendment being sought:
 Section 50 – Amendment to the application prior to notice
 Section 57A – Amendment to the application after notice *(Note – A fee of 40% of the original application fee is required with this request)*

THE APPLICANT

Name: Rob Trajkovski	Organisation: 2Form Consulting PTY LTD
Address: 46/131 Hyde St, Footscray	
Contact Phone Number: 0419585604	
Email: rob@2form.com.au	
Are you the applicant of the original planning permit application? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <i>(Note: Only the applicant of the original planning permit application may ask Council to amend the application)</i>	

DETAILS OF THE PROPOSED CHANGES

Is there a change to the description of the land?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is there a change to the plans and/or other documents submitted with the application?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is there a change to the use and/or development of the land?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

List in detail the proposed changes (This can be listed on a separate page)

- Flipped the house from north to south to reduce the overshadowing to the property on the south side
- Reduced the first floor to not overshadow the neighbouring property to not impact their private open space

DECLARATION TO BE COMPLETED FOR APPLICATIONS

I declare that all information I have given is true.	Applicant Signature: Date: 04-07-24
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HOW TO REQUEST FOR AMENDMENT TO AN APPLICATION FOR PLANNING PERMIT

ALL OF THE INFORMATION OUTLINED BELOW MUST ACCOMPANY THIS APPLICATION.

ALL REQUESTS SUBMIT:

1. Application form
2. A written statement detailing all alterations/amendment proposed
3. Application fee if required

If you are amending the description of the land, please submit:

1. Provide the street number, street name, town, postcode, the lot number and lodged plan number or other title particulars
2. If you attach a plan, include:
 - The boundaries of the land and their measures;
 - The street it faces, the nearest intersecting street, the distance from this street and the name of all streets on the plan;
 - Reasons for the amendment

If you are amending the use and/or development of the land, please submit:

1. Details of the changes to the use and development of the land;
2. Reasons for wishing to amend the use and/or development;

If you are amending the plans, please submit:

1. An electronic copy of the plans (coloured to highlight the proposed amendments):
 - Site plan of the existing site and all amendments that are proposed;
 - Floor plans showing existing conditions, and all proposed amendments;
 - Elevation plans of the existing proposal, and all proposed amendments.

Application for a Planning Permit

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

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

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

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

i Click for further information.

**CITY OF MARIBYRNONG
ADVERTISED PLAN**

The Land **i**

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

Street Address *

Unit No:	St. No.: 135	St. Name: Summerhill Road
Suburb/Locality: FOOTSCRAY		Post Code: 3011

Formal Land Description *

Complete either A or B.

⚠ This information can be found on the certificate of title

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

A Lodged Plan Title Plan Plan of Subdivision

OR

B

The Proposal

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

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

Proposed Double Storey Townhouse at the rear of an existing dwelling

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

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

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

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


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

Existing Conditions i

Describe how the land is used and developed now *

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

Single 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 'sregister 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: Rob	Surname: 2Form
Organisation (if applicable):		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No: 1	St. No: PO BOX	St. Name:
Title:	State: VIC	Postcode: 3013

Please provide at least one contact phone number *

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

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

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

Owner *


The person or organisation who owns the land

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

Name:		Same as applicant <input type="checkbox"/>
Title: MR	First Name: LIRIM LE	Surname: SULAJ
Organisation (if applicable):		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No: 706 A	St. No: 10	St. No: Droop Street
Suburb/Locality: FOOTSCRAY	State: VIC	Postcode: 3011
Postcode: 3011	Date : 12 / 12 / 2023 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:

Rob Form Consulting

Date:

day / month / year

Need help with the Application?

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

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

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

No Yes

If 'Yes', with whom?:

Date:


day / month / year

Checklist

Have you:

Filled in the form completely?

Paid or included the application fee?

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

 Provided all necessary supporting information and documents?

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

A plan of existing conditions.

Plans showing the layout and details of the proposal.

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

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

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

Completed the relevant council planning permit checklist?

Signed the declaration?

Lodgement

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

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

Contact information:

Phone: (03) 9688 0200

Email: email@maribyrnong.vic.gov.au

DX: 81112

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

MORE INFORMATION

The Land

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

How is land identified


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

See **Example 1**.

The Proposal

Why is it important to describe the proposal correctly?


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

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

How do planning schemes affect proposals?

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

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

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

See **Example 2**.


Estimated cost of development

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

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

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

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

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

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

Existing Conditions

How should land be described?

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

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

See **Example 3**.

Title Information

What is an encumbrance?

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

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

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

What documents should I check to find encumbrances

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

What about caveats and notices?

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

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

What happens if the proposal contravenes an encumbrance on title?

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

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

VOLUME 08041 FOLIO 069

Security no : 124111220622X
Produced 12/12/2023 02:37 PM

**CITY OF MARIBYRNONG
ADVERTISED PLAN**

LAND DESCRIPTION

Lot 1 on Title Plan 419395A.
Created by Application No. 051821 18/02/1955

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
LIRIM LE SULAJ of UNIT 706A 10 DROOP STREET FOOTSCRAY VIC 3011
AX531866A 07/12/2023

ENCUMBRANCES, CAVEATS AND NOTICES

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 TP419395A FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
AX178060P (E)	CONV PCT & NOM ECT TO LC	Completed	22/08/2023
AX178070L (E)	TRANSMISSION APPLICATION	Registered	22/08/2023
AX383977M (E)	DISCHARGE LAND TAX CHARGE	Registered	24/10/2023
AX531866A (E)	TRANSFER	Registered	07/12/2023

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

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

Street Address: 135 SUMMERHILL ROAD FOOTSCRAY VIC 3011

ADMINISTRATIVE NOTICES

NIL

eCT Control 22482C INDEED CONVEY PTY LTD
Effective from 07/12/2023

DOCUMENT END

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Document Type	Plan
Document Identification	TP419395A
Number of Pages (excluding this cover sheet)	1
Document Assembled	12/12/2023 14:38

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

TITLE PLAN		EDITION 1	TP 419395A
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<p>Location of Land</p> <p>Parish: AT WEST FOOTSCRAY PARISH OF CUT-PAW-PAW</p> <p>Township:</p> <p>Section: 15</p> <p>Crown Allotment: 8(PT)</p> <p>Crown Portion:</p> <p>Last Plan Reference:</p> <p>Derived From: VOL 8041 FOL 069</p> <p>Depth Limitation: NIL</p>	<p>Notations</p> <p>ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN</p>
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<p>Description of Land / Easement Information</p>	<p>THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT</p> <p>COMPILED: 27/04/2000</p> <p>VERIFIED: CP</p>
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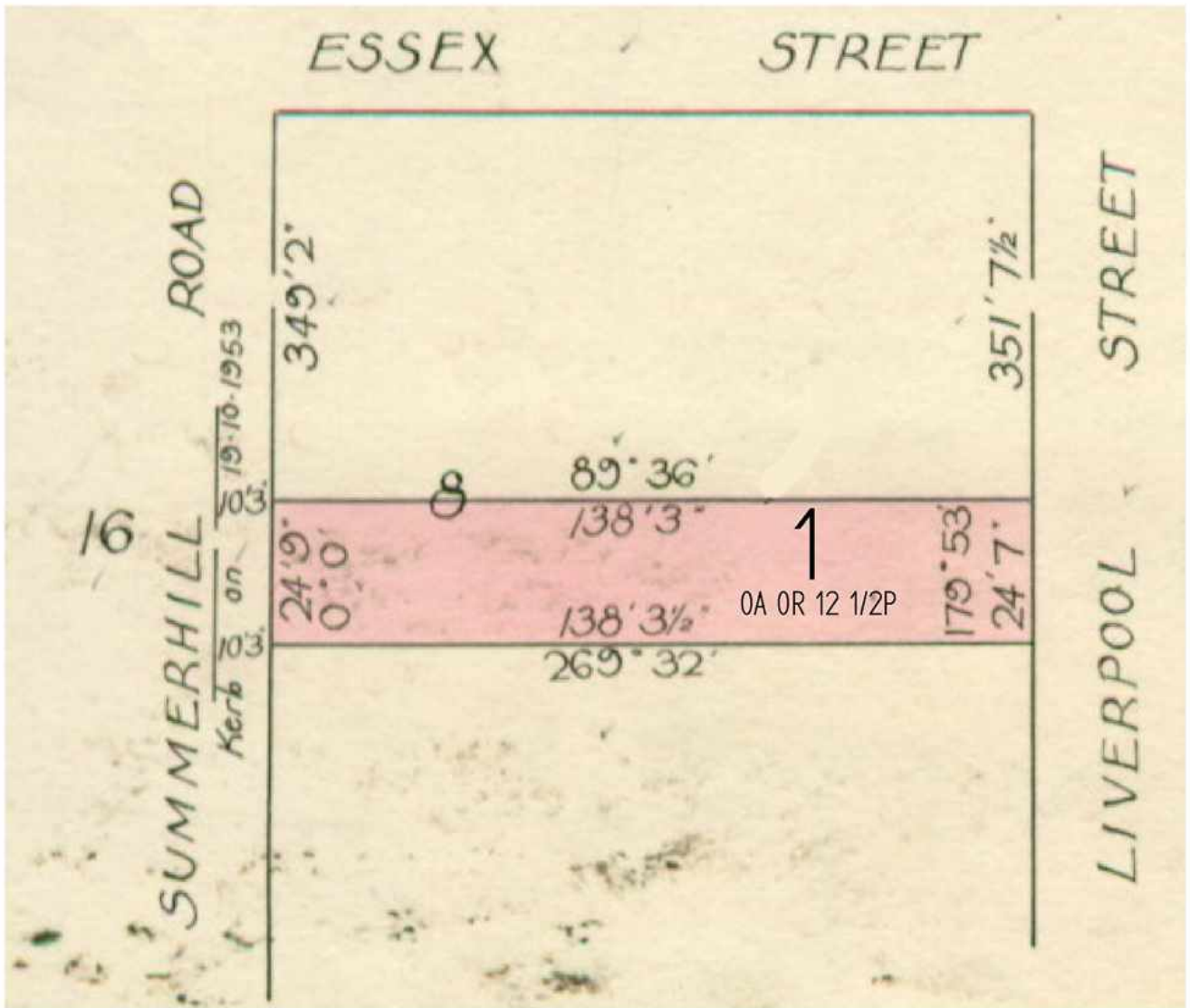


TABLE OF PARCEL IDENTIFIERS
WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962
PARCEL 1 = CA 8 (PT)

24 October 2023

**CITY OF MARIBYRNONG
ADVERTISED PLAN**

RLWL Investments Pty Ltd
c/o 2Form Consulting Pty Ltd

By email: russrlwl369@gmail.com, rob@2form.com.au

Dear Russ, Rob,

Title Boundary Re-establishment Report
135 Summerhill Road Footscray
Our Ref: 6272

In relation to the title boundary re-establishment survey undertaken at the above address I wish to forward the below advice for your attention.

The title re-establishment survey has shown that the existing occupation (fences) surrounding the site is generally in good agreement with title position, though some irregularities were identified along the southern and northern boundary lines.

Please refer to the attached Plan of Survey for descriptions of the relevant occupation and their comparisons to title, also take note of the General Advice below.

Boundary Marking

Boundary corners have been marked as shown on the attached Plan of Survey.

The survey is valid for 2 years from the date of survey shown. Additional fees to update the survey will apply after this period, this includes boundary marking or re-marking.

General Advice

Where the occupation is inside the title boundary, we recommend limiting any development (design and construction) to the location of the existing fence line. This is under the assumption that the adjoining owners may have accrued possessory rights over that portion of land they occupy. You may negotiate with your neighbour to remove a fence and build to the boundary if needed, though please ensure you have written consent from your neighbour prior to any works commencing. **Please note that your neighbour has no obligation to agree to move a fence and may exercise their rights of possession by application to the Titles Office.**

Alternatively, where the occupation is outside the title boundary, any development (design and construction) should be limited to the title position as shown. No design or construction should cross a boundary unless a prior adverse possession application is approved by the Titles Office.

Feel free to contact our office regarding this or any other issue at your convenience.

Yours Faithfully



Anthony Ford
Licensed Surveyor

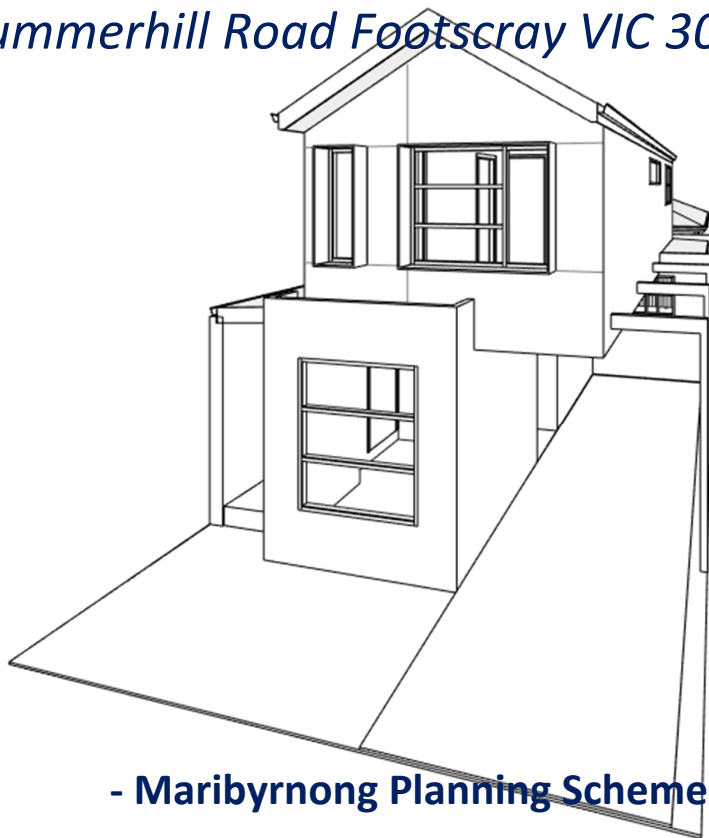
Anthony Ford & Associates Pty Ltd

**CITY OF MARIBYRNONG
ADVERTISED PLAN**

2FORM
CONSULTING

Town Planning Report

135 Summerhill Road Footscray VIC 3011



- Maribyrnong Planning Scheme -

04 March 2024

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1 Introduction

1.1 Overview

Planning permission is sought to construct double storey unit at the rear side on the land at 135 Summerhill Road Footscray. The proposed unit will have a frontage and can be accessed from Liverpool Street.

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

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

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

1.2 Development Summary

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

DEVELOPMENT SUMMARY

AREA	EXISTING DWELLING	PROPOSED UNIT	TOTAL
TOTAL GROUND FLOOR	92.42sqm	63.49sqm	155.91sqm
SITE COVERAGE	29.20%	10.06%	49.26%
CAR PARKING SPACES	- spaces	2 space	2 space
TOTAL PRIVATE OPEN SPACE (POS)	89.33sqm	35.78sqm	125.11sqm
SECLUDED POS	25.00qm	27.50sqm	52.50sqm
TOTAL SITE AREA : 316.5sqm		PERMEABLE AREA : 103.93sqm (32.84)	GARDEN AREA : 96.70sqm (30.55%)

BUILDING AREA	EXISTING DWELLING		PROPOSED UNIT	
GROUND FLOOR	89.35sqm	9.6sq	61.53sqm	6.6sq
FIRST FLOOR	-	-	43.49sqm	4.7sq
PORCH	3.07sqm	0.3sq	1.96sqm	0.2sq
TOTAL AREA	92.42sqm	9.9sq	106.98sqm	11.5sq

2 Subject Site

The subject site is located on the west side of Summerhill Road between Essex Street and Barkly Street. The site is within a residential area of Footscray.



Figure 1 - Cadastral Map

The site is described as Lot 1 on Title Plan TP419395.

The site is rectangle in shape with a west orientation. It has a frontage to Summerhill Road of approximately 7.54m, a depth of 42.12m. The overall site area is approximately 316.5 square metres.

The land fall by approximately 600mm from the Summerhill Road frontage towards the rear boundary (west to east) and contains no significant vegetation.

The site has an existing single storey brick house that will be retained.

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

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

The site will have a proposed single crossover from Liverpool Street that provides access to proposed unit.

3 Site Context and Locality

The subject site is within close proximity approx.:

- 700M TO WESTERN PRIVATE HOSPITAL
- 500M TO ST JOHN PRIMARY SCHOOL
- 1.1KM TO BRENBEAL CHILDREN CENTER
- 700M TWEDDLE CHILD AND FAMILY HEALTH SERVICE
- 1.3KM TO FOOTSCRAY HOSPITAL
- 600M TO WHITTEN OVA STADIUM
- 6.3KM TO MELBOURNE CBD

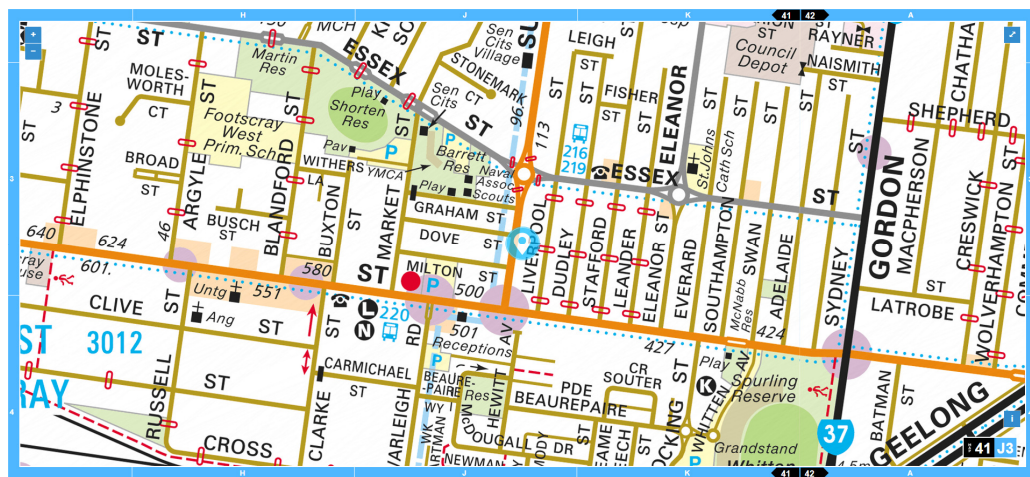
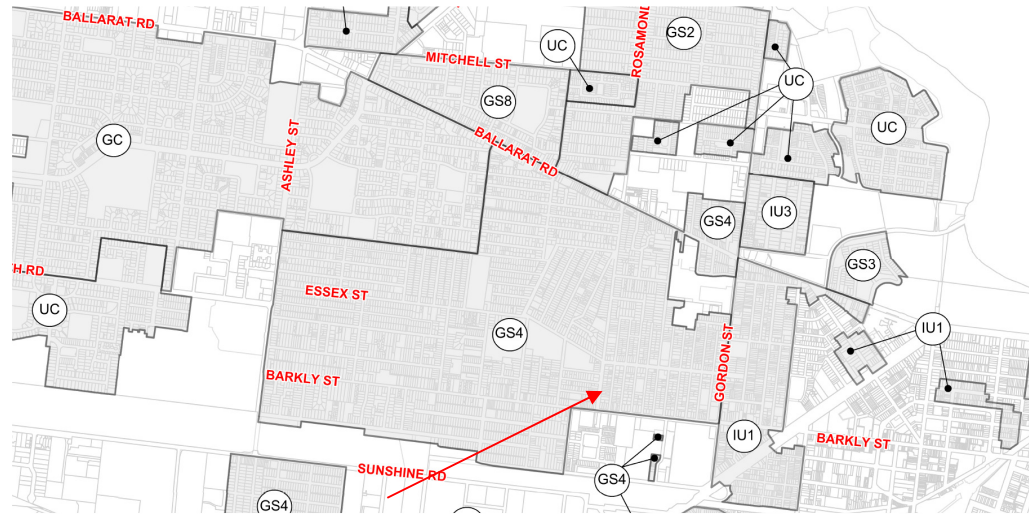


Figure 2 - Location Map

Summerhill Road and Liverpool Street comprise a residential street that carries double lanes of traffic in opposite directions. Public footpaths extend along both sides of the road reserve.

The subject site and wider area are located within Inner Garden Suburban 4 – GS4 of the Maribyrnong Neighbourhood Guideline.



The area is provided with the following description:

Despite the mix of architectural styles and materials throughout this precinct, there is a commonality to the built form regarding its compactness and generally consistent setbacks. Dwellings are predominantly single storey, giving the streets an open, unenclosed feel. This is strengthened by the generally low-level front gardens, low front fences and width of the streets. Certain areas of the precinct have examples of 1970s multi-unit dwellings; however, they do not dominate the street due to moderate front and side setbacks that recess these buildings from the street boundary. This precinct has a green and leafy feel due to the exotic gardens planted in the front setbacks. Occasional avenues of large street trees contribute to this feature.

Some of keys existing character are:

- Architectural styles are a combination of Victorian, Edwardian, Interwar, Postwar, 1960s to 1990s, and some contemporary.
- Building materials are brick or weatherboard, with tile and some iron roofs.
- Dwellings are generally single storey, with some two storey dwellings.
- Front setbacks vary from 3 – 4 metres to 6 – 7 metres. Side setbacks are between 1 and 3 metres.
- Gardens are established and low level, with mostly exotic planting and occasional tall trees.
- Front fences are generally low, with limited examples of fences up to 1.5 metres high.
- Street tree planting is mixed, with some examples of consistent species and spacing.
- Nature strips are 1 to 2 metres wide, with some wider strips of 3 to 5 metres. A small section of this precinct, located in Footscray, do not have nature strips.
- Bluestone kerbs can be found through some areas.

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

To the north boundary (133 Summerhill Road and 2/50 Liverpool Street) are developed with single storey weatherboard and brick veneer dwellings with hipped colorbond roofs.

- 133 Summerhill Road is a double storey brick dwelling and has a front setback of approximately 5 metres with a side setback of 1.86m to the boundary of the subject site. There are some habitable room windows relative to the proposed works. The property has brick front fencing.
- 2/50 Liverpool Street is a double storey brick veneer dwelling has a front setback of approximately 2.57 metres to Liverpool Street with a side setback abut to the boundary of the subject site. There are some habitable room windows relative to the proposed works.

To the south boundary (137 Summerhill Road) is developed with single storey weatherboard dwellings with hipped colorbond roofs. The dwelling has a front setback of approximately 4.62 metres with a side setback about 0.93m to the boundary of the subject site. There are some habitable room windows relative to the proposed works. The property has 1.2m timber picket front fencing.

The Proposal

Planning permission is sought to construct double storey unit at the rear side on the land at 135 Summerhill Road Footscray. The proposed unit will have a frontage and can be accessed from Liverpool Street.

A development summary is provided below:

DEVELOPMENT SUMMARY

AREA	EXISTING DWELLING	PROPOSED UNIT	TOTAL
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CAR PARKING SPACES	- spaces	2 space	2 space
TOTAL PRIVATE OPEN SPACE (POS)	89.33sqm	35.78sqm	125.11sqm
SECLUDED POS	25.00qm	27.50sqm	52.50sqm
TOTAL SITE AREA : 316.5sqm PERMEABLE AREA : 103.93sqm (32.84) GARDEN AREA : 96.70sqm (30.55%)			

BUILDING AREA	EXISTING DWELLING		PROPOSED UNIT	
GROUND FLOOR	89.35sqm	9.6sq	61.53sqm	6.6sq
FIRST FLOOR	-	-	43.49sqm	4.7sq
PORCH	3.07sqm	0.3sq	1.96sqm	0.2sq
TOTAL AREA	92.42sqm	9.9sq	106.98sqm	11.5sq

Secluded private open spaces will be located to the rear side of each dwelling. The proposed unit will have total area of 121.44sqm. It will have internal height of 2.7m on the ground and 2.55m to upstairs.

Total site coverage of 48.43 percent is proposed with permeable surfaces to cover 32.84 percent of the site.

The proposed unit consist of the following design elements:

- The front entries are protected by a porch and will comprise of large windows to reduce the bulkiness of built form on the front façade.
- Rear unit is provided with an open plan living area at the ground level comprising a kitchen, meals and living area all of which will have direct access to the secluded private open space areas. Large opening doors will be used to create a sense of space between living, meals and decked areas.
- A bedroom will be provided to ground floor.
- Rear unit is provided with a laundry and bath/powder room at the ground floor level.
- Two car-space will be proposed to suit new development.
- First floor will have one master bedroom include its WIR and an ensuite, another bedroom, and central bathroom.
- Landscaping is proposed along rear secluded private open space areas. Canopy trees consistent with the neighbourhood street character are proposed for both secluded private open spaces.

- The rear dwelling will be provided with a letterbox to the frontage of the site with no front fencing proposed.
- The upper level is to be finished with a mixture of light weight cladding materials which are to be finished in complimentary colours.
- Windows will be constructed of aluminium and glazed with obscure glass where necessary or will have a raised sill height of min 1.7 metres above finished floor level to prevent overlooking.
- Externally proposed first floor have been designed in a contemporary fashion and will feature mixed facade treatments to the ground including face brickwork, rendered board, and hipped tiled roofing. This façade is consistent with many recent developments within the precinct.

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

4 Planning Policy

4.1 State Planning Policy Framework

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

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

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

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

Of particular relevance to this application are the following policies:

Clause 11 Settlement

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

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

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

Clause 15 Built Environment and Heritage

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

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

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

Planning should achieve high quality urban design and architecture that:

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

15.01-1 Urban design

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

15.01-5 Cultural identity and neighbourhood character

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

15.02-1 Energy and resource efficiency

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

Clause 16 Housing

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

Planning for housing should include providing land for affordable housing.

16.01-2 Location of Residential Development

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

16.01-4 Housing diversity

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

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

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

16.01-5 Housing affordability

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

Clause 18 Transport

18.01-1 Land use and transport planning

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

Overall, it is submitted that these four dwelling medium density housing developments is consistent with State planning policy because it:

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

4.2 Local Planning Policy Framework

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

Municipal Strategic Statement

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

Clause 21.06 - Built Environment and Heritage

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

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

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

Clause 21.07 – Housing

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

The objectives of relevance to the application are:

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

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

22.08 – Maribyrnong Garden Suburban Neighbourhood Character Policy

This policy divides the area of Maribyrnong into some different neighbourhood character precincts. They are Garden Suburban, Inner Urban, garden Court and Urban Contemporary. The subject site falls within the Garden Suburban 4 of the Neighbourhood Characters. The policy contains the following character description:

Despite the mix of architectural styles and materials throughout this precinct, there is a commonality to the built form with regard to its compactness and generally consistent setbacks. Dwellings are predominantly single storey, giving the streets an open, unenclosed feel. This is strengthened by the generally low level front gardens, low front fences and width of the streets. Certain areas of the precinct have examples of 1970s multi-unit dwellings, however they do not dominate the street due to moderate front and side setbacks that recess these buildings from the street boundary. This precinct has a green and leafy feel due to the exotic gardens planted in the front setbacks. Occasional avenues of large street trees contribute to this feature.

The preferred neighbourhood character statement states that:

The mix of architectural styles and the consistencies across the built form will be maintained and strengthened through the provision of new development that adds to the layers of history throughout the precinct. Older dwellings that contribute to the character of the area, including those from the Victorian, Edwardian and Interwar eras will be retained and complemented by newer development that is distinguishable from original building stock. New development will respect the low-scale nature of buildings and will provide pitched roofs and other features that respond to the building form. Garden settings will be strengthened through new planting that provide canopy trees, shrubs and garden beds that contribute to the leafiness of streetscapes. Where present, front fences will maintain the openness of streetscapes and allow views to gardens and dwellings.

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

Character Element	Objective	Design Response
Existing Building	To encourage the retention of older dwellings that contribute to the valued character of the area.	Retain dwellings from the Federation and Interwar era that are intact and in good condition wherever possible
	The existing dwelling will be retained.	
Vegetation	To maintain and strengthen the garden setting of the dwellings	<ul style="list-style-type: none"> > Retain large, established trees and provide for the planting of new trees and substantial vegetation, wherever possible. > Buildings should be sited and designed to incorporate space for the planting of substantial vegetation.
	The subject site contains no significant vegetation that warrants protection. Landscaping is proposed along rear secluded private open space areas. Canopy trees consistent with the neighbourhood street character are proposed for both secluded private open spaces.	
Sitting	To maintain the consistency, where present, of front boundary setbacks.	<ul style="list-style-type: none"> ▪ The front setback should be no less than the average setback of the adjoining two dwellings
	To maintain gaps between dwellings where this is a characteristic of the street	<ul style="list-style-type: none"> ▪ Buildings should be set back from the side boundaries in accordance with the pattern in the street
	To minimise the loss of front garden space and the dominance of car parking structures	<ul style="list-style-type: none"> ▪ Locate garages and carports behind the line of the dwelling. ▪ Minimise paving in front garden areas, including driveways and crossovers. ▪ Use permeable driveway materials. ▪ Provide vehicular access from a rear laneway if available. ▪ Provide only one vehicular crossover per typical site frontage
	The front setback and location of car-space garage are within the requirements.	
Height and Building Form	To ensure that buildings and extensions do not dominate the streetscape	Respect the predominant building height in the street and nearby properties.
	To maintain a balance between tree canopies and built form within the Maribyrnong River corridor and on hill faces and escarpment edges.	Keep development below the established mature tree canopy height or the future tree canopy height.

	The proposed unit will be contemporary in design however they have incorporated the basic design elements and selected finishes which are complimentary to the housing theme in the area.	
Material & Design Detail	To encourage innovative and contemporary architectural responses that are in harmony with surrounding older buildings and streetscapes.	New development, including additions to existing buildings, should be distinguishable from the original dwelling stock through the use of innovative and contemporary design.
	Building material and finishes will be used timber construction.	
Front Boundary Treatment	To enhance the security of properties and maintain views into front gardens.	<ul style="list-style-type: none"> • Provide low or open style front fences • Front fences should be appropriate to the building era or reflect the typical fencing height of the street
	No front fencing is proposed to the rear dwelling to maintain a sense of openness	

5 Zoning and Overlay Controls

5.1 Zone

The site and most of the land in the precinct/area are zoned General Residential Zone (GRZ1) under the Maribyrnong Planning Scheme.

The relevant sections of the purpose of the General Residential (GRZ1) Zone are:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework including the Municipal Strategic Statement and local planning policies
- To encourage development that respects the neighbourhood character of the area
- To implement neighbourhood character policy and adopted neighbourhood character guidelines
- To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport

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

5.2 Overlays

Planning Overlay

The site is in development contribution plan overlay. The purpose of the overlay are:

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

A permit must not be granted to subdivide land, construct a building or construct or carry out works until a development contributions plan has been incorporated into this scheme. This does not apply to the construction of a building, the construction or carrying out of works or a subdivision specifically excluded by a schedule to this overlay.

A permit granted must:

- Be consistent with the provisions of the relevant development contributions plan.
- Include any conditions required to give effect to any contributions or levies imposed, conditions or requirements set out in the relevant schedule to this overlay

6 Particular and General Provisions

52.06 Car parking

The purpose of this provision is to:

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

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

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

55 Two or more dwellings on a lot and residential buildings

The purpose of this provision is to:

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

65 Decision guidelines

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

REDUCTION OF CAR PARING REQUIREMENT

The development is proposed a reduction of the number required for car parking space to the existing dwelling.

The existing dwelling consist of two bedrooms townhouses and a living room which can be modified to a bedroom. A minimum of one car parking space is required for this configuration.

The subject site is located within proximity to Public Transport/Bus Stops and Local Shopping Area of approximately 120 meters (2-3min walking distance). The development is also within walking distance to and from the Footscray West Primary School and Footscray Hospital. Thus, the residents will be able to walk to fulfill most of their daily errands.

Due to easy access to public transport, local shopping area and no parking restriction on the kerb side along Summerhill Road, we seek to waive a parking space for existing dwelling and intent to encourage residents and visitors to rely on public transport and increase bike lifestyle for greater sustainability in the area.

7 Planning Considerations

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

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

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

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

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

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

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

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

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

7.1 Clause 55 (ResCode)

A detailed assessment of the proposal against the provision of Clause 55 is provided at Attachment A of this submission. In summary however, this assessment indicates that the proposed development complies with all objectives and the majority of standards.

Please refer to Appendix A for detailed compliance statements.

8 Conclusion

It is submitted that the proposal on the land at 135 Summerhill Road, Footscray has been designed with regards to the State and Local Policy Framework and relevant provisions set out in the Maribyrnong Planning Scheme.

The proposed development provides a satisfactory response to the existing neighbourhood character and objectives of Clause 55. The result is that the development will provide a high standard of on-site amenity without unreasonably affecting the amenity of the adjoining dwellings. We submit that the proposal is worthy of Council support.

Appendix A — Assessment against Clause 55 (Rescode)

Refer to Clause 55 of the Planning Scheme for objectives, decision guidelines and a full description of standards.

Neighbourhood Character and Infrastructure

Clause 55.02

Title and Objective	Standard	Complies/Does not Comply/Variation Required
<p>B1 Neighbourhood Character The design response must be appropriate to the neighbourhood and the site. The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site</p>	<ul style="list-style-type: none"> ▪ Appropriate design response to the neighbourhood and site ▪ Design respects the existing or preferred neighbourhood character and responds to site features. 	<p>✓ Complies</p> <p>The design response is appropriate to the area as outlined in the detailed discussions that form part of the attached report.</p>
<p>B2 Residential Policy Residential development is consistent with any relevant policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</p> <p>Support medium densities in areas to take advantage of public transport and community infrastructure and services.</p>	<ul style="list-style-type: none"> ▪ Application to be accompanied by written statement that explains consistency with relevant housing policy in SPPF, LPPF, MSS and local planning policies 	<p>✓ Complies</p>
<p>B3 Dwelling Diversity Encourages a range of dwelling sizes and types in developments of ten or more dwellings.</p>	<ul style="list-style-type: none"> ▪ Developments of ten or more dwellings should provide a range of dwelling sizes and types, including: <ul style="list-style-type: none"> – Dwellings with a different number of bedrooms. – At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level. 	<p>- NA</p>

<p>B4 Infrastructure Provides appropriate utility services and infrastructure without overloading the capacity of utility services and infrastructure.</p>	<ul style="list-style-type: none"> ▪ Connection to the reticulated sewerage, electricity, gas and draining services 	<p>✓ Complies</p>
	<ul style="list-style-type: none"> ▪ Capacity of utility services and infrastructure, including reticulated services and roads should not be exceeded unreasonably 	<p>It is unlikely the development will result in an overloading of the capacity of infrastructure or services in this area. There is nothing to suggest the development would necessitate the upgrading of services or infrastructure.</p>
	<ul style="list-style-type: none"> ▪ In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure. 	
<p>B5 Integration with the street Integrate the layout of development with the street.</p>	<ul style="list-style-type: none"> ▪ Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility. 	<p>✓ Complies</p>
	<ul style="list-style-type: none"> ▪ Development should be oriented to front existing and proposed streets. 	<p>✓ Complies</p>
	<ul style="list-style-type: none"> ▪ High fencing in front of dwellings should be avoided if practicable. 	<p>✓ Complies</p> <p>No front fencing is proposed to the rear dwelling</p>
	<ul style="list-style-type: none"> ▪ Development next to existing public open space should be laid out to complement the open space. 	<p>✓ Complies</p>

Site Layout and Building Master

Clause 55.03

Title and Objective	Standard	Complies/Does not Comply/Variation Required
<p>B6 Street Setback The setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.</p>	<ul style="list-style-type: none"> ▪ Walls of buildings should be set back from streets: <ul style="list-style-type: none"> – 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 B1. <p><i>Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.</i></p>	<p>✓ Complies</p>
	<ul style="list-style-type: none"> ▪ There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner. 	<p>- NA</p>
	<ul style="list-style-type: none"> ▪ There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner. 	<p>- NA</p>
	<ul style="list-style-type: none"> ▪ There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner. 	<p>- NA</p>
	<ul style="list-style-type: none"> ▪ The site is on a corner. <ul style="list-style-type: none"> – Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser. – Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser. 	<p>- NA</p>
<p>B7 Building Height</p>	<ul style="list-style-type: none"> ▪ 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. 	<p>- NA</p>

<p>Building heights respect the existing or preferred neighbourhood character.</p>	<ul style="list-style-type: none"> ▪ 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 2.5degrees or more, in which case the maximum building height should not exceed 10 metres. 	<p>✓ Complies</p> <p>The double storey unit have an approximate building height of 7.5 metres.</p>
	<ul style="list-style-type: none"> ▪ Changes of building height between existing buildings and new buildings should be graduated. 	<p>✓ Complies</p>
<p>B8 Coverage Site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.</p>	<ul style="list-style-type: none"> ▪ The site area covered by buildings should not exceed: <ul style="list-style-type: none"> – 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. 	<p>✓ Complies</p> <p>A site coverage of 50.74 is proposed.</p>
<p>B9 Permeability Reduce the impact of increased stormwater run-off on the drainage system and facilitate on-site stormwater infiltration.</p>	<ul style="list-style-type: none"> ▪ The site area covered by the pervious surfaces should be at least: <ul style="list-style-type: none"> – The minimum area specified in a schedule to the zone, or – If no minimum is specified in a schedule to the zone, 20 percent of the site. 	<p>✓ Complies</p> <p>Permeable surfaces will comprise 32.84% of the site area.</p>
<p>B10 Energy Efficiency Achieve and protect energy efficient dwellings and residential buildings. Ensure orientation and layout of development reduces fossil fuel energy use and makes appropriate use of daylight and solar energy.</p>	<ul style="list-style-type: none"> ▪ Oriented to make appropriate use of solar energy. 	<p>✓ Complies</p>
	<ul style="list-style-type: none"> ▪ Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. 	<p>✓ Complies</p> <p>Overshadowing of abutting properties will be minimal as a result of the staggered nature of the second storey of dwellings.</p>
	<ul style="list-style-type: none"> ▪ If practical, living areas and private open space should be located on the north side of the development. 	<p>✓ Complies</p> <p>Where possible open space and common living areas of each dwelling responds to the orientation of the site.</p>

	<ul style="list-style-type: none"> ▪ Solar access to north-facing windows is maximised. 	<p>✓ Complies</p> <p>Given the orientation of the land and proposed development large front windows are proposed to proposed unit.</p>
<p>B11 Open Space Integrate layout of development with any public and communal open space provided in or adjacent to the development.</p>	<ul style="list-style-type: none"> ▪ If any public or communal open space is provided on site, it should: <ul style="list-style-type: none"> – Be substantially fronted by dwellings, where appropriate. – Provide outlook for as many dwellings as practicable. – Be designed to protect any natural features on the site. – Be accessible and useable. 	<p>- NA</p>
<p>B12 Safety Ensure the layout of the development provides for the safety and security of residents and property.</p>	<ul style="list-style-type: none"> ▪ Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways. 	<p>✓ Complies</p> <p>Entrance is clearly visible to Streets.</p>
	<ul style="list-style-type: none"> ▪ Planting which creates unsafe spaces along streets and accessways should be avoided. 	<p>✓ Complies</p>
	<ul style="list-style-type: none"> ▪ Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways. 	<p>✓ Complies</p>
	<ul style="list-style-type: none"> ▪ Private spaces within developments should be protected from inappropriate use as public thoroughfares. 	<p>✓ Complies</p>
<p>B13 Landscaping To provide appropriate landscaping and encourage development that</p> <ul style="list-style-type: none"> - Respects the landscape character of the neighbourhood. - Maintains and enhances habitat for plants and animals in locations of habitat importance 	<ul style="list-style-type: none"> ▪ The landscape layout and design should: <ul style="list-style-type: none"> – Protect any predominant landscape features of the neighbourhood. – Take into account the soil type and drainage patterns of the site. – Allow for intended vegetation growth and structural protection of buildings. – In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals. – Provide a safe, attractive and functional environment for residents. 	<p>✓ Complies</p> <p>Consistent with the neighbourhood character – a combination of larger canopy trees, shrubs and new native trees are proposed to the front and back.</p>

<p>- Encourages the retention of mature vegetation on the site.</p>	<ul style="list-style-type: none"> ▪ Development should: <ul style="list-style-type: none"> – Provide for the retention or planting of trees, where these are part of the character of the neighbourhood. – Provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made. 	<p>✓ Complies</p>
	<ul style="list-style-type: none"> ▪ Landscape design should specify landscape themes, vegetation (location and species), paving and lighting. 	<p>✓ Complies</p> <p>Indicative landscaping is illustrated on the submitted plan. Should a more detailed plan be required it is requested that a condition on the permit require one be prepared by a suitably qualified designer and submitted for endorsement with the development plans.</p>
<p>B14 Access To ensure the number and design of vehicle crossovers respects the neighbourhood character.</p>	<ul style="list-style-type: none"> ▪ The width of accessways or car spaces should not exceed: <ul style="list-style-type: none"> – 33 % of the street frontage, or – if the width of the street frontage is less than 20 metres, 40 % of the street frontage. 	<p>✓ Complies</p> <p>The accessways will have widths of 3.0m – this is within 33% of the street frontage.</p>
	<ul style="list-style-type: none"> ▪ No more than one single-width crossover should be provided for each dwelling fronting a street. 	<p>✓ Complies</p>
	<ul style="list-style-type: none"> ▪ The location of crossovers should maximise the retention of on-street car parking spaces. 	<p>✓ Complies</p>
	<ul style="list-style-type: none"> ▪ The number of access points to a road in a Road Zone should be minimised. 	<p>- NA</p>
	<ul style="list-style-type: none"> ▪ Developments must provide for access for service, emergency and delivery vehicles. 	<p>✓ Complies</p> <p>Direct access will be available for the proposed dwellings within northern boundary driveway</p>

<p>B15 Parking Location Provide convenient parking for resident and visitor vehicles and protect residents from vehicular noise within developments.</p>	<ul style="list-style-type: none"> ▪ Car parking facilities should: <ul style="list-style-type: none"> – Be reasonably close and convenient to dwellings and residential buildings. – Be secure. – Be well ventilated if enclosed. 	<p>✓ Complies</p> <p>Parking area is located within close proximity of the respective dwelling and landscaping alongside driveways will allow for a softening of hard paved areas within the site.</p>
	<ul style="list-style-type: none"> ▪ Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway. 	<p>✓ Complies</p>

Amenity Impacts

Clause 55.04

Title and Objective	Standard	Complies/Does not Comply/Variation Required
<p>B17 Side and Rear Setbacks Ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</p>	<ul style="list-style-type: none"> ▪ A new building not on or within 200mm of a boundary should be set back from side or rear boundaries: <ul style="list-style-type: none"> – 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. 	<p>✓ Variation</p> <p>There are small part of northern first floor wall is over side setback requirement, but have minor impact on existing dwelling.</p>
<p>B18 Walls on boundaries Ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</p>	<ul style="list-style-type: none"> ▪ 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 lot should not abut the boundary: <ul style="list-style-type: none"> – For a length of 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: <ul style="list-style-type: none"> • 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 walls or carports, whichever is the greater. 	<p>✓ Complies</p>
	<ul style="list-style-type: none"> ▪ A new wall or carport may fully abut a side or rear boundary where 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. ▪ A building on a boundary includes a building set back up to 200mm from a boundary. 	<p>- NA</p>
	<ul style="list-style-type: none"> ▪ 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>✓ Complies</p>

<p>B19 Daylight to existing windows Allow adequate daylight into existing habitable room windows.</p>	<ul style="list-style-type: none"> ▪ 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. 	<p>✓ Complies</p>
	<ul style="list-style-type: none"> ▪ 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. 	<p>✓ Complies</p>
<p>B20 North facing windows Allow adequate solar access to existing north-facing habitable room windows.</p>	<ul style="list-style-type: none"> ▪ 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 be setback from the boundary 1 metre, plus 0.6 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, 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. 	<p>NA.</p>
<p>B21 Overshadowing open space Ensure buildings do not significantly overshadow existing secluded private open space.</p>	<ul style="list-style-type: none"> ▪ 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. 	<p>✓ Variation</p> <p>The development will have some additional overshadow to adjacent SPOS in particular to 137 Summerhill Road.</p> <p>The development on narrow site around the density area are inevitable and still consistent with neighbourhood character surrounding.</p> <p>Variations will be required to this standard to have small part of additional overshadowing to the adjacent SPOS.</p>

<p>B22 Overlooking Limit views into existing secluded private open space and habitable room windows.</p>	<ul style="list-style-type: none"> ▪ 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: <ul style="list-style-type: none"> – Offset a minimum of 1.5 metres from the edge of one window to the edge of the other. – Have sill heights of at least 1.7 metres above floor level. – Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level. – Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent. 	<p>✓ Complies</p>
	<ul style="list-style-type: none"> ▪ 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. 	<p>✓ Complies</p>
	<ul style="list-style-type: none"> ▪ Screens used to obscure a view should be: <ul style="list-style-type: none"> – 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. 	<p>- NA</p>
<p>B23 Internal views Limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.</p>	<ul style="list-style-type: none"> ▪ Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development. 	<p>✓ Complies</p>
<p>B24 Noise Impacts Protect residents from external noise and contain noise sources in developments that may affect existing dwellings.</p>	<ul style="list-style-type: none"> ▪ Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings. 	<p>✓ Complies</p>
	<ul style="list-style-type: none"> ▪ Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties. 	<p>✓ Complies</p>
	<ul style="list-style-type: none"> ▪ Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms. 	<p>✓ Complies</p>

On-site Amenity and Facilities

Clause 55.05

Title and Objective	Standard	Complies/Does not Comply/Variation Required
<p>B25 Accessibility To encourage the consideration of the needs of people with limited mobility in the design of developments.</p>	<ul style="list-style-type: none"> ▪ Dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility. 	<p>✓ Complies</p>
<p>B26 Dwelling Entry Provide each dwelling or residential building with its own sense of identity.</p>	<ul style="list-style-type: none"> ▪ Entry should be visible and easily identifiable from streets and other public areas. 	<p>✓ Complies Articulated entries will be provided</p>
	<ul style="list-style-type: none"> ▪ Provide shelter, a sense of personal address and a transitional space around the entry. 	<p>✓ Complies Porch areas of each dwelling will provide shelter and a traditional space</p>
<p>B27 Daylight to new windows Allow adequate daylight into new habitable room windows.</p>	<ul style="list-style-type: none"> ▪ A window in a habitable room should be located to face: <ul style="list-style-type: none"> – An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, – 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. 	<p>✓ Complies Generous light courts are provided for habitable room windows</p>

<p>B28 Private Open Space Provide adequate private open space for the reasonable recreation and service needs of residents.</p>	<ul style="list-style-type: none"> ▪ If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building should have private open space consisting of: <ul style="list-style-type: none"> – An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or – A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or – A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room. 	<p>✓ Complies</p>
<p>B29 Solar Access to Open Space Allow solar access into the secluded private open space of new dwellings and residential buildings.</p>	<ul style="list-style-type: none"> ▪ The private open space should be located on the north side of the dwelling or residential building, if appropriate. 	<p>✓ Complies</p>
	<ul style="list-style-type: none"> ▪ 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. 	<p>✓ Complies</p>
<p>B30 Storage Provide adequate storage facilities for each dwelling</p>	<ul style="list-style-type: none"> ▪ Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space. 	<p>✓ Complies</p>

Detailed Design

Clause 55.06

Title and Objective	Standard	Complies/Does not Comply/Variation Required
<p>B31 Design detail Design detail that respects the existing or preferred neighbourhood character.</p>	<ul style="list-style-type: none"> ▪ The design of buildings, including: <ul style="list-style-type: none"> – Facade articulation and detailing, – Window and door proportions, – Roof form, and – Verandahs, eaves and parapets, should respect the existing or preferred neighbourhood character. 	<p>✓ Complies</p> <p>Proposed first floor will be provided with hipped tiled roofing consistent with the character of the area. The modest door/window portions, porch areas above dwelling entrances and articulated form of the two story dwelling are also consistent with development forms in the area.</p>
	<ul style="list-style-type: none"> ▪ Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character. 	<p>✓ Complies</p>
<p>B32 Front Fences Encourage front fence design that respects the existing or preferred neighbourhood character.</p>	<ul style="list-style-type: none"> ▪ The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties. 	<p>- NA</p> <p>No front fences are proposed to the rear unit</p>
	<ul style="list-style-type: none"> ▪ A front fence within 3 metres of a street should not exceed: <ul style="list-style-type: none"> – 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 should not exceed: <ul style="list-style-type: none"> • 2m if abutting a Road zone, Category 1 • 1.5m in any other streets 	<p>- NA</p> <p>No front fences are proposed to the rear unit</p>
<p>B33 Common Property Ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.</p> <p>Avoid future management difficulties in areas of common ownership.</p>	<ul style="list-style-type: none"> ▪ Developments should clearly delineate public, communal and private areas. 	<p>✓ Complies</p>
	<ul style="list-style-type: none"> ▪ Common property, where provided, should be functional and capable of efficient management. 	<p>✓ Complies</p>

<p>B34 Site Services Ensure that site services can be installed and easily maintained and are accessible, adequate and attractive.</p>	<ul style="list-style-type: none"> ▪ The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically. 	<p>✓ Complies</p>
	<ul style="list-style-type: none"> ▪ Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development. 	<p>✓ Complies</p>
	<ul style="list-style-type: none"> ▪ Bin and recycling enclosures should be located for convenient access by residents. 	<p>✓ Complies</p>
	<ul style="list-style-type: none"> ▪ Mailboxes should be provided and located for convenient access as required by Australia Post. 	<p>✓ Complies</p>



STORM Rating Report

CITY OF MARIBYRNONG
ADVERTISED PLAN

TransactionID: 0
Municipality: MARIBYRNONG
Rainfall Station: MARIBYRNONG
Address: 135 Summerhill Road

Footscray
VIC 3011

Assessor: Steve
Development Type: Residential - Multiunit
Allotment Site (m2): 316.50
STORM Rating %: 105

Description	Impervious Area (m2)	Treatment Type	Treatment Area/Volume (m2 or L)	Occupants / Number Of Bedrooms	Treatment %	Tank Water Supply Reliability (%)
Treated Existing Roof	120.05	Rainwater Tank	2,000.00	2	99.00	95.60
Treated Proposed Roof	81.69	Rainwater Tank	2,000.00	3	152.80	84.60
Untreated Driveway	30.13	None	0.00	0	0.00	0.00

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