

Attachment 1 - Copy of all submissions, including late submissions (collated 14 September 2022)

From: [REDACTED]
To: [Amendment C172](#)
Subject: Hansen heritage precinct amendment
Date: Wednesday, 2 March 2022 2:09:16 PM

Hi there

Please can you add hansen reserve parks which were dedicated to west footscray residents.

[REDACTED] 71 hansen st west footscray

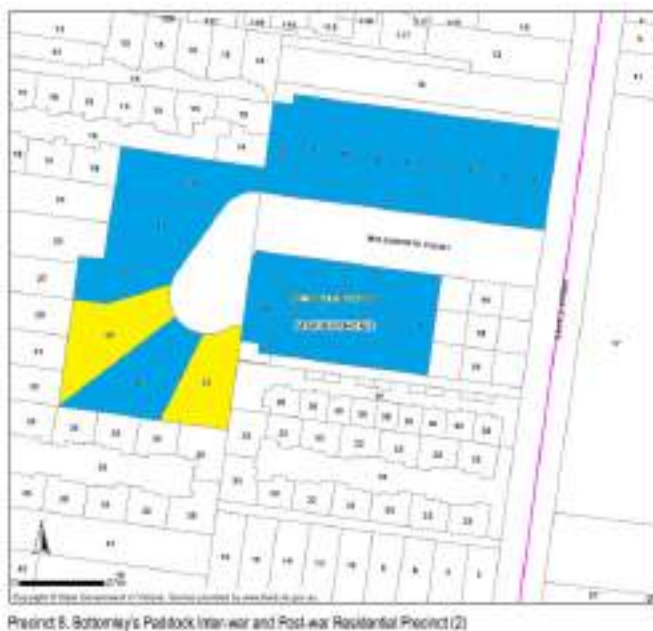
Regards [REDACTED]
[REDACTED]

Maribyrnong Council Strategic Planning Team
PO Box 58,
West Footscray, VIC 3012

Sent by email only: email@maribyrnong.vic.gov.au

I am writing about your letter of 22/12/2021, which indicates that [REDACTED] at 15 Molesworth Court West Footscray is proposed to be included in Maribyrnong Planning Scheme (Amendment C173).

I would like to object as I believe this must be an error. I diagram of the relevant precinct (Precinct 8; Bottomley's Paddock).



The scheme is described as relating to homes that reflect the inter-war period (1915-1940) and post-war period (1940-1960). While the post war period applies to most other houses in the street, the houses at number 15 and 17 were built in the 80's. They have no characteristics that reflect the post war suburban bungalow as described in the study. [REDACTED] number 15 has similar building elements, features and characteristics to [REDACTED] number 17, yet number 17 has been classed as non-contributory.

In my opinion, [REDACTED] is just as unremarkable as [REDACTED] number 17 and I *request it be reclassified as non-contributory*.

Should you disagree, I would like to request a copy of the PPN1 citation report for precinct 8, which outlines why [REDACTED] is considered contributory while number 17 is not. Specifically, I request this outlines:

- A statement of significance, which complied with the PPN1 format;

- A description that summarises the nature of building fabric, architectural style, streetscape elements, fences and gardens of Molesworth Court and why number 15 and not number 17 is classified as consistent with this description;

I look forward to hearing from you. I am happy to discuss this on the phone but will require a written reply for my records.

Yours Sincerely,

A black rectangular box redacting the signature of the sender.

 (15 Molesworth Court, West Footscray)

From: [REDACTED]
To: [AmendmentC172](#)
Subject: Amendment C172
Date: Thursday, 3 March 2022 6:17:01 PM

Hi,

My name is [REDACTED] and I live at [REDACTED] West Footscray VIC 3012, Australia.

The 2018 survey that this amendment addresses had 80% of responses saying that they support the draft neighbourhood plan without heritage overlays.

Our household does not want over-development and inappropriately located townhouses, resulting in overcrowded streets parking wise and facilities. There should be other overlays, not the heritage overlay, that covers a wider area to ensure not higher than 2 storeys are built and not creating eye sores, like overdeveloped 3 storey apartments. The heritage overlay does not prevent this in a wide enough area, and it can reject positive changes and modifications to houses, like modern front yard fences and solar panels if needed. We want front yards to be used, not static die to rejections to use it as a book library or community garden. It ruins this sharing nature for no purpose. Just to keep the look of the place. Not practical at all.

Barkly street has such a difficult time for the bus going up and down due to the overcrowded nature. The 4-6 storey apartments along Barkly street are terrible, along with the 8 storey apartments near Whitten oval.

We do not want townhouses just to be built in masses outside the heritage overlays, which will happen if this is approved.

I reject amendment c172 and suggest you take the above recommendations and concerns into play when making your next decisions.

Family homes also are in a shortage. We don't need more 2-3 bedroom townhouses.

Kind Regards,

[REDACTED]

From: [REDACTED]
To: [AmendmentC172](#)
Subject: Heritage Precincts
Date: Tuesday, 8 March 2022 9:17:16 AM

Good morning,

Thank you for the opportunity.

I would like to support the West Footscray Inter-war and Post-war Heritage precinct Study 2021, in particular the Laughton's Precinct HO214.

[REDACTED] properties at 19 – 37 Creswick St, and believe they provide a relevant historical contribution to the street and suburb.

Regards

[REDACTED]

[REDACTED] Footscray.

[REDACTED]

From: [Strategic Planning](#)
To: [AmendmentC172](#)
Subject: RE: Maribyrnong Planning Scheme Amendment C172
Date: Tuesday, 8 March 2022 9:23:46 AM
Attachments: [image001.jpg](#)

Good morning,

Thank you for your email.

It appears from reviewing the documents provided that the scope of the Amendment is such that it presents a low risk of harm to the environment and amenity as a result of pollution and waste.

If there are any specific concerns that fall within EPA's remit then you are welcome to raise this with us; however, at this time – we will not be making a submission on the Amendment.

Kind regards

[Redacted signature block]

Environment Protection Authority Victoria
200 Victoria St, Carlton
E [Redacted] www.epa.vic.gov.au

From: [Redacted] **On Behalf Of** AmendmentC172
Sent: Monday, 28 February 2022 11:31 AM
To: [Redacted]
Subject: Maribyrnong Planning Scheme Amendment C172

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please find attached correspondence from Maribyrnong City Council regarding Planning Scheme Amendment C172



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From: [REDACTED]
To: [AmendmentC172](#)
Subject: Amendment C172 - Heritage Precinct
Date: Tuesday, 8 March 2022 12:13:28 PM

Hello

[REDACTED] Laughton's Precinct HO214 and I wanted to provide my support to the West Footscray Inter-war and Post-war Heritage precinct Study 2021.

I support the position that the houses in the Laughton's Precinct HO214 provide a relevant historical contribution to the street and suburb and this history should be preserved.

Regards

[REDACTED]

[REDACTED]

Footscray

[REDACTED]

Submissions of Amendment C172

8/March/2022

Dear Sir/Madam

[REDACTED]
14 Neil St West Footscray
VIC 3012

I'm writing this to reject [REDACTED] house to be heritage precincts. I have identified it's not suitable.

There are a few reasons.

- [REDACTED] house is only one of the worst cracked brick houses which only suitable to rebuild and not suitable to repair.
- A quarter of wall cracked only been temporarily covered with cement in front of house.

[REDACTED] Leave the best to the next generation.
[REDACTED] for the next generation.
It will be desperate if they can't get new houses.

- Everything has been renovated last year except cracking bricks wall and roof. It can be rebuilt but it needs to be whole lot. If everything changes [REDACTED]

[REDACTED]
14 neil st west
Footscray VIC 3012
[REDACTED]

Please consider quality of the house and there has a lot better quality of the house in Melbourne.

Better quality of the house show better wisdom, better humanity, better civilization, better environment, better history.

Anyway I hope you can help me with this to stop it became heritage overlay [REDACTED]

Thank you for your time.

Yours faithfully
[REDACTED]

Your City Your Voice

28/2/22

Support

71 Hansen Street

State the reasons why you support or oppose Amendment C172

I think it is fantastic to preserve these pre and post war homes. We are getting inundated with developers who don't care a fig about our areas and just demolish and build whatever gets them big bucks

Outline any changes (if any) you would like made to Amendment C172

Any buildings left unbuilt after purchase for more than 1 year should lose their planning permit entitlements

Your City Your Voice

Submission No. 9

28/2/22

Objection



State the reasons why you support or oppose Amendment C172

Dear Maribyrnong Council,

[Redacted] 17 Rondell Avenue, West Footscray [Redacted]
[Redacted] I can appreciate the benefits of this fantastic location near local parks, retail amenity, all forms of public transport and the short stroll to Whitten Oval and Footscray Market.

As this amendment formed part of the Section 32, I have done extensive research into the Amendment C172 which flags 17 Rondell Avenue for heritage listing.

Whilst I fully support the initiative this Amendment C172 aims to achieve in pausing development in order to preserve the important heritage nature in particular areas of West Melbourne, my opposition is based on the questionable aesthetic and significance 17 Rondell Avenue has to the community.

Reading through the online report, it is filled with a number of beautiful and significant homes, which I appreciate and support in retaining this aesthetic for future generations. As I understand, 17 Rondell Avenue was originally a larger block, subsequently subdivided into 3 parcels, each only circa 100sqm in size. In my personal opinion, the property itself is not particularly attractive and if the street were to eventually become one of significant heritage importance I would be disappointed if this property was sitting in the middle of a more aesthetically appealing outcome for Rondell Avenue and surrounding area.

Looking at the overlay that has been proposed, these 3 units from 15-19 Rondell Avenue appear to have specifically selected, forming an extension on the Eastern side of the road and forming the end of the overlay for this subject street. I would be keen to understand the reasoning behind this and if it would be more beneficial in the long term to remove these properties from the proposed Amendment C172 as I don't think they benefit the community to be heritage listed under the intended aim of the amendment. I strongly believe that in the long term these properties would ultimately create a negative visual impact in this key location for West Footscray.

Outline any changes (if any) you would like made to Amendment C172

Whilst I can't speak for the owners of 15 & 19 Rondell Avenue, West Footscray, I would ask that 17 Rondell Avenue be removed from the proposed overlay, essentially withdrawing the Rondell Avenue overlay North back toward Barkly Street.

Whilst I am supportive of the intentions with regards to protecting West Footscray under Amendment C172, I strongly believe that in the long term these properties would ultimately create a negative visual impact in a key location for West Footscray.

No.10

Your City Your Voice

1/3/22

Support

<div></div> <div></div> <div></div>

State the reasons why you support or oppose Amendment C172
I support the amendment because the character of our local neighbourhoods is worth protecting. Many of these overlay precinct were developed as estates and have interesting local histories behind them. It's important we recognise and safeguard these aspects of our area's history.
Outline any changes (if any) you would like made to Amendment C172
No changes

No.11

Your City Your Voice

22 Hope Street
West Footscray

1/3/22

Support

State the reasons why you support or oppose Amendment C172

I value the social and architectural changes over time that are reflected in the housing of the identified precincts and I support the heritage overlay as a mechanism to preserve the significant history of the local areas and the character of the neighbourhoods. I support the proposal because it's clear — and identified in the proposal — that it takes time for people to recognise the value in more recent architectural periods and if there is no heritage overlay we risk losing the significant architectural and social value well before the significance is realised. As Joni Mitchell sings, 'don't it always seem to go that we don't know what we've got 'til it's gone'.

Outline any changes (if any) you would like made to Amendment C172

No.12

Your City Your Voice

1/3/22

Objection

West Footscray

State the reasons why you support or oppose Amendment C172

There are many houses in West Footscray worthy of protection that have simply been omitted. Beautiful inter way bungalows and cottages lined up along Robbs and Glamis road being ignored. Especially along Robbs, there are many cottages or bungalows lined up side by side or very close together that add to the streetscape. Without protection, these houses risk being torn down and developed for townhouses or modern builds destroying the streetscape in a beautiful historic area.

Outline any changes (if any) you would like made to Amendment C172

As above

Your City Your Voice

1/3/22

Support


<div></div> <div></div> <div>Maidstone</div>
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State the reasons why you support or oppose Amendment C172
I support the amendment in principle as with the rising development in the area it is important that locations of significance maintain there heritage appeal and therefore also attract residents who value this.
Outline any changes (if any) you would like made to Amendment C172
I would like to see some clause or effortade to support existing home owners and residents adapt and maintain their heritage properties.

Your City Your Voice

1/3/22

Support


 Maidstone
State the reasons why you support or oppose Amendment C172

West Footscray and Maidstone's streets are rapidly being taken over by expedient developers demolishing properties and replacing them with cheap, ugly, poorly designed, rendered brick shoeboxes with fake grass, dyed woodchips and poor amenities - often many on one small to medium sized block - and with NO consideration of tall habitat trees, gardens, sustainability, outdoor spaces, urban cooling, heritage considerations, endurance, unique/creative and solar passive designs, water tanks or even solar power. All of the developments are deeply depressing and look crap after a year, effectively turning into beige or grey contemporary slums. I can list just 2 developments in the entire area that are well designed. Developers are being granted a quick buck with no consideration for the future of the area, aesthetics, or quality of amenity. Well designed high density living is one thing- and a good idea - but what we are seeing in this area will make it barely liveable in 50 years. Who approves these hell boxes?

Outline any changes (if any) you would like made to Amendment C172

This approach to a shared concern in the community raises many questions.
 Sustainability MUST become a consideration for all future approved developments.
 Is a heritage overlay the best solution to this critically important issue?
 The issue isn't so much whether heritage is protected - rather a key problem is the *kind* of developments and demolitions being approved.
 Restricting people from renovating or improving existing properties may mean they don't take the opportunity to upgrade their old homes to align with more sustainable design principles. Many of our houses are falling apart, in need of significant repairs, or a reconfiguration of spaces to make them more liveable for 20thC living (I know this personally!)
 Is this really the best strategy for preventing profiteering developers from building junk developments?
 Is it more important to maintain some heritage aspects of the street facing front of a house - and prevent excessive subdivisions - but still allow any modifications internally and to the rear of properties (e.g open plan, decks, bifolds, skylights etc)?

Also, I would like to see the same attention paid to identifying, protecting, maintaining, and adding to a list of significant trees in the area - on both public and privately held lands. Our natural heritage is in desperate need of attention in our community, as much as our built heritage.

Your City Your Voice

1/3/22

Support

West Footscray

State the reasons why you support or oppose Amendment C172

I support Amendment C172

Outline any changes (if any) you would like made to Amendment C172

Please consider the addition of homes on Elphinstone Street which represents the evolution of housing in the Bottomley's Paddock precinct. Containing an original pre-war federation home epitomising the homestead garden style of the pper Footscray subdivision. Many of the original 1920's house are still existing. There are strings of period homes representing features of a common local builder from the intra-war period. Whilst not all of these homes are in good condition, there is a risk that demolition of these properties will detract from the overall streetscape and historical significance. Recent addition of double story townhouse developments have already began to erode the feel of this street.

Your City Your Voice

2/3/22

Support

West Footscray

State the reasons why you support or oppose Amendment C172

Retention of neighbourhood character is important. I would like to see also what Council will/can do via capital works on streetscape to enhance the character further.

Outline any changes (if any) you would like made to Amendment C172

Please consider to include all properties on the same stretch of streets, particularly those over 300m2 currently not requiring planning permit process with Council to develop (ie 2x properties at the eastern end of Tucker Street are not part of the overlay while rest of the street is). Those bigger blocks with laneway access have added potential to be developed into unsightly McMansions or multi unit developments. Properties that are already modified on each strip of street should still be included to control any further development that may not respect the neighbourhood character.

There appears to be more streets with inter-war homes in garden settings in WeFo such as Clive Street, Khartoum Street etc. I enjoy walking. Why are these beautiful streets not part of it?

Your City Your Voice

2/3/22

Support

██████████
33 Wallace Street
Maidstone

State the reasons why you support or oppose Amendment C172

I support the amendment for aesthetic, historical and cultural reasons.

The amendment seeks to preserve a very special and beautiful area from the inevitable development that occurs in a growing city. The history of the area is fascinating and highly important to the local identity, and the houses within the area serve as a physical reminder of this.

Outline any changes (if any) you would like made to Amendment C172

I would like to see the definition of a 'non-contributory property' expanded to ensure that all 'contributory properties' are bordered by other properties that are protected under the Heritage Overlay (HO). This will preserve not only the characteristics of the contributory property itself, but also its immediate surrounds (which play a large role in its aesthetic and historic feel).

For example ██████████ (33 Wallace Street, Maidstone) sits on the end of the proposed HO area, and the properties bordering it to both the south and to the west are not in the proposed HO area. If development were to occur at either of these bordering properties that is inconsistent with the proposed HO restrictions, it would greatly impact the characteristics of 33 Wallace Street, which the Maribyrnong Council is trying so admirably to preserve.

Your City Your Voice

2/3/22

Oppose

West Footscray

State the reasons why you support or oppose Amendment C172

The overlay really needs to prioritising climate emergency eg: allow for sustainable retrofits & energy upgrades, as well as verticals extensions for smaller properties - much more sustainable than back yard building & loss of green space/trees. Many of these timber properties need bringing up to minimum code for keeping cool in summer & warm in winter, & decoupling from fossil fuels eg: remove wood burning stoves & gas. The overlay should not hinder upgrades in a climate emergency. This is all part of a sustainable & resilient residential building stock for West Footscray

Outline any changes (if any) you would like made to Amendment C172

Prioritise:

1. passive design (winter sun spaces, summer shading devices, maximising natural light) and active technologies (solar panels, heat pumps etc)
2. upgrades that prioritise performance
3. extensions that do not result in a loss of private open space eg: vertical extensions, dormer windows & roof space activation
4. Reduction in thermal bridging
5. Removal of flat roofs & replace with mono/dual pitches
6. Car parking minimums removed
7. Transit orientated design principles should preside over heritage, upto max of 5 storey (if tops 2 floors contain duplex units with setbacks or mansard roofs to minimise height impact)
8. Mechanisms to deal with vacant properties. Vacant buildings (residential or no residential) decay at faster rates than occupied buildings & need to be dealt with, particularly speculative vacancy, 2nd homes, empty air bnbs
9. Any mechanism should not result in barriers to environmental performance of existing buildings
10. Mechanisms to prevent NIMBY attitudes when social housing is proposed or buildings for community use

Your City Your Voice

3/3/22

Support

State the reasons why you support or oppose Amendment C172

I am currently living in [REDACTED] but I have a house in West Footscray area. The address is [REDACTED] I absolutely support the Amendment C172 Required because I believe we must preserve the residential architecture during Inter-war and Post-war periods as a tangible marker of cultural change, reflecting the story of waves of settlement in the City of Maribyrnong for the future generations.

Outline any changes (if any) you would like made to Amendment C172

Your City Your Voice

3/3/22

Support

[REDACTED]
[REDACTED]
[REDACTED]

State the reasons why you support or oppose Amendment C172

I am currently living in [REDACTED] but I have a house in West Footscray area. The address is [REDACTED] I absolutely support the Amendment C172 because I believe we must preserve the residential architecture during Inter-war and Post-war periods as a tangible marker of cultural change, reflecting the story of waves of settlement in the City of Maribyrnong for the future generations.

Outline any changes (if any) you would like made to Amendment C172

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Your City Your Voice

4/3/22

Objection

47 Napoleon Street
West Footscray

State the reasons why you support or oppose Amendment C172

- Blanket heritage overlay does not consider the houses already developed.
- lack of community input and communication.
- types and qualities of houses in overlay are inconsistent
- understanding that the overlay will have significant negative impact to median house prices

Outline any changes (if any) you would like made to Amendment C172

- House evaluation based on period, type and quality. Case by case.
- Need to give community property owners transparent communication.

Your City Your Voice

4/3/22

Seeks changes

██████████
46 Napoleon Street
West Footscray

State the reasons why you support or oppose Amendment C172

Seek changes

Outline any changes (if any) you would like made to Amendment C172

The restrictions on extensions seem too onerous and not needed. Extensions should be allowed if they are a set distance from the front fence and are clearly different in style to highlight the original house.

Solar panels should be encouraged so a permit exception should be allowed for all installs on side facing roofs. Agree front facing roof installs should be discouraged.

No.23

Your City Your Voice

Submission No. 23

4/3/22

Objection

8 Sredna Street
West Footscray

State the reasons why you support or oppose Amendment C172

Half of the houses in this street are unlivable and require extensive work to bring that will financially cripple anyone wanting to use them as an investment or to live in. decisions like this are always made without our approval only based on what the lgc wants to do.

Outline any changes (if any) you would like made to Amendment C172

Your City Your Voice

Submission No. 24

5/3/22

Objection

15 Sredna Street
West Footscray

State the reasons why you support or oppose Amendment C172

Hello Council,

I would like oppose this proposal due to following reasons,

1. Sredna street traffic includes heavy trucks and over last [REDACTED] the traffic has increased exponentially which creates a grid lock over peak times. Also Sredna street is a one way which makes worse from traffic perspective for the area. The heavy traffic also has expanded now at the intersection of south road, sunshine road and Sredna st due to population growth over the years.
2. Most of the houses have been worn down in the area require rebuild of the houses. As the property are on a one way traffic with heavy traffic reconstructing a house also becomes not feasible due to heavy traffic and no street space to park vehicles.
3. From a heritage point of view , council already approved 10 houses to be completely demolished and rebuild on the same street. This creates an unfair disadvantage on other property owners in the street.
4. [REDACTED] it was delayed for one year even though there was no heritage overlay.
5. This overlay reduces the value of all he houses affected and also add additional costs when the owners require to rebuild the house as heritage consultant need to be engaged which costs upto \$10K.

Outline any changes (if any) you would like made to Amendment C172

1. Requesting proposal on how sredna street can be expanded to a two way street or stop heavy traffic in sredna street.
2. How is council compensating current owners with value decrease of the property as it will hard to sell the property and also construction costs will be high?

No.25

Your City Your Voice

5/3/22

Objection

West Footscray

State the reasons why you support or oppose Amendment C172

Rejection of positive changes and modifications to homes.

Expensive repair costs imposed on households.

Exacerbate shortage of suitable family homes as 2 bedroom houses within overlay cannot be expanded.

Energy inefficient homes can't be upgraded exacerbating climate changes.

Financial and emotional burden on households.

2018 survey this was based on was from a limited no.of respondents across the many thousands in the municipality.

Outline any changes (if any) you would like made to Amendment C172

Support building heights controls.

No.26

Your City Your Voice

Submission No. 26

5/3/22

Objection

[REDACTED]
62 Summerhill Road
West Footscray

State the reasons why you support or oppose Amendment C172

Because it affects the price of the house and also affects [REDACTED]

Outline any changes (if any) you would like made to Amendment C172

Doesn't concern me.

Type text here

No.27

Your City Your Voice

5/3/22

Support

West Footscray

State the reasons why you support or oppose Amendment C172

Don't want to see our history lost

Outline any changes (if any) you would like made to Amendment C172

Your City Your Voice

Submission No. 28

6/3/22

Support

2 Berthandra Court
West Footscray

State the reasons why you support or oppose Amendment C172

I support this [redacted] in Berthandra Court, West Footscray which is unique in the fact that all of the houses are still original from when they were initially built in the 1950s/60s. I find most streets have had some development over the years [redacted] is relatively untouched and I think it is important to let us remain as such to retain a glimpse of past architecture. [redacted] numbers 11 and 12 were being advertised to be sold as a development site to be demolished together for building new apartments. I'm glad the heritage protection has been brought in prior to them being sold as they already back onto Rupert St which is full of apartment blocks with empty dwellings. I don't think the area needs any further units or apartments built as there are so many already that could be tidied up and improved so people want to live there rather than just ignoring these and building more. The 699-703 Barkly St building is a disappointing example of the area getting new apartments that are so awful in quality we are currently witnessing sections be removed and replaced as they have already deteriorated. There are currently multiple for sale/lease signs out the front which shows we may not need more apartments built, we just need to ensure that what we have currently is livable/desirable to people wanting to live in West Footscray. [redacted] the houses from the mid century and believe that we should look to conserve them just as much as we have been protecting older homes from the early 1900s as if we allow them all to be removed eventually what makes West Footscray so appealing will be lost.

Outline any changes (if any) you would like made to Amendment C172

Your City Your Voice

6/3/22

Support

19 Gwelo Street
West Footscray

State the reasons why you support or oppose Amendment C172

I value the post war architecture in gwelo st (and surround streets). It is important that these houses are preserved and remain for years to come and do not get demolished for townhouses like some have in recent years.

Outline any changes (if any) you would like made to Amendment C172

I understand that such policy may result in limitations to solar panel positioning (I.e panels cannot be visible from the street etc). environmental policy needs to be held equal to heritage policy. I would hate to see heritage policy deterring residents from installing solar because they cannot find a suitable/ hidden location for their panels.

Your City Your Voice

Submission No. 30

7/3/22

Objection

West Footscray

State the reasons why you support or oppose Amendment C172

No beneficial impact – Too little too late

Maribyrnong council has for years pursued the development of significant numbers of medium density properties within the precinct that it now proposes implementing a heritage overlay. Countless post-war and interwar houses have been torn down and replaced with units, apartments, townhouses, and modern buildings. This amendment will make no significant beneficial impact on the continued development and removal of other similar properties within West Footscray that are not covered by the overlay.

Ignores significant numbers of other architecturally similar homes.

The heritage areas are very small, made up of multiple architectural types, and do not provide any protection against inappropriate development across the rest of the suburb.

Precinct delineations are non sensical

The precincts as defined in the study have specific descriptions of their significance, however when looking at the precincts it is hard to justify that ONLY those houses within the precinct are significant in accordance with the definition. For example, the study claims the precinct of Bottomley's paddock has the following significance:

"The precinct's streets of Inter-war and Post-war houses are significant for marking the important phase in Footscray's history when the suburb was fuelled by waves of industrial expansion, population growth, migration and a subsequent boom in residential construction."

This statement could be applied to vast swathes of West Footscray and cannot justify the overlay of one particular row of houses.

Variety cannot be a defining architectural characteristic

Further, the study justifies Bottomley's Paddock as being significant for the following reason:

"Bottomley's Paddock Inter-war and Post-war Residential Precinct is aesthetically distinctive for the visual qualities of its streetscapes of bungalow style houses which is expressed in their setting and unity, scale, variety, texture, fabric and form complemented by nature strips and street trees. (Criterion E)"

The above statement is contradictory. How can houses have unity, and variety. The study shows that there can be no definition of a singular style or definition of significance.

Criterion and Thresholds are vague and non-selective

The Criterion used in the study to select properties and precincts are vague and tenuous. When one researches many properties within West Footscray, the Criterion could be applied to justify new overlays and precincts. There is insufficient justification in this study for the implementation of this overlay.

Example: Continuity Threshold

"A house from a later period in a mixed streetscape, (rather than in a homogenous streetscape) with a range of styles of housing stock from different periods, may be part of a continuity of development of housing types. A single Victorian house in a precinct of Inter-war places may be considered contributory, because it illustrates an earlier history, and evolution of the place."

When using the above threshold, one may argue that ALL of West Footscray should be incorporated in the overlay. The suburb has no defined or common streetscape or architecture, and has and continues to evolve as development continues.

Unfairly penalises Maribyrnong council residents

This overlay as defined will significantly penalise those who have bought into an area now defined as a precinct in the overlay. If applied more holistically, this would not be an issue, but have an overlay on your property, when your neighbour who has an architecturally similar property does not, unfairly penalises the owner.

Random Selection of properties – ignoring properties that should be included

Bottomleys Paddock precinct as defined in the study, is spread over a significant area of West Footscray, but appears to selectively contain properties on certain streets, ignoring neighbouring properties that are of the same architecture and proposed significance. For example ■ Stanhope Street West Footscray (and many of its neighbouring properties on Stanhope Street), is architecturally identical to its neighbouring properties on Palmerston Street, however no properties on Stanhope street have been included in the overlay at all. Why is it that properties on one street are more significant than properties immediately next to them, but with a different street address? It makes no sense.

Outline any changes (if any) you would like made to Amendment C172

The overlay would need to apply to ALL properties from the selected period, and development of neighbouring properties limited (i.e. stop approving townhouses and units next to post-war heritage overlay houses). Alternatively the overlay should not exist.

Your City Your Voice

Submission No. 31

7/3/22

Objection



State the reasons why you support or oppose Amendment C172

I oppose the amendment C172 because

- The area around Duke Street has been the subject of substantial development and there is an eclectic mix of housing that has changed the character of the area substantially. Developers have filled the area with higher density modern housing and the few homes that are left (including [REDACTED] 14 Duke Street) do not really lend the street any discernible character. As an example, there is a house of mansion like proportions on [REDACTED] and a medium density modern townhouses on [REDACTED]. It is simply too late to try and apply this overlay when the area has been substantially developed.
- [REDACTED] along with a number of other homes on Duke Street are in poor state of repair. The overlay will make it more difficult and expensive for these properties to be maintained resulting a deterioration of street scape.
- 2 Duke Street is also in similarly poor condition and the street scape would be better served by existing zoning which would not hinder appropriate development.
- Property owners will also be affected through a devaluation property value. Given the very few houses that being proposed in the overlay, this is quite an unfair outcome relative to the hundreds of properties that have been allowed to be redeveloped over the last decade.

Outline any changes (if any) you would like made to Amendment C172

--

Your City Your Voice

7/3/22

Support

<div></div> <div></div> <div>West Footscray</div>

State the reasons why you support or oppose Amendment C172
I want to keep the history of the area and not turn it into another Point Cook. I love the mix of houses from the past generations
Outline any changes (if any) you would like made to Amendment C172

Your City Your Voice

8/3/22

Seek changes

West Footscray

State the reasons why you support or oppose Amendment C172

Whilst I support broadly maintaining the character of the area any Heritage overlays need to allow residents to make modifications such as adding solar panels, thermal upgrades etc and not unnecessarily burden existing owners with unfair costs and restrictions. Given the majority of houses are poorly constructed focus should be on the retention and upgrade of these dwellings to ensure their thermal efficiency to address issues such as climate change and energy costs.

Outline any changes (if any) you would like made to Amendment C172

Any amendment needs to address inappropriate townhouse development and the poor design quality of said developments not penalise existing house owners.

Your City Your Voice

Submission No. 34

8/3/22

Objection

54 Gwelo Street
West Footscray

State the reasons why you support or oppose Amendment C172

I oppose this amendment for many reasons.

There is no comprehensive assessment of the environmental, social and economic costs vs benefits. I and others have identified a number of significant costs, including but not limited to:

- Limiting access to solar power, electric vehicle charging, thermal efficient windows, and other vital sustainability upgrades impacting on the environmental goals of residents and the Council
- Short and long term financial costs, including loss of access to rooftop solar and associated power costs for years to come, higher heating and cooling costs, more expensive maintenance costs and sunk costs associated with planned changes that cannot now proceed
- Significant risks to the availability of social and affordable housing
- Significant impacts on residents who cannot afford to maintain their homes to the rigorous standards applied, including not being able to afford heritage materials or being able to restore rather than demolish a chimney (many are in poor and even dangerous condition). This will have the effect of driving people out of the area, lowering socio-economic diversity and turning the heritage overlay into a tool for gentrification

It is my view that no major change to policy or law should be made without comprehensive impact assessments, and lacking these this change should not proceed.

I note that no consultation or assessment has been made regarding the impacts on residents with disabilities. While the amendment allows a permit exemption for residential ramps, there are many and varied adaptations people will wish to make to ensure their homes are accessible and safe. Forcing people to fight through extra layers of planning bureaucracy to make these changes is discriminatory, especially since the scheme introduces a bias against granting permits.

The restrictions placed on what residents may do with their homes are arbitrary and in some cases petty. For example, restricting the type of fence one may have and stopping people installing driveways.

There is no evidence that allowing people to adapt and improve their homes is incompatible with preserving architectural heritage, since those who will invest in improvements will ensure the essential architectural value of their home is preserved. What is being promoted is not heritage, but rather a merely aesthetic preference for an artificial "authenticity" in streetscape at odds with actual, living neighbourhood character.

There is no robust guarantee that existing houses will not be demolished. Unless developers are obliged to restore period dwellings they have allowed to fall into serious disrepair they will engage in widespread "demolition by neglect" regardless of the heritage overlay, which overvalues some aesthetic claims but not the preservation of actual buildings.

There is no robust evidence that residents want a heritage overlay as such, as opposed to other measures to preserve neighbourhood character and manage development. Absent this evidence there is also no evidence of the benefits to residents of the amendment, especially since comprehensive assessments of net benefits have not been completed.

Lastly, I am appalled at the lack of consideration shown by Council for the substantial impacts imposed on residents, whose interests the Council is surely supposed to protect. I oppose the change in part simply because I want a better process before anything like this is attempted again.

Outline any changes (if any) you would like made to Amendment C172

I oppose the amendment and want it withdrawn entirely.

However the proposal to rezone areas [REDACTED] to Neighbourhood Residential is a positive idea in isolation from the Heritage overlay. I strongly support separating these changes and implementing the rezoning.

If the council and panel do not accept the global nature of the problems with the Heritage overlay, then I urge them to at least:

- Provide a comprehensive set of flexible permit exemptions for any change required by disabled people so they don't have to fight against this bureaucracy for their own liveability
- Ensure that all environmental upgrades to homes are permit exempt
- Since the value being preserved is merely aesthetic, allow for home improvements and maintenance using modern materials if they resemble heritage materials

Your City Your Voice

Submission No. 35

8/3/22

Objection

10 Duke Street
West Footscray

State the reasons why you support or oppose Amendment C172

[REDACTED] this property listed as being contributory. I [REDACTED] have made many required changes to add to the quality of [REDACTED]. I do not see how [REDACTED] was chosen as a heritage listed [REDACTED] windows that were timber are now aluminium because of leakage and wood wrought. Over the years the weather boards have been covered with vinyl cladding to cut down maintenance costs. [REDACTED] which were cement and suffered water ingress, had to be replaced with new tiles.

I do not know where the heritage facades lie and how randomly was [REDACTED] chosen with the rest of the other 7 properties all listed as contributory. This street does not get much exposure to get this heritage listing.

[REDACTED] double storey town houses appear without the council being concerned about heritage facades that were displaced on [REDACTED] streets. [REDACTED] disadvantaged situation for no fault of ours by just preserving the beauty of [REDACTED] street. I am concerned that [REDACTED] devalued due to restriction being placed on certain construction and improvement requirements.

This imposes unreasonable prohibitive impacts to owners wanting to improve the neighbourhood. I am sure there are more reasonable solutions that need to be found. Hoping for some positive outcomes.

Outline any changes (if any) you would like made to Amendment C172

No.36

Your City Your Voice

9/3/22

Support

16 Molesworth Court
West Footscray

State the reasons why you support or oppose Amendment C172

Footscray is a cultural icon of Melbourne and Australia. Retaining the historical look and feel of the area is of critical importance. This proposal is important as it will help protect the area and ensure the sense of place we all feel here is retained. We must prevent Footscray being filled with soulless structures that transform the area into a gentrified Eastern suburb.

Outline any changes (if any) you would like made to Amendment C172

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Thursday, 10 March 2022 7:36:12 AM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

35 Napoleon St

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

This decision will make positive modifications to home's more difficult. It puts expensive repair costs on individuals and families. [REDACTED] old 1960s house and this decision [REDACTED] house more difficult to sell.

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From: [REDACTED]
To: [AmendmentC172](#)
Subject: Submission re Amendmentc172
Date: Thursday, 10 March 2022 1:32:22 PM

To whom it may concern

I would like to make a submission with the respect to the proposed heritage overlay in West Footscray [REDACTED]
[REDACTED]

[REDACTED] properties at 6 Rondell avenue and 14 Rondell Avenue West Footscray

In 2019 [REDACTED] a planning permit to build 3 units on the existing property at 6 Rondell Avenue West footscray PLT :1 TP:674231-V: 9114/F :237

These units are very modern and are almost completed.

They look nothing like the older buildings on the same land.

It would seem inappropriate to have heritage overlay for this address as the buildings are not the same style that this amendment is trying to preserve

It seems pointless and inconsistent to apply a heritage overlay to 6 Rondell avenue.

Furthermore, trying to preserve the character of the older buildings is difficult as the brick type is difficult to obtain and is not particularly attractive.

It seems that the aim of trying to preserve the character will meet practical difficulties as well as lack of appeal to future purchasers.

I would like to voice my objection to the proposed heritage overlay or in the alternative request an exemption for

6 Rondell Avenue West footscray

14 rondell Avenue West Footscray

Yours Faithfully

[REDACTED]

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Thursday, 10 March 2022 7:25:13 PM

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Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

[REDACTED] Maidstone

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

These houses are hideous. They are ugly, poorly designed, and lack any environmental performance. They need to be knocked down as soon as humanly possible and replaced with decent housing designed for modern needs and modern sustainability. They are not good examples of mid-century architecture, they are eyesores.

Outline any changes (if any) you would like made to Amendment C172

Just don't bother.

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From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Thursday, 10 March 2022 9:18:14 PM

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Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

51 Gwelo St, West footscray 3012

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

I don't believe this proposal is beneficial. It makes it harder for residents to make improvements to their home. This could leave properties in disrepair.

It makes environmental improvements difficult and more costly.

It doesn't prevent poor planning of new dwellings that are not in keeping with the post war dwellings, it'll just move them to different streets. These same issues just move a street away.

Residents should not need to have a permit to replace a rotten front fence.

The list goes on and on.

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From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Friday, 11 March 2022 3:46:14 AM

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Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

[REDACTED]

West Footscray

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Support

State the reasons why you support or oppose Amendment C172

We need to keep the old beautiful houses.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

From: [REDACTED]
To: [AmendmentC122](#)
Subject: Proposed heritage protection for 31 Sredna Street Tottenham
Date: Friday, 11 March 2022 2:56:03 PM
Attachments: [image3194da.JPG](#)
[image62cb53.PNG](#)
[image9977a5.PNG](#)
[image377fcd.PNG](#)
[image13aa1d.PNG](#)

Good afternoon, [REDACTED] [REDACTED] in relation to [REDACTED] property located at 31 Sredna Street Tottenham. [REDACTED] received documents stating the possible introduction of heritage protection in West Footscray and surrounding areas. [REDACTED] is opposed to this proposal on the basis that the street has been highly developed with new units, and double story houses. Furthermore [REDACTED] property has aluminium windows, and roller shutters, which makes it not very original to Post-war properties. [REDACTED] is concerned that listing [REDACTED] [REDACTED] as heritage it will affect the [REDACTED] [REDACTED] in the future, as the [REDACTED] will have to comply with certain building regulations. While [REDACTED] is aware of the importance of heritage as it adds character and distinctiveness [REDACTED] [REDACTED] [REDACTED] house does not have the heritage elements to a Post-war property. [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

Kind regards

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



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From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Friday, 11 March 2022 5:27:16 PM

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Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

[REDACTED] Yarraville

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Support

State the reasons why you support or oppose Amendment C172

I live/own on a street in Yarraville with a heritage overlay and I'm watching developers and home owners destroy houses by demolition all around us. I support any and all protections that allow these suburbs to retain their character and history.

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To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Friday, 11 March 2022 10:24:12 PM

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Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

45 Napoleon Street West Footscray

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

The heritage overlay has been applied in response to a community survey in 2018, in which only a small number of residents requested more controls to assist in maintaining the character of West Footscray and prevent the construction of inappropriately scaled developments e.g. town houses and units.

As confirmed by council, the 2018 survey that this policy aimed to address contained

just 85 responses and only 19 residents attended the related public information sessions. Of these responses, over 80% supported the draft neighbourhood plan without any new heritage overlays and of the twelve comments identified by council, just one mentioned a need for heritage controls. All five of the twelve comments objecting to the increased building heights were rejected by council.

Whilst the council has several tools that it can use to maintain the character of a suburb (including development overlays which are specifically designed to control the location and scale of construction projects) it has chosen to implement a heritage overlay at a precinct level, which unfortunately will have several unintended consequences that burden our community e.g.

1. failure to prevent inappropriately located townhouses - townhouses are an important inclusion in a suburb however, it's vital that townhouses are built in appropriate locations as they can have large impacts to neighbours with overlooking, overshadowing, and parking problems. This new overlay will have no impact on the number of townhouses built, as it doesn't change the supply and demand dynamics of the townhouse market and it is likely that townhouse developments will become even more common in areas outside the heritage overlay

2. rejection of positive changes and modification to homes - common upgrades to existing homes such as replacing front fences, enclosing a carport with a garage door, or building a veranda over the front door can become virtually impossible under this new overlay;

3. expensive repair costs imposed on individuals and families - Many of the houses in our suburb are aging poorly. In particular, leaking tiled roofs, shallow foundations and crumbling disused chimneys are becoming more and more common throughout the suburb. Some of the key fixes that will improve the longevity of these homes such as replacing tiles with lighter Colourbond are banned under this new overlay, forcing homeowners into much more expensive structural repairs;

4. exacerbating the shortage of suitable family homes - The census data shows an ever-increasing proportion of young families calling West Footscray home. This heritage overlay means that the renovations and extensions to homes will be more expensive, time consuming and generally will act as a disincentive for change. A large portion of the houses listed in the heritage overlay are 2-bedroom homes, often unsuitable for the needs of growing families, particularly with the recent working from home requirements

5. detrimental environmental impacts of maintaining energy inefficient buildings - the overlay in, many instances, prevents new solar panels visible from the street from being installed, significantly impacting the ability of West Footscray residents to harness sustainable forms of energy. Many of the houses in our suburb are aging poorly and aren't close to meeting modern day building standards. Upgrading these homes to meet current best practice for energy efficiency can be difficult enough without the additional

restrictions of the heritage overlay. For many homeowners, the dream of an energy efficient home may become financially unviable with the additional restrictions of the heritage overlay in place. I have already seen examples in our neighbourhood where homeowners have been forced to abandon energy efficiency upgrades due to the additional costs

6. financial and emotional burden on individuals and families who have had the heritage overlay imposed without notice or adequate consultation - This policy impacts everyone differently. For some the costs of this change are non-existent, but for others the financial and emotional costs are life changing. Consider those homeowners who have been preparing plans for their dream home over a number of years only to now have their proposals rejected, their plans crushed by the heritage overlay. Consider any local residents who have recently purchased with the intention of extending or rejuvenating being forced to abandon these plans, unable to afford the cost that the additional restrictions invoke, losing their stamp duty and sometimes significant property value in the process. The implementation of this policy without notice or adequate consultation has is unfair and unjust, and the costs could be in excess of \$100k

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From: Communityvoice@westfootscray.vic.gov.au
 To: [Amendment C172](#)
 Subject: Submission Form - Amendment C172 Form Submission
 Date: Friday, 11 March 2022 11:28:40 PM

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Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

45 Napoleon Street, West Footscray, 3012

Email:

[REDACTED]

Business hours contact, Optional

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

The heritage overlay that has been implemented under amendment C172 has created several heritage overlay precincts in response to a community survey in 2018. As confirmed by council there was only 1 respondent who mentioned a need for heritage overlays and there were only 85 responses overall. Of these responses, over 80% supported the draft neighbourhood plan without any new heritage overlays.

Some of the rationale for the heritage overlay as stated in amendment C172 is to protect the aesthetic unity and quality of street scapes of Bottomley's Paddock precinct. [REDACTED] the Western end of Napoleon street, has very little aesthetic unity nor consistent theme or character and very little in the way of trees and pleasing street scape. In fact the percentage of houses that are contributory to the pre-war and post-war criteria for the overlay is significantly less than the 80% requirement that is stated in amendment C172. [REDACTED] street has 75 houses and 22 of these are new builds meaning only 70% meet the heritage criteria, and furthermore the western end of Napoleon St has 38 houses, 17 of which are new meaning just 55% of the houses meet the heritage criteria.

Amendment C172 also states there are no negative environmental impacts resulting from the heritage overlay however that ignores the fact that there are significant negative environmental impacts of running and maintaining energy inefficient buildings. The overlay, in many instances, prevents new solar panels visible from the street from being installed, significantly impacting the ability of West Footscray residents to harness sustainable forms of energy. [REDACTED] are aging poorly and aren't close to meeting modern day building standards. Upgrading these homes to meet current best practice for energy efficiency can be difficult enough without the additional restrictions of the heritage overlay. For many homeowners, the dream of an energy efficient home may become financially unviable with the additional restrictions of the heritage overlay in place. I have already seen examples [REDACTED] neighbourhood where homeowners have been forced to abandon energy efficiency upgrades due to the additional costs.

As mentioned, many of the houses [REDACTED] are aging poorly and aren't close to meeting modern day building standards and so maintaining or rejuvenating these becomes very expensive or difficult. For example, a number of the houses need to be re-levelled, and foundations replaced, wooden windows need to be replaced with aluminium, cracked and sloping exterior walls need to be done in line with the heritage character, leaking roofs cannot be replaced with modern efficient materials, and heating and cooling these poorly insulated homes becomes an expensive yearly cost for families.

Several families are now facing heavy financial and emotional burden because of having had the heritage overlay imposed without notice. Consider those homeowners who have been preparing plans for their dream home over many years only to now have their proposals rejected, their plans crushed by the heritage overlay. Consider any residents who have recently purchased with the intention of extending or rejuvenating their homes and now being forced to abandon these plans, unable to afford the cost that the additional restrictions invoke, losing their stamp duty and sometimes significant property value in the process. The implementation of this policy without notice or adequate consultation is unfair and unjust, and we know of instances where the additional costs are in excess of \$100k.

A large number of the community have expressed their objection to this amendment via the below survey.

https://www.change.org/p/maribymong-city-council-vic-delwp-objection-to-proposed-heritage-overlays-in-west-footsray?recruiter=056621111&utm_source=share_petition&utm_medium=facebook&utm_campaign=psf_combo_share_initia&recruited_by_id=9d56f330-6d85-11e9-b0a0-79422173ff81&utm_content=ff6-32420018-en-au%3A0

Outline any changes (if any) you would like made to Amendment C172

Remove Napoleon Street from the heritage overlay as there are only 70% of the houses are contributory (which is well below the 80% criteria).

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From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Saturday, 12 March 2022 8:50:45 AM

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Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

[REDACTED] Footscray 3011

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Support

State the reasons why you support or oppose Amendment C172

I will always support amendments that provide more heritage preservation and more protection for architecture and buildings of local significance.

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To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Saturday, 12 March 2022 9:50:12 AM

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Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

[REDACTED] West Footscray

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

There are other ways to protect heritage in the area which don't result in significant impacts and restrictions to property owners

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https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Sunday, 13 March 2022 12:09:14 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

[REDACTED]

West Footscray VIC 3012

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Support

State the reasons why you support or oppose Amendment C172

I am not fully across heritage laws, however I do like the move to maintain the look and feel of the area. Single floor dwellings for families are becoming increasingly scarce in favour of townhouses due to affordability. This creates problems for owners who have limited mobility.

Outline any changes (if any) you would like made to Amendment C172

Exemption for environmentally sustainable living such as inclusion of new solar panels on roofs that are visible from the street due to the orientation of the dwelling.

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From: [REDACTED]
To: [Amendment C172](#)
Cc: [REDACTED]
Subject: Re: New heritage protections in West Footscray - consultations
Date: Sunday, 13 March 2022 4:19:34 PM
Attachments: [image002.jpg](#)

[REDACTED]

Thank you for the reply and invitation to discuss.

A few issues I would like to raise -

By not providing an opportunity to hear community views, the consultation process is flawed

It's a cop out for the council not to do a community meeting to facilitate a discussion of the proposed changes. It's important that members of the public can hear views from others in the community, not just the council's take.

I appreciate that COVID complicates things, but public meetings are now allowed under health rules and zoom is always a back up.

The way consultation is currently structured undermines the legitimacy and transparency of the process. It feels like a divide and conquer tactic designed to force all discussions into a bilateral channel where council have more power.

I've spoken with neighbours and people who live in impacted streets and many are extremely stressed due to the uncertainty, lack of transparency and likely significant financial impact.

Local views and experiences should be heard and considered by the council and the broader community.

The overlay justification is poorly articulated and not persuasive. It fails to recognise that in protecting historic examples of affordable housing, the council is stopping working families and migrants right now from being able to access affordable housing

West Footscray has already become much more expensive in the last two years, pricing many people out of the market. In the areas under the new proposed HO, a free standing three bedroom house was approx \$1m in 2019, they are now trending towards \$1.5m+. Subdivisions and extensions to existing properties provide options for residents and ensure working people are not priced out of the suburb.

The happy but tone deaf narrative of the consultation page talks about preserving these houses and streetscapes because they represent the aspiration of interwar "average working Australians and newly arrived migrants". But in proposing this confusingly scoped, strict and poorly articulated heritage overlay, the council is stopping working Australians and migrants **right now** from buying, building or renovating their family home.

Turnover can be a good thing. [REDACTED] An old rundown house on a big block was torn down and replaced with 4 townhouses which are stylish and have a high environmental rating. [REDACTED]

[REDACTED] Planning rules need to allow for some turnover and subdivisions - it's the only way Melbourne can absorb it's growing population.

What benefit cost analysis has been done of this overlay and rules? Does council know how this will impact housing affordability and diversity in the area?

The proposed HO is overly restrictive and blocks reasonable changes from being made to old, often poorly designed or maintained homes

Some of the homes impacted by the overlay are near the end of their useful life, poorly maintained due to elderly owners or absent landlords, or require significant renovation or changes to be suitable for modern living. The proposed HO could also block homeowners from making changes to their properties which respond to climate change or improve environmental sustainability. It prevents innovation in living arrangements, which could enable people to age in place or have intergenerational households.

I appreciate and support ensuring that the suburbs history isn't ripped out and replaced by poorly built and ugly and cramped homes. However, the strict proposals on the table blocks reasonable changes to homes, hampers innovation and adds an unreasonable additional cost to homeowners to rectify genuine issues.

Any HO put in place should not have an 'all 4 walls' approach and should allow for reasonable back and side extensions. Exemptions should be made for works which are improving sustainability or reducing environmental impact.

In a controlled manner, some houses should be able to be demolished if they are in poor condition to allow for reasonable turnover in stock and new, innovative housing options.

Council should focus on putting reasonable design, aesthetic and environmental requirements in place for changes rather than freezing some blocks in time.

I look forward to your response.

Kind regards



West Footscray

On Fri, 4 Mar 2022, 9:09 am AmendmentC172,
<AmendmentC172@maribyrnong.vic.gov.au> wrote:



Thanks for your enquiry regarding Amendment C172 and the Heritage Overlay.

When Council officers developed our engagement plan, there was uncertainty on the ability to meet in larger groups due to Covid restrictions. As a result, no specific drop in information session have been proposed.

Council officers are available to discuss the amendment in person at the Footscray Town Hall, over the phone or via zoom. If you'd like to discuss the changes after hours over the phone or via zoom I'd be happy to arrange a day and time.

[REDACTED]

[REDACTED]

[REDACTED]

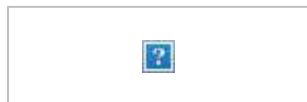
[REDACTED]

Maribyrnong City Council, 61 Napier Street Footscray

PO Box 58, West Footscray VIC 3012

[REDACTED]

www.maribyrnong.vic.gov.au



Due to social distancing and density requirements, Council is operating with reduced staff onsite at the Footscray Town Hall. While Council's Customer Service Desk is open to the public, meetings will generally be conducted online until further notice. Should you wish to meet; please email/call to arrange an appointment. Staff may not be working standard business hours. If I'm sending this message outside of normal business hours it's because it suits me. There is no expectation that you will respond outside your working hours.

From: [REDACTED]

Sent: Thursday, 3 March 2022 12:00 AM

To: AmendmentC172 <AmendmentC172@maribyrnong.vic.gov.au>

Cc: [REDACTED]

Subject: New heritage protections in West Footscray - consultations

Good evening

I'm interested in the new heritage protections in West Footscray consultation underway.

Will there be any town hall or other in person public forums to discuss the council's proposal?

This is an important issue and I would be interested in the opportunity to hear both council and community views presented.

Regards



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Please consider the environment before printing this e-mail

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Sunday, 13 March 2022 10:02:16 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

[REDACTED]

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

I think you've left your run a little late! The streetscape of many areas have been ruined by ugly developments. I worry that the heritage overlay will place an unfair burden for home owners to spend a lot of money trying to keep their old homes in a reasonable condition and Council will enforce unfair regulations.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Monday, 14 March 2022 10:07:12 AM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

[REDACTED] West Footscray 3012

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Support

State the reasons why you support or oppose Amendment C172

I support the Amendment as the suburb will lose the architectural diversity (and often big blocks) that has been one of the many attractions to potential purchasers and residents in the suburb. It will also impede the overdevelopment of townhouses that do not often allow enough space for a garden.

To view all of this form's submissions, visit

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From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Monday, 14 March 2022 2:19:11 PM

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Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

[REDACTED]

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Support

State the reasons why you support or oppose Amendment C172

I prefer to renovate period property keeping the original houses.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

From: Communityengagement@maribyrnong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Tuesday, 15 March 2022 1:30:13 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

[REDACTED] footscray 3011

Email:

[REDACTED]

Do you support or oppose Amendment C172?

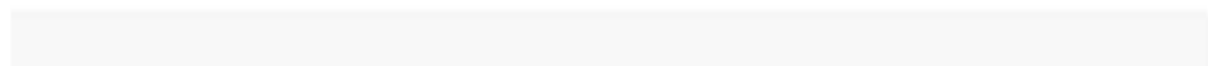
Support

State the reasons why you support or oppose Amendment C172

Cultural heritage is very important and necessary for future inhabitants of the city of Maribyrnong know the roots and progression of the buildings in the area. We have lost too much already.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372



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From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Tuesday, 15 March 2022 7:23:12 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

31 Gwelo Street, West Footscray

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

I object to the proposed heritage precincts. In particular, I object to the HO217 [REDACTED] [REDACTED] of the precinct. These houses are not exemplary buildings in terms of workmanship or quality in any way, are not architecturally significant with respect to a particular period and do not have any cultural significance. These houses were not high quality buildings when they were constructed, but against modern building codes they are extremely inadequate with respect to energy efficiency and will only require further intervention later this year when 7 stars becomes the new norm.

Furthermore; the vast majority of the stock that could be classified as being a period

dwelling within the heritage precinct, have already been modified or bastardised during the 70's and 80's (original sash windows replaced with poor quality aluminium frames, disused chimneys lopped, weatherboards clad over with aluminium or brick faux cladding, terracotta roof tiles replaced with concrete tiles, lean to carports built, paint colours to name a few), further diluting what, if any character, these buildings collectively possess.

Then; like now, the suburb is made up of working families and hindering the ability of residents to create well performing, comfortable homes would be unwelcome.

Outline any changes (if any) you would like made to Amendment C172

Instead of memorialising a forgettable architectural past, I would much prefer Council focused on advancing the future and look to develop and [REDACTED] character and streetscapes through significant tree planting. Instead of small to medium trees that are dispersed between power poles, Council should consider under-grounding the power so large significant avenues could be planted. This would do more for the neighbourhood character in the West than anything in the private realm could and would also help to reduce the heat island effect and offset our carbon footprint. I'd also suggest improving our green-spaces and providing regular maintenance of footpaths and roads would also be significant in terms of elevating the public realm.

To view all of this form's submissions, visit

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From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Tuesday, 15 March 2022 7:26:14 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

31 Gwelo Street, West Footscray

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

I object to the proposed heritage precincts. In particular, I object to the HO217 [REDACTED] [REDACTED] of the precinct. These houses are not exemplary buildings in terms of workmanship or quality in any way, are not architecturally significant with respect to a particular period and do not have any cultural significance. These houses were not high quality buildings when they were constructed, but against modern building codes they are extremely inadequate with respect to energy efficiency and will only require further intervention later this year when 7 stars becomes the new norm.

Furthermore; the vast majority of the stock that could be classified as being a period

dwelling within the heritage precinct, have already been modified or bastardised during the 70's and 80's (original sash windows replaced with poor quality aluminium frames, disused chimneys lopped, weatherboards clad over with aluminium or brick faux cladding, terracotta roof tiles replaced with concrete tiles, lean to carports built, paint colours to name a few), further diluting what, if any character, these buildings collectively possess.

Then; like now, the suburb is made up of working families and hindering the ability of residents to create well performing, comfortable homes would be unwelcome. Instead of memorialising a forgettable architectural past, I would much prefer Council focused on advancing the future and look to develop and generate our neighbour character and streetscapes through significant tree planting.

Outline any changes (if any) you would like made to Amendment C172

Instead of memorialising a forgettable architectural past, I would much prefer Council focused on advancing the future and look to develop and [REDACTED] character and streetscapes through significant tree planting. Instead of small to medium trees that are dispersed between power poles, Council should consider under-grounding the power so large significant avenues could be planted. This would do more for the neighbourhood character in the West than anything in the private realm could and would also help to reduce the heat island effect and offset our carbon footprint. I'd also suggest improving our green-spaces and providing regular maintenance of footpaths and roads would also be significant in terms of elevating the public realm.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Tuesday, 15 March 2022 9:25:15 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

23 First Street, West Footscray VIC 3012

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

Hello towards whom this may concern,

I hope you are doing well.

I have written this statement to oppose Amendment C172. I believe the property on this land do not hold the value or significance that post-war architecture should. This

property have been through many physical changes from outside and inside the property. The interior has been renovated multiple times through the living rooming, kitchen and bathroom. The exterior has also went through many physical changes. [REDACTED]

[REDACTED] The fence and doors have been replaced and is not reminiscent or significant as the previous fence/door.

To treat this property as a historical and significant landmark is not honouring or respecting the architects or people who built it [REDACTED] without ever letting any individual/s who resides in this house have the freedom to make their home feel like their own but most importantly safe and secure, free from the burdens of the past.

Please do not hold this property to the memory/shell of it's formal self but a symbol of what a hopefully Australian can build and create as their own home.

Kind Regards,

Outline any changes (if any) you would like made to Amendment C172

The change what i would like to make to Amendment C172 is to remove this property and any property/s that do not uphold the definitions of a significant landmark/property.

Kind Regards,

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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Maribyrnong Planning Scheme Amendment C172

Dear Sir/Madam

[REDACTED] proposed precincts in West Footscray where Council is proposing to implement the *West Footscray Inter-war and Post-war Heritage Precinct Study 2021* by making changes to the *Maribyrnong Planning Scheme* through a *Planning Scheme Amendment* (Amendment C172).

It is understood the heritage overlay has been implemented over eight separate precincts within West Footscray impacting over 900 homes.

It is understood this overlay has been applied in response to a community survey in 2018 in which a small number of residents requested more control to assist in maintaining character of West Footscray and prevent the construction of inappropriately scaled developments.

We make this submission to Council outlining our concerns with this policy as are others in affected precincts and throughout West Footscray.

It is understood Council has several tools that it can use to maintain the character of a suburb (including development overlays which are specifically designed to control the location and scale of construction projects), yet it has chosen to implement a heritage overlay.

This heritage overlay poses consequences such as rejection of positive changes and modifications to homes, expensive repair costs imposed on home owners, detrimental environmental impacts of maintaining energy inefficient buildings. Financial and emotional burden on home owners who have had the heritage overlay imposed without notice or adequate consultation.

Council confirmed the 2018 survey contained just 85 responses and only 19 residents attended the related public information sessions. Of these responses over 80% supported the neighbourhood plan WITHOUT any

new heritage overlays and of the 12 built form comment identified by Council just 1 mentioned a need for heritage controls.

Common upgrades to existing homes such as replacing fences, enclosing a carport with a garage door or building a veranda over the front door will virtually become impossible under this new overlay. [REDACTED] rotting wood which eventually needs to be replaced yet this overlay prevents such changes from the front. Changes which make front yards more useable are essentially banned under this overlay and given front yards are a key piece of social infrastructure where we interact with [REDACTED] the inability to improve them will be a major negative outcome for our community.

[REDACTED] [REDACTED]. In particular rotting wood, leaking tile roofs, shallow foundations and crumbling disused chimneys are becoming more common throughout the suburb. Some of the key fixes that will improve the longevity of these homes, for example replacing tiles with lighter Colourbond are banned under this new overlay, forcing homeowners including us into much more expensive structural repairs. [REDACTED] these repairs will be too expensive delaying these vital repairs and may potentially exacerbate future costs.

It is vital that housing is flexible and meets the evolving needs [REDACTED] [REDACTED] Unfortunately, this heritage overlay may have the opposite effect making extensions in smaller homes more expensive and time consuming and generally acting as a disincentive for change. Smaller homes listed in the heritage overlay are unsuitable for the needs of growing families, particularly with the recent working from home requirements.

The overlay may also in many instances prevent new solar panels visible from the street from being installed significantly impacting the ability of West Footscray residents to harness sustainable forms of energy. As mentioned, many of the houses [REDACTED] are aging poorly and are not close to meeting modern day building standards. Upgrading these homes to meet current best practice for energy efficiency can be difficult enough without the additional restrictions on the heritage overlay. For many homeowners the dream of an energy efficient home may become

financially unviable with additional restrictions of the heritage overlay in place.

This policy impacts everyone differently. For some the costs of change are non-existent but for others [REDACTED] financial and emotional costs are life changing. Homeowners with plans for a dream home over a number of years will now have proposals rejected and crushed by the heritage overlay. Local residents who have recently purchased with the intention of extending or rejuvenating being forced to abandon these plans, unable to afford the cost that the additional restrictions invoke, losing their stamp duty and sometimes significant property value in the process, [REDACTED]

The implementation of this policy without notice or adequate consultation has unjust and unfair consequences [REDACTED]
[REDACTED]

Thank you for your consideration.

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Wednesday, 16 March 2022 10:11:18 AM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

12 Stanley Street West Footscray

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

I oppose this amendment because it is too restrictive when it comes to renovating your home.

Just because something was built a certain way in the past doesn't mean it is best practice today.

We are now in a world where the environment is far more important than was

considered in the past and we need to be able to renovate [REDACTED] to get the best energy efficiency possible.

I'm all for preserving the streetscape and look of the old houses but there needs to be some compromise in regards to materials and even colours that can be used. [REDACTED] should not be restricted to a few certain heritage colours because [REDACTED] would look the same and would homogenise the neighbourhood.

Furthermore, it adds an astronomical amount of extra cost to an already costly exercise when renovating. With today's inflation rate rises, rising petrol costs, supply chain problems, builders and trades people shortages along with pandemic restrictions and subsequent job losses, it is more important than ever that we don't add extra costs to [REDACTED] stretched budgets. Also the resale value [REDACTED] will plummet because there are very few people who want to buy a house with plans to renovate in a heritage overlay because of the restrictive and extremely costly nature of it.

In closing, many of the homes around west footscray are in dire need of upgrading mainly due to the amount of young and growing families that have moved to the area in the past 10 years. Couple this with the need for more space because one or more parent needs to work from home due to the pandemic we find ourselves in a situation where nobody can afford to upgrade their homes because they simply can't afford to.

The maribyrnong city council needs to reconsider this proposal and have more consultation with the community.

Outline any changes (if any) you would like made to Amendment C172

1. Give home owners more choice in regards to materials used, colour choices and design.
2. [REDACTED] have to no pay thousands of dollars to a surveyor to get a permit to build a front fence. [REDACTED] just get planning approval from council so they can see the style of fence is appropriate for the style of house then [REDACTED] able to build it without paying a surveyor for a permit as long as it's under a certain height. As long as they are keeping the appropriate overall style of the house it will still enhance the streetscape and neighbourhood.
3. Stop letting developers bulldoze perfectly good houses just to put up 3 cheaply built, poorly designed townhouses that are built purely for maximising profits.

Thank you
[REDACTED]

To view all of this form's submissions, visit
https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Wednesday, 16 March 2022 12:55:12 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

27 Wellington Street West Footscray

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

The proposed amendment is a blunt tool being implemented under the guise of protecting important heritage features. Development should be managed to retain the low to moderate density living in West Footscray, and residents should be supported to retain their existing house as much as possible, but the amendments proposed by placing a heritage overlay on houses are so restrictive that you will have the opposite effect where the everyday family will not be able to afford to renovate their houses and only developers will be able to afford to build or change anything.

[REDACTED] the affected streets, and was not consulted prior to the temporary

heritage overlay being placed over my property which I find very disrespectful. [REDACTED]

[REDACTED] taken to a council meeting to seek a change [REDACTED]
[REDACTED] particularly one this significant.

[REDACTED] a renovation which would not have been approved under the existing overlays, as for example, [REDACTED]

[REDACTED]. Retaining existing period features is not always possible from a safety and practicality point of view. [REDACTED] add solar panels to improve the energy efficiency of [REDACTED] This completely contradicts council's own acknowledgement of the climate emergency and your own website which encourages the use of solar panels;
<https://www.maribymong.vic.gov.au/Residents/Our-environment/Your-sustainable-home-new>

[REDACTED] as well as provide a secure place [REDACTED]

[REDACTED] Again under the restrictions we are required to have low, open fences to allow [REDACTED] to be viewed from the street.

[REDACTED] I believe it will also affect property prices as it will cost more for people to meet the requirements when renovating/updating under the overlay and in turn people will choose to purchase elsewhere where they have full control. [REDACTED]
[REDACTED]

The heritage overlay does not reflect what the community want, though it would be impossible for you to determine this as you have not done any consultation before raming this through. There are many other planning controls that council can utilise to manage development in West Footscray, but I am sure they take more time, effort and resources to manage.

I oppose the temporary overlay becoming permanent and request council undertake some thorough consultation about how the neighbourhood values of the West Footscray community might be best managed and supported going forward.

Outline any changes (if any) you would like made to Amendment C172

Remove the proposed amendment and utilise other planning controls, such as limiting number of townhouse developments within each residential block.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Your City Your Voice.

From: [REDACTED]
To: [Amendment C172](#)
Cc: [REDACTED]
Subject: 169 Sunshine Road Tottenham - Public Overlay - Remove from Heritage Proposal
Date: Wednesday, 16 March 2022 5:00:18 PM

This Message Is From an External Sender

This message came from outside your organization.

Dear Strategic Planning Group

[REDACTED] 169 SUNSHINE ROAD TOTTENHAM ([REDACTED]).

I note that [REDACTED] has been listed as a contributory property under the proposed *West Footscray Inter-war and Post-war Heritage Precinct Study 2021* by making changes to the Maribymong Planning Scheme Amendment (Amendment C172).

[REDACTED] land within the proposed precinct I oppose the proposal on numerous grounds which will be outlined in full detail before the closing of submissions on 7 April 2022.

As a preliminary point I wish to advise Council [REDACTED] a Vic Roads Public Overlay and on this basis should be removed as a contributory property.

It is my understanding that Dempster street has the same overlay and thus half of the properties on Dempster Street have not been included as contributory properties. [REDACTED] has the same Vicroad overlay it seems untenable to impose the proposed overlay given the existing overlay.

Accordingly, [REDACTED] should not be listed as a contributory property and I kindly request that council remove [REDACTED] at the outset of this process to avoid the necessity of me filing full submissions in opposition to the proposal.

On 16 March 2022 [REDACTED] in your department and this was brought [REDACTED] [REDACTED] advised that his recommendation will be to remove [REDACTED] as a contributory property as it has a Public Vic Roads Overlay.

Please confirm that [REDACTED] will be removed as a contributory property as soon as practicable.

If I do not hear from Council I will proceed to prepare and file submissions in opposition to the proposal by 7 April 2022.

Kind regards

[REDACTED]
169 Sunshine Rd
Tottenham

phone contact - [REDACTED] or [REDACTED]

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Wednesday, 16 March 2022 5:02:18 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

[REDACTED] Footscray 3011

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Support

State the reasons why you support or oppose Amendment C172

- Protect the area's history

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Wednesday, 16 March 2022 6:43:20 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

7 Sredna St Tottenham 3012

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

May want to make changes to facade in future

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Wednesday, 16 March 2022 6:47:12 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

[REDACTED]

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

The post war houses have little value to the community, they are an eye saw and do not deserve a heritage overlay, sparking to the community many think like wise. What needs an overlay is the Federation, Edwardian, Art Deco houses.

Outline any changes (if any) you would like made to Amendment C172

Remove the heritage overlay for post war houses

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Your City Your Voice.

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Thursday, 17 March 2022 9:46:11 AM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

[REDACTED] West Footscray, VIC 3012

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Support

State the reasons why you support or oppose Amendment C172

VIC

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

From: [REDACTED]
To: [REDACTED]
Subject: Heritage issue.
Date: Thursday, 17 March 2022 10:21:21 AM

This Message Is From an External Sender

This message came from outside your organization.

Hi [REDACTED]

Firstly I would like to say thank you for making this as simple as you can for me.

[REDACTED] reject the idea or do not agree on the plan to heritage list [REDACTED] or surrounding area. It developments have already taken place around [REDACTED] and to place a plan to stop others from doing so is an infringement on ones lively hood to grow with a developing suburb. [REDACTED] developing next door and directly behind or property of 9 Hartley ave went unheard of. [REDACTED] next door, and recently behind us is an insult [REDACTED] to evolve with the already altered area. The area that should be preserved is north of Barkley St in the west Footscray, not below. Below is already too far gone.

Regards,

[REDACTED]

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Thursday, 17 March 2022 11:59:12 AM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

32 summerhill Rd west Footscray 3012

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

[REDACTED] house is too old and deconstructed. It's won't last for long

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Your City Your Voice.

From: [REDACTED]
To: [Amendment C172](#)
Subject: West Footscray Heritage Study (Amendment C172 - Permanent Controls)
Date: Thursday, 17 March 2022 1:11:16 PM

This Message Is From an External Sender

This message came from outside your organization.

Hello,

My name is [REDACTED] and I would like to formally oppose the heritage overlay proposals in West Footscray under Amendment C172 - Permanent Controls. I am a resident of West Footscray, although [REDACTED] is not directly impacted by the heritage overlays.

I am objecting to the proposal because I do not feel that these overlays offer any value to the community. Many of the buildings that are mentioned in the West Footscray section of the proposal are ugly, old, decrepit, and falling apart. They require significant uplift in order to be habitable in the long term, and heritage overlays only get in the way of progress. We're not talking about the Sistene Chapel here - old brick and weatherboard houses are a relic of their time, I do not see any keeping them around longer than they are needed.

As an example, the large Post-war Flats (c.1960-c.1970) that exist along Rupert St that face the train lines are incredibly ugly.

My suggestions:

- Embrace change. West Footscray is gentrifying, embrace it! Continue to create public infrastructure and spaces for the community to gather (not roads and car parks).
- Update our planning codes to encourage and require more Mixed Use development. Local businesses are the lifeblood of the community, encourage them!
- Require large residential developments to include mixed use infrastructure and shared spaces, to allow more cafes and restaurants to open up in West Footscray outside of Barkly St. There are dozens of empty blocks around Barkly St and West Footscray, many of which are in prime locations for new shops, cafes, bars, etc. Do something about these empty spaces rather than trying to hold onto the past.
- Focus your energy on increasing green spaces and planting trees around West Footscray, this will have a much greater impact on the liability of the suburb instead of forcing houses to stay the same.

We want walkable suburbs, with amenities that can be reached by foot and bicycle - not stagnation.

Thanks,

[REDACTED]

Phone [REDACTED]

E: [REDACTED]

Please consider the environment before printing this email.

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Thursday, 17 March 2022 1:19:12 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

76 Napoleon Street West Footscray

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Seek changes

State the reasons why you support or oppose Amendment C172

[REDACTED] a very basic and rundown house, that specifically did not contain any historical or desirable features, [REDACTED]

[REDACTED]

[REDACTED]

██████ a new house it will not contain any historical features and therefore should not be included in the heritage overlay. Since the report was undertaken in 2019/2020 many other houses in the street have also been rebuilt and for the same reason should not be included in the heritage overlay. I therefore oppose Amendment C172.

Outline any changes (if any) you would like made to Amendment C172

I would propose ██████ the west-end of ██████ or entire street are excluded from the Amendment C172. If this proposed change is approved I would then support Amendment C172, as there are a lot of historically beautiful houses in the area that are worth preserving. Hopefully one day we will be fortunate enough to live in one of them.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Your City Your Voice.

From: [REDACTED]
To: [Amendment C172](#)
Subject: Re: West Footscray Heritage Study (Amendment C172 - Permanent Controls)
Date: Thursday, 17 March 2022 1:36:59 PM

This Message Is From an External Sender

This message came from outside your organization.

I would like to clarify my email below that while I oppose the heritage overlay section of this proposal, I agree with the rezoning of the area to Neighbourhood Residential Zone and limiting buildings to 2 stories/9 metres.

[REDACTED]

Phone: [REDACTED]

[REDACTED]

Please consider the environment before printing this email.

On Thu, 17 Mar 2022 at 13:10, [REDACTED] <[REDACTED]> wrote:

Hello,

My name is [REDACTED] and I would like to formally oppose the heritage overlay proposals in West Footscray under Amendment C172 - Permanent Controls. I am a resident of West Footscray, although [REDACTED] is not directly impacted by the heritage overlays.

I am objecting to the proposal because I do not feel that these overlays offer any value to the community. Many of the buildings that are mentioned in the West Footscray section of the proposal are ugly, old, decrepit, and falling apart. They require significant uplift in order to be habitable in the long term, and heritage overlays only get in the way of progress. We're not talking about the Sistene Chapel here - old brick and weatherboard houses are a relic of their time, I do not see any keeping them around longer than they are needed.

As an example, the large Post-war Flats (c.1960-c.1970) that exist along Rupert St that face the train lines are incredibly ugly.

My suggestions:

- Embrace change. West Footscray is gentrifying, embrace it! Continue to create public infrastructure and spaces for the community to gather (not roads and car parks).
- Update our planning codes to encourage and require more Mixed Use development. Local businesses are the lifeblood of the community, encourage them!
- Require large residential developments to include mixed use infrastructure and shared spaces, to allow more cafes and restaurants to open up in West Footscray outside of Barkly St. There are dozens of empty blocks around Barkly St and West Footscray, many of which are in prime locations for new shops, cafes, bars, etc. Do something about these empty spaces rather than trying to hold onto the past.

Focus your energy on increasing green spaces and planting trees around West Footscray, this will have a much greater impact on the liability of the suburb instead of forcing houses to stay the same.

We want walkable suburbs, with amenities that can be reached by foot and bicycle - not stagnation.

Thanks,

[REDACTED]

Phone: [REDACTED]

E: [REDACTED]

Please consider the environment before printing this email.

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Thursday, 17 March 2022 11:16:14 PM

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Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

[REDACTED] Footscray

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

I oppose the Amendment due to the negative effects the heritage precincts would have on the availability of future affordable housing developments in the effected area. While the intention of the heritage listing is admirable, I'm worried that the restrictions that would result would prevent the construction of more affordable and sustainable medium density housing that our city needs.

West Footscray and associated areas of Footscray are excellent candidates for sensitive urban infill and the conversion of large blocks to medium density yet more affordable housing. Residents are well served by amenities, including public transport,

that can accommodate increases in population. [REDACTED]
[REDACTED] a handful of townhouses that I were constructed in what I assume was once the space used by old fashioned quarter acre blocks. Without the increased affordability of this smaller property [REDACTED] would not have been able to afford to live in the area. These smaller, more modern houses are also more sustainable and assist in fighting climate change.

The proposed precincts are very large. Surely the goal of heritage protection could be achieved while still curtailing the size of the precincts? Those precincts closer to public transport arteries like train lines (HO217) and Ballarat road (HO216) should in particular be reduced in size in order to better accommodate future population growth.

Outline any changes (if any) you would like made to Amendment C172

Reduce the size of each proposed precinct and the number of properties included. In particular those precincts closer to public transport arteries like train stations (HO217) and Ballarat road (HO216) should be reduced in size in order to better accommodate future population growth.

To view all of this form's submissions, visit
https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Your City Your Voice.

From: [REDACTED]
To: [Amendment C172](#)
Subject: Amendment C172 - Tottenham Heritage Precinct
Date: Friday, 18 March 2022 4:49:26 AM

This Message Is From an External Sender
This message came from outside your organization.

Dear Sir/Madam,

We are writing to oppose the imposition of heritage overlay on [REDACTED] 6 Sredna St, West Footscray.

We do not believe that [REDACTED] has any heritage significance feature that is worth preserving.

We request to remove the heritage overlay or contributory status on [REDACTED].

Regards
[REDACTED]

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Sunday, 20 March 2022 12:16:12 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

[REDACTED] West Footscray

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

I hereby formally oppose Amendment C172 due to a number of unintended consequences that could burden [REDACTED] and the community, these consequence include:

1. Failure to prevent inappropriately locate townhouses
2. Rejection of positive changes and modification to homes
3. Expensive repair costs imposed on individuals and families
4. Exacerbating the shortage of suitable family homes
5. Detrimental environmental impacts of maintaining energy inefficient buildings; and

6. Financial and emotional burden on individuals and families who have had the heritage overlay imposed without notice or adequate consultation

There are more appropriate solutions the council could consider to control the development or 'character' of a suburb such as a development overlay which are specifically designed to control the location and scale of construction projects.

I urge the council to reconsider the implementation of Amendment C172 and explore other solutions as this proposal is in breach of the 2018 survey where 80% supported the draft neighbourhood plan WITHOUT any heritage overlays.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Sunday, 20 March 2022 1:53:15 PM

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Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

28 Hope Street, West Footscray

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Support

State the reasons why you support or oppose Amendment C172

Hello planners

I am writing to support the proposed amendment C172 to preserve the character and colonised history of West Footscray.

I support renovations that respect the existing heritage values and limits to housing

growth to preserve character and values. [REDACTED] the proposal to knock down 24 Hope Street and add two townhouses to the tiny block. One of the arguments [REDACTED] made was that it would change the character of our well preserved street, and that this would be the first such development of the Hope, Barton, Stanley and View streets.

The developers are well and truly moving in to change our urban landscapes. While I support medium density housing on larger blocks of land to an extent, it would be a shame to lose all of the history of the garden suburb. [REDACTED]

The history of the origins [REDACTED] outlined in the report is really interesting and has got a [REDACTED] talking. The original "sale" of this land was devastating to read about but so important to include. I am so glad to see that the traditional owners of the uncaded land [REDACTED] were mentioned in the report and that I could learn more about it. For instance, that the Wurundjeri Woi Wurrung and Bunurong people called this area Kort boork boork (clumps of many she-oaks). [REDACTED]

I know this is not the purpose of this exercise but could you please let me know who I could speak with to find out which blocks in Hope St were built on in Hope St by 1928 as mentioned on p268?"By 1928, there were houses on eleven of its seventeen allotments. This was in marked comparison to Stanley Street, which had just two houses and 32 vacant allotments, and Harold/Barton Street with three houses and 31 vacant allotments. Hope Street was progressing with eight houses, but still had twenty-five vacant allotments."

I'm curious as [REDACTED] (28 Hope St) is the only one without a side driveway and has a few Edwardian characteristics so I'm assuming it was built in the earlier days of the estate.

Good luck with the next phase.

Outline any changes (if any) you would like made to Amendment C172

As for the exemptions to planning approvals for renovations, I would only encourage Council to add measures that allow for works that improve energy efficiency to homes - while also preserving the street facing heritage values and garden settings. I could imagine that this would include insulation of walls and double glazing of windows.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Your City Your Voice.

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Monday, 21 March 2022 9:57:14 AM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

4 First St

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

The implementation of this policy without notice or adequate consultation has so many unfair and unjust consequences.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Your City Your Voice.

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Monday, 21 March 2022 11:46:13 AM

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Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

[REDACTED]

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Support

State the reasons why you support or oppose Amendment C172

[REDACTED] Naismith St in Footscray for [REDACTED] years, it's a beautiful street and the houses should be encouraged to retain their heritage period and deter new developments. We need to protect our history

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Your City Your Voice.

From: [REDACTED]
 To: [Amendment C172](#)
 Subject: SUBMISSION TO AMENDMENT C172
 Date: Monday, 21 March 2022 12:13:15 PM
 Attachments: [Duke St - Units sites.png](#)

This Message Is From an External Sender

This message came from outside your organization.

[REDACTED] a property that has been listed and will be affected by the amendment you are putting forward.

I highly disagree with the amendment put forward and oppose the proposal for the following reasons,

1. [REDACTED] will be devalued when [REDACTED] due to the prohibitive rules that will be applied.
2. [REDACTED] many others in [REDACTED] are looking to make small updates [REDACTED] that may now require permits, council permission and extra cost no doubt unlike many of [REDACTED]
3. Some of the properties selected have been updated over the years and bear no resemblance to the original house that was built. Such as wood frame windows changed to aluminium, wood weatherboards changed to plastic, original roofs changed to tile. What premises or principles is the council using to select what house to apply the amendment too?
4. There are many streets surrounding Duke St that have "Post War Contributory" properties (like most of West Footscray) such as Glamis Rd, Roberts Rd and Wattle St that are not listed as part of this amendment. Why is this?
5. [REDACTED] and have seen numerous "Post War Contributory" homes demolished within a 250m [REDACTED] with obvious approval & permission to do so from the Maribyrnong Council. All the blocks highlighted on attached map as per your marked out Precinct HO212 have been approved for multiunit/townhouse developments and all but one in the last 8 years. Their address's are listed below.

- [REDACTED]
- 2 Duke St

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

These beautiful "Post War Contributory" homes worth preserving as you state, were replaced with multiunit/townhouse developments. In my opinion there have been too many built in such

a small area as shown on the map I have provided. I believe you the Maribyrnong Council have now realised what's been occurring and have decided to slow/stop this problem but it is way too little too late as the horse has already bolted. You now want to hold [REDACTED] accountable by applying these new amendments for your own planning issues that you have allowed to occur.

Once again, I would like to put forward that I firmly disagree with this amendment.

[REDACTED]

6 Duke St, West Footscray

[REDACTED]

No.76

304

Ormond R

37

38



From: Communityengagement@maribyrnong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Monday, 21 March 2022 7:14:13 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

[REDACTED] Yarraville

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Support

State the reasons why you support or oppose Amendment C172

Because the heritage character of the City of Maribyrnong and beyond is being eroded by inappropriate developments and subdivisions.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Monday, 21 March 2022 11:28:13 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

[REDACTED] FOOTSCRAY, 3011

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

I vehemently oppose Amendment C172 and do not want this introduced due to the following reasons:

1. It will devalue [REDACTED] because it will turn away potential prospective buyers once they learn that a heritage overlay is enforced
2. It will drive up the cost of maintenance and repairs to the property since any changes will be scrutinized and is subject to council approval i.e. more money to get approved even if it is to the benefit of the property
3. The proposal is not in the best interest of the people who live in the area. I was informed that 80% of the people supported the draft neighborhood plan WITHOUT any

new heritage overlays

4. There is absolutely NO BENEFIT to the owner occupier whatsoever. This is what the council want's not the people. Please stop pretending that it is something [REDACTED] If the council really wants to protect the heritage and home style like a museum, why doesn't the council pay for the maintenance and repairs? Then they can see how expensive it is to do so (and please don't agree to do this by funding it with rate increases as that money would be better spent elsewhere)
5. Everything has an expiration date. After a point in time, it is no longer economically viable to retain the look so rebuild is the only option and for the rebuild, why would you spend more money to build something that the council wants as opposed to something cheaper and benefits you since you will be paying 100% for the rebuild?
6. Homes are expensive and a long term investment. A mortgage is for 30 years and only after 15 years would the principle payment become greater than the interest. People buy "the ugliest house in the best street" with the long term view that they can one day build their ideal family home. Enforcing a HO now would effectively destroy these goals just for the sake of what the council wants, NOT THE PEOPLE!
7. Take the same example as above but think about it from an investment point of view. You buy the property with the long term view of rebuild to sell to fund your retirement. Different scenario but same conclusion, enforcing a HO now would effectively destroy these goals just for the sake of what the council wants, NOT THE PEOPLE!
8. The council has enough rules and regulations in place already to object any buildings that they see unfit already without the need of this amendment. Couple this with the fact that residents and neighbors can also object means that there are enough rules in place already without the need of this additional amendment
9. As you can see with the homes in the area, most people do the right thing so that their homes look similar but generally improve on it. Getting this done costs enough money already, especially in this current environment. [REDACTED] additional costs and delays by waiting to get approvals/inspections by the council or is the council going to provide this service free or charge (and again, please don't raise rates to cover these new expenditures if you do choose this option)
10. Lets be honest about this and call a spade a spade. This proposal is not about the people as it is clearly evident that this is not what the people want. Refer to this link as proof: <https://www.change.org/p/maribymong-city-council-vic-delwp-objection-to-proposed-heritage-overlays-in-west-footscray>. This smells like another revenue making scheme that will put more hardship on the residents at a time when families are already struggling with the high costs of living in todays current environment

To be blunt, this is a waste of time, effort and money. This is not what the community wants. The council should invest their efforts elsewhere such as improving childcare, schools and community facilities. Those are the things the community really needs and would appreciate.

Outline any changes (if any) you would like made to Amendment C172

Abolish the amendment and Heritage Overlay proposal altogether. We don't want it and we don't need it. Here is proof: <https://www.change.org/p/maribymong-city-council-vic->

delwp-objection-to-proposed-heritage-overlays-in-west-footscray

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Your City Your Voice.

From: [REDACTED]
To: [Amendment C172](#)
Subject: Amendment C172 submission
Date: Tuesday, 22 March 2022 8:52:20 AM

This Message Is From an External Sender

This message came from outside your organization.

Hi,

[REDACTED] 2 Berthandra Ct, West Footscray.

I fully support the proposed amendment C172. I believe that protecting the post/inter-war design and architecture is critical to upholding what makes West Footscray special.

Having protections for these sorts of buildings is something which always pays dividends down the track. Having people conserve the style and essence of the area leads to a greater sense of consistency and shared community.

Selfishly, I think the 2 story maximum height restriction in the overlay is also great. Too many of the taller buildings (like on Barkly St) are already showing degradation. Plus the lack of greenery is already making those areas extremely hot during Summer.

Cheers,

[REDACTED]

Sent with [ProtonMail](#) secure email.

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Tuesday, 22 March 2022 9:07:12 AM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

██████████

Residential Address:

5 Fontein St West Footscray

Email:

██

Business hours contact. Optional

████████████████████

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

1. Negative environmental impacts. The overlay prevents critical retrofits for energy efficiency such as rooftop solar panels on the side of the house facing the street. ██████████ North facing to the street meaning the only place ██████████ install solar panels is the south face - a most ineffective solution. Given the climate emergency, environmental considerations should come before heritage.

2. Many houses [REDACTED] south of the train line are in a very poor state of repair and look unsightly. The HO will make repairs cost prohibitive for many owners, meaning that the overall look and feel of the neighbourhood will decline with this HO, rather than improve. This seems to defeat the purpose of the HO.

3. The sudden imposition of this HO places huge financial burden on households. Many [REDACTED] have purchased a house in a very poor state of repair with the intention of extending/rejuvenating and will now be forced to abandon their plans and sell the house likely at reduced value because of the imposition of the HO. This imposition without warning is deeply unjust.

Outline any changes (if any) you would like made to Amendment C172

Provisions for changes that have a positive environmental impact: double glazed windows, solar panels, awnings.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Your City Your Voice.

From: [REDACTED]
To: [Amendment C172](#)
Subject: 62 Wellington ST, West Footscray
Date: Tuesday, 22 March 2022 12:58:55 PM

This Message Is From an External Sender
This message came from outside your organization.

Hi,

I am writing about the heritage overlay that's been placed on [REDACTED] 62 Wellington ST, West Footscray.

I totally disagree with that and couldn't accept it. [REDACTED] is very old, the weatherboard and wooden windows were rotten (including the front window and exterior weatherboard walls). [REDACTED] has a very small building area and a big land block. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED] afford to maintain an aging poorly building.

I really hope you can [REDACTED] to non-contributory property.


If a public meeting is held on the heritage overlay, please email me the date and time.

Thanks very much.

Regards

[REDACTED]

22 March 2022


Maribyrnong City Council
PO Box 58
West Footscray, VIC, 3012

Dear 

MARIBYRNONG PLANNING SCHEME AMENDMENT C172



Thank you for your letter regarding the implementation of the West Footscray Inter-war and Post war Heritage Precinct Study 2021 under Amendment C172 to the Maribyrnong Planning Scheme.

The proposed heritage precincts HO216 and part of HO217 (eg: properties within the eastern and south western parts of HO217) are located within the public notification area of major gas pipeline infrastructure.

The proposed rezoning of residential land for heritage purposes in these areas corresponds with ESV's objective of minimising community exposure to risk and consequence of pipeline failure as a result of land use change and development within proximity to licensed pipelines.

The rezoning of 39 Dempster Street West Footscray from the General Residential Zone to a Public Park and Recreation Zone reflects the existing use of the land for public open space which will not be a significant change of use in practical terms. Therefore ESV has no objection to it.

Yours sincerely



Gas and Pipeline Infrastructure Safety
Energy Safe Victoria

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Wednesday, 23 March 2022 11:15:14 AM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

11 Fontein street West Footscray 3012

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

I oppose the fact that council has seen fit to actually impose a BLANKET heritage overlay to the area, without any actual community consultation. As I understand there was a survey and a public information session attended by fewer than 20 residents, and about 85 responses to the survey.

I never received any information regarding these events back in 2018. [REDACTED] I heard about this plan [REDACTED] last December(2021)

██████ is part of this blanket heritage overlay. How is that possible considering that the only original external feature is a brick chimney?

Repairs to the property are always astronomical and in-affordable, consequently the property keeps deteriorating.

There are so many new buildings in the area that I really don't understand the council's decision.

As a council you have failed to prevent inappropriately located town houses being developed, denied positive changes that people try to make to their homes and now you are imposing even more hardship on owners by perpetuating even more expensive repair cost on the families living in the area. You are also ignoring the environmental impact of running and maintaining energy inefficient buildings, as well as the financial and emotional burden on individuals and families who have had the heritage overlay imposed without notice.

This policy is going to impact every individual and family living in the area. For some the costs of this change are non existent, but for others the financial and emotional costs will be life changing. You are crushing plans and dreams for many. You are in fact devaluing the properties in the area, you are stopping people from selling if they wish to do so.

Your intentions are good, but the change has not been given the proper consideration, there has been almost non existing consultation with the community and no consideration at all for the owners of properties that simply do not fit the heritage criteria. In my opinion this consultation page should have been up from the beginning to give residents a chance to express their opinions.

Outline any changes (if any) you would like made to Amendment C172

Council should consider individual properties rather than impose a blanket heritage overlay, especially when there has been indiscriminate building already. I applaud the fact that council is looking to honor a past member long gone, but the present, today is what counts. The families in the area are having a hard enough time without council adding to it. I believe that council is trying to move on this decision with little consideration. Is this good for the community?

I hope that the Councillors will see the light, they should try to put themselves in the situation that they have put this community and think about what they would have to say.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

From: [REDACTED]
To: [Amendment C172](#)
Subject: Opposing to heritage overlay
Date: Wednesday, 23 March 2022 12:33:23 PM

This Message Is From an External Sender
This message came from outside your organization.

From: [REDACTED]
79 Wellington St,
West Footscray, 3012.

To Maribyrnong city Council
Strategic Planning Amendment C172
Po Box 58, West Footscray Vic 3012

Dear Sir/Madam,

We would like to voice our thoughts over the rezoning and heritage overlay of West Footscray. We support rezoning, however We do not support heritage overlay over [REDACTED] as this will add a lot of burden [REDACTED] and the future generation, [REDACTED]

[REDACTED] as it is close to all amenities, [REDACTED], because it was zoned in a normal residential area, [REDACTED]. However, a heritage overlay will prevent this from happening.

[REDACTED] is old and is aging poorly, is already costing [REDACTED] maintain it. It doesn't have a charming and appealing facade. It doesn't have a chimney. It has roller shutters to aluminium windows. [REDACTED] contributing property to heritage, without any consultation, just [REDACTED] consistency in property set back. A heritage overlay will prevent [REDACTED] any modern changes to the house, especially having to source original design and materials for renovation. Upgrade [REDACTED] with future demands will be a headache, time consuming, and troublesome.

Not only an overlay will devalue [REDACTED], a major investment loss with no compensation, attract less buyers to the area. It does not add wealth to the street, with a mixture of new and old homes in close proximity, people will avoid buying old homes with a heritage overlay on it. This adds another burden [REDACTED] in the near future.

[REDACTED] is old, the facade lacking in charm and character. It is not owned by a famous person. It will not add any significant value to history and is not worth preserving. With

COVID 19, natural disasters, war and living costs on the significant increase. Everyone's life including yours is already difficult. [REDACTED] [REDACTED]

Please exclude [REDACTED] from heritage overlay.

Please feel free to contact me by replying to this Email if you would like to discuss this further.

Yours Sincerely,

[REDACTED]

Objection to proposed Heritage listing (West Footscray and surrounds Inter-war and Post-war Heritage precincts) AKA Planning Scheme Amendment C172

24 March 2022

I submit this formal submission objecting to the above proposal.

I note that this seems to have arisen from concerns from some residents seeking better Council planning approvals to improve the management, location and scale of double/multi-storey housing and growth of unit housing by developers.

However, imposing heritage listing as an aid to manage this imposes a different burden on our community and simply shifts these developments to neighbouring streets and will do so at higher rates. Unless council better manages the approval processes for multi-story houses and units, they will still overshadow surrounding houses and impact on parking (I note that all units have a parking garage built in but no occupier uses these to garage their car as the garage represents important living/storage space) so cars are parked in the street or a driveway if available.

██████████ it does not even help in this respect as the overlay does not apply to ██████████
██
██ A development overlay would have been a far superior tool for Council to utilise.

With regards to the proposed heritage listing/Amendment C 172 as it applies to my house

I object to the heritage listing on the following grounds

1) ██████████ is not of heritage significance bearing little relationship to the original building

The current property is only a modernised make-believe fantasy of what the original property looked like when first built and bears little or no relationship to the original building.

From the front of the house – the only original pre-2000 part of the house is the chimney – it seems ridiculous that Council wants to heritage ██████████. To make it clear:

1. The original tar footpath was replaced with a cement footpath ~ 20 years ago
2. The original front fence (60 cm high capped hardwood palings) was torn down and replaced with a Bunnings picket fence
3. The original two track driveway was dug up and a new cement driveway was laid down
4. The original front garden and all plants were totally removed (bar one) and garden beds extended
5. The original wood veneer, was covered in aluminium cladding panels
6. The original white/cream paint colour scheme was replaced with a very different colour
7. All original wooden, lap/sash, windows were removed and replaced with aluminium windows (every window in the house has been replaced)
8. The original guttering was replaced with pre-formed aluminium guttering
9. About 25-30% of the original old brown roof tiles were replaced (had become porous/cracked) with new non-porous tiles and then due to mismatch in colour, the entire roof was painted a blue-grey colour to match the new house colour scheme (and better seal the roof from further leaks)
10. Solar panels have been installed – visible from street

11. The original fully enclosed front entry porch was completely demolished and replaced with an open porch with new laser light covering
12. The original front porch standing area was cemented over then painted
13. The original front door was removed and replaced, with a modern glass panel door and a security screen door
14. The original car garage with double hinged doors (visible from street) and asbestos fibre cement roofing was removed/demolished
15. The original side gates (not visible from the street) were demolished and new side gates were installed at the front of the property
16. The original small fence preventing access to the blind side of the house was removed and replaced with material to match the new side gates

To repeat, the only original part of the house visible from the street is the chimney, so again it is ludicrous that Council wants to heritage list [REDACTED] for the sake of a chimney.

The above-mentioned points of change from the original explain in detail the reasons why the current house frontage is significantly different to the original property and due to these differences' heritage listing is inappropriate and long-term conservation of the visual perception of the house frontage is not appropriate or necessary.

Many of the houses in the proposed overlay are in a similar situation to mine, being altered significantly from what they originally looked like when first constructed

2) Heritage listing has potential to cause undue financial hardship

Quick call to insurance company – they indicate that for most heritage listed houses they charge a higher premium as repair costs, when needed, are greater – so there may be a direct cost [REDACTED]

To maintain the existing look of the house by replacing materials on a like-for-like basis, means [REDACTED] need to forgo a trip to Bunnings for a quick + cheap fix and may need to source '70-year-old original material' and someone who knows how to work with this (even though there is no longer any 'original' material present).

In addition, simply trying to have, for example a carport built in in driveway will now cost more due to lengthy legal and other costs associated with trying to get a permit if this is actually possible.

As many of the older and somewhat poor condition homes are demolished and replaced by townhouses, which leads to increased rates for Council, there will be future forgone revenue collected, so Council will either reduce funding of its community projects, or increase rates for existing home owners – again leading to a cost for homeowners.

3) Proliferation of abandoned/run down houses

Typically, it is the houses in poor condition that are demolished because it is cheaper + more cost effective to do this than trying to repair/renovate them. This can lead to a community with many poor looking/run down houses, with potential for squatters and impacting the look and potential safety of the community. Due to costs, heritage listing does not lead to building improvements

When a heritage listing prevents the demolition of these houses and replacement with new houses/units etc, it also results in less housing available for families

4) Environmental impacts

more solar panels (front of house faces north) for environmental reasons or simply to reduce power costs – this now seems prohibited – meaning in a less environmentally friendly/energy inefficient house. This also has potential negative cost impacts, pay more for power.

5) Resale impacts + future financial impacts

While most internet searches show that heritage listing, on average, has no negative resale impacts, nearly all of the studies have flaws and biases (commissioned by Councils that want to support heritage listings, or have poor control group comparisons). What is clear is that only houses in well maintained condition retain or increase value, and poorly maintained houses reduce in value (a simple consequence of averages). Which basically means that some homes win while others lose.

Some studies clearly show that heritage listing reduces the overall value of the property by between 10-15% (Herron Todd White "Heritage Controls and Property Values – A Review at Local Government Level" Study and report prepared by T. Scott Keck, Melbourne April 1999).

heritage listed houses as banks are known to have stricter lending requirements for such houses as a poorly maintained heritage listed house will lose value if the matter proceeds into receivership/for loan defaulters and needs to be sold for the bank to recoup its losses. This limits the potential buyers who find it harder to get loans for these types of properties. It also excludes buyers such as investors who want to demolish and build townhouses, or buyers who want to add a second storey or more extensive renovations. Both of which can lead to reduced resale costs and difficulties in selling the property.

[REDACTED]

6) Lack of equity and consistency in determining heritage listing

[REDACTED]

In fact, Councils 2021 study lists a number of nearby streets as part of Bottomley's Paddock (e.g., Essex St, Church St, Suffolk St) but no houses anywhere in these streets are incorporated into the proposed heritage precinct.

To nominate and not similar nearby ones is inequitable, inconsistent and shows clear discrimination against specific households.

7) Lack of cost benefit analysis

I cannot locate the Councils cost-benefit analysis that helped it decide which heritage places to protect so that resources are not wasted on the conservation of places with low heritage values, at the expense of those with high heritage values that the community value. I have also not been able to even locate any surveys of the community undertaken to determine what the community actually values in terms of heritage.

This was an critical consideration in the development of the supporting Regulations where it was assumed that this occurs and is a key reason the supporting Regulations were maintained and not allowed to sunset.

8) Family experience

██████████ house is heritage listed. ██████████ leaky gutters which he cannot cheaply replace as ██████████ has to locate original 50+ year old guttering. ██████████ wooden windows are rotting, with some of the glass held in by duct tape – ██████████ wants to replace these with aluminium windows to match the rest of his house which ██████████ even remove or replace ██████████ front fence without approval. Some of ██████████ neighbours have simply built a new front fence 20cm behind the original fence and left the old one to rot.

██████████ lives beside two 70+ year old wooden houses. The ██████████ and want to develop the land (which council won't allow). For the last 7-8 years the houses have been abandoned, and has had squatters and drug users in it. All the windows/doors are broken, the roof looks like it is slowly collapsing, there is rubbish everywhere and the lawns are overgrown (get mowed every 3-4months when Council receives complaints).

9) Importantly – the listing of ██████████ fails to meet the Heritage Council of Victoria's criteria which is essential to enable its listing

a) Importance to the course, or pattern, of Victoria's cultural history.

Council has failed to show how ██████████ meets this criterion. There is no cultural affiliation associated with my house. No one of cultural or historical importance has ever resided here that would provide for cultural historical importance

b) Possession of uncommon, rare or endangered aspects of Victoria's cultural history.

Council has failed to show how ██████████ meets this criterion. The type of house is common across many of Australia's inner suburbs and again no one of cultural or historical importance has ever resided here.

c) Potential to yield information that will contribute to an understanding of Victoria's cultural history.

Council has failed to show how ██████████ meets this criterion. The type of house is common across many of Victoria's and Australia's inner suburbs and again no one of cultural or historical importance has ever resided here.

d) Importance in demonstrating the principal characteristics of a class of cultural places and objects.

Council has failed to show how ██████████ meets any characteristics of a class of cultural places and objects. Victoria is significantly multi-cultural with cultures changing rapidly over time. How a single house, or series of different looking houses built during the same time period, can demonstrate an object of culture in a multi-cultural society is not feasible.

e) Importance in exhibiting particular aesthetic characteristics.

Council has failed to show how my house meets this criterion. Aesthetics is ambiguous. It varies widely from individual to individual and within society and changes over time so specifying particular aesthetics, which have not been clearly elucidated. It normally refers to art and literature so may be used in this context to explain ornamentation associated with a house. The only original visible part of the house that could be considered in a broad sense as being 'ornamental' is the chimney, so again is it simply the chimney that the council is trying to heritage list. If so, Council must clarify and explain why it is of such cultural and aesthetic importance. In any respect, heritage listing the entire house for the sake of the chimney is ridiculous.

- f) *Importance in demonstrating a high degree of creative or technical achievement at a particular period.*

Council has failed to show how [REDACTED] meets this criterion. There is nothing unique or technically challenging about the construction of my house. [REDACTED] was one of the house builders in this area and he and other builders are, except for the time period, no different to current builders on new housing estates.

- g) *Strong or special association with a particular present-day community or cultural group for social, cultural or spiritual reasons.*

Council has failed to show how [REDACTED] meets this criterion. [REDACTED] are not part of any present day local social, cultural or spiritual group. And the house is not designed to meet any of these needs. [REDACTED]

[REDACTED] I suspect with mobility due to cars (which were not around much when the houses were first constructed) this is consistent across all households.

- h) *Special association with the life or works of a person, or group of persons, of importance in Victoria's history*

Council has failed to show how it meets this criterion. Selection of people of 'historical importance' is very subjective and simply being [REDACTED] (as seems the justification in this case) is not a clear justification that a [REDACTED] is important in Victoria's history. Even if the [REDACTED] was generally seen to be important what happens to + on his land after [REDACTED] it and moves on is justifiably not important.

While I refer to [REDACTED] in the above, the matters raised apply equally to [REDACTED], and [REDACTED] and so on, and so would apply to many of the houses proposed for the heritage overlay precinct.

From

[REDACTED]
39 Wellington St, West Footscray, 3012
Tel [REDACTED]
Email [REDACTED]

From: Communityengagement@maribyrnong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Thursday, 24 March 2022 1:56:50 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

33 Tucker street west Footscray 3012

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

Dear Maribyrnong council,

[REDACTED] 33 Tucker street, West Footscray, and want to express I am strongly against the heritage overlay [REDACTED] do not wish to be apart of it for the following reasons:

- The heritage overlay was implemented after receiving feedback from a very small

number of residents (19 residents out of 85 responses) that do not accurately represent what the majority of the local community wanted.

- An online petition has been created by the community on change.org and over 400 residents have expressed that they object to the proposed heritage overlay set by the council.

- [REDACTED] built in the late 1910s and require a lot of maintenance and is nowhere near the 6 star energy rating set by the building code Australia. [REDACTED]
[REDACTED]
[REDACTED]

- We find that council has been contradictory in proposing a heritage overlay [REDACTED] [REDACTED] we have previously written to council to express our concern about neighbouring properties wanting to demolish and build multiple dwellings that would negatively impact the character [REDACTED] and was dismissed by council.

- Many of the homes that have been included in the heritage overlay are old and aging with poor foundation. Home owners wanting the option to use modern and more sustainable materials like colourbond will be banned under the new overlay, forcing homeowners to undertake more expensive structural repairs.

Furthermore, I would like the council to contact me and [REDACTED] [REDACTED] house specifically is selected to be part of the heritage overlay and not some of the similar neighbouring homes.

Regards,
[REDACTED]

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https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Friday, 25 March 2022 11:38:19 AM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

2/37 Summerhill Road Footscray

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Support

State the reasons why you support or oppose Amendment C172

I am supportive of this change as it would protect the heritage of these houses and neighbourhoods. I'm also supportive of how small pockets and groups of houses have been included. There's no need to have entire suburbs protected, just areas that can provide examples of the period. Areas that aren't good examples should still be allowed to develop. I wish this could have been done sooner to avoid what I think have been inappropriate developments already in these areas in the last few years.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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From: [REDACTED]
To: [\[REDACTED\]](#)
Subject: Marlborough Planning Scheme Amendment C172: Kyn Stanley
Date: Friday, 25 March 2022 5:39:27 PM

This Message Is From an External Sender
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To Whom It May Concern,

On the 28th of February 2022, I received documents from the Council in the mail in regards to the Marlborough Planning Scheme Amendment C172

On this list, it states that [REDACTED] 16 Tucker Street West Footscray is a Contributory property. I would like to state that this information is incorrect [REDACTED]

Therefore, this property would not align with current elements contributing to the significance of the precinct, for an inter war or post war dwelling. Can this please be revised, as this property must be removed from the listing of Historical architectural significance

For further information, if required, [REDACTED] can be contacted on [REDACTED] or via this email [REDACTED]
Many thanks and warm regards
[REDACTED]



From: [REDACTED]
To: [Amendment C172](#)
Subject: Request to remove [REDACTED] Bottomleys Paddock Inter-war & Post-war Residential Heritage Precinct H0211
Date: Saturday, 26 March 2022 7:56:33 AM
Attachments: [image002.jpg](#)
[image003.jpg](#)
[image004.jpg](#)
[image005.jpg](#)
[image001.jpg](#)

This Message Is From an External Sender
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Good morning

Property: 5 Palmerston Street, West Footscray ([corner Pitt Street](#))

[REDACTED] be removed from this proposed Heritage Overlay [REDACTED] is a modern 10-11 year old new construction with no contributory or non-contributory significance whatsoever.

[REDACTED] one of three on a property which was subdivided into three lots approximately 11 – 12 years ago. The original house at Number 3 Palmerston Street, West Footscray was not demolished and is of significant heritage value.

Approximately 11 years ago, the developer constructed two new homes – Number 5 Palmerston Street, West Footscray and [REDACTED], West Footscray, which has not been included in this Overlay.

[REDACTED] has incorrectly been included in this Heritage Precinct Overlay as it is a relatively new build. Apart from a few minor differences, [REDACTED] are identical in appearance with the same building materials used to construct these two homes.

[REDACTED] not removed from this Overlay, I assume [REDACTED] have to be included in this Overlay as it is [REDACTED], of the same age and part of this developer subdivision approved by Council.

[REDACTED] and would appreciate any email correspondence be sent to my personal email: [REDACTED]
Mobile: [REDACTED]

Thank you

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
To: [Amendment C172](#)
Subject: Opposition to Amendment
Date: Saturday, 26 March 2022 6:44:13 PM
Attachments: [20220314 \[REDACTED\] Letter1.docx](#)

This Message Is From an External Sender
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Good afternoon,

Please consider this a formal opposition to the proposed amendment C172.

I oppose the amendment on the basis that it doesn't serve the community from a perspective of environmental, societal or financial impact.

Not enabling the community to install solar panels on roofs, EV charging points in driveways, or replace energy-inefficient windows, doors and roofs with more modern, energy efficient materials. This approach would be in direct contradiction to Australia's long term emissions reduction plan, the goal of which is to become carbon neutral by 2050. This plan directly mentions that residential buildings contributed around a quarter of the countries emissions in 2019 (<https://www.industry.gov.au/sites/default/files/October%202021/document/australias-long-term-emissions-reduction-plan.pdf> pg. 69 point 3.4: Buildings) and specifically calls out that residential occupiers should be deploying high efficiency appliances, lighting, equipment and building envelopes, and on-site renewable energy (like solar PV) and battery storage. All of which becomes almost impossible under the proposed amendment.

The amendment will add bureaucracy and to the planning applications for the most vulnerable members of society living in this community. The addition of ramps and handrails, easier access and room for modified vehicles are a necessary part of a residence where people are living with disability. These people fight for support their entire lives, and this amendment gives them more red tape to fight through, just to be afforded the necessary living conditions they should have protected as a baseline by the council.

The socio-economic class varies greatly in the community, and the additional costs likely to be incurred to have to repair and maintain homes to a like-for-like standard disadvantages people who do not have the capital or cashflow to undertake them.

Finally, it is my belief that the underlying study and proposal that led to the amendment being put in place, is not a fair and representative assessment of the benefits and detriments of implementing a heritage overlay. The study doesn't seek to address any of the points raised above, and seems to advocate for the implementation of an heritage overlay solely on the basis that the area has heritage.

Attached is a formal letter to the [REDACTED] dated 14/03/21, also in opposition to the proposed heritage overlay. It was signed by 8 local residents and requests that instead of implementing a heritage overlay, the council consider the rezoning of the precinct from General Residential to Neighborhood Residential (which is already a part of the proposal) as sufficient protection of the heritage characteristics of the area, and drop the part of the amendment relating to heritage overlays all together.

Could you please let me know by return email that this opposition to the amendment will

be considered as a part of the permanent controls consultation.

Sincerely,



47 Gwelo St,
West Footscray, 3012

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Sunday, 27 March 2022 1:25:17 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

54 gwelo street west footscray

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

I oppose for the following reasons:

- HO does not protect properties that are then allowed to be left to become uninhabitable by property developers – who can then argue they should be exempt from restoration
- HO does not weigh up other considerations i.e. environmental, social access
- HO allows council or individuals to define what is heritage i.e. fencing – white picket

fences may look nice but were not the ones originally built with many houses does this mean we all need to put small wire fences up.

- HO allows council to define what is covered ie fencing, paint colour, windows materials and these can be added to or removed with no legislative oversight or community consultation

- Does not allow home owners to make additions that meet other Council and community objectives.

- o Solar panelling on sides of south facing houses that best capture the sun path

- o Installation of EV power stations at the front of the house to plug your EV car in

- o Using materials that may have better environmental benefit or are locally produced

- A HO places an unfair burden on home owners who are in: low socio-economic circumstances; aging residents, disabled residents, residents from CALD communities

- The inclusion of Sredna street in this zone, will this void the possibility of Forced Acquisitions that were placed on this street due to expanded road works that have been on the books for over 70 years?

- The size of the overlay is so limited as to be irrelevant and merely acts to stymie the home owners in the area while allowing development in all other areas including one side of the street. Of the 5 Full streets covered in Tottenham Precinct only 2 streets even cover both sides of the road. The other 3 only cover houses on 1 side of the street.

- [REDACTED] and never been asked if we wanted a HO, neither have [REDACTED]

What processes and how many residents requested this?

Outline any changes (if any) you would like made to Amendment C172

Recommended Solution

Scrap the HO in Amendment C172.

Implement a Neighbourhood Residential Zone not only in the current Interim HO areas but over the whole of the municipality.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Sunday, 27 March 2022 3:00:15 PM

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Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

55 Wellington st, West Footscray

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Support

State the reasons why you support or oppose Amendment C172

I am supportive of the proposed overlay as it protects the suburbs look and feel and guards against further densifying lovely suburban streets which bode well for families.

Additionally [REDACTED] California Bungalow into a 4 bedroom modern home while seeing to maintain and honour the heritage of the original house. To understand the impact of the proposed overlay [REDACTED] against the proposed standards and found that all plans [REDACTED] acceptable under the proposed overlay.

I am therefore satisfied that the proposed standards would not preclude modern renovation where overlay exists.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Your City Your Voice.

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Monday, 28 March 2022 12:07:13 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

20 Gwelo Street, West Footscray, VIC, 3012

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

To whom it may concern,

Please see the below submission.

We would like to oppose the Amendment 172 for Heritage Overlay (HO) as it pertains to [REDACTED] 20 Gwelo Street, and request that the aforementioned property be

exempted for the reasons indicated below.

- HO would not, should not and does not apply to 20 Gwelo Street as this property has been renovated from front to back in line with council regulations as they applied at the time. There is nothing that remains at this address that could, would or should be considered as of heritage related significance.

- HO does not weigh up other considerations i.e. environmental. [REDACTED] not have any north facing roof and all other roof aspects can be viewed from the street-scape. The proposed HO would therefore preclude any solar panels from being placed on what is an entirely new roof, not of heritage significance and impeding [REDACTED] benefit the environment, save money and replicate what the current street-scape already has - i.e. solar panels visible from the street.

- [REDACTED] and never been asked if we wanted a HO, neither have [REDACTED] What processes and how many residents requested this?

Recommended Solution:

Amend the HO in Amendment C172 to permit environmental improvements such as the ability to install solar panelling on any and all roof aspects regardless of street-scape.

Outline any changes (if any) you would like made to Amendment C172

Recommended Solution:

Amend the HO in Amendment C172 to permit environmental improvements such as the ability to install solar panelling on any and all roof aspects regardless of street-scape.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Monday, 28 March 2022 12:16:11 PM

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Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

[REDACTED] West Footscray

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

Appears to restrictive and unnecessary. I do not want additional council controls on homes [REDACTED]

Not supportive of maintaining homes that are not energy efficient.

Am supportive of townhouses being built [REDACTED] dont want this to be more restricted.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Monday, 28 March 2022 1:43:12 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

23 Gwelo Street, West Footscray

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

There are two main reasons to object to this proposal:

1. The expensive costs imposed [REDACTED] repair and maintain a property built in 1953 that needs extensive updating and renovating to make it more energy efficient and environmentally friendly which would be impossible if a heritage overlay was imposed.
2. Also should [REDACTED] develop the property to provide more affordable housing, in the form of townhouses, as have been built directly behind [REDACTED] this would be impossible if a heritage overlay was imposed.
3. [REDACTED] is not a Hansen built house, and has already had an extension added. It is located on a corner that would make it an appropriate location for energy efficient,

environmentally friendly affordable housing for families, if [REDACTED]

Outline any changes (if any) you would like made to Amendment C172

We believe that the small section selected (only two streets) in the vicinity [REDACTED] [REDACTED] should not be included in the proposed overlay. The area is surrounded by light industry and holds very little heritage value, in our opinion.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Your City Your Voice.

From: [REDACTED]
To: [Amendment C172](#)
Subject: Submission for Amendment C172
Date: Monday, 28 March 2022 9:36:53 PM

This Message Is From an External Sender

This message came from outside your organization.

Hello,

[REDACTED] submission to Amendment C172 regarding the proposed Heritage Overlay of certain properties in the West Footscray area.

I am absolutely opposed to the Amendment on the grounds that while it may be historically significant to protect the character of the area, I do not think it should be at the expense of keeping older style houses inaccessible and unsuitable for families to grow up in.

I believe that if additions and improvements are in keeping with the current style of the house, they should be allowed to go ahead.

[REDACTED]
[REDACTED]
[REDACTED] A heritage overlay will make these houses out of reach and inappropriate for families in the area.

Thanks for the opportunity to submit an opinion the this matter.

Kind regards,

[REDACTED]
29 Napoleon Street, West Footscray
Please do not share my contact details.

To Whom it may concern,

30 Napoleon Street, West Footscray and am writing to oppose the heritage overlay proposed in the Maribyrnong Planning Scheme (Amendment C173).

I do not believe [REDACTED] fits the criteria to be considered as contributory. The house is a basic home in West Footscray with no valued heritage characteristics. The windows are generic windows that have deteriorated over time and been replaced with modern aluminium windows, which is not very original to post-war properties.

The house is a small and basic white house with no gable or veranda. The brickwork is just that, brickwork, none of it complex or extravagant, even on the disused and decaying chimney. It does not contribute to the cultural heritage of the area and could not be further from the elaborate bungalows that the council is looking for.

This property has already had extensive internal repairs done such as fixing the leaking tiled roof, lifting the shallow and collapsing foundations, servicing a crumbling chimney, repairing the sagging car port, etc. As time goes on these repairs will only grow as the house gets older and will become even more costly, it will come to a stage where [REDACTED]

If this overlay was to be approved, it will become even more difficult to improve [REDACTED]
Any work [REDACTED] to the façade of the house will need to be approved by the council
or it will already be banned under this new overlay. [REDACTED]

intention of rejuvenating the home whether it be cosmetic or environmental, will be too costly and changes will need to comply with certain building regulations or be rejected by council. [REDACTED]

I urge you to please consider the desire of the owners in your decision and to please reclassify [REDACTED] as non-contributory.

I look forward to hearing from you.

Kindest regards,

From: [REDACTED]
To: [Amendment C172](#)
Subject: Objection to amendment c172
Date: Tuesday, 29 March 2022 2:00:38 PM

This Message Is From an External Sender

This message came from outside your organization.

To whom it may concern,

I would like to lodge my objection to the proposed amendment.

[REDACTED] It appears to be in the H0211 area identified for a heritage overlay.

How do i keep up to date with this? Do i need to provide a formal objection now or will this email suffice to keep me in the loop?

Regards,

[REDACTED]

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Wednesday, 30 March 2022 10:12:12 AM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

8 McCubbin St. Footscray

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Support

State the reasons why you support or oppose Amendment C172

Footscray is growing fast. There are more and more generic townhouses popping up everywhere. While I understand there is a desperate need for more housing and more affordable housing, I believe that we should be able to balance high density housing in zoned areas as well as keeping some of the character that makes Footscray interesting by preserving streets that have these beautiful historic homes. Use areas that have less history and character to meaningfully address housing shortage by building more dense housing, rather than an entire suburb of blank townhouses that still don't address affordability or make anyone proud to live here.

Outline any changes (if any) you would like made to Amendment C172

I would like some duty of care responsibility. This proposal doesn't work if older homes in protected areas aren't maintained appropriately and/or are left to fall into a derelict state. Homes shouldn't have to be maintained to a pristine condition, but they shouldn't be left to fall apart completely either.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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From: [REDACTED]
To: [Amendment C172](#)
Subject: Objection to amendment.
Date: Wednesday, 30 March 2022 1:00:08 PM

This Message Is From an External Sender

This message came from outside your organization.

A heritage overlay has recently been implemented over eight separate precincts within West Footscray impacting over 900 homes. This overlay has been applied in response to a community survey in 2018, in which a small number of residents requested more controls to assist in maintaining the character of West Footscray and prevent the construction of inappropriately scaled developments.

Members of the West Footscray community oppose this. This has several unintended consequences that burden our community:

- failure to prevent inappropriately located townhouses;
- rejection of positive changes and modification to homes;
- expensive repair costs imposed on individuals and families ;
- exacerbating the shortage of suitable family homes;
- detrimental environmental impacts of maintaining energy inefficient buildings; and
- financial and emotional burden on individuals and families who have had the heritage overlay imposed without notice or adequate consultation.

As confirmed by council, the 2018 survey that this policy aimed to address contained just 85 responses and only 19 residents attended the related public information sessions. Of these responses, over 80% supported the draft neighbourhood plan without any new heritage overlays and of the twelve built form comment identified by council, just one mentioned a need for heritage controls. All five of the twelve comments objecting to the increased building heights were rejected by council.

Based on this data and the impacts listed above I suggest that the implementation of a heritage overlay misconstrues the results of the

community consultation.

Key Issues

Failure to prevent inappropriately located townhouses being developed

Townhouses are an important inclusion in a suburb as they provide a more affordable housing option, and a first step for first home buyers entering the property market. However, it's vital that townhouses are built in appropriate locations as they can have large impacts to neighbours with overlooking, overshadowing, and parking problems. This new overlay will have no impact on the number of townhouses built, as it doesn't change the supply and demand dynamics of the townhouse market. What typically transpires is that townhouse developments become even more common in areas outside the heritage overlay, which in this case would impact streets like Alma St, Stanhope St and Clive St among others. This overlay entirely fails to address the community feedback and concerns regarding the proposed 4-6 storey apartment buildings along Barkly St and 8 storey apartment buildings adjacent Whitten Oval.

Positive changes that people try to make to their homes being denied

Common upgrades to existing homes such as replacing front fences, enclosing a carport with a garage door, or building a veranda over the front door can become virtually impossible under this new overlay. Changes which make front yards more usable are essentially banned under this overlay and given that front yards are a key piece of social infrastructure where we interact with our neighbours, the inability to improve them will be a major negative outcome for our community. More information on these additional restrictions can be found in the attachments titled Heritage Design Guidelines, (at the bottom of the page) <https://www.maribyrnong.vic.gov.au/amendmentc172>

More expensive repairs imposed on individuals and families

Many of the houses in our suburb are aging poorly. In particular, leaking tiled roofs, shallow foundations and crumbling disused chimneys are becoming more and more common throughout the suburb. Some of the key fixes that will improve the longevity of these homes such as replacing tiles with lighter Colourbond are banned under this new overlay, forcing homeowners into much more expensive structural repairs. For many homeowners, these repairs will be too expensive, unfortunately, delaying these vital repairs can often exacerbate future repair costs.

Exacerbating the shortage of family homes

The census data shows an ever-increasing proportion of young families calling West Footscray home. The extreme price difference between 2-bedroom homes and 4-bedroom homes (384k in West Footscray vs 130k in Sunshine according to [realestate.com](https://www.realestate.com.au)) highlights the large shortage of family homes within the suburb. It is vital that our housing stock is flexible to change to meet the evolving needs of our community. Unfortunately, this heritage overlay may have the opposite effect; making extensions more expensive, time consuming and generally acting as a disincentive for change. A large portion of the houses listed in the heritage overlay are 2-bedroom homes, often unsuitable for the needs of growing families, particularly with the recent working from home requirements.

Environmental impacts of running and maintaining energy inefficient buildings

The overlay in many instances, prevents new solar panels visible from the street from being installed, significantly impacting the ability of West Footscray residents to harness sustainable forms of energy. As mentioned, many of the houses [REDACTED] are aging poorly and aren't close to meeting modern day building standards. Upgrading these homes to meet current best practice for energy efficiency can be difficult enough without the additional restrictions of the heritage overlay. For many homeowners, the dream of an energy efficient home may become financially unviable with the additional restrictions of the heritage

overlay in place. I have already seen examples [REDACTED] where homeowners have been forced to abandon energy efficiency upgrades due to the additional costs.

Financial and emotional burden on individuals and families who have had the heritage overlay imposed without notice

This policy impacts everyone differently. For some the costs of this change are non-existent, but for others the financial and emotional costs are life changing. Consider those homeowners who have been preparing plans for their dream home over a number of years only to now have their proposals rejected, their plans crushed by the heritage overlay. Consider any local residents who have recently purchased with the intention of extending or rejuvenating being forced to abandon these plans, unable to afford the cost that the additional restrictions invoke, losing their stamp duty and sometimes significant property value in the process. The implementation of this policy without notice or adequate consultation has is unfair and unjust, and the costs could be be in excess of \$100k.

[REDACTED]

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Wednesday, 30 March 2022 5:54:12 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

1 Fontein Street West Footscray

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

See attached letter

Outline any changes (if any) you would like made to Amendment C172

See attached letter

Please attach any additional comments or information

- [Response_to_proposed_heritage_overlay_-_c172.pdf](#)

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https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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Thank you for the opportunity to respond to the notice of preparation of amendment C172mari.

In response to the proposal to insert a new schedule 2 to the Neighborhood Residential Zone (NRZ), the link to download the schedule on the Maribyrnong City Council website does not provide the NRZ schedule 2. It provides Clause 43.01 Heritage overlay. This new schedule is not available for community review. I do not think the backup option of viewing them at the Maribyrnong city council offices during office hours is not an acceptable alternative for community consultation.

I believe the proposed heritage overlay fails to achieve the purpose of preserving the *character of the neighbourhood*. It unfairly places the burden on the homeowners and severely hinders creating a sustainable future.

As the heritage overlay only applies to select properties, many properties within the neighbourhood can still be developed into townhouses, negating the ability to preserve the character of the suburb. The heritage overlay fails to achieve its purpose and is a waste of time, resources, and taxpayer money. A development overlay is a better and more efficient tool to prevent unwanted mediocre developments from overtaking the neighbourhood.

The heritage overlay is unfair as it places the burden upon the homeowners to preserve the character of the neighbourhood.

██████████ I think it's important to talk about the character that is to be preserved. Inter-war and post-war construction is from an era of economic depression. Houses were built with cheap materials and little thought for anything other than creating a shell to live in. The houses lack any insulation, are often built with substandard materials and have leaky construction that is drafty.

The financial impacts of adhering to the proposed heritage overlay will make updating homes to current living standards unachievable for many homeowners. This will result in heritage listed houses not being maintained, negatively impacting the impression of heritage homes. The heritage listed homes will likely become unkempt and progressively worse than the rest of the suburb due to increased costs to maintain them, let alone upgrade them to current standards.

People who have been planning their dream house renovation for several years are now going to have their proposals rejected and their plans crushed by this heritage overlay. These people who would be house and suburb proud will give up on the area, leaving the area poorer for losing them.

Many of the houses listed in the heritage overlay are two-bedroom houses, often unsuitable for growing families, especially in light of the increased prevalence of working from home due to covid. This heritage overlay makes it much more complicated and time-consuming to renovate these houses, making many houses in the community unsuitable for families. I'm sure local council would want to avoid driving away families at all costs...

As per the heritage overlay, the heritage design guidelines "*must not contain any mandatory requirements*" yet, it nominates for reinstatement of aspects it considers the original design and form of that housing typology. It requires reinstatement of verandah and porch design, terracotta, concrete and iron roofing, weatherboard wall cladding, timber windows, etc. Reinstatement of old construction techniques – such as the reinstatement of timber window design of the era - purely for aesthetic reasons, is an unfair burden on the homeowners and detrimental to the houses. Single glazed windows often do not meet National Construction Code compliance with fully insulated building envelopes (walls, ceiling and floors). These inter-war and post-war houses will not have insulation. Why would the council enforce a requirement not to meet the National Construction Code? Timber-framed windows are a

considerably more expensive window framing option on the market, further adding financial strain on the owners.

The windows are not the only section of the Nation Construction Code the Heritage Overlay makes it challenging to achieve.

Solar

The overlay and design guidelines do not allow solar panels to be installed on any roof face that "*are visible from a street or public park*". This considerably impacts the solar capture capabilities of the suburb. One in four roof faces of a house will be allowed solar on it. Solar panels and the community generation of solar power are proven paths toward a sustainable future. Why is the council seeking to hinder this?

Water tanks

"*Rainwater tanks are not to be visible from a street or public park*". This pushes rainwater collection from the logical position at the side of the house into the back yard, reducing the amount of rainwater able to be captured from the roof and reducing the amount of private outdoor space a home has.

New homes in Victoria are required to have rainwater collection and/or solar hot water systems. The overlay is again heavily restricting the ability to meet the current National Construction Code (NCC).

The council should be advocating to better the minimum best practice standards the NCC stipulates, not hinder building a sustainable future. I would like to see a city council with a vision for a sustainable future and less concerned with the rearview mirror.

The heritage overlay is a blunt instrument that has not been updated to reflect the latest building construction standards. It severely hinders the ability to provide a pathway to a sustainable future and unfairly places the burden of protecting a substandard building typology on the good, hardworking residents and their families.

Kind Regards

[REDACTED]

[REDACTED]

[REDACTED]

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Wednesday, 30 March 2022 10:28:15 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

1/48 Wellington St and 2/48 Wellington St, West Footscray, 3012

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

[REDACTED] hereby submit my opposition to this amendment. My understanding in Heritage listed properties is as follow. Properties that are unique, have either historical importance & cultural value, or have some form of Artistic significance or architecture that is worth preserving, may be worthy of being 'heritage listed' by the state government or city council. A heritage listing puts in place restrictions on the redevelopment or the property, to preserve its current condition for the future.

Properties with no historical importance or cultural value, and no artistic or architecture worth should not be placed under Heritage listing. Doing so, will merely prevent any

substantial renovation & redevelopment of the property.

Both properties on 1/48 Wellington St and 2/48 Wellington St, clearly have NO historical or cultural importance and definitely have NO architecture or artistic significance. It is nothing more than an old building, weathered in age and will no doubt need a face lift fairly soon, gutters to be replaced, roof work and work for brickwork which has started to show cracks with time. Heritage listing the property will in the long term have an undesirable effect on the entire area making it difficult for the ongoing maintenance of properties in the area and adding unnecessary costs involved with the upkeep of houses in the area, turning it into an unwanted location and instead 'staining' our beautiful city.

Furthermore, my objection to the proposed amendment is clearly reinforced by a certain depreciation on the property value and appeal within the area if it were to be added as part of the Heritage overlay.

Outline any changes (if any) you would like made to Amendment C172

I hereby strongly oppose the proposed amendment and aspire for the removal of 1/48 Wellington St and 2/48 Wellington St, West Footscray from the inclusion of the Heritage Precinct and furthermore for its cancellation.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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From: [REDACTED]
To: [Amendment C172](#)
Subject: 19 Wallace St, Maidstone
Date: Thursday, 31 March 2022 9:56:17 AM

This Message Is From an External Sender
This message came from outside your organization.

Hello there !

I'm writing in response to the Admendment C172.

I do not support the overlay of this admendment.

[REDACTED] does not look heritage

[REDACTED]
[REDACTED] is on a wooden stump and if there were a major earthquake it would most likely going to tumble [REDACTED]

If you google or come out to look carefully, you would think why has this property listed as heritage?! It does not make any senses..

It's built with red bricks all round, the windows is just normal aluminium..

Please consider this request and stated I DO NOT SUPPORT this in any way shape or form.

Regards

[REDACTED]

Sent from my iPhone

Dear Maribyrnong Council

RE: Amendment C172 & 1 Berthandra Court, West Footscray

[REDACTED] 1 Berthandra Court, West Footscray, object to the Maribyrnong Planning Scheme Amendment C 172 placing [REDACTED] a contributory property on the West Footscray Precinct HO218.

[REDACTED] Berthandra Court, as it is quite rundown. The land size is identical to a [REDACTED] Three two storey town houses were built on the [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] at no time was there any indication that there would be changes to the zoning of Berthandra Court. [REDACTED]

[REDACTED]

The Minister of Planning approved the interim heritage Controls on the 10th December, 2021. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

There are non-contributory properties at 1 and 10 First Street; 1, 8A and 8B on Harley Avenue; 17 Neil Street; 17 Neil Street; 1/12, 2/12 and 3/ 12 Rondell Avenue West Footscray.

[REDACTED]

I look forward to Maribyrnong Council's response.

Kind regards,

[REDACTED]

31 March, 2022

Email [REDACTED]

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Friday, 1 April 2022 2:05:14 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

8 View St West Footscray VIC 3012

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

[REDACTED] 2 bedroom weatherboard home
when news of an interim heritage overlay

[REDACTED]

This overlay significantly impacts

[REDACTED]

As I walk around the neighbourhood, the extensions I see on weatherboard homes are

tasteful, fit in with the houses on their street and are completed with high-quality finishes.

This heritage overlay fails to consider the environment and livability of families. Council wants to be seen as "green", yet is not allowing people to update their homes with solar panels. Yes, they can be used following a successful permit planning request but this does not take into account the orientation of houses and placing them where they will have the most benefit.

By only building "modern extensions" at the rear of the house, [REDACTED]
[REDACTED] The front of the home is unable to be modified leading to reduced capacity to use the front yard as another living space and place [REDACTED]
[REDACTED] This overlay imposes expensive repair costs on individuals and families and forced them to maintain energy-inefficient buildings instead of modernising and reducing the property's environmental impact.

There are other tools the council can use to maintain the character of a suburb (including development overlays which are specifically designed to control the location and scale of construction projects). It is interesting that this heritage overlay doesn't cover streets with large blocks such as Stanhope and Alma in West Footscray where an excessive number of ugly high-density housing has destroyed the streetscape. This overlay has been imposed without proper notice or adequate consultation causing a financial and emotional burden on families and individuals affected.

Outline any changes (if any) you would like made to Amendment C172

Removal of the rule for modern extensions at the rear or double-storey extensions only at the rear.

Garages are to be placed at the side of the house if space allows.

Changes to the facade of a house are allowed.

Roof materials can be changed to easy to maintain materials.

Solar panels are placed where they can be of most benefit.

Ability to remove parts of a house in poor repair and not replicate if cost is significant. eg. crumbling chimneys.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Friday, 1 April 2022 9:04:13 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

12 View st West Footscray

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

Heritage overlay is opposed by people who own houses in this area. It depreciates the value of the properties for sale. Improvements or renovations are more expensive and complicated including sustainability changes. Safeguarding specific aspects of the history of the area can be done in different ways.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Friday, 1 April 2022 9:57:14 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

[REDACTED] west footscray, 3012

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

No notice, stops people renovating their own home, illogical, seems random, ugly homes protected whilst others are ignored, means people cannot update their homes and will be more likely to let them fall into disrepair, causes their homes value to decrease

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Saturday, 2 April 2022 1:09:13 AM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

31 Dempster Street, West Footscray, VIC 3012

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

I strongly opposed Amendment C172, I do not believe the proposed heritage overlay protections were appropriate and fully justified against the statutory criteria of the Act, particularly only Dempster Street parcel of lands are included and not other side of the streets, to name a few, Indwe Street, Waiora Parade, Clarendon Parade, Hampton Parade has similar or better architectural design.

The houses within the zone nominated did not match its original architectural style and the building has been varied dramatically at different points of its history. And there was nothing to demonstrate how the houses was different from other buildings in other parts

of the area that is not subject to heritage that has similar or better architectural design. It is simply not a building that overwhelmingly declares its fitness for inclusion in the heritage overlay. In addition, the location is not ideal and close to commercial warehouses where CPTED is non-existent.

As the West Footscray suburb modernized, the heritage overlay will limit the ability to integrate new technology or build sustainable property. In addition, it will add financial burden as constant maintenance is required to ensure the integrity of the structure and architectural is not compromised with time. Unless council is willing to contribute the financial and resources aspect of maintaining and developing the property into green rating building then I stand to oppose the amendment C172.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Your City Your Voice.

From: [REDACTED]
To: [Amendment C172](#)
Subject: Opposition to Amendment C172 - [REDACTED] (54 Wellington Street)
Date: Saturday, 2 April 2022 3:12:48 PM

This Message Is From an External Sender

This message came from outside your organization.

Dear Maribyrnong Council,

I wish to lodge my opposition to Amendment C172. [REDACTED]
[REDACTED]

[REDACTED] The intent of this amendment is to preserve the character of the neighborhood which I do not object to. However, given that the Maribyrnong Council has selected only a small number of areas to apply the heritage overlay to, the result will be that property owners in these areas will be unfairly restricted whilst the inappropriate development Council is trying to protect against will occur outside of these areas. This will lead to the breakup of the character of the neighborhood.

The view of Council is that the amendment will have a positive environmental impact through the minimization of building waste. Although this is true, it fails to look at the big picture in terms of the best approach to achieve a rapid transition to carbon neutrality. [REDACTED] to a modern standard in terms of energy efficiency it will have to be effectively gutted. Windows will have to be removed and replaced with double glazed windows, internal plaster will need to be removed and disposed of to enable insulation to be placed in the external wall cavities. Even with these measures the home will not achieve the same level of energy efficiency standards that can be achieved by building a new home, at least certainly not at the same cost. Renovating [REDACTED] far more costly than a new build [REDACTED] build a home with a very high energy efficiency rating. This would not be possible under the proposed amendment. Instead, to reduce costs [REDACTED] unchanged which will [REDACTED] use significantly more electricity for heating and cooling. Whilst most of the electricity supply in the future will come from renewable energy, energy efficiency is a key pillar of the rapid transition to carbon neutrality. Without building homes that are significantly more energy efficient, more renewable energy must be constructed which means more raw materials mined, more land disturbance and a longer time required to decarbonise. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Furthermore, I find it objectionable that Council can demolish buildings from this era when they determine that it is no longer fit for purpose, but Council [REDACTED]
I refer to RecWest which was constructed in 1953 and arguably should be included in this heritage overlay if Council is to be consistent with its approach. I believe that it is fair and reasonable for a homeowner to live in a modern dwelling that has an enclosed garage and stays warm in winter and cool in summer [REDACTED]

I ask Council to reconsider Amendment C172 and find a different way of preserving the character of the neighborhood that doesn't unfairly penalise a small number of home owners. [REDACTED]
[REDACTED] and as a climate conscious person, I just

want to be able to have the option of building a small home [REDACTED] that is highly energy efficient.

Yours Sincerely,

[REDACTED]

54 Wellington Street, West Footscray

From: Communityengagement@maribyrnong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Sunday, 3 April 2022 10:24:12 AM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

[REDACTED]

West Footscray, 3012

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

I object to this Council making such a drastic decision based on 85 responses and only 19 residents attending the public sessions.

Many ratepayers were not notified until recently about this proposal. This was all proceeding under the cover of COVID and it is unbelievable that the ratepayers affected will not be able to have consultation personally with Council.

Maribyrnong council is discriminating against this minority. Developers of high density housing seem to have free reign to demolish what they like and overshadow existing housing with their structures. Owners of the proposed Heritage properties don't get much consideration with the many restrictions placed on them by Council and extra

expenses will be incurred. When these owners bought their homes they didn't expect to have their dreams shattered by Council regulations which will now lower their market value in the future.

Outline any changes (if any) you would like made to Amendment C172

More published consultation with rate payers about any Council proposals.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Sunday, 3 April 2022 3:36:14 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

34 Tucker Street, West Footscray

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Seek changes

State the reasons why you support or oppose Amendment C172

No comment

Outline any changes (if any) you would like made to Amendment C172

I would like to seek an amendment that changes 34 Tucker St from contributory to non-contributory. This house, including the facade, has been fully renovated.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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[REDACTED]
Maribyrnong City Council
61 Napier Street
Footscray, 3011

3rd April, 2022

Re: West Footscray Inter-War and Post-War Heritage Precinct Study
Maribyrnong Planning Scheme Amendment C173 – Interim Heritage Overlay
Protection

Dear [REDACTED]

I am writing to formally support the proposal for the Heritage Overlay that has been proposed for various locations in West Footscray.

[REDACTED] Rondell Avenue in West Footscray [REDACTED]

[REDACTED] Also the fact that Rondell Avenue, one of the last segments of West Footscray to be developed in the 1950's, was originally an Olive grove, and is now lined with Olive trees for community harvesting really appeals to my sense of being part of shared history and culture.

I love the streetscape of Rondell Avenue and also the many others identified as special in West Footscray, and feel very strongly about protecting these unique older homes in these locations from being either demolished or inappropriately developed.

[REDACTED] that the overdevelopment of West Footscray is certainly a possibility in coming years and decades. I would strongly urge Maribyrnong City Council to actively direct this development now, ensuring that appropriate and appealing streetscapes are created and/or maintained, keeping the balance between the older and newer homes, complementing a unique and treasured suburb.

Yours Sincerely

[REDACTED]
13 Rondell Avenue
West Footscray, 3012

Manager City Places
Maribyrnong City Council
61 Napier Street
Footscray 3011

Re : **Objection to listing** [REDACTED] **a Heritage space**

In reference to your letter dated 28th Feb 2022, seeking public consultation and opinion, I am listing down my objection and I oppose the proposal. [REDACTED]
[REDACTED] and I state below the reasons for my objection and opposition.

[REDACTED] over fifty years old and its having many repairs and some areas of the house are crumbling. There are urgent maintenance issues internally and externally that needs to be completed to maintain longevity and to bring the house to average living standard. Non completion of these will result in further deteriorating [REDACTED] may not be habitable in the future and the house and property value will significantly depreciate. Things such as the roof improvement, foundation changes, fences, enclosing the car port etc. needs replacement and changes. This would require changes to various parts of the current structure [REDACTED]
[REDACTED] should have the right to change as deemed suitable for me. The current proposed heritage overlay will prevent [REDACTED] the cost of improvements will significantly increase [REDACTED]
[REDACTED] This is wrong and I am opposed to this.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] [REDACTED] a developer for multi-unit development or build multiple houses the heritage outlay will be a significantly obstacle and deterrent. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] Will the council subsidise my losses when I sell due to depreciated value on account of heritage listing. This is very unfair [REDACTED] to be slapped with unreasonable burden.

The Victorian and federal government promotes and recommends solar panels and energy efficiency in the modern Victorian households, [REDACTED] solar panels to have energy efficiency in the future. But having a heritage overlay will stop this capability and add significant cost to this
[REDACTED]

In addition to above objections, I also have questions on the items listed below:

[REDACTED] 20 Fontein Street and [REDACTED]
going to be listed as a heritage property when its already sporting a modern look. (Photo Attached)

In addition, number 22 Fontein street has build 4 modern buildings and doesn't fall into heritage outlay at all. How would the council then consider that and why not [REDACTED]
[REDACTED] and not be limited to Heritage outlay.

[REDACTED] 22 and 23 Fontein St I s not deemed heritage outlay property but
[REDACTED]
[REDACTED] This is grossly unfair and unjust.

I would finally like to say which the Maribyrnong City Council is AWARE [REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] In addition, there are inconsistencies
in treating everyone equally as some properties have already developed differently from a heritage outlay and there is no uniformity. I am thus objecting this proposal.

Yours faithfully

[REDACTED]



From: Communityengagement@maribyrnong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Monday, 4 April 2022 5:46:15 AM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

3 hope street west Footscray 3012

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

Dear Maribyrnong council,

I write to express that I strongly oppose to the heritage overlay of [REDACTED] and do not wish to be apart of it.

The heritage overlay was implemented after receiving feedback from a very small number of residents that do not accurately represent what the majority of the local community wanted. An online petition was created by the community on change.org and over 400 residents have express that they object the proposed heritage overlay set by the council.

[REDACTED] underwent major renovations in 2018 and have a modern colourbond

double story extension that does not meet the heritage listing criteria. I would like the council to contact me directly and provide further information [REDACTED] specifically is selected to be part of the heritage overlay and not some of the similar [REDACTED]

We find that council has been contradictory in proposing a heritage overlay [REDACTED] as we have previously written to council to express our concern [REDACTED] [REDACTED] demolish and build multiple dwellings that would negatively impact the character [REDACTED] and was dismissed by council.

Regards,

[REDACTED]

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Monday, 4 April 2022 8:57:11 AM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

[REDACTED] Maidstone

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

Not happy with the new limitations

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Monday, 4 April 2022 1:03:13 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

45 gwelo St Tottenham

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

I oppose such a proposal [REDACTED] house has no Heritage significance whatsoever add financial burden that this will put on the local community lots of residence need to improve the status of their house and with growing material costs and labour costs and cost of living all increasing it will put a very large financial burden on already struggling families and Will take away the opportunity for families to grow and prosper and for loved ones and parents that may need to move back into the household for care in

which will need last improvements and modifications to houses to facilitate this such situation

Outline any changes (if any) you would like made to Amendment C172

I would scrap it any proposed heritage listing remove it altogether

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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From: Communityengagement@maribyrnong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Monday, 4 April 2022 3:23:13 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

31 Wellington Street West Footscray

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

I strongly oppose Amendment c172 due to the lack of consultation with the residents before implementing the 'temporary' overlay. [REDACTED]

[REDACTED] Ridiculous! I look forward to the next council meeting where this topic is to be discussed.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Your City Your Voice.

From: [REDACTED]
To: [AmendmentC172](#)
Subject: Objection to C172
Date: Monday, 4 April 2022 4:02:10 PM
Attachments: [Heritage overlay letter to council.doc](#)
[engineers report-reply mark up.pdf](#)

This Message Is From an External Sender

This message came from outside your organization.

To whom it may concern:

Please find attached my letter of objection to the purposed Heritage Overlay (C172)
I have attached some engineer's findings but am having trouble converting it to a PDF.
I am pretty sure you won't be able to read the engineers findings.
I have sent in objection to avoid missing the deadline. I can resend the engineers findings in a later email, possibly even later tonight.

If you could reply to this email to let me know that it has been received, and that the attached letter has been read.

Regards [REDACTED]
[REDACTED]



Virus-free. [REDACTED]

To whom it may concern

[REDACTED] West Footscray that is now covered by an interim heritage overlay.

After reading over the new requirements and discussing [REDACTED] members of the strategic planning department at the Maribyrnong Council, I am objecting to the proposal of the heritage overlay that the council is proposing.

[REDACTED]
[REDACTED] inter war home viable as a cost effective, environmentally sustainable and practical family home is non-viable. The house design of the 1920's had no thoughts of efficiency in cooling/ heating apart from double hung sash windows and open fire places.

To read requirements and after discussions with planning at Maribyrnong council, I see some of the restrictions including, not being able to see solar panels and solar hot water systems from the front or the sides of the house when viewed "walking down the street". It is hard to comprehend this view with the populations push towards a greener future and not to mention the soaring cost of energy bills. Council is effectively cornering the constituents of these areas into being unable to embrace greener energy.

[REDACTED] double story that can not be viewed from the street is a massive restriction on what could be a practical and efficient [REDACTED]

[REDACTED] Having previous generations grow up in houses of this era, the families 'made do' by extending a lean-to to the house or garage to house the family. We have come a long way in 100 years.

Insurance dilemma-

[REDACTED] West Footscray that was built in 1937. [REDACTED] walls cracking and our chimney slumping.

[REDACTED] the building engineer's conclusion (that stood up on appeal) was that the life expectancy of a house was around 50 years a [REDACTED] (please see the attached PDF)

Effectively making a house of this age [REDACTED] movement caused by other factors. I have included in part a copy of the engineers report in this regard for you perusal. In short their argument is that chimney and house foundations of that era were not to requirements of these days. These are the chimneys that you are insisting on keeping under the heritage overlay you are trying to implement, engineers are saying that they are sitting on unviable foundations.

I do find it concerning that if this heritage overlay proposal was to go ahead and the development of the Barkly street precinct is approved with allowance of 4-6 storey apartments. [REDACTED] designed with the council restrictions of what the general public can see from the street and [REDACTED] because of lack of parking provided by the developers.

The council would have plenty of options on the outlook of the suburb, but to put a blanket heritage overlay on properties and pockets creates a restriction that will stifle families with the vision to create a good functioning family home.

With the state of house prices and with no ease in site, not all young adults are in a position to leave and purchase or rent a property, therefore staying at home longer. The idea of restricting house design so the view from the street is appealing to people who don't live there is hard to comprehend. It is the equivalent of going to a car yard with the intent on buying a red sports car and told that you can only buy the white station wagon at a dearer price and it will be dearer to run, all because that is what other people want you to drive.

I do understand that the conservation of the look of West Footscray is important but I do struggle to understand why this heritage overlay is being implemented.

Some of the development that has been allowed in the area can be described as ordinary and short sighted at best. Car parking of the residents seem to be not a consideration for one.

No one can explain to me why Rupert St and Clive St have not been included in this overlay protection. There is more than a majority of war service houses in these streets. In these streets there are some fine examples of war service homes with second story extensions that have thoughtfully been designed and built that fit in exactly with the original detail of the existing dwelling, in other cases they have not, that is what should be considered by town planning.

I would like a reply just to say that this letter has been read and this is my objection to the Amendment C173 and C172.

Regards [REDACTED]



Jeffrey Hills & Associates

Consulting Engineering Services

Structural – Forensic – Certification – Defect Audits – Dilapidations

No.118

8th January 2021



Claim No: 111972022 1

SUPPLEMENTARY REPORT



for
WEST FOOTSCRAY, VIC

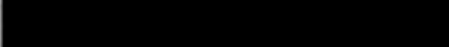
BACKGROUND

Our company completed a report dated 22 July 2020 in regard to cracking damage at the above property.

The report concluded the following:

- Foundation movement and subsequent cracking to the dwelling was caused by pre-existing, long-term factors.
- The location of the 2018 water leak was noted to be considerably far from the location of observed cracking damage.
- The movement detected throughout the dwelling was not consistent with damage caused by a water leak or another single event

REQUEST FOR ADDITIONAL INFORMATION

The email dated 24th December 2020  had requested:

"Hi Team

The client has sent us the attached document in regards to concerns with the engineers report. Can you please review and confirm validity of these concerns.

Thanks."

NORTH QLD- WESTERN QLD- SUNSHINE COAST – BRISBANE - GOLD COAST – NORTHERN NSW

Client Comments and JHA Response

Page 2

1* Photo

Left arrow.... Water marks on stump from water leak when there was an escape of liquid

Right arrow.....Pointing to water mark on Bearer and Joists. This is under the kitchen sink area and stains would be from when the sink would have overflowed on occasion over the past 20 years. The two beige (hot and cold water supply) pipes penetrate the floor boards under the sink area. Clearly water staining from above.

Bottom arrow....Pointing to dry surface which is normal. Also photo taken on 10th of July, middle of winter and wettest start for almost 30 years, surface is dry!



Subject Photo

JHA Response

Client's detailed description noted. Does not affect conclusions.

2nd Photo

Delaminating and peeling paint in N/W Bedroom....

This bedroom was painted in Jan 1993 (for our wedding photos) the house was then Restumped on the 16th of June 1995. It hasn't been painted since.



Subject Photo

JHA Response

Client's detailed description noted. Does not affect conclusions.

Page 3

The plaster is fibred plaster from the 1930's and has bowed inwards, if it was a paper drywall type it would of cracked a lot more at chimney (bottom photo page 6)



This is a photo showing the movement the blue circle shows how much movement there has been. I thought engineer took a photo of this but it didn't make his report.

JHA Response

Movement of subject door frame was mentioned in original report on page 6.

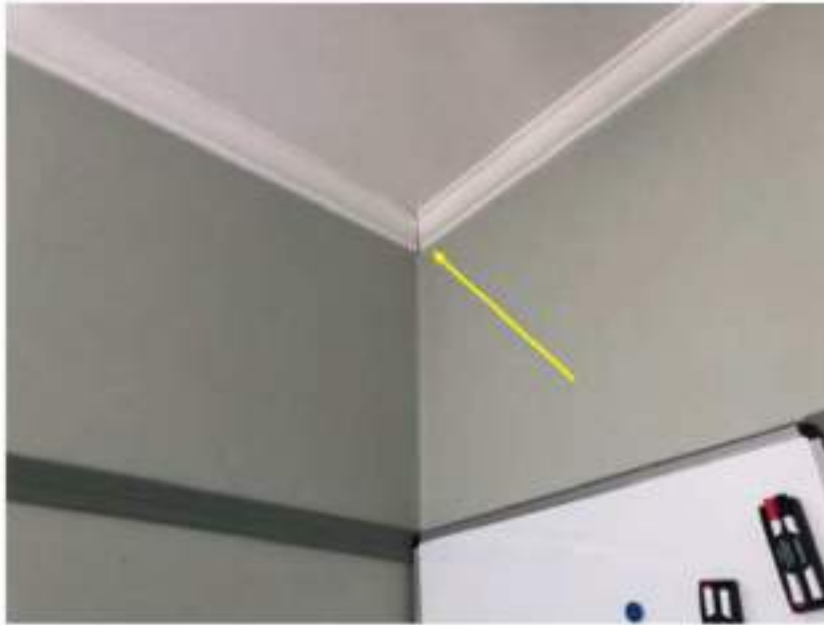


French door frame out of horizontal alignment by approximately 20mm/m

2nd Photo

Cornice separation at S/W bedroom (middle bedroom)

This bedroom was replastered in 1996 this is a 1.5 mm crack and is within 3.5 metres of the slumping chimney. Not unreasonable to expect.



Subject Photo

JHA Response

Client's detailed description noted. Does not affect conclusions.

1" photo

Left arrow...Crack in verandah soon after neighbor on west side had boundary trap replaced. It was a 3metre hole, 4 meters away.

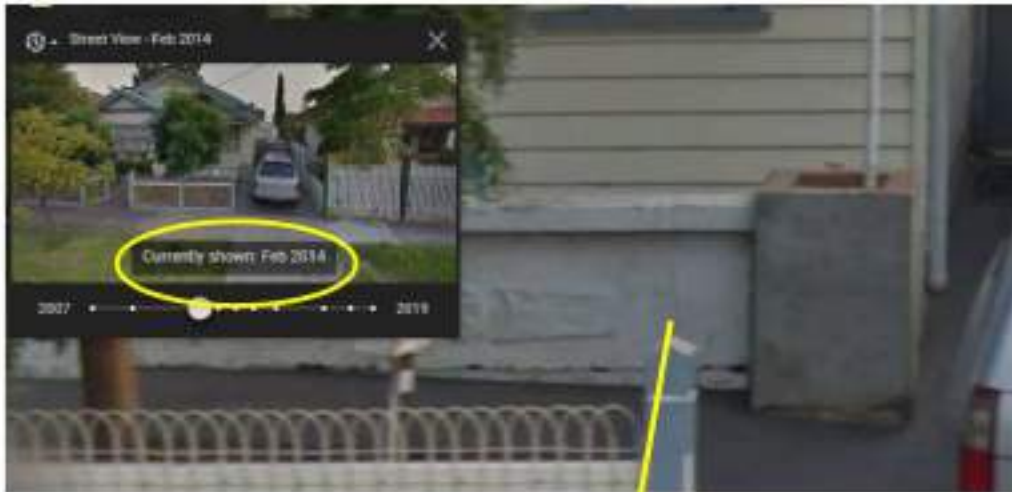
Right arrow..."signs of subsidence"

This render was done when the old foot path/driveway was there, the (new) drive way there is at a lower height. It hasn't subsided the drive way has been constructed lower.

JHA Response

Comment regarding new driveway noted. Does not affect conclusions.

Evidence indicates ongoing damage to front veranda. Images from 2014 display a hairline crack which has significantly opened over the years as displayed below.



Subject crack dating back to 2014 – evidence of crack opening over time

1st photo

Left arrow.... tree planted (mop top) planted 14 years ago 120mm in diameter, 4 metres from house. Relevant?



Subject Photo

JHA Response

Other trees are located closer to the dwelling – see our original report, pages 12 and 13

2 significantly large trees are located approximately 2 meters from dwelling and as such within the footing influence zone, hence relevant.



Trees 2.17m from dwelling (Source: NearMaps)

2nd photo

"Deteriorated and damaged flashing"

It is a window flashing, there is no water damage inside anywhere and is not relevant to this claim.

JHA agrees that this is not relevant to this claim but draws attention to possible maintenance issues for the Insured's benefit.

Page 12

1st photo

At the bottom two arrows when using a spirit level the pavers are level. Originally the pavers would have sloped away; with movement they are now level. See Hydraulic level survey Page 16

Top arrow... is above where the leak was and the ground has subsided. Now not sloping away

: Pavers are permeable

: This is the eastern and sheltered side of the house, it is a blind sideways with a surface width of 900mm, half of which is covered by roofing (a 450mm wide eave and 110mm guttering), therefore half is covered by the roof above and predominately the weather comes from the West. This side way sees minimal rainfall.



Subject Photo

JHA Response

Client's theory is noted. JHA disagrees on the statement regarding the soil profile to be flat.

The following photo clearly displays the soil profile to be graded towards the subfloor.



Soil profile graded towards subfloor

2nd Photo

The neighbour's tree has grown from a seed that has blown under their house. It is 50mm in diameter and is 1.9 metres away from our house. Hardly what could be considered a problem for our house.



Subject Photo

JHA Response

Subject tree located approximately 0.8 meters from dwelling and as such within the footing influence zone, hence relevant. AS 2870 (Code for Residential Slabs and Footings) indicates that trees closer than 0.75 times the mature height of a tree for a Class M site (note – the class of this site is not known at this stage but does contain reactive clays), can cause issues. This tree is not yet fully grown but is about 3 metres high.



Subject tree approximately 0.8 from dwelling (Source NearMaps)

1st photo

This large Gum tree in the neighbours property has been there for at least 30 years it is 6 metres away from our house.



Subject Photo

JHA Response

The large Gumtrees are located approximately 4 meters from subject dwelling.

As detailed in the original report, trees absorb moisture from the soil and cause house footings to subside. Given the size and age of the trees, it is likely the trees have been causing movement damage to dwelling over a prolonged period of time.

AS 2870 (Code for Residential Slabs and Footings) indicates that trees closer than 0.75 times the mature height of a tree for a Class M site (note – the class of this site is not known at this stage but does contain reactive clays), can cause issues. This tree is of significant height.



**Large Gumtrees approximately 4m from dwelling
(Source:Nearmaps)**

2nd Photo



Disconnected storm water pipe

"DISCONNECTED STORM WATER PIPE"

*** This is not a disconnected storm water pipe

It is a redundant sewer VENT pipe

This old vent pipe penetrated through the eave lining boards and old corrugated roof sheets. When the new roof and down pipes along with PVC storm water was installed 22 years ago...

True Blue plumbing confirmed that the storm water was perfect with the CCTV inspection. It is all suspended under the subfloor in PVC.

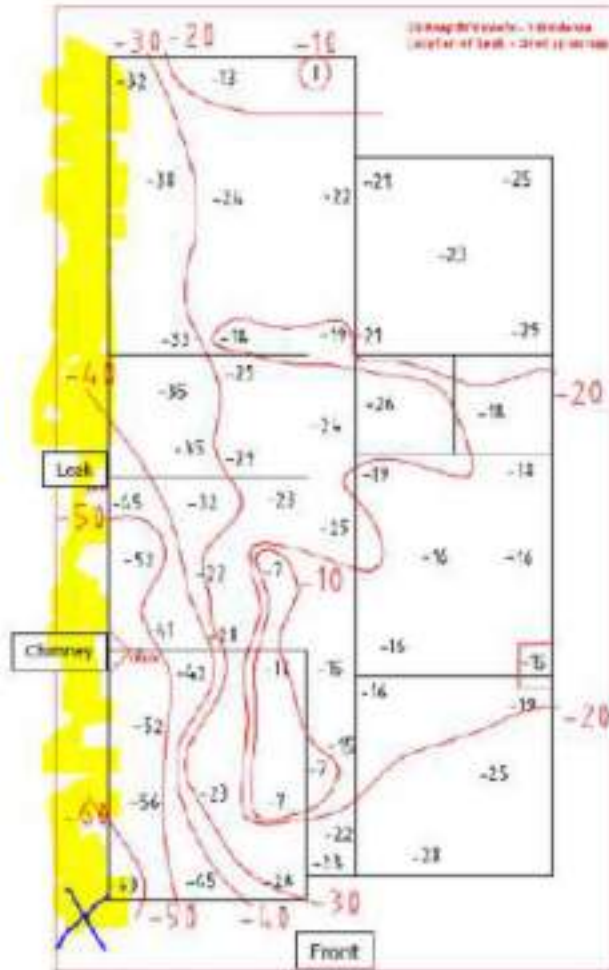
(A storm water pipe does not connect 200mm uphill of a gutter).

JHA Response

Client's detailed description noted. JHA referred to it incorrectly. This does not affect conclusions.

Page 16-17

We first noticed that the sideway was muddy in the NE corner of the house, a few days later I was further down the sideway and noticed the whole sideway was muddy and soft. This is when I noticed the leaking water hammer arresting valve. The sideway had never been muddy before



Results of Hydraulic Level Survey (mm)

Blue cross is where I first noticed muddy. Then when I found the leaking fitting I found the rest of the sideway muddy (shaded Yellow) I didn't look under the house..Cont...

... It would have been the same or similar under the house and that would have been the cause of the water mark on the stump (top photo Page 4)
The leak may have been occurring for who knows how long, as it is our blind sideways and we rarely go down there, it is only because I found it muddy near the bin area (Blue cross)

Page 15

The house is not on a slab (2nd line)
Must be a cut and paste from the standard report.

Page 16

3rd paragraph first 2 lines.

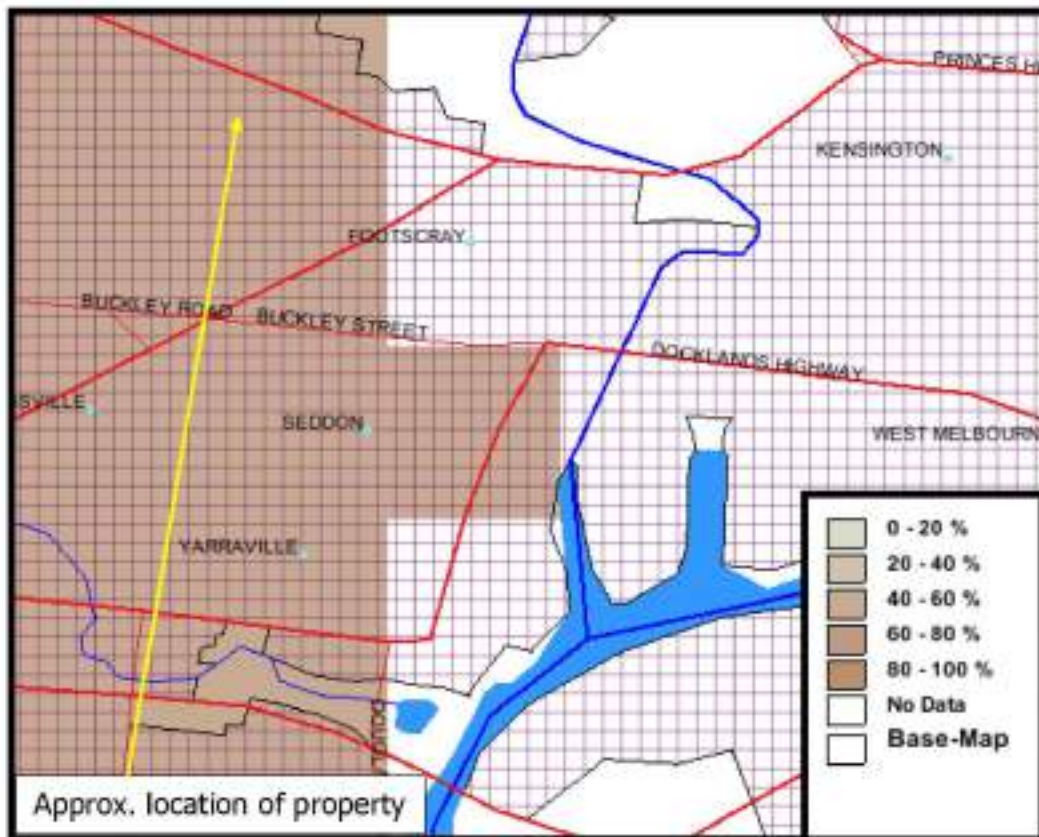
It was a water supply (not the sewer) that was tested and found to hold pressure,
The offending leak was a water supply fitting.

2nd half of paragraph

Regarding doming contour lines refer back to the diagram above. (Blue cross/yellow shading)

JHA Response

The soil in this area appeared to be a clay-based soil. This is corroborated by research into the ASRIS CSIRO database which disclosed the Geological region of the founding soils typically consist of clays as shown below. As such the founding soils may be described as reactive. This means they will change in volume due to moisture variations.



ASRIS Clay Subsoil Composition Map (40-60%)

If a leak occurs in reactive soils, then localised expansion can occur.

The extent of the expansion diminishes over distance away from the broken pipe. Hence when reviewing contour surveys, you commonly see a large localised change in levels in combination with a distinct ridge radiating out from the location of the break in the pipe as shown below. The **high point** is close to the break in the pipe where the expansion is the greatest.

If the leak were causing movement, the contours of the level survey would indicate localised expansion i.e. **higher levels** in comparison to the rest of the house.

In this case subsidence i.e. **lower levels** area observed all along the eastern boundary of the dwelling.

The chimney and foundation were constructed to code at the time.
I have been in contact with the local council and they can show original documentation from the day to say so.



Subject Photo

JHA Response

As stated in the original report, this failure / non-compliance was attributed to material durability with respect to its surrounding environment and loading factors.

Furthermore, every structure has a design life and as stated by BCA, normal design life of buildings and its components is 50 years. Subject dwelling is approximately 80 years and as such has exceeded its design life.

As structures approach or exceed their design life, degradation of the building elements are to be expected. Long term repeat loading cycles due to humidity fluctuations, thermal variations, light exposure, member load reversal, corrosion and normal ground movements impose repeated stress cycles to building elements.

Eventually, the building elements struggle to cope with all these "attacks" and issues become evident. This is a natural aging process that can not be ultimately avoided. Regular on-going maintenance is intended to slow and control the aging process and it is considered normal homeowner maintenance to replace or remediate components/sections of buildings that have "worn out".

BUILDING CODE OF AUSTRALIA (BCA) DESIGN LIFE AND HOUSE ELEMENTS

BCA Design Life Guideline

Table 2.1: BCA Durability Design Life Guideline.

Design life of building (dl) (years)		Design life of components or sub-systems (years)		
Category	No. of years	Category		
		Readily accessible and economical to replace/repair	Moderate ease of access but difficult or costly to replace or repair	Not accessible or not economical to replace or repair
Short	$1 < dl < 15$	5 or dl (if $dl < 5$)	dl	dl
Normal	50	5	15	50
Long	100 or more	10	25	100

Note: Houses are considered normal, with respective design life requirements of 5, 15 and 50 years.

Page 20

The table on this page regarding wall cracks would class this as moderate (5-15mm)
In the chimney area it has dropped 50mm or so over 3000mm, this is more than moderate movement.

On our first page the photo of the double doors show how much movement there has been. A bit more than moderate I would think.

JHA Response

There are two aspects to damage – wall damage (classed as moderate in our report) and floor slope (classed as exceeding Code parameters) in our report.

The critical slope of subject dwelling was discussed in the original report on page 17. Please refer to excerpt below.

The results of the hydraulic level survey showed a variation of 63mm across the entire floor area. This is considered significant and excessive however given the age of the dwelling and the reactive clay soils it is expected. There is a 56mm drop over a 4m length giving most critical slope of 1:71 in the north eastern corner which is more than the maximum slope of 1:150 recommended in *AS2870 – Residential Slabs and Footings*.

Excerpt from original report regarding critical slope of dwelling

Point 4 on Page 20. The trees in question are a Mop Top. See **Page 1** Queries.

As previously discussed, there are also larger significant trees close to the house.

Page 24

Engineers Conclusion




Paragraph 2-3

: The whole side way was muddy as I said to Ali on inspection.

Paragraph 4

The chimney and foundation were constructed to code at the time.

Paragraph 5

The neighbours tree has grown from a seed that has blown under their house. It is 50mm in diameter and is 1.9 metres away from our house. it has not effected the foundations of their house. Hardly what could be considered a problem 

JHA Response

Client's comments noted.

Chimney and tree have been discussed earlier in this document.

CONCLUSION

Considering all concerns raised by client, JHA's opinion on the matter remains unchanged.

The movement detected throughout the dwelling was not consistent with damage caused by a water leak or another single event.

The damages were attributed to construction issues, presence of trees, age degradation, and poor foundation performance over a prolonged period.

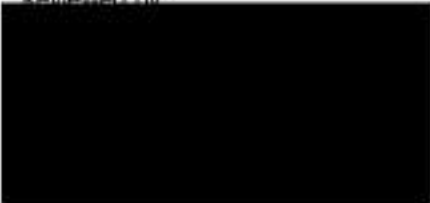
I trust the above report has addressed all of your concerns.

Should you have any further queries, please do not hesitate to contact our office on the telephone number provided.

Structural Engineers Pty Ltd



Reviewed by:



From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Monday, 4 April 2022 4:20:14 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

76 Wellington St, west footscray

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Seek changes

State the reasons why you support or oppose Amendment C172

I do not believe [REDACTED] 76 Wellington St, West footscray qualifies for contributing significantly towards the heritage significance of this precinct or contributing anything towards of heritage significance. I also believe that there is nothing of heritage significance council would like to preserve [REDACTED]. I have attached photos of property from 2016 when some works completed to make this property slightly liveable for next few years. Front and side of the property was significantly updated to suit the

modern decor including all new windows at front and side, front doors were changed and pillars to support porch were replaced with new timber pillars. Front & side fence were taken down and new colour bond fence was installed. All the changes were completed and any heritage significance this property previously had was replaced with modern décor. This is now a standard weatherboard house you will find in every Australian suburb. Hence I believe [REDACTED] does not contribute to the heritage significance of this present.

Outline any changes (if any) you would like made to Amendment C172

Please re-inspect the street landscape and [REDACTED] 76 Wellington street from the time of completion of this heritage study and re-classify [REDACTED] as non-contributory. I would also like to understand what of heritage significance council wished to preserve from this property.

Please attach any additional comments or information

- [76_wellington_st_west_footscray.pdf](#)

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Monday, 4 April 2022 4:46:12 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

76 Wellington St, west footscray

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

A number of houses in this area or precinct are older than 50 years and losing the footings. These houses will continue to become unsafe and not livable in next 5 years and cost residents significant amount of money to maintain these properties and keep them safe. A number of the properties on wellington street have been either been knocked-down and re-built or subdivided into smaller blocks for development. I have attached google photos [REDACTED] and street scape photos of wellington st to

support that this street does not have uniform suburban character to the streetscapes.

Outline any changes (if any) you would like made to Amendment C172

I would like council to withdraw this proposal for Wellington st and re-consider the streets with high proportion of original dwellings which creates a uniform suburban landscape.

Please attach any additional comments or information

- [Street1.pdf](#)

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Your City Your Voice.

From: [REDACTED]
To: [Community Engagement; Amendment C172](#)
Subject: Re: Your City Your Voice - Submission Form - Amendment C172
Date: Monday, 4 April 2022 4:47:38 PM
Attachments: [Street3.pdf](#)
[Street2.pdf](#)

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Some more photos of my claim below.

On Mon, Apr 4, 2022 at 4:46 PM <Communityengagement@maribyrnong.vic.gov.au> wrote:

Your City Your Voice logo



Your City Your Voice - Submission Form - Amendment C172

Thank you for your submission of the form Submission Form - Amendment C172 through Your City Your Voice

Thank you for your submission regarding Amendment C172.

Your submission will be considered as part of the amendment process. We will be in contact with you regarding the next steps in the near future.

If you have any further queries, please contact Council's Strategic Planning Team, at amendmentc172maribyrnong.vic.gov.au or on 9688 0200.

Full Name:

[REDACTED]

Residential Address:

76 Wellington St, west footscray

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

Saurabh

State the reasons why you support or oppose Amendment C172

A number of houses in this area or precinct are older than 50 years and losing the footings. These houses will continue to become unsafe and not livable in next 5 years and cost residents significant amount of money to maintain these properties and keep them safe. A number of the properties on Wellington street have been either been knocked-down and re-built or subdivided into smaller blocks for development. I have attached google [REDACTED] and street scape photos of Wellington st to support that this street does not have uniform suburban character to the streetscapes.

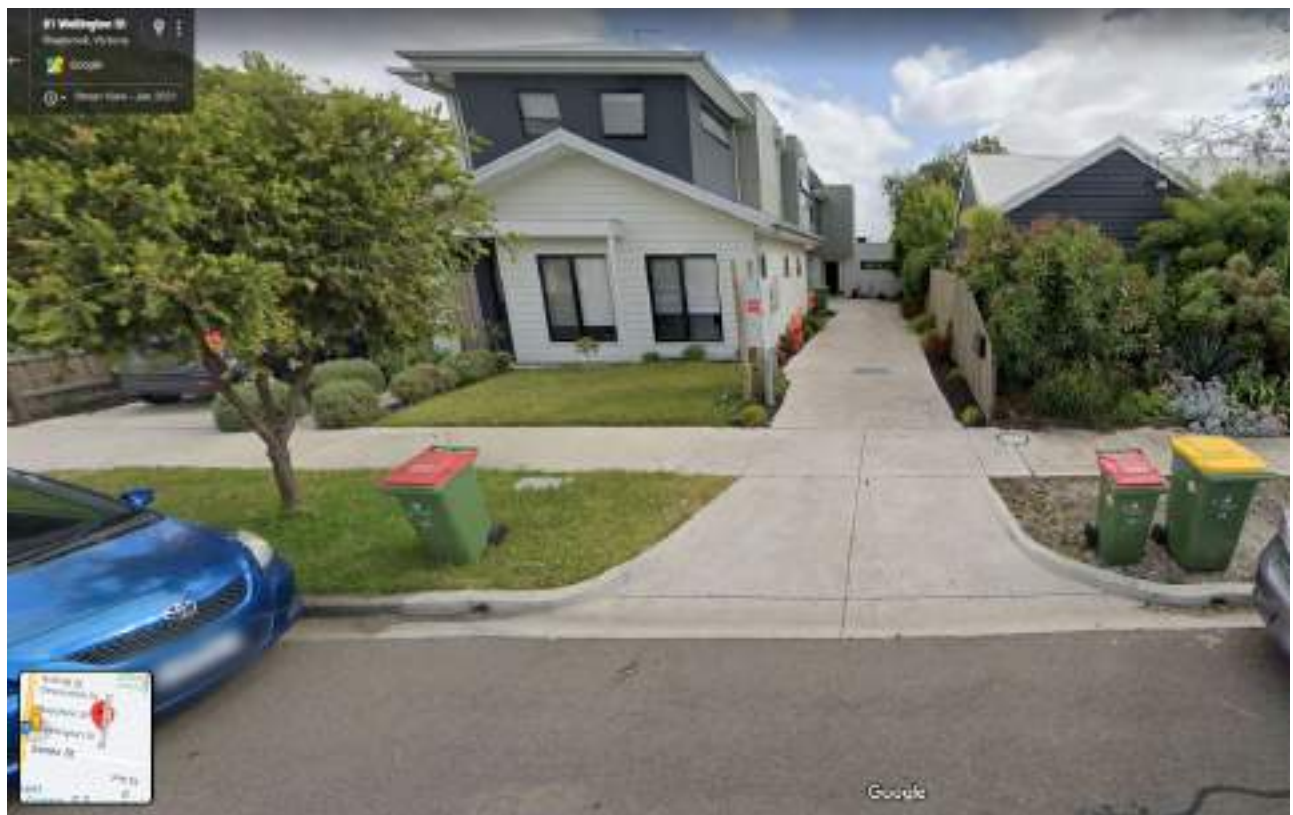
Outline any changes (if any) you would like made to Amendment C172

I would like council to withdraw this proposal for Wellington st and re-consider the streets with high proportion of original dwellings which creates a uniform suburban landscape.

Please attach any additional comments or information

- [Street1.pdf](#)

















From: [REDACTED]
To: [Amendment C172](#)
Subject: Oppose Amendment C172 on Sredna Street in West Footscray
Date: Monday, 4 April 2022 5:50:57 PM

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To whom it may concern,

I strongly oppose Amendment C172 to apply on Sredna Street in West Footscray; especially [REDACTED] 9 and 11 Sredna St.

The reasons are:

1. [REDACTED] 11 Sredna St, West Footscray in 2009 [REDACTED]
[REDACTED]

2. [REDACTED] when a next property at 9 Sredna St, West Footscray [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

3. Both properties are very old and need significant upgrade. Especially, the property at 9 Sredna St, West Footscray is barely liveable. The house is badly damage from the front and can't be repaired easily.

4. Given the street is so close to the Train Station, this would be a great opportunity for the Council to encourage developers to build as many houses as possible, so people can commute using the public transport and reduce the pollution significantly from private car transportation.

5. The street is no longer in its original looks. It has a mixture of new and old houses, weatherboard and brick houses.

If the Amendment C172 is going ahead and apply the heritage overlay to Sredna St, [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

I'm waiting to hear back from the Council, and I'm interested in participating in the preliminary hearings.

Thank you so much for your consideration.

Best Regards

[REDACTED]

[REDACTED]

From: [REDACTED]
To: [AmendmentC172](#)
Cc: [REDACTED]
Subject: RE: 31 Palmerston St WEST FOOTSCRAY 3012
Date: Monday, 4 April 2022 9:03:11 PM
Attachments: [31 Palmerston St - \[REDACTED\]](#)

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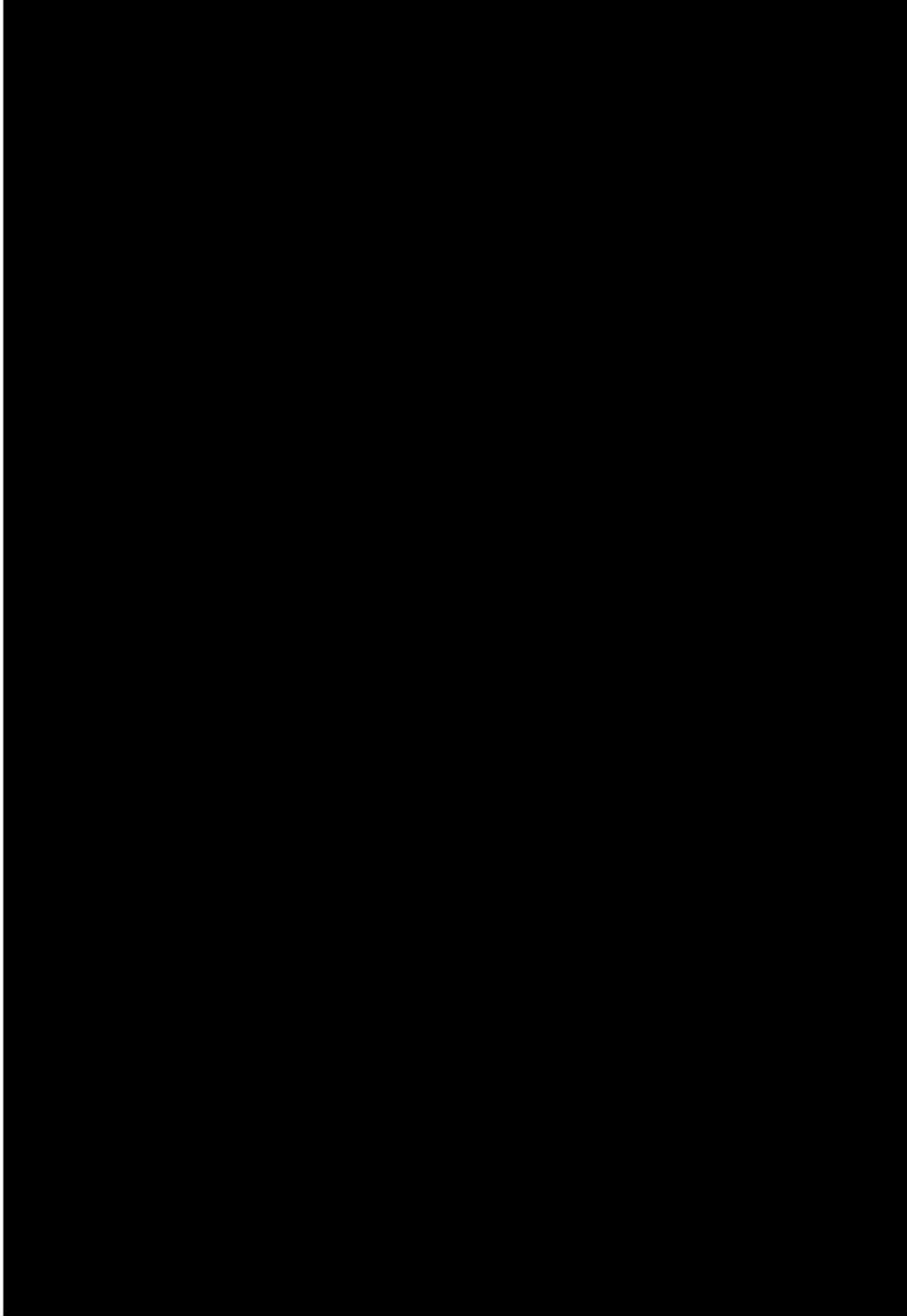
To whom it may concern,

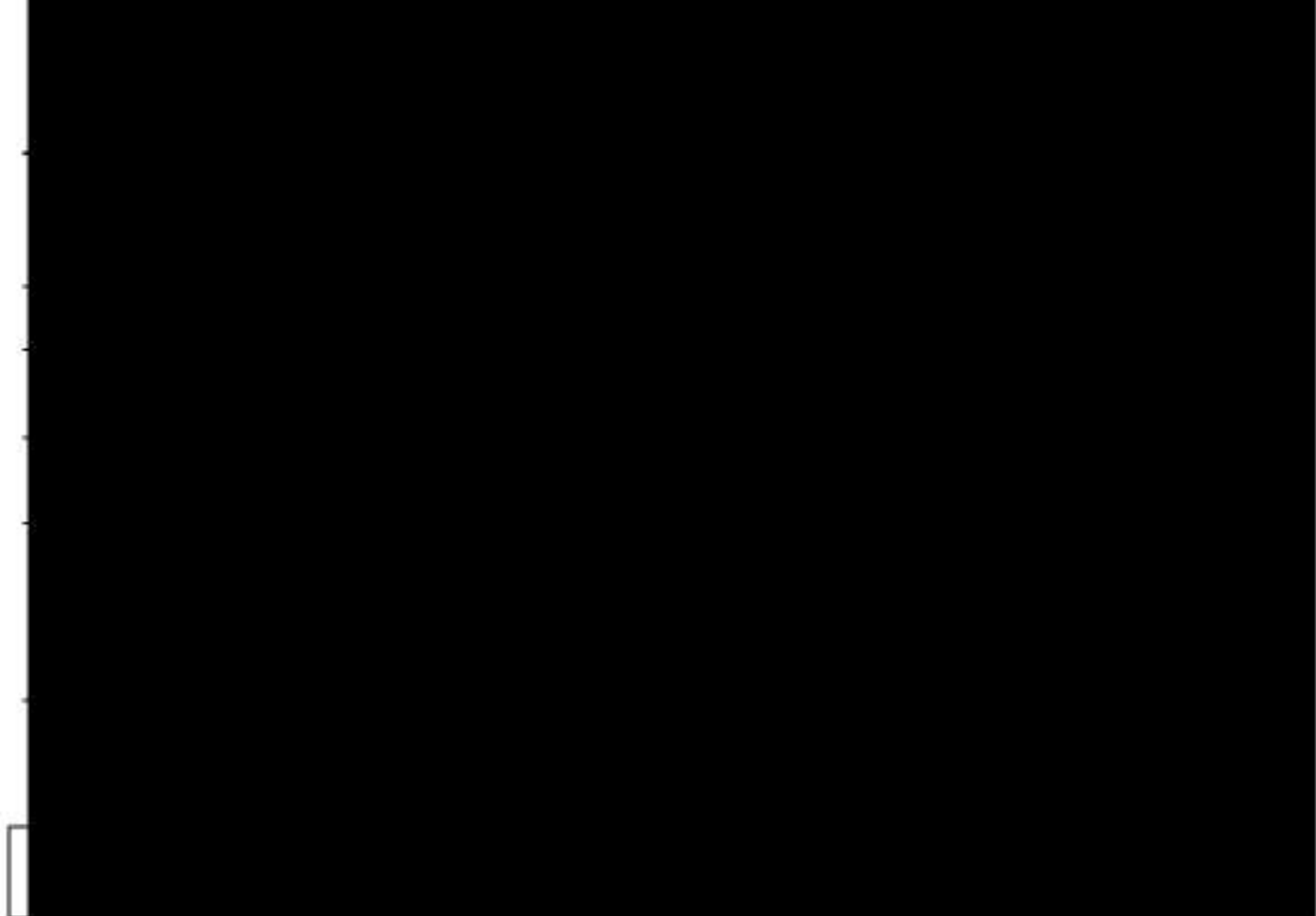
Re: 31 Palmerston St WEST FOOTSCRAY 3012

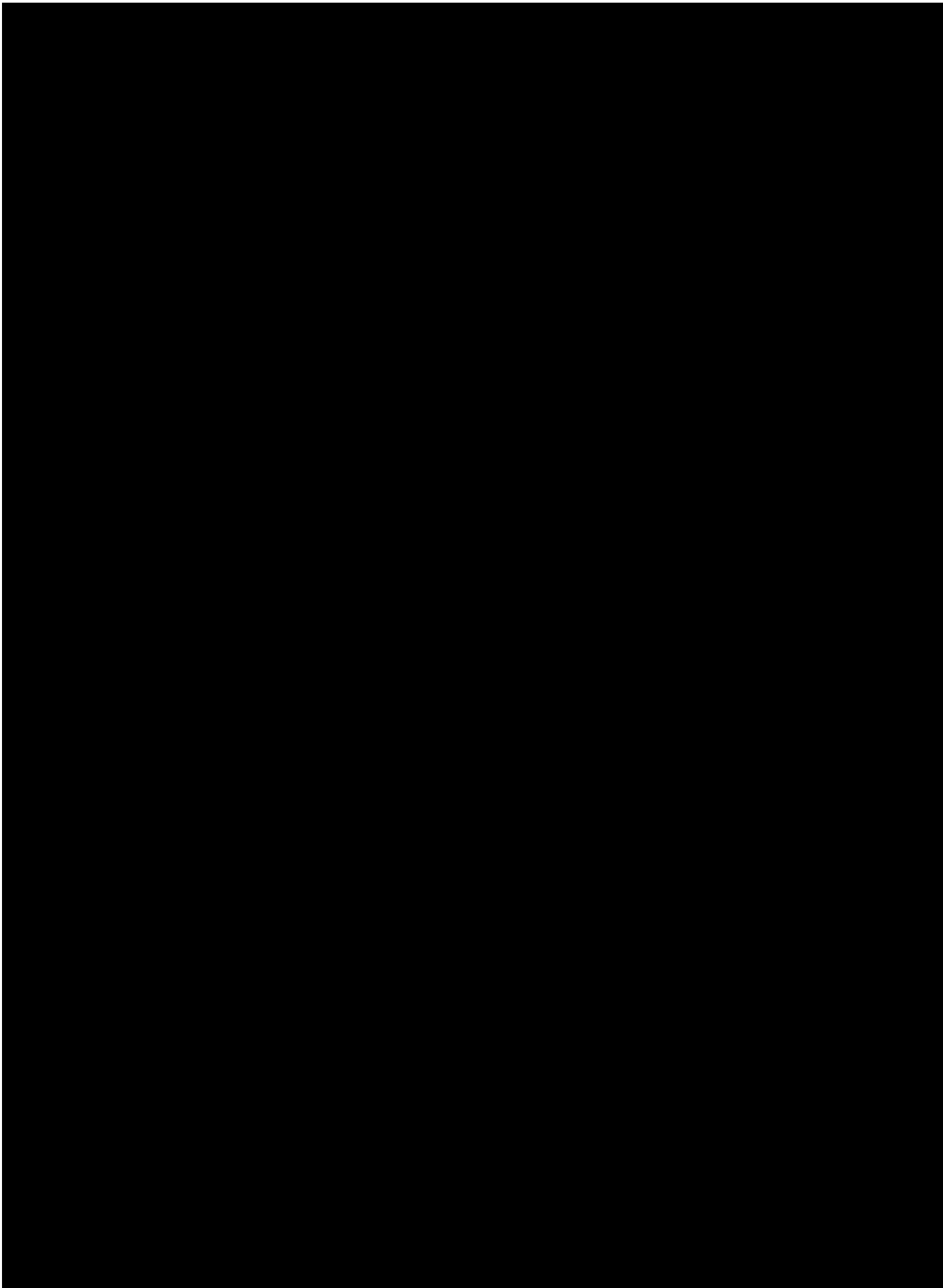
We are writing to oppose proposal for the Maribyrnong Planning Scheme (Amendment C172) that impacts [REDACTED] as noted above.

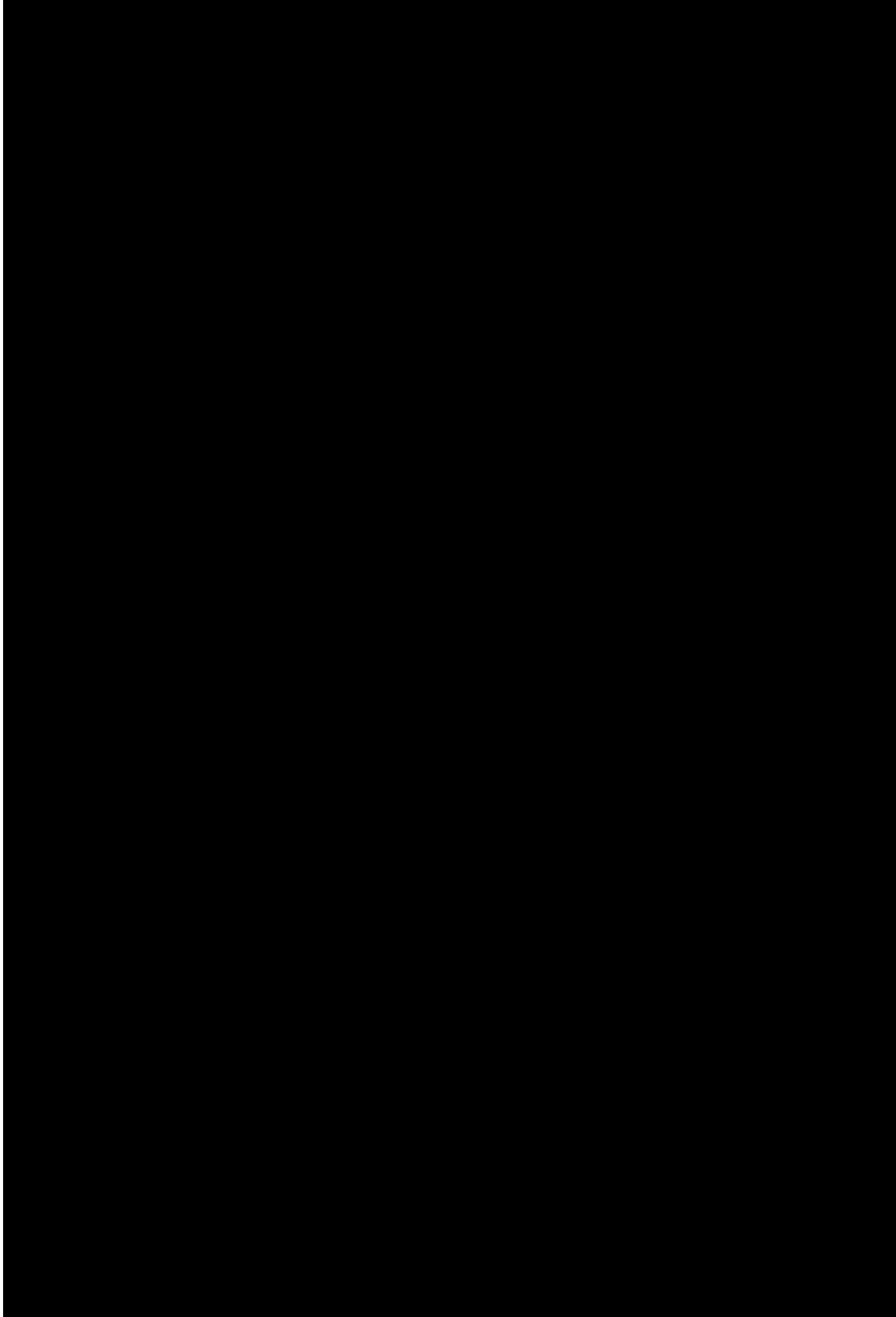
The following points outline our reasons for the opposition

- [illegible]









From: [REDACTED]
To: [Amendment C172](#)
Subject: Objection to Amendment C172
Date: Tuesday, 5 April 2022 10:55:01 AM

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TO WHOM IT MAY CONCERN,

[REDACTED] 1 Duke Street, West Footscray) is affected as part of the HO212 precinct set out in Maribyrnong Planning Scheme Amendment C172.

We would like to express our strongest objection to the proposed heritage overlays.

This amendment will provide little or no benefit to our community but will victimise homeowners and limit the improvement of our urban environment. Particularly in the case of some Post war homes, Amendment C172 seeks to protect houses whose design and character would be valued by very few in our community.

[REDACTED] is a poor example of the type of the Post war architecture that council is seeking to preserve. It has had many modifications, improvements, and additions over the years. These have completely redefined its appearance and have in most cases masked or completely removed features described in the 'West Footscray Inter-war and Post-war Heritage Precinct Study'.

These changes include:

- Painting to hide all salmon coloured bricks and manganese brick detailing.
- Replacement of all original windows with aluminium windows of a different style.
- Removal of concrete porch.
- Addition of large carport and porch with sheet roofing.
- Removal of original wrought iron fencing.
- Removal of original wrought iron balustrade.
- Partial demolition of original brick garage.
- Removal concrete driveway and path to porch.
- Construction of a large double storey extension.

[REDACTED] require will likely be made prohibitively expensive by the proposed controls.

[REDACTED] faced with increased maintenance and repair costs. It is very easy to see how these controls will make it difficult for anyone to make these homes suitable for modern life.

This overlay will have a significant impact on the [REDACTED]

This imposition should not be understated;

We ask that the interim controls be lifted as soon as possible and that Amendment C172 not be implemented.

Please acknowledge receipt of this correspondence by return email.

Yours faithfully,

A black rectangular redaction box covering the signature of the sender.

From: [REDACTED]
To: [AmendmentC172](#)
Subject: RE: Maribyrnong Planning Scheme Amendment C172
Date: Tuesday, 5 April 2022 11:04:28 AM
Attachments: [~WRD0000.jpg](#)
[image001.jpg](#)
[image003.png](#)
[image005.jpg](#)
[image007.jpg](#)
[image009.jpg](#)
[image011.jpg](#)
[image013.jpg](#)
[image014.png](#)
[image015.jpg](#)
[image016.jpg](#)
[image017.jpg](#)
[image018.jpg](#)

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[REDACTED]

Thanks for your email.

Greater Western Water have no issues from the perspective of provision of water supply & Sewerage services.

Please call me or email if you have any further questions or concerns.

Thanks

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED] **On Behalf Of**
AmendmentC172
Sent: Monday, 28 February 2022 11:33 AM
To: [REDACTED]
Subject: Maribyrnong Planning Scheme Amendment C172

Please find attached correspondence from Maribyrnong City Council regarding Planning Scheme Amendment C172



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From: [REDACTED]
To: [Amendment C172](#)
Subject: Submission of opposition to Amendment C172
Date: Tuesday, 5 April 2022 11:31:46 AM
Attachments: [Opposition to Amendment C172 - \[REDACTED\] 52 Napoleon Street.doc](#)

This Message Is From an External Sender

This message came from outside your organization.

To whom it may concern,

This is a submission of opposition to Amendment C172, with reasons provided in attached document.

If you can please confirm that you have received this submission including attachment.

Regards

[REDACTED]
52 Napoleon Street, West Footscray 3012
[REDACTED]

5 April 2022

To whom it may concern,

We oppose the adoption of Amendment C172mari including

- The implementation of the West Footscray Inter-Heritage Precinct Study 2021
- The application of heritage overlay to the eight precincts identified, including 52 Napoleon Street, West Footscray.
- The implementation of Design Guidelines related to Amendment C172mari

We oppose the adoption of Amendment C172mari on the following grounds:

It is not supported by the Maribyrnong community as evidenced by Maribyrnong Council's own community engagement data.

While Council has several tools that it can use to maintain the character of a suburb (including development overlays which are specifically designed to control the location and construction of construction projects) it has chosen to implement a heritage overlay that is not supported by the community.

In Agenda Item 6.2 'West Footscray Inter-War and Post-war Heritage Precinct Study 2021 – Planning Scheme Amendments (C172 and C173) shared with the City Development Delegated Committee on 21 September 2021 it is stated that:

“During the preparation of the West Footscray Neighbourhood Plan 2018 the community raised the need to retain neighbourhood character and undertake a heritage study of the area.”

According to Council this community engagement contained just 85 responses and only 19 residents attended the related public information sessions. Of these responses over 80% supported the draft neighbourhood plan without any new heritage overlays and of the 12 built form comments identified by Council just one mentioned a need for heritage controls. All five of the 12 comments objecting to the increased building heights were rejected by Council.

It is disingenuous to suggest that a single comment from a population of more than 87,000 represents “community raising a need to undertake a heritage study of the area”.

It will prevent positive changes and essential repairs to housing

Common upgrades to existing homes such as replacing front fences, enclosing a carport with a garage door, or building a veranda over the front door can become virtually impossible under this new overlay. Changes which make front yards more usable are essentially banned under this overlay and given that front yards are a key piece of social infrastructure where we interact with our neighbours, the inability to improve them will be a major negative outcome for our community.

Many of the houses in our suburb are aging poorly and are also subject to the impact of problematic and volatile reactive clay soils. Some of the key fixes that will improve the longevity of these homes such as replacing tiles with lighter Colourbond (to reduce impact of ground movement) and replacing fence types are banned under this new overlay, presenting health and safety risk.

It will have a negative impact on sustainability

On 19 of February, 2019, Maribyrnong Council acknowledged that we are in a state of climate emergency, recognising that: “as a Council and as a community, we must take action to restore a safe climate at emergency speed”

The proposed heritage overlay will prevent new solar panels visible from the street from being installed, significantly impacting the ability of West Footscray residents to harness sustainable forms of energy and to reduce carbon output. The inability to replace dark tiled roofs with lighter coloured colourbond options also reinforces urban heat soak, requiring more use of energy for air-conditioning to maintain liveable housing.

We oppose the assessment of 52 Napoleon Street as ‘Contributory’ to the significance of Bottomley’s Paddock Precinct H0211 in the West Footscray Inter-war and Post War Heritage Precinct Study 2021.

The residence at 52 Napoleon Street has been extensively renovated, with most of the features described as significant in Council’s Statement of Significance no longer present.

- Original brick chimney not present
- Front windows new/replaced
- Front door new/replaced
- Front weatherboard timbers replaced
- Porch and front deck new/replaced
- Side garage replaced
- Side setbacks altered
- Front fence timber palings
- Major internal and back extension completed

It appears that these renovations have not been considered in the assessment of 52 Napoleon Street.

It should also be noted that Council’s communication on which properties are contributory and non-contributory are not consistent, with the map in the brochure sent to residents on 28 February 2022 not matching that in Council’s other documents.

We oppose the implementation of the Heritage Design Guidelines in the Planning Scheme as it relates to the adoption of Amendment C172mari on the following grounds:

1. It does not consider West Footscray's reactive volcanic soils and allow for replacement of roofing tiles with lighter Colourbond materials.

There is no explanation or justification as to why Colourbond roofing is not permitted and the design guidelines do not specify if Zinalume is permitted or not.

In Agenda item 6.2 'Bottomley's Paddock Inter-war and Post War Residential Precinct Statement of Significance', the precinct's significance is described as being significant on account of the "visual qualities of its streetscapes of bungalow style houses which is expressed in their setting and unity, scale and variety". The designated precincts already include many examples of colourbond roofing – changing tiles to colourbond would not detract from the unity or variety of housing present.

2. It discourages carbon reduction and sustainability which is at odds with both Council and State Government objectives.

The proposed design guidelines discourage solar panels visible from the street from being installed, significantly impacting the ability of West Footscray residents to harness sustainable forms of energy and to reduce carbon output.

The inability to replace dark tiled roofs with lighter coloured colourbond options also reinforces urban heat soak, requiring more use of energy for air-conditioning to maintain liveable housing.

3. It discourages and prevents extension of garages, carports, car parking and other construction within housing frontages

Given that front yards are a key piece of social infrastructure where we interact with our neighbours, the inability to improve them will be a major negative outcome for our community.

This will also create major pressure on residential streets, where parking is already limited due to Council's approval of townhouse development without adequate off-street parking in the precincts.

4. It limits front boundary fence design, without consideration of West Footscray's reactive, volcanic clay soils or responsible animal management and welfare.

A variety of fence designs must be able to be used to be able to manage West Footscray's reactive volcanic clay soils.

The requirement for low front boundary fencing also limits residents' ability to contain pets safely within their property boundaries and meet animal welfare requirements.

Regards,



52 Napoleon Street
West Footscray 3012

From: [REDACTED]
To: [Amendment C172](#)
Subject: Objection to Amendment C172
Date: Tuesday, 5 April 2022 2:30:29 PM
Attachments: [Amendment C172 objection letter - \[REDACTED\]](#)

This Message Is From an External Sender

This message came from outside your organization.

Hi Strategic Planning Team,

Please find attached my written objection to Amendment C172, relating to the application of proposed heritage protections to several precincts within West Footscray.

Regards,

[REDACTED]



Tuesday 5th April 2022

Strategic Planning Team
Maribyrnong City Council
PO Box 58
West Footscray VIC 3012

RE: Objection to Amendment C172

Greetings Maribyrnong Council,

[REDACTED] I write to object to the recently announced plans to introduce permanent heritage protection in several precincts throughout West Footscray via a change to the Maribyrnong Planning Scheme, specifically titled Amendment C172. In this letter I will detail my objections to the Amendment in general, before addressing my specific concerns as they relate to [REDACTED] 61 Wellington Street, West Footscray.

General objections

Heritage protections are not aligned with the Maribyrnong Housing Strategy 2018

The Maribyrnong Housing Strategy 2018 details the Council's vision for planning and development in the City of Maribyrnong out to 2031. The strategy classifies all areas within the City into three broad categories: Substantial Change Areas, Incremental Change Areas, and Limited Change Areas. Most of West Footscray was identified as an Incremental Change Area, with the Council stating its support for moderate housing growth, increased density, and additional building height above the prevailing averages within this area. Amendment C172 runs counter to this, as the rigorous restrictions brought about by a heritage overlay would drastically impede property owners from making changes that would enable housing growth, increased density and greater building heights within the affected precincts.

The Maribyrnong Housing Strategy aims to address affordability, resident amenity, adaptability and environmental sustainability. All of these factors would be negatively impacted by the permanent adoption of Amendment C172, by decreasing housing supply (and therefore affordability) and by locking property owners into outdated, inconvenient and inefficient housing designs that cannot be easily (or cost effectively) altered.

Alternative planning controls

Council claims that the initiation of the 'West Footscray Inter-war and Post-war Heritage Precinct Study 2021' was based on public feedback received on the West Footscray Neighbourhood Plan (2018), however the Council has not provided any substantive information on the number of comments that were received, or their specific nature. I am aware of concerns held by some property owners within the area that high density townhouse developments are detracting from the neighbourhood character within West Footscray, but I find dubious any claim that the majority of feedback received by Council requested mitigation of these higher-density developments specifically through the mechanism of heritage protections. This is supported by the fact that nearly five hundred people [REDACTED] have recently signed a change.org petition objecting to the proposed heritage overlays in West Footscray, which can be found at <https://www.change.org/p/maribyrnong-city-council-vic-delwp-objection-to-proposed-heritage-overlays-in-west-footscray>.

Council has not engaged properly with the West Footscray community to fully understand its views on what needs to be protected and via what means. Instead, it has arbitrarily decided that wide-ranging heritage protections are required when other, less heavy-handed, planning controls exist that could be applied to address inappropriate developments, such as limitations on sub-divisions and building heights. These alternative planning controls could preserve the general character of the area while still allowing beneficial and necessary renovations and redevelopment.

Property-specific objections

Architectural style

The range of architectural styles and periods covered by the 'West Footscray Inter-war and Post-war Heritage Precinct Study 2021' is extremely broad, covering a sixty-year period from 1915 (Inter-war period) to 1975 (Post-war Migrant houses). The study has cast such a wide net, proposing protection of so many different housing styles, that it seems age has been used as the sole determining factor of heritage in the eyes of the consultants, regardless of a house's inherent architectural and aesthetic appeal. Many of these housing styles are common in other areas, and the examples found in West Footscray are not especially significant in the context of greater suburban Melbourne.

[REDACTED] 61 Wellington St falls into the 'Housing Commission of Victoria house' category. These properties were built during times of austerity to be cheap and fast to construct, suffering from material shortages that resulted in their austere design. Additionally, as detailed in the study, they were subject to government restrictions on size. As a result, the house lacks many of the architectural features and flourishes that give other heritage styles their visual appeal. There is a very strong argument that houses in this style are rather unappealing and do little to enhance the character of the area. The study itself even admits that "Some people will be of the opinion that these areas of Inter-war and Post-war housing in West Footscray are un-lovely and the austerity of some of the house designs are not 'worthy' of protection". The study's subsequent assertions as to the cultural value of these designs, whilst presented as fact, are based on the consultant's own opinion. It is easy for someone to declare the cultural importance of a particular style of house when they don't have any personal interest in it, nor have to live in it.

Changes to the property

[REDACTED] several changes since it was built in the mid-1940s. The exterior wooden weatherboards have been replaced with a vinyl imitation weatherboard cladding. The original timber sash windows have also been replaced with a range of aluminium window frames in different colours. In addition, a roller garage door has been constructed on the side of the house, leading into a pergola which extends down the whole of the house's eastern side.

Due to these changes the appearance of the house is no longer an authentic representation of its particular style (i.e. Housing Commission of Victoria house) and should at a minimum be declared non-contributory.

Impact of the heritage protections on liveability

[REDACTED]

- The existing house does not have sufficient bedrooms or living space [REDACTED]
- [REDACTED]
- The driveway of the existing house is too narrow for a vehicle to pass through and into the garage at the rear of the property. In fact, the driveway area in front of the roller door at the front of the house is too narrow to comfortably park a modern car in while still being able to open doors on both sides. [REDACTED] adding to congestion and putting [REDACTED] higher risk of damage and theft.
- The house is not energy efficient in any way and would be difficult and expensive to bring up to the same level of efficiency as a modern home.

These factors mean that the existing house would require a massive amount of renovation and extension to be made suitable [REDACTED] possibly even requiring re-siting the building on the block. Customised work of this nature is more expensive, involving a greater level of architectural planning and design, than a brand-new build would. Integrating any extension with the existing façade house would also add an additional layer of complexity and cost, while the outcome would be visually sub-optimal given the unattractive and austere nature of the existing housing commission house design. The application of a permanent heritage overlay would [REDACTED] [REDACTED] it would increase the cost of making the property ready [REDACTED]

[REDACTED]

However, the things we love about it are not tied to preservation of specific architectural styles. We believe the area has much more to offer than purely visual appeal. The introduction of permanent heritage protections will impose conditions that will make living in West Footscray impossible [REDACTED] Due to this and the reasons I have outlined above, I ask that Council rescind its proposal to apply permanent heritage protections to various precincts within West Footscray, [REDACTED] 61 Wellington St in particular.

Regards,



From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Tuesday, 5 April 2022 6:57:13 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

28 Barton St West Footscray

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

Please refer to attached submission

Please attach any additional comments or information

- [submissionAmendmentC172_\[REDACTED\].pdf](#)

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Your City Your Voice.

[illegible]

Please find **attached** my submission opposing Amendment C171. The submission uploaded through portal did not have annexure due to file size limitations. Please refer to the submission attached.

28 Barton St West Footscray 3012.

Best winners,

[illegible]

The Worst House in the Best Neighbourhood?



A submission opposing Amendment C172

[REDACTED]
[REDACTED]
[REDACTED]

5 April 2022

Executive Summary

The submission is provided to Council in support of our position **opposing Amendment C172**.

This submission presents several key arguments against the proposed Amendment C172, including that the proposal:

1. is informed wholly by purist heritage arguments, without regard to other undesirable impacts on affected residents;
2. represents a disproportionate response to the issues identified in 2018 community consultation;
3. conflicts with other Council strategic planning – notably its Housing and Climate Emergency Strategies;
4. shifts the financial burden to residents in an altogether disproportionate way;
5. creates a divide between residents who benefit and those who will suffer the most disadvantage;
6. has not met the criteria for Heritage overlay set out in the State Government Practice.

Recommendation

That Council defers consideration of the proposal and undertakes a thorough analysis, engaging appropriately expert consultants from a diversity of fields and interests – including financial and social impacts - to investigate the other issues identified in this and other submissions, prior to making any proposed planning amendments.

Introduction

For residents and Councillors alike, Amendment C172 which would introduce a permanent heritage overlay in West Footscray is not a trivial issue. The Amendment is not a minor matter which affects only a handful of households on a single street - such as a problem tree or an individual development application.

On the contrary, Amendment C172 has significant consequences for nearly 1000 homeowners in the Maribyrnong City Council area. Accordingly, residents in affected constituencies will expect Councillors to make this significant decision based on research informing a thorough evidence base. Council must give rigorous consideration to the consequences of approving Amendment C172 for such a large number of its constituents.

The heritage overlay in Amendment C172 covers eight separate precincts within West Footscray and impacts almost 1000 homes. The justification for the proposed overlay is that it addresses feedback provided on the West Footscray Neighbourhood plan in 2018. This feedback was provided by a small number of residents who requested more controls to assist in maintaining the character of West Footscray. Relevantly, the controls requested were specifically to prevent the construction of inappropriately scaled developments.¹

Despite this being the express justification for the proposed controls, since the implementation of the interim overlay, we have seen a number of such developments eventuate, including:

- inappropriately located townhouses;
- rejection of positive changes and modification to homes;
- expensive repair costs imposed on individuals and families ;
- exacerbating the shortage of suitable family homes;
- detrimental environmental impacts of maintaining energy inefficient buildings; and
- financial and emotional burden on individuals and families who have had the heritage overlay imposed without notice or adequate consultation.

These themes are further explored in the body of this submission.

¹ Reported in Council minutes <<https://www.maribyrnong.vic.gov.au/About-us/Council-and-committee-meetings/Agendas-and-minutes>>.

What is the character of West Footscray?

Before moving to the substantive arguments opposing Amendment C172, it is helpful to look at the context for the proposed amendment.

A question which is conspicuous by its absence in the documentation supporting the amendment is: *what exactly is the character of West Footscray?* If we are to believe the justification for the proposed amendment, then we must consider the character of West Footscray is represented solely by a specialised notion of “heritage” which is almost certainly not the definition of “character” shared by the majority of its residents. The rather arcane, subjective, and loose definitions of what constitutes “heritage character” by heritage consultants is explored further below.

Our view of West Footscray’s character is informed by a complex and evolving multicultural and intergenerational population. In the midst of this in 2022, it is safe to say that there is a strong representation of families, individuals and couples moving to the area with limited finances and a vision of getting a piece of the great Australian dream.

Most of us have heard - and many have accepted - the wisdom of the advice to maximise the value of a property purchase by buying *the worst house in the best neighbourhood*. For families and couples on a limited budget it is an affordable and sometimes – the only – way to get a foothold into a desirable suburb with access to schools, transport, and services. Over time, homeowners will invest savings into small improvements and modifications, and start planning for larger modifications that will allow them to stay in the home as their families grow and change. Eventually they may consider selling for a good price and moving up as their financial situation improves. First time homeowners are commonly advised to buy homes that are 'structurally sound yet have old, tired fittings on the outside'.²

This buying pattern has been evident amongst families moving into West Footscray, a suburb which has seen immense growth in young families coinciding with rapid increases in cost of housing over recent years.³ The median price of a two-bedroom weatherboard cottage in West Footscray is now \$878,000. The median overall increase in purchase price for a home in West Footscray has risen by approximately \$135 000 in the past year.⁴

Despite the rapid growth in cost of housing since 2016, West Footscray housing prices still compare very attractively to other suburbs a similar distance from the CBD.⁵ The prospect of buying the “worst house” in an “OK street” in West Footscray has clearly attracted many couples and young families to the area with the prospect of undertaking a modest renovation on a very basic 2-3 bedroom house on a 360sq m block.

Amendment C172 will impact disproportionately on many of those families. Accordingly – this raises the question – *how will an amendment that forms financial and temporal barriers to the emerging family character of West Footscray actually enhance its character?*

² See e.g. *Renovation tip: Follow the ‘worst house, best street’ strategy*

<<https://www.smartpropertyinvestment.com.au/property-renovation/18105-renovation-tip-follow-the-worst-house-best-street-strategy-2>> - accessed 17/3/2022.

³ See Maribyrnong City Council, *Maribyrnong Housing Strategy 2018*

<<https://www.maribyrnong.vic.gov.au/files/assets/public/planning-services-documents/city-strategy/current-projects/housing-strategy/maribyrnong-housing-strategy-summary-report-5-june-2018-draft-endorsed-26-june-2018.pdf>> and Australian Bureau of Statistics, *2016 Census QuickStats*

<https://quickstats.censusdata.abs.gov.au/census_services/getproduct/census/2016/quickstat/SSC22742>;

⁴ RealEstate.com’s *Neighbourhood snapshot* <https://www.realestate.com.au/neighbourhoods/west-footscray-3012-vic>> accessed 17/3/2022.

⁵ Ibid.

Lack of Evidence Base

In its brochure “*West Footscray and Surrounds Inter-war and Post-war Heritage Precincts*” the Maribyrnong City Council states that the changes are proposed in response to the feedback on the 2018 West Footscray Neighbourhood Plan.⁶ The feedback consisted of eighty-five responses. Nineteen residents attended the related public information sessions. Of these responses, over 80% supported the draft neighbourhood plan *without any new heritage overlays* and of the twelve comments identified by council in its minutes, *just one* mentioned a need for heritage controls. Paradoxically, all five of the twelve comments objecting to the proposed increased building heights were ultimately rejected by Council. Consequently, we submit that the implementation of a heritage overlay justified on the basis of the consultation is completely misconstrued and represents a disproportionate response to the issues identified.

After receiving feedback on the *West Footscray Neighbourhood Plan*, Council engaged a heritage consultant to undertake the *West Footscray Inter-war and Post-war Heritage Precinct Study 2021*.⁷ Amendment C172, appears to be entirely predicated on this single study. Crucially, the Report itself notes that the study was significantly impacted by:

*the unfolding global pandemic of Covid-19 during March, April and May 2020, and the associated requirements for social distancing, work-from-home and restricted movement from June to December 2020.*⁸

The Report further notes that lockdowns over the period of the study

*had a range of impacts, including the closure of libraries, archives and historical societies, restricting the ability of consultants to undertake fieldwork and consultation and technical issues ... Some assessments were necessary using desktop means rather than ground-truthing and some historical resources became unavailable.*⁹

In other words, the amendment relies wholly on a single study, affected by lockdowns which limited the capacity of the consultants to undertake their research in significant ways.

Moreover, this sole piece of evidence justifying the amendment is a report of a consultant who is an expert on heritage protection,¹⁰ but there has been no objective evidence brought to bear on a range of other issues integral to the neighbourhood’s needs. The other matters which must be weighed are detailed in this submission. More on the quality and rigour of the study is explored below.

Minimally we should expect such a significant proposal with the kind of broad ranging and potentially onerous impacts on residents to be supported by a range of expert consultancy that reflects more than one set of interests. Such an amendment requires Council to balance a variety of considerations, and we submit that this must include a fulsome consideration of what constitutes the area’s character, the potentially significant financial burden on residents of heritage overlays, and the impact of the amendment on residents’ capacity to respond to the climate emergency.

⁶ City of Maribyrnong, *West Footscray Neighbourhood Plan 2018* at <https://www.maribyrnong.vic.gov.au/files/assets/public/planning-services-documents/city-design/frameworks/west-footscray-urban-design-framework/west-footscray-neighbourhood-plan-final.pdf>.

⁷ Heritage Alliance Conservation Architects and Heritage Consultants, *West Footscray Inter-war and Post-war Heritage Precinct Study* – March 2021 at [https://hdp-au-prod-app-marib-yourcity-files.s3.ap-southeast-2.amazonaws.com/9016/4567/9833/West Footscray Inter-war and Post-war Heritage Precinct Study 2021.PDF](https://hdp-au-prod-app-marib-yourcity-files.s3.ap-southeast-2.amazonaws.com/9016/4567/9833/West_Footscray_Inter-war_and_Post-war_Heritage_Precinct_Study_2021.PDF).

⁸ Ibid, p.8.

⁹ Ibid.

¹⁰ Ibid.

A Solution Looking for a Problem

Heritage overlays may seem superficially at least, to be a solution to a range of neighbourhood problems. However, this approach actually defeats the stated purpose of maintaining the neighbourhood's character by creating an overlay that will restrain its diversity by attempting to preserve it in a single, arbitrary moment in time.

Neighbourhood character is dynamic and evolving - not just a moment in time

The proposed overlay represents a "one size fits all" approach which will limit the area's diversity and appeal by shoehorning entire streets and neighbourhoods into a single point-in-time "character". This proposal effectively makes [REDACTED] a time capsule, with no further capacity for diversity and development of the local character and 'vibe' beyond its 2022 current state.

This methodology could logically lead to whole suburbs such as Point Cook or Sanctuary Lakes, or in fact any new release estate built at the one time being subject to a similar restrictive overlay at the behest of a heritage study. This is because, counter-intuitively, the "heritage character" does not require historical value – just a "character" determined by construction during a particular time period.¹¹

Accordingly, the approach of Amendment C172 to "preserving character" has no regard to the *significance* (or otherwise) of the particular "character" being preserved. The preferred character statements set out in Council's Planning Scheme as a local policy at Clause 22.05 should help guide future development.¹² Notably the statement for this area notes the following aspects of this area are valued by the community:

- *The diversity of cultures represented in the design of private gardens.*
- *Large canopy trees and open space networks.*
- *The regeneration of older areas.*
- *Retention of older dwellings, incorporated with new contemporary homes.*
- *The diversity of building styles.*
- *Appropriately scaled development, and sensitive additions to existing buildings.*
- *Energy efficient buildings.*
- *Space around buildings, including appropriately sized backyards and large gardens.*¹³

Not one of these character statements are reflected in Amendment C172, on the contrary, the amendment will basically form barriers to meeting these guidelines.

Disproportionate approach

At **annexure A** we have included a folio of photographs on a single street in one of the affected areas. The photographs are objective evidence of the preponderance of dwellings which have already been changed – often significantly - from their original character. This is a palpable example of the misconceived approach represented by creating a *blanket overlay* in these streets where there remain *no properties* in original states.

The Heritage Alliance study documents the thresholds required to establish "Places of Cultural Heritage Significance" in accordance with Victorian Planning Provisions Practice Note No.1 (PPN1).¹⁴ Firstly, we note that the PPN1 states that places should only be included in the heritage overlay where they have been identified in a local heritage study "**provided the significance of the place can be shown to justify the**

¹¹ See criteria set out in Department of Environment, Land, Water and Planning, Victorian Planning Provisions Practice Note No.1 - Applying the Heritage overlay, August 2018

https://www.planning.vic.gov.au/__data/assets/pdf_file/0030/96555/PPN01-Applying-the-Heritage-Overlay.pdf.

¹² Maribyrnong City Council, *Neighbourhood character guidelines*

<https://www.maribyrnong.vic.gov.au/files/assets/public/planning-services-documents/urban-planning/neighbourhood-character/garden_suburban_4_rvsdmay2012.pdf>.

¹³ Ibid, p. 1.

¹⁴ Department of Environment, Land, Water and Planning, above n 11.

application of the overlay”.¹⁵ There is no evidence that the West Footscray Heritage Precinct Study is in conformity with this requirement.

To meet PPN1 a range of thresholds must be considered. The Heritage Alliance study states that properties which have already been extensively renovated have nonetheless been identified as within scope because the study utilised *its own* “thresholds to the assessment of whether places are contributory or noncontributory to precincts”, none of which meet the higher thresholds set out in PPN1. Perhaps this is unsurprising as only two consultants conducted the fieldwork, and the report notes that

*whilst in the field, the consultants were to **make their own judgements** about the boundaries of potential precincts, thematic relationships between places or precincts and which properties would be contributory or non-contributory to potential precincts.*¹⁶

The Heritage Precinct Study notes that some “proposed precincts are non-contiguous but have been grouped together because of thematic and historic relationships or similarity of fabric”.¹⁷ We submit that this represents an overwhelmingly subjective and lazy approach to a complex issue, and one creating an onerous burden disproportionately borne by a large number of affected residents. Given the extent and gravity of the impacts on owners of affected properties, it is astonishing that such a low threshold can be used to establish heritage significance of many of these buildings. This would additionally seem to derogate from the proper regard to be had for buildings of *genuine heritage significance*.

Sledgehammer approach

Statutory schemes are by definition blunt objects, lacking nuance and with insufficient granularity to allow a proportionate approach to problems such as this. A review of similar amendments over the last two years reveals that of around forty which related specifically to implementing permanent heritage controls, only seven involved “precincts” rather than individual properties.¹⁸ The majority approach is clearly preferred. The diversity of styles and character caught by the overlay makes it clear that a case-by-case assessment of properties, based on the *significance* of the heritage value of any given dwelling would represent a far more proportionate approach to the issue.

It is submitted that extensive Heritage Overlay areas are being imposed to seek to prevent or fetter redevelopment, in a manner disproportionate to the actual significance of the extant character. These extensive areas have been designated in what appears to be an arbitrary and capricious manner, driven by convenience and without regard for the financial impacts of the imposition of the Heritage Overlay.

Further, the policies included in the proposed overlay are highly prescriptive. This is at odds with accepted legal doctrine that policies are intended to guide the exercise of discretion and should not themselves be a fetter on discretion.¹⁹

This approach additionally serves to create an inequitable two-tiered system of haves and have-nots. It fails to recognise the benefits enjoyed by owners who have already renovated – as it disproportionately benefits some and severely disadvantages those who have yet to enact their planned developments.

¹⁵ Heritage Alliance Conservation Architects and Heritage Consultants, above n 10, p.1 (emphasis added).

¹⁶ Heritage Alliance Conservation Architects and Heritage Consultants, above n 10, p.15 (emphasis added).

¹⁷ Heritage Alliance Conservation Architects and Heritage Consultants, above n 10, p.5.

¹⁸ See details of exhibited and approved amendments to planning schemes at https://www.planning.vic.gov.au/schemes-and-amendments/browse-amendments?query=permanent%20heritage%20overlay&search_mode=keywords&start_rank=1.

¹⁹ Commonly referred to as the “no fetter principle” and as an “anticipatory fetter”, see *Ansett Transport Industries (Operations) Pty Ltd v The Commonwealth* [1977] HCA 71; 139 CLR 54; *Camberwell City Council v Camberwell Shopping Centre Pty Ltd* (1992) 76 LGRA 26; *Civil Aviation Safety Authority v Sydney Heli-Scenic Pty Limited* [2006] NSWCA 111.

Failure to prevent inappropriately located townhouses being developed

Townhouses are an important inclusion in a suburb as they provide a more affordable housing option, and a first step for first home buyers entering the property market. However, it's vital that townhouses are built in appropriate locations as they can have large impacts on neighbours, including overlooking, overshadowing, and parking problems. This new overlay will have no impact on the net number of townhouses developed, as it doesn't change the supply and demand dynamics of the townhouse market. What typically transpires is that townhouse developments become even more common in areas outside the heritage overlay, which in this case would impact streets like Alma St, Stanhope St and Clive St among others. In this scenario, the proposed amendment fails entirely to address the community feedback and concerns regarding the proposed 4-6 storey apartment buildings along Barkly St and 8 storey apartment buildings adjacent Whitten Oval.

Resourcing the process – no commitments?

The work involved in processing and assessing planning permits is substantial – if done properly. Nowhere is there any commitment or undertaking to providing the required resources to support the labour-intensive work required for thorough and accurate processes. In this context, it is difficult not to anticipate one of two equally undesirable outcomes – either the decision process will be slipshod and corner cutting, or there will be lengthy delays in processing applications. Or perhaps both.

Wrong way – go back

The proposal has a number of undesirable consequences which are simply not justified by its evidence base discussed above. In contrast to the narrow focus of the evidence supporting the proposal, there are a number of indicators that suggest the proposal is completely misconceived. For example, those issues identified by residents in the feedback to the 2018 Neighbourhood Study remain unaddressed by restricting owners' capacity to improve their home's amenity or sustainability. Rather, these concerns require the facilitation of activities that align with Council's Housing and Climate strategies.

Positive changes that people try to make to their homes will be delayed or denied

Common upgrades to existing homes such as replacing front fences, enclosing a carport with a garage door, or building a veranda over the front door can become virtually impossible under this amendment. Changes which make front yards more usable are essentially banned under this overlay and given that front yards are a key piece of social infrastructure where we interact with our neighbours, the inability to improve them will be a major negative outcome for our community.

More expensive repairs imposed on individuals and families

Many of the houses [REDACTED] are aging poorly. In particular, leaking tiled roofs, shallow foundations and crumbling disused chimneys are becoming more and more common throughout the suburb. Some of the key fixes that will improve the longevity of these homes such as replacing tiles with lighter Colourbond are banned under this new overlay, forcing homeowners into much more expensive structural repairs. For many homeowners, these repairs will be too expensive. Unfortunately, delaying these vital repairs can often exacerbate future repair costs.

We are concerned that the proposed amendment would disproportionately discriminate against West Footscray families with modest incomes and high mortgages on small unrenovated houses in the designated precinct. We believe this will effectively create two classes of homeowners in West Footscray in terms of potential house values, and will impact negatively on liveability, energy bills and future housing affordability for a large number of families currently in the precinct.

We are also concerned that the proposed Heritage overlay with its current definitions, exemptions and selective targeting of streets, will on its own do very little to protect the overall feel and heritage value of the area.

- The precinct streets which have been named between Essex and Suffolk streets exempt the houses on the four corner blocks of each street (Barton, Stanley, View, Hope). Modifications and extensions on these

four corner blocks would impact significantly on the feel of the targeted streets and yet they are free of any additional planning overlays that would restrict ugly or cheap developments which could be extremely unsympathetic to the interwar era. This seems random. It also seems to defeat the stated purpose of the overlay.

- Many of the houses identified as “contributory” in the Bottomley precinct already lack some, most or all of the original street facing features, or are entirely new builds. Please refer to **Annexure A** for photos of modified houses in Stanley, Barton and View Streets.
- Meanwhile many intact period houses in other streets are excluded from the overlay.
- There are no corresponding incentives for homeowners to engage in “greening” their private garden spaces or nature strips as a contribution to maintaining the heritage value of our suburb by reducing heat and carbon emission and creating attractive wildlife corridors and bird habitat.
- The current efforts to retain heritage values do not include incentives for homeowners to install solar arrays, engage in community energy storage solutions, insulate walls, create shade protection around windows and doors
- There are no corresponding statements regarding planning overlays for other streets in West Footscray despite them having significant heritage value homes. This allows for homeowners with beautiful examples of the era to knock down their homes to build townhouses where land is large enough. There are many examples of poor development approaches in West Footscray where new townhouses lack eaves, are built with maximum exposure to West facing heat, and where there is insufficient room for plantings of trees or shrubs to ameliorate the impact of climate change.

CASE STUDY – 17 Barton St (Fig 1)

The family who bought a very unremarkable and unrenovated 3-bedroom house at 17 Barton Street in 2014, paid \$630 000. The same unrenovated house is now valued at over \$1.1 million, and the family currently has a valuable asset. However, if they wish to remain, the house will need significant renovation to retain its value, serve the needs of their next lifecycle, and become more sustainable with increasing energy prices and extreme climactic conditions. This might include external changes such as installation of wall insulation, repainting, weatherboard replacement, solar panel arrays, chimney removal or replacement, front window replacement, West facing verandah and/or side deck construction, roof tile replacement, remodelling of the side entrance at a minimum. Alternatively, given the limitations of the existing structure, it could be more economical for the family to knock the house down and rebuild in an appropriate period style.



In the light of the above, we believe that nine streets (the Bottomley Precinct) for a “heritage overlay” will do very little to prevent the ongoing destruction of West Footscray’s character or housing stock which is of potentially high value to families looking to move into the area. It will also do nothing to promote energy efficient, environmentally friendly and climate conscious renovations and housing development in the area. These concerns should be, we believe, at the top of the priorities for Council and for the Planning Minister, when approving changes to housing and development regulations.



Figure 2- 20 Barton St

Homes at #20 (*figure 2*), #28 and #30 Barton Street are more attractive to many, have more amenity and are more likely to fetch high market prices as a direct result of tasteful external renovations. Under the proposed amendments, all such changes will trigger the need for homeowners to seek architectural advice, pay for planning permit applications, factor in additional time delays and added uncertainty during stressful renovations. Unsurprisingly, those homeowners are feeling relieved that they have completed their renovations before the trial overlay. Others in the neighbourhood are anxious and stressed by the overlay trial and have already lost money and momentum as a result.

Housing styles such as #17 and #21 (*figures 1 & 3*) are cheap, plain functional housing which was in great demand 50-90 years ago. They are not necessarily of high built quality but are common in the proposed Bottomley precinct. Planning overlays, and the uncertainty, cost, and time that these commonly incur, have potential to impact on the market for and value of such homes. This situation will make it difficult for [REDACTED] to develop their homes to meet their changing lifecycle needs or sell their homes to buy into a more suitable family house in the area instead of pursuing their renovation plans. Some fear that if this amendment comes into effect they will be effectively “stuck” with a cheap and unattractive house style that no longer meets their family’s needs, which they cannot improve in the ways they had planned through renovation, and which will be much harder for them to sell on.

CASE STUDY 21 Barton St (Fig 3)



The family who bought a 3-bedroom 1950s weatherboard at 21 Barton Street in 2020 paid \$830 000 for the house in 2019. It is not an interwar house yet is included in the overlay. The family earns a modest income. Two years later the family wants to renovate so they can stay in the area because their kids are at local schools. They have been saving and planning for a beautification and upgrade of the external façade of the house, which could involve such changes as a new West facing verandah, relocation of the front door, improved wall insulation, replaced weatherboards and solar panels, creation of a central hallway, removal of the ageing chimney and installation of modern windows. This would allow the family to do a basic remodelling of the internal spaces, improve the appearance and energy efficiency of the home, and stay living comfortably in West Footscray over the decades to come.

Unlike some of their neighbours, homeowners of #21 and #17 Barton Street (*figures 1 & 3*) do not have houses with “good bones” or attractive period features. They are in stark contrast to those houses fortunate enough have undergone renovations such as those recently completed at #20, #28, #30 Barton Street (*figures 3 – 5*).

These properties include changes such as garage roller doors, visible side extensions with similar features to the original, replaced weatherboards and roofing, non-original window covers, solar panel arrays and non-heritage paint colour.

Housing accessibility and affordability

It is impossible to conceive that the amendment will not have a dire impact on housing accessibility and consequently affordability in the area. Maribyrnong Council’s *Housing Strategy 2018* notes the following changes in the area between 2005 and 2015 –

- Median house price increasing by 8.5% per annum
- Median unit price increasing by 6.3% annum

- 100% increase in rental price for 2-bedroom flats to \$350 per week.²⁰

It is safe to say that the trajectory of growth has only accelerated since this time.

Proposal is Inconsistent with the Council's Housing Strategy

The proposed overlay appears to be at odds with other planks of Council's strategic planning for the area. Maribyrnong Council's *Housing Strategy 2018* sets out three key themes –

- settlement (where housing change will occur)
- supply (the type of housing that will be delivered)
- design (how the housing should look and function).²¹

The areas covered by the amendment predominantly constitute “established residential areas” which are currently capable of supporting moderate housing growth and diverse housing typologies, including an additional storey above the prevailing building height in the environs, and gradual infill development. The proposed overlays will change this classification in ways that will deliberately limit housing growth. Accordingly, the proposal's change to the settlement theme will have a potentially significant impact on the supply of housing in the area.

The Strategy further notes that the area is facing a number of demographic changes which the housing strategy must address, including a considerable increase in the number of couple families with no children, and a significant growth in group households and other households. Additionally, the strategy notes that demand is increasing for larger (three or more bedrooms) dwellings, as well as demand for smaller dwellings for young families and couples, and specialised housing for residents wanting to stay in the same local area as they age.²²

Exacerbating the shortage of family homes

The census data shows an ever-increasing proportion of young families calling West Footscray home. The price difference between 2-bedroom homes and 4-bedroom homes (384k in West Footscray vs 130k in Sunshine) highlights the large shortage of family homes within the suburb.²³ It is vital that our housing stock is sufficiently flexible to meet the evolving needs of our community. Unfortunately, this amendment may have the opposite effect, making extensions more expensive, time consuming and generally acting as a disincentive for change. A large portion of the houses listed in the heritage overlay are 2-bedroom homes, often unsuitable for the needs of growing families, particularly with the recent working from home requirements

The individual financial burden

The amendment has no regard for the financial consequences on owners of the implementation of the overlay.

While financial considerations are a criterion when considering a permit application under the *Heritage Act*,²⁴ there is no comparable provision to s.101 (3) (b) in the *Planning and Environment Act 1987* applying to heritage controls under planning schemes. The practice in considering amendments to planning schemes to impose heritage controls is to limit consideration to the alleged heritage significance only.

As discussed above, more robust research and evidence informing Council's initiatives would encompass thorough financial modelling and social economics impact analysis which could properly examine these issues.

²⁰ Maribyrnong City Council, *Maribyrnong Housing Strategy 2018*
<<https://www.maribyrnong.vic.gov.au/files/assets/public/planning-services-documents/city-strategy/current-projects/housing-strategy/maribyrnong-housing-strategy-summary-report-5-june-2018-draft-endorsed-26-june-2018.pdf>>.

²¹ Ibid.

²² Ibid.

²³ See realestate.com.

²⁴ *Heritage Act 2017* (Vic) s. 101(3)(b).

This is critical - because once the controls are in place - the local Council as the Responsible Authority determining whether a planning permit to alter the affected property is issued, need only have regard to its own heritage policy and not the financial or other social consequences of the decision – forming a closed loop.

Should an owner wish to challenge the decision not to issue a planning permit to alter their property, then they must dispute the matter at the Victorian Civil and Administrative Tribunal (VCAT). VCAT has a mixed history in deciding such matters, in some cases the Tribunal has only had regard for the relevant heritage policy when determining the permit application.²⁵ However, in others a range of considerations were regarded as germane to the decision, including the financial impacts on an owner, and whether the proposed work would affect the heritage character unduly.²⁶

The number of VCAT cases evidencing the Tribunal balanced conflicting policies in favour of fairness and equity or net community benefit and sustainable development is certainly encouraging, however the fact remains that there is a wait of 12-14 weeks for a short case, and considerably longer for major cases. On top of that, decisions may take a month or more.

Further, a report from a qualified heritage expert will almost always be required, and they will likely be required to give evidence, and present for cross-examination. It is not uncommon for other professional witnesses such as builders or engineers to be required, and where such expert witnesses need to be examined and cross examined, legal representation is also usually required.

Your family versus the developers

Discussion of the financial burden and time delays involved in making a VCAT application also illustrate how the amendment overwhelmingly favours developers over individual families in this context.

For example, there are cumulative costs and delays associated with attempting even modest alterations under the proposed overlay – often exceeding the cost of the original works such as a small window project.

Contrast this with the deep pockets and capacity to plan over long periods enjoyed by developers. It seems pretty obvious who will win under the amendment.

Financial and emotional burden on individuals and families who have had the heritage overlay imposed without notice

This amendment impacts everyone differently. For some the costs of this change are non-existent, but for others the financial and emotional costs are life changing. Consider those homeowners who have been preparing plans for their dream home over a number of years only to now have their proposals rejected, their plans crushed by the heritage overlay. Consider any local residents who have recently purchased with the intention of extending or rejuvenating being forced to abandon these plans, unable to afford the cost that the additional restrictions invoke, losing their stamp duty and sometimes significant property value in the process.

The implementation of this policy without notice or adequate consultation is unfair, unjust, and the costs could be in excess of \$100k. These potentially very significant costs should not be borne by individual owners unless a high level of heritage significance has been established. Moreover, the imposition of heritage controls should be made having regard to all relevant considerations - not only the level of heritage significance.

Further, it is incontestable that the position of an owner who has heritage controls imposed on a property which they already own is materially different to the position of an owner who voluntarily acquires a property which is subject to heritage controls or other encumbrances at the time of purchase and that difference should be reflected in their respective development opportunities. If this is not the case, then compensation should be paid by Council for the loss of development opportunities to persons in the first category.

²⁵ *Port Phillip v A & M Reis* [2001] VCAT 489; *Belvurn Partners & Associates Pty Ltd* [2005] VCAT 406.

²⁶ *Venice City Living Pty Ltd v Port Phillip CC* [2013] VCAT 280; *Richmond Icon Pty Ltd v Yarra CC* [2011] VCAT 2175.

The Climate Emergency

Maribyrnong Council's *Climate Emergency Strategy 2020-2025* sets out its objectives and approaches to confronting the climate emergency by "embedding the climate emergency response in Council's planning, operations, infrastructure, strategies and organisational culture".²⁷

Council's Climate Emergency Strategy commits to 100% renewable energy for electricity in its own operations by 2025, however it also appears to be working hard against its own residents' capacity to meet these aspirations.

Environmental impacts of running and maintaining energy inefficient buildings

The overlay in many instances, prevents new solar panels visible from the street from being installed,²⁸ significantly impacting the ability of West Footscray residents to harness sustainable forms of energy. As mentioned, many of the houses [REDACTED] are aging poorly and aren't close to meeting modern day building standards. Upgrading these homes to meet current best practice for energy efficiency can be difficult enough without the additional restrictions of the heritage overlay. For many homeowners, the dream of an energy efficient home may become financially unviable with the additional restrictions of the heritage overlay in place. I have already seen examples in [REDACTED] where homeowners have been forced to abandon energy efficiency upgrades due to the additional costs.

The opportunities for residents to improve the energy efficiency of their homes will be significantly curtailed by the barriers the proposal erects to costs of positioning of solar panels, but also because the overlay restricts changes to windows and removal of weatherboards. In light of this, it is inconceivable that a resident will not experience a major disincentive to double glaze the windows in their front rooms or place insulation in their front facing walls.

Conclusion

For all of the reasons explored above, we hope that Councillors will recognise that approving this proposal will be hugely politically unpopular. The proposal is motivated by good intentions no doubt, but it is an unbalanced, disproportionate and ultimately misconceived approach to more complex issues around sustainable development. This is not least because the proposal has been predicated on the views of a small number of residents and taken further than even their feedback suggested.

The evidence for this proposal is one-eyed and self-serving, considering only the views of heritage consultants, and creating a disconnect with other important Council strategies, including housing supply, and climate action.

Council should expect owners to take action for compensation where they have bought in the expectation they can improve and extend their property but will now not be able to do so without significant costs and delays.

There is no doubt that voting residents will be taking a keen interest in how councillors approach this proposal.

Submitted via: <https://www.yourcityyourvoice.com.au/amendment-c172>

²⁷Maribyrnong City Council, *Climate Emergency Strategy 2020-2025*

<https://www.maribyrnong.vic.gov.au/files/assets/public/council-strategies-and-policies/climate-emergency-strategy-2020-2025.pdf>.

²⁸ See e.g. Maribyrnong Planning Scheme, *Bottomley's Paddock Inter-war and Post-war Residential Precinct, Heritage Design Guidelines (February 2022)* <https://www.maribyrnong.vic.gov.au/files/assets/public/building-planning/current-and-future-planning/planning-scheme-amendments/current-planning-scheme-amendments/c172/exhibition/heritage-design-guidelines-ho211-bottomleys-paddock-exhibition.pdf>

Annexure A - modified houses in Barton Street

Can you pick the significant heritage value?



Annexure A - modified houses in Barton Street



Annexure A - modified houses in Barton Street



From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Tuesday, 5 April 2022 8:43:15 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

10 Neil Street, West Footscray

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

We are supportive of planning controls to maintain the residential nature of the area.

This includes:

height restrictions in the identified areas of not more than 2 stories,

Minimum block sizes of 250m² for new subdivisions

Redevelopments that compliment the existing surrounding structures

We are not supportive of a heritage overlay on the identified properties nor are we supportive of planning restrictions that prevent changes to the facades of properties, removal of chimneys, prescription of roofing material or colour. The heritage overlay would provide unnecessary cost, administrative burden, complexity and complication for residents.

Outline any changes (if any) you would like made to Amendment C172

We would like to see consideration made for safety concerns, as many of the houses in this area are old, and in some cases already in need of repair. For example [REDACTED] chimneys have come away from the house and are a safety concern, so they need to be removed despite [REDACTED] If Council stipulates chimneys must be replaced, that is an addition cost for home owners, at a time when cost of living is a stress for so many residents.

Similarly with roofing styles, many of the old tile roofs need to be replaced and Color Bond (and similar) are much lighter and less of a burden on the older house structures. To maintain the heritage feel of the neighborhood, instead Council could introduce aesthetic guidelines around general styles, but leave specifics about materials and colors open to home owners.

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From: [REDACTED]
To: [AmendmentC172](#)
Subject: RE: Strategic Planning Amendment C172
Date: Tuesday, 5 April 2022 9:04:28 PM

Submitter's Name and Contact Address

[REDACTED]

[REDACTED]

[REDACTED] 31 Hope Street, West Footscray, 3012.

Statement

We are opposed to the Maribyrnong Planning Scheme Amendment C172 on the grounds that [REDACTED]

[REDACTED] should be able to make alterations or additions to [REDACTED] [REDACTED]

[REDACTED].

Regards,

[REDACTED]

[REDACTED]

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Wednesday, 6 April 2022 1:10:13 AM

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Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

2 McCubbin St

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Seek changes

State the reasons why you support or oppose Amendment C172

See attached

Outline any changes (if any) you would like made to Amendment C172

See attached

Please attach any additional comments or information

- [objection_letter.pdf](#)

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Dear Council

We are writing in regard to the proposed Amendment C172. As it stands we are opposing the amendments.

██████████ 2 McCubbin Street , Footscray, we can understand and appreciate the importance of preserving neighbourhoods which contribute to the history of the area. However we do not believe that all precincts named in the amendment add a significant contribution to the heritage value namely precinct HO215 being one side of McCubbin Street Footscray.

The amendment recommends that one side of McCubbin consisting of only 8 houses be included in the heritage overlay. We oppose the recommendation for this street to be included on the following basis:

1. One side of McCubbin Street consist of many newly developed homes. This therefore reducing the overall level of significance of the street. From a streetscape perspective, this holds little heritage values. There is also a lack of consistency, cohesiveness with the homes on McCubbin street which has been characterised as heritage importance, in addition the level of intactness is exaggerated in the report for example:
 - 2 McCubbin Street no longer has its original paint / original front door
 - 4 McCubbin Street has had a complete update of its facade and is no longer a weatherboard home therefore its 'intactness' characteristics would be reduced
 - 6 McCubbin Street has had major alternations (entrance is to the side of the dwelling) which has diverted from the heritage characteristics and hence the 'integrity' characteristics is also reduced
 - 8 McCubbin Street does not have its original fence or paint
 - Report calls out "3 anomalies" being Nos 8, 12 and 14 with constructions in the 1950s, in a street of only 8 properties, this so call anomalies represent a significant portion of the street and further undermines the significance heritage value
 - 3 Different types of fences (bricks for no. 14, 10 & 215 Ballarat Rd, Timber for no. 12 & 6 and chained mesh no. 2, 4 ,8) can be observed across the 8 dwelling alone, this demonstrates that there is no consistency nor unity and therefore undermines the significant heritage value
 - When comparing against other proposed precincts based on the prescribed criteria thresholds and if ranked, McCubbin Street precinct lowest of value value especially compared to Hansen St for example. By including this precinct, the report is setting a very low standard in what is considered heritage and therefore could devalue the overall heritage values across Footscray
 - The low number of 8 dwelling does not justify nor meets the heritage threshold when compared to other precincts in the report. McCubbin Street acts to reemphasise the low threshold for heritage value the report is applying in the assessments. Including this street would be not only be problematic it also bring to questions the inconsistency of the report. Only a quick glance throughout Footscray, we can identify numerous "McCubbins St" like that inherit both similar characteristics and anomalies which are not included in

the proposal. As examples only meters away in Gordon St No. 216 – 200 or McPherson St 120-100.

From the above observations and when comparing with other proposed precinct the homes on McCubbin Street lack of streetscape, cohesion as well as low level of intactness. McCubbin street should be removed from the amendment or at the very least the grading should be amended to Non-Contributory.

2. McCubbin street is not a main street and is not visible from Ballarat Road. We understand the importance of preserving the front facade for heritage purposes however do not believe it is necessary to preserve the area which is not in plain view on a main street. This also talks to the streetscape which holds no significant as one side of the street is already developed and modernised.
3. We note that sustainability is a factor in proposing the heritage overlay however, it should be noted that many of the homes on McCubbin Street are old and will continue to require yearly maintenance to ensure the homes are structurally sound and habitable. The yearly maintenance which in turn places great burden on the families in the street is not consistent with the idea of the overlay being environmental and sustainable when construction will constantly be required on a yearly basis. In addition, the continue flooding on this street caused by the speed hump where waters are flowing back into the properties are comprising the foundations. [REDACTED] 2 McCubbin Street currently is not structurally sound and will require maintenance to all areas of the home including the foundation.
4. McCubbin Street is a centralised location within Footscray situated within walking distance to many important amenities such as
 - the current Footscray hospital (and the newly under construction hospital) and other medical facilities. Having accessible healthcare nearby can help preserve one's quality of life especially in times of emergencies.
 - Proximity to public transport, bus stops, tram stops only meters away and sitting off main arterial road ie Ballarat road
 - Proximity to Victoria university
 - Major shopping precinct and activities zone, highpoint, Barkly shopping strip.

A heritage overlay will limit redevelopment opportunities to create more housing in the area and therefore limit many people's potential to be close these important facilities. Limiting people's accessibility to these facilities by distance has a wide social effect and should be seriously considered by the council

5. The heritage overlay which limits the development of deteriorate homes is also preventing people from building more ecofriendly and sustainable living spaces. Old homes do not have the facilities to be energy saving and eco-friendly. Newly constructed dwellings are more water and energy efficient therefore reducing greenhouse gases and emissions benefiting current and future communities.
6. The heritage overlay does not align with community expectations or integrate with a range of social and economic objectives. Many of the homes on McCubbin Street have the potential for redevelopment and will achieve much needed urban renewal. This has not been properly balanced with the heritage significance of properties.
7. With resident spending a lot more time at home during the pandemic, this further place importance on sustainable and environmentally friendly homes which the

current homes cannot achieve even with major renovations. This is something that must be considered as it is very relevant in a post pandemic world.

8. The proposed amendment fails to take into account recent events such as pandemic, impacts to housing affordability, and increase in cost of living. These are all social and economic events which heritage overlay will exasperate and further impact negatively on the community in the future.

In summary, we strongly believe the report is overreaching when proposing McCubbin St where heritage value is exaggerated and irregularities are down played, this is clearly evident when comparing or prioritising all the precincts from most significant to least significant value. Including this street will only undermine the integrity and quality of the report as well as bring into questions around studies' oversights and omissions. We strongly urge the panel to amend the proposal to have McCubbin St removed and maintain a high standard of heritage criteria's across Footscray

From: [REDACTED]
To: [AmendmentC172](#)
Subject: Submission opposing Amendment C172 169 sunshine Road Tottenham
Date: Wednesday, 6 April 2022 10:31:22 AM

Dear Strategic Planning Group

I refer to [REDACTED] 169 SUNSHINE ROAD TOTTENHAM [REDACTED] and to my submission filed on 16 March 2022.

I note that [REDACTED] has been listed as a contributory property under the proposed *West Footscray Inter-war and Post-war Heritage Precinct Study 2021* by making changes to the Maribyrnong Planning Scheme Amendment (Amendment C172).

[REDACTED] the land within the proposed precinct **I oppose** the Amendment C172 proposal and [REDACTED] being listed as a Contributory property on numerous grounds, which I set out below:

There cannot be an overlay placed over an existing overlay as this would be inconsistent. [REDACTED] has an existing public overlay by VicRoads. It would be completely inconsistent to place another overlay over an existing overlay. Further I note that one side of the properties on Dempster Street has been excluded as contributory properties due to the VicRoads public overlay. I sent an email dated 16 March 2022 to Amendment C172 in respect of this issue.

Secondly [REDACTED] has **no** heritage features and is therefore not an example of pre or post war architecture. The shop front was completely renovated and replaced in the 1980's. Further there was a [REDACTED] [REDACTED] which meant that the whole roof line and roof was replaced with terracotta tiles. Accordingly, there is no heritage features to preserve and [REDACTED] which is a shop is not an example of pre or post war architecture. Accordingly, I am unclear as to why [REDACTED] [REDACTED] considered a contributory property and ask that it be removed.

The Tottenham area has been inundated with redevelopment in the past 10 years. In fact so much so that the suburb is full of inconsistent architecture. The streetscape of Sunshine Road is inconsistent three doors down from [REDACTED] there is a multi-level mixed purpose development which has a medical clinic and residences in the same building. There are only 5 shops on Sunshine Road that have been selected as contributory properties and [REDACTED] is one of them although I don't know why as there is no heritage features and the streetscape that surrounds [REDACTED] consists of multi-level premises. Accordingly, I object to the proposal and again ask that [REDACTED] be removed as a contributory property.

Further [REDACTED] is on a main road and is commercial premises, it should not be burdened with an overlay in circumstances where a future purchaser may wish to develop the Property and build a multi-level building as others have done 3 doors down from [REDACTED]. Prior to the building 3 doors down being built there was a pre-war home there that was demolished to make way for the multi-level building.

[REDACTED] Property will be significantly reduced if the proposed overlay and changes are implemented. Tottenham is full of modern architecture and new development sites it is unfair and inconsistent to expect that [REDACTED] [REDACTED] by imposing an overlay and other proposed changes. In circumstances where the City of Maribynong has allowed the demolition of hundreds of pre and post war homes to make way for multiple dwellings on the one title. Accordingly I Object to the proposal and ask that [REDACTED] be removed as a contributory property.

I will strenuously defend the implementation of the Council's plan to include [REDACTED] as a contributory property in circumstances where for the above reasons its inclusion as a contributory property appears to be untenable and completely misguided.

nd regards

[REDACTED]

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Wednesday, 6 April 2022 10:46:14 AM

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Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

32 Commercial Road

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

No adequate consultation also study was based on poor community feedback then council seemed to pick and choose certain responses to suit their proposal.

Wrong response to reduce development of townhouses.

Lack of consistency and controls have been applied from precinct to precinct leading to inequalities amongst [REDACTED] forcing certain homeowners to do all the heavy lifting to maintain the character of the neighbourhood.

A standard brick veneer is not worthy of protection as they are a dime a dozen and the most common house type in Australia.

While study recognised the brick veneer as contributory it ignored many inter post war homes that were far more worthy of protection and relevant to the study then the post modern brick veneer.(but it's vitally important that these overlays are not forced upon if the homeowner objects the proposal)

Outline any changes (if any) you would like made to Amendment C172

While some homeowners may welcome this heritage overlay the concerned homeowners who object this proposal should immediately have their properties removed from the overlay.

Adopt a system that gives homeowners of relevant properties an opportunity to self nominate their properties for heritage control this will have the affect of striking a balance in respecting homeowners while achieving councils heritage requirements.

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From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Wednesday, 6 April 2022 2:15:14 PM

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Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

[REDACTED] West Footscray

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Support

State the reasons why you support or oppose Amendment C172

I support the changes to protect the heritage of the West Footscray/Footscray/Maidstone areas to ensure that the building heritage of the Hansen era is preserved as important historical architecture of its time.

Outline any changes (if any) you would like made to Amendment C172

Can Council provide some feedback on why certain streets have been targeted for this

heritage overlay and others have been ignored.

I believe that the overlay should be suburb wide. Specifically all of Robbs Rd to be given this overlay (including the 2, 4, 6, 8 and 10 Robbs Rd).

To view all of this form's submissions, visit

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Maribyrnong City Council
Strategic Planning Amendment C172
PO Box 58, West Footscray VIC 3012

To The Town Planning Department,

1. [REDACTED]

2. Following an application for building information [REDACTED]
[REDACTED] We understand that its initial construction was as a 2 bedroom house that was completed in 1946 on a block size of some 500sq.m. Since this construction the following additions/alterations have been made to the house:

- While we consider the house to have nice features and 'character' we also note that it is heavily altered having been expanded and modernised to meet the requirements of a

1

3. [REDACTED] located between Brunswick and Ashley Street intersections and is part of the Bottomley's Paddock (HO211) area. [REDACTED] to comprise of original post war dwellings, renovated post war dwellings, recent single dwellings and duplex/triplex town houses, there also existed a new apartment on the corner of Napoleon Street and Brunswick Street. We also note that there is presently the construction of 2 sets of duplex townhouses and a single 2 storey dwelling being constructed between Brunswick Street and Napoleon Street. While there is a single 2 storey dwelling and two renovations being completed between Brunswick and Richelieu Street. [REDACTED] Napoleon Street between Brunswick and Ashley Street to already be less than 80% original houses that are contributory. We also consider the level of development [REDACTED] be sustainable and non-intrusive on the neighbourhood.
4. We also note the following sales data from Napoleon Street. 51 Napoleon Street sold prior to the market being aware of HO211 in September 2021 for \$1,050,000.00 with the prospective purchaser having the intention to demolish and re-build a single dwelling on the site. 82 Napoleon Street remains for sale at a presently listed price of \$925,000.00. Both properties are similar in that they have original post war houses in poor condition and that both sites suit re-development to single or multiple dwellings. It can be assumed that the impact of this heritage overlay on properties that have relatively larger lot sizes (450 sq.m +) and houses in poor conditions is in excess of \$125,000.00. [REDACTED]
[REDACTED] by those in a HO area, likewise a reduction in Land Tax for investment properties within the HO areas.
5. We are against the change of GRZ to NR22 on the basis that we believe the current design objectives of the GRZ are sufficient to govern development [REDACTED] West Footscray. Council has advised residents that this change will result in a reduction in dwelling height but the schedule to NR22 includes minimum lot sizes, no exemption for garden area requirement and contains neighbourhood, heritage, environmental objectives to be satisfied. It also requires a TP application for relatively minor home alterations including: solar systems, front fences, lopping trees & home maintenance to name a few. Any new TP application would be burdened with these requirements which is an additional cost to ratepayers submitting applications and to ratepayers paying for additional town planners to review applications.
6. We note that the implementation of the HO and NRZ would be in contradiction to the objective of the Planning and Environmental Act 1987, which was updated on 1st of June 2018 to include the objective 'to facilitate the provision of affordable housing in Victoria'. It is also in contradiction to Plan Melbourne 2017-2050, Outcome 2 Melbourne provides housing choice in locations close to jobs and services, which states *Increasing the supply of social and affordable housing is also vital—so that no one is left behind*. We feel that the anti-development/NIMBY brigade has for too long had a controlling voice over planning which has compromised those most vulnerable in communities. We need affordable housing, construction jobs and tax revenue from the construct industry. We have a state government committed to some \$6 Billion in affordable housing projects, while at the same time Maribyrnong City Council is seeking to impose a HO to limit housing re-developments in an area that is in proximity to large industrial precinct and public transport to connect to the Melbourne CBD. We need to be realistic about societies situation and recognise that the limited development we have is part of the solution to Melbourne's housing problems and the current state governments budget deficits.
7. Many in agreement with the HO are anti-development rather than preserving the heritage of the area. While we understand the concerns and anti-development agenda of these people, using heritage as a guise to achieve this agenda is incorrect. If the intent of the HO is to limit development or ensure appropriate development, then this could equally be done with an NCO as is outlined in PPN91 Using the Residential Zones:

It is important to understand the differences between neighbourhood character and heritage.

While all areas have a history or a heritage, not all areas are historically significant. Heritage significance is determined by recognised criteria set by Commonwealth, state and local agencies, with reference to the Burra Charter.

The Heritage Overlay (HO) should be used where the objective is to conserve the existing building or buildings.

The HO has different objectives from the NCO and is not intended to operate as a neighbourhood character control. However, heritage descriptors may also contribute to the neighbourhood character of an area.

The NCO and HO should not be applied to the same areas.

8. We refer to the following items contained within the West Footscray Inter-war and Post-war Heritage Precinct Study that was prepared by heritage ALLIANCE in March 2021.

Section 2.1: Inter-war and Post-war Heritage Assessment.

For this project this meant assessing streets where there was a high proportion (over 80%) of intact Inter-war and Post-war period housing for new residential heritage precincts.

We have concern regarding this statement in relation to Napoleon Street, in particular between Ashley and Brunswick Street intersections as a large number of houses have been re-developed or significantly altered. Far less than the 80% required for assessment remain. We also note that a number have since been demolished or have permits to be demolished since the writing of this report.

Section 2.2: The post-war suburban bungalow in West Footscray.

This study is not focused on the work of significant architects and the buildings they designed. This is a study which focuses on the suburban housing that was developed during an important period of industrial and demographic growth and migration, and which reflects the aspirations, tastes and needs of a growing community of middle-class workers in West Footscray.

The Post-World War II Austerity style, was scaled back and made even more economical in West Footscray with a reduced size, lightweight cladding, less ornamentation and smaller timber sash windows.

There were chronic shortages of all building materials during the war and immediately after. There were also government restrictions on the sizes of houses until 1952, with the floor area of new houses being limited to 1200 square feet for a timber house and 1250 square feet for a brick house.

Material shortages and economy of construction ruled every detail.

We have the concern that what is being sought to protect is of no heritage value. These homes were built poorly in a time where materials and money was limited and this is reflected in the modern day problem of owning one of these homes. They require significant maintenance & upgrades, however since the original construction what not of modern standards (built on stumps/no insulation/lack of cement for motor/contain asbestos) these houses can never really be fixed. What the HO seeks to do is burden homeowners with

having to pay the equivalent to renovate the existing house as what they would to re-build with modern, efficient houses on good foundations.

2.3 Criteria and Thresholds

Character - The building makes a positive contribution to the cultural heritage significance or character of the precinct, as it conforms to the typology of built fabric, or history of development of the precinct.

Potential - The building has the potential to make a positive contribution to the precinct. This may mean the building is currently in poor condition, or has been altered in a reversible way. An example of the latter would be a house where a faux brick cladding had been applied over the original weatherboards. Other changes such as replacement of the original roof cladding, are also potentially reversible.

Concern that only broad statements have been used to assess suitability criteria gives the consultant the ability to assess too many houses as 'contributory' when in fact they are not. In particular the assessment of a house to have 'Potential' to be contributory, the consultant has considered only on the basis that it is technically possibly but has not considered if it is economical. A house in poor condition is in the realm of \$350,000-\$500,000 to restore to modern standards, while a new house is of similar costs. Likewise, the consultant has overstated the ability to convert wall and roof claddings back to original - in reality the costs of these works are un-viable for your average home owner. The assessment of contributory should be on the face value of the existing building - not on what the house could be if the homeowner was to pay a significant amount of money fixing. If this was to occur there would be a significantly less houses considered 'contributory'.

We would seek that the Town Planning Department consider this objection and recommend to council that Planning Amendment C172 be rejected.

We are available to discuss further if required.

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Wednesday, 6 April 2022 2:20:19 PM

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Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

14 Gwelo St west Footscray

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

I completed the initial survey referenced in the documents and timelines. I fed back to Council that I was concerned about local character, houses were being knocked down for cheap and nasty concrete townhouses, and I wanted to see more thoughtful development that encompassed better design, sustainability and green space. In no way did I anticipate these comments would be misconstrued so badly, and without any attempt to clarify, hand balled to an expensive consultant team who then, with the help of Councillors, ushered in a temporary Heritage Overlay with no consultation with the affected communities at all.

This overlay will restrict [REDACTED] to improve / renovate / extend [REDACTED]. It has huge [REDACTED] and places an inequitable burden [REDACTED] those who have not yet gathered the funds to move forward with [REDACTED] subject to restrictions on any improvement or development of [REDACTED] despite having a monstrous townhouse in [REDACTED], that sailed through approval just a few years ago with not a blink from Council despite our objections.

Development is necessary in the area, homes are too small to accommodate modern sustainable family living and are, at least [REDACTED] poorly built with dodgy foundations, decaying weatherboard, no insulation and have had most of their Post War Heritage stripped [REDACTED] before (sash windows replaced by dodgy aluminium one, fireplaces and cornices removed, carports added and the facades altered). Better development is what is needed for the community, not an anachronistic Heritage Overlay that misrepresents residents concerns and places an unfair burden on those living in the West Footscray.

Also putting this 'formal submission' process in place to obtain feedback rather than simply writing to affected residents, holding a meeting / feedback session places unnecessary barriers in place and distorts feedback. The comments and number of signatories on the Chnage.org petition, more fully represent the views of the community than what will be gathered through this unnecessarily complicated and legalistic process.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Wednesday, 6 April 2022 4:32:44 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

17 Barton Street, West Footscray

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

[REDACTED] constructed utilising plastic materials for the house facade, has many structural issues, and does not have any insulation. Due to expensive repair costs [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] a
positive impact on Barton St [REDACTED]
[REDACTED] Since finding out about the proposed heritage overlay
it has been made clear by council planning officers [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Outline any changes (if any) you would like made to Amendment C172

We would like 17 Barton Street excluded from the Amendment C172.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Your City Your Voice.

From: [REDACTED]
To: [AmendmentC172](#)
Subject: Submission of Support
Date: Wednesday, 6 April 2022 4:34:57 PM

Greetings [REDACTED].

I write to support Amendment C172 to the Maribyrnong Planning Scheme.

Congratulations are due to Maribyrnong City for undertaking the work associated with the Amendment.

The Amendment will provide the necessary framework for the recognition and management of the heritage values of places from Between-the-Wars and Post WW2 in West Footscray.

Best regards

[REDACTED]

From: [REDACTED]
To: [Amendment C172](#)
Subject: objection to Planning Scheme Amendment C172
Date: Wednesday, 6 April 2022 5:38:25 PM
Attachments: [Hartley May 2014.PNG](#)
[Hartley April 2022.PNG](#)

6th April 2022

Objection to proposed Planning Scheme Amendment C172 heritage overlay

To Whom it may concern,

[REDACTED] 5 Hartley Avenue West Footscray object to Planning Scheme Amendment C172 which proposes to:

- Introduce a Heritage Overlay
- Rezone land in each precinct from General Residential Zone Schedule 1 to Neighbourhood Residential Zone Schedule 2
- Update the Housing Framework Plan to reflect the reclassification of the precincts as limited change areas.

The amendment to rezone the land is inconsistent with the planning policy framework objectives to support residential land use planning outcomes that can be serviced well by public transport and infrastructure to support future population growth expected to occur and a mix of housing outcomes.

The West Footscray Neighbourhood Plan, adopted by Council in 2018 sets out the framework for future land use planning and provides directions for land use change and desired built form and development of the area to support future growth. The Plan does not contemplate any rezonings to the area nor highlight concern for loss of heritage built form.

[REDACTED], which has followed significant renovations to the existing dwelling in keeping with the existing neighbourhood character demonstrates that development can occur while maintaining the purposes of the heritage and character of the neighbourhood.

[REDACTED] being included as a contributory as [REDACTED] has been significantly altered-see photos attached. There is not an original feature on the façade of the property- door, window, verandah post, fretwork, weatherboard since originally built so there is nothing to 'protect'.

Yours sincerely,

[REDACTED]





Google

From: Communityengagement@maribyrnong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Wednesday, 6 April 2022 5:42:14 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

68 Wellington St, West Footscray

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

Amendment C172 fails to fulfill the requests and concerns of the West Footscray and Maribyrnong community. A heritage overlay is an impropportionate response that presents as a money-making scheme for council. Local homeowners will be out of pocket from the additional costs for:

- A) fee for building permits through council when a heritage overlay exists
- B) maintaining old, decrepit, budget built housing during post war eras
- C) additional fees to draftsman/architect to complete additional paperwork
- D) [REDACTED]

[REDACTED]

[REDACTED]

As you can surely calculate, the cost difference is extreme (\$200k+).

[REDACTED] modify the windows or roof material to be more energy efficient.

[REDACTED] build an appropriate fence to maintain security in an area that has regular crimes reported on social media.

Outline any changes (if any) you would like made to Amendment C172

A heritage overlay is inappropriate. I have seen replicas of the houses and apartments building outlined in the document ALL over the country. [REDACTED] and saw examples. I can drive 5km to sunshine and see examples. I can drive 100km to the Mornington Peninsula and find examples. I do not understand why it has been decided to "protect" these budget houses and buildings.

I hope we are not looking forward to the day when housing estates such as Mernda, Truganina and Point cook are heritage listed, purely because they were all built in a similar era.

A well thought out development overlay with extensive community input PRIOR to be put in place would be considerably more appropriate.

I hope all the thoughts of the community on the local Facebook page, the petition which has been signed by around 500 (or more) concerned voters and the feedback collated Via this submission portal address all taken into consideration. We await your response.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Your City Your Voice.

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Wednesday, 6 April 2022 5:46:12 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

29 Summerhill Road Footscray 3011

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

I oppose amendment C172 as it relates to [REDACTED] 29 Summerhill Road as the public consultation that was conducted in relation to West Footscray Neighbourhood Plan did not mention a heritage overlay, and also on the basis that insufficient public consultation (ie none) has been conducted by Council in relation to the decision to impose a heritage overlay over 8 separate precincts and 900 homes.

Council did not respond to my question in relation to what alternatives were explored by council to maintain the character of West Footscray without imposing a heritage overlay on residents.

Based on the results of the Public consultation that was done in relation to the West Footscray Neighbourhood it appears that the results have been selectively applied and misconstrued by Council.

██████████ will be going to VCAT should council pursue the heritage Overlay on 29 Summerhill Road.

I oppose amendment C172 and the inclusion [REDACTED] 29 Summerhill Road due to the lack of proximity to the Barkly Street Precinct to which the Neighbourhood plan is focused and West Footscray generally [REDACTED] is at the far extremity of the neighbouring suburb of Footscray being located on the boundary with Maidstone.

I oppose the inclusion of [REDACTED] as contributory as it is unclear [REDACTED] is contributing to given that it does not physically resemble any of the neighbouring properties (all are made of brick or are new builds) and has undergone significant alterations over the years to the point that many of the features outlined in the heritage study no longer apply to 29 Summerhill, for example; asbestos cladding, new fence, new veranda, changes to front windows, landscaped front garden, etc.

I oppose amendment c172 as it relates to [REDACTED] [REDACTED] contains asbestos and is extremely heat and energy inefficient being built cheaply and quickly as part of a housing estate development by a builder not known for quality construction. This property was completely clad in asbestos sheeting at some point after construction, the roof tiles are no longer in production and would be extremely expensive to replace like for like, the front sash windows provide no thermal efficiency or sound reduction and are not fit for purpose, the weather board cladding is rotting away and needs to be completely replaced, despite being restumped the property is extremely uneven due to the well documented reactive soil in the Footscray area.

The imposition of a heritage overlay on such a property is hard to understand and also a significant financial burden on property owners. The haphazard and inconsistent way in which the heritage overlay appears to have been applied to properties [REDACTED] raises concern in relation to the Council's ability to apply the overlay in a meaningful way.

Council did not respond to my question in relation to the review of the submissions received by Council in relation to the Heritage Overlay. Council did not respond in relation to who assess the submissions or the criteria which would constitute a successful or unsuccessful submission. I am unclear who has the delegated authority to assess the submissions and on what basis they are exercising authority.

property then the property will quickly become very undesirable and un cost effective to live in due to its lack of thermal efficiency and how noisy it is. The imposition of a heritage overlay may have the absolute opposite on this property.

Outline any changes (if any) you would like made to Amendment C172

I oppose Amendment C172 on the grounds stated above however if Council imposes the Heritage Overlay I would [REDACTED] to be considered as "non-contributory".

I oppose the inclusion [REDACTED] contributory as it is unclear [REDACTED] contributing to given that it does not physically resemble any of the neighbouring properties (all are made of brick or are new builds) and has undergone significant amendments over the years to the point that many of the features outlined in the heritage study no longer apply to 29 Summerhill, for example; new fence, new veranda, changes to front windows, landscaped front garden, remnants of asbestos brick sheeting etc.

Further to that [REDACTED] [REDACTED] replace the broken tile roof with Colourbond steel for sake of thermo efficiency, at the same time installing solar panels and a deducted roof mounted heating and cooling system.

[REDACTED] replacing the front sash windows entirely with new thermo dynamic double glazed windows to increase thermal efficiency and to reduce noise from Summerhill Road. Despite the 40kmh speed limit cars drive at 60+ kph all day everyday, the road is extremely uneven and the noise from the traffic [REDACTED]

[REDACTED] the front fence to make it higher to increase privacy and safety and to reduce traffic noise.

[REDACTED] a carport at the side of the house and introducing charging equipment into the driveway for an electric vehicle.

[REDACTED] an upstairs extension and subdivide the block to build a unit at the rear of the property.

Council appears to have ignored the fact that 80% of the 85 responses to the West Footscray Neighbourhood plan in 2018 endorsed the plan without any new heritage overlay. All of the comments objecting to the increased building heights were rejected by council.

Council did not respond to my question in relation to what alternatives were explored by council to maintain the character of West Footscray without imposing a heritage overlay on residents.

Based on the results of the Public consultation that was done in relation to the West Footscray Neighbourhood it appears that the results have been selectively applied and misconstrued by Council.

[REDACTED] unable to make these to modernise this property then

the property will quickly become very undesirable and un cost effective to live in due to its lack of thermal efficiency and how noisy it is. The imposition of a heritage overlay may have the absolute opposite on this property.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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From: [REDACTED]
To: [AmendmentC172](#)
Subject: 32 Commercial Rd Footscray Submission
Date: Wednesday, 6 April 2022 5:50:56 PM
Attachments: [image1.png](#)

Dear Sir/Madam

[REDACTED] [32 Commercial Rd](#) Footscray.

I'm writing this letter to oppose the proposed C172/C173 interim and potential permanent heritage overlay on [REDACTED] that was based on the West Footscray Inter-War and Post-War study.

Firstly despite study boundaries being indentified in the report the sole issue of a misleading title initially called West Footscray Neighbourhood Plan(WFNP) completely [REDACTED] and other residents in my pricinct who clearly were not aware this study covered Footscray meaning we were absolutely blindsighted thinking the report only covered West Footscray this perhaps reflected the low participation rate of only 85 online respondents while only 19 residents attended council meeting which shows the survey results were biased towards a very small percentage of people.It's unfair how this weak feedback response should have the consequences on a large proportion of the Footscray community [REDACTED] absolutely cheated having missed the golden opportunity to provide [REDACTED] input on the basis of a deceiving title.

Under the issues summary section of the West Footscray inter-war and post - war Heritage Precinct Study inter war years are clearly classified between c.1915-c.1940 while post war is between c.1940-c.1960 however it's strange how a study focused on the inter war and post war heritage era has completely ignored many inter war homes in the study area then having the audacity to suddenly include dime a dozen standard brick veneer homes built from the time frame 1969-1975.

Since there are affected properties outside the post war timeframe(c1940-c1960) I find it odd how the study can discretely add post modern homes(1969-1975)into a inter-post war study this lack of transparency has caught many [REDACTED] by surprise. There seems to be a general consensus that a standard brick veneer house has no real genuine architectural or aesthetic significance.The standard brick veneer is also the most common type of housing in Australia meaning they are not unique rare or endangered.

Another inconsistency I noticed in the study is heritage consultants claim the Laughton's precinct "contains intact, and distinctive single story houses with consistent front setbacks" and are using this to further justify its architectural significance however this statement is clearly false as the units mentioned have a completely different setback to the rest of the houses this is blatantly obvious by the naked eye and goes to show that the study is clutching at straws when trying to justify the precincts significance,this is not just a false statement but extremely unfair as [REDACTED] especially when there are many other precincts and some similar brick veneers on the same street that were completely ignored by the heritage experts.

Another reason [REDACTED] should be removed from this overlay is because the study specifically states the houses built on the Laughton's precinct have a special associate connection to European immigrant Andrea Dapiran as the study mentions "probably those in Commercial Road were built by Andrea Dapiran"this statement indicates that there is no solid proof that [REDACTED] was built Andrea Dapiran and is only going by speculation with no solid evidence also the property title I have attached in this

letter shows no record of Andrea Dapiran.

[REDACTED] the inconsistencies I have mentioned make [REDACTED] discriminated against and [REDACTED] being punished purely because [REDACTED] was built on the former Laughton's site which the study seems to use to justify its significance.

I desperately urge council not to underestimate the impact of this overlay as it [REDACTED] caused enormous emotional distress just as [REDACTED] from the consequences of the COVID pandemic this proposal has opened up old wounds and has been detrimental [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] since this council often advocates for equality and based on the inconsistencies highlighted council should consider adopting a more democratic system by giving the owners of the relevant properties an opportunity to self nominate their properties for heritage controls this will have the affect of satisfying councils local heritage requirements while at the same time respecting property owners.

I hope council realise that a house should not be more important then [REDACTED] satisfies the threshold for local heritage significance. I thank you for your time in reading this letter and if there are any other matters you would like to discuss feel free to call me on [REDACTED]

Your Sincerely

[REDACTED]
[REDACTED]

Delivered by LANDATA® Land Victoria timestamp 07/10/2016 08:58 Page 2 of 2

CERTIFICATE OF TITLE V. 8687 F. 824

LODGED BY [REDACTED]

DATE 26.7.97

DECLARED BY E.L. SM 14.3.97

CONSENT OF COUNCIL CITY OF

FOOTSCRAY

17.7.97

PLAN APPROVED DATE 1.11.97 TIME 12.45

THE LAND COLOURED BLUE
IS APPROPRIATED
OR SET APART FOR
EASEMENTS OF DRAINAGE AND SEWERAGE.

LP 784.77
BACK OF SHEET 1

From: Communityengagement@maribyrnong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Wednesday, 6 April 2022 5:54:12 PM

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Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

[REDACTED] maidstone

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

As per change.org petition:

<https://www.change.org/p/maribyrnong-city-council-vic-delwp-objection-to-proposed-heritage-overlays-in-west-footsray>

I am submitting on behalf of all the signatories, our objection to Amendment C172, (also

discussed as the proposed heritage overlays in West Footscray). The reasons why we oppose Amendment C172, have been outlined at the link above, which also includes comments from affected property owners and supporters. This petition, is in addition to any individual submissions that may put forward.

Outline any changes (if any) you would like made to Amendment C172

The changes, (as a community submission), to Amendment C172, in short, have been summarised within the comments and petition details.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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At 1,000 signatures, this petition is more likely to be **featured in recommendations!**



SCAN ME

Objection to proposed heritage overlays in West Footscray

507 have signed. Let's get to 1,000!



At 1,000 signatures, this petition is more likely to be **featured in recommendations!**



Vas Banschikov started this petition to Maribyrnong City Council, Vic. DELWP

A heritage overlay has recently been implemented over eight separate precincts within West Footscray impacting over 900 homes. This overlay has been applied in response to a community survey in 2018, in which a small number of residents requested more controls to assist in maintaining the character of West Footscray and prevent the construction of inappropriately scaled developments.

Members of the West Footscray community, your neighbours, are writing to council

[Sign this petition](#)



At 1,000 signatures, this petition is more likely to be **featured in recommendations!**

suburb
ation
which

unfortunately will have several unintended consequences that burden our community.

We have seen a number of these consequences eventuate, including:

- failure to prevent inappropriately located townhouses;
- rejection of positive changes and modification to homes;
- expensive repair costs imposed on individuals and families ;
- exacerbating the shortage of suitable family homes;
- detrimental environmental impacts of maintaining energy inefficient buildings; and
- financial and emotional burden on individuals and families who have had the heritage overlay imposed without notice or adequate consultation.

We have provided further detail on the West Footscray specific consequences of heritage overlays on the attachment. More information about the heritage overlay can be found on Maribyrnong Council's website

<https://www.maribyrnong.vic.gov.au/amendmentc172>

As confirmed by council, the 2018 survey that this policy aimed to address contained just 85 responses and only 19 residents attended the related public information sessions. Of these responses, over 80% supported the draft neighbourhood plan without any new heritage overlays and of the twelve built form comments identified by council, just one mentioned a need for heritage controls. All five of the twelve comments objecting to the increased building heights were rejected by council.

Based on this data and the impacts listed above we suggest that the implementation of a heritage overlay misconstrues the results of the community consultation.

[Sign this petition](#)



At 1,000 signatures, this petition is more likely to be **featured in recommendations!**

Failure to prevent inappropriately located townhouses being developed

Townhouses are an important inclusion in a suburb as they provide a more affordable housing option, and a first step for first home buyers entering the property market. However, it's vital that townhouses are built in appropriate locations as they can have large impacts to neighbours with overlooking, overshadowing, and parking problems. This new overlay will have no impact on the number of townhouses built, as it doesn't change the supply and demand dynamics of the townhouse market. What typically transpires is that townhouse developments become even more common in areas outside the heritage overlay, which in this case would impact streets like Alma St, Stanhope St and Clive St among others. This overlay entirely fails to address the community feedback and concerns regarding the proposed 4-6 storey apartment buildings along Barkly St and 8 storey apartment buildings adjacent Whitten Oval.

Positive changes that people try to make to their homes being denied

Common upgrades to existing homes such as replacing front fences, enclosing a carport with a garage door, or building a veranda over the front door can become virtually impossible under this new overlay. Changes which make front yards more usable are essentially banned under this overlay and given that front yards are a key piece of social infrastructure where we interact with our neighbours, the inability to improve them will be a major negative outcome for our community. More information on these additional restrictions can be found in the attachments titled Heritage Design Guidelines, (at the bottom of the page) <https://www.maribyrnong.vic.gov.au/amendmentc172>

More expensive repairs imposed on individuals and families

Sign this petition



At 1,000 signatures, this petition is more likely to be **featured in recommendations!**

ity of these homes such as replacing tiles with lighter Colourbond are banned under this new overlay, forcing homeowners into much more expensive structural repairs. For many homeowners, these repairs will be too expensive, unfortunately, delaying these vital repairs can often exacerbate future repair costs.

Exacerbating the shortage of family homes

The census data shows an ever-increasing proportion of young families calling West Footscray home. The extreme price difference between 2-bedroom homes and 4-bedroom homes (384k in West Footscray vs 130k in Sunshine according to realestate.com) highlights the large shortage of family homes within the suburb. It is vital that our housing stock is flexible to change to meet the evolving needs of our community. Unfortunately, this heritage overlay may have the opposite effect; making extensions more expensive, time consuming and generally acting as a disincentive for change. A large portion of the houses listed in the heritage overlay are 2-bedroom homes, often unsuitable for the needs of growing families, particularly with the recent working from home requirements.

Environmental impacts of running and maintaining energy inefficient buildings

The overlay in many instances, prevents new solar panels visible from the street from being installed, significantly impacting the ability of West Footscray residents to harness sustainable forms of energy. As mentioned, many of the houses in our suburb are aging poorly and aren't close to meeting modern day building standards. Upgrading these homes to meet current best practice for energy efficiency can be difficult enough without the additional restrictions of the heritage overlay. For many homeowners, the dream of an energy efficient home may become financially unviable with the additional

[Sign this petition](#)



At 1,000 signatures, this petition is more likely to be **featured in recommendations!**

Financial and emotional burden on individuals and families who have had the heritage overlay imposed without notice

This policy impacts everyone differently. For some the costs of this change are non-existent, but for others the financial and emotional costs are life changing. Consider those homeowners who have been preparing plans for their dream home over a number of years only to now have their proposals rejected, their plans crushed by the heritage overlay. Consider any local residents who have recently purchased with the intention of extending or rejuvenating being forced to abandon these plans, unable to afford the cost that the additional restrictions invoke, losing their stamp duty and sometimes significant property value in the process. The implementation of this policy without notice or adequate consultation has is unfair and unjust, and the costs could be in excess of \$100k.



Start a petition of your own

This petition starter stood up and took action. Will you do the same?

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COMPANY

COMMUNITY

Sign this petition



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English (Australia)



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[Sign this petition](#)

[REDACTED]

From: [REDACTED]
Sent: Wednesday, 6 April 2022 6:01 PM
To: AmendmentC172 [REDACTED]
Subject: Submission for 20 Fontein Street / West Footscray
Attachments: STOME WATER OUTLET SITTING ON THE TOP .jpg; SLIPPERY MOULD FROM GUTTER .jpg; GUTTER OF 22 FONTEIN ST.jpg; [REDACTED] - Objection letter.pdf

Sent from [Mail](#) for Windows

[REDACTED]
Maribyrnong City Council, 61 Napier Street Footscray
PO Box 58, West Footscray VIC 3012

[REDACTED]
www.maribyrnong.vic.gov.au

Re : Objection to listing [REDACTED] as a Heritage space AT - 20 FONTEIN ST

Attachment is proof of photo the of storm water coming [REDACTED] and for more damage .

The 22 Fontein St property had storm outlet on top of the driveway and when it rains heavily, all water comes [REDACTED] on the front yard.

I have written numerous emails to the council with no outcome.

This is mental stress to [REDACTED] property

[REDACTED]

Second objection







From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Wednesday, 6 April 2022 6:41:13 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

40 Napoleon Street, West Footscray

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Support

State the reasons why you support or oppose Amendment C172

We are in full support of the proposed HO211 for Bottomley's Paddock.

We believe that HO211 will be beneficial [REDACTED] while retaining the history and urban character of the Bottomley's Paddock, for the following reasons:

- Retention of character and history of the area
- Prevention of inappropriate development
- Preservation of housing affordability

These are outlined further below.

Retention of character and history of the area

The history and urban fabric [REDACTED] is being rapidly eroded by large McMansion style monstrosity homes and developers squeezing as many townhouses on to a residential block as they can. West Footscray is a key part of Melbourne's history where we played a role in the industrialisation of the city, while providing housing to the working class. This history is reflected in the housing styles found [REDACTED] which includes owner-builder homes to public housing that was all constructed in the mid-20th century. The erosion of this character and history of the area will ultimately erase the character of the area and resign its famous past to the history books.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

There are approximately 70 houses in [REDACTED] which the overwhelming majority are contributory to the proposed heritage overlay. In the latter stages of 2021, five houses within Napoleon Street were demolished to either become:

- two-storey template homes constructed by volume builders, or
- multiple soulless townhouses.

These developments have kickstarted the erosion of the character and history [REDACTED] [REDACTED] the view of modern volume builder dwellings.

If the heritage overlay is not implemented on a permanent basis, the character and history of the street will rapidly disappear – not to return.

Preservation of housing affordability

The value of a residential property is dependent on the demand within the real estate market. If an area is of interest to property developers, families and first home buyers, the value of the residential property is driven upwards by this demand. As a result, a property that is capable of being privately developed will result in an increased market of buyers and a higher property price. In short, if property developers are excluded from a specific residential market, the property value of houses in the area will ultimately be reduced and will likely enable more families and first home buyers to purchase a home in their desired area.

Due to the history of the Bottomley's Paddock area, the average residential property is typically in the range of 300-600 m², with an approximately average size of 400 m². This typical property size is often targeted by property developers to purchase and demolish the existing dwelling – activities which are followed by subdivision with the highest residential density that is available to the property developer. The property developer's focus is to maximise their profit in constructing low quality townhouses with minimal outdoor space, before selling them and moving on to the next 'cheap' block of

land.

This process may lead to some residential properties being priced slightly lower than the detached dwelling properties, this is not always the case - e.g. a townhouse at 20A Wellington Street sold for \$1.275 million in September 2021 compared to numerous detached dwellings selling for significantly less in the immediate vicinity.

While there is a common fallacy that townhouses result in cheaper residential options than detached dwellings, this is driven by the reduced size, land and amenity of a townhouse, which excludes a garden, street frontage and valuable outdoor space for the next generation.

Prevention of inappropriate development

The reality of a suburb that is full of townhouses is that increased residential densities contribute to inappropriate development that is not supported by adjacent community and transport infrastructure. The Bottomley's Paddock area presently has limited public transport options, which comprise irregular bus services along Essex and Ashley Streets or an alternative option of a 15 minute walk to the unwelcoming Tottenham Station. The extended walk and generally unwelcoming nature of Tottenham Station constrains the accessibility of the area, such that higher residential densities in the area will result in increased numbers of cars in the area and streets that are full of cars.

Coupled with property developer's desires to maximise the numbers of townhouse on a residential property, this results in a significant reduction in amenity of the area wherein adjacent properties are shaded by new developments, impacted by noise emanating from construction activities and additional residents into the neighbourhood.

Further to this, demolition of original detached dwellings for new modern two-storey monstrosities and townhouses will result in the area becoming bland streetscapes that comprise of high residential density that is not capable of being supported by the adjacent community and transport infrastructure.

In sum, we believe that the heritage overlay for the Bottomley's Paddock area is a necessary and urgent measure that Council need to take to preserve the history and character of the area.

Yours Sincerely,

[REDACTED]
[REDACTED]

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Your City Your Voice.

4TH, April 2022.

**Strategic Planning Team
Maribyrnong City Council.
Cnr. Napier and Hyde Streets,
FOOTSCRAY, 3011.**

Dear Sir / Madam,

**Re: Public Consultation on permanent Heritage Protection for
precincts in West Footscray and surrounds.**

[REDACTED]

[REDACTED]
West Footscray.

Firstly, I would like to say that I support the protection of these Inter and Post War weatherboard homes, and protection should be introduced to other areas of Maribyrnong that possibly have similar, if not more historical significance than these nominated areas.

Whilst I am a developer, you can see my development of the above site, (Application No. [REDACTED] I have preserved the original Dwelling and will do a small extension at the rear of it. Constructing 2 small 2 storey units at the rear. [REDACTED]

[REDACTED] [REDACTED] [REDACTED]. It has not begun yet due to drainage issues, heightened by the condition to have to pave the laneway, [REDACTED]

My concern is that with the new Heritage protection that I will need to revise the design of the 2 units which have little or no effect to the existing dwelling. Does Heritage also support the protection of the paving of laneways as they have always been that way.

As mentioned before, I do support the Heritage overlay, but where approval has been given for developments such as this one, which preserve the existing dwelling, I believe it should be able to proceed as approved by planning.

Thank you for your time in reading this response and I hope you feel this is a reasonable suggestion. Please do not hesitate to call me if you wish to have a discussion.

Yours Sincerely,

[REDACTED]
[REDACTED]

To Council

I'm writing regarding the proposed amendment C172. As it stands, I'm opposing the amendment.

██████████ 4 McCubbin Street, Footscray, I can understand the importance of preserving neighborhoods which contribute to the historical value of the area, but I do not believe that all precincts named in the amendment add significant contribution to the heritage value namely precinct HO215 being one side of McCubbin Street Footscray.

The amendment C172 recommends 8 houses on one side of McCubbin Street only comprising in the heritage overlay I oppose the recommendation for this street as observation of home on McCubbin Street with the lack of cohesion on the street should be removed from the amendment C172.

Preserving front facade that have a historical value is important but as almost all homes have been amended in some form of manner in McCubbin Street. Street scape with no mature trees to indicate heritage area is nonexistence. Preserving fence that hold historical value nonexistence.

War and Post-war era include 1950's or 60's homes to be heritage listed seem a little strange on the street Number 12-14. Other side modernized with new developments.

Maintenance is questionable by Council, Legal point of discharge all homes on heritage listed side of McCubbin street are blocked Kerb and channel was not repaired when road was resurfaced, speed island put in place that caused concentration on water build up that cause foundation issues on all homes on named heritage overlay side which would add a major cost factor for repairs.

A heritage overlay will hamper redevelopment opportunities to create sustainable homes with energy efficient rating that will reduce carbon footprint. Newly constructed dwellings are more efficient therefore reducing greenhouse gases and emissions benefiting current and future communities.

In conclusion from the observation of the homes on McCubbin street and with the lack of cohesion on the street should be removed from the amendment entirety.

Regards

██████████

4 McCubbin Street, Footscray.

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Wednesday, 6 April 2022 7:58:13 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

[REDACTED]

West Footscray

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

I disagree because it will make it harder for people to improve their houses and will prevent affordable upkeep of houses in the neighbourhood.

Outline any changes (if any) you would like made to Amendment C172

Remove heritage overlay

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Your City Your Voice.

From: [REDACTED]
To: [AmendmentC172](#)
Subject: Rejection to Amendment C172
Date: Wednesday, 6 April 2022 8:01:51 PM

To whom it may concern,

[REDACTED] 45 Palmerston Street, West Footscay and apart from being included in the the partition to reject the amendment of C172, we would like to put to you, our personal rejection. [REDACTED]
[REDACTED] Californian Bungalow has already had renovation work completed over the time [REDACTED]
[REDACTED] Major renovations being the addition of an upstairs extension with the second story roof and some of the upstairs wall being visible from the front of the house. The front windows were changed to full length colonial style bay windows, as well as colonel windows and French doors installed around the house.
[REDACTED] to protect our environment and also cut back on energy costs, an upgrade [REDACTED]
[REDACTED] solar panels fitted. The location to benefit the most, of course will be on the east / west roofs, with the west side facing the front [REDACTED]. This I believe will also go against the C172 Amendment. [REDACTED] we would also like you to take this into consideration.

Thank you and kind regards

[REDACTED]

Sent from my iPad

From: [REDACTED]
To: [AmendmentC172](#)
Cc: [REDACTED]
Subject: submission
Date: Wednesday, 6 April 2022 8:57:34 PM
Attachments: [Interim Heritage Overlay Protection.pdf](#)
[Planning Permit - TP274 2019\(1\).pdf](#)
[Summary of financial loos.xlsx](#)
[Submission.pdf](#)
[24 Hope street, Footscray \(for construction\) REV -C-.pdf](#)
[Endorsed Planning Plans Optimized.pdf](#)

Dear Strategic Planning Team

Please find our submission for Amendment C172 and C173 attached.
I have submitted the PDF through the website. However, the website allows only one file to be uploaded. I would like all our supporting documents attached here to be considered during the hearing.

Regards,

[REDACTED]

Maribyrnong City Council
Street Address:
61 Napier Street, Footscray 3011
Postal Address:
PO Box 58 West Footscray 3012

P: (03) 9688 0200
F: (03) 9687 7793
email@maribyrnong.vic.gov.au
www.maribyrnong.vic.gov.au



22 December 2021

To the addressed,

**West Footscray Inter-War and Post-War Heritage Precinct Study 2021
Maribyrnong Planning Scheme Amendment C173 – Interim Heritage Overlay Protection
New Planning Permit Requirements**

Dear Sir/Madam,

We are writing to you as you have been issued a planning permit for land which has now been affected by a change to the Maribyrnong Planning Scheme.


The Minister for Planning has approved the introduction of interim heritage protection for eight precincts identified in the West Footscray Inter-War and Post-War Heritage Precinct Study 2021 (Amendment C173). This amendment introduces new requirements for a planning permit, in particular for any demolition or alterations to buildings, and is relevant to the land you have been issued a planning permit for. As a result, you will need to consider how the interim heritage controls affect your land and whether you will need to submit an application to amend your planning permit.

The new interim heritage control ensures any proposed development or alterations to a building appropriately considers heritage matters, it does not prevent the issuing of a planning permit. Failure to comply with any new requirements for a planning permit may result in enforcement action. Any fees required to amend your planning permit for this purpose will be waived. If you have any questions in relation to applying for, or amending, a planning permit, please contact Council's City Planning team on 9688 0200 or email urban.planning@maribyrnong.vic.gov.au.

The interim heritage controls were introduced by the Minister for Planning on 10 December 2021 through Amendment C173 to the Maribyrnong Planning Scheme and will apply for a period of one year. During that time, residents will have the opportunity to provide feedback on Council's proposal to introduce permanent heritage protection through Amendment C172 to the Planning Scheme. Consultation is anticipated to occur in early 2022. Further details are available on Council's website at www.maribyrnong.vic.gov.au/AmendmentC173.

If you have any questions in relation to Amendment C173 to the Planning Scheme, please contact Council's Strategic Planning team on 9688 0200 or email strategic.planning@maribyrnong.vic.gov.au.

Yours faithfully

PLANNING PERMIT	
Permit No.:	TP274/2019(1)
Planning Scheme:	Maribyrnong Planning Scheme
Responsible Authority:	City of Maribyrnong
	

Address of the land: 24 Hope Street WEST FOOTSCRAY

The permit allows: Construction of multiple dwellings on a lot

The following conditions apply to this permit:

Amended plans

1. Before the development starts, amended plans must be submitted to the satisfaction of the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans submitted with the application, but modified to show:
 - (a) All modifications shown in the revised plans prepared by Draftmode known as Sheets 1-4 dated October 2020.
 - (b) The vehicle crossovers and driveways reduced to 2.7 metres wide.
 - (c) The rain gardens replaced with rain water tanks, along with a STORM report which achieves a minimum of 100% rating.
 - (d) The front fence with 50% permeability, a visibility splay or a height of 1.0 metre to allow drivers a clear view of pedestrians on the footpath when exiting the site, in accordance with Clause 52.06.
 - (e) The retention of the existing bluestone kerb along the front of the site.
 - (f) All service meters (electricity, water and gas) and similar (fire hydrant and telecommunications) shown on all relevant plans. The design of any structure required to accommodate services must be integrated into the development, must be easily accessible to service authorities, and must not be sited in a standalone location or 'stacked'.
 - (g) A landscape plan to the satisfaction of the Responsible Authority (refer to condition below).

General Conditions

2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority. This does not apply to any exemption specified in Clause 62 of the Maribyrnong Planning Scheme.
NOTE: This does not obviate the need for a permit where one is required.
3. Once the development has started, it must be continued and completed to the satisfaction of the Responsible Authority.
4. Subject to the occupier of the relevant side neighbouring property allowing the necessary access to that property, the external faces of walls on or facing boundaries

must be cleaned and finished to an acceptable standard to the satisfaction of the Responsible Authority.

5. All visual screening and measures to limit overlooking to adjoining properties must be erected prior to the occupation of the buildings, and thereafter maintained, all to the satisfaction of the Responsible Authority.

Landscaping Conditions

6. Concurrent with the endorsement of plans, a landscape plan must be submitted and be to the satisfaction of the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and provided in digital format (where possible).

The plan must show: _

- (a) The location of all existing vegetation to be retained and/or removed;
 - (b) The location of buildings and trees on neighbouring properties within 3 metres of the boundary;
 - (c) Details of surface finishes of pathways and driveways;
 - (d) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
 - (e) Raingardens to be removed in accordance with condition 1(b).
7. Before the occupation of the development starts or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
 8. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, this includes the replacement of any dead, diseased or damaged plants.

Engineering Conditions

9. Vehicular crossing(s) must be constructed and/or modified to the road to suit the proposed driveway(s) to the satisfaction of the Responsible Authority.
10. The site must be drained to the satisfaction of the Responsible Authority. Storm water run-off from the site must not cause any adverse impact to the public, any adjoining site or Council asset. Stormwater from all paved area has to be drained to underground storm water system. Any cut, fill or structure must not adversely affect the natural storm water runoff from and to adjoining properties.
11. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during and after development.

Street Tree Conditions

12. Before the development starts a fee must be paid to the Responsible Authority for the removal of the existing street tree(s). All works to remove the tree(s) must be undertaken by the Responsible Authority.

Permit Expiry

13. This permit will expire if one of the following circumstances applies: -

(a) The development is not started within two years of the date of this permit.

(b) The development is not completed within four years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before or within 6 months after the permit expiry date, where development allowed by the permit has not yet started; and within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

Note

- This application has been assessed under Clause 55 (ResCode provisions) of the Maribyrnong Planning Scheme.
- This is not a Building permit. A building permit may also be required. Please contact your building surveyor.
- This permit (unless otherwise stated) does not give approval for the removal or replacement of any boundary fencing. Under the Fences Act 1968 the property owner and the neighbour are equally responsible for any dividing fence. More information on boundary fencing can be obtained at <http://disputes.vic.gov.au/fences>
- A *Stormwater Discharge Permit* is required from MCC Operations and Maintenance.
- The owner shall be responsible for the loss of value or damage to Council's assets as a result of the development. Reinstatement or modification of the asset to Applicant.
- A Council officer will contact the owner/builder to arrange a *Street Asset Protection Permit*, and advise of the associated Bond required to be lodged prior to commencement of work. Note: If using a private building surveyor, a Section 80 Form must be supplied to Council's Building Surveyor to initiate the above process.
- A Road Opening Permit from the Responsible Authority is required for any work or excavation within the road reserve.
- Any work within the road reservation must be carried out to the satisfaction of the Responsible Authority.
- Materials are not to be stored on the road reserve without Responsible Authority approval.
- A Vehicle Crossing Permit is required from the Responsible Authority for any new crossing prior to the commencement of works. Vehicle crossing(s) shall be constructed in accordance with the Responsible Authority's Standard Drawings, Specification and Vehicle Crossing Policy.
- Protection of Council's street trees shall be in accordance with Council's Street Tree Policy and Protocol.
- Planning Scheme Amendment C164 proposes to introduce a new municipal wide development contributions plan (DCP) into the Maribyrnong Planning Scheme. The DCP will if approved provide for imposition of infrastructure contributions to fund local infrastructure. Although there is no infrastructure contribution condition attached to this permit, the subdivision of the development permitted by this permit or an

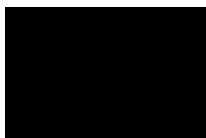
application for a building permit to construct the buildings permitted by this permit may be subject to an infrastructure contribution levy if the DCP is approved by the time that a subdivision permit or where no planning permit is required at the time a building permit is sought. For more information please consult Council's website (search DCP or C164) or call 9600 0200.

- Upon finalisation of construction and landscaping works please contact Urban Planning on urbanplanning@maribyrnong.vic.gov.au to arrange a compliance inspection.

Date Issued

10 February 2021

Signature for the Responsible Authority



Date of expiry: 10 February 2023 (if development has not commenced)

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit.

(Note: This is not a permit granted under Division 5 or 6 of Part 4 of the Planning and Environment Act 1987.)

WHEN DOES A PERMIT BEGIN?

A permit operates:

- from the date specified in the permit, or
- if no date is specified, from:

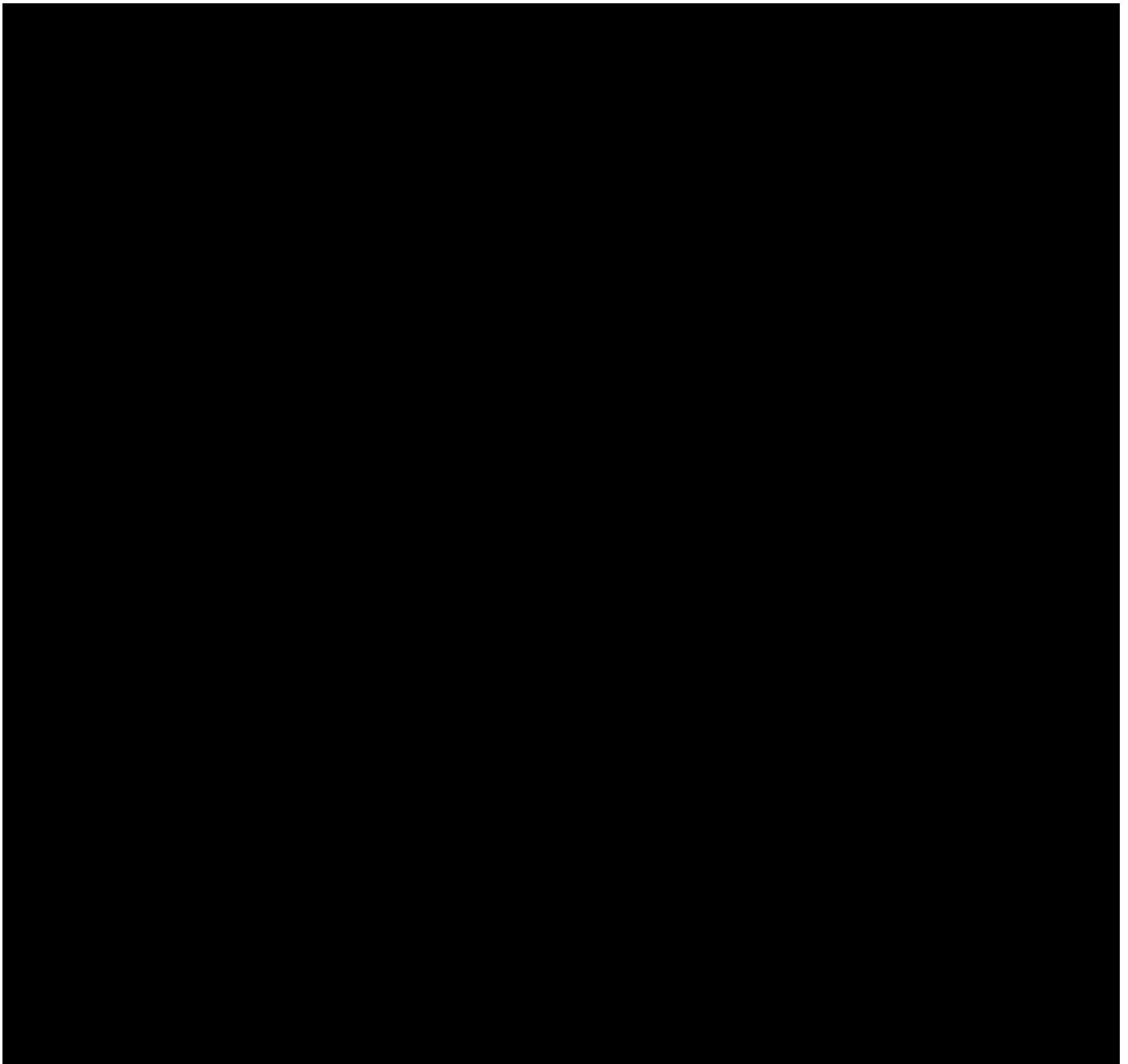
- (i) the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal, or
- (ii) the date on which it was issued, in any other case.

WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if:
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development required the certification of a plan of subdivision or consolidation under the Subdivision Act 1988 and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
 - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the Subdivision Act 1988.
2. A permit for the use of land expires if:
 - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit, or
 - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if:
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
 - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
 - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in Section 6A (2) of the Planning and Environment Act 1987, or to any combination of use, development or any of those circumstances requires the certification of a plan under the Subdivision Act 1988, unless the permit contains a different provision:
 - the use or development of any stage is to be taken to have started when the plan is certified; and
 - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT APPEALS?

- The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal, in which case, no right of review exists.
- An application for review must be lodged within 60 days after the permit was issued unless a Notice of Decision to Grant a Permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.
- An application for review is lodged with the Victorian Civil and Administrative Tribunal.
- An application for review must be made on an Application for Review form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
- An application for review must state the grounds upon which it is based.
- An application for review must also be served on the Responsible Authority.
- Details about application for review and the fees payable can be obtained from Victorian Civil and Administrative Tribunal.



Date
Sep-18
May-19
Feb-20
Feb-20
Apr-21
Aug-21
Aug-21
Oct-21
Nov-21

Date
Jan to April 2022
Jan to April 2022

Date
NA
NA

[Redacted]
[Redacted]
[Redacted]

► **To Maribyrnong City Council (Strategic Planning Team)**
Submission on Planning Scheme Amendment (C172)

Council Offices, 61 Napier Street, Footscray
Phone: 9688 0200

Dear Sir/Madam

[Redacted]
[Redacted] 24 Hope Street, West Footscray [Redacted]
[Redacted] express our concerns regarding the Maribyrnong Planning Scheme Amendment C173-Interim Heritage Overlay Protection. [Redacted]
[Redacted] We would like to question the methodology undertaken by the heritage consultant and express our concerns regarding the contradictory nature of this proposal to the State Policy (Plan Melbourne 2017-2050). [Redacted]
[Redacted] request further studies and investigation to be completed before any heritage overlay is introduced to the area. [Redacted]
[Redacted]
[Redacted]

[Redacted]

[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

The attached Amendment C173-Interim Heritage Overlay Protection [Redacted] 22nd December 2021
with no prior notice or communication. [Redacted]

After reading the letter and waiting for reopening of the council, we discussed the impact of this planning alteration with the council staff and learned that the office of Minister is directly involved with the abovementioned amendment, and this is a decision outside the council's authority level. While the Council Officers have recommended that the controls should not apply to any property that already has a planning permission for redevelopment and Councilors have endorsed this position, the Minister has rejected this recommendation. We were told there are 923 homes affected by this amendment of which, 43 homes have already had a successful planning permit and waiting for the construction to commence.

Agenda Item 6.2

- The interim controls will apply immediately once the Minister approves Amendment C173 and approval appears in the Government Gazette.
- The controls will not apply retrospectively to any property that already has planning permission for redevelopment, but will apply to any existing planning permit application or any person who has yet to apply for a planning permit.
- Council records indicate that 43 active planning permits apply across the 923 affected properties. Of those 43 active planning permits;
 - 23 (53%) propose construction of multiple dwellings, with 16 of the 23 proposing full demolition of the dwelling and seven proposing building additional dwellings on a vacant part of the land (i.e. the rear yard).
 - 20 (47%) propose alterations and additions to an existing dwelling (i.e. an extension or addition).
- The Heritage Precinct Study and associated Planning Scheme Amendments (C172 and C173) will assist Council in preserving the City's history and heritage character for future generations.

ATTACHMENTS

1. Summary of eight proposed heritage precincts [1](#)
2. West Footscray Inter-war and Post-war Heritage Precinct Study 2021 [1](#)
3. Statements of Significance and Heritage Design Guidelines [1](#)
4. Review of Permit Exemptions for Proposed Heritage Precincts [1](#)
5. Permit Exemptions in Heritage Precincts Incorporated Plan Oct 2018 - updated July 2021 [1](#)
6. Amendment C172 documentation [1](#)
7. Amendment C173 documentation [1](#)

Figure 1 a snapshot of September 2021 Council Meeting Agenda

In our minds, Councils and Governments exist to protect the communities and families. [REDACTED]
[REDACTED] were considered or protected by the decision makers in any shape or form. [REDACTED]



[Redacted text block 1]

[Redacted text block 2]

[Redacted text block 3]

• **Contradiction to State Policy (Plan Melbourne 2017-2050)**

I believe the proposal to impose a heritage overlay 923 houses in a prime location for infill development is strongly contradictory to current State Policies.

West Footscray and the location [REDACTED] in walking/riding distance from two major train stations (West Footscray and Tottenham Railway Station). It is a few steps away from Essex St (Principle Public Tansport Netwok) with two major bus routes connecting to key destinations. The property is minutes away from Footscray Metropolitan Activity Centre, Highpoint Shopping Centre and New Footscray Hospital, Victoria University and tens of other small scale amenities including schools, local cafes and shops, parks and Maribyrnong River. The Heritage overlay jeopardizes the development potential of this area causing unsustainable growth in outer ring suburbs where there is lack of sufficient infrastructure and amenity.

Sustainable management of population growth within the urban growth boundary and the selective redevelopment of underutilised areas within existing communities, is one of the main principles of Plan Melbourne 2017-2050. Encouraging development of affordable and accessible housing and providing housing choice are other key principles included in the document. Connecting communities and establishment of 20-minute neighbourhoods where residents have walking or riding access to majority of their daily needs is also another aspiration of Plan Melbourne.

According to ABS data, Average household size (persons per dwelling) in City of Maribyrnong is 2.46. Given 923 houses are impacted and assuming the development potential is for these houses to be subdivided by two, this will give an opportunity for 932 more households and 2270 people to live closer to all the above mentioned amenities, jobs and public transport.

[REDACTED] subdivision proposal is strongly aligned with State Policy while being respectful of the neighbourhood character. It provides an opportunity for more affordable housing in an extremely well-served area and provides more housing choice while supporting sustainable urban growth. Below are a list of all the key Outcomes, Directions and Policies of Plan Melbourne 2017-2050 which is supportive of growth and sustainable and appropriate development in areas of high amenity, close to services, jobs and public transport.

Outcome one: Melbourne is a productive city that attracts investment, supports innovation and creates jobs

Direction	Policy
Create a city structure that strengthens Melbourne's competitiveness for jobs and investment	Plan for the redevelopment of major urban renewal precincts in and around the central city to deliver high-quality, distinct and diverse neighbourhoods offering a mix of uses



Create development opportunities at urban renewal precincts across Melbourne	Plan for new development and investment opportunities on the existing and planned transport network
Outcome 2 Melbourne provides housing choice in locations close to jobs and services	
Direction	Policy
Manage the supply of new housing in the right locations to meet population growth and create a sustainable city	Facilitate an increased percentage of new housing in established areas to create a city of 20-minute neighbourhoods close to existing services, jobs and public transport
Deliver more housing closer to jobs and public transport	<p>Facilitate well-designed, high-density residential developments that support a vibrant public realm in Melbourne's central city</p> <p>Direct new housing and mixed-use development to urban renewal precincts and sites across Melbourne</p> <p>Support new housing in activity centres and other places that offer good access to jobs, services and public transport</p>
Increase the supply of social and affordable housing	Strengthen the role of planning in facilitating and delivering the supply of social and affordable housing
Facilitate decision-making processes for housing in the right locations	Support streamlined approval processes in defined locations
Provide greater choice and diversity of housing	Facilitate housing that offers choice and meets changing household needs

I would like to understand what economic and/or sustainability assessments were conducted by the local council or DELWP to support the inclusion of the proposed 900 houses as part of this Heritage overlay. Given the contradictory nature of this proposal to current state policies and its impact on infill development in an area of high amenity and high access to public transport and jobs, has the heritage value of each house been compared to its development potential for infill development, growth, and more sustainable ways of living? Was shortage of affordable housing and housing choice considered for this area?

I believe planning matters are multi-faceted and a careful investigation of the bigger picture including lack of affordable housing and housing diversity, sustainable housing growth and encouraging local access to daily living destinations should be considered along heritage values to present a full picture.

• **West Footscray Inter-war and Post-war Heritage Precinct Study 2021**

While I appreciate the investigation undertaken by the heritage consultant, I would like to raise concerns regarding the methodology and lack of sufficient detail provided for the heritage values of each house.

According to the Planning Practice Note one, Applying the Heritage Overlay, the criteria for inclusion in Heritage Overlay includes:

- Criterion A: Importance to the course or pattern of our cultural or natural history (historical significance). Criterion B: Possession of uncommon, rare or endangered aspects of our cultural or natural history (rarity). Criterion C: Potential to yield information that will contribute to understanding our cultural or natural history (research potential).
- Criterion D: Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).
- Criterion E: Importance in exhibiting particular aesthetic characteristics (aesthetic significance).
- Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).
- Criterion G: Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance). Criterion H: Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).

While the consultant has included the abovementioned criteria in the report, there is no clarity in regard to the assessment of individual houses based on each criterion. Rather than providing clarity based on the state guidance on heritage studies, the report discussed thresholds identified for the project (Page 14). There is no reference to where these thresholds are coming from. To me, these categories can easily apply to a neighbourhood character study rather than a rigorous heritage assessment investigating the significance and true contribution of each property. Below are the thresholds used by the consultant.

- Character - The building makes a positive contribution to the cultural heritage significance or character of the precinct, as it conforms to the typology of built fabric, or history of development of the precinct.
- Potential - The building has the potential to make a positive contribution to the precinct. This may mean the building is currently in poor condition, or has been altered in a reversible way. An example of the latter would be a house where a faux brick cladding had been applied over the original weatherboards. Other changes such as replacement of the original roof cladding, are also potentially reversible.

- Pattern - The size, proportions and setback of a house on the site helps to establish the pattern or rhythm of the street. A house which has had significant loss of original fabric may still contribute to the precinct in its size and proportions, roof form, cladding and type, as well as the setback.
- Authenticity – A building must have a level of authenticity and integrity to be considered contributory. This is the amount of original design and fabric that remains. Recent infill buildings, if they are in a heritage style, and fit well into the streetscape, are not considered contributory because they lack integrity of fabric and design. Similarly, second storey extensions that are set too high or too far forward in original roof lines, may reduce the authenticity of the place.
- Continuity - A house from a later period in a mixed streetscape, (rather than in a homogenous streetscape) with a range of styles of housing stock from different periods, may be part of a continuity of development of housing types. A single Victorian house in a precinct of Inter-war places may be considered contributory, because it illustrates an earlier history, and evolution of the place.
- Thematic representation - In a relatively homogenous precinct, a house which is stylistically different but represents a particular historic theme for the municipality, for example Post-war Migrant Housing, may be considered contributory.

I also would like to raise serious concerns regarding the significant features identified for each precinct. For instance below is an example of significant features for one of the precincts:

'Homogenous streetscapes with single storey housing, consistent front and side setbacks, garden settings and side drives, and nature strips with street trees, including fine examples of Paperbark trees in Palmerston Street. View, Hope and part of Barton Streets have bluestone kerbs and gutters'

All these significant features have a landscape nature, showcasing that the actual properties lack heritage significance for preservation or protection. If the landscape features of these streets are contributing their heritage value, a neighbourhood character protection that allows or encourages respectful development [REDACTED] is an improved outcome compared to imposing a heritage overlay. Additionally, the report repeatedly mentions that majority of the houses are a 'modest interpretations of the styles'. How can they be a modest interpretation yet significant to be protected?

The report argues that the study and outcomes is based on a spreadsheet including a description of building fabric, gardens and fences, probable dates, stylistic information and any known history. It also includes notes such as visibility, integrity, condition, and alterations to the fabric. Yet this information seems to be missing from the report or attachments. The report itself does not provide any information on the heritage values of each property and it only includes whether properties are considered contributory or non-contributory. We would like to request the consultant to provide all the background studies and assessment conducted for heritage values of individual properties. Additionally, the report should identify all the significant features that are contributing to each individual property being of heritage value.

What is contributory for [REDACTED] 24 Hope St which is very similar to 20 Hope St that is considered non-contributory. As mentioned before, apart from a half decent brick chimney, this house has no heritage value. The façade is all made from tin weatherboards, windows are replaced with cheap single glazed Aluminum frame and there is absolutely nothing of value worth keeping. Additionally, a car port is added to the front of the building.

Overall, I believe that the report and the study undertaken by the heritage consultant lack sufficient clarity regarding the significant features that are contributing to each individual property being of heritage value. There is no reference to where the methodology and thresholds identified by the consultant are coming from. The methodology seems more appropriate to a neighbourhood character study rather than a rigorous heritage assessment. There is lack of reference to the criteria set by the State Government via the above-mentioned Practice Note regarding the heritage values of each property or even each precinct. And most importantly, all the significant features identified for the precinct _____ the 'Bottomley's Paddock Inter-war and Post-war Residential Precinct', have a landscape nature, showcasing that the actual properties lack heritage significance for preservation or protection. If the landscape features of these streets are contributing to their heritage value, a neighbourhood character protection that allows or encourages respectful development proposal is an improved outcome and more aligned with State Policy (Plan Melbourne) compared to imposing a heritage overlay. The report repeatedly mentions that majority of the houses are a 'modest interpretations of the styles'. How can they be a modest interpretation yet significant to be protected?

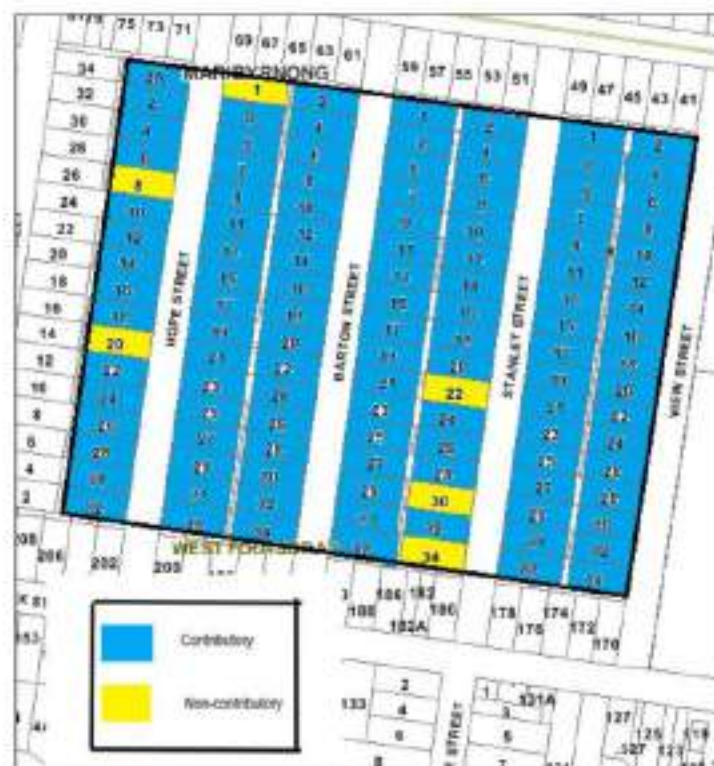


Figure 2 Map provided in the report to identify contributory and non-contributory properties

▶

In conclusion, [REDACTED] imposing heritage overlay to 900 properties in a prime location with fantastic access to jobs, public transport and services is again current State Policies. I think economic and sustainability assessments should be undertaken to provide a full picture of lost opportunities for infill development if these properties are considered as part of the overlay.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Sincerely,

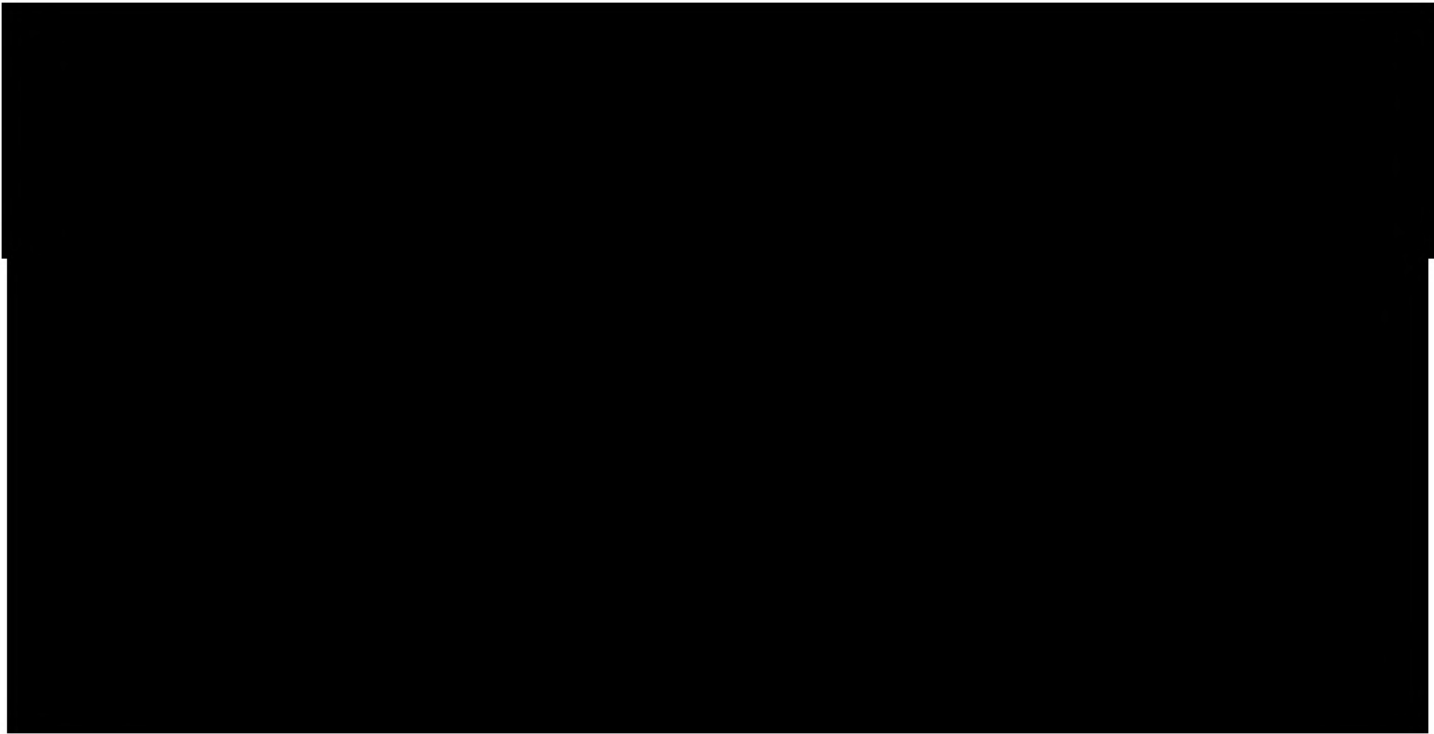
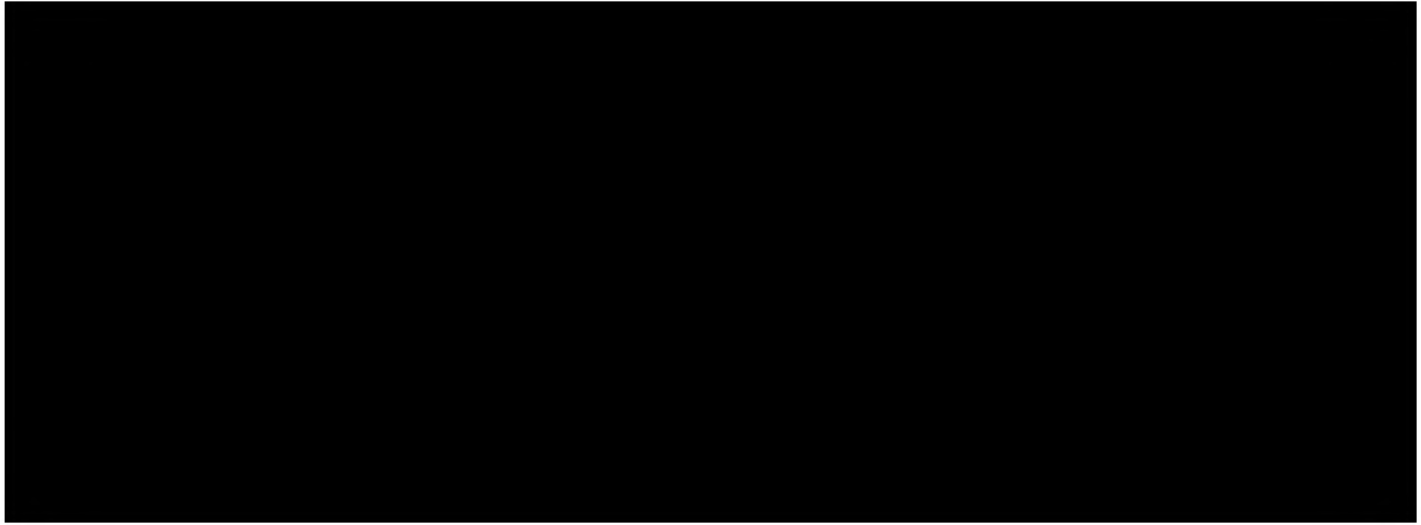
[REDACTED]

[REDACTED] 24 Hope St
4/4/2022


Enclosed:

- 1.Planning Permit
- 2.Endorsed Town Planning Drawings
- 3.Council Letter
4. Working Drawings

[REDACTED]



GENERAL NOTES

GN01	DO NOT SCALE DRAWINGS, USE WRITTEN DIMENSIONS ONLY.	GN14	PROVIDE WALL TIES TO BRICKWORK AT MAXIMUM 600MM CENTS IN EACH DIRECTION AND WITHIN 300MM OF ARTICULATION JOINTS.
GN02	THE OWNER/BUILDER, SUBCONTRACTOR SHALL VERIFY ALL DIMENSIONS, LEVELS, SETBACKS AND SPECIFICATIONS PRIOR TO COMMENCING ANY WORKS OR ORDERING MATERIALS AND SHALL BE RESPONSIBLE FOR ENSURING THAT ALL BUILDING WORKS CONFORM TO THE BUILDING CODE OF AUSTRALIA, A.S.CODES (CURRENT EDITIONS) BUILDING REGULATIONS, LOCAL BY-LAWS, AND TOWN PLANNING REQUIREMENTS. REPORT ALL DISCREPANCIES TO THIS OFFICE FOR CLARIFICATION.	GN15	SUB-FLOOR VENTS TO PROVIDE A RATE OF 7500MM SQ. CLEAR VENTILATION PER 1000MM RUN OF EXTERNAL MASONRY WALL AND 2200MM SQ. CLEAR VENTILATION PER 1000MM RUN OF INTERNAL DWAFW WALLS.
GN03	ALL WORKS SHALL COMPLY WITH BUT NOT BE LIMITED TO THE FOLLOWING AUSTRALIAN STANDARDS: A.S.1288-2006 GLASS IN BUILDINGS - SELECTION AND INSULATION A.S.1562.1-2010 DESIGN AND INSULATION OF SHEET ROOF & WALL CLADDING, PART 1 METAL A.S.1684.2-2010 NATIONAL TIMBER FRAMING CODE A.S.1686.2-2006 INSULATION OF PARTICLEBOARD FLOORING A.S.2049-2002 ROOF TILES A.S.2050-2018 INSULATION OF ROOFING TILES A.S.2870-2011 RESIDENTIAL SLABS AND FOOTINGS - CONSTRUCTION A.S.2904-1995 DAMP-PROOF COURSES AND FLASHINGS A.S.3000-2018 CONCRETE STRUCTURES A.S.3660.2-2017 PROTECTION OF BUILDINGS AGAINST SUBTERRANEAN TERMITES-PART 1 NEW BUILDINGS A.S.3700-2018 MASONRY STRUCTURES A.S.3740-2010 WATERPROOFING OF WET AREAS IN RESIDENTIAL BUILDINGS A.S.3786-2014 SMOKE ALARMS A.S.4100-2020 STEEL STRUCTURES A.S.2047-2014 WINDOWS IN BUILDINGS - SELECTION & INSULATION A.S.4256.4-2006 PLASTIC ROOF & WALL CLADDING MATERIALS A.S.2601-2001 DEMOLITION OF STRUCTURES.	GN16	PROVIDE CLEARANCE FROM UNDERSIDE OF BEARER TO FINISHED GROUND LEVEL OF 150MM FOR FLOOR WITH STRIP FLOORING OR 200MM FOR FLOORS WITH PARTICLE BOARD FLOORING.
GN04	THESE PLANS SHALL BE READ IN CONJUNCTION WITH ANY STRUCTURAL OR CIVIL ENGINEERING COMPUTATIONS AND DRAWINGS.	GN17	NOTE: REFER TO ENERGY REPORTS FOR ALL REQUIREMENTS TO ACHIEVE 6.5 STAR ENERGY RATING AS PER AUSTRALIAN STANDARDS. REFER TO REPORT REF No: B17FLSX0Y4_DWELLING 1 8CF0SE0IC3_DWELLING 2 8CAGY4J5C_DWELLING 3
GN05	SOIL CLASSIFICATION- CLASS 'P' THESE PLANS SHALL BE READ IN CONJUNCTION WITH THE SOIL REPORT BY- ARH SOIL TESTING & SURVEYING REPORT NO.- 15612 DATE: 28 / 05 / 21 FOOTINGS TO BE FOUNDED AT THE MINIMUM DEPTHS INDICATED IN THE SOIL REPORT.	GN18	NOTE: R.F.L. TO HAVE FLAMMABILITY INDEX NOT EXCEEDING 5 STAIR REQUIREMENTS - (OTHER THAN SPIRAL STAIRS) RISERS - 150MM MAXIMUM, 110MM MINIMUM; GOINGS - 350MM MAXIMUM, 240MM MINIMUM; PRIVATE STAIRS (AND 250MM FOR PUBLIC STAIRS) RISERS AND TREADS TO BE CONSTANT IN SIZE THROUGHOUT FLIGHT. PROVIDE NON-SLIP FINISH OR SUITABLE NON-SKID STRIP NEAR EDGE OF NOSINGS. ENSURE MAXIMUM GAP BETWEEN RISERS NOT TO EXCEED 125MM OR USE CLOSED RISERS. PROVIDE CONTINUOUS HANDRAIL 1000MM MINIMUM HEIGHT TO BALCONIES AND DECKS WHICH ARE 1000MM OR MORE ABOVE GROUND LEVEL. 865MM MINIMUM HEIGHT HANDRAIL ABOVE STAIR NOSINGS AND LANDINGS. MAXIMUM OPENINGS BETWEEN BALUSTERS NOT TO EXCEED 125MM.
GN06	WHERE THE BUILDING (OTHER THAN A CLASS 10a) IS LOCATED IN A DESIGNATED TERMITE INFESTATION AREA THE BUILDING SHALL BE PROTECTED IN ACCORDANCE WITH THE RELEVANT AUSTRALIAN STANDARD.	GN19	CONCRETE STUMPS: - 100MM SQ. UP TO 1400MM LONG (1 No. H.D. WIRE); - 100MM SQ. 1401MM TO 1800MM LONG (2 No. H.D. WIRES); - 125MM SQ. 1801MM TO 3000MM LONG (2 No. H.D. WIRES).
GN07	SAFETY GLAZING TO BE USED IN THE FOLLOWING CASES: i) ALL ROOMS WITHIN 900MM VERTICAL OF THE FLOOR. ii) BATHROOMS WITHIN 1500MM VERTICAL FROM THE BATH BASE. iii) LAUNDRY WITHIN 1200MM VERTICAL FROM FLOOR AND/OR WITHIN 300MM HORIZONTAL FROM DOORS.	GN20	NOTE ALL STUMPS EXCEEDING 1200MM ABOVE GROUND TO BE BRACED.
GN08	WINDOW SIZES ARE NOMINALLY ONLY ACTUAL SIZE WILL VARY ACCORDING TO MANUFACTURER. WINDOWS TO BE FLASHED ALL AROUND.	GN21	THE BUILDER SHALL TAKE ALL STEPS NECESSARY TO ENSURE THE STABILITY OF NEW AND EXISTING STRUCTURE DURING ALL WORKS.
GN09	STORMWATER SHALL BE TAKEN TO LEGAL POINT OF DISCHARGE TO THE SATISFACTION OF THE RELEVANT AUTHORITY.	GN22	SD  DENOTES LOCATION OF SMOKE ALARMS TO BE PROVIDED AND INSTALLED IN ACCORDANCE WITH A.S.3786-1990. AND UNLESS INSTALLED IN AN EXISTING PART OF A CLASS 1, 2 OR 3 BUILDING OR A CLASS 4 PART OF A BUILDING THE SMOKE ALARM SHALL BE HARD WIRED WITH BATTERY BACKUP.
GN10	SEWER OR SEPTIC SYSTEM SHALL BE IN ACCORDANCE WITH THE RELEVANT AUTHORITY'S REQUIREMENTS.	GN23	THESE PLANS HAVE BEEN PREPARED FOR THE EXCLUSIVE USE OF THE CUSTOMER AND FOR THE PURPOSED EXPRESSLY NOTIFIED TO THE AUTHOR. ANY OTHER PERSON WHO USES OR RELIES ON THESE PLANS WITHOUT THE AUTHORITY'S WRITTEN CONSENT DOES SO AT OWN RISK AND NO RESPONSIBILITY IS ACCEPTED BY THE AUTHOR FOR SUCH USE AND/OR RELIANCE.
GN11	FOOTINGS NOT TO ENCRDACH TITLE BOUNDARIES AND EASEMENT LINES.	GN24	THESE NOTES ARE NEITHER EXHAUSTIVE NOR A SUBSTITUTE FOR REGULATIONS, STATUTORY REQUIREMENTS, BUILDING PRACTICE OR CONTRACTUAL OBLIGATIONS AND UNLESS EXPRESSLY STATED OTHERWISE, ARE PROVIDED ONLY AS GUIDELINES. NO RESPONSIBILITY IS ACCEPTED FOR THEIR USE.
GN12	FOR BUILDINGS IN CLOSE PROXIMITY TO THE SEA ENSURE THAT ALL STEEL WORK, BRICK CAVITY TIES, AND STEEL UNITELS, ETC. THAT ARE IMBEDDED OR FIRED INTO MASONRY BE PROTECTED IN ACCORDANCE WITH A.S.1650 OR A.S.3700-1996 TABLE 2.2, HOT DIPPED GALV., S/LESS STEEL OR CADMIUM COATED.	GN25	SMOKE ALARMS - THEY ARE REQUIRED AT EACH LEVEL OR STOREY UNDER A.S.3786. THEY ARE ALSO REQUIRED TO BE HARDWIRED WHERE INSTALLED IN NEW PARTS/ADDITIONS.
GN13	ALL WET AREAS TO COMPLY WITH B.C.A. F1.7 OR A.S. 3740-2004 WATERPROOFING OF WET AREAS IN RESIDENTIAL BUILDINGS. WALL FINISHES SHALL BE IMPERVIOUS TO A HEIGHT OF 1800MM ABOVE FLOOR LEVEL TO SHOWER ENCLOSURES AND 1500MM ABOVE BATHS, BASINS, SINKS AND TROUGHS IF WITHIN 750MM OF THE WALL.	GN26	LIFT OFF HINGES TO W.C. DOORS - WHERE THE DOOR SWINGS IN AND THE DOOR JAMB IS WITHIN 1.2 METRE OF THE CLOSET PAN.

PROPERTY INFORMATION:

PROPERTY INFORMATION FOR DESIGN PURPOSES:	YES	NO
THE LAND IS IN AN AREA LIABLE TO FLOODING PURSUANT TO REGULATIONS 802 OR DESIGNATED LAND OR WORKS PURSUANT TO REGULATION 806		✓
IS THE ALLOTMENT IN AN AREA PRONE TO TERMITES:		✓
IS THE ALLOTMENT IN AN AREA PRONE TO BUSHFIRES:		✓
IS THE ALLOTMENT IN AN AREA PRONE TO SIGNIFICANT SNOWFALLS:		✓

NO PART OF BUILDING OR FOOTING IS TO ENCRDACH OVER THE LEGAL TITLE BOUNDARIES OR EASEMENTS.



TOWN PLANNING NOTE:

REFER TO TOWN PLANNING PERMIT No. TP402 / 2019(1) MARIBYRNONG CITY COUNCIL PLANNING SCHEME
- FOR ALL LANDSCAPING & PAVING DETAILS.
- ALL SITING & HEIGHT DIMENSIONS TO COMPLY WITH APPROVED PLANNING PERMIT.

STRUCTUAL ENG. NOTE:

ARCHITECTURAL DRAWINGS TO BE READ IN CONJUNCTION WITH THE XSTRUCT CONSULTING ENGINEERS:
ENGINEERING DRAWINGS: JOB No. 1161

CIVIL DESIGN NOTE:

ARCHITECTURAL DRAWINGS TO BE READ IN CONJUNCTION WITH XSTRUCT CONSULTING ENGINEERS CIVIL DRAWINGS.
JOB No: 1161
REFER TO ENGRS DETAILS FOR STORMWATER LAYOUT PLAN FOR CONNECTIONS AND PITS TO LEGAL POINT OF DISCHARGE

IMPORTANT NOTE:

NOT FOR CONSTRUCTION UNTIL APPROVED BY THE RELEVANT BUILDING SURVEYOR OR STATUTORY AUTHORITY.

DWELLING 1

6.0 STAR REQUIREMENTS:
REFER TO REPORT REF No. 21031_DWELLING 1_ER

INSULATION
CEILING:
R1.0 BATTS + R1.3 ISOLATION TO UNDERSIDE OF ROOFING TO ALL PITCHED ROOFED AREAS (EXCEPT RAKED CEILING)
R0.5 BATTS TO CEILING + R1.3 ISOLATION TO UNDERSIDE OF ROOFING TO ALL RAKED CEILINGS AT FIRST FLOOR
WALLS:
R0.5 BATTS + UNVENTILATED NON REFLECTIVE ISOLATION TO ALL EXTERNAL WALLS
R0.5 BATTS TO ALL INTERNAL UTILITY WALLS
FLOORS:
R1.3 INSULATION BOARD BENEATH ENTIRE GROUND FLOOR SLAB
R0.5 FLOOR BATTS TO ENTIRE FIRST FLOOR

STRUCTURAL REQUIREMENTS:
DB - TIMBER FRAMED DOUBLE GLAZED, AIRFILLED, CLEAR - U VALUE: 3.0, SHGC: 0.40
(TO THE FOLLOWING WINDOWS - W1.1 and W1.4)
DG 1 - ALUMINIUM DOUBLE GLAZED, AIRFILLED, HIGH SOLAR GAIN, LOW E, CLEAR - U VALUE: 4.3, SHGC: 0.47
(TO ALL AWNING WINDOWS)
DG 2 - ALUMINIUM DOUBLE GLAZED, AIRFILLED, HIGH SOLAR GAIN, LOW E, CLEAR - U VALUE: 4.3, SHGC: 0.53
(TO ALL FIXED AND SLIDING DOORS)

*GAPS & CRACKS SEALED
*ENTRY / EXTERNAL DOORS WEATHER STRIPPED
*HOLLAND BLIND WINDOW COVERINGS
*SEAL ALL WINDOWS
*EXHAUST FANS SEALED

DWELLING 2

6.0 STAR REQUIREMENTS:
REFER TO REPORT REF No. 21032_DWELLING 2_ER

INSULATION
CEILING:
R0.5 BATTS + R1.3 ISOLATION TO UNDERSIDE OF ROOFING TO ALL ROOFED AREAS.
WALLS:
R0.5 BATTS + UNVENTILATED NON REFLECTIVE ISOLATION TO ALL EXTERNAL WALLS
R0.5 BATTS TO INTERNAL GARAGE/ DWELLING WALL AND ALL INTERNAL UTILITY WALLS AT FIRST FLOOR ONLY.
FLOORS:
R0.5 FLOOR BATTS TO ENTIRE FIRST FLOOR

STRUCTURAL REQUIREMENTS:
DB - TIMBER FRAMED DOUBLE GLAZED, AIRFILLED, CLEAR - U VALUE: 3.0, SHGC: 0.40
(TO THE FOLLOWING WINDOWS - W2.1 and W2.4)
DG 1 - ALUMINIUM DOUBLE GLAZED, AIRFILLED, HIGH SOLAR GAIN, LOW E, CLEAR - U VALUE: 4.3, SHGC: 0.47
(TO ALL AWNING WINDOWS)
DG 2 - ALUMINIUM DOUBLE GLAZED, AIRFILLED, HIGH SOLAR GAIN, LOW E, CLEAR - U VALUE: 4.3, SHGC: 0.53
(TO FIXED WINDOW W2.2 ONLY)
DG 3 - ALUMINIUM DOUBLE GLAZED, AIRFILLED, CLEAR - U VALUE: 4.8, SHGC: 0.59
(TO STAIRCASE FIXED WINDOW AND SLIDING DOOR W2.5 AND D2.4)

*GAPS & CRACKS SEALED
*ENTRY / EXTERNAL DOORS WEATHER STRIPPED
*HOLLAND BLIND WINDOW COVERINGS
*SEAL ALL WINDOWS
*EXHAUST FANS SEALED

NOTE: THE ENERGY RATING ASSESSMENT IS CALCULATED WITHOUT THE LOSS OF INSULATION DUE TO THE USE OF DOWN LIGHTS. REFER TO ELECTRICAL LAYOUT FOR INSULATION ADJUSTMENT WITH THE USE OF DOWNLIGHTS.

Cover Sheet

NOTES: GENERAL:

- 1: LEVELS RELATING TO GROUND LEVELS AREA APPROXIMATE ONLY & ARE TO BE CHECKED & VERIFIED ON SITE BY THE BUILDING WORKS. WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.
- 2: REQUIRED FILL & COMPACTION TO BE IN ACCORDANCE WITH A.S2870-1996.
- 3: ALL WORKS INCLUDING BRICKS, BRICKWORK, CONCRETE SLABS & FOOTINGS SHALL COMPLY WITH THE REQUIREMENTS OF THE RELEVANT AUSTRALIAN STANDARDS.

LEGEND.

MB METER BOX

- DP PROPOSED DOWNPIPES
- DPS PROPOSED SPREADER
- DPR PROPOSED RAIN WATER HEAD

SITE CUT TO DWELLING

SITE CUT TO GARAGE

SITE BATTER

N/H WIN: NON HABITABLE WINDOW

H/W: HABITABLE WINDOW

HWU: HOT WATER SYSTEM

F.F.L: APPRX. FINISHED FLOOR LEVEL

F.G.L: APPR. FINISHED GARAGE LEVEL

F.C.L: APPR. FINISHED CUT LEVEL

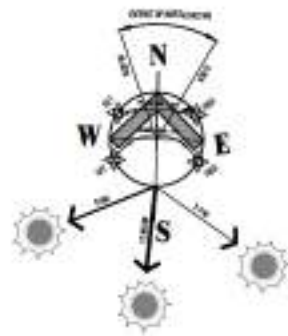
SITE LEVEL (FROM ARBITRARY DATUM)

AGI DRAIN 90mm UPVC

SP SILT PIT

FENCING NOTE:

- PROPOSED 1.8m HIGH TIMBER PALING FENCE
- 1.2m MAX HIGH TAPERED TIMBER PALING FENCE WITHIN 4.0M OF THE FRONT BOUNDARY



NOTE:
SURFACE SURROUNDING A CLASS 1 BUILDING IS TO BE DRAINED AWAY FROM THE BUILDING TO ALL SURFACE WATER TO MOVE AWAY FROM THE BUILDING IN ACCORDANCE WITH BCA PART 3.1.2.3.9 (a) 30MM STEP DOWN FROM THE INTERNAL FFL TO THE EXTERNAL NGL AND EXTERNAL NGL.

THE RAINWATER FROM DWELLING 2 ROOF AREA OF 100.90msq IS TO BE COLLECTED AND DISCHARGED INTO 2,000 L CAPACITY RAINWATER TANK WHICH IS TO BE CONNECTED TO 3 TOILETS FOR TOILET FLUSHING & COLD WATER LAUNDRY TAP/WASHING MACHINE

NOTE:
MINIMUM GRADE OF 1:200 FOR INDOOR AND 1:100 FOR OUTDOOR PARKING AREAS IS PROVIDED FOR DRAINAGE PURPOSES

MAXIMUM GRADE ALONG THE PARKING AREA TO BE 1:20

NO PART OF BUILDING OR FOOTING IS TO ENCRDACH OVER THE LEGAL TITLE BOUNDARIES OR EASEMENTS.

SITE AREA: 372.0 msq
BUILDING FOOTPRINT COVERAGE: 211.86 / 56.74 %
DRIVEWAYS: 38.41 msq
PERMIABLE AREA: 121.89 msq - 32.79 %

IMPORTANT NOTE:

PROTECTION WORKS NOTICES ARE TO BE ISSUED TO EFFECTED ADJOINING NEIGHBOURS PRIOR TO CONSTRUCTION OR AS PER THE DISCRETION OF THE BUILDER SURVEYOR.

NOTE: SEE PLAN FOR METER BOX LOCATION



SPOS LAWN & LANDSCAPE



SPOS LAWN & LANDSCAPE



SPOS LAWN & LANDSCAPE

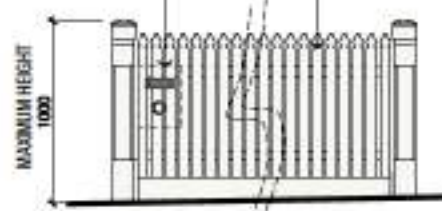
SPOS LAWN & LANDSCAPE

SPOS LAWN & LANDSCAPE

SELECTED 1.0m HIGH MAXIMUM VERTICAL TIMBER FENCE AND POSTS

TYPICAL FENCE DETAIL

SCALE 1:50



SOIL REPORT NOTE:

FOUNDATION CLASSIFICATION "CLASS P"

A.S. 2870 - 1996

REFER TO REPORT BY ABH SOIL TESTING & SURVEYORS

REPORT NO. - 15612 DATE: 28 / 05 / 21

CIVIL DESIGN NOTE:

ARCHITECTURAL DRAWINGS TO BE READ IN CONJUNCTION WITH XSTRUCT CONSULTING ENGINEERS CIVIL DRAWINGS. JOB No: 1161 REFER TO ENGRS DETAILS FOR STORMWATER LAYOUT PLAN FOR CONNECTIONS AND PITS TO LEGAL POINT OF DISCHARGE. (KERB AND CHANNEL)

Site Plan

ISSUE	REVISIONS	DATE	VBA	Design Matters	PROPOSED DUAL OCCUPANCY	draftmode	JOB NO.	ISSUE
A	PRELIMINARY DRAWINGS FOR ENGINEER ONLY	02/07/21	VICTORIAN BUILDING AUTHORITY	National	AT: No. 24 HOPE STREET, FOOTSCRAY	designs pty ltd	D0160-18	C
B	FOR BUILDING SURVEYOR REVIEW	11/05/21	REGISTERED Building Practitioner		SCALE: 1:200		DATE: 30/09/21	DRAWING NO. 2 (14)
C	CONSTRUCTION ISSUE	30/09/21			DRAWN: A.G.			
					CHECKED: DG			

NOTES:

- * STAIRS TO BE CONSTRUCTED TO STAIR MANUFACTURERS DETAILS AND COMPLY WITH ALL B.C.A. AND RELATED CODES.
- * MANUFACTURERS TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF WORKS.
- * MIN. 250mm WIDE TREADS
- * MAX. 107.5mm HIGH RISERS (x16 - STEPS)
- * QUANTITY (2R + Q) = 425mm
- * SELECTED BALUSTRADING MIN. 1000mm HIGH ABOVE LANDINGS AND MIN. 805mm HIGH ABOVE TREAD NOSINGS

IMPORTANT NOTE

FANS TO POWDER ROOM AND BATHROOMS TO BE MINIMUM 25L/S & LAUNDRY & KITCHEN TO BE MINIMUM 40L/S FOR CONDENSATION - TO BE VENTED EXTERNALLY & NOT INTO ROOF SPACE

THE RAINWATER FROM DWELLING 2 ROOF AREA OF 100.80sqm IS TO BE COLLECTED AND DISCHARGED INTO 2,000 L CAPACITY RAINWATER TANK WHICH IS TO BE CONNECTED TO 3 TOILETS FOR TOILET FLUSHING & COLD WATER LAUNDRY TAP/ WASHING MACHINE

NO PART OF BUILDING OR FOOTING IS TO ENCRDACH OVER THE LEGAL TITLE BOUNDARIES OR EASEMENTS.

GARAGE SETBACK

7100

BOUNDARY WALL SETBACK

5700

FRONT SETBACK

5500

NOTE:
SELECTED CABINETRY
AND WALL CLADDING
BY OWNER

ABBREVIATIONS	LEGEND
DPR - DOWNPIPE & RAIN WATER HEAD	- TILES
OP - DOWNPIPE	SMOKE DETECTOR TO BE INTERCONNECTED
HWU - HOT WATER UNIT	SS - SEWER STACK
MB - METER BOX	EF - EXHAUST FAN VENTED EXTERNALLY
V - VANITY BASIN	
P - P.W.	
WM - WASHING MACHINE	
T - TROUGH	
DW - DRYWASHER	
UBO - UNDER BENCH OVEN	
CT - COOKTOP	
RHD - RANGEHOOD	
REF - REFRIGERATOR	
FW - FLOOR WASTE	
	(CJ) - CONTROL JOINT

HANDRAIL NOTE:

CONTINUOUS HANDRAIL TO BE INSTALLED TO ONE SIDE OF STAIR WHERE INDICATED AS PER 3.9.2.4 OF THE MCC 2019

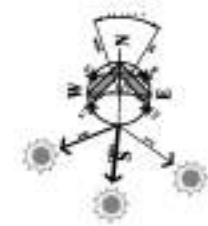
WINDOW SCHEDULE NOTE:

REFER TO WINDOW SCHEDULE ON PAGE 7 FOR ALL WINDOW SIZES AND TYPES

PW PARTY WALL DETAILS:

SYSTEM REFERENCE: CSR 2415

- * 1 x 25mm SHAFTLINER PANEL
- * 2 x 10mm GYFROCK PLASTERBOARD TO EACH SIDE OF FRAME
- * 88MG SOUNDCREEN 2.5 TO BOTH SIDES
- * 270mm WIDTH EXCLUDING PLASTERBOARDS
- * FIRE RESISTANCE - 60/60/90
- * SOUND TRANSMISSION - $R_w + C_w = 50$

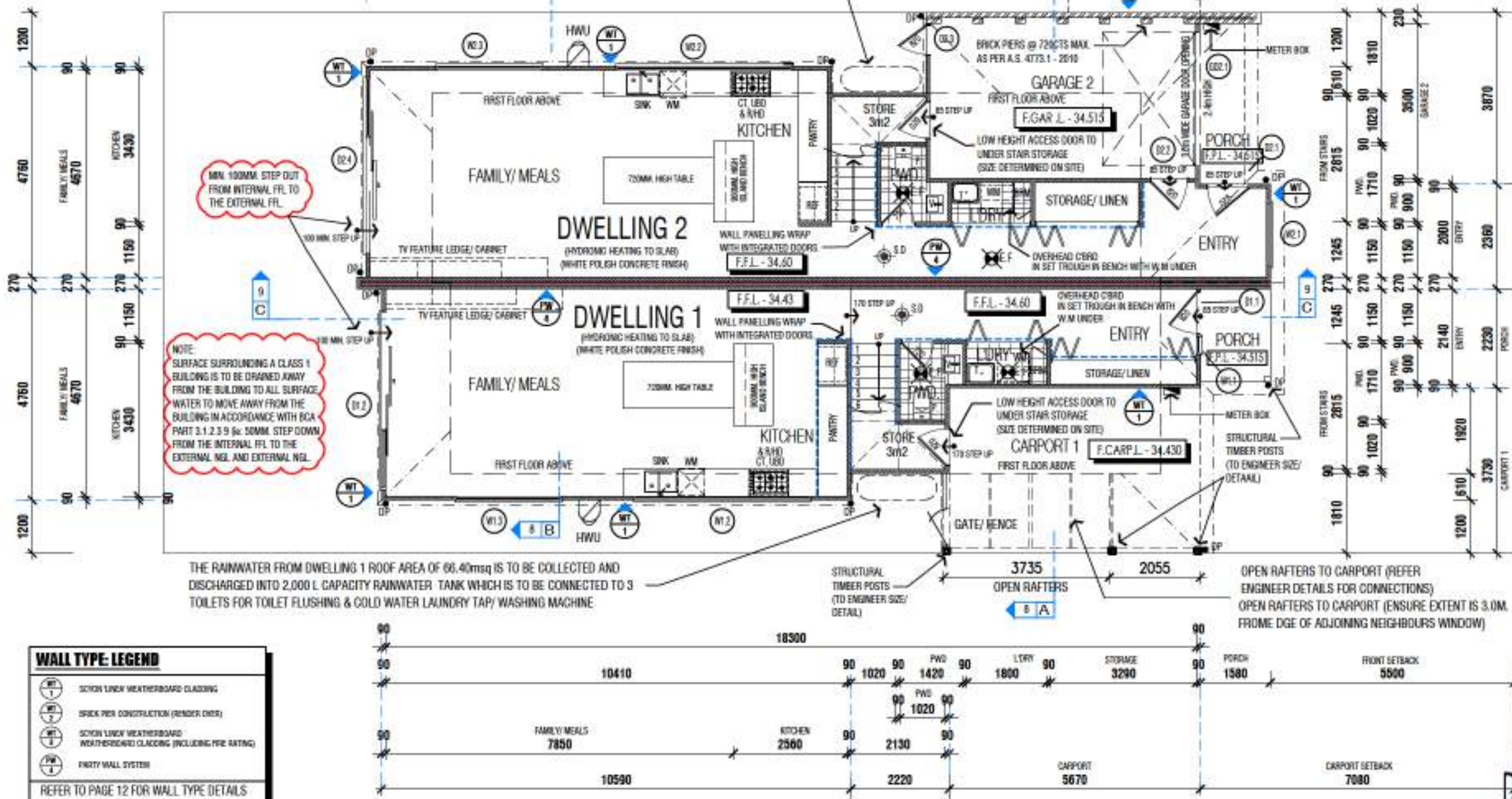


DWELLING 1: - AREAS

GROUND FLOOR: 77.15 sqm / 8.319SQS
FIRST FLOOR: 66.8 sqm / 7.10S
CARPORT 1: 21.01 sqm / 2.28
PORCH: 3.22 sqm
TOTAL: 168.19 sqm / 18.1 SQS

DWELLING 2: - AREAS

GROUND FLOOR: 81.17 sqm / 8.745SQS
FIRST FLOOR: 66.8 sqm / 7.10S
GARAGE 2: 23.15 sqm / 2.49SQS
PORCH: 5.35 sqm
TOTAL: 176.47 sqm / 18.9 SQS



WALL TYPE LEGEND

- SCION LINER WEATHERBOARD CLADDING
- BRICK PER CONSTRUCTION (RENDER OVER)
- SCION LINER WEATHERBOARD WEATHERBOARD CLADDING (INCLUDING FIRE RATING)
- PARTY WALL SYSTEM

REFER TO PAGE 12 FOR WALL TYPE DETAILS

ISSUE: A - PRELIMINARY DRAWINGS (FOR ENGINEER ONLY) B - FOR BUILDING SURVEYOR REVIEW C - CONSTRUCTION ISSUE	DATE: 02/07/21 11/09/21	VBA VICTORIAN BUILDING AUTHORITY REGISTERED Building Practitioner DP AD 583 DANIEL GIBSON	Design Matters National ALL EXTERNAL WALLS 240mm UNLESS OTHERWISE SPECIFIED ALL INTERNAL WALLS 90mm UNLESS OTHERWISE SPECIFIED	PROPOSED DUAL OCCUPANCY AT: No. 24 HOPE STREET, FOOTSCRAY SCALE: 1:100 DRAWN: A.G. CHECKED: D.G.	draftmode designs pty ltd A - 28 Thomas Street, Airport West 3042 P - 9 330 3434 E - enquiries@draftmode.com.au	JOB NO. D0160-18 DATE: 30/09/21	ISSUE: C DRAWING NO. 3 (14)
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Dw 1 and 2 Ground Floor Plans

NOTES:

- * STAIRS TO BE CONSTRUCTED TO STAIR MANUFACTURERS DETAILS AND COMPLY WITH ALL B.C.A. AND RELATED CODES.
- * MANUFACTURERS TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF WORKS.
- * MIN. 250mm WIDE TREADS
- * MAX. 167.5mm HIGH RISERS (x15 - STEPS)
- * QUANTITY (2R+Q) = 825mm
- * SELECTED BALUSTRADE MIN. 1000mm HIGH ABOVE LANDINGS AND MIN. 865mm HIGH ABOVE TREAD MOSMOS.

IMPORTANT NOTE

FANS TO POWDER ROOM AND BATHROOMS TO BE MINIMUM 250L & LAUNDRY & KITCHEN TO BE MINIMUM 40L/S FOR CONDENSATION - TO BE VENTED EXTERNALLY & NOT INTO ROOF SPACE

NO PART OF DWELLING WALL TO BE CONSTRUCTED OVER LEGAL TITLE BOUNDARY.

HANDRAIL NOTE:

CONTINUOUS HANDRAIL TO BE INSTALLED TO ONE SIDE OF STAIR WHERE INDICATED AS PER 3.9.2.4 OF THE NCC 2019

WINDOW SCHEDULE NOTE:

REFER TO WINDOW SCHEDULE ON PAGE 7 FOR ALL WINDOW SIZES AND TYPES

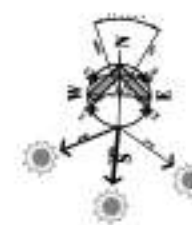
NOTE:
SELECTED CABINERY AND WALL CLADDING BY OWNER.

ABBREVIATIONS	LEGEND
G/FLOOR DOORS & OPENINGS TO BE 2340 HIGH U/FLOOR DOORS & OPENINGS TO BE 2140 HIGH	
DPR - DOWNPIPE & RAIN WATER HEAD	TILES
OP - DOWNPIPE	SMOKE DETECTOR TO BE INTERCONNECTED
HWU - HOT WATER UNIT	3.0'
MB - METER BOX	SS - SEWER STACK
V - VENTILATION	EF - EXHAUST FAN VENTED EXTERNALLY
P - PUMP	
WM - WASHING MACHINE	
T - TROUGH	
DW - DRYWASHER	
UBO - UNDER BENCH OVEN	
CT - COOKTOP	
RHO - RANGEHOOD	
REF - REFRIGERATOR	
FW - FLOOR WASTE	
	(C) (CONTROL) JOINT

PW PARTY WALL DETAILS:

SYSTEM REFERENCE: CSR 2415

- * 1 x 25mm SHAFTLINER PANEL
- * 2 x 10mm GYPROCK PLASTERBOARD TO EACH SIDE OF FRAME
- * 88mm SOUNDSCREEN 2.5 TO BOTH SIDES
- * 270mm WIDTH EXCLUDING PLASTERBOARDS
- * FIRE RESISTANCE - 60/60/60
- * SOUND TRANSMISSION - $R_w + C_5 = 50$



DWELLING 1: - AREAS

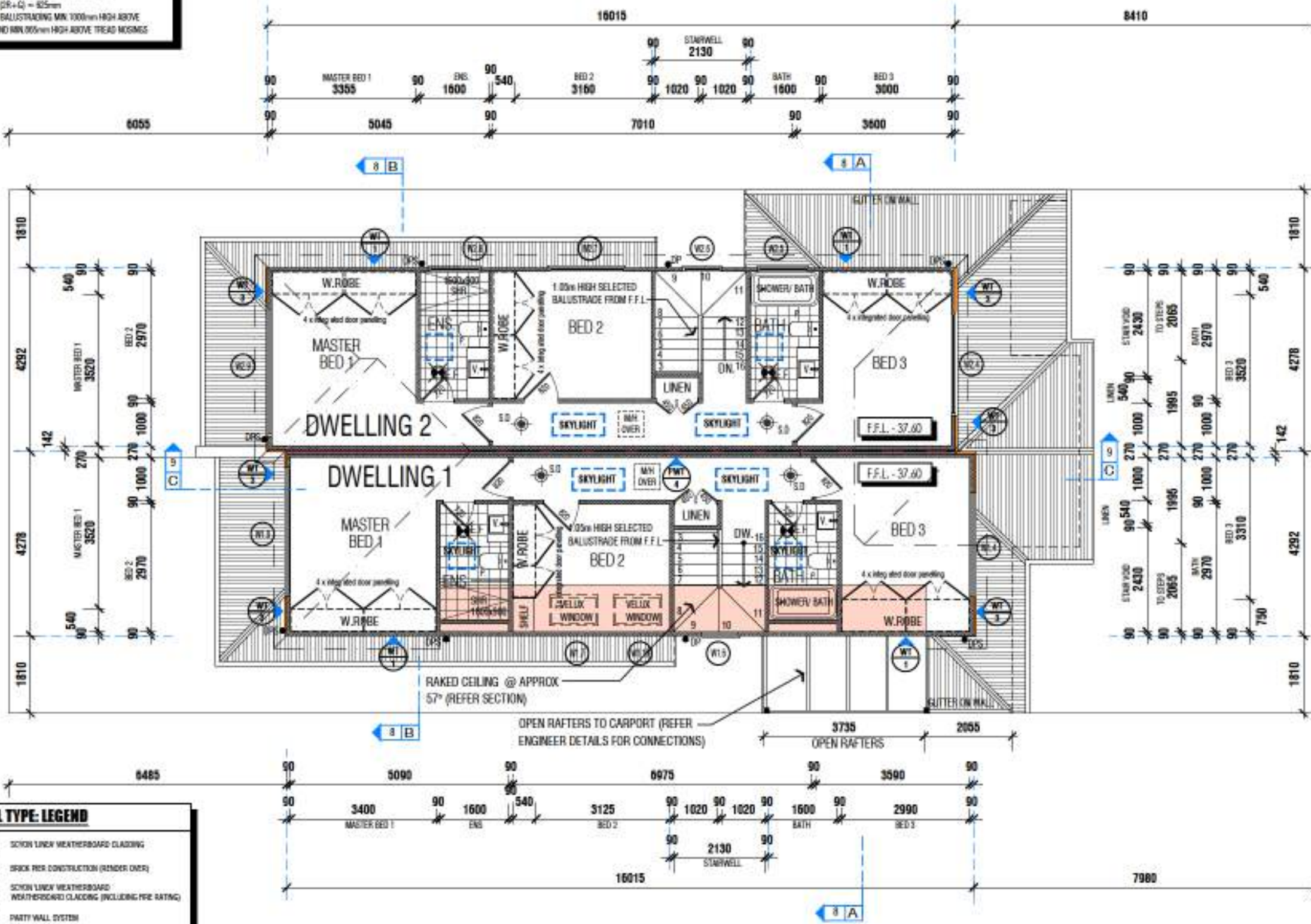
GROUND FLOOR: 77.15 m² / 8.319 SQM
FIRST FLOOR: 66.8 m² / 7.105
CARPORT 1: 21.01 m² / 2.28
PORCH: 3.22 m²

TOTAL: 168.18 m² / 18.1 SQM

DWELLING 2: - AREAS

GROUND FLOOR: 81.17 m² / 8.746 SQM
FIRST FLOOR: 66.8 m² / 7.105
GARAGE 2: 23.15 m² / 2.495 SQM
PORCH: 5.35 m²

TOTAL: 176.47 m² / 18.9 SQM



WALL TYPE LEGEND

WT 1	SCION LINER WEATHERBOARD CLADDING
WT 2	BRICK PER CONSTRUCTION (RENDER OVER)
WT 3	SCION LINER WEATHERBOARD WEATHERBOARD CLADDING (INCLUDING FIRE RATING)
WT 4	PARTY WALL SYSTEM

REFER TO PAGE 12 FOR WALL TYPE DETAILS

ISSUE A PRELIMINARY DRAWING (FOR ENGINEER ONLY) B FOR BUILDING SURVEYOR REVIEW C CONSTRUCTION ISSUE	REVISIONS 18/09/21	DATE 02/07/21 11/09/21	VBA VICTORIAN BUILDING AUTHORITY REGISTERED Building Practitioner DP AD 583 DANIEL GIBBA	Design Matters National ALL EXTERNAL WALLS 240mm UNLESS OTHERWISE SPECIFIED ALL INTERNAL WALLS 90mm UNLESS OTHERWISE SPECIFIED	PROPOSED DUAL OCCUPANCY AT: No. 24 HOPE STREET, FOOTSCRAY SCALE: 1:100 DRAWN: A.G. CHECKED: D.G.	draftmode designs pty ltd A - 28 Thomas Street, Airport West 3042 P - 9 930 3434 E - enquiries@draftmode.com.au	JOB NO. D0160-18 DATE 30/09/21	ISSUE C DRAWING NO. 4 (14)
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D 1 and 2 First Floor Plans



STEPS & FREEBOARD

- STEPS & LANDINGS TO ALL EXTERNAL DOORS BY OWNERS AS REQUIRED BY NCC 2015 UNLESS NOTED OTHERWISE.
- GRADE FINISHED GROUND SURFACE AWAY FROM BUILDING PERIMETER. MIN. 150mm FREEBOARD.

NOTE : WEEPHOLES

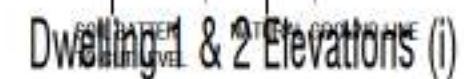
- PROVIDE WEEPHOLES TO BASE BRICKWORK AT EVERY 5th PERPEND.
- PROVIDE WEEPHOLES AT 2 COURSES ABOVE WINDOW HEAD AT EVERY 5th PERPEND, EXCLUDING WINDOWS LESS THAN 1m WIDE.

NO PART OF PROPOSED DWELLING TO
BE CONSTRUCTED OVER EASEMENT.

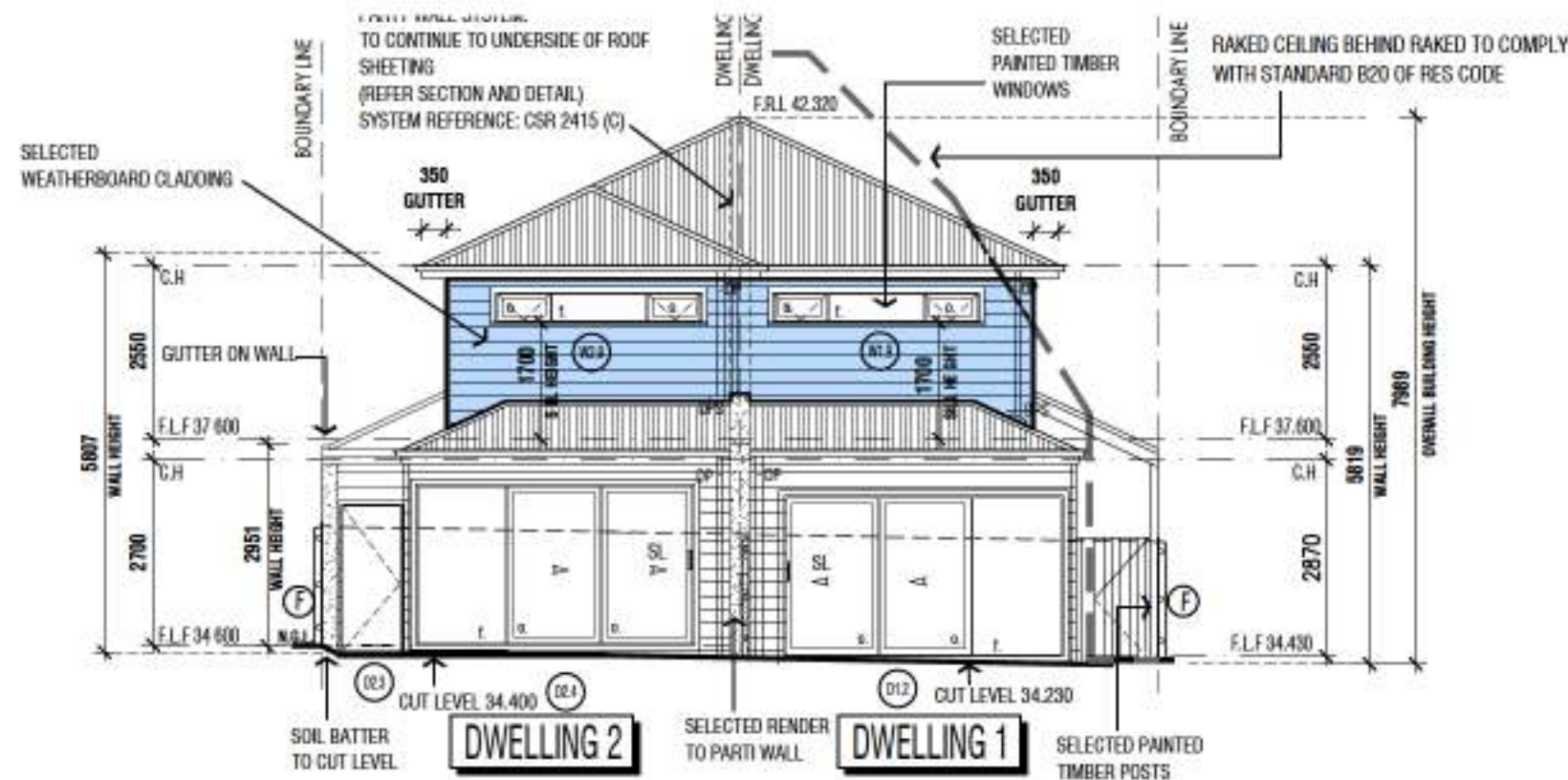
NOTE: C.J.

- C.J. DEMOTES CONTROL JOINTS.
- REFER TO ENGINEERS' DETAILS FOR CONTROL JOINT DETAILS.

NOTE:
OPENABLE BEDROOM WINDOWS WITHIN 1.7m
OF THE FFL TO BE RESTRICTED WHERE THE
WINDOW IS 2.0m OR ABOVE THE SURFACE
BENEATH.



NO.	REVISION	DATE	 VICTORIAN BUILDING AUTHORITY		 Design Matters National	 	ALL EXTERNAL WALLS 240mm UNLESS OTHERWISE SPECIFIED ALL INTERNAL WALLS 90mm UNLESS OTHERWISE SPECIFIED		PROPOSED DUAL OCCUPANCY AT: [REDACTED] N. 24 HOPE STREET, FOOTSCRAY		 draftmode designs pty ltd		JOB NO. D0160-18	ISSUE: C DRAWING NO. 5 (14)
A	PRELIMINARY DRAWINGS (FOR ENGINEER ONLY)	30/07/21	 REGISTERED Building Practitioner DP AD 583 (LEVEL 03/19)	© copyright 2021 COPYING, REPRODUCTION OR PUBLISHING WITH OR WITHOUT MODIFICATIONS IN ANY WAY WHATSOEVER IS AN INFRINGEMENT OF COPYRIGHT AND WILL RESULT IN LEGAL ACTION.				SCALE:	DRAWN:	CHECKED:	A - 28 Thomas Street, Airport West 3042 P - 9 330 3434 E - enquiries@draftmode.com.au		DATE: 30/09/21	
B	FOR BUILDING SURVEYOR REVIEW	17/09/21						1:100	A.G	DG				
C	CONSTRUCTION ISSUE	30/09/21												



WEST ELEVATION

SCALE 1:100

NOTES:

ALL WET AREAS TO BE COVERED BY IMPERVIOUS FLOOR & WALL AS PER BUILDING CODE OF AUSTRALIA REGULATIONS PART D1

SMOKE DETECTION DEVICE TO BE INSTALLED ADJACENT TO BEDROOM AREAS IN ACCORDANCE WITH AS3785-2014

DOWNPipes TO BE PROVIDED AT 1 PER 60m² OF ROOF AREA AND NO MORE THAN 12m CENTRES MAX. EXCLUDING BOX GUTTERS AND RAIN HEADS.

ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.

ALL WINDOWS TO BE ALUMINUM FRAMED (AWING & CASEMENT (FIXED WHERE SHOWN))

ALL GLAZING TO COMPLY WITH AS 1288-2006 (DOORS AND WINDOWS)

SELECTED SHEET ROOF @ 22.5° PITCH REFER TO TRUSS MANUFACTURER FOR DETAILS & SPECS.

SELECTED METAL KLP LOCK ROOFING @ 1° (TYP.) PITCH WHERE INDICATED

LOCATION OF MANHOLE TO BE CONFIRMED BY BUILDER

COLOUR INDICATES WALL AREA WITH CSR FIRE RATED WALL SYSTEM

STEPS & FREEBOARD

- STEPS & LANDINGS TO ALL EXTERNAL DOORS BY OWNERS AS REQUIRED BY NCC 2015 UNLESS NOTED OTHERWISE.
- GRADE FINISHED GROUND SURFACE AWAY FROM BUILDING PERIMETER, MIN. 150mm FREEBOARD.

NOTE: WEEPHOLES

- PROVIDE WEEPHOLES TO BASE BRICKWORK AT EVERY 5th PERPEND.
- PROVIDE WEEPHOLES AT 2 COURSES ABOVE WINDOW HEAD AT EVERY 5th PERPEND, EXCLUDING WINDOWS LESS THAN 1m WIDE.

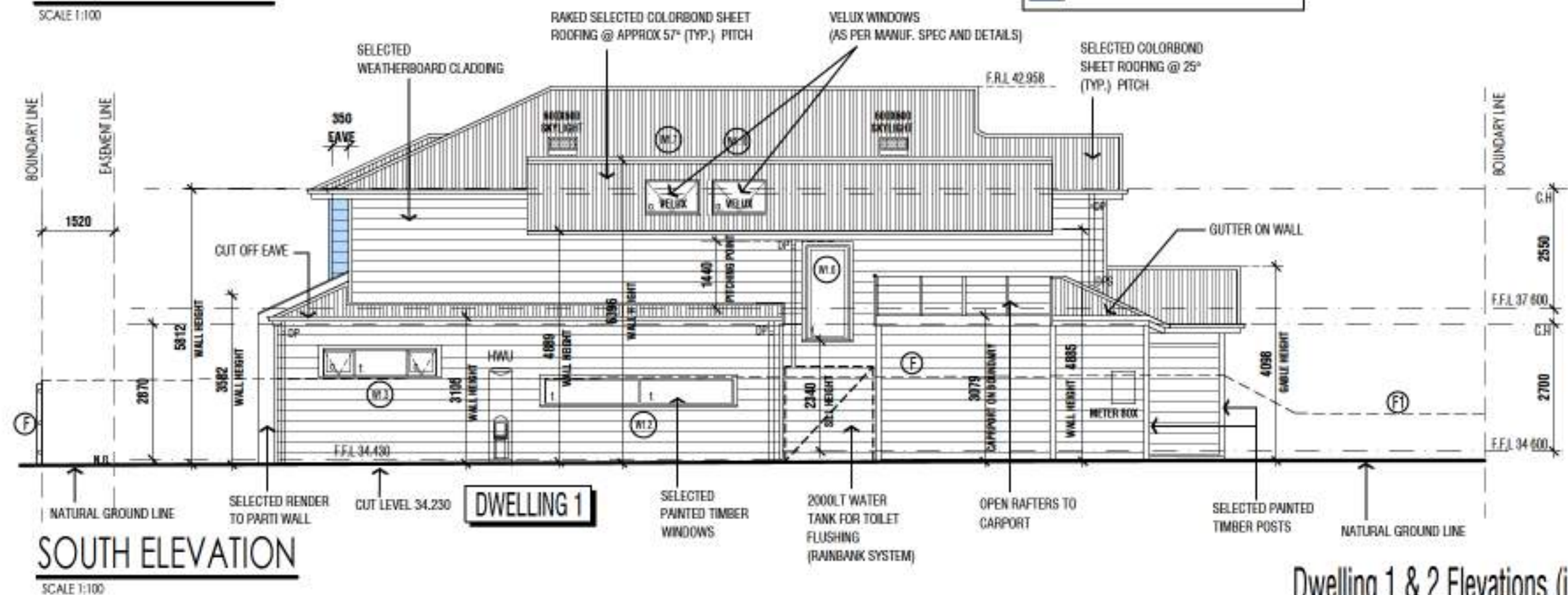
NO PART OF PROPOSED DWELLING TO BE CONSTRUCTED OVER EASEMENT.

NOTE: C.J.

- C.J. DENOTES CONTROL JOINTS.
- REFER TO ENGINEERS' DETAILS FOR CONTROL JOINT DETAILS.

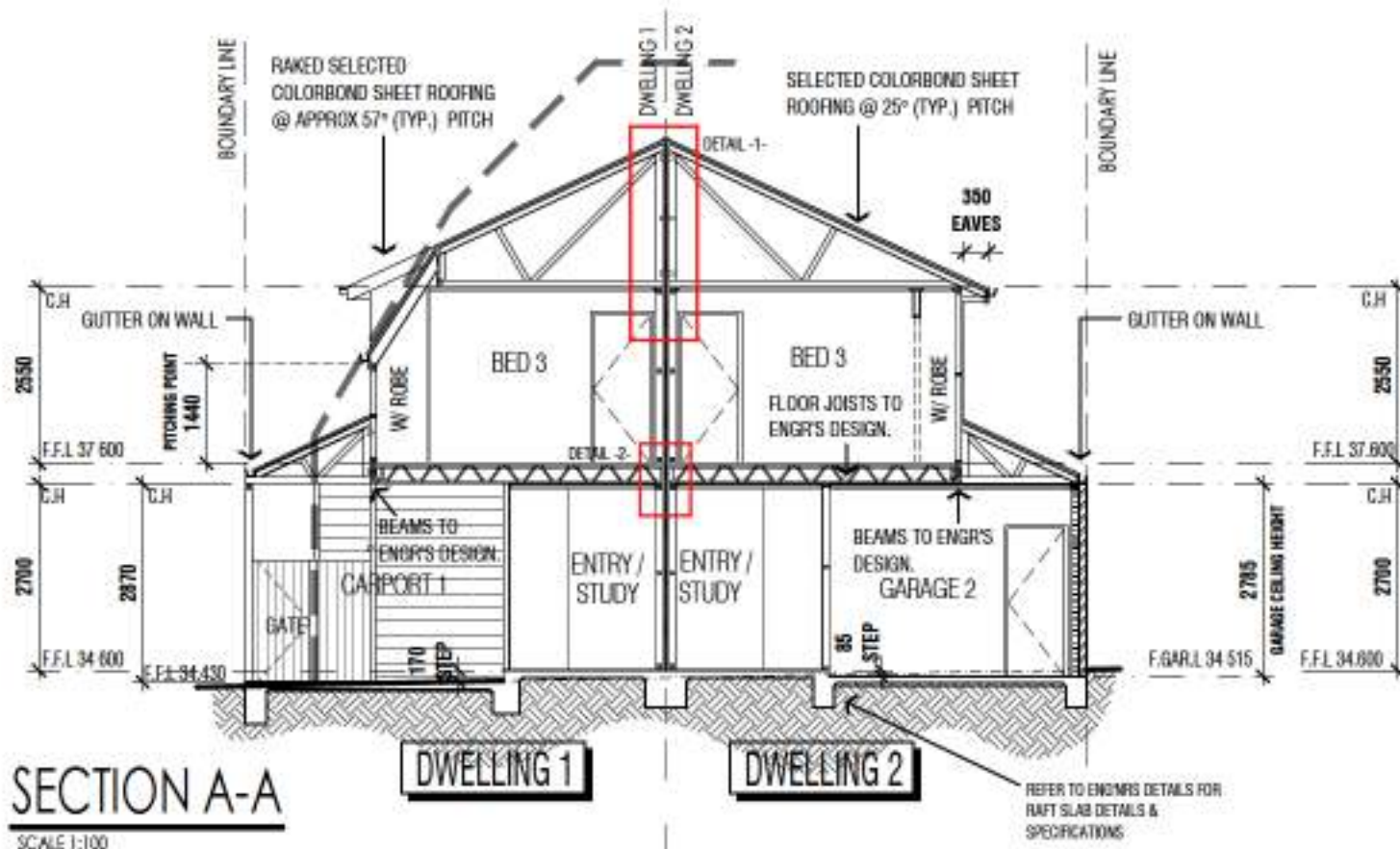
NOTE:

OPENABLE BEDROOM WINDOWS WITHIN 1.7m OF THE F.F.L TO BE RESTRICTED WHERE THE WINDOW IS 2.0m OR ABOVE THE SURFACE BENEATH.



Dwelling 1 & 2 Elevations (ii)

ISSUE	REVISIONS	DATE	VBA	Design Matters	PROPOSED DUAL OCCUPANCY	draftmode	JOB NO.	ISSUE
A	PRELIMINARY DRAWINGS (FOR ENGINEER ONLY)	02/10/21	VICTORIAN BUILDING AUTHORITY	National	AT: No. 24 HOPE STREET, FOOTSCRAY	designs pty ltd	D0160-18	C
B	FOR BUILDING SURVEYOR REVIEW	11/09/21	REGISTERED Building Practitioner					DRAWING NO.
C	CONSTRUCTION ISSUE	30/09/21					30/09/21	6
					SCALE: 1:100			(14)
					DRAWN: A.G.			
					CHECKED: DG			



NOTES:

GENERAL:

1. LEVELS RELATING TO GROUND LEVELS ARE APPROXIMATE ONLY & ARE TO BE CHECKED & VERIFIED ON SITE BY THE BUILDER PRIOR TO COMMENCEMENT OF ANY BUILDING WORKS. WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.
2. REQUIRED FILL & COMPACTION TO BE IN ACCORDANCE WITH A.S.2870-1996.
3. ALL WORKS INCLUDING BRICKS, RECONCRETE, CONCRETE SLABS & FOOTINGS SHALL COMPLY WITH THE REQUIREMENTS OF THE RELEVANT AUSTRALIAN STANDARDS.

WINDOWS & DOORS

1. ALL EXTERNAL WINDOWS & GLAZED DOORS TO BE ALUMINUM FRAMED UNLESS OTHERWISE NOTED.
1. ALL CONCRETE TO HAVE A STRENGTH OF 20MPa.
2. ALL SLAB, BEAM & FOOTING CONCRETE REINFORCEMENT TO BE IN ACCORDANCE WITH LAPPING & SUPPORT OF REINFORCEMENT TO BE IN ACCORDANCE WITH RELEVANT AUSTRALIAN STANDARDS AS NOTED ABOVE.
4. ALLOWABLE BEARING PRESSURE OF SOIL: UNDER STRIP OR PAD FOOTINGS: 100kPa; UNDER SLABS OR BEAMS: 50kPa.
5. POLYTHENE MEMBRANE TO BE LAPPED A MINIMUM OF 200mm AT JOINTS & SHALL BE TAPPED AROUND PIPES WHICH PENETRATE THE SLAB.
6. TOP SOIL CONTAINING ORGANIC MATTER SHALL BE REMOVED FROM THE SURROUNDING AREA.

TIMBER MEMBER SCHEDULE

TIMBER FLOOR:

Refer to engineering plans for all details.

WALLS:

BOTTOM PLATE: 50x45 MGP10
STUDS: 50x45 MGP10 @ 600CS MOSING CENTRAL
TOP PLATE: 50x45 MGP10
BRACING: 45 PER AUSTRALIAN STANDARDS
JAMB STUDS: 50x45 MGP10

ROOF:

*FOR TRUSS ROOF CONSTRUCTION REFER TO MANUFACTURER'S DETAILS AND SPECIFICATIONS.
ALL THIS INFORMATION TO BE SUPPLIED TO BUILDING SURVEYOR PRIOR TO ERECTION OF TRUSS FRAME.

FOR TRUSS CONSTRUCTION LITEL SIZE TO BE UPGRADDED TO NEXT SIZE.

OS: DOUBLE STUDS (25x45 MGP10)
TS: TRIPLE STUDS (30x45 MGP10)
DL: DOUBLE FLOOR JOIST (UNDER LINO BEARING WALLS)

NOTE:
ALL ROOF BEAMS TO BE SUPPORTED BY DOUBLE STUDS/ TRIPLE STUDS SHALL COMPLY WITH TIMBER FRAMING DESIGN AND/OR BE DESIGNED IN ACCORDANCE WITH TIMBER ENG. CODE: AS1728.

IMPORTANT NOTE:

ALL CEILING PLASTERBOARD LINING TO BE FIXED TO CEILING BATTENS

NO PART OF DWELLING WALL TO BE CONSTRUCTED OVER LEGAL TITLE BOUNDARY.

STRUCTURAL ENG. NOTE:

ARCHITECTURAL DRAWINGS TO BE READ IN CONJUNCTION WITH THE XSTRUCT CONSULTING ENGINEERS:

ENGINEERING DRAWINGS: JOB No. 1161

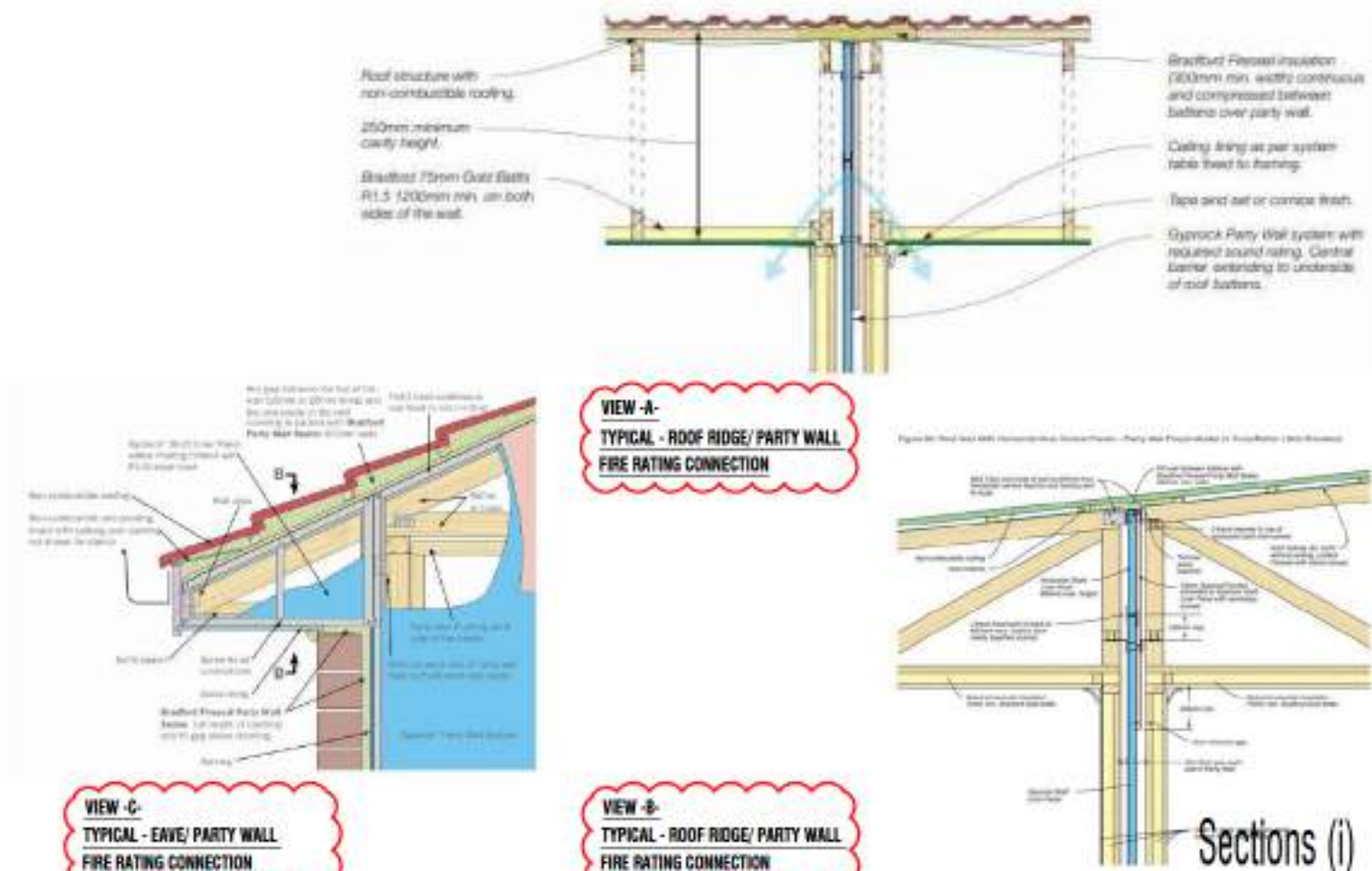
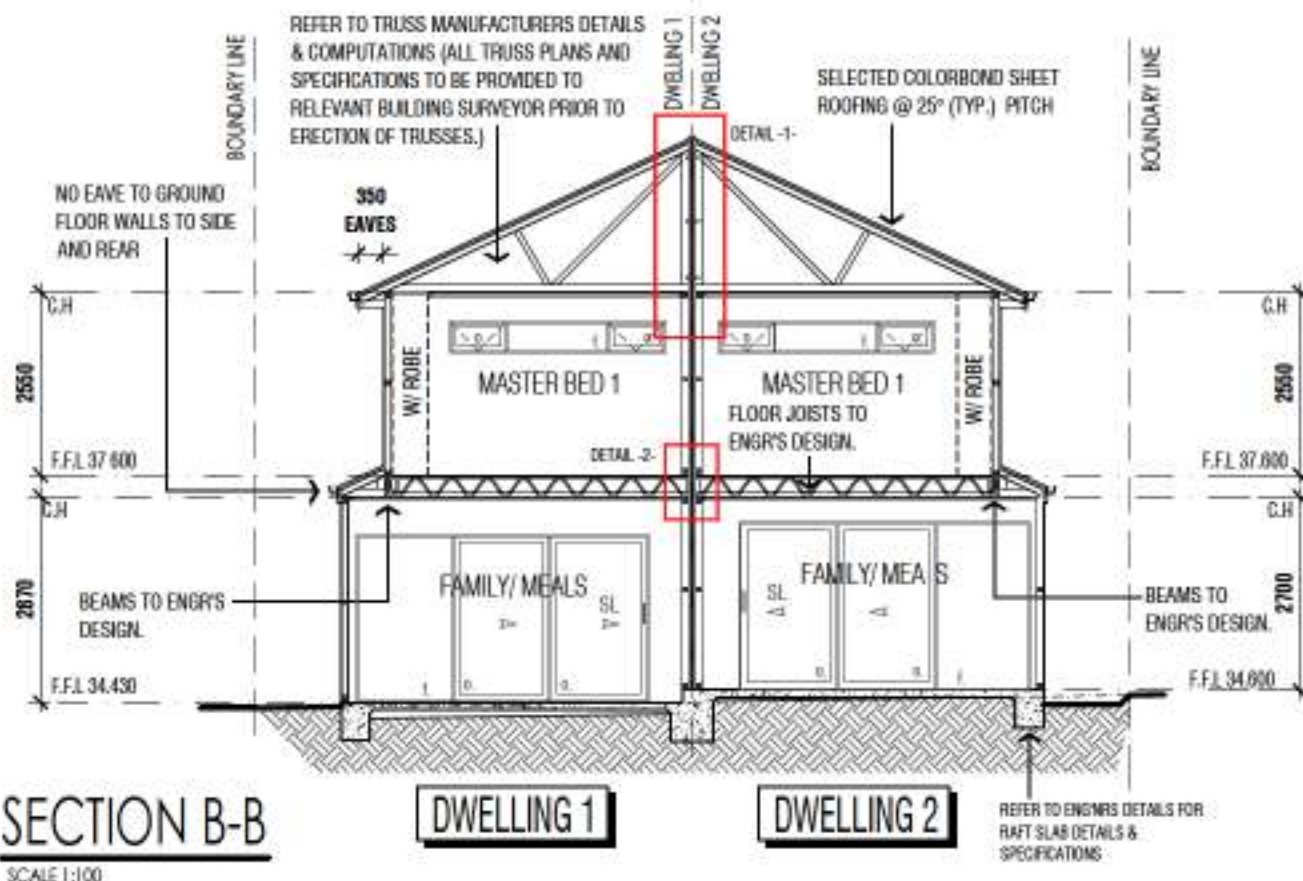
SOIL REPORT NOTE:

FOUNDATION CLASSIFICATION "CLASS P"

A.S. 2870 - 1996

REFER TO REPORT BY ABH SOIL TESTING & SURVEYORS

REPORT NO. - 15612 DATE: 28/05/21



<p>ISSUE:</p> <p>A PRELIMINARY DRAWING (FOR ENGINEER ONLY)</p> <p>B FOR BUILDING SURVEYOR REVIEW</p> <p>C CONSTRUCTION ISSUE</p> <p>DATE: 02/07/21</p> <p>17-05-21</p>	<p>VBA VICTORIAN BUILDING AUTHORITY</p> <p>REGISTERED Building Practitioner</p> <p>SP AD 583 DANIEL GIBSON</p>	<p>Design Matters National</p> <p>ALL EXTERNAL WALLS 240mm UNLESS OTHERWISE SPECIFIED</p> <p>ALL INTERNAL WALLS 90mm UNLESS OTHERWISE SPECIFIED</p>	<p>PROPOSED DUAL OCCUPANCY</p> <p>AT: No. 24 HOPE STREET, FOOTSCRAY</p> <p>SCALE: 1:100</p> <p>DRAWN: A.G.</p> <p>CHECKED: D.G.</p>	<p>draftmode designs pty ltd</p> <p>A- 28 Thomas Street, Airport West 3042</p> <p>P- 9 330 3434</p> <p>E- enquiries@draftmode.com.au</p>	<p>JOB NO. D0160-18</p> <p>DATE: 30/09/21</p>	<p>ISSUE: C</p> <p>DRAWING NO. 8</p> <p>(14)</p>
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NOTES:

GENERAL:

1. LEVELS RELATING TO GROUND LEVELS ARE APPROXIMATE ONLY & ARE TO BE CHECKED & VERIFIED ON SITE BY THE BUILDER PRIOR TO COMMENCEMENT OF ANY BUILDING WORKS. WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.
2. REQUIRED FILL & COMPACTION TO BE IN ACCORDANCE WITH A.S.2870-1996.
3. ALL WORKS INCLUDING BRICKS, REBARWORK, CONCRETE SLABS & FOOTINGS SHALL COMPLY WITH THE REQUIREMENTS OF THE RELEVANT AUSTRALIAN STANDARDS.

WINDOWS & DOORS

1. ALL EXTERNAL WINDOWS & GLAZED DOORS TO BE ALUMINIUM FRAMED UNLESS OTHERWISE NOTED.
1. ALL CONCRETE TO HAVE A STRENGTH OF 20MPa
2. ALL SLAB, BEAM & FOOTING CONCRETE REINFORCEMENT TO BE IN ACCORDANCE WITH RELEVANT AUSTRALIAN STANDARDS AS NOTED ABOVE.
4. ALLOWABLE BEARING PRESSURE OF SOIL: UNDER STRIP OR PAD FOOTINGS - 100kPa UNDER SLABS OR BEAMS - 50kPa
5. POLYTHENE MEMBRANE TO BE LAPPED A MINIMUM OF 200mm AT JOINTS & SHALL BE TAPPED AROUND PIPES WHICH PENETRATE THE SLAB
6. TOP SOIL CONTAINING ORGANIC MATTER SHALL BE REMOVED FROM THE SURROUNDING AREA

TIMBER MEMBER SCHEDULE

TIMBER FLOOR:
Refer to engineering plans for all details.

WALLS:
BOTTOM PLATE: 90x45 MGP10
STUDS: 90x45 MGP10 @ 450CTS HIGGING CENTRAL
TOP PLATE: 90x45 MGP10
(250MM FOR TRUSS ROOF)
BRACING: AS PER AUSTRALIAN STANDARDS
JAMB STUDS: 90x45 MGP10

ROOF:
*FOR TRUSS ROOF CONSTRUCTION REFER TO MANUFACT. DETAILS AND SPECIFICATIONS.
ALL THIS INFORMATION TO BE SUPPLIED TO BUILDING SURVEYOR PRIOR TO ERECTION OF TRUSS FRAME

FOR TRUSS CONSTRUCTION LVL SIZE TO BE UPGRADDED TO NEXT SIZE.

DL: DOUBLE STUDS (90x45 MGP10)
TS: TRIPLE STUDS (90x45 MGP10)
DL: DOUBLE FLOOR JOIST UNDER LOAD BEARING WALLS

NOTE:
ALL ROOF BEAMS TO BE SUPPORTED BY DOUBLE STUDS OR TIMBER SHALL COMPLY WITH TIMBER FRAMING ACT 1997 AND/OR BE DESIGNED IN ACCORDANCE WITH TIMBER ENGL CODE AS1720

IMPORTANT NOTE:

ALL CEILING PLASTERBOARD LINING TO BE FIXED TO CEILING BATTENS

IMPORTANT NOTE:

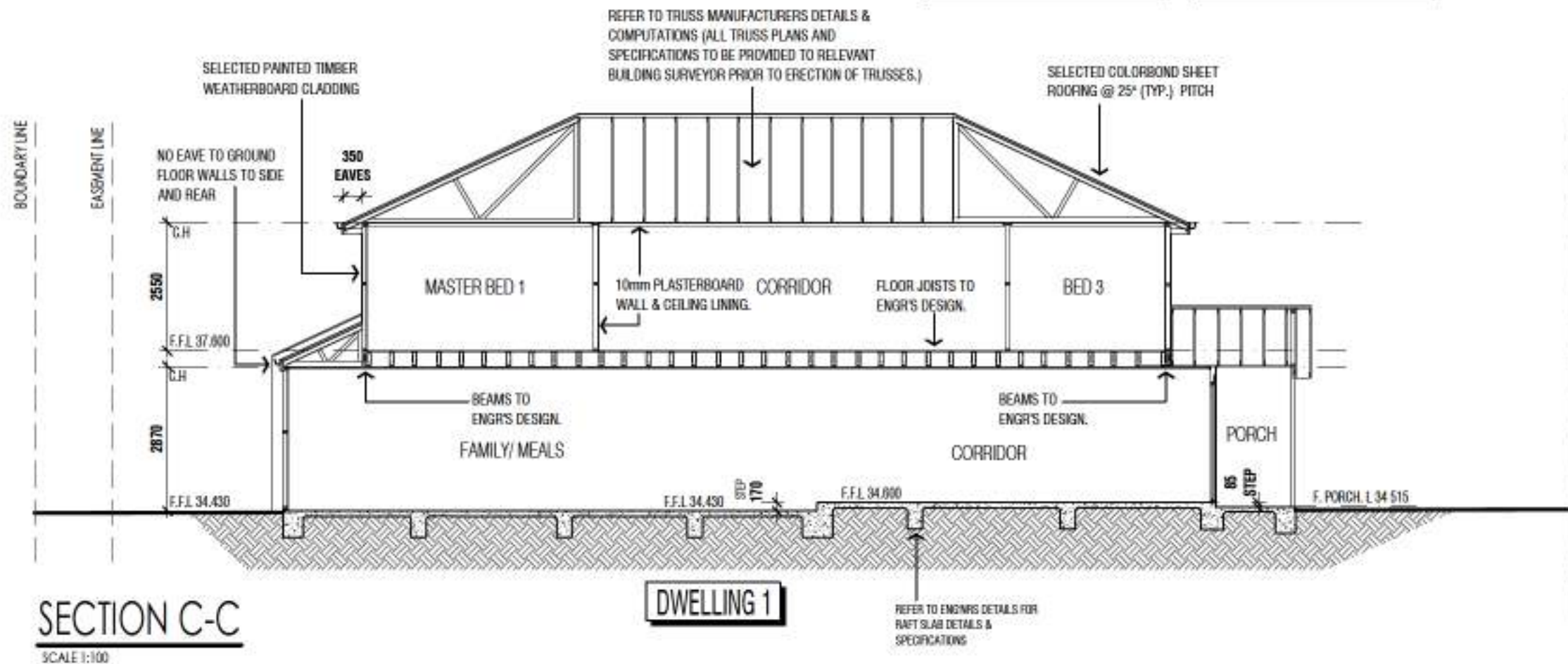
NO PART OF PROPOSED DWELLING TO BE CONSTRUCTED OVER BOUNDARY

STRUCTURAL ENG. NOTE:

ARCHITECTURAL DRAWINGS TO BE READ IN CONJUNCTION WITH THE XSTRUCT CONSULTING ENGINEERS:
ENGINEERING DRAWINGS: JOB No. 1161

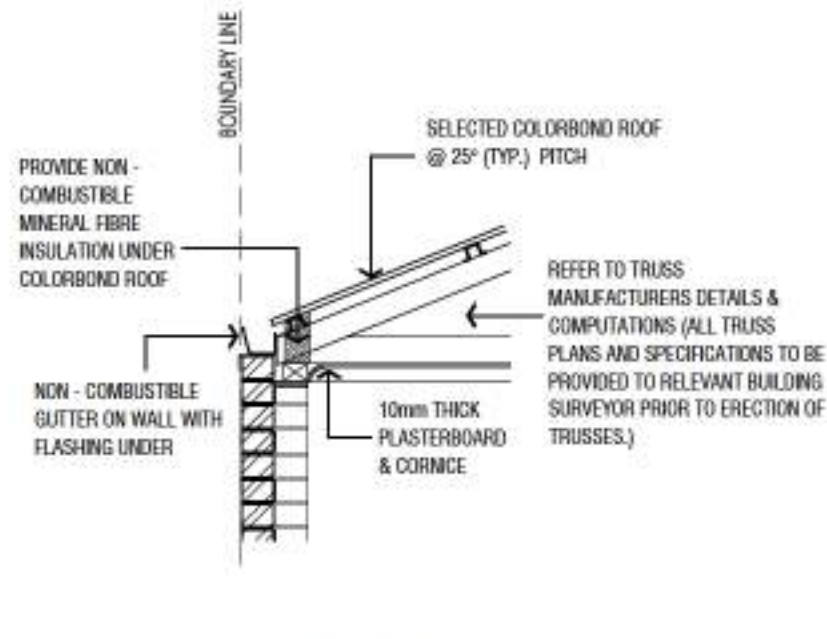
SOIL REPORT NOTE:

FOUNDATION CLASSIFICATION "CLASS P"
A.S. 2870 - 1996
REFER TO REPORT BY ABH SOIL TESTING & SURVEYORS
REPORT NO. 15012 DATE: 28 / 05 / 21

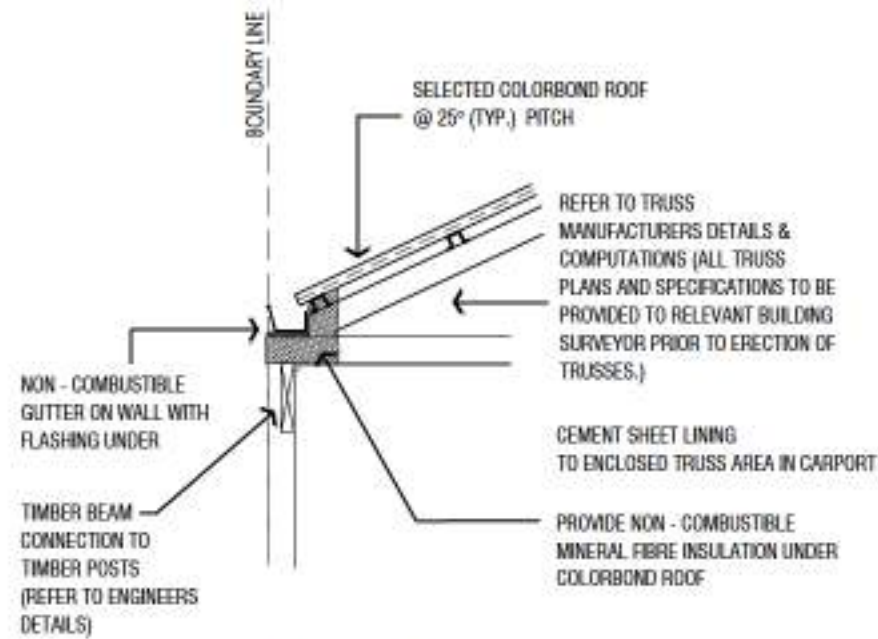


Sections (ii)

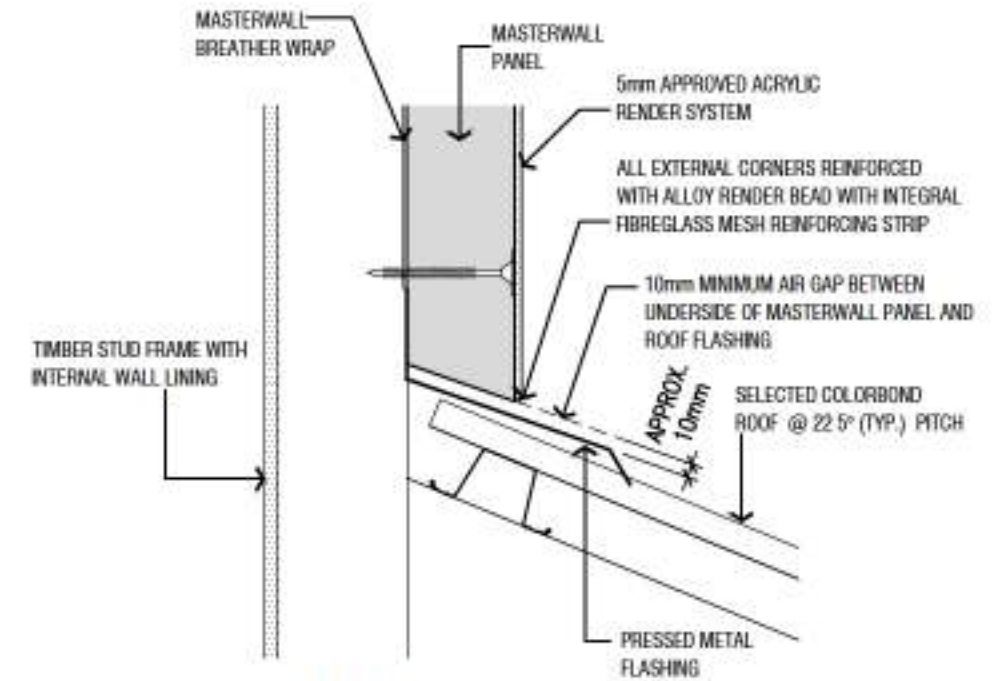
ISSUE	REVISIONS	DATE	 VICTORIAN BUILDING AUTHORITY	 ALL EXTERNAL WALLS 240mm UNLESS OTHERWISE SPECIFIED ALL INTERNAL WALLS 90mm UNLESS OTHERWISE SPECIFIED	PROPOSED DUAL OCCUPANCY				JOB NO.	ISSUE: C
A	PRELIMINARY DRAWINGS (FOR ENGINEER ONLY)	02/07/21	 REGISTERED Building Practitioner DP AD 583 DANIEL GIBBA		AT: [REDACTED]				D0160-18	DRAWING NO.
B	FOR BUILDING SURVEYOR REVIEW	17-08-21			No. 24 HOPE STREET, FOOTSCRAY					
C	CONSTRUCTION ISSUE	30/09/21	© copyright 2021 COPYING, REPRODUCTION OR PUBLISHING WITH OR WITHOUT MODIFICATIONS IN ANY WAY WHATSOEVER IS AN INFRINGEMENT OF COPYRIGHT AND WILL RESULT IN LEGAL ACTION			SCALE:	DRAWN:	CHECKED:	DATE:	(14)
						1:100	A.G	DG	A - 28 Thomas Street, Airport West 3042 P - 9 330 3434 E - enquiries@draftmode.com.au	30/09/21



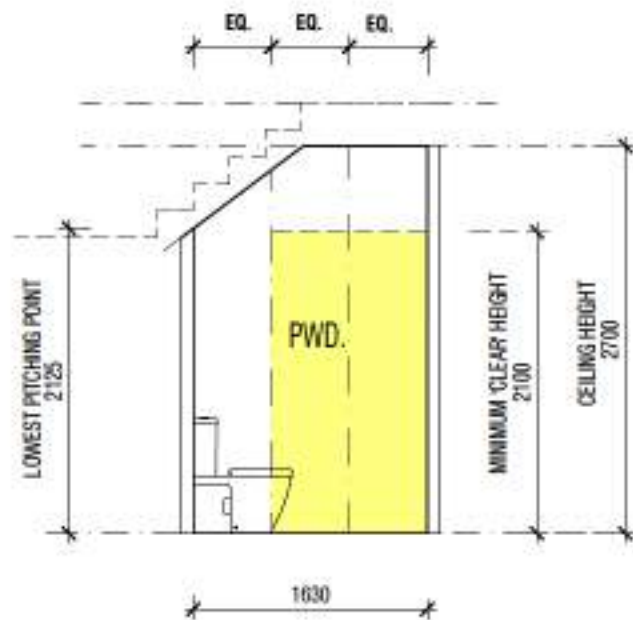
DETAIL - 1 -
GUTTER ON WALL DETAIL - GARAGE 2
SCALE 1:20



DETAIL - 2 -
GUTTER ON WALL DETAIL - GARAGE 1
SCALE 1:20



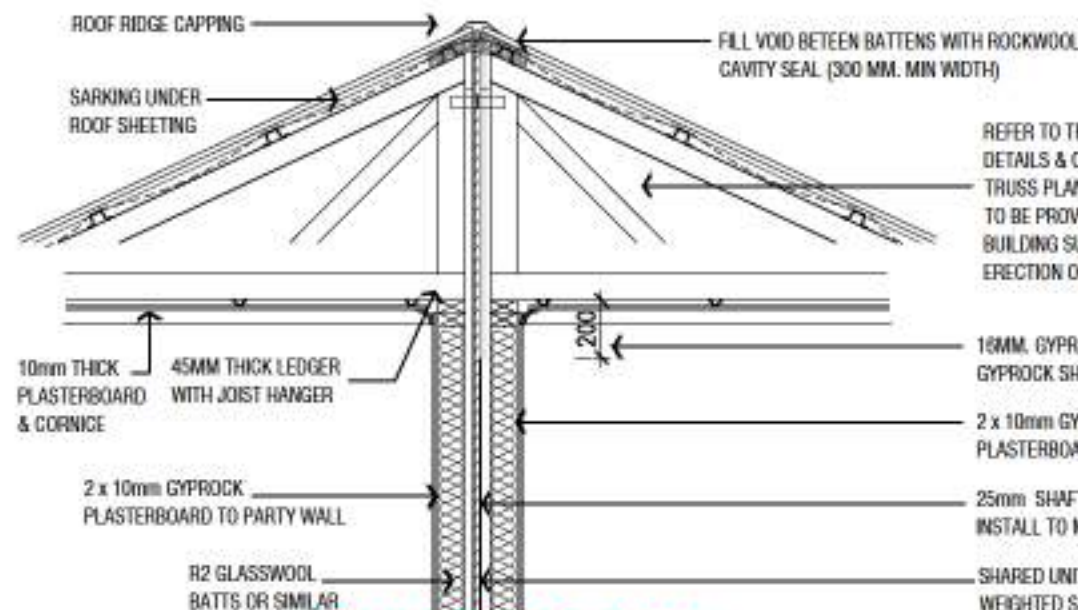
DETAIL - 3 -
TYPICAL LOWER ROOF JUNCTION - FLASHING
SCALE 1:5



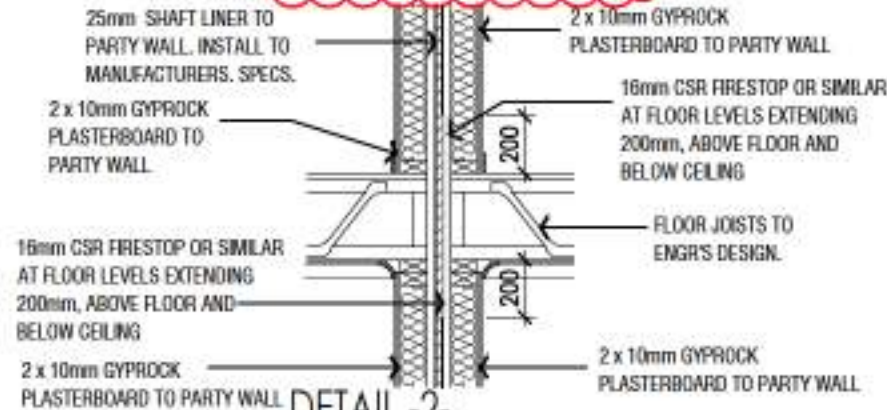
POWDER ROOM DETAIL
Dwelling 1 and 2 (typical)
SCALE 1:50

ISSUE	REVISION	DATE	 VICTORIAN BUILDING AUTHORITY		 Design Matters National	ALL EXTERNAL WALLS 240mm UNLESS OTHERWISE SPECIFIED ALL INTERNAL WALLS 90mm UNLESS OTHERWISE SPECIFIED		PROPOSED DUAL OCCUPANCY 			 draftmode designs pty ltd		JOB NO. D0160-18	ISSUE: C DRAWING NO. 10 (14)
A	PRELIMINARY DRAWINGS (FOR ENGINEER ONLY)	02/07/21	 REGISTERED Building Practitioner DP AD 583 DANIEL GIBSON	 Copyright 2021 COPYING, REPRODUCTION OR PUBLISHING WITH OR WITHOUT MODIFICATIONS IN ANY MANNER WHATSOEVER IS AN INFRINGEMENT OF COPYRIGHT AND WILL RESULT IN LEGAL ACTION.	 		SCALE: 1:100	DRAWN: A.G.	CHECKED: DG	A - 28 Thomas Street, Airport West 3042 P - 9 330 3434 E - enquiries@draftmode.com.au		DATE: 30/09/21		
B	FOR BUILDING SURVEYOR REVIEW	17-08-21												
C	CONSTRUCTION ISSUE	30/09/21												

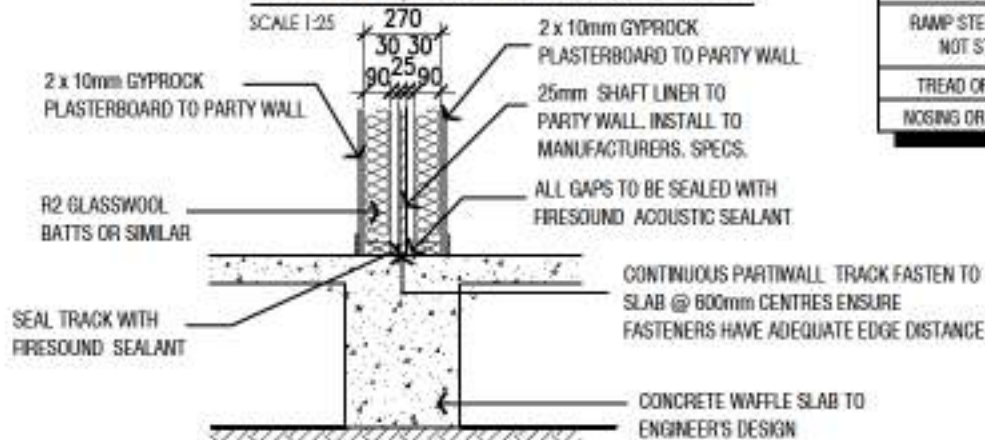
Details (i)



DETAIL -1-
PARTY WALL / ROOF - TYPICAL
SCALE 1:25



DETAIL -2-
PARTY WALL / FLOOR WALL JUNCTION DETAIL
SCALE 1:25



DETAIL -3- CSR 2415 (to manufacturer's specifications)
PARTY WALL / SLAB JUNCTION DETAIL
SCALE 1:25

IMPORTANT NOTE:

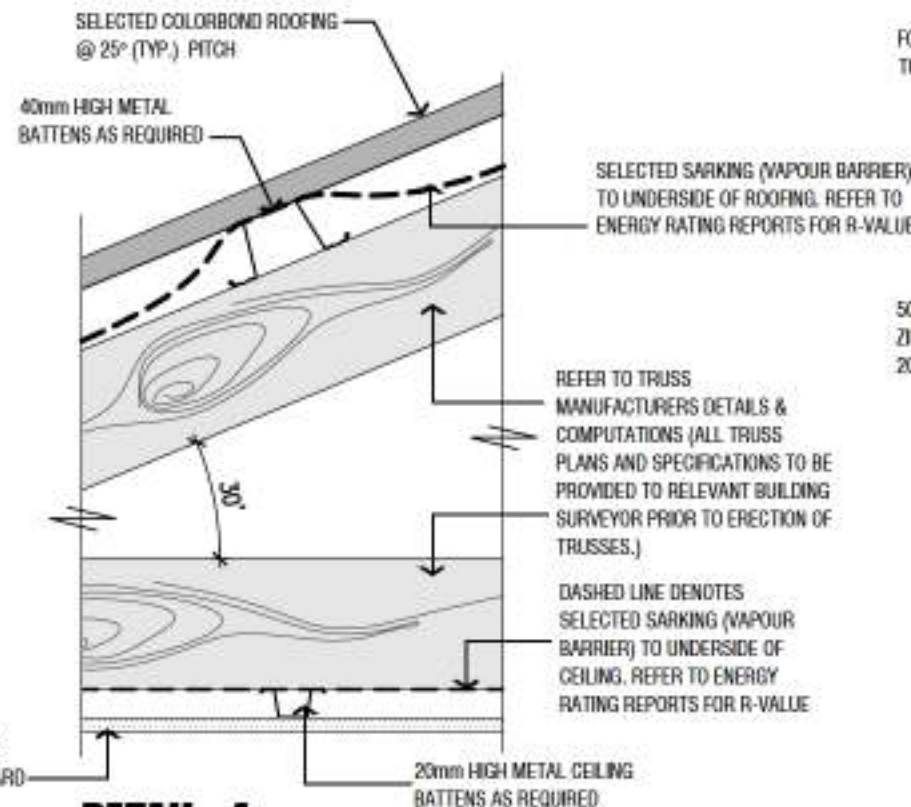
REFER TO DETAIL - 4 - FOR ALL ROOF SARKING DETAILS

TABLE D2.14 SLIP-RESISTANCE CLASSIFICATION

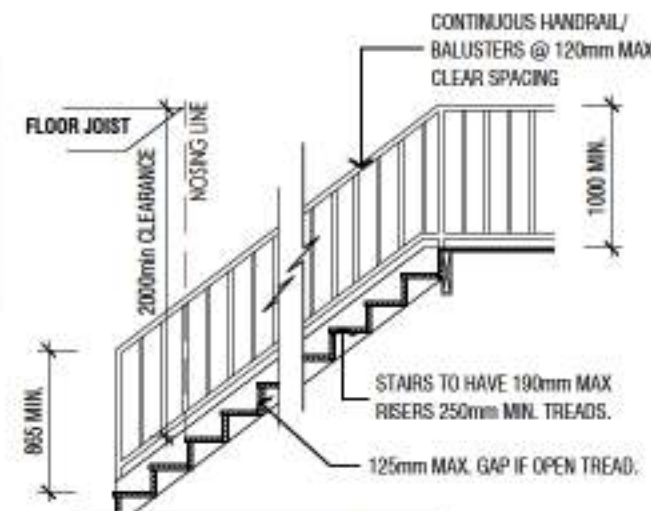
APPLICATION	SURFACE CONDITIONS	
	DRY	WET
RAMP STEEPER THAN 1:14	P4 OR R11	P3 OR R12
RAMP STEEPER THAN 1:20 BUT NOT STEEPER THAN 1:14	P3 OR R10	P4 OR R11
TREAD OR LANDING SURFACE	P3 OR R10	P4 OR R11
NOSING OR LANDING EDGE STRIP	P3	P4

PW PARTY WALL DETAILS:

- SYSTEM REFERENCE: CSR 2415
- * 1 x 25mm SHAFTLINER PANEL
- * 2 x 10mm GYPROCK PLASTERBOARD TO EACH SIDE OF FRAME
- * 600g SOUNDSCREEN 2.5 TO BOTH SIDES
- * 270mm WIDTH EXCLUDING PLASTERBOARDS
- * FIRE RESISTANCE - 60/60/60
- * SOUND TRANSMISSION - $R_w + C_{tr} = 50$



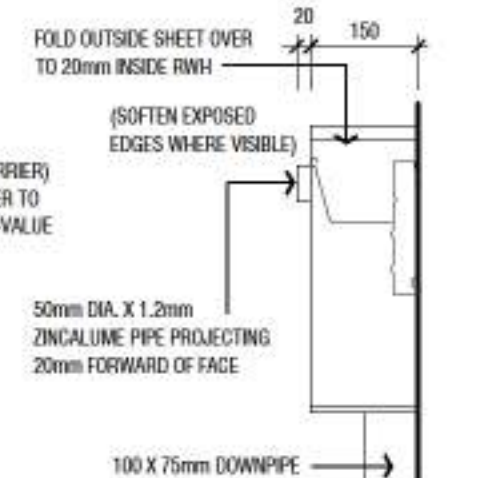
DETAIL -4-
ROOF SARKING DETAIL - TYPICAL
SCALE 1:5



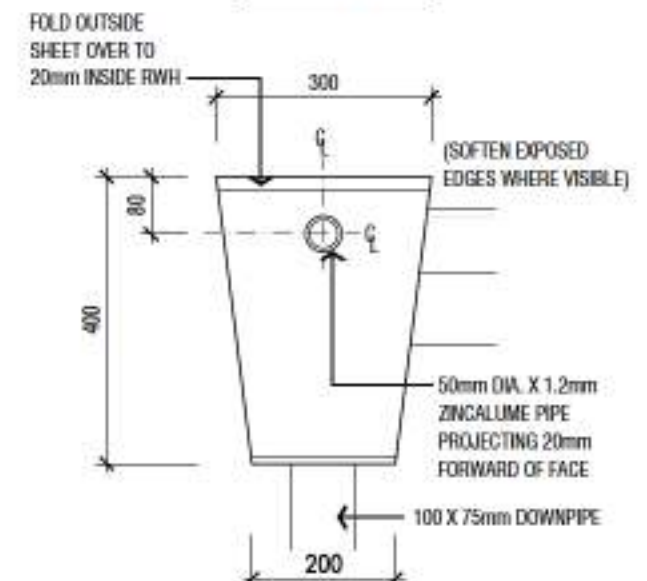
TYPICAL STAIR DETAIL

SCALE 1:50

* TREADS TO STAIRS TO HAVE NON-SLIP FINISH OR SUITABLE NON-SKID STRIP NEAR EDGE OF NOSINGS.
ALL STAIRS AND BALUSTADING TO COMPLY WITH PART 3.9.1 STAIR CONSTRUCTION AND HANDRAILS TO COMPLY WITH 3.9.2.4 OF THE MCC 2016



SIDE ELEVATION



FRONT ELEVATION

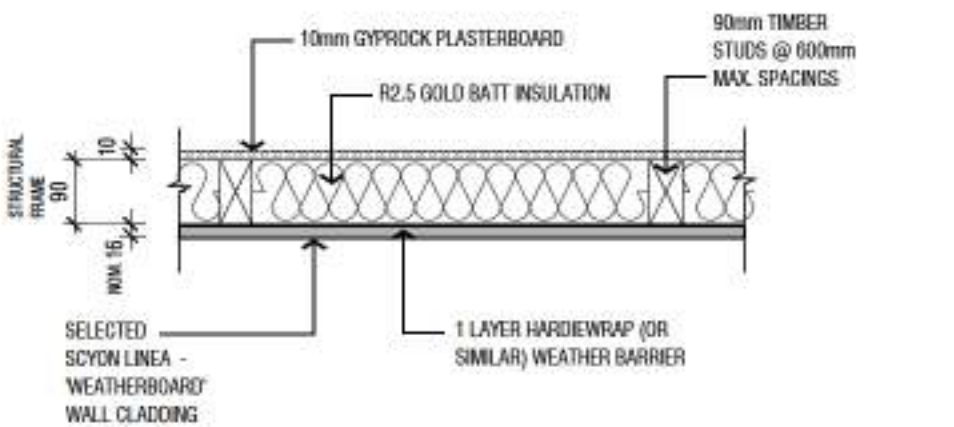


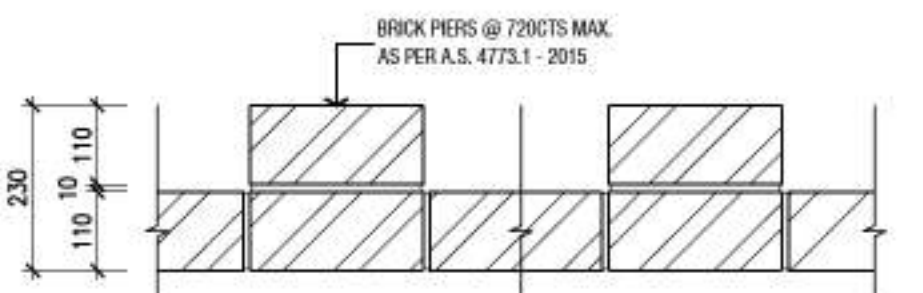
FLOOR PLAN

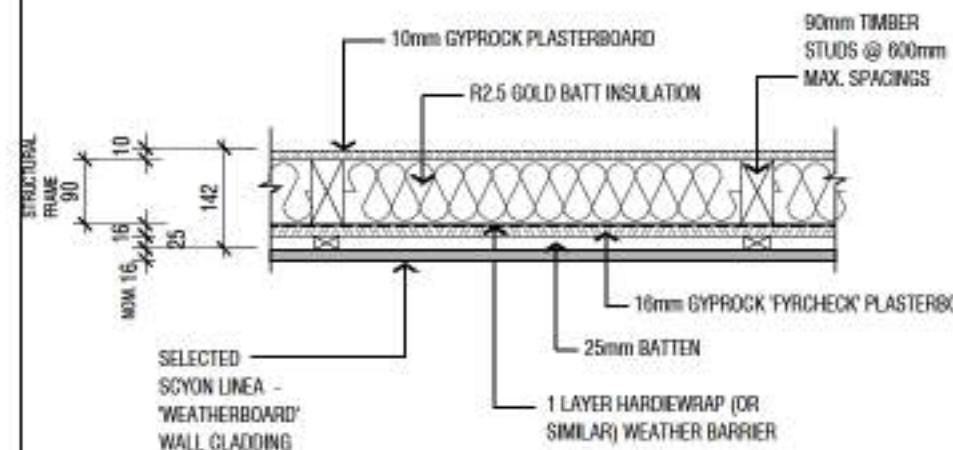
RAINWATER HEAD DETAIL

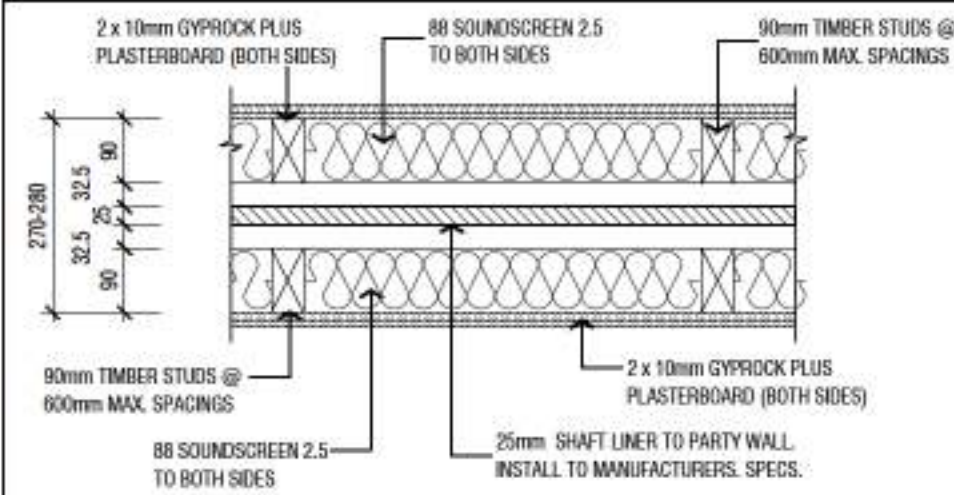
SCALE 1:10

Details (ii)

	
WALL TYPE -1-	EXTERNAL WALL SYSTEM
WT 1	JAMES HARDIE SCYON 'LINEA' - 'WEATHERBOARD' WALL CLADDING
CODEMARK AUS.	CERTIFICATE OF CONFORMITY No: CM40225 Rev 2

	
WALL TYPE -2-	GARAGE EXTERNAL WALL SYSTEM
WT 2	SINGLE LEAF OF 110MM CLAY BRICK MASONRY AND SINGLE LEAF OF 110MM CLAY BRICK PIERS @ 720 MAX CTS

	
WALL TYPE -3-	EXTERNAL WALL SYSTEM
WT 3	JAMES HARDIE SCYON 'LINEA' - 'WEATHERBOARD' WALL CLADDING CSR-5711 WALL SYSTEM FRL 60/60/60
CODEMARK AUS.	CERTIFICATE OF CONFORMITY No: CM40225 Rev 2

	
WALL TYPE -PW4-	INTERNAL WALL SYSTEM
PW 4	INTERNAL PARTY WALL SYSTEM
SYSTEM REFERENCE: CSR 2415 (C) * 1 x 25mm SHAFTLINER PANEL * 2 x 10mm GYPROCK PLUS PLASTERBOARD TO EACH SIDE OF FRAME * 88 SOUNDSCREEN 2.5 TO BOTH SIDES * 270mm WIDTH EXCLUDING PLASTERBOARDS * FIRE RESISTANCE - 60/60/60 * SOUND TRANSMISSION - R _w + C _{tr} = 54	

SYSTEM SPECIFICATIONS

Timber Frame Internal Wall Systems – Party Wall with 25mm Fire Barrier

Lining material as per system table.

Timber studs at 600mm maximum centres.

Cavity insulation as per system table.

25mm Gyprock Shaft Liner Panel in H-studs at 600mm maximum centres.

20-40mm air gap (30mm typical).

Timber studs at 600mm maximum centres.

Cavity insulation as per system table.

Lining material as per system table.

20-40mm air gap (30mm typical).

NOTE:

*Applicable only to walls supporting non-fire rated structures such as floors and roofs.

Acoustic performance valid for 35mm width studs at 600mm centres.

-/60/60
60/60/60*

WF-45743

CSR 2415

BOTH SIDES

- 2 x 10mm Gyprock Plus Plasterboard.

(a) 75 Gold Batts 2.0

62/49

63/51

(b) 90 Gold Batts 2.7

64/51

65/53

(c) 88 Soundscreen 2.5

65/52

66/54

(d) 110 GW Acoustigard 11kg

64/51

65/53

Typical Wall Thickness mm

265

305

Wall Types

VBA VICTORIAN BUILDING AUTHORITY REGISTERED Building Practitioner <small>SP AD 583 DANIEL GIBBA</small>		Design Matters National <small>ALL EXTERNAL WALLS 240mm UNLESS OTHERWISE SPECIFIED ALL INTERNAL WALLS 90mm UNLESS OTHERWISE SPECIFIED</small>		PROPOSED DUAL OCCUPANCY AT: No. 24 HOPE STREET, FOOTSCRAY SCALE: 1:100 DRAWN: A.G. CHECKED: D.G.		draftmode designs pty ltd <small>A- 28 Thomas Street, Airport West 3042 P- 9 330 3434 E- enquiries@draftmode.com.au</small>		JOB NO. D0160-18 DATE: 30/09/21	ISSUE: A DRAWING NO. 12 (14)
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Room	Area	Allowable Watts	Low Voltage 0/Lights	Halogen Batten Lights	Fluoro Lights	Total Proposed Watts		
GROUND FLOOR	77.16 msq.(x 5)	385.8 Watts	19	8w	-	-	-	192 Watts
FIRST FLOOR	66.8msq. (x 5)	334.0 Watts	16	8w	-	-	-	128 Watts
PORCH	3.22 msq. (x 4)	12.88 Watts	1	8w	-	-	-	8 Watts
CARPORT	21.01 msq.(x 3)	63.03 Watts	-	-	-	-	2	28w 40 Watts

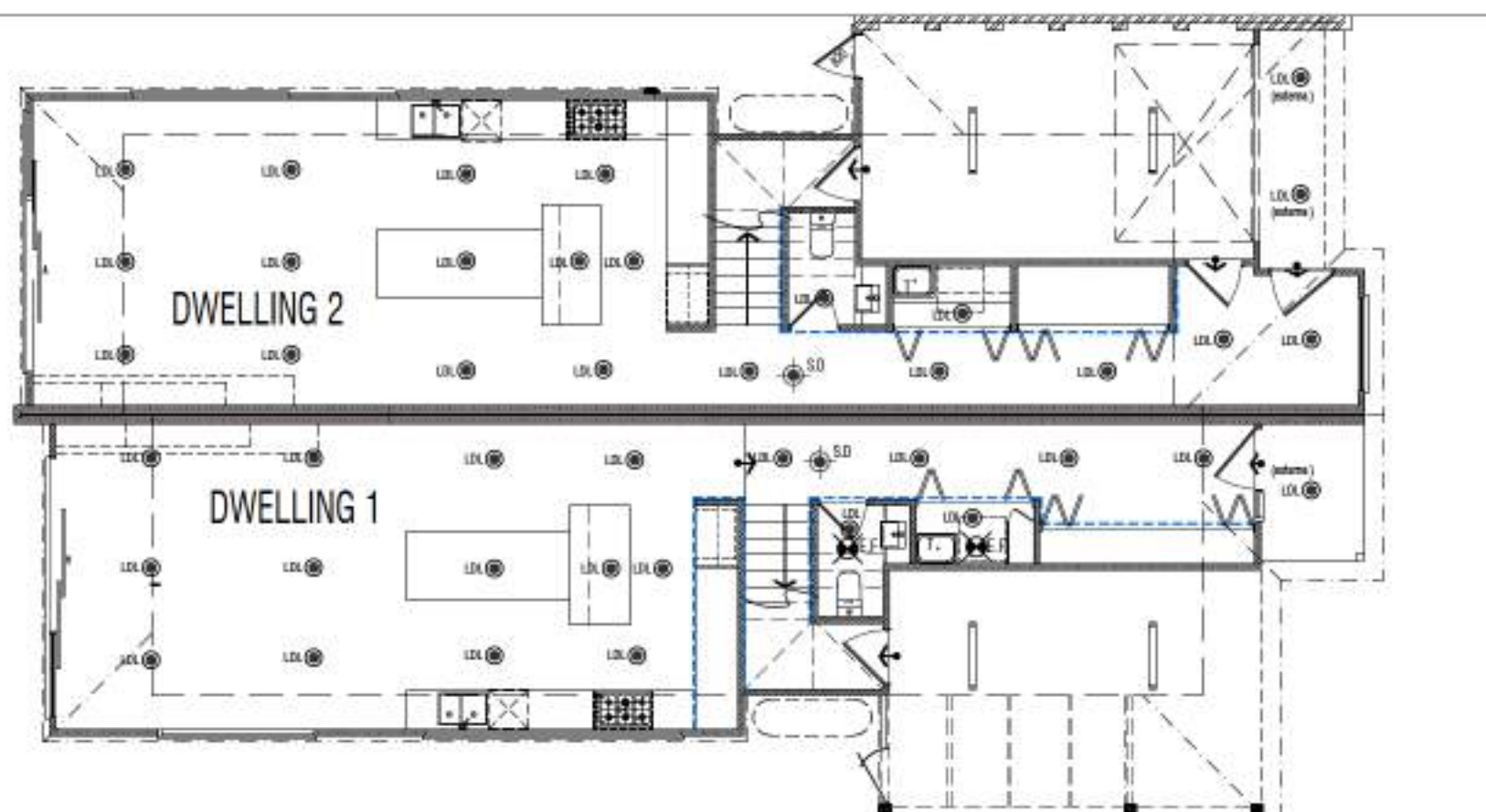
Room	Area	Allowable Watts	Low Voltage D/Lights	Halogan Batten Lights		Fluoro Lights		Total Proposed Watts
GROUND FLOOR	81.17 msq. (x 5)	405.85 Watts	20	8w	-	-	-	160 Watts
FIRST FLOOR	66.8 msq. (x 5)	334.0 Watts	16	8w	-	-	-	128 Watts
PORCH	5.35 msq. (x 4)	21.4 Watts	2	8w	-	-	-	16 Watts
GARAGE	23.15 msq. (x 3)	69.45 Watts	-	-	-	-	2 20w	40 Watts

TOTAL: 176.47 msc/18.9 SQm

LED	Low Voltage Light, 12v
BN	Batten Ceiling Light Point, with CFL, 8U 15w compact fluorescent lamp or equivalent
	Fluorescent Light 20w bare batten or equivalent
EF	Exhaust fan (ceiling mounted)
SA	Smoke Alarm (hard wired w/ battery backup)

Room	Area	Light > 10%	Vent. > 5%		
LIVING SPACES	48.8 m ²	11.9 m ²	24.3%	3.31 m ²	6.78%
BED 1	13.0 m ²	1.32 m ²	10.1%	0.66 m ²	5.07%
BED 2	9.85 m ²	1.43 m ²	15.8%	0.75 m ²	8.28%
BED 3	10.5 m ²	3.62 m ²	34.4%	1.7 m ²	16.19%

Room	Area	Light > 10%	Vent. > 5%
LIVING SPACES	48.8 m ²	11.9 m ² 24.3%	3.31 m ² 6.78%
BED 1	13.8 m ²	1.32 m ² 10.15%	0.66 m ² 5.07%
BED 2	9.85 m ²	2.70 m ² 29.8%	0.79 m ² 8.72%
BED 3	10.5 m ²	2.8 m ² 26.8%	1.5 m ² 14.2%



Dwelling 1&2- Light and Ventilation Schedule (i)

ISSUE:	REVISIONS:	DATE:	 VICTORIAN BUILDING AUTHORITY  REGISTERED Building Practitioner <small>DP AD 583 (LEVEL 5) BBA</small>	 Design Matters National <small>© copyright 2021</small> <small>COPYING, REPRODUCTION OR PUBLISHING WITH OR WITHOUT MODIFICATIONS IN ANY WAY WHATSOEVER IS AN INFRINGEMENT OF COPYRIGHT AND IS A LEGAL ACTION.</small>	ALL EXTERNAL WALLS 240mm UNLESS OTHERWISE SPECIFIED ALL INTERNAL WALLS 90mm UNLESS OTHERWISE SPECIFIED  	PROPOSED DUAL OCCUPANCY AT: [REDACTED] No. 24 HOPE STREET, FOOTSCRAY	draftmode designs pty ltd A - 28 Thomas Street, Airport West 3042 P - 9 330 3434 E - enquiries@draftmode.com.au	JOB NO: D0160-18 DATE: 30/09/21	ISSUE: A DRAWING NO: 13 (14)
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From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Wednesday, 6 April 2022 9:26:14 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

[REDACTED] West Footscray

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Support

State the reasons why you support or oppose Amendment C172

The proposed heritage overlays will place draconian restrictions on a large number properties that have (in the view of many in [REDACTED]) very little heritage value. One example is Post War migrant housing. Very few current residents have purchased these houses based on aesthetic appeal or architectural value. Older residents who have owned these homes for decades are also unfairly impacted. These houses were built cheaply and their current state often reflects this. As a consequence, owners will be

faced with high costs to repair and maintain houses that are, in many cases, reaching the end of their useful life.

Even in cases where protection is warranted, the proposed restrictions will have a number of negative outcomes:

- Making homes environmentally efficient will become far more costly
- Making homes suitable for modern family life will become far more costly
- More expensive repairs imposed on homeowners
- Shortage of quality family homes will become even worse
- Unfairly reduce the value of property

Many of the homes marked for heritage overlays are very poor examples of the types of architecture they are purported to represent. It is particularly unfair to target the homes of some members of [REDACTED] while many other houses that are far more deserving of protection are left vulnerable to the wrecking ball.

The proposed amendment should never have even made it this far. More research into what the community actually wants and what we value should have been done. The time, money, and effort that has been wasted should have been put far better use. I feel it is important to remember that council exists to carry out the will of the people; not to tell us what is good for us.

Outline any changes (if any) you would like made to Amendment C172

If Amendment C172 is not scrapped, then it should be altered both soften the restrictions and to exclude Post War homes.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Wednesday, 6 April 2022 9:34:13 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

[REDACTED] maidstone

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172
as per our attached document

Outline any changes (if any) you would like made to Amendment C172
as per our attached document

Please attach any additional comments or information

- [51_napoleon_challenge_presentation.pdf](#)

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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A challenge to Amendment C172 specifically for 51 Napoleon St, West Footscray VIC 3012

A challenge to the implementation of the West Footscray Interwar and Postwar Heritage Study to include eight heritage precincts in the Heritage Overlay on a permanent basis.

Request: to remove the interim heritage controls (including the suspension of demolition) from 51 Napoleon St West Footscray immediately and re – instate planning zones [REDACTED] General Residential Zone (GRZ) and General Residential Zone – Schedule 1 (GRZ1).

Prepared by [REDACTED]
April 2022

Context

- As at September 2021, [REDACTED] 59 Napoleon St, West Footscray [REDACTED]
- [REDACTED]
- [REDACTED] 59 Napoleon [REDACTED]
- [REDACTED]
- [REDACTED] **the 21st** **September** meeting of the City Development Delegated Committee of the Maribyrnong City Council, where council resolved to endorse the West Footscray Inter-war and Post-war Heritage Precinct Study and to request interim heritage controls from the Minister for Planning while permanent controls were sought.
- When we rang the council in late November 2021 [REDACTED] we were only then informed of Council's request for interim heritage controls [REDACTED]

Assumptions

- [REDACTED] could not have been overridden by:
 - Council minutes and committee resolutions.
 - A yet to be signed Amendment (C173) by the State Minister for Planning.
- All relevant planning overlays are current [REDACTED] and online systems (at the time the Contract of Sale was signed and executed).
- Any additional correspondence between us, Maribyrnong City Council and the state government, not specifically cited in this document, may be used as part of the discussions.
- The [change.org petition](#) comments and details may be referenced as required.

Impact Statement

Financial

- [REDACTED]
- Time delay [REDACTED] whilst Maribyrnong City Council considers the local heritage significance (while it progresses Amendment C172, which proposes permanent heritage controls). [REDACTED]
- Value of the property has already reduced due to the interim heritage controls [REDACTED] due to the controls in place. 82 Napoleon St is another great example of dropping property values and lack of interest due to interim heritage controls).
- [REDACTED]
- [REDACTED]

Impact Statement continued...

[REDACTED]

[REDACTED]

[REDACTED]

Environment

- [REDACTED] 51 Napoleon to meet current and future environmental standards would be too costly. It is more effective to achieve this with a more modern dwelling or even better, [REDACTED]
- [REDACTED] a garage to allow for charging station/security for electric cars or to have the option to not park on the overly crowded street (due to the increasing number of townhouses).
- Visually unappealing property

Recommendation and justification

- To remove the interim heritage controls (including the suspension of demolition) from 51 Napoleon St West Footscray immediately and re – instate planning zones [REDACTED] ie. General Residential Zone (GRZ) and General Residential Zone – Schedule 1 (GRZ1). We **justify** this on the basis of:
 - [REDACTED]
 - [REDACTED]
 - Confirmation from the Department of Environment, Land, Water and Planning, that the “*Heritage Overlay does not prevent demolition or development*”. This contradicts the demolition suspension comments made by the council.
 - The demolition of the existing dwelling is required to facilitate [REDACTED] [REDACTED] but will also add value and character of the street and neighbourhood.

Recommendation and justification continued...

- [REDACTED] [REDACTED] will assist with implementing some of the objectives of planning in Victoria specifically under Section 4 of the Planning and Environment Act 1987 as follows:
 - to provide for the fair, orderly, economic and sustainable use, and development of land;
 - to secure a pleasant, efficient and safe working, living and recreational environment [REDACTED] and neighbours in West Footscray.
- [REDACTED] will also address the following:
 - Environmental effects – No environmental or land management overlays apply to the land. In fact, a variety of native plants and grasses will be installed following the completion of building works.
 - Social effects – [REDACTED] will encourage new and sustainable growth in the suburb and support the role of West Footscray as being an important cultural, academic and business hub of the inner west and in such close proximity to the Melbourne CBD and other venues.

Additional notes and next steps

- During council's submission consideration in May, we are able to provide further detail on our challenge if requested.



From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Wednesday, 6 April 2022 9:59:12 PM

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Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

[REDACTED] West Footscray

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Support

State the reasons why you support or oppose Amendment C172

I think this is fantastic and so important to preserve the style and history but way too late for the houses [REDACTED] in the HO211 area as over the past 12 months, all the lovely clinker bricks etc have been demolished and replaced with enormous new builds - often not subdivided actually but a large single two storey dwelling, perhaps 'cheaper' to re-build than to renovate. Such a shame.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Wednesday, 6 April 2022 10:27:14 PM

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Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

13 Gwelo Street West Footscray

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

It is hard for me to put into words how absolutely abhorrent the proposed heritage overlay is for the West Footscray community, but I'm going to try anyway.

What you are doing is perpetuating the lower-class of the West compared to the rest of Melbourne based on some arbitrary 'post war' heritage of boring old commission housing. I understand why we don't want block after block of townhouses, so why not

introduce subdivision laws rather than restricting the ability for families to grow/extend/renovate their piece of Australia?

What you are doing is crushing the dreams of people without the generational wealth of those from the eastern suburbs, people who have saved enough to be able to buy into a less affluent part of town with the dreams of turning a bog-average property in inner-suburban Melbourne into part of a community to be proud of. People who purchased into the area because there wasn't a ridiculous heritage overlay, which would allow them to invest some capital into their properties and in turn raise the aesthetic and profile of the community with like-minded others.

But what you have proposed will halt so much of this. You think that you're doing a good thing by stopping gentrification but what you're also doing with this ridiculous bill is preventing long time residents from ever being able to do the odd adjustment to their property without having to go through mountains of red tape while having pay an arm and a leg for it. So for those without the means to do an overpriced 'as original' adjustment to their falling apart shit shacks will be forced to live in further squalor.

The amount of asbestos in the original houses is VERY concerning. Recent wind storms caused some random cement sheeting tiles to fly into [REDACTED] [REDACTED] Everyone would love to clear their house of the cancer-causing material but not MCC, you want people to have to suffer and live with it unless they can afford to do a full period-style exact replica replacement. What a load of crap, you should all be ashamed.

[REDACTED] a lovely backyard so close to the city, [REDACTED] [REDACTED] keeping the backyard area intact, Why on earth would a council want to prevent people from being able to improve their lives, increase property prices (therefore more rates for the council), helping to draw more families, jobs, stores and facilities to the area? It boggles the mind and REEKS of a decision being made by consultants who don't live in the area and/or have already had their places fully renovated.

And don't even get me started on the fact that you are looking to prevent sustainable energy measures like double-glazed windows and visible solar panels. You want it to look like 1945? If every person in Australia doesn't start using renewables we won't make it to 2045. This is the most backward thing I think I've ever heard a council propose, and man can you guys propose some crap. How you don't think this will backfire on you in a media shitstorm is beyond me. Why don't you just give everyone a bag of coal while you're at it?

The fact that the report contains utter bullshit – [REDACTED] 13 Gwelo street is specifically mentioned as being original but it certainly isn't – it was put in decades after the original house and is made of slate, cement and silicone. How dare you determine [REDACTED] because some dickhead incorrectly believes it's 80 years

old?!!

Add to that:

- weatherboards are plastic, NOT original
 - carport is NOT original
 - window frames are aluminium and NOT original
 - chimney hasn't had a fireplace in it for 50 years and is falling apart
 - roof tiles are falling apart, exposing the asbestos inside
- There is asbestos in just about every room throughout the house

Again, I cannot say NO strongly enough to this proposal, and really hope that common sense prevails and it is not passed.

with your pigheaded, classist, nonsensical trash of a heritage overlay.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Wednesday, 6 April 2022 10:31:14 PM

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Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

16 Naismith Street, Footscray VIC 3011

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Seek changes

State the reasons why you support or oppose Amendment C172

[REDACTED] Footscray area and one of the [REDACTED]
[REDACTED] "period charm". [REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

property after nearly 100 years when there are so many examples of modern alterations in the area surrounding [REDACTED]. For example, 10 Naismith St, 8 Naismith St, 2 Naismith St, and 1A Adelaide St. It would be disappointing if any future plans [REDACTED] were rejected on the basis of preserving heritage when other surrounding residents may have had more freedom in time gone by.

In addition to the above, some of the recommendations contained within the design guide for the Naismith and McCubbin Streets Inter-war Housing Precinct (February 2022) appear to be onerous. Namely, the retention of chimneys. This does not contemplate the specifics of a house (multiple chimneys for example) and how it relates to the surrounding area and houses of a similar vintage. Also, the recommendations to "reinstate" and "retain" components of the house such as timber windows does not take into account the, at times, severely compromised condition of these components. Retention, or reinstatement often attracts a considerably higher cost than a like-for-like replacement with new. This, coupled with the expected (happy to be corrected) requirement to conduct heritage impact assessments for any proposed building works gives the impression that costs are unfairly being passed on to the occupants of a property when this may not have previously been required. Putting current residents at a disadvantage.

Finally, it is expected that the current Footscray hospital will be made obsolete once the new site is finished construction (expected circa 2025). Noting the proposed heritage overlay in the immediate vicinity of the hospital site (directly south), what protections will be put in place to ensure that the site will not be sold for massive commercial gain, at the distinct disadvantage of surrounding residents? If this heritage overlay is put in place, will it afford residents protection from having large scale commercial developments placed on our doorstep? Or is there one set of rules for the "mums and dads" and another set of rules for the Consortia?

To reiterate, we support the preservation and enhancement of Victorian heritage and would not seek to erode this. However it is unclear what benefit the proposed Naismith and McCubbin Streets Inter-war Housing Precinct will provide noting the development of the surrounding area, the perceived cost burden to residents, and the impending development of the hospital site. More work needs to be done to demonstrate the benefit to residents.

Outline any changes (if any) you would like made to Amendment C172

Further consideration needs to be given to afford current residents the flexibility to undertake works to their property which are consistent with works that have been undertaken to surrounding properties in the past. For example, second storey additions, knockdown/fundamental alterations to buildings to provide medium density units, and subdivision of larger blocks (selling the backyard).

Whilst we support the purpose of the proposed amendment and its intention to retain the

character and culture of the streetscape, the alterations already undertaken in the precinct, and the inevitable development of the Footscray hospital has already begun to alter these characteristics and restrictions/conditions proposed in this amendment appear at times obsolete.

We propose that a level of consistency be afforded to current residents so that they may undertake works or alterations that are commensurate with those already done in the surrounding area.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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From: [REDACTED]
To: [Amendment C172](#)
Subject: amendment C172
Date: Wednesday, 6 April 2022 10:34:04 PM

[REDACTED] 63 Napoleon St West Footscray object the Amendment C172.

- [REDACTED]
- * The home requires underpinning throughout, and subsequent replastering and resealing of windows,
 - * Poor insulation was common in this era, and would be required for the entire home,
 - * The current design doesn't [REDACTED] maximise extra space that could be utilised at the front, inline with the existing structure, and also doesn't allow [REDACTED] sustainability aims to be achieved due to incorrect depth of eaves (something that can not easily be changed).

The overlay's restrictions which are ongoing for the life of the house add a large financial burden [REDACTED] even before other lifestyle renovations are carried out. These costs impact [REDACTED] a sustainable home and to adapt [REDACTED] changing needs.

We object to these amendments due to the significant cost involved in maintaining this period home. We understand that the Maribyrnong City Council (MCC) will not financially reimburse or contribute [REDACTED] with maintaining the era which MCC desires. There has already been a significant financial loss [REDACTED] property price since this overlay has been applied, due to the drop in potential buyers, as investors would no longer be interested as they can not subdivide the block. Delays commencing building due this process imposed by this council, has increased [REDACTED] as building supplies continue to rise at unprecedented levels.

It is our understanding that under the new heritage overlay, [REDACTED] required to keep the facade of the home in line with the ridgeline of the house. What is a facade? It is " the front of a building, or is something that appears to be, which is different from the way it really is" according to the Oxford dictionary. What is this achieving [REDACTED] a façade-pretense of a 1960s home? There is no benefit in this requirement [REDACTED]
[REDACTED]

[REDACTED] build a design to [REDACTED] northern frontage to utilise the sun in winter and provide shading in summer with the correct use of eaves. Unlike many new properties that we see

in the area, [REDACTED] overlook other existing properties, [REDACTED] overshadow by building property too high, [REDACTED] over capitalize by putting two or three properties [REDACTED] [REDACTED] overcrowd the streets [REDACTED] cars [REDACTED] unlike townhouses [REDACTED] which have been approved regardless of the car parking space required. These new homes are unfortunately quite 'boxy', and saddle up right beside the next home and it is questionable how they will adapt to worsening climate and energy requirements.

The unfairness of how this has been implemented is disturbing. [REDACTED]
[REDACTED] This does not seem right!. [REDACTED]
[REDACTED] when councils can change the rules in such a way? It seems that a certain number of homes in the West Footscray precinct have been stuck with the burden of carrying the history of the last 60 years, when all around us houses have been knocked down and modern homes are being built. This is unfair. [REDACTED]

[REDACTED]
[REDACTED]. If you were to step outside [REDACTED]
[REDACTED] two townhouses currently being built. [REDACTED]
[REDACTED] two townhouses [REDACTED]
[REDACTED] two homes on the one block. [REDACTED]
[REDACTED]

For these reasons, we oppose the plans of amendment C172.

Yours Sincerely,

[REDACTED]

From: Communityengagement@maribyrnong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Wednesday, 6 April 2022 10:44:14 PM

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Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

29 Summerhill Road, FOOTSCRAY

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

I oppose amendment C172 [REDACTED] 29 Summerhill Road, FOOTSCRAY as the public consultation that was conducted in relation to West Footscray Neighbourhood Plan, did not mention a heritage overlay. Furthermore, insufficient public consultation has been conducted by Maribyrnong City Council in relation to the decision to impose a heritage overlay over 8 separate precincts and 900 homes.

I oppose amendment C172 and the inclusion of [REDACTED] 29 Summerhill Road, FOOTSCRAY due to the distance to the Barkly Street Precinct to which the Neighbourhood plan is focused and West Footscray, [REDACTED] located on the

boundary with Maidstone.

I oppose the inclusion of 29 Summerhill Road, FOOTSCRAY as contributory, given it does not physically resemble any of the neighbouring properties (all are made of brick or are new builds) and has undergone significant alterations over the years to the point that many of the features outlined in the heritage study no longer apply to 29 Summerhill Road, FOOTSCRAY, for example; asbestos cladding, new fence, new veranda, changes to front windows, landscaped front garden, etc.

The current existing building located at 29 Summerhill Road, FOOTSCRAY is energy inefficient having been built so long ago with little to no insulation in the ceiling, walls and floors, and sash windows which provide no thermal efficiency. The building has been restumped however due to the documented reactive soil in much of the Maribyrnong area, has moved and consequently damage to the property has occurred over time. By imposing a heritage overlay on this building and preventing any improvements to the existing structure, Maribyrnong City Council is denying homeowners the ability to live in an energy efficient, cost effective and sustainable shelter, and improve their living conditions.

To date, the manner in which Maribyrnong City Council has approached this planning scheme, has been inconsistent and arbitrary.

Outline any changes (if any) you would like made to Amendment C172

I oppose Amendment C172 on the grounds stated above, however if Maribyrnong City Council imposes the Heritage Overlay, changes to the amendment should exclude 29 Summerhill Road, FOOTSCRAY as a "contributory" property and it be considered as "non-contributory" property.

29 Summerhill Road, FOOTSCRAY should be considered as "non-contributory" due to the following reasons:

it does not physically resemble neighbouring properties (27 Summerhill Road is a new build, 31 Summerhill Road is brick and 24 Summerhill Road which is across the road, is also brick)

it no longer features elements outlined in the heritage study (it has a new fence, a new veranda, a landscaped front garden, remnants of asbestos brick veneer)

Furthermore, to futureproof the building on 29 Summerhill Road, FOOTSCRAY, [REDACTED] replace a number of elements to the building to make it more energy efficient and environmentally sustainable, by undertaking the following:

- replace broken terracotta roof tiles with Colorbond steel to increase thermal efficiency
- install solar panels to increase use of sustainable energy
- install roof mounted ducted heating and ventilation
- building a carport at the side of the house and installing charging equipment into the driveway for an electric vehicle

To reduce road noise pollution due to:

- speeding traffic on Summerhill Road despite an unenforced speed limit of 40 km/ph
- trucks travelling on Summerhill Road despite trucks being prohibited

vehicles travelling at speeds greater than 40 km/ph over an uneven and pot-holed road;

replace the front sash windows with new thermodynamic double glazed windows to increase thermal efficiency and to reduce noise from Summerhill Road
replace the front fence with a fence with an increased height and noise reducing materials, to increase privacy and safety, and to reduce traffic noise

Maribyrnong City Council has ignored that 80% of the 85 responses to the West Footscray Neighbourhood plan in 2018 endorsed the plan without any new heritage overlay. All of the comments objecting to the increased building heights were rejected by council.

To further the above, Maribyrnong City Council should amend C172 to include studies on the impact of road traffic and vehicle speeds, and how these impact on the structures on the proposed contributory houses. Allowing trucks to speed past buildings that are structurally unsound that are nearly 100 years old, most of which have not been restumped on reactive soil, is counterintuitive.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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From: Communityengagement@maribyrnong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Wednesday, 6 April 2022 10:58:13 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

27 Creswick St, Footscray

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

I do not believe the council has formulated the amendment with the residents and wider community in mind. Rather, the council have tried to persuade the general public that it will be beneficial to the City of Maribyrnong and its agendas by highlighting key social issues such and economics, history and environment as a guise. As such the focus is on the 'positive' impact which is expected and little is done in the way of defining the extent to which such amendments will negatively impact the community in the years to come.

To view all of this form's submissions, visit

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Proposed Planning Scheme Amendment C172 – Objection Submission

Name:



Address:

13 Palmerston Street, West Footscray

Contact Details:




Purpose

1. The purpose of this document is to formally lodge a submission to Maribyrnong City Council objecting to and opposing in full proposed planning scheme amendment C172 ('proposed scheme amendment').
2. I submit that Council should reconsider and decline to proceed with any aspect of the proposed scheme amendment. I further submit that the interim heritage overlay currently in force be fully removed as soon as possible.
3. I request that I be kept informed of progress of consideration of this matter by Council and/or the Minister. If Council is unable to resolve my submission and other submissions, and if the matter proceeds to a Planning Panel Hearing, I request that I am kept informed of the date of the hearing and that time is made for me to present to the planning panel hearing.

Contact Details

4. I request that Council remove my contact details as provided in this document for the purpose of any publication or public use of this submission.

Grounds

5. I oppose the proposed planning scheme amendment C172 on the following four key grounds:
 - i. The impact to 
 - ii. The impact to other properties in the local area and the broader local community; and
 - iii. Environmental and social grounds; and
 - iv. Procedural concerns and lack of appropriate community support in arriving at a decision to propose this planning scheme amendment.

Ground 1 – Impact to [REDACTED]

Basis of Assessment [REDACTED] ‘Contributory’

1. The brochure provided by Council in consultation documentation states *“The significance of each property was assessed against Victorian Government legislation, best practice principles and established criteria. The assessment can be found in West Footscray Inter-war and Post-war Heritage Precinct Study (March 2021) which is available on Councils website”*.
2. Having read this documentation, there is no specific information that justifies the assessment of [REDACTED] as ‘contributory’. There is discussion in the Heritage Precinct Study of Palmerston Street generally, and discussion of characteristics of some houses in Palmerston Street, but there is no specific information about why [REDACTED] is assessed as ‘contributory’.
3. Sections 2.4 and 2.5 of the Heritage Precinct Study identifies the existence of individual property assessments, the data for which exists in excel spreadsheets. These could have been provided [REDACTED] as part of the consultation so [REDACTED] could consider individual property assessments as ‘contributory’. This has not been done. The ‘Fieldwork’ section at 2.4 of the Heritage Study identifies that:

“Whilst in the field, the consultants were to make their own judgements about the boundaries of potential precincts, thematic relationships between places or precincts, and which properties would be contributory or non-contributory to potential precincts.”

4. I am unable to examine the detailed basis [REDACTED] [REDACTED] 13 Palmerston Street, West Footscray) has been assessed by a consultant as possessing contributory heritage character. I consider that this is manifestly unacceptable. Specific detail about the assessment [REDACTED] in consultation documentation, which is in my submission, a significant flaw in the consultation process. It is clear from the Heritage Precinct Study that this information exists. [REDACTED] made enquiries seeking specific documentation from Council and has been advised that relevant documentation is not part of the public consultation process. For example, this might include working data and analysis from the Heritage Precinct Study, and working documents showing the assessment of each individual property against relevant significant historical or cultural characteristics that are claimed to exist.
5. I would appreciate the opportunity to consider engaging an independent expert to assess these matters and to potentially challenge the categorisation of [REDACTED] [REDACTED] as ‘contributory’. However, I assess that I am unable to do this based on current documentation provided in the consultation process. I submit that this is an

unacceptable state of affairs given the impact to the [REDACTED], and is sufficient reason alone for the planning scheme amendment not to proceed.

6. [REDACTED] I respectfully disagree with the conclusions of the authors of the Heritage Precinct Study that there is any special historical or cultural significance of the housing in the local area that justifies a heritage overlay, including and particularly for [REDACTED]. Every street and town in Victoria has an interesting and unique history.
7. Most inner and middle ring suburbs in Melbourne contain older single storey, two or three bedroom weatherboard homes. That is what [REDACTED]. There may be a certain level of 'character' to houses of this nature. I do not agree that property of this general nature warrants heritage status or protection, particularly when these properties might otherwise be able to be improved in the long term in more cost efficient and sustainable ways without the restrictions of a heritage overlay.

Suitability of Housing into the Long Term

8. [REDACTED] is a typical 3-bedroom, single storey, weatherboard house.
9. [REDACTED]
[REDACTED]
[REDACTED]
10. In considering potential future housing needs, I am concerned that the restrictions imposed by the proposed scheme amendment will significantly increase cost and complexity. In particular, the proposed restrictions may result in the addition of a fourth bedroom (and other potential improvements) being financially unviable or not possible. Without these potential future improvements, the property may not be [REDACTED] into the longer term. This would be a poor outcome [REDACTED]
[REDACTED]

Potential Reduction in Property Value

11. I am concerned about a potential reduction in property value associated with the restrictions imposed by the proposed scheme amendment, due to increased regulatory burden and cost that a potential buyer may factor in to property purchasing decisions where a property is subject to a heritage overlay.
12. [REDACTED] is a major financial asset for many Australians. Decisions taken by Council that have the effect of reducing individual property value should only be imposed if there is a very clear public benefit can be said to reasonably outweigh the cost to individuals. I submit that Council has not made the case for this.

Potential Use of Solar and Battery and Potential De-Commissioning of Gas Utility

13. I am concerned that it will now be unviable [REDACTED] a large solar panel system [REDACTED] ideally suited to installation of a large solar panel system given its unobstructed north facing aspect. Informal discussions with Council [REDACTED] [REDACTED] to install solar panels may be impacted by the proposed planning scheme amendment.
14. [REDACTED] [REDACTED] [REDACTED] a fully electric house with a substantial solar panel system, battery, and use of an electric vehicle or plug-in-hybrid electric vehicle. [REDACTED] at that point to disconnect the gas utility service. This would be a good environmental outcome, consistent with the climate emergency declared by Council.
15. [REDACTED] [REDACTED] prohibited from realising this vision for [REDACTED] [REDACTED] transport, because of restrictions on installation of rooftop solar [REDACTED] imposed by the proposed scheme amendment.

Roofing

16. [REDACTED] roofing consists of tiles on the front half of the property facing the street with Colourbond at the back half of the property. [REDACTED] [REDACTED] [REDACTED] fully Colourbond roof having regard to soil type and the lighter load on the housing structure that Colourbond offers over tiling. I am concerned that this will not be possible or viable under the planned scheme amendment, along with other more major renovations to the property [REDACTED]

A Second Storey

17. [REDACTED] [REDACTED] [REDACTED] I am concerned that this may not be possible or viable under the planned scheme amendment.

Ground 2 – Impact to Other Properties and the Broader Local Community

18. I observe that a number of properties in the local area captured by the proposed scheme amendment are in a poor state of maintenance, including some that are identified as ‘contributory’. Unfortunately, the restrictions imposed by the planned scheme amendment may have the effect of discouraging property owners from taking steps to perform necessary maintenance to improve these properties.
19. This may result in maintenance that would have been financially viable now becoming unviable, resulting in poorly maintained houses not receiving critical maintenance. This will reduce living standards for both owners and renters.

20. This has a significant negative impact to the amenity of the area from the point of view of potential renters, the value of individual properties to current owners, and the general appeal of the local suburb as a place to live and raise a family.
21. I am aware that this process has brought about significant disruption to many residents who were in progress on scoping plans and renovations to their property and had invested time and money into design and planning. Significant financial losses will be incurred by some people if this scheme proceeds. [REDACTED]
[REDACTED]

Ground 3 – Environmental and Social Grounds

Environmental Grounds

22. Council has declared a climate emergency and developed a climate emergency strategy.¹
23. It is in the interests of Council, residents living in the council area, and the entire Australian community that properties be built and maintained in a manner that is as sustainable and cost efficient as possible.
24. I submit that, in practice, the restrictions imposed in the planning scheme amendment actively discourage and may prevent property owners from taking decisions that would result in a significantly higher level of sustainable housing.
25. [REDACTED]
[REDACTED]
[REDACTED]
26. Local builders and designers are increasingly designing and building these properties in the inner-west suburban area, which is a good outcome for the environment, land owners, renters, and the whole community.
27. I am concerned that it will be too complex and unviable to do this and also comply with restrictions in the proposed scheme amendment.

Social Grounds

28. The community is currently going through a global pandemic. This process has strained the mental health of many local residents who are already dealing with a range of other pressures brought on by the pandemic.
29. This combined with the lack of consultation in imposing the interim heritage overlay and proceeding with the decision to propose this planning scheme amendment at

¹ <https://www.maribyrnong.vic.gov.au/Residents/Our-environment/Climate-Emergency>

this time does not seem to take account of pressures that many families are likely to be facing, including financial and mental health pressures.

30. As identified above, I do not identify in the scheme documents a sufficiently clear public benefit in imposing the financial, emotional, and social costs on individuals and the community.

Ground 4 – Procedural Concerns and Lack of Appropriate Community Support

Unjustified Response to 2018 West Footscray Community Neighbourhood Survey

31. Council refers to feedback provided by the community in the West Footscray Neighbourhood Plan in 2018 as a basis for proceeding to engage a heritage consultant to produce a Heritage Precinct Study, which was completed in 2021.
32. The 2018 survey contained only 85 responses. It appears that only 19 people attended public information sessions. It is difficult to identify any meaningful support for a heritage overlay in this 2018 process, let alone any substantial support across the community.
33. Given that the proposed heritage overlay impacts over 900 properties, hundreds of families, and thousands of individuals, a more substantial consultation process would have been appropriate to survey the community specifically on whether the community supported investigation of a potential heritage overlay when contrasted with other available tools to achieve planning objectives.
34. Council has elected not to do this, and has instead chosen to embark on a process toward moving to a heritage overlay, apparently with no broad support from the community.
35. Based on the above, I submit that Council's response to the 2018 neighbourhood plan significantly misconstrues the extent of community support for a heritage overlay. No meaningful consultation has been undertaken with the community about whether a heritage overlay would be supported when contrasted with other available planning tools that may better meet Council's objectives.

Insufficiently Specific Documentation in Consultation

36. As identified above, the detailed justification for assessment of [REDACTED] as contributory has not been provided. All I have is reference to [REDACTED] in a table in the heritage study as 'contributory' alongside a large list of other properties [REDACTED] [REDACTED] in other streets.
37. I know from the heritage study documents that an individual assessment of the characteristics of [REDACTED] has been undertaken by the consultant, but that data has not been provided [REDACTED] This is, in my opinion, a critical flaw in the consultation.

38. Given the impact to [REDACTED] [REDACTED] [REDACTED] has been assessed as being 'contributory'. [REDACTED] my own independent expert to consider whether they agree with the assessment, or whether there is a reasonable basis to challenge the categorisation. I cannot do this effectively based on current documentation.

Conclusion

39. For the reasons contained in this submission, I submit that Council should reconsider and decline to proceed with any aspect of the proposed planning scheme amendment.
40. I further submit that the interim heritage overlay currently in force be fully removed as soon as possible.
41. I am happy to further discuss any aspect of this submission on the telephone or in person.



Introduction

This submission is made on behalf of [REDACTED] regarding the City of Maribyrnong's Amendment C172, [REDACTED] [REDACTED] 2 Centennial Street in West Footscray.

In relation to this land the amendment relevantly proposes to:

- Apply the HO212 to place the land within the "Centennial & Duke Streets Inter-war and Post-war Residential Precinct"
- Rezone the land to Neighbourhood Residential Zone
- Change the designation of the land in the Housing Framework Plan to "Limited Change."
- Introduce an Incorporated Document to reflect the heritage controls.

[REDACTED] and are concerned that the amendment will be unduly restrictive. The heritage overlay is a significant ongoing limitation [REDACTED] It should not be lightly or carelessly applied.

We submit that the restrictions of the overlay are not warranted having regard to the limited significance of the precinct.

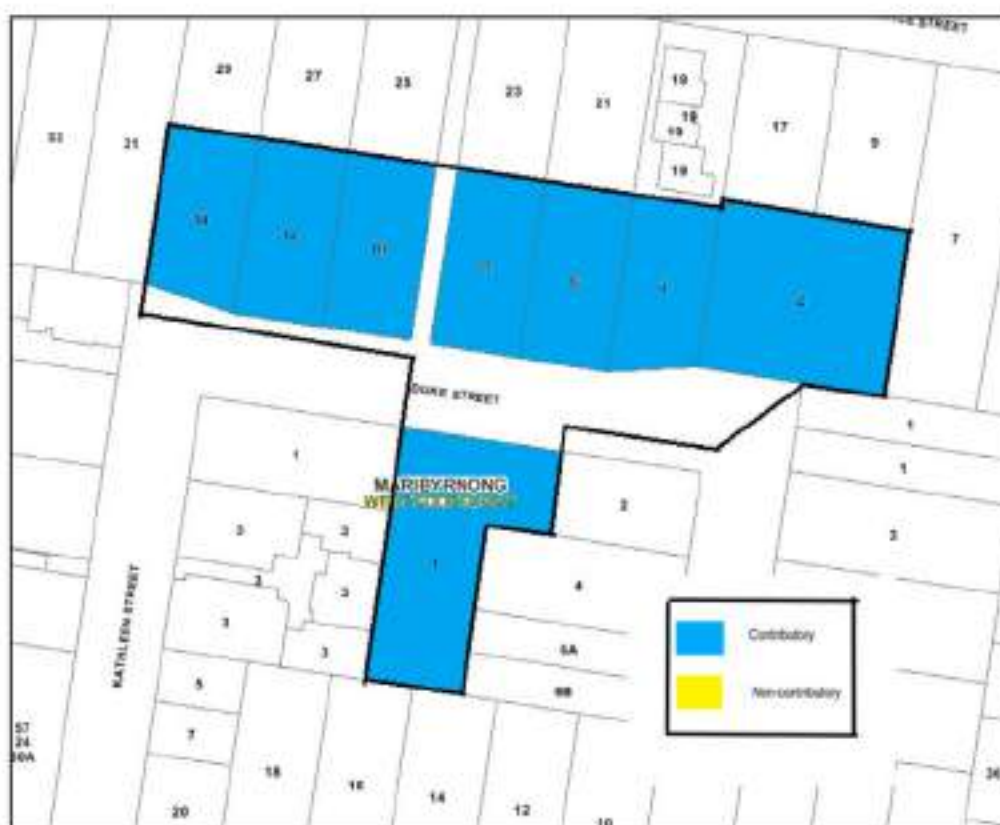
Stated Heritage Significance of Centennial Street

The *West Footscray Inter-War and Post-War Heritage Precinct Study* (Maribyrnong City Council, March 2021) underpins the amendment.

This places Centennial Street within a precinct comprising two non-contiguous sub-precincts, as shown in the figure extracted below.



Precinct 1. Centennial & Duke Streets Inter-war and Post-war Residential Precinct (1)



Precinct 1. Centennial & Duke Streets Inter-war and Post-war Residential Precinct (2)

The Centennial Street sub-precinct comprises 14 houses, two of which are non-contributory. [REDACTED] 2 Centennial Street, is one of two isolated houses on its side of the street and is the last house in the proposed precinct.

The introduction to the citation notes as follows about the precinct:

The Centennial and Duke Streets Inter-war and Post-war Residential Precinct in West Footscray contains a well-preserved collection of houses which demonstrate important themes in the historical development of West Footscray and its history of quarrying, from the late nineteenth century to the post-WWII years.

It then says about Centennial Street:

Centennial Street is a short street subdivided in the year of Australia's centenary in 1888 for workers' housing. It retains its modest-sized, nineteenth century allotments, gutters and kerbs laid with bluestone pitchers and evidence of rear lanes. All of the weatherboard bungalow houses date to the inter-war and early post-war periods.

The significance is defined as follows:

The subdivision and settlement patterns of both streets are associated with the resurgence of Footscray's quarrying industry in the late nineteenth century and its transferral to West Footscray, where David Munro and John Robb opened two of the largest quarry holes. The streets help to illustrate the changing fortunes of the stone industry during this period from a large-scale activity central to Footscray's identity and economy to the closure of the quarries in the twentieth century, their conversion to rubbish tips and then parklands and the growth of housing on their fringes. (Criterion A)

Centennial Street is distinctive for its historical link to the official celebrations held in Melbourne in 1888 marking the centenary of European settlement in Australia and for the remnants of late Victorian period infrastructure that typify nineteenth and early twentieth century subdivisions. (Criterion A)

The precinct is of architectural (representative) significance for its collection of Inter-war and Post-war residential buildings, which demonstrate a progression of suburban housing styles and ways of living in the twentieth century in their form, scale, materials and setting (Criterion D)

Appropriateness of the Heritage Overlay

The changed zoning and status in the housing framework plan clearly reflect the heritage status proposed. The key question in considering the appropriateness of this amendment is therefore whether the proposal rises to a level of significance that warrants this protection.

The key state government guidance regarding application of the heritage overlay is the DELWP Practice Note PPN01 – *Applying the Heritage Overlay*. It identifies recognised heritage criteria. As noted above, this precinct has been claimed as warranting protection under two of these criteria, criteria A and D, which are as follows:

Criterion A: Importance to the course or pattern of our cultural or natural history (historical significance).

Criterion D: Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).

The difficulty with applying these criteria is that they are not, in fact, “criteria” in the normal sense of the word – they are categories of significance. (The exact same “criteria” apply, for example, to listings on the State Heritage Register, which will be considerably more significant than local places).

This means that they are of assistance mainly in enforcing some clarity of mind about the types of heritage in question, but do not assist in finding the threshold of significance that justifies application of a heritage overlay. The Practice Note simply notes regarding thresholds that:

The thresholds to be applied in the assessment of significance shall be ‘State Significance’ and ‘Local Significance’. ‘Local Significance’ includes those places that are important to a particular community or locality.

In practice this does not provide meaningful guidance in establishing thresholds. The practical difficulties of applying thresholds have been recognised by planning panels on numerous occasions (for example Boroondara C116 (PSA) [2011] PPV 112).

We recognise that the looseness of this guidance makes the case for heritage protection at least arguable in a very wide range of cases.

However we submit that the inclusion of Centennial Street as a heritage precinct places the threshold so low that vast swathes of inner city Melbourne would meet this level of significance.

Centennial Street is of very limited heritage significance given:

- Its limited size and lack of any contiguous heritage precinct;
- The range of time periods claimed to be represented by the precinct, and the distinct locations of those forms within the precinct;
- Its lack of intactness or continuity even within the very limited precinct that exists;

- The sheer volume of equivalent streets that exist both in Maribyrnong and Melbourne more broadly;
- The link to the Centennial is limited and does not require protection of housing.
- The link to Ted Whitten is established through a building that is no longer present.

These points are discussed in turn below.

Application of the heritage controls in a consistent manner to equivalent streets would over-apply the HO, at once unduly limiting residents' ability to improve and modernise their homes; frustrating other planning objectives such as urban consolidation; and reducing the meaning and significance of heritage overlays when they do apply.

Non-Contiguous and Unrelated Precincts

We start by noting that the Centennial Street precinct in truth comprises only 14 houses, and is more than 200m away from Duke Street. There is little apparent basis for connecting it with the Duke Street precinct.

The Practice Note states:

Places that share a common history and/or significance, but which do not adjoin each other or form a geographical grouping may be considered for treatment as a single heritage place.

In this case, however, Duke Street is not considered to share any common history or significance, beyond that that would typically be shared by any two streets within a neighbourhood. The statement of significance acknowledges that the streets "reflect different subdivision patterns" but argues they reflect "similar historical processes." However the actual link between the two streets is limited – the similar historical processes are not especially similar or carefully tied together, and the streets actually show quite distinct characters.

The citation notes that Centennial Street was subdivided in the late 19th century. Development was slow, with only two houses constructed by 1920, and four by 1940. At that time only one house (now gone) was on the western side, with the western side therefore developing in the post-war era, as opposed to the mix of interwar and post-war construction on the east side. The post-war construction was mostly immediately post-war, with eleven lots constructed by around 1950. The citation notes that the street is characterised by "post-war austerity."

The citation makes it clear that Duke Street, while initially subdivided around the same time (as would be expected of a nearby street), was a separate subdivision. While the subsequent construction also ranged from interwar to post-war, the post-war

construction was generally later than Centennial Street, with only three houses constructed by 1950, when Centennial St was largely complete.

The lots were larger (c 15m by 30m compared to around 10m by 20m), and the resulting development is less modest than on Centennial Street. The citation notes that the earlier houses at 6 and 12 were “by no means modest or lacking in stylistic detail,” and 12 Duke Street is described as “a particularly fine example of an intact Californian Bungalow combining Californian and earlier Federation styles.” While two of the dwellings constructed around 1950 are described in the citation as “austere” in their detailing, the citation notes one of those was “was unusual for its broad frontage to the street, the size of the block and the low bluestone rubble wall serving as the front fence, possibly constructed with stone collected from the former quarry.” The triple and quadruple-fronted 1950s and 1960s brick dwellings at 4 and 14 Duke Street are not considered to be austere developments and are more typical of later periods of development.

Duke Street’s physical and historical is only very loosely tied to Centennial Street’s. It is physically disconnected, has larger lots, a very distinct U-shaped configuration compared to Centennial St’s classic grid layout, only loosely comparable periods of construction (no more than would be expected for any two streets in the one neighbourhood), and different architectural styles. The larger lots and somewhat later typical construction have resulted in forms that lack the modesty and austerity typical of Centennial St. This is readily apparent both from the citation and from inspection of the street.

The citation does not establish the basis for considering these two very different streets in one precinct.

This is significant as this leaves Centennial Street as an even smaller, isolated precinct. There is not concrete guidance in the Practice Note about how small a precinct can be while still establishing sufficient sense of place to mark a precinct (the question was raised rhetorically by the planning panel in Melbourne C186 (PSA) [2012] PPV 79 but not answered).

However it is considered that this precinct, comprising only 14 buildings of which only 12 are contributory, and a street length of 75m (before even allowing for the fragmentation within that precinct, discussed below) is surely at the lower end of what can be considered a meaningful precinct.

In the absence of buildings that are of more decisive individual significance, it is considered this leaves the status of Centennial St as a meaningful precinct tenuous at best.

Lack of Intactness or Continuity Within Centennial Street

The above points are reinforced by the lack of continuity that exists within the street. Even within the 14 houses in the precinct, two are identified as non-contributory. These are both on the western side, meaning that the western streetscape consists of three contributory houses at the south and a pair at the north. This is a significant break in the western streetscape and means that the western side of the street scarcely forms a cohesive heritage streetscape at all.

[REDACTED] one of the northern pair, meaning it adjoins non-contributory fabric to the north, and only a single contributory house immediately to the south. (It also, like all the houses, abuts non-contributory fabric – in this case, new townhouse development – to the rear). It is therefore part of an island of only two heritage buildings.

Furthermore, the street represents two distinct phases of development separated by World War II. The houses over the road are from the pre-war phase of development.

This has two implications. First, it increases the “island” status of 2 Centennial St, which sits with only one other dwelling from the same period of development, since even the other side of the road is from a different phase of development.

And second, it further fragments the precinct. Not only is Centennial Street distinct from Duke St, but there are two distinct phases of development within this street, split between inter-war and post-war development. (This can be considered even more fragmented if, as the citation does, the post-war housing is divided into the “austere” examples and others.)

This limits the precinct’s ability to adequately represent any one phase of development. Even the “story” of successive waves of development is difficult to discern as the quantity of fabric from each phase is so small and fragmented.

Lack of Uniqueness or Significance of this Street

The citation frames the significance of the precinct as deriving from the story of successive waves of development. This would be part of the response to the preceding argument about the fragmented nature of the precinct made above.

However this returns us to the question of thresholds of heritage significance. It is not clear what basis there is for considering that representation of a succession of development waves as significant enough to warrant protection.

The citation outlines the history of the precinct and is a most interesting account. However every place has a story, and is inherently representative of itself. Heritage criteria A and D cannot be seen as warranting protection of a place that is simply of importance to defining its own history (criterion A) or which is representative of itself or other similar places (criterion D). There needs to be some baseline of

distinctiveness – that this is a distinctly interesting place, or has a distinctly interesting or representative history.

The street represents a 19th century subdivision that started development haltingly before the war, paused during the war, and which was then fully developed after the war. This is a history it shares with countless other streets in both Maribyrnong and other inner-city neighbourhoods of Melbourne.

Similarly, its association with quarrying and proximity to a former tip is very common, seen elsewhere in Maribyrnong but also in other locations (such as parts of Brunswick and Coburg, amongst others).

The precinct is not large enough to establish a clear precinct with a strong sense of place. It is not distinctive enough to be of any heightened significance. It is not cohesive enough to be especially representative. It is too small and fragmented to tell the story of successive waves of development with any clarity. The buildings are not unusually intact, with the citation noting various alterations to most. As discussed below, the links to Ted Whitten and the Centennial do not justify retention of any existing housing.

In short, it is not considered that the basis to view this street as exceeding the threshold of significance to warrant protection has been established.

The Whitten Link

The citation notes the link to footballer Ted Whitten, who based on the citation lived on the street at number 6 between around 1940 and 1950, during Whitten's adolescence.

The Whitten house was demolished in the 1970s. It is not considered that the link to the Whitten family can be served in any way by preservation of remaining fabric.

The link to Whitten is an interesting aspect of the street's history but cannot meaningfully contribute to establishing the significance of the street as a heritage place.

The Centennial Link

The citation talks (at pages 3 to 4) of three phases of development – four if the post-war housing is considered two phases. The first of these is the late Victorian phase, represented in Centennial St by "gutters and kerbs laid with bluestone pitches and evidence of bluestone rear lanes."

This first phase clearly does not add to the case for preservation of the housing. The preservation of gutters and kerbs is entirely under council's control, whether through roadworks its own roadworks or the authorisation of new crossovers as managers of the road. Council roadworks would, in practice, also not be governed by the scheme

due to the exemptions that exist for council works of less than \$1 million a cl 62.02-1 of the scheme.

A heritage overlay is not required to preserve the kerb and gutter, and certainly not a heritage overlay extending outside the road reserve.

Planning Context

It is accepted that the question relevant to the application of the overlay is the heritage significance of the precinct. However it is considered that the thresholds applied to the question of significance need to have some regard to wider planning objectives.

To apply heritage controls to streets that are as limited in size, intactness, uniqueness and representativeness as Centennial St would compromise a range of other planning objectives, including urban consolidation objectives.

We note the comments of the planning panel in Yarra C214 (PSA) [2017] PPV 54, where the panel (considering protection for an industrial precinct in Richmond) noted:

As Mr Lovell commented at the Hearing, over the years the threshold for protection of heritage values has progressively dropped and this debases the integrity of controls. The Panel agrees with his view that 'lowering the bar' undermines the recognition of places with important heritage value that should be retained in three dimensions and leads to debate about how development should be accommodated, which can result in retention of facades and not much else.

We consider that this precinct represents a similar lowering of the bar and would present similar dilemmas when these houses – generally modest and often run down – are renovated or upgraded.

Conclusion

Centennial Street is in reality a separate precinct to Duke Street, which is non-contiguous and has very different characteristics.

The precinct is too small to have a distinct sense of place, or to act as a good representative of a period. It encompasses multiple periods of development. Its form is fragmented, especially when considered in terms of any one of its periods of development. It is not especially intact. It is not distinct or unusual. The houses have no meaningful link to Ted Whitten or the Centennial.

Even within the precinct, 2 Centennial Street is something of an island, located at the end of the street with only one abutting heritage property.

Given this, the imposition of heritage controls would be excessively onerous on landowners seeking to upgrade older housing, and would compromise other planning objectives.

For these reasons, [REDACTED] respectfully request that the amendment be altered to:

- Reconsider the inclusion of Centennial St in the heritage overlay; or at least, remove 2 Centennial St from the heritage precinct; and
- As a consequence, not make the associated changes to zoning and the housing framework that derive from the imposition of the heritage overlay.

Thank you for your consideration.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
To: [Amendment C172](#)
Subject: Amendment C172
Date: Thursday, 7 April 2022 12:01:51 AM

This Message Is From an External Sender

This message came from outside your organization.

I'm an admirer of building architecture and for it to have a heritage classification it should have a design that is both inspiring and stand the test of time.

[REDACTED] none of those features and therefore should not be classified as heritage.

[REDACTED] just a box made from bricks with a roof on top and it presents no interesting design and inspirations to current or future architects.

And the fact [REDACTED] to restump the house and rebuild the brick work at the back right hand corner within four years of the house being built illustrates the poor quality of construction by [REDACTED]

What should be classified as heritage is the family home with a reasonable backyard to raise a family in safety.

This whole issue of heritage came about, according to the letter sent to me dated 22 November 2021, as a result of feedback from the West Footscray residents requesting the retention of the neighbourhood character.

Without seeing the results of the survey, I believe what the West Footscray residents were saying is: to stop replacing single dwelling lots with multiple dwelling lots. There are already a huge number of apartment blocks being built in central Footscray, we don't need more apartments replacing single dwelling lots in the outlying precincts. So when the day comes [REDACTED] [REDACTED] build a new single or double storey home so long as it preserves the heritage of being a single dwelling lot.

Kind regards,

[REDACTED]

Mobile: [REDACTED]

Email: [REDACTED]

29 Creswick Street,
Footscray

From: [REDACTED]
To: [Amendment C172](#)
Subject: Submission on proposed Amendment C172
Date: Thursday, 7 April 2022 12:22:07 AM
Attachments: [Amendment C172 Submission](#), [REDACTED]

Hi,

Please find attached my Submission on proposed Amendment C172.

My contact details are:

Phone: [REDACTED]

Email: [REDACTED]

Please contact me if there are any issues accessing the file.

Thanks,

[REDACTED]

Submission on the proposed Amendment C172

Submission by:

Name:



Address:



West Footscray, 3012

Contact details: Provided with submission

Date:

7th April 2022

This submission is being made to object to the proposed amendment and request changes to the amendment.

I request that I be kept informed by the planning authority with regard to details of any hearings, including Planning Panel Hearings, relating to this matter.

Grounds for objection

I object to the proposed Amendment C172 on the following grounds:

1. There is an unreasonably high financial impact on affected land holders. This impact has not been acknowledged, estimated or weighed against the claimed benefits arising from the proposed amendment.
2. The process to identify the proposed heritage precincts has been significantly and unreasonably lacking in transparency. To justify such a significant financial impact on affected property owners it is reasonably expected that the process including supporting data and analysis should be transparent and available for independent scrutiny.
3. The proposed Amendment C172 is not an effective response to the stated objective of supporting low scale development that limits housing growth to preserve character and values within limited change areas. It will have the effect of creating limited and isolated 'museums' of housing heritage while allowing the rest of the neighbourhood to be bulldozed and replaced in the absence of sufficient controls to protect the broader neighbourhood character.

These grounds are explained and supported later in this submission.

Requested changes to Amendment C172

The following changes are requested to Amendment C172:

1. Abandon the proposed Amendment C172
2. If the above requested change is not adopted by the planning authority, further changes to the amendment are requested as follows;
 - a. Amend the Housing Framework Plan in Clause 21.07 in the Municipal Strategic Statement to identify all streets recommended as G1 by the West Footscray Heritage Feasibility Study - Appendix C as limited change areas
 - b. Remove reference to interim controls applied through Planning Scheme Amendment C173mari from the Schedule to Clause 43.01 (Heritage Overlay) without applying any further heritage overlays
 - c. Make no change to Housing Framework Plan at Clause 21.07
 - d. Make no change to the Schedule to Clause 72.04 (Documents incorporated in the Planning Scheme)
 - e. Do not amend planning scheme maps 4HO, 5HO, 6HO, 7HO and 8HO to include new Heritage overlays
3. If neither of the above requests are adopted in full, request a hold on the implementation of Amendment C172 pending;
 - a. Public release of all data and analysis conducted during the West Footscray Heritage Feasibility study 2019
 - b. Public release of all data and analysis conducted during the West Footscray Inter-war and Post-war Heritage Precinct Study 2021
 - c. The planning authority preparing and releasing an adequate account of social effects and economic effects (as required by the Planning and Environment Act 1987 S.12(2)(c)) as follows
 - i. Provide an evidence based assessment of the reduction in property value of properties impacted by Amendment C172
 - ii. Provide analysis demonstrating that the positive benefits of Amendment C172 are sufficient to justify imposing consequential financial impact on affected property owners
 - d. A further review and public consultation process with the above documents available.

Explanation and support for stated grounds of objection

1. Unreasonably high financial impact on affected land holders

- a. Planning and Environment Act 1987 S.12(2)(c) states that “In preparing a planning scheme or amendment, a planning authority—” ... “must take into account its social effects and economic effects.”
- b. I asked the council via email (29/Mar/2022) for “Any documents demonstrating that the social effects and economic effects of the proposed permanent heritage overlay been taken into account”. Council response (31/Mar/2022) stated “The Explanatory Report for Amendment C172 outlines the social and economic effects of the proposed permanent controls.”
- c. The Amendment C172mari Explanatory Report section titled “Economic effects” is copied here in full;
 - i. “Improving the protection of heritage places in the City of Maribyrnong is expected to have positive economic effects by reinforcing the City’s identity and historical past for future generations. The amendment also seeks to reduce red-tape by updating the existing permit exemptions incorporated document to include the additional eight heritage precincts (where appropriate). The update of the permit exemption incorporated document ensures that property owners will not require a planning permit for certain buildings and works that are usually triggered by the Heritage Overlay. This will reduce costs and times required for planning applications and fees. The amendment is not expected to have any adverse or significant economic repercussions.”
- d. The consideration of economic effects claims a general and unquantified reduction in costs to property owners for certain buildings and works. This is the only consideration of economic effect with regards to property owners. In itself this claimed benefit is disingenuous - without the planning amendments C173/C172 these costs and red tape would not have existed in the first place.
- e. A far more significant and obvious economic effect is on the market value of affected properties.
- f. [REDACTED] 23 Creswick St which is affected by the proposed heritage overlays [REDACTED] estimating that the market value [REDACTED] has [REDACTED]
- g. Consider a single proposed heritage overlay HO8 – Bottomley’s Paddock which has over 180 affected properties. A rough estimate of potential total market value reduction in this area alone is \$39,000,000 (180 properties, average value \$900,000, average reduction 24%).
- h. In the absence of an estimate from the planning authority, the above estimate highlights a potentially massive economic effect of the proposed amendment. It is completely unreasonable that the planning authority has failed to cover this aspect when assessing economic effects as required by the Act.
- i. **Based on the previous points, proposed Amendment C172 has an unreasonably high financial impact on affected land holders.**
- j. **Based on the previous points, the planning authority has not adequately fulfilled its obligations as set out in the Planning and Environment Act 1987 S.12(2)(c).**

2. Inadequate transparency in planning process

- a. Amendment C172mari states *"The amendment applies the heritage overlay to eight new heritage precincts as identified in the West Footscray Inter-war and Post-war Heritage Precinct Study 2021 (Heritage Alliance) on a permanent basis."* (Amendment C172mari Explanatory Report page 2).
- b. The proposed amendment is basically a proposal to implement the recommendations of the Precinct study. As such, the development of the recommendations of the Precinct study is of utmost importance in considering the merits of proposed Amendment C172.
- c. The West Footscray Inter-war and Post-war Heritage Precinct Study 2021 (referred to in this submission as the "Precinct study") section 2.4 states that for each of 1100 houses studied, *"Data was entered into an Excel spreadsheet..."*. Section 2.5 refers to *"Each Excel spreadsheet..."* suggesting that collected data would be contained in a number of spreadsheets.
- d. Precinct Study section 2.3 states *"When assessing houses for inclusion in a precinct heritage overlay, it is essential to apply a threshold to assist in determining if a place has the values which would meet the criteria of PPN1. These thresholds can be summarised as architectural and historical character, potential contribution, streetscape patterning, authenticity/integrity, streetscape continuity and thematic representation."* The assessment of each property studied against these thresholds must be contained in one or more documents
- e. Progression from a schedule of individual property assessments to defined boundaries of proposed Heritage Overlay precincts is not self evident. There should be some rationale provided which could answer the following questions
 - i. Why did these precincts get recommended while other potential precincts did not?
 - ii. What was the justification for inclusions/exclusions of properties at the edge of the precincts?
- f. The Precinct study states in section 1.1 that it is *"a direct result of"* the West Footscray Heritage Feasibility Study September 2019 (referred to in this submission as the "Feasibility study"). As such the development of the recommendations of the Feasibility study is of significant importance in considering the merits of proposed Amendment C172.
- g. Individual property data from the Feasibility study was not released and council refused to release it when I specifically requested it. The only data available in the report is aggregated street results which don't permit any reasonable scrutiny of the merit of the assessment.
- h. **The data and reasoning generated by the Precinct study as detailed in c), d) and e) need to be publicly available to permit independent scrutiny. This would ensure a high quality of heritage outcome and importantly it would ensure public confidence in a process which will impose a capital loss of tens of millions of dollars on a small section of our community**
- i. **The data generated by the Feasibility study as detailed in g) also needs to be released for scrutiny as justified in h).**

3. Heritage overlays will be an ineffective and inequitable measure to preserve neighbourhood character and heritage value

- a. The Maribyrnong Housing Strategy 2011 and the draft Maribyrnong Housing Strategy 2018 states limited change areas supports low scale development that respects the identified heritage values, and limits housing growth to ensure that the heritage character is preserved.
- b. Per a), the council strategy is to use "limited change area" to ensure that heritage character is preserved. A recurring theme in council documentation is the goal of preserving neighbourhood character and one objective of neighbourhood character statements is to define a neighbourhood character which should be respected and preserved.
- c. In considering key drivers of loss of neighbourhood character, along with loss of heritage value, it is useful to consider which developments are actually resulting in detrimental impacts. It is my view, supported by local observations, that there are clear patterns in development types and their impact.
 - i. Works on local properties resulting in zero increase in the number of dwellings on the site (typically renovations and extensions) in most instances do not demolish the existing façade and generally restore and preserve the street appearance. This is true of [REDACTED] and of other recent projects such as [REDACTED]
 - ii. Works on local properties resulting an increase in the number of dwellings on the site (typically unit developments) in most instances result in complete demolition of the structures on the site and new buildings which have greater visual bulk and a style which is incompatible with the neighbourhood character and the previous heritage character. Examples include [REDACTED]
- d. West Footscray contains a high density of blocks of sufficient size to support multi-dwelling developments under the current planning framework. Unfortunately the streetscape outcomes of these developments is a key driver of erosion of neighbourhood character and local heritage value.
- e. Applying heritage overlays to a relatively small percentage of the area will do nothing to address the impact of multi-unit dwellings on neighbourhood character and heritage value outside of these precincts. It will result in islands of preserved heritage in a sea of unsympathetically redeveloped neighbourhood.
- f. To provide appropriate protection of neighbourhood character and heritage value generally across the area, a more general control is required, which facilitates reasonable development but deters unsympathetic changes.
- g. Various controls could be considered to achieve appropriate levels of protection for the general neighbourhood character and heritage value.
- h. Onerous Heritage overlays applied to small pockets of properties at very high financial impact to the property owners will not achieve a general protection of neighbourhood character and heritage value in the area. Furthermore, the financial burden will be imposed on a small number of unfortunate property owners which is grossly inequitable.

Communication and consideration regarding release of requested documents

I have included email correspondence between [REDACTED] council in the appendix below. This details requests for information. Also included is thorough justification for the request of documents which were ultimately not supplied.

I note that council has nominated privacy concerns as the reason for choosing not to release the key data underpinning the Precinct study (email dated 6/April/2022 in appendix). I do not accept this as reasonable justification – the requested information is inherently based on publicly available information – ie the appearance of the property from the street.

It is clearly in the public interest to release these documents (as detailed in [REDACTED] dated 4/April/2022 in the appendix) and there no reasonable privacy basis to justify withholding them.

Thank you for your consideration of my submission.

I trust that the planning authority and any associated review processes will act to address issues and concerns identified by the community and that a planning outcome will be possibly which facilitates appropriate works and development, provides sufficient protection for neighbourhood character and heritage value and achieves this with imposing uneven burdens on members of our community.

Yours sincerely

[REDACTED]

AmendmentC172

4:11 PM (7 hours
ago)

to me

[REDACTED]

Based on advice from management and our Governance team we have referred you to the Freedom of Information process that is available.

In relation to the spreadsheets, our understanding is that we cannot provide them in response to your email for privacy reasons as information in them relates to other people's properties. If there is a specific property in the proposed Heritage Overlay that you are an owner of that you are interested in, we may provide an extract relating to that property. If you would like to request this please let us know the address of the property in the proposed Heritage Overlay and indicate that you are an owner. The Heritage Study is the best place to look for background information on the proposed heritage precincts.

In relation to your point 2, the Explanatory Reports include a heading "How does the amendment address any environmental, social and economic effects". This is where an outline of how the amendment addresses any environmental, social and economic effects can be found. If you do not feel that this question has been adequately addressed or if the information raises concerns for you then a submission to Amendment C172 would be a way of raising those questions and concerns as Council will consider all submissions made before the closing date.

Please bear in mind that exhibition closes on 7 April 2022. Information on how to make a submission along with the exhibition documents can be found on the Amendment C172 page of Council's website and the Victorian Government website.

Please feel free to contact the Strategic Planning team on 9688 0200 or via this email if you have any questions.

Kind regards,

[REDACTED]

From: [REDACTED]
Sent: Monday, 4 April 2022 12:24 PM
To: AmendmentC172 <AmendmentC172@maribyrnong.vic.gov.au>
Subject: Re: West Footscray Heritage Feasibility Study

This Message Is From an External Sender

This message came from outside your organization.

Hi [REDACTED],

Thanks for your response to my questions.

Can I please request 2 further clarifications - I have provided context for these questions below which demonstrate the significance of the questions.

Again, given the impending deadline for submissions, can you please respond by COB Wed 6 March.

1. Why are the documents (including spreadsheets) containing data and analysis from the Precinct study not public documents?

a) If there is a legal or contractual reason for not making these documents public, please provide detail

b) If there is any other rationale or justification for not making these documents public, please provide detail

2. When considering the social effects and economic effects of the heritage overlays, why did the council not consider the following

a) Impact on property values

b) Increased cost of building work on affected properties due to increased regulatory burden

c) Financial losses due to abandonment of design work in progress due to change without warning of regulatory framework

d) Social impact on landowners of affected properties dealing with the emotional impact of the above three items

Context for questions

1) Documents (including spreadsheets) containing data and analysis from the Precinct study should be public documents

- While these documents could be requested via FOI, the reality is that council has chosen not to make them public and could choose to release them without an FOI request

- The study has been commissioned by local government using public funds. By default, material generated using public funds should be available for public use.

- The data and analysis generated by the study has significant value in documenting the history and architecture of the area and would be a valuable resource to the public

- Without access to these documents it is not possible for an independent expert to assess the quality of the study and of the conclusions reached

- For example, properties within heritage overlays are nominated as "Contributory" or "Non-Contributory" but the basis of this categorisation is not given

- For example, the report states that individual properties have been assessed as specified in the Precinct study section 2.3 p13-14 but the results of these assessments are not visible

- For example, there is no detail provided on properties which were subject of the study, but not included in the heritage overlays

- For example, there is no rationale provided for the boundaries of the heritage overlays and properties included/excluded from them

2) Social effects and economic effects of the heritage overlays

- The most obvious and significant economic impact of the overlays is on the market value of the affected properties

- This has not been mentioned or considered in the statements of impact

- It would be obvious to an impartial stakeholder that imposing a significant constraint on the use of a property (such as by a heritage overlay) will accordingly reduce the value of a property

- It would have been a straight forward exercise to estimate this impact by getting statements from property valuation experts

- This impact is likely to be higher than \$100,000 per property for many of the properties which have development potential - based on documented input from a property specialist.

- A further obvious and considerable economic impact is on compliance with the additional regulatory burden of the heritage overlay

- The statement of impact claims a benefit in red-tape reduction by exempting certain types of works. This is grossly disingenuous as it ignores that these works were already exempt prior to the imposition of the heritage overlays

- Simple activities like repairing facades and roofs which would have previously had negligible regulatory cost will now incur significant cost and delay.

- Financial losses due to abandonment of design work in progress due to change without warning of regulatory framework

- A stated intent of the implementation of the heritage overlays to protect against heritage loss due to development

- Given the number of properties affected by the heritage overlays and the prevalence of development in the area it is logical that many affected properties would have been in project planning stage of development

- Changing the regulatory framework by applying a heritage overlay logically means that any preliminary design work already undertaken and paid for will no longer be appropriate

- Given the obvious and significant nature of this economic impact it should have been considered when putting forward the social effects and economic effects of the heritage overlays

- Social impact on landowners of affected properties dealing with the emotional impact of the above three items

- Given the obvious economic impacts on affected properties as detailed above, it should be equally obvious that imposing these heritage overlays will have emotional impact and consequently social impact on affected landholders

Regards,

██████████

On Thu, Mar 31, 2022 at 2:47 PM AmendmentC172

<AmendmentC172@maribyrnong.vic.gov.au> wrote:

Hi ██████████,

Thank you for your email regarding Amendment C172.

We have discussed your email with our Manager and Governance team and have noted responses to each of your points below.

A number of the documents you have requested do not form part of Amendment C172 and therefore are not part of the public consultation process. The Amendment C172 documents available on the Council website <https://www.maribyrnong.vic.gov.au/Building-planning/Current-and-future-planning/Planning-Scheme-Amendments/Current-planning-scheme-amendments/West->

[Footscray-Inter-war-and-Post-war-Heritage-Precinct-Study-Amendment-C172-Permanent-Controls](#) form the basis of Amendment C172 and are the relevant documents for consideration.

You're welcome to contact us on 9688 0200 or via this email with any questions.

Kind regards

[REDACTED]
Maribyrnong City Council, 61 Napier Street Footscray
PO Box 58, West Footscray VIC 3012

[REDACTED]
www.maribyrnong.vic.gov.au

From: [REDACTED]
Sent: Tuesday, 29 March 2022 3:51 PM
To: [REDACTED]
Subject: Re: West Footscray Heritage Feasibility Study

This Message Is From an External Sender
This message came from outside your organization.

Hi [REDACTED]

Thanks for sending through the link for the Feasibility Study. Unfortunately this did not contain the data which I was looking for.

Can I please ask for some further documents as follows

1. Council quotation 1058-20, issued on 21 September 2019
Precinct study section 1.2 p8 states "The brief for Project 2 formed part of Council quotation 1058-20, issued on 21 September 2019
The scope of the Precinct study doesn't align fully with the results of the Feasibility study, the requested quotation should clarify this

The quotation and responses are not public documents, however you could consider making a Freedom of Information request. Information on Freedom of Information is available on Council's website at: [Freedom of information - Maribyrnong](#). Please note this process has its own timeframes and procedural requirements. It would not be advisable to wait for this information and we encourage you to lodge a submission to Amendment C172 prior to the closing date for exhibition. All of the documents that form part of the public exhibition are available on the Amendment C172 page of Council's website as well as the Victorian Government's Amendment C172 page at <https://planning->

schemes.app.planning.vic.gov.au/All%20schemes/amendments/C172mari?schemeCode=mari

2. All spreadsheets and other documents containing data and analysis from the Precinct study
p15 of the Precinct study states that data was entered into spreadsheets

The published precinct study doesn't contain details of assessment as specified in the
Precinct study section 2.3 p13-14

The published precinct study doesn't contain any information on properties included in the
study but not included in proposed precincts

The spreadsheets do not form part of exhibition and are not public documents. You could
consider a Freedom of Information request as outlined above.

3. Any documents demonstrating that the social effects and economic effects of the current interim
heritage overlay been taken into account

The Explanatory Report for Amendment C173 outlines the social and economic effects of
the interim controls. The below link will take you to the Explanatory Report approved by the
Minister for Planning as part of Amendment C173.

https://stfpbsprodapp01.blob.core.windows.net/amendmentfiles/d560f354-1b9c-eb11-b1ac-000d3a6b2d38_c5b4b95d-782d-41db-b042-32af49147065_Maribyrnong%20C173mari%20Explanatory%20Report%20Approval%20Gazetted.pdf

4. Any documents demonstrating that the social effects and economic effects of the proposed
permanent heritage overlay been taken into account

The Explanatory Report for Amendment C172 outlines the social and economic effects of
the proposed permanent controls. The below link will take you to the Exhibited Explanatory
Report.

https://stfpbsprodapp01.blob.core.windows.net/amendmentfiles/57abad2f-1b9c-eb11-b1ac-000d3a6b2d38_43e3fa73-7c49-4549-a0f3-1bbc0bd513d6_Maribyrnong%20C172mari%20Explanatory%20Report%20Exhibition%20Gazetted.pdf

Please contact me on [REDACTED] or by email if you need any clarification on these requests.
Please respond by COB Thursday 31st March.

Thanks,

[REDACTED]

On Mon, Mar 7, 2022 at 1:38 PM [REDACTED] wrote:



██████████ has sent you files.

Expires 5/5/22

A note from ██████████

Hi ██████████ Apologies for the delay in responding. Please find attached a link to the West Footscray Heritage Feasibility Study (2019). If you have any questions please feel free to call me on my direct number ██████████

██████████ Kind regards ██████████

Download

Trouble with the above link? You can copy and paste the following URL into your web browser:

<https://maribymong.sharefile.com/d-659192c3d4c641e5>

ShareFile is a tool for sending, receiving, and organizing your business files online. It can be used as a password-protected area for sharing information with clients and partners, and it's an easy way to send files that are too large to e-mail.

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Maribymong City Council reserves the right to monitor all email communications through its networks.

Please consider the environment before printing this e-mail

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Thursday, 7 April 2022 12:30:17 AM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

45 Fontein St, West Footscray

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

Having a heritage overlay means cost is going to go up for renovations and any enhancements [REDACTED]. The weatherboards and stumps have been around for so long, they need to be replaced with better materials! [REDACTED] and any repair costs will become more expensive with this overlay. [REDACTED] best to keep insulation in but the old windows are simply not doing its job. Also with the frequent noises of plane flying over, trains and trucks honking along Sunshine Rd it's not helping [REDACTED]
[REDACTED]

Overall, the street frontages have already been mixed up with modern townhouses popping up at every other corner. The "heritage" sense has already been lost. Take a look at Coonans Hill at Pascoe Vale - the heritage overlay there is worthwhile as the entire place has kept it's look and feel and there's a huge difference walking within those houses compared to walking around the streets here.

I've also walked many times around the neighbourhood and many other houses have already modified their homes to look more modern from the outside, changed some of the materials for better structural build and integrity. I'm afraid whatever you're looking to preserve has already been mix mash up with many different type of facades.

It will also be hard to install solar panels as most houses are north facing, with the rising cost of power, living expenses, we don't need this addition overlay to prevent [REDACTED]

[REDACTED]
[REDACTED]
not just make a blanket move through a surveyor or consultant looking around the area and they don't even live here.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Your City Your Voice.

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Thursday, 7 April 2022 8:53:12 AM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

68 Wellington St, West Footscray

Email:

[REDACTED]

Business hours contact. Optional

All Hours

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

The Heritage Overlay has a significant negative impact [REDACTED]
[REDACTED] increased in cost under this overlay by more than 100k due to the restrictive nature of this policy.

The implementation of this overlay without public consultation is highly unethical, particularly for those who have recently purchased and those who have had planning

permits rescinded.

This Heritage overlay misconstrues previous community consultation, ignoring the bulk of feedback.

This Heritage overlay is highly inequitable in its impacts on individuals in the community, with some left with massive restoration bills often exceeding 100k while others benefit through property valuation uplift.

This Heritage overlay is contrary to the opinions of the local community as reflected by our petition which has obtained 506 signatures and 36 comments in just six weeks.
<https://www.change.org/p/maribyrnong-city-council-vic-delwp-objection-to-proposed-heritage-overlays-in-west-footsray>

[REDACTED]
[REDACTED] I fail to see any heritage value in the properties listed. I believe blanket overlays such as this devalue the importance of heritage protections for truly important building and structures.

Failure to produce a cost benefit analysis, the council failed to consult with other professionals such as builders, engineers, building designers or economists in developing this overlay. This failure has resulted in missing decision making materials surrounding the economic/environmental/social impacts of this overlay which in my view far outweigh any positive impacts that may occur.

The heritage overlay makes use of a 'no touch' approach to preservation. [REDACTED]
[REDACTED]

[REDACTED] that this approach will result in the hastened decay of these structures, completely contrary to the intent of the overlay. These houses desperately need restoration and replacement, with most nearing the end of their safe usable life. If council wanted the houses in this area to decay more quickly, they couldn't have written a better policy.

This policy removes private property rights from homeowners. Private property rights are a key tenant of a free society and should only be removed where no other options are available and where thorough cost benefit analysis have been undertaken alongside extensive community consultation.

In summary, I see zero positive outcomes from this policy whilst it is clear to me there are a huge number of negative impacts, inequitable outcomes and unethical processes involved in its implementation.

Outline any changes (if any) you would like made to Amendment C172

I support the complete removal of this policy and ask that council stop spending ratepayers money on this endeavour.

I suggest the original neighbourhood plan presented in 2018 which had over 80% positive feedback be implemented in it's original form.

I suggest council consider investigating policies which aid homeowners in seeking advice and information on how best to increase the longevity of their homes.

I also implore council to ensure they run a public consultation meeting on this issue.

Please attach any additional comments or information

- [Letter_Heritage_Final.pdf](#)

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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Dear Neighbour,

A heritage overlay has recently been implemented over eight separate precincts within West Footscray impacting over 900 homes. This overlay has been applied in response to a community survey in 2018, in which a small number of residents requested more controls to assist in maintaining the character of West Footscray and prevent the construction of inappropriately scaled developments.

Members of the West Footscray community, your neighbours, are writing to council outlining our concerns with this policy and are asking others in the affected precincts and throughout West Footscray for help.

Whilst the council has several tools that it can use to maintain the character of a suburb (including development overlays which are specifically designed to control the location and scale of construction projects) it has chosen to implement a heritage overlay, which unfortunately will have several unintended consequences that burden our community.

[REDACTED], I have seen a number of these consequences eventuate, including:

- failure to prevent inappropriately located townhouses;
- rejection of positive changes and modification to homes;
- expensive repair costs imposed on individuals and families ;
- exacerbating the shortage of suitable family homes;
- detrimental environmental impacts of maintaining energy inefficient buildings; and
- financial and emotional burden on individuals and families who have had the heritage overlay imposed without notice or adequate consultation.

I have provided further detail on the West Footscray specific consequences of heritage overlays on the attachment. More information about the heritage overlay can be found on Maribyrnong Councils website <https://www.maribyrnong.vic.gov.au/amendmentc172>

As confirmed by Council, the 2018 survey that this policy aimed to address contained just 85 responses and only 19 residents attended the related public information sessions. Of these responses, over 80% supported the draft neighbourhood plan without any new heritage overlays and of the 12 built form comment identified by Council, just one mentioned a need for heritage controls. All five of the 12 comments objecting to the increased building heights were rejected by Council.

Based on this data and the impacts listed above I suggest that the implementation of a heritage overlay misconstrues the results of the community consultation.

You can voice your opinions on this issue by signing our petition using the below QR code below, and providing Council with written feedback at the following website <https://www.yourcityyourvoice.com.au/amendment-c172>

If you'd like to discuss this issue further, please don't hesitate to call or message me

Kind regards,

[REDACTED]
[REDACTED]



SCAN ME

Key Issues

Failure to prevent inappropriately located townhouses being developed

Townhouses are an important inclusion in a suburb as they provide a more affordable housing option, and a first step for first home buyers entering the property market. However, it's vital that townhouses are built in appropriate locations as they can have large impacts to neighbours with overlooking, overshadowing, and parking problems. This new overlay will have no impact on the number of townhouses built, as it doesn't change the supply and demand dynamics of the townhouse market. What typically transpires is that townhouse developments become even more common in areas *outside* the heritage overlay, which in this case would impact streets like Alma St, Stanhope St and Clive St among others. This overlay entirely fails to address the community feedback and concerns regarding the proposed 4-6 storey apartment buildings along Barkly St and 8 storey apartment buildings adjacent to Whitten Oval.

Positive changes that people try to make to their homes being denied

Common upgrades to existing homes such as replacing front fences, enclosing a carport with a garage door, or building a veranda over the front door can become virtually impossible under this new overlay. Changes which make front yards more usable are essentially banned under this overlay and given that front yards are a key piece of social infrastructure where we interact with our neighbours, the inability to improve them will be a major negative outcome for our community. More information on these additional restrictions can be found in the attachments titled Heritage Design Guidelines, (at the bottom of the page) <https://www.maribyrnong.vic.gov.au/amendmentc172>

More expensive repairs imposed on individuals and families

Many of the houses in [REDACTED] are aging poorly. In particular, leaking tiled roofs, shallow foundations and crumbling disused chimneys are becoming more common throughout the suburb. Some of the key fixes that will improve the longevity of these homes such as replacing tiles with lighter Colourbond are banned under this new overlay, forcing homeowners into much more expensive structural repairs. For many homeowners, these repairs will be too expensive, delaying these vital repairs may potentially exacerbate future costs.

Exacerbating the shortage of family homes

The census data shows an ever-increasing proportion of young families calling West Footscray home. The extreme price difference between 2-bedroom homes and 4-bedroom homes (\$384k in West Footscray vs \$130k in Sunshine according to realestate.com) highlights the large shortage of family homes within the suburb. It is vital that our housing stock is flexible to meet the evolving needs of our community. Unfortunately, this heritage overlay may have the opposite effect; making extensions more expensive, time consuming and generally acting as a disincentive for change. A large portion of the houses listed in the heritage overlay are 2-bedroom homes, often unsuitable for the needs of growing families, particularly with the recent working from home requirements.

Environmental impacts of running and maintaining energy inefficient buildings

The overlay in many instances, prevents new solar panels visible from the street from being installed, significantly impacting the ability of West Footscray residents to harness sustainable forms of energy. As mentioned, many of the houses in [REDACTED] are aging poorly and aren't close to meeting modern day building standards. Upgrading these homes to meet current best practice for energy efficiency can be difficult enough without the additional restrictions of the heritage overlay. For many homeowners, the dream of an energy efficient home may become financially unviable with the additional restrictions of the heritage overlay in place. I have already seen examples [REDACTED] [REDACTED] where homeowners have been forced to abandon energy efficiency upgrades due to the additional costs.

Financial and emotional burden on individuals and families who have had the heritage overlay imposed without notice

This policy impacts everyone differently. For some the costs of this change are non-existent, but for others the financial and emotional costs are life-changing. Consider those homeowners who have been preparing plans for their dream home over a number of years only to now have their proposals rejected, their plans crushed by the heritage overlay. Consider any local residents who have recently purchased with the intention of extending or rejuvenating being forced to abandon these plans, unable to afford the cost that the additional restrictions invoke, losing their stamp duty and sometimes significant property value in the process. The implementation of this policy without notice or adequate consultation has unfair and unjust.

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Thursday, 7 April 2022 9:45:14 AM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

21 Sredna Street, West Footscray

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

In the area, there has already been change, for instance, [REDACTED] 3 townhouses that reflect modern day. These townhouses have made the area look better and have integrated and beautified the exiting character of the suburb.. Many of the existing old houses built in post war, have not been upkeep and is making the area look unsightly. Unfortunately, they have reached a point that are very costly to renovate and therefore owners will not bear the expense and continue to let the house deteriorate

further. It is not fair for council to then request an owner to knock down and impose building restrictions due to the council wanting this heritage precinct 100+ years later. Rebuilding a house in that era takes away the authenticity of what you are aiming to achieve. Thank you.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Your City Your Voice.

From: [REDACTED]
To: [AmendmentC172](#)
Subject: Planning Scheme Amendment C172
Date: Thursday, 7 April 2022 10:59:11 AM

Dear Sir Madam

I writing to oppose the council's decision to implement the West Footscray Post War Heritage planning amendment to [REDACTED] 30 Wellington Street West Footscray.

My objection is based on the following:

- Not every building in an area is significant to Heritage, the merits of individual houses should be considered to give greater clarity on what constitutes Heritage criteria, not broad-based precinct approach., properties should be identified as 'individually significant' (with their own overlay if needed)
- The decision impacts [REDACTED]
 - [REDACTED] what considerations have been given to the additional costs of maintaining repairing or potentially amending the property to the new standard.
 - The plan doesn't consider the need for multiple buildings on 1 lot of land for [REDACTED] [REDACTED] i.e., Granny Flats or small unit.
- The council has not adequately explained the heritage significance it's trying to protect other than trying to stop subdividing or consolidation of land
- I cannot see how the plan addresses consistent style or type of home, does not address consistent street scape relevant to Heritage.

I look forward to hearing ack from you at your earliest convenience.

Regards

[REDACTED]

From: [REDACTED]
To: [AmendmentC172](#)
Subject: Opposition to proposed Heritage Overlay for the West Footscray precinct.
Date: Thursday, 7 April 2022 2:17:16 PM

Dear Sir/Madam,

I am writing to submit my opposition to the proposed Heritage Overlay for the West Footscray precinct.

Whilst I support the rezoning of the area to an NRZ2 to contain developments to a smaller height and density, I believe the addition of a Heritage Overlay will create an untenable burden on homeowners in the area. My key areas of concern are:

Maintaining healthy buildings

Many of the homes in the proposed area are suffering from the impacts of age and poorly constructed additions in the post-war period. [REDACTED] facing leaking roofs and windows, shallow foundations that are sinking rapidly due to local soil quality and crumbling chimneys sitting in damp soil. These conditions are inviting mould and other problems that cause serious issues to human health. Remediation of these problems is often impossible within the current structure of the home and require significant demolition and renovation to properly solve. Under the Heritage Overlay there will be constraints on removing dangerous and unhealthy chimneys, use of modern building materials for roofing (e.g. colourbond) and roof height, that will prevent homes from being renovated to standard required to maintain human health long term.

Achieving basic energy efficiency

The overlay will prevent new solar panels from being visible from the street, preventing many homes from being able to participate in sustainable energy generation. Other restrictions on window and wall placement on the front and visible sides of buildings will impact the ability to implement passive solar designs. Australia is already performing very poorly against the rest of the world in adopting these basic environmental measures. We must be able to preference healthy and sustainable living over a fondness for the past.

I propose that the Council proceeds with the zoning change to NRZ2 but does not apply a Heritage Overlay to the precincts identified in the West Footscray Inter-war and Post-war Heritage Precinct Study.

Kind regards,

[REDACTED]
9 Hope St
West Footscray
[REDACTED]

From: [REDACTED]
To: [AmendmentC172](#)
Subject: Objection to c172/173
Date: Thursday, 7 April 2022 2:38:05 PM
Attachments: [image0.jpeg](#)
[image1.jpeg](#)
[image2.jpeg](#)
[23 Creswick St Footscray.pdf](#)

To whom it may concern,

Outlined below are my objections to the proposed interim & permanent c172/173:

Blind sided by council

[REDACTED]
[REDACTED] We started this process in April 2021 and things have only started progressing late November 2021 once COVID restrictions were lifted.

On at least 3 occasions, [REDACTED] had been in touch with council to confirm that a planning permit was not required (29/4 - spoke to [REDACTED] May - architect spoke to planning area & October - architect once again spoke to planning area).

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] only made aware of the interim heritage overlay on 23/12 after speaking to [REDACTED] [REDACTED] strategic planning department. It was by chance that my architect rang council with a clarifying question only to find out about the HO listing. An official council letter was subsequently sent to me post this conversation.

Given this proposal was gazetted on 10th Dec 2021, council needed to be more proactive with communication. By remaining silent, council has caused much unrest, uncertainty and economic impact to my family.

It is also alleged that council are seeking to exempt about 50 properties from this interim HO as they have a planning permit. This is unjust as we had been told on many occasions that a building permit is all we required for our plans. In addition, it is morally wrong to keep information like this away from residents knowing full well the major impact of the interim HO.

Creswick St petition & Change.org online petition

Refer to the attached signed petition for the proposed interim & permanent HO. These 50 signatures were attained via a face to face meeting with my neighbours. Most people laughed and couldn't believe that council would seek to protect properties like mine but negate other Victorians, Edwardians and California bungalows on the street.



In addition, the attached change.org petition has in excess of 500 objectors to c172/173 -

https://www.change.org/p/maribyrnong-city-council-vic-delwp-objection-to-proposed-heritage-overlays-in-west-footscray?utm_content=cl_sharecopy_32420018_en-AU%3A2&recruiter=389555356&recruited_by_id=22e263f0-60b4-11e5-9d5d-2deb4a9b7e98&utm_source=share_petition&utm_medium=copylink&utm_campaign=psf_combo_share_initial

Failure to assist the elderly and pensioners in our community

Just on Creswick St (10 impacted properties), there were 3 property owners who had no idea of the impact of the proposed HO. [REDACTED]

- 21 Creswick St - [REDACTED]
- 31 Creswick St - [REDACTED]
- 33 Creswick St - [REDACTED]

[REDACTED] This represents 30% of potential feedback specific to Creswick St.

Inaccurate data that led to Creswick St being included in the c172/173

On Page 7 of the West Footscray Inter-war and Post-war Heritage Precinct Study 2021, it referenced 80% as the threshold for the HO listing.

West Footscray Heritage Feasibility Study September 2019 (Appendix C - Creswick St) shows 103 total properties with 86 having potential contributory value (83.5%). This represents 17 properties NOT having a contributory value on Creswick St.

If this had been correctly assessed in the feasibility study, Creswick St wouldn't have been included in the precinct study and wouldn't have been subjected to the HO listing.

The data provided is inaccurate, potentially misleading and out of date (03/09/19).

My own investigation shows that there are at least 40 houses with no contributory value. In addition, page 8 (1.3) of the Precinct study indicates that the study was impacted due to COVID restrictions and some assessments were desktop top studies instead of "ground truthing".

Listed here are the 40 addresses:

- 7 Creswick St - 7 townhouses under construction
- 11 Creswick St - 4 units
- 15 Creswick St
- 45 Creswick St
- 47 Creswick St - empty land
- 75 Creswick St
- 81 Creswick St
- 93 Creswick St
- 95 Creswick St
- 97 Creswick St
- 115 Creswick St - 2 units
- 6a Creswick St
- 6b Creswick St
- 8 Creswick St
- 20 Creswick St
- 30 Creswick St
- 42 Creswick St
- 44 Creswick St - 2 units
- 50 Creswick St
- 58 Creswick St
- 76 Creswick St
- 82 Creswick St
- 94 Creswick St
- 102 Creswick St

120 Creswick St
124 Creswick St
126 Creswick St
128 Creswick St
130 Creswick St

Inconsistent character on the street due to development

The proposed c172/173 is about 20 years too late. There are already too many developments taking place and the HO (impacting <10%) on just 10 properties on the street does not make sense. Listed below are examples of the developments:

7 Creswick St - 7 townhouses under construction
11 Creswick St - 4 units
47 Creswick St - empty land
44 Creswick St - 2 units
124 Creswick St
126 Creswick St
128 Creswick St
130 Creswick St
115 Creswick St - 2 units
6a Creswick St
6b Creswick St
20 Creswick St
42 Creswick St
58 Creswick St

About 200 meters away is 12 Jerrold St Footscray. A street with lots of properties that have potential contributory value. However, houses like this can be demolished and replaced with new townhouses.

██████████ be subjected to c172/173 when properties like 12 Jerrold St go unprotected and can go ahead with their proposed knock down rebuild plans?

Post war time frame & historical significance inconsistencies

According to the West Footscray Inter-war and Post-war Heritage Precinct Study 2021, the post war period is from c1940-1960. ██████████ originally built in 1969 and I don't believe it falls into this post war category based on the initial definition of post war period as stated on page 7 of the heritage study.

While it's a romantic family success story of a migrant in the post war era, there is little evidence to suggest that Andrea Dapiran actually built ██████████ (23 Creswick St Footscray). It has also been confirmed by council via email that this information is not kept on file and they are unsure of the actual builder.

Failure to provide critical information and data

Outlined below is my correspondence with the council requesting specific information that led to ██████████ ██████████ being impacted by c172/173. Council either didn't make this information available or referred me to the "freedom of information" website. Both of these reasons are unacceptable. It's council responsibility to provide this information as it was stated in the West Footscray Inter-war and Post-war Heritage Precinct Study 2021:

██████████ requested:

"Precinct study section 1.2 p8 states "The brief for Project 2 formed part of Council quotation 1058-20, issued on 21 September 2019"

Can I please have a copy of Council quotation 1058-20, issued on 21 September 2019?

Council response:

The quotation and responses are not public documents, however you could consider making a Freedom of Information request. Information on Freedom of Information is available on Council's website at: Freedom of information - Maribyrnong.

Please note this process has its own timeframes and procedural requirements. It would not be advisable to wait for this information and we encourage you to lodge a submission to Amendment C172 prior to the closing date for exhibition.

All of the documents that form part of the public exhibition are available on the Amendment C172 page of Council's website as well as the Victorian Government's Amendment C172 page at <https://planning.schemes.app.planning.vic.gov.au/All%20schemes/amendments/C172mari?schemeCode=mari>

██████████ requested:

"Please provide underpinning documents/spreadsheets that accompany the Precinct study Spreadsheets as stated in the Precinct study p15

Documents with any analysis of spreadsheets to decide boundaries of heritage precincts.

Council response:

The spreadsheets do not form part of exhibition and are not public documents. You could consider a Freedom of Information request as outlined above."

Social & economic impacts

While the council claims to have taken social and economic impacts into account, this seems to be just a statement without much thought for the impacted individual. Given the past 2 years of pandemic struggles, ██████████ dealing with its ramifications.

Attached is a real estate evaluation of the economic impacts of c172/173. ██████████
██
██
██

Council have failed to take ██████████ economic impact into account while implementing the HO listing.

Here is an example of this:

██████████ - In which document have the social effects and economic effects of the current interim heritage overlay been taken into account?

Council response - The Explanatory Report for Amendment C173 outlines the social and economic effects of the interim controls. The below link will take you to the Explanatory Report approved by the Minister for Planning as part of Amendment C173

https://stfpbsprodapp01.blob.core.windows.net/amendmentfiles/d560f354-1b9c-eb11-b1ac-000d3a6b2d38_c5b4b95d-782d-41db-b042-32af49147065_Maribyrnong%20C173mari%20Explanatory%20Report%20Approval%20Gazetted.pdf

██████████ asked - In which document have the social effects and economic effects of the proposed permanent heritage overlay been taken into account?

Council response - The Explanatory Report for Amendment C172 outlines the social and economic effects of the proposed permanent controls. The below link will take you to the Exhibited Explanatory Report

<https://stfpbsprodapp01.blob.core.windows.net/amendmentfiles/57abad2f-1b9c-eb11-b1ac->

Failure to prevent inappropriately located townhouses being developed

Townhouses are an important inclusion in a suburb as they provide a more affordable housing option, and a first step for first home buyers entering the property market. However, it's vital that townhouses are built in appropriate locations as they can have large impacts to neighbours with overlooking, overshadowing, and parking problems. This new overlay will have no impact on the number of townhouses built, as it doesn't change the supply and demand dynamics of the townhouse market. What typically transpires is that townhouse developments become even more common in areas outside the heritage overlay, which in this case would impact streets like Alma St, Stanhope St and Clive St among others. This overlay entirely fails to address the community feedback and concerns regarding the proposed 4-6 storey apartment buildings along Barkly St and 8 storey apartment buildings adjacent Whitten Oval. 7 Creswick St currently has 7 x triple level townhomes being built on a residential street. Residents tried to oppose this development but weren't successful.

Positive changes that people try to make to their homes being denied

Common upgrades to existing homes such as replacing front fences, enclosing a carport with a garage door, or building a veranda over the front door can become virtually impossible under this new overlay. Changes which make front yards more usable are essentially banned under this overlay and given that front yards are a key piece of social infrastructure where we interact with our neighbours, the inability to improve them will be a major negative outcome for our community.

More expensive repairs imposed on individuals and families

Many of the houses [REDACTED] are aging poorly. In particular, leaking tiled roofs, shallow foundations and crumbling disused chimneys are becoming more and more common throughout the suburb. Some of the key fixes that will improve the longevity of these homes such as replacing tiles with lighter Colourbond are banned under this new overlay, forcing homeowners into much more expensive structural repairs. For many homeowners, these repairs will be too expensive, unfortunately, delaying these vital repairs can often exacerbate future repair costs.

Regards

[REDACTED]
23 Creswick St, Footscray
[REDACTED]

J A S

1 April 2022

[REDACTED]
23 Creswick St
FOOTSCRAY VIC 3011

Dear [REDACTED]

RE: 23 Creswick St Footscray

[REDACTED]

Should you require any further information, please contact the writer.

Yours sincerely,

[REDACTED]
Senior Sales Consultant & Auctioneer
Licensed Estate Agent

Direct: [REDACTED]
email: [REDACTED]

DISCLAIMER:

"This appraisal has been prepared solely for the information of the client and not for any third party. Although every care has been taken in arriving at the figure, we stress that it is an opinion only and should not be taken as a Sworn Valuation. We must add that we shall not be responsible should the Appraisal or any part thereof be incorrect or incomplete in any way".

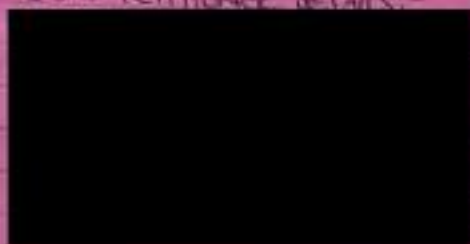
PETITION

TO:- MARIKAYENONG CITY COUNCIL

PROBLEM - C172/173 INTERIM AND PERMANENT
HERITAGE OVERLAYS AFFECTING
14 - 37 ORESWICK ST FOOTSCRAY
22 - 34 COMMERCIAL RD FOOTSCRAY

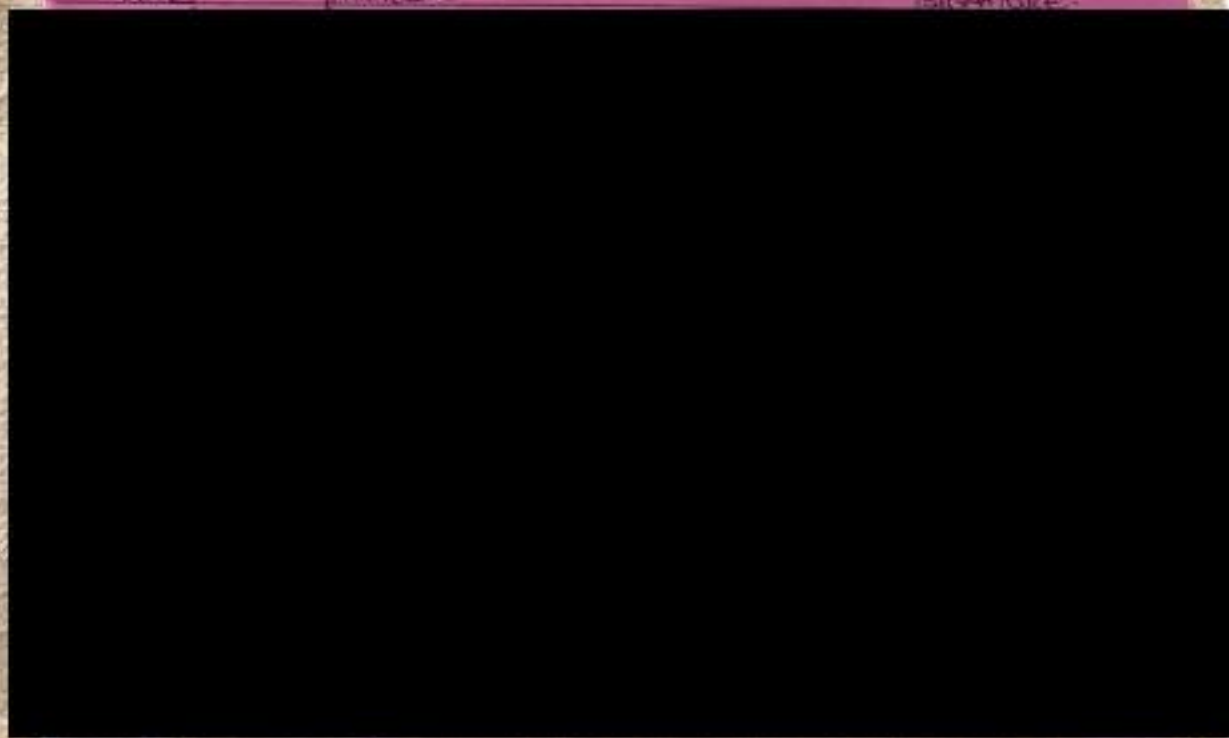
ACTION FROM COUNCIL IS TO REMOVE THE PROPOSED
C172/173 INTERIM AND PERMANENT HERITAGE OVERLAYS

LEAD PETITIONER DETAILS:-



DETAILS OF PETITIONERS -

NAME	ADDRESS	SIGNATURE
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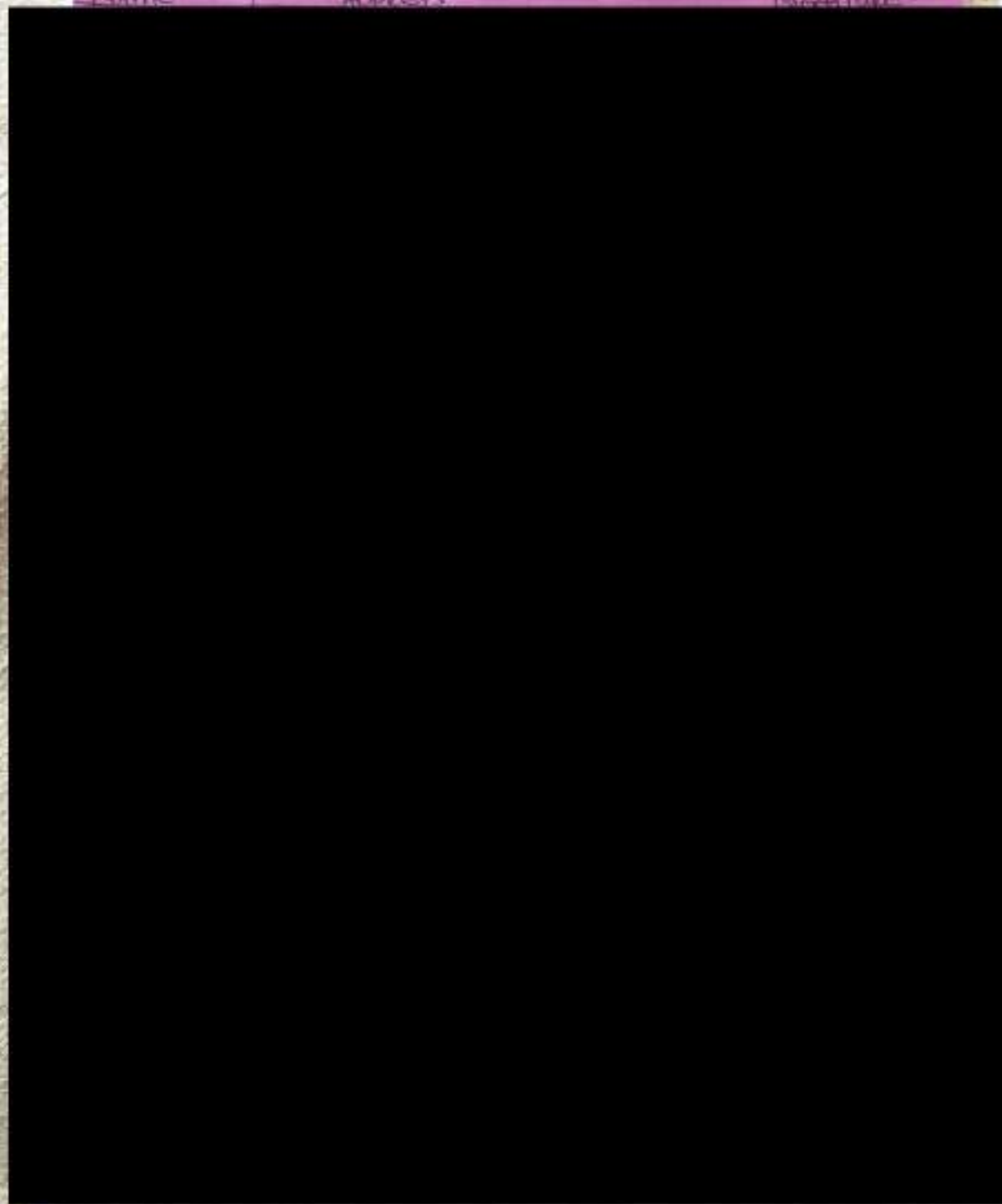


DETAILS OF PETITIONER'S

NAME

ADDRESS

SIGNATURE



DETAILS OF PETITIONERS	
NAME	ADDRESS

SIGNATURE _____

[illegible][illegible]

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Thursday, 7 April 2022 3:02:13 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

18 Fontein Street, West Footscray

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

We like to have control over what can be done on our property

Outline any changes (if any) you would like made to Amendment C172

Stop unit development and retain current requirements for property modifications

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

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From: Communityengagement@maribyrnong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Thursday, 7 April 2022 3:15:13 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

[REDACTED] Maribyrnong Vic 3032

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

I wish to lodge an objection to the MARIBYRNONG PLANNING SCHEME Amendment C172 as I do not believe applying a Heritage Overlay to the Laughton's Post-war Housing Precinct in general (and Nos. 35 to 37 Creswick Street, Footscray in particular) is warranted. My grounds of objection are:

1. The West Footscray Inter-war and Post-war Heritage Precinct Study states the

following :

"The Laughton's Post-war Housing Precinct is of associative significance, because it has a special association with the successful migrant builder, Andrea Dapiran, who developed the site in the 1960s. Andrea Dapiran, based in Yarraville, had arrived in Melbourne with his wife Libera and 3-year-old son in February 1950 on the SS Hellenic Prince, as one of 971 displaced persons sent to Australia after the Second World War."

The precinct association with Andrea Dapirina makes no meaningful contribution to the heritage significance of the precinct or to Marbyrnong. The fact that Mr Dapiran was a builder and constructed houses does not constitute these houses being significant in any way. The report simply establishes only that Mr Dapiran was a migrant, like many others and that he was 1 of a total of 971 displaced persons sent to Australia on a SS Hellenic on a particular date. This is essentially the story of almost every migrant that arrived in Australia at the time.

In addition, evidence needs to be provided that Mr Dapiran was the builder who constructed Laughton's precinct and specifically Nos. 35 & 37 Creswick Street, Footscray.

2. Similarly, the significance of Laughton's foundry is also questionable. All that appears to have transpired is that the factory closed and the buildings were demolished making way for new housing. This is simply a factual statement not a significant heritage/historical connection.

Outline any changes (if any) you would like made to Amendment C172

Proposed changes to Amendment C172 - Removal of Laughton's precinct (and in particular Nos. 35&37 Creswick Street, Footscray from proposed Heritage Overlay.

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Your City Your Voice.

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Thursday, 7 April 2022 3:36:12 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

56 gwelo st

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

The property [REDACTED] at 56 gwelo st, west footscray is currently under the overlay for C172, [REDACTED]

before the amendment was announced and the house was already in a state of disrepair. When the amendment was announced [REDACTED]

[REDACTED]
[REDACTED]

Moreover, the property in question, 56 gwelo st, is not, in my opinion, in a state where it should be considered for heritage status as it has been modified over the years by [REDACTED] and does not retain much of the original features that you are trying to keep. Examples include, the aluminium window frames that were installed all throughout the property not just the front, the windows were enlarged and roller shutters were also installed on the windows, changing the facade significantly. There is also a carport that has been installed at the front of the house [REDACTED], just these two changes by itself have change the facade of the property significantly and as a result doesn't keep in line with what would be considered original construction for heritage status.

While I do concede that the houses around us on gwelo st are all very unique to the area as they are all of the same design, [REDACTED] has been modified over the years that it has fallen out of that category. The other houses on the street definitely are quite similar but comparing it to [REDACTED] it stands out as a very different property due to the modifications over the years.

Outline any changes (if any) you would like made to Amendment C172

If possible, I would like to request that Amendment c172 remove [REDACTED] 56 gwelo st from the list of candidates for heritage status as it is in quite a state of disrepair, and due to several changed made over the years, it is not similar enough to the other properties to be considered still original, as stated previously, windows have completely been changed, sizes have been changed and a carport has been installed.

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To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Thursday, 7 April 2022 3:40:12 PM

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Submission Form - Amendment C172 Form Submission

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Full Name:

[REDACTED]

Residential Address:

[REDACTED]

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

The significance has been eroded by time and multiplied changes within the street to valid heritage .

Also as the house is over 76 years of age and had multiple changes it would be very expensive to met the overlay

Conditions .

Also it prevents us from developing the property for the future as the house cannot be

demolished , Huge financial impact .

There is no significant contributing factors to warrant contributory status of the house

As multiple houses in the street have been demolished in recent years this has changed the significance dramatically .

16 Napoleon street west footscray .

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Submission Form - Amendment C172 Form Submission

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Full Name:

[REDACTED]

Residential Address:

[REDACTED]

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

Nobody in the community desires heritage overlay of post war houses, especially of late 60 and 70s. The impact on the 900 families that will be directly affected by the heritage overlay far outweighs any perceived benefit the council believes there is. For further details in relation to objection criteria, refer to the online petition that has already been signed by 500 residents .

Outline any changes (if any) you would like made to Amendment C172

Please listen to your community and scrap this meaningless heritage overlay proposal.

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Submission Form - Amendment C172 Form Submission

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Full Name:

[REDACTED]

Residential Address:

[REDACTED] Maribyrnong

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

The proposed Heritage Overlay will impact a tremendous amount of homes. It will impose a significant ongoing Financial, Emotional, Psychological and Physical stress on affected families. There is no benefit to the community from the Heritage listing as these properties in terms of community interest is extremely low. There is also very high opposition (evidenced from the objection petition with more that 550 objections to date) to this proposed Heritage Overlay Amendment. [REDACTED] I have witnessed the stress such matters place on affected individuals, families and communities and I urge Maribyrnong Council to abandon this Heritage Overlay project. Please listen to your community, abandon this undesirable project and divert your focus on more constructive

matters that our community needs.

Outline any changes (if any) you would like made to Amendment C172

Nil - I strongly recommend the complete and full rejection of the proposed Heritage Overlay amendment.

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Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

[REDACTED] Maribymong Vic 3032

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

Heritage listing of post war properties is not a priority in our community. I do not see a benefit only negative impacts to 900 of our community's families.

Outline any changes (if any) you would like made to Amendment C172

Please do not go ahead with this heritage overlay and its is not something the community needs or wants. Council should concentrate on more urgent matters

To view all of this form's submissions, visit

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Re: West Footscray Heritage Study (Amendment C172 - Permanent Controls)

Submission by [REDACTED] 2 Centennial St, West Footscray.

Thank you for the opportunity to make a submission regarding the City of Maribyrnong's Amendment C172. [REDACTED] 2 Centennial St, West Footscray.

[REDACTED] we are strongly invested in the local community

[REDACTED] we have invested much time and money in researching the community, its history, the environment, fauna and flora, as well as looking at the best approaches to ESD and [REDACTED] impact on the environment but makes a positive contribution.

Condition of housing

We note with interest that the Maribyrnong City Council acknowledged a state of climate emergency on 19 Feb 2019. I regularly hear the phrase from local government officers, "Heritage and climate emergency are not in conflict". Whilst I agree that they are not mutually exclusive, they can act antagonistically. I'm sure that many people are familiar with the quote that Carl Elefante famously coined, "The greenest building is one that is already built". Whilst this is often true, it doesn't consider the state of housing in some of these areas.

[REDACTED] house was built in 1947 and is classed as a Post-WW2 austerity house. It was built at a time when materials and skilled labour were in short supply. They are of a basic design, built with basic skills, and using whatever materials were available at the time¹. These were mass-built project homes, with Hansen Builders completing around 300 homes per year around this time.

In the subsequent years, they have been predominately occupied by lower-income families, and they have not always seen appropriate maintenance and upgrading as required.

[REDACTED] poor state of repair, requiring the replacement of floors, roof, and ceiling. The whole house will need restumping with likely significant work to fix the underfloor. Weatherboards have been previously replaced, and there are no original windows.

[REDACTED] advice from re-stumper and builders as to the poor construction methods used and the work that will be required to fix the house. [REDACTED]

[REDACTED] This has proven that the multiple leaks now in the roof and multiple attempts to find and fix the leaks by reputable companies have failed to stop these leaks.

The frequent and extreme movement [REDACTED] requires regular repositioning of doors to keep them operating and has also resulted in substantial cracking of plasterwork throughout the house. The subfloor has been deformed in areas under the house due to frequent movement.

¹ Culture Victoria <https://cv.vic.gov.au/stories/built-environment/what-house-is-that/post-war-house/>

as it would require most of the house to be replaced to continue to be habitable. This removes any realistic discussion of maintaining the house due to embodied energy, as very little remains viable.

Furthermore, a requirement to replace with a faux style with little if any original fabric would be a significant risk of facadism, which is discouraged under the Burra Charter²

The push for carbon neutral and energy positive housing

Whilst the council's role within sustainability is focused when it comes to council assets, it is less clear as to the most effective roles when it comes to supporting the community. The City of Maribyrnong has, however, clearly outlined an approach inclusive of the community in the Maribyrnong City Council Climate Emergency Strategy 2020-2025. This states that, "Council will also work with the Maribyrnong community to develop their capacity and empower them to build and operate their homes, businesses and facilities to eliminate greenhouse gas emissions by 2030." (pg.16)". It goes on to further state that they will, "support and promote local buildings or infrastructure which showcase low/zero carbon materials use, energy-efficient design and innovative sustainable lifestyles, such as tiny housing." (pg. 18).

In general, we can say that Council seeks a role to support householders in implementing sustainability by making it simpler, less expensive, and more effective to design, build and maintain appropriately sustainable homes that significantly reduce their impact on the environment if not providing benefit to the surrounding community and environment. Through the current amendment proposed, in an area with many houses that have little design or construction thought towards sustainability, the Council, in effect, are making it more complex, more expensive and less effective.

Local government officers in the City of Darebin, involved in the Thornbury Estate heritage consultation, have that achieving 8 or 9 stars under the NATHERS system is unlikely under the proposed heritage amendment. This would leave any homeowner seeking to build an environmentally sustainable home with the only option to build to what will soon be the minimum possible NATHERS rating under the newly proposed National Construction Code (NCC) 2022.

Although Sustainability Victoria has indicated that you can achieve net-zero on a 6.9 star home³, this is with bulk wall insulation throughout (R5, which is unlikely to fit in 1940s framing), vapour barriers to reduce air leakage, thermally broken double glazed windows, and substantial solar PV.

To be able to achieve these levels of ESD in the post-WW2 austerity housing, the outside weatherboards would have to be stripped to allow bulk insulation and vapour barriers to reduce air leakage. Windows would have to be replaced and substantial work under the floor and on the ceiling. All of this ending up, once again, with a faux façade of the house lacking any real heritage value.

The shift to electric vehicles


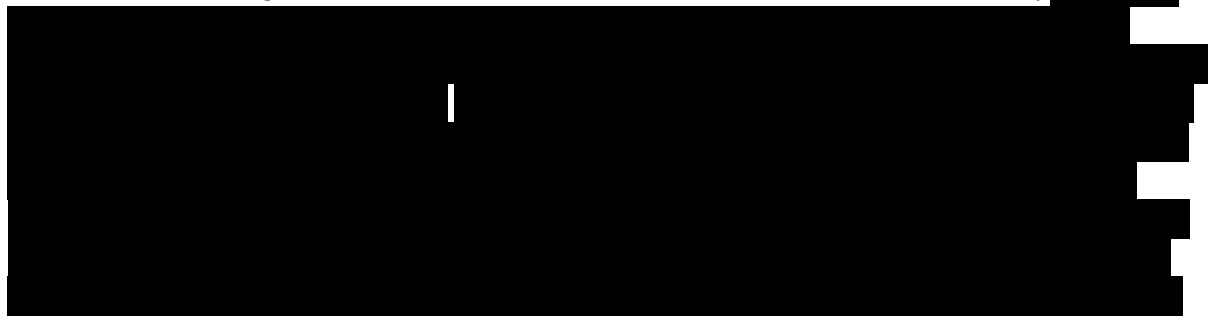
As just one example of the conflicts that can arise through overzealous heritage controls in an area with very small blocks, I will discuss the rapid adoption of electric vehicles within the community. Although Australia lags somewhat behind many other countries, there is still a rapid rise in the uptake of electric vehicles, and projections by CSIRO and others show that this will quickly see the

² The Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance, 2013

³ <https://www.sustainability.vic.gov.au/news/news-articles/building-a-zero-net-carbon-home-for-efficiency-and-affordability>

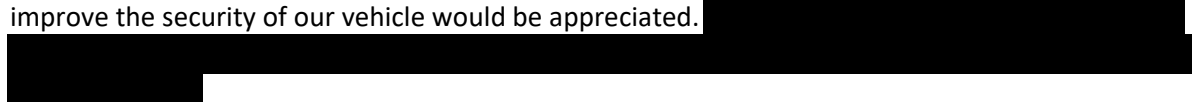
purchase of EVs outstripping ICE vehicles. The CSIRO projection is that 70% of cars sold will be EV within ten years following a mid-point sustainable growth projection⁴.

I have been discussing this with the council to determine better how we can effectively



Further, this would allow us to support more street tree planting on our street in line with the Maribyrnong Street Planting Strategy (2013), but our reliance on-street parking means that we are stuck without good tree coverage and the resulting amenity loss as well as increase urban heat island effect.

Notwithstanding all the above points, we do note that the Crime Stats Agency indicate that Maribyrnong has the highest rate of theft from motor vehicles (B42 Steal from motor vehicle) in Victoria based on 2021 data with a rate of 1,844 per 100,000 population⁵. Any opportunity to improve the security of our vehicle would be appreciated.



This antagonism to crossovers does seem peculiar when we look at the design of these homes. The design of the house would appear to be made to accommodate future vehicle parking. They were built at a time when people were highly aspirational about car ownership. In 1945 about two-thirds of men in Melbourne had a driver's licence, but there were two and a half drivers for every registered vehicle⁶.

Hanson was designing predominately two types of houses at this stage. One design was for blocks with a 13m frontage, in which case they provided a 3m driveway. The other design apparent in Centennial Street is a 10m frontage in which the design of the house is modified to allow a 3m x 6m space in the front yard perpendicular to the street. It would seem to be a huge leap of logic to think that this 3m x 6m space allowed in the front of the house at a highly aspirational time for car ownership would be for anything other than a driveway.

Professor Phillip Goad is Director of the Melbourne School of Design and Professor of Architecture in the Faculty of Architecture, Building and Planning at the University of Melbourne, specifically mentions that Post-WW2 housing in Melbourne was built for the motor vehicle, although his discussion encompasses the period out to the 1960s⁷.

⁴ Graham, P.W. and Havas, L. 2021, Electric vehicle projections 2021, CSIRO, Australia.

⁵ <https://www.crimestatistics.vic.gov.au/crime-statistics/latest-victorian-crime-data/download-data>; accessed 30 Mar 2022

⁶ <https://www.emelbourne.net.au/biogs/EM01017b.htm> (accessed 7 April 2022)

⁷ <https://cv.vic.gov.au/stories/built-environment/what-house-is-that/phillip-goad-homes-built-for-post-war-living/> (accessed 31 Mar 2022)

This would all make it much more difficult and much more expensive to own an EV if these heritage protections are brought in. I doubt that council would appreciate the planning regulations creating a strong incentive for the continued ownership of ICE vehicles.

Changing use and expectations of houses over time

Another challenge faced by many homeowners covered under the amendment is that there are vastly different expectations and uses for housing today than there were 70+ years ago. This includes an expectation of greater space within the house, expecting homes to provide much better thermal and acoustic comfort, greater use of the house as a home office/work from home with both parents working, to name a few areas.

Whilst homeowners in many homeowners in heritage areas are able to address these issues given the ample size of housing blocks in many areas. This is not the case for Centennial Street, with very small blocks of land.

Parking in the rear of the property rather than the front set back will reduce [REDACTED] outdoor space by about 25%. What seems like a minor prohibition in the amendment can cause significant and long-term erosion [REDACTED]

Compounding impact of heritage amendments with other planning controls

Further to the final comments above, there are other examples of the heritage controls having a compounding effect when considered along with other ResCode and planning requirements.

[REDACTED] council has been that any first storey extension must begin much further back than accepted practice and commence at the skillion roof, which is right at the rear [REDACTED] [REDACTED] Not only will building out the back [REDACTED] further significantly reduce private outdoor space on what is already a very small backyard, but the council has already allowed the bare minimum backyard space for the Highbury development [REDACTED] [REDACTED] effectively stopping any possible first storey if it is set so far back on our property.

Level of contribution

We would also like to mention that we feel that there has been a lack of quantification and qualification of the level of contribution of the housing to be covered under the amendment. We are concerned that this greatest a "lowering of the bar" in terms of what is heritage and is too broad to be meaningful.

Much of the housing is unexceptional, and it is difficult to see the net community benefit of these broad-ranging heritage controls. We have discussed this in more depth in our parallel submission, which covers the planning and heritage aspects in more detail.

Procedural fairness

The final matter to raise is the topic of procedural fairness. Whilst we understand the policy reasons behind bringing in these prohibitions without notice, it does have a direct financial impact on those who have already engaged architects and builders, paying thousands of dollars in fees to date.

[REDACTED] understanding that it wouldn't meet our long-term needs but having appropriately reviewed the planning provisions to ensure that we would be able to knock down and rebuild with a long term ESD home that provides for our long-term wellbeing as well as significantly reducing impact on the environment

Some consideration should be made of those applications that can provide clear proof that they had contractually engaged architects and/or builders prior to the heritage notification and who had already committed funds towards the development of plans.

Conclusion

In summary, we would like to state that we do not see that Council has not been able to clearly demonstrate the 'net community benefit' of imposing the heritage overlay given the financial stress and burden this will place on homeowners. Moonee Valley City Council (2014) determined that the broad application of a heritage overlay was too onerous on homeowners and therefore identified elements of 'greatest significance' to protect instead. 'Unnecessarily onerous to apply broadly.'

There is a similar risk here of imposing an unjustified burden on landowners with a net result of little more than the retention of facades and not much else.

Further, there should be more in-depth consideration of the houses included under any heritage protection. [REDACTED] isolated from other contributory housing with just the two buildings together bounded by a laneway on the other side. Moonee Valley City Council (2014) found that a small pocket of housing not contiguous with other houses reduced their significance to an amount that they should not be included in the heritage overlay.

As seen in consideration in Whitehorse council in 2008, whilst poor condition does not of itself disqualify a place from being listed on the Heritage Overlay, a lack of intactness may do so. It found that a property that had deteriorated and would end up retaining very little historical fabric that would be able to be salvaged meant that it should be deleted from the amendment.

We consider that there are better opportunities to focus on properties of individual significance, the use of Neighbourhood Character to support the development of housing that is appropriately designed house and sympathetic to the neighbourhood character but with significantly reduced environmental impact. This is likely to provide a greater contribution to the community than the retention of old, sub-standard housing.

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Thursday, 7 April 2022 4:31:14 PM

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Submission Form - Amendment C172 Form Submission

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Full Name:

[REDACTED]

Residential Address:

[REDACTED]

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

I feel the amendment would prohibit upgrade of homes so they are more sustainable:

- due to required to keep existing window treatments
- place limitations on property owners to reorientate homes to take advantage of solar aspects
- install solar panels in the best location to maximise exposure to the sun, if that is on the roof facing the street

- not enable replacement of tiled roofs with materials that are more thermally appropriate and with possibly cheaper materials

I also feel the heritage zones are unfair as I have been able to renovate [REDACTED]
[REDACTED] And if this amendment is endorsed as proposed similar home owners would not have the same opportunity.

In addition the heritage zones would limit infill housing and concentrate duplex or multi-unit development outside of the zones.

Outline any changes (if any) you would like made to Amendment C172

Propose instead to place better controls on the design, quality, and use of sustainable features that respond to climate change.

To enable all property owners to access the best adaptation and mitigation, and not be held back by an appropriate response due to heritage controls of homes that were not originally built for Melbourne weather in the 1950's.

Focus on equity and access to housing as a driving for amendment changes, we are close to city, jobs, schools, healthcare, transport and community centres.

Amendments need to prioritise increasing our population so more people can access the proximity to the above social, equity, health and wellbeing attributes.

Planning and development needs to be progressive and forward thinking and work to move community attitudes

I do not support any of the proposed amendments

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Date: Thursday, 7 April 2022 4:33:13 PM

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Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

22 Commercial Road, Footscray

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

Land use and Built Form Survey Results

1. Only 53 per cent of respondents from the online survey of 85 respondents agreed to the Land Use and Built Form actions.
2. That is 45 respondents agreed the proposals including "Preparation of heritage guidelines to retain existing character of West Footscray."
3. Why are 45 people allowed to make a huge decision on the livelihood and future of 920 affected properties which is an estimated 3,680 residents if assume each property have 4 residents? 45 people out of 3,680 residents is about 1.2% of the affected residents.

4. Are the properties of the 45 respondents who supported the Heritage Overlay study included in the affected list of properties?

One of the objectives of planning in Victoria is "To provide for the fair, orderly, economic and sustainable use and development of land" and Council is in breach of this objective.

1. NOT FAIR – It is not fair that Councils apply the Heritage Overlay [REDACTED] when there are other similar houses in the Maribymong Council that do not have the same HO including, but not limited to, the below addresses:-

- [REDACTED], Footscray
- [REDACTED], Braybrook

2. NOT FAIR – Council have no regards to the disadvantages and emotional stresses this proposed Heritage Overlay have on the affected owners.

3. NOT FAIR – Council cannot put restrictions on other people's properties and expect them to pay for all the additional costs and burdens to meet the restriction. This is NOT fair.

4. NOT Economic and NOT Sustainable - By applying Controls over [REDACTED] [REDACTED] it will be more costly to try and maintain the existing structure over the years than it is to replace with new, updated and energy efficient build. It is also more time consuming and costly to apply for many maintenances and improvements to the house.

5. NOT Economic and NOT Sustainable - [REDACTED] in stages based on our cashflows and financial restrictions but this would mean very costly planning fees every time we want to make an element of upgrades.

6. NOT Economic and NOT Sustainable - Some original elements being protected may be very hard to source and costly to buy if they are no longer being produced.

7. NOT Economic and NOT Sustainable - The current large windows are made of thin glass and probaly unsafe glass, the window frames are of poor quality and at the end of life. It would be more energy efficient and cost effective to install off-the-shelf new windows that will improve the insulation of the house, provide safety glass and improve the aesthetic of the house.

Outline any changes (if any) you would like made to Amendment C172

My Proposal to Council:-

1. Council should let the owners decide whether they would like their property to be included in the HO. This should not be forced upon the land owners as Council DO NOT own the land.

2. If Council want to put controls over certain houses, we suggest Council buy them at market value and Council can put whatever restrictions on them when they own the property.

3. If Council insists on putting restrictions [REDACTED] keep the original designs then Council can pay for all the costs to maintain and reinstate the original designs. This is Council's wish so Council can pay for them. This is fair.

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Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

[REDACTED] Maidstone 3012

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Seek changes

State the reasons why you support or oppose Amendment C172

Council needs to preserve the history of the Maidstone Mosque. Very old buildings onsite. The history of these buildings need to be researched.

Council needs to preserve old date palm in Laurel Court, Maidstone.

Council needs to appoint a heritage consultant that is available to the residents that have identified buildings or trees of significance that can be independently assessed and saved from destruction.

Outline any changes (if any) you would like made to Amendment C172

I would like the Amendment C172 to include the opportunity of a home owner/resident to

request/suggest heritage overlay for their property, or other significant buildings (and trees) in their neighbourhood that have not been included in the precincts already determined by the council. Our history has to be maintained if possible.

The Maribyrnong Council has a poor history of allowing developers to destroy many of the beautiful streetscapes that have previously existed in this municipality.

In the past 10 years I have seen period houses torn down only to be replaced by poorly designed townhouses spoiling the character of suburbs. Many very old trees have been cut down in the process too.

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7 April 2022

Strategic Planning Team
City of Maribyrnong

Emailed to AmendmentC172@maribyrnong.vic.gov.au

6 Parliament Place
East Melbourne
VIC 3002

Email: conservation@nattrust.com.au

Web: www.nationaltrust.org.au

T 03 9656 9818

Re: Planning Scheme Amendment C172 – West Footscray Heritage Study

Dear Madam/Sir,

I write on behalf of the National Trust of Australia (Victoria) and the Inner West Branch of the National Trust. We are pleased to write in support of the Planning Scheme Amendment C172, which implements the *West Footscray Inter-war and Post-war Heritage Precinct Study 2021*.

The National Trust is the state's largest community-based heritage advocacy organisation actively working towards conserving and protecting our heritage for future generations to enjoy, representing 30,000 members and supporters across Victoria. Our Inner West Branch comprises more than 145 National Trust members in the area including the City of Maribyrnong, who advocate locally for the protection and celebration of cultural heritage.

As Victoria's premier heritage and conservation organisation, the National Trust has an interest in ensuring that the wide range of natural, cultural, social, and Indigenous heritage values of the municipality are protected and respected, contributing to strong, vibrant and prosperous communities.

Support for Planning Amendment C172

The National Trust congratulates the City of Maribyrnong on progressing this important work which proposes to apply the Heritage Overlay to eight new precincts identified in the *West Footscray Inter-war and Post-war Heritage Precinct Study 2021* undertaken by independent heritage consultants Heritage Alliance.

We acknowledge that Amendment C172 implements a number of objectives of planning in Victoria pursuant to Section 4 of the Planning and Environment Act 1987, in particular:

- *To provide for the fair, orderly, economic and sustainable use and development of land*
- *To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value*

This amendment also strongly aligns with the mission of the National Trust to inspire the community to appreciate, conserve and celebrate its diverse natural, cultural, social and Indigenous heritage.

In particular, we commend Council for its strategic work to identify and assess post-war heritage places. Despite the historic importance of the post-war period in Melbourne, a period of transformation on a scale not seen since the gold rush, much of our post-war

heritage remains vulnerable and without statutory protection. With densification transforming our suburbs, it is becoming increasingly important to document, celebrate, and protect the significant post-war heritage that contributes to our cultural identity.

This work positions the City of Maribymong as a leader in the effort to address the gap in post-war heritage protection. We sincerely hope this work will signal to other municipal governments the value of protecting their own post-war heritage places, and how this can contribute to a more holistic understanding of the history and development of our city.

Conclusion

In conclusion, we generally support Planning Scheme Amendment C172 as exhibited, and would welcome the opportunity to provide our support at any future hearing conducted by Planning Panels Victoria.

For any enquiries regarding this submission, [REDACTED]
[REDACTED]

Yours faithfully,

[REDACTED]

[REDACTED]

From: [REDACTED]
To: [Amendment C172](#)
Subject: Oppose amendment C172
Date: Thursday, 7 April 2022 6:26:02 PM

[REDACTED] 7 Napoleon street and I am opposing amandemnet c172 as I have concerns that the amandement might limit [REDACTED] in the future in the follow way:

[REDACTED] Although, nothing has been progressed at this stage and nothing is decided I am concerned the overlay may make this more expensive and time consuming and not at all possible in the future?

Also I am concerned the overlay may make any other incidental future improvements [REDACTED] more expensive or not possible such as building a carport? The overall financial burden this overlay may impose is unknown at this stage but concerning. For instance there could be increased costs if decide to replace/repair my roof with tiles which is possibly more expensive than colorbond?

Also I am concerned the overlay may [REDACTED] from harnessing sustainable forms of energy in the future if for example I decided to instal solar panels amd if they were visible from the street?

Thanks
[REDACTED]

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Thursday, 7 April 2022 7:01:11 PM

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Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

[REDACTED] Footscray 3011

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Support

State the reasons why you support or oppose Amendment C172

I wholly support preserving the heritage of Footscray's history in these streets.

McCubbin St is a lovely example of the heritage of Footscray. [REDACTED]

[REDACTED]

[REDACTED] The interior of this home is also beautiful with wooden architraves.

It would be a shame and a big loss to lose this part of Footscray's history.

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From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Thursday, 7 April 2022 9:25:12 PM

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Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

42 Gwelo St, West Footscray, 3012

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Seek changes

State the reasons why you support or oppose Amendment C172

We believe that the inclusion [REDACTED] in the HO places an unfair burden [REDACTED] either return it to a state inauthentic for the property and our environmental and ecological attitudes, or prevents appropriate and timely maintenance/improvements consistent with environmentally conscious aspirations i.e. double glazing the existing windows.

Outline any changes (if any) you would like made to Amendment C172

Exclusion of residence at 42 Gwelo St - Please see attached

Please attach any additional comments or information

- [42_Gwelo_St_HO_Exclusion_Submission.pdf](#)

To view all of this form's submissions, visit

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07/4/2022

Maribyrnong City Council

Re: Amendment C172 – HO217 Tottenham

Submission.

We would like to acknowledge the intent of Amendment 172 for Heritage Overlay (HO) in preventing the destruction of the local history by modern units and volume-build homes devoid of respect for the street, community and environment. We recognise that there is merit to this intent but would propose that [REDACTED] 42 Gwelo St, should be excluded from the Overlay Conditions due to the lack of sufficient existing features that relate to the details of the HO.

The Heritage Overlay documentation is very specific about the features that are protected, expected to be maintained, or restored.

We would submit the following factors in support of the exclusion of 42 GWelo St:

- The existing front fence is not compliant with the HO guidelines.
- The front yard planting strategy is not typical of the time and significantly obscures the house from the street.
- The porch is not compliant with the feature set to be saved.
- The street facing windows are not compliant with the features set to be saved.
- Our roof material is not compliant with the feature set to be saved.

All of the above elements have been in place for in excess of 10 years.

We believe that the inclusion of [REDACTED] in the HO places an unfair burden [REDACTED] either return it to a state inauthentic for the property and our environmental and ecological attitudes, or prevents appropriate and timely maintenance/improvements consistent with environmentally conscious aspirations i.e. double glazing the existing windows.

We would support the implementation of a wider Neighbourhood Residential Zone but if the HO was implemented we would ask that [REDACTED] be excluded as it does not substantially contribute to the heritage controls as per the guidelines.

Regards

[REDACTED]

42 Gwelo Street

West Footscray Vic

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Thursday, 7 April 2022 9:27:12 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

[REDACTED] West Footscray, Vic, 3012

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

The C172 Planning Scheme is way too restrictive and overpowering of private home ownership. The right to make changes to your home should not be subjected to the aesthetic desires of local council. Each individual home owner should be able to make changes, improvements, extensions or a rebuild to suit the changing and growing needs of their family,, in accordance with the current conditional and already restrictive residential code.

Outline any changes (if any) you would like made to Amendment C172

Abolish the complete C172 Amendment

To view all of this form's submissions, visit

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To Maribyrnong Council and Richard Wynne MP,

Heritage Amendment 172 for Heritage Overlay
Specific to the Tottenham Post-war Industrial Area Housing Precinct

We are requesting that the heritage overlay for the Tottenham precinct be rescinded in its current form.

From our perspective there are a range of amendments that would serve the intention better.

We are in support of the Neighbourhood Residential Zone, and recognise that on its own it is not sufficient to maintain the character of the area, which we also value and want to see protected. We are concerned that the heritage instrument will result in a hit and miss approach, with many dwellings being found to have had changes to certain features and so be made completely exempt, while others (who pass the 'threshold') be made to comply with significant changes to reinstate previously removed heritage attributes.

We value the current homogeneity of the built form and the consistent contribution this makes to the streetscape. We also however appreciate the diversity of fenestrations that represent the evolution of the area over time. We worry an all or nothing approach will result in some houses being completely excluded, resulting in significant changes in their facade and form over time, thus compromising the whole streetscape, while others are made to return to 'heritage' look, rather than all properties being protected for whatever level of contribution they currently make. This seems important as it is both the "contributory properties and intact streetscapes"¹ that have been identified as significant in the council's supporting document. Obviously this would therefore include all existing genuine heritage attributes, from general form to window fenestrations, being protected as they currently stand in contribution to the area.

██████████ the general shape of the building is reflective of the heritage attributes and is weatherboard clad. The roof has been re-tiled and is no longer the colour palette reflective of the heritage era. The original windows have been removed and were replaced with larger aluminium framed windows. There is a new higher front fence. The roof line of the balcony has been changed as have the porch materials and the garden in the front yard is not reflective of the time.

A smattering of this sort of half and half renovation and renewal has changed the coherence of the street from its original visual language. We recognise that the general house forms have been maintained and this is worth protecting. The heritage process suggests however that future renovations would require balconies and windows and other elements to be returned to their heritage state. This approach feels disingenuous to the history of the area over time. The supporting document states "contributory building or significant elements of a building should be

¹ City Development Delegated Committee - 21 September 2021 - Agenda Item 6.2

conserved and enhanced, where evidence exists to support its accuracy”². We do not feel retrofitted heritage is a contribution to the precinct but protection moving forward has merit.

We feel that where windows have previously been replaced, they should be able to be similarly (size and shape) replaced with double glazed units or more environmental solutions (materials/functionality) without being forced to reduce in size and shape to the original form. Windows should be maintained with the same opening sizes they have now or could be returned to the heritage style if the owner so chooses. This would protect all currently existing heritage windows and be reflective of the gradual evolution that has occurred over the years but limit further erosion of the heritage streetscape. This is an important consideration as many modified houses have had heritage windows replaced with single glazed aluminium windows with no thermal break. We feel this approach balances heritage and Environmentally Sustainable Design (ESD) considerations by facilitating improvements to ESD performance and preventing any further changes to the fenestrations.

Roof form is an important attribute and similar any existing heritage roofs should be maintained or replaced like for like. Those that have already been replaced, should still maintain the original form, but at the end of their current life could be replaced with light colours or more durable/sustainable materials. Some houses for example have had old terracotta tiles replaced with black roof tiles. These are not reflective of the original materiality and adversely contribute to urban heat island effect. We feel the precariousness of our safe climate systems should be prioritised over heritage and so we support the addition of solar panels on whichever facade is deemed most conducive to energy production including street facing facades where appropriate.

Existing heritage fences should be maintained. In locations where there is already a non-heritage fence it should be replaced like for like (in height and permeability) or returned to one of the approved options.

The protection of the heritage attributes is admirable, however should not be used as a tool to unduly disadvantage those living in the area. Accepting minor changes that have occurred since the heritage period in question serves to protect the heritage core properties while also respecting the time that has passed and the environmental and economic conditions in the future. Allowing windows with better thermal performance to be installed in current dimensions or heritage dimensions and solar panels to exist on street facing rooflines maintains the feel of the area while recognising that people have been living in the area since that time and have reacted to trends and materials and abilities since then and will continue to do so. This approach preserves not only the historical nature of the area’s building but also acknowledges the people in the areas as well.

We would also like to briefly acknowledge the unique challenges of the Tottenham Precinct. Houses, and therefore households, in this area are impacted by several hyper-localised environmental factors. There is the trainline to the immediate north, this brings significant noise

² Tottenham Post-war Industrial Area Housing Precinct, Heritage Design Guidelines (February 2022)

pollution, dust, and diesel emissions which are carcinogenic. [REDACTED] located directly under the flightpath to tullamarine airport, the flightpath has been lowered in recent years, the impact of which is yet to be fully felt, but will be as air travel returns to pre-covid / new normal levels. In addition to this the third runway is proposed to run north-south and so this will significantly increase the volume of planes using this airspace. The planes cause noise pollution and often cause the windows to shake despite [REDACTED] from the airport. To the immediate south of the precinct is a large industrial zone, and just several hundred meters from the site of the large toxic factory fire that polluted the air, land, and Stony Creek water catchment in 2018.

Even significant events aside, there is a large amount of dust, emissions, and noise pollution that impact the residential area. Large shipping containers are stored and moved, industrial transporters emit safety warning tones, trucks move through the area between the industrial zone and arterial roads. There are also the broader air quality considerations of the west and the mental and physical impact of these on local residents should be taken into account. We recognise that there are less heritage areas in the west in comparison to the north, east and south, but we must also consider that we have different external impacts and financial capacities.

We feel it is important [REDACTED] the flexibility to be adapted for airtightness, soundproofing / noise reduction, and cleaning. The heritage controls might inadvertently force people to keep existing low quality fenestration (to maintain their current outlook) rather than upgrading them or other building envelope solutions in order to avoid retrofitting heritage features that have long been removed. We feel the mental and physical health of [REDACTED] should be a factor in the heritage deliberations.

Thank you for your consideration of our submission

Kind regards

[REDACTED]

42 Gwelo St
West Footscray 3012

From: [REDACTED]
To: [AmendmentC172](#)
Date: Thursday, 7 April 2022 10:03:16 PM

Hi Maribyrnong Council

[REDACTED] 18 Summerhill Road. Maidstone 3012.

I'm writing to express my disagreement on the proposed permanent heritage protection. Personally I like the idea of preserving those old architectures and characteristics around West Footscray precincts. However introducing a permanent heritage protection can cause many undesired and troublesome effects to the local residents. [REDACTED]
[REDACTED]

[REDACTED]
house has been around for almost more than 80 years (it was built in the 40s). Eventhough the interior has been renovated at the time of purchase, the structure of the house has been showing many problems i.e, big cracks on the walls, sloping floor which signify that there is significant structural damage to the foundation. The cost involved to get these fixed can be overwhelming. There is a big question mark as to how many more years the house can last. It would bring a huge financial pressure [REDACTED] to maintain the house in a presentable state on an ongoing basis. [REDACTED]
[REDACTED]
[REDACTED]

In addition, [REDACTED]

[REDACTED]
[REDACTED] e would need more space and my current house might not provide enough space. [REDACTED]
[REDACTED] depending on our financial ability
at the time. [REDACTED]
[REDACTED]

[REDACTED] there was no such conditions in terms of building a new dwelling. [REDACTED]
[REDACTED]

[REDACTED] I honestly believe that Council needs to consider this matter and ensures a quality living for its local resident.

I strongly believe introducing heritage protection on a permanent basis is bad for some local residents. I would suggest the Council to assess the remaining life span of the current houses in the areas as part of the heritage study so that the final decision would take into consideration the current state of the houses in the area.

From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Thursday, 7 April 2022 10:10:12 PM

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Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

23 Napoleon Street, West Footscray

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

- Increases costs trying to maintain old houses, e.g. painting weatherboards, repairing leaks, restumping etc... The option to knock down and rebuild a brand new single family dwelling is lost with the proposed overlay.
- The cost of renovating or extending an existing dwelling now exceeds the cost of building a brand new, energy efficient home.
- Non-contributory houses are imposed with the Heritage Overlay and therefore need to

follow the same steps for modification which is time consuming and expensive. Not to mention the additional cost to rate payers to cover the additional staff Council would need to administer such applications.

- Further costs are required to maintain the property. i.e. to maintain a terracotta roof vs a colourbond roof.
- Inability to install solar panels on the property or having a minimised footprint.
- Decreases value of properties, especially those that have been bought in the past with the future intent of development, i.e. a knock down job with a view to build townhouses as the best use of the land is removed by the C172 amendment. This can be heartbreaking for families who had been saving up to rebuild or develop.
- Unnecessary and cumbersome applications for minor works such as fencing/driveways etc..
- Doesn't support the government's initiative of increasing housing, particularly being a middle ring melbourne suburb where increased density should be encouraged. On the other hand Maribyrnong Council are more than happy to support the introduction of launch housing (ugly cement sheet caravans with 8 cabins per standard block) just a short walk from these proposed overlay areas.
- Many houses have already been knocked down since the report was undertaken, making the report largely out of date and lacking credibility.
- Prevents the development of more sustainable, energy-efficient dwellings.
- There is a nice balance of townhouses, units, apartments and houses in these areas of West Footscray. The natural beauty and higher prices of houses helps ensures they are renovated by people who hold them or wish to purchase them, but allows them the option to develop if required which is perfectly fine.
- Not opposed to further houses being knocked down as generally it's the decrepit houses that get knocked down which helps further gentrify the area and allows for more dwellings in the area to support the growing population of Melbourne.

Outline any changes (if any) you would like made to Amendment C172

- Completely remove the proposal. Use other mechanisms to limit development such as minimum area of outdoor amenity etc. There is nothing wrong with a mix of modern and traditional housing.
- Non-contributory houses not to have the HO placed over them

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To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Thursday, 7 April 2022 10:27:12 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

23 Napoleon Street, West Footscray

Email:

[REDACTED]

Business hours contact. Optional

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

- failure to prevent inappropriately located townhouses;
- rejection of positive changes and modifications to homes;
- expensive repair costs imposed on individuals and families ;
- exacerbating the shortage of suitable family homes;
- detrimental environmental impacts of maintaining energy-inefficient buildings; and
- financial and emotional burden on individuals and families who have had the heritage

overlay imposed without notice or adequate consultation.

The 2018 survey that this policy aimed to address contained just 85 responses and only 19 residents attended the related public information sessions. Of these responses, over 80% supported the draft neighborhood plan without any new heritage overlays and of the twelve built form comments identified by the council, just one mentioned a need for heritage controls.

The previous consultation was indicative of what Council wants, not what the ratepayers wanted. We need to be listened to. i.e. a neighborhood plan without any new heritage overlays.

Outline any changes (if any) you would like made to Amendment C172

- Not proceed with this proposal.

To view all of this form's submissions, visit

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ATT: Maribyrnong City Council

Opposition to Amendment C172

1. Inaccuracies leading to inclusion of Creswick Street in the West Footscray Heritage Precinct Study

Page 7. "...is further investigating 34 streets that were identified as having 80% of properties in each street with potential heritage significance."

Page 10. "...meant addressing streets that had a high proportion (over 80%) of intact Inter-war and Post-war period housing for new residential heritage precincts"


Is it the first of the second? 80% of properties with heritage significance or 80% of intact inter war and post- war period housing. Creswick Street has neither. The methodology behind the inclusion of Creswick Street is ill informed. West Footscray Heritage Feasibility study September 2019 (Appendix C) shows 103 properties with 86 having potential contributory value. This represents 17 (83.5%) properties not having contributory value in Creswick st. Investigation by [REDACTED] shows that there is 40 houses without contributory value, well under the 80% necessary as outlined by the West Footscray Heritage Precinct study.

The 40 addresses as listed:

[REDACTED]



2. Changing attitudes

Page 7. “Projects 1 and 2 are a result of this changing attitude toward the listing of Inter-war and Post-war places...”. I would elicit, there isn’t a changing attitude towards this. When I talk to family, friends, neighbours about the Laughton precinct (inclusive of my own home) it is met with a chuckle at the absurdity. This is further evidence by  signed petition upon meeting with neighbours about the proposed heritage overlay of Laughton precinct residences. This despite council approving demolition of many Victorian and Edwardian houses in the area for higher density housing. My opposition to this heritage overlay would not be so solid, if Maribyrnong city council had sound and considered strategic planning in place. I also contend that the West Footscray Heritage study born out of the West Footscray neighbourhood plan (2018) is not in line with current expectations of West Footscray residents. While council claims that proper consultation occurred, I dispute this claim, especially given that Laughton precinct is not located in West Footscray and its relationship with the Barkly st (West Footscray neighbourhood plan, 2019) precinct assumed.

3. Post war time frame

Page 7. “...to include those significant areas which were developed in the Inter-war (c.1915- c.1940) and Post-war (c. 1940- c.1960) periods.”

Page 10. “..(the inclusion of 1960-1970 reflects the continuation of similar Post-war housing design into this decade).”

The heritage overlay on the Laughton Precinct is surprising given the first house at 19 Creswick Street was built in 1968 with subsequent houses built into the early 1970’s. The inclusion of Laughton precinct in the West Footscray Heritage study are not consistent with the original goals and methodology of this study, nor are they typical post war houses, despite minimal post war decorative features. They are in fact imitating minor elements of post war style.

4. Limitations of West Footscray Heritage Study

Page 8. “...closure of libraries, archives and historical societies, restricting the ability of consultants to undertake fieldwork and consultation..”

Page 9. “...some assessments were necessary using desktop means rather than ground-truthing and some historical resources became unavailable.”

While the study has been transparent with limitations given the impact of Covid-19, these are not in line with the expectations of impacted homeowners given the financial and social implications. Surely, recognition of the limitations of this study requires further review of the findings and consultation with the community.

5. Significant financial implication for homeowners of Laughton Precinct

Page 10. “The value of these streetscapes is clear (referring to Victorian, federation and Interwar housing in Melbourne) and these suburban areas are sought after residential areas fetching high prices.”

The council has said that economic impact has been taken into account. When I spoke to Maribyrnong City Council planning in mid-February, my concerns about the economic impact of the heritage overlay on the home were dismissed, with a member of staff telling me that many home with heritage overlays are in demand and this should not be of concern. This may be the case for Victorian, Edwardian, Federation or Interwar houses as stated above, this is certainly not the case for a brick veneer homes built in the late 1960's, early 70's. These homes are not in demand due to the architectural, historic or aesthetic significance, these homes are in demand because of the land on which they are built. Maribyrnong City Council has failed to fully consider the implications for the owners of these homes. These homes are also in need of renovation, as they fail to meet the growing needs of modern families with renovations of these home significantly more expensive, than building a new home.

I would also like to add, many of the homes in Laughton Street precinct home elderly people, some of whom English is not their first language. Maribyrnong City Council has made no efforts to understand and communicate the financial impacts to people with limited means and who do not fully understand the implications of this heritage overlay.

6. Failure to provide critical information to impacted homeowners

My first knowledge of the interim heritage overlay was from [REDACTED]. I made a phone to Maribyrnong City Council in mid-February and was told that letters were sent late December. On further investigation, [REDACTED] impacted had also not received this letter. Given the impact of the heritage overlay, you would think letters would be sent certified mail.

7. Creswick street has inconsistent character

If Maribyrnong city council wanted to preserve the character of Creswick Street, they should have taken a more conservative approach to planning, with many houses being demolished for new developments. The street includes homes from many different periods, ranging from Victorian to newly built duplexes. Maribyrnong city council's lack of strategic planning in the last 20 years defined what Creswick Street looks like today and instead of making sound policy around new developments, the answer has been an ill-considered, quick fix overlay to prevent change, rather than lengthy process of community consultation.



To Mr Ashley Minniti & Maribyrnong City Council, Strategic Planning Team

RE: Planning scheme amendment C172 pertaining to Tottenham post-war industrial area housing precinct (HO217)

We are writing to provide feedback on the Maribyrnong Planning Scheme Amendment c172. Our submission has 3 parts; first outlining the changes we seek to the amendment; second describing why we oppose the amendment; and finally, explaining our support of rezoning.

1) Should the amendment proceed, we seek to make the following changes:

- a. Remove [REDACTED] as a contributory property as it is not a property in good condition and no longer provides a good example of post war architecture due to many changes made to the property over time.

This house is neither in good condition nor has it only had relatively minor changes. To our knowledge the only original feature from the front, is the disused side brick chimney.

Noticeable changes to [REDACTED] include:

- Front and side facing round edge weatherboard walls have been replaced with aluminium faux weatherboard with squared edges
- Timber frame windows have been replaced with oversized, extending to the floor level, aluminium single pane windows at the front of the property (no original windows remain at the rear or sides either)
- Small porch with barley twist or tapered column in brick piers has been replaced with a concrete base and timber post (which is rotting)
- Local knowledge & tradespeople observations indicate that some houses in the street were built with tin roofing. Currently ours has painted concrete tiles at the end of their lifespan (breaking easily when tradespeople access the roof).
- Original front & side fencing has been replaced with modern styles.

Conserving, restoring, repairing or reinstating these factors with 'like materials' would result in a largely faux heritage property as original materials are no longer available or hard to source and the cost of doing so is prohibitive.

- Severe structural movement resulting in sloping floors & cracking throughout, even though we are aware the property has been restumped twice. Recurrent water leaks due to cracked tiles & rotten fascia boards have caused broken sections of internal plaster & rotting eaves.

Due to the above mentioned declining aspects of the property, we commenced the process for renovating or rebuilding late 2019. As we intended to be sympathetic to the neighbourhood character but add environmental and noise abating efficiencies like insulation & double glazed windows, our plans fit within res code & the only permit required was to instate a crossover for the garage incorporated into the front build of the house,

which was granted on 7/4/2020. Through our earlier enquiries we discovered that given our functional requirements together with retrofitting aspects such as interior wall insulation and double glazed windows, it is impractical & unaffordable to renovate. Leaving us with the decision to rebuild in order to have a home that fits [REDACTED]

[REDACTED] provide enclosed on-site parking and leave sufficient backyard to suit our lifestyle. We discussed this with the MCC when seeking the vehicle crossing permit, which we sought to provide a garage & on-site charging of an electric vehicle, as it can not be charged with on-street parking. We had planned to organise demolition of the house in 2020, and have only delayed due to the uncertainty & risk associated with the coronavirus pandemic.

b. Incorporate exclusions that enhance environmental and noise abating efficiencies that balance present and future interests of residents

Council should consider ways to future proof these properties for environmental efficiency and attract growing families.

Noise abatement in our homes is also important as our neighbourhood is directly under the Melbourne Airport flight path & increased flight movement is projected into the future (additionally with the proposed 3rd runway).

This area also suffers from high levels of dust during drier months from the nearby shipping container storage yards. Creating a modern thermally efficient home with also greatly reduce the ingress of dust into the home.

2) We oppose the proposed heritage overlay on the basis that retaining the heritage significance/ development importance of post-war austere housing does not support orderly, economic and sustainable use of land, or balance present and future interests of all Victorians (objectives of planning in Victoria)

A heritage overlay is designed to protect places of aesthetic, social or historical importance. According to the information provided, our property, and those identified as contributory, are representative of the modest housing of the time and therefore represent the neighbourhood character.

This reflection, in our opinion, does not protect other important character aspects of our neighbourhood, like the "Aussie backyard" nor provide the opportunity to create comfortable homes that are economical to run, healthier to live in and adaptable to changing needs (like the future requirement to charge electric cars on site).

Well considered redevelopment affords an opportunity for significant Environmental Sustainable Design (ESD) and development outcomes, which will help to reduce greenhouse gas emissions, potable water use, the Urban Heat Island (UHI) effect and energy and water costs.

As an area close to public transport, council could consider other ways to enable neighbourhood growth and attract families to the area that provide for future growth. Implementing green space requirements, building height restrictions and reduction of industrial/ large scale builds would better preserve the neighbourhood character. These factors, bolstered by improving Tottenham Station access, the growth of local cafes and retailers, and continuing to grow community facilities (eg parks, schools, child care) that attract greater economic growth, will make this city a great place to live.

Contributory properties have also been identified as characteristic of the time - *unpretentious, well proportioned buildings within restrictions imposed by post-war shortages and size limits*. Whilst they may have been well proportioned 70 years ago, they are no longer well proportioned, and the materials used contribute to poorly constructed, and expensive to maintain, buildings. The heritage requirements set home buyers up for expensive repairs and renovations and reduce environmental sustainability options (which Maribyrnong City Council regards as a high priority for its built environment).

We note previous studies did not consider inter-war and post-war housing, given the changing Australian family and the focus on protecting our environment, we wonder why now is the time that council have decided this is an important era to protect?

TO EDIT This particular area is also a historically disadvantaged part of West Footscray, surrounded on all 4 sides by industry, limited local service providers (supermarkets, cafes etc) & with subjectively unattractive & unimportant houses. This heritage overlay will further exaggerate this disadvantage.

Recent gentrification has started home improvements, where the majority have been high quality façade renovation & restoration. We don't believe there is a risk of heritage of the area being lost.

3) We support rezoning from General residential zone (GRZ) to Neighbourhood residential zone (NRZ) (new schedule 2) because rezoning reflects need to manage and ensure new development respects some neighbourhood characteristics, while also respecting environmental sustainability and future community growth.

- Provides greater ease to allow for educational, recreational, religious, community and other uses
- Ensures new developments respect low scale residential character and applies the importance of green space and existing streetscape
- Supports positive environmentally efficient practices, for example the replacement of crumbling, inefficient roof tiles with Colorbond roofing or maximising the use of solar panels on all available roof space
- Reduces the financial burden on residents to find and use 'like materials' which contributes to the attraction of new families and supports neighbourhood growth

We look forward to your response.

Yours sincerely,



From: Communityengagement@maribymong.vic.gov.au
To: [Amendment C172](#)
Subject: Submission Form - Amendment C172 Form Submission
Date: Thursday, 7 April 2022 11:21:14 PM

Your City Your Voice logo



Submission Form - Amendment C172 Form Submission

There has been a submission of the form Submission Form - Amendment C172 through your Your City Your Voice website.

Full Name:

[REDACTED]

Residential Address:

45 Fontein St

Email:

[REDACTED]

Do you support or oppose Amendment C172?

Oppose

State the reasons why you support or oppose Amendment C172

The houses here are old and need many repairs over time from the stumps, cracking walls, flooring to the roofing. Having this overlay would mean each and every maintenance will need to cost extra. The soil in the area keeps moving and the recent earthquake event has moved them more, which have cause visible stresses to the house. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] windows need to be changed for better sound proofing and

insulation too which includes changing the roofing. I know quotes have increased by a significant amount to me just by mentioning there's a heritage overlay.

I don't believe [REDACTED] has this inter-war or post-war look just because of some photos showing these houses being side by side. Taking a walk down the many streets, I can already see many houses having modern front porches and upgraded windows, and modernised design, not to mention the new townhouses at every other corner. Nobody will come to this area just to look at a few heritage looking houses side by side and then skip the modern townhouse and onto the next one heritage looking house, it just doesn't have that appeal. Who would come to this area to survey this post-war appeal? What percentage is that? Is that percentage worth applying this overlay which will in turn affect all the residents living here - and they are the people who are paying rates to the council, contributing to the council - not tourist.

I think it should be put to a vote by the residents in this area. [REDACTED]

[REDACTED], whether to make it more sustainable, for a growing family or making it safer to live in without incurring additional cost of having heritage overlay. Also not to mention asbestos which will require more safety handling. These are imposed costs for not much of a reason for families and [REDACTED]. It will increase the financial burden.

How many residents here voted for this change? Why should this change proceed when there's so many [REDACTED] against it? The council should be looking after the needs of their residents rather than imposing this "local significance" on us, especially since that appeal has already been lost with the build approval of modern townhouses. It won't be fair on those house owners as this overlay won't apply to them too. I will be very disappointed if this overlay goes ahead in the face of strong opposition from the residents and know for a fact that the council prioritise their own needs above those of their residents. [REDACTED]

To view all of this form's submissions, visit

https://www.yourcityyourvoice.com.au/index.php/dashboard/reports/forms_new/data/372

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Your City Your Voice.

From: [REDACTED]
To: [Amendment C172](#)
Cc: [REDACTED]
Subject: Objection to Proposed Amendment c172
Date: Friday, 8 April 2022 10:46:44 AM
Attachments: [image001.jpg](#)
Importance: High

This Message Is From an External Sender
This message came from outside your organization.

Dear all

[REDACTED] 81 Wellington St, West Footscray [REDACTED]

This email is to notify you of the following

1. I object to proposed amendment c172
2. I seek to have 81 Wellington St, West Footscray declared Non-Contributory

The reasons for this are as follows:

Background

- [REDACTED]
[REDACTED]
- [REDACTED]
[REDACTED]
- The area is extremely multi-cultural and attracts people from all walks of life.
- [REDACTED] extremely small. You enter a front door immediately into a living room. Off the living room is two bedrooms, a tiny bathroom and a kitchen. [REDACTED]
[REDACTED]
- [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
- [REDACTED]
- Much of the front yard is space that is **not** utilised. There is no fence at the front of the property.
- I'm close to the Ashley Street end of Wellington street. Children and pets cannot play in the front yard given there is no fence and there is a risk of them running on the road.
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
- [REDACTED]
[REDACTED]

- [REDACTED] This makes me sad
and angry as [REDACTED] already done up house given how property prices have
increased in the area. [REDACTED]

- ██████████ looks completely different from the houses in the Ashley Street end of Wellington Street anyway
- Most of those houses look completely different from mine given they are:
- Brick
 - Have different roofing material
 - Have large windows
 - Are double story
 - Have no chimney
 - Have high front fencing
 - Have window shutters (electric)
 - Are set forward
 - Those houses that do have chimney's have chimneys not on the front of the house but at the side of the house and the chimneys are smaller

- Front doors around the side of the house
- Closed in car ports with roofs

If you require any further information please don't hesitate to contact me on [REDACTED].

Kind regards,



PRIVATE & CONFIDENTIAL

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If you are not the intended recipient, please notify the sender immediately and delete or destroy all copies of this e-mail and any attachments.

Our organisation respects the privacy of individuals. For a copy of our privacy policy please go to our website or contact us.

From: [REDACTED]
To: [Amendment C172: me Home](#)
Subject: Amendment C172 - Opposition Submission
Date: Friday, 8 April 2022 1:19:32 PM
Attachments: [21 Barton Street - the end result.jpg](#)

Hello,

[REDACTED] 21 Barton Street, West Footscray; one of the properties affected by this proposed Heritage overlay.

[REDACTED] submitted a lengthy and thorough submission: "The worst house in the best neighbourhood" of [REDACTED] is a case study of and we completely support. But we thought we would submit our own, to further strengthen our opposition to this proposal.

[REDACTED]

[REDACTED] has minimal features, well it really has none. [REDACTED]
[REDACTED] it will hopefully have a few;

- [REDACTED] (they are painted/sealed shut, as they leak air and moisture windows for period versions (see attached pic of the versions we want). [REDACTED] has no insulation in any of the walls, hence very cold in winter and very hot in summer.
- Add a simple Veranda, relocate the front door to the front of the house (this will also make the inside work better). Remove the leaning fireplace (which is sealed up).
- Replace weatherboards and insulate.

I have attached a picture of a house that is [REDACTED] I, but with this amendment, none of the above will to possible. Hence our dream house will stay a dream.

Please feel free to contact us further if you require discussions/ questions.

Best regards,

[REDACTED]

21 Barton Street,
West footscray, VICTORIA





(https://hdp-au-prod-app-marib-yourcity-files.s3.ap-southeast-2.amazonaws.com/7616/4574/9185/HO218_8-10_Rondell_Ave_FINAL_post_war.jpg)

No.192

Background



What is Inter-war and Post-war heritage?



Proposed Heritage Precincts



Key Proposed Changes



Make a Submission

Any person is able to make a submission on Amendment C172.

Submissions must be in writing, include your full name and contact details, and should state why you support or oppose the amendment and what changes (if any) you would like made.

Submissions may be made:

- Online using the submissions form below
- By email to: AmendmentC172@maribyrnong.vic.gov.au
- By post:

Maribyrnong City Council

Strategic Planning Amendment C172

PO Box 58

West Footscray VIC 3012



Your submission is a public document and available to anyone who requests a copy, but with your contact details removed.

The closing date for submissions is **Thursday 7 April 2022**.

[Open](#)

Submission Form - Amendment C172

Contact Details

Full Name: Required**Residential Address: Required****Email: Required****Business hours contact. Optional**

Submission

Do you support or oppose Amendment C172? Required

- ☐ Support
- ☒ Oppose
- ☐ Seek changes

State the reasons why you support or oppose Amendment C172 Required

being included in the report.

The overlay is inconsistent and appears to be random - for example:
 until the council agreed to allow the then owner to sell it to build a house that fronts on to Clive street. Clive street is well known as one of the best streets in West Footscray, has many more houses built in the same era as First street but has no heritage overlay. Most, if not all houses in Clive street have larger blocks would have more scope to extend in to the backyard which was suggested

*See attachment***Outline any changes (if any) you would like made to Amendment C172**

If the council want heritage it should focus on council buildings and not put pressure on ratepaying families who want comfortable homes

Please attach any additional comments or information

Maribyrnong City Council

Strategic Planning Amendment C172

PO Box 58

West Footscray

Vic 3012

Submission attachments:

Reasons I oppose Amendment C172 in full.

There was no consultation with me regarding the overlay despite [REDACTED] being included in the report.

I have been working on the renovation plans for around 2 ½ years and continued to spend money on such things as an engineering report when the council already had the report in March 2021. The location of the solar panels and battery were at extra cost and were specifically located to allow for the renovation. The renovation was delayed due to Covid, lockdowns and the inability to have tradespeople on site until they were fully vaccinated

The overlay is inconsistent and appears to be random - for example: [REDACTED] until the council agreed to allow the then owner to sell it to build a house that fronts on to Clive street (see photos).

Clive street is well known as one of the best streets in West Footscray, has many more houses built in the same era as First street but has no heritage overlay. Most, if not all houses in Clive street have larger blocks [REDACTED] and would have more scope to extend in to the backyard which was suggested that I do in my tiny backyard.

The overlay doesn't consider the amenity of the residents in their home. The reality for [REDACTED] a very small backyard which has barely enough room [REDACTED] to play. We have a 3 metre space between our house and side fences on both sides, so it makes sense to use one of these spaces. This is not possible with the overlay because apparently the rear gable which is 2 metres closer to the back fence than the front is protected and needs to be visible from the street. The only place it is currently visible from is the neighbours driveway. There is nothing ornate or unique about this gable end - in fact the one out the front was rotted when I bought the house 17 years ago, so I cut it off and screwed a new piece of timber to it.

Where a persons backyard commences is does not appear to be defined. If the gable end is closer to the back fence is that not the backyard?

The heritage overlay appears to impose the taste of the heritage expert over the resident/ratepayer.

Looking at existing renovations in the area most residents have a preference to do extensions that are in keeping with the era of their home.

Most houses in First street have already been irreperably altered - some knocked down and replaced with flats - which are now considered heritage - despite being in a state of long term neglect and disrepair such as [REDACTED] which was clearly built with the sole purpose to make money and is owned by a wealthy local realestate agent who is adverse to spending money on it.

The overlay diminishes the ability of owners/ratepayers [REDACTED] to improve the comfort and livability of [REDACTED]. These houses were built in a time when kids left school to go to work at age 15. They generally left home when they were a lot younger and did not require spaces for computers and study areas. Most kids these days will be living at home until they enter or complete university studies.

There is a climate emergency which was not the case when our house was built.

The Heritage overlay does not consider the current and future requirements to move toward net zero carbon emissions. [REDACTED] what appear to be the randomly selected streets will not be able to have such things located in a place that is visible from the street such as solar panels, storage batteries, electric car interface chargers, water pump hot water services etc. Visible from the street maybe the only option.

Meanwhile there is nothing to stop the period homes in other streets from being knocked down and replace with buldings seen now in new estates with black roofs soaking up the heat, small or no yards without any trees.

We are embracing the concepts of permaculture, which includes having chickens, composting for ourselves and the local cafe, growing as much food as possible from our small garden, attracting native birds and insects etc. We are working towards going 'off the grid'. This requires us to consider such things as using as much sunlight and water that lands on our property as possible. This surely is more important than whether people passing by appreciate the heritage of our home.

The priorities of the council make no sense. [REDACTED] has been identified as being at risk in a 100year flood, yet First street has no underground storm water. [REDACTED] floods whenever there is rain. I first reported this in 2014 and have a multitude of reference numbers but the problem remains. [REDACTED] is so special perhaps a first step might be to protect it from flooding and provide basic drainage

It is a home first, secondly it's a house.

If we can't renovate and extend [REDACTED] to provide basic comfort [REDACTED] we will be force to move. The type of home that we require should we have to move have beautiful renovations that would not be allowed now that there is heritage overlay. The 2 most recent sales of such houses at 39 Palmerston street and 11 Hartley street both recorded record prices for the area - \$1.93 and \$1.977 million. These are outside our price range. (see attached photo's)

I look forward to seeing the proposed overlay discarded and an enquiry into how it came about without any consultation with ratepayers such as us.

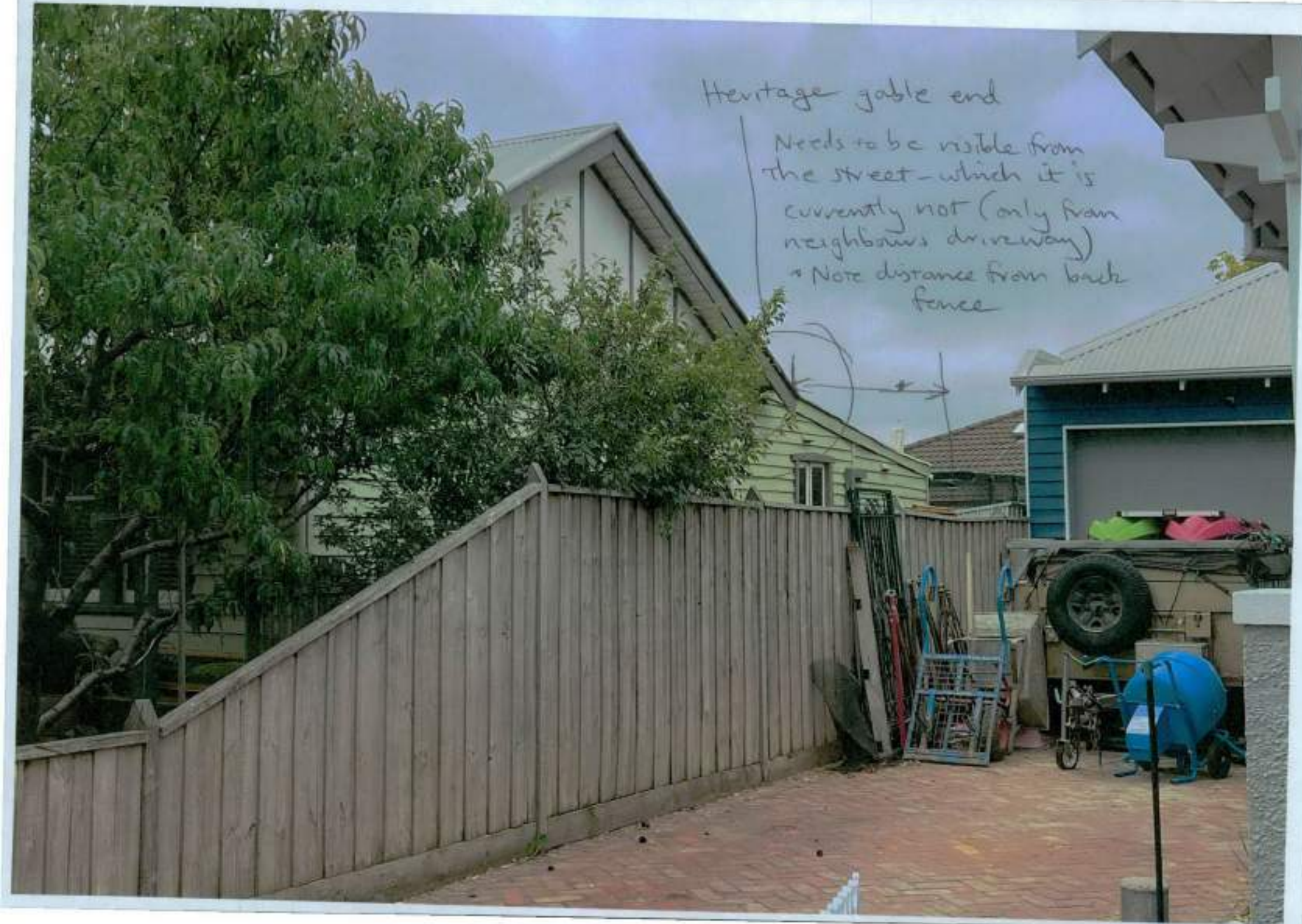
[REDACTED]

[REDACTED]

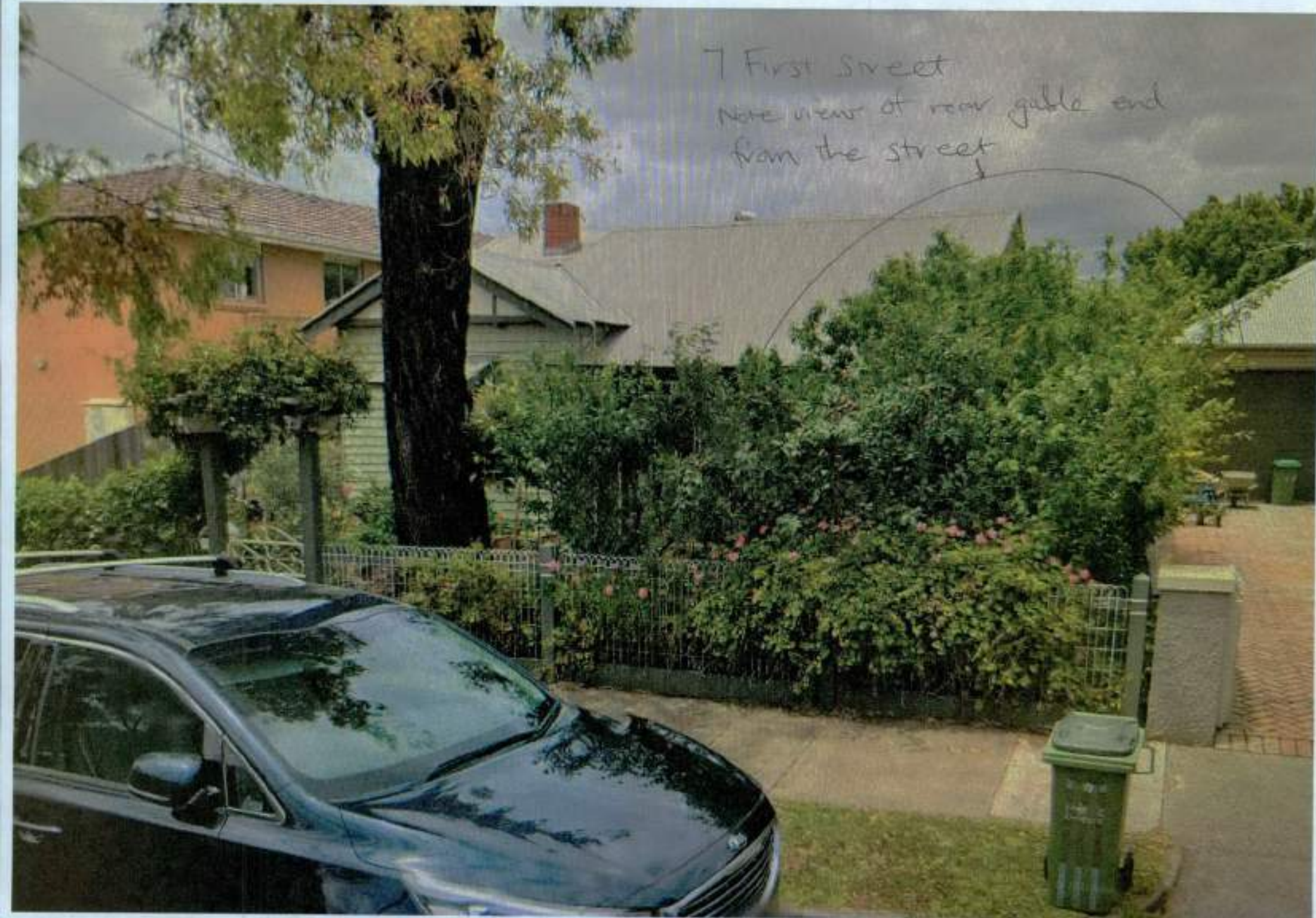


Heritage gable end

Needs to be visible from
the street - which it is
currently not (only from
neighbour's driveway)
• Note distance from back
fence



7 First Street
Note view of rear gable end
from the street



Our backyard
- note distance to
back fence





Front heritage gable end

- This entire section was rotten

a lot of

The weatherboards which I have repaired



This house is in Clive street [redacted]
[redacted] until the council agreed that the then
owner could sub-divide

7 First
Street



First Street
Heritage

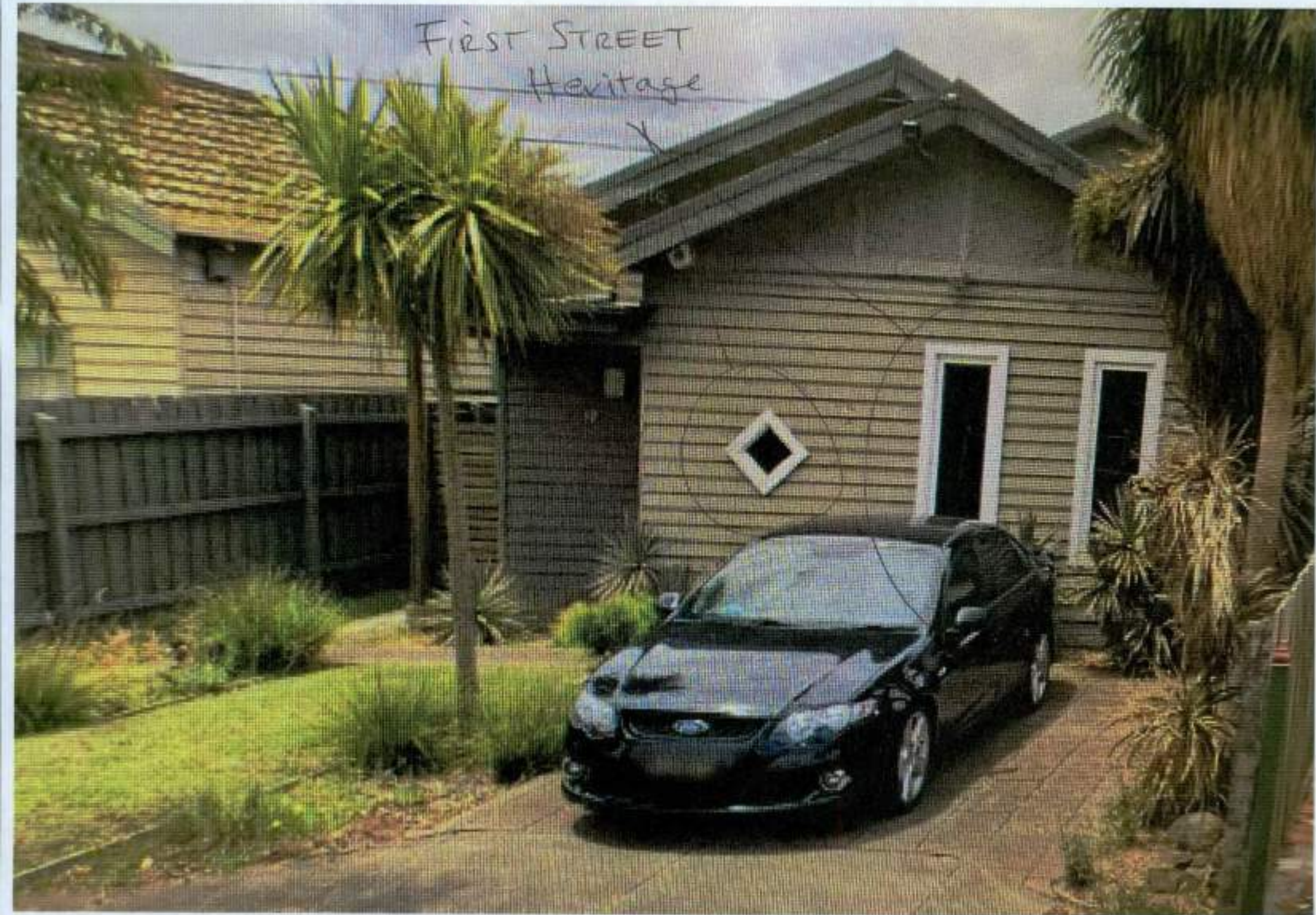




FIRST
Street - Heritage



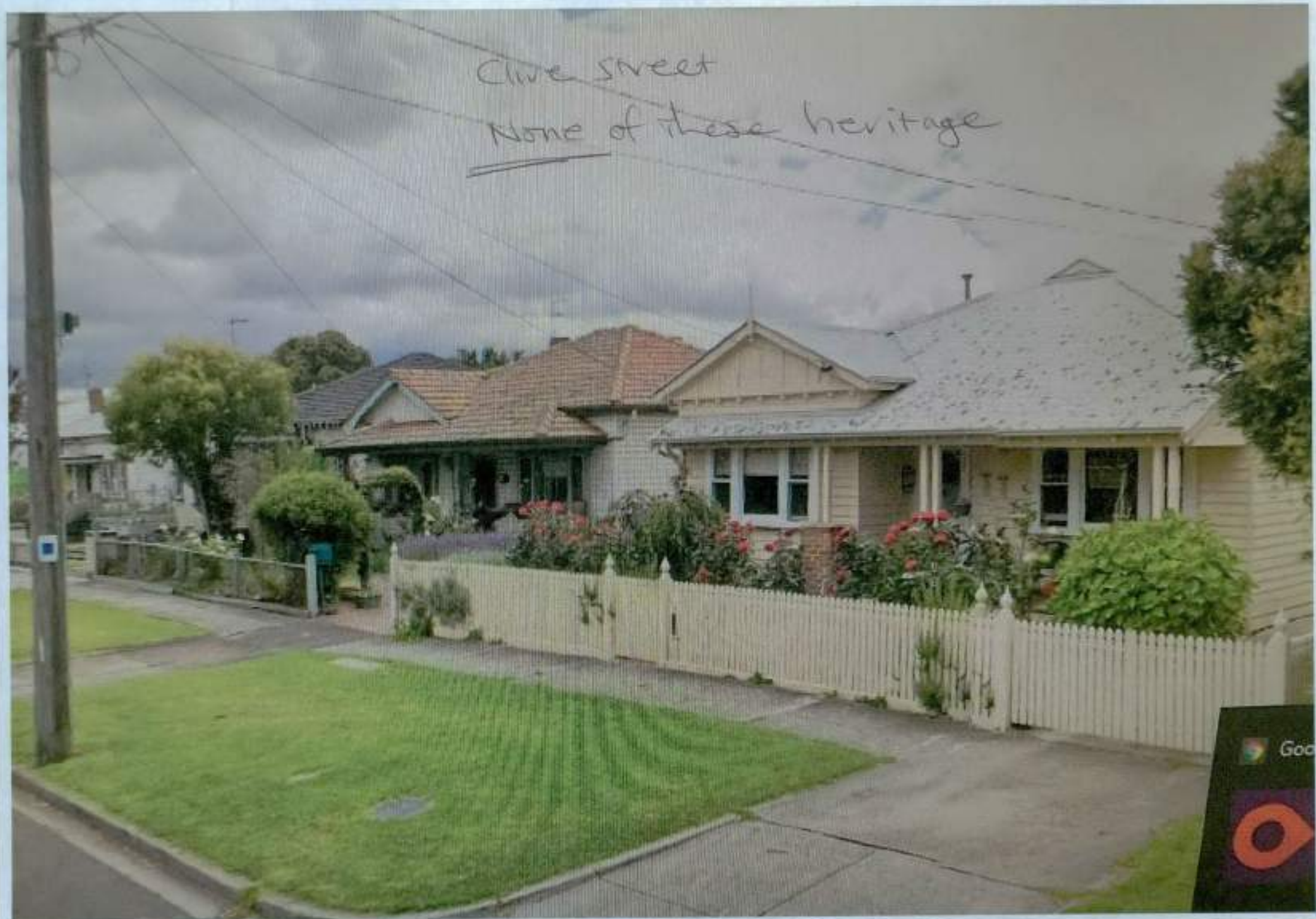




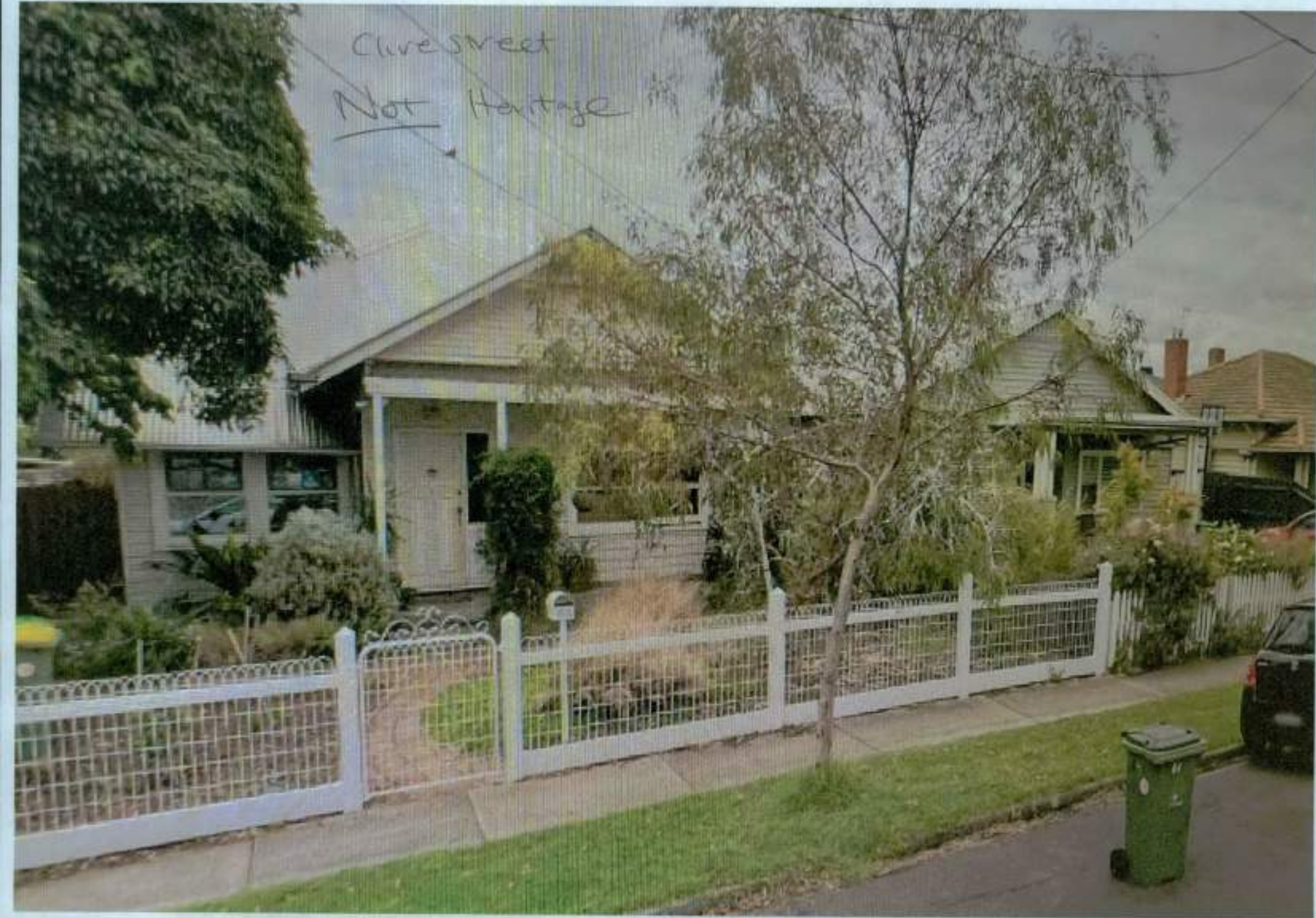
Clive street Not Heritage



Clive Street
None of these heritage



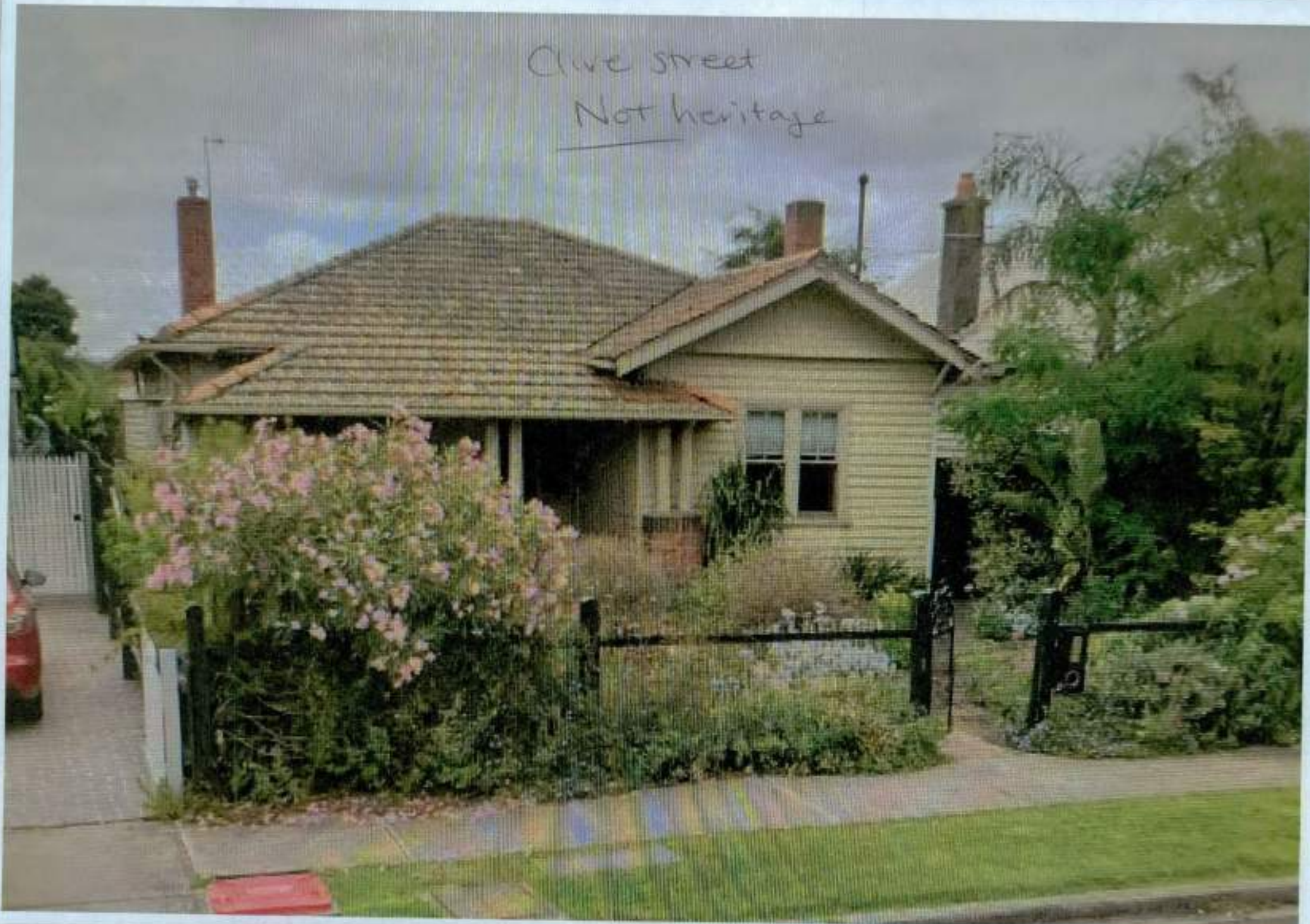
Clive Street
Not Heritage



Clive Street
Not heritage

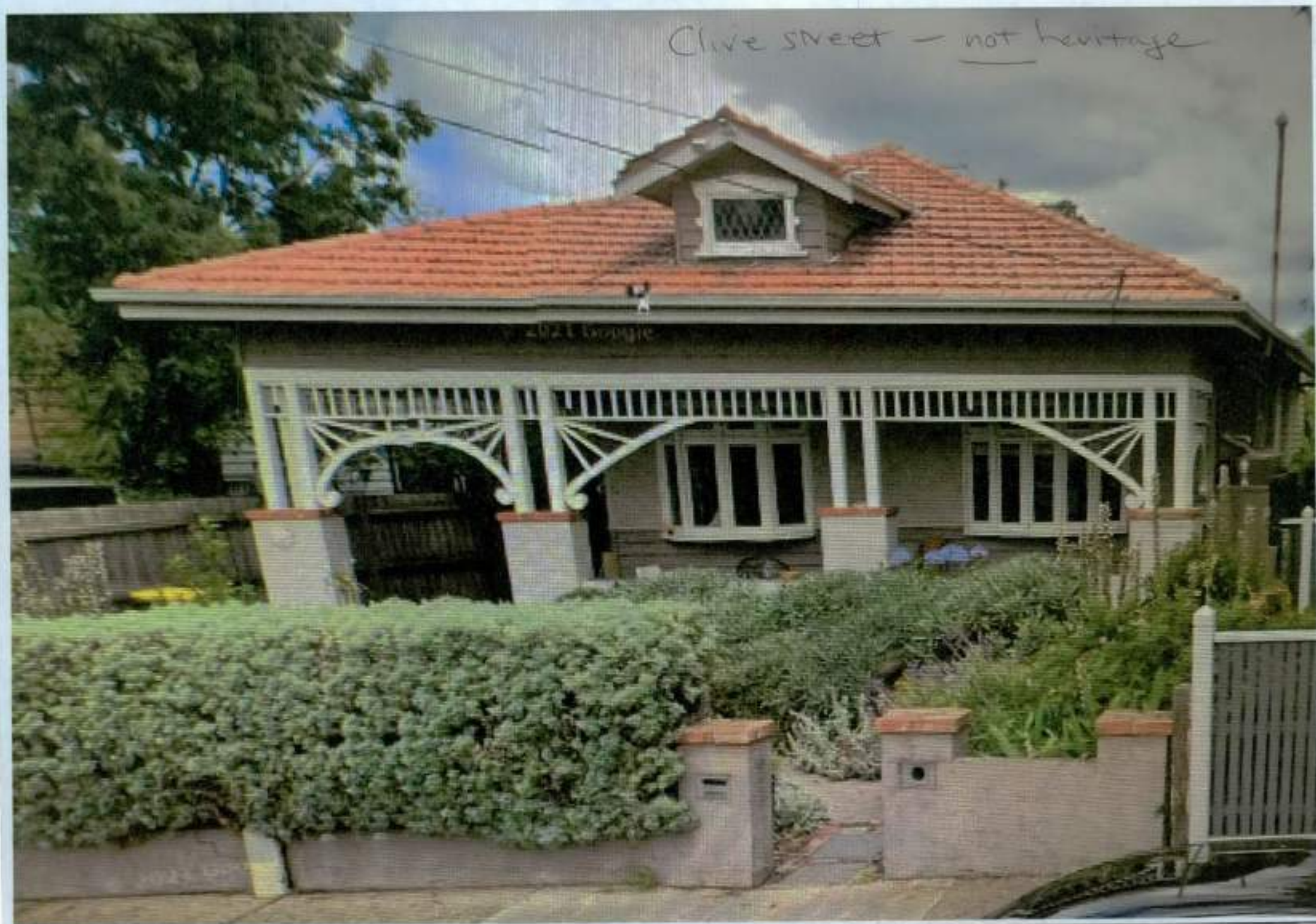


Clive street
Not heritage



Clive Street
- Not heritage







JAS STEPHENS

\$1,977,000



11 Hartley Avenue, West Footscray



5



3



2

House

Record sale price for the area

This extension would not be allowed under heritage regulations



Palmerston Street
Sold for record price
This extension would
not be allowed under
heritage regulations

08/04/2022
23:17
1721000



Maribyrnong City Council
Strategic Planning Amendment C172
P.O. Box 58
West Footscray 3012



From: [REDACTED]
To: [REDACTED] [AmendmentC172](#)
Subject: Amendment C172 – Maribyrnong Planning Scheme - Opposing submission
Date: Wednesday, 20 April 2022 4:17:21 PM
Attachments: [image001\[15\].png](#)

Dear [REDACTED]

Thank you for your time on the telephone yesterday.

[REDACTED] 30 Summerhill Road,
West Footscray (Land).

On 2 March 2022, Council refused to extend Planning Permit No. [REDACTED] (Permit) for the single reason that: "... planning controls have changed through the introduction of Amendment C173, which has implemented interim heritage controls while Amendment C172 is considered".

[REDACTED]

On 14 April 2022, the section 81(1) appeal was lodged at VCAT.

We have now received instructions to lodge this submission as a late submission to Planning Scheme Amendment C172 and respectfully request that it be considered by the Council.

[REDACTED] opposes the introduction of a Heritage Overlay precinct (HO216) over the Land as it does not have the historical, architectural (representative) or associative significance to warrant a heritage overlay that the Council alleges as set out below.

Criterion A: The Council identifies the area as having been primarily paddocks and quarries in the past and that the precinct reflects the later development of the area having regard to its importance of the basalt industry to the City of Maribyrnong. The statement recognises that the existence of basalt quarries no longer remains. Separately, there is nothing in the pattern of subdivision that is particularly unique to the suburb.

Criterion D: The Post-war housing in the precinct is recognised as more varied as opposed to that of the Inter-war era. The dwelling on the Land appears to have had its original roof replaced, altered its windows, does not include a chimney (like its neighbour and others) and includes a later addition of a front fence. There is an insufficient number of characteristics of typical dwellings as listed in the citation. The dwelling is not an example of Post-war housing worthy of retention compared to other Post-war examples.

Criterion H: It is not clear that the Post-war housing was built by A.S Whitehill, let alone the dwelling on the Land. In any event, other than being a local builder of the time who built houses, there is no other associative significance that can be attributed to A.S Whitehill, such that it should warrant a heritage overlay control. The connection with A.S Whitehill is an unremarkable fact. The connection with the famous 'Pebbles' would appear irrelevant.

[REDACTED] requests the right to be heard in the event of his submissions being referred to Panel for consideration and indeed, [REDACTED] Council to do so unless it accepts this submission and removes the proposed heritage overlay over the Land. It is submitted that Council's proposed heritage overlay does not meet the threshold significance to be classified as a contributory building within a heritage precinct, and hence being included within a heritage overlay.

For reasons to be expanded upon as the opportunity arises, [REDACTED] that no heritage overlay ought to be applied over [REDACTED] its rights in respect of any other matters that it wishes to raise, including any heritage advice it obtains.

Please confirm that Council accepts this submission.

Yours faithfully

[Redacted]

[Redacted]

[Redacted]

Signature: 2281583525



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[Please consider the environment before printing this email.](#)

[REDACTED]

From: [REDACTED]
Sent: Friday, 29 April 2022 12:07 PM
To: AmendmentC172
Subject: [REDACTED]

This Message Is From an External Sender

This message came from outside your organization.

Hi, [REDACTED]
[REDACTED]

They have returned a few days ago and discovered this letter which states the councils proposal of applying a heritage overlay (inter-war bungalows (c1915-1940) they understand submissions closed on the 7th of April but hope there submission will be still considered despite it being late.

[REDACTED] are disappointed that such a decision is being processed. [REDACTED] Maribymong resident myself it's concerning that council are able to flick the switch on such topics making it very unfair for those who own properties in this proposed overlay. [REDACTED] are not happy with this decision and wish to oppose any consideration into making this a permanent overlay. [REDACTED] property backs onto the street behind them which is partly overshadowed by the horrible concrete building which is supposedly part of Footscray hospital. On the western health's website it says 'The war situation in 1942 resulted in the Footscray hospital being put on hold, until construction began in 1947. In 1953 the Footscray & District Hospital finally opened'

Now with the construction of the new Footscray hospital it seems more than likely that the old Footscray hospital will become a development site and of course this will be welcomed by council.

The point I'm making here is, I understand that certain dwellings in Naismith may present themselves as 'period homes' but it's not fair to restrict these houses with an overlay which will have a future modern monstrosity built in the background.

I hope the above is taken into serious consideration.
Kind regards

To: [REDACTED]
Subject: [Amendment C172](#)
Date: 62 Napoleon Street, West Footscray - Submission to Amendment C172
Wednesday, 18 May 2022 11:51:48 AM

Dear [REDACTED] thank you for the discussion yesterday.

As mentioned, we act on behalf of [REDACTED]. [REDACTED] has had an opportunity to review the Statement of Significance and proposed heritage controls under Planning Scheme Amendment C172 (West Footscray and Surrounds - Heritage Precincts). We have been instructed by our client to lodge a submission against C172. A heritage advisor has been engaged by our client and their findings will be forwarded to Council in due course. We consider that the application of the Heritage Overlay should not be applied to our client's dwelling as it does not meet the threshold for local significance.

We understand that our submission is outside the formal exhibition period which closed 7 April 2022. However, due to unforeseen circumstances, our client was unable to make a submission within the allocated time frame. We cite s.22(2) of the Act which grants Council the ability to consider late submissions and we kindly request that our submission be included as our client's property is materially affected by the proposed amendment.

Please consider this email as part of our submission and we will forward our heritage findings as soon as possible, which will be attached as an addendum. We will also prepare a cover letter / planning letter to formalise this email submission.

Let me know if you require anything further and please don't hesitate to contact me via email or mobile.

Kind regards

[REDACTED]



Subject:

Date:

Attachments:



Submission on behalf of No. 62 Napoleon Street, West Footscray

Tuesday, 31 May 2022 4:55:48 PM

[Heritage Advice - Issued 30 May 2022 \(C\).pdf](#)
[Napoleon_1002 - Submission to C172.pdf](#)

Hi [REDACTED] thank you for your voicemail earlier today.

As previously discussed, we have finalised our formal written submission to accompany our previous email submission, which includes a memorandum of heritage advice from [REDACTED]

Please find attached our planning submission which references the heritage advice from [REDACTED] (attached) and puts forth our client's position on Amendment C172.

We trust the information is satisfactory and hope you will consider our late submission. We hope to hear from you soon. Please let us know if you require any further information.

Kind regards



31 May 2022

Strategic Planning Dept.
Maribyrnong City Council
PO Box 58
WEST FOOTSCRAY VIC 3012

Sent via email:
amendmentC172@maribyrnong.vic.gov.au

62 Napoleon Street, West Footscray

Submission to C172

We act on behalf of [REDACTED].

The property at No. 62 Napoleon Street, West Footscray has recently been subject to an interim heritage control under Planning Scheme Amendment C173 (West Footscray and Surrounds – Heritage Precincts). The interim control came into effect on 10 December 2021 for a period of one year and is therefore due to expire on 10 December 2022.

Our client has had an opportunity to review the amendment material, including the Statement of Significance and proposed heritage controls under Planning Scheme Amendment C172 and objects to the controls being introduced on a permanent basis. Our client also objects to the proposed rezoning of the land from the General Residential Zone to the Neighbourhood Residential Zone.

We include as part of our submission a memorandum of heritage advice prepared [REDACTED] [REDACTED] who has undertaken a review of the West Footscray Inter-war and Post-war Heritage Study prepared by Heritage Alliance on behalf of Maribyrnong City Council.

We make submissions that the heritage controls should not be applied to our client's site on the basis of advice from [REDACTED] who contends that the inclusion of this house and block of Napoleon Street is inconsistent with the methodology of the heritage study and does not meet the threshold for local significance for the City of Maribyrnong.

Our submission provides a description of the subject site, surrounding properties, the relevant planning controls (existing and proposed), and makes final submissions that the subject site should not be included as part of the amendment. We also make submissions that the land does not require rezoning to the Neighbourhood Residential Zone.

1. Subject Site and Surrounds

The subject site is located on the northern side of Napoleon Street, a local road. Napoleon Street connects to Ashley Street (an arterial road) located approximately 150 metres to the west, and Brunswick Street approximately 140 metres to the east.

The site is regular in shape; has a front and rear boundary distance of 11 metres; and side boundary distances of 33 metres, with a total area of approximately 361sqm¹.

The site is currently occupied by an existing single storey weatherboard dwelling, with a hipped and tiled roof. The rear yard includes a single garage adjacent the eastern boundary, and contains a low level of vegetation. An accessway / crossover is located within the south-eastern corner of the site, connecting to Napoleon Street.

Figure 1: Photo of Subject Site / Dwelling



¹ Dimensions are to be confirmed by a qualified land surveyor.



Figure 2: Aerial Image of Subject Site and Surrounds



Source: Nearmap.com

The following interfaces are noted:

- **North:** The subject site abuts No. 67 Devonshire Street, a residential property containing a single storey, weatherboard dwelling with a hipped and tiled roof. This property contains outbuildings in the rear yard, which is generally devoid of vegetation. A residential subdivision pattern is located further to the north, which includes an emerging pattern of multi-unit developments.
- **East:** The site abuts a residential property (No. 58 Napoleon Street) to the immediate east which includes a double storey brick and rendered dwelling with a hipped and tiled roof. This dwelling is part of a multi-unit development with Nos. 58A and 58B Napoleon Street, which have been developed in a side-by-side configuration. The residential subdivision pattern continues to the east, including additional examples of side-by-side developments.
- **South:** The site connects to Napoleon Street to the south. Beyond this, further to the south, is a residential subdivision pattern which includes a mixture of dwelling typologies, including both single and double storeys, and evidence of multi-unit developments.
- **West:** The property abutting the subject site to the west is developed with a large single storey, weatherboard dwelling with a hipped and tin roof. The dwelling occupies a majority of the site and is generally constructed to the side boundaries. Further to the west is the continuation of the residential subdivision pattern, containing both single dwellings and multi-unit developments.

2. Existing Planning Controls

The subject site is located within a **General Residential Zone, Schedule 1** (General Residential Areas) pursuant to **Clause 32.08** of the Maribyrnong Planning Scheme.



Figure 3: Zone Map

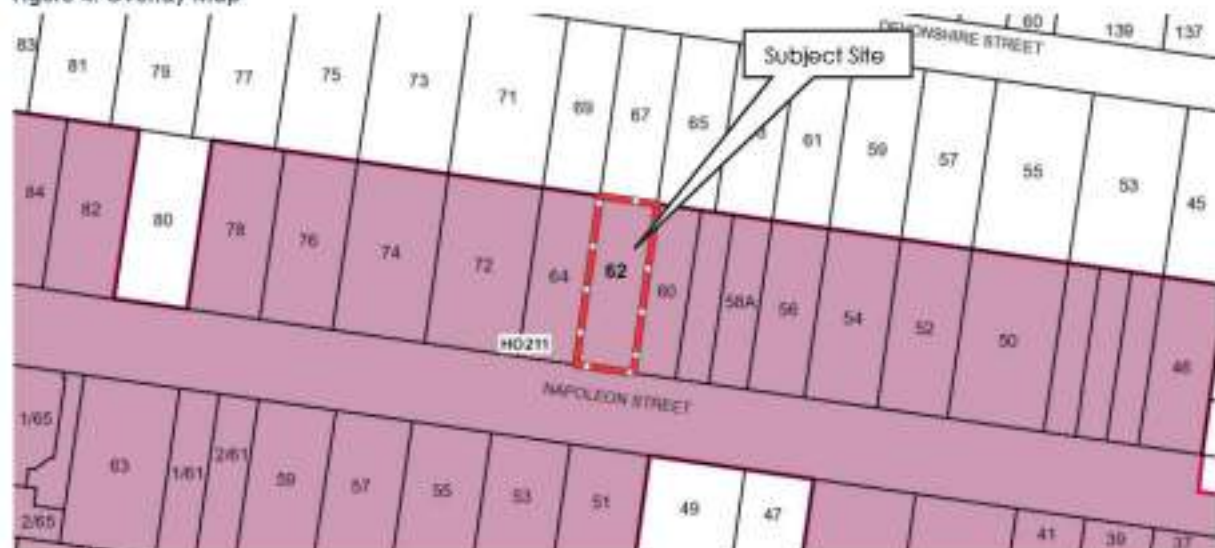


Source: mapshare.vic.gov.au

3. Proposed Planning Controls

The subject site is affected by an interim heritage overlay under Planning Scheme Amendment C173. Amendment C172 seeks to formalize the interim controls and introduce **Heritage Overlay, Schedule 211** (Bottomley's Paddock Inter-war and Post-war Residential Precinct) pursuant to **Clause 43.01** of the Maribyrnong Planning Scheme.

Figure 4: Overlay Map



A permit under this overlay is required to subdivide land; demolish or remove a building; construct a building or construct or carry out works; and others.

The heritage citation notes:

This precinct preserves Inter-war and Post-war suburban housing in a number of streets in West Footscray and Maidstone that were developed between



the late inter-war period and the 1960s. The 1855 subdivision of the area gave rise to the subdivision pattern and name of the precinct.

The conservation citation notes:

Conserve and enhance the contributory places in the precinct as a physical expression of the Interwar and Post-war development of West Footscray and Maidstone.

Encourage restoration of a contributory building or significant elements of a building, if evidence exists to support its accuracy.

The Statement of Significance identified by the heritage study states:

Bottomley's Paddock Inter-war and Post-war Residential Precinct has a high proportion of original Inter-war and Postwar dwellings which impart a homogenous suburban character to their streetscapes. The free-standing gabled or hipped weatherboard bungalow with front verandah or porch in a garden setting with side drive represents the precinct's dominant house type. These are interspersed with a smaller number of brick variations of these houses as well as a corner shop-house, all modestly built in the popular styles that typify the bungalow as it evolved through the Inter-war and post-war periods. A number of Housing Commission of Victoria houses exist in Wellington Street and these illustrate the post-war housing crisis and the new development of public housing in the area.

The subject site is identified as 'Contributory' within Precinct 8 and adjoins three non-contributory dwellings to the east and one Contributory dwelling to the west (shown below).

Figure 5: Heritage Precinct 8



The proposed Amendment also seeks to rezone properties in the precincts from the General Residential Zone to the Neighbourhood Residential Zone and incorporate a new Schedule 2 to the NRZ. In this regard, the proposed changes to the local planning policy framework seek to align the character areas to 'Limited Change Areas' per the Housing Framework Plan.

4. Submissions

While we primarily defer to the accompanying letter prepared by [REDACTED], we offer the following analysis of the proposed heritage controls and make submissions that the subject site / dwelling does has a lack of heritage merit and does not meet the threshold for local significance.

Firstly, we note that the subject dwelling is not in a pristine state and requires revitalisation. The external painting and roof tiling is rundown and the existing fabric has been modified since its original design. As the dwelling has undergone change since its original construction (e.g., front façade reconfiguration) it therefore fails the test of 'intactness'. The dwelling is generally considered aesthetically unattractive and would in our view not satisfy Criterion 'E' of Practice Note 1 (Applying the Heritage Overlay), which states:

'Criterion E: Importance in exhibiting particular aesthetic characteristics (aesthetic significance).'

There are more intact examples of dwellings within the streetscape which retain their original heritage / construction fabric (including the property to the immediate west). Notwithstanding, the immediate area contains a diverse mix of dwelling typologies including numerous side-by-side and tandem unit developments which contribute to the existing streetscape character context. This includes the properties abutting the site to the east (shown below) which disrupts the continuity of any purported heritage fabric.

[REDACTED] confirms this in his letter:

'Of this estimated 60% of Post-war housing in this block a number of houses have been significantly altered, and no longer demonstrate their original austere character and/or their detailing. The house on the subject site has had its original windows replaced by aluminium frame windows, and a porch added enclosed with a low brick balustrade, and a door.' (p. 2)

Figure 6: Subject Site and Adjoining Dwellings (Nos. 58A/58B/60 Napoleon Street)



Additional examples include several properties along both sides of Napoleon Street and notably Nos. 48A/48B/48C Napoleon Street (below), which is recent multi-unit development that contributes to the eclectic and varied streetscape character.

Figure 7: Nearby Dwellings (Nos. 48A/48B/48C Napoleon Street)



To further illustrate this point, we highlight that the subject site is identified as within **Garden Suburban Precinct 4** (GS4) under **Clause 22.05** (Preferred Neighbourhood Character Statements)². The preferred character statement for this area is:

- 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 plantings 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.

[emphasis added]

In reviewing the above, it is clear the policy makes admissions that there is a varied architectural theme within the area and that new built forms are contemplated which is distinguishable from the original housing stock. In this regard, the policy acknowledges that newer forms can make a departure from the older housing stock and that a new built form context will establish itself over time. We consider that the 'horse has bolted' in Napoleon Street and the older housing is being replaced by newer buildings and therefore the categorisation as a heritage precinct is misguided. The application of a preferred neighbourhood character

² Maribyrnong Neighbourhood Character Review (2010) is listed as a reference document under Clause 22.05-4.



policy, which includes built form objectives would be sufficient in managing a cohesive character for the area rather than application of an onerous heritage control.

We furthermore consider the site's designation within the 'Incremental Change Area' under **Clause 21.04** (see Settlement Framework Plan) as appropriate considering that there are numerous infill residential developments occurring within Napoleon Street. This area supports housing growth as acknowledged by **Clause 21.04-2** (Housing Growth) which states a strategic direction to support incremental change across residential areas. The proposed Limited Change Area designation is considered misaligned with the status-quo as evident on the ground.

Clause 21.07 (Housing) identifies Incremental Change Areas as 'all other residential areas without heritage significance or an identified residential character that warrants planning protection through specific overlays.' In this instance, the preferred neighbourhood character statement would be sufficient in ensuring that built form objectives are maintained without causing friction with urban consolidation objectives espoused by state and local planning policies of the Maribymong Planning Scheme.

Strategies under Clause 21.07 include (as relevant):

- o *Ensure development has regard to and clearly responds to preferred character statements and design guidelines for specific neighbourhood character precincts.*
- o *Ensure the siting and design of infill development respects the scale, form and siting of surrounding development.*
- o *Encourage the retention of existing housing that positively contributes to preferred neighbourhood character.*

5. Conclusion

It is considered that the subject site and dwelling are not worthy of inclusion into the heritage precinct and that the proposed rezoning is unnecessary. As demonstrated by Mr. Barrett's letter, the condition of the dwelling and presence of numerous non-contributory dwellings within the street suggests that the benchmark for heritage importance is not met. Moreover, as articulated above, the existing planning policy framework is capable of managing built form expectations in this area to ensure that the existing and preferred characters are achieved as desired by policy objectives.

We thank you for considering our submission and welcome any questions or clarifications.

If you have any questions or require additional information, please do not hesitate to contact myself via email at [REDACTED].

Yours sincerely,

[REDACTED]

Encl.

Appendix A – Memorandum of Heritage Advice



30 May 2022

MEMORANDUM OF HERITAGE ADVICE

ATTENTION: [REDACTED]

REGARDING: 62 NAPOLEON STREET, WEST FOOTSCRAY
PROPOSED INCLUSION IN A HERITAGE
OVERLAY, AS PART OF AMENDMENT C172
OF THE MARIBYRNONG PLANNING
SCHEME

Thank you for asking me to review this proposal, which, as part of Amendment C172 of the *Maribyrnong Planning Scheme*, it is proposed to include your house as a contributory place in one of eight heritage overlay precincts proposed for West Footscray.

I have now had an opportunity to review the 'West Footscray Inter-war and Post-war Heritage Precinct Study', prepared for Maribyrnong City Council by Heritage Alliance, March 2021, which is the basis for this recommendation for heritage controls to be applied to your site. I have inspected the house from the public realm, and the other housing in Napoleon Street. These comments are also made with regard to Planning Practice Note 1: Applying the Heritage Overlay (August 2018), and the *Maribyrnong Planning Scheme*.

I do not recommend that Amendment C172 of the *Maribyrnong Planning Scheme* proceed, as proposed.

An inspection of the site and the broader Bottomley's Paddock Inter-war and Post-war Residential Precinct, which your house is within, found inaccuracies in the 'West Footscray Inter-war and Post-war Heritage Precinct Study'. These matters place doubt on the perceived importance at a local level of parts of the proposed precinct.

The methodology in the 'West Footscray Inter-war and Post-war Heritage Precinct Study' states it was streets in the study area that demonstrated homogeneous streetscapes of Inter-war and Post-war housing, with this defined to be 80% or above of contributory building stock, were to be assessed for inclusion in the heritage precinct. The map of Sub Precinct 3 of Precinct 8 Bottomley's Paddock, on page 27 of the 'West Footscray Inter-war and Post-war Heritage Precinct Study', shows a significant number of houses in Napoleon Street between Ashley and Brunswick Streets to be non-contributory.

Since the field study was undertaken for the 'West Footscray Inter-war and Post-war Heritage Precinct Study', further contributory houses have been removed from this block of Napoleon Street (No's 47, 49 and 80), which have depleted the number of contributory houses to around 60% in this block. One house removed (No 49) is the example shown on page 11 of the study of a double-fronted clinker brick dwelling of this precinct.

Of this estimated 60% of Post-war housing in this block a number of houses have been significantly altered, and no longer demonstrate their original austere character and/or their detailing. The house on the subject site has had its original windows replaced by aluminium frame windows, and a porch added enclosed with a low brick balustrade, and a door.

Contextually, the subject house is flanked by a two-storey town house and a Post-war house that has been remodelled to take on the appearance of an Edwardian dwelling. The latter dwelling has also been extended at one side, altering its original double-fronted form. In this respect, the subject house (No 62) is an altered dwelling, in an altered streetscape of varying competing scale, forms and detailing. This streetscape does not meet the applied thresholds of the heritage study of desired character, potential of reversal of change, pattern and continuity, and, importantly, is not evocative of the Post-war theme of austere housing.

The low level of integrity of the subject house, and the lack of consistency of built form in this block of Napoleon Street, is best weighed against, in comparative terms, with other parts of the proposed precinct, many retaining a high level of integrity and clearly meeting the thresholds required in the methodology. The block of Napoleon Street further east, between Brunswick and Ritchie Streets, is a case in point. It retains approximately 90% of contributory housing. Its level of consistency demonstrates the historic and architectural themes of Post-war housing, defined by modest scale dwellings of austere character, that are stripped down versions of a more ornate typology developed in the 1930s seen in other parts of the proposed Bottomley's Paddock Inter-war and Post-war Residential Precinct.



Some parts of the methodology need revisiting. The term 'house' and 'bungalow' are not interchangeable. The Post-war houses discussed would be better described as 'villas' or 'detached housing'; and not bungalows as these tend to reference Pre-war housing styles with large and prominent verandahs in their composition, gable roof forms, and greater detailing. As noted in the study, the austere houses of the Post-war ditched the verandah for simple porch elements or small hoods; and other detailing often found on this typology in the versions from the 1930s is omitted. The Housing Commission, for example, in the 1950s, refer to their detached housing in their annual reports as 'villas' and not bungalows.

Conclusion

This block of Napoleon Street, between Ashley and Brunswick Streets, does not meet the benchmark for importance to the City of Maribyrnong, when assessed against the criterion in Planning Practice Note 1 'Applying the Heritage Overlay'. Nor, is inclusion of this house and this block of Napoleon Street in a heritage overlay consistent with the methodology in the 'West Footscray Inter-war and Post-war Heritage Precinct Study'. On this basis, I recommend that the precinct boundaries are amended, and the precinct map amended, to remove the subject house and this block of Napoleon Street, between Ashley and Brunswick Streets, from Amendment C172 of the *Maribyrnong Planning Scheme*.





House on the subject site at 62 Napoleon Street, West Footscray



Subject house sits within an altered context, which is not representative of Post-war development.





Napoleon Street, between Ashley and Brunswick Streets, has undergone significant change. The subject site is situated within this altered context.



In contrast, the block of Napoleon Street, between Brunswick and Ritchie Street, is relatively intact and representative of the character described as defining this heri



[REDACTED]

From: [REDACTED]
Sent: Monday, 20 June 2022 4:51 PM
To: AmendmentC172

Dear Sir / Madam

My name is [REDACTED] and I reside at [REDACTED] As you are aware an interim heritage overlay has been put on my house and other houses in my street .A permanent heritage overlay is being considered.

I am aware that the closing date for submissions has passed. I did not submit an objection as I did not think it would have any negative consequences on my property.

A week ago , [REDACTED] , and once I told them about a pending heritage listing ,some insurances wont insure me and the once that did ,came up with an excessive amount due to being heritage listed. This really distressed me.

The only original features of my house are the Chimney and the Roof. Front windows, front verandah and front fence have all been changed approximately 45 years ago.

I dont feel that my house has any significant contribution to being heritage listed. I totally oppose to it due to reasons mentioned above.

I hope my belated objection gets considered.

I rang the council 's strategic planning team and was told by reception that a team member will contact me ,but no one did.

I will appreciate a confirmation of receipt of this email.

Thanking you beforehand.

Regards

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: Monday, 20 June 2022 7:45 PM
To: AmendmentC172
Subject: Proposed West Footscray Heritage Overlay Amendment C172

Dear Planning Authority,

RE: Proposed West Footscray Heritage Overlay Amendment C172

As a home owner and long-term resident of West Footscray I do not agree with the proposed heritage overlay precincts.

By the large number of objections, it is clear I am not the only one and the community as a whole mostly objects.

Pursuant to item (c) in Section 23 of the Planning & Environment Act 1987, I request that the planning authority use their power under this Act to abandon the above proposed Heritage Overlay Amendment C172 based on a high percentage of objections from residents in the Submission process.

Please also refer link below to an online petition against this Amendment C172 with more than 600 signatures and counting. <https://www.change.org/p/maribyrnong-city-council-vic-delwp-objection-to-proposed-heritage-overlays-in-west-footscray?redirect=false&fs=e&s=cl>

Regards,

[REDACTED]
Owner of [REDACTED].
Email: [REDACTED]
Phone: [REDACTED]

[REDACTED]

From: [REDACTED]
To: [Amendment C172](#)
Subject: Re: Proposed West Footscray Heritage Overlay Amendment C172
Date: Monday, 27 June 2022 11:56:18 PM

Dear Planning Authority,

RE: Proposed West Footscray Heritage Overlay Amendment C172

Unfortunately, I missed out on putting in a submission opposing this when we received the initial notification [REDACTED]. While I agree with the neighbourhood rezoning, I strongly oppose the addition of the heritage overlay to my property as well as so many others in our area.

Heritage overlay is an unnecessary and irresponsible burden for our area. A major concern of mine is the impact on energy efficiency and the climate. Maribyrnong council has declared a climate emergency, but heritage overlay will prevent houses putting solar panels on any roofs facing the street (<https://www.theage.com.au/politics/victoria/it-s-ridiculous-heritage-homeowner-ordered-to-remove-solar-panels-20220531-p5aq0t.html>) every second house in our pocket has a north-facing frontage.

It will also likely prevent house owners painting their roofs or external walls lighter colours to help reflect sunlight. It will also increase the cost of replacing old single pane windows with double glazed windows, as we will have to jump through additional hoops to maintain the look of the facade.

Our post-war house and others around it are austere and not particularly valuable for aesthetic history. It was built at a time when houses were made cheap - it is not a priceless Toorak stately home, or an interesting architectural marvel. Many properties in our area are falling into disrepair, and adding heritage planning restrictions will no doubt slow or stop any repairs, renovations, or other remedial works owners want to do. This will contribute to the degradation of our neighbourhoods, not their preservation.

On top of this, we already have multiple townhouses in our area which drastically changes the feel of the neighbourhood. We should be prioritising reducing the number of 4-to-a-block black-roofed and white-walled town houses if the council is really serious about keeping the charm or character of our neighbourhoods in tact.

Pursuant to item (c) in Section 23 of the Planning & Environment Act 1987, I request that the planning authority use their power under this Act to abandon the above proposed Heritage Overlay Amendment C172 based on a high percentage (about 70-75%) of objections from residents in the Submission process.

Please also refer link below to an online petition against this Amendment C172 with more than 600 signatures and counting.

<https://www.change.org/p/maribyrnong-city-council-vic-delwp-objection-to-proposed-heritage-overlays-in-west-footscray?redirect=false&fs=e&s=cl>

Regards,

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: Thursday, 14 July 2022 9:12 AM
To: AmendmentC172
Subject: CM: RE: [REDACTED]

Record Number: 22/161640

This Message Is From an External Sender

This message came from outside your organization.

[REDACTED]
West Footscray
VIC 3012
[REDACTED]

From: [REDACTED]@maribyrnong.vic.gov.au> On Behalf Of AmendmentC172
Sent: Thursday, July 14, 2022 9:10 AM
To: [REDACTED] >
Subject: RE: [REDACTED] west footscray

Dear [REDACTED],

Thank you for your correspondence in relation to Planning Scheme Amendment C172 West Footscray and Surrounds Heritage Precincts.

For your comments to be considered as a late submission we need some more information from you. Please respond to this email with your full name, address and contact details.

Consideration of submissions:

Since the closing of public exhibition on 7 April 2022, the [Amendment C172 - West Footscray and Surrounds - Heritage Precincts](#) webpage has been updated to provide further information and outline of next steps. In line with the minutes of the Council meeting on 21 September 2021 regarding this Amendment, a Delegate of Council will consider submissions received, and may decide to refer them to an independent planning panel for consideration.

Maribyrnong City Council, 61 Napier Street Footscray
PO Box 58, West Footscray VIC 3012
T 03 9688 0200 | E: AmendmentC172@maribyrnong.vic.gov.au
www.maribyrnong.vic.gov.au



From: [REDACTED] >
Sent: Wednesday, 6 July 2022 6:34 PM
To: AmendmentC172 <AmendmentC172@maribyrnong.vic.gov.au>
Subject: [REDACTED] west footscray

Don't implement C172 on the South side of Tottenham Station. I live here and many of the houses are not fit for purpose, they need redeveloping. Instead we now have very small townhouses springing up on every corner which you have to take the front door off to get a new fridge in and the parking area is so small the back end of a medium sized SUV blocks the footpath. You are mad if you do this as I know a lot of residents here and the local councillors will be voted out if they approve this overlay. Please forward this email onto every council rep.

Thanks,

[REDACTED]

Sent from my iPad

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