

Maribyrnong CITY COUNCIL

Planning Enquiries Phone: (03) 9688 0200

Web: www.maribyrnong.vic.gov.au

Office Use Only

Application No.:

Application for a Planning Permit

Date Lodged: 23 / 10 / 2024

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

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

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

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

Click for further information.

The Land i

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

Street Address *

Formal Land Description *

Complete either A or B.

This information can be found on the certificate of title

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

Unit No:	St. No.: 74		St. Name: Melon Street
Suburb/Locality: BRAYBR	ООК	F	Post Code: 3019
A Vol.: 8789 OR Lot No.: 8	Folio.: 826 Type.: Lot/Lodged Plan	Subur	b.: Braybrook
B Crown Allotment No.:			Section No.:
Parish/Township Name:			

The Proposal

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

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

Proposed two double storey units with the associated car parking area

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

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

990000.00

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

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

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

Exibties fiseditiean III

Describe how the land is used and developed now *

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

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

Title Information i

Encumbrances on title *

	s the proposal breach, in any way, an encumbrance on title such as a restrictrive covenant, section agreement or other obligation such as an easement or building envelope?
	Yes (If 'yes' contact Council for advice on how to proceed before continuing with this application.)
C	No
•	Not applicable (no such encumbrance applies).
	Not Sure
0	Provide a full, current copy of the title for each individual parcel of land forming the subject site. The title includes: the covering 'sregister search statement', the title diagram and the associated title documents, known as 'instruments', for example, restrictive covenants.

Applicant and Owner Details

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

Applicant *

The person who wants the permit.

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

Owner *

The person or organisation who owns the land

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

Name:						
Title: CO	First Name: DNA	Surname: ARCHITECTS				
Organization (if applicable):						
Unit No:	St. No: 6	St. Name: Balmoral Street				
Suburb: BRAYBROOK State: VIC Postcode: 3019						
Business phone: 04	403574692	Email: dien@dnaarch.net.au				
Mobile phone:		Home:				

Contact person's details* Same as applicant Name: Surname: ARCHITECTS Title: CO First Name: DNA Organization (if applicable): Unit No: St.Name: Balmoral Street St. No: 6 Suburb: BRAYBROOK State: VIC Postcode: 3019 Business phone: 0403574692 Email: dien@dnaarch.net.au Mobile phone: Home:

Name:		Same as applicant		
Title: MS	First Name: Julia Thoai V	Surname: Nguyen		
Organization (if ap	plicable):			
Postal Address:	li I	fit is a P.O. Box, enter the details here:		
Unit No:	St. No: 74	St. Name: Melon Street		
Suburb: BRAYBRO	OOK	State: VIC Postcode: 3019		
Business Phone: 0404842503		Email: jnguyen.1360@gmail.com		
Mobile phone: 040	4842503	Home: 0404842503		



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

of the permit.

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

Signature:

DNA ARCHITECTS

Date 23 / 10 / 2024 day / month / year

Need help with the Application?

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

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

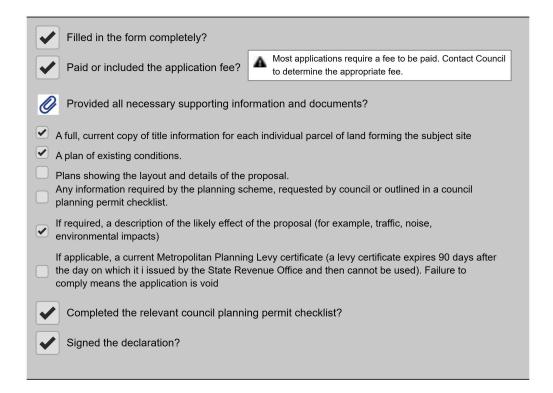
Has there been a pre-application meeting with a council planning officer

No Yes Officer Name: Simon Scott

15 / 07 / 2024 day / month / year

Checklist i

Have you:



Lodgement i

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

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

Contact information:

Phone: (03) 9688 0200

Email: email@maribyrnong.vic.gov.au

DX: 81112

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



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

How is land identified

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

See Example 1.

The Proposal

Why is it important to describe the proposal correctly?

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

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

How do planning schemes affect proposals?

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

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

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

See Example 2.

Estimated cost of development

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

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

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

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

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

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

Existing Conditions

How should land be described?

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

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

See Example 3.

Title Information

What is an encumbrance?

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

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

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

What documents should I check to find encumbrances

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

What about caveats and notices?

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

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

What happens if the proposal contravenes an encumbrance on title?

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

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

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

You may be required to verify this estimate.

Insert '0' if no development is proposed.

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

Cost \$

Name:
Title: First Name: Surname:

Organisation (if applicable):

Postal Address: If it is a P.O. Box, enter the details here:

Unit No.: St. No.: St. Name:

Suburb/Locality: State: Postcode:

Please provide at least one contact phone number *

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

Contact information for applicant OR contact person below Business phone: Email: Mobile phone: Fax:

Owner *

The person or organisation who owns the land

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

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

St. Name:

Surname:

If it is a P.O. Box, enter the details here:

State:

Date:

	J	\ I	frest-	

Suburb/Locality:

Name:

Title:

Postal Address:

Unit No.:

First Name:

St. No.:

Organisation (if applicable):

Owner's Signature (Optional):

Postcode:

day / month / year



This form must be signed by the applicant *



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

I declare that I am the applicant; and that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application.			
Signature:	Date:		
	day / month / year		

Need help with the Application? I

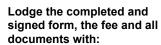
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Contact Council's planning department to discuss the specific requirements for his application and obtain a planning permit checklist. Insufficient or unclear information may delay your application

Has there been a pre-application meeting with a office

pre-application meeting with a council planning	\bigcirc N	lo Yes	If 'Yes', with whom?:		
officer			Date:	day / month / year	
Checklist I		Filled in the for	rm completely?		
Have you:		Paid or include	ed the application fee?	Most applications require a fee to be paid. Contact Council to determine the appropriate fee.	
	Ø	A full, current of A plan of existing Plans showing Any information If required, a diff applicable, as	ing conditions. If the layout and details of the propose on required by the planning scheme, description of the likely effect of the paracurrent Metropolitan Planning Levy	vidual parcel of land forming the subject site.	
		Completed the	e relevant council plannin	g permit checklist?	

Lodgement 1



Maribyrnong City Council PO Box 58 Footscray VIC 3011

Cnr Napier & Hyde Streets Footscray VIC 3011

Contact information:

Phone: (03) 9688 0200

Email: email@maribyrnong.vic.gov.au

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Existing Conditions

How should land be described?

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

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

See Example 3.

Title Information

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

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- Section 173 Agreements: A 'section 173 agreement' is a contract between an owner of the land and the Council which sets out limitations on the use or development of the land.
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- Building Envelopes: A 'building envelope' defines the developmen boundaries for the land.

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

What documents should I check to find encumbrances

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

What about caveats and notices?

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

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

What happens if the proposal contravenes an encumbrance on title?

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

CITY OF MARIBYRNONG

You nather than the respond to the issue. If not, separate procedures exist to change or remove the various types of encumbrances from the title. The procedures are generally quite involved and if the encumbrance relates to more than the subject property, the process will include notice to the affected party.

▲ You should seek advice from an appropriately qualified person, such as a solicitor, if you need to interpret the effect of an encumbrance or if you seek to amend or remove an encumbrance.

Why is title information required?

Title information confirms the location and dimensions of the land specified in the planning application and any obligations a fecting what can be done on or with the land.

As well as describing the land, a full copy of the title will include a diagram or plan of the land and will identify any encumbrances, caveats and notices.

What is a 'full' copy of the title?

The title information accompanying your application must include a 'register search statement' and the title diagram, which together make up the title.

In addition, any relevant associated title documents, known as 'instruments', must also be provided to make up a full copy of the title.

Check the title to see if any of the types of encumbrances, such as a restrictive covenant, section 173 agreement, easement or building envelope, are listed. If so, you must submit a copy of the document (instrument) describing that encumbrance. Mortgages do not need to be provided with planning applications.

▲ Some titles have not yet been converted by Land Registry into an electronic register search statement format. In these earlier types of titles, the diagram and encumbrances are often detailed on the actual title, rather than in separate plans or instruments.

Why is 'current' title information required?

It is important that you attach a current copy of the title for each individual parcel of land forming the subject site. 'Current' title information accurately provides all relevant and up-to-date information.

Some councils require that title information must have been searched within a specified time frame. Contact the Council for advice on their requirements.

▲ Copies of title documents can be obtained from Land Registry: Level 10, 570 Bourke Street, Melbourne; 03 8636 2010; www.landata.vic.gov. au − go direct to "titles & property certificates"

Applicant and Owner Details

This section provides information about the permit applicant, the owner of the land and the person who should be contacted about any matters concerning the permit application.

The applicant is the person or organisation that wants the permit. The applicant can, but need not, be the contact person.

In order to avoid any confusion, the Council will communicate only with the person who is also responsible for providing further details. The contact may be a professional adviser (e.g. architect or planner) engaged to prepare or manage the application. To ensure prompt communications, contact details should be given.

Check with Council how they prefer to communicate with you about the application. If an email address is provided this may be the preferred method of communication between council and the applicant/contact.

The owner of the land is the person or organisation who owns the land at the time the application is made. Where a parcel of land has been sold and an application made prior to settlement, the owner's details should be identified as those of the vendo . The owner can, but need not, be the contact or the applicant.

See Example 4.

Declaration

The declaration should be signed by the person who takes responsibility for the accuracy of all the information that is provided. This declaration is a signed statement that the information included with the application is true and correct at the time of lodgement.

The declaration can be signed by the applicant or owner. If the owner is not the applicant, the owner must either sign the application form or must be notified of the application which is acknowledged in the declaration

▲ Obtaining or attempting to obtain a permit by wilfully making or causing any false representation or declaration, either orally or in writing, is an offence under the *Planning and Environment Act 1987* and could result in a fine and/or cancellation of the permit

Need help with the Application?

If you have attended a pre-application meeting with a Council planner, fill in the name of the planner and the date, so that the person can be consulted about the application once it has been lodged.

Checklist

What additional information should you provide to support the proposal?

You should provide sufficient supporting material with the application to describe the proposal in enough detail for the Council to make a decision. It is important that copies of all plans and information submitted with the application are legible.

There may be specific application requirements set out in the planning scheme for the use or development you propose. The application should demonstrate how these have been addressed or met.

The checklist is to help ensure that you have:

- · provided all the required information on the form
- · included payment of the application fee
- · attached all necessary supporting information and documents
- · completed the relevant Council planning permit checklist
- signed the declaration on the last page of the application form

A The more complete the information you provide with your permit application, the sooner Council will be able to make a decision.

Lodgement

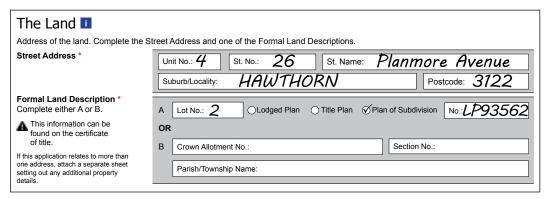
The application must be lodged with the Council responsible for the planning scheme in which the land affected by the application is located. In some cases the Minister for Planning or another body is the responsible authority instead of Council. Ask the Council if in doubt.

Check with Council how they prefer to have the application lodged. For example, they may have an online lodgement system, prefer email or want an electronic and hard copy. Check also how many copies of plans and the size of plans that may be required.

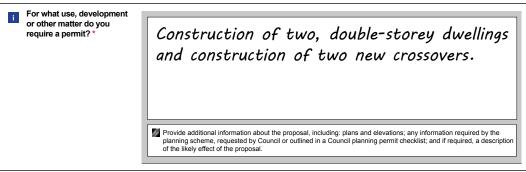
Contact details are listed in the lodgement section on the last page of the form.

▲ Approval from other authorities: In addition to obtaining a planning permit, approvals or exemptions may be required from other authorities or Council departments. Depending on the nature of your proposal, these may include food or health registrations, building permits or approvals from water and other service authorities.

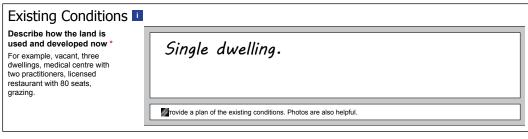
Example 1



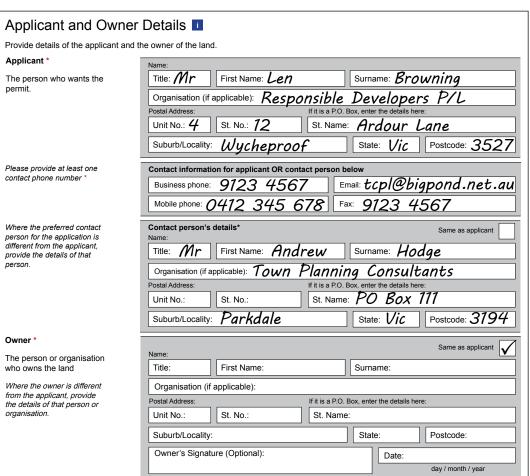
Example 2



Example 3



Example 4



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

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

Page 1 of 1

VOLUME 08789 FOLIO 826

Security no : 124121674688H Produced 03/02/2025 10:09 AM

CITY OF MARIBYRNONG RECEIVED

03/02/2025

URBAN PLANNING

LAND DESCRIPTION

Lot 8 on Plan of Subdivision 059143.
PARENT TITLE Volume 08746 Folio 800
Created by instrument 5162228R 03/09/1969

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
JULIA THOAI VI NGUYEN of 79 BIRDWOOD STREET MARIBYRNONG VIC 3032
AV065772Y 26/11/2021

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AY597454U 15/11/2024 WESTPAC BANKING CORPORATION

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

DIAGRAM LOCATION

SEE LP059143 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER STATUS DATE
AY597453W (E) DISCHARGE OF MORTGAGE Registered 15/11/2024
AY597454U (E) MORTGAGE Registered 15/11/2024

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

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

Street Address: 74 MELON STREET BRAYBROOK VIC 3019

ADMINISTRATIVE NOTICES

NIL

eCT Control 16977H ST GEORGE BANK Effective from 15/11/2024

DOCUMENT END

Title 8789/826 Page 1 of 1

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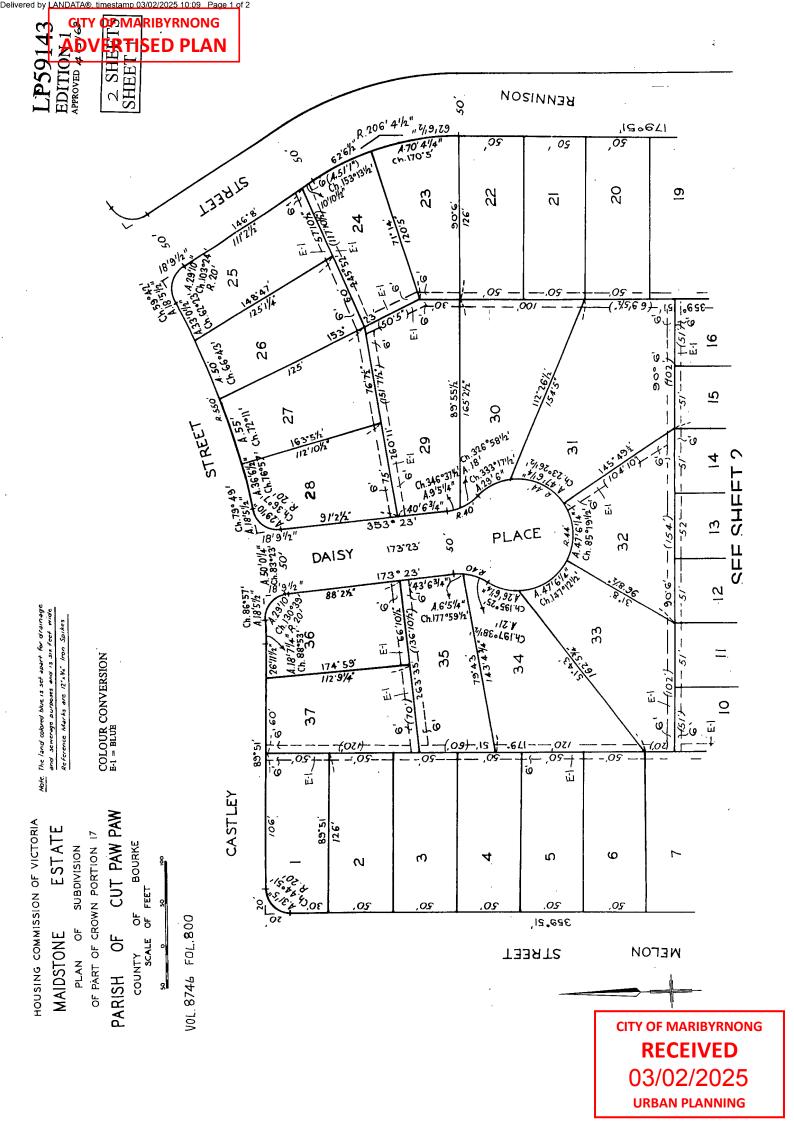
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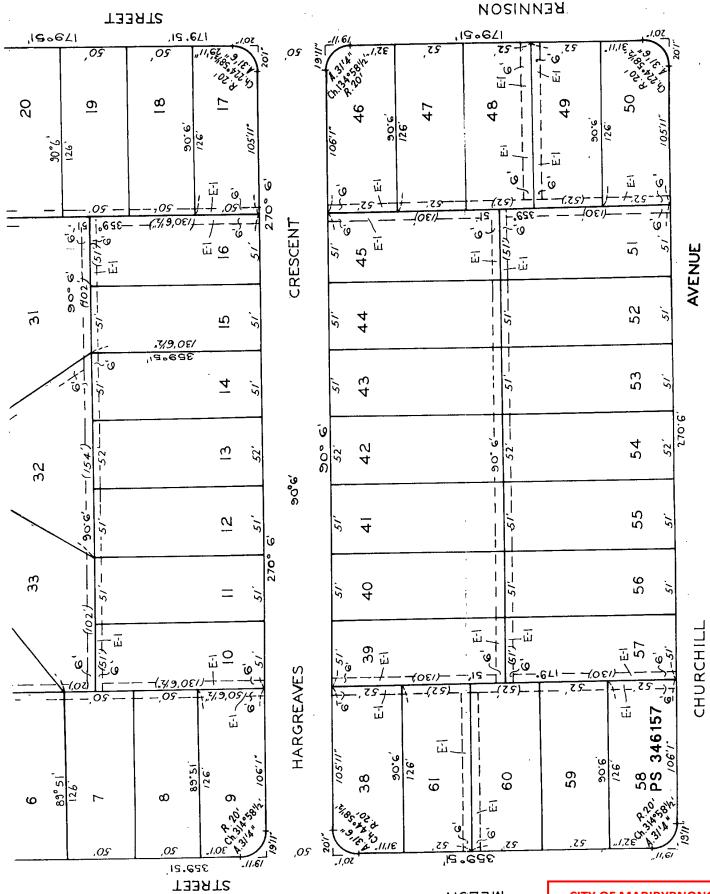
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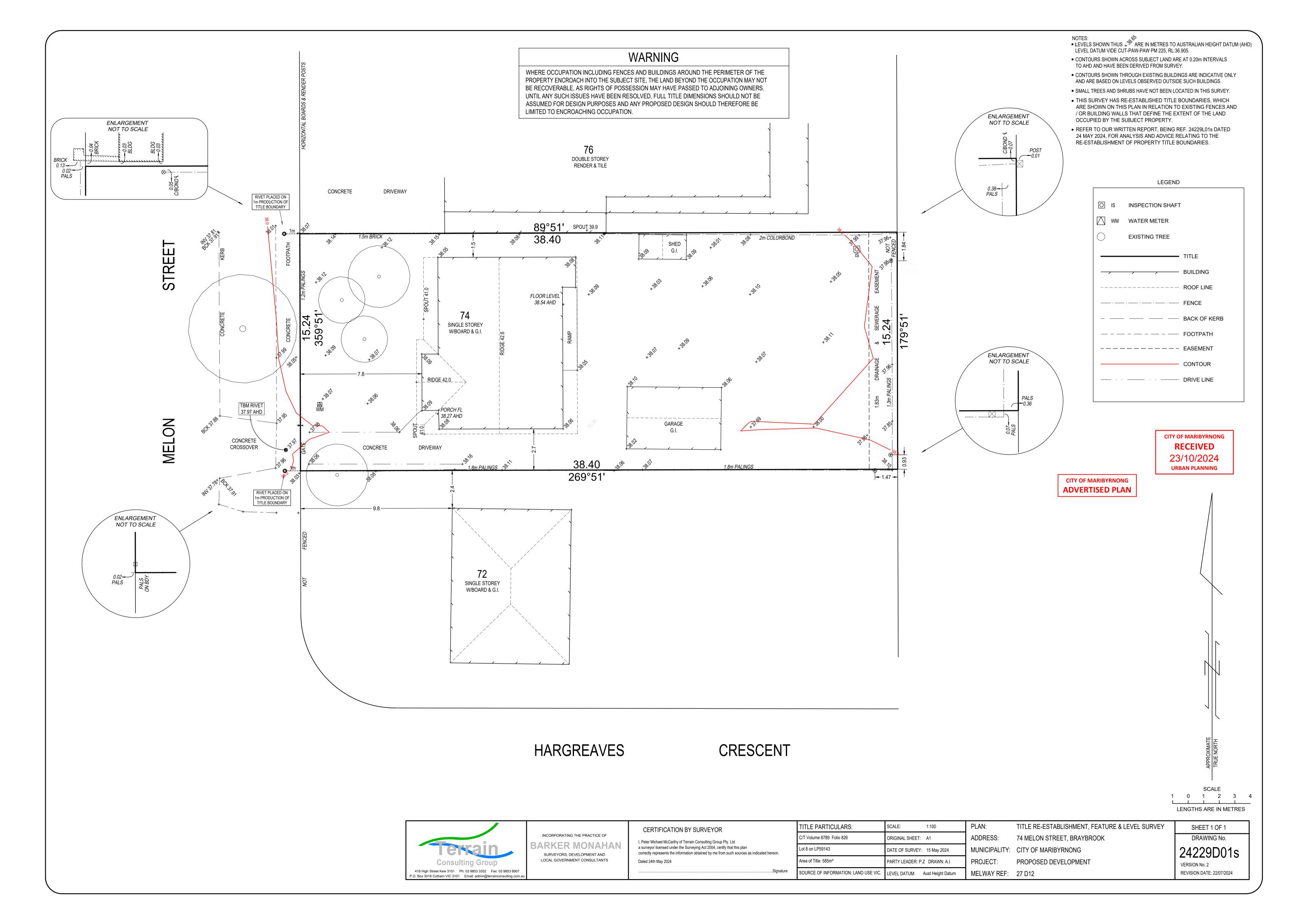




METON

CITY OF MARIBYRNONG

03/02/2025 URBAN PLANNING



Maribyrnong City Council Urban planning department

PO Box 58 West Footscray Vic 3012

CITY OF MARIBYRNONG

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03/02/2025

URBAN PLANNING

A division of Nguyen Architecture PL



Address

Mob

Email

6 Balmoral St Braybrook Vic. 3019 0403 574 692 dien@dnaarch.net.au

Date: 3 Feb 2025

Dear Kylie,

Re: Proposed two double storey unit development at no 45 South Road Braybrook 3019 - TP431/2024 (1)

In response to Council RFI letter dated 19 Nov 2024, please find enclosed the revised development plans TP01-07 rev A at 1:100 scale and the proposed schedule of external finishes including the coloured swatches, for the abovenamed application. In this revision issue, the following changes were made.

- 1. The proposed garages were setback 1metre measured to the front wall of the dwellings at ground floor level to avoid car parking structures to be dominant and minimize its visual impact when viewed from the street refer to the proposed ground floor plan on TP01.
- 2. Furthermore, the garage doors were designed to have a dark grey timber look steel doors to minimize the car parking space visual impact to the streetscape refer to the front elevation shown on TP 03 and the schedule of finishes,
- 3. A lighter coloured scheme was incorporated into the design including first floor walls, porches and roof colours refer to the schedule of finishes,
- 4. The study nook space at the front was designed to have corner windows to enhance its visual habitable room prominence and to provide passive surveillance of the nearby streets.

We trust that the above analysis and justification were fair and acceptable to address your preliminary concerns. Please consider the approval for the above consent and report application. We are contactable via mob. 0403574692 or via correspondence as shown on the letter head.

Sincerely yours,

Dien Nguyen DNA Architects

Encl. body of letter Copies. Office

117 SMITH STREET THORNBURY, VIC 3071 PH: (03) 9416 8770 1800 941010 Email: natascha@sitematters.com.au www.sitematters.com.au

SITE MATTERS

TOWN PLANNING & SITE ANALYSIS CONSULTANTS



RECEIVED

23/10/2024
URBAN PLANNING

No. 74 Melon Street, Braybrook

Design Response to the objectives and standards of Clause 55 of the Maribyrnong Planning Scheme

Medium density housing residential development comprising the construction of two (2) new two storey attached dwellings in a side by side configuration (two or more dwellings on a lot) with on site car parking and associated landscaping

October 2024

ADVERTISED PLAN
Planning permit application submission

Design Response to Clause 55 of the Maribyrnong Planning Scheme
No. 74 Melon Street, Braybrook

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Response to Design Standard 6; Safety

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Purpose

Application

Operation

Requirements

Ref. No. 24 0408 October 2024

CITY OF MARIBYRNONG ADVERTISED PLAN Planning permit application submission

Design Response to Clause 55 of the Maribyrnong Planning Scheme No. 74 Melon Street, Braybrook

> Clause 55.01 Neighbourhood and site description and design response

Response to Clause 55.01 Neighbourhood and Site Description and Design response

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55.

APPENDICES

Appendix 1: Melways Ref to show distances to local shops, public transport and local neighbourhood reserves and Neighbourhood and site description

plan showing site and neighbouring properties

- Appendix 2: Photographs of the site and the immediate and surrounding area
- Appendix 3: Design response plan to show the development in the context of the site and the immediate and surrounding area
- Appendix 4: Design response streetscape elevation to show the development in the context of the site and the immediate and surrounding area

Ref. No. 24 0408 October 2024 This planning submission has been prepared for the property situated at No. 74 Melon Street, Braybrook. Development plans prepared by DNA Architects for a medium density housing residential development comprising the construction of two new two storey attached dwellings in a side by side configuration with on site car parking and associated landscaping have been reviewed and are commented on in this planning submission.

Pursuant to the Maribyrnong Planning Scheme, the subject site is situated within a General Residential Zone – Schedule 1 (GRZ1) with a Development Contributions Plan Overlay – Schedule 2 (DCPO2). There are no heritage or other overlay controls applicable to the site.

This planning submission highlights the development's ability to comply with the relevant Clauses of the Maribyrnong Planning Scheme, Clause 32.08 General Residential Zone, Clause 52.06 Car parking and Clause 55 Two or more dwellings on a lot and residential buildings. There are no neighbourhood character features for the area identified in a Neighbourhood Character overlay. Planning policies at both state and local levels influence the development of land for multi-dwelling purposes.

In the course of preparing this assessment the subject site and environs have been inspected and a detailed neighbourhood and site plan formulated, (Plan No. 1 of 3, Ref. No. 24 0408 prepared by Site Matters Pty Ltd) to determine the existing conditions of the site and the pattern of development in the immediate and surrounding area. A design response plan (Plan No. 2 of 3, Ref. No 24 0408 prepared by Site Matters Pty Ltd) to demonstrate how the proposed design of the development derives from and responds to the neighbourhood and site description.

A design response written submission to demonstrate how the proposed development meets the objectives and standards of Clause 55 of the Maribyrnong Planning Scheme also forms part of this planning submission. The submission deals in detail with how the proposed development meets the objectives of Clause 55 of the Maribyrnong Planning Scheme. Further, the submission identifies and justifies any variations to the standards and explains how the objectives of the standard have been achieved.

2.0 THE SUBJECT SITE

The subject site is situated along the east side of Melon Street, Braybrook and comprises a rectangular shaped block of land with a west east alignment with a frontage width of 15.24 metres along the Melon Street frontage with a length of 38.40 metres along the north and south boundary covering a total site area of 585.3 square metres. A 1.83 metre wide easement extends along the width of the rear east boundary. (Refer to Appendix 1 for Melways Ref to show the location and distances to local shops, public transport and local neighbourhood reserves and Neighbourhood and Site description plan to show the location of the site and the uses in the immediate and surrounding area)

The site has abuttal to three separate residential allotments along the south, east and north boundaries with an approximate fall of 110mm from the north west corner to the south east corner extending the length of the site. The topography of the land is that it is flat. There are minimal height variations between the site and adjoining properties.

A single storey detached weatherboard dwelling with roof tiles occupies the site. The dwelling on site is setback 7.8 metres from the Melon Street frontage, 1.5 metres from the north boundary and 2.6 metres from the south boundary. The dwelling on site is fully detached.

The front garden is low maintenance with lawn cover and small sized ornamental shrubs within the front setback of the dwelling. There are no mature significant trees within the front setback of the dwelling. A low 1.0 metre high paling front fence with fully developed hedge binds the site along the Melon Street frontage. The height of the front fence combined with the front setback creates a relatively wide and open street space and connects the dwelling with the neighbourhood and streetscape character of the area.

The secluded private open space is situated to the rear of the dwelling along the east elevation and comprises lawn cover void of any significant established vegetation. There are small to medium sized ornamental trees along the rear east boundary of the site. There are no mature significant trees on site or mature significant trees that have been removed from the site within the last 12 months. A small shed is built to the north boundary and garage structure adjacent to the south boundary. There are no other outbuildings or structures built to the common side and rear boundaries.

A 3.0 metre wide vehicle access way is situated along the extreme south west corner of the site along the Melon Street frontage that provides vehicle access to the access way that extends along the south elevation of the site to the garage sited to the rear of the site built adjacent to the south boundary. The access way is paved and forms part of the existing conditions of the site.

There are no services along the frontage of the site that may restrict vehicle access onto the site if a new crossing was to be constructed along the frontage. There is a mature established nature strip tree situated centrally along the frontage of the site that contributes to the landscape character of the area.

Melon Street has a north south alignment with a direct link to Castley Crescent to the north and Hargreaves Crescent to the south. There is car-parking provision along both sides of the street. There are no parking restrictions. Wide nature strips with concrete footpaths and medium to mature sized ornamental deciduous and evergreen nature strip trees contribute to the landscape character of the area. (Refer to Appendix 2 for photographs of the site and the immediate and surrounding area)

3.0 THE PROPOSED DEVELOPMENT

3.1 Two dwellings on a lot

The dwelling on site will be demolished. It is proposed to construct two new two storey attached dwellings in a side by side configuration each with a direct street frontage to Melon Street. There will be no loss of dwelling stock in the area due to the development of the land for two new two storey attached dwellings in a side by side configuration. (Refer to Appendix 3 for design response plan to show the development in the context of the site and surrounding properties).

As part of the assessment, the following development summary has also been provided: -

Development Summary	
Site Area	585.29 square metres
Number of dwellings	2
Building site coverage	54.7%
Number of bedrooms	
Dwelling 1	Four bedrooms, study & rumpus room
Dwelling 2	Four bedrooms, study & rumpus room
Secluded private open space	
Dwelling 1	67.34m2
Dwelling 2	67.35m2
Percentage of garden area	32.6%
Impervious area	73.2%
Common property	Separate pedestrian and vehicle access
Parking on site	Four car parking spaces

3.2 **Dwelling Layout**

The dwellings will be two storeys in height each with a direct street frontage to Melon Street. Dwelling 1 concentrated along the south elevation will comprise at ground floor level an entrance foyer study, amenities, a bedroom and an open layout kitchen, dining and living room area with direct access to the secluded private open space. At first floor level the dwelling will comprise a landing hallway, amenities, a rumpus room and three bedrooms. Dwelling 1 will comprise four bedrooms, a study and first floor level rumpus room.

Dwelling 2 concentrated along the north elevation will comprise at ground floor level an entrance foyer study, amenities, a bedroom and an open layout kitchen, dining and living room area with direct access to the secluded private open space. At first floor level the dwelling will comprise a landing hallway, amenities, a rumpus room and three bedrooms. Dwelling 1 will comprise four bedrooms, a study and first floor level rumpus room.

The proposed dwellings utilise attached wall construction at ground and first floor level with pitched roof form to be in keeping with the roof pitch and style of dwellings in the immediate and surrounding area. The first floor level building envelope of each dwelling is setback sufficient distance from the side and rear boundaries, from the ground floor level side elevations and from the street frontage with projecting feature framed boxed windows to provide visual interest and first floor level articulation along the main front facade.

3.3 **Building Materials**

The proposed development interprets the traditional architectural dwelling styles and the built form in the area in a modern, contemporary and innovative design that will make a positive contribution to the streetscape character of the area. The building materials proposed for the development are a juxtaposition of elements typically found in the immediate and surrounding environment and have the dual purpose of softening the appearance of the development whilst providing different textures, which are in keeping with the streetscape.

The dwelling style, setback from side and rear boundaries and use of different building materials at ground and first floor level makes a positive contribution to the neighbourhood and streetscape character of the area. The use of vertical and horizontal symmetry creates visual interest and contributes to the neighbourhood and streetscape character of the area. (Refer to Appendix 4 for design response streetscape elevation to show the development in the context of the site and the immediate and surrounding area).

The building materials proposed for the dwellings include selected face brick work to ground floor level walls, panel cladding to first floor level walls, selected colorbond roof at 22 degree pitch, selected powder coated aluminium windows, powder coated colorbond garage doors and identifiable projecting rectangular front porch entrance with feature framed window above. The height and width, massing and detailing, vertical and horizontal symmetry contributes to increased complexity in the built form.

3.4 Open Space Allocation

Each dwelling has direct access to the secluded principal private open space from the main ground floor level open layout kitchen, dining and living room area. The open space for each dwelling has sufficient width and dimension to provide for the planting of medium sized ornamental trees and shrubs, the recreational needs of the occupants and site facilities.

The dwellings have been designed to connect the main indoor living room areas with the outdoor recreation areas and provide a positive interface and outlooks. The secluded private open space is an extension of the main indoor living room areas to be utilised for outdoor recreation. The area and width of the open space is of sufficient size and area to receive direct access to sunlight.

3.5 Car Parking Provision

Vehicle accommodation and access will not dominate the neighbourhood and streetscape character of the area. There is provision on site for a one car space garage with an associated visitor car parking space in tandem for each dwelling. The development provides for a total of four on site car parking spaces.

The garages have been designed to be in keeping with and compliment the architectural design of the dwellings incorporated to the front façade of each dwelling. The garages will be setback 9.35 metres from the Melon Street frontage setback behind the front façade of the dwellings and will not project forward of the front building line.

The garage wall for dwelling 1 will be setback of 1.0 metres from the south boundary and the garage wall of dwelling 2 will be setback 1.0 metres from the north boundary. The side setback of the garages from the south and north boundary combined with the front setback of the garages reduces vehicle dominance along the street frontage and maintains rhythm of dwelling spacing.

The existing 3.0 metre wide vehicle access way along the extreme south west corner of the site along the Melon Street frontage will be utilised to provide vehicle access to the garage and associated visitor car parking space of dwelling 1 independent of dwelling 2. The car parking space will be setback 500mm from the entrance door of the garage.

A new 3.0 metre wide vehicle access way will be constructed along the extreme north west corner of the site along the Melon Street frontage to be utilised to provide vehicle access to the garage and associated visitor car parking space of dwelling 2 independent of dwelling 1. The car parking space will be setback 500mm from the entrance door of the garage.

There are no services or nature strip trees that have to be removed to accommodate the new access way. The vehicle access way will be setback 2.26 metres from the trunk of the nature strip tree. The nature strip tree along the frontage of the site will be retained.

The vehicle access way for each dwelling will be concrete paved designed to be in keeping with the development. Ground covers and landscaping beds along the north and south elevation of each access way will soften the driveways edges, reduce hard paving surfaces and be designed to blend in be in keeping with the landscaping/lawn area within the front setback of each dwelling.

Each vehicle access way will have a corner splay at least 50 per cent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area will be clear of visual obstructions adjacent to landscaped areas which are less than 900mm in height.

The introduction of a new vehicle access ways along the Melon Street frontage will not impact on the neighbourhood or streetscape character of the area. The access ways along the frontage of the site are spaced apart 8.7 metres to provide greater opportunities for landscaping along the frontage, reduce hard paving surfaces and connect the development with the neighbourhood and streetscape character of the area.

The development of the land for two new two storey attached dwellings in a side by side configuration with on site car parking and two vehicle access ways along the Melon Street frontage will not impact on traffic movements or increase traffic generation in the area. Two storey attached dwellings and single storey attached dwellings in a side by side configuration with two vehicle access ways along the frontage form part of the streetscape character of the area along the west side of Melon Street.

4.0 PLANNING CONTROLS

An assessment according to the Planning Policy Framework, Local Planning Policies and Clause 55 of the Maribyrnong Planning Scheme were carried out as follows:

4.1 Planning Policy Framework

Clause 15 Built Environment and Heritage

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

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

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

Planning should incorporate measures to protect culturally significant heritage places in locations exposed to climate related hazards.

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

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

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

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

Planning should facilitate development that:

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

Clause 15.01 Built Environment

Clause 15.01-S Urban Design

Objective

To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

Strategies

Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.

Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.

Ensure the interface between the private and public realm protects and enhances personal safety.

Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.

Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.

Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.

Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.

Promote good urban design along and abutting transport corridors.

Policy documents

Consider as relevant:

 Urban Design Guidelines for Victoria (Department of Environmental, Land, Water and Planning, 2017.

Clause 15.01-2S Building Design

Objective

To achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.

Strategies

Ensure a comprehensive site analysis forms the starting point of the design process and provides the basis for the consideration of height, scale, massing and energy performance of new development.

Ensure development responds and contributes to the strategic and cultural context of its location.

Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.

Improve the energy performance of buildings through siting and design measures that encourage:

- Passive design responses that minimise the need for heating, cooling and lighting.
- On-site renewable energy generation and storage technology.
- Use of low embodied energy materials.

Restrict the provision of reticulated natural gas in new dwelling development.

Ensure the layout and design of development supports resource recovery, including separation, storage and collection of waste, mixed recycling, glass, organics and e-waste.

Encourage use of recycled and reusable materials in building construction and undertake adaptive reuse of buildings, where practical.

Encourage water efficiency and the use of rainwater, stormwater and recycled water.

Minimise stormwater discharge through site layout and landscaping measures that support on-site infiltration and stormwater reuse.

Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.

Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.

Ensure development is designed to protect and enhance valued landmarks, views and vistas.

Ensure development considers and responds to transport movement networks and provides safe access and egress for pedestrians, cyclists and vehicles.

Encourage development to retain existing vegetation.

Ensure development provides landscaping that responds to its site context, enhances the built form, creates safe and attractive spaces and supports cooling and greening of urban areas.

Policy documents

Consider as relevant:

- Urban Design Guidelines for Victoria (Department of Environment, Land, Water and Planning, 2017)
- Apartment Design Guidelines for Victoria (Department of Environment, Land, Water and Planning, 2017.
- Waste Management and Recycling in Multi-unit Developments (Sustainability Victoria, 2019)

Clause 15.01-5S Neighbourhood Character

Objective

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

Strategies

Support development that respects the existing neighbourhood character or contributes to a preferred neighbourhood character.

Ensure the preferred neighbourhood character is consistent with medium and higher density housing outcomes in areas identified for increased housing.

Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by respecting the:

- Pattern of local urban structure and subdivision.
- Underlying natural landscape character and significant vegetation.
- Neighbourhood character values and built form that reflect community identity

Clause 16 Housing

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

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

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

Clause 16.01 Residential Development

Clause 16.01-1S Housing supply

Objective

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

Strategies

Ensure that an appropriate quantity, quality and type of housing is provided, including aged care facilities and other housing suitable for older people, supported accommodation for people with disability, rooming houses, student accommodation and social housing.

Increase the proportion of housing in designated locations in established urban areas (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas.

Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.

Identify opportunities for increased residential densities to help consolidate urban areas.

Facilitate diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types.

Encourage the development of well-designed housing that:

- Provides a high level of internal and external amenity.
- Incorporates universal design and adaptable internal dwelling design.

Support opportunities for a range of income groups to choose housing in well-serviced locations.

Plan for growth areas to provide for a mix of housing types through a variety of lot sizes, including higher housing densities in and around activity centres.

Policy documents

Consider as relevant:

- Homes for Victorians Affordability, Access and Choice (Victorian Government, 2017)
- Apartment Design Guidelines for Victoria (Department of Environment, Land, Water and Planning, 2017)

Clause 16.01-2S Housing affordability

Objective

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

Strategies

Improve housing affordability by:

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

Increase the supply of well-located affordable housing by:

- Facilitating a mix of private, affordable and social housing in suburbs, activity centres and urban renewal precincts.
- Ensuring the redevelopment and renewal of public housing stock better meets community needs.

Facilitate the delivery of social housing by identifying surplus government land suitable for housing.

Policy documents

Consider as relevant:

 Homes for Victorians - Affordability, Access and Choice (Victorian Government, 2017)

Response to the Planning Policy Framework

The proposed development meets the above strategies in that the development is appropriate for the urban character, provides for a different housing type to cater for diverse housing needs. The proposed development will increase housing density in an appropriate location, close to services and existing infrastructure.

The proposed development has been designed to respect the character of the neighbourhood. The design and layout of the development is in keeping with the character of the neighbourhood with respect to building materials, setbacks from the south, east and north boundaries, minima use of boundary walls, building envelope and massing and detailing.

The location, bulk and appearance of the proposed development will be in keeping with the character and appearance of adjacent buildings. The height of the development can readily be absorbed in this neighbourhood context with minimal impact on the amenity of the occupants of the dwellings to the south, east and north.

The front setback proposed for the development is well connected into the neighbourhood and maintains the front garden area. The development provides a consistent front setback to visually unify the diverse types of buildings and enhance the quality of the residential area. The front setback will not impact on the neighbourhood and streetscape character of the area or when viewed from the street and adjoining properties.

Vehicle accommodation and access will not dominate the neighbourhood and streetscape character of the area. There is provision on site for a one car space garage with an associated visitor car parking space in tandem for each dwelling. The development provides for a total of four on site car parking spaces.

The garages for each of the dwellings are setback behind the front façade of the dwellings and will not project forward of the front building line. The garages will setback 9.35 metres from the Melon Street frontage. The setback of 1.0 metres from the south boundary for dwelling 1 and from the north boundary for dwelling 2 combined with the front setback reduces vehicle dominance along the street frontage and maintains rhythm of dwelling spacing. The garages have been designed to be in keeping with and compliment the architectural design of the dwellings incorporated to the front façade of each dwelling.

A front fence is not proposed along the Melon Street frontage. The absence of a front fence along the Melon Street frontage maintains the openness of front boundary treatments, the view of established front gardens and tree-lined streets, and the presentation of dwellings to the street. The proposed development maintains and strengthens the garden dominated streetscape character and landscaped setting of the precinct.

The setbacks of the dwellings from the side and rear boundaries, the consistent front setback, the provision of onsite vehicle accommodation, the areas and orientation of private open space provided for each dwelling, and the overall site coverage clearly demonstrates that the site is ideally suited for a medium density residential development in this neighbourhood context

This area of the municipality exhibits a variety of dwelling styles and types when compared to other areas of the municipality that are more uniform, consistent and intact in dwelling styles and types. There are various examples in the immediate and surrounding area of single storey dual occupancy developments in a side by side configuration and medium density housing developments (three to four dwellings) extending the length of allotments.

The proposed development comprising the construction of two new two storey attached dwellings in a side by side configuration is an appropriate form of infill development for the site based on existing development in the immediate and surrounding area, the size of the allotment and the residential abuttals to the south, east and north boundaries. The proposed development meets the objectives and strategies of the Planning Policy Framework.

4.2 Local Planning Policy Framework

Clause 21 Municipal Strategic Statement

Council's Municipal Strategic Statement sets the direction for land use and development in Maribyrnong by identifying key planning elements for consideration and nominating a series of objectives and strategies for each.

The relevant elements to this application are Clause 21.06 Built Environment and Heritage and Clause 21.07 Housing. Each element contains key issues objectives and strategies.

Clause 21.06 Built Environment and Heritage

Clause 21.06-1 Urban Design

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

Increasingly new residential developments are occurring on laneways, either within established suburbs or laneways designed as part of new developments. In established areas laneways should be reconfigured to provide safe, accessible and attractive settings for residents, which may require redesign and reconstruction to cater for the new development.

The objectives that are applicable to residential development include: -

Objective 3

To encourage well-designed residential development.

Strategies

Encourage high quality design and development.

Encourage development that respects the heritage values and identified character of neighbourhoods.

Encourage contemporary and innovative architecture to establish a preferred neighbourhood character in new residential areas.

Objective 10

To preserve significant trees and landscapes

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Support development applications that retain trees and landscapes of cultural significance.

Ensure new street trees complement the species of contributory trees.

Response to Local Planning Policy Framework

Having regard to the policy objectives above it is submitted that the proposed development is consistent with the Local Planning Policy Framework and the Municipal Strategic Statement in the Maribyrnong Planning scheme.

There is no question this location is appropriate for a high quality medium density development. Importantly the development provides for two good sized four bedroom dwellings with ground floor level study and first floor level retreat with good amenities and open space areas, which is a section of the housing market often overlooked in medium density developments.

The proposed development addresses the policy objectives by providing a development that provides housing choices and has good access to existing physical and social infrastructure. The proposed development provides adequate car parking with safe and efficient vehicle movements to and from the site.

The design of the proposed development will enhance the local neighbourhood as it presents a built form that compliments its environment and respects neighbourhood character through the provision of a sustainable development that utilises specific elements to provide for solar access and day lighting to the dwellings.

The siting and form of the proposed development is reflective of the policy objective as it provides appropriately designed medium density housing in a location which is capable of accommodating two new two storey attached dwellings in a side by side configuration with four bedrooms, ground floor level study and first floor level retreat without unduly comprising the infrastructure capacity, urban and cultural local context of the area.

The form of the development, appropriate setbacks at ground and first level and large windows improves solar access and reflects contemporary design, which is environmentally sustainable. The development has adequate private open space for the recreational need of the residents. The private open space areas have appropriate dimensions and will capture adequate solar access throughout the day.

The private open space areas have large areas open to the sky that will enable appropriate solar access to these areas without impacting on solar access available to adjoining properties. Cross ventilation is available in the design and the living areas have access to ample light.

The design of the proposed development is generally energy efficient in that will help reduce greenhouse gas emissions and promote measures to improve air quality as the living areas are located to receive appropriate solar energy

The proposed development takes the opportunity to develop the subject site and provide a medium density housing option for the projected population growth. The site is located in an established residential area and there is appropriate provision for existing infrastructure to be utilised by the development.

The provision of four on site car parking spaces with use of separate vehicle access along the Melon Street frontage takes into consideration the established traffic characteristics of the area and does not create traffic conflicts. Vehicles can enter and exit the site in a forward direction.

The proposed two new two storey attached dwellings in a side by side configuration with a direct street frontage to Melon Street is an appropriate form of infill development for the site based on existing development in the immediate and surrounding area, the size of the allotment and the residential abuttals to the south, east and north. The proposed development meets the objectives and strategies of the Local Planning Policy Framework.

Clause 21.07 Housing

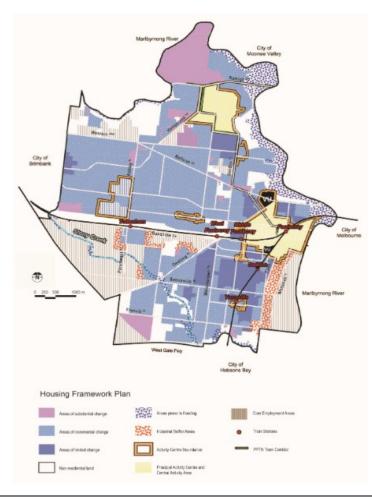
Clause 21.07-1 Residential Capacity and location

The City has opportunities for significant residential redevelopment for the next 20 years that will cater for the forecast population and housing increase.

Substantial, Incremental and Limited change areas are identified on the Framework Plan that forms part of this Clause.

Within the Housing Framework Map the subject site is situated within an area of Incremental Change. These areas typically have the following characteristics:

Housing framework Plan



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Housing growth area framework	
Incremental Change Areas	All other residential areas without heritage significance or an identified residential character that warrants planning protection through specific overlays.

Objective 2

To provide incremental opportunities for new residential development in incremental change areas and incremental change activity centres.

Strategies

Ensure development has regard to and clearly responds to preferred character statements and design guidelines for specific neighbourhood character precincts.

Ensure the siting and design of infill development respects the scale, form and siting of surrounding development.

Encourage residential development within incremental change areas to predominantly comprise of low and medium density housing in the form of separate and semi detached houses and in appropriate locations units, shop top dwellings and low scale apartments.

Support low scale apartment developments at locations within key Neighbourhood Activity Centres; they must reflect existing local character in terms of height, mass setbacks and building materials; and provide a sensitive and appropriate interface to adjoining streetscapes, buildings and residential areas.

Support gradual medium density 'infill' development, in the form of townhouses, units and shop-top dwellings, located close to transport, activity centres and community infrastructure.

Support smaller scale infill residential development in keeping with the streetscape and character of the centres and their adjacent residential in incremental change activity centres.

Encourage the retention of existing housing that positively contributes to preferred neighbourhood character.

Ensure development in activity centres follows relevant structure plans and urban design frameworks.

Protect areas that contribute to the range of housing choice especially for families and lifestyle choices.

Clause 21.07-2 Housing Diversity and Affordability

Objective 5

To encourage a mix of housing.

To encourage housing affordability.

Response to Clause 21.07 Housing

The proposed development comprising the construction of two new two storey attached dwellings in a side by side configuration with a direct street frontage to Melon Street with on site car parking has responded positively to the objectives raised above by:

- The subject site is in General Residential Zone Schedule 1 of which the main purpose is to encourage development that respects the neighbourhood character of the area and encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- The size and area of the land is appropriate to accommodate two new two storey attached dwellings in a side by side configuration with a direct street frontage to Melon Street.
- A development of an intensity that is comparable with other recent developments in the area, particularly to the south west and north east where allotments have been developed with single storey attached dual occupancy development in a side by side configuration and two storey medium density housing residential developments extending the length of allotments.
- The features of the site, particularly in the context of the surrounding area, means that the intensity of development proposed can be comfortably accommodated on the site with minimal adverse off site amenity impacts;
- The proposed development integrates the design treatment of the walls and the height of the building quite successfully into the neighbourhood. The height of the development is in keeping with the two storey wall heights of the dwelling immediately to the north and in the immediate and surrounding area;
- Takes account of established traffic movements with the provision of four on site car parking spaces and the use of the existing vehicle access way with the introduction of a separate vehicle access way along the Melon Street frontage to provide separate vehicle access for each dwelling consistent and in keeping with the neighbourhood setting.
- A development of an intensity that seeks to anticipate and meet the needs of the housing needs of sectors within the community who do not want large properties to maintain (or who cannot maintain them);
- Appropriate management of off site amenity impacts.

The proposed development increases the choice of housing available to a wide range of ages and lifestyles designed to appeal to a wide variety of age groups. The proposed development is responsive to its site context, integrates with and enhances the prevailing neighbourhood character. The proposed development meets the strategies and objectives of Clause 21.07 Housing.

4.3 Local Planning Policies

Clause 22.05 Preferred Neighbourhood Character Statements

This policy applies to development (including subdivision) in the Residential 1 Zone as shown on the Neighbourhood Character Precinct Map forming part of this clause.

The Maribyrnong Neighbourhood Character areas comprise 13 Neighbourhood character types across the municipality (as shown on the Neighbourhood Character Precinct Map forming part of this Clause).

This policy assists in achieving the objectives of the State Planning Policy Framework, particularly in relation to responding to neighbourhood character and urban design principles.

The policy builds on the objectives of Clause 21.06 and 21.07 of the Maribyrnong Municipal Strategic Statement by ensuring that new development respects and enhances the preferred neighbourhood character of the residential areas.

The policy implements the findings of the Maribyrnong Neighbourhood Character Review, February 2010, which identifies the key existing characteristics and preferred neighbourhood character of Maribyrnong, defining residential precincts based on the delineation of areas of similar character elements.

Clause 22.05-2 Objectives

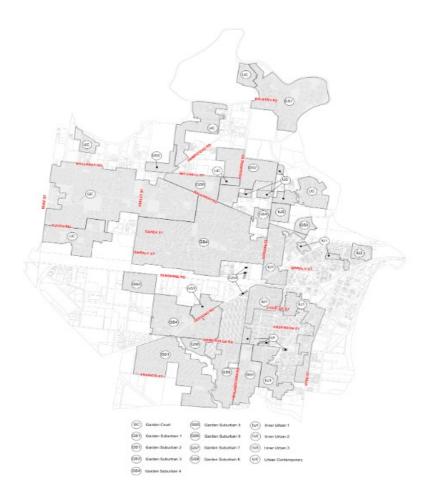
- To ensure that development is responsive to the preferred future character of the area.
- To retain and enhance the identified elements that contributes to the character of the area.
- To implement the recommendations of the Maribyrnong Neighbourhood Character Review, February 2010.

The main policy relevant to the current proposal is to apply the principles of the Preferred Neighbourhood Character Statements. The assessment of the achievement of these objectives is assessed pursuant to the Neighbourhood Character Precinct and Clause 55 (Res Code) of the Maribyrnong Planning Scheme. Within the Neighbourhood Character Precinct Map the site is situated within a Garden Court.

Garden Court - GC

The spacious informal streetscapes of this precinct will be strengthened through the continued maintenance of existing dwellings and gardens, as well as replacement buildings that enhance these characteristics. Where possible, original dwellings including Interwar and Post war homes will be retained and restored to promote a sense of history within the precinct. New development will incorporate wide pitched roof forms with well-articulated façades that include variations in materials. The visual prominence of car parking structures and crossovers will be minimal, with single-lane driveways and garages that are set behind the line of the front façade. Dwellings will be surrounded by spacious gardens that comprise canopy trees, shrubs and lawn, and views to these landscaped areas will be retained through the provision of low, permeable or no front fencing.

Maribyrnong Neighbourhood Character Precincts



4.4 The Zoning of the land

Clause 32.08 General Residential Zone (GRZ1)

Pursuant to the Maribyrnong Planning Scheme the subject site is situated within a General Residential Zone (GRZ1).



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- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage development that respects the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Clause 32.08-1 Neighbourhood character objectives

A schedule to this zone may contain neighbourhood character objectives to be achieved for the area. The Schedule 1 to Clause 32.08-1 General Residential Zone, General Residential Areas does not specify a neighbourhood character objective to be achieved.

Clause 32.08-2 Table of uses

Section 1 - Permit not required

Use	Condition
Dwelling (other than Bed and breakfast	

A dwelling (other than bed and breakfast) is a section 1 use, as of right. A planning permit is not required to use the land for the purpose of a dwelling.

Pursuant to the Maribyrnong Planning Scheme, a dwelling is defined as, a building used as a self-contained residence, which must include:

- a) a kitchen sink;
- b) food preparation facilities;
- c) a bath or shower; and
- d) a closet pan and wash basin

It includes outbuildings and works normal to a dwelling.

Response to Clause 32.08-2 Table of uses

The site will be developed with two new two storey attached dwellings in a side by side configuration each with a direct street frontage to Melon Street each comprising a kitchen sink, food preparation facilities, a bath and shower and a closet pan and wash basin and complies with this definition and therefore does not require planning approval for the use of a dwelling under the General Residential Zone.

Clause 32.08-4 Construction or extension of a dwelling, small second dwelling or residential building

Minimum garden area requirement

An application to construct or extend a dwelling, small second dwelling or residential building on a lot must provide a minimum garden areas as set out in the following table:

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Lot size	Minimum percentage of a lot set aside as garden
	area
400-500 square metres	25%
501-650 square metres	30%
Above 650 square metres	35%

This does not apply to:

- An application to construct or extend a dwelling, small second dwelling or residential building if specified in a schedule to this zone as exempt from the minimum garden area requirement;
- An application to construct or extend a dwelling or residential building on a lot if:
 - The lot is designated as a medium density housing site in an approved precinct structure plan or an approved equivalent strategic plan;
 - The lot is designated as a medium density housing site in an incorporated plan or approved development plan; or
- An application to alter or extend an existing building that did not comply with the minimum garden area requirement of Clause 32.08-4 on the approval date of Amendment VC110.

Response to Clause 32.08-4 Construction of extension of a dwelling, small second dwelling or residential building

The subject site has a total site area of approximately 585.92 square metres. The total garden area, including side paths of in excess of 1.0 metre, the rear and side setback area of each dwelling, the secluded private open space area and the front garden area covers a total garden area of 191.0 square metres which equates to 32.6 percent of the site and meets the minimum area requirement.

Clause 32.08-7 Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

Permit requirement

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot
- Construct two or more dwellings on a lot
- Extend a dwelling if there are two or more dwellings on the lot
- Construct or extend a dwelling if it is on common property
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2

A development must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.

An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

Response to Clause 32.08-7 Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

It is proposed to construct two new two storey attached dwellings in a side by side configuration each with a direct street frontage to Melon Street (two or more dwellings on a lot) and therefore planning approval is required under this Clause of the Maribyrnong Planning Scheme.

Clause 32.08-8 Requirements of Clause 55

The schedule to this zone may specify the requirements of the following standards: -

- Street setback
- Site Coverage
- Permeability
- Landscaping
- Side and rear setbacks
- Walls on boundaries
- Private open space
- Front fence height

Schedule 1 to Clause 32.08 General Residential Zone, General Residential Areas does not specify any of the standards. None of the standards are specified in the schedule to the General Residential Zone, therefore the requirements set out in the relevant standard of Clause 55 applies.

Schedule 1 to Clause 32.08 General Residential Zone

General Residential Areas

1.0 Neighbourhood Character objectives

None specified

2.0 Construction or extension of a dwelling, small second dwelling or residential building – minimum garden area requirement

Is the construction or extension of a dwelling or residential building exempt from the minimum garden area requirement?

No

3.0 Requirements of Clause 55

	Standard	Requirement
Minimum street setback	B6	None specified
Site coverage	B8	None specified
Permeability	B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	B17	None specified
Walls on boundaries	B18	None specified
Private open space	B28	None specified
Front fence height	B32	None specified

4.0 Maximum building height requirement for a dwelling, small second dwelling or residential building

None specified

5.0 Application requirements

None specified

6.0 Decision guidelines

None specified

Clause 32.08-10 Buildings and works associated with a Section 2 use

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-2.

Clause 32.08-11 Maximum building height requirement for a dwelling, small second dwelling or residential building

A building must not be constructed for use as a dwelling or a residential building that:

- exceeds the maximum building height specified in a schedule to this zone; or
- contains more than the maximum number of storeys specified in a schedule to this zone.

If no maximum building height or maximum number of storeys is specified in a schedule to this zone:

- the building height must not exceed 11 metres; and
- the building must contain no more than 3 storeys at any point.

A building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height or contain a greater number of storeys than the preexisting building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.

- It is on a corner lot abutted by lots with existing buildings and the new building
 does not exceed the building height or contain a greater number of storeys than
 the lower of the existing buildings on the abutting allotments.
- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if it does not exceed the building height of the existing building or contain a greater number of storeys than the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

A basement is not a storey for the purposes of calculating the number of storeys contained in a building.

The maximum building height and maximum number of storeys requirements in this zone or a schedule to this zone apply whether or not a planning permit is required for the construction of a building.

Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

Response to Clause 32.08-11 Maximum building height requirement for a dwelling, small second dwelling or residential building

There is no maximum height specified in the schedule to this zone, if no maximum height is specified in the schedule to the zone: -

- the building height must not exceed 11 metres; and
- the building must contain no more than 3 storeys at any point.

The proposed dwellings will be two storeys in height at an overall maximum height of 7.3 metres to the top of the pitch of the roof from natural ground level and does not exceed a building height of 11 metres and contains no more than 3 storeys at any point.

The site has an approximate fall of 110mm from the north west corner to the south east corner extending the length of the site. The topography of the land is that it is flat. There are minimal height variations between the site and adjoining properties. The slope and fall of the land will not affect the height of the proposed development. The height of the development can readily be absorbed in this neighbourhood context.

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The height of the proposed development is consistent with the two storey wall heights of the adjoining dwelling immediately to the north and to the north east and in the immediate and surrounding area. The development will not have a visual impact on adjoining properties or when viewed from the street. The proposed development meets the requirements of Clause 32.08-11 Maximum building height requirement for a dwelling, small second dwelling or residential building.

Clause 32.08-12 Application requirements

An application must be accompanied by the following information, as appropriate:

• For a residential development of four storeys or less, the neighbourhood and site description and design response as required in Clause 55.

Response to Clause 32.08-12 Application requirements

A neighbourhood and site description plan, design response plan and design response streetscape elevation prepared by Site Matters Pty Ltd forms part of this planning submission.

Clause 32.08-14 Decision guidelines

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

General

- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of this zone.
- The objectives set out in a schedule to this zone
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

Dwellings, small second dwellings and residential buildings

For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55.

A response to the objectives, standards and decision guidelines of Clause 55 of the Maribyrnong Planning Scheme forms part of this submission at Section 5.

Clause 32.08-16 Transitional provisions

The minimum garden area requirement of Clause 32.08-4 and the maximum building height and number of storeys requirements of Clause 32.08-9 introduced by Amendment VC110 do not apply to:

- A planning permit application for the construction or extension of a dwelling or residential building lodged before the approval date of Amendment VC110.
- Where a planning permit is not required for the construction or extension of a dwelling or residential building:

- A building permit issued for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110.
- A building surveyor has been appointed to issue a building permit for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.
- A building surveyor is satisfied, and certifies in writing, that substantial progress was made on the design of the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.

The minimum garden area requirement of Clause 32.08-4 introduced by Amendment VC110 does not apply to a planning permit application to subdivide land for a dwelling or a residential building lodged before the approval date of Amendment VC110.

4.5 Particular Provisions

Clause 52.06 Car Parking

Purpose

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

Clause 52.06-1 Scope

Clause 52.06 applies to:

- a new use; or
- an increase in the floor area or site area of an existing use; or
- an increase to an existing use by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

Clause 52.06 does not apply to:

- The extension of one dwelling on a lot in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, General Residential Zone, Residential 2 Zone, Residential 3 Zone, Mixed Use Zone or Township Zone; or
- The construction and use of one dwelling on a lot in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, General Residential Zone, Residential 2 Zone, Residential 3 Zone, Mixed Use Zone or Township Zone unless the zone or a schedule to the zone specifies that a permit is required to construct or extend one dwelling on a lot.

Clause 52.06-2 Provision of car parking spaces

Before:

- a new use commences; or
- the floor area or site area of an existing use is increased; or
- an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use,

The number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be provided to the satisfaction of the responsible authority in one or more of the following ways:

- on the land; or
- in accordance with a permit issued under Clause 52.06-3; or
- in accordance with a financial contribution requirement specified in a schedule to the Parking Overlay.

If a schedule to the Parking Overlay specifies a maximum parking provision, the maximum provision must not be exceeded except in accordance with a permit issued under Clause 52.06-3.

Clause 52.06-3 Permit requirement

A permit is required to:

- Reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.
- Provide some or all of the car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay on another site.
- Provide more than the maximum parking provision specified in a schedule to the Parking Overlay.

A permit is not required if a schedule to the Parking Overlay specifies that a permit is not required under this Clause

A permit is not required to reduce the number of car parking spaces required for a new use of land if the following requirements are met:

- The number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay for the new use is less than or equal to the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay for the existing use of the land
- The number of car parking spaces currently provided in connection with the existing use is not reduced after the new use commences.

Clause 52.06-5 Number of Car parking space required under Table 1

Table 1 of this clause sets out the car parking requirement that applies to a use listed in the Table.

A car parking requirement in Table 1 may be calculated as either:

- a number of car parking spaces; or
- a percentage of the total site area that must be set aside for car parking.

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Table 1 Car parking requirement

Use	Column A	Column B	Car parking measure Column C
Dwelling	1	1	To each one or two bedroom dwelling, plus
	2	2	To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus
	1	1	For visitors to every 5 dwellings for developments of 5 or more dwellings

Response to Clause 52.06-5 Number of Car parking space required

Each dwelling proposed for the site will comprise four bedrooms, a ground floor level study and a first floor level rumpus room. Based on the above car parking requirements the proposed development requires a total of four on site car parking spaces.

There is provision on site for a one car space garage with an associated visitor car parking space in tandem for each dwelling. The development provides a total of four on site car parking spaces and meets the requirements of Clause 52.06-5 Number of car parking spaces required.

Clause 52.06-8 Design Standards for car parking

Plans prepared in accordance with Clause 52.06-7 must meet the design standards of Clause 52.06-8, unless the responsible authority agrees otherwise.

Design standards 1, 3, 6 and 7 do not apply to an application to construct one dwelling on a lot.

Design standard 1: Access ways

Access ways must:

- Be at least 3 metres wide.
- Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.
- Allow vehicles parked in the last space of a dead-end access way in public car parks to exit in a forward direction with one manoeuvre.
- Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheelbase of 2.8 metres.
- If the access way serves four or more car spaces or connects to a road in a Road Zone, the access way must be designed so that cars can exit the site in a forward direction.
- Provide a passing area at the entrance at least 5 metres wide and 7 metres long
 if the access way serves ten or more car parking spaces and is either more than
 50 metres long or connects to a road in a Road Zone.

Have a corner splay or area at least 50 per cent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.

If an access way to four or more car parking spaces is from land in a Road Zone, the access to the car spaces must be at least 6 metres from the road carriageway.

If entry to the car space is from a road, the width of the access way may include the road.

Response to Design standard 1: Access ways

The existing 3.0 metre wide vehicle access way along the extreme south west corner of the site along the Melon Street frontage will be utilised to provide vehicle access to the garage and associated visitor car parking space of dwelling 1 independent of dwelling 2. The car parking space will be setback 500mm from the entrance door of the garage.

A new 3.0 metre wide vehicle access way will be constructed along the extreme north west corner of the site along the Melon Street frontage to be utilised to provide vehicle access to the garage and associated visitor car parking space of dwelling 2 independent of dwelling 1. The car parking space will be setback 500mm from the entrance door of the garage.

There are no services or nature strip trees that have to be removed to accommodate the new access way. The vehicle access way will be setback 2.26 metres from the trunk of the nature strip tree. The nature strip tree along the frontage of the site will be retained.

The vehicle access way for each dwelling will be concrete paved designed to be in keeping with the development. Ground covers and landscaping beds along the north and south elevation of each access way will soften the driveways edges, reduce hard paving surfaces and be designed to blend in be in keeping with the landscaping/lawn area within the front setback of each dwelling.

Each vehicle access way will have a corner splay at least 50 per cent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area will be clear of visual obstructions adjacent to landscaped areas which are less than 900mm in height.

The introduction of a new vehicle access ways along the Melon Street frontage will not impact on the neighbourhood or streetscape character of the area. The access ways along the frontage of the site are spaced apart 8.7 metres to provide greater opportunities for landscaping along the frontage, reduce hard paving surfaces and connect the development with the neighbourhood and streetscape character of the area.

The development of the land for two new two storey attached dwellings in a side by side configuration with on site car parking and two vehicle access ways along the Melon Street frontage will not impact on traffic movements or increase traffic generation in the area. Two storey attached dwellings and single storey attached dwellings in a side by side configuration with two vehicle access ways along the frontage form part of the streetscape character of the area along the west side of Melon Street. The proposed development meets the requirements of Design standard 1: Access ways.

Design standard 2: Car parking spaces

Car parking spaces and access ways must have the minimum dimensions as outlined in Table 2.

Table 2: Minimum dimension of car parking spaces and access ways

Angle of car parking space to accessway	Access way width	Car space width	Car space length
45 degrees	3.5m	2.6m	4.9m

Response to Design standard 2: Car parking spaces

There is provision on site for a one car space garage with an associated visitor car parking space in tandem foreach dwelling. The one car space garage for each dwelling will be 3.5 metres in width and 6.0 metres in length measured internally clearances.

The associated visitor car parking space for each dwelling will be 2.6 metres in width and 5.4 metres in length setback 500mm from the entrance door of the garages. The car parking space dimensions for each dwelling meets the dimension requirements of the Design Standard 2: Car parking spaces.

Design standard 5: Urban Design

Ground level car parking, garage doors and access ways must not visually dominate public space.

Car parking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.

Design of car parks must take into account their use as entry points to the site.

Design of new internal streets in developments must maximise on street parking opportunities.

Response Design standard 5: Urban Design

Vehicle accommodation and access will not dominate the neighbourhood and streetscape character of the area. There is provision on site for a one car space garage with an associated visitor car parking space in tandem for each dwelling.

Vehicle accommodation has been designed to be in keeping with and compliment the architectural design of the dwellings incorporated to the front façade of each dwelling. The garages will be setback 9.35 metres from the Melon Street frontage setback behind the front façade of the dwellings and will not project forward of the front building line.

The garage walls will be setback 1.0 metres from the south and north boundary. The side setback of the garages from the south and north boundary combined with the front setback of the garages reduces vehicle dominance along the street frontage and maintains rhythm of dwelling spacing. The proposed development meets the requirements of Design standard 5: Urban Design.

Design standard 6: Safety

Car parking must be well lit and clearly signed.

The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.

Pedestrian access to car parking areas from the street must be convenient.

Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.

Response to Design standard 6: Safety

Car parking facilities are convenient to dwellings and secure, allow surveillance from windows and do not obscure the view between the street and the front windows. The internal layout of each dwelling and the location of the garages and associated visitor car parking space for each dwelling will ensure that the emission of noise from occupants or their vehicles will not detract from the amenity of adjoining residents.

Each garage has side door access to the side setback area of each dwelling to provide ventilation and separate door access to the internal hallway of each dwelling for improved safety security. The proposed development meets the requirements of Design standard 6: Safety.

The provision of four on site car parking spaces is considered appropriate for the site based on the number of rooms of each dwelling, the site's proximity to public transport and the likely end users. The proposed development meets the requirements of Clause 52.06 Car parking provision.

Clause 55 Two or more dwellings on a lot and residential buildings

Purpose

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.
- To encourage residential development that provides reasonable standards of amenity for existing and new residents.
- To encourage residential development that is responsive to the site and the neighbourhood.

Application

Provisions in this clause apply to an application to:

- Construct a dwelling if there is at least one dwelling existing on the lot,
- · Construct two or more dwellings on a lot,
- Extend a dwelling if there are two or more dwellings on the lot,
- · Construct or extend a dwelling on common property, or
- Construct or extend a residential building.

in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone and Township Zone.

The provisions of this clause apply to an application specified above, in the manner set out in the following table.

Application Type	Applicable Clauses
To construct or extend a dwelling (other than a dwelling in or forming part of an apartment development) or	All of Clause 55 except Clause 55.07-1 to Clause 55.07-15 (inclusive)
To construct or extend a residential building	

These provisions do not apply to an application to construct or extend a development of five or more storeys, excluding a basement or to construct or extend a dwelling in a development of five or more storey, excluding a basement.

Operation

The provisions of this clause contain:

Objectives. An objective describes the desired outcome to be achieved in the completed development.

Standards. A standard contains the requirements to meet the objective.

A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.

Decision guidelines. The decision guidelines set out the matters that the responsible authority must consider before deciding if an application meets the objectives.

Requirements

A development:

- Must meet all of the objectives of this clause.
- Should meet all of the standards of this clause.

If a development meets standard B6, B7, B8, B17, B18, B19, B20, B21, B22, B27, B28, B30 or B32, it is deemed to meet the objective for that standard.

Where standard B6, B7, B8, B17, B18, B19, B20, B21, B22, B27, B28, B30 or B32 is met the decision guidelines for that standard do not apply to the application.

For all of the provisions of Clause 55 other than Clause 55.07 (Apartment developments):

- If a zone or a schedule to a zone specifies a requirement of a standard different from a requirement set out in this clause, the requirement in the zone or a schedule to the zone applies.
- If the land is included in a Neighbourhood Character Overlay and a schedule to the overlay specifies a requirement of a standard different from a requirement set out in this clause or a requirement in the zone or a schedule to the zone, the requirement in the schedule to the overlay applies.
- If the land is included in an overlay, other than a Neighbourhood Character Overlay, and a schedule to the overlay specifies a requirement different from a requirement of a standard set out in this clause or a requirement of a standard set out in the zone or a schedule to the zone, the requirement in the overlay applies.

The requirements of a standard set out in Clause 55.07 (Apartment developments) apply to the exclusion of any different requirement specified in a zone, a schedule to a zone, or a schedule to an overlay.

Transitional provisions

Clause 55.03-4 of this planning scheme, as in force immediately before the approval date of Amendment VC154, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 55.01 Neighbourhood and Site Description and Design response

An application must be accompanied by:

- A neighbourhood and site description
- A design response

Response to Clause 55.01 Neighbourhood and Site Description and Design response

A neighbourhood and site description and a design response as described in Clause 55.01 of the Maribyrnong Planning Scheme prepared by Site Matters Pty Ltd forms part of this planning submission. (Refer to attached neighbourhood and site description plan and design response plan).

DESIGN RESPONSE TO THE OBJECTIVES AND STANDARDS OF 5.0 **CLAUSE 55 OF THE MARIBYRNONG PLANNING SCHEME**

In addition to the neighbourhood and site description and the design response to explain how the proposed development derives from and responds to the neighbourhood and site description, a breakdown of each standard is provided. The following assessment demonstrates how the proposed development meets the objectives and standards of Clause 55 of the Maribyrnong Planning Scheme.

Further, the submission identifies and justifies any variations to the standards and explains how the objectives of the standard have been achieved. It should be noted from the onset that Rescode requirements are not mandatory and are guidelines to be taken into consideration.

CLAUSE 55.02 NEIGHBOURHOOD CHARACTER AND INFRASTUCTURE

Clause 55.02-1 Neighbourhood character objective

The overriding character of established suburbs is the range and diversity in the built form and the variation in character that exists. Various forms of statutory controls have protected areas that exhibit significance. Where character is significant, the Planning Scheme defines these areas. The subject site is not situated in an area of significance.

Standard B1

With reference to the Neighbourhood Character objective, the standard stipulates:

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

It is policy to take into account these statements and guidelines. They must not be treated as regulations. The basic test of neighbourhood character required pursuant to Clause 55 of the Planning Scheme is whether the proposed development responds to and is respectful of its local context. This does not mean that a proposed development should mimic or replicate what is already in the local context. The issue is whether the proposed development respects and responds to its local context.

Respecting character does not mean preventing change. The neighbourhood character standard is not intended to result in the replication of existing building stock or stop change. Neighbourhood character is one of many objectives that must be met. Some areas will see significant changes as a result of new social and economic conditions, changing housing preferences and explicit housing policies. In these areas, it is important that respecting character is not taken too literally, as a new character will emerge in response to these new social and economic conditions.

The proposed development is appropriate to the neighbourhood and the site. The development has been designed so that each dwelling has a direct street frontage Melon Street with a homogenous front setback to be consistent and in keeping with the neighbourhood setting.

The building materials proposed for the development are a juxtaposition of elements typically found in the immediate and surrounding environment and have the dual purpose of softening the appearance of the development whilst providing different textures, which are in keeping with the streetscape. (Refer to Appendix 4 for design response streetscape elevation to show the development in the context of the site and the immediate and surrounding area).

The building materials proposed for the dwellings include selected face brick work to ground floor level walls, panel cladding to first floor level walls, selected colorbond roof at 22 degree pitch, selected powder coated aluminium windows, powder coated colorbond garage doors and identifiable projecting rectangular front porch entrance with feature framed window above. The height and width, massing and detailing, vertical and horizontal symmetry contributes to increased complexity in the built form.

The width of the site provides the opportunity for two dwellings to have a direct street frontage to Melon Street. This respects and maintains the existing streetscape character of the area. The allotment width created for each dwelling will be 7.62 metres. The allotment width created for each allotment is appropriate for the site and this neighbourhood context.

The site is ideally suited for the development of the site for two-new two storey attached dwellings in a side by side configuration each with a direct street frontage to Melon Street. The dwelling layout and subdivision width created for each dwelling is consistent with the streetscape and neighbourhood character of the area.

The proposed development has been designed to maintain rhythm of dwelling spacing along the Melon Street frontage. At ground floor level dwelling 1 concentrated along the south elevation of the site will be setback between 1.0 metres to 1.2 metres to 2.1 metres from the south boundary and from the east boundary and 4.6 metres from the rear east boundary. At ground floor level dwelling 2 concentrated along the north elevation of the site will be setback between 1.0 metres to 1.2 metres to 2.1 metres from the north boundary and 4.6 metres from the rear east boundary.

The proposed development provides separation from the neighbouring dwellings to the south and north to reflect the character of the area. The ground floor level setbacks from the south and north boundaries maintains and reinforces the side boundary setback pattern and the existing rhythm of dwelling spacing between dwellings.

The first floor level building envelope of the development is concentrated centrally within the development sited towards the front and middle section of the proposed development where this limits the impact of the development on the secluded private open space of the dwellings to the south and north. The proposed development provides a gradual increase in height from the single storey south, east and north elevations to the first floor level building envelope setback from the south, east and north boundaries.

At first floor level dwelling 1 concentrated along the south elevation of the site will be setback between 2.0 metres to 2.4 metres to 2.8 metres from the south boundary and 6.2 metres from the rear east boundary. Dwelling 2 concentrated along the north elevation will be setback between 2.0 metres to 2.8 metres from the north boundary and 6.2 metres from the rear east boundary. The increased first floor level setbacks of the development from the south, east and north boundaries softens the visual bulk of the development when viewed from neighbouring properties consistent with the neighbourhood character of the area.

The proposed development is articulated at first floor level from the main ground floor level south and north elevations to provide first floor level relief and articulation. The first floor level building footprint will be setback between 10.2 metres to 10.9 metres from the Melon Street frontage to maintain a single storey dwelling appearance along the Melon Street interface.

The development provides a clear and consistent architectural direction for the development. The roof pitch and style reflects the broad roof forms, pitch and eave detail of roofs that predominate in the neighbourhood, different building materials at ground and first floor level, setbacks from the ground floor level side and rear elevations and introduction of feature framed window elements will contribute to and enhance the neighbourhood and streetscape character of the area. The proposed development meets the objectives of Standard B1.

Clause 55.02-2 Residential policy objectives

The proposed development of the land for two dwellings on one lot is consistent with the Municipal Planning strategy and the Planning Policy Framework.

The proposed development meets the objectives of the MSS. The subject site is within close proximity of a number of regional facilities and services including open space facilities, schools and shopping facilities are all within proximity of the site. The proposed development supports medium density in an area that can take advantage of public transport and community infrastructure and services.

The proposed development, which includes two new two-storey attached dwellings on the one lot (two or more dwellings on one lot), meets the objectives of urban consolidation in aspects such as affordable housing and providing needs of residents at various stages of life.

The quality of design, site layout and provision of car parking and open space will ensure that the development provides a good standard of amenity for future residents and good standard for future development in the area.

The proposed development complies with the State Government's initiatives of urban consolidation and will not cause detriment to the amenity of adjoining properties and will not be out of character with the area. The proposed development meets the objectives of Standard B2.

Clause 55.02-3 Dwelling Diversity objective

The proposed dwellings will cater for a diverse and mixed population group. The open plan living area of the proposed dwellings, which incorporates two new two-storey attached dwellings, with four bedrooms, ground floor level study and first floor level rumpus room provides an opportunity for a range of household types and sizes. The proposed development meets the objectives of Standard B3.

Clause 55.02-4 Infrastructure objective

In light of the level of existing infrastructure, the proposed development should not represent and unreasonable burden on existing services and facilities. The development provides for adequate private open space areas and on site car parking with appropriate landscaping to create an appropriate streetscape character.

On site infiltration has been maximised through comprehensive landscaping proposed to the front, side setback areas and rear open space. All steps will be taken to direct storm water run-off into garden areas to reduce watering and the demand on drainage infrastructure.

Paved areas have also been minimised except for the vehicle access ways and pedestrian links onto the site. The proposed development meets the objectives of Standard B4.

Clause 55.02-5 Integration with the street objective

The proposed site layout of the development will integrate well with and enhance the streetscape, and maintain the amenity of adjoining properties. In addition, a strong sense of address and privacy will be provided for future occupants. The proposed development will allow for a layout that is functional and capable of efficient maintenance. The position and layout of the new dwellings respects the privacy and amenity of adjoining properties. The proposed development meets the objectives of Standard B5.

SITE LAYOUT AND BUILDING MASSING

Clause 55.03-1 Street setback objective

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

Walls of buildings should be setback from streets:

- At least the distance specified in the schedule to the zone, or
- If no distance is specified in the schedule to the zone, the distance specified in Table B1.

Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.

There is no distance specified in the schedule to the zone, therefore the distance specified in Table B1 is applicable to the development.

Table B1 Street Setback

Development Context	Front street setback (metres)	Side street setback (metres)
building on both the abutting allotments facing the same street, and the site is	The average distance of the setback of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser	

The site has abuttal to two separate residential allotments along the south and north boundary. The allotment to the south has a west east alignment and has been developed with a single storey detached dwelling with a direct street frontage to Melon Street. The dwelling to the south has a front setback of 9.8 metres to the front wall of the dwelling from the Melon Street frontage.

The allotment to the north has a west east alignment and has been developed with a two storey detached dwelling. The dwelling to the north has a front setback of 9.5 metres to the front wall of the dwelling from the Melon Street frontage.

Based on the front setback development context of the dwellings to the south and north, the required front setback for the proposed development is a 9.6 metre front setback or 9 metres whichever is the lesser. In this instance the 9.0 metre front setback is applicable to the development.

The proposed dwellings will each have a direct street frontage to Melon Street. The proposed development will be setback 9.0 metres to the front wall of the dwellings with projecting front porch structure to 9.3 metres to the front wall of the garages. The front porch will be 3.4 metres in height and project 1.6 metres into the front setback. The proposed development meets the setback standards at Table B1.

The front setback proposed for the development is well connected into the neighbourhood and maintains the front garden area. The front setback will not impact on the neighbourhood and streetscape character of the area or when viewed from the street and adjoining properties.

The consistent front setback of the development from the Melon Street frontage combined with the ground and first floor level setbacks from the south and north boundaries maintains rhythm of dwelling spacing and the characteristic side setbacks of development in the immediate and surrounding area.

The subject site is void of any trees or established landscaping. There are no mature significant trees on site that will have to be removed to accommodate the development of two new two storey attached dwellings in a side by side configuration each with a direct street frontage to Melon Street.

The front setback proposed for each dwelling and the area of front garden is of sufficient size and area for the planting of a canopy tree that will contribute to the landscape character of the area and create a relatively wide and open street space along the Melon Street frontage.

The front setback proposed for the development provides a consistent homogenous streetscape character along the frontage from the adjoining properties to the south and north with minimal impact on the neighbourhood and streetscape character of the area or the adjoining properties. The proposed development meets the objectives of Standard B6.

Clause 55.03-2 Building height objective

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

Standard B7

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

If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.

Pursuant to Clause 32.08-11 Maximum building height requirement for a dwelling, small second dwelling or residential building, if no maximum height is specified in the schedule to the zone: -

There is no maximum height specified in the schedule to this zone, if no maximum height is specified in the schedule to the zone: -

- the building height must not exceed 11 metres; and
- the building must contain no more than 3 storeys at any point.

The proposed dwellings will be two storeys in height at an overall maximum height of 7.3 metres to the top of the pitch of the roof from natural ground level and does not exceed a building height of 11 metres and contains no more than 3 storeys at any point.

The site has an approximate fall of 110mm from the north west corner to the south east corner extending the length of the site. The topography of the land is that it is flat. There are minimal height variations between the site and adjoining properties. The slope and fall of the land will not affect the height of the proposed development. The height of the development can readily be absorbed in this neighbourhood context.

The height of the proposed development is consistent with the two storey wall heights of the adjoining dwelling immediately to the north and in the immediate and surrounding area. The development will not have a visual impact on adjoining properties or when viewed from the street. The proposed development meets the requirements of Clause 32.08-11 Maximum building height requirement for a dwelling, small second dwelling or residential building.

Clause 55.03-3 Site coverage objective

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

Standard B8

The site area covered by buildings should not exceed:

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

There is no maximum site coverage specified in the schedule to the zone. The site has a north south alignment. The site coverage achieved on site equates to 54.7 percent which is less than the 60 percent permitted in the standard. The proposed development will create an allotment for each dwelling with a west east axis to be in keeping with the neighbourhood and streetscape character of the area and the subdivision and dwelling layout of development to the south and north of the site and along the west and east side of Melon Street.

The proposed development has been designed to have minimal impact on the adjoining properties to the south, east and north. The site coverage achieved on site is not dissimilar to the site coverage of developments in the immediate and surrounding area. The proposed development is acceptable in this neighbourhood setting. The proposed development meets the objectives of Standard B8.



Permeability and stormwater management objectives

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

To facilitate on-site stormwater infiltration.

To encourage stormwater management that maximises the retention and reuse of stormwater.

Standard B9

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

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

The stormwater management system should be designed to:

- Meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).
- Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

There is no minimum area specified in the Schedule to the zone. At least 20 per cent of the site will not be covered by impervious surfaces. The proposed development will not cause an increase in stormwater runoff.

The rear setback from the east boundary, the rear open space, the varied side setbacks from the south and north boundary and the area of the front garden for the development have the capacity to absorb run off. (Refer to Storm Rating Report). The proposed development meets the objectives of Standard B9.

Clause 55.03-5 Energy efficiency objective

To achieve and protect energy efficient dwellings and residential buildings.

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

Standard B10

Buildings should be:

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

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

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

The proposed dwellings have been designed to be energy efficient by the use of different techniques to be utilised at the building construction stage, in particular, timber floors in living areas, tiles to wet floor areas, increase roof insulation, seal internal doors, increase wall insulation to bulk insulation plus reflective foil will all provide for an energy efficient development. The above will achieve a minimum rating of 5 stars for each dwelling. (Refer to Storm Rating Report). The proposed development meets the objectives of Standard B10.

Clause 55.03-6 Open space objective

There is no relevant plan or policy for open space in the Municipal Planning Strategy and the Planning Policy Framework.

The subject site does not have abuttal to a neighbourhood reserve. The open space proposed for each dwelling is appropriate for the site and the likely end users.

The proposed dwellings have been designed to connect the main ground floor level living room areas with the outdoor secluded private open space. There will be no public or communal open space provided on site. Each dwelling has direct access to secluded private open space. The proposed development meets the objectives of Standard B11.

Clause 55.03-7 Safety objective

The layout of the proposed development has been designed to ensure for the safety and security of residents and the property. The entrances are not obscured or isolated.

The entrances incorporate features to enable casual surveillance of visitors and the street. The development ensures dwellings allow observation of adjacent streets and visibility and surveillance of car parks and pedestrian pathways.

Full-length glass windows at ground floor level to the study along the front façade of each dwelling provide passive surveillance and street activation to the street.

The secluded private open space for each dwelling is protected by the installation of a 1.8 metre high colorbond fence between each of the dwellings so that it is not used as a public thoroughfare. The proposed development meets the objectives of Standard B12.

Clause 55.03-8 Landscaping objective

There is no relevant plan or policy for landscape design in the Municipal Planning Strategy and the Planning Policy Framework.

The area and size of the front garden and the rear open space proposed for each dwelling is of sufficient size for lawn cover. The landscape plans clearly delineate between private areas of each dwelling and the planting of a canopy evergreen tree in the front garden area of each dwelling.

The landscaping proposed for the site takes into account the soil type and drainage patterns of the site and is consistent with the neighbourhood setting. The proposed development meets the objectives of Standard B13.

Clause 55.03-9 Access objective

To ensure the number and design of vehicle crossovers respects the neighbourhood character.

Standard B14

The width of the access way or car spaces should not exceed:

- 33 per cent of the street frontage, or
- if the width of the street frontage is less than 20 metres, the width of the access way should not exceed 40 per cent of the street frontage.

No more than one single-width crossover should be provided for each dwelling fronting a street.

The location of crossovers should maximise the retention of on-street car parking spaces.

The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 should be minimised.

Developments must provide for access for service, emergency and delivery vehicles.

Vehicle access to and from the development is safe, manageable and convenient. The access way has been designed to allow convenient, safe and efficient vehicle movements and connections with the street network.

The site has a frontage width of 15.24 metres along the Melon Street frontage. The existing 3.0 metre wide vehicle access way along the extreme south west corner of the site along the Melon Street frontage will be utilised to provide vehicle access to the garage and associated visitor car parking space of dwelling 1 independent of dwelling 2. The car parking space will be setback 500mm from the entrance door of the garage.

A new 3.0 metre wide vehicle access way will be constructed along the extreme north west corner of the site along the Melon Street frontage to be utilised to provide vehicle access to the garage and associated visitor car parking space of dwelling 2 independent of dwelling 1. The car parking space will be setback 500mm from the entrance door of the garage.

There are no services or nature strip trees that have to be removed to accommodate the new access way. The vehicle access way will be setback 2.26 metres from the trunk of the nature strip tree. The nature strip tree along the frontage of the site will be retained.

Based on the above standard if the width of the street frontage is less than 20 metres, the width of the access way should not exceed 40 per cent of the street frontage. The width of the access ways equate to 39 percent of the frontage and does not exceed the required 40 percent and is considered acceptable in this neighbourhood setting.

The vehicle access way for each dwelling will be concrete paved designed to be in keeping with the development. Ground covers and landscaping beds along the north and south elevation of each access way will soften the driveways edges, reduce hard paving surfaces and be designed to blend in be in keeping with the landscaping/lawn area within the front setback of each dwelling.

Each vehicle access way will have a corner splay at least 50 per cent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area will be clear of visual obstructions adjacent to landscaped areas which are less than 900mm in height.

The introduction of a new vehicle access ways along the Melon Street frontage will not impact on the neighbourhood or streetscape character of the area. The access ways along the frontage of the site are spaced apart 8.7 metres to provide greater opportunities for landscaping along the frontage, reduce hard paving surfaces and connect the development with the neighbourhood and streetscape character of the area.

The development of the land for two new two storey attached dwellings in a side by side configuration with on site car parking and two vehicle access ways along the Melon Street frontage will not impact on traffic movements or increase traffic generation in the area.

The width of the site along the Melon Street frontage ideally lends itself for two separate spaced apart vehicle access ways with minimal impact on the public realm. The proposed development meets the objectives of Standard B14.

Clause 55.03-10 Parking location objectives

To provide convenient parking for resident and visitor vehicles.

To protect residents from vehicular noise within developments.

Standard B15

Car parking facilities should:

- Be reasonably close and convenient to dwellings and residential buildings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

Car parking facilities are convenient to dwellings and secure, allow surveillance from windows and do not obscure the view between the street and the front windows. The internal layout of each dwelling and the location of the garages and associated visitor car parking spaces will ensure that the emission of noise from occupants or their vehicles will not detract from the amenity of adjoining residents.

Vehicle accommodation has been designed to be in keeping with and compliment the architectural design of the dwellings incorporated to the front façade of each dwelling. The garages will be setback 9.35 metres from the Melon Street frontage setback behind the front façade of the dwellings and will not project forward of the front building line.

The garage walls will be setback 1.0 metres from the south and north boundary. The side setback of the garages from the south and north boundary combined with the front setback of the garages reduces vehicle dominance along the street frontage and maintains rhythm of dwelling spacing. There are no habitable room windows with an interface with the vehicle access ways. The proposed development meets the objectives of Standard B15.

AMENITY IMPACTS

Clause 55.04-1 Side and rear setbacks

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

Standard B17

A new building not on or within 150mm of a boundary should be setback from side or rear boundaries:

- At least the distance specified in the schedule to the zone, or
- If no distance is specified in the schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

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

There is no distance specified in the schedule to the zone therefore the distance specified at Diagram B1 is applicable to the development. Based on the above formula a 3.6 metre high wall may be built to the boundary.

Side and rear setbacks at ground floor level

At ground floor level the proposed development will have maximum average wall heights of 3.45 metres to the parapets. Based on the above standard the proposed development requires zero setbacks from the side and rear boundaries.

At ground floor level dwelling 1 concentrated along the south elevation of the site will be setback between 1.0 metres to 1.2 metres to 2.1 metres from the south boundary and from the east boundary and 4.6 metres from the rear east boundary. At ground floor level dwelling 2 concentrated along the north elevation of the site will be setback between 1.0 metres to 1.2 metres to 2.1 metres from the north boundary and 4.6 metres from the rear east boundary.

The proposed development provides separation from the neighbouring dwellings to the south and north to reflect the character of the area. The ground floor level setbacks from the south and north boundaries maintains and reinforces the side boundary setback pattern and the existing rhythm of dwelling spacing between dwellings. The ground floor level setbacks from the side and rear boundaries meet the setback standards of Diagram B1.

There is no need to increase the height of the walls to screen a box gutter. There are no retaining walls proposed. The amenity of the occupants of the adjoining dwellings to the south, east and north will be protected. There are no walls that will be built to the south, east and north boundaries.

Side and rear setbacks at first floor level

At first floor level the proposed dwellings will have average wall heights that vary from 6.1 metres to 6.2 metres to the underside of the eaves. Pursuant to the standards Diagram B1, the proposed first floor level requires a setback of 1.78 metres from the side and rear boundaries.

At first floor level dwelling 1 concentrated along the south elevation of the site will be setback between 2.0 metres to 2.4 metres to 2.8 metres from the south boundary and 6.2 metres from the rear east boundary. Dwelling 2 concentrated along the north elevation will be setback between 2.0 metres to 2.8 metres from the north boundary and 6.2 metres from the rear east boundary.

The increased first floor level setbacks of the development from the south, east and north boundaries softens the visual bulk of the development when viewed from neighbouring properties consistent with the neighbourhood character of the area.

The proposed development is articulated at first floor level from the main ground floor level south and north elevations to provide first floor level relief and articulation. The first floor level building footprint will be setback between 10.2 metres to 10.9 metres from the Melon Street frontage to maintain a single storey dwelling appearance along the Melon Street interface.

The proposed development is articulated and recessed at first floor level from the main ground floor level south, east and north elevations to provide first floor level relief and articulation. The upper level of the development is setback and visually recessive to respect the predominant single storey character of the streetscape. The first floor level setbacks from the south, east and north boundaries meet the setback standards of Diagram B1.

Habitable room windows of dwellings to the south, east and north are setback sufficient distance from the site and from where the proposed dwellings will be sited and will maintain direct access to daylight. Access to daylight to adjoining habitable room windows of adjoining properties will not be affected by the proposed development.

The first floor level setbacks of the dwellings from the side and rear boundaries combined with the attached wall construction at ground and first floor level, the large area of the secluded private open space of the dwellings to the south, east and north ensures that the adjoining properties to the south, east and north are protected from significant overshadowing. (Refer to shadow diagrams) The proposed development meets the objectives of Standard B17.

Clause 55.04-2 Walls on boundaries objective

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

Standard B18

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side of rear boundary of lot should not abut the boundary:

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

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

There are no walls that abut the boundary on the abutting allotments to the south. A garage wall abuts the boundary on the abutting allotment to the north and shed structures and a carport abut the boundary on the allotment to the east.

The proposed development is setback sufficient distance from the side and rear boundaries. There are no walls that will extend along the south, east and north boundaries to maintain the characteristic rhythm of dwelling spacing. The proposed development meets the objectives of Standard B18.

Clause 55.04-3 Daylight to existing windows objective

To allow adequate daylight into existing habitable room windows.

Standard B19

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

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

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

The site has abuttal to three separate residential allotments along the south, east and north boundaries. Habitable room windows along the south elevation of the dwelling to the north are setback 1.3 metres from the common boundary. Windows along the west elevation of the dwelling to the east are setback 3.8 metres from the common boundary and there are no habitable room windows along the north elevation of the dwelling to the south (side door and laundry/toilet window) setback 2.6 metres from the common boundary.

The habitable room windows of the dwellings to the north and east are setback sufficient distance from the site and from where the proposed dwellings will be sited and will maintain direct access to daylight and in excess of 1 metre clearances to the sky.

The setback of the proposed development from the south, east and north boundaries combined with the varied first floor level side setbacks from the south, east and north boundary ensures habitable room windows of adjoining properties maintain direct access to daylight and in excess of 1 metre clearances to the sky. The proposed development meets the objectives of Standard B19.

Clause 55.04-4 North-facing window objective

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

Standard B20

If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.

The site has a west east alignment. There are no north facing habitable room windows within 3 metres of a boundary on the abutting lot. The allotment to the south has a west east alignment and has been developed with a single storey detached dwelling with a frontage to Melon Street and a side setback of 2.6 metres from the common boundary. There are no north facing habitable room windows along the north elevation of the dwelling to the south (side door and laundry/toilet window). The proposed development meets the objectives and decision guidelines of Standard B20.

Clause 55.04-5 Overshadowing open space objective

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

Standard B21

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

The site has abuttal to three separate residential allotments along the south, east and north boundary. The shadow analysis indicates that the principal private open space of the adjoining properties to the south, east and north will receive a minimum of five hours of direct sunlight on the 22 September. (Refer to shadow diagrams).

The large area of the open space of the dwellings to the south, east and north combined with the ground and first floor level setbacks of the proposed two storey dwellings from the side and rear boundaries and the siting of the first floor level building envelope ensures the principal private open space of the dwellings to the south, east and north receives adequate amount of sunlight. The proposed development meets the objectives of Standard B21.

Clause 55.04-6 Overlooking objective

The overlooking objective is to limit views into existing secluded private open space and habitable room windows.

Standard B22

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

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

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

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

Screens used to obscure a view should be:

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

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

The proposed development utilises the above design techniques to prevent overlooking to the principal private open space and habitable room windows of the adjoining properties to the south, east and north.

The design, shape and angle of the first floor level habitable room windows ensure minimal overlooking to adjoining properties. The use of screening devices prevents overlooking to adjoining properties to the south, east and north. The amenity and privacy of the occupants of adjoining properties will be protected.

There are first floor level habitable room windows along the west elevation of each dwelling with direct outlooks to Melon Street. These habitable room windows articulate the facade of each dwelling along the street frontage and provides for increased surveillance and security to the street. There is no requirement for screening devices to these windows.

There are no overlooking concerns from the ground floor level habitable room windows. The height of the boundary fences along the south, east and north boundaries will act as a screening device from any potential ground floor level overlooking. Landscaping proposed along the rear setback areas will also mitigate any potential ground floor level overlooking. The proposed development meets the objectives of Standard B22.

Clause 55.04-7 Internal views objective

To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.

Standard B23

Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.

The proposed development has been designed to limit the views into the secluded private open space and habitable room windows of dwellings within the development.

A 1.8 metre high colorbond dividing fence between the two dwellings will prevent any potential ground floor level overlooking within the development. The proposed development meets the objective of Standard B23.



Noise impacts objective

To contain noise sources in developments that may affect existing dwellings. To protect residents from external noise.

Standard B24

Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.

Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.

Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.

The proposed development has been designed to contain noise sources within the development and to protect residents from external noise. The proposed dwellings will be constructed in selected face brickwork to ground floor level walls and applied cladding to first floor level walls. This will help accommodate any noise concerns and construction will comply with F(5) of the Building Code of Australia.

There are no mechanical plants proposed adjacent to or located near bedrooms of immediately adjacent existing dwellings. Noise sensitive rooms and secluded private open spaces of the new dwellings have been designed and sited to take into consideration noise sources on immediately adjacent properties. The proposed development meets the objectives of Standard B24.

ON SITE AMENITY AND FACILITIES

Clause 55.05-1 Accessibility Objective

The objective of accessibility is to encourage the consideration of the needs of people with limited mobility in the design of developments.

Standard B25

The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.

The proposed development has been designed to take into consideration people with limited mobility. The ground floor level of the two storey dwellings is easily accessible to people with limited mobility.

The internal layout and configuration of each dwelling can be altered to accommodate people with limited mobility. Each dwelling will have a ground floor level bedroom and amenities. The corridors are wider to accommodate people with limited mobility. The proposed development meets the objectives of Standard B25.



Dwelling entry objective

To provide each dwelling or residential building with its own sense of identity.

Standard B26

Entries to dwellings and residential buildings should:

- Be visible and easily identifiable from streets and other public areas.
- Provide shelter, a sense of personal address and a transitional space around the entry.

The dwellings each have its own sense of identity and address. Each dwelling will have a direct interface with Melon Street. The development ensures dwellings allow observation of adjacent streets. The entrances are not obscured or isolated. The entries provide for shelter and a sense of personal address.

The entrances incorporate features to enable casual surveillance of visitors and the street. Full length windows to the ground floor level study and entrance foyer of each dwelling provide passive surveillance to the street. The proposed development meets the objectives of Standard B26.

Clause 55.05-3 Daylight to new windows objective

To allow adequate daylight into new habitable room windows.

Standard B27

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

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

The proposed development has been designed to provide adequate daylight into new habitable room windows. Habitable room windows of the proposed dwellings have north, west, south and east orientation.

The side setbacks from the south boundary for dwelling 1 and from the north boundary for dwelling 2 provide light infiltration to the ground floor level bedroom, amenities and open layout kitchen, living and dining room areas.

Full length windows and glass sliding doors along the rear east elevation of each dwelling have been designed to face the secluded private open space area to provide light infiltration to the main ground floor level open layout kitchen, living and dining room area.

First floor level habitable room windows along the north, south, west and east elevation of each dwelling will provide light infiltration to first floor level hallway, amenities and bedrooms. The first floor level setbacks from the south, east and north boundaries at first floor level provide light infiltration to first floor level habitable room windows. The proposed development meets the objectives of Standard B27.



Private Open Space objective

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

Standard B28

A dwelling or residential building should have private open space of an area and dimension as specified in the schedule to the zone.

If no area or dimensions are specified in the schedule to the zone, a dwelling or residential building should have private open space consisting of:

- An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or
- A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or
- A roof top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room

Open space on site for each dwelling is situated to the rear of each dwelling. The development will provide sufficient private open space for the reasonable recreation, service and storage needs of residents.

Dwelling 1 will have direct access to 67.34 square metres of secluded private open space at the rear of the dwelling with a minimum width of 4.6 metres with convenient access from the ground floor level open layout kitchen, living and dining room areas.

Dwelling 2 will have direct access to 67.35 square metres of secluded private open space at the rear of the dwelling with a minimum width of 4.6 metres with convenient access from the ground floor level open layout kitchen, living and dining room areas.

The open space for each dwelling has sufficient width and dimension to provide for lawn cover, the planting of a medium sized canopy tree, the recreational needs of the occupants and site facilities.

The width and area of the open space maintains the open space corridor of the dwellings to the south, east and north. The proposed dwellings have been designed to connect the main indoor living room areas with the outdoor recreation areas and provide a positive interface and outlooks. The proposed development meets the objectives of Standard B28.

Clause 55.05-5 Solar access to open space objective

To allow solar access into the secluded private open space of new dwellings and residential buildings.



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

The southern boundary of secluded private open space should be set back from any wall on the north of the space at least (2 + 0.9h) metres, where 'h' is the height of the wall.

The allotment has a west east alignment. Each dwelling will have direct access to ground floor level east orientated secluded private open space from the ground floor level open layout kitchen, dining and living room area.

The area, size, width and orientation of the secluded private open space of each dwelling combined with the ground and first floor level setbacks of the dwellings from the east boundary will ensure the secluded private open space receives direct access to daylight and sunlight. The proposed development meets the objectives of Standard B29.

Clause 55.05-6 **Storage Objective**

To provide adequate storage facilities for each dwelling.

Standard B30

Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.

Each dwelling will have convenient access to 6 cubic metres of secure storage space to the rear of each dwelling in the secluded private open space. The storage facilities will not be visible from the street. The proposed development provides adequate storage facilities for each dwelling. The proposed development meets the objectives of Standard B29.

DETAILED DESIGN

Clause 55.06-1 **Design Detail objective**

The design detail objective is to encourage design detail that respects the existing or preferred neighbourhood character.

Standard B31

The design of buildings, including:

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

Should respect the existing or preferred neighbourhood character.

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

The design detail of the proposed development respects the neighbourhood character of the area. The different building materials at ground and first floor level combined with the varied first floor level setbacks from side and rear boundaries and the street frontage, the first floor level building envelope, the use of feature framed window proportions articulates the facade along the street frontage and provides a positive interface with the neighbourhood and streetscape character of the area. The proposed development is modern, contemporary and innovative in design.

The height and width, massing and detailing, different building materials at ground and first floor level, roof pitch and style, attached dwelling construction at ground and first floor level, allotment width, subdivision and dwelling layout, window and door proportions, vehicle accommodation and access, open space allocation is consistent with and in keeping with the neighbourhood and streetscape character of the area.

Vehicle accommodation and access will not dominate the neighbourhood and streetscape character of the area designed to be in keeping with and compliment the architectural design of the dwellings incorporated to the front façade of each dwelling. The garages will be setback 9.35 metres from the Melon Street frontage setback behind the front façade of the dwellings and will not project forward of the front building line.

The garage walls will be setback 1.0 metres from the south and north boundary. The side setback of the garages from the south and north boundary combined with the front setback of the garages reduces vehicle dominance along the street frontage and maintains rhythm of dwelling spacing. The proposed development meets the objectives of Standard B31.

Clause 55.06-2 Front Fences objective

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

Standard B32

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

- The maximum height specified in a schedule to the zone, or
- If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3.

Table B3 Maximum front fence height

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

There is no front fence height specified in the schedule to this zone. A low 1.0 metre high timber fence binds the site along the Melon Street frontage. The front fence will be removed.

A front fence is not proposed along the Melon Street frontage. The absence of a front fence along the Melon Street frontage maintains the openness of front boundary treatments, the view of established front gardens and tree-lined streets, and the presentation of dwellings to the street. The proposed development maintains and strengthens the garden dominated streetscape character and landscaped setting of the precinct. The proposed development meets the objectives of Standard B32.

Clause 55.06-3 Common Property objective

To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.

To avoid future management difficulties in areas of common ownership.

Standard B33

Developments should clearly delineate public, communal and private areas.

Common property, where provided, should be functional and capable of efficient management.

Car parking, access areas and site facilities are practical, attractive and easily maintained. The proposed development avoids future management difficulties in areas of common ownership, as the subject site can be functionally subdivided into two separate allotments. Vehicle and pedestrian access for each dwelling will be separate and independent of each other. The proposed development meets the objectives of Standard B33.

Clause 55.06-4 Site Service objective

To ensure that site services can be installed and easily maintained.

To ensure that site facilities are accessible, adequate and attractive.

Standard B34

The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.

Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.

Bin and recycling enclosures should be located for convenient access by residents.

Mailboxes should be provided and located for convenient access as required by Australia Post.

Site services can be installed and easily maintained. Site facilities have been designed to be accessible, adequate and attractive. Bins will be kept in the side setback area of each dwelling and located to the front of the properties on collection days only. For a development of this size a separate bin enclosure at the front of the property is not considered necessary.

All site facilities will be physically convenient and visually unobtrusive. Ample area is available for secure storage in the secluded private open space of each of the dwellings.

The secluded private open space of each dwelling is accessible from the inside of the dwelling. A retractable open-air clothes-drying facility is proposed to the rear of each dwelling along the south east and north east line, not visible from the street.

Proposed prefabricated mailboxes will be installed along the frontage of each dwelling in accordance with Australia Post requirements. The letter box will be clearly visible from the public realm. The proposed development meets the objectives of Standard B34.

6.0 **CONCLUSION**

Based on this assessment, the proposed development meets the objectives and standards of Clause 55 of the Maribyrnong Planning Scheme and does not seek to vary any of the standards.

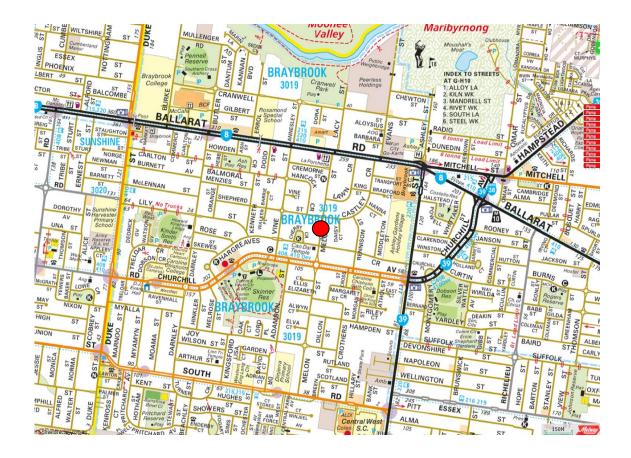
The proposed development meets standard B7, B8, B17, B18, B19, B20, B21, B22, B27, B28, B30 or B32, it is therefore deemed to meet the objective for that standard. Where standard B6, B7, B8, B17, B18, B19, B20, B21, B22, B27, B28, B30 or B32 is met the decision guidelines for that standard do not apply to the application. Rescode requirements are not mandatory and are guidelines to be taken into consideration.

The proposed development will supplement housing choice available within the area and as such is in conformity with the purpose of the General Residential Zone and the objectives of urban consolidation.

The development as a whole is an integral and attractive contribution to the area that is an appropriate form of infill development for the site and the immediate and surrounding area, the variety of architectural dwelling styles and types in the area and the minimal impact on the amenity of the occupants of the dwellings to the south, east and north.

The proposed development will increase housing choice and diversity in the area to cater for a mixed population group. This is not only a local market demand, but a Metropolitan demand.

Natascha Placencio **Director – Planning Consultant**



The location of local shops, public transport services and public open spaces within walking distance

Local shops – Local neighbourhood shops 450m to the north along Ballarat Road, 500m to the west along Hargreaves Crescent and 1.1km to the south east along South Road. The Braybrook Shopping Centre is 950m to the north east and the Central West Shopping Centre is 1.0km to the south for both low and high order goods, specialty items, entertainment and parking. The site is within easy access to local neighbourhood shops and the high and low order shopping centres.

Public transport services – Bus route 120m to the south along Churchill Avenue, 450m to the north along Ballarat Road and 550m to the east along Ashley Street. Tram route 2.6km to the north east along Williamson Road and 2.6km to the north east along Wests Road. The Tottenham Railway Station is 2.2km to the south east and the Sunshine Railway Station is 2.8km to the south west. The site is within close proximity to major public transport routes in terms of buses, trams and trains.

Public Open Spaces – Local Neighbourhood Reserve 120m to the east, Skinner Neighbourhood Reserve 270m to the south west including walking tracks, playground, pavilion, community and youth centre, Ash Neighbourhood Reserve 700m to the north west including playground, Dobson Neighbourhood Reserve 700m to the south east including playground, basketball ring, cricket nets, soccer ground, walking path, sports pavilion and clubs, Cranwell Neighbourhood Park 700m to the north including playground, fitness circuit, picnic table, barbeque facilities, walking and bicycle tracks and Costello Neighbourhood Reserve 950m to the north east including walking path, playground and cricket nets, The site is within walking distance to local neighbourhood reserves.

Res Code - Clause 55

CITY OF MARIBYRNONG **ADVERTISED PLAN**

NEIGHBOURHOOD AND SITE DESCRIPTION PLAN



STREETSCAPE VIEW OF THE SITE



Site 1:250



[COS] Where access and visibility to adjoining properties is restricted indicatives are shown. It is recommended a site visit is carried out by the designer. This drawing should not be used as a feature survey and is

intended as a neighbourhood and site description plan for town planning Although every endeavour has been made to provide correct dimensions and details of adjoining properties, it is policy of Site Matters that it shall not tresspass unless written consent is provided. Where consent is not given, estimates are provided on plan.

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NEIGHBOURHOOD & SITE LEGEND

g materials and neight.		
Brick Veneer Construction	•	Single Sto
Concrete Construction	••	2 Storey
Weatherboard Construction	•••	3 Storey

Л	Modern Contemporary	CI	Conrrugated Iron Roo
enci	ing:		

	· ·		
F	Wire fence	b/sf	Brick / steel fen
	Picket fence	b/tf	Brick / timber fe
	Solid brick fence	b/pf	Brick / picket fe
	Timber fence	rw	Retaining wall

Other Notable Features:

)	Setback from front and	side boundaries	5
	Verandah	vu	Verandah Under
g	Pergola	С	Canopy
	Shed	o/b	Outbuilding
	Garage	gu	Garage Under

Carport Under

Carspace In relation to the site (as indicated on plan)

Approx. site area 585.29m sq.* Site shape, orientation and easements Levels of site and surrounding properties Location of existing buildings on site

Location and height of walls built to the boundary The use of surrounding buildings (residential unless otherwise indicated)

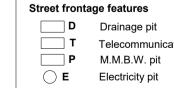
Habitable room windows only which have an outlook to the site within 9m

Secluded private open space which have an outlook to the site within 9m



Mature significant canopy trees





Telecommunication pit ⊕ B Telstra Bollard Traffic Control Box Sanitary Sewer Manhole

Utility Pole Street sign Fire hydrant Kerb crossovers as indicated

Sewer Inspection Chamber P Postal Box Solar Panel Denotes to be confirmed by

Street trees as indicated the Designer or the Owner

SITE MATTERS SITE ANALYSIS CONSULTANTS



Proposed Unit Development

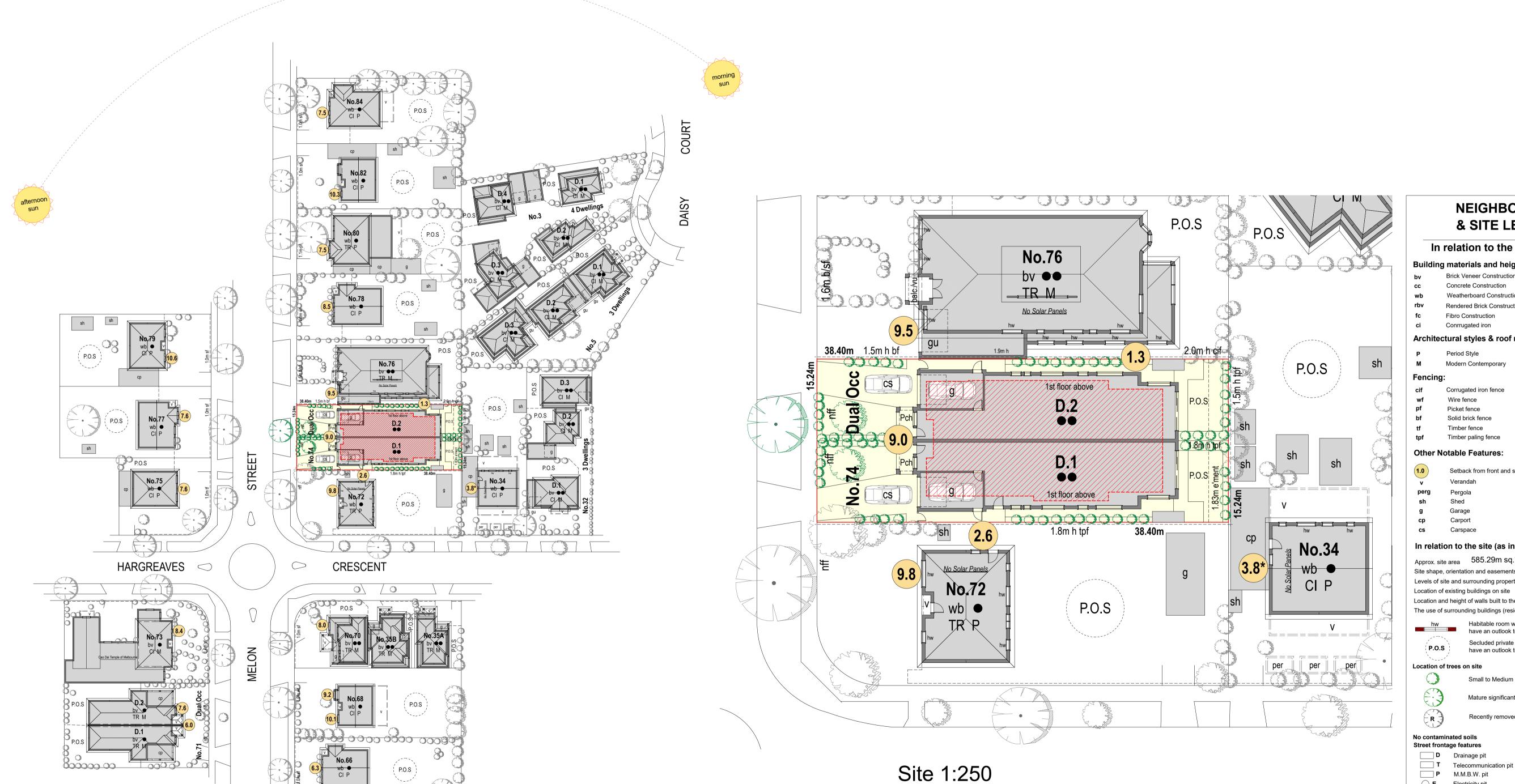
Address 74 Melon Street Braybrook

May 2024 Drawn by **HT** Ref. no. **24 0408** Scale 1:500 Sheet no. 1

Res Code - Clause 55

DESIGN RESPONSE PLAN

CITY OF MARIBYRNONG ADVERTISED PLAN



Approx. 110mm Landfall*

NEIGHBOURHOOD & SITE LEGEND

In relation to the neighbourhood

ig materiale and neight.		
Brick Veneer Construction	•	Single Store
Concrete Construction	••	2 Storey
Weatherboard Construction	•••	3 Storey
Dandonad Briek Construction		

Fenci	ng:		
M	Modern Contemporary	CI	Conrrugated Iron R
Р	Period Style	IK	riled Rooi

Other Notable Features:

Setback from front and side boundaries Verandah Under Canopy Outbuilding Garage Under Carport Under

balc

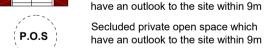
Balcony

In relation to the site (as indicated on plan)

Approx. site area 585.29m sq.* Site shape, orientation and easements Levels of site and surrounding properties

Location and height of walls built to the boundary The use of surrounding buildings (residential unless otherwise indicated)

Habitable room windows only which have an outlook to the site within 9m



Location of trees on site

Small to Medium ornamental trees & shrubs Mature significant canopy trees

Recently removed trees

Telecommunication pit M.M.B.W. pit ○ E Electricity pit Utility Pole

Street trees as indicated

[COS] Where access and visibility to adjoining properties is restricted

designer. This drawing should not be used as a feature survey and is intended as a neighbourhood and site description plan for town planning

indicatives are shown. It is recommended a site visit is carried out by the

Although every endeavour has been made to provide correct dimensions and details of adjoining properties, it is policy of Site Matters that it shall not

tresspass unless written consent is provided. Where consent is not given,

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estimates are provided on plan.

Water valve ⊕ B Telstra Bollard Traffic Control Box Sanitary Sewer Manhole Sewer Inspection Chamber

Railway/LRT

Street sign P Postal Box Fire hydrant Kerb crossovers as indicated

Solar Panel Denotes to be confirmed by the Designer or the Owner

SITE MATTERS SITE ANALYSIS CONSULTANTS

Ph. 9388 8365 Fax. 9388 8369



Proposed Unit Development

Address 74 Melon Street Braybrook

October 2024 Drawn by **HT** Ref. no. **24 0408** Scale 1:500 Sheet no. 2

Res Code - Clause 55

DESIGN RESPONSE STREETSCAPE ELEVATION

CITY OF MARIBYRNONG

ADVERTISED PLAN



Melon Street Elevation





THE SITESTREETSCAPE VIEW ALONG THE EAST SIDE OF MELON STREET, BRAYBROOK.



DIRECTLY OPPOSITESTREETSCAPE VIEW ALONG THE WEST SIDE OF MELON STREET, BRAYBROOK.



INTERFACE ALONG THE NORTH BOUNDARY OF THE SITE



INTERFACE ALONG THE SOUTH BOUNDARY OF THE SITE



INTERFACE ALONG THE REAR EAST BOUNDARY OF THE SITE





6 Frye Street p. 9435 1117 Watsonia VIC 3087 m. 0417 365 319 ABN. 25 582 062 104 f. 9435 3181

e. info@climbinghigh.com.au www.climbinghigh.com.au

Arborist Report

Development Impact

Αt

74 Melon Street, Braybrook, 3019

Prepared by:

Climbing High Tree Service **Consulting Arborist Chris Walshe** Graduate Certificate of Arboriculture (University Melbourne) Diploma of Horticulture (Arboriculture) AQF Level 5 & 8

Report Commissioned by:

Julia Nguyen c/o DNA Architects

Thursday 3rd April 2025 **VERSION 2**

1. Introduction.

Climbing High Tree Service has been engaged to provide an Arboricultural Assessment and a Development Impact Assessment Report for all trees greater than 3 metres in height located on the subject site, adjoining properties, and any street trees that may be impacted upon by the proposed development. Design changes have been made to tree 1 crossover so it's located outside the SRZ area.

2. OBJECTIVES.

- Provide the trees location, species, dimensions, age, health, structural condition and their suitability for retention.
- Calculate the size of the area around the trees suitable for retention that require tree
 protection (TPZ).
- Provide comments on the planning schemes, and to assess the impact that the proposal may have upon the existing vegetation.
- Explain the preferred design methods if required, to minimise the impact on retained trees where there is encroachment into the calculated Tree Protection Zones area.
- The report is in accordance to Australian Standards AS4970-2009 "Protection of Trees on Development Sites" (Appendix 2).

3. METHOD.

A site and tree inspection was conducted on Tuesday 14th January 2025 and Tuesday 1st April by Chris Walshe.

Visual Tree Assessment (VTA) methods were undertaken from ground level as described by Mattheck & Breloer (1994) with regard to current arboricultural principles and practices. International Society of Arboriculture Tree Risk Assessment procedures were followed for evaluating the tree for risk. The following tree data was collected on site:

- Botanical Name
- Common Name
- Origin
- Age Class
- Dimensions
- Diameter at Breast Height (DBH)

- Health
- Structure
- Form
- Useful Life Expectancy (ULE)
- Retention Value.

For descriptors of the data collected on site refer to Appendix 4.

A (yamayo) diameter tape measure was used for determining the DBH, a digital camera for images, the height was estimated, and the canopy spread was stepped out.

No invasive tests were conducted, nor tree or soil samples taken.

The trees have been numbered and plotted on the Aerial Site Map and the Development Tree Impact Plan. The tree numbers correspond with those numbers provided in the Tree Data Table (Appendix 1).

4. LIMITATIONS.

There were no restrictions to the site or neighbouring trees.

5. DOCUMENTS VIEWED.

- DNA Architects, Ground & First Floor Plan and Elevations.
- Maribyrnong City Council, RFI, Application #TP431/2024 (1), dated 19th November 2025

6. AERIAL SITE MAP.



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7. PLANNING OVERLAY CONTROLS.

The site is zoned General Residential Zone Schedule 1 (GRZ1) and is located in Braybrook, a suburb in the Maribyrnong City Council.

There are no vegetation planning controls on the subject site.

Maribyrnong City Council have a 'Significant Tree Register List, developed in 2021.'

8. PROPOSED DEVELOPMENT.

The proposal is to demolish the existing dwelling, and to construct two (2) side by side townhouses with associated works. The existing crossover is to remain, and a new crossover to the north is proposed to be constructed. The impact upon the health of the retained trees will need to be assessed to current industry standards.

9. OBSERVATIONS.

The site is currently used for residential purposes, and it holds an existing single storey dwelling.

Eight (8) trees were assessed in this report. Three (3) trees are located on the subject site and five (5) trees are located in the adjoining third party properties.

Subject Site:

Tree 2 (Desert Ash), **tree 3** (Photinia) and **tree 4** (Purple leafed Cherry Plum) are either weed species trees or are ornamental trees that have been historically lopped. They have a low retention value and a low landscape significance in terms of their amenity, mass and size (<6m high). No subject site trees are worthy of retention regardless of the development context.

Third Party Trees:

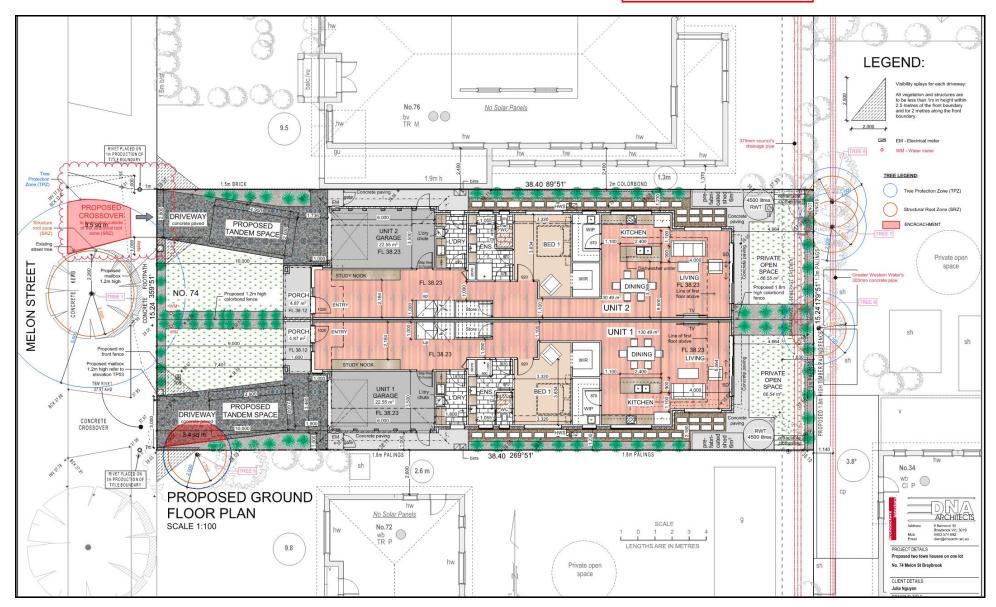
Tree 1 (Desert Ash) is located within the council owned nature strip. It is in good health and condition, considering its location under the wires and it is regularly pruned for street wire clearance.

Tree 5 (Desert Ash) is located in the adjoining property to the south. It is in good health and fair condition, especially when considering it has been historically lopped.

Trees 6, 7 & 8 (European Plum) are located in adjoining property to the east along the boundary fenceline. They are in fair to good health, resulting from possum grazing in the canopy. They are producing numerous suckers from the roots.

The detail of each individual tree assessment is provided in the Tree Data Table in Appendix 1. These tree numbers correspond with the trees numbered on the Aerial Site Map and the Proposed Development Plan.

10. PROPOSED DEVELOPMENT TREE IMPACT PLAN.



11. TREE RETENTION SUMMARY.

When assessing a site the arborist must exercise their experience and expertise with respect to the types of trees that are deemed suitable for retention. Trees that are to be preserved should continue to enhance the character of the area while being an asset to the site in the long term.

- Low retention value trees are generally unsuitable for retention.
- Medium retention value trees can be retained if the site constraints can accommodate their retention.
- High retention value trees are recommended for retention.
- Third party trees must be retained.

The following trees were assessed for their health, structure, condition and ULE. They have been given the following retention values:

- Trees 2, 3 and 4 are of <u>Low Retention Value</u>. They are considered a liability to the site, as they offer little in terms of contributing to the future landscape for the reasons of poor health, structural condition, and/or species suitability.
- Trees 1, 5, 6, 7 and 8 are located within the adjoining properties. They *must be* retained and protected (not damaged) as they are <u>Third Party Property</u>, unless the owners of the property give written approval to remove the trees.

The trees that are to be retained throughout the development will require tree protection during construction. The best practice is to protect the trees by applying the apportioned Tree Protection Zones (TPZ) stated in Appendix 3 (Tree Protection Measures).

12. PROPOSED DEVELOPMENT TREE IMPACT ASSESSMENT.

12.1 NO DEVELOPMENT ENCROACHMENT.

The development encroachment is outside of the TPZ area of the retained **trees 6, 7** and **8,** therefore zero impact will occur to their health. All perimeter fencing must be constructed by using tree sensitive measure of post holes and plinth board at grade or above.

12.2 MAJOR ENCROACHMENT (>10%).

Tree 1 (Desert Ash) is located in the nature strip. It will incur a new encroachment of 10% into TPZ area only from the proposed crossover for unit 2.

According to AS4970-2009, encroachment 10% and under of the TPZ area is deemed minor and acceptable, without the need for further investigations. Tree health will not be adversely affected by this robust and resilient specie.

Excavation works must be directly supervised by the project arborist and any exposed roots must be cut clean by the project arborist only.

12.3 MAJOR ENCROACHMENT (>10%).

Tree 5 (Desert Ash) is located in the adjoining property to the south. It appears to incur a major encroachment from Unit 1 concrete driveway that overlays the majority of the existing concrete driveway, with a increase in permeability area from the fence. This 'like' for 'like' arrangement will not materially affect tree health providing the proposed driveway is laid on or above existing grade.

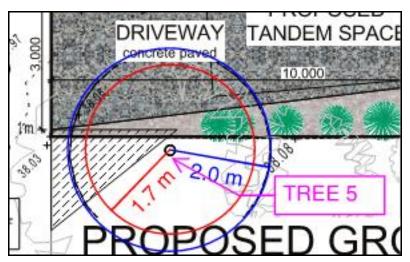


Figure 3: Tree 5 concrete driveway.

13. PERMIT REQUIREMENTS.

Tree 1 is protected under the Maribyrnong Council Street Tree Policy.

14. CONCLUSIONS & RECOMMENDATIONS.

Eight (8) trees were assessed in this report. Three (3) trees are located on the subject site and five (5) trees are located in the adjoining third party properties. The proposal is to demolish the existing dwelling, and to construct two (2) side by side townhouses with associated works. The existing crossover is to remain, and a new crossover to the north is to be constructed

- It is proposed to retain trees 1, 5, 6, 7 and 8.
- It is proposed to denude the subject site of all vegetation, including removing the assessed trees 2, 3 and 4.

Under the proposed design, the following is required to occur as per AS 4970-2009 'Protection of Trees on Development Sites'.

• The development encroachment is outside of the TPZ area of the retained **trees 6, 7** and **8**, therefore zero impact will occur to its health. All perimeter fencing must be constructed by tree sensitive measures, of post holes and plinth board at grade or above.

Tree 1: (Street tree) Works within TPZ area:

- The Project Arborist must attend the site immediately prior to and during any and all excavation works for the crossover.
- Excavation for the crossover within the TPZ area at the alignment closest to tree, must be conducted by hand or by approved non-destructive techniques and must be supervised by the Project Arborist for approved works.
- Any unearthered roots must be pruned cleanly by the project arborist using sterile, sharp, pruning tools in accordance with AS4373-2007.

Tree 5 (Neighbours) Works within TPZ area:

• The concrete driveway must be sensitively removed and the new concrete driveway must be laid on or above existing grade.

- o All works within the TPZ area must be supervised by the project arborist.
- Retained trees may be damaged by direct and indirect impacts. Tree protection fencing and measures must be implemented, in accordance with AS4970-2009 'Protection of Trees on Development Sites' as per <u>Appendix 3</u> in this report. TPZ's are stated in Appendix 1 - Tree Data Table.

Chris Walshe

Managing Director & Consulting Arborist (AQF Level 5 & 8)

I have thirty (30) years' experience in the field of Arboriculture, both as a practicing and consulting arborist. Qualifications:

Graduate Certificate of Arboriculture (Melbourne University)

Diploma of Horticulture (Arboriculture).

Certified Arborist International Society of Arboriculture Member (ISA) Member # 210036 & Arboriculture Australia.

Tree Risk Assessment Qualification (TRAQ) International Society of Arboriculture (ISA) (2021-2025)

Victorian Tree Industry Organization (VTIO) Member.

15. REFERENCES.

AS4970-2009 'Protection of Trees on Development Sites'. Australian Standards. Sydney, Australia.

AS4373-2007 'Pruning of Amenity Trees'. Australian Standards. Sydney, Australia.

16. PHOTO OF ASSESSED TREES.



Page **9** of **17**

APPENDIX 1 ... TREE DATA TABLE.

ID#	Botanical Name	Common Name	Origin	Age Class	Height X Width (m)	Health	Structure	Form	ULE	DBH (cm)	SRZ (m)	TPZ (m)	Retention Value	Comments
1	Fraxinus angustifolia	Desert Ash	Exotic	Mature	8x14	Good	Fair	Fair	Long	46	2.5	5.5	Third Party	Street Tree
2	Fraxinus angustifolia	Desert Ash	Exotic	Semi	7x4	Good	Poor	Fair	Short	*15	1.8	2	Low	Stump regrowth
3	Photinia robusta	Photinia	Exotic	Semi	4x6	Good	Poor	Fair	Short	*17	1.6	2	Low	Historically Lopped
4	Prunus cerasifera 'nigra'	Purple leafed Cherry Plum	Exotic	Semi	4x6	Poor	Poor	Fair	Remove	*18	1.6	2	Low	Severe decline
5	Fraxinus angustifolia	Desert Ash	Exotic	Semi	8x6	Good	Poor	Fair	Medium	15	1.7	2	Third Party	Neighbours, x2 trees
6	Prunus domestica	European Plum	Exotic	Semi	4x7	Good	Fair	Fair	Short	*18	1.6	2.1	Third Party	Neighbours, suckering profusely
7	Prunus domestica	European Plum	Exotic	Semi	4x3	Fair	Fair	Fair	Short	12	1.5	2	Third Party	Neighbours, suckering profusely
8	Prunus domestica	European Plum	Exotic	Semi	4x4	Fair	Fair	Fair	Short	*15	1.6	2	Third Party	Neighbours, suckering profusely

^{*=} tree with multi stem measurements. SRZ= Structural Root Zone, radius.

DBH= Diameter of trunk at 1.4 metres from grade. TPZ= Tree Protection Zone, radius.

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APPENDIX...2 PROTECTION OF TREES AS PER AUSTRALIAN STANDARDS 4970-2009.

The Australian Standard AS 4970-2009 'Protection of Trees on Development Sites' is the preferred method of tree protection. This method places Tree Protection Zones (TPZ) that set the required area above and below ground for a tree to remain viable, and without damage to their delicate crown or root systems.

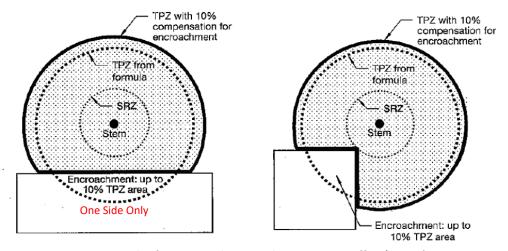
The TPZ is expressed as a radius in meters measured from the centre of the stem at ground level. When several protected trees are located close to one another, TPZ fencing may encompass several trees as a group rather than individually where possible.

Tree Protection Zones are areas set aside surrounding the tree, which are kept free from all construction disturbances. Some of the primary causes of tree decline or damage on construction sites are impact to the trunk and crown of the tree, and root damage or destruction from digging, trenching, compaction, changes to soil levels and dumping of waste.

Encroachment of less than 10% of the TPZ and outside the SRZ is deemed to be minor encroachment and acceptable according to AS 4970-2009. Variations must be made by the project arborist considering relevant factors including tree health, vigour, stability, species tolerance to construction and soil characteristics.

Encroachment of more than 10% of the TPZ, or into the SRZ is major encroachment. The project arborist must demonstrate that the trees would remain viable. Root investigation by non-destructive methods and consideration of relevant factors including tree health, vigour, stability, species, lean, existing conditions, tolerance to construction and soil characteristics.

SRZ encroachment must be avoided at all costs as this area is needed for the trees stability and is not related to tree health.



Example of TPZ encroachment and compensatory offset (image from AS 4970-2009)

Direct damage includes mechanical injury to the trunk, severing the roots through trenching and site cuts which remove or sever absorption roots allowing the onset of decay. Indirect damage to trees could be through soil compaction and by adding fill around trees which limits the amount of oxygen and moisture that will reach the roots. Without this moisture roots cannot function and this will lead to drought stress and eventually the tree will enter a mortality spiral eventually leading to its death.

Indirect effects of construction are usually related to soil hydrology. This includes alterations to soil moisture content, changes in the level of the water table and drainage patterns (Coder, 1995)

This may take several years to become evident in the tree canopy.

APPENDIX...3 TREE PROTECTION FENCING AND MEASURES.

Tree Protection Fencing:

- o The Tree Protective fencing must be erected to form a visual and physical barrier, be a minimum height of 1.5metres and of chain mesh or similar fence with 1.8 metre support posts (eg. Concrete feet) every 3-4 metres including a top line of high visibility hazard tape erected around the perimeter of the fence.
- Fencing must comply with Australian Standards As4687-2007 *Temporary fencing and hoardings.*
- The fence <u>must not</u> be removed or relocated without the prior consent of Responsible Authority.

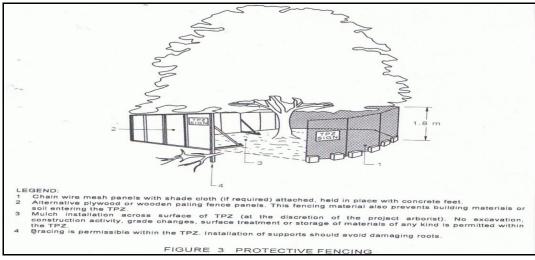


Image taken from AS4970-2009 Tree Protection Zone Fencing

Signage:

o Fixed signs are to be provided on all visible sides of the Tree Protection Zone Fencing clearly stating "Tree Protection Zone"- NO ENTRY, or similar wording, to the satisfaction of the responsible authority

The sign should be similar to the following and should be no smaller than 600mm x 400mm.



Weed Control and Mulched within TPZ:

o Any weeds located within the Tree Protection Zone are to be removed and the area mulched with 75-100mm in depth of coarse grade arborist woodchip or like (Preferably arborist mulch) this will retain moisture and reduce the impact of compaction.

Irrigation:

o The TPZ area must be irrigated during the drier months (Oct- April) with 1 litre of clean water for every 1cm of trunk girth measured at the trunk/soil interface on a weekly basis.

Access to Tree Protection Zone:

o Should temporary access be necessary within the TPZ during the construction period, the responsible authority must be informed prior to relocating the fence (as appropriate ground protection measures must be implemented).

Tree Protection Zone Restrictions:

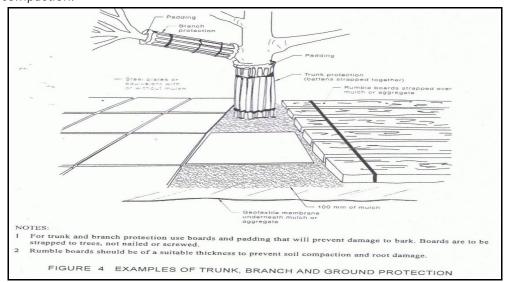
- o No building materials or equipment stored within the TPZ area.
- o No Servicing and refueling of equipment and vehicles
- o No storage of fuel, oil dumps or chemicals
- o No attached of any device like nails, screws or temporary services fixed to the tree trunk.
- o No open cut trenches or excavation works (whether or not laying services)
- o No changes to the existing soil grade.
- No temporary buildings and works and any unauthorized entry by any person, vehicle or machinery.

Provision of Services:

- O Unless with prior written consent of the responsible authority, all services (Including water, electricity, gas and telephone) must be installed underground, and located outside of any Tree Protection Zone to the satisfaction of the responsible authority.
- o All services including water, electricity, gas and telephone) should be installed underground and located outside of any Tree Protection Zone, wherever practically possible. If underground services are to be routed within an established Tree Protection Zone, they must be installed by directional boring with the top of the bore to be a minimum depth of 600mm below the existing grade, to the satisfaction of the responsible authority.

Ground Protection:

o If the area within the TPZ is to be accessed during construction phase then the area will need ground protection. Boarding made out of Hardwood at least 5cm thick should be strapped together. Measures may include a permeable membrane, such as a geotextile, to cover the TPZ area and ideally placed over a layer of mulch or coarse gravel at 100mm thick to prevent soil compaction.



Example of Trunk, Branch & Ground Protection Measures (Extract Images from AS4970-2009.)

Management of Works:

- o A suitably qualified Arborist (AQF Level 5 or higher) must supervise or undertake all approved activity within the calculated Tree Protection Zone of a retained tree.
- o Any root severance within the Tree Protection Zone must be undertaken by the Project Arborist only using a clean, sharp sterile pruning saw or secateurs.
- o There must be no root pruning in the Structural Root Zone (SRZ) unless consent is received in writing from the responsible authority and there must be no root pruning with the Tree Protection Zone for works other than those endorsed by the responsible authority.
- All and any excavations within the Tree Protection Zone of retained trees must be undertaken by hand or dug by approved non destructive techniques (like Hydro Excavation) suitable within the vicinity of trees in accordance with AS4373-2007 'Pruning of Amenity Trees' and must only be undertaken by or under direct Arborist supervision by a suitably qualified arborist for endorsed works or for works subsequently approved by the responsible authority.

Tree Pruning:

- o Any and all pruning works must be carried out by a qualified Arborist (minimum AQF Level 3 or greater) in accordance with AS4373-2007 'Pruning of Amenity Trees'.
- o It must be undertaken in accordance with necessary permissions and must be restricted to the removal of no greater than 15% of the total live canopy (Unless permits indicate otherwise). Photos may be required to mark up pruning target points in the report for approval from the responsible authority.

Landscaping:

- o All landscaping within the Tree Protection Zone radii must be on the existing soil grade and with minimal impervious surfaces.
- O No vehicles, machinery are to enter the Tree Protection Zone Area unless adequate ground protection measures are implemented.
- o All post holes for planting must be dug by hand and any roots greater than 40mm encountered the hole should be offset to avoid root damage or severance.



APPENDIX 4... TREE DESCRIPTORS.

Status	Description:	
Exotic	Tree species originates in a country other than Australia.	
Australian Native	Tree species originates within Australia.	
Victorian Native	Tree species originates within Victoria, but not within local environment.	
	Could be planted and not indigenous a (component of EVC benchmark)	
Indigenous	Tree species originates within the local environment, could be remnant. (component of EVC benchmark)	
Palm	A woody Monocotyledon not a woody structure.	

Age	Description:
Young	Juvenile or recently planted approximately 1-7 years.
Semi Mature	Tree actively growing.
Maturing	Tree has reached expected size in situation.
Senescent	Tree is over mature and has started to decline.
Dead	Tree is dead

Health	Description:
Good	Foliage of tree is entire, with good colour, very little sign of pathogens and of good density.
	Growth indicators are good i.e. extension growth of twigs and wound wood development. Minimal or no canopy die back (deadwood).
Fair	Tree is showing one or more of the following symptoms; < 25% dead wood, minor canopy die back, foliage generally with good colour though some imperfections may be present. Minor pathogen
Poor	damage present, with growth indicators such as leaf size, canopy density and twig extension growth typical for the species in this location. Tree is showing one or more of the following symptoms of tree decline; > 25% deadwood, canopy die back is observable, discoloured or distorted leaves. Pathogens present, stress symptoms are observable
Dead/Dying	as reduced leaf size, extension growth and canopy density. Woundwood development is not apparent. Tree is in severe decline; > 55% deadwood, very little foliage, mostly epicormic shoots, minimal to no extension growth.

Structure	Description:
Good	Trunk and scaffold branches show good taper and attachments with no defects evident in trunk or
	branches. Primary limbs are well defined with balanced crown. Tree is a good example of the species
	with a well-developed form. Unlikely to suffer trunk or branch failure under normal conditions.
Fair	Tree shows some minor structural flaws in the structure of the crown. The crown may be slightly
	Asymmetrical with some branch unions exhibiting minor structural flaws. If one stem may be on a slight
	lean from tree aspect or exhibiting minor structural flaws. Typical for its specie.
Poor	Is a poorly structured crown, with major structural defects, damage to trunk, large cavities and decay.
	Co-dominant stems could be present, with included bark or poor structure with likely points of failure.
	Branch unions may be poorly attached or with major faults at attachment. Possible root damage may
	occur.
Hazardous	Tree is an immediate hazard with poor crown, active cracks in unions, root plate heaving/lifting or
	damaged with potential to fail, this should be rectified 'as soon as possible' or fenced off immediately.

Form	Description:
Good	Canopy full and symmetrical canopy spread and trunk form. Pruning has be done in accordance to
	AS4373-2007. Typical for its specie
Fair	Minor asymmetry or slightly overextended and/or weighted limbs with evidence of pruning undertaken
	to accordance of AS4373-2007. Considered typical for species in situation.
Poor	Major asymmetry and/or misshapen not typical for species, Could be storm damaged or had significant
	structural failures that has compromised structural integrity. Could also be stump re-growth from cut
	tree.

Useful Life	Description:
Expectancy (ULE)	
Long (25+ years)	Generally a young to semi mature tree or a moderate to long lived specie. Trees that are in fair-good
	condition and is structurally sound with a low hazard potential and well suited to its growing
	environment and future growth requirements. Trees could be of special significance for historical,
	culturally, or rarity reasons that would warrant extra efforts to secure its long term retention
Medium (11-25 y)	Tree is displaying normal growth characteristics and/ or growing in a modified environment that will
	likely provide useful Amenity for 11-25 years. It may be in fair condition with a moderate lifespan
	combined with appropriate management can remain an asset in the landscape for the next 11-25 years.
Short (6-10 years)	Trees is exhibiting fair to poor health with low levels of canopy density typical for specie. It's not
	expected to maintain current density levels or improve health levels. It provides limited amenity for no
	more than 10 years due to environmental stresses, pest or diseases, poor site conditions or indirect
	damage. Could be a short lived species or storm damaged or defective trees that can be made suitable
	for retention by practicable pruning practices or to remain as a habitat tree.
Remove(1-5 years)	Trees that appear to be an increased risk level that would need to be removed within the next for 5
	years. Chronic decline in canopy with >50% typical canopy density, could be mostly epicormics growth
	related to environmental stresses, pest or diseases, poor site conditions or indirect damage. Structural
	defects of branch unions that may have poor attachments or faulty and may predispose to failure.
Dead (<1 year)	Tree is dead or mostly dead and should be generally removed as it cannot be managed in short term.
	Tree has no amenity value and is considered a hazard in its location. Remove and Replace.

Retention Value	Description:
High	Trees with the potential to positively contribute to the site due to their botanical, horticultural, historical
	or local significance in combination with good characteristics of structure, health and future
	development. Every effort should be made to retain tree.
Medium	Trees with some beneficial attributes that may benefit the site in relation to botanical, horticultural,
	historical or local significance but may be limited to some degree by their future growth potential at the
	site by maintenance requirements now or in the future. These trees should be considered for retention
	if possible within the development design or removed depending on design preference.
Low	Trees that offer little in terms of contributing to the future landscape for the reasons of poor health or
	structural condition, species suitability in relation to unacceptable growth habit, noxious, poisonous or
	weed species or Short-Remove ULE or a combination of these characteristics. Recommend for removal.
Third Party	Third Party Trees must be retained and protected as they are <u>not</u> located on the subject site. Ownership
	maybe classified as residential or council owned. Despite where ownership lies, these trees must be
	retained and protected including the roots beneath the surface even if they extend into the subject site.

The trunk diameter of the tree measured with a (yamano) diameter tape at 1.4 metres above grade.
The SRZ is calculated from the diameter of above the root flare or tree base at grade. It is the volume of
soil and tree roots required for the tree stability. Excavation or damage to this area may cause severe
decline, death or lead to catastrophic tree failure from wind throw.
It is not related to tree health. The measurement is given in meteres in a radius from the centre of tree.
The TPZ is an area that is required for the tree to remain viable (healthy). It is referenced in AS 4970-
2009 and is an area fenced off from construction or works around the tree in order for it to survive and
thrive in its ground environment. It is calculated as 12 times the trunk diameter, taken at 1.4 metres
above grade (DBH). The measurement is given in meteres in a radius from the centre of tree.

ASSUMPTIONS AND LIMITING CONDITIONS

Any legal description provided to CHTS is assumed to be correct. CHTS assumes any title and ownership to any property are correct. No responsibility is taken for matters outside the control of CHTS.

Climbing High Tree Services assume that any property or project is not in violation of any applicable codes, standards or Responsible Authority regulations.

Climbing High Tree Services has taken care in obtaining all information from reliable sources. All data has been verified in so far as possible, however **CHTS** can neither guarantee nor be responsible for the accuracy of the information provided by others not directly under the control of Climbing High Tree Services.

No **Climbing High Tree Service employee** shall be required to give testimony or to attend court by reason of this report unless subsequent contractual arrangements are made, including payment of additional fee for such services.

Alteration of any part of this report not undertaken by CHTS invalidates the entire report.

The report is to be read as a complete document. Loss of any part of this report invalidates the entire report.

The report or contents of this report shall not be used, or published, by any party except the person/s to whom it is addressed, without written approval from **Climbing High Tree Services**.

This report and any values expressed herein represent the opinion of **CHTS** consultant and any fee charged by **CHTS** is in no way conditional on the reporting of a specified value, a stipulated result, the occurrence of a subsequent event or upon any finding report.

Sketches, Diagrams, Graphs and photographs in this report, being intended as visual aids, are not necessary to scale and should not be construed as engineering or architectural drawings, reports or surveys.

CHTS denotes= Climbing High Tree Service.