

# Application for a Planning Permit

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

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

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

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

**i** Click for further information.

## The Land **i**

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

### Street Address \*

Unit No:	St. No.: 164	St. Name: Mitchell Street
Suburb/Locality: MAIDSTONE		Post Code: 3012

### 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.

<b>A OR</b>	Vol.: 6540	Folio.: 995	Suburb.: Maidstone
	Lot No.: 14	Type.: Lot/Lodged Plan	
<b>B</b>	Crown Allotment No.:		Section No.:
	Parish/Township Name:		

## The Proposal

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

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

Construct four dwellings

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

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

1350000.00

**⚠** 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 certificate **must** be submitted with the application.

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


## Existing Conditions

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

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

Single Dwelling

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

## Title Information

**Encumbrances on title \***

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

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

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

## Applicant and Owner Details

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

**Applicant \***

The person who wants the permit.

Name:

Title: CO First Name: Belfield Surname: Consultants

Organization (if applicable):

Unit No: St. No: 3 St. Name: Alfred Street

Suburb: CAULFIELD State: VIC Postcode: 3162

Business phone: 0400539527 Email: kim@belfieldplanning.com.au

Mobile phone: Home:

**Contact person's details\***

Name:

Same as applicant ☒

Title: CO First Name: Belfield Surname: Consultants

Organization (if applicable):

Unit No: St. No: 3 St. Name: Alfred Street

Suburb: CAULFIELD State: VIC Postcode: 3162

Business phone: 0400539527 Email: kim@belfieldplanning.com.au

Mobile phone: Home:

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:

Same as applicant ☐

Title: CO First Name: Surname:

Organization (if applicable): RHSM Investments P/L

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

Unit No: St. No: 12 St. Name: Village Way

Suburb: MARIBYRNONG State: VIC Postcode: 3032


Business Phone: Email: longcon.dev@gmail.com

Mobile phone: 0411989018 Home:

## Declaration

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This form must be signed by the applicant \*

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

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

Signature:

*Belfield Consultants*

Date

22 / 07 / 2025

day / month / year

## Need help with the Application?

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

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

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

☒ No

☐ Yes

Officer Name:

Date:

day / month / year

## Checklist

Have you:



Filled in the form completely?



Paid or included the application fee?



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



Provided all necessary supporting information and documents?



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



A plan of existing conditions.



Plans showing the layout and details of the proposal.



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



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



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



Completed the relevant council planning permit checklist?



Signed the declaration?

## Lodgement

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

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

### Contact information:

Phone: (03) 9688 0200  
Email: [email@maribyrnong.vic.gov.au](mailto:email@maribyrnong.vic.gov.au)  
DX: 81112

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



## The Land

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

### How is land identified


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

See **Example 1**.

## The Proposal

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


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

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

### How do planning schemes affect proposals?

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

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

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

See **Example 2**.


### Estimated cost of development

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

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

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

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

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

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

## Existing Conditions

### How should land be described?

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

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

See **Example 3**.

## Title Information

### What is an encumbrance?

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

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

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

### What documents should I check to find encumbrances

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

### What about caveats and notices?

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

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

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

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



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

VOLUME 06540 FOLIO 995

Security no : 124126125871Q  
Produced 11/07/2025 09:00 AM

### LAND DESCRIPTION

Lot 14 on Plan of Subdivision 011438.  
PARENT TITLE Volume 05130 Folio 818  
Created by instrument 1847260 20/01/1942

### REGISTERED PROPRIETOR

Estate Fee Simple  
Sole Proprietor  
RHSM INVESTMENT PTY LTD of 12 VILLAGE WAY MARIBYRNONG VIC 3032  
AW717454Y 11/04/2023

### ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AW717455W 11/04/2023  
PERPETUAL CORPORATE TRUST LTD

COVENANT 1847260 20/01/1942

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 LP011438 FOR FURTHER DETAILS AND BOUNDARIES

### ACTIVITY IN THE LAST 125 DAYS

NIL

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

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

Street Address: 164 MITCHELL STREET MAIDSTONE VIC 3012

### ADMINISTRATIVE NOTICES

NIL

eCT Control 18478R FIRST LEGAL  
Effective from 11/04/2023

DOCUMENT END

# Imaged Document Cover Sheet

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PLAN OF SUBDIVISION

PART OF CROWN ALLOT 8 . SEC 20.

PARISH OF CUT PAW PAW

COUNTY OF BOURKE

VOL 5130 FOL 1025818

Measurements are in Feet & Inches

Conversion Factor

FEET X 0.3048 = METRES

EDITION 3

PLAN MAY BE LODGED

12.5.26

COLOUR CODE

E-1=BLUE

E-2,R1,R2,R3, & R4 = BROWN

APPROPRIATIONS

THE LAND COLOURED BLUE IS APPROPRIATED OR SET APART FOR EASEMENTS OF DRAINAGE AND SEWERAGE

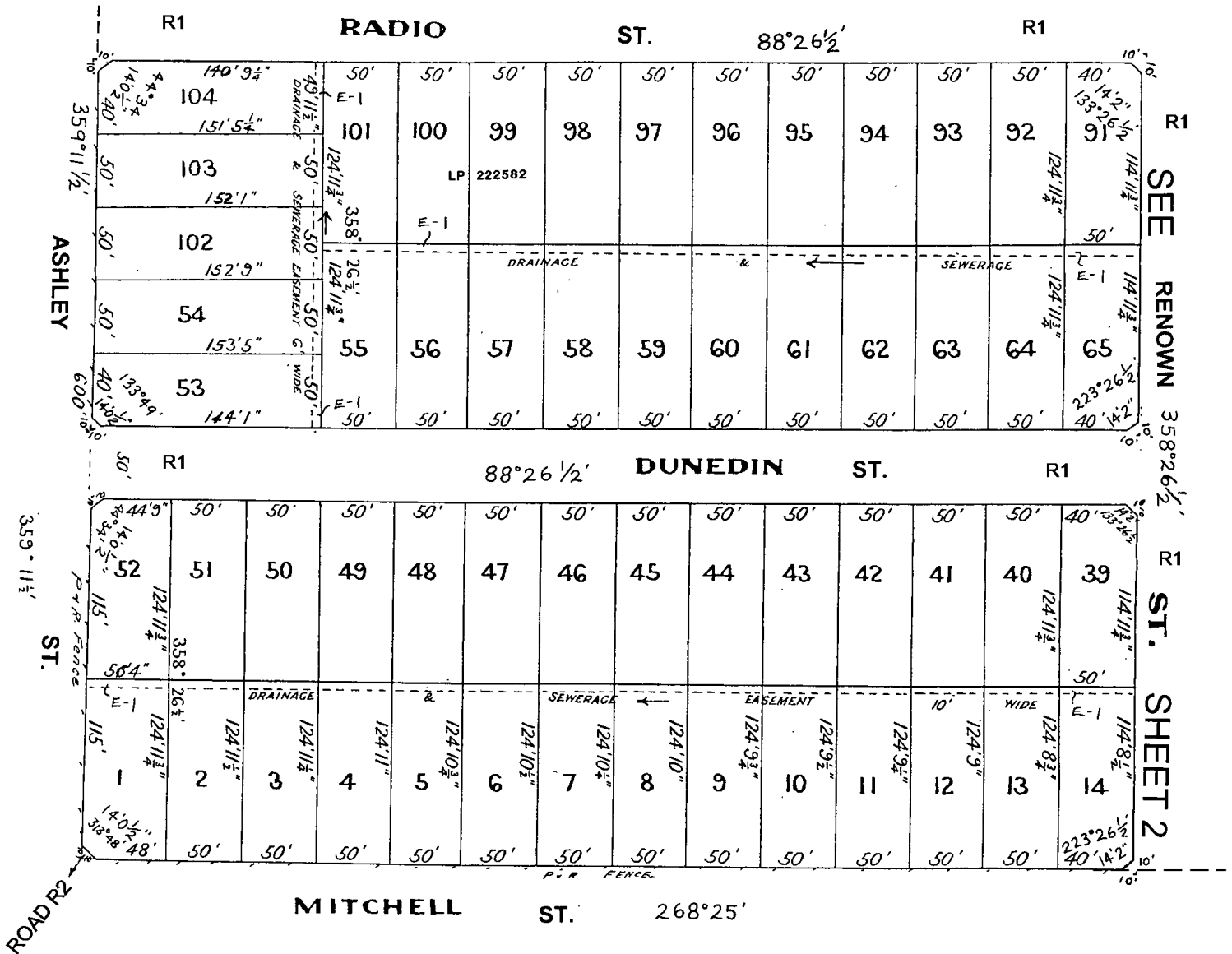
THE LAND COLOURED BROWN IS APPROPRIATED OR SET APART FOR ROADS

ENCUMBRANCES

AS TO THE LAND MARKED E-3 THE EASEMENT TO THE M.M.B.W. CREATED IN INSTRUMENT A602324

STREET NAME AMENDED  
FROM LYONS STREET  
TO ASHLEY STREET  
VIDE VIDE GOV GAZ 6.7.1938  
PAGE 2108

SEE SHEET 4



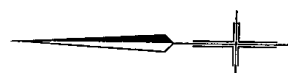
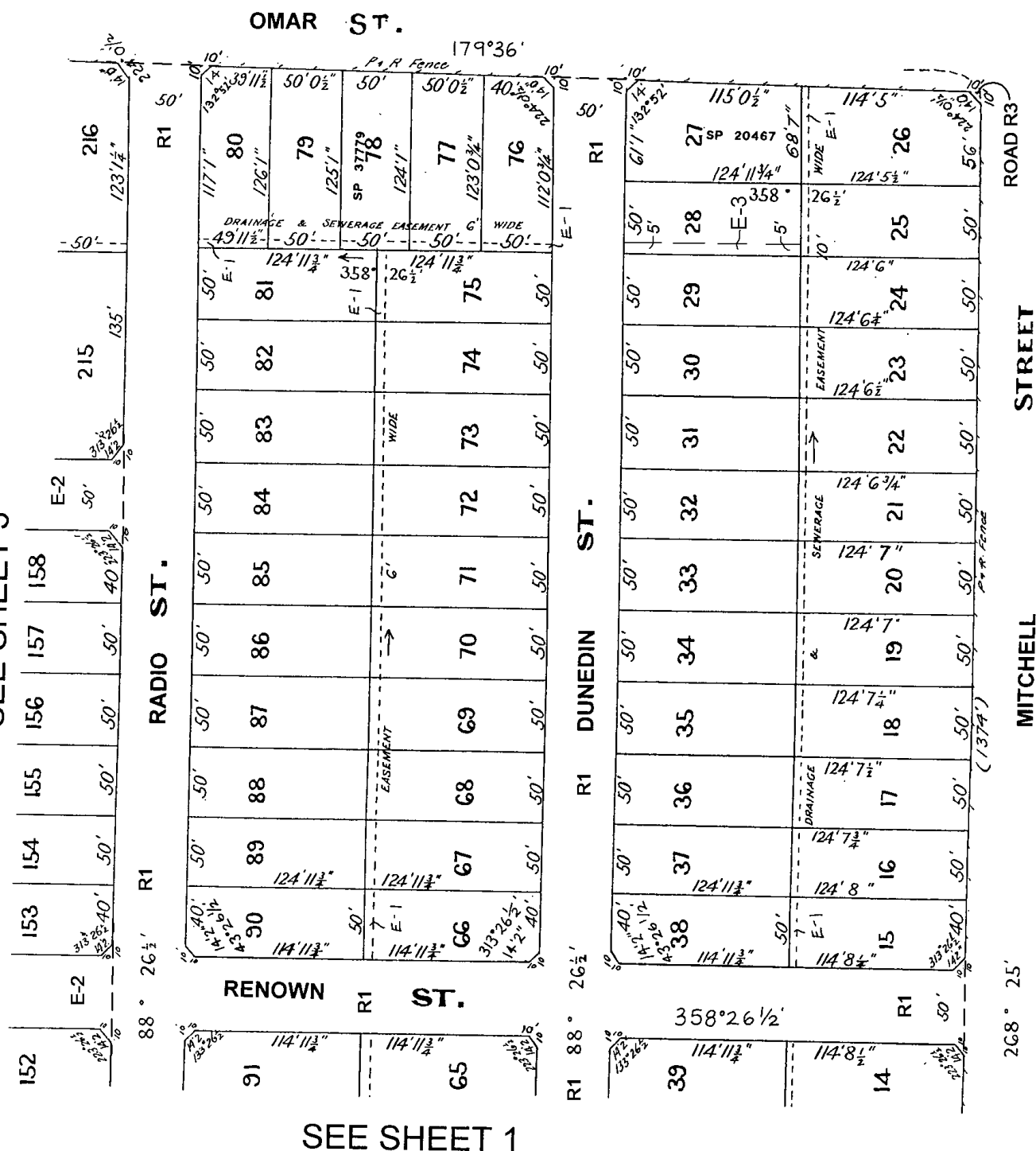
4 SHEETS  
SHEET 1



**LP 11438**

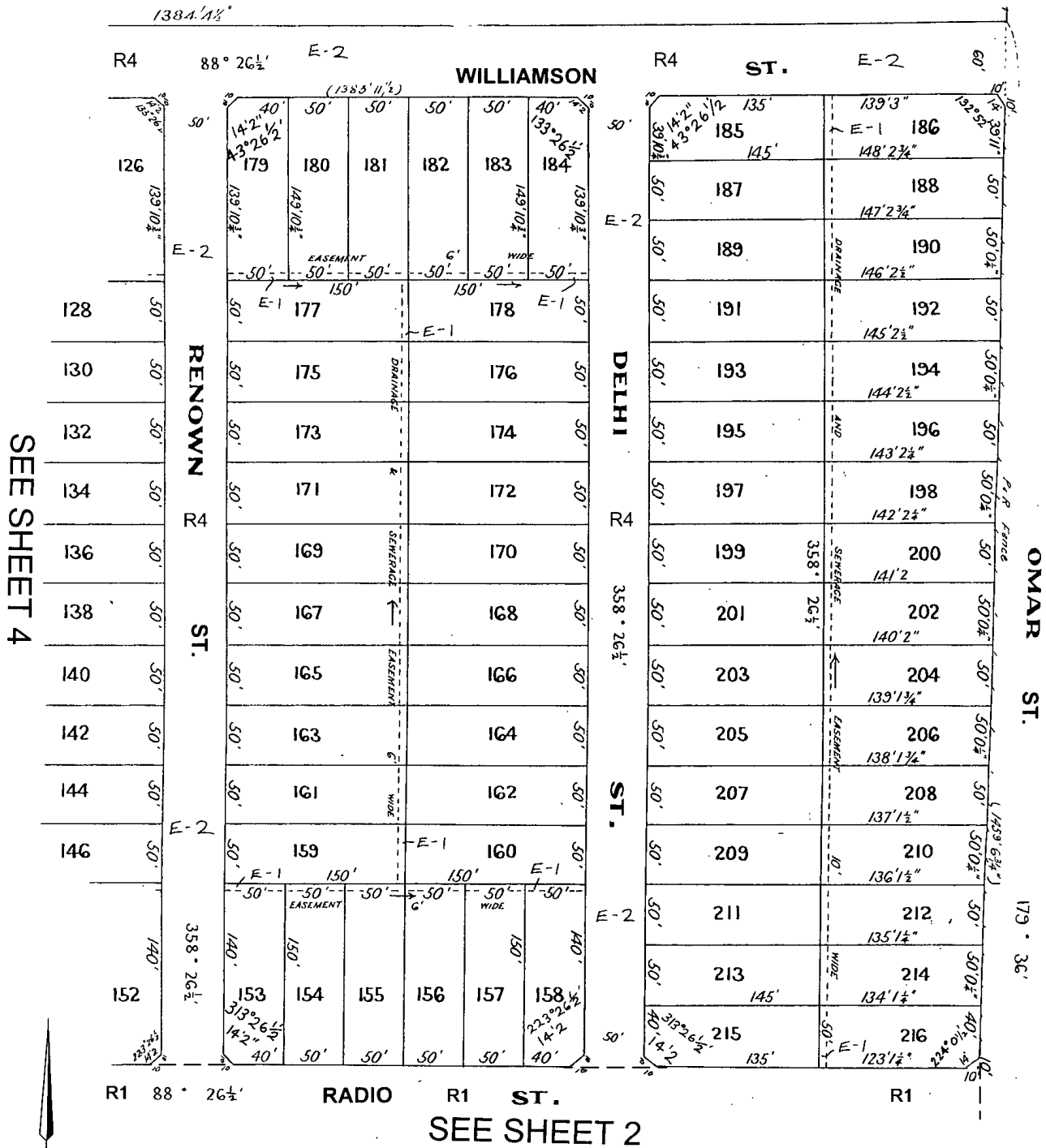
SEE SHEET 3

4 SHEETS  
SHEET 2



LP

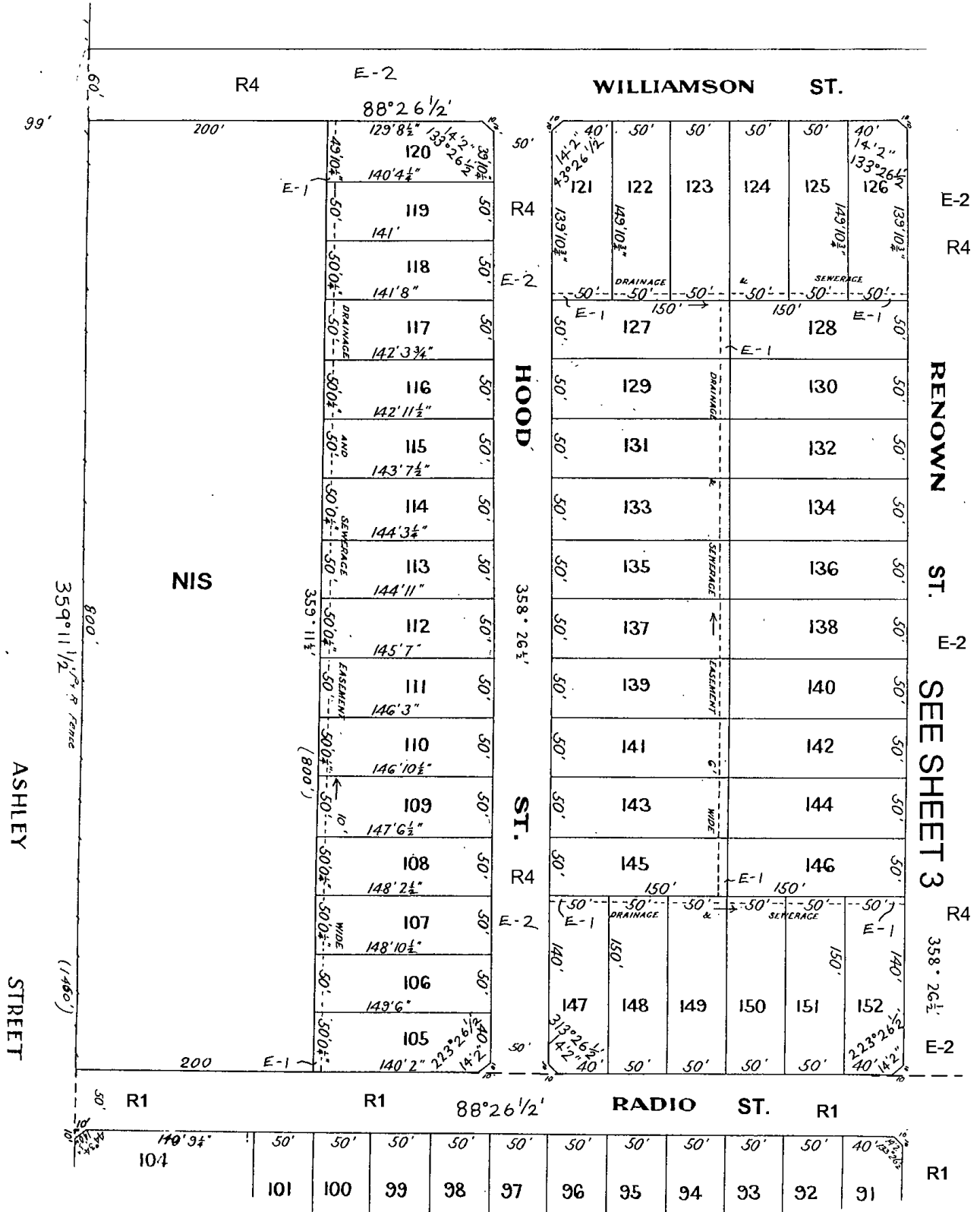
CITY OF MARLBOROUGH  
11438  
ADVERTISED PLAN



4 SHEETS  
SHEET 3

LP

CITY OF MAYBURN  
ADVERTISED PLAN



SEE SHEET 1

4 SHEETS  
SHEET 4



## RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN

# LP 11438

[illegible]

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Document Type	<b>Instrument</b>
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4000944

1847200

CITY OF MARIBYRNONG  
ADVERTISED PLAN



FREEHOLD

RIGBY & FIELDING  
VICTORIA

TRANSFER OF LAND

20 JAN 1942

*KOLP*

*395469*

We, HANNAH STEWART WILLIAMSON and ALEXANDRA LOVE WILLIAMSON both of Hampstead Road Braybrook and ANNIE ANDERSON WILLIAMSON and JANET TODD WILLIAMSON both of Rockhampton Queensland all Spinsters being registered as the proprietors of an estate in fee simple in the land hereinafter described, subject to the encumbrances notified hereunder, in consideration of the sum of ONE HUNDRED POUNDS paid to us by GEORGE ALLAN HOLLINGWORTH of <sup>196</sup> Ballarat Road Footscray Boiler Attendant DO HEREBY TRANSFER to the said GEORGE ALLAN HOLLINGWORTH All our estate and interest in ALL THAT piece of land being Lot Fourteen on Plan of Subdivision Number 11438 lodged in the Office of Titles and being part of Crown Allotment Eight Section Twenty at Braybrook Parish of Cut Paw Paw County of Bourke and being part of the land more particularly described in Certificate of Title entered in the Register Book Volume 5130 Folio 1025818 AND the said George Allan Hollingworth for himself his heirs executors administrators and transferees HEREBY COVENANTS with the said Hannah Stewart Williamson, Alexandra Love Williamson, Annie Anderson Williamson and Janet Todd Williamson their heirs executors administrators and respective transferees registered proprietor or proprietors for the time being of the land remaining untransferred in the said Certificate of Title other than the said land hereby transferred that he the said George Allan Hollingworth his heirs executors administrators and transferees will not at any time hereafter excavate carry away or remove or permit to be excavated carried away or removed any earth marl stone clay gravel or sand from the said land hereby transferred.

DATED the Nineteenth day of January One thousand nine hundred and forty-two.

SIGNED by the said HANNAH STEWART WILLIAMSON  
ALEXANDRA LOVE WILLIAMSON ANNIE ANDERSON  
WILLIAMSON and JANET TODD WILLIAMSON by  
their Attorney under Power THOMAS ALEXANDER  
WILLIAMSON (Powers Nos. 54947 and 55505) in  
the State of Victoria in the presence of

*Th. A. Williamson*

*H. S. Williamson  
A. L. Williamson  
A. A. Williamson  
J. T. Williamson  
by their attorney  
under Power.  
T. A. Williamson*

SIGNED by the said GEORGE ALLAN HOLLINGWORTH  
in Victoria in the presence of

*Th. A. Williamson*

*G. Hollingworth*

IMAGED

ENCUMBRANCES REFERRED TO

*Free and Blue  
5120/- 818 ft  
Under an acre  
once a to the blue  
the east etc. etc. & 1/2  
into the whole  
the cost. hereon  
K. L.  
20.3.42*

*St. 883  
30.3.42  
Extra diag.  
Jill  
J. A. Williamson*

*ad. 5.2.42*

*395469  
ann  
54269*



I, GEORGE ALLAN HOLLINGWORTH the within named transferee HEREBY DECLARE that the transaction to which the within Instrument of Transfer relates is not in contravention of any provision of the National Security (Land Transfer) Regulations and that the said Transfer has not been executed in contravention of the said Regulations.

MADE AND DECLARED in the State )  
of Victoria

*G. Hollingworth*

Before me/

*[Signature]*

RIGBY & FIELDING,  
Solicitors,  
60 Market Street,  
MELBOURNE.

TRANSFER OF LAND

MR. G. A. HOLLINGWORTH

To

MISS H.S. WILLIAMSON & OTHERS

DATED

1942

MEMORIAL OF INSTRUMENT

NATURE OF INSTRUMENT	TIME OF ITS DUPLICATION REGISTRATION	TO WHOM GIVEN	NUMBER OF SYMBOL THEREON
TRANSFER AS TO PART	THE 20 <sup>th</sup> DAY OF <i>January</i> 1942	<i>To</i> <i>George Allan</i> <i>Hollingworth</i>	1847260
<p><i>H. Hewison</i></p> <p>ASSISTANT REGISTRAR OF TITLES</p>			
<p>I CERTIFY THAT A MEMORIAL OF THE WITHIN INSTRUMENT WAS ENTERED AT THE TIME LAST MENTIONED IN THE REGISTER BOOK VOL. 5130 FOL 1025818</p> <p><i>H. Hewison</i></p> <p>ASSISTANT REGISTRAR OF TITLES</p>			

# Metropolitan Planning Levy (MPL)

## Certificate

LONGCON DEVELOPMENTS PTY LTD

**Certificate Number: MPLCERT001370**

164 Mitchell Street ST Maidstone VIC

**Issue Date:** 21 July 2025

**Expiry Date:** 17 January 2026

### PART 1 - APPLICANT DETAILS

#### Details of person who applied for this Certificate:

**Name:** LONGCON DEVELOPMENTS PTY LTD

**Address:** 164 Mitchell Street ST Maidstone VIC  
Maidstone  
Australia

### PART 2 - LEVIABLE LAND DETAILS

#### Address of land to which the Metropolitan Planning Levy applies:

**Street Address:** 164 Mitchell ST  
Maidstone VIC 3019

#### Formal Land Description:

**Vol/Folio:** 6540 / 995      **Lot/Plan:**      **Block/Subdivision:**

**Crown Reference:**

**Other:**

**Municipality:** Maribyrnong City Council

**Estimated Cost of Development:** \$1,350,000

### PART 3 - MPL PAYMENT DETAILS

**MPL Application ID:** MPL001370

**MPL Paid:** \$1,755.00

**MPL Payment Date:** 14 July 2025

### PART 4 - CERTIFICATION

The Commissioner of State Revenue confirms that the whole of the amount of the MPL has been paid in respect of the estimated cost of development.

**Paul Broderick**  
Commissioner of State Revenue

## PART 5 – EXPLANATORY NOTES

## General

- The Metropolitan Planning Levy (MPL) is imposed for the privilege of making a leviable planning permit application.
- A leviable planning permit application is an application made to a responsible authority or planning authority under sections 47 and 96A of the *Planning and Environment Act 1987* (PEA) for a permit required for the development of land in metropolitan Melbourne, where the estimated cost of the development for which the permit is required exceeds the threshold amount (see MPL threshold amount).
- As a statutory requirement of making a leviable planning permit application, the applicant must give the responsible authority or planning authority a current MPL Certificate. The estimated cost of development stated in the MPL Certificate must be equal to or greater than the estimated cost of the development stated in the leviable planning permit application. If an applicant fails to comply with this requirement, the application for the leviable planning permit is void.
- The applicant for the leviable planning permit application is liable for the MPL.
- The Commissioner of State Revenue (Commissioner) has the general administration of the MPL.

## MPL threshold amount

- The threshold amount is \$1 million for the 2015-2016 financial year.
- For the financial year beginning on 1 July 2016 and each subsequent financial year, the Consumer Price Indexed (CPI) adjusted threshold amount will be calculated in accordance with section 96R of the PEA.
- On or before 31 May each year, the Commissioner must publish the CPI adjusted threshold amount for the following financial year on the SRO website.

## How MPL is calculated

- The amount of MPL is \$1.30 for every \$1000 of the estimated cost of the development for which the leviable planning permit is required.
- If the estimated cost of the development for which the leviable planning permit is required is not a multiple of \$1000, the estimated cost is to be rounded up or down to the nearest \$1000 (and, if the amount by which it is to be rounded is \$500, it is to be rounded up).

## Notification and Payment of MPL to the Commissioner

- Before making a leviable planning permit application, the applicant must submit a completed Application for Metropolitan Planning Levy (MPL) Certificate and pay the whole MPL amount to the Commissioner. This Application must state the estimated cost of the development and any other information required by the Commissioner.
- If, after the Commissioner has issued a MPL Certificate which has not expired (see MPL Certificate), and the estimated cost of the development increases before the leviable planning permit application is made, the applicant must submit an Application for Metropolitan Planning Levy (MPL) Certificate (*Revised*) and pay the whole additional MPL amount to the Commissioner. This revised Application must state the increased estimated cost of the development and any other information required by the Commissioner.

## MPL Certificate

- The Commissioner must issue a MPL Certificate if he is satisfied that the whole amount of the MPL has been paid in respect of the estimated cost of the development.
- Subject to section 96U(3) of the PEA, a MPL Certificate expires 180 days after the day on which it is issued.

## Revised MPL Certificate

The Commissioner must issue a revised MPL Certificate if:

- the Commissioner has issued a MPL Certificate, which has not expired;
- the estimated cost of the development increases before the application for a leviable planning permit is made; and
- he is satisfied that the whole amount of the MPL has been paid in respect to the increased cost of the development.

The Commissioner may also issue a revised MPL Certificate to:

- correct any error in the information listed in the MPL Certificate (except the estimated cost of development as explained below), or
- the estimated cost of the development stated in the MPL Certificate is different from the estimated cost of the development stated in the Application for Metropolitan Planning Levy (MPL) Certificate lodged by the applicant.

A revised MPL Certificate expires on the later of 90 days after its issue date or the date on which the original MPL Certificate issued expires.

The Commissioner cannot issue a revised certificate applied for after the expiration of the 180-day validity period of the original MPL Certificate.

## Refund of MPL

The Commissioner can only provide a refund of the levy if:

- the request is made no later than 30 days after the expiry of the levy certificate or revised certificate if there is one; and
- the leviable planning permit application in respect of which the levy was paid has not been made; and;

The Commissioner is satisfied of one or more of the following grounds:

- there has been a mathematical error in calculating the amount of the levy in relation to the estimated cost of the development stated in the notice given to the Commissioner when applying for the MPL Certificate.
- the applicant for the leviable planning permit application died before the application was made, and no other person is proceeding with the application.
- the relevant planning scheme was amended before the leviable planning permit application was made and because of the amendment, the authority must refuse to grant the permit.

## Certificate number

- The Certificate number is on the top right corner on the front of this Certificate.
- Quoting this Certificate number will give you access to information about this Certificate and enable you to enquire about your application by phone.
- You should quote this number in any correspondence.

For more Metropolitan Planning Levy information please contact the State Revenue Office:

<p><b>Mail</b></p> <p>State Revenue Office, GPO Box 4376, MELBOURNE VIC 3001 or DX260090 Melbourne</p>	<p><b>Internet</b> <a href="http://www.sro.vic.gov.au">www.sro.vic.gov.au</a></p> <p><b>Email</b> <a href="mailto:mpl@sro.vic.gov.au">mpl@sro.vic.gov.au</a></p> <p><b>Phone</b> 13 21 61 (local call cost)</p> <p><b>Fax</b> 03 9628 6856</p>
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Our Reference:01225 (164 Mitchell)

CITY OF MARIBYRNONG  
**ADVERTISED PLAN**

**Belfield Planning Consultants**

[Kim@belfieldplanning.com.au](mailto:Kim@belfieldplanning.com.au)

0400 539 527

ABN 4642 584 5830

16 September 2025

Kylie Lee  
Acting Senior Planner

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

Good Afternoon Kylie

**RE: RFI Reply**  
**Your Ref: TP234/2025**  
**Prop: 164 Mitchell Street Maidstone**

I write responding to the RFI dated 19 August 2025.

The following letter addresses the matters raised and utilises the wording/order of the RFI letter.

**REQUIRED INFORMATION**

*Copy of Covenant*

- See attached covenant - 1847260

*Site/Floor Plan*

- The matters identified in the RFI Part 2 have been provided.

Note. As shown below, the abutting unit at 2/166 Mitchell St has no windows facing the subject site



*Elevations*

- The matters identified in the RFI Part 3 have been provided.

### *Schedule of Materials*

- The matters identified in the RFI Part 4 have been provided.

### *Shadow Diagrams*

- Updated shadow diagrams are provided.

### *Landscape Plan*

- As discussed with you this information is included on the lodged landscape plan schedule.

### **PRELIMINARY CONCERNS**

1. As discussed, Unit 1 is orientated towards Michell Street, which is to the south, therefore the balcony should be at least 8m<sup>2</sup> with a minimum dimension of 1.2m. This is what has been provided. Whilst I agree with you that the balcony is orientated to face east, the simple fact is the wording of Table B3-5 is clear in stating "*Orientation of dwelling*" and not balcony.

Note as the minor changes to the plans have resulted from addressing the RFI NO s50 amendment form is required. This accords with the direction of VCAT. I ask that the attached plans and Planning Report replaced the lodged documents.

I now look forward to you progressing this application.

If you require any further information, please don't hesitate to contact me.

Regards



Kim Belfield MVEPLA

***Belfield Planning Consultants***



## Sustainability Design Assessment Report

164 Mitchell Street, Maidstone

Four Townhouse Development



Report Number	230719
Date	15 July 2025
Consultant	V-Star Energy
Contact	<a href="mailto:info@vstarenergy.com.au">info@vstarenergy.com.au</a>



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**Disclaimer:**

This material is provided purely for general advice and guidance purposes only and only addresses environmentally sustainable design (ESD) requirements. It is not to be relied upon as construction documentation or detailed design advice. When applying this guidance material to a planning application it should be done by a suitably qualified professional and should be adapted to site specific circumstances. No warranty is provided on the accuracy of this material or any omissions from the material and V-Star Energy accepts no liability for any loss or damages incurred in connection with this guidance material.



## Introduction

This report has been prepared to address Maribyrnong City Council's sustainability requirements under Planning Scheme 21.06-2 Environmentally Sustainable Development (ESD).

Council's SDAPP (Sustainable Design Assessment in the Planning Process) program is a consistent and transparent performance framework providing a high level of certainty to sustainable design.

The SDAPP framework encourages consideration of 10 Key Sustainable Building Categories:



### SDAPP - 10 Key Sustainable Building Categories



**1.0 Indoor Environment Quality:** to achieve a healthy indoor environment quality for the wellbeing of building occupants.



**2.0 Energy Efficiency:** to ensure the efficient use of energy, to reduce total operating greenhouse emissions and to reduce energy peak demand.



**3.0 Water Efficiency:** to ensure the efficient use of water, to reduce total operating potable water use and to encourage the appropriate use of alternative water sources.



**4.0 Stormwater Management:** to reduce the impact of stormwater run-off, to improve the water quality of stormwater run-off, to achieve best practice stormwater quality outcomes and to incorporate the use of water sensitive urban design, including rainwater re-use.



**5.0 Building Materials:** to minimise the environmental impacts of materials used by encouraging the use of materials with a favourable lifecycle assessment



**6.0 Transport:** to minimise car dependency and to ensure that the built environment is designed to promote the use of public transport, walking and cycling.



**7.0 Waste Management:** to ensure waste avoidance reuse and recycling during the construction and operation stages of development.



**8.0 Urban Ecology:** to protect and enhance biodiversity and to encourage the planting of indigenous vegetation.



**9.0 Innovation:** to encourage innovative technology, design and processes in all development, so as to positively influence the sustainability of buildings.



**10.0 Construction and Building Management:** to encourage a holistic and integrated design and construction process and ongoing high performance.

Council recommends the use of tools to assist in verifying that the sustainable design elements of the building project meet their requirements.



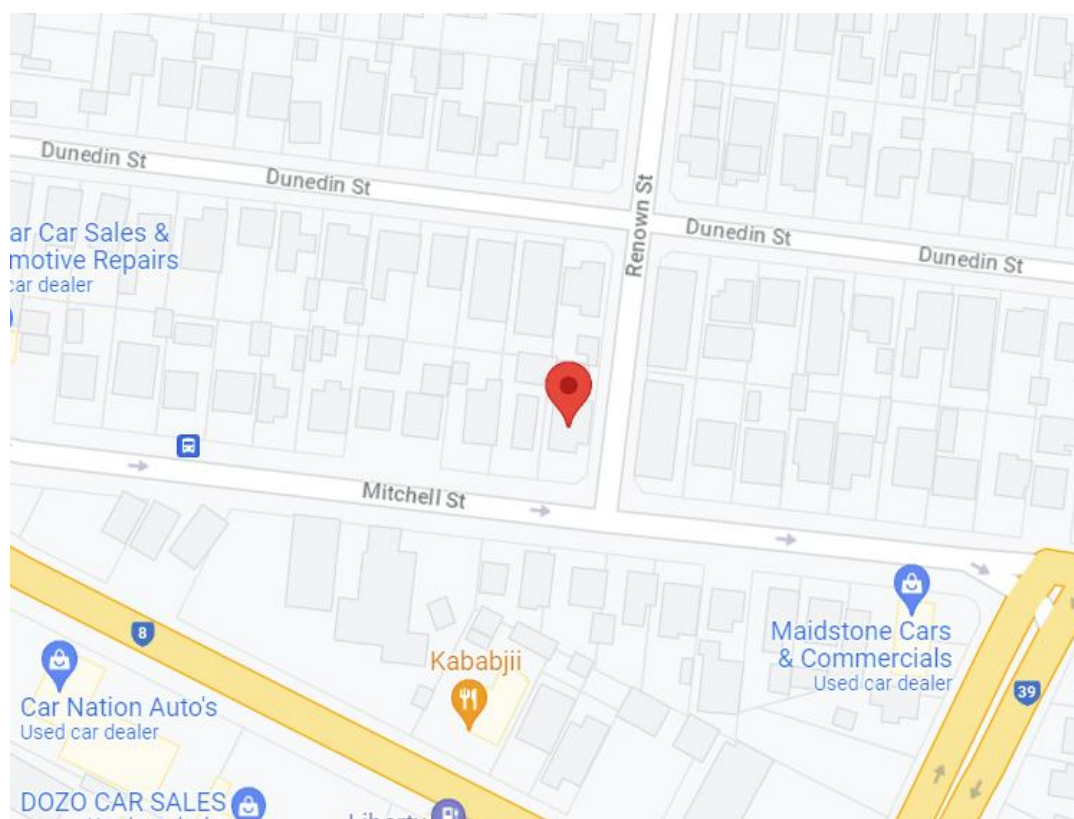
The Built Environment Sustainability Scorecard (BESS) tool, incorporating scores from Melbourne Water's Stormwater Treatment Objective Relative Measure (STORM) Calculator, were used to assess how the proposed development addresses the ESD objectives in the above key categories.

This report should be read in conjunction with planning drawings, the corresponding BESS report, and the Melbourne Water STORM report.

## Project Information

Site Address	164 Mitchell Street, Maidstone VIC 3012
Site Area	575m <sup>2</sup>
Project Description	Four Townhouses Development on a Lot
Council	Maribyrnong City Council

### Site Map Location



Source: Google Maps

## Site Current Image



Source: Google Maps

## Proposed Site Image



Source: Plans



## BESS Assessment

The Built Environment Sustainability Scorecard (BESS) tool was used to assess the following categories to satisfy the SDA for the proposed development.



Management	Water	Energy
Stormwater	Indoor Environment Quality (IEQ)	Transport
Waste	Urban Ecology	Innovation

The BESS tool was designed to demonstrate how new developments measure up against the sustainability requirements of the participating council as part of the planning permit application.

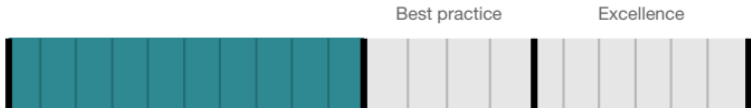
A minimum score of 50% is required with a Pass rating for Energy, Water, Stormwater and IEQ categories. An overall score of 50% represents “Best Practice”, while a score of over 70% represents “Excellence”.

# Project Score

A successful BESS score of 50% was achieved for this proposed development.


Below is a summary of the BESS Assessment.

**Your BESS Score**



50%

0% 10% 20% 30% 40% 50% 60% 70% 80% 90% 100%



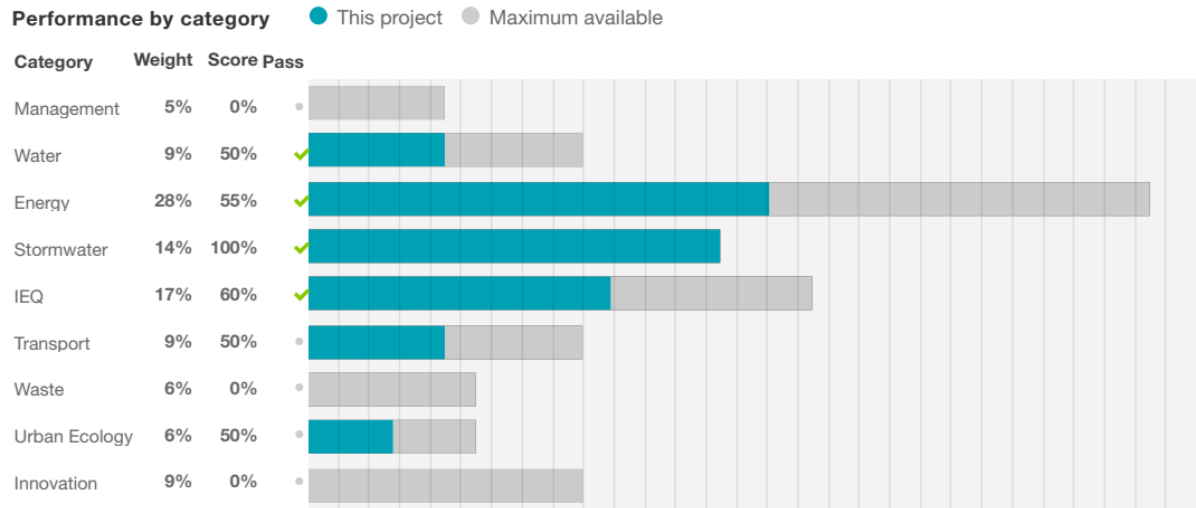
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**Project details**

Name	164 Mitchell St, Maidstone VIC 3012, Australia
Address	164 Mitchell St Maidstone Victoria 3012
Project ID	A3E79FDD-R2
BESS Version	BESS-7

---

Site type	Multi dwelling (dual occupancy, townhouse, villa unit etc)
Account	info@vstarenergy.com.au
Application no.	
Site area	575 m <sup>2</sup>
Building floor area	516 m <sup>2</sup>
Date	15 July 2025
Software version	2.1.0-B.597



A copy of the published BESS report is contained in Appendix D, which will also be accessible to Council through the BESS online portal.



## Schedule of ESD Commitments

Following is a summary of information to be shown/annotated on the plans:

SDAPP Category	Sustainable Design Commitments
1.0 Indoor Environment Quality	<ol style="list-style-type: none"> <li>1. Double glazing or better will be used to all habitable areas.</li> <li>2. All habitable rooms are designed to achieve natural cross flow ventilation. Openable skylights will be installed in all landing areas to provide natural ventilation and light to the first floor. See <i>Appendix A for the breeze path illustrations</i>.</li> <li>3. Openable windows will be used in all habitable rooms to promote natural cross ventilation. Windows that can be locked open will be installed.</li> <li>4. Where possible, light colours will be considered to minimise the urban heat island effect.</li> <li>5. Insulation will be installed to improve thermal comfort levels and reduce noise transfer between units and from outside.</li> </ol>
2.0 Energy Efficiency	<ol style="list-style-type: none"> <li>1. This is an all-electric development. Natural gas will not be supplied to the proposed units.</li> <li>2. Each unit will achieve a minimum of 6.0-star energy rating with an average of 6.5-star energy rating performance across all units.</li> <li>3. 5-star electric reverse cycle space heating and cooling systems.</li> <li>4. An energy-efficient heat pump hot water system.</li> <li>5. Induction cooktop.</li> <li>6. Private outdoor clothesline.</li> <li>7. The development will achieve a maximum illumination power density of 4W/sqm or less and a minimum colour rendering index of 80.</li> <li>8. External lighting will be controlled by motion detectors.</li> </ol>
3.0 Water Efficiency	<ol style="list-style-type: none"> <li>1. 2,000L rainwater tanks will be installed at each unit, which will be connected to the toilets where collected rainwater will be used for flushing.</li> <li>2. 5-star WELS rating tapware throughout.</li> <li>3. 4-star WELS rating showerhead</li> <li>4. 4-star WELS rating WC</li> <li>5. Water-efficient landscaping will be installed for the proposed development.</li> <li>6. The water efficiency measures proposed are expected to achieve a 28% reduction in potable water consumption.</li> </ol>
4.0 Stormwater Management	<ol style="list-style-type: none"> <li>1. A Melbourne Water STORM rating of 139% has been achieved by the proposed WSUD approach, which exceeds best practice.</li> <li>2. Rainwater from 77m<sup>2</sup> of roof space from Unit 1, 62m<sup>2</sup> of roof space from Unit 2, 67m<sup>2</sup> of roof space from Unit 3, and 64m<sup>2</sup> from Unit 4 will be discharged via a charged system to rainwater tanks with a capacity of 2,000L.</li> </ol>





	<p>3. 66m<sup>2</sup> will not be treated and will be discharged directly to the stormwater system. The untreated areas include 5m<sup>2</sup> of Unit 1, 5m<sup>2</sup> of Unit 2, 14m<sup>2</sup> of Unit 3, and 14m<sup>2</sup> of Unit 4 driveway areas. Also, 4m<sup>2</sup> of Unit 1 entry path, 7m<sup>2</sup> of Unit 1 balcony, 6m<sup>2</sup> of Unit 2 balcony, and 2m<sup>2</sup> of Unit 4 car port. <i>See Appendix B for the STORM assessment.</i></p>
5.0 Building Materials	<ol style="list-style-type: none"> <li>1. Timber that is certified through an accredited forest certification scheme such as the Forest Stewardship Council (FSC), or the Australian Forest Certification Scheme (AFCS).</li> <li>2. Where possible, concrete used for the development will contain recycled content.</li> <li>3. This development commits to the use of low VOC paints, sealants, adhesives, wall, ceiling, and floor coverings, and E1 or E0-grade engineered wood products (e.g., MDF, plywood, engineered-wood flooring).</li> <li>4. All fabricated structural steelwork will be supplied by a steel fabricator/contractor accredited to the Environmental Sustainability Charter of the Australian Steel Institute.</li> </ol>
6.0 Transport	<ol style="list-style-type: none"> <li>1. A bicycle parking space will be installed for units 1, 3, and 4 to promote cycling and reduce car dependency. A secure and undercover area is not available for a bicycle parking space to be installed at Unit 2.</li> <li>2. Provision of an electrical wall socket with at least 32 amps on a dedicated circuit will be installed in the garage or carport of each unit to enable a future electric car charging point. This will encourage the use of low-emission vehicle technologies.</li> </ol>
7.0 Waste Management	<ol style="list-style-type: none"> <li>1. The development will not reuse materials from the existing building as it is not suitable for the proposed new buildings. However, demolition contractors who reclaim and recycle materials from the demolition will be used for this development.</li> <li>2. This development commits to recycling/reusing at least 70% of construction and demolition waste.</li> <li>3. Building contractors will be encouraged to minimise construction waste for this development.</li> <li>4. The development will provide enough space for a future waste management system where 4 bins may be required. Each unit will also have separate receptacles integrated with the kitchen cabinetry for sorting recyclables from general waste.</li> </ol>
8.0 Urban Ecology	<ol style="list-style-type: none"> <li>1. The development will have approximately 33% of the site covered with vegetation and landscaping. Environmentally sustainable landscaping will be provided for this development.</li> <li>2. Any significant trees on the development site will be retained.</li> <li>3. Planting indigenous plants will be encouraged for this development.</li> </ol>

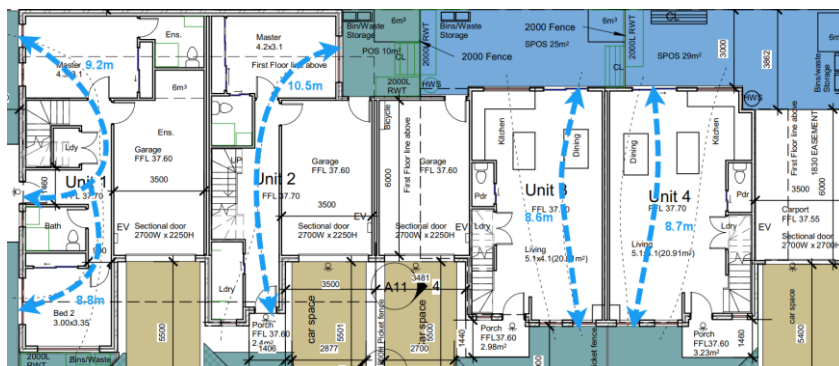


9.0 Innovation	<ol style="list-style-type: none"><li>1. Where possible, innovative design, technology, and materials will be used for this development.</li><li>2. No specific innovation has been identified at the design stage of this development.</li></ol>
10.0 Construction and Building Management	<ol style="list-style-type: none"><li>1. Follow practices outlined in the “Keeping our stormwater clean – A builder’s guide” published by Melbourne Water, the EPA of Victoria and the Victorian government to minimise pollution and stormwater management during construction. <i>See Appendix C for further information.</i></li></ol>

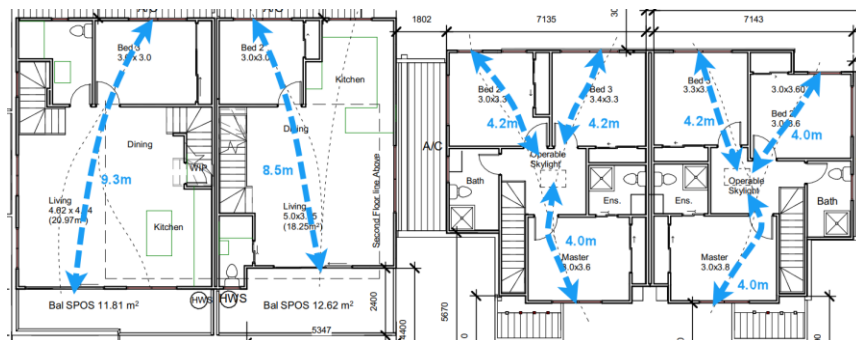


## Appendix A: Natural Cross Flow Ventilation

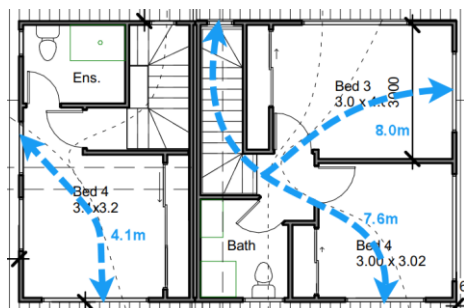
### Ground Floor



### First Floor



### Second Floor



↔ Breeze path with length annotation

Figure 1: Illustration of the proposed natural breeze paths.



## Appendix B: STORM Assessment

### Assessment Tool

The stormwater assessment tool used for this development is Melbourne Water's Stormwater Treatment Objective – Relative Measure (STORM) calculator.

Melbourne Water STORM calculator is an industry-recognised stormwater tool.

### Treatment Measures

The type of water-sensitive urban design (WSUD) stormwater treatment measures to be used for this development are rainwater tanks.

Water tanks for the new units will be connected to toilets to reuse the collected stormwater for flushing.

A STORM score of **139%** was achieved with this development, which exceeds the minimum requirement STORM score of 100. A STORM rating of 100% or greater indicates that the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environmental Management Guidelines have been met.



#### STORM Rating Report

TransactionID: 0  
Municipality: MARIBYRNONG  
Rainfall Station: MARIBYRNONG  
Address: 164 Mitchell Street

Maidstone  
VIC 3012  
Assessor: V-Star Energy  
Development Type: Residential - Multiunit  
Allotment Site (m2): 575.00  
STORM Rating %: 139

Description	Impervious Area (m2)	Treatment Type	Treatment Area/Volume (m2 or L)	Occupants / Number Of Bedrooms	Treatment %	Tank Water Supply Reliability (%)
TREATED: Unit 1 roof space to rainwater tank	77.00	Rainwater Tank	2,000.00	4	167.90	80.00
TREATED: Unit 2 roof space to rainwater tank	62.00	Rainwater Tank	2,000.00	4	170.00	82.00
TREATED: Unit 3 roof space to rainwater tank	67.00	Rainwater Tank	2,000.00	3	172.00	82.00
TREATED: Unit 4 roof space to rainwater tank	64.00	Rainwater Tank	2,000.00	3	166.00	82.00
UNTREATED: Unit 1 driveway	5.00	None	0.00	0	0.00	0.00
UNTREATED: Unit 2 driveway	5.00	None	0.00	0	0.00	0.00
UNTREATED: Unit 3 driveway	14.00	None	0.00	0	0.00	0.00
UNTREATED: Unit 4 driveway	14.00	None	0.00	0	0.00	0.00
UNTREATED: Unit 1 entry path	4.00	None	0.00	0	0.00	0.00
UNTREATED: Unit 1 balcony	7.00	None	0.00	0	0.00	0.00
UNTREATED: Unit 2 balcony	6.00	None	0.00	0	0.00	0.00
UNTREATED: Unit 4 car port	2.00	None	0.00	0	0.00	0.00



**TREATED: Unit 1**  
77m<sup>2</sup> roof space to rainwater tank

**TREATED: Unit 2**  
62m<sup>2</sup> roof space to rainwater tank

**TREATED: Unit 3**  
67m<sup>2</sup> roof space to rainwater tank

**TREATED: Unit 4**  
64m<sup>2</sup> roof space to rainwater tank

**UNTREATED:** 4m<sup>2</sup> entry path

**UNTREATED:** 7m<sup>2</sup> balcony

**UNTREATED:** 6m<sup>2</sup> balcony

**UNTREATED:** 14m<sup>2</sup> driveway

**UNTREATED:** 5m<sup>2</sup> driveway

**UNTREATED:** 5m<sup>2</sup> driveway

**UNTREATED:** 14m<sup>2</sup> driveway

**UNTREATED:** 2m<sup>2</sup> car port

2,000L Rainwater Tank, connected to toilets for flushing

2,000L Rainwater Tank, connected to toilets for flushing

9350

3200

1900

3200

1900

5000

1800

3000

3000

500

Offset from future boundary

9350

2,000L Rainwater Tank, connected to toilets for flushing

4m<sup>2</sup> entry path

7m<sup>2</sup> balcony

6m<sup>2</sup> balcony

14m<sup>2</sup> driveway

5m<sup>2</sup> driveway

5m<sup>2</sup> driveway

14m<sup>2</sup> driveway

2m<sup>2</sup> car port

2,000L Rainwater Tank, connected to toilets for flushing

2,000L Rainwater Tank, connected to toilets for flushing

9350

3200

1900

3200

1900

5000

1800

3000

3000

500

Offset from future boundary

9350

**Figure 2: Illustration of the proposed WSUD approach.**

## Rain Tank

### Rain tanks construction schedule

The placement of the rain tank is proposed during the planning phase and shown on the drawings to be approved by Council.

Fall of the roof space to be collected by the rain tanks and collection mechanism will be planned and approved by the building surveyor prior to commencement of construction.

Installation of the rain tank will be done by an approved plumber and in accordance with the manufacturer's guidelines towards the end of the construction phase. See Figure 3 below for a typical rainwater tank installation setup.

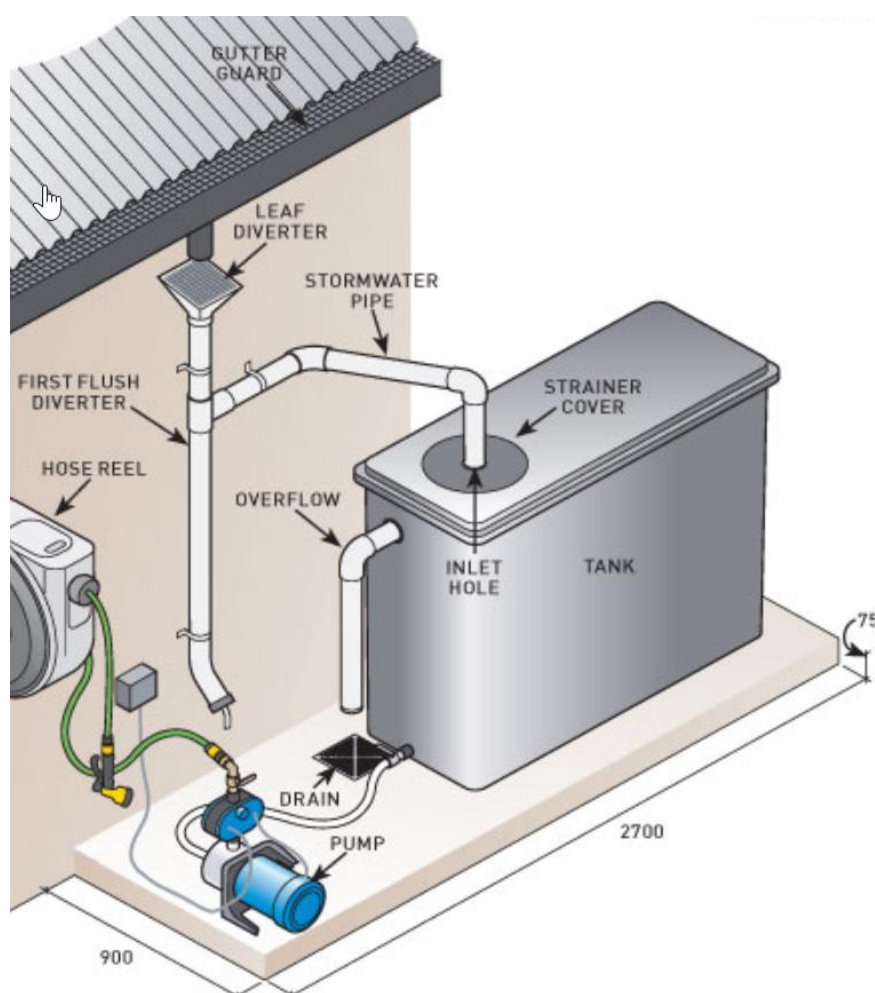


Figure 3: Typical rainwater tank installation.



## Rain Tank Maintenance

The property owner is responsible for monitoring and ongoing maintenance of installed rainwater tank.

Following is a typical maintenance schedule for rain tanks, as recommended by the Australian Government publication, “Your Home”:

### Monthly:

- Check and clean tank inlet screens, outlet screens and leaf-shedding rain-heads.
- Check and clean the first flush diverter.

### Annually:

- Check roofs and gutters and remove debris.
- Check filters annually and replace if necessary.
- Remove overhanging vegetation where possible.

### 3–5 yearly:

- Desludge your tank.

In the longer term, rainwater pumps typically need servicing or replacing after approximately 10-15 years of use.

## Regular Tank Inspection Checklist

It is important to inspect your roof or catchment area including gutters and any entry and exit points to your tank, on a regular 6 monthly basis.

Here is a list of areas that you should inspect:

- Tank and tank roof – check structural integrity of the tank including the roof and access cover. Any holes or gaps should obviously be repaired.
- Roofs – check for the presence of accumulated debris, leaves, dropping, dead insects and the like. Any material should be cleared. If you feel your roof needs a clean, ensure that your water tank is disconnected from the water flow.
- Gutters, leaf filters and first flush devices – check for and remove any built-up leaves and debris. Remove water and any blockages from first flush device as necessary.
- Inflow and overflow screens – ensure screens around your tank and on any accessories are properly clean, secured, and unbroken. These prevent mosquitoes, frogs, and vermin from entering your tank. If broken, repair as necessary and inspect inside your tank.
- Internal inspection – check for evidence of animals, mosquitoes, insects, or algae. If present, identify and ensure any access points are properly sealed and light entry is fully blocked.
- Tank fittings, pump, mains switch and pipes – should all be inspected to ensure they are in full working order and don’t need repairs.



## Benefits of the Stormwater Management Systems

Rain tanks used to collect rainwater can reduce potable water usage to reduce water bills, provide an alternative supply during water restrictions and help maintain a green, healthy garden.

Rainwater harvesting also decreases stormwater runoff, thereby helping to reduce local flooding and scouring of creeks.

Generally, the above WSUD initiatives have the following benefits to the local environment:

- Improves water quality in streams and groundwater
- Protect habitats for native plants and animals
- Prevent erosion of banks along local waterways
- Reduce flooding risk
- Protect the scenic and recreational values of natural waterways



## Appendix C: Construction Site Management Plan

The development will use the practices outlined in the “Keeping our stormwater clean – A builder’s guide” published by Melbourne Water, the EPA of Victoria and Victorian government to minimise pollution and stormwater management during construction.

A copy of the guide can be found at [https://www.clearwatervic.com.au/user-data/resource-files/Keeping\\_Our\\_Stormwater\\_Clean-A\\_Builders\\_Guide%5b1%5d.pdf](https://www.clearwatervic.com.au/user-data/resource-files/Keeping_Our_Stormwater_Clean-A_Builders_Guide%5b1%5d.pdf)

The guide contains 6 key rules to keep stormwater clean. These are:

- Check with Council requirements and plan before work is started on site
- Stop erosion onsite and contain sediment
- Protect stockpiles
- Keep mud off road and on site
- Keep litter contained on site
- Clean and wash up on site

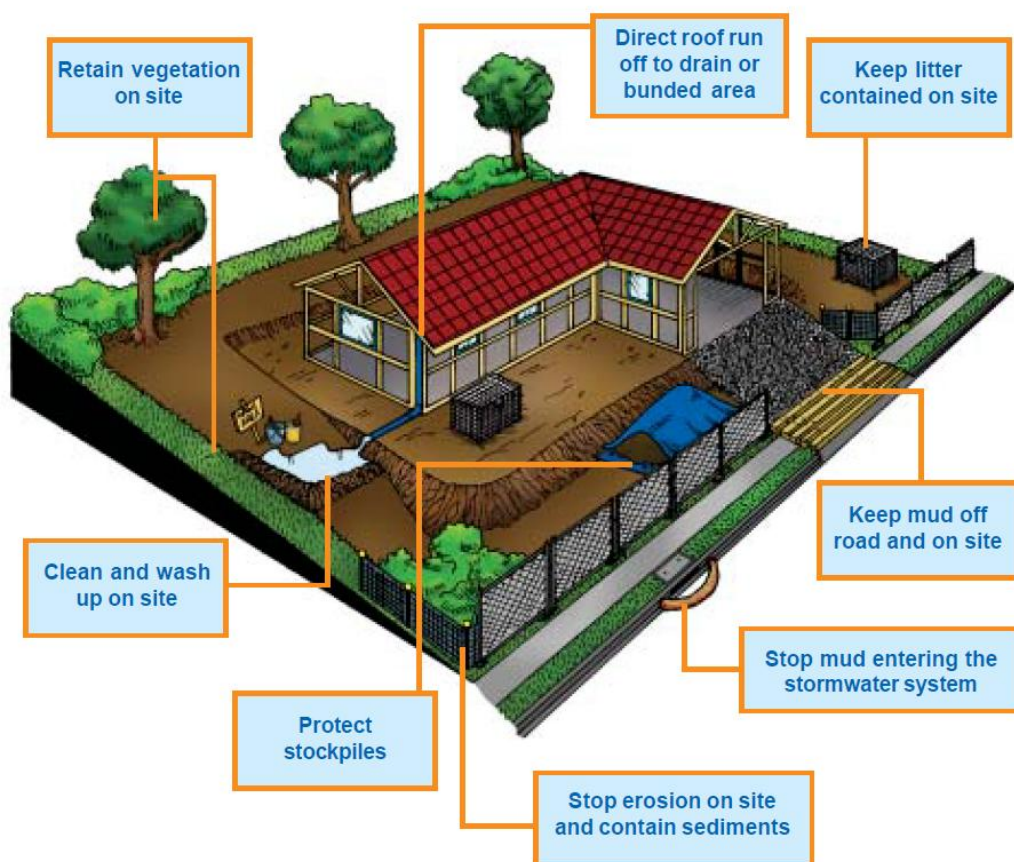


Figure 4: Schematic overview of the on-site stormwater management practices during construction

## Appendix D: BESS Report

# BESS Report

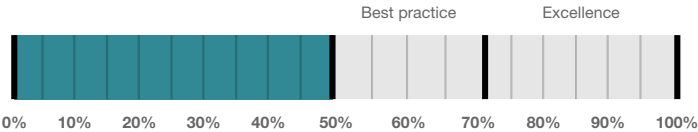
Built Environment Sustainability Scorecard



This BESS report outlines the sustainable design commitments of the proposed development at 164 Mitchell St Maidstone Victoria 3012. The BESS report and accompanying documents and evidence are submitted in response to the requirement for a Sustainable Design Assessment or Sustainability Management Plan at Maribyrnong City Council.

Note that where a Sustainability Management Plan is required, the BESS report must be accompanied by a report that further demonstrates the development's potential to achieve the relevant environmental performance outcomes and documents the means by which the performance outcomes can be achieved.

### Your BESS Score



50%

### Project details

Name	164 Mitchell St, Maidstone VIC 3012, Australia
Address	164 Mitchell St Maidstone Victoria 3012
Project ID	A3E79FDD-R2
BESS Version	BESS-7

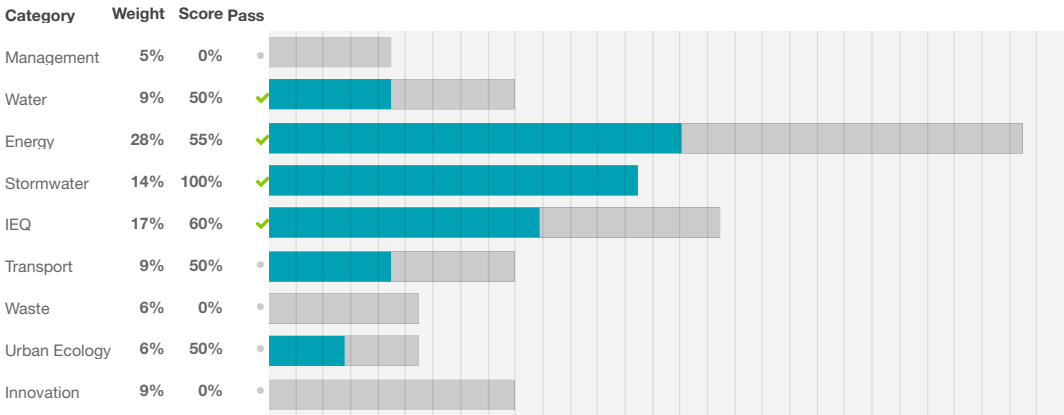
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Site type	Multi dwelling (dual occupancy, townhouse, villa unit etc)
Account	info@vstarenergy.com.au
Application no.	
Site area	575 m²
Building floor area	516 m²
Date	15 July 2025
Software version	2.1.0-B.597



### Performance by category

● This project ● Maximum available



## Dwellings & Non Res Spaces

**CITY OF MARIBYRNONG**  
**ADVERTISED PLAN**

### Dwellings

Name	Quantity	Area	% of total area
<b>Townhouse</b>			
Unit 1	1	155 m <sup>2</sup>	30%
Unit 2	1	139 m <sup>2</sup>	26%
Unit 4	1	113 m <sup>2</sup>	21%
Unit 3	1	109 m <sup>2</sup>	21%
<b>Total</b>	<b>4</b>	<b>516 m<sup>2</sup></b>	<b>100%</b>

## Supporting Evidence

### Shown on Floor Plans

Credit	Requirement	Response	Status
Water 3.1	Annotation: Water efficient garden details	To be printed Annotated on the Plans	✓
Energy 3.3	Annotation: External lighting controlled by motion sensors	To be printed Shown on the Plans	✓
Energy 3.4	Location of clothes line (if proposed)	To be printed Shown on the Plans	✓
Stormwater 1.1	Location of any stormwater management systems (rainwater tanks, raingardens, buffer strips)	To be printed Shown on the Plans	✓
IEQ 2.2	Annotation: Dwellings designed for 'natural cross flow ventilation' (If not all dwellings, include a list of compliant dwellings)	To be printed To be included on the Plans	✓
IEQ 3.1	Annotation: Glazing specification (U-value, SHGC)	To be printed Annotated on the Plans	✓
Transport 2.1	Location of electric vehicle charging infrastructure	To be printed Shown on the Plans	✓
Urban Ecology 2.1	Location and size of vegetated areas	To be printed Shown on the Plans	✓

### Supporting Documentation

Credit	Requirement	Response	Status
Energy 3.5	Average lighting power density and lighting type(s) to be used	To be printed Lighting Plan As required for Building Permit	✓
Stormwater 1.1	STORM report or MUSIC model	To be printed STORM Report To be submitted to Council	✓
IEQ 2.2	A list of dwellings with natural cross flow ventilation	To be printed Plans To be submitted to Council	✓
IEQ 3.1	Reference to floor plans or energy modelling showing the glazing specification (U-value and Solar Heat Gain Coefficient, SHGC)	To be printed NatHERS Assessment As required for Building Permit	✓

Credit summary

Management Overall contribution 4.5%

		0%
1.1 Pre-Application Meeting		0%
2.2 Thermal Performance Modelling - Multi-Dwelling Residential		0%
4.1 Building Users Guide		0%

Water Overall contribution 9.0%

	Minimum required 50%	50%	✔ Pass
1.1 Potable Water Use Reduction		40%	
3.1 Water Efficient Landscaping		100%	

Energy Overall contribution 27.5%

	Minimum required 50%	55%	✔ Pass
1.2 Thermal Performance Rating - Residential		16%	
2.1 Greenhouse Gas Emissions		100%	
2.2 Peak Demand		0%	
2.3 Electricity Consumption		100%	
2.4 Gas Consumption		N/A	✦ Scoped Out
No gas connection in use			
2.5 Wood Consumption		N/A	✦ Scoped Out
No wood heating system present			
2.6 Electrification		100%	
3.2 Hot Water		100%	
3.3 External Lighting		100%	
3.4 Clothes Drying		100%	
3.5 Internal Lighting - Houses and Townhouses		100%	
4.4 Renewable Energy Systems - Other		0%	⊘ Disabled
No other (non-solar PV) renewable energy is in use.			
4.5 Solar PV - Houses and Townhouses		0%	⊘ Disabled
No solar PV renewable energy is in use.			

Stormwater Overall contribution 13.5%

	Minimum required 100%	100%	✔ Pass
1.1 Stormwater Treatment		100%	



IEQ Overall contribution 16.5%

		Minimum required 50%	60% <span>✔ Pass</span>
	2.2 Cross Flow Ventilation	<div></div>	100%
	3.1 Thermal comfort - Double Glazing	<div></div>	100%
	3.2 Thermal Comfort - External Shading	<div></div>	0%
	3.3 Thermal Comfort - Orientation	<div></div>	0%

Transport Overall contribution 9.0%

		50%
1.1 Bicycle Parking - Residential		0%
1.2 Bicycle Parking - Residential Visitor		N/A <span>✦</span> Scoped Out
		Not enough dwellings.
2.1 Electric Vehicle Infrastructure		100%

Waste Overall contribution 5.5%

		0%
1.1 - Construction Waste - Building Re-Use		0%
2.1 - Operational Waste - Food & Garden Waste		0%

Urban Ecology Overall contribution 5.5%

		50%
2.1 Vegetation		100%
2.2 Green Roofs		0%
2.3 Green Walls and Facades		0%
2.4 Private Open Space - Balcony / Courtyard Ecology		0%
3.1 Food Production - Residential		0%

Innovation Overall contribution 9.0%

		0%
1.1 Innovation		0%

Credit breakdown

Management Overall contribution 4.5%

	0%
--	----

1.1 Pre-Application Meeting	0%
-----------------------------	----

Score Contribution	This credit contributes 50% towards the category score.
Criteria	Has an ESD professional been engaged to provide sustainability advice from schematic design to construction? AND Has the ESD professional been involved in a pre-application meeting with Council?
Question	Criteria Achieved ?
Project	No

2.2 Thermal Performance Modelling - Multi-Dwelling Residential	0%
--	----

Score Contribution	This credit contributes 33.3% towards the category score.
Criteria	Have preliminary NatHERS ratings been undertaken for all thermally unique dwellings?
Question	Criteria Achieved ?
Townhouse	No

4.1 Building Users Guide	0%
--------------------------	----

Score Contribution	This credit contributes 16.7% towards the category score.
Criteria	Will a building users guide be produced and issued to occupants?
Question	Criteria Achieved ?
Project	No

Water Overall contribution 9.0%

Minimum required 50%

50%  Pass**Water Approach**

What approach do you want to use for Water?: Use the built in calculation tools

Do you have a reticulated third pipe or an on-site water recycling system?: No

Are you installing a swimming pool?: No

Are you installing a rainwater tank?: Yes

**Fixtures, fittings & connections profile**Showerhead: All 4 Star WELS ( $\geq 6.0$  but  $\leq 7.5$ )

Bath: All Scope out

Kitchen Taps: All  $\geq 5$  Star WELS ratingBathroom Taps: All  $\geq 5$  Star WELS rating

Dishwashers: All Default or unrated

WC: All  $\geq 4$  Star WELS rating

Urinals: All Scope out

Washing Machine Water Efficiency: All Default or unrated

Which non-potable water source is the dwelling/space connected to?:

Unit 1 Unit 1

Unit 2 Unit 2

Unit 3 Unit 3

Unit 4 Unit 4

Non-potable water source connected to Toilets: All Yes

Non-potable water source connected to Laundry (washing machine): All No

Non-potable water source connected to Hot Water System: All No

**Rainwater tank profile**

What is the total roof area connected to the rainwater tank?:

Unit 1 77.0 m<sup>2</sup>Unit 2 62.0 m<sup>2</sup>Unit 3 67.0 m<sup>2</sup>Unit 4 64.0 m<sup>2</sup>

Tank Size:

Unit 1 2,000 Litres

Unit 2 2,000 Litres

Unit 3 2,000 Litres

Unit 4 2,000 Litres

Irrigation area connected to tank:	
Unit 1	0.0 m <sup>2</sup>
Unit 2	0.0 m <sup>2</sup>
Unit 3	0.0 m <sup>2</sup>
Unit 4	0.0 m <sup>2</sup>
Is connected irrigation area a water efficient garden?:	
Unit 1	No
Unit 2	No
Unit 3	No
Unit 4	No
Other external water demand connected to tank?:	
Unit 1	0.0 Litres/Day
Unit 2	0.0 Litres/Day
Unit 3	0.0 Litres/Day
Unit 4	0.0 Litres/Day
1.1 Potable Water Use Reduction	
40%	
Score Contribution	This credit contributes 83.3% towards the category score.
Criteria	What is the reduction in total potable water use due to efficient fixtures, appliances, rainwater use and recycled water use? To achieve points in this credit there must be >25% potable water reduction.
Output	Reference
Project	663 kL
Output	Proposed (excluding rainwater and recycled water use)
Project	540 kL
Output	Proposed (including rainwater and recycled water use)
Project	474 kL
Output	% Reduction in Potable Water Consumption
Project	28 %
Output	% of connected demand met by rainwater
Project	100 %
Output	How often does the tank overflow?
Project	Very Often
Output	Opportunity for additional rainwater connection
Project	251 kL
3.1 Water Efficient Landscaping	
100%	
Score Contribution	This credit contributes 16.7% towards the category score.
Criteria	Will water efficient landscaping be installed?
Question	Criteria Achieved ?
Project	Yes

Energy Overall contribution 27.5%

Minimum required 50%

Dwellings Energy Approach

What approach do you want to use for Dwellings?:	Use the built in calculation tools
Are you installing any solar photovoltaic (PV) system(s)?:	No
Are you installing any other renewable energy system(s)?:	No
Energy Supply:	All-electric

Dwelling Energy Profiles

Below the floor is: All	Ground or Carpark
Above the ceiling is: All	Outside
Exposed sides:	
Unit 1	3
Unit 4	
Unit 2	2
Unit 3	
NatHERS Annual Energy Loads - Heat: All	94.4 MJ/sqm
NatHERS Annual Energy Loads - Cool: All	23.6 MJ/sqm
NatHERS star rating: All	6.5
Type of Heating System: All	Reverse cycle space
Heating System Efficiency: All	5 Star
Type of Cooling System: All	Refrigerative space
Cooling System Efficiency: All	5 Stars
Type of Hot Water System: All	Electric Heat Pump Band 1
Clothes Line: All	Private outdoor clothesline
Clothes Dryer: All	No clothes dryer

1.2 Thermal Performance Rating - Residential16%







Score Contribution	This credit contributes 30% towards the category score.
Criteria	What is the average NatHERS rating?
Output	Average NATHERS Rating (Weighted)
Townhouse	6.5 Stars

2.1 Greenhouse Gas Emissions100%

Score Contribution	This credit contributes 10% towards the category score.
Criteria	What is the % reduction in annual greenhouse gas emissions against the benchmark?
Output	Reference Building with Reference Services (BCA only)
Townhouse	37,534 kg CO2
Output	Proposed Building with Proposed Services (Actual Building)
Townhouse	10,058 kg CO2
Output	% Reduction in GHG Emissions
Townhouse	73 %

2.2 Peak Demand0%



Score Contribution	This credit contributes 5% towards the category score.		
Criteria	What is the % reduction in the instantaneous (peak-hour) demand against the benchmark?		
Output	Peak Thermal Cooling Load - Baseline		
Townhouse	51.8 kW		
Output	Peak Thermal Cooling Load - Proposed		
Townhouse	52.1 kW		
Output	Peak Thermal Cooling Load - % Reduction		
Townhouse	-1 %		
<b>2.3 Electricity Consumption</b>			100%
Score Contribution	This credit contributes 10% towards the category score.		
Criteria	What is the % reduction in annual electricity consumption against the benchmark?		
Output	Reference		
Townhouse	36,798 kWh		
Output	Proposed		
Townhouse	9,861 kWh		
Output	Improvement		
Townhouse	73 %		
<b>2.4 Gas Consumption</b>			N/A ✦ Scoped Out
No gas connection in use			
This credit was scoped out	No gas connection in use		
<b>2.5 Wood Consumption</b>			N/A ✦ Scoped Out
No wood heating system present			
This credit was scoped out	No wood heating system present		
<b>2.6 Electrification</b>			100%
Score Contribution	This credit contributes 10% towards the category score.		
Criteria	Is the development all-electric?		
Question	Criteria Achieved?		
Project	Yes		
<b>3.2 Hot Water</b>			100%
Score Contribution	This credit contributes 5% towards the category score.		
Criteria	What is the % reduction in annual energy consumption (gas and electricity) of the hot water system against the benchmark?		
Output	Reference		
Townhouse	50,321 MJ		
Output	Proposed		
Townhouse	13,632 MJ		
Output	Improvement		
Townhouse	72 %		
<b>3.3 External Lighting</b>			100%

Score Contribution	This credit contributes 5% towards the category score.
Criteria	Is the external lighting controlled by a motion detector?
Question	Criteria Achieved ?
Townhouse	Yes
<b>3.4 Clothes Drying</b>	100%
Score Contribution	This credit contributes 5% towards the category score.
Criteria	What is the % reduction in annual energy consumption (gas and electricity) from a combination of clothes lines and efficient driers against the benchmark?
Output	Reference
Townhouse	2,505 kWh
Output	Proposed
Townhouse	501 kWh
Output	Improvement
Townhouse	80 %
<b>3.5 Internal Lighting - Houses and Townhouses</b>	100%
Score Contribution	This credit contributes 5% towards the category score.
Criteria	Does the development achieve a maximum illumination power density of 4W/sqm or less?
Question	Criteria Achieved?
Townhouse	Yes
<b>4.4 Renewable Energy Systems - Other</b>	0% <input checked="" type="checkbox"/> Disabled
No other (non-solar PV) renewable energy is in use.	
This credit is disabled	No other (non-solar PV) renewable energy is in use.
<b>4.5 Solar PV - Houses and Townhouses</b>	0% <input checked="" type="checkbox"/> Disabled
No solar PV renewable energy is in use.	
This credit is disabled	No solar PV renewable energy is in use.

**Stormwater Overall contribution 13.5%**

	Minimum required 100%	100%	✓ Pass
--	-----------------------	------	--------

Which stormwater modelling are you using?:	Melbourne Water STORM tool
<b>1.1 Stormwater Treatment</b>	100%
Score Contribution	This credit contributes 100% towards the category score.
Criteria	Has best practice stormwater management been demonstrated?
Question	STORM score achieved
Project	139
Output	Min STORM Score
Project	100

IEQ Overall contribution 16.5%

		Minimum required 50%	60% <span>✓</span> Pass
--	--	----------------------	-------------------------

2.2 Cross Flow Ventilation		100%
Score Contribution	This credit contributes 20% towards the category score.	
Criteria	Are all habitable rooms designed to achieve natural cross flow ventilation?	
Question	Criteria Achieved ?	
Townhouse	Yes	
3.1 Thermal comfort - Double Glazing		100%
Score Contribution	This credit contributes 40% towards the category score.	
Criteria	Is double glazing (or better) used to all habitable areas?	
Question	Criteria Achieved ?	
Townhouse	Yes	
3.2 Thermal Comfort - External Shading		0%
Score Contribution	This credit contributes 20% towards the category score.	
Criteria	Is appropriate external shading provided to east, west and north facing glazing?	
Question	Criteria Achieved ?	
Townhouse	No	
3.3 Thermal Comfort - Orientation		0%
Score Contribution	This credit contributes 20% towards the category score.	
Criteria	Are at least 50% of living areas orientated to the north?	
Question	Criteria Achieved ?	
Townhouse	No	

## Transport Overall contribution 9.0%

50%

1.1 Bicycle Parking - Residential		0%
Score Contribution	This credit contributes 50% towards the category score.	
Criteria	How many secure and undercover bicycle spaces are there per dwelling for residents?	
Annotation	A secure and undercover area is not available for a bicycle parking space to be installed at Unit 2.	
Question	Bicycle Spaces Provided ?	
Townhouse	3	
Output	Min Bicycle Spaces Required	
Townhouse	4	
1.2 Bicycle Parking - Residential Visitor		N/A ✦ Scoped Out
Not enough dwellings.		
This credit was scoped out	Not enough dwellings.	
2.1 Electric Vehicle Infrastructure		100%
Score Contribution	This credit contributes 50% towards the category score.	
Criteria	Are facilities provided for the charging of electric vehicles?	
Question	Criteria Achieved ?	
Project	Yes	

## Waste Overall contribution 5.5%

0%

1.1 - Construction Waste - Building Re-Use		0%
Score Contribution	This credit contributes 50% towards the category score.	
Criteria	If the development is on a site that has been previously developed, has at least 30% of the existing building been re-used?	
Question	Criteria Achieved ?	
Project	No	
2.1 - Operational Waste - Food & Garden Waste		0%
Score Contribution	This credit contributes 50% towards the category score.	
Criteria	Are facilities provided for on-site management of food and garden waste?	
Question	Criteria Achieved ?	
Project	No	

Urban Ecology Overall contribution 5.5%

		50%
2.1 Vegetation		100%
Score Contribution	This credit contributes 50% towards the category score.	
Criteria	How much of the site is covered with vegetation, expressed as a percentage of the total site area?	
Question	Percentage Achieved ?	
Project	33 %	
2.2 Green Roofs		0%
Score Contribution	This credit contributes 12.5% towards the category score.	
Criteria	Does the development incorporate a green roof?	
Question	Criteria Achieved ?	
Project	-	
2.3 Green Walls and Facades		0%
Score Contribution	This credit contributes 12.5% towards the category score.	
Criteria	Does the development incorporate a green wall or green façade?	
Question	Criteria Achieved ?	
Project	-	
2.4 Private Open Space - Balcony / Courtyard Ecology		0%
Score Contribution	This credit contributes 12.5% towards the category score.	
Criteria	Is there a tap and floor waste on every balcony and courtyard (including any roof terraces)?	
Question	Criteria Achieved ?	
Townhouse	-	
3.1 Food Production - Residential		0%
Score Contribution	This credit contributes 12.5% towards the category score.	
Criteria	What area of space per resident is dedicated to food production?	
Question	Food Production Area	
Townhouse	-	
Output	Min Food Production Area	
Townhouse	3 m²	

Innovation Overall contribution 9.0%

		0%
1.1 Innovation		0%
Score Contribution	This credit contributes 100% towards the category score.	
Criteria	What percentage of the Innovation points have been claimed (10 points maximum)?	

## **Disclaimer**

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# Planning Report

164 Mitchell Street,  
Maidstone

*Application to construct four attached dwellings*



Belfield Planning Consultants

Date: 10 July 2025  
Author: Kim Belfield  
Ph: 0400 539 52

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## 2. INTRODUCTION

- a. Belfield Planning Consultants have been engaged by the owner of 164 Mitchell Street, Maidstone to prepare this report in accordance with the relevant provisions of Maribyrnong City Council's Planning Scheme, in particular clause 55.

## 3. EXECUTIVE SUMMARY

- a. This planning report demonstrates the site's suitability to accommodate four attached dwellings.
- b. The site addresses State and Council strategic objectives that encourage infill housing, as outlined in the Maribyrnong Planning Scheme.
- c. The proposed development addresses the specific design criteria set out in CI55 (Rescode).

## 4. APPLICATION SUMMARY

Site Address	164 Mitchell Street, Maidstone 3012
Title Details	Lot 14, LP11438
Land Size	575m <sup>2</sup>
Proposal	To construct four attached dwellings
Applicant	Belfield Planning Consultants
Zoning	General Residential Zone (1)
Overlays	Development Contributions Overlay
Garden Area	33% (Required 30%)
Existing Use	Single dwelling

## 5. BACKGROUND

- a. A planning permit (TP59/2024) was issued in November 2024 (See Appendix 1) *“To construct two or more dwellings on a lot”*.
- b. The permit authorised a two-storey dwelling facing Mitchell Street and three, two storey dwellings facing Renown Street with the following layout:
  - Dwelling 1 was a reverse living, three-bedroom dwelling
  - Dwelling 2 was a conventional dwelling with two bedrooms on the first floor
  - Dwellings 3 and 4 were also conventional dwellings each with three bedrooms. Dwellings 2-4 each have an area to the rear (west) serving as their secluded private open space.
- c. The introduction of the new Clause 55 has provided an opportunity to increase the height of Dwellings 1 and 2 to three storeys. The Maribyrnong Planning Scheme requires amendments to issued permits to be assessed using the previous Clause 55. This application seeks to be assessed under the new provisions requiring the lodgement of a new application.

## 6. PROPOSAL

### Development

- a. The proposal seeks to construct four attached dwellings with one facing Mitchell Street and three facing Renown Street – see Diagrams 1-2.

Diagrams 1-2 Ground and First Floor Plans



- b. Dwellings 1 & 2 will be three storey and Dwellings 3 & 4 will be two storey.
- c. The layout will comprise:

#### Ground Floor

- an open plan kitchen/living/dining room opening out to an area of secluded private open space for Dwellings 3-4. Dwellings 1-2 will have a reverse living arrangement with bedrooms on the ground floor.





Diagram 5 - Mitchell St façade

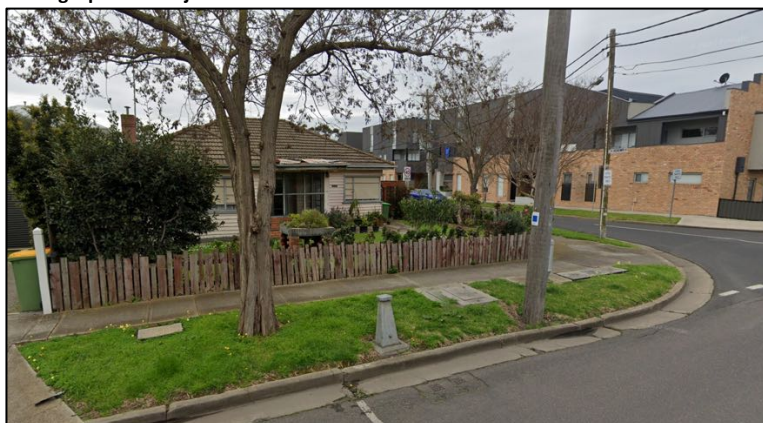


- g. As shown in Diagrams 1, 4 & 5, Dwelling 1 will have a high side fence to Renown St whilst each dwelling will have low (0.9m) front fences.
- h. All garages will be recessed from the front facade.
- i. The secluded private open space for Dwellings 3-4 will be on the western side ensuring the development will be well separated from the abutting dwelling to the west.

## 7. SUBJECT SITE AND SURROUNDS

- a. The subject site is rectangular with a frontage of 15.24m to Mitchell Street, a sideage to Renown Street of 38.02m and an area of 575m<sup>2</sup>. The site comprises a single title with a 1.83m easement along the northern boundary.
- b. The site is level.
- c. The site is currently occupied by a single storey 1950's era weatherboard dwelling with a tiled roof and NO significant vegetation.

**Photograph 1 – Subject Site – Mitchell St**



**Photograph 2 – Renown Street frontage**



- d. The site has a small, bifurcated street tree on the Mitchell St frontage and three immature and one more mature street tree on Renown Street.
- e. To the east is a series of three storey townhouses as shown in Photograph 4.

**Photograph 3 – View of three storey development on the east side of Renown St**



**Photographs 4-5 – View of the development to the north of the subject site**

- f. To the north, at the rear of the subject site, is a recently completed two storey, four dwelling development (as shown in Photographs 4-5) that provides single parking areas instead of garages for the three dwellings that front onto Renown Street.
- g. To the west (166 Mitchell Street) is a two-dwelling development that has retained the original single storey dwelling at the front of the site with a new two storey detached dwelling at the rear. To the north-west of the subject site, on the diagonal, there is another recently completed side by side, two storey, two dwelling development.

**Photograph 6 – 166 Mitchell Street**



Photograph 7 – Aerial view of subject site and surrounds



- h. As shown above, the character of the area has undergone rapid transition from single dwellings on large lots to medium and higher density two and three storey townhouse developments.
- i. The change in built form has impacted the surrounding area resulting in Maidstone transitioning from a mixed industrial/residential suburb to residential. This is appropriate given the zoning of the land and its proximity to activity centres, public transport and a range of services that support an increased residential population.
- j. As shown below in Diagram 5, the subject site is within the Principle Public Transport Network (PPTN) given its location close to a range of public transport options.

Diagram 6 – Principle Public Transport Network

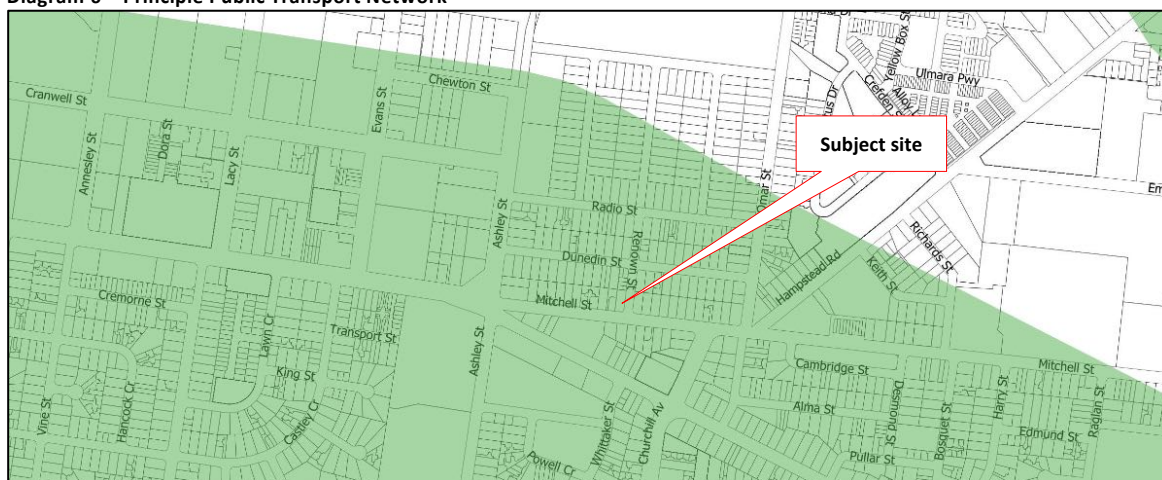
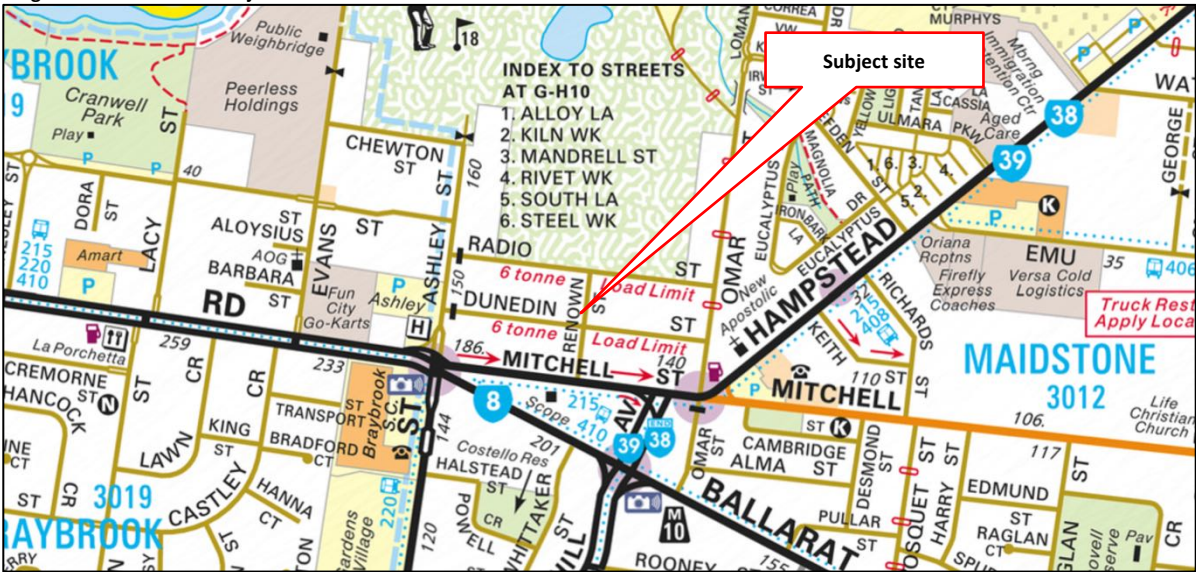


Diagram 7 – Location of subject site



Source: Melways Online

8. MARIBYRNONG PLANNING SCHEME – STATUTORY CONTROLS

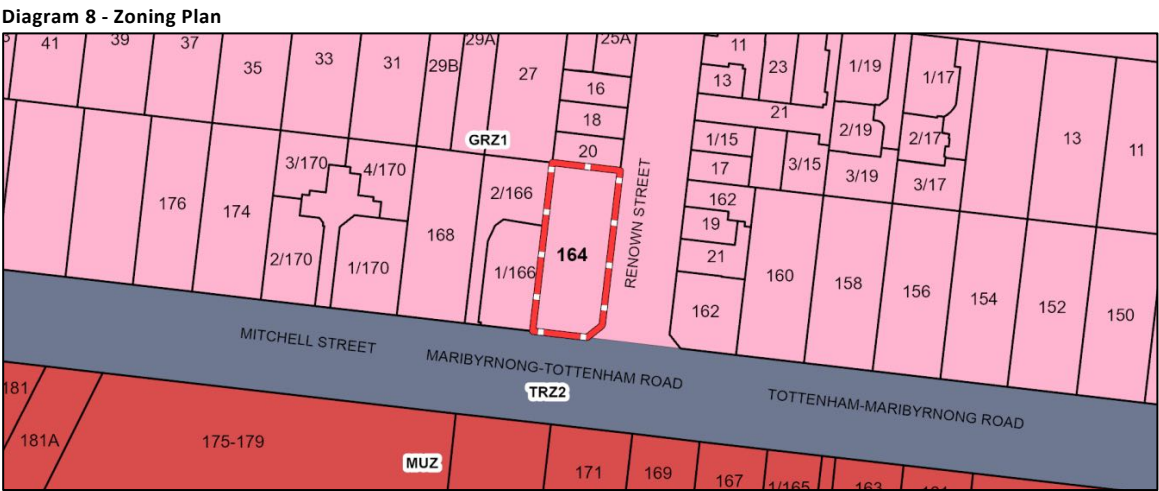
a. An assessment of the subject site has identified the following applicable statutory provisions:

Planning Scheme	Zone	Abutting Zones	Overlays	Use	Building and Works	Other Clauses
Maribyrnong	GRZ (1) – CI 32.08	TRZ(2)	DCPO*	Section 1	Section 2	52.06, 52.29 & 55

\* Does not impact the proposal

ZONE

Clause 32.08 -General Residential Zone



Source: Planning Certificate

Purpose

b. The proposed development is consistent with the purpose of the General Residential Zone which is:

- 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 nonresidential uses to serve local community needs in appropriate locations.

**Garden Area**

- c. CI32.08-4 requires a site of 575m<sup>2</sup> to provide 30% garden area. The proposed development will provide a garden area of 36%.

**Use**

- d. A permit is not required to use the land for accommodation.

**Building and Works Provisions**

- e. A permit is required to have two or more dwellings on a lot.

**Schedule 1 to the General Residential Zone**

- f. The subject site is located within Schedule 1 to the General Residential Zone. The Schedule has **NO** specific requirements or neighbourhood character objectives.

**Building Height**

- g. The zone stipulates that the height of the building should not exceed 3 storeys or 11m.
- h. The proposed maximum height of 10.1m will ensure compliance.

**ABUTTING ZONES**

- i. The subject site abuts the General Residential Zone (Schedule 1) to the north, west and east and abuts the Transport Zone (Schedule 2) (Mitchell Street) to the south and is opposite a Mixed-Use Zone on the opposite side of Mitchell St.

**OVERLAYS**

- j. The only overlay in place is the Development Contributions Overlay which will not impact the proposal other than from a financial contribution's aspect.



## 9. STRATEGIC ASSESSMENT

### EXEMPTIONS

- a. Clause 55 of the Maribyrnong Planning Scheme states that:

*A development must meet all of the applicable objectives contained in this clause.*

*If a development meets a standard:*

- *The corresponding objective is deemed to be met;*
- *The responsible authority is not required to consider the corresponding decision guidelines.*

*If a development does not meet a standard, the responsible authority must consider the applicable decision guidelines in determining whether the corresponding objective is met.*

*Despite any other provision of this planning scheme, in determining applications to which this clause applies, the responsible authority is exempt from and is not required to consider:*

- *The Municipal Planning Strategy and Planning Policy Framework, unless an applicable decision guideline specifies otherwise.*
- *The purpose or decision guidelines of the relevant zone, unless an applicable decision guideline specifies otherwise.*
- *The decision guidelines in Clause 65, unless an applicable decision guideline specifies otherwise.*

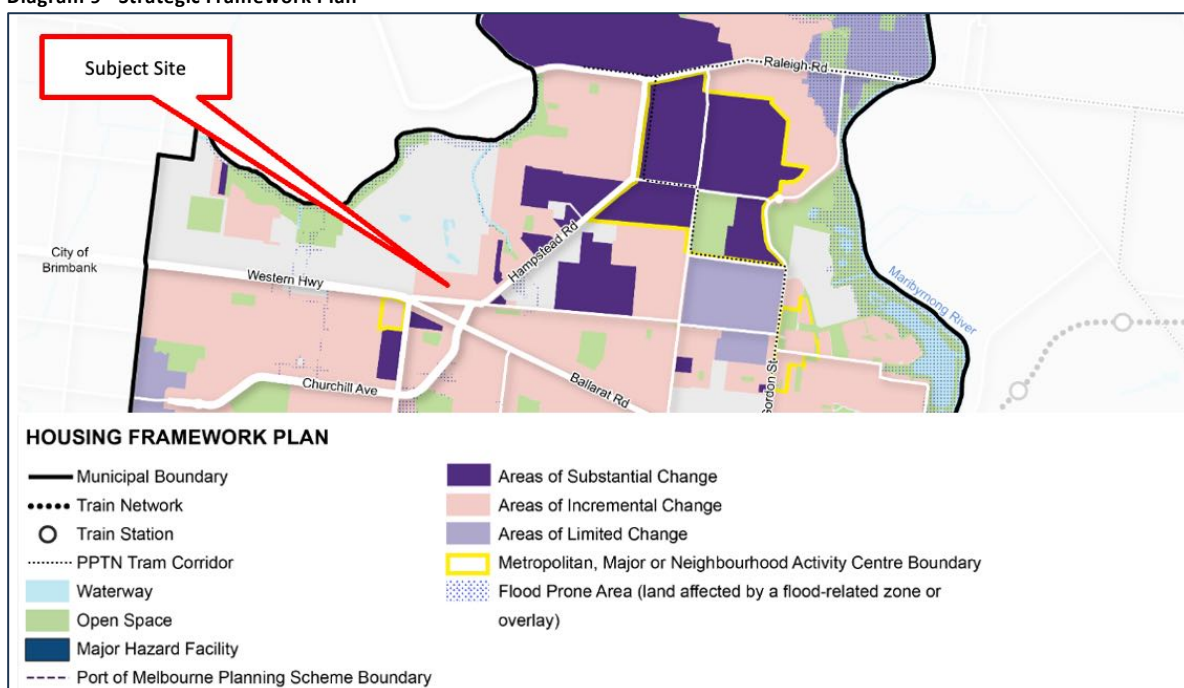
*An application to which this clause applies is exempt from the requirements of:*

- *Section 60(1)(b), (e), (f), (1A) and (1B) of the Act; and*
- *Section 84B(2)(b) to (jb) of the Act.*

### MUNICIPAL PLANNING STRATEGY

- b. Whilst Council is NOT REQUIRED to consider the MPS it has been included in this report to show that the proposal is consistent with Council's vision for Maribyrnong (Clause 02.01) which recognises the rapid population growth occurring in Maribyrnong.
- c. In Clause 02.03-1 – Settlement, Council identifies the need to accommodate additional dwellings. The clause calls for most growth to occur in urban renewal areas as shown in the Strategic Framework plan below, however, infill will occur in other areas such as the subject site. Notably the subject site is identified as an "Incremental Change" area. This is shown in the Strategic Framework Plan in Diagram 8 below.

Diagram 9 - Strategic Framework Plan



- d. In Clause 02.03-4 – Built environment and heritage, Council specifically identifies the need to respect neighbourhood character, environmental sustainability and landscaping.
- e. In Clause 02.03-5 – Housing, Council identifies the need for housing growth and diversity.

## PLANNING POLICY FRAMEWORK

- f. Whilst Council is NOT REQUIRED to consider the PPF it has been included in this report to show that the proposal is consistent with State and local directives.
- g. The following table provides a summary of the relevant planning policy framework matters:

### Clause 11- Settlement

- The development of the site for four dwellings is consistent with the direction of the clause that encourages greater development in appropriate locations to address issues of supply.
- The development will respect the emerging character of the area.
- The development will address the site limitations.

- The dwellings will respond to the direction for greater sustainability.

### Clause 12 – Environmental and Landscape Values

- This clause is mainly focussed on state significant landscapes and environments, which is not applicable in this location.

### Clause 13– Environment Risks and Amenity

- This clause calls for the avoidance of intensified development within high-risk areas unless the risk can be mitigated. As the site is not impacted by floods, bushfires or other risk factors the site is well placed to accommodate additional dwellings as authorised by the permit issued in November 2024.

### Clause 15 – Built Environment and Heritage

- This is a key policy relevant to this application.
- This clause requires, as an objective, that building design and siting contribute positively to the local context, enhance the public realm and support environmentally sustainable development.
- Strategies that achieve sustainability include the capture of water, on-site renewable energy regeneration, the use of low embodied energy materials, planting of new vegetation and ensuring development responds to its cultural location, are provided in the clause.
- Of particular focus is Clause 15.01-2S which encourages environmental sustainability. The focus of the clause is on energy performance (building orientation, shading windows, large windows and inclusion of solar panels), integrated water management, indoor environmental quality, sustainable transport, urban ecology (planting of canopy trees) and waste management. An SDA is provided which examines the above matters.
- At a local level, Clause 15.01-2L-03 encourages energy sustainability. The proposal will achieve this through complying with the approved SDA, the provision of solar energy systems and the planting of canopy trees.
- Clause 15.01-5S - Neighbourhood Character identifies the need to respect the existing and preferred neighbourhood character.

- Clause 15.01-5L – Neighbourhood Character identifies the site as falling within Garden Suburban 2 Precinct within which, development is to:

*Maintain and strengthen the cohesive streetscape, including through:*

- *Consistent built form.*
- *Openness of the street.*

*Encourage the retention of older dwellings, including those from the Interwar and 1950s eras.*

*Encourage development that is distinguishable from original building stock, but respectful of the key elements from the Interwar and 1950s eras.*

*Encourage replacement buildings to:*

- *Respect the existing scale and appearance of buildings*
- *Use materials and styles that complement those common in the precinct.*

*Site development to retain the openness of the precinct by providing setbacks on all sides of dwellings.*

*Encourage landscaping that enhances garden settings and provides a sense of leafiness, including through the planting of new canopy trees, shrubs and lawn areas.*

*Encourage front fences that are low or constructed of permeable materials to retain views to gardens.*

## Clause 16 – Housing

- Planning encourages a range of appropriately designed dwellings which are environmentally sustainable, have good access to services and provide a diversity of housing choice.
- Planning identifies opportunities for increased densities to help consolidate urban areas and lead to more affordable housing. This is specified in Clause 16.01-1L -01 – Housing change areas identifies the site is within an *Incremental Change Areas* which is to:

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

*Encourage low scale apartment developments within key Neighbourhood Activity Centres to provide a sensitive and appropriate interface to adjoining streetscapes, buildings and residential areas and to reflect existing local character including height, mass, setbacks and building materials.*

- Clause 16.01-2S – Housing affordability is addressed by supplying additional housing.

### Clause 19 – Infrastructure

- This development addresses the direction to improve the use of existing infrastructure.

## 10. STATUTORY ASSESSMENT

### Clause 52.06 - Car Parking Assessment

- a. The clause stipulates the provision of two car spaces for each three or four-bedroom dwelling with NO requirement for visitor car parking in this instance, given the limited number of dwellings proposed. **Consequently, the proposed single parking space for Dwelling 2 and two car spaces for Dwellings 1, 3 & 4 will comply with the residential demands of Clause 52.06.**
- b. A review of Clause 52.06 indicates the following:

<u>Design Standards</u>	<u>Proposal</u>
<b>Access ways</b>	
Access ways min 3m wide	<b>Complies</b> – The driveway to all dwellings will be 3m wide.
Internal radius 4m	<b>N/A</b>
Forward direction	<b>N/A</b> - (Not a public Car park)
Headroom of 2.1m	<b>Complies</b> – The garage door to Dwelling 2 will be a minimum of 2.4m
Exit in Forward (Road Zone)	<b>N/A</b> – Not abutting a road zone as all driveways will front Renown St.
Passing Bay	<b>N/A</b> – Will serve less than 10 cars
Corner Splay	<b>Complies</b> – Each driveway will be provided with corner splays as shown.
Car space distance from main road	<b>N/A</b> –
<b>Car Parking Spaces</b>	
Dimensions	<b>Complies</b> – The single car space for Dwelling 2 and the single garages (carport) for Dwellings 1,3 & 4 will meet the specified dimensions.
Intrusions /Structure	<b>Complies</b> – There will no intrusion into the garages.
<b>Gradients</b>	
Access Way Grades	<b>Complies</b> – The site is relatively level.

<b>Mechanical Parking</b>	
Clearance	N/A
Visitors	N/A
Design and Operation	N/A
<b>Urban Design</b>	
Visual dominance of garage doors/access ways & car parking	<b>Complies</b> – The single garages provided will be recessed behind the front façade. This is required to ensure garages will not visually dominate the development.
Screening of Car Parking	<b>Complies</b>
Car Parking as Entry Points	<b>Complies</b>
Internal Streets	N/A – No internal street is proposed.
Maximise on street parking	<b>Partial Compliance</b> – Whilst the new driveway will reduce on- street parking this will be compensated by provision of off-street car parking. This accords with the approval granted in November 2024.
<b>Safety</b>	
Car parking well-lit and signed	<b>Complies</b>
Natural Surveillance and pedestrian visibility	<b>Complies</b>
Convenient pedestrian access	<b>Complies</b>
<b>Landscaping</b>	
WSUD	<b>Complies</b> – Landscaping is proposed to be planted.
Shade and shelter	<b>Complies</b>
Appropriate sized landscaping	<b>Complies</b>



## Clause 55.00 - Assessment

- c. Given the complex nature of the recent Clause 55 amendment the assessment of this clause is included in **Appendix 1**.
- d. The proposed development has been designed to meet all of the applicable objectives contained in clause 55.
- e. The table in Appendix 1 adopts a “Traffic Light” (Green/Amber/Red),(Complies/Partial Compliance/Doesn’t Comply) approach in identifying which provisions address the deeming provisions.
- f. Clause 55 states:

*If a development meets a standard:*

- *The corresponding objective is deemed to be met;*
- *The responsible authority is not required to consider the corresponding decision guidelines.*

*If a development does not meet a standard, the responsible authority must consider the applicable decision guidelines in determining whether the corresponding objective is met.*

*An application to which this clause applies is exempt from the requirements of:*

- *Section 60(1)(b), (e), (f), (1A) and (1B) of the Act; and*
- *Section 84B(2)(b) to (jb) of the Act.*

- g. The above exemptions remove the need for the Responsible Authority to consider:
  - i. the objectives of planning (s60(1)(b)),
  - ii. any significant effects the development may have on the environment or the environment on the development (s60(1)(e)),
  - iii. any significant social or economic effect the development may have (s60(1)(f)),
  - iv. the broader strategies or proposed amendments (s60(1A)), or
  - v. the number of objectors (s60(1B)),

### **Site Description and Design Response**

- h. The matters required to be considered in the site analysis and design response plans are included in the attached plans.

## **11. OTHER PLANNING MATTERS**

### Clause 53.18 - Stormwater Management in Urban Development

- a. The purpose of this clause is to ensure that stormwater, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.
- b. The proposed development will provide for the capture of stormwater in 4 x 2000lt rainwater tanks as required by the STORM Report.

### Clause 65 - Decision Guidelines

- c. The exemption provision contained in Clause 55 ensures Clause 65 is not required to be considered in this application.

## 12. DISCUSSION

### Strategic context for the development

- a. The Maribyrnong City Council's MSS identifies that household sizes are changing in a manner which is generally consistent with metropolitan wide change. Maribyrnong CC acknowledges that it needs to be proactive in addressing this which is why the subject site is located within an area deemed suitable for minimal/incremental growth.
- b. The Scheme addresses a need to maximise the use of existing infrastructure, to achieve a balance between the pursuit of urban consolidation objectives and recognition of the neighbourhood character of residential areas in Maribyrnong. This new proposal addresses these matters as the design largely reflects the previously approved development.
- c. The zone and local policies are clear in identifying that four dwellings can continue to be considered in this location particularly where the design reflects the surrounding character. This is the goal of this new proposal.

### Urban Character

- d. The proposed development is generally consistent with the Council's preferred character. The proposed landscaping in conjunction with the variety of building materials and articulation will ensure the preferred character will be addressed and preserved.
- e. Overall, increasing the height of two of the dwellings to three storeys will not impact the existing neighbourhood character and will contribute to the medium density character evolving in wider area.

### Internal Amenity

- f. The new development will address environmental sustainability to ensure a high level of internal amenity will be provided for residents.
- g. Each dwelling will be provided with ample light, air circulation and will be easily accessible by people with impaired mobility. This, in conjunction with generous areas of SPOS and appropriate canopy vegetation, will contribute to future occupants having a high degree of comfort and amenity.

### **13. CONCLUSION**

- a. The attached cl55 assessment indicates that the development will comply with nearly all the deemed to comply provisions with the one exception being the limitation on planting a tall canopy tree in the rear setback given the presence of an easement along that boundary.
- b. The small scale of the proposed development will continue to cater to the needs of future residents whilst adopting a design tailored to address the existing character of the area. This, in combination with meeting the requirements of the new Clause 55 of the Planning Scheme and addressing WSUD, addresses Council objectives for development in the area and will ensure each dwelling provides an attractive living environment for future residents.

## ***14. APPENDIX 1 – PREVIOUS PLANNING PERMIT***

**15. APPENDIX 2 – CLAUSE 55 ASSESSMENT**

- a. In the following table the # identifies the deemed to comply provisions as established in the Department of Transport and Planning's Townhouse and Low-Rise Code.
- b. The information required to be provided to address the Site Description, and the Design Response is included in the Architectural Plans AND the attached Landscape Plan. The Landscape Plan should be read as forming part 2 of the Design Response.

<b>NEIGHBOURHOOD CHARACTER</b>	
<b>CI55.02-1 Street Setback Objective #</b>	
<b>Deemed to comply</b>	
<i>To ensure that the setbacks of buildings from a street respond to the existing or preferred neighbourhood character and make efficient use of the site.</i>	
<b>Standard B2-1</b>	<b>Response</b>
<p><i>Walls of buildings are set back from streets:</i></p> <p><i>At least the distance specified in a schedule to the zone if the distance specified in the schedule is less than the distance specified in Table B2-1; or</i></p> <p><i>If no distance is specified in a schedule to the zone, the distance specified in Table B2-1.</i></p> <p><i>Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.</i></p> <p><b>Table B2-1 Street Setback</b></p> <p><i>(See cl55)</i></p>	<p><b>Complies</b> – The front setback of Dwelling 1 to Mitchell Street has been brought forward to 6m as required by Standard B2-1.</p> <p>The setbacks to Renown Street for Dwellings 2-4 will be 3m which will comply with the Standard.</p> <p>(Note: The balcony of Dwelling 2 will extend in front of the 3m setback, however, a balcony is not identified in the Standard. The Standard states the setback is to be taken to the wall of the building. In this case Dwelling 2 will be setback the required 3m)</p>
<b>CI55.02-2 Building Height Objective #</b>	
<b>Deemed to comply</b>	
<i>To ensure that the height of buildings respond to the existing or preferred neighbourhood character.</i>	
<b>Standard B2-2</b>	<b>Response</b>
<p><i>The maximum building height does not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.</i></p> <p><i>If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum</i></p>	<p><b>Complies</b> – The subject site is in the General Residential Zone which has a maximum height of 11m and 3 storeys. The proposed 10.1m is therefore compliant with the standard.</p>

building height does 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 does not exceed 10 metres.

### CI55.02-3 Side and Rear Setbacks Objective #

#### Deemed to comply

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

#### Standard B2-3

A new building not on or within 200mm of a boundary is set back from side or rear boundaries in accordance with either B2-3.1 or B2-3.2.

Standard B2-3 is met if the building is setback in accordance with either B2-3.1 or B2-3.2, rather than needing to comply with both of these provisions:

#### B2-3.1:

- The building is setback at least 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.

#### B2-3.2:

- If the boundary is not to the south of the building, the building is setback at least 3 metres up to a height not exceeding 11 metres and at least 4.5 metres for a height over 11 metres.

If the boundary is to the south of the building, the building is setback at least 6 metres up to a height not exceeding 11 metres and at least 9 metres for a height over 11 metres between south 30 degrees west to south 30 degrees east.

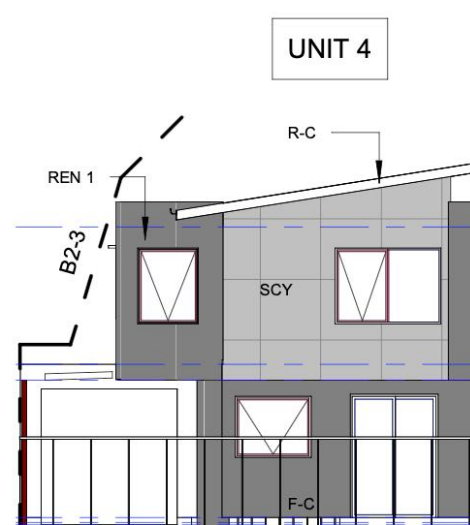
Sunblinds, verandahs, porches, eaves, facias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not

#### Response

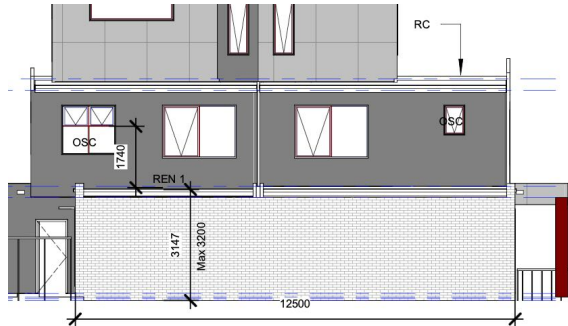
**Complies** – Dwellings 1 and 4 will be set back from the side and rear boundaries in accordance with B2-3.1 as shown below. The remaining dwellings will not be located close to a boundary.



SOUTH ELEVATION UNIT 1





<p><i>more than 0.5 metres into the side and rear setbacks.</i></p> <p><i>Landings that have 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 side and rear setbacks.</i></p>	
<b>CI55.02-4 Walls on Boundaries Objectives #</b>	
<b>Deemed to comply</b>	
<p><i>To ensure that the location, length and height of a wall on a boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings and small second dwellings.</i></p>	
<b>Standard B2-4</b>	<b>Response</b>
<p><i>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot does not abut the boundary for a length that exceeds the greater of the following distances:</i></p> <ul style="list-style-type: none"> <li><i>10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or</i></li> <li><i>The length of existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot.</i></li> </ul> <p><i>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.</i></p> <p><i>A building on a boundary includes a building set back up to 200mm from a boundary</i></p> <p><i>The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary does not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.</i></p>	<p><b>Complies</b> – The western walls of Dwellings 1 and 2 will abut the boundary for 12.5m which is well within the 10m + 25% rule.</p> <p>The carport of Dwelling 4 will be only 6m long and will abut the northern neighbour's existing wall.</p> <p>As shown below, all walls on boundaries, will at 3.147m, be less than the allowed 3.2m.</p> 
<b>CI55.02-5 Site Coverage Objective #</b>	
<b>Deemed to comply</b>	
<p><i>To ensure that the site coverage responds to the existing or preferred neighbourhood character and responds to the features of the site.</i></p>	
<b>Standard B2-5</b>	<b>Response</b>

<p><i>The site area covered by buildings does not exceed:</i></p> <ul style="list-style-type: none"> <li><i>The maximum site coverage specified in a schedule to the zone; or</i></li> <li><i>If no maximum site coverage is specified in a schedule to the zone, the percentage specified in Table B2-5.</i></li> </ul> <p><i>If the maximum site coverage is specified in a schedule to a zone, it must be greater than the percentage specified in Table B2-5.</i></p> <p><b>Table B2-5 Site Coverage</b></p> <table> <tr> <td>NRZ &amp; TZ –</td> <td>60%</td> </tr> <tr> <td>GRZ -</td> <td>65%</td> </tr> <tr> <td>RGZ, MUZ &amp; HCTZ -</td> <td>70%</td> </tr> </table>	NRZ & TZ –	60%	GRZ -	65%	RGZ, MUZ & HCTZ -	70%	<p><b>Complies</b> – The site coverage will, at 52%, will be less than the allowed 65% permitted in the GRZ.</p>
NRZ & TZ –	60%						
GRZ -	65%						
RGZ, MUZ & HCTZ -	70%						
<b>CI55.02-6 Access Objective #</b>							
<b>Partial Compliance</b>							
<i>To ensure the number and design of vehicle crossovers responds to the neighbourhood character.</i>							
<p><b>Standard B2-6</b></p> <p><i>The width of accessways or car spaces (other than to a rear lane) does not exceed:</i></p> <ul style="list-style-type: none"> <li><i>33 per cent of the street frontage; or</i></li> <li><i>40 per cent of the street frontage if the width of the street frontage is less than 20 metres.</i></li> </ul> <p><i>The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 is not increased.</i></p> <p><i>The location of a vehicle crossover or accessway does not encroach the tree protection zone of an existing tree, that is proposed to be retained in a road by more than 10 per cent.</i></p>	<p><b>Response</b></p> <p><b>Partial Compliance</b> – The 2 x 3m and 1 x 6m wide accessways will equate to 34% of the frontage. This is 1 % more than the standard 33% for a site frontage of more than 20m. In support of the variation is that the calculation takes into account the chamfer on the corner of Renown Street and Mitchell Street which shortens the eastern boundary to Renown Street by 3m. If the amount of crossings were assessed against the length of the site (38.02m) then the crossovers would only equate to 31.5%. It is also important to note that the crossing for Dwelling 1 would normally front Mitchell Street, however, as that is a main road the safest location for the crossing was on Renown Street.</p> <p><b>Will the very minor exceedance of the Standard mean the objective won't be addressed?</b> NO, the number of crossings in Renown Street is significant ensuring the 1% exceedance will not have a noticeable impact.</p>						
<b>CI55.02-7 Tree Canopy Objectives #</b>							
<b>Partial Compliance</b>							

*To provide tree canopy that responds to the neighbourhood character of the area and reduces the visual impact of buildings on the streetscape.*

*To preserve existing canopy cover and support the provision of new canopy cover.*

*To ensure new canopy trees are climate responsive, support biodiversity, wellbeing and amenity, and help reduce urban heat.*

#### **Standard B2-7**

*Provide a minimum canopy cover as specified in Table B2-7.1.*

##### **Table B2-7.1 – Canopy Cover**

*1000m<sup>2</sup> or less – 10% site area*

*1001m<sup>2</sup> or more – 20% site area*

*Existing trees to be retained meet all of the following:*

- *Has a height of at least 5 metres,*
- *Has a trunk circumference of 0.5 metres or greater at 1.4 metres above ground level,*
- *Has a trunk that is located at least 4 metres from proposed buildings.*

*The minimum canopy cover is met using any combination of trees specified in Table B2-7.2. Existing trees that are retained can be used in calculating canopy cover.*

##### **Table B2-7.2 Tree Type....**

##### **See CI55**

*Provide at least one new or retained tree in the front setback and the rear setback. Trees are located in either:*

- *An area of deep soil as specified in Table B2-7.2; or*
- *A planter as specified in Table B2-7.2.*

*Any tree required to be planted under this standard must be of species to the satisfaction of the responsible authority, having regard to the location and relevant geographic factors.*

#### **Response**

**Partial Compliance** – There is ONLY room for three Type A trees to be planted on this small site. Two **Kanooka Gums** - Type A trees with a diameter of 6m will be planted in the front setback and one smaller **Lilly Pilly** Type A will be planted in the rear setback of Dwelling 4. This will cover 69m<sup>2</sup>.  
(Note: The area required is 57.5m<sup>2</sup>)

The area of partial non-compliance is the planting area in the rear of Dwelling 4 is not quite 4m x 4m instead the lot size only allows an area of 4m x 3.86m. That said, the Lilly Pilly has been chosen as it can be easily pruned to fit within the provided area.

Note: The areas proposed for the planting of the canopy trees are all unrestricted deep soil.

#### **CI55.02-8 Front Fences Objective #**

#### **Deemed to comply**

*To encourage front fence design that responds to the existing or preferred neighbourhood character.*

Standard B2-8	Response
<p><i>A front fence within 3 metres of a street is:</i></p> <ul style="list-style-type: none"> <li><i>The maximum height specified in a schedule to the zone, or</i></li> <li><i>If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B2-8.</i></li> </ul> <p><b>Table B2-8 Max fence height</b></p> <ul style="list-style-type: none"> <li>TRZ street – 2m</li> <li>Other – 1.5m</li> </ul>	<p><b>Complies</b> – A 0.9m high front fence is proposed at the front of Dwelling 1 facing Mitchell Street and in front of Dwellings 2-4 facing onto Renown Street.</p>
<b>LIVEABILITY</b>	
<b>CI55.03-1 Dwelling Diversity Objective</b>	
<i>To encourage a range of dwelling sizes and types in developments of ten or more dwellings.</i>	
Standard B3-1	Response
<p><i>Developments include at least:</i></p> <ul style="list-style-type: none"> <li><i>One dwelling that contains a kitchen, bath or shower, bedroom and a toilet and wash basin at ground floor level for every 10 dwellings.</i></li> <li><i>One dwelling that includes no more and no less than 2 bedrooms for every 10 dwellings.</i></li> <li><i>One dwelling that includes no more and no less than 3 bedrooms for every 10 dwellings.</i></li> </ul>	<p><b>N/A</b> – The development will have less than 10 dwellings.</p>
<b>CI55.03-2 Parking Location Objective</b>	
<i>To minimise the impact of vehicular noise within developments on residents.</i>	
Standard B3-2	Response
<p><i>Habitable room windows with sill heights of less than 3 metres above ground level are setback from accessways and car parks by at least:</i></p> <ul style="list-style-type: none"> <li><i>1.5 metres; or</i></li> <li><i>If there is a solid fence with a height of at least 1.5 metres between the accessway or car park and the window, 1 metre; or</i></li> <li><i>1 metre where window sills are at least 1.5 metres above ground level.</i></li> </ul> <p><i>This standard is met if an accessway or relevant car parking space is used exclusively by the resident of the building with the habitable room.</i></p>	<p><b>Complies</b> – All driveways will be located away from the abutting habitable room windows.</p>

<b>CI55.03-3 Street Integration Objective</b>	
<i>To integrate the layout of development with the street to support the safety and amenity of residents.</i>	
<b>Standard B3-3</b>	<b>Response</b>
<p><i>Where a development fronts a street, a vehicle accessway or abuts public open space:</i></p> <ul style="list-style-type: none"> <li><i>Passive surveillance is provided by a direct view from a balcony or a habitable room window to each street, vehicle accessway and public open space.</i></li> <li><i>The total cumulative width of all site services to be located within 3 metres of a street, do not take up more than 20 per cent of the width of the frontage and are screened from view from the street or located behind a fence. Screens or fences are to provide no more than 25 per cent transparency.</i></li> </ul> <p><i>Lighting is provided to all external accessways and paths.</i></p> <p><i>Mailboxes are provided for each dwelling and can be communally located.</i></p>	<p><b>Complies</b> – Dwelling 1 will overlook Mitchell Street. Dwellings 2-4 will overlook Renown Street.</p> <p>Lighting will be provided to all accessways.</p> <p>Mailboxes will be provided to each dwelling at the front of the respective accessways.</p>
<b>CI55.03-4 Entry Objectives</b>	
<i>To provide each dwelling, apartment development or residential building with its own sense of identity.</i>	
<i>To provide entries with weather protection, safe design, natural light and ventilation.</i>	
<b>Standard B3-4</b>	<b>Response</b>
<p><b><i>Dwellings (other than a dwelling in or forming part of an apartment development) and residential buildings</i></b></p> <p><i>Each dwelling and each residential building has a ground level entry door that:</i></p> <ul style="list-style-type: none"> <li><i>Has a direct line of sight from a street, accessway or shared walkway.</i></li> <li><i>Is not accessed through a garage.</i></li> <li><i>Has an external covered area of at least 1.44 square metres with a minimum dimension of least 1.2 metres over the entry door.</i></li> </ul>	<p><b>Complies</b> – The entries to all the Dwellings will provide an external covered entry porch of at least 1.44m<sup>2</sup> and have their own sense of identity.</p>
<p><b><i>Apartment development and residential building with a shared entry</i></b></p> <p><i>An apartment development and each residential building has:</i></p> <ul style="list-style-type: none"> <li><i>A ground level entry door, gate or walkway with a direct line of sight from a street, accessway or shared walkway.</i></li> </ul>	

- An external covered area of at least 1.44 square metres with a minimum dimension of least 1.2 metres over the entry door to the building.
- Shared corridors and common areas have at least one source of natural light and natural ventilation.

### CI55.03-5 Private Open Space Objectives

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

#### Standard B3-5

*A dwelling or residential building has private open space of an area and dimensions specified in a schedule to the zone.*

*If no area or dimension is specified in a schedule to the zone, a dwelling or residential building has private open space with direct access from a living area, dining area or kitchen consisting of:*

- An area of 25 square metres of secluded private open space, with a minimum dimension of 3 metres width; or
- A balcony with at least the area and dimensions specified in Table B3-5; or
- An area on a podium or similar of at least 15 square metres, with a minimum dimension of 3 metres width; or
- An area on a roof of at least 10 square metres, with a minimum dimension of 2 metres width.

*If the area and dimensions of the private open space or secluded private open space is specified in a schedule to the zone;*

- The area and dimensions specified in the schedule must be 25 square metres or less; and
- The area and dimensions specified for a podium, balcony or an area on a roof must be less than the area and dimensions specified in this standard.

*If a cooling or heating unit is located in the secluded private open space or private open*

#### Response

**Complies** – Dwellings 3 and 4 will have the required 25m<sup>2</sup> of compliant SPOS and clotheslines.

Dwelling 1 is orientated to the south so is required to have a balcony of 8m<sup>2</sup> with a minimum dimension of 1.2m. The proposed 12.42m<sup>2</sup> balcony will address the Standard. In addition, this dwelling will have 89m<sup>2</sup> of POS in the front setback and a small service yard with a clothesline.

Dwelling 2 will be orientated east west and will have four bedrooms therefore a balcony of 12m<sup>2</sup> with a 2.4m minimum dimension is required. Dwelling 2 will provide 12.62m<sup>2</sup> and have a minimum dimension of 2.4m.

space the required area is increased by 1.5 square metres.

Where ground level private open space is provided an area for clothes drying is provided.

**Table B3-5 Private open space for a balcony**

Orientation of dwelling	Dwelling type	Minimum area	Minimum dimension
North (between north 20 degrees west to north 30 degrees east)	All	8 square metres	1.7 metres
South (between south 30 degrees west to south 20 degrees east)	All	8 square metres	1.2 metres
Any other orientation	Studio or 1 bedroom dwelling	8 square metres	1.8 metres
	2 bedroom dwelling	8 square metres	2 metres
	3 bedroom dwelling	12 square metres	2.4 metres

### CI55.03-6 Solar Access to Open Space Objective

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

#### Standard B3-6

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

#### Response

**Complies** – The balconies for Dwellings 1 and 2 will have unobstructed solar access.

The ground level SPOS of Dwellings 3 and 4 will also have unobstructed solar access to the north.

### CI55.03-7 Functional Layout Objective

To ensure dwellings provide functional areas that meet the needs of residents.

#### Standard B3-7

Bedrooms:  
Meet the minimum internal room dimensions specified in Table B3-7.1; and

Provide an additional area of at least 0.8 square metres to accommodate a wardrobe

#### Table B3-7.1 Bedrooms

Main. 3m w x 3.4m d

Other. 3m w x 3m d

(Minimum dimensions)

Living areas (excluding dining and kitchen areas) meet the minimum internal room dimensions specified in Table B3-7.2.

#### Table B3-7.2 Living

Studio/1 Bed 3.3m w - 10m<sup>3</sup> area

2+ Bed. 3.6m w - 12m<sup>3</sup> area

#### Response

**Complies** – All bedrooms and living rooms will comply with the minimum dimensions specified.



**CI55.03-8 Room Depth Objective***To allow adequate daylight into single aspect habitable rooms.***Standard B3-8***The depth of a single aspect habitable room does not exceed 2.5 times the ceiling height measured from the external surface of the habitable room window to the rear wall of the room.**The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:*

- *The room combines the living area, dining area and kitchen; and*
- *The kitchen is located furthest from the window; and*
- *The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level, this excludes where services are provided above the kitchen; and*
- *An overhang extends no more than 2m beyond the window of the single aspect habitable room.*

*In Clause 55.03-8 a single aspect habitable room is a habitable room with windows on only one wall.***Response****Complies** – All living areas will be double aspect.

There will be eight single aspect bedrooms and six double aspect bedrooms. The single aspect bedrooms will have a depth of only 3m which is compliant with the standard.

The height of all rooms will be 2.7m.

**CI55.03-9 Daylight to New Windows Objective***To allow adequate daylight into new habitable room windows.***Standard B3-9*****Dwelling (other than a dwelling in or forming part of an apartment development)****A window in an external wall of the building is provided to all habitable rooms. Habitable rooms in a dwelling have a window that faces:*

- *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*

**Response****Complies** – All habitable rooms will have windows that are clear to the sky in accordance with the standard.

- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

Where daylight to a bedroom is provided from a smaller secondary area within the bedroom, the secondary area is to have:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.
- A window clear to the sky.

### CI55.03-10 Natural Ventilation Objectives

To encourage natural ventilation of dwellings.

To allow occupants to effectively manage natural ventilation of dwellings.

#### Standard B3-10

#### Dwelling (other than a dwelling in or forming part of an apartment development)

Dwellings have openable windows, doors or other ventilation devices in external walls of the building that provide:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same size.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

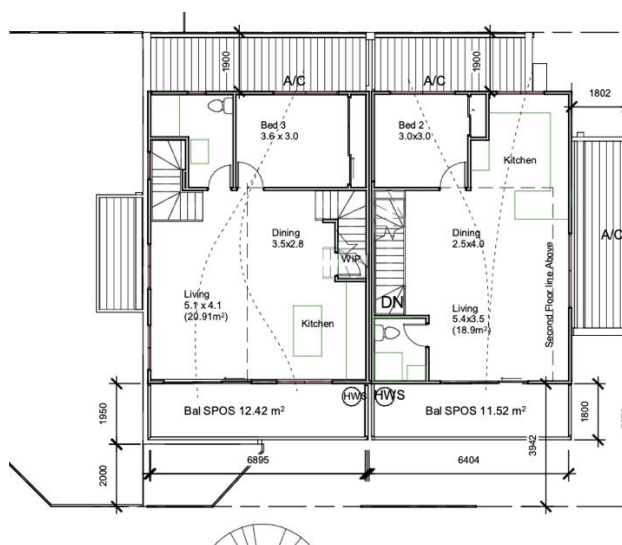
#### Dwelling in or forming part of an apartment development

At least 40 per cent of dwellings have openable windows, doors or other ventilation devices in external walls of the building that provide:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.

#### Response

**Complies** – All dwellings will have breeze paths less than 18m as shown by the dotted black line on the floor plans. Example below.



- Ventilation openings with approximately the same size.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

### CI55.03-11 Storage Objective

To provide adequate storage facilities for each dwelling.

#### Standard B3-11

**Dwelling (other than a dwelling in or forming part of an apartment development)**

Each dwelling has exclusive access to at least 6 cubic metres of externally accessible storage space.

**Dwelling in or forming part of an apartment development**

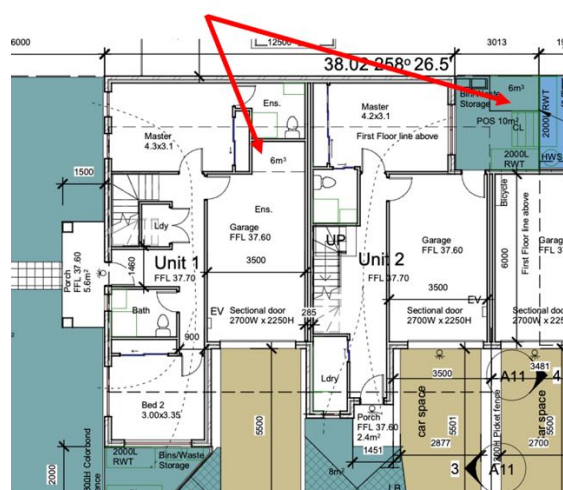
Each dwelling has exclusive access to storage at least the total minimum storage volume that is specified in Table B3-11.

**Table B3-11 Storage**

Dwell.	Min Total Vol.	Min. in Dwell.
Studio.	8m <sup>3</sup>	5m <sup>3</sup>
1Bed	10m <sup>3</sup>	6m <sup>3</sup>
2Bed.	14m <sup>3</sup>	9m <sup>3</sup>
3+ Bed	18m <sup>3</sup>	12m <sup>3</sup>

#### Response

**Complies** – Each dwelling will have access to externally accessible storage area of 6m<sup>3</sup>. Example shown below



### CI55.03-12 Accessibility for Apartment Developments Objective

To ensure the design of dwellings meets the needs of people with limited mobility.

#### Standard B3-12

At least 50 per cent of dwellings in or forming part of an **apartment development** have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.

#### Response

N/A

- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table B3-12.

(See CI55 for Table B3-12 – Bathroom Design)

## EXTERNAL AMENITY

### CI55.04-1 Daylight to Existing Windows Objective #

#### Deemed to comply

To allow adequate daylight into existing habitable room windows.

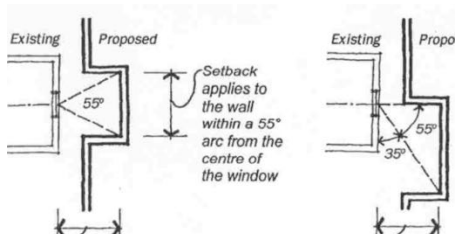
#### Standard B4-1

Buildings opposite an existing habitable room window 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 are 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.

Table B4-1 Daylight to existing windows



#### Response

**Complies** – None of the abutting dwellings to the west will be closer than 4m.

The dwelling to the rear (north) will abut the site with a solid wall and NO windows.

### CI55.04-2 Existing North-Facing Windows Objective #

#### Deemed to comply

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

#### Standard B4-2

#### Response

<p><i>Where a north-facing habitable room window of a neighbouring dwelling or small second dwelling is within 3 metres of a boundary on an abutting lot:</i></p> <ul style="list-style-type: none"> <li><i>A new building is to be set back from the boundary by at least 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. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window.</i></li> <li><i>For new buildings that meet the Standard B2-3.2 setback, the building is setback at least 6 metres up to a height not exceeding 11 metres and at least 9 metres for a height over 11 metres between south 30 degrees west to south 30 degrees east. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window.</i></li> </ul> <p><i>For this standard a north-facing window is a window with an axis perpendicular to its surface oriented from north 20 degrees west to north 30 degrees east.</i></p> <p><i>See Diagram B4.2-1 and B4-2.2</i></p>	<p><b>N/A</b> – Mitchell Street is to the south.</p>
<b>CI55.04-3 Overshadowing Secluded Open Space Objective #</b>	
<b>Deemed to comply</b>	
<i>To ensure buildings do not significantly overshadow existing secluded private open space.</i>	
<p><b>Standard B4-3</b></p> <p><i>The area of secluded private open space that is not overshadowed by the new development is greater than:</i></p> <ul style="list-style-type: none"> <li><i>50 per cent, or</i></li> <li><i>25 square metres with a minimum dimension of 3 metres, whichever is the lesser area, for a minimum of five hours between 9 am and 3 pm on 22 September.</i></li> </ul> <p><i>If existing sunlight to the secluded private open space of an existing dwelling or small second dwelling is less than the requirements of this standard, the amount of sunlight will not be further reduced.</i></p>	<p><b>Response</b></p> <p><b>Complies</b> – The attached shadow diagrams (A16-A21) indicate the abutting neighbour's SPOS is large and the level of overshadowing complies.</p>

**CI55.04-4 Overlooking Objective #****Deemed to comply**

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

**Standard B4-4**

*In Clause 55.04-4 a habitable room does not include a bedroom.*

*A habitable room window, balcony, podium, terrace, deck or patio is located and designed to avoid direct views into the secluded private open space of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views are 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 that is located with a direct view into a habitable room window of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio:*

- *Is offset a minimum of 1.5 metres from the edge of one window to the edge of the other; or*
- *Has sill heights of at least 1.7 metres above floor level; or*
- *Has fixed, obscure glazing in any part of the window below 1.7 metre above floor level; or*
- *Has permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent; or*
- *Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins.*

*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 are:*

- *Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.*

**Response**

**Complies** – The only first floor habitable room that is not a bedroom is the Dwelling 2 Kitchen. This window will have obscured glass to 1.7m ensuring no overlooking. ALL other windows facing the neighbour's POS will be bedrooms.

<ul style="list-style-type: none"> <li>• <i>Permanent, fixed and durable. Designed and coloured to blend in with the development.</i></li> </ul> <p><i>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.</i></p>	
<b>CI55.04-5 Internal Views Objective</b>	
<i>To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.</i>	
<b>Standard B4-5</b>	<b>Response</b>
<p><i>In Clause 55.04-5 a habitable room does not include a bedroom.</i></p> <p><i>Within the development, a habitable room window, balcony, terrace, deck or patio that is located with a direct view into the secluded private open space of another dwelling:</i></p> <ul style="list-style-type: none"> <li>• <i>Is offset a minimum of 1.5 metres from the edge of the secluded private open space; or</i></li> <li>• <i>Has a sill height of at least 1.7 metres above floor level; or</i></li> <li>• <i>Has a fixed, visually obscure balustrade to at least 1.7 metre above floor level; or</i></li> <li>• <i>Has permanently fixed external screens to at least 1.7 metres above floor level; or</i></li> <li>• <i>Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins.</i></li> </ul> <p><i>Direct views are measured at a height of 1.7 metres above floor level and within:</i></p> <ul style="list-style-type: none"> <li>• <i>A 45 degree horizontal angle from the edge of the new window or balcony.</i></li> <li>• <i>A 45 degree angle in the downward direction.</i></li> </ul> <p><i>Screens provided for overlooking are no more than 25 per cent transparent. Screens may be openable provided that this does not allow direct views as specified in this standard.</i></p>	<p><b>Complies</b> – NO windows will overlook the abutting dwelling's SPOS.</p>



**SUSTAINABILITY****CI55.05-1 Permeability and Stormwater Management Objective**

*To reduce the impact of increased stormwater run-off on the drainage system and downstream waterways.*

*To facilitate on-site stormwater infiltration.*

*To encourage stormwater management that maximises the retention and reuse of stormwater. To contribute to urban cooling.*

**Standard B5-1****Response**

*The site area covered by the pervious surfaces is at least 20 percent of the site.*

**Complies** – The permeability of the site will be 33%. This is well above the required 20% site coverage.

*The development includes a stormwater management system designed to:*

Stormwater will be addressed by providing 2000l rainwater tanks to each dwelling. This is outlined in the STORM assessment in the attached SDA Report.

- *Meet the best practice quantitative performance objectives for stormwater quality specified in the Urban stormwater management guidance(EPA Publication 1739.1, 2021) of:*
  - *Suspended solids 80% reduction in mean annual load.*
  - *Total phosphorus and Total Nitrogen 45% reduction in mean annual load.*
  - *Litter 70% reduction of mean annual load.*

**Note:**

*A certificate generated from a stormwater assessment tool including Stormwater Treatment Objective - Relative Measurement (STORM), Model for Urban Stormwater Improvement Conceptualisation (MUSIC) or an equivalent product accepted by the responsible authority may be used to demonstrate the performance objectives for stormwater quality are met.*

- *Direct flows of stormwater into treatment areas, garden areas, tree pits and permeable surfaces, with drainage of residual flows to the legal point of discharge.*

**CI55.05-2 Overshadowing Domestic Solar Energy Systems Objective #****Deemed to comply**

*To ensure that the height and setback of a building from a boundary allows reasonable solar access to existing domestic solar energy systems on the roofs of buildings.*

**Standard B5-2**

*Any part of a new building that will reduce the sunlight at any time between 9am and 4 pm on 22 September to an existing domestic solar energy system on the roof of a building on an adjoining lot be set back from the boundary to that lot by at least 1 metre at 3.6 metres above ground level, plus 0.3 metres for every metre of building height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.*

*This standard applies to an existing building in a Township Zone, General Residential Zone or Neighbourhood Residential Zone.*

*In Clause 55.05-2 domestic solar energy system means a domestic solar energy system that existed at the date the application was lodged.*

**Response**

**Complies** – The height, setback and location of the development (to the south of other dwellings) will ensure the development will be remote from any abutting dwellings.

Furthermore, as shown below, the abutting buildings don't have solar energy systems that could be impacted.

**CI55.05-3 Rooftop Solar Energy Generation Area Objective**

*To support the future installation of appropriately sited rooftop solar energy systems for a dwelling.*

**Standard B5-3**

*In Clause 55.05-3 rooftop solar energy area means an area provided on the roof of a dwelling to enable the future installation of a solar energy system.*

*An area on the roof is capable of siting a rooftop solar energy area for each dwelling which: Has a minimum dimension of 1.7 metres.*

*Has a minimum area in accordance with Table B5-3.*

*Is oriented to the north, west or east.*

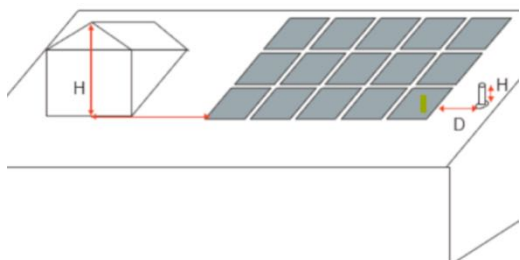
*Is positioned on the top two thirds of a pitched roof.*

*Can be a contiguous area or multiple smaller areas.*

**Response**

**Complies** – Drawing A14 show an area on all dwellings capable of accommodating the requisite solar panels.

Is free of obstructions on the roof of the dwelling within twice the height of each obstruction (H), measured horizontally (D) from the centre point of the base of the obstruction to the nearest point of the rooftop solar energy area.



Obstructions located south of all points of the rooftop solar energy area are not subject to the horizontal distance requirements.

**Table B5-3 Min. Solar rooftop area**

1 Bed	15m <sup>2</sup>
2or3 Bed.	26m <sup>2</sup>
4+ Bed.	34m <sup>2</sup>

This standard does not apply to apartments and residential buildings.

#### CI55.05-4 Solar Protection to New North-Facing Windows Objective

To encourage external shading of north facing windows to minimise summer heat gain.

Standard B5-4	Response
North facing windows are shaded by eaves, fixed horizontal shading devices or fixed awnings with a minimum horizontal depth of 0.25 times the window height.	<p><b>Complies</b> – Fixed external blinds are proposed for the north facing windows of Dwelling 2 and 4. All other dwelling windows will not be north facing.</p> <p>See Drawing A11 for evidence of the screening.</p>

#### CI55.05-5 Waste and Recycling Objectives

To ensure dwellings are designed to facilitate waste recycling.

To ensure that waste and recycling facilities are accessible and are of sufficient size to manage organic and general waste, and mixed and glass recycling.

To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity.

Standard B5-5	Response
Dwelling (other than a dwelling in or forming part of an apartment development)	<p><b>Complies</b> – Each dwelling will be provided with an easily accessed bin storage area addresses the standard 1.8m<sup>2</sup>. See Ground Floor Drawing for details.</p>

*The development includes an individual bin storage area for each dwelling, or a shared bin storage area for use by each dwelling, of at least the applicable area, depth and height specified in Table B5-5.1.*

**Table B5-5-5.1 Bin Storage**

Ind bin store	1.8m <sup>2</sup>
Shared 3-	5.4m <sup>2</sup>
Shared 4+.	1m <sup>2</sup> /dwelling + 4m <sup>2</sup>
(All - 0.8m D x 1.8m H)	

*If the development includes a shared bin storage area:*

- *The shared bin storage area:*
  - *Is located within 40 metres of a kerbside collection point.*
  - *Includes a tap for bin washing.*

*There is a continuous path of travel free of steps and obstructions from dwellings to the bin storage area.*

*Where access is provided for private bin collection on the land the design of access ways must allow the vehicle to enter and exit in a forward direction.*

*Each dwelling includes an internal waste and recycling storage space of at least 0.07 cubic metres with a minimum depth of 250 millimetres.*

*Dwelling in or forming part of an apartment development*

**Table B5-5-5.2 Apartment bin storage**  
(See cl55)

*Enclosed bin storage areas are ventilated by:*

- *Natural ventilation openings to the external air with an area of at least 5 per cent of the area for bin storage area; or*
- *A mechanical exhaust ventilation system.*

Each dwelling also includes an internal waste and recycling storage space of 0.07 m<sup>3</sup> with a minimum depth of 250mm.

<p><i>A tap and drain is provided to wash bins. A continuous path of travel is provided from each dwelling to bin storage areas.</i></p> <p><i>Each dwelling includes an internal waste and recycling storage space of at least 0.07 cubic metres with a minimum depth of 250 millimetres.</i></p>									
<b>CI55.05-6 Noise Impacts Objective</b>									
<i>To minimise the impact of mechanical plant noise located in the development.</i>									
<b>Standard B5-6</b>	<b>Response</b>								
<p><i>Mechanical plant, including mechanical car storage and lift facilities are not located immediately adjacent to bedrooms of new or existing dwellings or small second dwellings, unless a solid barrier is in place to provide a line of sight barrier to transmission of noise and the location of all relevant bedrooms.</i></p>	<p><b>Complies</b> – No mechanical plant is proposed other than the AC units as shown on the plans. These units, typical of most modern AC units, will emit very low levels of noise.</p>								
<b>CI55.05-7 Energy Efficiency for Apartment Developments Objectives</b>									
<p><i>To achieve energy efficient dwellings and buildings. To ensure dwellings achieve adequate thermal efficiency.</i></p>									
<b>Standard B5-7</b>	<b>Response</b>								
<p><i>Dwellings in or forming part of an apartment development located in a climate zone identified in Table B5-7 do not exceed the maximum NatHERS annual cooling load.</i></p> <table border="0"> <tr> <td><b><i>NatHERS zone.</i></b></td><td><b><i>NatHERS Cool Load</i></b></td></tr> <tr> <td><i>Zone 21 Melbourne</i></td><td><i>30</i></td></tr> <tr> <td><i>Zone 60 Tullamarine</i></td><td><i>22</i></td></tr> <tr> <td><i>Zone 62 Moorabbin</i></td><td><i>21</i></td></tr> </table> <p><i>(NatHERS = Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy)</i></p>	<b><i>NatHERS zone.</i></b>	<b><i>NatHERS Cool Load</i></b>	<i>Zone 21 Melbourne</i>	<i>30</i>	<i>Zone 60 Tullamarine</i>	<i>22</i>	<i>Zone 62 Moorabbin</i>	<i>21</i>	<p><b>N/A</b> – Dwellings will not be part of an apartment development.</p>
<b><i>NatHERS zone.</i></b>	<b><i>NatHERS Cool Load</i></b>								
<i>Zone 21 Melbourne</i>	<i>30</i>								
<i>Zone 60 Tullamarine</i>	<i>22</i>								
<i>Zone 62 Moorabbin</i>	<i>21</i>								

# = Deemed to comply provisions