

Application for a Planning Permit

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

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

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

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

i Click for further information.

**CITY OF MARIBYRNONG
ADVERTISED PLAN**

The Land **i**

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

Street Address *

Unit No:	St. No.: 1	St. Name: Pitt Street
Suburb/Locality: WEST FOOTSCRAY		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.

A	Vol.: 4958	Folio.: 532	Suburb.: West Footscray
OR	Lot No.: 95	Type.: Lot/Lodged Plan	
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? *

Construction of a single dwelling on a lot in the GRZ1.

🔗 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 *

750000.00	⚠ 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 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.

The site currently contains a single-storey brick dwelling.

 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:

Surname:

Organization (if applicable): Three Thirds Group

Unit No:

St. No: 250

St. Name: Flinders Lane

Suburb: MELBOURNE

State: VIC

Postcode: 3000

Business phone:

Email: louis@three-thirds.com.au

Mobile phone: 0390701156

Home:

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

Contact person's details*

Name: Same as applicant ☒

Title: CO

First Name:

Surname:

Organization (if applicable): Three Thirds Group

Unit No:

St. No: 250

St. Name: Flinders Lane

Suburb: MELBOURNE

State: VIC

Postcode: 3000

Business phone:

Email: louis@three-thirds.com.au

Mobile phone: 0390701156

Home:

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: MR

First Name: Michael

Surname: Dieu Vi Huynh

Organization (if applicable):

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

Unit No:

St. No: 24

St. Name: Sunderland Avenue

Suburb: ASHBURTON

State: VIC

Postcode: 3147

Business Phone:


Email:

Mobile phone: 0401713494

Home:

Declaration

This form must be signed by the applicant *

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

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

Signature:

Date
day / month / year

Need help with the Application?

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

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

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

☒ No ☐ Yes

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
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

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

See **Example 2**.


Estimated cost of development

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

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

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

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

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

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

Existing Conditions

How should land be described?

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

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

See **Example 3**.

Title Information

What is an encumbrance?

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

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

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

What documents should I check to find encumbrances

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

What about caveats and notices?

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

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

What happens if the proposal contravenes an encumbrance on title?

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

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

Page 1 of 1

VOLUME 04958 FOLIO 532

Security no : 124126467009N
Produced 23/07/2025 01:44 PM

LAND DESCRIPTION

Lot 95 on Plan of Subdivision 001219.
PARENT TITLE Volume 02217 Folio 320
Created by instrument 1191874 11/11/1924

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
MICHAEL DIEU VI HUYNH
HUAI-ZHU LIM both of 24 SUNDERLAND AVENUE ASHBURTON VIC 3147
AH767185X 05/02/2011

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AX608242Q 28/12/2023
WESTPAC BANKING CORPORATION

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

DIAGRAM LOCATION

SEE LP001219 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: 1 PITT STREET WEST FOOTSCRAY VIC 3012

ADMINISTRATIVE NOTICES

NIL

eCT Control 16977H ST GEORGE BANK
Effective from 28/12/2023

DOCUMENT END

**CITY OF MARIBYRNONG
ADVERTISED PLAN**

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

Page 1 of 1

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DOCUMENT END

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PLAN OF SUBDIVISION OF PART SECTION 16 PARISH OF CUT PAW PAW

COUNTY OF BOURKE

VOL1761 FOL 093

Measurements are in Feet & Inches

Conversion Factor

FEET x 0.3048 = METRES

LP 1219

EDITION 2

Stamp

13-09-1886

2 SHEETS
SHEET 1.

COLOUR CODE

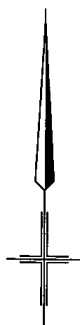
R1 & E-1 = BROWN

ENCUMBRANCES

AS TO THE ROAD R1

ANY EASEMENTS AFFECTING
THE SAME

STREET NAME AMENDED
FROM SUSSEX STREET
TO PITT STREET
VIDE CORR 28/19643
30/7255



66'

E-1

40'

ESSEX

E-1

90°

STREET E-1

STREET

40'	30'	30'	41'	41'	41'	41'	41'	41'	41'	41'	41'	41'	41'	13
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34	39	39	34	32	30	28	26	24	22	20	18	16	14	
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E-1

360°

R1

PITT

90°

STREET R1

PALMERSTON

40'	40'	41'	41'	41'	41'	41'	41'	41'	41'	41'	41'	41'	41'	67
40	41	47	49	51	53	55	57	59	61	63	65	67	67	
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E-1

50'

ALMA

E-1

90°

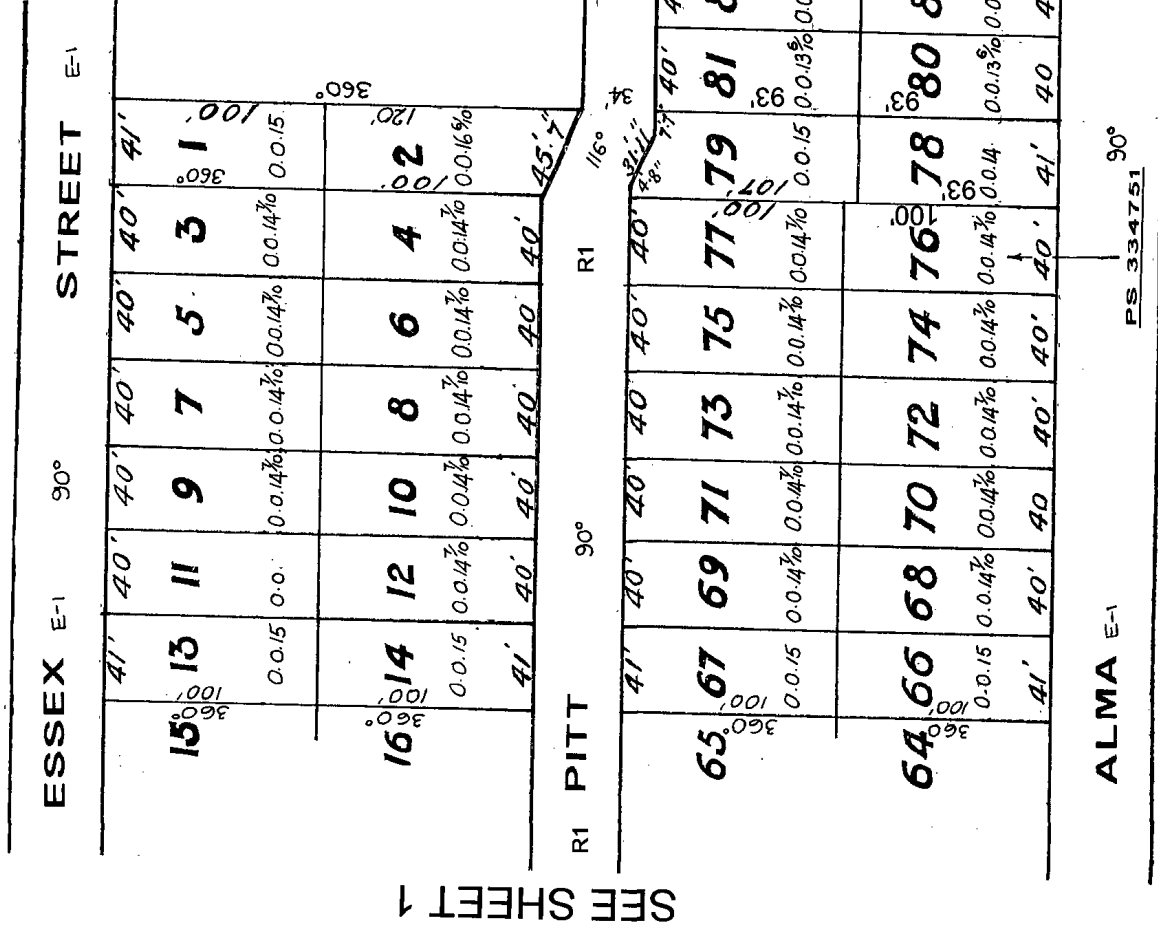
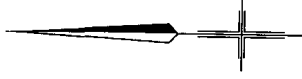
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66'

SEE SHEET 2

LP 1219

2 SHEETS
SHEET 2



MODIFICATION TABLE

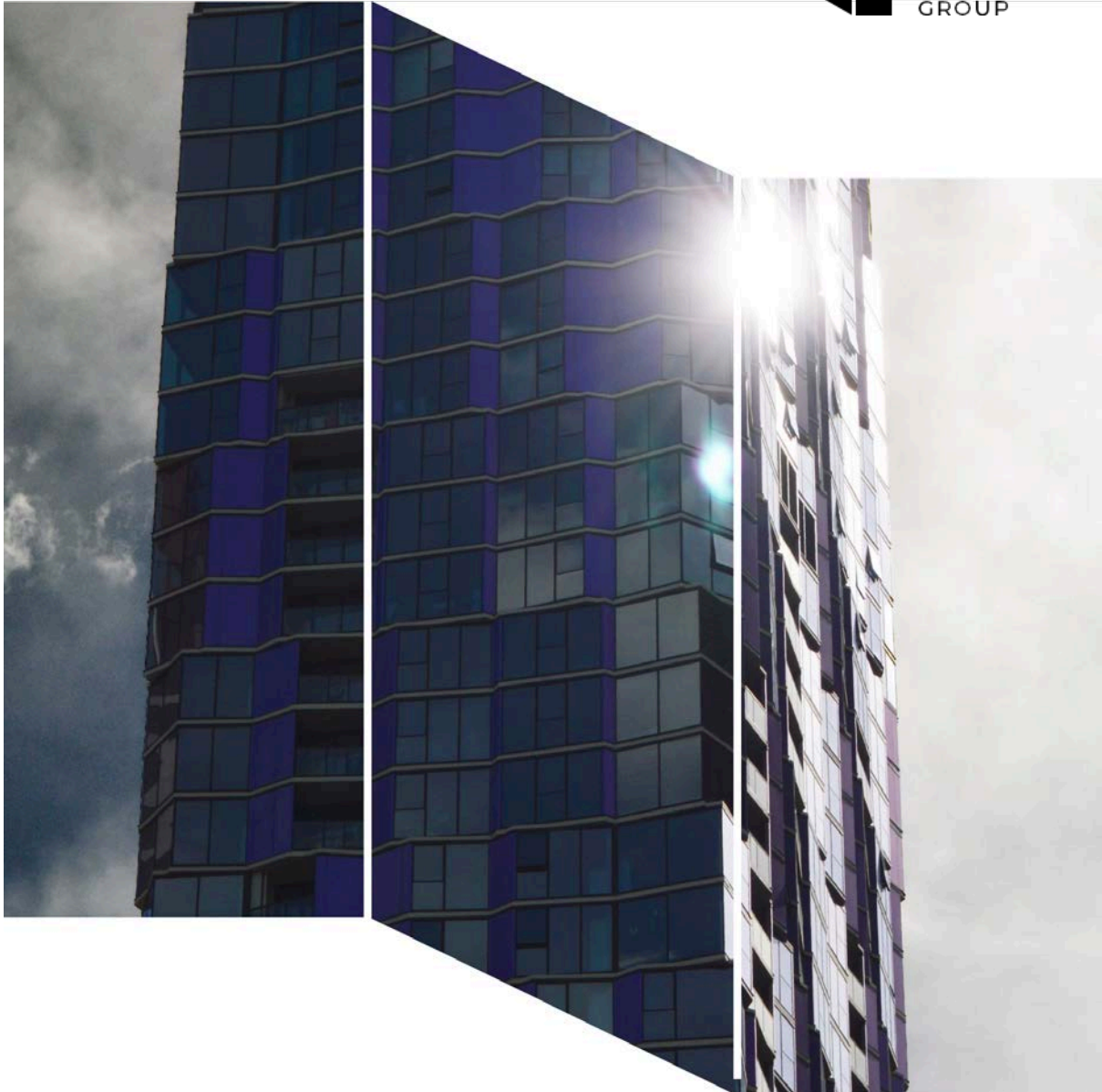
RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN

PLAN NUMBER

LP 1219

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NO FURTHER AMENDMENTS ARE TO BE MADE TO THE ORIGINAL DOCUMENT OF THE REGISTER.**

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PLANNING REPORT

JULY 2025

1 Pitt Street, West Footscray

Construction of one dwelling on a lot in the GRZ1

**CITY OF MARIBYRNONG
ADVERTISED PLAN**

REPORT RECORD

Project Name	1 Pitt Street, West Footscray
Revision Number	01
Prepared By	LP
Reviewed By	TTG
Date of Issue	July 2025

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1. Introduction

1.1. Background

This report has been prepared by Three Thirds Group (“TTG”) on behalf of the registered landowners of 1 Pitt Street, West Footscray (“Site, “Subject Site”) to accompany a planning permit application for the construction of one single-storey dwelling on a lot in the GRZ1.

We note that the site is partially affected by the SBO by a small extent in the north east corner, however there are no buildings or works proposed in this part of the site and so no permission is enlivened.

This report provides an overview of the Site’s physical and strategic context, and assessment of the development proposal in relation to relevant policies and provisions of the Maribyrnong Planning Scheme.

This report should be read in conjunction with the following material

Certificate of Title & Plan of Subdivision	Lot 95 PS 001219 (produced 23/07/2025)
Development Plans	Development Plans, prepared by Metricon, dated 04/04/2025.

Table 1. Supporting Documents

1.2. Overview

Address	1 Pitt Street, West Footscray
Proposal	Construction of a single-storey dwelling.
Site Coverage	55.02% (159m ²)
Permeable Area	36.68% (106m ²)
Landscaping	The proposal delivers generously sized setbacks that provide ample space for the planting of additional canopy trees and understorey vegetation.
Maximum Height	5.01m
Private open space	POS: 40m ² SPOS: 36m ²
Front fence height	There is no front fence proposed.

Table 2. Development Summary

1.3. Assessment Summary

The proposal has been assessed against the relevant provisions of the Maribyrnong planning scheme. In our opinion the proposal is justified and deserves the support of Council.

We find that the proposal is suitably justified and deserves the support of Council for the following reasons:

- The proposal responds appropriately to the existing and preferred character of the area
- The proposal provides an acceptable level of on-site amenity and mitigates or avoids unreasonable off-site amenity impacts.
- The proposal satisfies Clause 54

Our assessment is set out in the body of this report.

2. Site Context

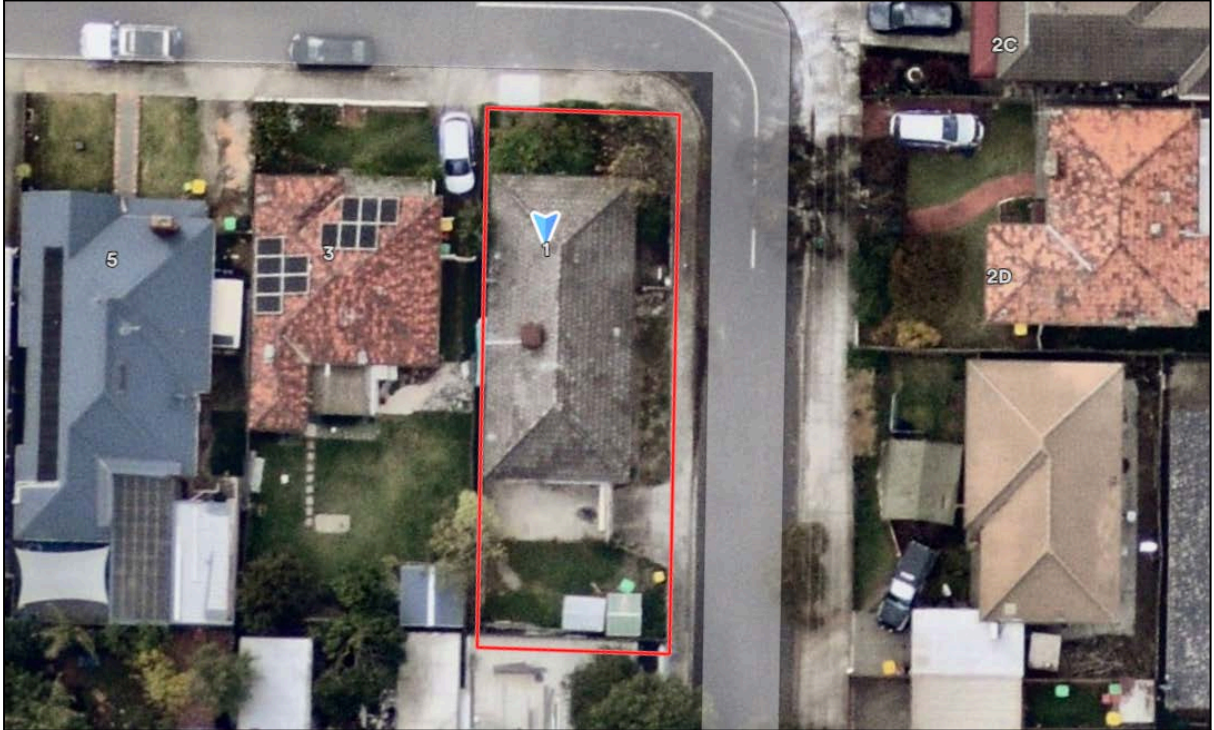


Figure 1. Aerial image of the site (NearMap, 2025)

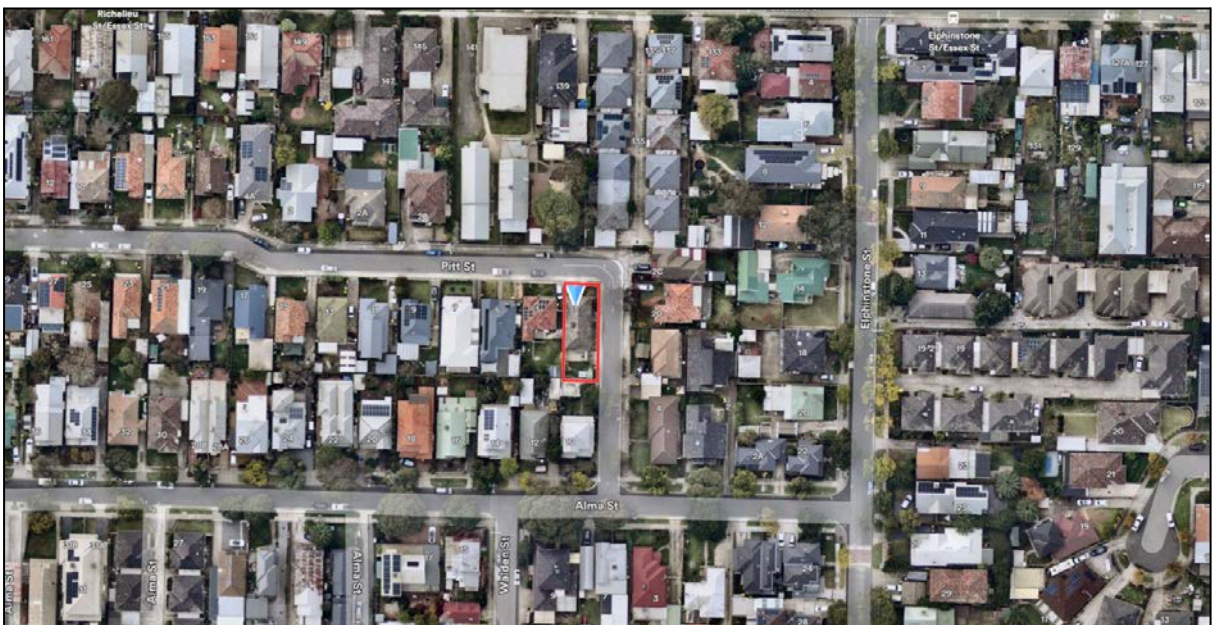


Figure 2. Site Context (NearMap, 2025)



Figure 3. Zone map (VicPlan)



Figure 4. Development Contributions Overlay map (VicPlan)

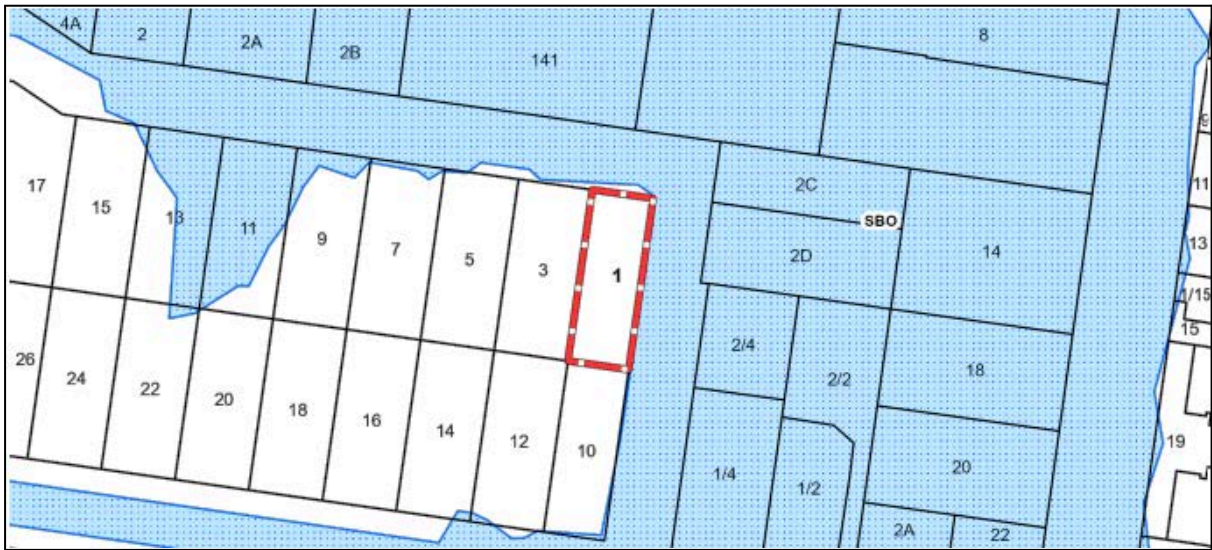


Figure 5. Special Building Overlay map (Vicplan)

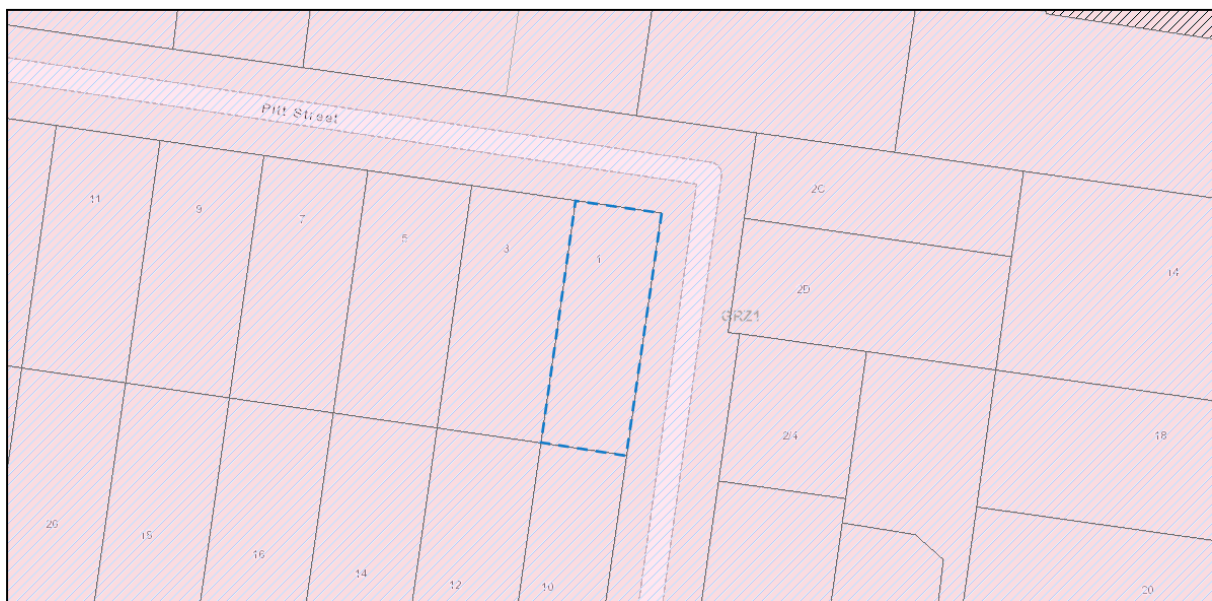


Figure 6. PPTN Map

2.1. Physical Context

Area	289m2
Features	The site is rectangular in shape with a width of 10.21 metres and a depth of 28.35 metres.
Current conditions	The site currently contains a single-storey brick dwelling with a tile-hipped roof form.

Access	Access is via a concrete crossover located at the southeast corner of the site leading to a driveway and single garage.
Easements	There are no easements affecting the property.

Table 3. Physical Context

2.2. Immediate Interfaces

Streetscape	 <p><i>Looking west on Pitt Street</i></p> <ul style="list-style-type: none"> • Formal footpaths provided on both sides of the street. • Power lines/poles located on the north side of Pitt Street. • On-street car parking is provided. • There are some medium-large street trees along the east side of Pitt Street.
North	 <p><i>Scots' Presbyterian Kindergarten (139-147 Essex Street)</i></p> <ul style="list-style-type: none"> • Kindergarten located along the rear boundary of 139-147 Essex Street. • High chain wire fence is the rear boundary treatment.

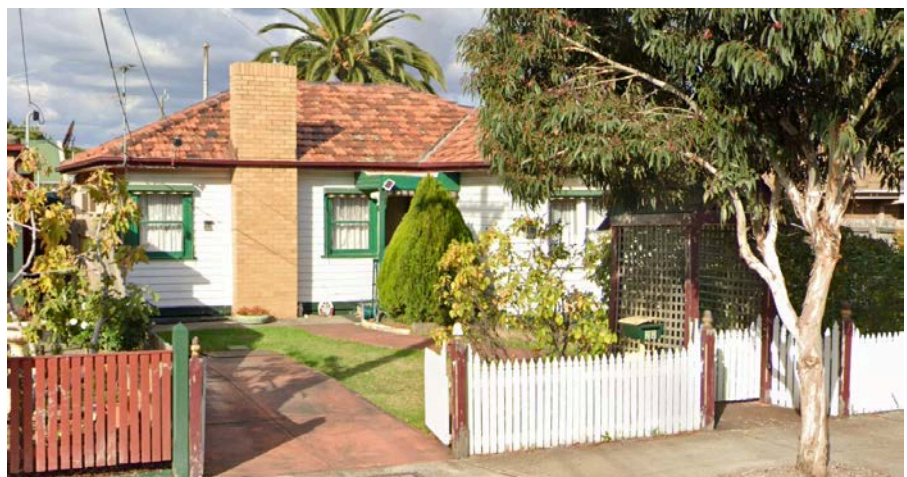
South



10 Alma Street, West Footscray

- Double-storey weatherboard dwelling with colorbond pitched roof.
- Access is via a concrete crossover located at the northeast corner of the site leading to single garage.
- Garage wall is located on the north boundary and is the interfacing area.
- Front setback containing garden with small-medium sized trees and understorey vegetation.

East



2d Pitt Street, West Footscray

- Single-storey weatherboard dwelling with tile-hipped roof.
- Front setback containing lawn and garden with small sized trees and understorey vegetation.
- Access is via concrete crossover leading to driveway.
- Low picket fence front boundary treatment.


West	 <p><i>3 Pitt Street, West Footscray</i></p> <ul style="list-style-type: none"> • Single-storey weatherboard dwelling with tile-hipped roof. • Front setback containing lawn and garden with small-sized trees and understorey vegetation. • Access is via concrete crossover leading to driveway. • Low picket fence front boundary treatment.
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Table 4. Immediate Interfaces

2.3 Neighbourhood Character

2.4.1 Existing Neighbourhood Character

West Footscray is an established residential suburb located to the west of Melbourne. It is a well-serviced area with convenient access to commercial and educational facilities, public open space and public transport services. The existing character primarily consists of single and double-storey dwellings constructed from brick and weatherboard with pitched roofs. Contemporary additions are emerging.

The character in this part of West Footscray can be summarised as follows:

- Single and double-storey dwellings.
- Building materials typically comprise brick and weatherboard.
- Pitched roof forms constructed from tile or colorbond.
- Front setbacks containing lawn and garden with varying-sized trees and understorey vegetation.
- Concrete crossovers.
- Mix of front boundary treatments including:
 - Low fencing
 - Open frontages

Examples of the above-identified characteristics are as follows:



Figure 7. 5 Pitt Street, West Footscray



Figure 8. 7 Pitt Street, West Footscray



Figure 9. 4a Pitt Street, West Footscray



Figure 10. 19 Pitt Street, West Footscray (Realestate.com)

2.4.2 Preferred Neighbourhood Character

Clause 15.01-5L identifies the site within the **Garden Suburban 4 (GS4)** precinct and sets out neighbourhood character strategies relevant to the proposal. The relevant strategies for this precinct are as follows:

- *Maintain and strengthen the mix of architectural styles and the consistency of built form.*
- *Encourage the retention of older dwellings, including those from the Victorian, Edwardian and Interwar eras.*
- *Encourage development that is distinguishable from original building stock to be respectful of the key elements from the Victorian, Edwardian and Interwar eras.*
- *Encourage development to respect the existing scale and style of built form, including through the provision of features such as pitched roofs.*
- *Strengthen garden settings through new plantings that provide canopy trees, shrubs and garden beds that contribute to the leafy character of streetscapes.*
- *Encourage front fences that maintain the openness of streetscapes and allow views to gardens and dwellings.*

The *Maribyrnong Neighbourhood Character Guidelines 2010* sets out the preferred character statement for the GS4. The preferred character statement is as follows:

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

An assessment against the relevant strategies and design guidelines of the GS4 is provided in [Section 3.3](#) of this report.

2.4. Policy and Zone

MPS	Clause 02.01 Context Clause 02.02 Vision Clause 02.03 Strategic Directions
PPF	Clause 13 Environmental Risks and Amenity Clause 15 Built Environment and Heritage
Zone	Clause 32.08 General Residential Zone Schedule to Clause 32.08 General Residential Zone
Overlay	Clause 44.05 Special Building Overlay
PPTN	The site is located within the PPTN.
Particular Provisions	Clause 52.06 Car Parking

Table 5. Policy and Zone Summary

2.5. Development Controls

2.5.1. General Residential Zone

Zone	Clause 32.08 General Residential Zone
Schedule	Schedule to Clause 32.08 General Residential Zone
Triggers	To construct one (1) dwelling on a lot that is less than 300 square metres. The total site area is 289m ² . A permit is required to construct one (1) dwelling on a lot.

Table 6. Zone Requirements

2.5.2. Special Building Overlay

Overlay	Clause 44.05 Special Building Overlay
Triggers	The development does not propose buildings or works within the bounds of the SBO and so permission is not required under this provision.

Table 7. Overlay Requirements

3. Assessment

3.1. Municipal Planning Strategy

Clause 2.01 Context	Context sets out the characteristics of the City of Maribyrnong. It is located 4 km west of Melbourne City. Its close proximity to Melbourne Central City offers convenient access to employment, education and business services. The City of Maribyrnong has experienced significant change that has led to a greater residential character and reputation.
Clause 2.02 Vision	Vision - The overarching vision for the City of Maribyrnong is: <i>To be an inclusive, flourishing and progressive city that cares for both its residents and its environment.</i>
Clause 2.03 Strategic Directions	Clause 02.03-3 seeks to protect flood-prone areas from development that would increase the impacts of flooding. Clause 02.03-4 aims to encourage development that contributes to the local built form, responds well to the preferred character and enhances the existing neighbourhood character.

Table 8. MPS Assessment

Proposal Response:

The proposal responds well to the MPS.

The northeast corner of the site is affected by the SBO. We note that the affected portion of the site is minor. There are no buildings or works proposed within the affected area. The proposed development will not increase the impacts of flooding.

The proposal is intentionally designed to integrate well into the existing character of the area while respecting the preferred character of the GS4. An assessment against the relevant character strategies for the GS4 is provided in [Section 3.3](#) of this report.

3.2. Planning Policy Framework

Clause 13 - Environmental Risks and Amenity	Clause 13.03-1S seeks to avoid intensifying the impact of flooding through inappropriately located development.
Clause 15 - Built Environment and Heritage	Clause 15.01-2S aims to ensure development responds well to the strategic and cultural context of its location.

	Clause 15.01-5L sets out neighbourhood character strategies specific to each precinct. An assessment is provided in Section 3.3 of this report.
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Table 9. PPF Assessment

Proposal Response:

The proposal responds well to the PPF.

There are no buildings or works proposed within the area affected by the SBO. There will be no additional flooding impacts.

The proposed development is for one (1) single-storey dwelling comprising a brickwork finish with a tile-hipped roof form. It sits well within the existing built form in this area.

3.3 Neighbourhood Character Assessment

Clause 15.01-5L identifies the site within the Garden Suburban 4 (GS4) precinct and sets out neighbourhood character strategies specific to the GS4. The proposal's response is as follows:

GS4 Precinct Strategies	Proposal Response
<i>Maintain and strengthen the mix of architectural styles and the consistency of built form.</i>	The proposal is single-storey and is constructed from brick materials consistent with the built form in this area.
<i>Encourage development that is distinguishable from original building stock to be respectful of the key elements from the Victorian, Edwardian and Interwar eras.</i>	The proposal delivers a high-quality contemporary design that utilises a brickwork finish and tile-hipped roof. It continues to be sympathetic to older housing stock elements.
<i>Encourage development to respect the existing scale and style of built form, including through the provision of features such as pitched roofs.</i>	The proposal is single-storey with a tile-hipped roof form. It sits well within the existing scale and built form of the area.
<i>Strengthen garden settings through new plantings that provide canopy trees, shrubs and garden beds that contribute to the leafy character of streetscapes.</i>	Generously sized setbacks are provided and allow ample space for the planting of additional canopy trees and understorey vegetation.
<i>Encourage front fences that maintain the</i>	There is no front fence proposed. Views

<i>openness of streetscapes and allow views to gardens and dwellings.</i>	into the front garden will be maintained.
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The *Maribyrnong Neighbourhood Character Guidelines 2010* provides a set of objectives, design responses and 'avoid' elements that are relevant to the proposal. The proposal's response is as follows:

Vegetation		
Objective	Design Response	Avoid
<i>To maintain and strengthen the garden setting of the dwellings.</i>	<i>Retain large, established trees and provide for the planting of new trees wherever possible.</i> <i>Buildings should be sited and designed to incorporate space for the planting of substantial vegetation.</i>	<i>Removal of large, established trees.</i> <i>Dwellings that do not provide sufficient space to accommodate vegetation.</i>
Proposal Response: Ample space is provided within the proposed setbacks and will accommodate the planting of additional canopy trees and understorey vegetation.		

Siting		
Objective	Design Response	Avoid
<i>To maintain the consistency, where present, of front boundary setbacks.</i>	<i>The front setback should be no less than the average setback of the adjoining two dwellings.</i>	<i>Buildings that are set further forward than the closest of the buildings on the adjoining two properties.</i>
<i>To maintain gaps between dwellings where this is a characteristic of the street.</i>	<i>Buildings should be set back from the side boundaries in accordance with the pattern in the street.</i>	<i>Side boundaries that do not reflect the dominant setback pattern of the street.</i>
<i>To minimise the loss of front garden space and the dominance of car parking structures.</i>	<i>Locate garages and car ports behind the line of the dwelling.</i> <i>Minimise paving in front garden areas, including driveways and</i>	<i>Car parking structures that dominate the façade or view of the dwelling.</i> <i>Creation of new crossovers and driveways, or wide crossovers.</i>

	<i>crossovers.</i>	<i>Front setbacks dominated by impervious surfaces.</i>
<p>Proposal Response:</p> <p>The proposed front setback is 4.5 metres. The front setbacks in this part of West Footscray are generally contained (see Section 3.7). The proposal is in keeping with the existing front setbacks in this area.</p> <p>The proposed side setbacks comply with Standard A10 and maintain sufficient gaps between dwellings.</p> <p>The garage is recessed from the main front line and will not dominate views from the streetscape. A landscaping strip is provided along the west side of the driveway. Ample space is provided within the front setback and will soften views of the driveway from the streetscape.</p>		

Height and Building Form		
Objective	Design Response	Avoid
<i>To ensure that buildings and extensions do not dominate the streetscape.</i>	<i>Respect the predominant building height of the street and nearby properties.</i>	<i>Buildings that exceed by more than one storey the predominant building height in the street and nearby properties.</i>
<i>To maintain a balance between tree canopies and built form within the Maribyrnong River corridor and on hill faces and escarpment edges.</i>	<i>Keep development below the established mature tree canopy height or the future tree canopy height.</i>	<i>Buildings that protrude above the tree canopy height.</i>
<p>Proposal Response:</p> <p>The proposed development is single-storey with a maximum height of 5.01 metres. It sits well within the existing built form in this area.</p>		

Materials and Design Details

Objective	Design Response	Avoid
<i>To encourage innovative and contemporary architectural responses that are in harmony with surrounding older buildings and streetscapes.</i>	<i>New development, including additions to existing buildings, should be distinguishable from the original dwelling stock through the use of innovative and contemporary design.</i>	<i>Period reproduction styles and detailing.</i>

Proposal Response:

The proposal delivers a contemporary design that utilises materials consistent with the existing built form in the area.

Front Boundary Treatment

Objective	Design Response	Avoid
<i>To enhance the security of properties and maintain views into front gardens.</i>	<i>Provide low or open style front fences. Front fences should be appropriate to the building era or reflect the typical fencing height of the street.</i>	<i>High, solid front fencing.</i>

Proposal Response:

There is no front fence proposed.

On balance, the proposal responds well to the preferred character of the area.

3.4. Zone Assessment

Purpose	<p>The purpose of the GRZ is as follows:</p> <ul style="list-style-type: none"> <i>To implement the Municipal Planning Strategy and the Planning Policy Framework.</i> <i>To encourage development that is responsive to the neighbourhood character of the area.</i> <i>To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.</i>
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Garden Area	Proposed garden area: 36.68%
Height	Maximum height allowed: 11m / 3 storeys Proposed maximum height: 5.01m / 1 storey
Decision Guidelines	<p>The relevant decision guidelines of the zone are as follows:</p> <p><u>General</u></p> <ul style="list-style-type: none"> • <i>The Municipal Planning Strategy and the Planning Policy Framework.</i> • <i>The purpose of this zone.</i> • <i>The objectives set out in a schedule to this zone.</i> • <i>Any other decision guidelines specified in a schedule to this zone.</i> • <i>The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Housing Choice and Transport Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.</i> <p><u>Dwellings</u></p> <ul style="list-style-type: none"> • <i>For the construction and extension of one dwelling on a lot and a small second dwelling, the applicable objectives, standards and decision guidelines of Clause 54.</i>
Assessment	<p>The proposal responds well to the purposes, requirements and decision guidelines of the GRZ1.</p> <p>It is consistent with the broader aspirations of the MPS and PPF in that it delivers a contemporary design that sits well within the existing character and preferred character of the area.</p> <p>It is a single-storey dwelling with a maximum height of 5.01 metres.</p> <p>The proposal complies with the relevant Standards of Clause 54.</p>

Table 10. Zone Assessment

3.5. Overlay Assessment

Purpose	The purpose of this SBO is as follows:
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	<ul style="list-style-type: none"> • <i>To implement the Municipal Planning Strategy and the Planning Policy Framework.</i> • <i>To identify land in urban areas liable to inundation by overland flows from the urban drainage system as determined by, or in consultation with, the floodplain management authority.</i> • <i>To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.</i> • <i>To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.</i>
Requirement	A permit is required to construct a building or to construct or carry out works.
Decision Guidelines	<p>The decision guidelines are as follows:</p> <ul style="list-style-type: none"> • <i>The Municipal Planning Strategy and the Planning Policy Framework.</i> • <i>Any local floodplain development plan.</i> • <i>Any comments from the relevant floodplain management authority.</i> • <i>The existing use and development of the land.</i> • <i>Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.</i> • <i>The susceptibility of the development to flooding and flood damage.</i> • <i>Flood risk factors to consider include:</i> <ul style="list-style-type: none"> • <i>The frequency, duration, extent, depth and velocity of flooding of the site and accessway.</i> • <i>The flood warning time available.</i> • <i>The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.</i>

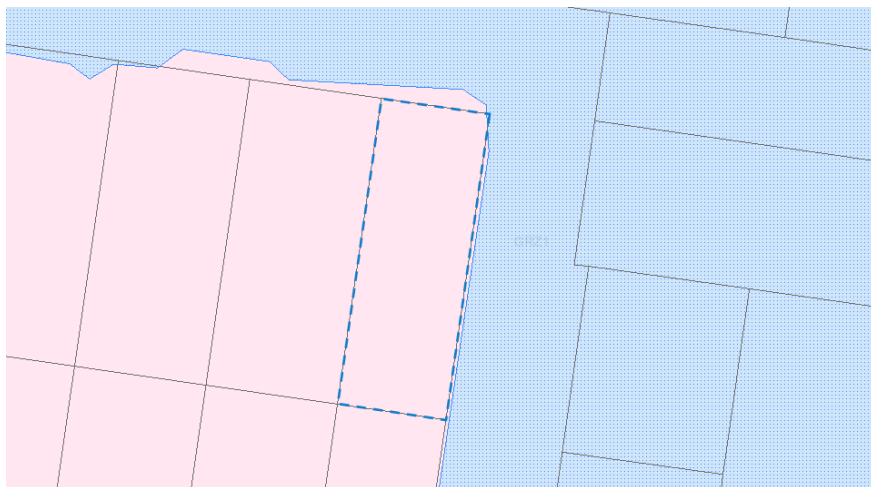
	<ul style="list-style-type: none"> • <i>The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.</i> • <i>Any other matters specified in a schedule to this overlay.</i>
Assessment	<p>We note that only a minor portion of the northeast corner of the site is affected by the SBO.</p>  <p>There are no buildings or works proposed within the northeast corner of the site affected by the SBO. The proposed development will not have any additional flooding impacts. A permit is not required pursuant to the SBO.</p>

Table 11. Special Building Overlay Assessment

3.6 Particular Provisions Assessment

Clause 52.06 'Car Parking'	<p>The proposal provides car spaces in accordance with the design standards set out in Clause 52.06.</p> <p>One single garage and one uncovered car space are provided with appropriate dimensions to enable efficient use.</p>
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3.7. Clause 54 ResCode

The development has undergone a carefully considered assessment against the provisions of Clause 54, which is located within Appendix A.

Matters which warrant further consideration are below:

Standard A3

A 300mm variation to the front setback is sought.

The minimum required setback is 4.8 metres, consistent with No. 3 Pitt Street.

The proposed front setback is 4.5 metres.

We note that the front setbacks within this area are generally contained. Examples of contained front setbacks are set out below:



Figure 11. 7 Pitt Street, West Footscray



Figure 12. 31-35 Pitt Street, West Footscray



Figure 13. 10 Pitt Street, West Footscray

Contained front setbacks are common in this area, with a number of front setbacks less than 4.5 metres. The proposed front setback sits well within the existing character of the area.

It continues to provide ample space that can accommodate the planting of additional canopy trees and understorey vegetation, softening views of the dwelling from the streetscape.

A 300mm variation to the front setback is an appropriate outcome.

4. Conclusion

The proposal satisfies the relevant provisions of the Maribyrnong planning scheme. The purposes of the GRZ1 and SBO have been met, and the proposal performs well when assessed against Clause 54.

There are no planning reasons that preclude Council from issuing a planning permit.

Three Thirds Group Pty Ltd

5. Appendix A Clause 54 Assessment

Clause	Standard	Compliance
54.01-1: Neighbourhood and Site Description	-	Complies
54.02-1: Neighbourhood Character	A1	Complies
54.02-2: Integration with the Street	A2	Complies
54.03-1: Street Setback	A3	Complies with objective
54.03-2: Building Height	A4	Complies
54.03-3: Site Coverage	A5	Complies
54.03-4: Permeability	A6	Complies
54.03-5: Energy Efficiency Protection	A7	Complies
54.03-6: Significant Trees	A8	Complies
54.04-1: Side and Rear Setbacks	A10	Complies
54.04-2: Walls on Boundaries	A11	Complies
54.04-3: Daylight to Existing Windows	A12	Complies
54.04-4: North-facing Windows Objective	A13	Complies
54.04-5: Overshadowing Open Space	A14	Complies
54.04-6: Overlooking	A15	Complies
54.05-1: Daylight to New Windows	A16	Complies
54.05-2: Private Open Space	A17	Complies
54.05-3: Solar Access to Open Space	A18	Complies
54.06-1: Design Detail	A19	Complies
54.06-2: Front Fences	A20	Complies

Clause 54.02 Neighbourhood Character

54.02-1: Neighbourhood Character	
<p>To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.</p> <p>To ensure that the design responds to the features of the site and the surrounding area.</p>	
<p>STANDARD A1</p> <p>The design response must be appropriate to the neighbourhood and the site.</p> <p>The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.</p>	<p>COMPLIES / COMPLIES WITH OBJECTIVE</p> <p>The proposal has been designed to specifically respond to elements of the site neighbourhood characteristics and satisfies the objectives of Clause 55.02-1.</p> <p>The proposal complies with Standard B1.</p>

54.02-2: Integration with the Street	
<p>To integrate the layout of development with the street.</p>	
<p>STANDARD A2</p> <p>Dwellings should be oriented to front existing and proposed streets.</p> <p>High fencing in front of dwellings should be avoided if practicable.</p> <p>Dwellings should be designed to promote the observation of abutting streets and any abutting public open spaces.</p>	<p>COMPLIES</p> <p>As per the relevant objectives and guidelines for Garden Suburban 4 Precinct, the proposal appropriately integrates with the streetscape.</p> <p>The dwelling is well articulated and incorporates key materials and design elements from the area to ensure existing character is respected.</p> <p>No front fence is proposed.</p> <p>The proposal complies with Standard A2.</p>

Clause 54.03 Site Layout and Building Massing

54.03-1: Street Setback	
<p>To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.</p>	
<p>STANDARD A3</p> <p>Walls of buildings should be set back from streets:</p>	<p>COMPLIES WITH OBJECTIVE</p>

<ul style="list-style-type: none"> At least the distance specified in a schedule to the zone, or If no distance is specified in a schedule to the zone, the distance specified in Table A1 (see MPS). 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. 	<p>The front setback of 3 Pitt Street is 4.8m.</p> <p>The proposed front setback is 4.5m.</p> <p>A 300mm front setback variation is sought.</p> <p>Contained front setbacks are common in this area (see Section 3.7).</p> <p>The proposal delivers a front setback that is consistent with the existing character in the area.</p> <p>Ample space is provided for additional landscaping.</p>
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54.03-2: Building Height

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

STANDARD A4

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

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

COMPLIES

The maximum height of the dwelling is 5.01 meters. This is within the permitted 11 meters outlined in standard A4.

The proposal complies with Standard A4.

54.03-3: Site Coverage

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

STANDARD A5

COMPLIES

The site area covered by buildings should not exceed:

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

The building coverage of the site is 55.02%. This is within the permitted 60% outlined in standard A5.

The proposal complies with Standard A5.

54.03-4: Permeability

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

STANDARD A6

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

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

COMPLIES

The permeable area of the proposal is 36.68%. This is in excess of the required 20% outlined in standard A6.
The proposal complies with Standard A6.

54.03-5: Energy Efficiency Protection

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

STANDARD A7

Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or

COMPLIES

The proposal has been designed to harness solar energy and amenity where possible.

SPOS of the dwelling is located with a northern aspect, and living spaces utilise north-facing windows for good daylight access wherever possible.
The proposal does not affect any solar access of adjoining dwellings.

The proposal complies with Standard A7.

Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.

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

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

54.03-6: Significant Trees

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

STANDARD A8

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

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

COMPLIES

The proposal provides generously sized setbacks that will allow ample space for additional planting of canopy trees.

The proposal complies with Standard A8.

Clause 54.04 Amenity Impacts

54.04-1: Side and Rear Setbacks

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

STANDARD A10

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

COMPLIES

Where the dwelling does not sit on or within 200m of the boundaries, the setbacks are well in excess.

<ul style="list-style-type: none"> At least the distance specified in a schedule to the zone, or If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. <p>Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.</p> <p>Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.</p>	<p>The proposal complies with Standard A10.</p>
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54.04-2: Walls on Boundaries

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

STANDARD A11

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

- For a length more than the distance specified in a schedule to the zone; or

COMPLIES

The garage is proposed to be constructed along the western boundary.

It is proposed to be constructed for a length of 8.6m, within the standard set by A11.

The garage wall maintains average height of 2.93m.

The proposal complies with Standard A1.

- If no distance is specified in a schedule to the zone, for a length of more than:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or

- Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater.

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

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

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

54.04-3: Daylight to Existing Windows

To allow adequate daylight into existing habitable room windows.

STANDARD A12

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum

COMPLIES

There is an existing habitable room window at 3 Pitt Street along the western boundary.

area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

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

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

A light court is provided in accordance with the minimum dimensions required by the Standard.

The proposed garage wall height is 3.06m.

The proposed garage wall is setback 2.18m from the habitable room window at 3 Pitt Street.

The proposal complies with Standard A12.

54.04-5: North Facing Windows Objective

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

STANDARD A13

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

COMPLIES

There are no existing north-facing habitable room windows opposing the property.

The proposal complies with Standard A13.

54.04-5: Overshadowing Open Space

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

STANDARD A14

Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September. If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

COMPLIES

The SPOS of No. 3 Pitt Street maintains a minimum area of 40sqm of sunlight from 9 am-3 pm.

The proposal complies with Standard A14.

54.04-6: Overlooking

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

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

COMPLIES

The proposal does not contemplate any instances where overlooking is possible from a height of 1.8m.

A visual barrier in the form of a 1.9m high paling fence exists to prevent any overlooking from habitable rooms on the ground floor into the western interface.

The proposal complies with Standard A15.

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

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other, or Have sill heights of at least 1.7 metres above floor level, or
- Have obscure glazing in any part of the window below 1.7 metres above floor level, or
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent. Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard. Screens used to obscure a view should be:
 - Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
 - Permanent, fixed and durable.
 - Designed and coloured to blend in with the development.

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

Clause 54.05 On-site Amenity Facilities

54.05-1: Daylight to new windows

To allow adequate daylight into new habitable room windows.

STANDARD A16

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

COMPLIES

New windows have been designed to ensure adequate access to daylight in habitable rooms.

They appropriately comply with the standards set out in A16, and provide for space clear to the sky in excess of the minimum dimensions outlaid. The proposal complies with Standard A16.

54.05-2: Private Open Space

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

STANDARD A17

A dwelling should have private open space of an area and dimensions specified in a schedule to the zone. If no area or dimensions is specified in a schedule to the zone, a dwelling should have private open space consisting of an area of 80 square metres or 20 per cent of the area of the lot, whichever is the lesser, but not less than 40 square metres.

At least one part of the private open space should consist of secluded private open space with a minimum area of 25 square metres and a minimum dimension of 3 metres at the side or rear of the dwelling with

COMPLIES

The proposal contemplates a total POS of 40m² and a SPOS of 36m².

Both of these proposed areas are compliant with standard A17.

The SPOS begins immediately outside the entrance to the living room.

The proposal complies with Standard A17.

convenient access from a living room.

54.04-2: Solar Access to Open Space

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

STANDARD A18

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

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

COMPLIES

The proposal locates the SPOS with a northern aspect and is completely unimpeded by any intervening features.

The SPOS will benefit from high levels of solar access.

Minimum rear setback required: 2.66m
Proposed rear setback: 3.58m

The proposal complies with Standard A18.

Clause 54.06 Detailed Design

54.06-1: North Facing Windows Objective

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

STANDARD A19

The design of buildings, including:

- Facade articulation and detailing,
 - Window and door proportions,
 - Roof form, and
 - Verandahs, eaves and parapets,
- should respect the existing or preferred neighbourhood character.

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

COMPLIES

As outlined in response to design objectives and guidelines of the Garden Suburban Precinct 4, the proposal is adequately designed to ensure respect of existing and preferred neighbourhood character.

The proposal complies with Standard A19.

54.06-2: Front Fences

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

STANDARD A20

The design of front fences should complement the design of the dwelling and any front fences on adjoining properties.

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

- The maximum height specified in a schedule to the zone, or
- If no maximum height is specified in a schedule to the zone, the maximum height specified in Table A2 (see MPS).

COMPLIES

The proposal does not contemplate a front fence.

The proposal complies with Standard A20.

08 SEPTEMBER 2025

ATTN:

**Aidan Kodric
Urban Planner
Maribyrnong City Council**

Via email: aidan.kodric@maribyrnong.vic.gov.au

Dear Aidan,

**Re: PLANNING PERMIT APPLICATION NO: TP238/2025(1) - 1 PITT STREET, WEST
FOOTSCRAY**

Three Thirds Group continue to act on behalf of the applicant in relation to the above application. In response to the Request for Further Information ('RFI') letter issued by Council on 06 August 2025, please see attached the updated documentation and request for further information accompanying this letter:

- Development Plans - dated 01/08/2025
- Schedule of Colours and Materials
- Updated Planning Application Form

Please find our response to each item of the RFI letter set out below:

Further Information Required

1. The planning application form includes my signature, as I act on behalf of the applicant and landowner.
2. Floor plans are updated to show:
 - The height of existing or proposed boundary fences
 - Extent of SPOS and POS - demarcated by proposed internal and external fencing.
 - Service meters.
 - Dimensions of the garage and tandem car parking spaces.
 - Pedestrian visibility splays.
3. The elevation drawings are provided at a scale of 1:50.
4. A colours and materials schedule is provided as a separate sheet.



Conclusion

We trust that the enclosed will lead to positive discussions with Council to date and continues to secure in-principle support to advance to public notice. Should, for whatever reason, Council conclude that the provided information is not sufficient we request a 30 day extension to the application's existing lapse date for any such matters to be resolved. The current lapse date is 05 October 2025. The proposed lapse date is 05 November 2025

Regards,

A handwritten signature in black ink, appearing to be 'Ben Hall', with a horizontal line extending from the end of the signature.

Benjamin Hall

Associate

ben@three-thirds.com.au

0438 590 637

Material Schedule:

SAMPLE	BRAND	COLOUR	DESC.
	SELKIRK	MUSKET HAZE (OR SIMILAR)	BRICKS
		SMOKE (OR SIMILAR)	LINEA ROOF TILES @ 25°
	COLORBOND	MONUMENT (OR SIMILAR)	GUTTER
	COLORBOND	MONUMENT (OR SIMILAR)	FASCIA
	COLORBOND	MONUMENT (OR SIMILAR)	DOWNPIPES
	B&D	MONUMENT (OR SIMILAR)	PANEL LIFT GARAGE DOOR
	-	SLATE (OR SIMILAR)	COLOUR THROUGH CONCRETE
ALUMINIUM WINDOW FRAMES – Colorbond Monument			
	OBSCURE GLAZING WITH FIXED OR RESTRICTED OPENINGS WITHIN 1.7M ABOVE FFL		