

Clear Form

Office Use Only

Application No.:

Date Lodged: / /

# 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's planning department.**

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

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

**Click for further information.**

## The Land

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

### Street Address \*

|                  |          |           |
|------------------|----------|-----------|
| Unit No.:        | St. No.: | St. Name: |
| Suburb/Locality: |          | Postcode: |

### 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                     | Lot No.:             | <input type="radio"/> Lodged Plan | <input type="radio"/> Title Plan | <input type="radio"/> Plan of Subdivision | No.: |
| OR                    |                      |                                   |                                  |                                           |      |
| 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**

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

**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.**

**CITY OF MARIBYRNONG  
ADVERTISED PLAN**

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

Cost \$

**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.

 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).

 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:

First Name:

Surname:

Organisation (if applicable):

Postal Address:

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

Unit No.:

St. No.:

St. Name:

Suburb/Locality:

State:

Postcode:

Please provide at least one contact phone number \*

Contact information for applicant OR contact person below

Business phone:

Email:

Mobile phone:

Fax:

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

Contact person's details\*

Same as applicant ☐

Name:

Title:

First Name:

Surname:

Organisation (if applicable):

Postal Address:

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

Unit No.:

St. No.:

St. Name:

Suburb/Locality:

State:

Postcode:

## Owner \*

The person or organisation who owns the land

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

Same as applicant ☐

Name:

Title:

First Name:

Surname:

Organisation (if applicable):

Postal Address:

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

Unit No.:

St. No.:

St. Name:

Suburb/Locality:

State:

Postcode:

Owner's Signature (Optional):

Date:

day / month / year

## Declaration

This form must be signed by the applicant \*

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

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

Signature:



Date:

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

If 'Yes', with whom?:

Date:

day / month / year

## Checklist

Have you:

☐

Filled in the form completely?

☐

Paid or included the application fee?



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



Provided all necessary supporting information and documents?

☐

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

☐

A plan of existing conditions.

☐

Plans showing the layout and details of the proposal.

☐

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

☐

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

☐

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

☐

Completed the relevant council planning permit checklist?

☐

Signed the declaration?

## Lodgement

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

Maribyrnong City Council  
PO Box 58  
Footscray VIC 3011  
Cnr Napier & 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.

## MORE INFORMATION

### The Land

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

#### How is land identified

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

See **Example 1**.

### The Proposal

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

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

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

#### How do planning schemes affect proposals?

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

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

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.

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

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

#### Why is title information required?

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

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

#### What is a 'full' copy of the title?

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

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

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

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

#### Why is 'current' title information required?

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

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

⚠ Copies of title documents can be obtained from Land Registry: Level 10, 570 Bourke Street, Melbourne; 03 8636 2010; [www.landata.vic.gov.au](http://www.landata.vic.gov.au) – go direct to "titles & property certificates"

### Applicant and Owner Details

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

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

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

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

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

See **Example 4**.

### Declaration

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

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

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

### Need help with the Application?

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

### Checklist

#### What additional information should you provide to support the proposal?

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

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

The checklist is to help ensure that you have:

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

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

### Lodgement

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

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

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

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

# EXAMPLES

## Example 1

### The Land

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

**Street Address \***

Unit No.: 4

St. No.: 26

St. Name: Planmore Avenue

Suburb/Locality: HAWTHORN

Postcode: 3122

**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 

Lot No.: 2

☐ Lodged Plan ☐ Title Plan ☒ Plan of Subdivision 

No.: LP93562

OR

B 

Crown Allotment No.:

Section No.:

Parish/Township Name:

## Example 2

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

Construction of two, double-storey dwellings and construction of two new crossovers.

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.

## Example 3

### 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.

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

## Example 4

### Applicant and Owner Details

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

**Applicant \***

The person who wants the permit.

Please provide at least one contact phone number \*

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

**Owner \***

The person or organisation who owns the land

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

Name:

Title: Mr

First Name: Len

Surname: Browning

Organisation (if applicable): Responsible Developers P/L

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

Unit No.: 4

St. No.: 12

St. Name: Ardour Lane

Suburb/Locality: Wycheproof

State: Vic

Postcode: 3527

**Contact information for applicant OR contact person below**

Business phone: 9123 4567

Email: tcpl@bigpond.net.au

Mobile phone: 0412 345 678

Fax: 9123 4567

**Contact person's details\*** ☐ Same as applicant

Name:

Title: Mr

First Name: Andrew

Surname: Hodge

Organisation (if applicable): Town Planning Consultants

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

Unit No.:

St. No.:

St. Name: PO Box 111

Suburb/Locality: Parkdale

State: Vic

Postcode: 3194

☒ Same as applicant

Name:

Title:

First Name:

Surname:

Organisation (if applicable):

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

Unit No.:

St. No.:

St. Name:

Suburb/Locality:

State:

Postcode:

Owner's Signature (Optional):

Date: 

day / month / year



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

Page 1 of 1

VOLUME 03846 FOLIO 156

Security no : 124123012683Q  
Produced 20/03/2025 02:51 PM

### LAND DESCRIPTION

Lots 1 and 2 on Title Plan 561192T.  
PARENT TITLE Volume 03539 Folio 626  
Created by instrument F455299 11/09/1974

### REGISTERED PROPRIETOR

Estate Fee Simple  
Joint Proprietors  
DARREN CUSCHIERI  
STUART ROBERT MAXWELL JONES both of 4 SEDDON STREET SEDDON VIC 3011  
AS245690A 11/06/2019

### ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AS245691X 11/06/2019  
NATIONAL AUSTRALIA BANK LTD

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

### DIAGRAM LOCATION

SEE TP561192T 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)

### ADMINISTRATIVE NOTICES

NIL

eCT Control 16089P NATIONAL AUSTRALIA BANK LTD  
Effective from 11/06/2019

DOCUMENT END

**CITY OF MARIBYRNONG  
ADVERTISED PLAN**

# Imaged Document Cover Sheet

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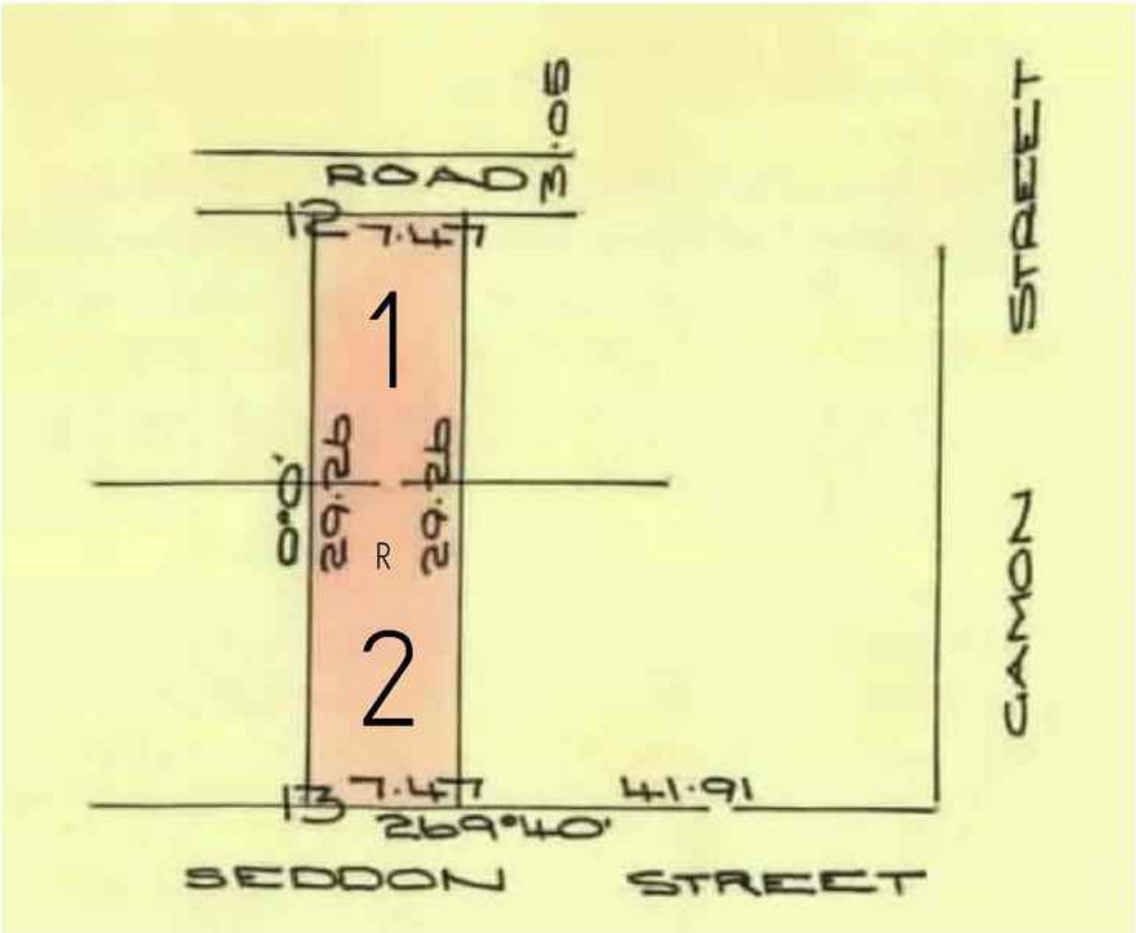
|                                                 |                         |
|-------------------------------------------------|-------------------------|
| Document Type                                   | <b>Plan</b>             |
| Document Identification                         | <b>TP561192T</b>        |
| Number of Pages<br>(excluding this cover sheet) | <b>1</b>                |
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The document is invalid if this cover sheet is removed or altered.



| TITLE PLAN                                                                                                                                                                                                                                                                                                                                                                                                                                 |  | EDITION 1                                                                                                                                                                          | TP 561192T          |                             |  |                                                                                                                                                                             |  |                            |  |                            |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|-----------------------------|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----------------------------|--|----------------------------|--|
| <b>Location of Land</b><br><br>Parish: CUT-PAW-PAW<br>Township:<br>Section: 14<br>Crown Allotment: C<br>Portion: 12 (PT), 13 (PT)<br><br>Last Plan Reference:<br>Derived From: VOL 3846 FOL 156<br>Depth Limitation: NIL                                                                                                                                                                                                                   |  | <b>Notations</b><br><br><br><br><br>ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN                                                                    |                     |                             |  |                                                                                                                                                                             |  |                            |  |                            |  |
| <b>Description of Land / Easement Information</b><br><br>ALL THAT piece of land- - delineated and coloured red on the map hereon being part of Portions 12 and 13 of Crown Allotment C Section 14 Parish of Cut Paw Paw County of - -- Bourke Together with a right of carriage way over the roads coloured brown on Plan of Subdivision No.5431 - - - - -                                                                                 |  | THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT<br>COMPILED: 11/07/2000<br>VERIFIED: MP |                     |                             |  |                                                                                                                                                                             |  |                            |  |                            |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                            |  | <b>COLOUR CODE</b><br>R=RED                                                                                                                                                        |                     |                             |  |                                                                                                                                                                             |  |                            |  |                            |  |
|                                                                                                                                                                                                                                                                                                                                                         |  |                                                                                                                                                                                    |                     |                             |  |                                                                                                                                                                             |  |                            |  |                            |  |
| <table border="1"><thead><tr><th colspan="2">TABLE OF PARCEL IDENTIFIERS</th></tr></thead><tbody><tr><td colspan="2">WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962</td></tr><tr><td colspan="2">PARCEL 1 = PORTION 12 (PT)</td></tr><tr><td colspan="2">PARCEL 2 = PORTION 13 (PT)</td></tr></tbody></table> |  |                                                                                                                                                                                    |                     | TABLE OF PARCEL IDENTIFIERS |  | WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962 |  | PARCEL 1 = PORTION 12 (PT) |  | PARCEL 2 = PORTION 13 (PT) |  |
| TABLE OF PARCEL IDENTIFIERS                                                                                                                                                                                                                                                                                                                                                                                                                |  |                                                                                                                                                                                    |                     |                             |  |                                                                                                                                                                             |  |                            |  |                            |  |
| WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962                                                                                                                                                                                                                                                                |  |                                                                                                                                                                                    |                     |                             |  |                                                                                                                                                                             |  |                            |  |                            |  |
| PARCEL 1 = PORTION 12 (PT)                                                                                                                                                                                                                                                                                                                                                                                                                 |  |                                                                                                                                                                                    |                     |                             |  |                                                                                                                                                                             |  |                            |  |                            |  |
| PARCEL 2 = PORTION 13 (PT)                                                                                                                                                                                                                                                                                                                                                                                                                 |  |                                                                                                                                                                                    |                     |                             |  |                                                                                                                                                                             |  |                            |  |                            |  |
| <b>LENGTHS ARE IN METRES</b>                                                                                                                                                                                                                                                                                                                                                                                                               |  | Metres = 0.3048 x Feet<br>Metres = 0.201168 x Links                                                                                                                                | Sheet 1 of 1 sheets |                             |  |                                                                                                                                                                             |  |                            |  |                            |  |



16<sup>TH</sup> October 2025

Maribyrnong City Council  
Planning Department  
61 Napier Street,  
Footscray 3012 VIC

**Site** 4 Seddon Street, Seddon, VIC 3011  
**Application number** TP251/2025(1)  
**Proposal** Partial demolition and extension to an existing dwelling on a lot less than 300sqm and in a Heritage Overlay

Dear Aidan,

Please find enclosed the following documentation to respond to your request for further information:

- Amended plans prepared by DOOD Studio

Please find below a response to Council's request for further information dated **30<sup>th</sup> September 2025**.

We trust that the information submitted addresses Council's request, and the issues raised, and the application can now proceed to public notice.

| Required Information                                                                                                                                                                                   |                                                                                  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| 1. <i>Written assessment against the objectives and standards of the new Clause 54 of the Maribyrnong Planning Scheme, which was included in the planning scheme on 8<sup>th</sup> September 2025.</i> | Please refer to supporting report for written assessment.                        |
| 2. <i>A corrected development summary detailing:<br/>- correct permeable surface area of the site (see preliminary sections below for further details)</i>                                             | Please refer to drawing A102 & A105 for updated permeable surfaces calculations. |
| 3. <i>Updated floor plans depicting the following:<br/>-setback dimensions from all boundaries on all drawings</i>                                                                                     | Please refer to drawings A102, A105, A106 & A107 for setback dimensions.         |

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| 4. Updated elevations depicting:<br><i>-the front fence showing construction materials, finishes and height as measured above natural ground level.</i> | Please refer to drawing A205 with fence elevation showing existing timber picket fence at 1.4mH, to be painted. |
| 5. Updated roof plan demonstrating compliance with Standard A5-3 (rooftop solar energy generation area) of Clause 54.                                   | Please refer to drawing A107 demonstrating area provision for future solar energy systems.                      |

| Preliminary Concerns                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                             |
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| <i>Standard A2-4 (walls on boundaries)- the proposed height of the walls on boundaries for the northern extension may provide detrimental amenity impacts for neighbouring properties and will be carefully considered in the assessment of this application.</i>                                                                                                                                                                                            | Please refer to written response in clause 54 report. Please consider the neighbourhood character and recent developments.                                                                                                                                                  |
| <i>Standard A2-6 (tree canopy)- the trees to be retained on the site do not comply with this standard. Consideration should be given as to how the development can comply with the standard, or justification provided as to why a variation is acceptable.</i>                                                                                                                                                                                              | Please refer to written response in clause 54 report. There is an existing canopy tree in the front yard that complies. The site cannot accommodate two new canopy trees at the size required. The existing rear garden is established that provides efficient shade cover. |
| <i>Standard A4-1 (daylight to existing windows)- the proposed height of the northern extension does not comply the standard regarding daylight access to the west facing habitable room window at 2 Seddon Street. This will be carefully considered in the assessment of this application, considering potential detrimental amenity impacts.</i>                                                                                                           | Please refer to written response in clause 54 report. Please consider neighbourhood character and recent developments.                                                                                                                                                      |
| <i>Standard A5-1 (permeability)- officer measurements have indicated that the permeable surface area is closer to 31sqm rather than the 47.63sqm stated on plans. This would not comply with the 20% surface area requirement. The development summary measurements should be corrected to reflect the true value. Consideration should be given as to how the proposal can meet this standard, or justification provided as to why it should be varied.</i> | Please refer to written response in clause 54 report.<br>Please consider the existing permeability of the site.                                                                                                                                                             |



## Summary

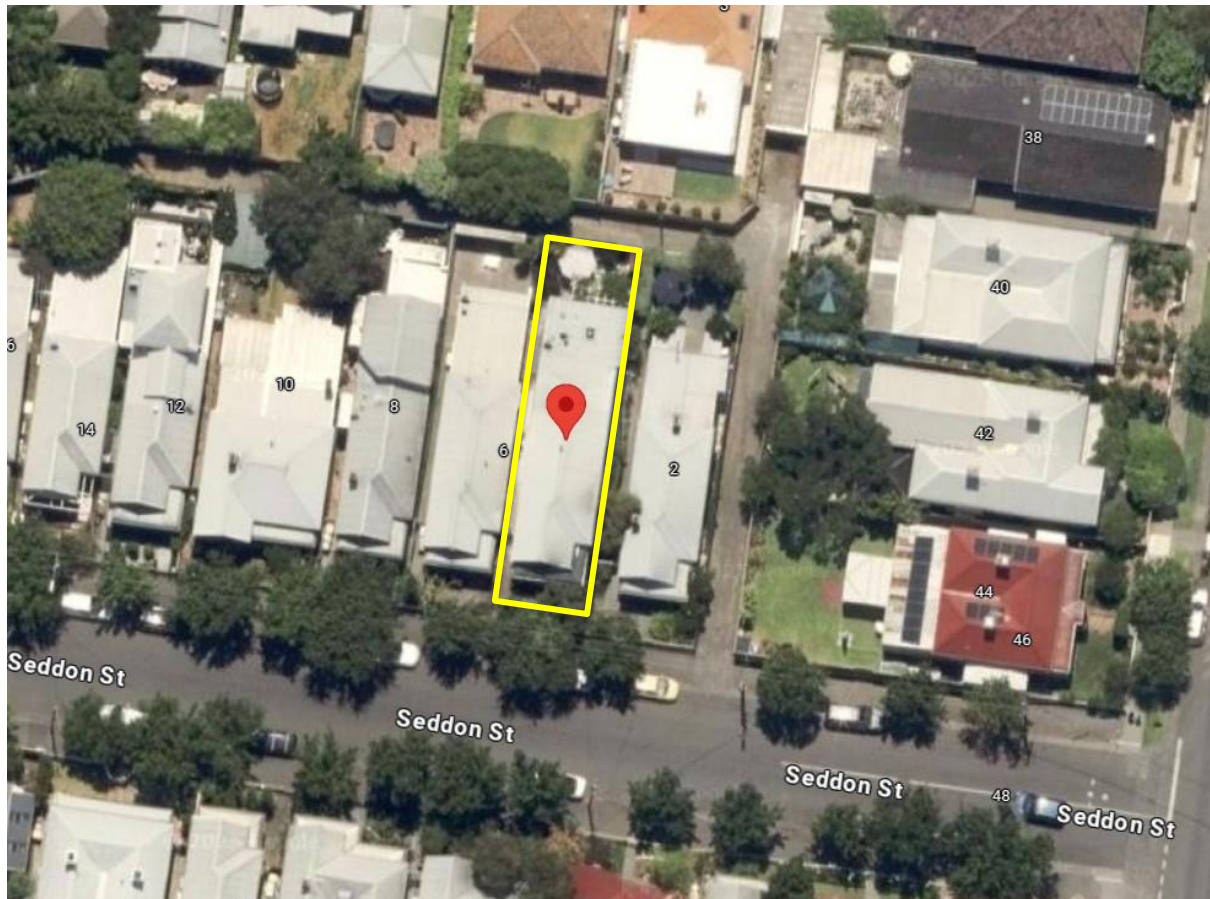
We feel the additional information provided in this document and, reflected on the latest set of plans sufficiently address the concerns raised in your *Further Information Request* dated 30<sup>th</sup> September 2025.

Kind regards,

Katie Jenkins

**DOOD Studio**

# 4 Seddon St, Seddon Victoria 3011 Clause 54 & Heritage Response



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**Site Location:** 4 Seddon Street, Seddon  
**Site Area:** 218.73m<sup>2</sup>  
**Municipality:** Maribyrnong City Council  
**Planning Overlays:** VPP 32.09 Neighbourhood Residential Zone  
LPP 32.09 Schedule1 To Clause 32.09 Neighbourhood Residential Zone  
VPP 43.01 Heritage Overlay  
LPP 43.01 Schedule to clause 43.01 Heritage Overlay

**Proposal:**

The proposal seeks to alter and extend an existing weatherboard dwelling in a heritage overlay.

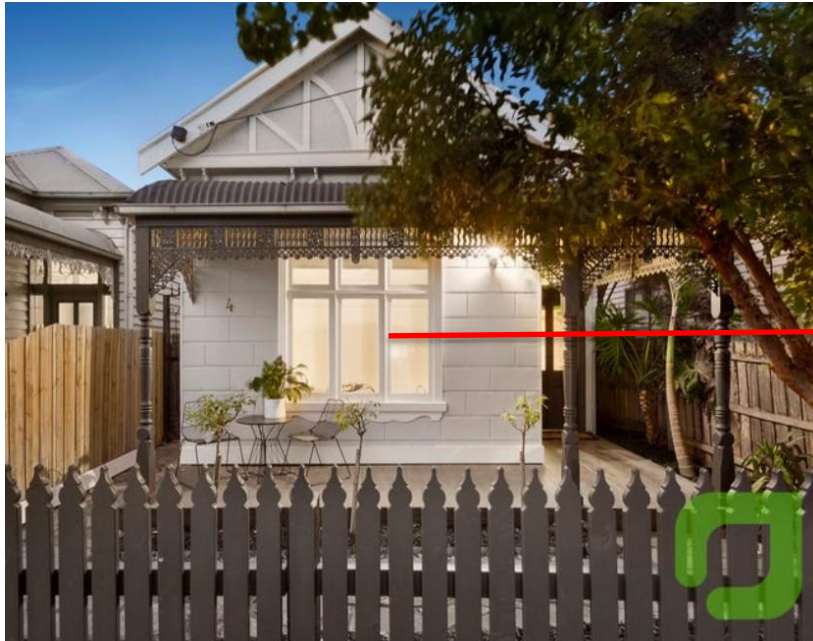
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**CITY OF MARIBYRNONG  
ADVERTISED PLAN**



### Existing Condition:

The existing dwelling is a single storey blockwork and weatherboard dwelling. The site faces South/ North. The street is filled with several weatherboard heritage dwellings of similar form to the subject dwelling and new developments. The existing dwelling is in good condition but requires some adjustments to improve the fabric and functionality of the home.



Proposed changes to exterior colours. Refer to drawings and materials/ finishes schedule.

## VPP 54 One Dwelling on a Lot

### CLAUSE 54.01

#### NEIGHBOURHOOD & SITE DESCRIPTION & DESIGN RESPONSE

An application must be accompanied by:

- A Neighbourhood and Site Description.
- A Design Response

| <b>CLAUSE 54.01-1</b><br><b>NEIGHBOURHOOD AND SITE DESCRIPTION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>Comments</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| <p><i>The neighbourhood and site description may use a site plan, photographs or other techniques and must accurately describe:</i></p> <p><i>In relation to the neighbourhood:</i></p> <p><i>The built form, scale and character of surrounding development including front fencing.</i></p> <p><i>Architectural and roof styles.</i></p> <p><i>Any other notable features or characteristics of the neighbourhood.</i></p> <p><i>In relation to the site:</i></p> <p><i>Site shape, size, orientation and easements.</i></p> <p><i>Levels of the site and the difference in levels between the site and surrounding properties.</i></p> <p><i>Location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.</i></p> <p><i>The use of surrounding buildings.</i></p> <p><i>The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.</i></p> <p><i>Solar access to the site and to surrounding properties.</i></p> <p><i>Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known.</i></p> <p><i>Any contaminated soils and filled areas, where known.</i></p> <p><i>Views to and from the site.</i></p> <p><i>Street frontage features such as poles, street trees and kerb crossovers.</i></p> <p><i>Any other notable features or characteristics of the site.</i></p> <p><i>If in the opinion of the responsible authority a requirement of the neighbourhood and site description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.</i></p> | <p>The neighbourhood of Seddon is predominantly residential with a small number of commercial and public buildings. Building styles include a mix of Victorian, Post war and contemporary.</p> <p>Lots are typically long and narrow in length and rear yards generally have lean to structures and garden sheds or garages.</p> <p>The area has seen many renovations, additions and restorations to meet the needs of growing families and a thriving property market.</p> <p>The majority of these homes have hip and gable roofs. Roof material is a mix of metal and tile.</p> <p>Fencing consists of mostly timber picket style fences</p> <p>Trees and vegetation are a mix of native and introduced species. Mature street trees are prominent on neighbourhood streets..</p> <p>The site is 218.73m<sup>2</sup>. The lot is rectangular and runs South to North</p> <p>The existing dwelling is a single storey weatherboard home.</p> <p>The lot is generally flat but slightly falls toward the front.</p> <p>There are no significant trees on the site.</p> |



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| <p><b>CLAUSE 54.01-2</b><br/><b>DESIGN RESPONSE</b></p> <p><i>The design response must explain how the proposed design:</i></p> <p><i>Derives from and responds to the neighbourhood and site description.</i></p> <p><i>Meets the objectives of Clause 54.</i></p> <p><i>Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay.</i></p> <p><i>The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <p><b>Comments</b></p> <p>The proposed additions and alterations offer a contemporary design in form, scale and materiality whilst being sympathetic to the existing neighbourhood character.</p> <p>There are no alterations proposed to the existing heritage façade, only remedial painting with a complimentary colour scheme.</p> <p>The rear proposes to reflect a contemporary style with a colour palette sympathetic to that of existing homes in the area. The new addition is to the rear of the existing dwelling and the first floor is to the rear.</p> <p>The ground floor is proposed to be reconfigured to include an open plan living area that is better connected to the outdoors.</p> |
| <p><b>CLAUSE 54.02</b><br/><b>NEIGHBOURHOOD CHARACTER</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p><b>STANDARD A2-1</b><br/><b>STREET SETBACK</b></p> <p><b>Street setback objective</b></p> <p><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></p> <p><b>Standard A2-1</b></p> <p><i>Walls of buildings are set back from streets:</i></p> <ul style="list-style-type: none"> <li>– <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 A2-1; or</i></li> <li>– <i>If no distance is specified in a schedule to the zone, the distance specified in Table A2-1. 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></li> </ul> <p><b>Decision guidelines</b></p> <p><i>Before deciding on an application, the responsible authority must consider:</i></p> <ul style="list-style-type: none"> <li>– <i>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</i></li> <li>– <i>The design response.</i></li> <li>– <i>Whether the siting of the building is constrained by the shape, dimensions, slope or other conditions of the site.</i></li> <li>– <i>Whether a different setback would be more appropriate taking into</i></li> </ul> | <p><b>Comments</b></p> <p>The proposed new works respond to the features of the site; namely providing a better link from the rear living spaces to the yard.</p> <p>The materials, finishes, roof style, scale and form of the addition are sympathetic to the existing neighbourhood character and recent developments in the area.</p>                                                                                                                                                                                                                                                                                                                                                                  |

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| <p>account the prevailing setbacks of existing buildings on nearby lots.</p> <ul style="list-style-type: none"> <li>– The visual impact of the building when viewed from the street and from adjoining properties.</li> <li>– Whether a different setback affects the ability to retain or plant canopy trees.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                              |
| <p><b>STANDARD A2-2</b></p> <p><b>BUILDING HEIGHT</b></p> <p><b>Building height objective</b></p> <p><i>To ensure that the height of buildings respond to the existing or preferred neighbourhood character</i></p> <p><b>Standard A2-2</b></p> <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. If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum 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</i></p> <p><b>Decision Guidelines</b></p> <p><i>Before deciding on an application, the responsible authority must consider:</i></p> <ul style="list-style-type: none"> <li>– Any relevant neighbourhood character objective, policy or statement set out in this scheme.</li> <li>– Any maximum building height specified in the zone, a schedule to the zone or an overlay applying to the land.</li> <li>– The design response</li> </ul> | <p><b>Complies</b></p> <p>The proposal complies with this standard. The proposed building height is 6.2M</p> |

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| <ul style="list-style-type: none"> <li>– The effect of the slope of the site on the height of the building.</li> <li>– The relationship between the proposed building height and the height of existing adjacent buildings.</li> <li>– The visual impact of the building when viewed from the street and from adjoining properties</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <p><b>STANDARD A2-3</b></p> <p><b>SIDE AND REAR SETBACKS</b></p> <p><b>Side and rear setbacks objective</b></p> <p><i>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.</i></p> <p><b>Standard A2-3</b></p> <p><i>A new building not on or within 200mm of a boundary is set back from side or rear boundaries, 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. 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 side and rear setbacks. 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> <p><b>Decision guidelines</b></p> <p><i>Before deciding on an application, the responsible authority must consider: One dwelling and small second dwelling guidelines Clause 54 Page 12</i></p> <ul style="list-style-type: none"> <li>– Any relevant neighbourhood character objective, policy or statement set out in this scheme.</li> <li>– The design response.</li> <li>– The impact on the amenity of the habitable room windows and private open space of existing dwellings or small second dwellings.</li> <li>– Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.</li> <li>– Whether the wall abuts a side or rear lane.</li> <li>– Whether a different setback in a rear yard affects the ability to retain or plant canopy trees.</li> </ul> | <p><b>Variation</b></p> <p>A variation is sought for this objective. Please refer to the existing neighbourhood character and the setbacks of the existing dwelling.</p> <p>The existing neighbourhood character consists of mostly single storey Victorian side-by-side cottages. The street displays a run of homes which run boundary to boundary. Please refer to adjacent developments to the site.</p> <p>Our addition looks to align with the adjoining neighbours wall on boundary.</p> <p>Please refer to A203 to A903</p> |
| <p><b>STANDARD A2-4</b></p> <p><b>WALLS ON BOUNDARIES</b></p> <p><b>Walls on boundaries objective</b></p> <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>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <p><b>Variation</b></p> <p>A variation is sought for this objective. Please refer to the existing neighbourhood character.</p> <p>The existing neighbourhood character consists of single storey cottages with new additions. The street displays a run of homes which run boundary to boundary.</p> <p><b>Complies</b></p>                                                                                                                                                                                                         |

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| <p><b>Standard A2-4</b></p> <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>– 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or</li> <li>– The length of existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot.</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>Decision guidelines</b></p> <p><i>Before deciding on an application, the responsible authority must consider:</i></p> <ul style="list-style-type: none"> <li>– Any relevant neighbourhood character objective, policy or statement set out in this scheme.</li> <li>– The design response.</li> <li>– The extent to which walls on boundaries are part of the neighbourhood character.</li> <li>– The impact on the amenity of existing dwellings or small second dwellings.</li> <li>– The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property.</li> <li>– The orientation of the boundary that the wall is being built on. – The width of the lot.</li> <li>– The extent to which the slope and retaining walls or fences reduce the effective height of the wall.</li> <li>– Whether the wall abuts a side or rear lane.</li> <li>– The need to increase the wall height to screen a box gutter.</li> </ul> | <p>The proposed wall on boundary on the West side towards the front façade complies with this objective.</p>                                                                                                                                                                                                                                        |
| <p><b>STANDARD A2-5</b></p> <p><b>SITE COVERAGE</b></p> <p><b>Site coverage objective</b></p> <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> <p><b>Standard A2-5</b></p> <p><i>The site area covered by buildings does not exceed:</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <p><b>Variation</b></p> <p>A variation is sought for this objective.</p> <p>Site coverage objective allows 60%</p> <p>Proposed site coverage 148.0m<sup>2</sup> = 67.6%</p> <p>Please consider the site coverage of adjacent properties. The proposed layout allows for greater solar access to the yard which will minimise dampness problems.</p> |

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| <p>– The maximum site coverage specified in a schedule to the zone; or</p> <p>– If no maximum site coverage is specified in a schedule to the zone, the percentage specified in Table A2- 5.</p> <p>Neighbourhood Residential Zone = 60%</p> <p>Township Zone = 60%</p> <p>General Residential Zone = 65%</p> <p>Residential Growth Zone = 70%</p> <p>Mixed Use Zone = 70%</p> <p>Housing Choice and Transport Zone = 70%</p> <p><b>Decision guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>– Any relevant neighbourhood character objective, policy or statement set out in this scheme.</li> <li>– The design response.</li> <li>– The existing site coverage and any constraints imposed by existing development or the features of the site.</li> <li>– The site coverage of adjacent properties.</li> <li>– The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.</li> <li>– Whether a different area of site coverage affects the ability to retain or plant canopy trees</li> </ul>                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p><b>STANDARD A2-6</b></p> <p><b>TREE CANOPY</b></p> <p><b>Tree canopy objectives</b></p> <p>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</p> <p><b>Standard A2-6</b></p> <p>Provide a minimum number of trees as specified in Table A2-6.</p> <p>100sqm or less = one tree</p> <p>Above 100sqm to 200sqm = two trees</p> <p>Above 200sqm to 300sqm = three trees</p> <p>A tree must meet the following: -</p> <ul style="list-style-type: none"> <li>– Reach a height of at least 6 metres at maturity.</li> <li>– Achieve a canopy width of at least 4 metres at maturity.</li> <li>– Planted in a minimum deep soil area of 12 metres with a minimum plan dimension 2.5 metres or in a planter with a minimum volume of 12 cubic metres with a minimum depth of 0.8 metres of planter soil.</li> </ul> <p>Existing trees to be retained meet all of the following:</p> <ul style="list-style-type: none"> <li>– Has a height of at least 5 metres,</li> </ul> | <p><b>Variation</b></p> <p>A variation is sought for this objective.</p> <p>There is an existing canopy tree located in the front yard that meets the criteria.</p> <p>Please consider the established garden in the rear yard which features mature trees at 3m tall that provide efficient shade cover.</p> <p>The site cannot accommodate two new canopy trees described in this standard, especially located 4m from buildings.</p> |

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| <ul style="list-style-type: none"> <li>- Has a trunk circumference of 0.5 metres or greater at 1.4 metres above ground level,</li> <li>- Has a trunk that is located at least 4 metres from proposed buildings. Existing trees that are retained can be used in calculating canopy cover. 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.</li> </ul> <p><b>Decision guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>- Any relevant neighbourhood character objective, policy or statement set out in this scheme.</li> <li>- The site context and design response. One dwelling and small second dwelling guidelines Clause 54 Page 20</li> <li>- The extent to which the existing and proposed canopy trees contribute to a greener environment and reduce urban heat.</li> <li>- Whether the growth characteristics of existing trees and proposed canopy trees will provide the required canopy cover.</li> <li>- The suitability of the planting location, deep soil areas and planter soil volume for proposed canopy trees.</li> <li>- Whether the species of canopy tree is suited to the soil conditions of the site.</li> <li>- Whether an alternative combination of the canopy trees will provide the required canopy cover</li> </ul> |                                                                                                                               |
| <p><b>STANDARD A2-7</b></p> <p><b>FRONT FENCES</b></p> <p><b>Front fences objective</b></p> <p>To encourage front fence design that responds to the existing or preferred neighbourhood character</p> <p><b>Standard A2-7</b></p> <p>A front fence within 3 metres of a street is:</p> <ul style="list-style-type: none"> <li>- The maximum height specified in a schedule to the zone, or</li> <li>- If no maximum height is specified in a schedule to the zone, the maximum height specified in Table A2-7.</li> </ul> <p>Maximum front fence height:</p> <p>Streets in a Transport Zone 2 = 2 metres maximum</p> <p>Other Streets = 1.5 metres maximum</p> <p><b>Decision guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>- Any relevant neighbourhood character objective, policy or statement set out in this scheme.</li> <li>- The design response.</li> <li>- The setback, height and appearance of front fences on adjacent properties.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                              | <p><b>Complies</b></p> <p>The proposal complies with this standard.</p> <p>The existing timber picket fence is to remain.</p> |



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| <ul style="list-style-type: none"> <li>- The extent to which slope and retaining walls reduce the effective height of the front fence.</li> <li>- Whether the fence is needed to minimise noise intrusion.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                 |
| <p><b>STANDARD A2-8</b><br/><b>BUILDING SETBACK FOR SMALL SINGLE DWELLINGS</b></p> <p><b>Building setback for small single dwellings objective</b><br/><i>To ensure that small second dwellings are sited to respond to the existing or preferred neighbourhood character.</i></p> <p><b>Standard A2-8</b><br/><i>Walls of a small second dwelling are setback behind the front wall of the existing dwelling on the lot, facing the frontage. Porches, pergolas, verandahs, and eaves do not encroach into the setback of this standard</i></p> <p><b>Decision guidelines</b><br/><i>Before deciding on an application, the responsible authority must consider:</i></p> <ul style="list-style-type: none"> <li>-Any relevant neighbourhood character objective, policy or statement set out in the scheme.</li> <li>-The design response.</li> <li>-The visual impact of the building when viewed from the street and from adjoining properties</li> </ul> | <p><b>Complies</b></p> <p>The proposed works do not include this objective.</p> |
| <p><b>54.03 LIVABILITY</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                 |
| <p><b>STANDARD A3-1</b><br/><b>STREET INTEGRATION</b></p> <p><b>Street integration objective</b><br/><i>To integrate the layout of development with the street to support the safety and amenity of residents</i></p> <p><b>Standard A3-1</b><br/><i>Where a development fronts a street, a vehicle accessway or abuts public open space, 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. This standard does not apply to a small second dwelling.</i></p>                                                                                                                                                                                                                                                                                                                                                                                              | <p><b>Complies</b></p> <p>The proposal complies with this standard.</p>         |

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| <p><b>Decision guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>– Any relevant neighbourhood character objective, policy or statement set out in this scheme.</li> <li>– The design response</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                         |
| <p><b>STANDARD A3-2</b></p> <p><b>PRIVATE OPEN SPACE</b></p> <p><b>Private open space objectives</b></p> <p>To provide adequate private open space for the reasonable recreation and service needs of residents</p> <p><b>Standard A3-2</b></p> <p>A dwelling or small second dwelling 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 has private open space with direct access from a living area, dining area or kitchen consisting of: – An area of 20 per cent of the area of the lot, but not less than 25 square metres. At least one part of the private open space consists of secluded private open space with a minimum area of 25 square metres and a minimum dimension of 3 metres width; or – A balcony with at least the area and dimensions specified in Table A3-2; 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 for private open space and secluded private open space must be less than the area and dimensions specified in this standard, and – The area and dimensions specified for a balcony or an area on a roof must be less than the area and dimensions specified in this standard. A small second dwelling has secluded private open space consisting of an area of 8 square metres with a minimum dimension of 1.6 metres and convenient access from a living area, dining area or kitchen. If a cooling or heating unit is located in the secluded private open space or private open 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.</p> <p><b>Decision guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider: – The design response.</p> <ul style="list-style-type: none"> <li>– The useability of the private open space, including its size and accessibility.</li> <li>– The availability of and access to public open space.</li> <li>– The orientation of the lot to the street and the sun.</li> </ul> | <p><b>Complies</b></p> <p>The proposal complies with this standard.</p> <p>Proposed private open space is 59.0m2 with 37.50m2 SPOS.</p> |

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| <p><b>STANDARD A3-3</b><br/><b>SOLAR ACCESS TO OPEN SPACE</b></p> <p><b>Solar access to open space objective</b><br/><i>To allow solar access into the secluded private open space of new dwellings.</i></p> <p><b>Standard A3-3</b><br/><i>The southern boundary of secluded private open space is set back from any wall on the north of the space at least <math>(2 + 0.9h)</math> metres, where 'h' is the height of the wall</i></p> <p><b>Decision guidelines</b><br/><i>Before deciding on an application, the responsible authority must consider:</i></p> <ul style="list-style-type: none"> <li>– The design response.</li> <li>– The useability and amenity of the secluded private open space based on the sunlight it will receive.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <p><b>Complies</b></p> <p>The proposal complies with this standard.<br/>The SPOS is north facing.</p> |
| <p><b>STANDARD A3-4</b><br/><b>DAYLIGHT TO NEW WINDOWS</b></p> <p><b>Daylight to new windows objective</b><br/><i>To allow adequate daylight into new habitable room windows.</i></p> <p><b>Standard A3-4</b><br/><i>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:</i></p> <ul style="list-style-type: none"> <li>– 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</li> <li>– A verandah provided it is open for at least one third of its perimeter; or</li> <li>– A carport provided it has two or more open sides and is open for at least one third of its perimeter.</li> </ul> <p><b>Decision guidelines</b><br/><i>Before deciding on an application, the responsible authority must consider:</i></p> <ul style="list-style-type: none"> <li>– The design response.</li> <li>– The extent to which habitable rooms are provided with reasonable daylight access through the number, size, location and orientation of windows.</li> <li>– The useability and amenity of the dwelling based on the layout, siting, size and orientation of habitable rooms.</li> <li>– Whether there are other windows in the habitable room which have access to daylight.</li> </ul> | <p><b>Complies</b></p> <p>The proposal complies with this standard.</p>                               |

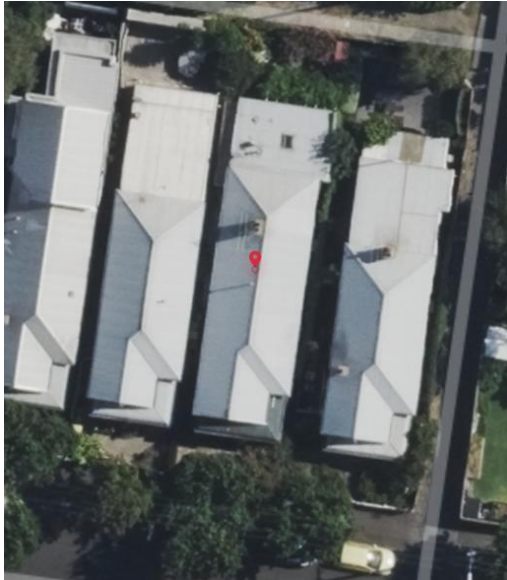
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| <p><b>STANDARD A3-5</b></p> <p><b>SAFETY AND ACCESS FOR SMALL SECOND DWELLINGS</b></p> <p><b>Safety and access for small second dwellings objective</b></p> <p><i>To ensure access to a small second dwelling is safe, convenient and meets the needs of residents.</i></p> <p><b>Standard A3-5</b></p> <p><i>A small second dwelling is provided with a clear and unobstructed path from the frontage that:</i></p> <ul style="list-style-type: none"> <li><i>-Has a minimum width of at least 1 metre, with no encroachments. If the path is longer than 30 metres, the minimum width of the path is at least 1.8 metres.</i></li> <li><i>-Has a minimum clear height of at least 2 metres, with no encroachments.</i></li> <li><i>-Has a gradient no steeper than 1 in 14.</i></li> <li><i>-Has a cross fall no steeper than 1 in 40.</i></li> <li><i>-Is sealed or has all-weather access</i></li> </ul> <p><b>Decision guidelines</b></p> <p><i>Before deciding on an application, the responsible authority must consider the safety and accessibility of the small second dwelling</i></p> | <p><b>Complies</b></p> <p>The proposed works do not include this objective.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <p><b>54.04 EXTERNAL AMENITY</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <p><b>STANDARD A4-1</b></p> <p><b>DAYLIGHT TO EXISTING WINDOWS</b></p> <p><b>Daylight to existing windows objective</b></p> <p><i>To allow adequate daylight into existing habitable room windows</i></p> <p><b>Standard A4-1</b></p> <p><i>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.</i></p> <p><b>Decision guidelines</b></p>                                 | <p><b>Variation</b></p> <p>A variation is sought for this objective.</p> <p>The proposed wall on boundary along the East does not comply with this objective.</p> <p>Wall height= 5.4m<br/>Required setback= 2.7m<br/>Proposed setback GF=2.1m<br/>Proposed setback 1F= 2.5m</p> <p>Please consider the new ground floor wall on the east boundary is replacing the existing. Please consider the design intent of raking the building form on the first floor. There is no additional overshadowing to these existing habitable windows. Refer to A existing wall on boundary that is A601 &amp; A602.</p> |

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| <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>– The design response. One dwelling and small second dwelling guidelines Clause 54 Page 36</li> <li>– The extent to which the existing dwelling or small second dwelling has provided for reasonable daylight access to its habitable rooms through the siting and orientation of its habitable room windows.</li> <li>– The impact on the amenity of existing dwellings or small second dwellings.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                              |
| <p><b>STANDARD A4-2</b></p> <p><b>EXISTING NORTH-FACING WINDOWS</b></p> <p><b>Existing north-facing windows objective</b><br/>To allow adequate solar access to existing north-facing habitable room windows.</p> <p><b>Standard A4-2</b><br/>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, 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. 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.</p> <p><b>Decision guidelines</b><br/>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>– The design response.</li> <li>– Existing sunlight to the north-facing habitable room window of the existing dwelling or small second dwelling.</li> <li>– The impact on the amenity of existing dwellings or small second dwellings</li> </ul> | <p><b>Complies</b></p> <p>The proposal complies with this standard.</p>                                                      |
| <p><b>STANDARD A4-3</b></p> <p><b>OVERSHADOWING SECLUDED OPEN SPACE OBJECTIVE</b></p> <p><b>Overshadowing secluded open space objective</b><br/>To ensure buildings do not significantly overshadow existing secluded private open space</p> <p><b>Standard A4-3</b><br/>The area of secluded private open space that is not overshadowed by the new development is greater than 50 per cent, or 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</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p><b>Complies</b></p> <p>The proposal complies with this standard. There is no additional shadows to neighbouring SPOS.</p> |

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| <p>22 September. 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.</p> <p><b>Decision guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>– The design response.</li> <li>– The impact on the amenity of existing dwellings or small second dwellings.</li> <li>– Existing sunlight penetration to the secluded private open space of the existing dwelling or small second dwelling.</li> <li>– The time of day that sunlight will be available to the secluded private open space of the existing dwelling or small second dwelling.</li> <li>– The effect of a reduction in sunlight on the existing use of the existing secluded private open space.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                         |
| <p><b>STANDARD A4-4</b></p> <p><b>OVERLOOKING</b></p> <p><b>Overlooking objective</b></p> <p>To limit views into existing secluded private open space and habitable room windows</p> <p><b>Standard A4-4</b></p> <p>In clause 54.04-4 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. – 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</p> | <p><b>Complies</b></p> <p>The proposal complies with this standard.</p> |

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| <p>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.</p> <p><b>Decision guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>– The design response.</li> <li>– The impact on the amenity of the secluded private open space or habitable room window.</li> <li>– The existing extent of overlooking into the secluded private open space and habitable room windows of existing dwellings or small second dwellings.</li> <li>– The internal daylight to and amenity of the proposed dwelling or small second dwelling.</li> </ul>                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                              |
| <p><b>54.05 SUSTAINABILITY</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                              |
| <p><b>STANDARD A5-1</b></p> <p><b>PERMEABILITY</b></p> <p><b>Permeability objective</b></p> <p>To reduce the impact of increased stormwater run-off on the drainage system and downstream waterways. To facilitate on-site stormwater infiltration. To contribute to urban cooling.</p> <p><b>Standard A5-1</b></p> <p>The site area covered by the pervious surfaces is at least 20 percent of the site.</p> <p><b>Decision guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>– The design response.</li> <li>– The existing site coverage and any constraints imposed by existing development.</li> <li>– The capacity of the drainage network to accommodate additional stormwater.</li> <li>– The practicality of achieving the minimum site coverage of pervious surfaces</li> </ul> | <p><b>Variation</b></p> <p>A variation is sought for this objective.</p> <p>Proposed permeability is 37.31m<sup>2</sup>= 17.05%.</p> <p>Please consider the neighbourhood character of small lots with new developments.</p> <p>Please consider the existing permeability of the site.</p> <p>The proposed extensions are to be built over existing impervious surfaces.</p> |
| <p><b>STANDARD A5-2</b></p> <p><b>OVERSHADOWING DOMESTIC SOLAR ENERGY SYSTEMS</b></p> <p><b>Overshadowing domestic solar energy systems objective</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p><b>Complies</b></p> <p>The proposal complies with this standard.</p>                                                                                                                                                                                                                                                                                                      |



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| <p><i>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.</i></p> <p><b>Standard A5-2</b></p> <p><i>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 54.05-2 domestic solar energy system means a domestic solar energy system that existed at the date the application was lodged.</i></p> <p><b>Decision guidelines</b></p> <p><i>Before deciding on an application, the responsible authority must consider whether the domestic solar energy system has been sited to optimise efficiency and protection from overshadowing.</i></p>                                                                                                                                                                                                                                                                             | <p>There are no neighbouring solar energy systems. Refer to aerial image of 2-6 Seddon St.</p>                                 |
| <p><b>STANDARD A5-3</b></p> <p><b>ROOFTOP SOLAR ENERGY GENERATION AREA</b></p> <p><b>Rooftop solar energy generation area objective</b></p> <p><i>To support the future installation of appropriately sited rooftop solar energy systems for a dwelling</i></p> <p><b>Standard A5-3</b></p> <p><i>In clause 54.05-3 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:</i></p> <ul style="list-style-type: none"> <li><i>– Has a minimum dimension of 1.7 metres.</i></li> <li><i>– Has a minimum area in accordance with Table A5-3.</i></li> <li><i>– Is oriented to the north, west or east.</i></li> <li><i>– Is positioned on the top two thirds of a pitched roof.</i></li> <li><i>– Can be a contiguous area or multiple smaller areas.</i></li> <li><i>– 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.</i></li> </ul> <p><i>1 bedroom dwelling = 15sqm</i></p> <p><i>2 or 3 bedroom dwelling = 26sqm</i></p> <p><i>4 or more bedroom dwelling = 34sqm</i></p> <p><b>Decision guidelines</b></p> <p><i>Before deciding on an application, the responsible authority must consider:</i></p> | <p><b>Complies</b></p> <p>The proposal complies with this standard.</p> <p>The proposal has nominated an area provision for future solar energy systems that face west and east.</p> <p>Please refer to A107</p> |

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| <ul style="list-style-type: none"> <li>- The design response.</li> <li>- The size and orientation of the building.</li> <li>- The availability of solar access to the rooftop.</li> <li>- The extent to which the rooftop solar energy generation area is overshadowed by existing buildings, other permanent structures or equipment on the rooftop</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                               |
| <p><b>STANDARD A5-4</b></p> <p><b>SOLAR PROTECTION TO NEW NORTH-FACING WINDOWS</b></p> <p><b>Solar protection to new north-facing windows objective</b></p> <p><i>To encourage external shading of north facing windows to minimise summer heat gain.</i></p> <p><b>Standard A5-4</b></p> <p><i>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. This standard does not apply to a small second dwelling.</i></p> <p><b>Decision Guidelines</b></p> <p><i>Before deciding on an application, the responsible authority considers:</i></p> <ul style="list-style-type: none"> <li>- The design response.</li> <li>- The size and orientation of the lot.</li> <li>- The type and use ability of external solar shading devices, including alternative design responses</li> </ul> | <p><b>Complies</b></p> <p>The proposal complies with this standard.</p> <p>The proposed north facing windows have been designed to have window shrouds for solar protection to minimise summer heat gain.</p> |

## **Response to Heritage**

### **VPP 43.01 – Response to Heritage Overlay Decision Guidelines:**

*“The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.”*

The proposal maintains the front façade, with no new works proposed. All works to the heritage façade are remedial paint works. The new addition are set behind the existing built form.

*“Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.”*

Not applicable

*“Any applicable heritage design guideline specified in the schedule to this overlay. Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.”*

All new works are set behind existing built form and will be in a colour palette which is complimentary to the existing dwelling and neighbourhood character developments. Therefore, there are no adverse effects on the heritage streetscape.

*“Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.”*

All new works are set behind existing built form and will be in a colour and material complimentary to the existing. Therefore, there are no adverse effects on the heritage streetscape and neighbourhood character.

*“Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.”*

All demolition works are primarily to the rear. There are no demolition works to the front façade.

**Conclusion:**

The proposed works at 4 Seddon St, re-invigorate an outdated floorplan by primarily removing internal walls to create a modern day open plan living space. All new works are in keeping with the neighbourhood characteristics and are purposeful in connecting the existing dwelling for better functionality and usability of the home.