

# Application for a Planning Permit

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

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

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

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

**i** Click for further information.

**CITY OF MARIBYRNONG  
RECEIVED  
11/03/2025  
URBAN PLANNING**

**CITY OF MARIBYRNONG  
ADVERTISED PLAN**

## The Land **i**

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

### Street Address \*

Unit No:	St. No.: 5	St. Name: Lincoln Street
Suburb/Locality: YARRAVILLE		Post Code: 3013

### Formal Land Description \*

Complete either A or B.

**⚠** This information can be found on the certificate of title

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

<b>A</b>	Vol.: 5446	Folio.: 139	Suburb.: Yarraville
<b>OR</b>	Lot No.: 1	Type.: Title Plan	
<b>B</b>	Crown Allotment No.:	Section No.:	
	Parish/Township Name:		

## The Proposal

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

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

Extension of an existing dwelling and construction of an outbuilding

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

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

500000.00

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

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

## Existing Conditions

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

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

Single dwelling with an outbuilding


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

## Title Information

**Encumbrances on title \***

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

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

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

## Applicant and Owner Details

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

### Applicant \*

The person who wants the permit.

Name:		
Title: CO	First Name: PlaceX	Surname: Ltd
Organization (if applicable):		
Unit No: 531	St. No: PO BOX	St. Name:
Suburb: CHADSTONE CENTRE	State: VIC	Postcode: 3148
Business phone:	Email: nathan@placex.au	
Mobile phone:	Home:	

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

### Contact person's details\*

Name:	Same as applicant <input checked="" type="checkbox"/>	
Title: CO	First Name: PlaceX	Surname: Ltd
Organization (if applicable):		
Unit No: 531	St. No: PO BOX	St. Name:
Suburb: CHADSTONE CENTRE	State: VIC	Postcode: 3148
Business phone:	Email: nathan@placex.au	
Mobile phone:	Home:	

### Owner \*


The person or organisation who owns the land

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

Name:	Same as applicant <input type="checkbox"/>	
Title: MS	First Name: Sandra	Surname: Nguyen
Organization (if applicable):		
Postal Address:		
Unit No:	St. No: 5	St. Name: Lincoln Street
Suburb: YARRAVILLE	State: VIC	Postcode: 3013
Business Phone: 0425253988	Email: jewels_de@hotmail.com	
Mobile phone:	Home:	

## Declaration

This form must be signed by the applicant \*

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

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

Signature:

*Place X Ltd*

Date

11 / 03 / 2025

day / month / year

## Need help with the Application?

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

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

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

☒ No

☐ Yes

Officer Name:

Date:

day / month / year

## Checklist

Have you:



Filled in the form completely?



Paid or included the application fee?



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



Provided all necessary supporting information and documents?



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



A plan of existing conditions.



Plans showing the layout and details of the proposal.



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



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



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



Completed the relevant council planning permit checklist?



Signed the declaration?

## Lodgement

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

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

### Contact information:

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

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



## The Land

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

### How is land identified


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

See **Example 1**.

## The Proposal

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


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

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

### How do planning schemes affect proposals?

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

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

 You can obtain a planning certificate to establish planning scheme details about your property. A planning certificate identifies the zones and overlays that apply to the land, but it does not identify all of the provisions of the planning scheme that may be relevant to your application. Planning certificates for land in metropolitan areas and most rural areas can be obtained by visiting [www.landata.vic.gov.au](http://www.landata.vic.gov.au) Contact your local Council to obtain a planning certificate in Central Goldfields, 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.
- signed the declaration on the last page of the application form

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

### What documents should I check to find encumbrances

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

### What about caveats and notices?

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

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

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

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



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

Page 1 of 1

VOLUME 05446 FOLIO 139

Security no : 124122046456M  
Produced 14/02/2025 03:38 PM

### LAND DESCRIPTION

Lot 13 on Plan of Subdivision 007923.  
PARENT TITLE Volume 04608 Folio 491  
Created by instrument 1382004 07/09/1928

**CITY OF MARIBYRNONG**  
**RECEIVED**  
**11/03/2025**  
**URBAN PLANNING**

### REGISTERED PROPRIETOR

Estate Fee Simple  
Sole Proprietor  
SANDRA YUNG NGUYEN of 89 CHARLES STREET SEDDON VIC 3013  
AF234820P 27/07/2007

### ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AF234821M 27/07/2007  
WESTPAC BANKING CORPORATION

COVENANT 1061691

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

### DIAGRAM LOCATION

SEE TP724524P FOR FURTHER DETAILS AND BOUNDARIES

### ACTIVITY IN THE LAST 125 DAYS

NIL

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

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

Street Address: 5 LINCOLN STREET YARRAVILLE VIC 3013

### ADMINISTRATIVE NOTICES

NIL

eCT Control 16320Q WESTPAC BANKING CORPORATION  
Effective from 23/10/2016

DOCUMENT END

# Imaged Document Cover Sheet

The document following this cover sheet is an imaged document supplied by LANDATA®, Secure Electronic Registries Victoria.

Document Type	<b>Instrument</b>
Document Identification	<b>1061691</b>
Number of Pages (excluding this cover sheet)	<b>2</b>
Document Assembled	<b>14/02/2025 15:38</b>

**Copyright and disclaimer notice:**

© State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act 1968 (Cth) and for the purposes of Section 32 of the Sale of Land Act 1962 or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA® System. None of the State of Victoria, LANDATA®, Secure Electronic Registries Victoria Pty Ltd (ABN 86 627 986 396) as trustee for the Secure Electronic Registries Victoria Trust (ABN 83 206 746 897) accept responsibility for any subsequent release, publication or reproduction of the information.

The document is invalid if this cover sheet is removed or altered.

**CITY OF MARIBYRNONG**  
**RECEIVED**  
**11/03/2025**  
**URBAN PLANNING**

2281600

1061691

10616

VICTORIA

FREEHOLD.

TRANSFER OF LAND

C. paid.



I DOUGLAS LINCOLN KIRKBY RICHARDSON formerly of Charles Street, Footscray, a Captain in the Australian Imperial Force, but now of Number 263 Queens Parade, Clifton Hill, Secretary, being registered as the proprietor of an estate in fee simple in the land hereinafter described, subject to the encumbrances notified hereunder, in consideration of the sum of SIXTY TWO POUNDS TEN SHILLINGS paid to me by CLIVE HAROLD COLLARD of Number 105 Cowper Street Footscray, Hardware Salesman, DO HEREBY TRANSFER to the said Clive Harold Collard All my estate and interest in ALL THAT piece of land being Lots Thirteen and Fourteen on Plan of Subdivision Number 7923 lodged in the Office of Titles being part of Crown Allotment Four Section Eight at Yarraville Parish of Cut Paw Paw County of Bourke and being part of the land more particularly described in Certificate of Title entered in the Register Book Volume 4277 Folio 855363 Together with all registered appurtenant and reserved easements. And the said Clive Harold Collard for himself his heirs executors administrators and transferees hereby covenants with the said Douglas Lincoln Kirkby Richardson his heirs executors administrators and transferees registered proprietor or proprietors for the time being of the untransferred land in said Certificate of Title Volume 4277 Folio 855363 that he the said Clive Harold Collard his heirs executors administrators and transferees will not carry on quarrying or other excavation operations upon any part of the said land hereby transferred and will not erect on the said lots or other of them a factory of any kind whatsoever.

DATED the 21<sup>st</sup> day of August One thousand nine hundred and twenty two.

SIGNED by the said DOUGLAS LINCOLN KIRKBY RICHARDSON in the State of Victoria, in the presence of -

*D. L. K. Richardson*  
Solicitor

*D. L. K. Richardson*

127 Queen Street  
Melbourne

SIGNED by the said CLIVE HAROLD COLLARD in the State of Victoria, in the presence of -

*Clive Harold Collard*

*W. A. Fazio*

ENCUMBRANCES REFERRED TO.

As to so much of the land hereby transferred as is colored blue on the said Plan of Subdivision.  
Any Easements subsisting over or upon or affecting the land hereby transferred.



D1061691-1-9



DATED the 21<sup>st</sup> day of August 1922

MR. D. I. K. RICHARDSON

TO

MR. C. H. COLLARD

T  
R  
A  
N  
S  
F  
E  
R

MEMORIAL OF INSTRUMENT.

NATURE OF INSTRUMENT	TIME OF ITS PRODUCTION FOR REGISTRATION	TO WHOM GIVEN	NUMBER OF SYMBOL THEREON
Transfer as to part	THE 22 <sup>nd</sup> DAY OF August 1922	TO Olive Harold Collard	1061691

*Wm. W. Comport*  
ASSISTANT REGISTRAR OF TITLES

I CERTIFY THAT A MEMORIAL OF THE WITHIN INSTRUMENT WAS ENTERED AT THE TIME LAST MENTIONED IN THE REGISTER BOOK VOL 4277 FOL 855363

*Wm. W. Comport*  
ASSISTANT REGISTRAR OF TITLES

# Imaged Document Cover Sheet

The document following this cover sheet is an imaged document supplied by LANDATA®, Secure Electronic Registries Victoria.

Document Type	<b>Plan</b>
Document Identification	<b>LP007923</b>
Number of Pages (excluding this cover sheet)	<b>1</b>
Document Assembled	<b>14/02/2025 15:38</b>

**Copyright and disclaimer notice:**

© State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act 1968 (Cth) and for the purposes of Section 32 of the Sale of Land Act 1962 or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA® System. None of the State of Victoria, LANDATA®, Secure Electronic Registries Victoria Pty Ltd (ABN 86 627 986 396) as trustee for the Secure Electronic Registries Victoria Trust (ABN 83 206 746 897) accept responsibility for any subsequent release, publication or reproduction of the information.

The document is invalid if this cover sheet is removed or altered.

CITY OF MARIBYRNONG

**RECEIVED**

**11/03/2025**

URBAN PLANNING

**WARNING: THE IMAGE OF THIS DOCUMENT OF THE REGISTER HAS BEEN DIGITALLY AMENDED.  
NO FURTHER AMENDMENTS ARE TO BE MADE TO THE ORIGINAL DOCUMENT OF THE REGISTER.**

PLAN OF SUBDIVISION OF  
*Parts of Crown Allotment 4 Section 8*  
**PARISH OF CUT PAW PAW**

*County of Bourke*

**Vol.4277 Fol.363**

**MEASUREMENTS ARE IN FEET AND INCHES**

Conversion Factor  
FEET x 0.3048 = METRES

LP 7923

EDITION 1

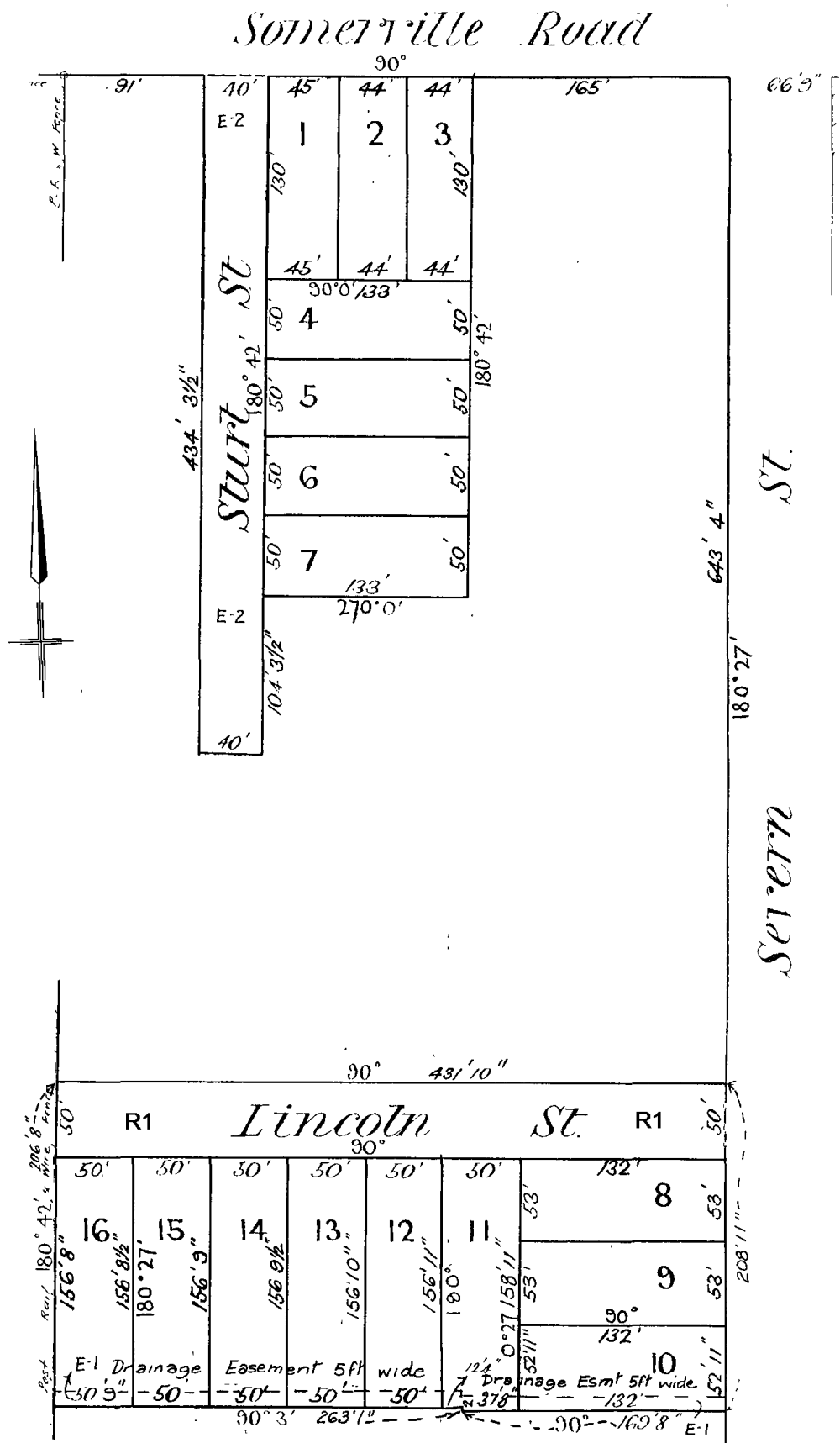
PLAN MAY BE LODGED:  
03/08/1920

**COLOUR CODE**

E-1 = BLUE

R1 & E-2 = BROWN

ROADS COLOURED BROWN





11 March 2025



Statutory Planning Department  
**Maribyrnong City Council**  
Corner Hyde and Napier Streets  
Footscray VIC 3011

Online submission via: <https://maribyrnongcitycouncil.my.site.com/>

Dear Sir/Madam,

**Application for planning permit**

**Property Address:** 5 Lincoln Street, Yarraville VIC 3013

**Proposal:** Extension of a single dwelling with an outbuilding in a Heritage Overlay

On behalf of the permit applicant, I enclose an application for planning permit for the abovementioned proposal, including the following:

- Certificate of title and title plan, including a restrictive covenant.
- Feature and levels survey plan, prepared by J.Z Feature Surveying.
- Architectural plans, prepared by Aurelio Trevisiol.
- Planning Report, prepared by PlaceX.

If you require any further information or clarification, please do not hesitate to contact myself.

Yours sincerely,

**Nathan Li**  
Lead Consultant



CITY OF MARIBYRNONG

**RECEIVED**

**11/03/2025**

URBAN PLANNING

# Town Planning Report

**5 Lincoln Street, Yarraville**

Single dwelling extension and outbuilding

Ver.1: March 2025

Version	Date	Description	Note
1	11 March 2025	For planning application lodgement	-

**PlaceX Pty Ltd**  
 (formerly X Planning & Design)  
 ABN: 54 655 102 024  
 PO Box 531, Chadstone Centre VIC 3148  
[create@placex.au](mailto:create@placex.au)





# Table of Contents

1. Introduction .....	4
2. The Site Context .....	5
2.1. The subject site .....	5
2.2. Surrounding land use and development .....	7
3. The Proposal .....	11
3.1. Demolition and alteration .....	11
3.2. Built form and design .....	11
3.3. Access and parking .....	12
4. Planning Policy Framework .....	13
4.1. Zone .....	13
4.2. Overlays .....	13
4.3. Planning Policy Framework .....	15
4.4. Particular Provisions .....	17
4.5. General Provisions .....	18
4.6. Operational Provisions .....	18
5. Planning Assessment .....	19
5.1. Planning policy support .....	19
5.2. Built form and design .....	19
5.3. Amenity .....	21
5.4. Access and parking .....	22
6. Conclusion .....	23
<b>Appendix 1: Assessment of the proposal against Clause 54 (One Dwelling or a Small Second Dwelling on a Lot) .....</b>	<b>24</b>
Clause 54.02: Neighbourhood Character .....	25
Clause 54.03: Site Layout and Building Massing .....	25
Clause 54.04: Amenity Impacts .....	27
Clause 54.05: On-Site Amenity and Facilities .....	30
Clause 54.06: Detailed Design .....	31

# 1. Introduction



*Figure 1 The subject site street frontage*

This report has been prepared by **PlaceX** on behalf of the applicant to accompany a planning permit application to the Maribyrnong City Council. The application is for the development of land at **5 Lincoln Street, Yarraville**.

The proposal seeks approval for the extension of an existing double-storey dwelling and the construction of a new non-habitable outbuilding. Planning permission is sought for the partial demolition and extension of the existing dwelling, and the demolition and replacement construction of an outbuilding in a Heritage Overlay; and the construction of an outbuilding in a Neighbourhood Residential Zone.

The development cost is estimated to be \$500,000.

This report provides:

- A description of the site and surrounding area.
- A description of the proposal.
- An outline of the relevant statutory planning framework under the Maribyrnong Planning Scheme.
- An assessment of the proposal against the relevant planning provisions.

This report should be read in conjunction with:

- Feature and levels survey plan, prepared by J.Z Feature Surveying.
- Architectural plans, prepared by Aurelio Trevisiol.

## 2. The Site Context

### 2.1. The subject site

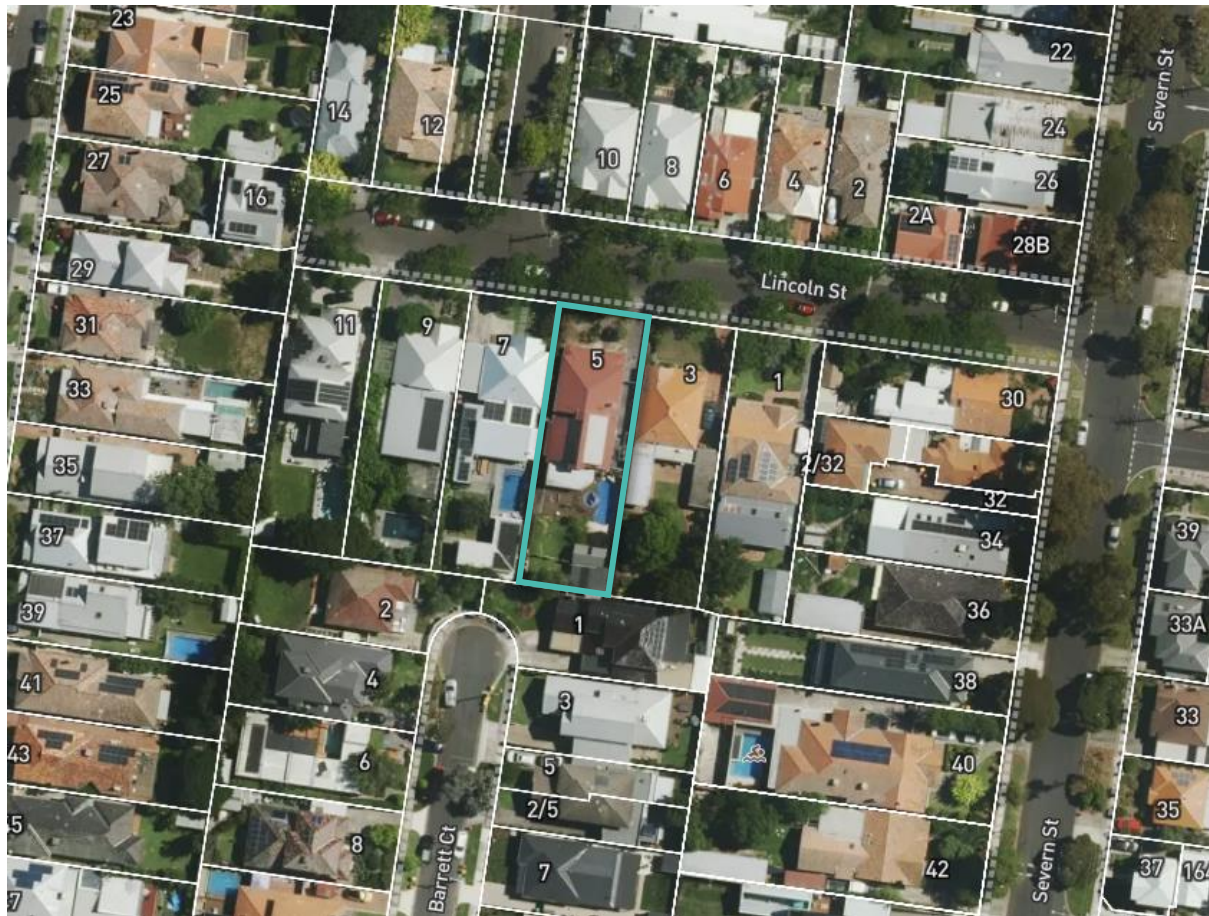


Figure 2 The subject site and the surrounding lot layout (Source: Metro Map)

#### Site location

The subject site is located on the southern side of Lincoln Street, approximately 70 metres West of Severn Street, in the established and growing neighbourhood of Yarraville approximately 6 kilometres west of the Melbourne CBD.

#### Site particulars

The subject site (formally described as Lot 13, Plan of Subdivision LP007923) is a regularly shaped allotment with an overall area of 728 square metres. The site has a frontage of 15.24 metres to Lincoln Street and a depth of 47.8 metres in a north-south orientation. The site is relatively flat, with a slight level difference of approximately 300mm from the front to the rear.

There is a drainage easement of 1.52 metres in width along the rear of the site.

Covenant 1061691 applies to the land, which states:

*... will not carry on quarrying or other excavation operations upon any part of the said land hereby transferred and will not erect on the said lots or other of them a factory or any kind whatsoever.*

The Covenant does not prevent the development of the land as proposed.

#### Existing site conditions and street frontage

The subject site contains an existing double-storey weatherboard dwelling fronting Lincoln Street with an open front fence of 1.6 metres in height. There is a workshop outbuilding at the rear of the site.



There is an existing crossover from Lincoln Street on the eastern side of the site. Existing car parking is provided on the driveway with no cover to the east of the dwelling.

The street frontage contains a nature strip with a street tree in front of the subject site. Lincoln Street is a neighbourhood street with street parking on both sides.



*Figure 3 Subject site streetscape*



*Figure 4 Existing double storey dwelling on the subject site*



*Figure 5 Existing double storey dwelling on the subject site*



*Figure 6 Existing front fence on the subject site*



*Figure 7 Existing front fence and landscaping on the subject site*



*Figure 8 Existing landscaping on the subject site*



*Figure 9 View of the subject site from Sturt Street*



*Figure 10 View of the subject site from Sturt Street*



## 2.2. Surrounding land use and development

The subject site is surrounded by other residential properties, including:

- Adjoining to the east at 3 Lincoln Street, a single-storey dwelling with private open space at the rear.
- Adjoining to the west at 7 Lincoln Street, a single-storey dwelling with a double-storey extension and private open space at the rear.
- Adjoining to the south at the rear, at 1 Barrett Court, a double-storey dwelling with private open space at the rear of the dwelling.

Both sides of Lincoln Street contain a mix of single- or double-storey dwellings with an open and medium height front fence character. The surrounding area is of a low-rise character with new double-storey infill developments emerging among the earlier single-storey dwellings.



*Figure 11 11 Lincoln Street*



*Figure 12 11 Lincoln Street*



*Figure 13 11 Lincoln Street*



*Figure 14 9 Lincoln Street*



*Figure 15 9 Lincoln Street*



*Figure 16 9 Lincoln Street*





*Figure 17 7 Lincoln Street*



*Figure 18 5 Lincoln Street (subject site)*



*Figure 19 5 Lincoln Street (subject site)*



*Figure 20 3 Lincoln Street*



*Figure 21 1 Lincoln Street*



*Figure 22 30 Severn Street (Lincoln Street side)*



*Figure 23 30 Severn Street (Lincoln Street side)*



*Figure 24 30 Severn Street*





*Figure 25 28 Severn Street (Lincoln Street side)*



*Figure 26 2A Lincoln Street*



*Figure 27 4, 2 and 2A Lincoln Street*



*Figure 28 10, 8 and 6 Lincoln Street*



*Figure 29 12 Lincoln Street*



*Figure 30 14 Lincoln Street*



*Figure 31 12, 14 and 16 Lincoln Street*



*Figure 32 16 Lincoln Street and 29 Tuppen Street*





*Figure 33 1 Barrett Court*



*Figure 34 1 Barrett Court*



*Figure 35 1 Barrett Court / rear of subject site*



*Figure 36 1 Barrett Court / rear of subject site*

## 3. The Proposal

The proposal involves the extension of the existing dwelling on both the ground and the first floors, as well as the construction of a non-habitable outbuilding.

### 3.1. Demolition and alteration

With the retention of the front portion of the existing dwelling as well as the front fence, the following are proposed to be demolished:

- Rear portion of the existing dwelling on both floors.
- The shed at the rear.

### 3.2. Built form and design

The proposed buildings and works involve the following key aspects:

#### Main dwelling:

- The ground floor of the dwelling containing a living room and the kitchen is to be renovated and extended at the rear with the following siting:
  - The existing street setback of 8.7-8.8 metres to be retained.
  - The eastern side setback of 3.13 metres to be retained.
  - The western side setback to be 1.615 metres at the rear portion of the dwelling.
  - The rear setback to be 20.3 metres.
- The first floor to be extended with the following siting:
  - Extension of the existing master bedroom on the eastern side to be 3.1 metres from the eastern side boundary and 9.28 metres from the new outbuilding at the rear.
  - A new guest bedroom on the western side at 17.49 metres from the street, and 2.24 metres from the western side.
- The first floor extension to be concealed behind the existing pitched roof fronting the street.
- All first floor windows to be high sill windows.
- The extension on both the ground and the first floors in weatherboard in pale blue to match the existing weatherboard in the same pale blue colour.
- Flat roof with a slight pitch with eaves in a metal sheet in a red earth finish similar to the existing roof in the same colour.

#### Outbuilding:

The proposed non-habitable outbuilding is a two-storey workshop building to be used for the owner's home business, with the following key features:

- Located at the rear of the site to replace the existing shed, with the following siting in minimum setbacks:
  - On the boundary on the ground floor on the eastern side .
  - Rear setback of 1.52 metres from the southern boundary on the ground floor, clear of the drainage easement along the rear boundary.
  - Side setback of 5.84 metres on the first floor.
  - Internal separation of 9.28 metres on the first floor from the main dwelling when extended.
- New windows on the first floor on the northern and western sides only.
- The ground floor in clinker bricks in a mix of red and blue colours.
- The first floor in a metal standing seam cladding in a black colour.
- Pitched roof with eaves in a metal sheet in a dark grey colour.

### 3.3. Access and parking

The existing crossover and driveway are retained.

One single carport of 6.6m x 3.13m over the existing driveway is proposed. An additional car can be parked in front of the carport on the driveway.

## 4. Planning Policy Framework

### 4.1. Zone

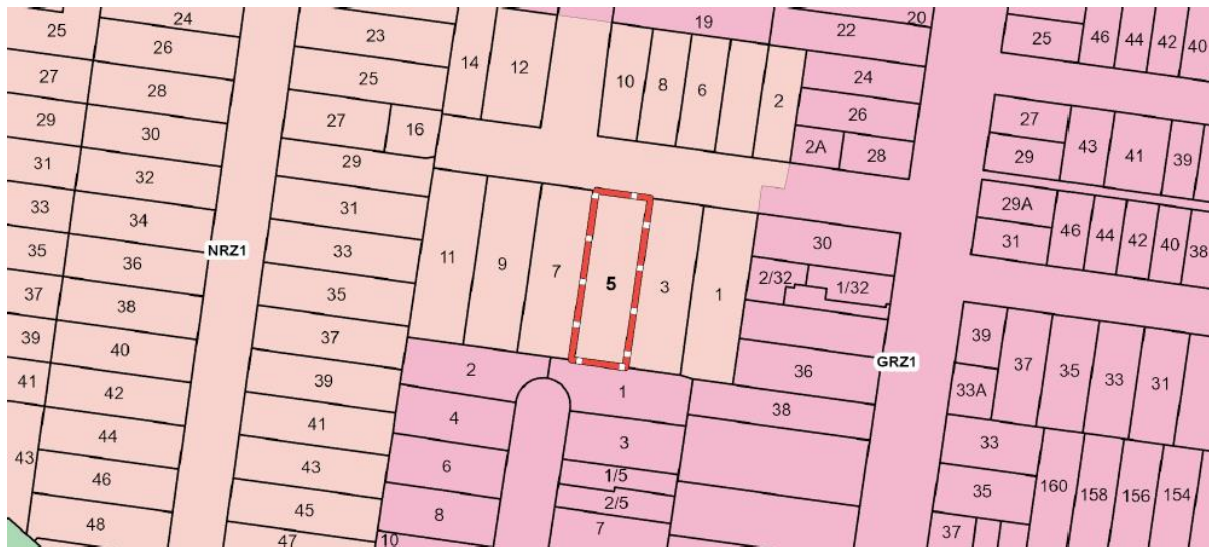


Figure 37 Zone (NRZ1)

The subject site is located in the **Neighbourhood Residential Zone – Schedule 1 (NRZ1)**.

The purpose of the Neighbourhood Residential Zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To recognise areas of predominantly single and double storey residential development.
- To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

The land use of 'Dwelling' is a Section 1 use of the NRZ and does not require a permit.

The permit requirements for the proposal are:

- A permit is required to construct an outbuilding which exceeds 10 sqm in gross floor area and 3m in height.
- A permit is not required to extend the existing dwelling on a lot over 300 sqm in size.

A development must meet the requirements of Clause 54.

The NRZ prescribes the following mandatory requirements relevant to the proposal:

- A minimum garden area of 35% of the lot for a lot of above 650 sqm.
- A maximum building height up to two storeys and 9 metres (or 10 metres on a sloping site).

**Schedule 1 (Neighbourhood Residential Areas)** to the Zone does not vary any standard requirements under Clause 54 (ResCode) of the Planning Scheme.

### 4.2. Overlays

The subject site is affected by the following overlays:

- Heritage Overlay (HO1).
- Development Contributions Plan Overlay – Schedule 2 (DCPO2).



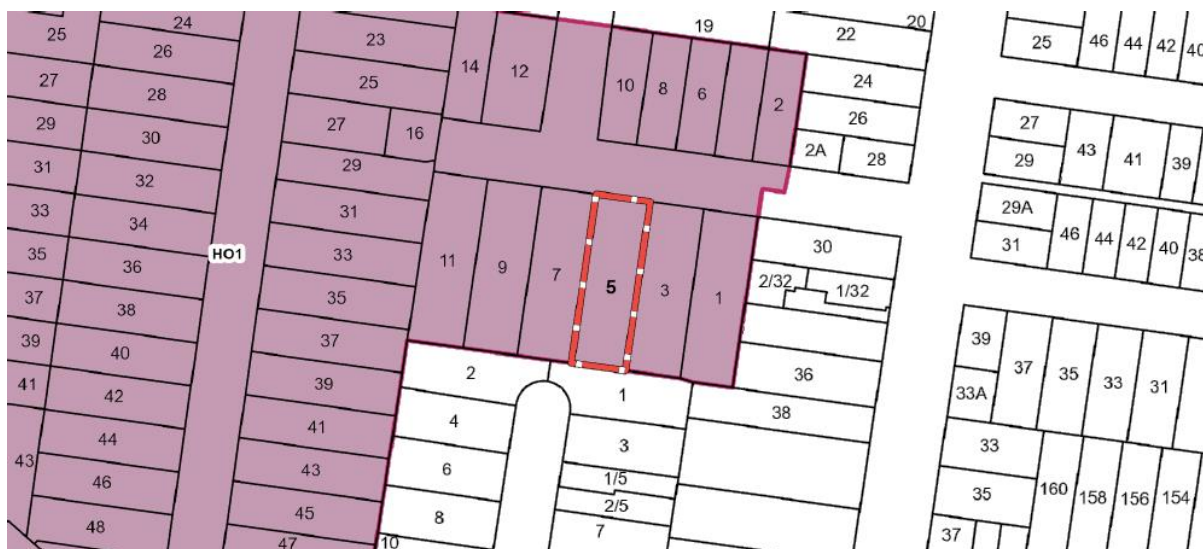


Figure 38 Overlay (HO1)

The purpose of the **Heritage Overlay (HO)** is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To conserve and enhance heritage places of natural or cultural significance.
- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that development does not adversely affect the significance of heritage places.
- To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

The permit requirements for the proposal are:

- A permit is required to demolish or remove a building.
- A permit is required to construct a building or construct or carry out works.

'Permit Exemptions in Heritage Precincts Incorporated Plan, October 2018' identifies certain permit exemptions, which, however, do not apply to the proposal.

In summary, under the Heritage Overlay, the proposal requires a permit for the partial demolition and extension of the existing dwelling, and the demolition and replacement construction of an outbuilding.

**HO1** identifies 'Angliss Housing estate heritage area'. Solar energy system controls apply.

'Heritage Precincts Incorporated Document. December 2023' provides the policy basis for the HO1 precinct:

*The Angliss Inter-war housing estate is among the best physical expressions of the Californian Bungalow estates created between the two wars in the City. It is significant for its high degree of integrity and for its representation of the transport linked development era.*

*The estate has a high proportion of substantially intact, original buildings and streetscapes. These houses are typically Californian Bungalows and Mediterranean style villas, often with original fences and gardens to match. The majority of homes of this area are detached, single storey in scale and are constructed from timber with either corrugated iron or Marseilles pattern terra-cotta unglazed tile roofing.*

*Streetscape elements include nature strips, street planting and white concrete footpaths, kerb and channelling. The street widths and allotment sizes are regular with each property having a centrally located dwelling in a garden setting with common front and side setbacks. Garages are located to the rear of the blocks accessed from a single side driveway.*

*Tossas, at 12 Lincoln Street is an individually significant property that exemplifies the street's original state.*

*Historically, the Angliss estate is associated with the industrialist Sir William Angliss, who developed the estate in the post First World War housing boom. This period of development was assisted by the arrival of a tramway in nearby Williamstown Road that was built to bring passengers and workers into Footscray.*

- Timber framed windows in grouped or single vertical rectangle format;
- Painted horizontal weatherboard walls with limited use of stucco and pressed red imperial size brick cladding;
- Timber framed verandahs of skillion profile or integral with the main roof pitch; and
- Hipped or gabled roof forms of nominally 33 to 45 degrees.



The subject site is affected by the **Development Contributions Plan Overlay – Schedule 2 (DCPO2)**. The purpose of the Development Contributions Plan Overlay is:

- Schedule 2 (Maribyrnong Development Contributions Plan)** requires the payment of Development Infrastructure Levy and Community Infrastructure Levy for each additional dwelling, prior to the commencement of the development.

### 4.3. Planning Policy Framework

## CLAUSE 02: MUNICIPAL PLANNING STRATEGY

The strategic directions relevant to the proposal are:

- *Encourage development that enhances and contributes to the local built form context of the area* (Clause 02.03-4: Building and urban design).
- *Encourage development to respect the heritage values and identified character of neighbourhoods* (Clause 02.03-4: Neighbourhood character).
- *Protect and conserve heritage places* (Clause 02.03-4: Heritage).
- *Conserve and enhance the public view of significant heritage places and elements* (Clause 02.03-4: Heritage).
- *Preserve neighbourhood and heritage character in limited change residential areas* (Clause 02.03-5: Housing growth).

## **CLAUSE 11: SETTLEMENT**

### **Clause 11.01-1S: Settlement**

The clause generally encourages consolidation in existing settlement areas across Victoria by limiting urban sprawl.

### **Clause 11.01-1R: Settlement – Metropolitan Melbourne**

The strategies are to promote urban consolidation and a sustainable city within metropolitan Melbourne.

## **CLAUSE 15: BUILT ENVIRONMENT AND HERITAGE**

### **Clause 15.01-1S: Urban design**

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

### **Clause 15.01-2S: Building design**

The objective is to achieve building design outcomes that contribute positively to the local context and enhance the public realm.

### **Clause 15.01-5S: Neighbourhood character**

The objective is to recognise, support and protect neighbourhood character, cultural identity and sense of place.

### **Clause 15.01-5L: Neighbourhood character**

The subject site is not within a Neighbourhood Character Precinct as identified under this clause, due to the site being in a Heritage Overlay.

### **Clause 15.03-1S: Heritage conservation**

The objective is to ensure the conservation of places of heritage significance.

### **Clause 15.03-1L-01: Heritage**

Local strategies are:

- *Design and site new buildings and additions to be visually recessive and maintain the visual dominance of the significant elements of the heritage place.*
- *Design and site additions and works to respect the context of the heritage place or an adjacent heritage place.*
- *Support use or development that facilitates and conserves heritage places through the adaptive reuse of heritage buildings.*
- *Preserve the original subdivision patterns and street construction form, including existing footpaths, kerbs, channels, crossovers and laneways.*
- *Support use or development that maintains significant settings, such as fences, gates, driveways and landscape around significant heritage buildings and places.*
- *Support new buildings and works that include the preservation, restoration or reconstruction of original heritage buildings and elements.*
- *Support replacement buildings or elements that respect the significance of the heritage place.*
- *Design new allotments to allow for the construction of buildings that conform visually to the nearest or typical contributory elements in the heritage place.*
- *Design new signs to respect the significance of the heritage place.*
- *Encourage development to retain trees and landscapes of cultural significance.*
- *Preserve significant fabric unless demolition is necessary due to damage or structural defect.*
- *Discourage demolition or removal unless it contributes to the long term conservation of significant fabric.*

### **Clause 15.03-1L-03: Heritage precincts**

The local objectives are:

- *To ensure that new buildings and additions and extensions to contributory buildings do not detract from the character of the heritage area or overwhelm the existing contributory buildings.*
- *To discourage new building that closely imitates, replicates or mimics the contributory buildings in the heritage area.*

It is a strategy for all precincts to support development that is in keeping with the heritage precinct description and design characteristics in the Heritage Precincts Incorporated Document.

Strategies for the HO1 Angliss Housing Estate Heritage Area are:

- *Conserve and enhance the contributory elements in the area and individually significant places, as perhaps the best physical expression of the Californian Bungalow estates created between the two wars in the City.*
- *Conserve the individually significant place Tossas, at 12 Lincoln Street.*
- *Ensure that vehicle garaging is concealed or recessive.*
- *Retain the garden setting of the dwellings with common front and side setbacks.*
- *Retain or reinstate front boundary fence designs from the era.*
- *Encourage the retention of single crossovers to garages set at the rear of the block.*
- *Encourage the retention and reinstatement of nature strips, white concrete kerbs, gutters, crossovers and footpath paving in street works.*
- *Ensure new crossovers are single width and limited to one per allotment.*

## **CLAUSE 16: HOUSING**

### **Clause 16.01-1S: Housing supply**

The objective is to facilitate well-located, integrated and diverse housing that meets community needs.

#### **Clause 16.01-1L-01: Housing change areas**

The subject site is identified within a 'limited change area' under Clause 02.04 (Housing Framework Plan). Strategies for limited change areas are:

- *Ensure the scale, form and appearance of new housing is in keeping with the surrounding development.*
- *Ensure that new development respects the existing heritage values and preferred neighbourhood character.*
- *Support a diversity of dwelling types and sizes, including affordable housing, where appropriate.*

#### **Clause 16.01-1L-02: Housing diversity**

One relevant strategy is to encourage forms of housing suitable for home based businesses.

## **CLAUSE 18: TRANSPORT**

### **Clause 18.01-3S: Sustainable and safe transport**

The objective is to facilitate an environmentally sustainable transport system that is safe and supports health and wellbeing.

#### **Clause 18.02-3S: Public transport**

The objective is to facilitate an efficient and safe public transport network and increase the proportion of trips made by public transport.

#### **Clause 18.02-4S: Roads**

The objective is to facilitate an efficient and safe road network that integrates all movement networks and makes best use of existing infrastructure.

## **4.4. Particular Provisions**

The particular provisions relevant to the proposal include:

### **Clause 52.06: Car Parking**

The clause does not apply to the extension of one dwelling on a lot in the Neighbourhood Residential Zone and therefore does not apply to the proposal.

### **Clause 54: One Dwelling on a Lot or a Small Second Dwelling on a Lot (ResCode)**

The purpose of the clause includes:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*



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

The proposal is required to achieve all relevant objectives and meet the relevant standards where possible.

## 4.5. General Provisions

### **Clause 65: Decision Guidelines**

The purpose of this clause is to establish a basis for the responsible authority to decide whether the proposal will provide acceptable outcomes in terms of the decision guidelines of this clause.

## 4.6. Operational Provisions

### **Clause 71.02-3: Integrated decision making**

Above all, planning aims to meet the various needs of society and expectations by addressing aspects of economic, environmental and social wellbeing affected by land use and development. The clause requires planning and responsible authorities to integrate the range of relevant planning policies and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.

## 5. Planning Assessment

The planning assessment of the proposal involves an analysis of the following matters:

- The strategic and planning policy support for the development.
- The built form and design, in relation to heritage considerations.
- Amenity considerations, including externally the occupiers of adjoining properties, the public realm and internally the intended residents of the development.
- Car parking and access considerations.

### 5.1. Planning policy support

There is clear planning policy support for both the nature and the location of the proposed development, as provided by the following relevant Planning Policies:

- Clause 02.03: Strategic Directions
- Clause 11: Settlement
- Clause 16: Housing

The subject site is located within an area in the Neighbourhood Residential Zone (NRZ) with clear policy designation for minimal change in housing growth and neighbourhood character. The proposal contributes to urban consolidation and sustainable growth as sought by Clause 11 in the established neighbourhood of Yarraville.

The subject site is a relatively large allotment in this suburban setting. Consistent with the provision of Clause 16, the subject site can be supported for improved housing for this established location with reasonable access to transport options and existing infrastructure. The proposed outbuilding also contributes to housing suitable for home-based businesses consistent with the local policy for housing diversity.

The proposal is consistent with Maribyrnong's strategic directions under Clause 02.03 which identifies land in a minimal change area. The proposal provides an extension to the existing double-storey dwelling, providing minimal change to the low-scale residential character in the surrounding area. Overall, the proposal is consistent with the purpose of the NRZ which seeks to ensure single and double storey residential development respects the identified character, heritage in this instance, to be conserved in this area.

### 5.2. Built form and design

The built form and design considerations relevant to the assessment include the following heritage and neighbourhood character provisions:

- Neighbourhood Residential Zone – Schedule 1 (NRZ1)
- Heritage Overlay (HO1)
- Clause 15: Built Environment and Heritage

In response to the mandatory requirement of Neighbourhood Residential Zone, the proposal provides a total garden area at 45% of the site area, compliant with the minimum requirement of 35% for a site that is over 650 sqm in size. The proposal's response to the other requirements of the NRZ1 is detailed in **Appendix 1**.

Although not explicitly stated, the existing dwelling on the subject site is considered as of 'contributory' significance to the HO1 precinct, as the existing dwelling generally fits in the design characteristics of the contributory buildings stated for HO1 in the 'Heritage Precincts Incorporated Document. December 2023':

- *Timber framed windows in grouped or single vertical rectangle format;*
- *Painted horizontal weatherboard walls with limited use of stucco and pressed red imperial size brick cladding;*
- *Timber framed verandahs of skillion profile or integral with the main roof pitch; and*
- *Hipped or gabled roof forms of nominally 33 to 45 degrees.*

The following is an assessment of the proposal against the local strategies under Clause 15.03-1L-01 (Heritage):

Clause 15.03-1L-01 local strategies	Assessment of the proposal
Design and site new buildings and additions to be visually recessive and maintain the visual dominance of the significant elements of the heritage place.	For the new outbuilding, it is two storeys in height with a pitched roof, as a contemporary addition to the site. It is sited at the rear of the site with minimal visibility from the heritage streetscape of Lincoln Street (the area at the rear is not part of the heritage precinct).
Design and site additions and works to respect the context of the heritage place or an adjacent heritage place.	<p>For the existing dwelling, the extension at the rear on both the ground and first floors are not visible to the public realm.</p> <p>The new guest bedroom on the first floor on the western side has been designed to reference the massing and appearance of the existing master bedroom on the eastern side.</p> <p>The general massing of the first floor extension is consistent with the other double-storey dwellings with an upper-level component along Lincoln Street.</p> <p>Although the new guest bedroom could be somewhat visible from the street, the visible massing is well recessed behind the main roof fronting the street and behind the existing chimney. It is not an unreasonable visual intrusion to the streetscape.</p> <p>The extension is to be provided in weatherboard material and a pale blue colour similar to the existing material and colour to create a seamless transition between the existing and the new.</p>
Support use or development that facilitates and conserves heritage places through the adaptive reuse of heritage buildings.	Not applicable.
Preserve the original subdivision patterns and street construction form, including existing footpaths, kerbs, channels, crossovers and laneways.	Not applicable.
Support use or development that maintains significant settings, such as fences, gates, driveways and landscape around significant heritage buildings and places.	The existing front fence, front garden and the crossover and driveway surrounding the existing dwelling are retained.
Support new buildings and works that include the preservation, restoration or reconstruction of original heritage buildings and elements.	Not applicable.
Support replacement buildings or elements that respect the significance of the heritage place.	Not applicable.
Design new allotments to allow for the construction of buildings that conform visually to the nearest or typical contributory elements in the heritage place.	Not applicable.

Clause 15.03-1L-01 local strategies	Assessment of the proposal
Design new signs to respect the significance of the heritage place.	Not applicable.
Encourage development to retain trees and landscapes of cultural significance.	There are no trees or landscaped of cultural significance within the subject site requiring attention.
Preserve significant fabric unless demolition is necessary due to damage or structural defect.	The rear portion of the existing dwelling and the existing shed are not significant fabric requiring retention.
Discourage demolition or removal unless it contributes to the long term conservation of significant fabric.	As above.

Furthermore, the following is an assessment of the proposal against the local strategies under Clause 15.01-1L-03 (Heritage precincts) for the HO1 precinct:

HO1 local strategies	Assessment of the proposal
Conserve and enhance the contributory elements in the area and individually significant places, as perhaps the best physical expression of the Californian Bungalow estates created between the two wars in the City.	The proposal provides a meaningful retention of a significant front portion of the existing dwelling, with the first floor extension to be well concealed behind the existing pitched roof of the dwelling fronting the street.
Conserve the individually significant place Tossas, at 12 Lincoln Street.	Not applicable, as the subject site is not an individually significant place.
Retain the garden setting of the dwellings with common front and side setbacks.	The existing front garden is retained, along with the side setbacks for the front portion of the dwelling generally.
Retain or reinstate front boundary fence designs from the era.	The existing front fence is retained.
Encourage the retention of single crossovers to garages set at the rear of the block.	The existing single crossover is retained for access to the proposed carport.
Encourage the retention and reinstatement of nature strips, white concrete kerbs, gutters, crossovers and footpath paving in street works.	No works are proposed to the nature strip and the footpath.
Ensure new crossovers are single width and limited to one per allotment.	The existing single crossover is retained.

In summary, it is considered the built form and design of the proposal is appropriate in this setting in both heritage and neighbourhood character terms and would not result in any unreasonable detrimental impacts to the area.

### 5.3. Amenity

A full assessment of the proposal against the relevant provisions of Clause 54 (ResCode) is undertaken at **Appendix 1**. The proposal is compliant with all relevant standards and meets all of the objectives of Clause 54. The proposal provides an appropriate level of amenity to both the future residents of the site and the occupants of the neighbouring dwellings.



In summary:

- The proposed design and scale of the development has been sensitively designed to respond to the desired built form character of the neighbourhood.
- The proposal features unique design and detail to all facades that provides a rich and positive contribution to the public realm.
- The internal living spaces are generously proportioned and functional and all living spaces have direct access to an external private open space and daylight.
- The proposal has been designed to respect the privacy and maintain the daylight access to neighbouring properties through the building setbacks from the boundary.
- The shadow analysis undertaken by the project architect demonstrates the proposal will not result in unreasonable overshadowing at the equinox.

#### 5.4. Access and parking

Clause 52.06 (Car Parking) does not apply to the extension of one dwelling on a lot in the Neighbourhood Residential Zone and therefore does not apply to the proposal.

Regardless, vehicle access and parking has been provided accordingly:

- A total of two car parking spaces are provided, one within the proposed single carport and the other uncovered on the driveway in the front of the carport.
- The carport utilises the existing eastern side setback with internal dimensions of 6.6m x 3.13m. The width of 3.13m for the carport is sufficient for a standard car space of 2.6m in width.
- The existing driveway is retained, with a minimum width of 3m.

## 6. Conclusion

It is concluded that the proposal will provide an appropriate development outcome for the site, because:

- The subject site is located in an existing residential area in the established neighbourhood of Yarraville in a heritage precinct, where there is clear policy direction on both the state and local levels for housing growth at a minimal level. The proposal provides a single home extension with a new non-habitable outbuilding, which is consistent with this policy direction for minimal change.
- In response to the heritage significance and characteristics of the HO1 (Angliss Housing estate heritage area) precinct, the proposal retains a significant portion of the front façade of the existing dwelling with the first floor extension and the new outbuilding at the rear to be of minimal visual intrusion to the front. This is appropriate in respecting the heritage significance of the place.
- The proposed dwelling extension and the new outbuilding, in terms of its built form, massing, appearance and the associated works, is considered appropriate in this heritage setting and would not result in any unreasonable adverse effect to the heritage significance of the place.
- A new carport is proposed, although there is no requirement for the provision of on-site car parking for the proposal of extension of one dwelling under Clause 52.06 (Car Parking).

On balance of any conflicting policy objectives, it is considered that the proposal will achieve an appropriate development outcome for the site as well as a reasonable level of community benefits.

## Appendix 1: Assessment of the proposal against Clause 54 (One Dwelling or a Small Second Dwelling on a Lot)

Clause and Title and Objective	Standard	Complies with the standard	Achieves the objective
54.02-1: Neighbourhood character	A1	Complies	Achieves
54.02-2: Integration with the street	A2	Complies	Achieves
54.03-1: Street setback	A3 *	Complies	Achieves
54.03-2: Building height	A4 *	Complies	Achieves
54.03-3: Site coverage	A5 *	Complies	Achieves
54.03-4: Permeability	A6 *	Complies	Achieves
54.03-5: Energy efficiency protection	A7	Complies	Achieves
54.03-6: Significant trees	A8	Complies	Achieves
54.03-7: Building setback	A9 *	N/A	N/A
54.03-8: Safety and accessibility	A9.1 *	N/A	N/A
54.04-1: Side and rear setbacks	A10 *	Complies	Achieves
54.04-2: Walls on boundaries	A11 *	Complies	Achieves
54.04-3: Daylight to existing windows	A12 *	Complies	Achieves
54.04-4: North-facing windows	A13 *	Complies	Achieves
54.04-5: Overshadowing open space	A14 *	Complies	Achieves
54.04-6: Overlooking	A15 *	Complies	Achieves
54.05-1: Daylight to new windows	A16 *	Complies	Achieves
54.05-2: Private open space	A17 *	Complies	Achieves
54.05-3: Solar access to open space	A18	Complies	Achieves
54.06-1: Design detail	A19	Complies	Achieves
54.06-2: Front fences	A20 *	N/A	N/A

\* If a development meets the standard, it is deemed to meet the objective for that standard. Where the standard is met the decision guidelines for that standard do not apply to the application.



## Clause 54.02: Neighbourhood Character

Title and Objective	Standard	Compliance
<b>Clause 54.02-1 Neighbourhood character</b>  To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.  To ensure that the design responds to the features of the site and the surrounding area.	<b>A1</b>  The design response must be appropriate to the neighbourhood and the site.  The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.	<b>Complies</b>  The proposal has been designed in response to the built form and policy contexts, with balanced consideration of the existing and preferred character of this residential area of Yarraville where the neighbourhood character is expected to change minimally over time in a heritage precinct.
<b>Clause 54.02-2 Integration with the street</b>  To integrate the layout of development with the street.	<b>A2</b>  Dwellings should be oriented to front existing and proposed streets.  High fencing in front of dwellings should be avoided if practicable.  Dwellings should be designed to promote the observation of abutting streets and any abutting public open spaces.	<b>Complies</b>  The development retains the existing orientation to Lincoln Street with easily identifiable vehicle and pedestrian accessways to the building from the street.  The frontage treatment integrated with landscaping and open fencing is retained.

## Clause 54.03: Site Layout and Building Massing

Title and Objective	Standard	Compliance
<b>Clause 54.03-1 Street setback</b>  To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.	<b>A3</b>  Walls of buildings should be set back from streets: <ul style="list-style-type: none"> <li>At least the distance specified in the schedule to the zone or;</li> <li>If no distance is specified in the schedule to the zone, the distance specified in Table A1.</li> </ul> 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.	<b>Complies</b>  The existing street setback of 8.7-8.8 metres for the dwelling is retained. The new carport is recessed behind the front wall of the dwelling.
<b>Clause 54.03-2 Building height</b>  To ensure that the height of buildings respects the existing or preferred neighbourhood character.	<b>A4</b>  The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.  If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.	<b>Complies</b>  The extended dwelling and the new outbuilding are both two storeys, with a maximum building height of 6.35 metres and 8.05 metres respectively.  This is compliant with the building height limit of NRZ.

Title and Objective	Standard	Compliance
<p><b>Clause 54.03-3</b> <b>Site coverage</b></p> <p>To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.</p>	<p><b>A5</b></p> <p>The site area covered by buildings should not exceed:</p> <ul style="list-style-type: none"> <li>• The maximum site coverage specified in the schedule to the zone or;</li> <li>• If no maximum site coverage is specified in the schedule to the zone, 60 per cent.</li> </ul>	<p><b>Complies</b></p> <p>The proposed site coverage is 33% and complies with the standard of maximum 60%.</p>
<p><b>Clause 54.03-4</b> <b>Permeability</b></p> <p>To reduce the impact of stormwater run-off on the drainage system.</p> <p>To facilitate on-site stormwater infiltration.</p>	<p><b>A6</b></p> <p>The site area covered by the pervious surfaces should be at least:</p> <ul style="list-style-type: none"> <li>• The minimum area specified in a schedule to the zone; or</li> <li>• If no minimum is specified in a schedule to the zone, 20 percent of the site.</li> </ul>	<p><b>Complies</b></p> <p>The proposed permeability is 50% and complies with the standard of minimum 20%.</p>
<p><b>Clause 54.03-5</b> <b>Energy efficiency protection</b></p> <p>To achieve and protect energy efficient dwellings and small second dwellings.</p> <p>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.</p>	<p><b>A7</b></p> <p>Buildings should be:</p> <ul style="list-style-type: none"> <li>• Oriented to make appropriate use of solar energy.</li> <li>• Sited and designed to ensure that the energy efficiency of existing dwellings or small second dwellings on adjoining lots is not unreasonably reduced.</li> <li>• Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings or small second dwellings on adjoining lots in a General Residential zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.</li> </ul> <p>Living areas and private open space should be located on the north side of the dwelling or small second dwelling, if practicable.</p> <p>A dwelling or small second dwelling should be designed so that solar access to north-facing windows is maximised.</p>	<p><b>Complies</b></p> <p>The extension retains the existing orientation of the dwelling on the northern side of the site with the private open space on the southern side. North-facing windows are provided where practicable.</p> <p>The energy efficiency of adjoining lots will not be compromised.</p> <p>In particular, the solar panels on the roof of the adjoining dwelling on the south side are not expected to be overshadowed by the proposed outbuilding.</p>
<p><b>Clause 54.03-6</b> <b>Significant trees</b></p> <p>To encourage development that respects the landscape character of the neighbourhood.</p> <p>To encourage the retention of significant trees on the site.</p>	<p><b>A8</b></p> <p>Development should provide for the retention or planting of trees, where these are part of the neighbourhood character.</p> <p>Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.</p>	<p><b>Complies</b></p> <p>The existing street tree and neighbouring trees will be retained and protected from construction impacts.</p> <p>There are no significant trees requiring attention.</p> <p>The development incorporates ample ground level space along side and rear setbacks for landscaping and tree planting.</p>

Title and Objective	Standard	Compliance
<b>Clause 54.03-7</b> <b>Building setback</b> To ensure that small second dwellings are sited to respect the existing or preferred neighbourhood character.	<b>A9</b> Walls of a small second dwelling should be set back behind the front wall of the existing dwelling on the lot, facing the frontage. Porches, pergolas, verandahs, and eaves should not encroach into the setback of this standard.	<b>N/A</b> This standard applies to a small second dwelling only.
<b>Clause 54.03-8</b> <b>Safety and accessibility</b> To ensure access to a small second dwelling is safe, convenient and meets the needs of residents.	<b>A9.1</b> A small second dwelling should be provided with a clear and. Unobstructed path from the frontage that: <ul style="list-style-type: none"> <li>Has a minimum width of at least 1 metre, with no encroachments. If the path is longer than 30 metres, the path should have a minimum width of at least 1.8 metres.</li> <li>Has a minimum clear height of at least 2 metres, with no encroachments.</li> <li>Has a gradient no steeper than 1 in 14.</li> <li>Has a cross fall no steeper than 1 in 40.</li> <li>Is sealed or has an all-weather access.</li> </ul>	<b>N/A</b> This standard applies to a small second dwelling only.

## Clause 54.04: Amenity Impacts

Title and Objective	Standard	Compliance
<b>Clause 54.04-1</b> <b>Side and rear setbacks</b> To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings or small second dwellings.	<b>A10</b> A new building not on or within 200mm of a boundary should be set back from side or rear boundaries: <ul style="list-style-type: none"> <li>At least the distance specified in the schedule to the zone, or</li> <li>If no distance is specified in the schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.</li> </ul> Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard. Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.	<b>Complies</b> The proposed building complies with the standard side and rear setback requirements as demonstrated in the elevation drawings.
<b>Clause 54.04-2</b> <b>Walls on boundaries</b> To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood	<b>A11</b> A new wall that is on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1m of a side or rear boundary of a lot, should not abut the boundary:	<b>Complies</b> Two walls on boundaries are proposed: <u>Carport:</u> <ul style="list-style-type: none"> <li>6.66m in length</li> </ul>



Title and Objective	Standard	Compliance
<p>character and limits the impact on the amenity of existing dwellings or small second dwellings.</p>	<ul style="list-style-type: none"> <li>For a length more than the distance specified in a schedule to the zone; or</li> <li>If no distance is specified in a schedule to the zone, for a length of more than: <ul style="list-style-type: none"> <li>10m plus 25 % of the remaining length of the boundary of an adjoining lot, or</li> <li>Where there are existing or simultaneously constructed wall/carport abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater.</li> </ul> </li> </ul> <p>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.</p> <p>A building on a boundary includes a building set back up to 200mm from a boundary.</p> <p>The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.</p>	<ul style="list-style-type: none"> <li>2.8m in height</li> </ul> <p><u>Outbuilding:</u></p> <ul style="list-style-type: none"> <li>7.87m in length</li> <li>3.6m in height</li> </ul> <p>The total wall length is 14.53m and is compliant with the maximum length allowed under this standard: <math>10 + (47.8 - 10) \times 25\% = 19.45\text{m}</math>.</p> <p>The maximum wall height does not exceed 3.6 metres; the average wall height is no more than 3.2 metres (average of 2.8m and 3.6m is 3.2m).</p>
<p><b>Clause 54.04-3</b> <b>Daylight to existing windows</b></p> <p>To allow adequate daylight into existing habitable room windows.</p>	<p><b>A12</b></p> <p>Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.</p> <p>Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.</p> <p>Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.</p>	<p><b>Complies</b></p> <p>All windows on adjoining lots are provided with adequate daylight access (i.e. light court of minimum 3 metres with minimum dimension of 1 metre clear to the sky).</p>
<p><b>Clause 54.04-4</b> <b>North-facing windows</b></p> <p>To allow adequate solar access to existing north-facing habitable room windows.</p>	<p><b>A13</b></p> <p>If a north-facing habitable room window of an existing dwelling or small second dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-</p>	<p><b>Complies</b></p> <p>The adjoining dwelling on the southern side contains north-facing habitable room windows within 3 metres of the common boundary.</p> <p>The proposed outbuilding has been setback in accordance with</p>

Title and Objective	Standard	Compliance
	facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.	this standard, with a setback of 1.52 metres on ground level.
<p><b>Clause 54.04-5</b> <b>Overshadowing open space</b></p> <p>To ensure buildings do not significantly overshadow existing secluded private open space of dwellings or small second dwellings.</p>	<p><b>A14</b></p> <p>Where sunlight to the secluded private open space of an existing dwelling or small second dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.</p> <p>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 should not be further reduced.</p>	<p><b>Complies</b></p> <p>The proposed development does not significantly overshadow the adjoining neighbours, in accordance with this standard for 5 hours between 9am and 3pm for adjoining properties.</p>
<p><b>Clause 54.04-6</b> <b>Overlooking</b></p> <p>To limit views into existing secluded private open space and habitable room windows.</p>	<p><b>A15</b></p> <p>A habitable room window, balcony, terrace, deck or patio should be 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 should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.</p> <p>A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of 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 should be either:</p> <ul style="list-style-type: none"> <li>• Offset a minimum of 1.5 metres from the edge of one window to the edge of the other, or</li> <li>• Have sill heights of at least 1.7 metres above floor level, or</li> <li>• Have obscure glazing in any part of the window below 1.7 metre above floor level, or</li> <li>• Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.</li> </ul> <p>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.</p> <p>Screens used to obscure a view should be:</p> <ul style="list-style-type: none"> <li>• Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.</li> <li>• Permanent, fixed and durable.</li> </ul>	<p><b>Complies</b></p> <p>The proposal has been designed to limit overlooking to adjoining neighbours, with the use of high window sills, obscured glazing and privacy screens in accordance with this standard.</p>

Title and Objective	Standard	Compliance
	<ul style="list-style-type: none"> <li>Designed and coloured to blend in with the development.</li> </ul> <p>This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.</p>	

## Clause 54.05: On-Site Amenity and Facilities

Title and Objective	Standard	Compliance
<p><b>Clause 54.05-1</b> <b>Daylight to new windows</b></p> <p>To allow adequate daylight into new habitable room windows.</p>	<p><b>A16</b></p> <p>A window in a habitable room should be located to face:</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>Complies</b></p> <p>The development will allow adequate daylight into all new habitable rooms.</p> <p>All new windows have adequate access to daylight access (i.e. light court of min. 3 metres with min. dimension of 1 metre clear to the sky).</p>
<p><b>Clause 54.05-2</b> <b>Private open space</b></p> <p>To provide adequate private open space for the reasonable recreation and service needs of residents.</p>	<p><b>A17</b></p> <p>A dwelling should have private open space of an area and dimensions specified in the schedule to the zone.</p> <p>If no area or dimensions is specified in a schedule to the zone, a dwelling should have private open space consisting of an area of 80 square metres or 20 per cent of the area of the lot, whichever is the lesser, but not less than 40 square metres. At least one part of the private open space should consist of secluded private open space with a minimum area of 25 square metres and a minimum dimension of 3 metres at the side or rear of the dwelling with convenient access from a living room.</p> <p>A dwelling with a small second dwelling on the same lot should have private open space of an area and dimensions specified in a schedule to the zone.</p> <p>If no area or dimensions is specified in a schedule to the zone, a dwelling with a small second dwelling on the same lot should have secluded private open space consisting of an area of 25 square metres and a minimum dimension of 3 metres at the side or rear of the dwelling with convenient access from a living room.</p>	<p><b>Complies</b></p> <p>The proposal incorporates private open space as follows:</p> <ul style="list-style-type: none"> <li>SPOS (min.3m width): 233 sqm</li> <li>Total POS: 370 sqm.</li> </ul> <p>The proposed POS provisions are compliant with the standard.</p>



Title and Objective	Standard	Compliance
	A small second dwelling should have a 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 room.	
<b>Clause 54.05-3</b> <b>Solar access to open space</b> To allow solar access into the secluded private open space of a new dwelling.	<b>A18</b> The private open space should be located on the north side of the dwelling, if practicable. The southern boundary of secluded private open space should be set back from any wall on the north of the space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall.	<b>Complies</b> The southern wall of the dwelling is approximately 5.73-6m. This results in a minimum setback of $2 + 0.9 \times 6\text{m} = 7.4\text{m}$ required for the private open space located to the south of the dwelling. The POS is provided with a depth of minimum 9.28m and maximum 20.3m, complying with the standard.

### Clause 54.06: Detailed Design

Title and Objective	Standard	Compliance
<b>Clause 54.06-1</b> <b>Design detail</b> To encourage design detail that respects the existing or preferred neighbourhood character.	<b>A19</b> The design of buildings, including: <ul style="list-style-type: none"> <li>Façade articulation and detailing,</li> <li>Windows and door proportions,</li> <li>Roof form; and</li> <li>Verandahs, eaves and parapets.</li> </ul> Should respect the existing or preferred neighbourhood character. Garages and carports should be visually compatible with development and the existing or preferred neighbourhood character.	<b>Complies</b> The contemporary architectural appearance of the development will contribute to the desired character in this residential area in Yarraville in a heritage precinct without mocking the heritage details of the area.
<b>Clause 54.06-2</b> <b>Front fences</b> To encourage front fence design that respects the existing or preferred neighbourhood character.	<b>A20</b> A front fence within 3 metres of a street should not exceed: <ul style="list-style-type: none"> <li>The maximum height specified in the schedule to the zone, or</li> <li>If no maximum height is specified in the schedule to the zone, the maximum height specified in Table A2. That is, 2 metres for streets in a Transport Zone 2, and 1.5 metres for other streets.</li> </ul>	<b>N/A</b> The existing front fence is retained.

**CITY OF MARIBYRNONG  
ADVERTISED PLAN**

