

Planning Enquiries
Phone: (03) 9688 0200
Web: www.maribyrnong.vic.gov.au

Application for a Planning Permit

CITY OF MARIBYRNONG
RECEIVED
09/03/2026
URBAN PLANNING

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

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

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

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

i Click for further information.

**CITY OF MARIBYRNONG
ADVERTISED PLAN**

The Land **i**

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

Street Address *

Unit No:	St. No.: 124	St. Name: Pilgrim
Suburb/Locality: Seddon		Post Code: 3011

Formal Land Description *

Complete either A or B.

⚠ This information can be found on the certificate of title

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

A	Vol.: 8490	Folio.: 761	Suburb.: Seddon
OR	Lot No.: 1	Type.: Title Plan	
B	Crown Allotment No.:	Section No.:	
	Parish/Township Name:		

The Proposal

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

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

Extension and second level at our property and additional rear garage

🔗 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 *

400000.00	⚠ You may be required to verify this estimate. Insert '0' if no development is proposed.
-----------	---


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

Existing Conditions i

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.

1 used dwelling.


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

Title Information i

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 i

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

Applicant *

The person who wants the permit.

Name:

Title: NA First Name: Emilee Surname: Marr
Organization (if applicable):

Unit No: St. No: 124 St. Name: Pilgrim Street

Suburb: SEDDON State: VIC Postcode: 3011

Business phone: 0456554999 Email: emileemarr@outlook.com

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

Title: NA First Name: Emilee Surname: Marr
Organization (if applicable):

Unit No: St. No: 124 St. Name: Pilgrim Street

Suburb: SEDDON State: VIC Postcode: 3011

Business phone: 0456554999 Email: emileemarr@outlook.com

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

Title: NA First Name: Emilee Surname: Marr
Organization (if applicable):

Postal Address:

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

Unit No: St. No: 124 St. Name: Pilgrim Street


Suburb: SEDDON State: VIC Postcode: 3011

Business Phone: 0456554999 Email: emileemarr@outlook.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:

Emilee Marr

Date 09 / 03 / 2026

day / month / year

Need help with the Application?

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

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

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

No Yes

Officer Name:

Date:


day / month / year


Checklist

Have you:

Filled in the form completely?

Paid or included the application fee?

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

 Provided all necessary supporting information and documents?

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

A plan of existing conditions.

Plans showing the layout and details of the proposal.

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

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

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

Completed the relevant council planning permit checklist?

Signed the declaration?

Lodgement

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

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

Contact information:

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

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

i 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

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

See **Example 2**.

Estimated cost of development

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

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

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

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

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

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

Existing Conditions

How should land be described?

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

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

See **Example 3**.

Title Information

What is an encumbrance?

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

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

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

What documents should I check to find encumbrances

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

What about caveats and notices?

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

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

What happens if the proposal contravenes an encumbrance on title?

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

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

VOLUME 08490 FOLIO 761

Security no : 124132783072B
Produced 09/03/2026 03:45 PM

LAND DESCRIPTION

Lot 1 on Title Plan 338803M.
PARENT TITLE Volume 02213 Folio 473
Created by instrument B958698 17/06/1964

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
EMILEE ELIZABETH MARR
AIDAN JAMES SPENCE both of 124 PILGRIM STREET SEDDON VIC 3011
AY229245M 22/07/2024

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AY229246K 22/07/2024
COMMONWEALTH BANK OF AUSTRALIA

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 TP338803M FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

**CITY OF MARIBYRNONG
ADVERTISED PLAN**

NIL

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

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

Street Address: 124 PILGRIM STREET SEDDON VIC 3011

ADMINISTRATIVE NOTICES

NIL

eCT Control 15940N COMMONWEALTH BANK OF AUSTRALIA
Effective from 22/07/2024

DOCUMENT END



Imaged Document Cover Sheet

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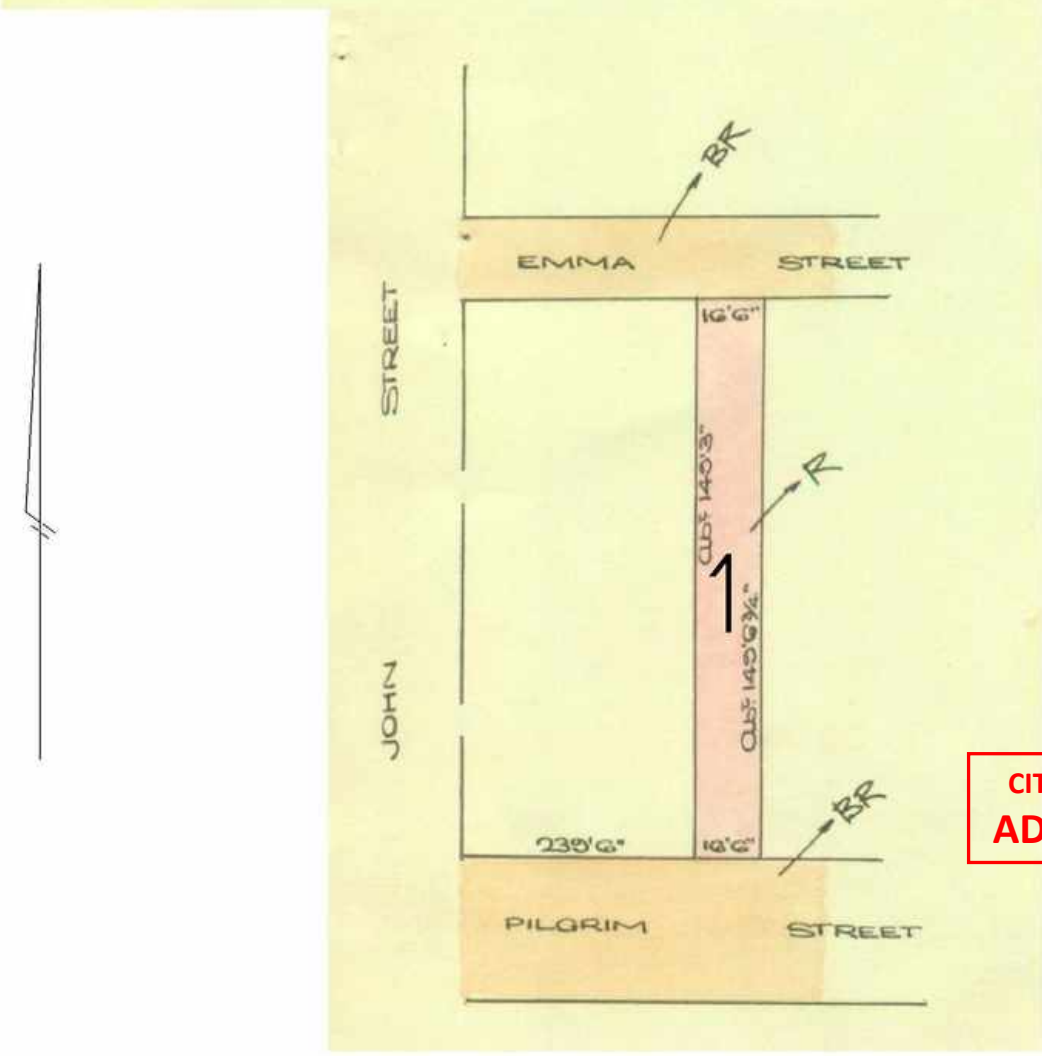
The document is invalid if this cover sheet is removed or altered.

TITLE PLAN		EDITION 1	TP 338803M
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<p>Location of Land</p> <p>Parish: CUT-PAW-PAW Township: Section: 14 Crown Allotment: F (PT) Crown Portion:</p> <p>Last Plan Reference: Derived From: VOL 8490 FOL 761 Depth Limitation: NIL</p>	<p style="text-align: center;">Notations</p> <p>ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN</p>
---	--

<p style="text-align: center;">Description of Land / Easement Information</p> <p style="text-align: center;">ALL THAT piece of land delineated and coloured red on -- the map in the margin being part of Crown Allotment F Section 14 Parish of - Cut Paw Paw - Together with a right of carriage way over the roads coloured- brown on the said map - - - - -</p>	<p>THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT</p> <p>COMPILED: 01/03/2000 VERIFIED: AK</p>
---	---

COLOUR CODE
 BR = BROWN R = RED



**CITY OF MARIBYRNONG
 ADVERTISED PLAN**

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 = CA F (PT)



44 Truman Street
South Kingsville 3015
P O Box 1030
Altona Gate 3025
Ph 9399 1236
Mb 0419 519 209
lstupak@lsplanning.com.au

**CITY OF MARIBYRNONG
ADVERTISED PLAN**

Town Planning Submission

APPLICATION FOR AN EXTENSION TO AN EXISTING DWELLING ON A LOT LESS THAN
300 SQUARE METRES

FOR THE PROPERTY AT 124 PILGRIM STREET SEDDON

12TH MAY 2026

PREPARED FOR EMILEE AND AIDAN SPENCE

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Acknowledgement of Country

LS Planning P/L acknowledges the Traditional Custodians of the land on where this project is undertaken and across the LS Planning P/L office where this report is prepared, paying respect to the Elders past and present. We recognise the ongoing connection of Aboriginal and Torres Strait Islander peoples to land, waters, and culture.

Project Director

Lorraine Stupak

Contributors

Lorraine Stupak

REVISION	REVISION DATE	STATUS	AUTHORISED NAME
02	22/04/2026	Town Planning Application RFI	Lorraine Stupak

* This document is for discussion purposes only unless signed and dated by the persons identified. This document has been reviewed by the Project Director.

Contact

LS Planning Pty Ltd

44 Truman Street

South Kingsville Vic 3015

info@lsplanning.com.au

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1.0 Introduction

LS Planning P/L has been engaged by Emilee and Aiden Spence to prepare a planning assessment in response to of the Maribyrnong Planning Scheme for the construction of buildings and works comprising a double storey extension in the General Residential Zone on the land located at 124 Pilgrim Street Seddon.

The report is based on plans submitted with the application dated 9/02/2026 revision 02 – WIP.

A planning permit is required for the extension of an existing dwelling on a lot less than 300m².

The application involves the following planning permissions:

- Clause 32.08-5 – Extend one dwelling on a lot less than 300 square metres

The development proposed enjoys strong strategic support, as evident by the General Residential Zoning.

The strategic context is supported by a well-proportioned site that has a generous area of 229 square metres approximately. The proposed architecture is cleverly resolved, and addressed the local place context.

The proposal responds appropriately to the established inner-urban context and will have no unreasonable off-site amenity to adjoining properties. The proposed alterations and additions provide an appropriate response to the site and existing dwelling's elements, namely its front presentation to Pilgrim Street and the character of the surrounding area. The extension will provide a contemporary extension that integrates with the surrounding building forms, and provides an enhanced amenity for the owner.

A detailed analysis of the proposal against Maribyrnong Planning Scheme controls offered in this submission is provided. As such we submit the design is well resolved and worthy of Council support.

2.0 The Site

Pilgrim Street runs in an east–west direction between Williamstown Road to the west and Victoria Street to the east. The subject site, 124 Pilgrim Street, is located on the northern

side of the street in close proximity to Bristow Reserve. Pilgrim Street is a local residential street with timed parking restrictions operating during business hours.

The site comprises a single-storey Victorian/Edwardian-era weatherboard dwelling set on a narrow allotment consistent with the fine-grain subdivision pattern of Seddon. The dwelling presents a traditional façade to the street, including a front verandah with decorative detailing and a tiled, hipped roof. A chimney element is expressed within the primary roof form, reinforcing the period character of the dwelling. The frontage is defined by a low metal and wire fence, contributing to the established residential rhythm of the streetscape.

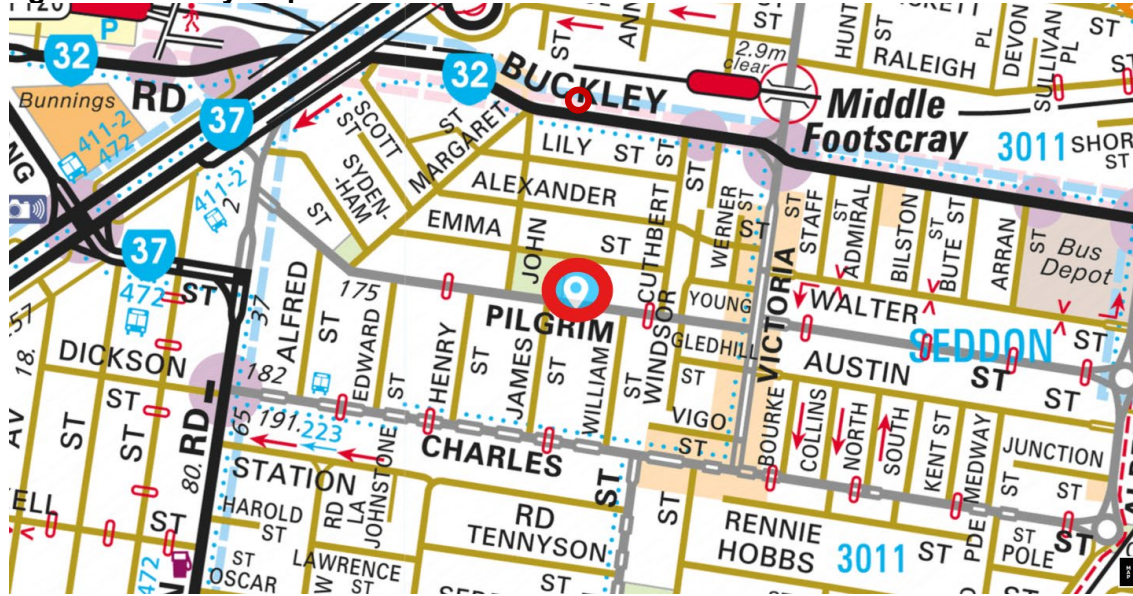
Internally, the dwelling contains bedrooms located toward the front of the site, with living, kitchen and amenity areas arranged centrally and to the rear, opening to a secluded private open space at the back of the lot. Onsite parking is provided via the rear entrance at Emma Street.

The land is generally flat with no discernible fall in any direction and has the following combined dimensions:

North	5.03 metres
South	5.03 metres (Pilgrim Street frontage)
East	45.59 metres
west	45.49 metres
Total site area	229 square metres

The subject site contains limited vegetation, with the majority of the open space presently covered by hard-paved concrete surfaces.

Figure 1: Melway Map: 97 Merton Street Albert Park.



SOURCE: WWW.ONLINE.MELWAY.COM.AU/MELWAY

 - SUBJECT SITE

Figure 2: Streetscape photo of 124 Pilgrim Street Seddon



Source: <https://www.realestate.com.au/property/124-pilgrim-st-seddon-vic-3011/>

3.0 The Locality

Surrounding land uses along Pilgrim Street, Seddon are residential in nature, with development largely dating from the late nineteenth and early twentieth centuries. The streetscape is characterised predominantly by Victorian and Federation/Edwardian dwellings, typically constructed in weatherboard with hipped or gabled corrugated metal and tiled roof forms. Verandahs addressing the street, decorative timber detailing, articulated fenestration and expressed chimneys are common features that contribute to the established character.

Consistent with the era of subdivision, allotments are generally narrow and fine-grained, resulting in closely spaced dwellings with modest side setbacks and relatively uniform front setbacks of approximately three metres. Front fencing is typically low in scale, comprising timber pickets or low brick walls, reinforcing the pedestrian-friendly and human-scaled nature of the street. While many properties have undergone renovation and rear extensions, these alterations are generally recessive and not overtly visible from the public realm, ensuring the dominance of traditional single-storey forms within the streetscape. On the southern side of the street there is a mix of single- and double-storey dwellings, though upper levels are typically set back and visually secondary.

Lot sizes and street frontages remain generally consistent throughout the immediate area, contributing to a cohesive built form rhythm. Off-street car parking is limited, with many dwellings reliant on on-street parking or rear access via rights-of-way.

The accompanying Town Planning drawings, locality maps and photographs provide further detail regarding the subject site and the surrounding housing stock within Pilgrim Street, Seddon.

Figure 3: Aerial Photo of subject site 124 Pilgrim Street Seddon.



Source: <https://www.realestate.com.au/property/124-pilgrim-st-seddon-vic-3011/>

The following observations are made regarding the surrounding area:

- The housing stock is predominantly single-storey Victorian and Federation/Edwardian dwellings, many of which have been incrementally renovated or extended to the rear, with occasional contemporary infill development interspersed throughout the area.
- Front fences are a consistent feature of the streetscape, typically comprising low timber picket or brick fencing, with side and rear boundaries generally defined by timber paling or masonry walls. Vehicular access is commonly provided via rear rights-of-way, limiting the visual presence of crossovers along Pilgrim Street.

- Dwellings are generally narrow in frontage and arranged in a fine-grain pattern, reinforcing the established residential rhythm and modest front setbacks typical of Seddon's early subdivision pattern.
- The Seddon Neighbourhood Activity Centre is located approximately 400–500 metres to the south-east of the subject site, providing convenient access to local retail, hospitality and community services.
- Bristow Reserve and playground are situated nearby, contributing to the local open space network, with additional parkland and recreational facilities accessible within walking distance.
- Seddon Railway Station is located approximately 700 metres to the east of the subject site, offering direct metropolitan rail access to the Melbourne CBD and reinforcing the site's strong public transport connectivity.

4.0 The Proposal

Planning permission is sought for buildings and works associated with an extension to the existing building on a land affected by a General Residential Zone Schedule 1 and Development Contributions Plan Overlay (DCPO2) at 124 Pilgrim Street Seddon.

It is intended to undertake works that can fit comfortably with the building footprints of adjacent dwellings.

Proposed works

The proposal comprises partial demolition to the rear of the existing single-storey weatherboard dwelling and the construction of a contemporary part double-storey addition, together with internal reconfiguration and associated external works resulting in a three-bedroom plus study, two bathroom dwelling of enhance internal amenity. On-site carparking is provided at the rear from Emma Street.

The design significantly enhances the secluded private open space area by replacing extensive hard paving with permeable landscaped areas and deep soil planting. This

transformation creates a softer, more functional outdoor environment, improving visual amenity, supporting canopy growth and contributing to improved environmental performance outcomes.

A restrained contemporary material palette has been selected to complement the established character of Pilgrim Street. The addition utilises metal cladding, fluted glazing and muted finishes that read as recessive behind the existing built form setback, preserving the visual dominance of the rooflines along the streetscape.

The rear addition does not exceed the height of the adjacent double-storey extension to the east, ensuring the overall presentation remains modest and contextually appropriate.

5.0 Planning Permit Triggers and Requirements

A planning permit is required pursuant to the following provisions of the Planning Scheme:

- Clause 32.08-5 – To extend one dwelling on a lot less than 300 square metres.

It is further noted that pursuant to Clause 32.08-12, the proposal must meet the requirements of Clause 54 (Townhouse and Low-Rise Code).

6.0 Zone and Overlays

6.1 Clause 32.08 General Residential Zone – Schedule 1

The subject site is situated within a General Residential Zone - Schedule 1 (GRZ1). A Development Contributions Plan Overlay (DCPO2) applies to the land.

The purpose of the General Residential Zone - Schedule 1 (under Clause 32.08 of the Maribyrong Planning Scheme) is as follows:

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

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

Under the provisions of **Clause 32.08-1** Neighbourhood character objectives, a schedule to this zone may contain neighbourhood character objectives to be achieved for the area. The schedule to the zone does not contain any neighbourhood character objectives in this case.

The provisions of **Clause 32.08-4** Construction or extension of a dwelling, small second dwelling or residential building, whether or not a planning permit is required for the construction or extension of a dwelling, small second dwelling or residential building on a lot, a lot must provide the minimum garden area at ground level as set out in the following table:

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

The site has an area of 229.00 square metres and as such a garden area is not required.

Figure 4: Zoning Map 124 Pilgrim Street Seddon

GENERAL RESIDENTIAL ZONE (GRZ)

GENERAL RESIDENTIAL ZONE - SCHEDULE 1 (GRZ1)



A planning permit is required for the construction and extension of one dwelling on a lot. Given the Site contains an area of less than 300 square metres, a planning permit is required under the GRZ.

The lot size consequently requires an assessment against the requirements of Clause 54 ((Townhouse and Low-Rise Code), a comprehensive assessment of the proposal's response to Clause 54.

The schedule does not specify any variation to building height. Therefore, a maximum building height of 11 metres and three storeys applies pursuant to clause 32.08-11, noting the following applies:

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

The double storey extension has an overall height of 7.04 metres and therefore complies with the maximum height limit.

The proposal responds well to the purpose of the zone, namely the new additions to the rear respecting the existing built form scale and bulk on a smaller allotment and balancing expectations of Clause 54 in relation to siting, on-site amenity and off-site amenity impacts.

Clause 32.08-14 Decision Guidelines

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

General

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

Overlays

6.2 Clause 45.06 Development Contributions Plan Overlay

Pursuant to Clause 45.06 the site is also located within a Development Contributions Plan Overlay (DCPO2).

The purpose of the Development Contributions Plan Overlay is:

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

- To identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.

Pursuant to Clause 45.02-4.0 Land or development excluded from development contributions plan, the following development is exempt from a development contribution:

- Alterations and additions to an existing dwelling, which do not create additional dwellings.

As such, the proposed development is exempt from a development contribution.

6.0 Planning Policy Context

The Municipal Planning Strategy details the overarching strategic policy directions for the municipality and supports the Planning Policy Framework.

The Scheme provides a purpose and vision that reflects the diverse land use, development intensity and strategic direction for development within the municipality. The policies are general in nature and build on the overarching strategic directions of the Planning Policy Framework (**PPF**) to provide adequate residential land use outcomes.

The Municipal Planning Strategy at Clause 02 provides an overview of important local planning issues in an introductory context, sets out the vision for future use and development in the municipality and establishes strategic directions about how the municipality is expected to change through the implementation of planning policy and the planning scheme. A responsible authority must take into account and give effect to the Municipal Planning Strategy when it makes a decision under this planning scheme.

The provisions of interest to this application include:

Clause 02-01 Context

City of Maribyrnong (the City) is situated on the Maribyrnong River, 4km to the west of the Melbourne Central City. It comprises the suburbs of Braybrook, Footscray, Kingsville, Maidstone, Maribyrnong, Seddon, West Footscray, Tottenham and Yarraville. The City's proximity to the Melbourne Central City allows for convenient access to employment, education, retail and business services. Maribyrnong is a 'gateway' to Melbourne's western region with good accessibility to the Port of Melbourne and airports.

The City's population is one of the most culturally and ethnically diverse within Victoria. The population is projected to increase from approximately 86,400 in 2021 to approximately 155,000 in 2051 (Forecast ID, 2023). Population growth, redevelopment, gentrification and a transitioning economy is leading to an increase in residents, businesses and other opportunities in the City.

Settlement

The City's activity centre network provides residents, workers and visitors with access to a wide range of services. Activity centres are key locations for employment, transport, retailing, businesses, community services and increasingly for higher density forms of housing. The City's activity centres vary in size, functions and roles, ranging from specialised centres like Yarraville through to regional centres like Footscray Metropolitan Activity Centre and Maribyrnong-Highpoint Major Activity Centre.

Built Environment and Heritage

The City has a rich and diverse heritage. Heritage places include places of Aboriginal cultural heritage, early European settlement and the various phases of the City's industrial, commercial and residential development.

New development over the past 10 years has changed the appearance and form of the city significantly. The dominance of the industrial character and image has receded and the city's 'renewal' is bringing about a greater residential character and reputation.

Clause 02.02 Vision

The vision in the *Council Plan 2021-25* outlines a vision for the City of Maribyrnong to be 'an inclusive, flourishing, progressive city that cares for both its residents and its environment.' To achieve the vision, Council has focused on five strategic objectives:

- Safe climate and healthy environment.
- Liveable neighbourhoods.
- A place for all.
- Future focussed.
- Ethical leadership.

By 2030, the City of Maribyrnong will be a popular inner-city municipality with a vibrant and diverse community, a strong identity and a prosperous, modern economy. The City's adaptation to climate change will make it more environmentally sustainable and more resilient to future changes. Significant redevelopment will transform the City and give it a greater residential character.

The City's valued heritage and neighbourhood character will be complemented by new development on key redevelopment sites and within activity centres. More people will be living and working in the city attracted by its choice of housing, accessibility and employment opportunities. A broad economic base will strengthen local employment through a strong retail sector, new offices and business services, a growing arts base and the renewal of the City's industrial areas. New facilities and infrastructure will meet the needs of the community.

The network of open spaces and trails will be enhanced and offer an improved range of recreational facilities and activities for the community, while the Maribyrnong River will be more accessible and offer a range of recreational, cultural and tourism experiences.

Clause 02-03 Strategic Directions

Seddon Neighbourhood Activity Centre

The Seddon Neighbourhood Activity Centre (also known as ‘Seddon Village’) provides local retail and service needs and also attracts visitors from adjacent suburbs. The width of both Victoria and Charles Streets reflects that they were once part of the tram route from Footscray to Kingsville.

The centre features pre-1930s two-storey shopfronts with verandahs along Victoria Street and Charles Street. There is opportunity for redevelopment of sites in the centre, particularly at the eastern end of Charles Street.

Council seeks to:

- Maintain and enhance the role of each centre within the network.
- Discourage expansion of retailing in locations not identified in the network.
- Protect areas adjacent to activity centres from negative impacts.
- Maintain the Footscray Metropolitan Activity Centre’s status as the most regionally significant centre in the City.
- Support the Maribyrnong-Highpoint Major Activity Centre as a regional shopping centre and as the key focus for restricted retail.
- Encourage land use and development to enhance the community focus of Local Centres by providing opportunities for employment and social interaction.
- Limit the expansion of Small Destination Centres that have poor connection to public transport and a declining role to reduce their influence on the activity centre network.
- Encourage uses that support the health and wellbeing of residents, visitors and workers.

02.03-4 Built environment and heritage

Building and urban design

Development needs to be responsive to its context, which varies considerably between different settings.

A well designed urban environment can enhance the image, aesthetics and amenity of the City. Excellence in urban design can improve streetscapes and public spaces and help achieve a more sustainable, attractive and liveable city.

Council seeks to:

- Encourage development that enhances and contributes to the local built form context of the area.
- Improve urban design outcomes by enhancing the safety, amenity, access and attractiveness of an area.

02.03-5 Housing

Housing growth

The Housing Framework Plan in Clause 02.04 identifies the opportunities for residential development to cater for the forecast population and housing increase to 2030. Housing growth is directed to appropriate locations with access to employment, infrastructure and services.

Substantial housing change should occur in Substantial Change Areas as identified in the Housing Framework Plan. In the future, the Substantial Change activity centres (Maribyrnong-Highpoint Major Activity Centre and Footscray Metropolitan Activity Centre) will assume a stronger role and greater capacity for substantial medium and higher density housing developments. Significant redevelopments are proposed for the Maribyrnong Defence Site, Kinnears site in Footscray, the former Defence site in Beachley Street, Braybrook, the Bradmill Precinct in Yarraville and the Maidstone Hampstead Road East Strategic Redevelopment Sites. Other smaller sites across the municipality will also contribute to the supply of new housing.

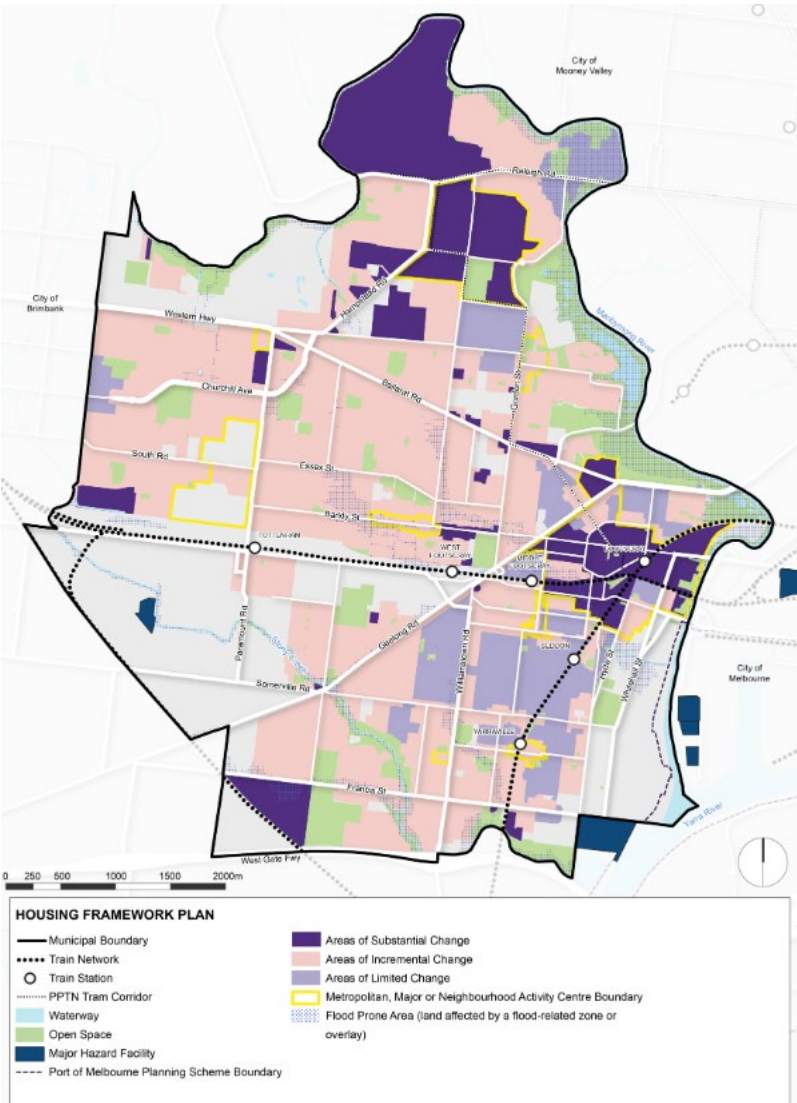
Incremental housing change should occur in Incremental Change Areas as identified in the Housing Framework Plan. Incremental Change Areas are all other residential areas without heritage significance, an identified residential character, or an identified constraint such as inundation that warrants planning protection through specific overlays. The mixed use and residential developments occurring in Incremental Change activity centres will continue and increase.

Limited housing change should occur in Limited Change Areas as identified in the Housing Framework Plan. Limited Change Areas are existing residential areas with heritage significance, an identified residential character, or an identified constraint such as inundation that warrants planning protection. The majority of these areas have been identified in Council's Heritage Study (2001) and neighbourhood character studies, or are in an overlay.

Council seeks to:

- Direct the majority of the City's housing growth and greater housing diversity to substantial change areas.
- Preserve neighbourhood and heritage character in limited change residential areas.

Figure 5 Housing Framework Plan found at Clause 02.04



7.1 Planning Policy Framework

The Planning Policy Framework (PPF) is outlined at Clauses 10–19 of the Scheme. The PPF underpins the key objectives of the Act, and its objectives that require consideration in the administration of land use and development planning across Victoria. It informs the preparation and implementation of local planning policy objectives and the introduction of



zone and overlay controls. It is therefore necessary that planning permit applications build on and achieve these important policy objectives.

Of particular relevance to this application are:

Clause 11 Settlement

- 11.01-1S Settlement
- 11.01-1R Settlement – Metropolitan Melbourne
- 11.03-1S Activity Centres
- 11.03-1R Activity Centres – Metropolitan Melbourne
- 11.03-1L-01 Activity centres
- 11.03-1L-07 Seddon neighbourhood activity centre

Clause 13 Environmental Risks and Amenity

- 13.01 Climate change impacts
- 13.01-2S Coastal inundation and erosion
- 13.01-3S Urban Heat
- 13.05 Noise
- 13.05-1S Noise management
- 13.07 Amenity, Human Health and Safety
- 13.07-1S Land use compatibility

Clause 15 Built Environment and Heritage

- 15.01-1S Urban Design
- 15.01-1R Urban Design Metropolitan Melbourne
- 15.01-1L-01 Urban design
- 15.01-2S Building Design
- 15.01.2L-03 Environmentally sustainable design
- 15.01-4S Healthy Neighbourhoods
- 15.01-5S Neighbourhood Character
- 15.01-5L Neighbourhood Character

Clause 16 Housing

- 16.01-1S Housing Supply
- 16.01-1R Housing Supply – Metropolitan Melbourne
- 16.01-1L-01 Housing change areas
- 16.01-1L-02 Housing Diversity

Clause 18 Transport

- 18.01-1S Land Use and Transport integration
- 18.01-3S Sustainable and safe transport
- 18.01-3R Sustainable and safe transport – Metropolitan Melbourne

18.02-4L Car parking

Clause 19 Infrastructure

19.03-1S Development and infrastructure contributions plans

19.03-3S Integrated water management

19.03-3L Integrated water management

7.2 Clause 52.06 Car parking

Purpose

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

Onsite parking is provided for via the rear of the site, Emma Street.

It is noted that the provisions of this clause do not apply to the application. Clause 52.06-1 notes the following:

Clause 52.06 does not apply to: the extension of one dwelling on a lot in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone.

7.0 General Provisions

Clause 65 – Decision Guidelines

Clause 65.01 of the Maribyrnong Planning Scheme sets out decision guidelines that must be considered, as appropriate, before deciding on any application for a permit under the Planning Scheme.

The key decision guidelines identified in this Clause are as follows:

- The matters set out in section 60 of the Act.
- Any significant effects the environment, including the contamination of land, may have on the use or development.
- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the environment, human health and amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.
- The impact the use or development will have on the current and future development and operation of the transport system.

8.0 Planning Assessment

The key planning considerations in this instance relate to neighbourhood character, on and off-site amenity, with clauses 16.01-1L-01 Housing change areas and 54 being the most relevant planning policies and provisions to Council's assessment.

The proposal presents an opportunity for the enhancement of an existing dwelling, improving the internal amenity for occupants of the dwelling, whilst making efficient use of a small and narrow residential parcel without unreasonably impacting on adjoining properties. The proposal is considered to provide an appropriate balance and response to the GRZ1.

As noted above, the following sections detail a response to the key planning considerations.

General Residential Zone, Schedule 1 & Clause 54

The Site is located within GRZ1 whereby the construction and/or extension of a dwelling must be in accordance with the overarching expectations of the Planning Scheme, particularly Clause 54.

The below informs the relevant GRZ1 Elements of the proposal considered of particular importance are further discussed below.

1. Building Height

As outlined, the Application does not seek to exceed the maximum building height of 11 metres. A maximum height of approximately 7.04 metres, well beneath the mandatory 11 metre zoning requirements.

2. Daylight to existing windows

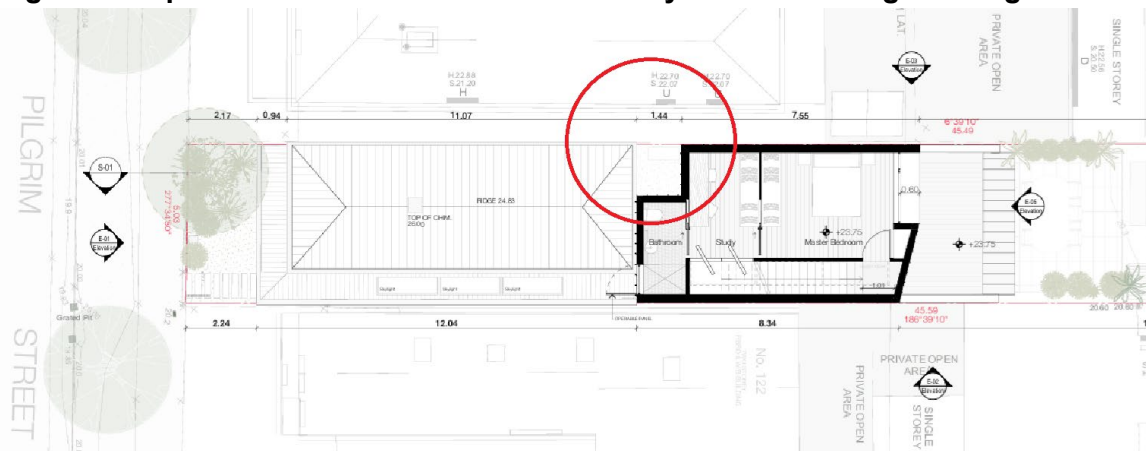
The dwelling at No. 126 Pilgrim Street contains habitable room windows located approximately 1 metre from the common boundary. The proposal deliberately retains the existing front portion of the Victorian terrace, ensuring that the established streetscape character, historic fabric and fine-grained rhythm of Pilgrim Street are maintained. In

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addition the retention of the front two bedrooms and bathroom maintain the existing conditions experienced by the habitable room window on the adjacent property at 126 Pilgrim Street.

The design has upper level built form is set back and articulated, reducing the visual bulk and perceived height of walls when viewed from adjoining properties. In addition the ground floor recessed courtyard and first floor setback results a light court to allow access to daylight into the internal living spaces of the kitchen of the dwelling on the ground floor.

Figure 6 Proposed treatment at western boundary near to existing abutting windows



The proposal represents a material improvement to the existing condition through the introduction of a 1.95 metre by 1.90 metre recessed light well at ground level, creating additional sky visibility and reducing the extent of uninterrupted boundary wall currently experienced by the adjoining property. This break in built form enhances daylight penetration relative to the existing situation and demonstrates a responsive design outcome. The design avoids continuous boundary walls by incorporating setbacks, material changes and modulation, which reduces enclosure and dominance from adjoining properties.

At upper level, the addition has been carefully articulated and positioned to avoid unreasonable visual bulk within the 55-degree daylight arc. In circumstances where adjoining windows are located in close proximity to the boundary, the reasonable

expectation of daylight access must be considered in context. The proposal does not materially intensify the existing interface and maintains reasonable daylight amenity.

Having regard to the decision guidelines — particularly the design response and the impact on amenity — the proposal achieves the objective of Clause 55.04-1 by preserving reasonable daylight access and not unreasonably increasing enclosure of the adjoining dwelling.

3. Overshadowing

Overshadowing impacts from boundary walls are minimal, with shadow diagrams confirming that any additional shadow is limited and does not result in unreasonable loss of amenity to adjoining private open space. The equinox overshadowing diagrams confirm that the adjoining secluded private open space already experiences a notable level of overshadowing under existing conditions, reflecting the established built form pattern, narrow lot sizing along the street, boundary conditions and orientation of development in the immediate area. In this context, the assessment is appropriately focused on whether the proposal causes a material further reduction in existing sunlight access, having regard to the second limb of Standard A4-3.

The combined diagrams demonstrate that the proposal introduces only minor incremental additional shadow beyond the existing condition at each tested hour. For those lots abutting the subject site to the west, the additional shadow component is very limited in extent in the morning period (generally in the order of 0.10m²–0.52m²).

Figure 7 Minor additional overshadowing impacts of private open spaces at 126 Pilgrim Street and 30 Emma Street properties to the west



For those properties to the east, any additional overshadowing of secluded private open space areas remains modest in the afternoon period (ranging from approximately 0.19m² up to 1.74m² at 3pm). This incremental shadowing does not meaningfully alter the overall distribution of sunlight to the open space when compared with the existing baseline condition.

Figure 8 Minor additional overshadowing impacts of private open spaces at 122 Pilgrim Street and 28 Emma Street properties to the east



In terms of the decision guidelines, the design response has moderated built form and massing to limit off-site impacts, and the incremental shadowing occurs within a context where sunlight availability is already constrained. The timing of the additional shadow is also relevant. The increased shadow is most apparent later in the day (approaching 3pm) and does not materially affect the usability of the adjoining open spaces for typical daytime outdoor activities when considered as a whole.

Having regard to the existing sunlight penetration, the time of day sunlight is available, and the limited extent of the incremental shadow cast by the proposal, the development does not result in significant overshadowing of adjoining secluded private open space and maintains an acceptable level of amenity consistent with the objective of Clause 55.04-5.

9.0 Clause 54

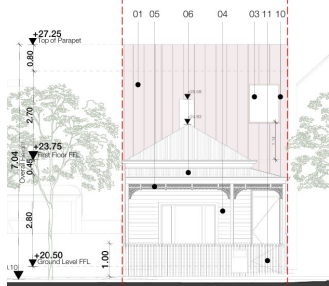
Pursuant to Clause 32.08-5 of the Maribyrnong Planning Scheme, an application for the construction and extension of one dwelling on a lot.

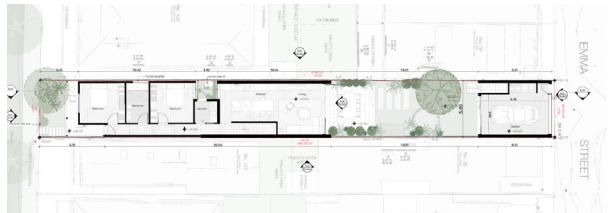
A permit is required to construct or extend one dwelling on a lot less than 300 square metres.

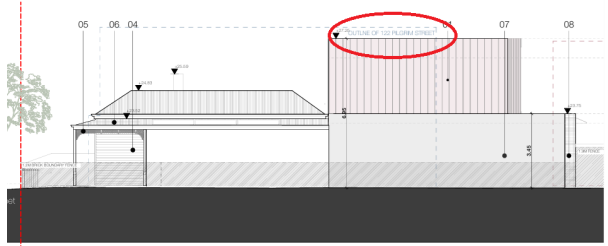
A permit is required to construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling on a lot less than 300 square metres and the fence exceeds the maximum height specified in clause 54.02-7.

A development must meet the requirements of Clause 54.


Neighbourhood Character			
<i>54.02-1 Street setback objective</i>	Standard A2-1	Met?	Comments
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.	<p>Walls of buildings are set back from streets:</p> <ul style="list-style-type: none"> 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 If no distance is specified in a schedule to the zone, the distance specified in Table A2-1. <p>Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.</p>	Yes	<p>Complies</p> <p>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner. All buildings, including the subject site, have similar setbacks, with the property at 126 Pilgrim Street the lesser setback.</p> <p>The proposal does not alter the existing street setback and accords with the setback of 126 Pilgrim Street. The proposed verandah is to be 2.8 metres in height.</p>
<i>54.02-2 Building height objective</i>	Standard A2-2	Met?	Comments
<i>To ensure that the height of buildings respond to the existing or preferred</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.	Yes	Complies

<p><i>neighbourhood character.</i></p>	<p>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.</p>		 <p>The proposed first floor addition has a maximum building height of 7.04 metres, below the zone’s maximum allowable height of 11m and three storeys.</p>
<p>54.02-3 Side and rear setbacks objective</p>	<p>Standard A2-3</p>	<p>Met?</p>	<p>Comments</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>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, facias, 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.</p>	<p>NA</p>	<p>The proposed extension continues the existing boundary wall condition and is constructed on the boundary; therefore, Standard A2-3 (Side and Rear Setbacks) does not apply, as the standard only applies to buildings not on or within 200mm of a boundary.</p>

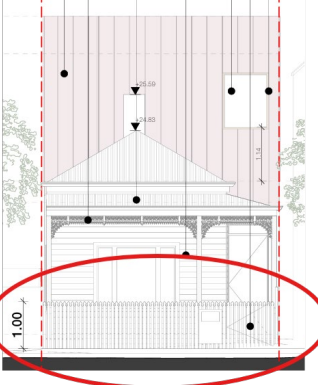
	Landings that have an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the side and rear setbacks.		
54.02-4 Walls on boundaries objective	Standard A2-4	Met?	Comments
To ensure that the location, length and height 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.	<p>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:</p> <ul style="list-style-type: none"> • 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or • The length of existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot. <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</p>	Yes	<p>Complies</p>  <p>The proposal is designed to ensure walls on boundaries do not result in unreasonable amenity impacts to adjoining properties, consistent with the objective of Clause 54.02-4.</p> <p>The proposed extension continues development along side boundaries in a manner consistent with the existing dwelling and the prevailing boundary-built pattern evident within the narrow lot context of the surrounding allotments.</p>



	<p>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 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.</p>		<p>No continuous wall on a boundary is greater in length than 21.25 metres, which is the distance that is 10 metres plus 25 per cent of the remaining length of the neighbouring boundaries.</p> <p>In terms of the first floor wall addition, this abuts a higher existing wall at No.122 Pilgrim Street.</p> <p>The boundary wall height and extent are contained within a scale that is comparable to adjoining built form and do not present unreasonable visual bulk or amenity impacts to neighbouring properties.</p> 
<p>54.02-5 Site coverage objective</p>	<p>Standard A2-5</p>	<p>Met?</p>	<p>Comments</p>

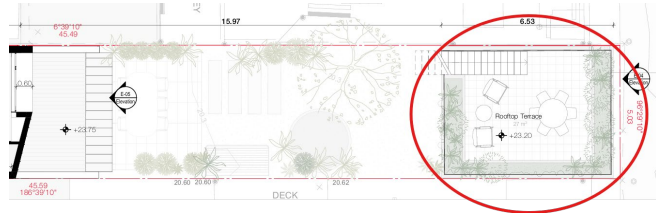
<p>To ensure that the site coverage responds to the existing or preferred neighbourhood character and responds to the features of the site.</p>	<p>The site area covered by buildings does not exceed:</p> <ul style="list-style-type: none"> The maximum site coverage specified in a schedule to the zone; or If no maximum site coverage is specified in a schedule to the zone, the percentage specified in Table A2-5. <p>If the maximum site coverage is specified in a schedule to a zone, it must be greater than the percentage specified in Table A2-5.</p>	<p>No</p>	<p>Site coverage proposed is 66 per cent, 1 per cent above the relevant Standard of 65 per cent. This represents approximately 2.3m² over the allowable 148.85m² on a 229m² lot.</p> <p>The proposed site coverage is considered a minor variation of limited practical consequence on a narrow 229m² inner-urban lot. The development retains functional secluded private open space and provides additional permeable areas compared to the existing condition, ensuring that the built form does not result in overdevelopment of the site.</p> <p>The proposal satisfies the objective by responding appropriately to the site's constraints and the established built form pattern of the surrounding neighbourhood.</p>
<p>54.02-6 Tree canopy objectives</p>	<p>Standard A2-6</p>	<p>Met?</p>	<p>Comments</p>
<p>To provide tree canopy that responds to the neighbourhood character of the area and reduces the visual impact of</p>	<p>Provide a minimum number of trees as specified in Table A2-6.</p> <p>A tree must meet the following:</p> <ul style="list-style-type: none"> Reach a height of at least 6 metres at maturity. 	<p>No</p>	<p>Does not comply</p>

<p>buildings on the streetscape.</p> <p>To preserve existing canopy cover and support the provision of new canopy cover.</p> <p>To ensure new canopy trees are climate responsive, support biodiversity, wellbeing and amenity, and help reduce urban heat.</p>	<ul style="list-style-type: none"> • Achieve a canopy width of at least 4 metres at maturity. • Planted in a minimum deep soil area of 12 square 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. <p>Existing trees to be retained meet all of the following</p> <ul style="list-style-type: none"> • Has a height of at least 5 metres, • Has a trunk circumference of 0.5 metres or greater at 1.4 metres above ground level, • Has a trunk that is located at least 4 metres from proposed buildings <p>Existing trees that are retained can be used to satisfy the tree canopy requirement.</p> <p>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.</p>		 <p>No significant canopy trees are currently located on the site. The existing vegetation comprises a shrub that does not meet the definition or growth characteristics of a canopy tree and therefore does not contribute to meaningful canopy cover or urban heat reduction. While the site is currently highly constrained by existing site coverage and substantial areas of hard paving within the secluded private open space, the proposal removes sections of concrete and reconfigures the open space to introduce a deep soil area capable of supporting a canopy tree.</p> <p>In response to the site context and design constraints, the proposal facilitates the planting of two new canopy trees — one within the re-established secluded private open space and one within the front setback — both capable of achieving the required mature height and</p>
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			<p>canopy spread. This represents a substantive improvement to the existing conditions and contributes positively to greening, biodiversity and urban heat mitigation outcomes.</p> <p>The surrounding neighbourhood context is characterised by high site coverage, limited deep soil areas and minimal established canopy planting within individual lots. Given that canopy vegetation is not a defining feature of the immediate streetscape, the proposal makes a proportionate and site-responsive contribution to canopy cover without compromising the built form pattern or neighbourhood character. The species selection and planting locations will ensure long-term viability, appropriate soil volume and meaningful canopy growth consistent with the intent of Clause 55.</p>
<i>54.02-7 Front fences objective</i>	Standard A2-7	Met?	Comments
To encourage front fence design that responds to the existing or preferred neighbourhood character.	<p>A front fence within 3 metres of a street is:</p> <ul style="list-style-type: none"> The maximum height specified in a schedule to the zone, or 		Complies

	<p>If no maximum height is specified in a schedule to the zone, the maximum height specified in Table A2-7.</p>		 <p>A new white paint paling fence 1 metre in height is proposed, this being within the allowable height of 1.5 metres.</p>
<p>54.02-8 Building setback for small second dwellings objective</p>	<p>Standard A2-8 (exempt from appeal if met)</p>	<p>Met?</p>	<p>Comments</p>
<p>To ensure that small second dwellings are sited to respond to the existing or preferred neighbourhood character.</p>	<p>Walls of a small second dwelling are set back 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.</p>	<p>N/A</p>	<p>The proposal is not a small second dwelling</p>

Liveability			
<i>54.03-1 Street integration objective</i>	Standard A3-1	Met?	Comments
To integrate the layout of development with the street to support the safety and amenity of residents.	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.	Yes	Complies  A habitable room window faces the street.
<i>54.03-2 Private open space objective</i>	Standard A3-2	Met?	Comments
To provide adequate private open space for the reasonable recreation and	A dwelling or small second dwelling has private open space of an area and dimensions specified in a schedule to the zone.	Yes	Complies 

<p><i>service needs of residents.</i></p>	<p>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:</p> <ul style="list-style-type: none"> • 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. <p>If the area and dimensions of the private open space or secluded private open space is specified in a schedule to the zone;</p> <ul style="list-style-type: none"> • The area and dimensions specified for private open 	<p>The proposal provides 48m² of open space, or 21 percent of the site.</p> <p>The open space is secluded, and is 48 m² in extent, having a width of 5 metres.</p>  <p>The proposal includes a rooftop terrace area of more than 25 m².</p> <p>The cooling unit location is provided elsewhere within the development.</p>
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	<p>space and secluded private open space must be less than the area and dimensions specified in this standard, and</p> <ul style="list-style-type: none"> • 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. <p>A small second dwelling has 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 area, dining area or kitchen.</p> <p>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.</p> <p>Where ground level private open space is provided an area for clothes drying is provided.</p>		
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<p>54.03-3 Solar access to open space objective</p>	<p>Standard A3-3</p>	<p>Met?</p>	<p>Comments</p>
<p>To allow solar access into the secluded private open space of new dwellings.</p>	<p>The southern boundary of secluded private open space is set back from any wall on the north of the space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall.</p>	<p>Yes</p>	<p>Complies</p>  <p>The southern boundary of the secluded private open space must be at least 5.69 metres from the north wall. The southern boundary is setback 9.11 metres.</p>
<p>54.03-4 Daylight to new windows objectives</p>	<p>Standard A3-4</p>	<p>Met?</p>	<p>Comments</p>
<p>To allow adequate daylight into new habitable room windows.</p>	<p>A window in an external wall of the building is provided to all habitable rooms.</p> <p>Habitable rooms in a dwelling have a window that faces:</p> <ul style="list-style-type: none"> 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 	<p>Yes</p>	<p>Complies</p> <p>All habitable rooms will have windows.</p> <p>New windows are proposed within the rear aspect of the dwelling, which do not face any residential structures. The new windows will receive adequate daylight in accordance with the Standard.</p> <p>The proposed garage has two open sides.</p>

	<p>the sky, not including land on an abutting lot; or</p> <ul style="list-style-type: none"> • A verandah provided it is open for at least one third of its perimeter; or • A carport provided it has two or more open sides and is open for at least one third of its perimeter. 		
<p>54.03-5 Safety and accessibility for small second dwellings objective</p>	<p>Standard A3-5</p>	<p>Met?</p>	<p>Comments</p>
<p>To ensure access to a small second dwelling is safe, convenient and meets the needs of residents.</p>	<p>A small second dwelling is provided with a clear and unobstructed path from the frontage that:</p> <ul style="list-style-type: none"> • 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. 	<p>N/A</p>	<p>The proposal is not for a small second dwelling</p>

	<ul style="list-style-type: none"> • Has a minimum clear height of at least 2 metres, with no encroachments. • Has a gradient no steeper than 1 in 14. • Has a cross fall no steeper than 1 in 40. • Is sealed or has an all-weather access. 		
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External Amenity			
<i>54.04-1 Daylight to existing windows objective</i>	Standard A4-1	Met?	Comments

<p>To allow adequate daylight into existing habitable room windows.</p>	<p>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.</p> <p>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.</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>	No	<p>See main assessment in the body of the report.</p> <p>The proposed development improves upon the existing condition by providing creating a break in this boundary wall at the Laundry room location, recessing in to create a 2 metre x 1 metre light well of open space.</p>
<p><i>54.04-2 Existing north-facing windows objective</i></p>	<p>Standard A4-2</p>	<p>Met?</p>	<p>Comments</p>
<p><i>To allow adequate solar access to existing north-facing</i></p>	<p>Where a north-facing habitable room window of a neighbouring dwelling or small second dwelling is within 3 metres of a boundary on an</p>	NA	<p>There is no abutting allotment to the north of the subject site.</p>

<i>habitable room windows.</i>	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.		
54.04-3 <i>Overshadowing secluded open space objective</i>	Standard A4-3	Met?	Comments
<i>To ensure buildings do not significantly overshadow existing secluded private open space.</i>	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 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	No	See main assessment in the body of the report.

	standard, the amount of sunlight will not be further reduced.		
54.04-4 Overlooking objective	Standard A4-4	Met?	Comments
To limit views into existing secluded private open space and habitable room windows.	<p>In Clause 54.04-4 a habitable room does not include a bedroom.</p> <p>A habitable room window, balcony, 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.</p> <p>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:</p>	Yes	The upper-level balcony incorporates continuous metal cladding that screens views toward adjoining secluded private open space and habitable room windows, thereby preventing unreasonable overlooking. In the context of the established inner-urban setting, where some degree of mutual visibility is characteristic, the proposal does not materially increase overlooking beyond existing conditions. The design achieves an appropriate balance between protecting neighbouring amenity and maintaining internal daylight and liveability for the proposed dwelling.


	<ul style="list-style-type: none"> • 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. <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 are:</p> <ul style="list-style-type: none"> • 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. <p>This standard does not apply to a new habitable room window, balcony, terrace, deck or patio</p>		
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	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.		
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Sustainability			
<i>54.05-1 Permeability objectives</i>	Standard A5-1	Met?	Comments
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.	The site area covered by the pervious surfaces is at least 20 percent of the site.	Yes	The proposal provides 27 per cent permeability, a marked improvement on existing conditions and in compliance with the Standard.
<i>54.05-2 Overshadowing domestic solar energy systems objective</i>	Standard A5-2	Met?	Comments
<i>To ensure that the height and setback of</i>	Any part of a new building that will reduce the sunlight at any time between 9 am and	Yes	Complies

<p><i>a building from a boundary allows reasonable solar access to existing domestic solar energy systems on the roofs of buildings.</i></p>	<p>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.</p> <p>This standard applies to an existing building in a Township Zone, General Residential Zone or Neighbourhood Residential Zone.</p> <p>In Clause 54.05-2 domestic solar energy system means a domestic solar energy system that existed at the date the application was lodged.</p>		<p>No. 32 Emma Street has existing roof top solar on the existing two storey building. Due to it's two storey nature, and it's western location to the subject site, the proposed development does not overshadow existing solar arrays at any point in time.</p> <p>No other adjacent buildings incorporate existing solar panels.</p>
<p><i>54.05-3 Rooftop solar energy generation area objective</i></p>	<p>Standard A5-3</p>	<p>Met?</p>	<p>Comments</p>
<p><i>To support the future installation of appropriately sited</i></p>	<p>In Clause 54.05-3 rooftop solar energy area means an area provided on the roof</p>	<p>Yes</p>	<p>Complies</p>

<p><i>rooftop solar energy systems for a dwelling.</i></p>	<p>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:</p> <ul style="list-style-type: none"> • Has a minimum dimension of 1.7 metres. • Has a minimum area in accordance with Table A5-3. • Is oriented to the north, west or east. • Is positioned on the top two thirds of a pitched roof. • Can be a contiguous area or multiple smaller areas. • 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. 		<p>The rooftop areas provide for sufficient solar panel installation in future.</p>
<p><i>54.05-4 Solar protection to new north-facing windows objective</i></p>	<p>Standard A5-4</p>	<p>Met?</p>	<p>Comments</p>

<p>To encourage external shading of north facing windows to minimise summer heat gain.</p>	<p>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.</p>	<p>Yes</p>	<p>Complies</p>  <p>The proposed north facing windows at both ground and upper levels incorporate fixed metal awnings that will provide external shading.</p>
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10.0 Conclusion

The assessment of the proposed development against the requirements of the Maribyrnong Planning Scheme including, the Planning Policy Framework, Local Planning Policy Framework (including the Municipal Strategic Statement and Local Planning Policies), the General Residential Zone, and demonstrates that the proposal achieves the objectives of the various policies and provisions, as well as substantially complying with prescriptive requirements.

The proposed buildings and works have appropriately responded to the opportunities and constraints of the subject land, providing a sensitive redevelopment to continue the existing use on the land. The proposed introduction of a double storey addition to the existing dwelling has been designed in a complimentary manner.

The high-quality materials and finishes adopted in the proposal will provide a visually interesting form. The diversity of design that draws on cues from the surrounding area, provides for a development that integrates with the neighbourhood. The development complies with the majority of Clause 54 requirements and provides an exemplar design outcome for a double storey addition.

The design has considered the site context and layout of adjoining sites to ensure the development provides reasonable standards of amenity for existing and new residents. It appropriately encapsulates the balancing act required by the integrated decision making provisions of the Scheme. On this basis, we respectfully request that Council recommend this development for approval.

We therefore submit that the permit application is worthy of approval.



L STUPAK
TOWN PLANNING CONSULTANT
B.A (Urban), MBus (Tour), CPP, MPIA, MVELPA

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