

# Application for a Planning Permit

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

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

CITY OF MARIBYRNONG  
ADVERTISED PLAN

⚠️ 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  
24/12/2025  
URBAN PLANNING

## The Land i

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

### Street Address \*

Unit No:	St. No.: 23	St. Name: Browning
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.

<b>A</b>	Vol.: 8239	Folio.: 455	Suburb.: Seddon
<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? \*

Single Dwelling

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

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

350000.00	⚠️ 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 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.

Single 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: Joel	Surname: Bolthole
-----------	------------------	-------------------

Organization (if applicable):

Unit No: 2210	St. No: PO BOX	St. Name:
Suburb: FOOTSCRAY	State: VIC	Postcode: 3011
Business phone:	Email: joel@boltholedd.com.au	
Mobile phone: 0415200422	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: Joel	Surname: Bolthole
-----------	------------------	-------------------

Organization (if applicable):

Unit No: 2210	St. No: PO BOX	St. Name:
Suburb: FOOTSCRAY	State: VIC	Postcode: 3011
Business phone:	Email: joel@boltholedd.com.au	
Mobile phone: 0415200422	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: MRS	First Name: Nerolee	Surname: Daniher
------------	---------------------	------------------


Organization (if applicable):

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

Unit No:	St. No: 23	St. Name: Browning Street
Suburb: SEDDON	State: VIC	Postcode: 3011
Business Phone:	Email: nerolee.daniher@afl.com.au	
Mobile phone: 0433353380	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:

*Joel Bathole Design & Drafting*

Date

23 / 12 / 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.**

## MORE INFORMATION

### The Land

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

#### How is land identified


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

See **Example 1**.

### The Proposal

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


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

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

#### How do planning schemes affect proposals?

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

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

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

VOLUME 08239 FOLIO 455

Security no : 124130988010G  
Produced 23/12/2025 03:32 PM

CITY OF MARIBYRNONG  
**RECEIVED**  
24/12/2025  
URBAN PLANNING

**LAND DESCRIPTION**

Lot 1 on Title Plan 520286Q (formerly known as part of Lot 121 on Plan of Subdivision 005431).

PARENT TITLE Volume 04030 Folio 970  
Created by instrument K722780 19/01/1984

**CITY OF MARIBYRNONG  
ADVERTISED PLAN**

**REGISTERED PROPRIETOR**

Estate Fee Simple  
Joint Proprietors

NEROLEE GAYE DANIHER  
JAMES CAMERON MITCHELL DOOR 01 23 BROWNING ST SEDDON VIC 3011  
W327371M 05/10/1999

**ENCUMBRANCES, CAVEATS AND NOTICES**

MORTGAGE AK222522W 05/03/2013  
AFSH NOMINEES PTY LTD

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

**DIAGRAM LOCATION**

SEE TP520286Q 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: 23 BROWNING STREET SEDDON VIC 3011

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>Plan</b>
Document Identification	<b>TP520286Q</b>
Number of Pages (excluding this cover sheet)	<b>1</b>
Document Assembled	<b>23/12/2025 15:32</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.

TITLE PLAN	EDITION 1	TP 520286Q
------------	-----------	------------

<p><b>Location of Land</b></p> <p>Parish: CUT-PAW-PAW          Township:          Section:          Crown Allotment:          Crown Portion:</p> <p>Last Plan Reference: LP 5431          Derived From: VOL 8239 FOL 455          Depth Limitation: NIL</p>	<p><b>Notations</b></p> <p>ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN</p>
---	--

<p><b>Description of Land / Easement Information</b></p> <p>all that piece of land in the Parish - - of Cut-paw-paw County of Bourke being part of Lot 121 on Plan of - - - - - Subdivision No.5431 which land is shown enclosed by continuous lines on the map hereon TOGETHER WITH a right of carriage way over the roads shown on -- the said Plan of Subdivision - - - - -</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: 06-06-2000          VERIFIED: AD</p>
--	---



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 = LOT 121 (PT) ON LP 5431

# CITY OF MARIBYRNONG ADVERTISED PLAN

Maribyrnong City Council Urban Planning Department  
Cnr Hyde and Napier Streets, Footscray  
Postal Address: PO Box 58, Footscray VIC 3011  
T: 9683 0200 F: 9687 7799 e: [planningapplications@maribyrnong.vic.gov.au](mailto:planningapplications@maribyrnong.vic.gov.au)



## AMENDMENT TO AN APPLICATION FOR PLANNING PERMIT Request Form

Privacy Information  
Any material submitted with this application, including plans and personal information, will be available for public viewing, including electronically, and copies may be made to interested parties for the purpose of enabling consideration and review as part of a planning process under the Planning and Environment Act 1987.

### DETAILS OF APPLICATION TO BE AMENDED

<b>Application Number:</b> TP456/2025(1)	<b>Address of Land :</b> 23 Browning Street, Seddon
Under what section of the Planning and Environment Act 1987, is the amendment being sought: <input checked="" type="checkbox"/> Section 50 – Amendment to the application prior to notice <input type="checkbox"/> Section 57A – Amendment to the application after notice <i>(Note – A fee of 40% of the original application fee is required with this request)</i>	

### THE APPLICANT

<b>Name:</b> Joel Duncan	<b>Organisation:</b> Bolthole Design & Drafting
<b>Address:</b> PO Box 2210, Footscray 3011	
<b>Contact Phone Number:</b> 0415 200 422	
<b>Email:</b> joel@boltholedd.com.au	
<b>Are you the applicant of the original planning permit application?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <i>(Note: Only the applicant of the original planning permit application may ask Council to amend the application)</i>	

### DETAILS OF THE PROPOSED CHANGES

Is there a change to the description of the land?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is there a change to the plans and/or other documents submitted with the application?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is there a change to the use and/or development of the land?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>List in detail the proposed changes (This can be listed on a separate page)</b> - Added colour board - Added additional 3D elevations to the elevation page (North Elevation) - Added further details to front door and gable detailing (existing & proposed) - Added pergola identification to rear of house - Nominated further details on rear fence replacement.	

### DECLARATION TO BE COMPLETED FOR APPLICATIONS

I declare that all information I have given is true	<b>Applicant Signature:</b>
	<b>Date:</b> 23/02/2026

## **HOW TO REQUEST FOR AMENDMENT TO AN APPLICATION FOR PLANNING PERMIT**

ALL OF THE INFORMATION OUTLINED BELOW MUST ACCOMPANY THIS APPLICATION.

### **ALL REQUESTS SUBMIT:**

1. Application form
2. A written statement detailing all alterations/amendment proposed
3. Application fee if required

### **If you are amending the description of the land, please submit:**

1. Provide the street number, street name, town, postcode, the lot number and lodged plan number or other title particulars
2. If you attach a plan, include:
  - The boundaries of the land and their measures;
  - The street it faces, the nearest intersecting street, the distance from this street and the name of all streets on the plan;
  - Reasons for the amendment

### **If you are amending the use and/or development of the land, please submit:**

1. Details of the changes to the use and development of the land;
2. Reasons for wishing to amend the use and/or development;

### **If you are amending the plans, please submit:**

1. An electronic copy of the plans (coloured to highlight the proposed amendments):
  - Site plan of the existing site and all amendments that are proposed;
  - Floor plans showing existing conditions, and all proposed amendments;
  - Elevation plans of the existing proposal, and all proposed amendments.



# PLANNING PERMIT APPLICATION WRITTEN REPORT



**SUBJECT SITE:** 23 BROWNING STREET, SEDDON

**MUNICIPALITY:** MARIBYRNONG CITY COUNCIL  
**PROPOSED:** ADDITIONS & ALTERATIONS  
**ZONING:** NEIGHBOURHOOD RESIDENTIAL ZONE (NRZ1)  
**OVERLAYS:** HERITAGE OVERLAY (HO9)  
DEVELOPMENT CONTRIBUTIONS PLAN  
OVERLAY (DCPO2)

RFI Response:

**CITY OF MARIBYRNONG**  
20<sup>th</sup> February 2026  
**ADVERTISED PLAN**



## INTRODUCTION

The proposal seeks to make alterations and addition to an existing single storey dwelling at **23 Browning Street, Seddon** (herein referred to as the 'subject site').

Pursuant to Clause 32.09 (Neighbourhood Residential Zone) **a permit is required** to construct a dwelling on a lot less than 300 sq metres.

Pursuant to Clause 43.01 (Heritage Overlay) **a permit is required** to construct or carry out works.

Pursuant to the Development Contributions Plan Overlay, residential works do not require a permit, nor trigger the overlay requirements.

A development must also meet the requirements of Clause 54.

## DESIGN BRIEF

The proposed works seek to demolish the rear alfresco, laundry, bath and meals area. Extending into the alfresco area to create a new open plan kitchen, dining and living area with a relocated bathroom and laundry and added ensuite space.

The proposed works also seek to demolish a shed to the rear of the dwelling, as this is an outbuilding this does not trigger any planning requirements.

The majority of the works are to the rear of the dwelling, with only a new front entry door visible to the street. All new works sit below the existing gutter line, however due to the age of the existing metal roof this is proposed to be replaced as part of the works.

## LEGAL DESCRIPTION

The subject site is legally described as '**Lot 1 on TP 520286Q**'. There are no easements present on site. There are no other covenants or other encumbrances on the site that affect the outcome of this application.

## SITE DESCRIPTION

The subject site is located on the south side of Browning Street, approximately 55.50 metres east of Hamilton Street. The subject site is rectangular in shape with a depth of approximately 27.38 metres and a width of 10.67 metres with an approximate area of 292 square metres.

The existing dwelling is a single storey weatherboard (Double fronted Victorian) dwelling with a pitched metal roof. The dwelling is setback approximately 2.60 metres from the front boundary (north) with side setbacks of 1.07 metres (east) and 0.41 metres (west) with a rear setback of approximately 8.01 metres (south).

No vehicular access is provided on the site, on street parking is accessible. While private open space is located to the rear of the property (south). A laneway provides rear access via a gate to Chapman Street. Topographically, the subject site is effectively flat.

## ADJOINING PROPERTIES

### *South*

Land to the south, 27 Gamon Street, Seddon. This allotment is located on the opposite side of the rear lane, and is occupied by a single storey weatherboard dwelling. Private open space is located to the west of the dwelling.



### *East*

Land to the east, 21a Browning Street, Seddon. This allotment is occupied by a single storey double fronted weatherboard dwelling. Private open space is located to the rear (south) of the property, along the common boundary with the site.



### West

Land to the west, 25 Browning Street, Seddon. This allotment is occupied by a single storey single fronted weatherboard dwelling. No fence is present between this site and the subject site along the eastern boundary between the dwellings. Private open space is located to the rear (south) of the property, along the common boundary with the site.



## NEIGHBOURHOOD DESCRIPTION

### *Neighbourhood Character*

The subject site is located in an established part of Seddon, within Maribyrnong City Council. The character of the street is defined by the weatherboard dwellings built in the early 1900's. Many of the dwellings have been restored or extended (rear), resulting in a high quality of housing stock.

The preferred character of the area is to maintain a single storey scale to the street ensuring front fences are low and preferably transparent. Front gardens not dominated by car parking spaces or structures and maintaining existing front and side setback is also preferred. Lot sizes are generally uniform ranging from 200 – 500 square metres.

## PROPOSAL DESCRIPTION

The proposal seeks to demolish (internally) the rear of the dwelling (bathroom / laundry / kitchen / dining) and also the alfresco and shed externally to the house. Replacing the existing layout with a new open plan dining / living / kitchen space with new bathroom and laundry and addition of an ensuite to better service the dwelling and improve connection with the rear yard.

### **Demolitions:**

- Demolish rear alfresco including roof over
- Demolish shed to rear
- Demolish laundry / bathroom including external wall and doors / windows as required for new works



- Demolish kitchen
- Demolish living room side of brick chimney
- Remove front door unit
- Remove all roofing
- Remove highlight windows facing south

**Development:**

- Extend dwelling to square up rear (removed alfresco area)
- New kitchen / meals and living room space with improved connection to rear yard
- New bathroom
- New euro laundry
- New ensuite to service the front main bedroom
- New front door unit.

**Site:**

- Improved connection to existing storm water infrastructure (if required)
- General landscaping to rear yard (shed removed)

## STATE PLANNING POLICY FRAMEWORK

The following provisions of the **State Planning Policy Framework** are relevant to this application:

- Clause 12 – Environmental and Landscape Values
- Clause 15 - Built Environment and Heritage
- Clause 16 – Housing

*Response:*

The proposal is an appropriate response to this State policy direction as it is providing housing to meet the needs of the community while respecting the existing neighbourhood character.

## LOCAL PLANNING POLICY FRAMEWORK

The following provisions of the **Local Planning Policy Framework** are relevant to this application:

- Clause 21.07 – Housing
- Clause 21.06 – Built Environment & Heritage

The objectives of these provisions may be summarised as:

- To facilitate housing development that has an appropriate scale and intensity in locations across the municipality
- To facilitate residential and mixed-use developments that display a high standard of design, limit off-site amenity impacts and provide appropriate internal amenity for residents



- To protect and conserve heritage places
- To protect heritage places from adverse impacts

#### *Response:*

The proposal is an appropriate response to this Local policy direction. The rear extension seeks to demolish a small external alfresco space and incorporate it with the rear of the dwelling. This addition will increase the amenity of the dwelling without any impact to off-site amenity.

## OVERLAY

### *43.01 Heritage Overlay (HO9 – Seddon Residential and Commercial Heritage Areas)*

The dwelling is considered Contributory under Overlay HA2. The objectives of the overlay may be summarised as:

- To conserve and enhance the identified contributory elements in the precinct and individually significant places, as a relatively unaltered Victorian and Edwardian precinct of both working and middle class housing which offers a cohesive cultural and visual character reflective of two growth eras in the City, and where elements include buildings, objects, landscape (such as surviving mature street trees like the elms in Commercial Road ), land and street works created by the end of World War One and enhancement includes the reinstatement of missing original elements;
- To conserve and enhance the visual relationship between contributory elements in the precinct;
- To conserve and enhance the public view of these contributory elements;
- To conserve and enhance the traditional or original land use within precinct to aid in its heritage conservation;

#### *Response:*

Heritage exemption applies to areas to the rear of a dwelling that have a height lower than the existing gutter line. This applies to the new bathroom / ensuite extension area.

Roofing replacement is required due to age and weathering on the and should fall under repairs and maintenance. The roofing is proposed to be replaced with corrugated metal roofing matching the existing profile. There are three skylights proposed to the dwelling, all of which will sit in the existing roof form. Due to the configuration of the roof, they will not be visible from the street.

The front door is proposed to be replaced to increase the opening size of the door by reducing the side window panels. This will improve the accessibility to the dwelling while minimally impacting the heritage.

Due to the low visibility of the extension from the street, it is considered that the extension is in keeping with the objectives of the Heritage Overlay.

**RFI Response: 20<sup>th</sup> February 2026**

## **RFI RESPONSE**

### **1. Roof Cladding, Gutters and Downpipes – Material and Colour Schedule**

Colour board has been created and included with the further information response set of documentation.

### **2. Domestic Services and Solar Arrays**

The proposed solar array locations on the roof plan have been added to the elevation pages to allow for additional assessment of the panel locations. Existing and proposed services locations have also been added to the ground floor plan.

### **3. Front Door – Design Justification**

The proposed front door replacement aims to improve accessibility by widening the entrance to meet current Livable Housing Design standards. Aesthetically, the new door has been carefully selected to closely reflect and respect the property's heritage character. An image of the proposed design is included below and can also be found on the updated colour board.



### **4. Chimney Removal – Heritage Impact Justification**

We believe this proposal strikes the appropriate balance between conservation and sustainable adaptation. The HO9 precinct objectives encourage the conservation of original elements that express the area's historic growth. By deliberately prioritizing the retention of the front facade and the highly visible front chimney, we are directly fulfilling this objective. The removal of the rear chimney allows the rear of the dwelling to be functionally upgraded to meet modern standards, ensuring the ongoing viability and occupation of the heritage home, without compromising the principal heritage presentation to the street.

We believe this approach respectfully manages the heritage fabric of the site while allowing for a sensitive rear adaptation, and we hope this clarifies the design rationale.

## **PRELIMINARY CONCERNS**

### **1. Front Door Replacement**

*See RFI Response*

### **2. Chimney Removal**

*See RFI Response*

### **3. Two New Windows to East Side of Heritage Building**

The new windows proposed for the eastern elevation have been designed with traditional rectangular proportions to ensure a cohesive architectural response. This sizing and fenestration pattern is directly informed by, and sympathetic to, the original windows retained on the front and western facades. By mirroring these existing dimensions, the proposed works maintain a consistent visual rhythm and remain highly respectful of the dwelling's established heritage character.

4. *Missing*

### **5. New Roof Cladding, Gutters and Downpipes**

The existing roof is proposed to be replaced with traditional corrugated roof sheeting in either Zinalume or a Z600 galvanized finish. The selection of a traditional, unpainted metallic finish is highly sympathetic to the heritage character of the dwelling and ensures the new roof remains in keeping with the established streetscape within Heritage Overlay. Furthermore, the proposed gutters and downpipes will be finished in either Zinalume or a recessive light grey Colorbond. These materials have been carefully selected to emulate traditional heritage plumbing details found throughout the surrounding neighbourhood. Please refer to the attached materials and finishes board for colour swatches and photographic examples.

### **6. Replacement Timberwork to Front-Facing Gable**

The existing timber detailing on the front gable has sustained significant weathering and deterioration over time. As part of the broader roof replacement works, it is proposed to replace the damaged gable timberwork. To ensure the preservation of the dwelling's architectural character and its contribution to the streetscape within Heritage Overlay 6, all replacements will be undertaken strictly on a 'like-for-like' basis. The new timber elements will exactly replicate the material, dimensions, profile, and detailing of the original heritage fabric.



Image of existing gable weathering



### 37.02 Development Contributions Plan Overlay (DCPO1)

As the proposed works are to an existing residential dwelling. The Overlay can be ignored.

## CHARACTER PRECINCT

It is noted that there is no Neighbourhood Character Precinct identified for the area, and as such no response has been prepared.

## ZONING

### 32.09 Neighbourhood Residential Zone (Schedule 1)

The subject site is located within the **Neighbourhood Residential Zone - Schedule 1 (NRZ1)**. The purpose of the NRZ 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

Pursuant to **Clause 32.09 (Neighbourhood Residential Zone)** a *permit is required* to construct or extend a dwelling on a lot greater than 500 sq metres.

#### *Response:*

**Rear Extension** – The rear extension seeks to increase the amenity of the existing dwelling, providing new living area with improved connection to the rear secluded private open space.

**Internal alterations** - The internal changes further improve the amenity of the dwelling increasing the bathroom count to two.

A development must also meet the requirements of Clause 54.

## PARTICULAR PROVISIONS

### CLAUSE 54, ONE DWELLING ON A LOT

The provisions of Clause 54 apply to:



Construct a dwelling if the lot has an area less than 500 sq metres.

A development must:

- Meet all the objectives of the Clause.
- Should meet all the standards of the Clause.

## Response

Standard/Objective	Assessment: complies/does not comply – variation required
Standard A2-1/ Street Setback	<b>Unchanged / Complies.</b> No change to street setback.
Standard A2-2/ Building Height	<b>Unchanged / Complies.</b> Existing maximum building height of approximately 6.7 metres is unchanged.
Standard A2-3/ Side & Rear Setbacks	<b>Unchanged / Complies.</b> The proposed addition sits within the existing building line and meets the side setback arc requirements.
Standard A20-4/ Walls on Boundaries	<b>Unchanged / Complies.</b> No new walls on boundary are proposed.
Standard A2-5/ Site Coverage	<b>Complies.</b> Site coverage has been reduced to 54.74%, under the maximum allowed of 60%.
Standard A2-6/ Tree Canopy	<b>Partially Complies.</b> No trees are proposed to be removed as part of the works, with no new trees proposed to be planted due to the narrow block width and minor nature of works.
Standard A2-7/ Front Fences	<b>Complies.</b> Front fence is to remain unchanged.
Standard A2-8/ Building Setback for small second dwellings	<b>Not Applicable.</b>
Standard A3-1/ Street Integration	<b>Unchanged / Complies.</b> No changes proposed to the existing street integration.
Standard A3-2/ Private Open Space	<b>Complies.</b> Core private open space area of 71.9 square metres is proposed to the rear of the dwelling with a minimum dimension of 8.0 metres.



<b>Standard A3-3/ Solar Access to Open Space</b>	<b>Complies.</b> The rear wall height is approximately 3.0 metres, under the formula of $0.9h + 2m$ a minimum SPOS dimension of 4.7 metres is required the provided 8.0 metre depth exceeds the requirement.
<b>Standard A3-4/ Daylight to New Windows</b>	<b>Unchanged / Complies.</b> All windows achieve minimum light court requirements with a minimum of 1.0m clear to sky
<b>Standard A3-5/ Safety and Accessibility for Small Second Dwellings</b>	<b>Not Applicable.</b>
<b>Standard A4-1/ Daylight to existing windows</b>	<b>Unchanged / Complies.</b> No existing windows have been impacted by the proposed changes.
<b>Standard A4-2/ Existing north- facing Windows</b>	<b>Unchanged / Complies.</b> No existing north facing windows have been impacted by the proposed changes.
<b>Standard A4-2/ Overshadowing Secluded Open Space</b>	<b>Complies.</b> Solar access to the rear SPOS is increased due to the larger size with the existing shed removed. The proposed infill area matches the existing alfresco roof area and does not increase impact.
<b>Standard A4-4 /Overlooking</b>	<b>Complies.</b> All new doors and windows have an associated finished floor level less than 0.3 metres above NGL. Therefore no windows or doors require overlooking assessment.
<b>Standard A5-1/ Permeability</b>	<b>Complies.</b> Site permeability has been increased to greater than 50%, exceeding the minimum requirement of 20%.
<b>Standard A5-2/ Overshadowing Domestic Solar Energy Systems</b>	<b>Complies.</b> The proposed works do not impact any existing solar panel array.
<b>Standard A5-3/ Rooftop Solar Energy Generation Area</b>	<b>Complies.</b> An area of 31 square meters has been nominated on the roof indicating the potential area for solar panels.
<b>Standard A5-4/ Solar Protection to new North-facing Windows</b>	<b>Complies.</b> No new north-facing windows are proposed.



---

## CONCLUSION:

To summarise, the proposed dwelling is considered an appropriate for the following reasons:

- The proposed addition improves the on-site amenity of the dwelling.
- The proposed rear extension greatly improves the amenity of the dwelling.
- There are no materially adverse effects to the neighbouring properties.
- The location of the dwelling on the subject site ensures that it meets all of the objectives of Clause 54 and respects the neighbourhood character of the surrounding area.

The above assessment demonstrates the proposal's full compliance with relevant state and local policy framework, Clause 54 and the heritage overlay. It is therefore respectfully submitted that the Responsible Authority proceed with a favourable decision at the earliest convenience.

Should you have any further questions or would like to discuss the matter any further, please do not hesitate to contact our office.