

Application for Planning Permit

Planning Enquiries
 Phone: 03 9205 2200
 Web: <http://www.hume.vic.gov.au>

If you need help to complete this form, read [How to complete the Application for Planning Permit 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 concerns, please contact Council's planning department.

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

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

Clear Form

The Land i ① Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

Street Address *

Unit No.:	St. No.: 0	St. Name: McNabs Road
Suburb/Locality: Keilor		Postcode: 3036

Formal Land Description *

Complete either A or B.

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

A Lodged Plan Title Plan Plan of Subdivision

OR

B

If this application relates to more than one address, please click this button and enter relevant details. Add Address

The Proposal i ⚠ 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.

② For what use, development or other matter do you require a permit? i *

If you need help about the proposal, read: [How to Complete the Application for Planning Permit Form](#)

Development of a single dwelling in a Green Wedge Zone

📎 Provide additional information on 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.

③ Estimated cost of development for which the permit is required i *

⚠ 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 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

④ Describe how the land is used and developed now i *

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

Single Storey Dwelling

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

Title Information i

5 **Encumbrances on title** *

If you need help about the title, read: [How to complete the Application for Planning Permit form](#)

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

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

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

Applicant and Owner Details i

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

Applicant *

The person who wants the permit.

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

Please provide at least one contact phone number *

Owner *

The person or organisation who owns the land

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

Applicant Details

Name: Title: Mr First Name: Gianni Surname: Mancuso

Organisation (if applicable): M3 Design

Postal Address: Unit No.: 2 St. No.: 1 Suburb/Locality: Fitzroy North

If it is a P.O. Box, enter the details here: St. Name: Bik Lane State: VIC Postcode: 3068

Contact person's details * Same as applicant (if so, go to 'contact informa ion')

Name: Title: Mr First Name: Gianni Surname: Mancuso

Organisation (if applicable): M3 Design

Postal Address: Unit No.: 2 St. No.: 1 Suburb/Locality: Fitzroy North

If it is a P.O. Box, enter the details here: St. Name: Bik Lane State: VIC Postcode: 3068

Contact information

Business Phone: Mobile Phone: 0432646955 Email: gm@m3.design Fax:

Owner Details

Name: Title: Mr First Name: Gianni Surname: Mancuso

Organisation (if applicable): M3 Design

Postal Address: Unit No.: 2 St. No.: 1 Suburb/Locality: Fitzroy North

If it is a P.O. Box, enter the details here: St. Name: Bik Lane State: VIC Postcode: 3068

Contact information

Business Phone: Mobile Phone: 0432646955 Email: gm@m3.design Fax:

Declaration i

7 **This form must be signed by the applicant** *

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

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

Signature: Date: 9/08/2022

day / month / year

Need help with the Application?

If you need help to complete this form, read [How to complete the Application for Planning Permit form](#)
General information about the planning process is available at www.delwp.vic.gov.au/planning

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

8 **Has there been a pre-application meeting with a Council planning officer?**


No Yes


Checklist

9 **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 (eg 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 (section 7)?

Lodgement

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

Hume City Council
PO Box 119 Dallas VIC 3047
Pascoe Vale Road Broadmeadows VIC 3047

Contact information:

Telephone: 61 03 9205 2200

Email: email@hume.vic.gov.au

DX: 94718

Translation: 03 9205 2200 for connection to Hume Link's multilingual telephone information service

Deliver application in person, by fax, or by post:

Print Form

Make sure you deliver any required supporting information and necessary payment when you deliver this form to the above mentioned address. This is usually your local council but can sometimes be the Minister for Planning or another body.

Save Form:

Save Form To
Your Computer

You can save this application form to your computer to complete or review later or email it to others to complete relevant sections.

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

VOLUME 12249 FOLIO 288

Security no : 124099728368D
Produced 18/08/2022 03:01 PM

LAND DESCRIPTION

Lot 4 on Plan of Subdivision 405581U.

PARENT TITLES :

Volume 12170 Folio 530 to Volume 12170 Folio 531

Created by instrument AT605218N 15/09/2020

REGISTERED PROPRIETOR



AT810283G 27/11/2020

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AT810284E 27/11/2020

AUSTRALIA AND NEW ZEALAND BANKING GROUP 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 PS405581U 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: 40 MCNABS ROAD KEILOR VIC 3036

ADMINISTRATIVE NOTICES

NIL

eCT Control 16165A AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED
Effective from 27/11/2020

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	Plan
Document Identification	PS405581U
Number of Pages (excluding this cover sheet)	2
Document Assembled	18/08/2022 15:03

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

PLAN OF SUBDIVISION	STAGE No. <hr style="width:50px; margin: 0 auto;"/>	LTO USE ONLY EDITION 1	PLAN NUMBER PS 405581U
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LOCATION OF LAND

PARISH: TULLAMARINE

TOWNSHIP: _____

SECTION: 1

CROWN ALLOTMENT: _____

CROWN PORTION: _____

LTO BASE RECORD: PARISH LITHO
TITLE REFERENCES: Vol. 9595 Fol. 649

COUNCIL CERTIFICATION AND ENDORSEMENT

COUNCIL NAME: Hume City Council REF: 82-02-2710

1. This plan is certified under Section 6 of the Subdivision Act 1988.
2. ~~This plan is certified under Section 11(7) of the Subdivision Act 1988. Date of original certification under Section 6: _____ / _____ / _____.~~
3. ~~This is a statement of compliance issued under Section 21 of the Subdivision Act 1988.~~

OPEN SPACE

(i) A requirement for public open space under Section 18 of the Subdivision Act 1988 has/has not been made.

(ii) ~~The requirement has been satisfied.~~ _____

(iii) ~~The requirement is to be satisfied in Stage _____.~~

Council Delegate
Council Seal
Date 11 / 4 / 97

Re-certified under Section 11(7) of the Subdivision Act 1988
Council Delegate
Council Seal
Date / /

VESTING OF ROADS AND/OR RESERVES

IDENTIFIER	COUNCIL/BODY/PERSON
Road R-1	Hume City Council

NOTATIONS

STAGING This is not a staged subdivision.
Planning permit No. 3675

DEPTH LIMITATION Does not apply.

The position of the Maribyrnong River and the areas of lots 1 to 5 have been derived from Application 33094 and are not the result of this survey.

SURVEY THIS PLAN IS ~~IS NOT~~ BASED ON SURVEY
THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No.(s)
IN PROCLAIMED SURVEY AREA No.

EASEMENT INFORMATION

LEGEND A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1	Drainage	See diag.	This plan	Melbourne Water Corp

LTO USE ONLY

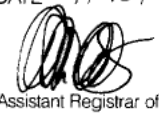
STATEMENT OF COMPLIANCE/
EXEMPTION STATEMENT

RECEIVED

DATE: 2 / 12 / 97

LTO USE ONLY

PLAN REGISTERED
TIME 12:40 PM
DATE 4 / 12 / 97



Assistant Registrar of Titles

SHEET 1 OF 2 SHEETS

BEVERIDGE WILLIAMS & CO.
PTY.LTD. ACN 006 197 235
SURVEYORS . ENGINEERS . PLANNERS
ENVIRONMENTAL CONSULTANTS
1075 HIGH STREET ARMADALE (03)98229799
48 LYDIARD ST. SOUTH BALLARAT (053)313877
31 MURRAY STREET LEONGATHA (056)622630
31 MURRAY STREET WONTHAGGI (056)721505

LICENSED SURVEYOR (PRINT) JOHN FRANCIS WILLIAMS

SIGNATURE DATE 18 / 2 / 97

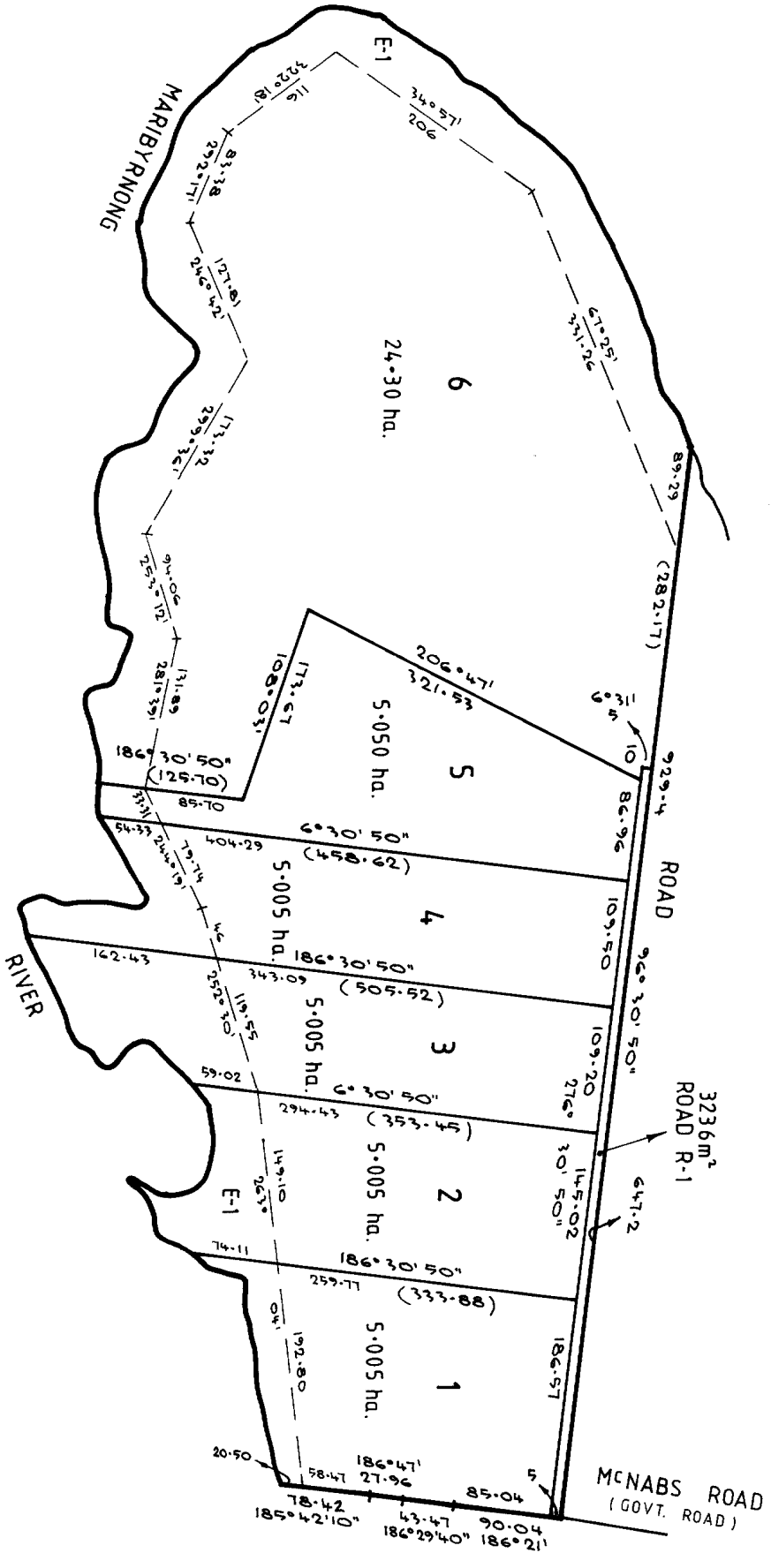
REF **6287A** VERSION 1

DATE 11 / 4 / 97

COUNCIL DELEGATE SIGNATURE

ORIGINAL SHEET SIZE A3

A.M.G. ZONE 55



PLAN OF SUBDIVISION

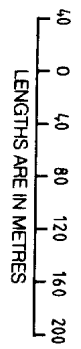
STAGE No.

PLAN NUMBER
PS 405581U



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 PTY LTD, ACN 006 187 235
 SURVEYORS, ENGINEERS, PLANNERS
 ENVIRONMENTAL CONSULTANTS
 1075 HIGH STREET APMOALE (03)96228799
 45 LORNO ST SOUTH BALLANT (03)31313877
 57 BANK STREET LEONORHA (08)8222430
 31 MURRAY STREET WINTHROP (08)22121905

SCALE



ORIGINAL SCALE | SHEET SIZE

1:4000 | A3

LICENSED SURVEYOR (PRINT) **John Francis Williams**

SIGNATURE DATE / /
 REF **6287A** VERSION 1

SHEET **2** OF 2 SHEETS

DATE 11 / 4 / 97
 COUNCIL DELEGATE SIGNATURE

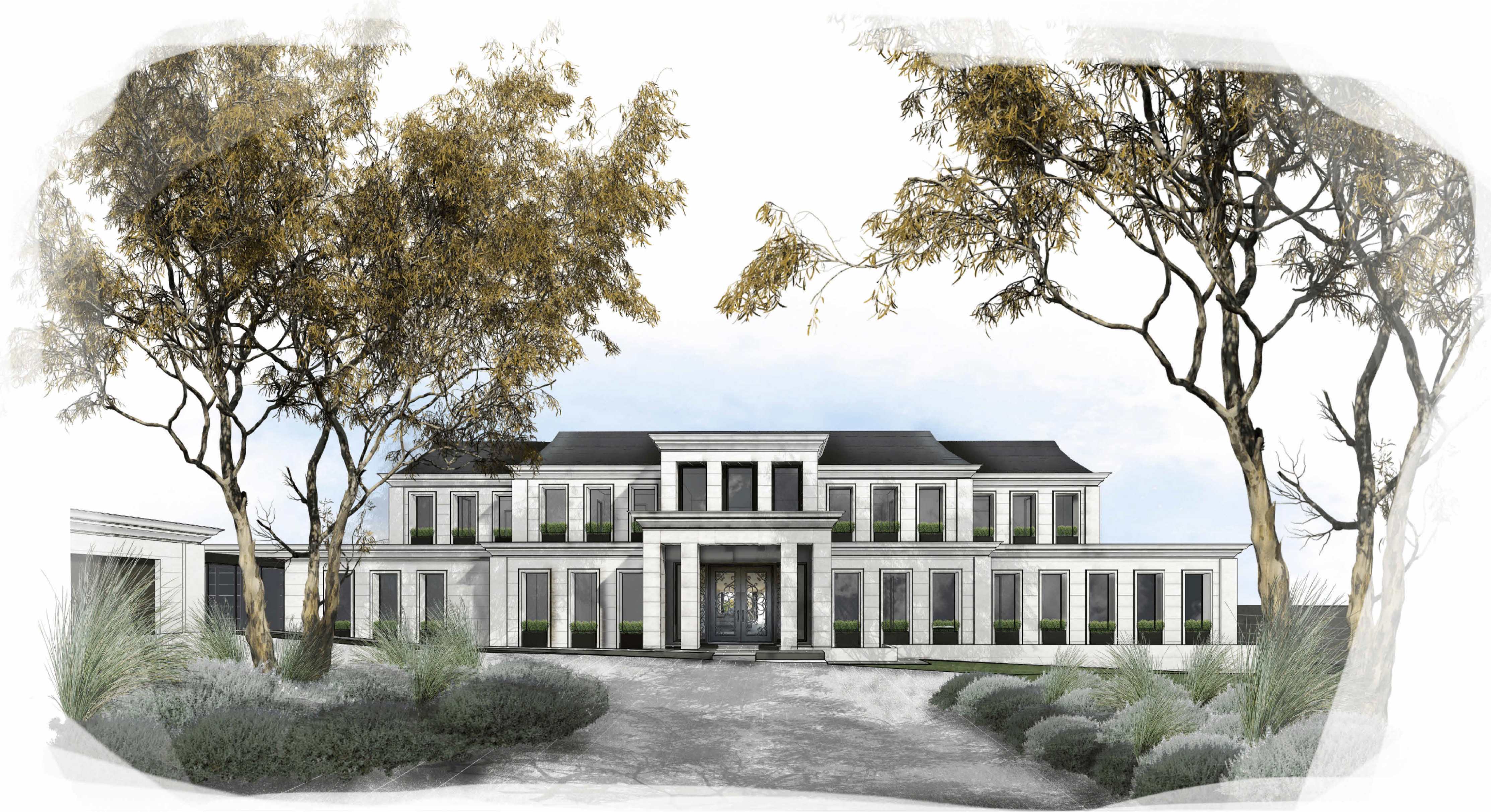
Town Planning Application

1x DWELLING
40 McNABS ROAD, KEILOR
JULY 2022

The logo consists of the lowercase letters 'm' and '3' in a stylized, bold, serif font. The 'm' is composed of three vertical stems with rounded tops, and the '3' is a single, rounded, bowl-shaped character.

info@m3.design

Unit 2/1 Bik Lane
Fitzroy North
3068



PROJECT SUMMARY

40 McNABS ROAD, KEILOR

DRAWING LIST - TOWN PLANNING

SHEET NO.	SHEET NAME	ISSUE DATE	REV.	DESCRIPTION
TP.00	PROJECT SUMMARY	JULY 2022	D	Issue for Lodgement
TP.100	SITE PLAN	JULY 2022	D	Issue for Lodgement
TP.200	FLOOR PLANS - BASEMENT AND GROUND	JULY 2022	D	Issue for Lodgement
TP.201	FLOOR PLAN - FIRST FLOOR	JULY 2022	D	Issue for Lodgement
TP.202	ROOF PLAN	JULY 2022	D	Issue for Lodgement
TP.300	ELEVATIONS - MAIN DWELLING	JULY 2022	D	Issue for Lodgement
TP.301	ELEVATIONS - MAIN DWELLING	JULY 2022	D	Issue for Lodgement
TP.302	ELEVATIONS - POOL HOUSE	JULY 2022	D	Issue for Lodgement
TP.303	ELEVATIONS - GARAGES	JULY 2022	D	Issue for Lodgement
TP.304	ELEVATIONS - SHED	JULY 2022	D	Issue for Lodgement
TP.600	EXTERNAL FINISHES SCHEDULE	JULY 2022	D	Issue for Lodgement
TP.601	3D DESIGN INTENT	JULY 2022	D	Issue for Lodgement
TP.602	3D DESIGN INTENT	JULY 2022	D	Issue for Lodgement

TOTAL SITE AREA

NAME	AREA
SITE AREA	20336.80 m ²

AREA SCHEDULE - MAIN BUILDING

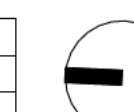
NAME	AREA
1. BASEMENT LEVEL	47.40 m ²
2. GF LEVEL	793.43 m ²
3. FF LEVEL	393.19 m ²

AREA SCHEDULE - OTHERS

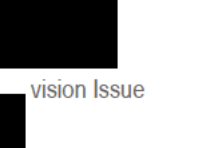
NAME	AREA
GARAGE	188.19 m ²
GUEST GARAGE	55.61 m ²
GYM	129.24 m ²
POOL HOUSE	92.18 m ²
SHED	420.00 m ²
STABLES	181.27 m ²



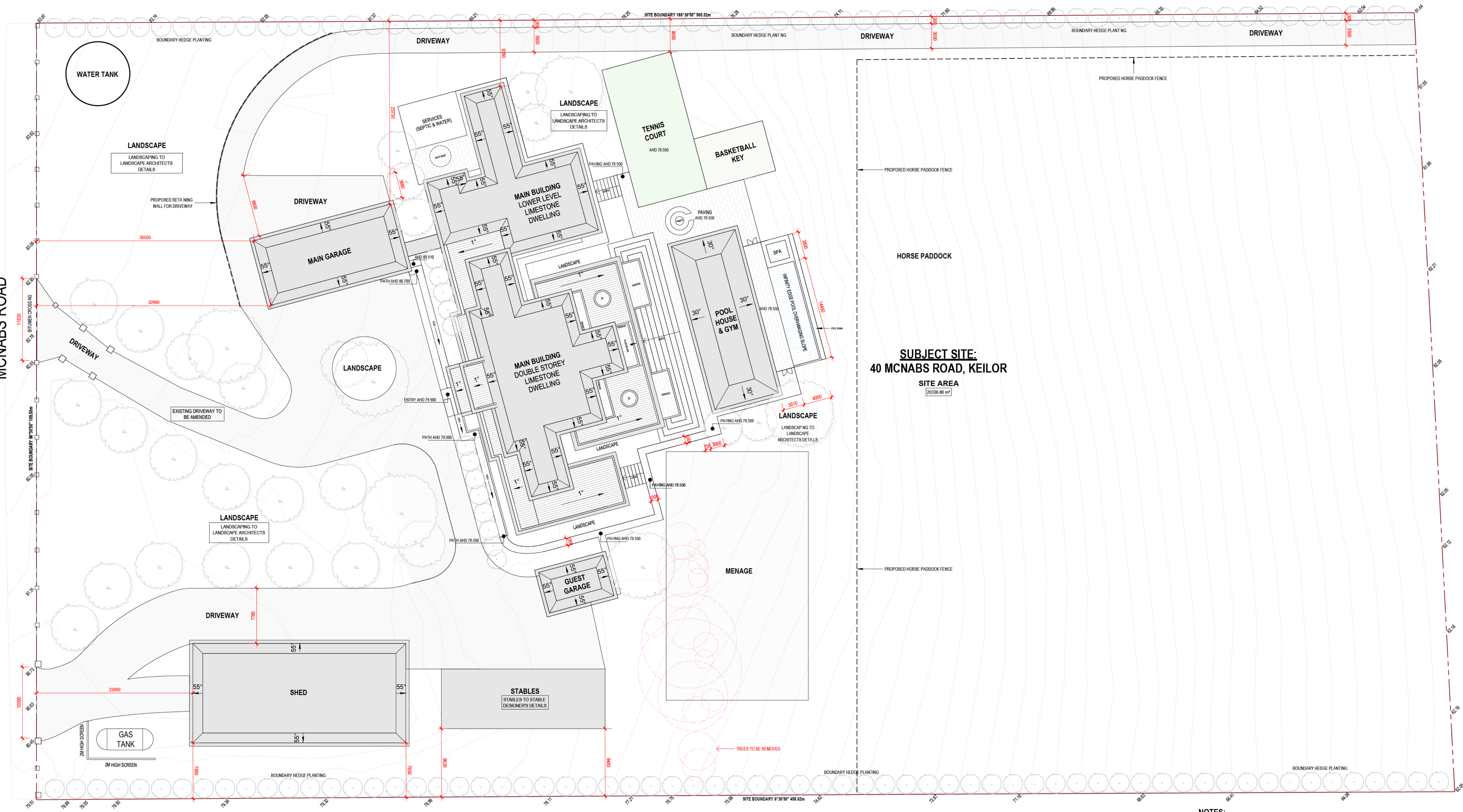
Rev	Description	Date
D	Issue for Lodgement	JULY 2022



A3 /
A1 /



MCNABS ROAD



SUBJECT SITE:
40 MCNABS ROAD, KEILOR
 SITE AREA
 20336.80 m²

1 SITE PLAN
 A.600 1 : 250

- NOTES:**
- ACCESS TO THE DWELLING MUST BE PROVIDED VIA AN ALL-WEATHER ROAD WITH DIMENSIONS ADEQUATE TO ACCOMMODATE EMERGENCY VEHICLES.
 - THE DWELLING MUST BE CONNECTED TO RETICULATED SEWERAGE, IF AVAILABLE. IF RETICULATED SEWERAGE IS NOT AVAILABLE, ALL WASTEWATER FROM THE DWELLING MUST BE TREATED AND RETAINED WITHIN THE LOT IN ACCORDANCE WITH THE REQUIREMENTS OF THE ENVIRONMENT PROTECTION REGULATIONS UNDER THE ENVIRONMENT PROTECTION ACT 2017 FOR AN ON-SITE WASTEWATER MANAGEMENT SYSTEM.
 - THE DWELLING MUST BE CONNECTED TO A RETICULATED POTABLE WATER SUPPLY OR HAVE AN ALTERNATIVE POTABLE WATER SUPPLY WITH ADEQUATE STORAGE FOR DOMESTIC USE AS WELL AS FOR FIRE FIGHTING PURPOSES.
 - THE DWELLING MUST BE CONNECTED TO A RETICULATED ELECTRICITY SUPPLY OR HAVE AN ALTERNATIVE ENERGY SOURCE.

Unit 2, 1 Bk Lane
 Fitzroy North 3068 VIC Australia
 +61 3 9960 0700
 info@m3design

All dimensions must be verified on site prior to commencement of work or establishment of any shop drawings. Figured dimensions must take precedence over scaled dimensions. All scaled dimensions must be verified on site. These drawings are to be read in conjunction with all specifications, schedules, all other consultants documentation Town Planning endorsed plans and Planning Permit.

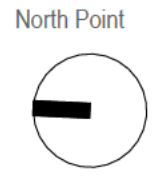
Project Address
40 MCNABS ROAD, KEILOR

Drawing Title
SITE PLAN

Drawing Issue
TOWN PLANNING

Client

Rev	Description	Date
D	Issue for Lodgement	JULY 2022



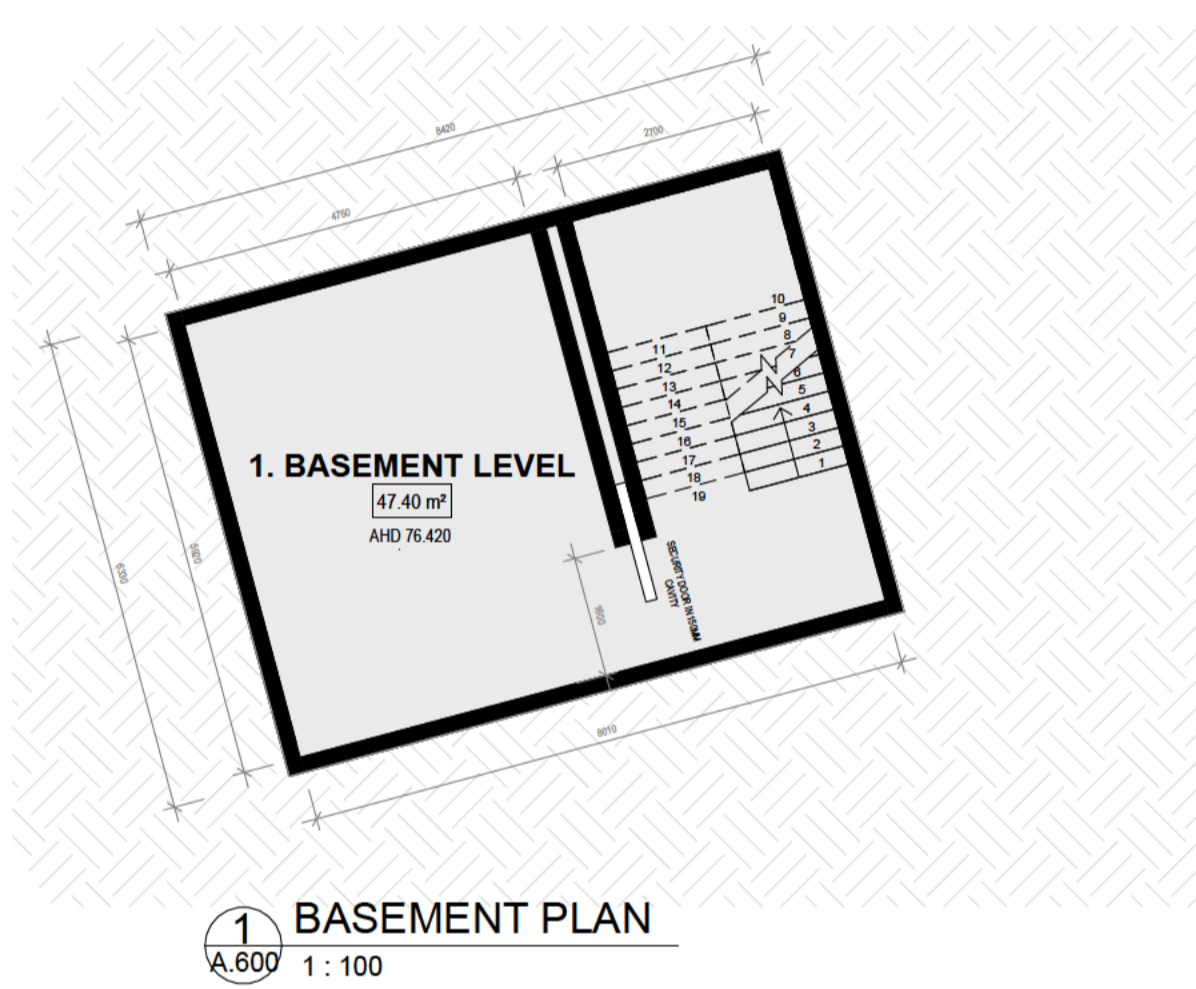
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A3 / A1 As indicated

Drawn by
GM

Project Number
221692

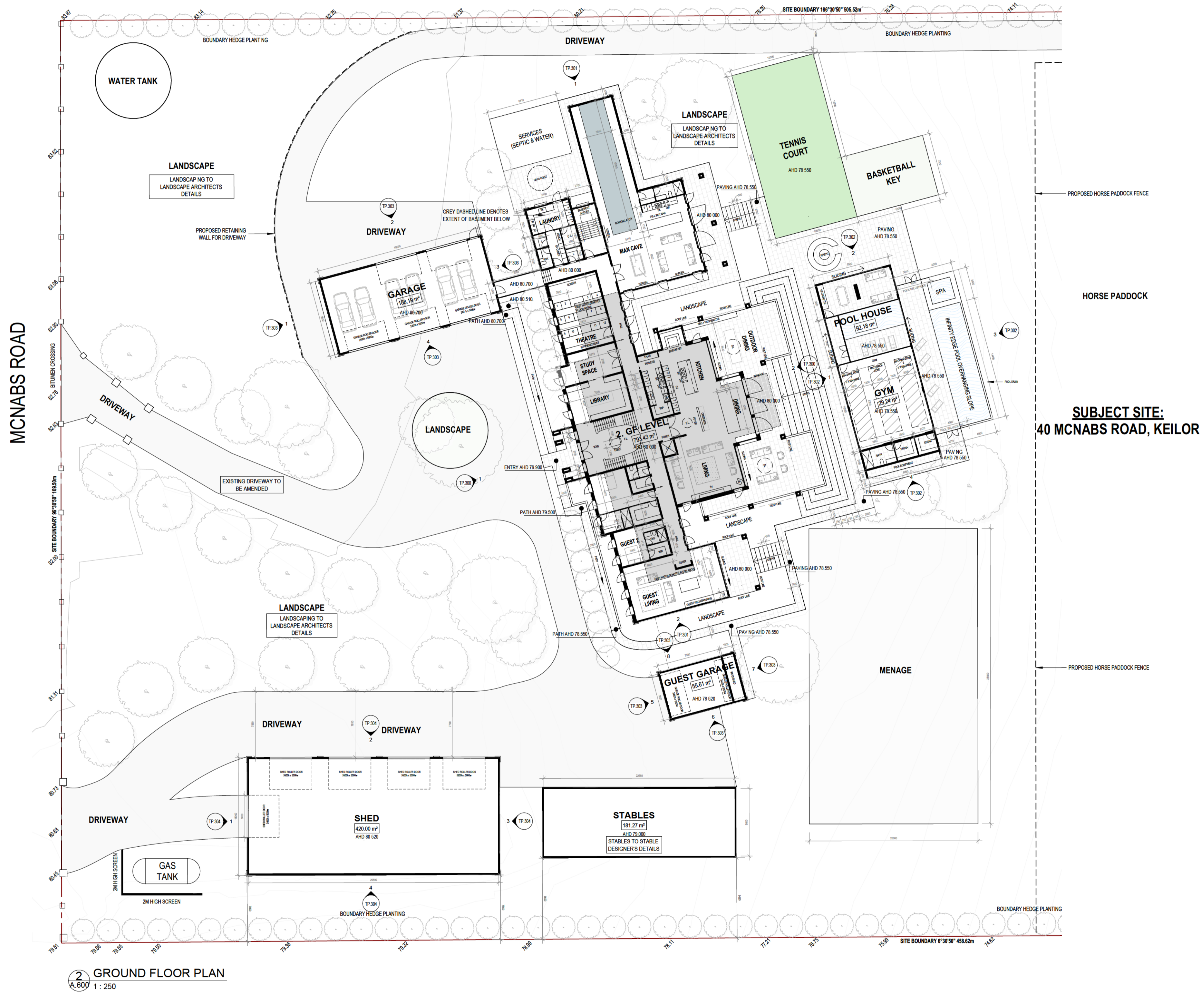
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TP.100



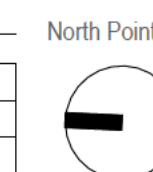


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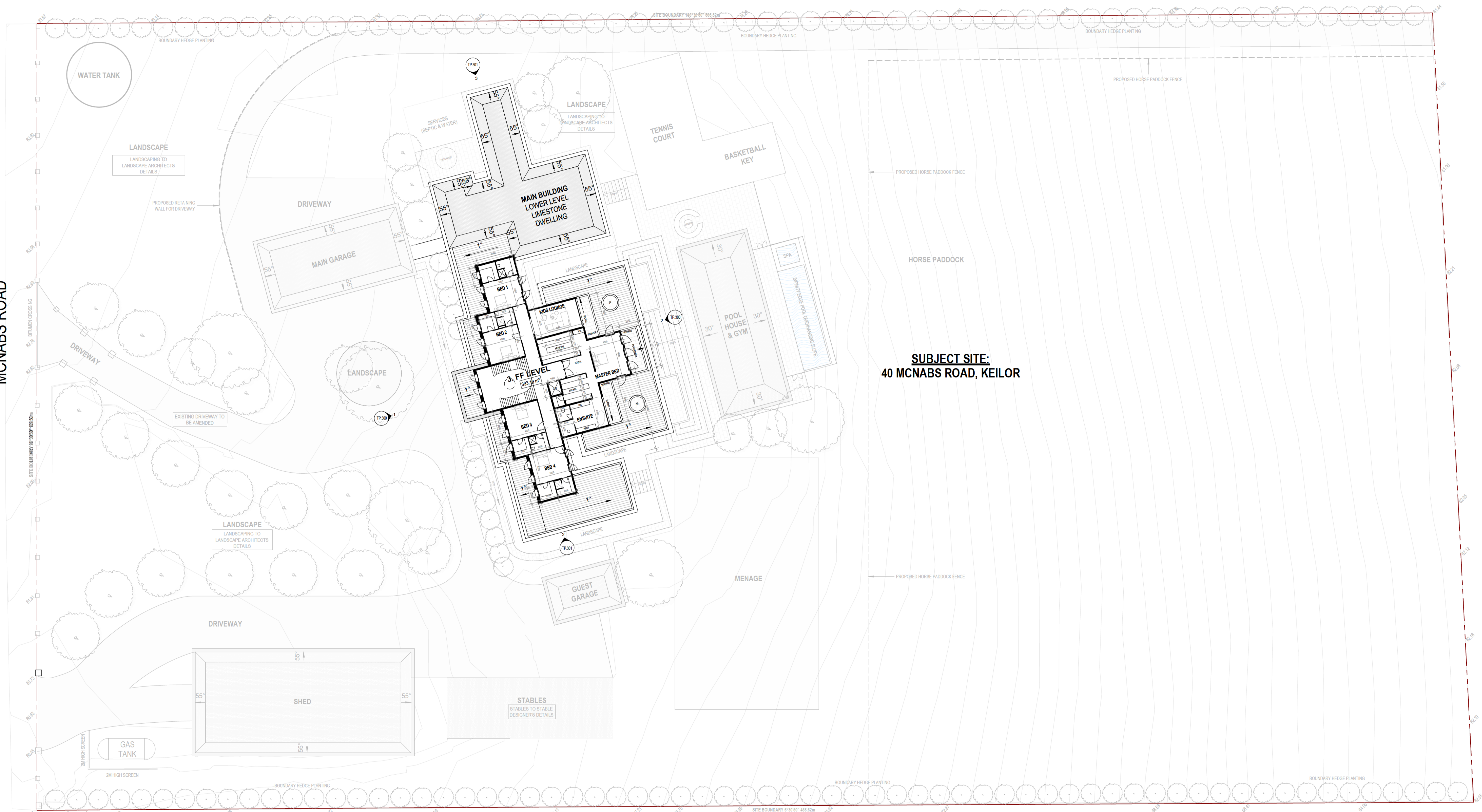
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Rev	Description	Date
D	Issue for Lodgement	JULY 2022



MCNABS ROAD



SUBJECT SITE:
40 MCNABS ROAD, KEILOR

1 FIRST FLOOR PLAN
A.600 1 : 250

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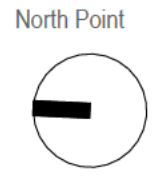
Project Address
40 MCNABS ROAD, KEILOR

Drawing Title
FLOOR PLAN - FIRST FLOOR

Drawing Issue
TOWN PLANNING

Client
[Redacted]

Rev	Description	Date
D	Issue for Lodgement	JULY 2022



Scale
A3 /
A1 As indicated

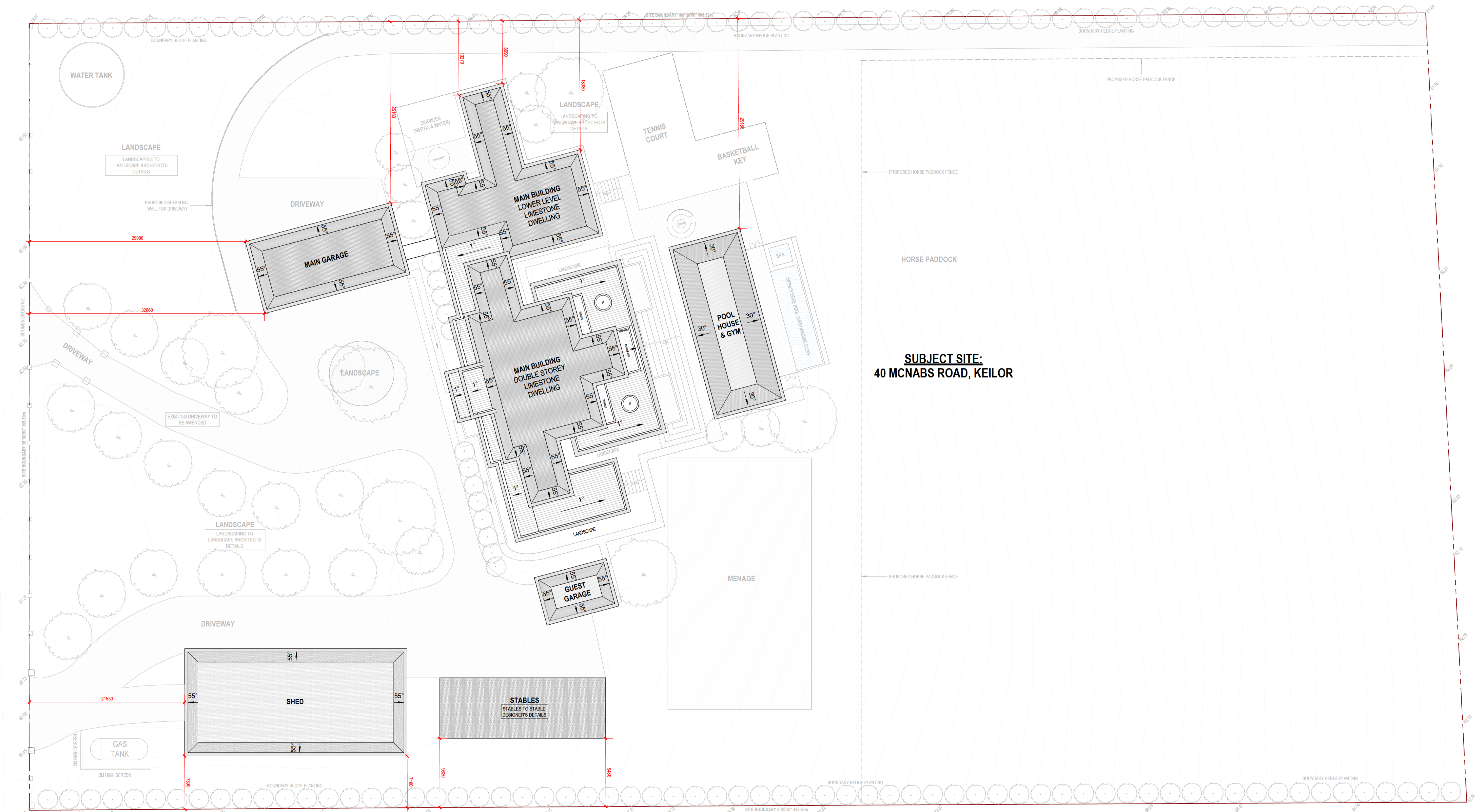
Drawn by
GM
Checked by
GM

Project Number
221692
Issue Date
JULY 2022

Drawing Number
TP.201
Revision Issue
D



MCNABS ROAD



SUBJECT SITE:
40 MCNABS ROAD, KEILOR

1 ROOF PLAN
A.600 1 : 250

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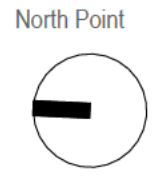
Project Address
40 MCNABS ROAD, KEILOR

Drawing Title
ROOF PLAN

Drawing Issue
TOWN PLANNING

Client
[Redacted]

Rev	Description	Date
D	Issue for Lodgement	JULY 2022



Scale
A3 /
A1 As indicated

Drawn by
GM
Checked by
GM

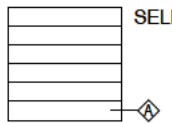
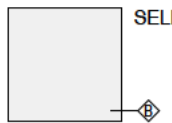
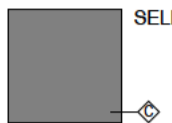
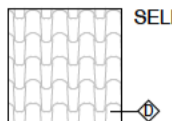

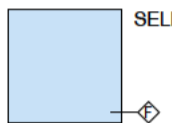
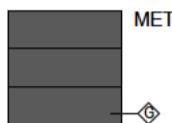
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221692
Issue Date
JULY 2022

Drawing Number
TP.202
Revision Issue
D

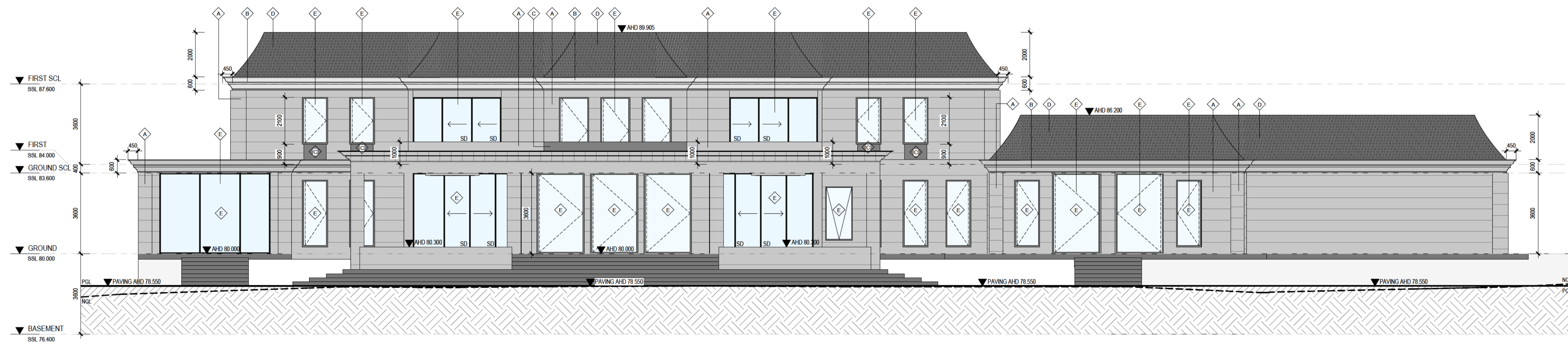




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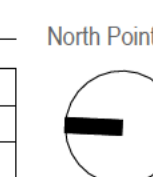
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-  SELECTED CLEAR GLAZING WITH ALUMINIUM FRAMES TO MATCH PLANTER BOX FINISH
-  SELECTED POOL WALL / BALUSTRADE
-  METAL GARAGE ROLLER DOOR

1 NORTH ELEVATION
TP.200 1:100


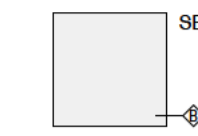
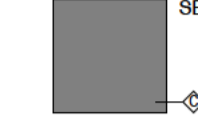
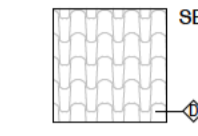
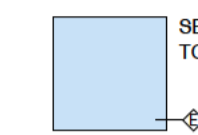
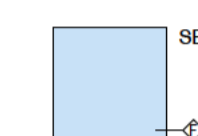
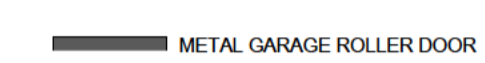


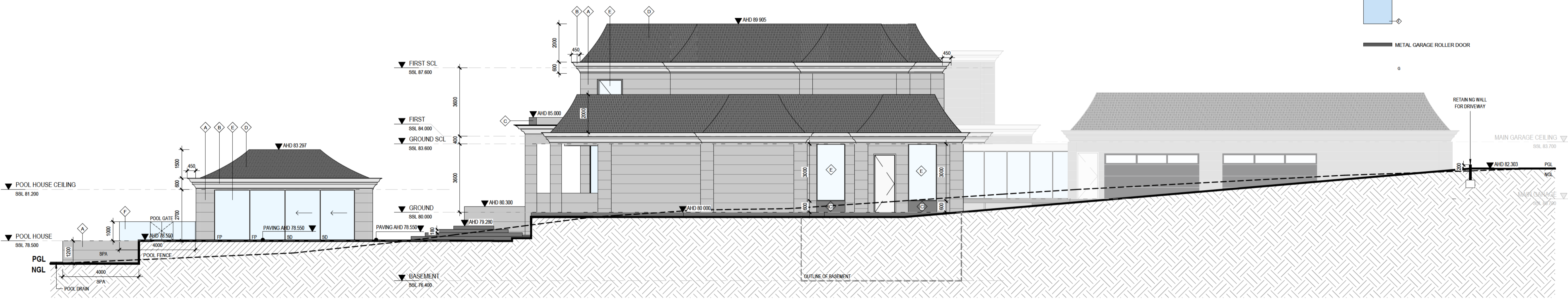
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Rev	Description	Date
D	Issue for Lodgement	JULY 2022

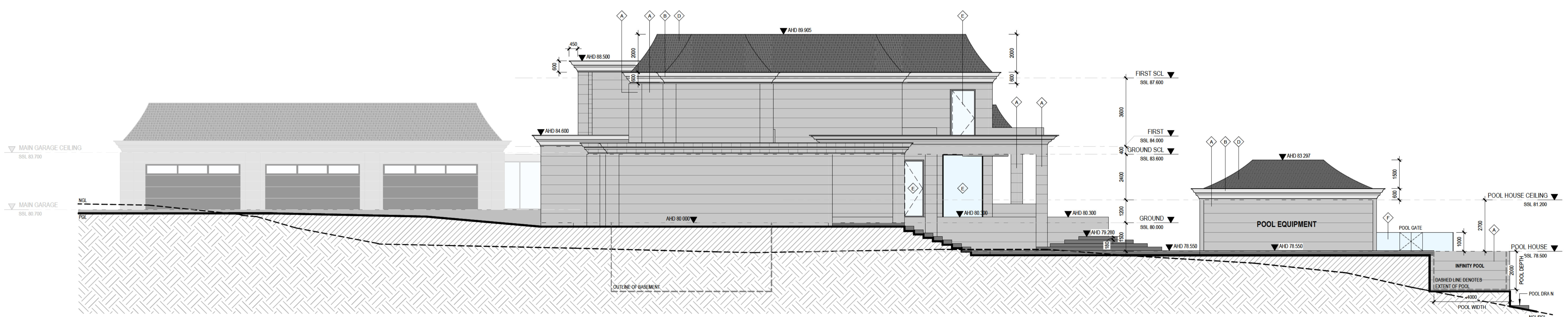


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-  SELECTED CLEAR GLAZING WITH ALUMINIUM FRAMES TO MATCH PLANTER BOX FINISH
-  SELECTED POOL WALL / BALUSTRADE
-  METAL GARAGE ROLLER DOOR



1 EAST ELEVATION
1:100



2 WEST ELEVATION
1:100

Unit 2, 1 Bk Lane
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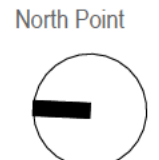
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40 MCNABS ROAD, KEILOR

Drawing Title
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Drawing Issue
TOWN PLANNING

Client
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Rev	Description	Date
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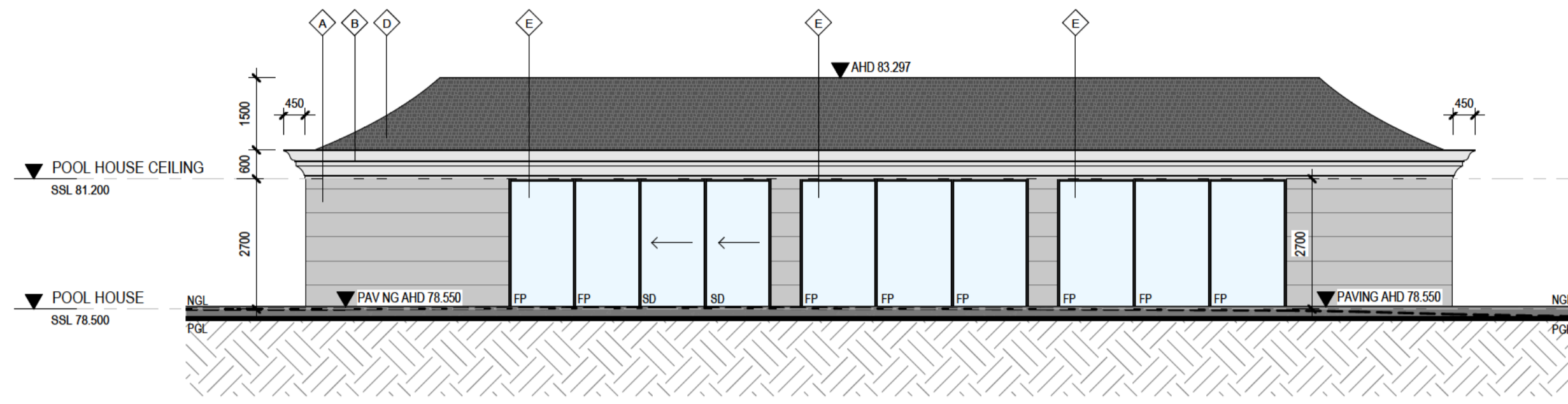
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Checked by
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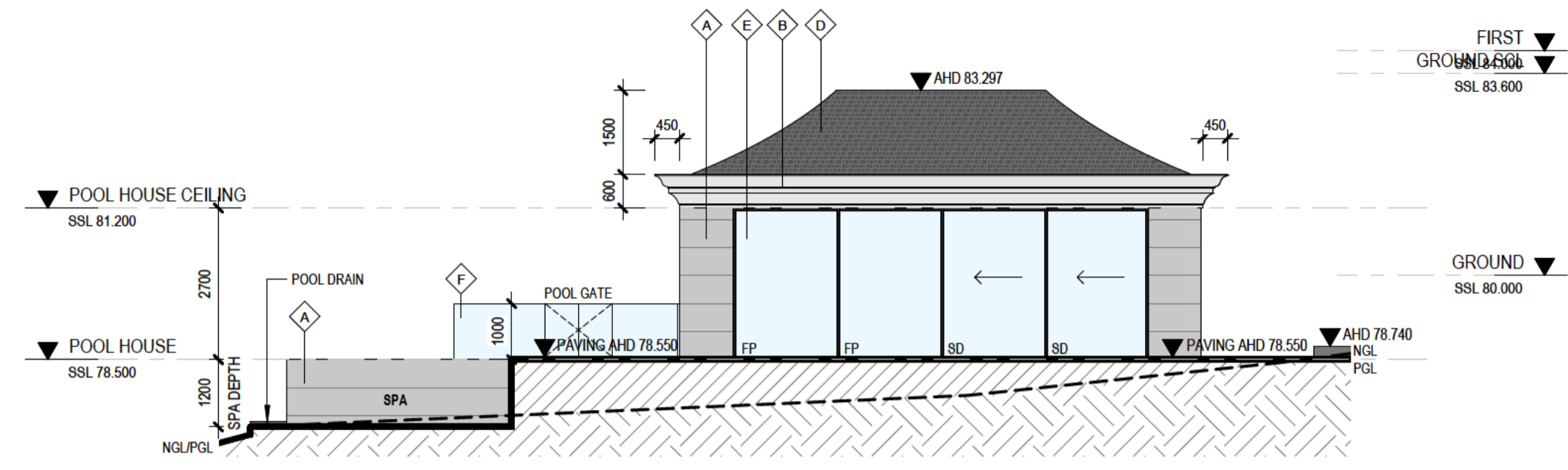
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Issue Date
JULY 2022

Drawing Number
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Revision Issue
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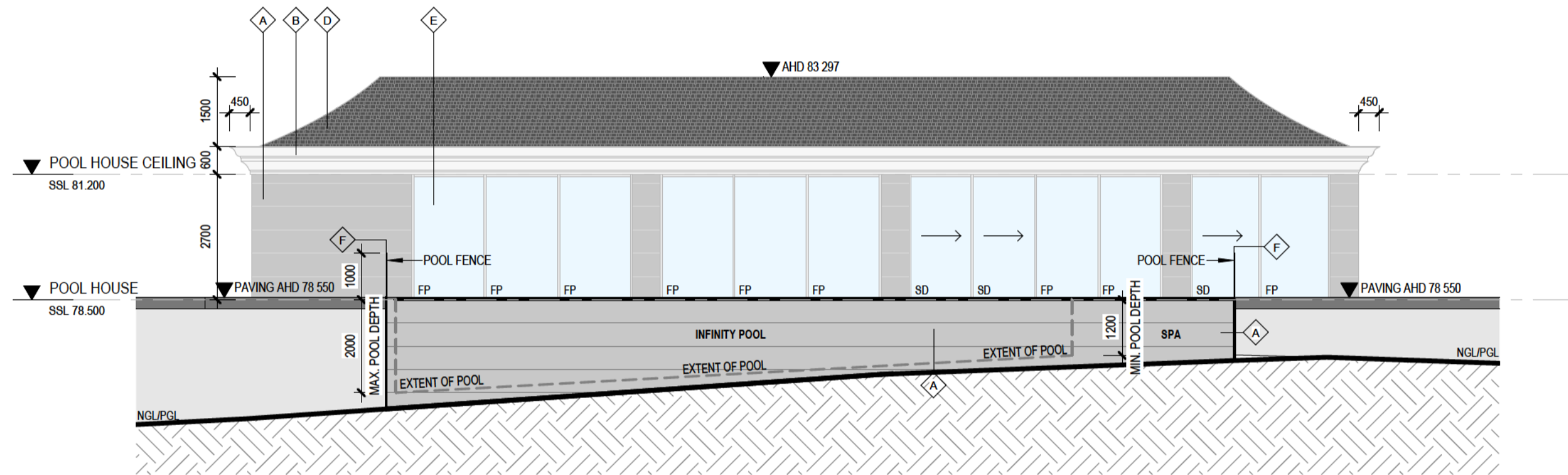


1 POOL HOUSE - NORTH ELEVATION
TP.200 1 : 100

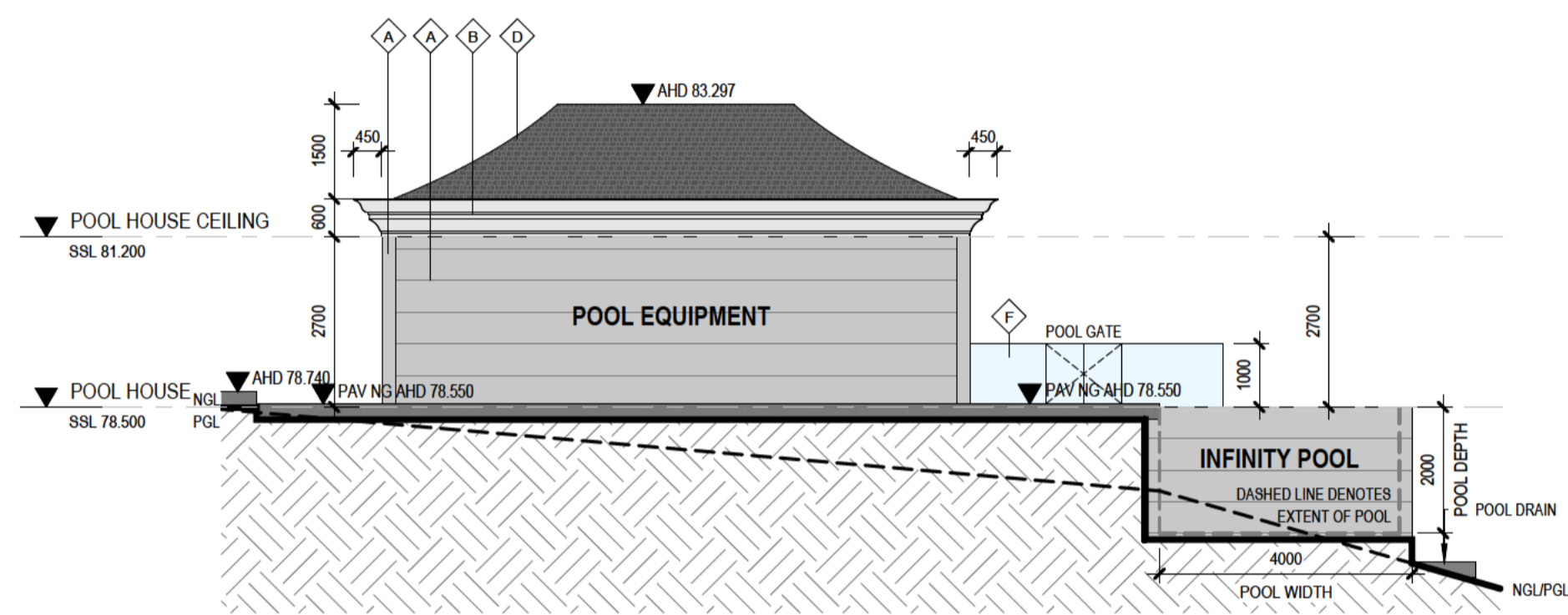


2 POOL HOUSE - EAST ELEVATION
A.201 1 : 100

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 - SELECTED ROOF TILING
 - SELECTED CLEAR GLAZING WITH ALUMINIUM FRAMES TO MATCH PLANTER BOX FINISH
 - SELECTED POOL WALL / BALUSTRADE
 - METAL GARAGE ROLLER DOOR

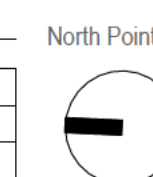


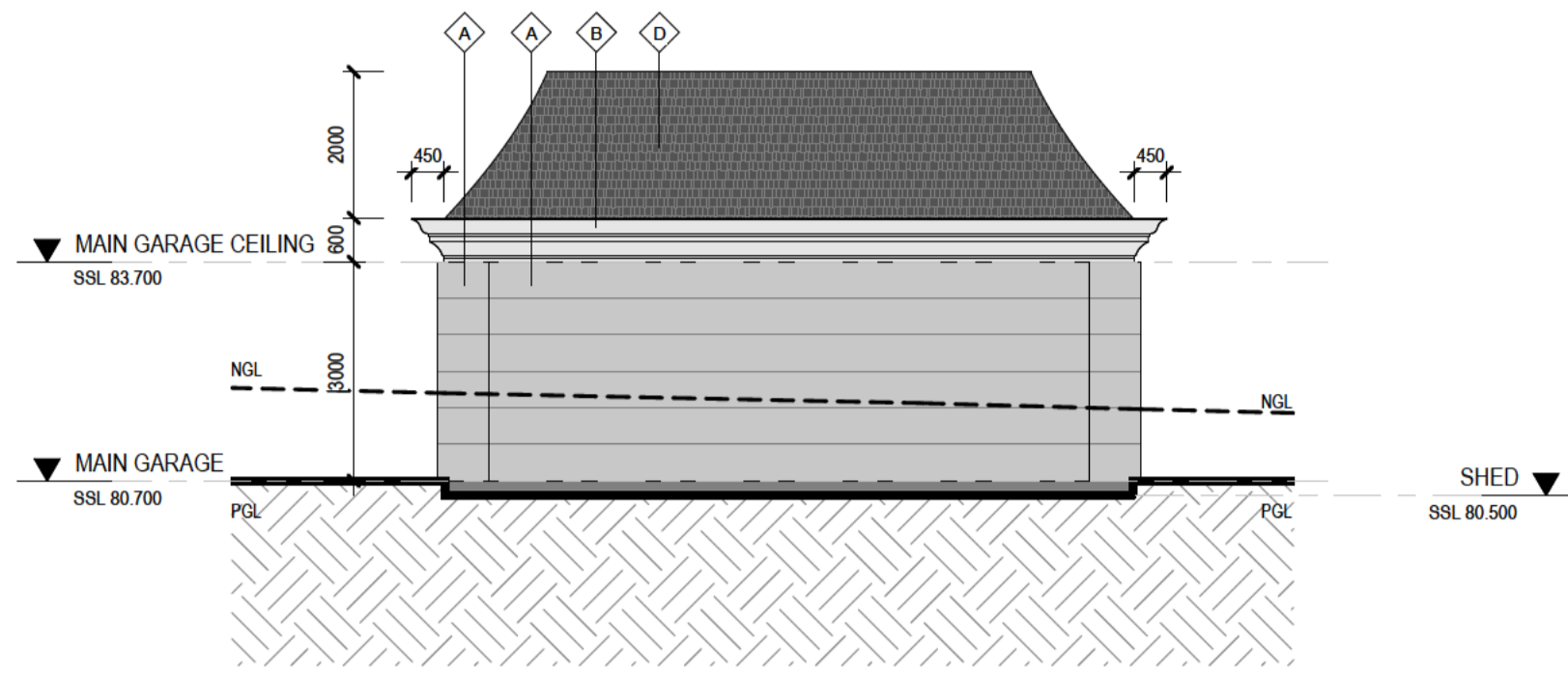
3 POOL HOUSE - SOUTH ELEVATION
TP.200 1 : 100



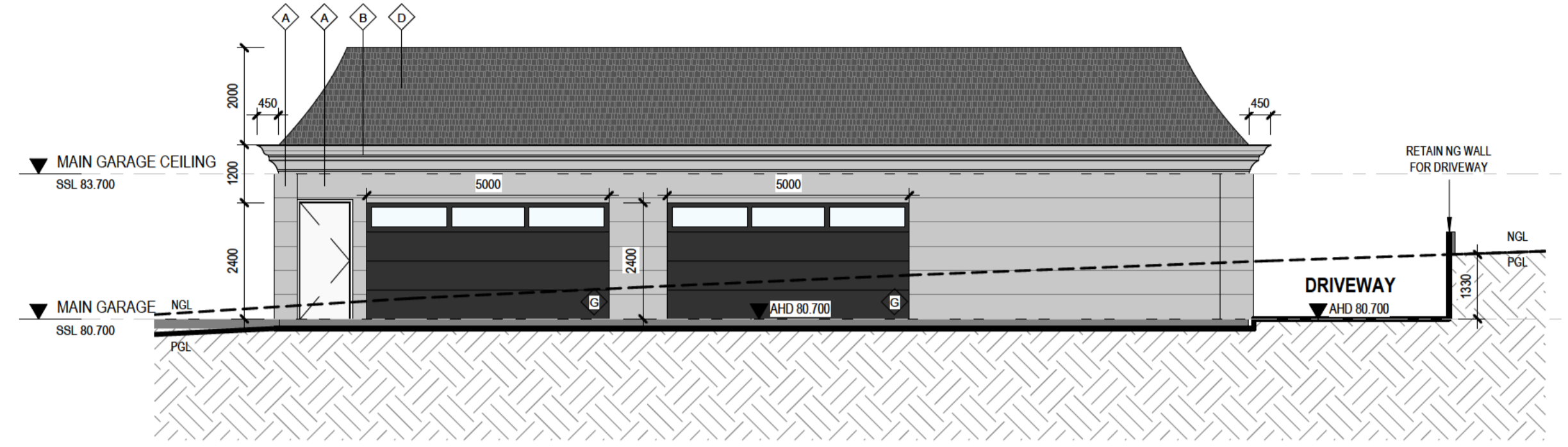
4 POOL HOUSE - WEST ELEVATION
A.201 1 : 100

Rev	Description	Date
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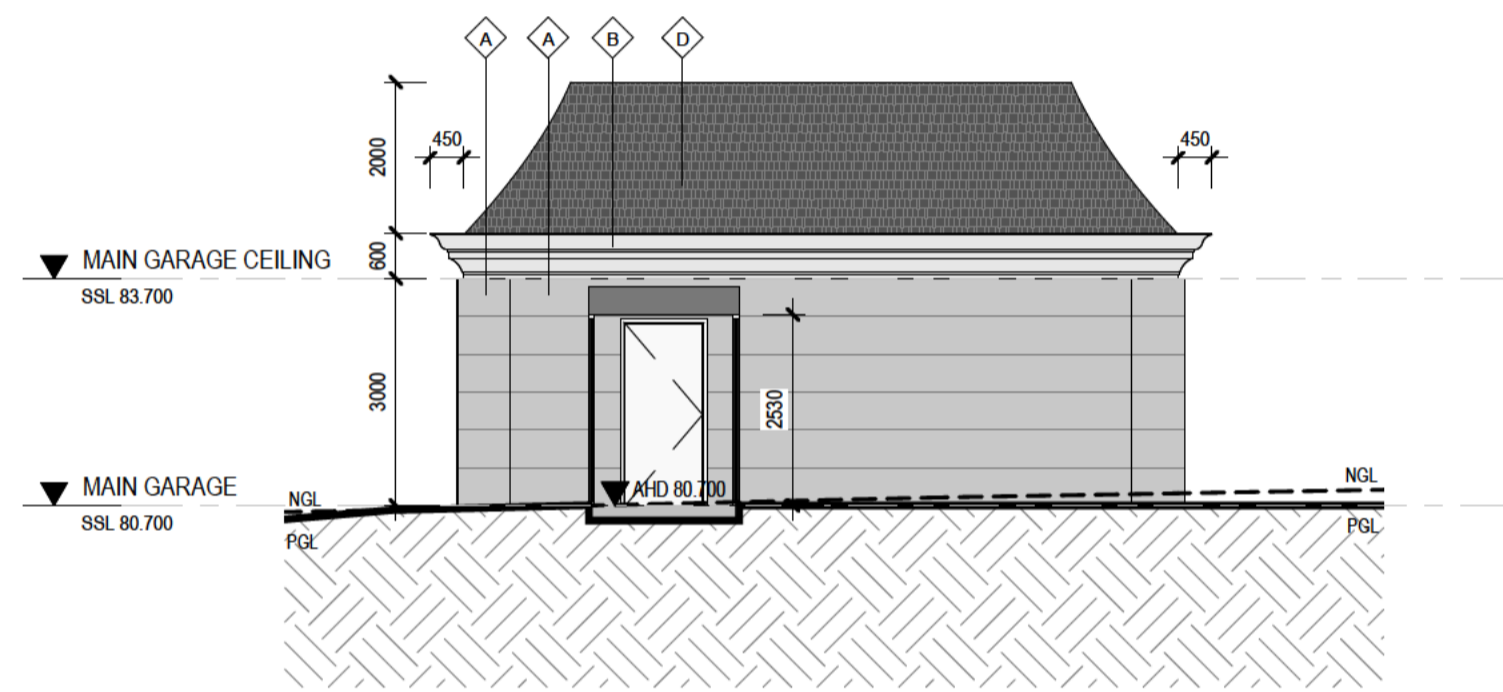




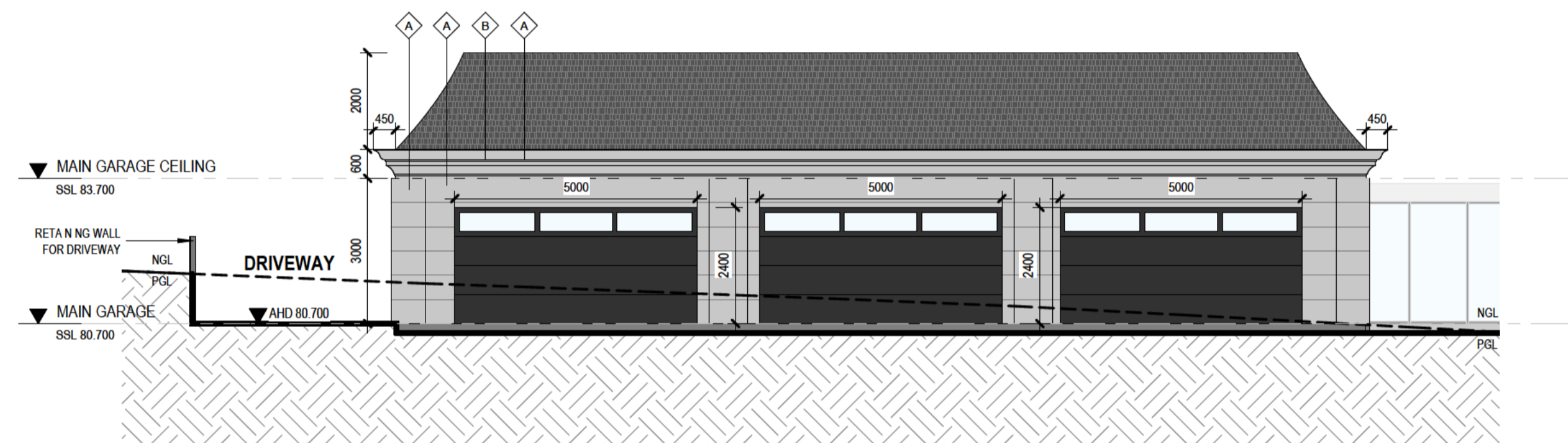
1 MAIN GARAGE - NORTH ELEVATION
TP.200 1:100



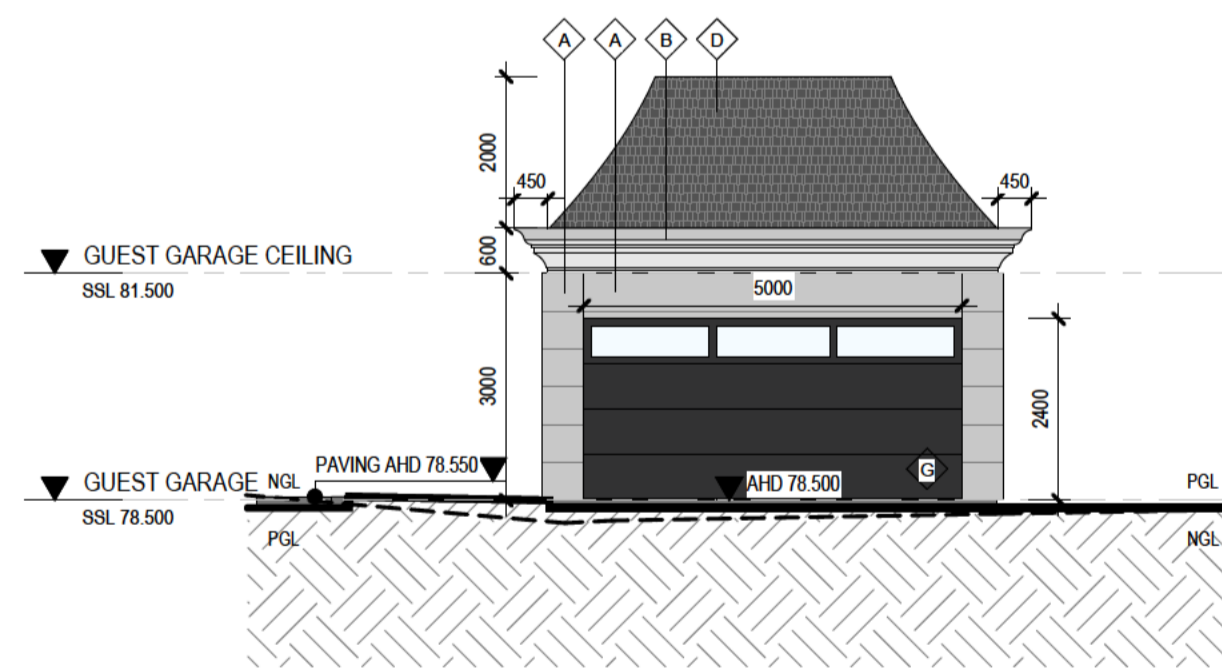
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TP.200 1:100



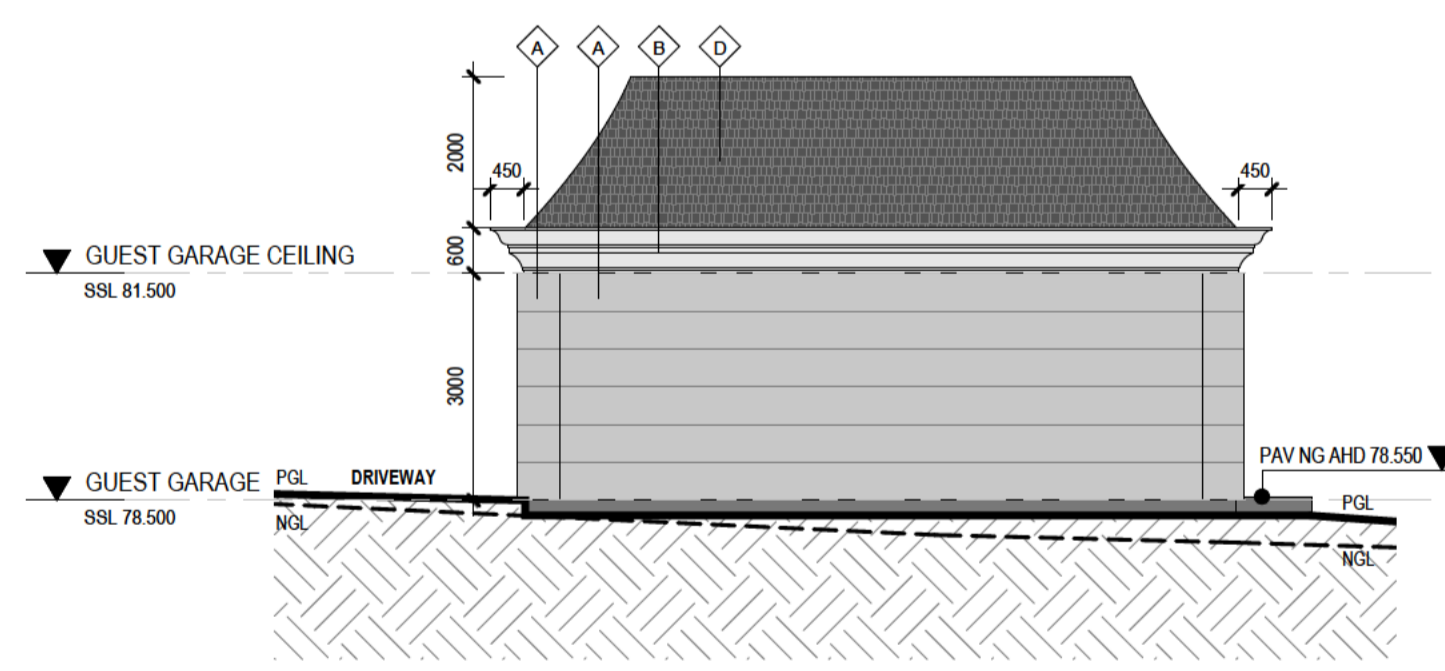
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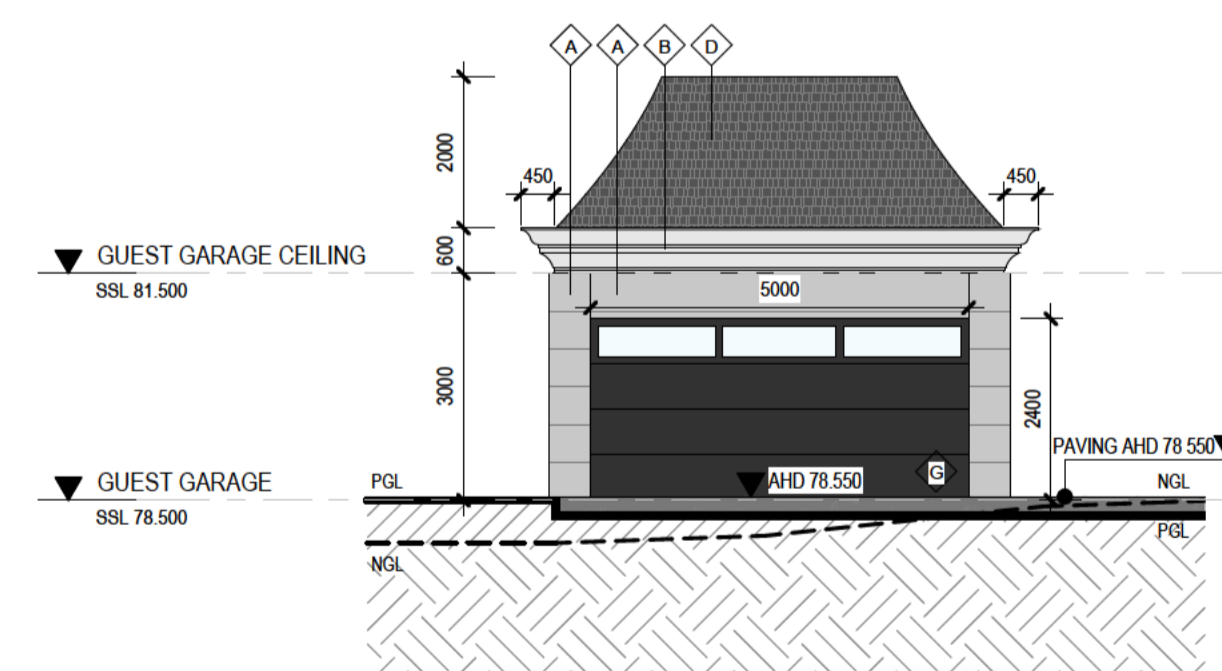
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TP.200 1:100



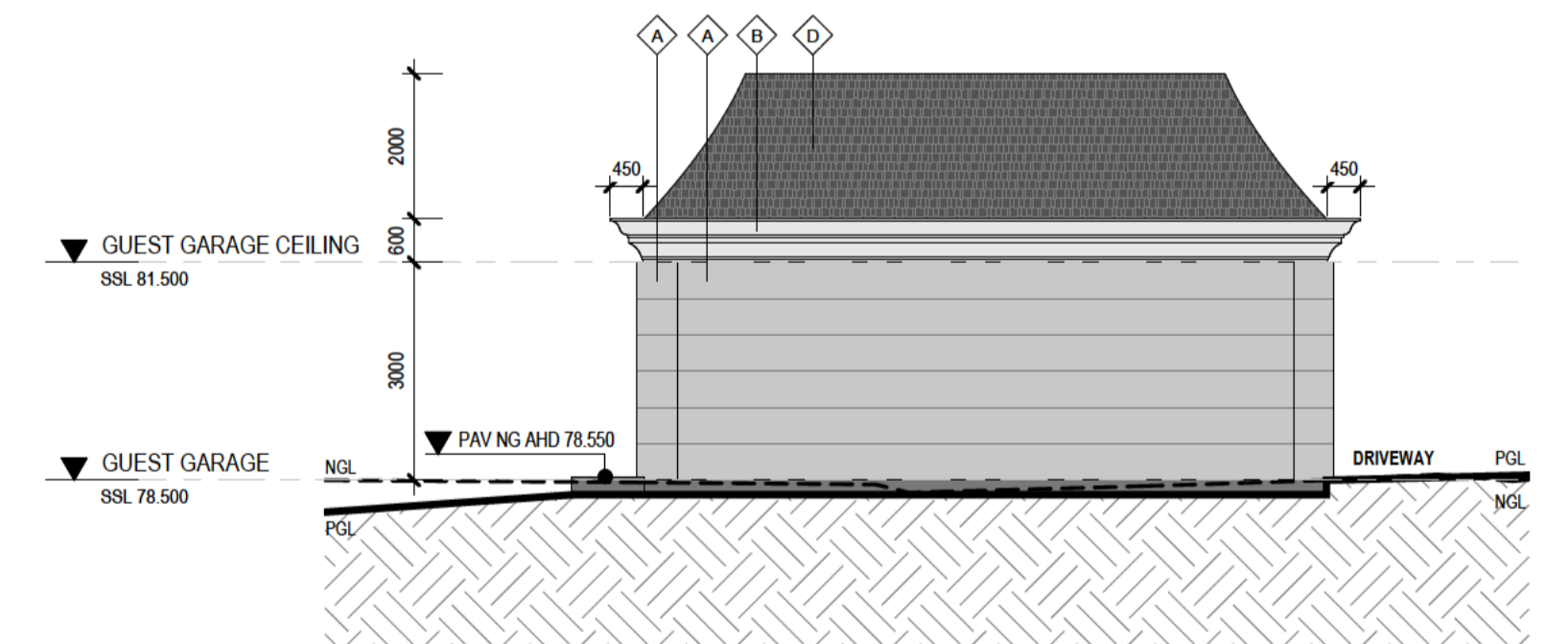
5 GUEST GARAGE - NORTH ELEVATION
A.201 1:100



6 GUEST GARAGE - WEST ELEVATION
A.202 1:100

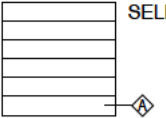
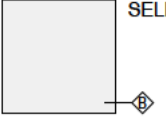
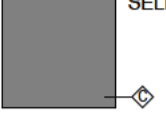
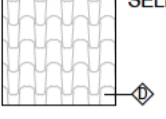
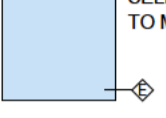
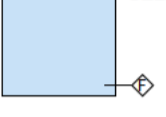



7 GUEST GARAGE - SOUTH ELEVATION
A.201 1:100

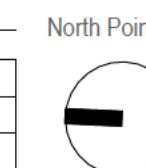


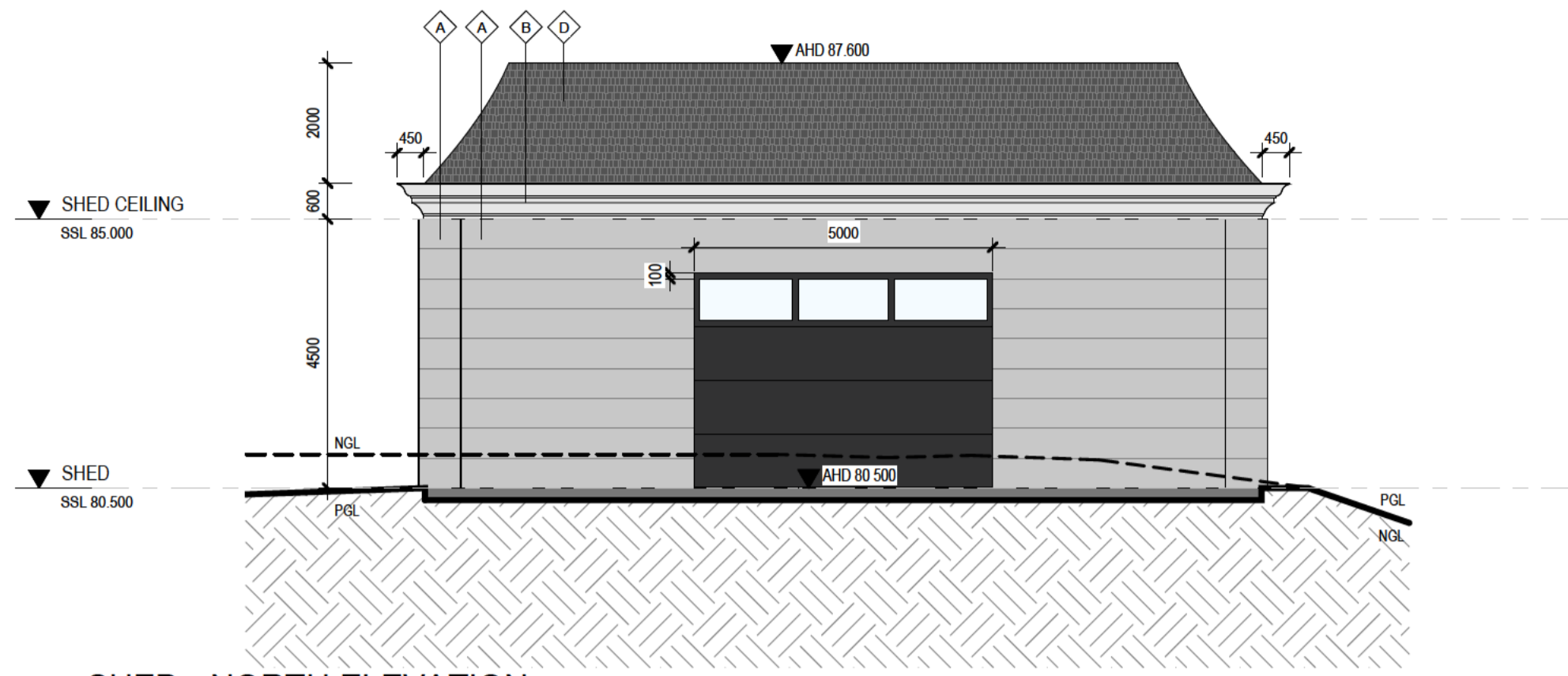
8 GUEST GARAGE - WEST ELEVATION
A.201 1:100

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-  SELECTED LIMESTONE MOULDING
-  SELECTED METAL SHEET PLANTER BOX
-  SELECTED ROOF TILING
-  SELECTED CLEAR GLAZING WITH ALUMINIUM FRAMES TO MATCH PLANTER BOX FINISH
-  SELECTED POOL WALL / BALUSTRADE
-  METAL GARAGE ROLLER DOOR

Rev	Description	Date
D	Issue for Lodgement	JULY 2022

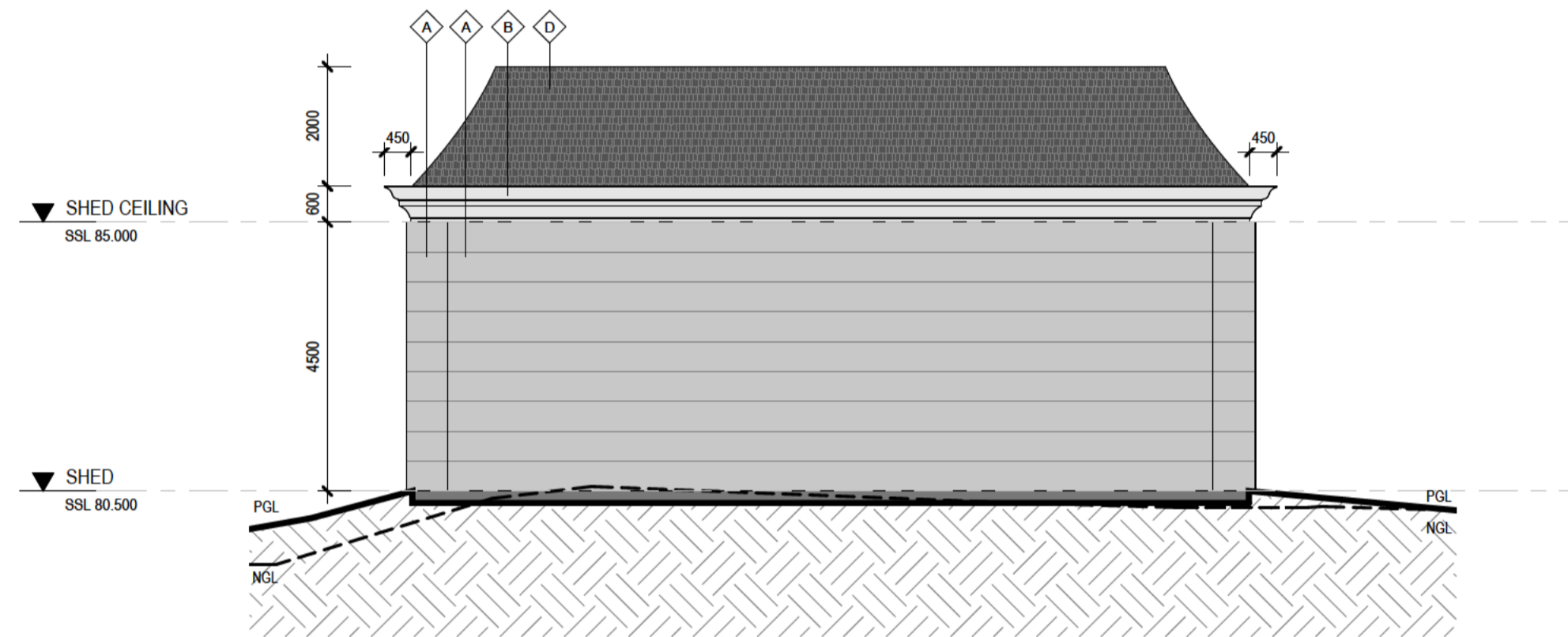




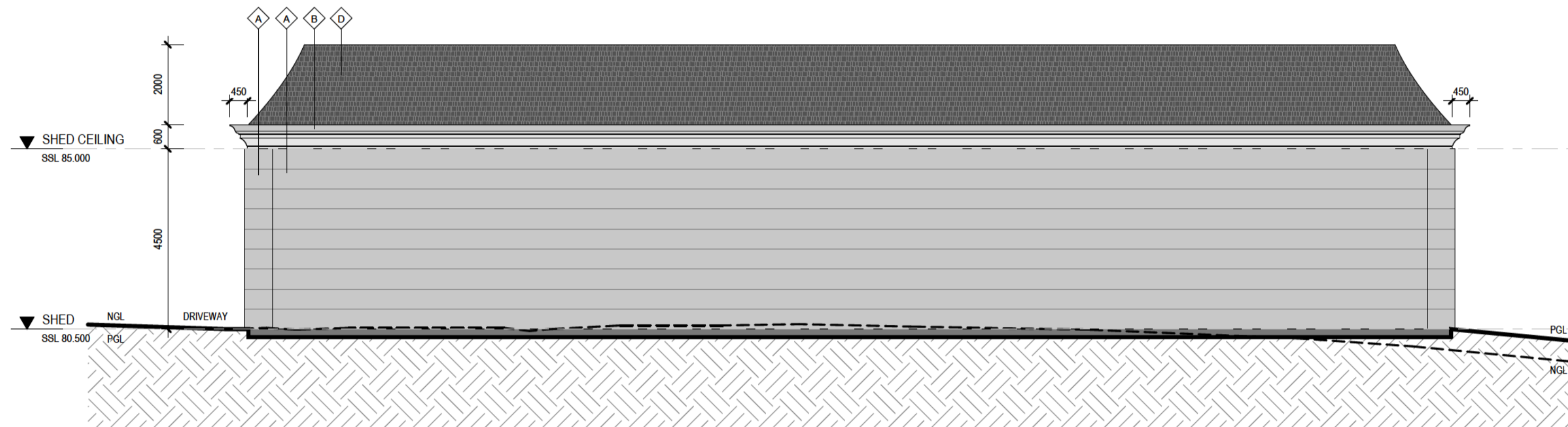
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TP.200 1 : 100



2 SHED - EAST ELEVATION
TP.200 1 : 100

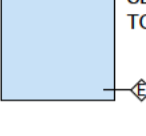


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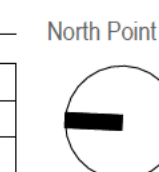


4 SHED - WEST ELEVATION
TP.200 1 : 100

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-  METAL GARAGE ROLLER DOOR

Rev	Description	Date
D	Issue for Lodgement	JULY 2022



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LEGEND MATERIAL PRODUCT COLOUR FINISH
B
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LEGEND MATERIAL PRODUCT COLOUR FINISH
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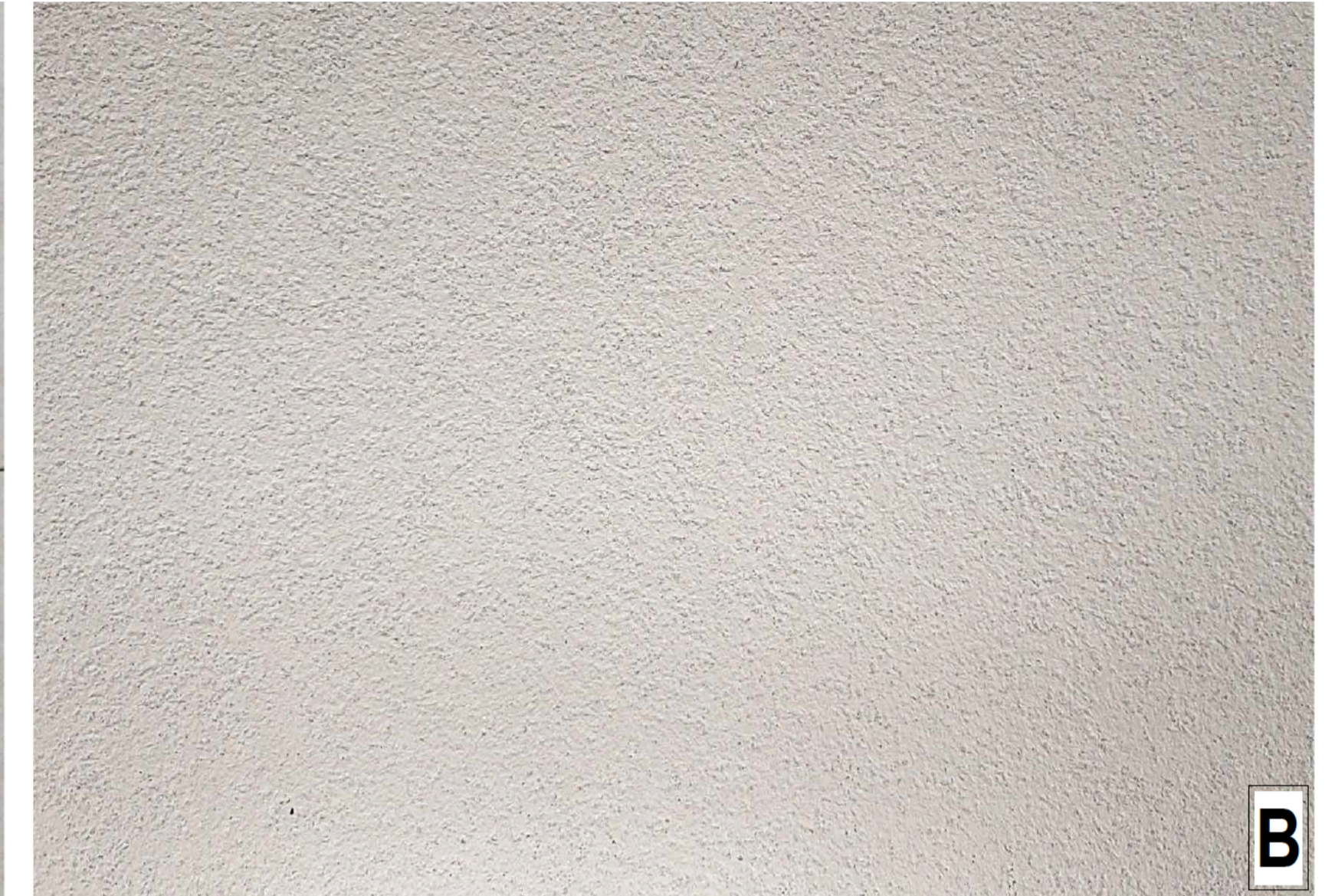
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LEGEND MATERIAL PRODUCT COLOUR FINISH
F
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LEGEND MATERIAL PRODUCT COLOUR FINISH
G
 METAL GARAGE ROLLER DOOR



A



B



C



D



E

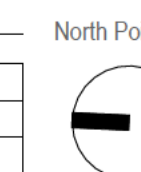


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G

Rev	Description	Date
D	Issue for Lodgement	JULY 2022

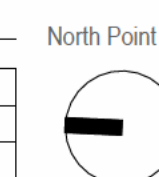




Rev	Description	Date
D	Issue for Lodgement	JULY 2022



Rev	Description	Date
D	Issue for Lodgement	JULY 2022





Planning Report

Date: 06/09/2022
Revision no.: 1
Job Address: 40 NcNabs Road, Keilor
Description: Development of a Dwelling in the Green Wedge Zone, Environmental Significance Overlay and Melbourne Airport Environs Overlay

1.0 Planning Considerations

1.1 Zoning and Overlays

Zoning Controls:

Pursuant to the Hume Planning Scheme, the site is located within a **Green Wedge Zone** and shown on the planning scheme map as **GWZ1**. The purpose of the **Green Wedge Zone** is as follows:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for the use of land for agriculture.*
- *To recognise, protect and conserve green wedge land for its agricultural, environmental, historic, landscape, recreational and tourism opportunities, and mineral and stone resources.*
- *To encourage use and development that is consistent with sustainable land management practices.*
- *To encourage sustainable farming activities and provide opportunity for a variety of productive agricultural uses.*
- *To protect, conserve and enhance the cultural heritage significance and the character of open rural and scenic non-urban landscapes.*
- *To protect and enhance the biodiversity of the area.*

As outlined in the Table of Uses at Clause 35.04-1, a planning permit is required for a dwelling (Section 2 use) with the following conditions applicable:

- Must be the only dwelling on the lot. This does not apply to the replacement of an existing dwelling if the existing dwelling is removed or altered (so it can no longer be used as a dwelling) within one month of the occupation of the replacement dwelling.
- Must meet the requirements of Clause 35.04-2.

Pursuant to Clause 35.04-2 - Use of Land for a Dwelling - a lot used for a dwelling must meet the following requirements:

- *Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.*
- *The dwelling must be connected to reticulated sewerage if available. If reticulated sewerage is not available, all wastewater from the dwelling must be treated and retained within the lot in accordance with the requirements of the Environment Protection Regulations under the Environment Protection Act 2017 for an on-site wastewater management system.*
- *The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.*
- *The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.*

As per Clause 35.04-5 - Buildings and Works - a permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.04-1. This does not apply to:
 - An alteration or extension to an existing dwelling with a floor area of no more than the area specified in a schedule to this zone or, if no area is specified, 50 square metres.
 - An alteration or extension to an existing building used for agriculture with a floor area of no more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. The building must not be used to keep, board, breed or train animals.
 - A rainwater tank.
- Earthworks specified in a schedule to this zone, if on land specified in a schedule.
- A building which is within any of the following setbacks:
 - 100 metres from a Transport Zone 2 or land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the purpose of the acquisition is for a road.
 - 40 metres from a Transport Zone 3 or land in a Public Acquisition Overlay for a road if the Head, Transport for Victoria is not the acquiring authority.
 - 20 metres from any other road.
 - 5 metres from any other boundary.
 - 100 metres from a dwelling not in the same ownership.
 - 100 metres from a waterway, wetlands or designated flood plain.

There are no particular requirements specified in the Schedule to Clause 35.04 of relevance to the subject site.

The proposed dwelling will be located in excess of 100 metres from the road, however McNabs Road is not a Transport Zone, while it is submitted that the dwelling itself will not be within 100 metres of the Maribyrnong River which abuts the rear boundary of the lot, nor will it be within 5 metres of any other boundary. Subsequently, the permit trigger in this case is that the proposed dwelling must meet the requirements specified at Clause 35.04-2.

In terms of meeting the requirements at Clause 35.04-2, as reticulated sewerage is not available, wastewater is to be treated and retained on the lot using a septic system and dissipation drains. The proposed on-site wastewater management system will be designed and operate in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017*.

In addition, there is no potable water supply on the lot, therefore a rainwater catchment and treatment system will be put in place which will be of sufficient dimension and sophistication to ensure adequate storage for domestic use as would be required for a dwelling of this size, well as for fire fighting purposes.

Furthermore, vehicle access via McNabs Road is presently available, with the entry point being highly legible. A second entry point is proposed within the north-west corner of the frontage, enabling a circuitous driveway system and separate access for the stables if required. Both driveways will be designed, sufficiently dimensioned and constructed for all weather conditions to enable safe and manageable movement throughout the site, in addition to ensuring convenient access for emergency vehicles.

Overlay Controls:

Pursuant to the Scheme, the site is also affected by an **Environmental Significance Overlay (ESO1)**. As per Clause 43.01 the purpose of the **Environmental Significance Overlay** is:

- *To implement the Municipal Strategic Statement and the Planning Policy Framework.*
- *To identify areas where the development of land may be affected by environmental constraints.*
- *To ensure that development is compatible with identified environmental values.*

As per 42.01-2, a permit is required to:

- *Construct a building or construct or carry out works. This does not apply if a schedule to this overlay specifically states that a permit is not required.*
- *Construct a fence if specified in a schedule to this overlay.*
- *Construct bicycle pathways and trails.*
- *Subdivide land. This does not apply if a schedule to this overlay specifically states that a permit is not required.*
- *Remove, destroy or lop any vegetation, including dead vegetation. This does not apply:*
 - *If a schedule to this overlay specifically states that a permit is not required.*
 - *If the table to Clause 42.01-3 specifically states that a permit is not required.*
 - *To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16*

At Schedule 1 to the Environmental Significance Overlay (Rural Waterways and Environs), the environmental objectives to be achieved relate to:

- Ecological Function
- Waterway Function
- Recreation Use
- Landscape Character
- Heritage

A permit is not required to remove, destroy or lop vegetation if it is not native vegetation or if any of the following apply:

- *If the vegetation presents an immediate risk of personal injury or damage to property.*
- *If the removal, destruction or lopping of native vegetation is necessary for emergency access or emergency works by a public authority or municipal council.*
- *If the removal is in accordance with the fire exemptions listed in Clause 52.17.*
- *If the removal, destruction or lopping of the minimum extent of native vegetation is necessary for establishing sight-lines for the measurement of land by surveyors in the exercise of their profession, and if using hand held tools.*
- *If the native vegetation is proclaimed as a noxious weed or is bracken (*Pteridium esculentum*).*
- *If the removal, destruction or lopping of native vegetation is in accordance with a notice under the Vermin and Noxious Weeds Act, 1958.*

The schedule specifies no requirements or controls in relation to building height, setbacks, character or other.

With respect to meeting and satisfying the objectives of the ESO, it is submitted that the subject land and environs have already been disturbed given that the site currently supports a number of existing structures, while adjoining properties are also developed. The proposed dwelling is in fact a replacement to an existing structure, and therefore the

development is considered appropriate to the lot, both in terms of siting of the proposed dwelling and end use, and also compatibility with adjoining uses.

In terms of native vegetation, there are few trees on the lot at present save for a small clutch of trees to the west of the existing dwelling, with much of the land being cleared. The subject trees vary in size and health and will be removed and subsequently replaced in accordance with the Landscape Architect Plan which proposes lush gardens surrounding the buildings comprising local native plant and tree species that will enhance biodiversity and add positively to the visual character of the area.

It is further considered that the proposed dwelling has been designed to minimise adverse impact on the landscape, McNabs Road and the area in general. While it is a comprehensive home and complex, architectural style is effectively simple, with reasonable height and low-pitched roof, neutral earthy tones and a selection of materials that

promote a pastoral and visually recessive appearance. A well-landscaped frontage, screening of services and substantial setback from the road will effectively ensure that the proposed development will not adversely impact on the environmental values and visual character of the area and that the identified rural quality is maintained.

In addition to the ESO, the site is also subject to the **Melbourne Airport Environs Overlay**, specifically Schedule 2 (**MAEO2**), the purpose of which is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure that land use and development are compatible with the operation of Melbourne Airport in accordance with the relevant airport strategy or master plan and with safe air navigation for aircraft approaching and departing the airfield.*
- *To assist in shielding people from the impact of aircraft noise by requiring appropriate noise attenuation measures in dwellings and other noise sensitive buildings.*
- *To provide for appropriate levels of noise attenuation depending on the level of forecasted noise exposure.*

In terms of buildings and works, any requirement in a schedule to this overlay must be met and any building for which a permit is required under this overlay must be constructed so as to comply with any noise attenuation measures required by Section 3 of Australian Standard AS 2021-2015, Acoustics - Aircraft Noise Intrusion - Building Siting and Construction, issued by Standards Australia Limited.

Schedule 1 to Clause 45.08 specifies that a permit is required for a dwelling and to construct a building or carry out works. Land must not be used for more than one dwelling or dependent person's unit on the lot and subdivision is prohibited.

Primarily the proposed development accords with the Schedule to the MAE in that only the one residential dwelling is proposed on the subject site. With respect to the need to provide noise attenuation measures given the site's proximity to the Melbourne Airport, construction of the dwelling will be in accordance with the relevant Australian Standards. It is proposed to use double glazing for all windows and acoustic insulation to lessen the potential for internal noise issues resulting from the operations of the Airport. Further measures can be taken if required as directed by the relevant authority.



2.0 Conclusion

Based on this assessment, the proposed development at No. 40 McNabs Road, Keilor will satisfactorily meet the requirements of the zone and the overlays to which the land is subject.

It is submitted that the proposal succeeds in being respectful of the location and its contributory elements, while providing a positive contribution and minimising impact on the environment.

The proposal is contemporary in design, respectful of the landscape quality of the area in which it is located and the amenity of adjoining properties and environmental features. The proposal has been designed to ensure integration and will make a positive addition to the site itself.