

FACT SHEET

How to Lodge a Planning Application

COMMUNITY
RESILIENCE

31 MARCH 2016

This fact sheet provides guidance on how to make a planning permit application for rebuilding a house within Wye River or Separation Creek for properties affected by the 2015 Bushfire. It includes details of key issues to consider when drafting your application. Applicants should use this as a check list when compiling information for an application.

Why make a good application?

A high quality planning application is one which is accurate, clearly written and provides clear plans. Quality applications assist the planning officer dealing with the application, help other interested parties understand what is being proposed and allow for faster processing.

Planning Controls

New dwellings in Wye River and Separation Creek require a planning permit under the normal planning scheme provisions. For the areas impacted by the Christmas 2015 bushfire, the State Government prepared locally specific planning controls at the request of Council. These specific controls aim to simplify the planning process for fire affected residents and allow them to rebuild as soon as possible.

If your dwelling was destroyed in Wye River and Separation Creek on 25 December 2015 you will require a planning permit to rebuild it under these new planning controls.

Any person proposing changes to houses that survived the fires or development on vacant land within the fire affected area will also require a planning permit under the new controls.

An application for a planning permit will need to consider a range of characteristics specifically affecting the Wye River and Separation Creek settlements. These requirements are discussed in more detail within this fact sheet.

It is strongly advised that you confirm with the One Stop Shop team whether a planning permit is required or not before proceeding with any development.

Pre-application discussions

You are strongly encouraged to make an appointment to meet with the One Stop Shop team for preliminary discussions prior to lodging a planning application. This will enable you to have a discussion about the merits of the proposal, as well as obtaining advice about the information you are required to submit along with your application and how they relate to your property.

The One Stop Shop team can advise if your application is on the right track, and discuss any potential issues or areas of concern. They can also provide any further information that may require your consideration when preparing the application.

Engage any necessary consultants

Professional consultants may be required to assist in architectural design and documentation, geotechnical advice, waste water management, land capability and designing for bushfire.

To support the rebuilding process, the State Government has commissioned a number of technical studies to assist you to understand the possible design constraints and risks associated with building in Wye River and Separation Creek.

The studies include:

- Bushfire Risk Assessment (Bushfire Attack Level Assessment)
- Waste-Water Management and Land-Capability Assessment
- Geotechnical Assessment of landscape hazards

If you plan to build, the findings of these studies will help you to determine the appropriate design and building requirements for your site. This will ensure that new dwellings are more resilient to bushfires, minimise potential landslip hazards and positively contribute to the unique coastal character of the area.

It is important to be aware that whilst the studies commissioned by the State contain a degree of site specific information for geotechnical, waste water management or land capability, they do not provide all of the technical information required to support a planning permit application. You will also need to undertake your own site specific assessments which respond to your proposed design as part of your planning permit application.

The One Stop Shop team can assist in providing general advice where these consultants may be required.

Undertake a site analysis

Take photographs of the site and surrounding area, including neighbouring properties. What are the opportunities presented by the site? What are the constraints? At this early stage, it is also worthwhile talking to adjoining property owners to find out what they value about their property and why.

Prepare a site description and plan in order to illustrate the characteristics of the site and surrounding area.

Prepare sketch plans

Prepare sketch plans of your proposal, taking into consideration the opportunities and constraints identified by your site analysis.

Prepare a design response statement, outlining how your preliminary design has responded to the site and surrounding area.

Talk to your neighbours

Be sure to talk to your neighbours before finalising your plans. If they are unhappy with an aspect of your proposal, you may be able to reach a compromise before lodging your application. There is a particular opportunity given many adjoining land owners may be seeking to rebuild, to ensure that building designs are considerate of each other – this will only be effective if people talk to one another and seek to cooperate on issues such as sharing of views, screening of windows and access to sites from the road.

Review and finalise your plans

Weigh up the feedback received from Council and your neighbours. Review your plans and incorporate any suggested changes that you think are reasonable.

Finalise your plans and any written material, including your neighbourhood and site description and design response.

Refer to the checklist on the next page as a guide for application requirements.

Lodge your application

After obtaining advice from the One Stop Shop team and preparing the necessary documentation you will now be in a position to lodge your application with Council.

Remember to read over your application form carefully to ensure you have completed all relevant details and submitted all required documentation with your application.

For further information:

For further information regarding the planning process and approvals process see the *Planning Application Process - An Overview* fact sheet.

If you have any queries, please do not hesitate to contact the One Stop Shop on 5232 9400.

Application Checklist

The following is a general list, and depending on the nature of the application additional information over and above the general requirements may be requested. Please refer to specific factsheets and discuss with the One Stop Shop team as required.

An application should contain at least the following information:

- A covering letter explaining your proposal
- Completed application form
- Recent Copy of Title (no older than 60 days)
- Application Fee (currently not required for rebuilding applications)
- Site Survey (showing contours, site features, location of structures and vegetation close to the boundary on adjoining land, land features between the site and the road, etc.)
- Neighbourhood & Site Description
- A design response or explanation of the proposed use
- Response to the decision guidelines in the Incorporated Plan (planning controls) and description of how the development responds to the Clause 54 'Rescode' standards and variations to these in the Neighbourhood Character Overlay (NCO1)
- Site Development Plan, including layout of development and access from road, site contours, building setbacks, driveways and hard surface areas
- Geotechnical Assessment
- Description of how the building siting & design responds to the Bushfire Attack Level applicable to the property, including proposed bushfire mitigation measures
- Land Capability Assessment
- Three copies of plans drawn to scale (1:100 or 1:200) and fully dimensioned
- An A3 size set of plans (in addition to those mentioned above)
- Plans must show the site, floor layout and elevations, clearly showing building height above natural ground level and floor/roof levels that relate to the site contours
- Details of proposed external building materials and colours

Applications should show clear links between the site context plan, the design response and the development proposal.

Application Requirements

Documents to be included with a planning application:

Covering letter

Submit a covering letter with your application briefly describing the contents of your application and also the details of any pre-application discussions with the One Stop Shop team. This will ensure that officers assessing the application will be aware of any pre-application discussion.

A completed application form

An application form must accompany every application. The application form has to be complete before an application will be processed.

Response to key issues:

Site Survey

As part of your planning permit process to rebuild a house lost in the fires you will be required to re-establish your property boundary, and undertake site specific surveys as part of your building and engineering work. This work could include a survey of easements, site levels and contours, the location of vegetation and other features. These individual assessments will benefit from the current baseline Datum work being completed by the Surveyor Generals office.

For further information please refer to the Surveying Fact Sheet.

Bushfires

The Bushfire Management Overlay (BMO) applies to all land within the coastal settlements and requires consideration of issues such as siting, water supply, access, buildings and works, and vegetation. The new planning controls (Incorporated Plan) remove the BMO control for bushfire affected properties, but retains the need to respond to bushfire risk through the application process.

A Bushfire Risk Assessment has been prepared for State Government by Terramatrix to provide further assistance in this regard. Based on this work, the Incorporated Plan outlines what BAL will apply to a site. Land owners are encouraged to provide their BAL level to an architect/designer to begin the process of designing a replacement dwelling, and to make an appointment with a Council planner and building surveying staff in the One Stop Shop team to discuss the initial design responses, and to seek clarification on any of the design standards.

In order to appropriately consider the Bushfire risk, an application must include:

- location of a static water supply for firefighting and property protection purposes in accordance with Table 4 to Clause 52.47-3 of the planning scheme (may be in the same tank as other water supplies provided that a separate outlet is reserved for firefighting water supplied)
- the provision of defendable space to the property boundary or distance specified in Table 1 to Clause 52.47-3 of the planning scheme based on the applicable bushfire attack level specified in Clause 4.10 of this incorporated document, whichever is the lesser
- if proposed, the location of a private bushfire shelter (a Class 10c building within the meaning of the Building Regulations 2006).

Please also refer to the Bushfire Attack Level factsheet for further information.

Neighbourhood Character

A Neighbourhood Character Study was completed in 2005 for the coastal settlements of Skenes Creek, Kennett River, Wye River and Separation Creek by Planisphere. Neighbourhood character relates to the features of the towns which the community value such as the tree canopy, informal boundary fencing, small building footprints, setbacks from boundaries and modest building scale. As a result of the study the Neighbourhood Character Overlay and the Design and Development Overlay were introduced into the planning scheme covering land within the Township Zone of the four coastal settlements. These controls aim to ensure future development enhances those things the community values.

The overlay includes modifications to some of the standards in Clause 54 (One Dwelling on a Lot) of the planning scheme, with regard to the following issues:

- *Street setback*
- *Building height*
- *Site coverage*
- *Side and rear setbacks*
- *Walls on boundaries*
- *Design detail*
- *Front fence height*
- *Landscaping*

The Neighbourhood Character Study includes a Precinct Brochure for each of the coastal towns that should be referred to when preparing an application for a site within this area.

Applications should take into account the contents of these brochures and provide a written response to demonstrate how the application accords with these provisions. A response to all relevant aspects of Clause 54 and the variations in the Neighbourhood Character Overlay is required.

Many older buildings pre-date the current planning standards, and exceed the standards which apply to aspects of development such as the footprint (or site coverage) of buildings and hard surfaces, building height or setbacks. Council will encourage people to meet the current standards where possible, but will recognise the siting, scale and design of buildings that were destroyed when considering new applications. Council will attempt to facilitate the rebuilding of a similar home where possible (e.g. size, setbacks, location on site), subject to meeting modern standards concerning design, bushfire, waste water treatment and geotechnical issues (e.g. building footings, external materials, etc.). Each application will be considered on its individual merits.

If land owners seek to build a larger dwelling than they had before, the onus will be on them to demonstrate that it is meeting the current standards for development.

Significant Landscape

The Great Ocean Road landscape is of national importance. The factors contributing to the significance of the landscape of the Great Ocean Road environs are detailed in the Great Ocean Road Region Landscape Assessment Study (GORRLAS) 2003.

The location and extent of the townships within this landscape, as well as the relationship of the buildings in the towns to the landscape, are of critical importance to the maintenance of the character of the Great Ocean Road region.

The siting, design, height, site coverage and materials of all buildings, and vegetation around buildings and the treatment of the public domain all contribute to the maintenance and enhancement of the key landscape characteristics of the region.

Applications should ensure that these considerations are taken into account when preparing the planning permit application.

Landslip

The risk of landslip has been identified as a significant environmental hazard for the southern parts of the shire. Consequently, the Erosion Management Overlay has been applied to ensure consideration of this issue at planning stage. The Incorporated Plan retains the core requirements of this overlay in the new provisions.

In order to appropriately consider the landslip issues on-site, an application must include development plans drawn to scale and dimensioned, showing as appropriate:

- The proposed development, including a site plan and building elevations, access, any proposed cut and fill, retaining wall or effluent disposal system.
- Any existing development, including buildings, water tanks and dams on both the subject lot and adjacent land (as appropriate).
- Any existing development on the subject lot, including cut and fill, stormwater drainage, subsurface drainage, water supply pipelines, sewerage pipelines or effluent disposal installations and pipelines and any otherwise identified geotechnical hazard.
- Details and location of existing vegetation, including any vegetation to be removed.

Applications must also include a Geotechnical and Landslide Risk Assessment prepared by a suitably qualified geotechnical practitioner, specific to the proposed building design. For further information regarding erosion and geotechnical information, please refer to the Geotechnical Assessment fact sheet.

Land Capability and Waste-water Management

A Land Capability assessment and Waste Water Management Strategy have been prepared for the settlements of Wye River and Separation Creek. These background documents will assist landowners and architects to understand the design constraints associated with the sites. This will also inform individual property owners and their architects as to what additional property-specific investigations are needed to rebuild a particular house design.

All applications will need to be accompanied by a Land Capability Assessment (LCA) prepared by a suitably qualified person that responds to the specific design proposed for a site, and which builds on the technical assessments provided by the State Government (Coffey reports). The One Stop Shop team can provide specific advice about the information these assessments need to include. For further information, refer to the Land Capability Assessment and Wastewater Management Fact Sheet.

Land Subject to Inundation

Some areas within Wye River and Separation Creek have been identified as flood prone and development within these areas must be avoided if possible or kept to a minimum. Consultation with the Corangamite Catchment Management Authority will be required in most cases where this overlay applies.

Heritage

The Heritage Overlay applies to a few individual sites within the coastal settlements. In addition most of the settlements are within areas of cultural heritage sensitivity, although for single dwellings there will not be any requirement to prepare a Cultural Heritage Management Plan. For further information please discuss with the One Stop Shop team.