

PP158/2019-1

19 Thomson Street APOLLO BAY

C/A: 2 SEC: 16 V/F: 8031/526

Three (3) Lot Subdivision

Coastal Planning

Officer - Ian Williams

EXHIBITION FILE

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Submissions to this planning application will be accepted until a decision is made on the application.

If you would like to make a submission relating to a planning permit application, you must do so in writing to the Planning Department

23 July 2019

Planning Department
Colac Otway Planning Department
PO Box 283
COLAC VIC 3250



Dear Sir/Madam

SUBJECT SITE: 19 THOMSON STREET, APOLLO BAY
APPLICATION: THREE (3) LOT SUBDIVISION & COMMON PROPERTY

Please find attached a new application for the abovementioned including:

- Planning report including plan of subdivision
- Planning application form
- Current title

Please note fees will be paid directly to Council from Danielle Stevens and Peter Murnane. Please advise when the fee of \$1286.10 has been paid. Please call myself if there is no record of payment by the Applicant.

Kind Regards

A handwritten signature in blue ink, appearing to read 'Shelly Fanning'.

Shelly Fanning
Planning Consultant



Planning Enquiries
Phone: (03) 5232 9400
Email: inq@colacotway.vic.gov.au
Web: www.colacotway.vic.gov.au

Office Use Only

VicSmart?

Specify class of VicSmart application:

Application No.:

Date Lodged: / /

Application for a Planning Permit

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

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

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

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

i Click for further information.

Clear Form

Application Type

Is this a VicSmart application?*

No Yes

If yes, please specify which

VicSmart class or classes:.....

⚠ If the application falls into one of the classes listed under Clause 92 or the schedule to Clause 94, it is a VicSmart application.

Pre-application Meeting

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

No Yes

If 'Yes', with whom?:

Date:

day / month / year

The Land **i**

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

Street Address *

Unit No.:	St. No.: 19	St. Name: Thomson Street
Suburb/Locality: Apollo Bay		Postcode: 3233

Formal Land Description *

Complete either A or B.

⚠ This information can be found on the certificate of title

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

A Lot No.: Lodged Plan Title Plan Plan of Subdivision No.:


OR

B Crown Allotment No.: 2 Section No.: 16

Parish/Township Name: Apollo Bay


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.


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

Three (3) Lot Subdivision and Common Property

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.

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

Cost \$ 0

 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

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.

One (1) existing residential dwelling

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

Title Information

Encumbrances on title *

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

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

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:	First Name: Peter & Danielle	Surname: Murnane
Organisation (if applicable): c/o Coastal Planning		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No.:	St. No.: 28	St. Name: Taits Road
Suburb/Locality: Barwon Heads	State: Vic	Postcode: 3227

Please provide at least one contact phone number *

Contact information for applicant OR contact person below	
Business phone:	Email: shelly@coastalplanning.com.au
Mobile phone: 0408 734169	Fax:

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

Contact person's details*		Same as applicant <input type="checkbox"/>
Name:		
Title:	First Name: Shelly	Surname: Fanning
Organisation (if applicable): Coastal Planning		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No.:	St. No.: 28	St. Name: Taits Road
Suburb/Locality: Barwon Heads	State: Vic	Postcode: 3227

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.

Name:		Same as applicant <input type="checkbox"/>
Title:	First Name: Peter and Danielle	Surname: Murnane and Stevens
Organisation (if applicable):		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No.:	St. No.:	St. Name:
Suburb/Locality:	State:	Postcode:
Owner's Signature (Optional):	Date:	
	day / month / year	

Information requirements

Contact Council's planning department to discuss the specific requirements for his application and obtain a planning permit checklist.

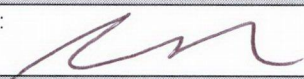
Is the required information provided?

Yes No

Declaration i

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: 18/07/2019
	day / month / year



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

VOLUME 08031 FOLIO 526

Security no : 124078429182S
Produced 18/07/2019 12:35 PM

LAND DESCRIPTION

Crown Allotment 2 Section 16 Township of Apollo Bay Parish of Krambruk.
PARENT TITLE Volume 02267 Folio 226
Created by instrument 2634783 08/04/1954

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
PETER JAMES MURNANE
DANIELLE ANNE STEVENS both of 83 MCLACHLAN STREET APOLLO BAY VIC 3233
AK171446R 06/02/2013

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AN447297U 12/01/2017
BENDIGO AND ADELAIDE BANK LTD

For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP262398P 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: 19 THOMSON STREET APOLLO BAY VIC 3233

ADMINISTRATIVE NOTICES

NIL

eCT Control 03500L BENDIGO AND ADELAIDE BANK LTD - SAFE CUSTODY
Effective from 21/07/2017

DOCUMENT END



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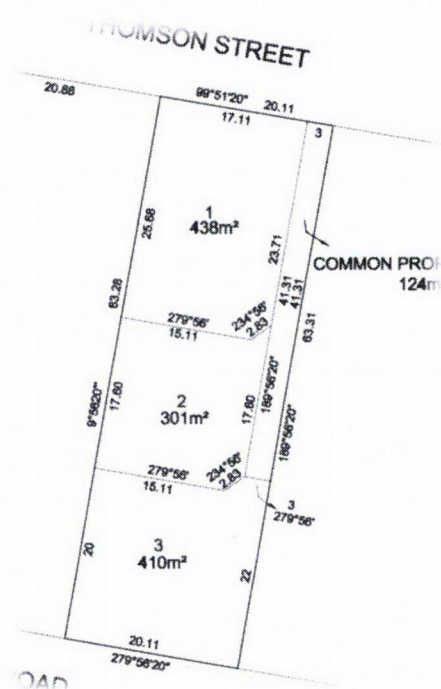
*Received
25 July 2019*

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TITLE PLAN		EDITION 1	TP 262398P
Location of Land Parish: KRAMBRUK Township: APOLLO BAY Section: 16 Crown Allotment: 2 Crown Portion:		ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN	
Last Plan Reference: Derived From: VOL 8031 FOL 526 Depth Limitation: NIL		THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 06/01/2000 VERIFIED: ML	
Description of Land / Easement Information			
LENGTHS ARE IN LINKS	Metres = 0.3048 x Feet Metres = 0.201168 x Links		Sheet 1 of 1 sheets

Received 25 July 2019

Application for a Three (3) Lot Subdivision & Common Property



19 Thomson Street, Apollo Bay

described as Crown Allotment 2 Section 16

Permit Applicant:

19 Thomson Street, Apollo Bay

Prepared by:

Coastal Planning

Date: July 2019

Our Ref.: SF556

CONTACT DETAILS

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Schedules

- A. Planning Application Form**
- B. Copy of Title**
- C. Copy of proposed Plan of Subdivision prepared by AH & LJ Jeavons**
- D. Copy of Feature Level and Survey and Rescode Layout Plan**

1 Introduction

This planning report has been prepared for Peter Murnane and Danielle Stevens, the permit applicant and owners of the subject land.

The purpose of this planning report is to provide a town planning assessment under the provisions of the Colac Otway Planning Scheme in respect of the proposal under the controls of the day.

The following information provides an overview of the site, proposal, and the planning framework applicable to the development.

Table 1.1 APPLICATION DETAILS

Subject Site	19 Thomson Street, Apollo Bay
Site Area	1273m ²
Title Description	Crown Allotment 2. Section 16 Township of Apollo Bay
Parish	Krambruk
Encumbrances	Nil
Applicant	Peter Murnane and Danielle Stevens
Owner	19 Thomson Street, Apollo Bay
Zoning	General Residential Zone 1
Approval Sought	Subdivision of land into three (3) lots and common property
Planning Scheme	Colac Otway Planning Scheme
Overlays	Design and Development Overlay Schedule 6 (DDO6)

2 Characteristics of the Site and Surrounding Area

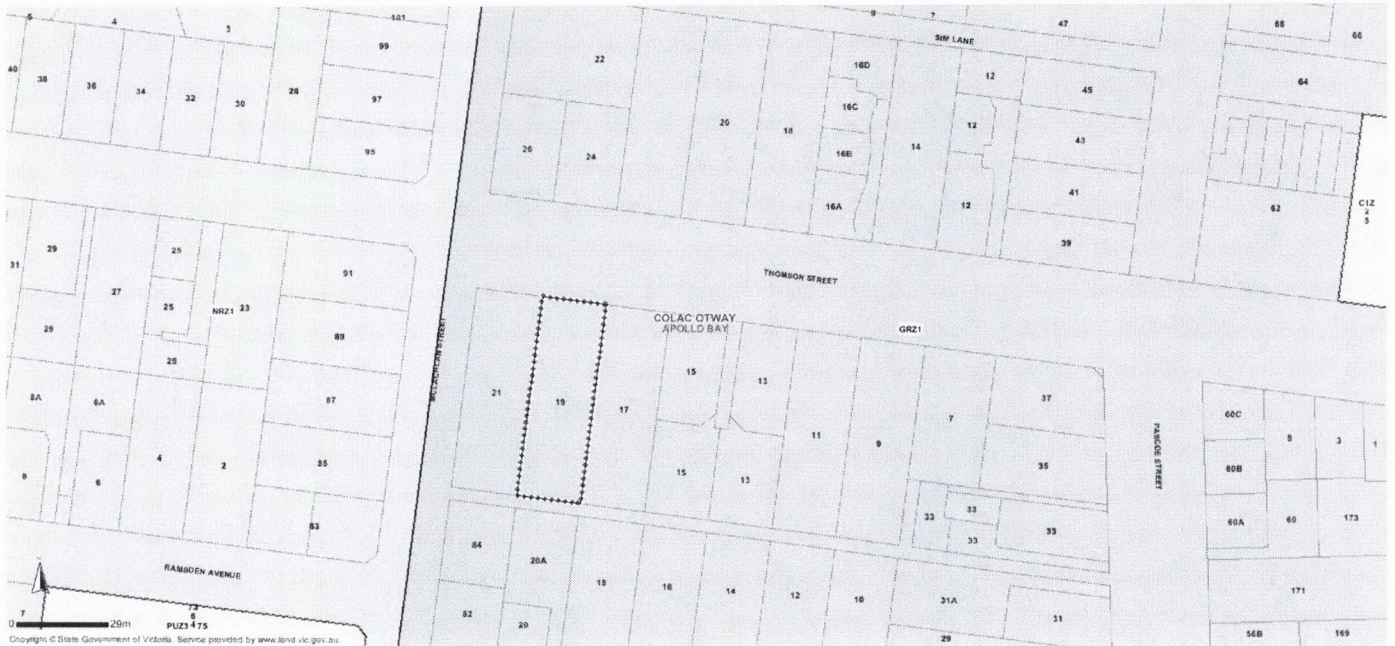
2.1 Description of the Site

2.1.1 Location

The sites are located within an existing residential area at Apollo Bay. The site is located approximately 500m from the Apollo Bay town centre and is amongst a coastal urban setting.

A locality plan is provided within **Figure 1** of this report identifying the sites within the surrounding area of Apollo Bay.

Image 1 – Location Map



Source: Department of Planning and Community Development 2019

2.1.2 Land Use Designation & History

The sites are contained within both the General Residential Zone (GRZ1) under the provisions of the Colac Otway Planning Scheme. The site does not include any substantial history aside for the use and development of the existing single storey dwelling located at the site frontage.

It is noted the adjoining property to the east at 19 Thomson Street, recently challenged Councils refusal to grant a permit for a four (4) lot subdivision and construction of (4) dwellings at VCAT. This determination is still yet to be received.

In any event, the site at 16 Thomson Street received VCAT support for the same four (4) lot subdivision and construction of four (4) dwellings back in 2008. See:

Geekie v Colac-Otway SC [2008] VCAT 1638.

2.1.3 Vegetation

The site includes native vegetation and no native vegetation is required to be removed as part of this application.

2.1.4 Flooding

The site is not located within a flood prone area and the site will not be adversely affected by sea level rises due to its topography and proximity to coastal areas.

2.1.5 Soil Characteristics

There are no known adverse soil characteristics identified on the subject land.

2.2 Site Analysis

- The site has direct road frontage to Thomson Street.
- The site is a large residential lot including 20.11m road frontage and a depth of 63.31m.
- The site includes one (1) existing single storey residential dwelling which is located towards the site frontage.
- The site is connected to all relevant services including sewerage, water and power and has capacity to provide additional housing for infill development within a medium density area.
- The site is well maintained and very neatly presented within the landscape setting and surrounding character.

Image 2 – Location Map



Aerial Photograph of Subject Site: Source Google Earth 28 January 2019

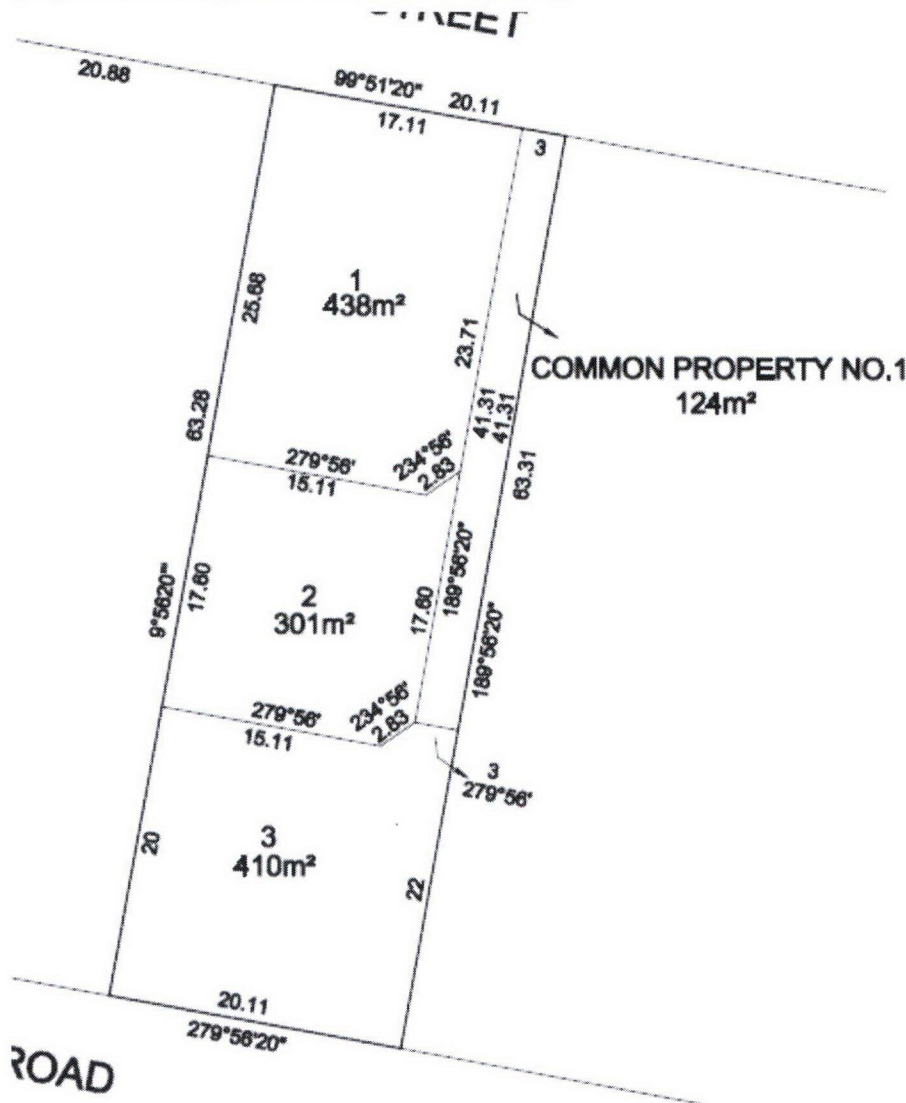
3 Proposal

3.1 Existing Site

The existing layout includes a large residential allotment with an area of 1273m². The existing dwelling is a classic beach style dwelling built sometime in the 1970's. This dwelling is proposed to be retained on site and will form the dwelling for the proposed lot 1. There are no encumbrances that affect this site.

3.2 Proposed Subdivision Layout

The subdivision layout has been designed by the land surveyor Tony Jeavons. The proposed lot configuration includes the following:



Proposed Configuration:

- o Lot 1: 438m²
- o Lot 2: 301m²
- o Lot 3: 410m²
- o Common Property driveway No.1 and 124m² in favour of Lots 2 and 3 only.

*See attached Plan of Subdivision for details.

4 Subdivision Assessment

4.1 Compliance with Victorian Planning Policy

The proposed subdivision is supported from the following Victorian Planning Policies (VPP's) in summary.

Clause 11.03-4S Coastal Settlement

Objective

To plan for sustainable coastal development.

Strategies

Plan and manage coastal population growth and increased visitation so that impacts do not cause unsustainable use of coastal resources.

Support a network of diverse coastal settlements that provide for a broad range of housing types, economic opportunities and services.

Encourage urban renewal and redevelopment opportunities in existing settlements to reduce the demand for urban sprawl.

Identify a clear settlement boundary around coastal settlements to ensure that growth in coastal areas is planned and coastal values are protected.

Where no settlement boundary is identified, the extent of a settlement is defined by the extent of existing urban zoned land and any land identified on a plan in the planning scheme for future urban settlement.

Direct new residential and other urban development and infrastructure to locations within defined settlement boundaries of existing settlements that are capable of accommodating growth.

Support the sustainable management of growth around coastal, estuary and marine assets to protect environmental values, and to achieve regional economic and community benefits.

Avoid linear urban sprawl along the coastal edge and ribbon development in rural landscapes.

Protect areas between settlements for non-urban use. Avoid development on ridgelines, primary coastal dune systems and low lying coastal areas.

Encourage the restructure of old and inappropriate subdivisions to reduce development impacts on the environment.

Ensure a sustainable water supply, stormwater and sewerage treatment for all development.

Minimise the quantity and enhance the quality of stormwater discharge from new development into the ocean, bays and estuaries

Clause 12.02-2 Appropriate development of coastal Areas

Objective

To ensure development conserves, protects and seeks to enhance coastal biodiversity and ecological values.

Clause 12.02-6 The Great Ocean Road region

Objective

To manage the sustainable development of the Great Ocean Road region.

Strategies

Protect public land and parks and identified significant landscapes.

Ensure development responds to the identified landscape character of the area.

Manage the impact of development on catchments and coastal areas.

Manage the impact of development on the environmental and cultural values of the area.

Manage the growth of towns by:

- ♣ Respecting the character of coastal towns and promoting best practice design for new development.*
- ♣ Directing urban growth to strategically identified areas.*

Improve the management of access and transport by:

- ♣ Managing the Great Ocean Road for tourism and regional access.*
- ♣ Enhancing the safety and travelling experience of the Great Ocean Road.*
- ♣ Improving the safety and operational performance of the inland routes from the Princes Highway to the Great Ocean Road.*
- ♣ Providing travel choices to and within the region.*

Encourage sustainable tourism and resource use by:

- ♣ Developing a network of tourism opportunities throughout the region.*
- ♣ Supporting tourism activities that provide environmental, economic and social benefits.*
- ♣ Supporting the land use and transport needs of key regional industries including tourism.*
- ♣ Using natural resources with care*

Clause 15.01-3S Subdivision design

Objective

To ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.

Strategies

In the development of new residential areas and in the redevelopment of existing areas, subdivision should be designed to create liveable and sustainable communities by:

- *Creating compact neighbourhoods that have walkable distances between activities.*
- *Developing activity centres in appropriate locations with a mix of uses and services and access to public transport.*
- *Creating neighbourhood centres that include services to meet day to day needs.*
- *Creating urban places with a strong sense of place that are functional, safe and attractive.*
- *Providing a range of lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people.*
- *Creating landscaped streets and a network of open spaces to meet a variety of needs with links to regional parks where possible.*
- *Protecting and enhancing native habitat.*
- *Facilitating an urban structure where neighbourhoods are clustered to support larger activity centres served by high quality public transport.*
- *Reduce car dependency by allowing for:*
 - *Convenient and safe public transport.*
 - *Safe and attractive spaces and networks for walking and cycling.*
 - *Subdivision layouts that allow easy movement within and between neighbourhoods.*
 - *A convenient and safe road network.*
- *Being accessible to people with disabilities.*
- *Creating an urban structure and providing utilities and services that enable energy efficiency, resource conservation, integrated water management and minimisation of waste and air pollution.*

Clause 21.03-3 Apollo Bay and Marengo

Overview

A Structure Plan for Apollo Bay (including Marengo and Skenes Creek) was adopted by Council (April 2007) and articulates the preferred development future for this key coastal centre. Key issues to emerge from the Structure Plan were that:

- *Apollo Bay, Marengo and Skenes Creek are to remain as distinct coastal settlements with development to be contained within coastal settlement boundaries.*
- *Each settlement has a separate identity and local character;*
- *A key role of Apollo Bay is to provide a diversity of housing opportunities consistent with its identity and local character;*

- *The natural beauty of the area, with its unspoiled beach and the sea, and the dramatic backdrop of rolling hills, providing the overarching character, which unites the settlements, to be reflected in new development;*
- *The seaside fishing village character of Apollo Bay, focused around a robust working harbour, is highly valued and this character should be preserved and strengthened by new development;*
- *Change in Apollo Bay, Marengo and Skenes Creek should take place with a demonstrated commitment to healthy lifestyles and ecological sustainability, and be responsive to the natural environment;*
- *The settlements should continue to provide for high quality living, offering improved community facilities and services, as well as economic development opportunities, for a self sustaining lifestyle.*
- *Water supply is a potential constraint to the future growth of Apollo Bay which can only proceed subject to the demonstrated availability of an adequate water supply.*
- *A settlement boundary and urban design review was completed in 2012. This reviewed a number of urban investigation areas.*
- *The settlement boundary now allows for sufficient urban development to cater for growth to 2030.*

Objectives

- *To develop Apollo Bay as an attractive residential community which provides a high quality environment as a significant tourist centre.*
- *To retain Apollo Bay, Marengo and Skenes Creek as distinct coastal settlements with their own local character.*
- *To ensure that the natural beauty of the area is reflected in new development.*
- *To preserve the seaside village character of Apollo Bay.*
- *To ensure that change demonstrates a commitment to sustainability and is responsive to the natural environment.*

The application for subdivision of the subject site provide infill and urban consolidation opportunities within an area that is directed for medium density providing no minimum lot size. The three (3) lots does not overdevelopment the site, however, provides for medium density and maintaining a sense of space over the site which will impact positively upon the streetscape. The subdivision design meets all the relevant policy direction listed above and ought to be considered favourably.

4.2 Compliance with Zoning

4.2.1 Zoning

The purpose of the **General Residential Zone Schedule 1** (GRZ1) is to:

Purpose

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

To encourage development that respects the neighbourhood character of the area.

To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

GRZ1 Clause 32.08-3 Subdivision

Permit requirement

A permit is required to subdivide land.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 all except Clause 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.

***See ResCode assessment at 4.4 of this report.**

32.08-13 Decision guidelines

General

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

Subdivision

- *The pattern of subdivision and its effect on the spacing of buildings.*
- *For subdivision of land for residential development, the objectives and standards of Clause 56.*

***See ResCode assessment at 4.4 of this report.**

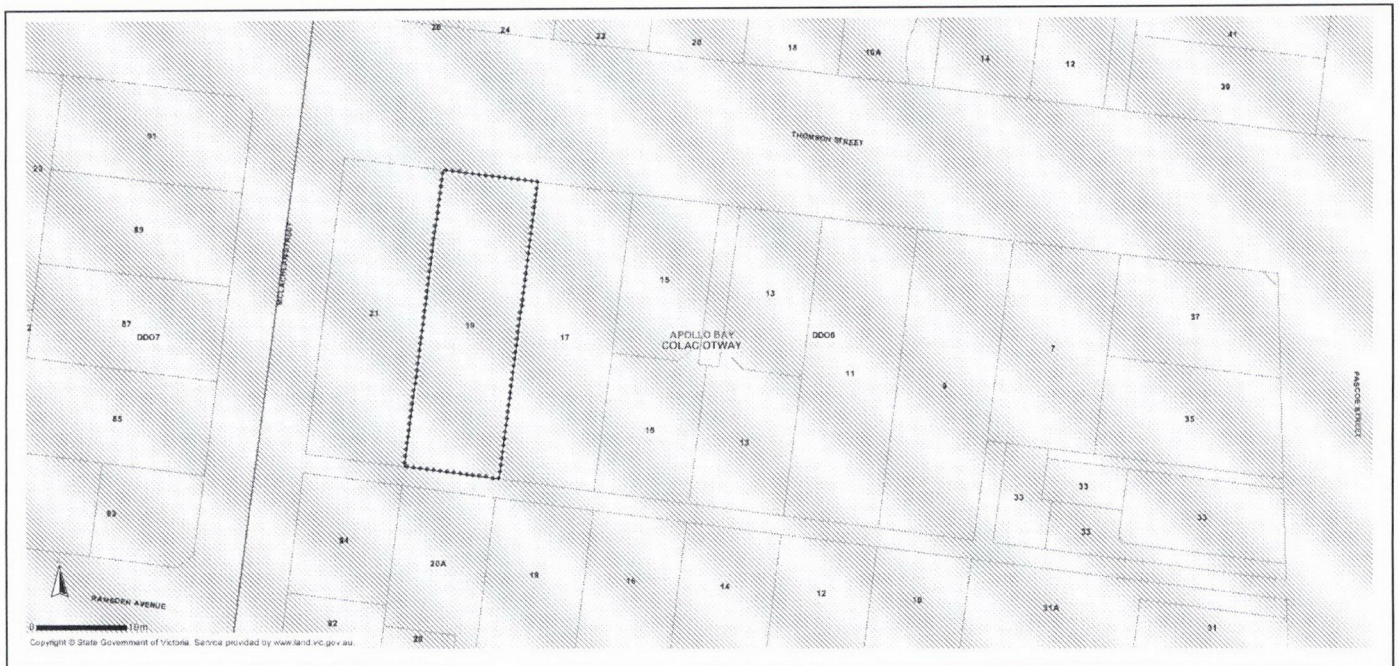
4.3 Compliance with Overlays

The subject site is located within a number of overlays including:

- Design and Development Overlay Schedule 6 (DDO6)

4.3.1 Design and Development Overlay – Schedule 6

The subject site is located within DDO6.



Clause 43.02-3

Subdivision

Permit requirement

A permit is required to subdivide land.

This does not apply if a schedule to this overlay specifically states that a permit is not required.

Subdivision must occur in accordance with any lot size or other requirement specified in a schedule to this overlay.

A permit may be granted to subdivide land which is not in accordance with any lot size or other requirement in a schedule to this overlay, unless the schedule specifies otherwise.

Clause 43.02-6 Decision guidelines

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

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The design objectives of the relevant schedule to this overlay.*
- *The provisions of any relevant policies and urban design guidelines.*

- Whether the bulk, location and appearance of any proposed buildings and works will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Whether the design, form, layout, proportion and scale of any proposed buildings and works is compatible with the period, style, form, proportion, and scale of any identified heritage places surrounding the site.
- Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed off street car parking
- Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area. Any other matters specified in a schedule to this overlay.

APOLLO BAY – MEDIUM DENSITY RESIDENTIAL AREA 1.0

Design objectives

To protect the existing low scale coastal character and identity of Apollo Bay.

To achieve a graduated density of residential development between the town centre and the lower density residential areas.

To ensure that development density is consistent with the coastal town character. To

ensure that permeable space is available between dwellings to sustain vegetation.

To ensure that new development maintains space between buildings so that views to the surrounding landscape are retained.

3.0 Application requirements

An application must include a report that demonstrates how the proposal meets the objectives and provisions of the schedule.

4.0 Decision guidelines

Before deciding on an application, the responsible authority must consider, in addition to the decision guidelines in Clauses 65 and 43.02-05, the following:

- *The appropriateness of any subdivision, building or works having regard to land capability, including landform, slope, drainage and the presence of remnant vegetation.*

RESPONSE: The land is a large rectangular shaped flat site with no encumbrances. The land is connected to all relevant services.

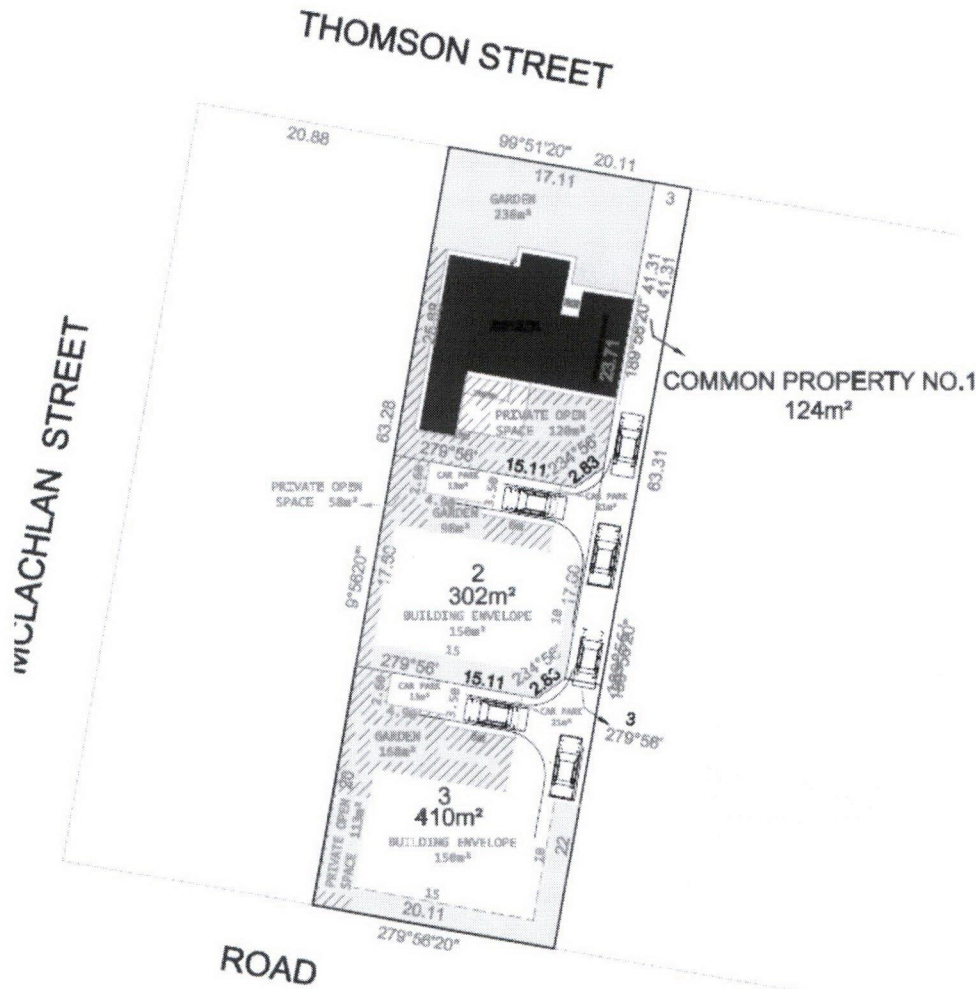
- *The extent to which the proposed subdivision or development meets the objectives and design responses for the precinct within which it is located as specified in the Apollo Bay and Marengo Neighbourhood Character Study 2003.*

RESPONSE: The proposed subdivision provides for a reasonable response to infill development opportunities. Other sites in Thomson Street have been subdivided into four (4) lots, however a balance must be struck with maintaining some open space and a density reflective of the surrounding

coastal planning

streetscape. The proposed three (3) lots will be used to provide a much better response to the character in this area. Other lots in Thomson Street include three (3) lot subdivision and are satisfactory to a medium density response.

DDO6 provides for no minimum lot size and the proposed subdivision provides for lots sizes consistent with the emerging character in this area.



4.4 Compliance with Rescode 54 (existing dwelling)

PLANNING SCHEME REQUIREMENTS	RESPONSE
<i>Cl.54.01-1 Neighbourhood Character & Site Description</i>	<p>Thompson Street includes predominately residential dwellings, however includes holiday apartments towards the Great Ocean Road end with higher density developments. Thomson Street is a wide street and includes informal grassy verges with no consistent curb and channeling.</p> <p>Thompson Street is predominately residential dwellings, however there are multiple holiday apartments close to the Great Ocean Road (eastern end of Thompson Street).</p> <p>The area is experiencing density change on the back end of Amendment C55 when DDO6 was gazetted and implemented a 'medium' density response to the area. As such, there are a number of existing and emerging three to four dwellings development which typically include a common driveway. The street façade typically presents as one dwelling, and the retention of the existing dwelling on this site will maintain the existing street façade and character.</p> <p>Thomson Street includes a number of well-kept skillion roofed beach shack dwellings built in the 1960's.</p> <p>The retention of the existing dwelling will completely retain the existing character and the subdivision will improve the density response provision relevant to this area of Apollo Bay.</p>
<i>Cl.54.01-2 Design Response</i>	The design response is essentially the subdivision layout as there are no buildings and works provided as part of the subdivision.
<i>Cl.54.02-1 Neighbourhood Character Objective</i>	Please refer to neighbourhood character discussion above and previous report provided to Council.
<i>Cl.54.02-2 Integration with the Street Objective</i>	The existing dwelling will not alter and will remain with the same street frontage aside for the introduction of the common property driveway down the east long axis.
<i>Cl.54.03-1 Street setback</i>	As existing
<i>Cl.54.03-2 Building Height</i>	As existing - single storey
<i>Cl.54.03-3 Site coverage Max is 70% under RGZ2</i>	50%
<i>Cl.54.03-4 Permeability</i>	50%
<i>Cl.54.03-5 Energy Efficiency</i>	Existing north facing living rooms.
<i>Cl.54.03-6 Significant Trees</i>	No significant trees on site.
<i>Cl. 54.03-7 Parking</i>	Parking to the east of the dwelling in an existing carport area.
<i>Cl.54.04-1 Side and rear setbacks</i>	<p>The western setback will be retained as existing.</p> <p>The eastern setback will include the carport on the boundary for 6m and the rear setback will be 3m from the shortest axis of the rear of the dwelling to the proposed boundary.</p>
<i>Cl.54.04-2 Walls on boundaries</i>	Undercover Carport adjoining common property for 6m.
<i>Cl.54.04-3 Daylight to existing windows</i>	The south boundary proposed wall on boundary (for the full length) abuts both a carport and driveway. There are no existing windows on the Kernot Street that will be negatively impacted by this proposal.

<i>Cl.54.04-4 North facing windows</i>	New north facing windows are proposed into the new dining room area will significantly improve natural light opportunities into the dwelling.
<i>Cl.54.04-5 Overshadowing</i>	N/A single storey and no overlooking opportunities provided.
<i>Cl.54.04-6 Overlooking</i>	N/A single storey and no overlooking opportunities provided.
<i>Cl.54.05-1 Daylight to new windows</i>	N/A as no new windows proposed.
<i>Cl.54.05-2 Private Open Space</i>	120m ² of POS to the rear of the dwelling in addition to a large north facing front garden area. Complies.
<i>Cl.54.05-3 Solar access to open space</i>	The north garden area is as existing and will retain the north facing solar access opportunities. Some solar access will be retained to the rear yard.
<i>Cl.54.06-1 Design detail</i>	As existing - single storey beach house. See site photos and

4.5 Compliance with Rescode 56 (lots 2 and 3)

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 all except Clause 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.

CLAUSE 56 STANDARD	RESPONSE
<i>Standard 56.01-1 Subdivision site and context description</i>	<p>The existing site is a large original crown allotment that has never been subdivided. The site is flat and rectangular and includes no encumbrances including no registered easements.</p> <p>The site is ripe for subdivision as Thomson Street is a 'medium density' area and being located close to the town centre, and has substantial infill development opportunities. The site includes access via a grassy verge off Thomson Street. Thomas Street is a very wide residential road and is close to the Great Ocean Road and foreshore area. The site includes direct connectivity to relevant infrastructure and services for further residential development. The adjoining property to the west includes single dwelling. The adjoining property to the east currently includes a single dwelling, however application has been made to VCAT for the development of four (4) dwellings and a four (4) lot subdivision which will require the removal of the existing traditional front beach house. Thompson Street is predominately residential dwellings, however there are multiple holiday apartments close to the Great Ocean Road (eastern end of Thompson Street).</p> <p>The area is experiencing density change on the back end of Amendment C55 when DDO6 was gazetted and implemented a 'medium' density response to the area. As</p>

	<p>such, there are a number of existing and emerging sites to four dwellings development which typically include a common driveway. The street façade typically presents as one dwelling, and the retention of the existing dwelling on this site will maintain the existing street façade and character.</p> <p>Thomson Street includes a number of well-kept skillon roofed beach shack dwellings built in the 1960's.</p>
<i>Standard 56.01-2 Subdivision design response</i>	<p>See plan prepared by tony Jeavons Land surveyor. He site includes 2 rear lots benefiting from a proposed common property driveway a 3m wide and providing turning areas for the vehicles accessing lots 2 and 3. The front dwelling will benefit from a separate access via the existing crossover off Thomson Street.</p>
<i>Standard C6 – (56.03-5), Neighbourhood Character objective</i>	<p>The site is not located within an existing neighbourhood character study area. There is some reference to neighbourhood character studies in the Apollo Bay Structure Plan; however, the particulars are still unclear. Therefore, the existing neighbourhood character can only be assessed subjectively and includes the following characteristics such as consistency with existing and emerging lot sizes within this vicinity and the background to the DDO6.</p> <p>The immediate area includes a mixture of lot sizes to cater for single dwellings on lots as well as some unit developments with some battle-axe subdivisions.</p> <p>The subdivision will provide for three lots which avoids overdevelopment of the site.</p> <p>The existing neighbourhood includes a number of beach shacks that have been modified and renovated sited on large lots. Please also refer to the site photographs and aerial photograph which also provides a basis for a site context plan. The proposed subdivision is consistent with existing and emerging trends and demands for low density lot sizes within this vicinity.</p>
<i>Standard 56.04-1 C7 Lot Diversity and Distribution</i>	<p>The lots vary is sizes and will vary in design response. This is consistent with the lot diversity policy. The lots configuration includes:</p> <p>Lot 1: 438m² Lot 2: 302m² Lot 3: 410m² Common Property: 124m²</p>
<i>Standard 56.04-2, Lot area and building envelopes objective</i>	<p>Lot 1: 438m² Lot 2: 302m² Lot 3: 410m²</p>

	<p>Common Property: 124m²</p> <p>Please refer to the plan of Rescode Layout showing the 10x15m building envelopes on the site. Each lot is capable of demonstrating a building envelope and relevant car spaces for up to 2 vehicles per lot. See plans by Tony Jeavons.</p>
<i>Standard 56.04-3, Solar orientation of lots objective</i>	Each lot include north facing axes. Solar orientation will be maximised by future dwellings siting.
<i>Standard 56.04-4 Street Orientation objective</i>	The site includes an existing dwelling which retains the full street front vantage. The proposed lots includes up to a 20m wide north facing axis and no doubt future dwellings will maximise the north facing aspects.
<i>Standard 56.04-5, Common Area objectives</i>	124m ² is dedicated to common property for the purposes of creating vehicle access to Lots 2 and 3. Lots 2 and 3 will retain 50/50 interest in this owner's corporation. Lot 1 will not be included in the common property as Lot 1 has their own separate access and does not need to be part of the common property in this instance.
<i>Standard 56.05-1 Integrated Urban Landscape objective</i>	The existing dwelling will be retained on the site frontage. The streetscape will be somewhat unaltered. A landscape plan could be provided subject to a permit conditions showing additional landscaping to improve the vegetation aesthetics along this frontage if necessary.
<i>Standard 56.06-2 Walking and Cycling Network</i>	The common property will be used exclusively by the owners/occupiers of Lots 2 to 3. This area will also be used for pedestrian and cyclists in order to access the lots from Thomson Street. No additional path areas should be necessary for the creation of only three (3) lots.
<i>Standard 56.06-4 Neighbourhood Street Network</i>	The common property will be used exclusively by the owners/occupiers of Lots 2 to 3. The common property provides direct access to Thomson Street and will integrate with the neighbourhood street network.
<i>Standard 56.06-5 Walking and Cycling Network Detail</i>	Pedestrians and cyclist will share the use of the common property road to access Thomson Street.
<i>Standard 56.06-7 Neighbourhood Street Network Detail</i>	The common property width is to the relevant Australian standard as designed by the land surveyor.
<i>Standard C21 (56.06-8) Lot Access Objective</i>	Lot 1 will be accessed via a sperate (existing) crossover off Thomson Street. The new Lots 2 and 3 will utilise a new crossover off Thomson Street. The total width of crossovers will be 6m and his equates to 28% of the total site frontage.
<i>Standard C22 (56.07-1) Drinking water supply objectives</i>	The site is connected to the existing town water supply, which is of a suitable standard for drinking. No alteration to the existing connections is proposed as part of this subdivision aside from any additional underground connections points as required part of this subdivision application.

<i>Standard C23 (56.07-2) Reused and recycled water objective</i>	No secondary reticulated water (recycled supply) is available to this site, and this clause is not considered relevant to this subdivision application as the subject site is located within an existing water infrastructure network. Water tanks can be provided subject to relevant building applications.
<i>Standard C24 (56.07-3) Waste water management objective</i>	The allotment is connected to the reticulated sewerage system and stormwater run-off is directed to the existing conventional drainage system.
<i>Standard C25 (56.07-4) Urban run-off management objectives</i>	No alteration to the existing drainage network is proposed, however if considered necessary any works will be completed to the satisfaction of the responsible authority.

5 Conclusion & Recommendation

This planning report has been prepared for the permit applicant Peter Murnane and Danielle Stevens of 19 Thomson Street, Apollo Bay.

The application includes the subdivision of a three (3) lots and common property at 19 Thomson Street, Apollo Bay.

The planning report includes an assessment of the proposal against the relevant provisions of the planning scheme including the VPP, zoning controls, overlay requirements of the Colac Otway Planning Scheme.

In summary, the proposal is considered to have addressed the relevant Planning Scheme considerations.

We therefore recommend favourable consideration of the proposal on the basis of the assessment provided within this report.

coastal planning

6 Site Photographs

Photo 1 –Subject site from Great Ocean Road frontage



Photo 2 – Existing streetscape opposite subject site



Photo 3 – Adjoining dwellings east of site.



Photo 4 – Existing holiday apartment in Thomson Street



21 November 2019

Planning Department
Colac Otway Planning Department
PO Box 283
COLAC VIC 3250

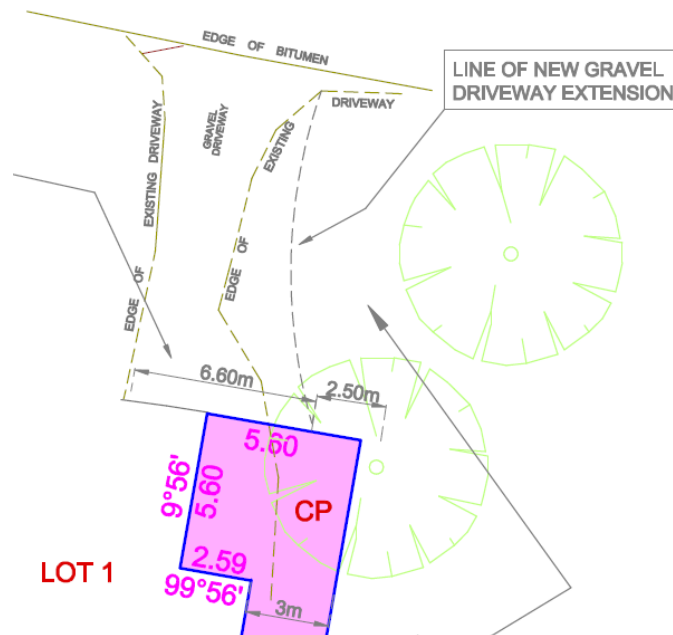
Dear Ian

SUBJECT SITE: 19 THOMSON STREET, APOLLO BAY
APPLICATION: PP158/2019-1 THREE (3) LOT SUBDIVISION

We refer to Councils further information request dated 15 August 2019. In response to the FI request, a number of amendments have been made to the access area and have been communicated to Councils Infrastructure Department. We trust the current version dated 15 November 2019 by Tony Jeavons will suffice and meets Councils concerns. Please find as follows:

1. Lot 1 Existing dwelling

- Please refer to the attached plan prepared by Tony Jeavons dated 15 November 2019 showing the floor layout, POS of 111m², site coverage, permeability and windows etc. You will note the hard surface area of the proposed lot 1 will be 54%. The POS meets the Rescode requirements.



- There are no windows along the eastern boundary of the existing undercover car parking area relative to the common property. Please refer to annotation box in the Rescode plan (under the Common Property No.1 - 139m²).

- Please refer to the attached plan showing (and image above) showing the existing vehicle crossover. You will note the annotation states the existing crossover to be extended to form crossover width of 6.6m and that there is no existing culvert and a new culvert is not required.
- We can confirm that there are no eaves from the existing garage that encroach over the proposed common property driveway. However, the existing door is to be relocated to southern wall of garage and a 400mm eave to be removed. The removal of the eave can be a permit condition please.
- Please refer to the plan annotation clearly stating 'no windows exist along garage wall.

2. Clause 56.06-8 Lot Access

- We note the standard is not prescriptive however is performance based. The two crossovers will be independent and the existing crossover to the existing dwelling splays into a narrow area on the nature strip that will support access to the existing driveway and proposed car space. Thomson Street includes very wide nature strips with no kerb and channelling and informal crossover often grassed. The existing crossover at the edge of the bitumen is some 6.6m and this will remain the same. The increase in width is marked on the Rescode plan is also to 6.6m at the site frontage. This is approximately 30% of the width of the block (at 20.11m) therefore meets the Rescode provision of not more than 30%.
- There is no need to have separate crossovers from the road for this proposal. There is a tree located to the frontage of the adjoining property to the east and it is important to retain the integrity of this tree hence the design response to the crossover.
- It is understood the design is in accordance with the IDM standard drawing number 260.
- The design response is in accordance with the 1m distance from services and 2.5m from the trunk of the tree.

3. Subdivision Character

- Please refer to the aerial photograph included in the planning report. You will note that Thomson Street includes a wide grassy verged street with informal crossovers. Thomson Street also include a number of approved and development multiple lot subdivisions. The site is within a DDO6 and medium density is envisaged and therefore an increase in density warranted. The design response for the revised access is acceptable and due to the site constraints being the tree and services, is a satisfactory response and meets the character in this area.

We look forward to this application going to public notification.

Kind Regards

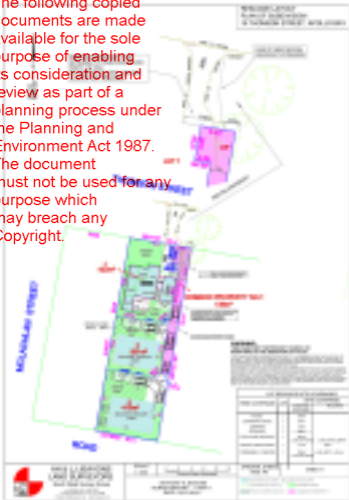


Shelly Fanning
Planning Consultant

Attachments:

- Rescode Layout Plan dated 15 November 2019
- Subdivision Plan dated 15 November 2019

The following copied documents are made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any Copyright.

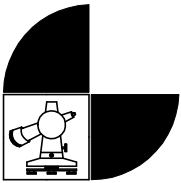


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Project Name: [Illegible]
Project Number: [Illegible]
Date: [Illegible]

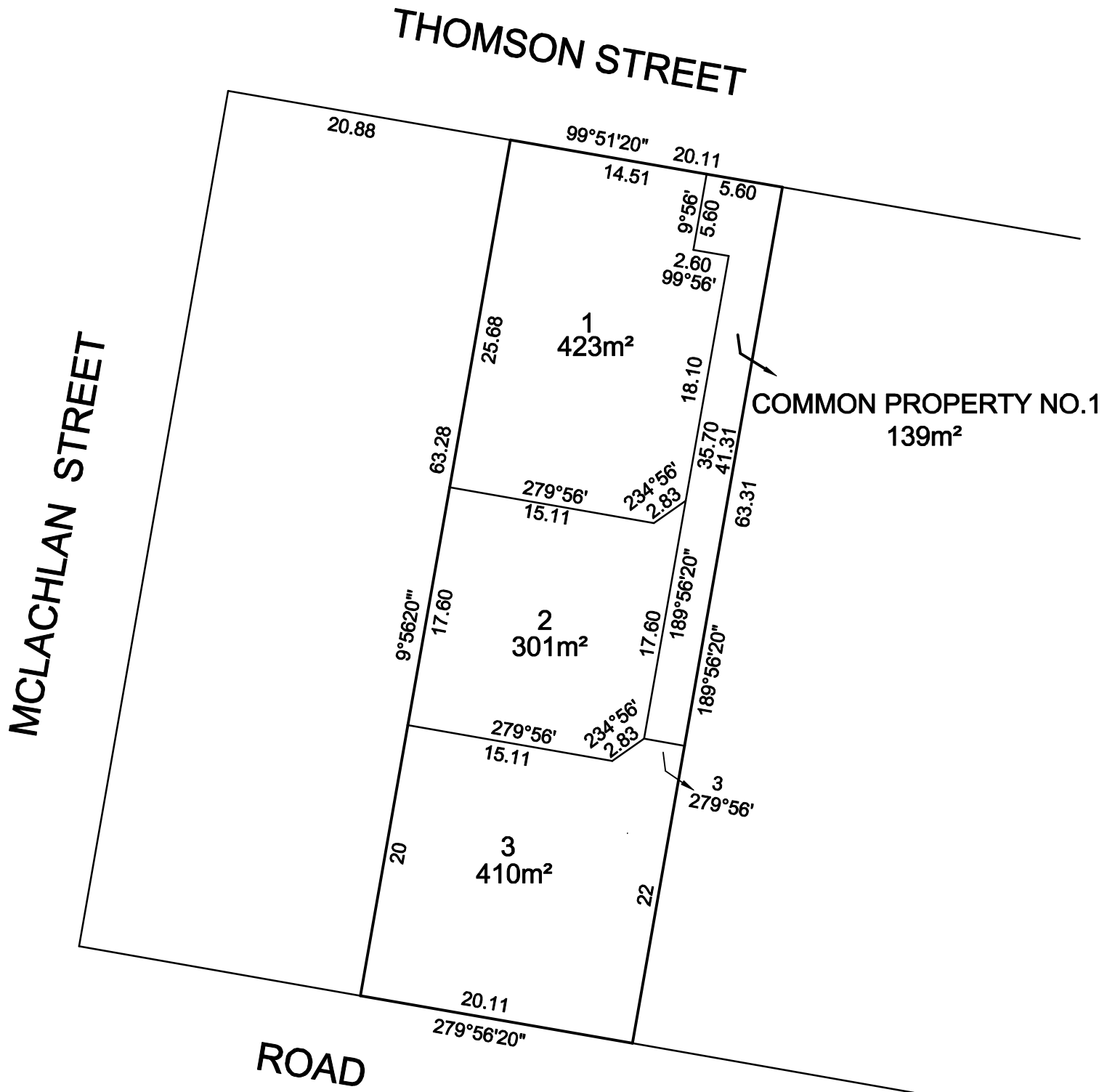
Scale: 1:500
Author: [Illegible]
Date: [Illegible]

PS 831811B

<h1>PLAN OF SUBDIVISION</h1>		EDITION 1		
<p>LOCATION OF LAND</p> <p>PARISH: KRAMBRUK TOWNSHIP: APOLLO BAY SECTION: 16 CROWN ALLOTMENT: 2 CROWN PORTION: TITLE REFERENCE: VOL 08031 FOL 526</p> <p>LAST PLAN REFERENCE: TP262398P</p> <p>POSTAL ADDRESS: 19 THOMSON STREET (at time of subdivision) APOLLO BAY VIC. 3233</p> <p>MGA CO-ORDINATES: E: 731 615 ZONE: 54 (of approx centre of land in plan) N: 5 707 260 GDA 94</p>		<p style="text-align: center;">NOTATIONS</p> <p>WARNING: THIS PLAN IS NOT CERTIFIED BY COUNCIL OR REGISTERED BY THE REGISTRAR OF TITLES</p> <p><small>THIS PLAN HAS BEEN PREPARED IN SUPPORT OF A PLANNING PERMIT APPLICATION TO COUNCIL. THIS PLAN IS BASED ON SURVEY AND DIMENSIONS ARE APPROXIMATE ALTERATIONS TO THIS PLAN WILL BE REQUIRED PRIOR TO CERTIFICATION BY COUNCIL AND REGISTRATION BY THE REGISTRAR OF TITLES. SOUTHWEST SURVEY GROUP ACCEPTS NO RESPONSIBILITY FOR ANY LOSS OR DAMAGE SUFFERED BY ANY PERSON OR CORPORATION WHO USES THIS PLAN FOR ANY PURPOSE. THE ORIGIN OF THIS PLAN REMAINS THE PROPERTY OF SOUTH WEST SURVEY GROUP AND ANY COPIES OF THIS PLAN MADE PRIOR TO CERTIFICATION OR REGISTRATION MUST NOT BE PRODUCED WITHOUT THE INCLUSION OF THIS WARNING WHICH IS AN INTEGRAL PART OF THIS PLAN PRIOR TO CERTIFICATION.</small></p>		
VESTING OF ROADS AND/OR RESERVES		NOTATIONS		
IDENTIFIER	COUNCIL/BODY/PERSON	<p style="text-align: center;">NOTATIONS</p> <p>DEPTH LIMITATION: DOES NOT APPLY</p> <p>SURVEY: This plan is is not based on survey.</p> <p>STAGING: This is is not a staged subdivision. Planning Permit No.</p> <p>This survey has been connected to permanent marks No(s).</p> <p>In Proclaimed Survey Area No.</p>		
EASEMENT INFORMATION				
LEGEND: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)				
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
 <p>AH & LJ JEAVONS LAND SURVEYORS South West Survey Group <small>m: 0430 401 954 t: 5261 2971 14 Ocean Boulevard, Jan Juc, VIC 3228 tonyjeavons@swsg.com.au www.swsg.com.au</small></p>		<p>SURVEYORS FILE REF: 1195PSV09</p> <p style="text-align: center;">ANTHONY H JEAVONS SURVEYORS REF. 1195V11 DATE: 15/11/2019</p>		<p>ORIGINAL SHEET SIZE: A3</p> <p style="text-align: right;">SHEET 1 OF 2</p>

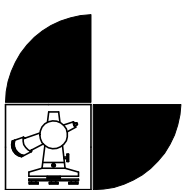
PS 831811B

MGA 94
ZONE 54



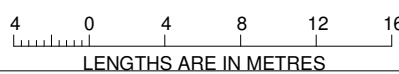
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SCALE
1:400



ORIGINAL SHEET
SIZE: A3

SHEET 2

ANTHONY H JEAVONS
SURVEYORS REF. 1195V09
DATE: 15/11/2019

OWNERS CORPORATION SCHEDULE	EDITION 1	PS 831811B
OWNERS CORPORATION 1 PLAN NO. PS831811B		
LAND AFFECTED BY OWNERS CORPORATION: LOTS 1, 2 & 3 AND COMMON PROPERTY NO.1		
LIMITATIONS OF OWNERS CORPORATION: UNLIMITED		
NOTATIONS: NIL		<p>WARNING: THIS PLAN IS NOT CERTIFIED BY COUNCIL OR REGISTERED BY THE REGISTRAR OF TITLES</p> <p><small>THIS PLAN HAS BEEN PREPARED IN SUPPORT OF A PLANNING PERMIT APPLICATION TO COUNCIL. THIS PLAN IS BASED ON SURVEY AND DIMENSIONS ARE APPROXIMATE ALTERATIONS TO THIS PLAN WILL BE REQUIRED PRIOR TO CERTIFICATION BY COUNCIL AND REGISTRATION BY THE REGISTRAR OF TITLES. SOUTHWEST SURVEY GROUP ACCEPTS NO RESPONSIBILITY FOR ANY LOSS OR DAMAGE SUFFERED BY ANY PERSON OR CORPORATION WHO USES THIS PLAN FOR ANY PURPOSE. THE ORIGIN OF THIS PLAN REMAINS THE PROPERTY OF SOUTH WEST SURVEY GROUP AND ANY COPIES OF THIS PLAN MADE PRIOR TO CERTIFICATION OR REGISTRATION MUST NOT BE PRODUCED WITHOUT THE INCLUSION OF THIS WARNING WHICH IS AN INTEGRAL PART OF THIS PLAN PRIOR TO CERTIFICATION.</small></p>

LOT ENTITLEMENT AND LOT LIABILITY

LOT	ENTITLEMENT	LIABILITY	LOT	ENTITLEMENT	LIABILITY	LOT	ENTITLEMENT	LIABILITY
1	50	50						
2	50	50						
3	50	50						
	150	150						

