



PLANNING COMMITTEE MEETING

AGENDA

Wednesday 12 June 2019

at 4:00pm

COPACC

95 - 97 Gellibrand Street, Colac



COLAC OTWAY SHIRE COUNCIL PLANNING COMMITTEE MEETING

Wednesday 12 June 2019

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COLAC OTWAY SHIRE COUNCIL PLANNING COMMITTEE MEETING

NOTICE is hereby given that the next **PLANNING COMMITTEE MEETING OF THE COLAC OTWAY SHIRE COUNCIL** will be held at COPACC on Wednesday 12 June 2019 at 4:00pm.

AGENDA

1 DECLARATION OF OPENING OF MEETING

OPENING PRAYER

*Almighty God, we seek your
blessing and guidance in our
deliberations on behalf of the
people of the Colac Otway Shire.
Enable this Council's decisions to be
those that contribute to the true
welfare and betterment of our community.*

AMEN

2 PRESENT

3 APOLOGIES AND LEAVES OF ABSENCE

4 WELCOME AND ACKNOWLEDGEMENT OF COUNTRY

Colac Otway Shire acknowledges the original custodians and law makers of this land, their elders past, present and emerging and welcomes any descendants here today.

All Council and Committee meetings are audio recorded, with the exception of matters identified as confidential items in the Agenda. This includes the public participation sections of the meetings.

Audio recordings of meetings are taken to facilitate the preparation of the minutes of open Council and Committee meetings and to ensure their accuracy.

In some circumstances a recording will be disclosed to a third party. Those circumstances include, but are not limited to, circumstances, such as where Council is compelled to disclose an audio recording because it is required by law, such as the Freedom of Information Act 1982, or by court order, warrant, or subpoena or to assist in an investigation undertaken by the Ombudsman or the Independent Broad-based Anti-corruption Commission.

Council will not use or disclose the recordings for any other purpose. It is an offence to make an unauthorised recording of the meeting.

5 DECLARATIONS OF INTEREST

A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.

6 CONFIRMATION OF MINUTES

- **Planning Committee Meeting held on 8 May 2019.**

Recommendation

That the Planning Committee confirm the minutes of the Planning Committee Meeting held on 8 May 2019.

7 VERBAL SUBMISSIONS FROM APPLICANTS/OBJECTORS

The Mayor is to read out the names of those applicants and objectors who have confirmed in writing that they wish to make a verbal submission. These verbal submissions will be made in relation to each respective agenda item and must be directly relevant to the respective agenda item. A time limit of five minutes will apply.

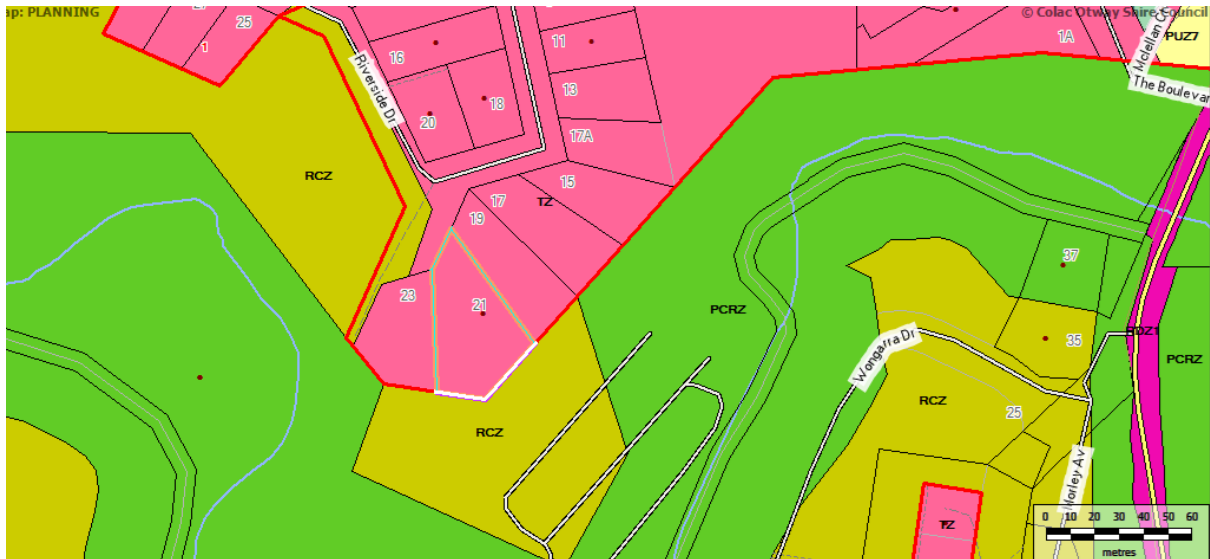
Item: 8.1

PP300/2017-1 - 21 Riverside Drive Wye River

ADDRESS AND PROPERTY DETAILS	21 Riverside Drive, Wye River	APPLICATION NUMBER	PP300/2017-1
PROPOSAL	Building and Works for Construction of Two Dwellings, including Associated Earthworks, and Vegetation Removal (10 Trees)		
PERMIT TRIGGERS	Clause 32.05-7 (TZ) – Construction of two or more dwellings on a lot; Clause 42.03-2 (SLO2) - buildings and works, and vegetation removal: Clause 43.05 (NCO1) - buildings and works; Clause 44.01-1 (EMO1) - buildings and works, and vegetation removal: Clause 44.06-2 (BMO) - buildings and works		
TRIGGER FOR DETERMINATION BY COMMITTEE	<p>Number of objections - 4</p> <p>Note: Council resolution required for VCAT appeal against failure to determine application within statutory time frame</p>		
ZONE	Township Zone	OVERLAYS	Significant Landscape Overlay (SLO2), Design and Development Overlay (DDO4), Neighbourhood Character Overlay (NCO1), Erosion Management Overlay (EMO1), Bushfire Management Overlay (BMO)
COVENANTS	Nil		
CULTURAL HERITAGE	Within area of cultural heritage sensitivity, but exempt activity		
OFFICER	Blaithin Butler	GENERAL MANAGER	Ian Seuren
DIVISION	Development & Community Services		
ATTACHMENTS	Application form and plans		

1. LOCATION PLAN / AERIAL PHOTO

LOCATION PLAN



AERIAL PHOTO



2. RECOMMENDATION

That Council advises the Victorian Civil and Administrative Tribunal (VCAT) that, had an appeal not been lodged, it would have resolved to issue a Notice of Decision to Refuse to Grant a Permit for the construction of two (2) dwellings, associated works and vegetation removal at 21 Riverside Drive Wye River on the following grounds:

- 1. The proposal fails to adequately address potential landslip risk and drainage issues, in particular relating to the extent of excavation and the reliance on the long-term effectiveness of mitigation measures; the steepness of access to House 2; and the appropriateness of House 2 straddling a drainage line. As such, the proposal does not adequately address the requirements of Clause 44.01 (EMO1) of the Colac Otway Planning Scheme.***
- 2. The proposal fails to demonstrate how wastewater from each dwelling would be treated and retained within the lot in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970, taking into account the topography of the land. As such, the proposal is contrary to Clause 32.05-3 of the Township Zone.***
- 3. Due to the gradient of the driveway, the proposal fails to demonstrate that safe and convenient car access can be provided, contrary to Clause 55.03-9 (Access Objective) of the planning scheme.***
- 4. The proposed density of development and resultant vegetation removal would fail to respect the neighbourhood character of the area contrary to the neighbourhood character provisions of Clause 15.01-5s (Neighbourhood Character); Clause 21.03-6 (Kennett River, Wye River and Separation Creek), which includes the Preferred Character Statement for Wye River Precinct 2; the purpose of the Township Zone in Clause 32.05; the purpose and objectives of Clause 43.05 (Neighbourhood Character Overlay - NCO1); and Clause 55.02-1 (Neighbourhood Character Objectives).***

That Council Note:

- 1. Whilst the application does not include subdivision, it is noted that the indicative future lot boundaries on the site plan imply that pedestrian access may be sought to the Wye River Caravan Park. Such access could not be provided without the consent of the landowner and the Department of the Environment Land Water and Planning (DELWP).***

3. PROPOSAL

Background

The application was lodged on 13 December 2017 however the statutory planning fee was not paid in full until 28 March 2018. Further information had already been requested by Council on 12 January 2018, which was submitted in full by 14 March 2018. The application proceeded to notice and referrals at the end of March 2018, and the statutory declaration providing details of the public notice was submitted on 24 April 2018. From the start of April 2018 until mid-July 2018, there were many discussions with the applicant about addressing the significant landslip, wastewater and access issues, and the concerns raised by objectors. On 6 July 2018, the applicant advised Council that it was unlikely that his client would be prepared to provide further documentation to address these issues prior to either a Notice of Decision to Grant a Permit (NoD) or a permit being issued, due to significant costs

Proposal

House 1 would be located on the northwest portion of the site, whilst House 2 would be located in the southwest section of the site. House 1 would have a varied setback of 6.359m to 13.134m from the Riverside Drive street frontage, with an enclosed store within the front setback at 3.453m from the street frontage. Both dwellings would be set back a minimum of 3m from all other boundaries. From scaling the plans, proposed earthworks appear to include fill up to approximately 2.5m high, with cut up to approximately 2m deep. House 2 would straddle a gully in the southern portion of the site.

House 2 would contain an open plan kitchen/living/dining area on the upper level, with a north-facing terrace, 3 bedrooms, an office, 2 bathrooms and a powder room over both levels, and a second living,

laundry and a single garage on the lower level. From scaling the plans, it would appear to have a maximum height of 6.4m above NGL. Both buildings would be constructed of a mix of rammed earth and Colorbond clad walls, with Colorbond roofing and solar panels on the roof.

Access would be from Riverside Drive via a proposed 3.5m wide driveway along the west boundary, which would cross the alignment of a gully running generally east-west through the lower third of the site. Plans show a terraced effluent field and a direct application effluent field for each dwelling; however, the applicant has since indicated that a rhizopod system may be proposed. A 10,000Lt firefighting water tank and a 10,000Lt tank for domestic water supply are proposed to each dwelling.

The proposal involves the removal of 10 trees from the site. The application states that since undertaking the site survey a number of large pine trees have been removed as they posed a threat to human safety. Nine trees would be retained as shown on the site plan.

4. SUBJECT LAND & SURROUNDINGS

The site is located on the south side of a bend in Riverside Drive, approximately 300m west of the coast. It is contained in one title, being Lot 1 on TO113870B (Vol. 09722 Fol. 294). It has an irregular wedge shape, with a northern frontage to Riverside Drive of 18.11m, and a depth ranging from 49.79m to 58.06m, for a total area of 1,723sqm. The land is not affected by any covenants or restrictions.

The site is vacant and has a significant fall of some 19.8m from the northernmost corner to the southeast boundary. There is a gully running east-west within the southern part of the site and a spur running down through the central part of the site. The gully appears to be over 1m deep below the surrounding ground level. There is significant vegetation cover over the southern portion of the site, whilst trees appear to have been cleared from the northern portion of the site as shown below.



Aerial photograph from revised LRA 16E096LRA, dated 22/5/18

The site is located outside of the area impacted by the 2015 Christmas Day bushfire (to the north of the site) and is thus not affected by the *Incorporated Document – Wye River and Separation Creek Bushfire Affected Properties (October 2016)* that was introduced to facilitate rebuilding after the fire.

This part of Wye River is characterised by a mix of single and two storey dwellings of various sizes and styles, most of which survived the 2015 bushfire. Lots in this area are generally steep, with ocean views and containing a single dwelling set amongst substantial vegetation cover.

A two-storey cement sheet and timber dwelling is located close to the road frontage on the northwest portion of 19 Riverside Drive adjoining to the east, and a two-storey timber dwelling is located close to the southern boundary of 23 Riverside Drive adjoining to the west.

The Wye River Caravan Park is located to the immediate south downslope of the site. (Note: The proposal as submitted includes an accessway along the northeast boundary to provide pedestrian access from House 1 to the caravan park. The applicant has been advised that this would not be supported).

5. PLANNING SCHEME PROVISIONS

Planning Policy Framework

The state-wide Planning Policy Framework (PPF) seeks to ensure that the objectives of planning in Victoria are fostered through appropriate land use and development policies. The policies considered relevant to the application are identified below:

- 11.01 – Victoria
- 11.01-1s – Settlement
- 11.03-5R – The Great Ocean Road Region
- 12 – Environmental and Landscape Values
- 12.01 – Biodiversity
- 12.02-1S – Protection of Coastal Areas
- 12.05 – Significant Environments and Landscapes
- 13 – Environmental Risks and Amenity
- 13.02 – Bushfire, 13.02-1s - Bushfire Planning
- 13.04-2s – Erosion and Landslip
- 15.01-5s – Neighbourhood Character

The Local Planning Policy Framework (LPPF) sets a local and regional strategic policy context for the Shire. The policies considered relevant to the application are identified below:

- 21.02 - Vision
- 21.03 – Settlement
- 21.03-6 – Kennett River, Wye River and Separation Creek
- 21.03 – Environment

The Structure Plan for Kennett River, Wye River and Separation Creek is implemented through Clause 21.03-6, which articulates the preferred development future for these coastal townships. The subject site is in Wye River Precinct 2, the Preferred Character Statement for which is as follows:

"This precinct will achieve a more consistent native vegetation coverage to provide a unifying feature throughout. Space around dwellings will be sufficient to maintain trees and understorey, and minimises the appearance of building bulk and density. On hill slopes, buildings will relate to topography and be set amongst and beneath a dominant, native tree canopy. Buildings and structures in prominent locations when viewed from the Great Ocean Road will be designed to reduce their visual intrusion. Retention and planting of canopy trees in the public domain and around dwellings will be encouraged to establish a consistent tree canopy."

Other relevant provisions

Clause 32.05 - Township Zone

Under Clause 32.05-7 a planning permit is required for the construction of two or more dwellings on a lot, and a development must meet the requirements of Clause 55 (see discussion below).

Overlays

A planning permit is required under Clause 42.03-2 (SLO2) for buildings, works and vegetation removal, under Clause 43.05 (NCO1) for buildings and works, under Clause 44.01-1 (EMO1) for buildings, works and vegetation removal, and under Clause 44.06-2 (BMO) for buildings and works (see discussion below).

Clause 55 – Two or more dwellings on a lot

The purpose of the clause is to achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character; to encourage residential development that provides reasonable standards of amenity for existing and new residents; and to encourage residential development that is responsive to the site and the neighbourhood. An application *must* meet all of the objectives of this clause that apply to the application and *should* meet all of the standards of this clause that apply to the application (see discussion below).

Relevant Planning Scheme amendments

There are no Planning Scheme amendments relevant to the consideration of this application.

6. REFERRALS

Internal Referrals

The application was referred internally to Council's Health Protection, Infrastructure, Environment and Building Units, and was also sent to Council's independent Geotechnical Consultant for review.

Health Protection Unit

The submitted plans show a terraced effluent field and a direct application effluent field for each dwelling. Council's Health Protection Unit reviewed the proposal including the submitted Land Capability Assessment (LCA) and considered that, in the absence of available reserve Land Application Areas for two separate dwellings onsite, wastewater discharge to adjoining properties during periods of peak occupancy would be a real possibility. Therefore, the Health Protection Unit does not support the development on the grounds that the development would present an operational risk as per Section 3.10.2 of the EPA 'Code of Practice - Onsite Wastewater Management' (EPA Publication 891.4).

On 24 May 2018, a revised Landslip Risk Assessment (LCA) was submitted, which included the use of a rhizopod system as an option to manage wastewater, and the applicant indicated that a rhizopod system may be utilised on the site. Council's Health Protection Unit noted that no design or revised LCA had been submitted for the rhizopod system and objected to the proposal, advising that:

"Council's DWMP outlines that our preferred system is sub surface irrigation. Rhizopods systems require a buffer/holding tank that has the potential to overflow if the plants are not uptaking sufficient water or the tank is not pumped out. Uptake of water is also reliant on a number of factors being plant/crop uptake, aspect of plants, types or plants/trees and sunlight. The holding tank is designed to

be pumped out, the EPA code mentions that new developments are not permitted to have a pump out tank (1.6 cumulative impacts EPA Code 891.4). Generally, rhizopods are considered a last resort for wastewater effluent disposal, and not suitable for over developed sites. Therefore given the (proposal) being high density for non sewerred areas, current constraints for Wye River and high E.coli levels currently identified in Wye River (analysis certificates available upon request) with domestic wastewater being possible contributor, we are concerned with the possible cumulative impacts on the environment and public health in relation to this proposal."

Infrastructure Unit

Council's Infrastructure Unit advised that the proposed access is not satisfactory as it would have a grade of approximately 1 in 4 (25%) whereas the maximum desirable grade is 1 in 6 (16%). As the proposal does not demonstrate that safe and convenient car access can be provided, the Infrastructure Department does not support the access as proposed.

Environment Unit

The application was referred to Council's Environment Unit, which raised no objection.

Building Unit

Council's Building Unit advised that a building permit is required, and that a report and consent may also be required for the front setback of House 1.

Geotechnical Consultant

Council engaged an independent geotechnical consultant to review the proposal, who expressed concerns about the proposal following a review of the original Landslip Risk Assessment (AGR GeoSciences Pty Ltd, Ref. 16E096LRA, dated 23 July 2017), the revised Landslip Risk Assessment (AGR GeoSciences Pty Ltd, Ref. 16E096LRA, dated 22 May 2018, which included a Rhizopod system as a wastewater option), and an independent third-party review undertaken by Golder Associates Pty Ltd, dated 27 July 2018.

In particular, the geotechnical consultant engaged by Council has concerns relating to the extent of excavation; the reliance on the long-term effectiveness of mitigation measures; the appropriateness of House 2 straddling a drainage line; and the steepness of access to House 2. The geotechnical consultant also flagged concerns about the occurrence of a landslide within an area already showing landslide issues. As such, it is considered that potential landslip risk and drainage issues have not been adequately addressed.

External Referrals

The application was referred to the CFA under Section 55 of the *Planning and Environment Act 1987* (the Act). The CFA raised no objection subject to the inclusion of mandatory conditions and the endorsement of the Bushfire Management Plan.

7. PUBLIC NOTIFICATION & RESPONSE

Public notice was given for this application to all adjoining land owners/occupiers. A total of four (4) objections and one (1) submission in support of the proposal were received in response. The grounds of objections and support are summarised as follows:

Objection

Increasing traffic and parking issues would create dangerous congestion on the bend in Riverside Drive.

Response

This is considered to be a valid concern. Council's Infrastructure Department does not support the steep driveway as proposed, and if approved, it is possible that parking and congestion on the bend of Riverside Drive would be exacerbated.

Objection

The proposal would affect access to 23 Riverside Drive during construction.

Response

The applicant advised that a compacted and drained driveway would be installed from the commencement of construction works and that the builder would be responsible for establishing clear and safe vehicular access at all times.

Objection

Two houses on the site would increase noise impacts on 17 Riverside Drive.

Response

It is considered that increased noise impacts may be an outcome should the development be approved. However, it is not considered that noise would be at a level that would be out of the norm in the area, or that would warrant a refusal of the application.

Objection

The proposed vegetation removal would destroy koala habitat that is part of a wildlife corridor to the river, and it would be detrimental to the overall environment and atmosphere of the area. The vegetation removal would impact on bird and wildlife, including the endangered Rufous Bristlebird which is listed as a threatened species under the Flora and Fauna Act. Additional trees may also be lost (TO4 and TO6) as they are shown within the effluent field.

Response

The application proposes to remove 10 trees (7 of which are native gum trees) and retain 9 trees (8 of which are native gum trees). Whilst it is acknowledged that a single dwelling on the lot, which is considered acceptable in principle, would also result in vegetation loss, it is likely that less vegetation would be lost than a two dwelling development. As such, this is considered to be a valid concern given that the preferred character for this Wye River Precinct 2 is to maintain trees and encourage buildings to be set amongst and beneath a dominant, native tree canopy. Similarly, NCO1 and SLO2 seek to protect the landscaped character of the area and EMO1 discourages vegetation removal to prevent landslip risk. Council's Environment Unit raised no objection as the site is not covered by Clause 52.17 (Native Vegetation); however, the extent of proposed vegetation removal is not considered to be consistent with these relevant provisions. The applicant has not addressed the potential impact on any threatened species under the Flora and Fauna Act but it is not considered, given the site could appropriately be developed with a single dwelling, that this is a reason for refusal.

Objection

The proposal is not consistent with the provisions of the Significant Landscape Overlay (SLO2) especially the removal of trees.

Response

It is considered that the proposal is contrary to the provisions of SLO2 (see detailed discussion below).

Objection

The proposal does not comply with the Neighbourhood Character Overlay (NCO1) and the Wye River Precinct 2 Preferred Character Statement (Clause 21.03-6) of the Colac Otway Planning Scheme.

Response

It is considered that the proposal would be in conflict with the preferred character of the area as outlined in these provisions, which were introduced to protect the environment and character of the area (see detailed discussion below including an assessment against the varied standards of NCO1).

Objection

The application does not adequately address overlooking and protection of neighbours' privacy.

Response

The application has been assessed against Clause 55 provisions (Two or more dwellings on a lot). Measures to prevent overlooking in accordance with the provisions of Clause 55 could be applied as required to protect against loss of privacy should a permit be issued.

Objection

The application does not include a landscape plan, and does not adequately address stormwater, effluent disposal and landslip risk.

Response

A landscape plan could be required by permit conditions should the application be supported. However, it is considered that issues relating to stormwater, effluent disposal and landslip risk have not been sufficiently addressed to warrant a permit being issued.

Objection

21 Riverside Drive is unsuitable for a multi-unit development and the preferred outcome for this site is one dwelling, consistent with community expectations.

Response

It is considered that, given the constraints of this site and the character of the area, the subject lot is not suited to accommodating two dwellings. A single dwelling would achieve a better outcome against relevant planning provisions.

Objection

House 2 would obstruct ocean and bushland views from the balcony of 23 Riverside Drive, as demonstrated by height poles erected on the site.

Response

Principles have been established through VCAT that there is no legal right to a view but that reasonable view sharing should be achieved (see discussion in assessment section of report). The applicant has erected height poles on the site but has not responded to this concern nor demonstrated that reasonable view sharing would be achieved. However, on balance, given the fact that a single dwelling could be appropriately developed on the land and that views are currently restricted by vegetation, it is not considered that the proposed development could be resisted on this basis.

Objection

Incorrect labelling/addresses of adjoining properties making it difficult to understand the plans.

Response

The applicant advised that this was a drafting error and that the plans would be amended to include the correct street addresses should the application be supported.

Supporting submission

The benefits of building two new dwellings on land that has been zoned residential with each parcel of land exceeding 800sqm justifies the removal of these trees. There are large corridors of native vegetation all around Riverside Drive. By improving the quantity and quality of residences in Wye River, it increases the opportunities for businesses that are left stagnant for many months of the year, and also may attract some new faces into the community.

Response

It is not considered that the matters raised outweigh the constraints of the site, as discussed above and in the assessment section of this report.

8. OFFICER'S ASSESSMENT

The key consideration in the assessment of this application is whether it is appropriate to allow two dwellings on the subject lot. It is noted that the land is suitably zoned for residential use and considered that a single dwelling would be acceptable. However, regard must be had to whether two dwellings would be acceptable on the land, having regard in particular to landslip issues, the ability to treat and retain wastewater on site, the suitability of the access, and the character of the area.

Erosion/Drainage

The site is covered by the Erosion Management Overlay (EMO1). A key purpose of this overlay is to protect areas prone to erosion, landslip or other land degradation processes, by minimising land disturbance and inappropriate development. A planning permit is required to construct a building or construct or carry out works, and for tree removal, under Clause 44.01-1 of this overlay.

As noted above, Council sought a review of this application by an independent geotechnical consultant and it is considered that potential landslip risk and drainage issues have not been adequately addressed.

Following review of the original and revised LRAs, and the independent review by Golder Associates Pty Ltd, the geotechnical consultant engaged by Council advised that he maintains his concerns relating to the extent of excavation; the reliance on the long-term effectiveness of mitigation measures; the appropriateness of House 2 straddling a drainage line; and the steepness of access to House 2. Council's geotechnical consultant also flagged concerns about the occurrence of a landslide within an area already showing landslide issues.

The Golder review found that it may be possible to support House 1 subject to implementing the recommendations of the LRA. With respect to House 2, it was recommended that the applicant provide documentation to demonstrate that drainage measures could be built so as not to exacerbate landslide issues, and to demonstrate that earthworks to provide better access would not exacerbate drainage problems. The applicant advised that this additional work would not be undertaken prior to determining the application and that this documentation could be required by permit conditions, including a requirement for a Form B (declaration by a geotechnical engineer that the design and engineering drawings comply with the LRA prior to commencement) and Form G (declaration by a geotechnical engineer that the development and mitigation measures have been constructed in accordance with the LRA prior to occupation).

However, it is considered inappropriate to issue a planning permit prior to it being established that the outstanding matters can be appropriately addressed, i.e. it being demonstrated that landslip and drainage issues could be appropriately managed on-site.

Wastewater

A planning permit is required for more than one dwelling on a lot in a Township Zone and, under Clause 32.05-3, all wastewater from each dwelling must be treated and retained within the lot in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*, where reticulated sewerage is not available.

Plans submitted show a terraced effluent field and a direct application effluent field to each dwelling. Council's Health Protection Unit reviewed the proposal, including the submitted Land Capability Assessment.

Council's Health Protection Unit objected to the development on the grounds that the development would present an operational risk as per Section 3.10.2 of the EPA 'Code of Practice - Onsite Wastewater Management' (EPA Publication 891.4) as, in the absence of available reserve Land Application Areas for two separate dwellings onsite, wastewater discharge to adjoining properties during periods of peak occupancy would be a real possibility.

As mentioned above, a revised Landslip Risk Assessment submitted on 24 May 2018 included use of a rhizopod system as an option to manage wastewater, and the applicant indicated that consideration would be given to utilising a rhizopod system. To date, a revised Land Capability Assessment demonstrating use of a rhizopod system on the site has not been submitted. Notwithstanding this, and as discussed above, Council's Health Protection Unit does not support the use of a rhizopod system on this site. Such a system may be considered as a last option solution to allow the construction of one dwelling on an existing constrained residentially zoned lot, but it is not considered an appropriate system to justify extra development/greater density on a lot.

It is considered that the proposal cannot be supported, as it does not demonstrate that wastewater could be appropriately managed on-site for two dwellings.

Access

Access to the dwellings would be from Riverside Drive via a proposed 3.5m wide driveway along the west boundary, which appears to cross the alignment of a gully running generally east-west through the lower third of the site.

The application was referred to Council's Infrastructure Department, which advised that the access is not satisfactory as it proposes a grade of approximately 1 in 4 (25%) whereas the maximum desirable grade is 1 in 6 (16%). As the proposal does not demonstrate that safe and convenient car access could be provided, the Infrastructure Department does not support the access as proposed.

Neighbourhood Character

Neighbourhood character considerations are important in the assessment of this proposal, as detailed in many relevant planning provisions, including Clause 15.01-5s (Neighbourhood Character); Clause 21.03-6 (Kennett River, Wye River and Separation Creek), which includes the Preferred Character Statement for Wye River Precinct 2; the purpose of the Township Zone in Clause 32.05; Clause 43.05 (Neighbourhood Character Overlay - NCO1); and Clause 55.02-1 (Neighbourhood Character objectives of 'ResCode').

Of particular relevance is the Preferred Character Statement for Wye River Precinct 2 (Clause 21.03-6) as it is specific to this area:

"Wye River Precinct 2 – Preferred Character Statement

This precinct will achieve a more consistent native vegetation coverage to provide a unifying feature throughout. Space around dwellings will be sufficient to maintain trees and understorey, and minimises the appearance of building bulk and density. On hill slopes, buildings will relate to topography and be set amongst and beneath a dominant, native tree canopy. Buildings and structures in prominent locations when viewed from the Great Ocean Road will be designed to reduce their visual intrusion. Retention and planting of canopy trees in the public domain and around dwellings will be encouraged to establish a consistent tree canopy."

It is considered that the proposal has not demonstrated compliance with this preferred character statement, which specifically encourages the retention of canopy trees and seeks to ensure that buildings relate to the topography, being set amongst tree canopies and designed to reduce visual intrusion.

Several objections raised concerns that the development would not be consistent with the neighbourhood character of the area and relevant character provisions including NCO1. These concerns highlighted that the proposed number of dwellings and extent of vegetation removal would result in the proposal dominating the landscape, compromising the character of the area.

Clause 43.05 (Neighbourhood Character Overlay - NCO1) is also specifically applied to this area and introduces varied standards to assist to protect the character of the area. The proposal is assessed against the varied standards of NCO1 as follows:

Standard	Modified Requirement	Assessment
B6	STREET SETBACK Walls of buildings should be set back at least 7 metres from the front street. Side street setback as specified in the Tables to Standards A3 and B6 continue to apply.	Variation would be required – The closest wall to House 1 would be set back 6.359m from the street; however, the car parking platform and enclosed store (1.8m high) would be located in the front setback only 3m from the street frontage. This would be contrary to the standard.
B7	BUILDING HEIGHT The maximum building height should not exceed 8 metres or two storeys, whichever is the lesser. Buildings are to be stepped to follow the contours of the site. Changes of building height between existing buildings and new buildings should be graduated by recessing the upper levels from the ground level.	Complies. Maximum building height would not exceed 8m. House 1 would have a maximum height of approximately 6.8m and House 2 of approximately 6.4m (scaled from plans).
B8	SITE COVERAGE The site area covered by buildings should not exceed the following amounts in the Precincts as shown on the Character Precinct Maps at Clause 21.04-13 (Skenes Creek), 21.04-14 (Kennett River) and 21.04-15 (Wye River and Separation Creek): <ul style="list-style-type: none"> Wye River Precinct 2 – 20% 	Complies. The total site coverage is estimated to be 20.66%. It is noted that whilst the proposal does not include subdivision, the application states that site coverage for House 1 would be 25% (over the

Standard	Modified Requirement	Assessment
		recommended standard of 20%) and House 2 would be 18%.
B17	<p>SIDE AND REAR SETBACKS</p> <p>A new building should be set back from both side boundaries a minimum of 3 metres.</p> <p>A new building should be setback a minimum of 5 metres from the rear boundary.</p> <p>A new building should be setback from the side or rear boundary a minimum of 3 or 5 metres as required above, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.</p> <p>Sunblinds, verandahs, balconies, porches, eaves, fascias, gutters, chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment associated with a dwelling, may encroach into the setbacks of this standard.</p>	<p>Variation would be required – The side and rear setbacks to the north, south and east elevations of House 2 would be compliant. The proposed side setback to the west elevation would be 3m; however, setbacks ranging from 3.57m to 3.87m are required given the height of this wall (5.5m to 6.5m).</p> <p>The side and rear setbacks to House 1 would be compliant.</p>
B18	<p>WALLS ON BOUNDARIES</p> <p>A new wall should not be constructed on a boundary.</p>	N/A – None proposed.
B31	<p>DESIGN DETAIL</p> <p>The design of buildings, including:</p> <ul style="list-style-type: none"> • The number of storeys, • Verandahs, eaves and parapets, • Materials, colours and finishes, and • Building siting, including space around buildings <p>should respect the preferred neighbourhood character of the area.</p> <p>Garage and car port design should be visually unobtrusive and compatible with the development and the preferred neighbourhood character.</p>	<p>Whilst the density of the development would vary from the character of the area, the style, scale and materials proposed are not considered inappropriate.</p> <p>Variation would be required - The car parking platform and enclosed store to House 1 would be located in the front setback only 3m from the street frontage, which would be visible from the street frontage contrary to this standard.</p>
B32	<p>FRONT FENCE HEIGHT</p> <p>The design of front fences should complement the design of front fences on adjoining properties.</p> <p>A front fence within 3 metres of a street should not exceed a height of 1.2 metres and should be at least 50% transparent.</p>	N/A – None proposed.
B13	<p>LANDSCAPING</p> <p>The landscaping should enhance the indigenous and native vegetated character of the area. The siting of new buildings should provide for the retention of existing trees and vegetation and provide adequate space on site for the planting of new indigenous shrubs and trees. The area of the site that is covered by buildings and hard surfaces, including swimming pools and tennis courts, should not exceed the following amounts in</p>	Complies. Approximately 73% of the site would be permeable, given that the driveway and parking area would have permeable paving. A landscape plan has not been provided but could be required by permit condition should the proposal be allowed.

Standard	Modified Requirement	Assessment
	<p>the Precincts as shown on the Character Precinct Maps at Clause 21.04-13 (Skenes Creek), 21.04-14 (Kennett River) and 21.04-15 (Wye River and Separation Creek):</p> <ul style="list-style-type: none"> Wye River Precinct 2 – 30% 	

It is noted that the objectors raised concerns about the proposal being inconsistent with the character of the area and the varied standards of NCO1, as evidenced by the proposed reduction from the specified standards in front setback, the site coverage for House 1 and reduced side setbacks.

In addition to the above varied standards, the application was also assessed against the provisions of Clause 55 (Two or more dwellings on a lot), and failed to demonstrate compliance with the following provisions:

- Standard B4 (Infrastructure Objectives) – The proposal does not adequately demonstrate how wastewater and drainage would be appropriately managed on-site.
- Standard B14 (Access Objectives) - Safe and convenient access would not be achieved due to the gradient of the driveway.
- Standard B22 (Overlooking Objectives) - Overlooking diagrams have not been submitted. There may be some overlooking from the east elevation of House 1 into the open space (not secluded private open space) of 19 Riverside Drive. Permit conditions could require appropriate screening measures as required, should the proposal be allowed.
- Standard B34 (Site Services) – Site services were not shown but could be required by permit conditions should the proposal be allowed.

The site is also covered by Design and Development Overlay (DDO4). Under Schedule 4, a permit is not required to construct a building or carry out works; only for the subdivision of land. Subdivision does not form part of this proposal; however, the NCO1 seeks to ensure that applications for more than one dwelling on a lot would allow subdivision in accordance with the requirements of DDO4. The minimum lot size under DDO4 for Wye River Precinct 2 is 800sqm. Whilst this proposal may be able to satisfy this minimum lot size, it is considered that the proposal does not adequately address landslip, drainage, wastewater and access issues, and that the proposed density and resultant vegetation removal would not be consistent with the character of the area.

Vegetation removal

The landscape of the Great Ocean Road, within which Wye River is located, is of national importance as identified in the Great Ocean Road Region Landscape Assessment Study (GORRLAS) 2003, which is implemented through SLO2. Planning approval is required for vegetation removal on this site under SLO2 and EMO1 provisions. The purpose of these overlays is to conserve and enhance the landscape and neighbourhood character of the area, and to minimise landslip risk. Similarly, the preferred character for Wye River Precinct 2 under Clause 21.03-6 is to maintain trees and encourage buildings to be set amongst and beneath a dominant, native tree canopy.

As discussed above, this application proposes to remove 10 trees (7 of which are native gum trees), and to retain 9 trees (8 of which are native gum trees). The extent of vegetation removal is considered to be a valid concern that was raised by objectors. Whilst, as noted above, the lot is considered appropriate for the development of one dwelling, it is likely that less vegetation removal would be required should a single dwelling be proposed on this lot.

Loss of Views

The owners of 23 Riverside Drive have raised concerns that House 2 would obstruct ocean and bushland views from the balcony of their dwelling, as demonstrated by height poles erected on the site. The following principles have been established through VCAT with respect to view sharing:

The VCAT principles established by Tashounidis and Healy in regard to view sharing are:

- "a) there is no legal right to a view;*
- b) views form part of the existing amenity of a property and their loss is a relevant consideration to take into account;*
- c) the availability of views must be considered in light of what constitutes a reasonable sharing of those views;*
- d) in addressing the concept of "reasonableness", it is relevant to consider:*
 - a. the importance of the view to be lost within the overall panorama available; and*
 - b. whether those objecting have taken all appropriate steps to optimise development of their own properties.*
- e) added emphasis will be placed on principles (b) and (c) above if the issue of views is specifically addressed in the planning scheme."*

It is noted that SLO2 seeks *"to protect the clear, sweeping views to the ocean available from the precinct"*, which gives added emphasis to view sharing. The applicant has not responded to this concern or demonstrated that the proposal would achieve reasonable view sharing. However, on balance it is considered that a reason for refusal would be difficult to substantiate on grounds relating to loss of view, given the fact that these views are already restricted and a single dwelling could appropriately be constructed on the site.

Bushfire Management

The site is covered by the Bushfire Management Overlay (BMO) and a planning permit is required for buildings and works under Clause 44.06-2 of this overlay. The application was externally referred to the CFA under *Section 55 of the Planning and Environment Act 1987* (the Act). The CFA raised no objection, subject to the mandatory permit conditions being imposed and the endorsement of the Bushfire Management Plan.

In summary, it is considered that the proposal cannot be supported as it does not adequately address landslip, drainage, wastewater and access issues, and the proposed density and resultant vegetation removal are not considered consistent with the character of the area.

9. OFFICER DIRECT OR INDIRECT INTEREST

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.



Planning Enquiries
Phone: (03) 5232 9412
Web: www.colacotway.vic.gov.au

Office Use Only

Application No.:

Fee: \$

Date Lodged: / /

Receipt No.:

Date Allocated: / /

Ward:

Allocated to:

Zone(s):

Overlay(s):

Application for Planning Permit

Use this form to make an application for a planning permit and to provide the information required by section 47 of the *Planning and Environment Act 1987* and regulations 15 and 38 of the *Planning and Environment Regulations 2005*.

Supplementary information requested in this form should be provided as an attachment to your application. ☒ Please print clearly or complete the form electronically (refer to How to complete the Application for Planning Permit form).

Privacy notice

▲ Information collected with this application will only be used to consider and determine the application. It will be made available for public inspection in accordance with section 51 of the *Planning and Environment Act 1987*.

Need help with the application?

If you need help to complete this form, read *How to complete the Application for Planning Permit form*. For more information about the planning process, refer to *Planning: a Short Guide*. These documents are available from your local council, the Planning Information Centre (Ph: 03 9637 8610, 8 Nicholson Street, Melbourne), or www.dse.vic.gov.au/planning.

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

- ① Has there been a pre-application meeting with a council officer?

☒ Yes ☐ No

If yes, with whom?:

RACHEL BUTLER

Date: 11/05/2016

The land

- ② Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

Street Address

Street No.: 21

Street Name: RIVERSIDE DRIVE

Suburb/Locality: WYE RIVER

Postcode: 3234

Formal Land Description

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

Lot No.: 01

on Lodged Plan, Title Plan or Subdivision Plan No.: TP 113870B

OR

Crown Allotment No.:

Section No.:

Parish Name:

- ③ Title information.

- ④ Describe how the land is used and developed now.

eg. single dwelling, three dwellings, shop, factory, medical centre with two practitioners, licensed restaurant with 80 seats.

- ⑤ Plan of the land.

☒ Attach a full, current copy of title information for each individual parcel of land, forming the subject site.

VACANT LAND.

☒ Attach a plan of the existing conditions. Photos are also helpful.

Application for Planning Permit 09/05

Victoria, Australia

Page 1 of 4

The proposal

▲ You must give full details of your proposal and attach the information required to assess the application.

If you do not give enough detail or an adequate description of the proposal you will be asked for more information. This will delay your application.

- ⑥ For what use, development or other matter do you require a permit?

Read *How to complete the Application for Planning Permit form* if you need help in describing your proposal.

~~TWO DWELLINGS ON A LOT~~
USE AND DEVELOPMENT OF TWO (2)
DWELLINGS, ASSOCIATED WORKS AND
REMOVAL OF NINE (9) TREES.

- ⑦ Additional information about the proposal.

Contact council or refer to council planning permit checklists for more information about council's requirements.

☒ Attach additional information providing details of the proposal, including:

- ☒ Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.
- ☒ Plans showing the layout and details of the proposal.
- ☒ If required, a description of the likely effect of the proposal (eg. traffic, noise, environmental impacts).

- ⑧ Encumbrances on title.

Encumbrances are identified on the certificate of title.

Is the land affected by an encumbrance such as a restrictive covenant, section 173 agreement or other obligation on title such as an easement or building envelope?

- ☒ No, go to 9.
- ☐ Yes, ☒ Attach a copy of the document (instrument) specifying the details of the encumbrance.
- ☐ Does the proposal breach, in any way, the encumbrance on title?
- ☐ No, go to 9.
- ☐ Yes, contact council for advice on how to proceed before continuing with this application.

▲ Note

Council must not grant a permit that authorises anything that would result in a breach of a registered restrictive covenant (sections 61(4) and 62 of the *Planning and Environment Act 1987*). Contact council and/or an appropriately qualified person for advice.

Costs of buildings and works/permit fee

Most applications require a fee to be paid. Where development is proposed, the value of the development affects the fee. Contact council to determine the appropriate fee.

- ⑨ Estimated cost of development for which the permit is required.

Cost \$ 900,000

▲ You may be required to verify this estimate.

Write 'NIL' if no development is proposed (eg. change of use, subdivision, removal of covenant, liquor licence)

- ⑩ Do you require a receipt for the permit fee?

☒ Yes ☐ No

Contact, applicant and owner details

(11) Provide details of the contact, applicant and owner of the land.

Contact

The person you want Council to communicate with about the application.

Name: ROB ASHBY	
Organisation (if applicable): ROBERT ASHBY ARCHITECTS	
Postal address: PB BOX 104	
Postcode: 3 2 3 0	
Contact phone: 0438 575 243	<input checked="" type="checkbox"/>
Mobile phone: as above	<input type="checkbox"/>
Email: info@robertashby.com.au	<input checked="" type="checkbox"/>
Fax:	<input type="checkbox"/>

Indicate preferred contact method

Applicant

The person or organisation who wants the permit.

<input checked="" type="checkbox"/> Same as contact. If not, complete details below.	
Name:	
Organisation (if applicable):	
Postal address:	
Postcode:	

Owner

The person or organisation who owns the land.

<input type="checkbox"/> Same as contact	<input type="checkbox"/> Same as applicant
Where the owner is different from the applicant or contact, provide the name of the person or organisation who owns the land.	
Name (if applicable): Chantal Maloney	
Organisation (if applicable):	
Postal address: 4 Blair CRT	
Postcode: 3 0 2 5	

Checklist

(12) Have you?

<input checked="" type="checkbox"/>	Filled in the form completely?
<input checked="" type="checkbox"/>	Paid or included the application fee?
<input checked="" type="checkbox"/>	Attached all necessary supporting information and documents?
<input checked="" type="checkbox"/>	Completed the relevant council planning permit checklist?
<input checked="" type="checkbox"/>	Signed the declaration on the next page?

Declaration

- ⑬ This form must be signed.
Complete one of A, B or C
- ⚠ Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

A Owner/Applicant

I declare that I am the applicant and owner of the land and all the information in this application is true and correct.

Signature

Date:

B Owner

I declare that I am the owner of the land and I have seen this application.

Signature

Date:

Applicant

I declare that I am the applicant and all of the information in this application is true and correct.

Signature

Date:

C Applicant

I declare that I am the applicant and:

- I have notified the owner about this application;
- and all the information in this application is true and correct.

Signature

Date:

Lodgement

Lodge the completed and signed form and all documents with:

For help or more information

Colac-Otway Shire ☐☐

PO Box 283, ☐COLAC VIC 3250☐

2-6 Rae Street, COLAC VIC 3250☐☐

Telephone: (03) 5232 9412 ☐☐

Fax: (03) 5232 1046 ☐☐

Email: info@colacotway.vic.gov.au ☐☐

TTY: (03) 5231 6787☐☐



The subject site is currently vacant and is situated on Riverside Drive, in Wye River. Riverside Drive is a winding suburban street located on the high side of the river. It is a quiet, residential area with mostly two-storey residences on medium-large sloping sites. There are a series of houses along both sides of the street, with various setbacks which contain driveways, car parking areas and front gardens of both exotic and native vegetation.

The built character of the area is diverse, with a mix of single and double storey houses of both old and new construction, and are of varying architectural styles.

The subject site is a large, steep allotment with significant site fall from the north-west (street) to the south-eastern boundary (rear). There is approximately 20m of fall along the length of the site, equating to a maximum 1:2.9 (34%) gradient.

The site has a series of established trees and other smaller shrubs. Please note, since undertaking the attached Existing Conditions Survey the subject site has been cleared of a number of large Pine trees, as they posed a threat to human safety.

There is an existing vehicle crossover, and an informal vehicle access track to the nature strip of the subject site. The gravel track is shared by the subject site, and adjacent properties at 19 and 23 Riverside Drive. There is no front fence to separate the front of the property to the street. The side boundaries are also open to adjacent properties.

The rear boundaries have post and wire fences with pedestrian openings for access to the Wye River Caravan Park and river beyond.

The subject site is one of the remaining larger lot sizes in this section of the street, being almost a ½ acre in size, with an overall site area of 1,723m². This is in accordance with the Certificate of Title, and the Existing Conditions Survey undertaken by Step Surveying.

The site to the north-east (19 Riverside Drv) has an old two-storey house, which is built within close proximity to the site boundary abutting the subject site. The site to the south-west (23 Riverside Drv) has a relatively new elevated house, which is setback quite substantially from the subject site. The land to the south-east is part of the Wye River caravan park.

Please refer to AX002 and the Existing Conditions Survey plan for further details.

TREE SCHEDULE

The following schedule identifies the species of mature trees found on site:

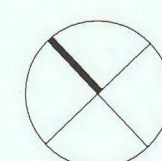
T01-G	Gum tree (identified as Manna Gum)
T02-G	Gum tree (identified as Manna Gum)
T03-G	Gum tree (identified as Ironbark)
T04-G	Gum tree (identified as Manna Gum or Messmate)
T05-E	Exotic species (unknown)
T06-G	Gum tree (identified as Manna Gum or Messmate)
T07-G	Gum tree (identified as Manna Gum or Messmate)
T08-P	Pine tree
T09-P	Pine tree
T10-G	Gum tree (identified as Manna Gum or Messmate)

T11-G	Gum tree (identified as Manna Gum or Messmate)
T12-G	Gum tree (identified as Manna Gum or Messmate)
T13-G	Gum tree (identified as Manna Gum or Messmate)
T14-G	Gum tree (identified as Manna Gum or Messmate)
T15-G	Gum tree (identified as Manna Gum or Messmate)
T16-G	Gum tree (identified as Manna Gum or Messmate)
T17-G	Gum tree (identified as Manna Gum or Messmate)
T18-E	Exotic species (unknown)
T19-G	Gum tree (identified as Manna Gum or Messmate)

NEW DEVELOPMENT PROPOSAL - 1:100 @ A1

ISSUED FOR PLANNING PERMIT APPLICATION

REVISION 01_171211_PLANNING PERMIT SET



ROBERT ASHBY ARCHITECTS
0438 575 243
Info@robertashby.com.au
PO Box 194, Anglesea, VIC

RIVERSIDE DRIVE

ROAD RESERVE

23 RIVERSIDE DRIVE, WYE RIVER
beyond

RL 31.000

FFL 28.250

TITLE BOUNDARY
(NORTH)
14°00' 18.11mS1 SITE SECTION
existing context**SUBJECT SITE**
21 RIVERSIDE DRIVE, WYE RIVER
LOT 1.TP113870B
(LAND SIZE 1,723m²)TITLE BOUNDARIES SHOWN IN ACCORDANCE WITH TITLE SURVEY.
REFER ATTACHED EXISTING CONDITIONS SURVEY PLAN
UNDERTAKEN BY STEP SURVEYING FOR ALL FURTHER DETAILS.TITLE BOUNDARY
(NORTH-EAST)
113°41' 58.06m
58060

boundary shown for clarity

19800

NOTE: maximum site lot gradient 34%
(19.8m height / 58.06m length)
NOTE: based on MGL 29.8 (northern corner)
and MGL 15.2 (southern corner)TITLE BOUNDARY
(EAST)
211°51' 30.18m

PHOTO A. (please refer to AX001 for position)
This photo highlights the current views available from the top of the subject site, the existing building at 23 Riverside Dr, and the general contours/landscape of the subject site.



PHOTO B. (please refer to AX001 for position)
This photo highlights the current views available from within the subject site, and the general contours/landscape of the subject site.

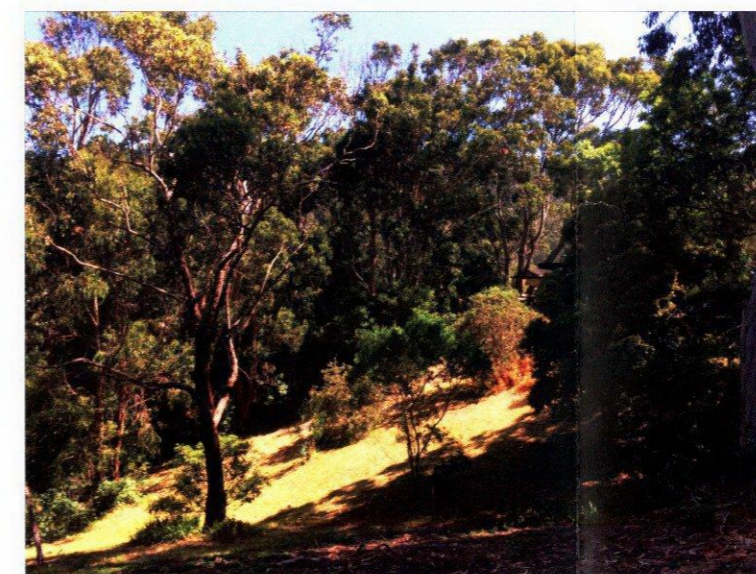


PHOTO C. (please refer to AX001 for position)
This photo highlights the general contours/landscape of the subject site.

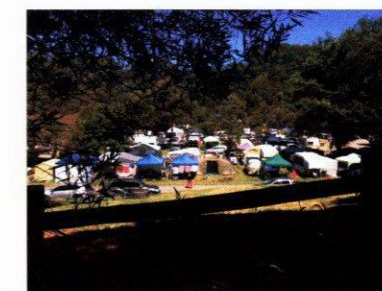


PHOTO K. (please refer to AX001 for position)
This photo highlights the rear fence abutting the Wye River Caravan Park.

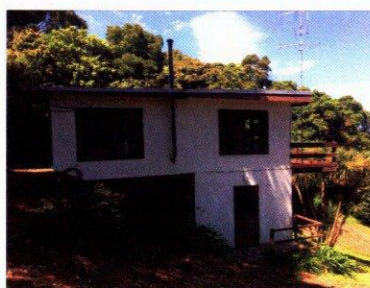


PHOTO D. (please refer to AX001 for position)
This photo highlights the existing building at 23 Riverside Drive.

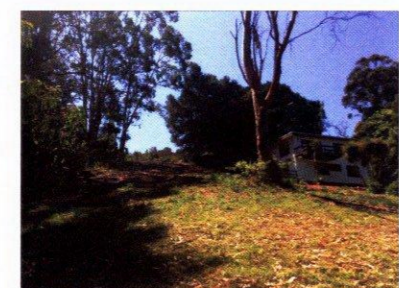


PHOTO E. (please refer to AX001 for position)
This photo highlights the general contours/landscape of the subject site.

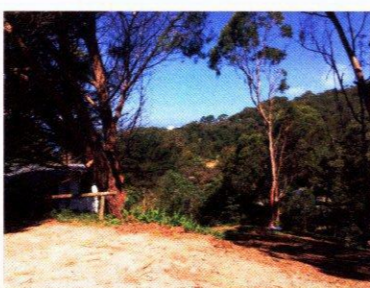


PHOTO F. (please refer to AX001 for position)
This photo highlights the current vehicle access conditions at the top of the site.

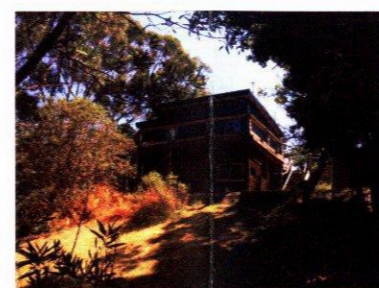


PHOTO G. (please refer to AX001 for position)
This photo highlights the existing building at 19 Riverside Drive.

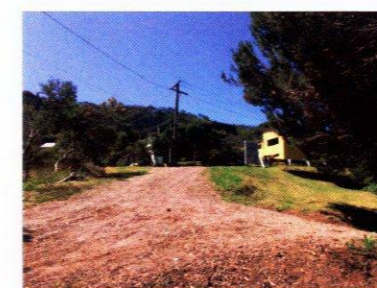


PHOTO H. (please refer to AX001 for position)
This photo highlights the current vehicle access conditions at the top of the site.
NOTE: this is the current access track to 19 & 23 Riverside Drive.

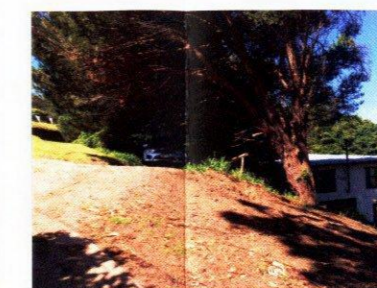


PHOTO I. (please refer to AX001 for position)
This photo highlights the current vehicle access conditions at the top of the site.



PHOTO J. (please refer to AX001 for position)
This photo highlights the current vehicle access conditions at the top of the site.
NOTE: this is the current access track extension to 19 Riverside Drive.

42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO) WYE RIVER STATEMENT OF NATURE AND KEY ELEMENTS OF LANDSCAPE

The landscape of the Great Ocean Road, within which the settlements of Skanes Creek, Wye River, Separation Creek and Kennett River are located 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 (GORLAS) 2003.

The distinctive qualities and landscape significance of Skanes Creek township locality is described in the GORLAS as the area where a number of different landscape elements intersect in a dramatic manner, including low sea coast, topographic edge of the Otway Ranges sweeping down to the narrow coastal strip, edge of the forest, and the incised, vegetated creek valleys. The edges and inter-relationships between these elements create a landscape setting of national significance. (Great Ocean Road Region Landscape Assessment Study, 2003, Otway Foothills, Valleys and Uplands, Precinct 2.4)

The townships of Wye River, Separation Creek and Kennett River are placed within Precinct 4.1 'Otway Ranges Forest and Coast' and the Otway Forest and Coast landscape type. The distinctive qualities of the precinct are described as:
"containing large areas of dense, tall forest cover in hilly terrain, extending to the sea with high, rugged cliffs in places. In some coastal locations the vegetation is sparser and character, particular parts have greater significance. The Great Ocean Road hugs coastline from Lorne to Kennett River, offering some of the most dramatic cliff and coastal scenery able to be viewed by car or bus anywhere in the world and is a landscape of national significance. ... the remainder of the coastal landscape in the precinct (as) of state significance."
(Great Ocean Road Region Landscape Assessment Study, Precinct Package 4.1, p2)

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 public domain treatments all contribute to the maintenance and enhancement of the key landscape characteristics of the region.

The general landscape objectives to be achieved include:
- To protect and enhance the valued characteristics of the nationally significant Great Ocean Road landscape.
- To ensure that the dominance of vegetation over built form is retained as an element of township character by encouraging retention of existing trees and planting of new indigenous vegetation.
- To increase the use of indigenous vegetation to highlight natural features within the precinct.
- To retain the contrasts between landscape elements within the precinct.
- To ensure that development that occurs on hill faces or in other prominent locations is not highly visible.
- To minimise the visual impact of signage and other infrastructure, particularly in coastal areas, hill faces and ridges.
- To protect the clear, sweeping views to the ocean available from the precinct.
- To retain the dominance of an indigenous natural landscape in coastal areas, between townships, particularly from the Great Ocean Road.
- To ensure that fence styles and heights reflect the predominant and preferred character of the townships.

AX002. EXISTING CONTEXT

NEW DEVELOPMENT PROPOSAL - 1:100 @ A1

21 RIVERSIDE DRV, WYE RIVER

ISSUED FOR PLANNING PERMIT APPLICATION

REVISION 01_171211_PLANNING PERMIT SET

ROBERT ASHBY ARCHITECTS
03 9475 243
info@robertashby.com.au
PO BOX 104, ANGLESEA, VIC



The design of the two houses has been created with an emphasis on providing low, simple buildings which follow the site contours and take advantage of water views from the main elevated living areas of both dwellings. Vehicle access has been critical to the design of the entire development with careful consideration given to vehicle turning circles and gradient requirements - in addition to CFA access requirements due to bushfire risk.

House 01 includes an open carparking platform at the top of the site, and an elevated bridge to the entry beyond. A central elevated terrace enclosed by the building, and allows northern winter sun to enter the main living areas of the house. Three bedrooms with associated bathroom facilities have been accommodated, in addition to a ground level multi-purpose space for kids and a dedicated storage space.

House 02 also includes an elevated terrace and entrance facing north. Similarly, three bedrooms with associated bathroom facilities have been accommodated, in addition to a ground level multi-purpose space and a single car lockable garage. House 02 is accessed via a common property battle-axe driveway as shown.

Large expanses of glass are prevalent in both dwellings, to maximise the potential for water views beyond. Generally, the external materials will be a combination of metal and masonry, for minimal maintenance and bushfire protection, in addition to sloping roofs for ember attack prevention. The proposed dwellings accommodate dedicated water tanks for firefighting and personal use, as well as an underground septic tank system.

With regards to the proposed subdivision, as the subject site is 1723m² there is sufficient area to accommodate two lots, with the minimum 800m² site allocated for Lot Q2. Please note, it is the intention of this planning application to receive approval for the two dwellings prior to applying for a subdivision permit. This was the procedure Council suggested at our pre-application meeting. If this is no longer the appropriate procedure, please advise ASAP.

Please refer to TP100 and TP101 for further details

TREE SCHEDULE

The following schedule identifies the existing mature trees to be retained/removed:

T01-G	removed
T02-G	removed
T03-G	removed
T04-G	retained
T05-E	retained
T06-G	retained
T07-G	removed
T08-P	removed
T09-P	removed
T10-G	removed

TREE SCHEDULE continued

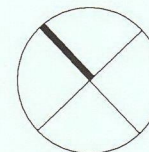
T11-G	removed
T12-G	removed
T13-G	retained
T14-G	retained
T15-G	retained
T16-G	retained
T17-G	retained
T18-E	retained
T19-G	retained

NOTE: for further details please refer to our response to Clause 55.03-8 attached

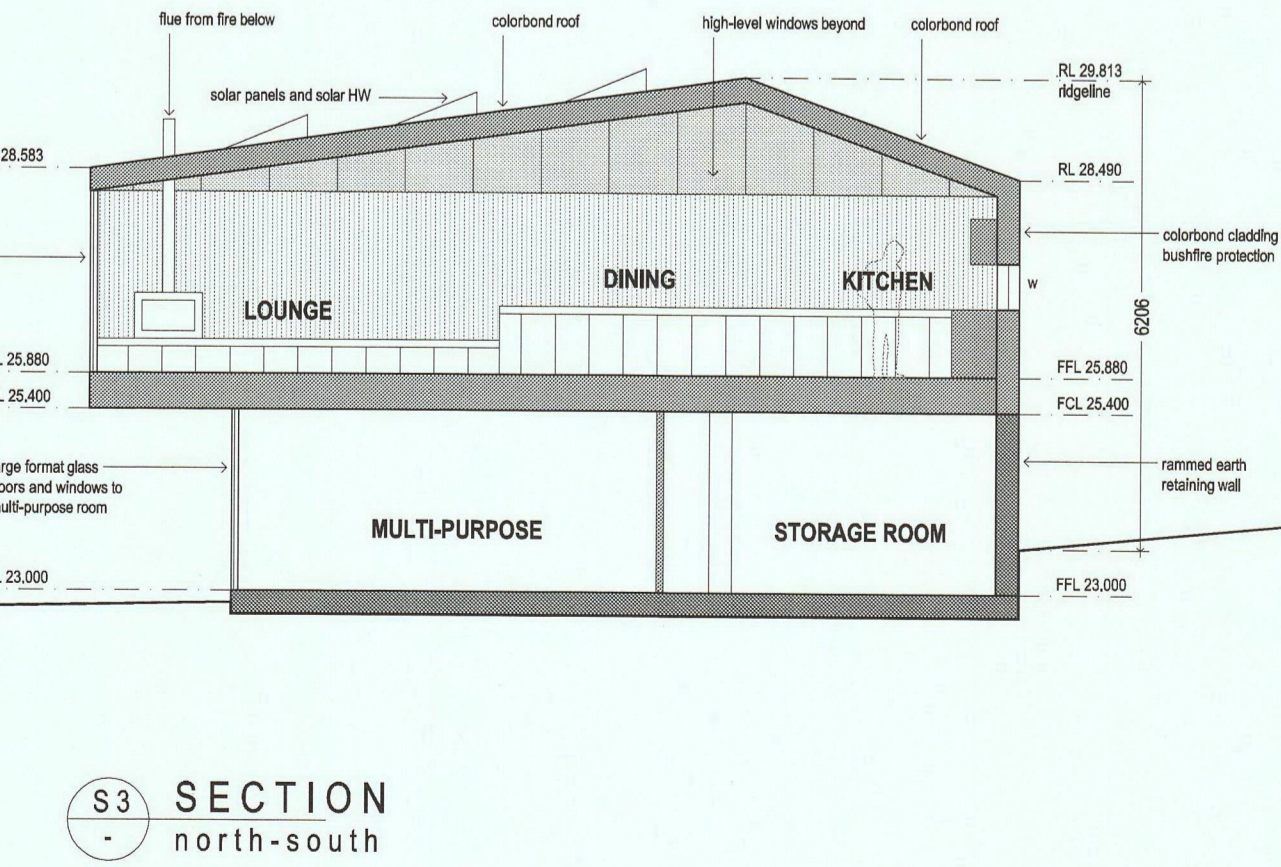
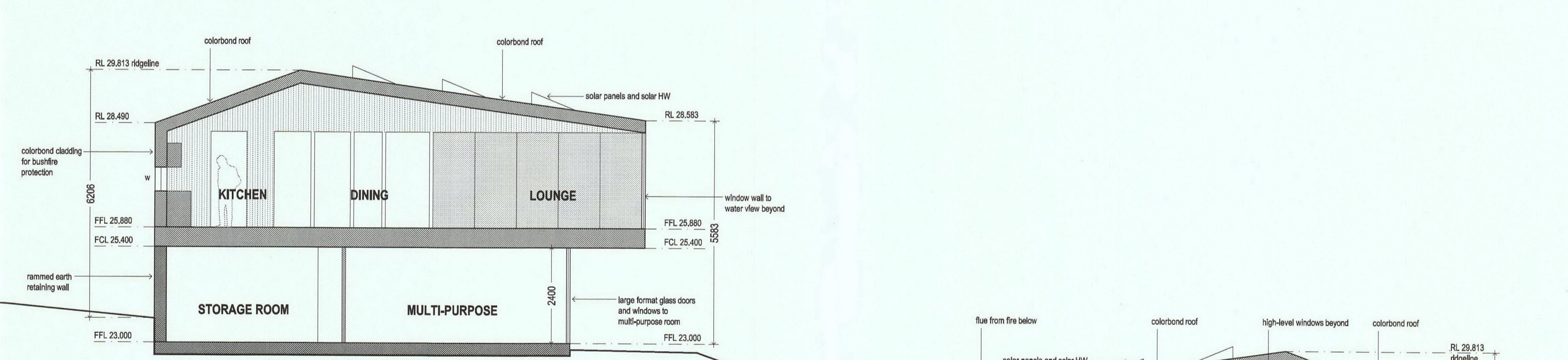
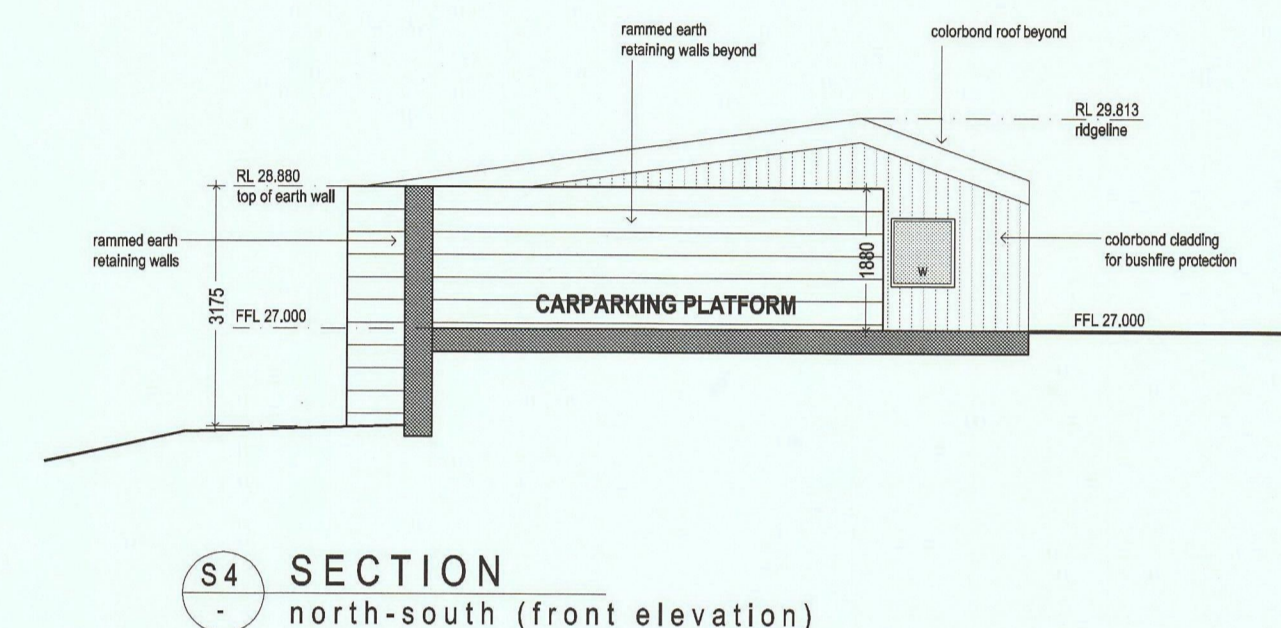
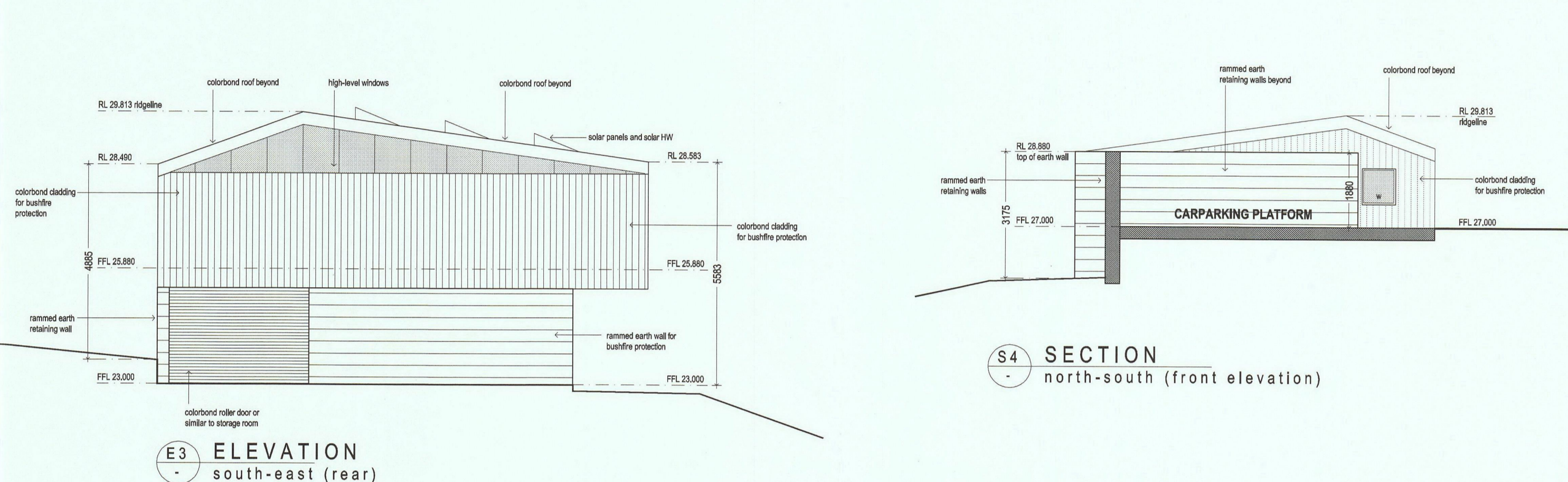
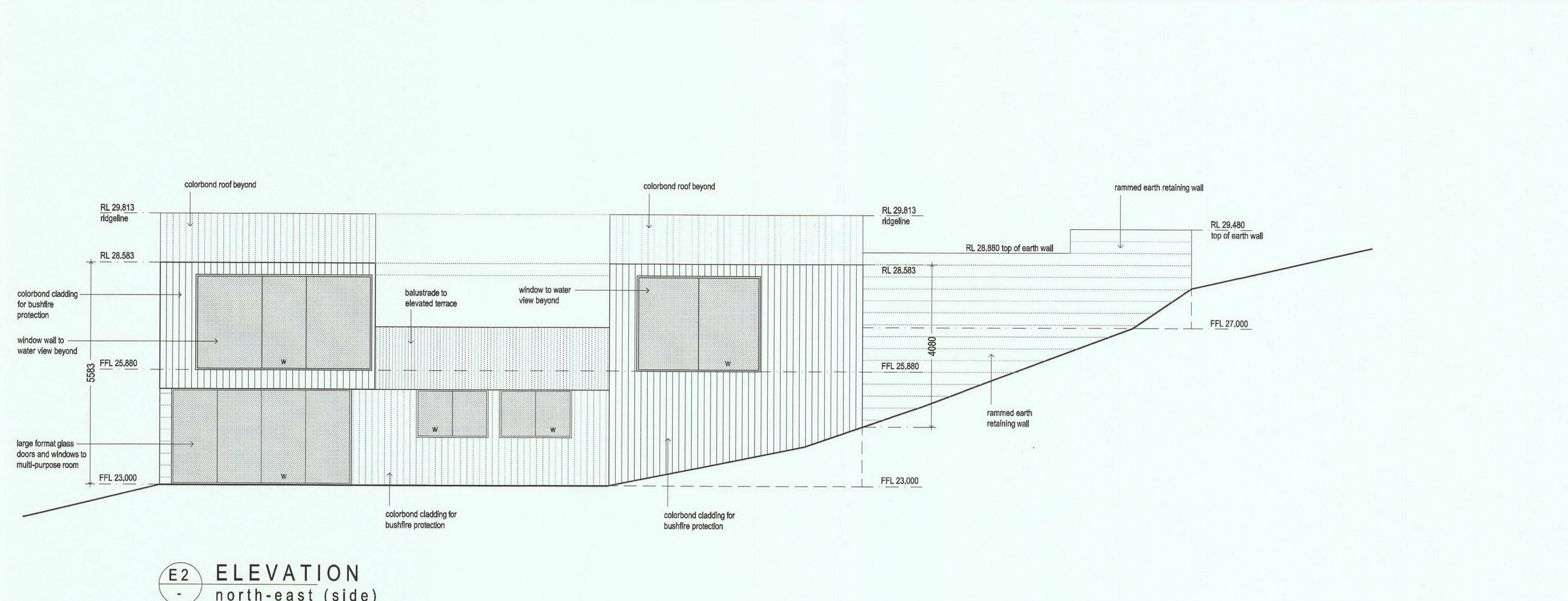
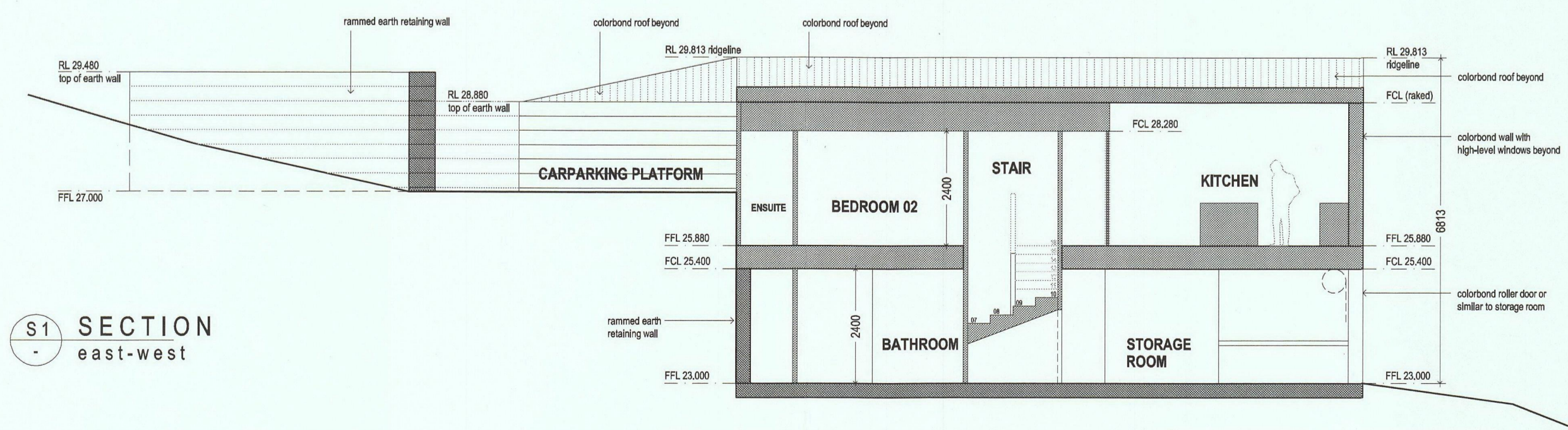
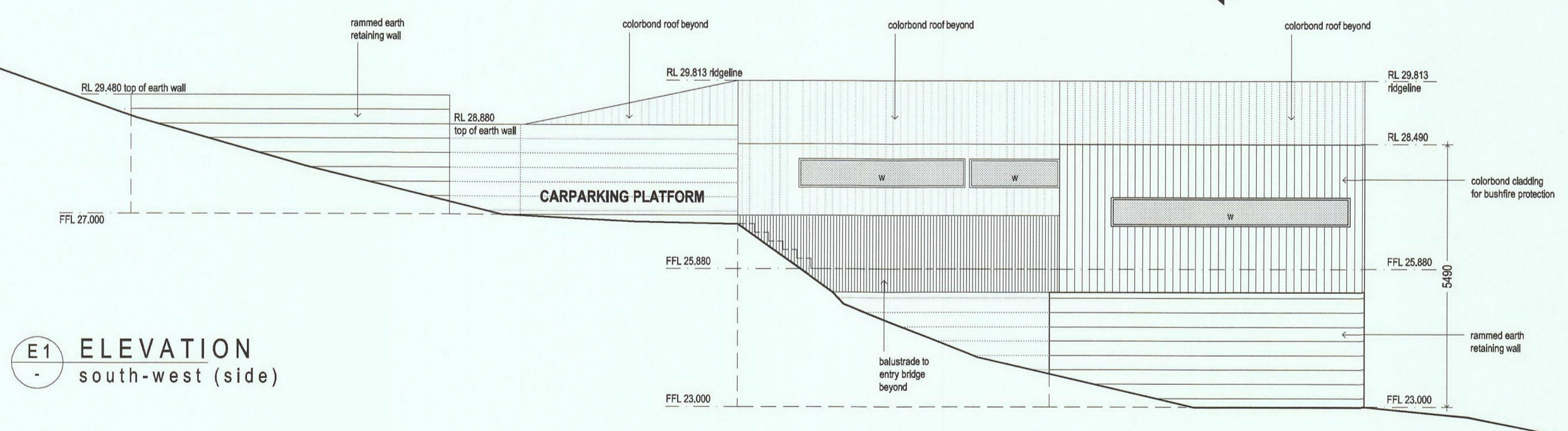
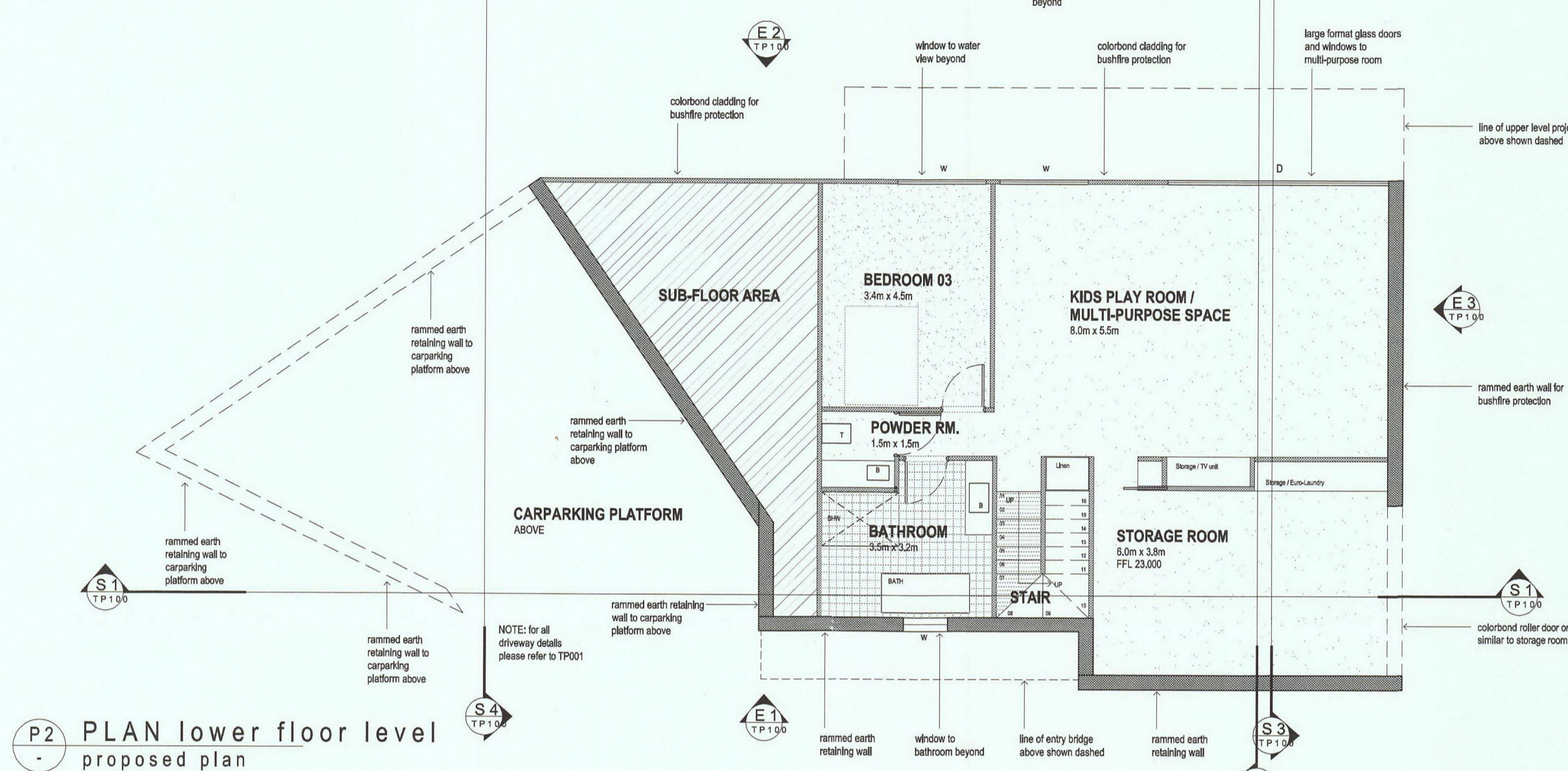
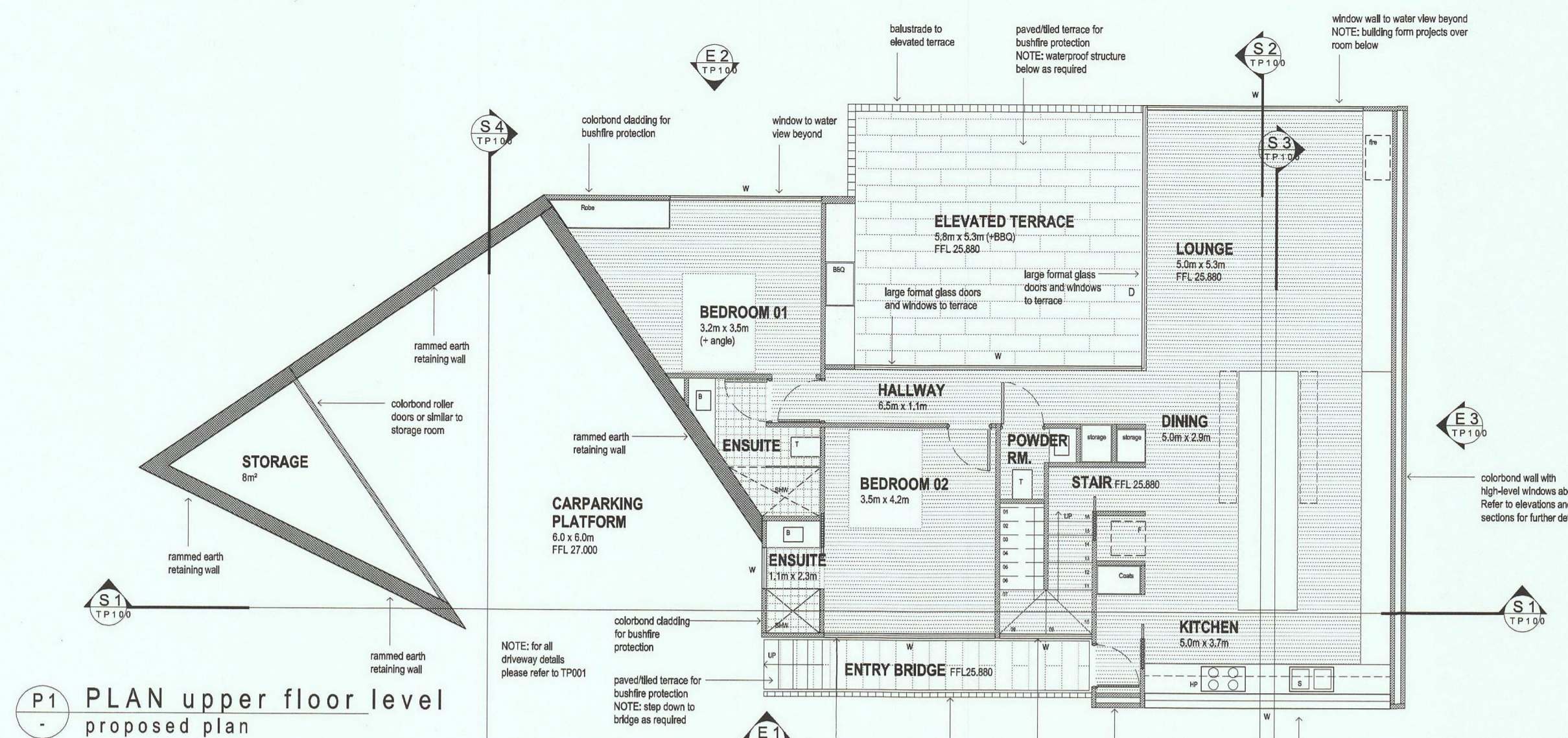
NEW DEVELOPMENT PROPOSAL - 1:100 @ A1

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PROPOSED DEVELOPMENT SUMMARY - HOUSE 01
(In accordance with Clause 55)
55.01-1 TOTAL SITE AREA 816m². NOTE: one proposed dwelling on this site
55.03-2 TOTAL BUILDING HEIGHT 6.206m (RL29.913)
NOTE: top of ridgepole above NGL as shown
55.03-3 TOTAL BUILDING SITE COVERAGE 209m² (25%) includes the following:
Proposed residence (lower level) = 146.0m²
Carparking platform and storage = 63.0m²

PROPOSED DEVELOPMENT SUMMARY (In accordance with Clause 55)
55.03-4 TOTAL PERVIOUS (HARD) SURFACES 40m² (5%) includes the following:
elevated terrace = 31.0m²
entry bridge = 09.0m²
NOTE: In addition to rain water collection, excluding the proposed building footprint the remainder of the site accommodates 607m² (74%) of ground level pervious surfaces (gardens, open outdoor areas) to allow for site soakage and stormwater dissipation.

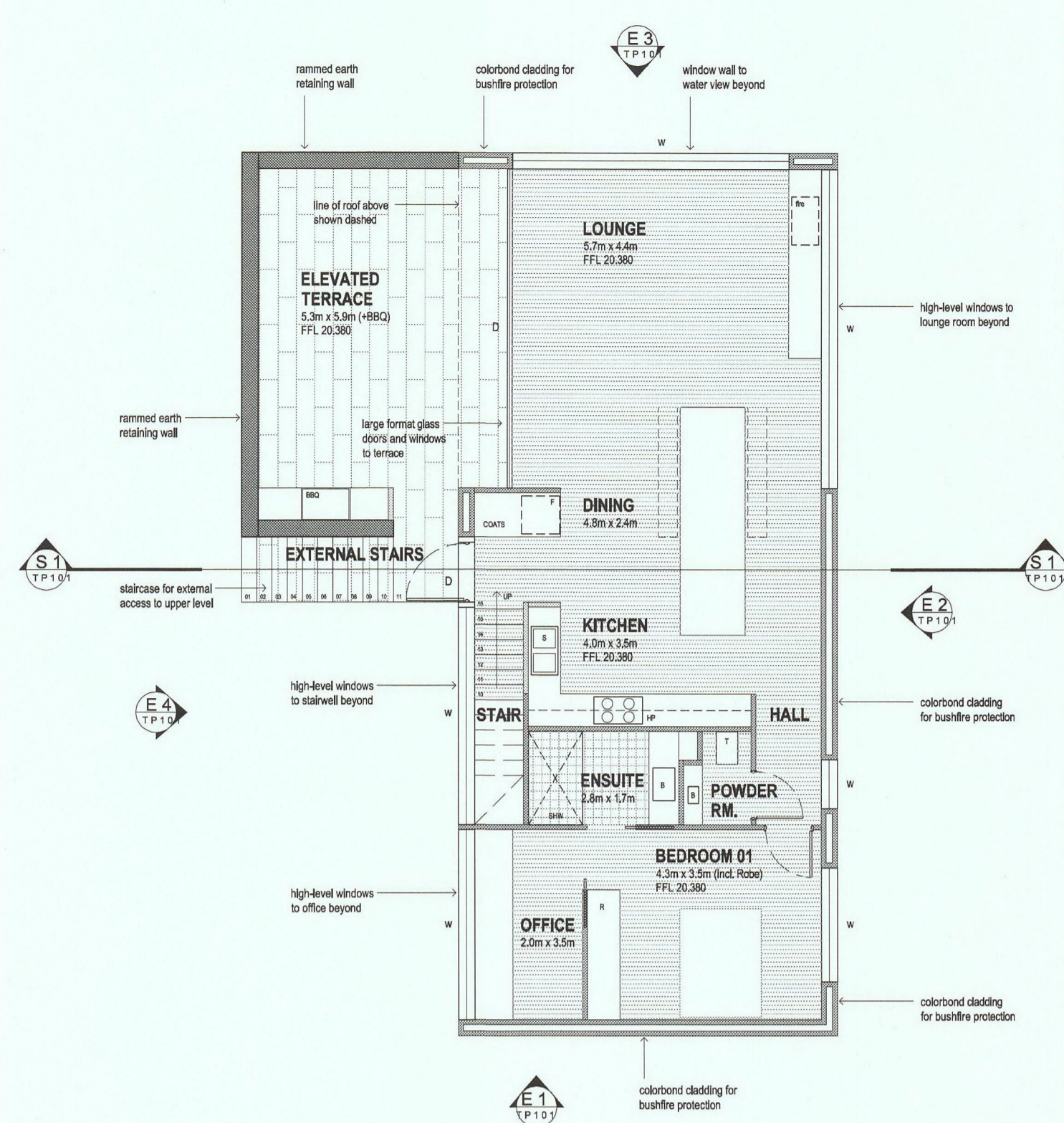
PROPOSED DEVELOPMENT SUMMARY (In accordance with Clause 55)
55.05-4 TOTAL PRIVATE OPEN SPACE 40m² (5%) includes the following:
elevated terrace = 31.0m²
entry bridge = 09.0m²
NOTE: The remaining private open space of the wider landscape contributes a further 607m² to the usable open space on the site. The total POS equates to approx. 79% of the total site area.

TP100. PROPOSED - HOUSE 01

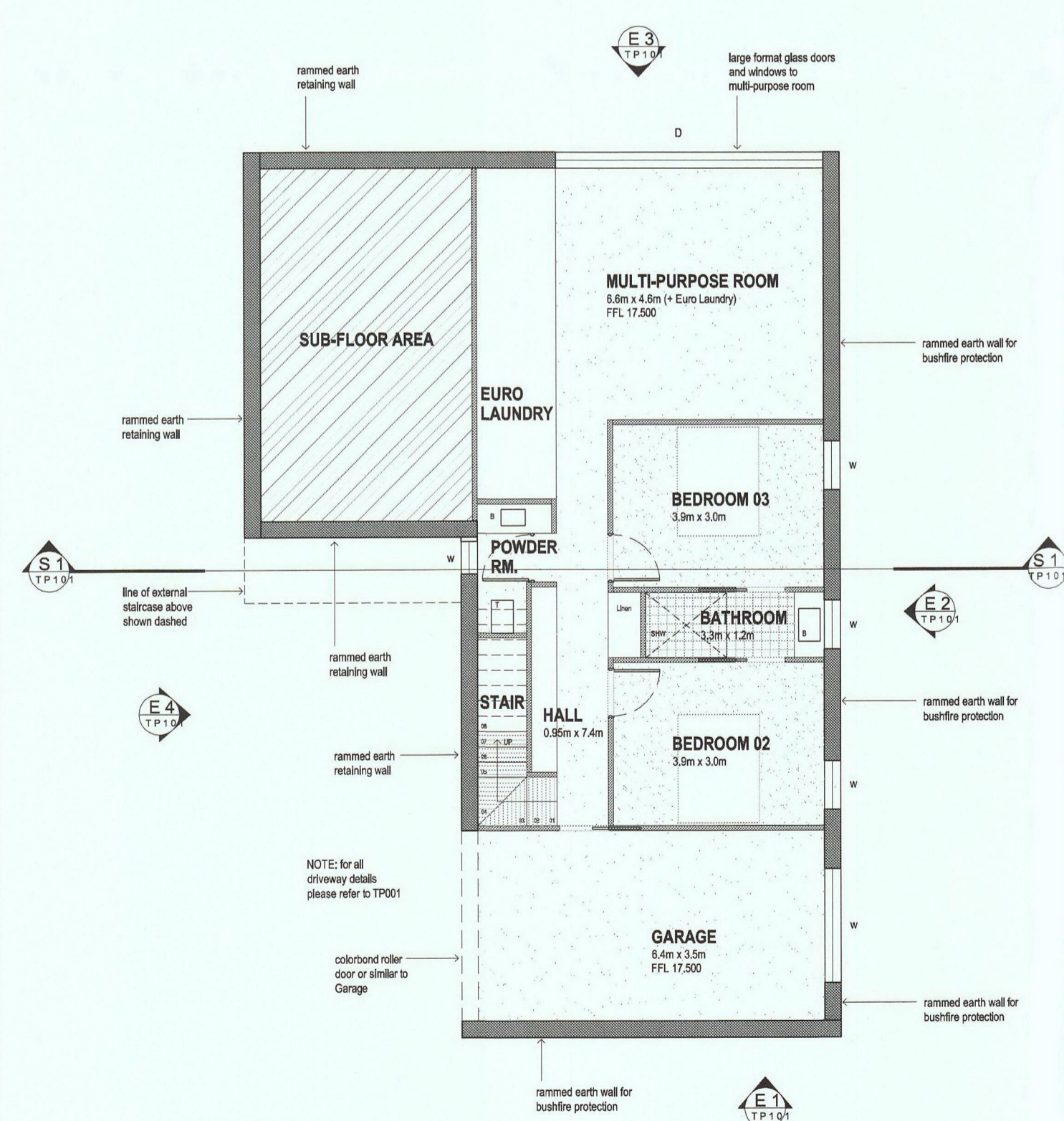
NEW DEVELOPMENT PROPOSAL - 1:100 @ A1

21 RIVERSIDE DRV, WYE RIVER
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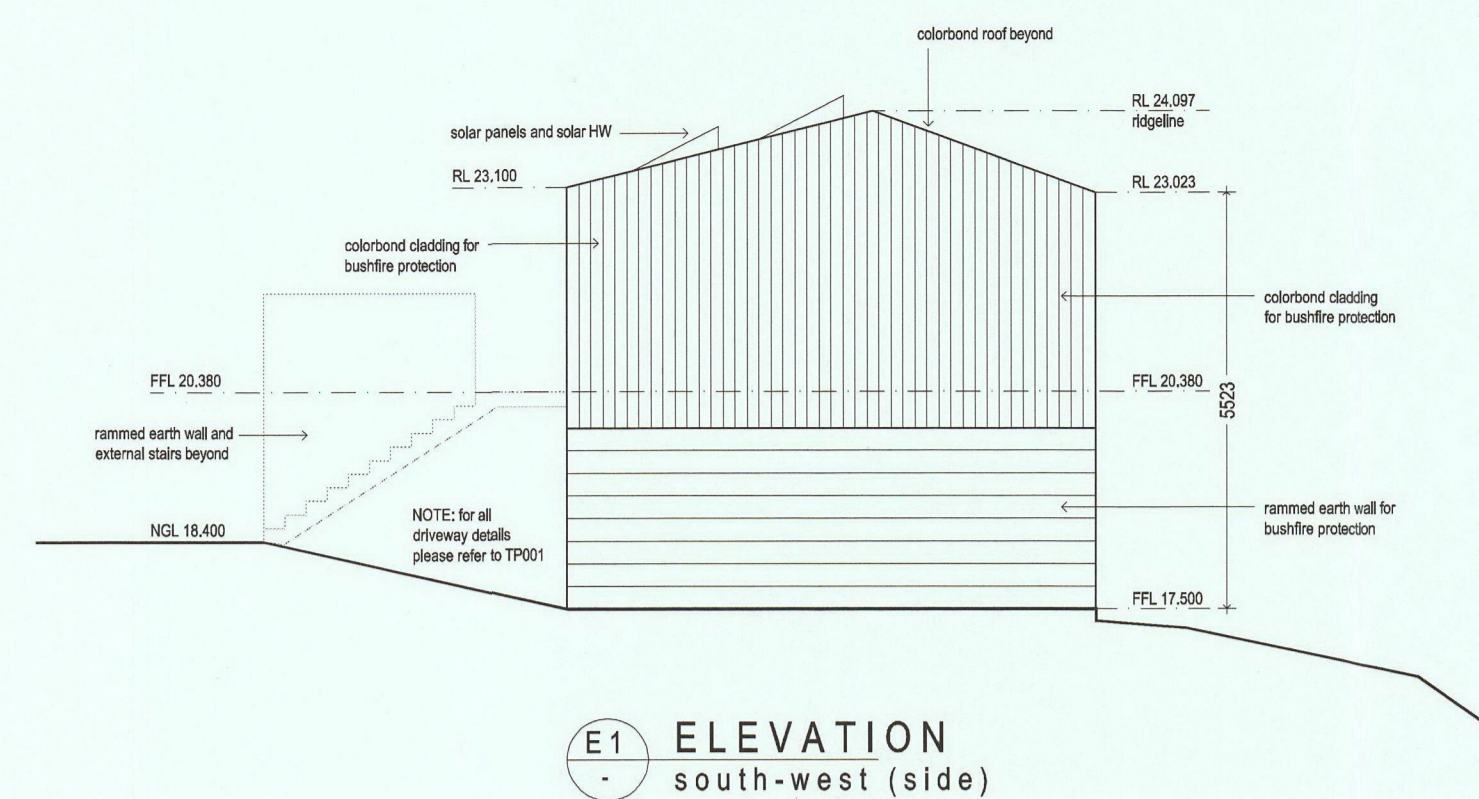
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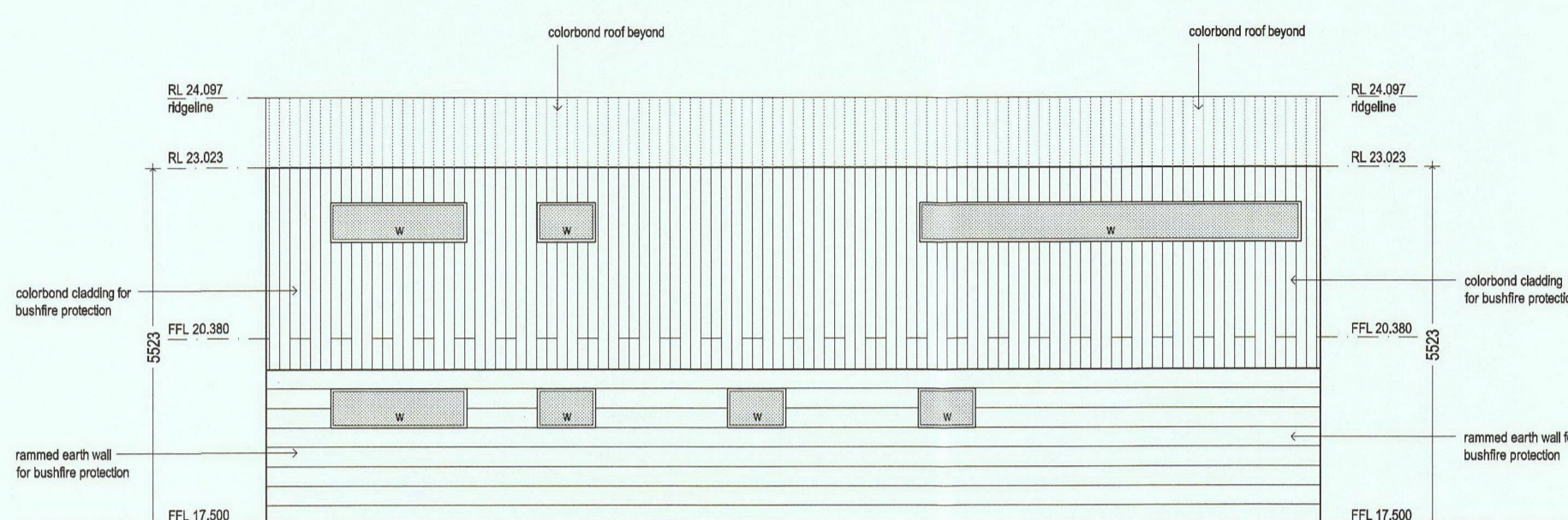
P1 PLAN upper floor level
proposed plan



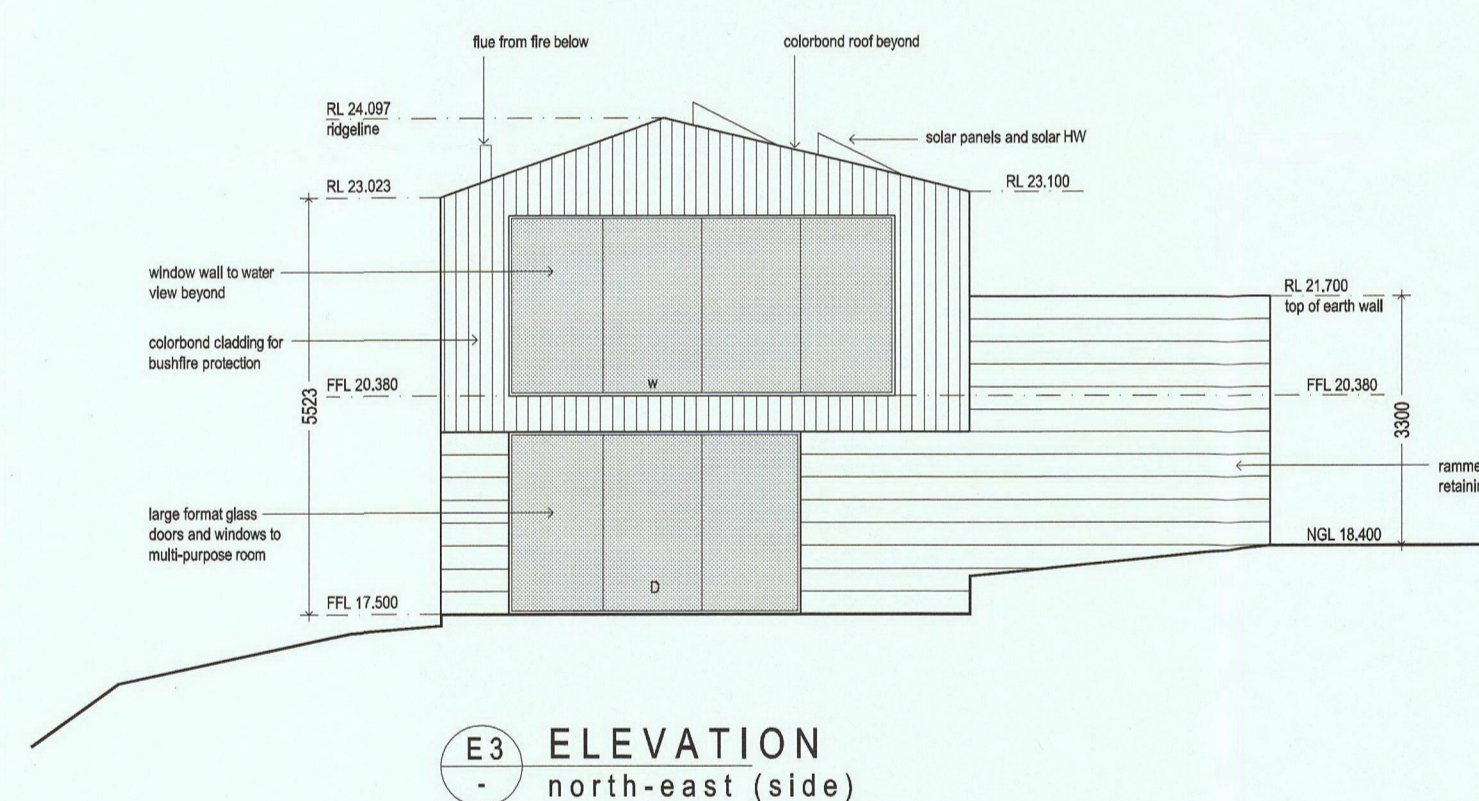
P2 PLAN lower floor level
proposed plan



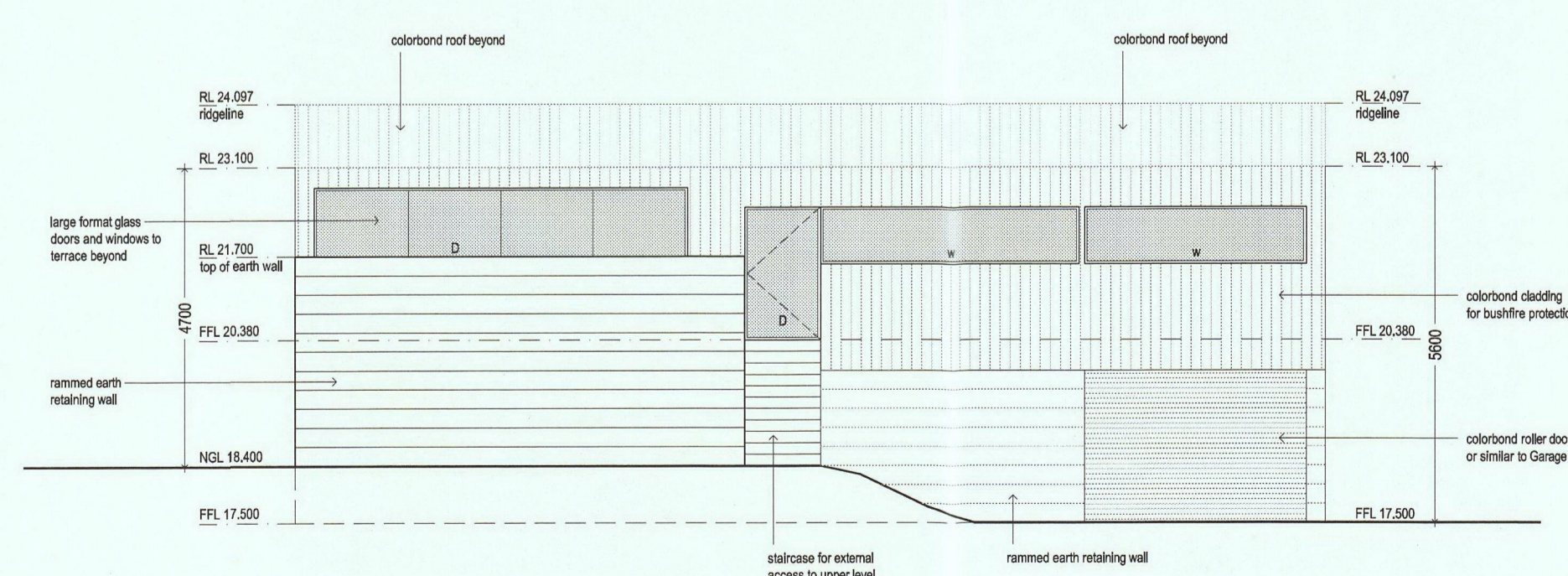
E1 ELEVATION
south-west (side)



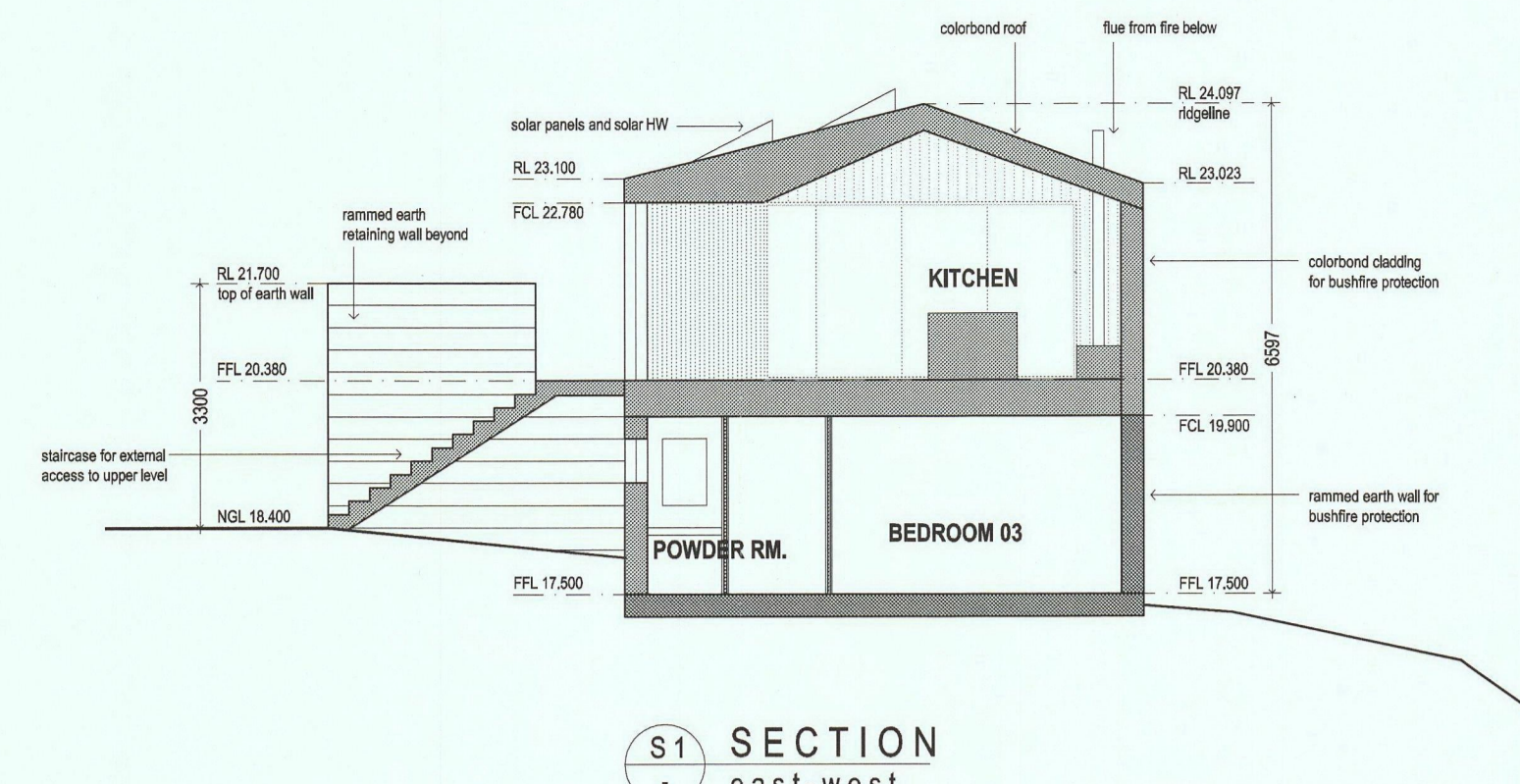
E2 ELEVATION
south-east (rear)



E3 ELEVATION
north-east (side)



E4 ELEVATION
north-west (front elevation)



S1 SECTION
east-west

PROPOSED DEVELOPMENT SUMMARY - HOUSE 02
(In accordance with Clause 55)
55.01-1 TOTAL SITE AREA 800m². NOTE: one proposed dwelling on this site
55.03-2 TOTAL BUILDING HEIGHT 6.907m (RL24.097)
NOTE: top of ridge/line above NGL as shown
55.03-3 TOTAL BUILDING SITE COVERAGE 147m² (18%) Includes the following:
Proposed residence = 147.0m²
NOTE: this includes the elevated terrace and external staircase

PROPOSED DEVELOPMENT SUMMARY (In accordance with Clause 55)
55.03-4 TOTAL PERVIOUS (HARD) SURFACES 35m² (4.5%) includes the following:
elevated terrace = 28.5m²
external staircase = 6.5m²
NOTE: In addition to rain water collection, excluding the proposed building footprint the remainder of the site accommodates 653m² (81.5%) of ground level pervious surfaces (gardens, open outdoor areas) to allow for site soakage and stormwater dissipation.

PROPOSED DEVELOPMENT SUMMARY (In accordance with Clause 55)
55.05-4 TOTAL PRIVATE OPEN SPACE 35m² (4.5%) includes the following:
elevated terrace = 28.5m²
external staircase = 6.5m²
NOTE: The remaining private open space of the wider landscape contributes a further 653m² to the usable open space on the site. The total POS equates to approx. 86% of the total site area.

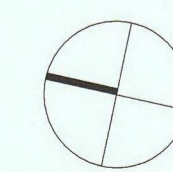
TP101. PROPOSED - HOUSE 02

NEW DEVELOPMENT PROPOSAL - 1:100 @ A1

21 RIVERSIDE DRV, WYE RIVER

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