

# Planning report

*for*

Construct a single dwelling and outbuilding on a lot

**9 Matheson Street (Lot 6) Bolwarra, Vic 3305**



**Seabreeze Design**  
the creative building designers

Glenelg Shire – planning dept.  
Cliff St  
Portland 3305

**Re: Planning application – construct a single dwelling and outbuilding on a lot  
9 Matheson Street Bolwarra, Vic 3305**

Please find enclosed supporting documentation for a planning permit application as per the above-mentioned proposed works.

Documents included are;

- Completed & signed Planning Permit Application form.
- Full payment of the appropriate application fee (via online planning portal).
- A copy of Certificate of Title for the subject land and additional details where required.
- A Cultural Heritage Management Plan form & supporting document.
- A summary/report (attached) addressing overlays and compliance with the Glenelg Planning Scheme.
- 1 electronic set of scaled A3 drawings including Site Context plan, Design Development plan, Proposed Floor plans, Proposed Elevations notating materials, photos & perspectives.

**SITE:-** 9 MATHESON STREET BOLWARRA - LOT 6 LP76251  
**EXISTING USE:-** VACANT LAND  
**PROPOSED WORKS:-** CONSTRUCTION OF A SINGLE DWELLING AND OUTBUILDING.

**ZONES & OVERLAYS:-** RURAL LIVING ZONE (RLZ)  
RURAL LIVING ZONE - SCHEDULE 1 (RLZ1)  
BUSHFIRE MANAGEMENT OVERLAY (BMO)

Please feel free to contact me if you require any additional information.

With regards



**Scott McFarlane**  
Seabreeze Design

## Proposal

This application is for the development of land for the use of a single dwelling and outbuilding (garage/shed) as per drawings supplied with this application. The land was initially subdivided for the purpose of residential development and is within an existing rural/residential settlement with all services accessible for connection.

The proposed design of the buildings is considerate of its coastal surrounds and other buildings in the immediate area. It can be safely assumed that the vacant lots to each side will also contain dwellings with the current and foreseeable future demand for coastal residential housing in this area.

This precinct (commonly referred to as 'Dutton Way') contains affordable property, desirable for investment and coastal living unlike any other land within Victoria, and 'appropriate' residential housing should be supported with the current shortfall of housing the Portland area is, and has been experiencing for some time.

The proposed development will connect to existing reticulated services and provide a pleasing aesthetic to the neighbourhood with a newly-built home along a street that hasn't seen a new home built for decades. The two-storey 'coastal' designed home will improve the streetscape and address housing & rental demand whilst providing confidence to build for the remaining vacant lots in the area.

## 35.03 RURAL LIVING ZONE

### Purpose

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

*To provide for residential use in a rural environment.*

*To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.*

*To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.*

*To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision."*

### 35.03-1 Table of uses

#### Section 2 – Permit required

<b>Dwelling (other than Bed and breakfast) - if the Section 1 condition is not met.</b>	Must meet the requirements of Clause 35.03-2.
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### 35.03-2 Use of land for a dwelling or small second dwelling

*A lot used for a dwelling or small second dwelling must meet the following requirements:*

- Access to the dwelling or small second dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.*
- Each dwelling or small second dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from each dwelling must be treated and retained within the lot in accordance with the requirements of the Environment Protection Regulations under the Environment Protection Act 2017 for an on-site wastewater management system.*

- The dwelling or small second dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling or small second dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

## Comment

This application is for a planning permit to construct a single dwelling and outbuilding on a lot as shown on the drawings supplied.

All provisions of 35.03-2 will be met.

## 35.03-4 Buildings and works

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.03-1. This does not apply to:
  - An alteration or extension to an existing dwelling provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 200 square metres. Any area specified must be more than 200 square metres.
  - An out-building associated with an existing dwelling provided the floor area of the out-building is not more than the area specified in a schedule to this zone or, if no area is specified, 250 square metres. Any area specified must be more than 250 square metres.
  - An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension is not more than the area specified in the schedule to this zone or, if no area is specified, 250 square metres. Any area specified must be more than 250 square metres. The building must not be used to keep, board, breed or train animals.
- A rainwater tank.
- Earthworks specified in a schedule to this zone, if on land specified in a schedule.
- A building which is within any of the following setbacks:
  - The setback from a Transport Zone 2 or land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the purpose of the acquisition is for a road, specified in the schedule to this zone or, if no setback is specified, 30 metres.
  - The setback from any other road or boundary specified in the schedule to this zone.
  - The distance from a dwelling not in the same ownership specified in the schedule to this zone.
  - 30 metres from a small second dwelling not in the same ownership.
  - 100 metres from a waterway, wetlands or designated flood plain or, the distance specified in the schedule to this zone. Any distance specified must be less than 100 metres.
- A building or works associated with accommodation located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.

## Comment

None of the above provisions apply.

## 35.03-5 Decision Guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

### General issues

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development.
- Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.
- The potential for accommodation to be adversely affected by vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.

### Agricultural issues

- The capacity of the site to sustain the agricultural use.
- Any integrated land management plan prepared for the site.
- The potential for the future expansion of the use or development and the impact of this on adjoining and nearby agricultural and other land uses.

### Environmental issues

- The impact on the natural physical features and resources of the area and in particular any impact caused by the proposal on soil and water quality and by the emission of noise, dust and odours.
- The impact of the use or development on the flora, fauna and landscape features of the locality.
- The need to protect and enhance the biodiversity of the area, including the need to retain vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

### Design and siting issues

- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
- Whether the use or development will require traffic management measures.
- The need to locate and design buildings used for accommodation to avoid or reduce the impact from vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.

## Comment

The subject site is located in a Rural Living Zone and within an existing residential settlement containing lots with homes of similar size and form with access to connect to all existing services on site.

The proposed home and outbuilding are accessed from a formalised limestone road and have been designed to complement the existing surrounds and provide a comfortable home with ocean views and a coastal lifestyle for the owners, who intend on residing in the home as a permanent residence.

Surrounding land to the North is used for agricultural purposes and the proposed dwelling will not impede the farming values of this area.

Adjoining sites consist of residential buildings of mixed architectural construction styles and the proposed dwelling and outbuilding are not uncommon or out of place in the coastal setting.

The proposed dwelling and outbuilding will reduce the current shortage of housing in and around Portland with a well-designed for long-term residential occupancy.

## 44.06 BUSHFIRE MANAGEMENT OVERLAY

### Purpose

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

*To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.*

*To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.*

*To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level."*

## 44.06-2 PERMIT REQUIREMENT

### Buildings and works

A permit is required to construct a building or construct or carry out works associated with the following uses:

- Accommodation (including a moveable unit as defined under the Housing Act 1983)

## 44.06-3 APPLICATION REQUIREMENTS

Unless a schedule to this overlay specifies different requirements, an application must be accompanied by:

- A **bushfire hazard site assessment** including a plan that describes the bushfire hazard within 150 metres of the proposed development. The description of the hazard must be prepared in accordance with Sections 2.2.3 to 2.2.5 of AS3959:2018 Construction of buildings in bushfire prone areas (Standards Australia) excluding paragraph (a) of section 2.2.3.2. Photographs or other techniques may be used to assist in describing the bushfire hazard.
- A **bushfire hazard landscape assessment** including a plan that describes the bushfire hazard of the general locality more than 150 metres from the site. Photographs or other techniques may be used to assist in describing the bushfire hazard. This requirement does not apply to a dwelling that includes all of the approved measures specified in Clause 53.02-3.
- A **bushfire management statement** describing how the proposed development responds to the requirements in this clause and Clause 53.02. If the application proposes an alternative measure, the bushfire management statement must explain how the alternative measure meets the relevant objective.

If in the opinion of the responsible authority any part of these requirements is not relevant to the assessment of an application, the responsible authority may waive, vary or reduce the requirement.

#### 44.06-4 REQUIREMENTS OF CLAUSE 53.02

An application must meet the requirements of Clause 53.02 unless the application meets all of the requirements specified in a schedule to this overlay.

#### 44.06-5 MANDATORY CONDITION

##### Buildings and works

A permit to construct a building or construct or carry out works must include the following condition:

"The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed."

##### Comment

This site is within a BMO, and no schedules apply. A Bushfire Management Plan and Statement specific to the hazards assessed for this site and proposed development is provided with this application for assessment by the relevant fire authority.

##### In summary

The proposed dwelling and outbuilding will make use of what is currently a vacant residential-sized allotment within an existing rural/residential settlement. The proposed development meets all provisions of the RLZ, and can be constructed to the relevant BAL rating as per attached BMS/BMP to meet the requirements of the BMO.

Whilst the North grassland contains a bushfire risk, this is addressed with the defensible space on site, distance from the dwelling to the grassland and further managed via screening provided by the concrete blockwork garage/shed. It can be assumed that the adjoining properties to the North & South will be maintained and developed for dwellings in the near future, further reducing the risk of bushfire attack.

This report, including the scaled drawings, addresses the State, Regional and Local Planning Policy Framework, including the Municipal Planning Strategy whilst meeting the requirements of the applicable zone and overlay provisions.