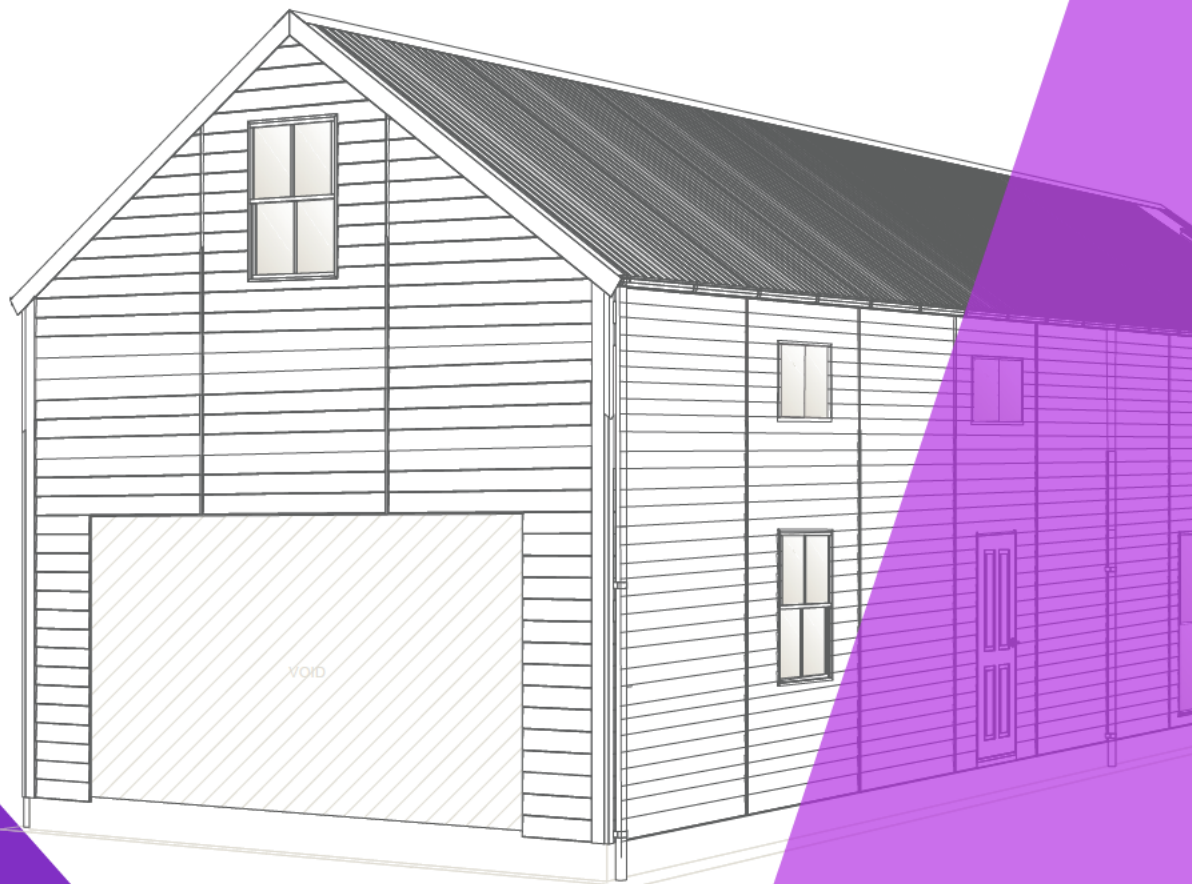


Planning Application for a 2nd Dwelling

Includes
attachments for Clause 55 & 65 Assessments,
Context Plans & Site Plan

Version 2 - 26.01.2025



18 Beverley Street PORTLAND



26 January 2025

Planning Department
Glenelg Shire Council
Cliff Street PORTLAND

Dear Planning Department

Please refer to the following documents for the application for the Development of a Second Dwelling on 18 Beverley Street as required under the Glenelg Planning Scheme. The application documentation includes the following:

1. Application Form
2. Registered Search Statement
3. Planning Report
4. Clause 55 Assessment
5. Clause 65 Assessment
6. Site & Context Plans
9. Elevations & Materials and Colour Schedule

I note, consolidation of Lots 1, 2 & 3 TP439260 will be sought via procedural process under the Subdivision Act in order to qualify for a second dwelling on a lot..

Sincerely



Office Use Only

Application No.:

Date Lodged: / /

Application for Planning Permit

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

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

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

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

Clear Form

The Land

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

Street Address *

| | | |
|---------------------------|-------------|--------------------|
| Unit No.: | St. No.: 18 | St. Name: Beverley |
| Suburb/Locality: Portland | | Postcode: 3305 |

Formal Land Description *

Complete either A or B.

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

| | | | | | |
|-----------------------|----------------------|-----------------------------------|---|---|--------------|
| A | Lot No.: 1,2,3 | <input type="radio"/> Lodged Plan | <input checked="" type="radio"/> Title Plan | <input type="radio"/> Plan of Subdivision | No.: 439260M |
| OR | | | | | |
| B | Crown Allotment No.: | | Section No.: | | |
| Parish/Township Name: | | | | | |

If this application relates to more than one address, please submit the details on a separate sheet.

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.

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

If you need help about the proposal, read:

[How to Complete the Application for Planning Permit Form](#)

Development of a second dwelling on a lot.

📎 Provide additional information on the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal.

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

Cost \$ 250000

⚠ You may be required to verify this estimate.

Insert '0' if no development is proposed (eg. change of use, subdivision, removal of covenant, liquor licence)

Existing Conditions

④ Describe how the land is used and developed now *

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

Accommodation

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


Title Information

5 Encumbrances on title *

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

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

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

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

Applicant and Owner Details

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

Applicant *

Name:

The person who wants the permit.

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

*Please provide at least one contact phone number **


Owner *

The person or organisation who owns the land

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

Declaration

7 This form must be signed by the applicant *

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

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

Signature:

Date: 2/2/2025

day / month / year

Need help with the Application?

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

General information about the planning process is available at www.planning.vic.gov.au/permits-and-applications/permits-and-applications-home

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

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


☒ No ☐ Yes


Checklist

- 9 Have you:

☐ Filled in the form completely?

☐ Paid or included the application fee?

 Most applications require a fee to be paid. Contact Council to determine the appropriate fee.

 Provided all necessary supporting information and documents?

☐ A full, current copy of title information for each individual parcel of land forming the subject site

☐ A plan of existing conditions.

☐ Plans showing the layout and details of the proposal

☐ Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.

☐ If required, a description of the likely effect of the proposal (eg traffic, noise, environmental impacts).

☐ Completed the relevant Council planning permit checklist?

☐ Signed the declaration (section 7)?

Lodgement

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

Glenelg Shire Council
PO Box 152 Portland VIC 3305
Cliff Street Portland VIC 3305

Contact information:

Telephone: +61 03 5522 2187

Email: planning@glenelg.vic.gov.au

Deliver application in person, by email or by post:

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

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

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

Page 1 of 1

VOLUME 06199 FOLIO 777

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LAND DESCRIPTION

Lots 1,2 and 3 on Title Plan 439260M.
PARENT TITLE Volume 03329 Folio 619
Created by instrument 1688823 25/05/1938

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP439260M FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

| NUMBER | STATUS | DATE |
|--------|--------|------|
|--------|--------|------|

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

ADMINISTRATIVE NOTICES

NIL

DOCUMENT END

| TITLE PLAN | | EDITION 1 | TP 439260M | | | | | | | | | | |
|---|--|---|--|-----------------------------|--|---|--|-----------------------|--|-----------------------|--|-----------------------|--|
| Location of Land Parish: PORTLAND Township: PORTLAND Section: 9A Crown Allotment: 10(PT), 11(PT), 12(PT) Crown Portion: Last Plan Reference: Derived From: VOL 6199 FOL 777 Depth Limitation: NIL | | Notations ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN | | | | | | | | | | | |
| Description of Land / Easement Information | | | THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 16/05/2000 VERIFIED: SO'C | | | | | | | | | | |
| | | | | | | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="text-align: center;">TABLE OF PARCEL IDENTIFIERS</th> </tr> </thead> <tbody> <tr> <td colspan="2" style="font-size: small;">WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962</td> </tr> <tr> <td style="width: 50%;">PARCEL 1 = CA 10 (PT)</td> <td></td> </tr> <tr> <td>PARCEL 2 = CA 11 (PT)</td> <td></td> </tr> <tr> <td>PARCEL 3 = CA 12 (PT)</td> <td></td> </tr> </tbody> </table> | | | | TABLE OF PARCEL IDENTIFIERS | | WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962 | | PARCEL 1 = CA 10 (PT) | | PARCEL 2 = CA 11 (PT) | | PARCEL 3 = CA 12 (PT) | |
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| PARCEL 2 = CA 11 (PT) | | | | | | | | | | | | | |
| PARCEL 3 = CA 12 (PT) | | | | | | | | | | | | | |
| LENGTHS ARE IN FEET & INCHES | | Metres = 0.3048 x Feet Metres = 0.201168 x Links | | | | | | | | | | | |
| | | | Sheet 1 of 1 sheets | | | | | | | | | | |

Planning Report

The following outcomes concluded by this report are designed to accord with the relevant objectives of the Planning and Environment Act 1989 and requirements featured within the Glenelg Planning Scheme, in particular those directly responding to the development of two dwellings on a lot.

1. Property Details

The subject site is known as 18 Beverley Street which consists of 3 CA lots under one title. It is the intent is to provide a 2nd dwelling on the lot prior to re-developing the existing dwelling.

2. Site Context

The 3 Crown Allotments which make up 18 Beverley Street is a direct result of the subdivision in 1939 which created 18 Beverley Street from the partition of parts of Section 9A, 11 & 12 Allotments. The main dwelling would later be built in 1952 - 53 and has kept its form to this day, and covers an area of approximately 120m².

The site has two outbuildings, the largest at 28m² used for garage (Lot 1), the other is used as a laundry (Lot 3). There is a slight slope upwards from west to east, an established lemon tree and vegetable gardens at the rear of the lot. Access is via Beverley Street and the garage is accessed from an existing crossover and 2.2m wide lane-way on the northern side of the lot.



3. Local Context

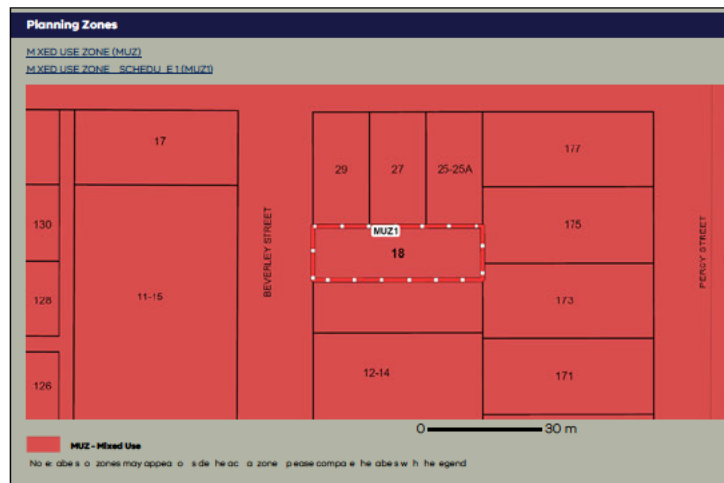
Beverley Street has a history of both residential, commercial and light industrial which has created a non-uniform character which incorporates motor vehicle repair, higher education (Tafe College), Portland's largest hardware store (Mitre 10) and residential activities. This mixed use character was largely shaped by the zoning regimes which attempted to utilise the areas proximity to both the rail station and the central business district. The immediate area is beginning to see some investment, with the construction of a new commercial building at 175 Percy, the redevelopment of the former needle factory and signs of gentrification within the street itself. The proposed development will foster the continuation of this trend.

4. Site History

P24112 – Creation of a easement for vehicle access - carriageway easement approved on Lot 2 to access Lot 1.

5. Relevant Zoning and Overlays

Under the Glenelg Planning Scheme, general land use and development controls are applied through the MUZ1 - Mixed Use Zone - Schedule 1 - Clause 32.04.



Schedule 1 - CENTRAL PORTLAND EMPLOYMENT PRECINCT seeks to:

- To encourage a mix of well-designed commercial and residential development, and limited other compatible uses including low-impact industry and storage.

6. Relevant Planning Provisions

The development of a second dwelling on the site triggers a planning permit under the following provisions:

- Clause 32.04-6 - Construction and extension of a small second dwelling on a lot.

Clause 32.04-6

The second dwelling comprises of a 3-bedroom dwelling with internal garage.

Dwelling

Siting of the dwelling has been proposed within Lot 1 TP439260, 1.4m from the northern and eastern boundaries. The building is in the style of a 'Barnhouse' constructed from timber weatherboards and colourbond roofing with a 30° pitch roof, at a height of 6.54m from ground level to the highest pitch. The approximate dimensions for the building 18m x 5.4m, covering an area of 101.6m². Internally, the dwelling will include 3 bedrooms, 2 bathrooms and addition WC, basement, two bay garage and a kitchen/dining room.

The proposal has been assessed in accordance with Clause 32.04-8 and decision guidelines of Clause 32.04-15. A review of the building against the relevant objectives and standards of Clause 55 found seven breaches, these include standards B6, B10, B12, B17, B23, B26 & B29. Variations to these standards have been proposed which attempt to meet the objectives.

Overall, the proposal seeks a multipurpose building which is consistent with expectations set out in the Mixed Use Zone and existing character of the area. I have not sought to place a generic cookie cutter form of accommodation designed for new estates, rather a design which has been informed by the areas utilitarian and eclectic built environment. The building seeks to address some of the shortfalls of the existing dwelling and as a intermediate solution to later re-develop the existing dwelling. This includes secure garage (as the existing garage is unable to fit a sedan sized vehicle), storage space (basement), multiple bathrooms and more modern living spaces. The dwelling has been designed around existing established garden and open space areas in the place of the existing garage and former outbuildings. Its appearance follows a design process which originally started as a project to replace the garage, which would later include living spaces. Sufficient messaging on the facade will inform visitors that the building is a separate dwelling. Breaches in the standards are all minor or unavoidable (due to the site configuration), alternative solutions have been proposed.

CLAUSE 55 ASSESSMENT

18 Beverley Street - PORTLAND

| 55.02 NEIGHBOURHOOD CHARACTER AND INFRASTRUCTURE | | | | |
|---|------|---|------|---|
| 55.02-1 Neighbourhood Character | Met? | Standard B1 | Met? | Comments |
| <p><i>To ensure that the design respects the existing neighbourhood character or contributes to neighbourhood character.</i></p> <p><i>To ensure that development responds to the features of the site and the surrounding area</i></p> | Yes | <i>The design response must be appropriate to the neighbourhood and the site.</i> | Yes | <p>The area is identified as the CENTRAL PORTLAND EMPLOYMENT PRECINCT (MUZ1), which seeks to</p> <ul style="list-style-type: none"> To encourage a mix of well-designed commercial and residential development, and limited other compatible uses including low-impact industry and storage. To improve the visual amenity of the area. <p>Neighbourhood Context: The transition from residential to service industry, light industrial to mixed use has informed the built form in Beverley Street since the 1920's when the street was first subdivided from the original crown allotments. This legacy has left a mix of industrial, commercial and residential uses in the street.</p> <p>In terms of dwelling designs within the southern block of Beverley Street, there are a range periods represented from Victorian 3, 10, 12-14 (although this was moved to the site in 2001) & 16A. Interwar 5, 8, 17 & 18 and Contemporary 6 & 7.</p> <p>A common characteristic of the street is the large industrial sheds, located at rear of lots. These appear at number 6, 12-14, 16A and 17 and was a result of the period the area was zoned Service Industry and INZ3. Commercial operations also exist at the old Hypodermic Needle Factory 11 -15 (now mechanic) & 16A (car detailer). As for multiple dwellings, number 3 Beverley St is yet to finalise its two-lot subdivision and remains as 2 dwellings on a lot.</p> <p>Overall, the character of the area is eclectic with development controls that encourage residential, commercial and light industrial activities that respects the neighbourhood. This development is not out of place.</p> |
| | | <i>The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site</i> | Yes | |

CLAUSE 55 ASSESSMENT

18 Beverley Street - PORTLAND

| 55.02-2 Residential Policy | Met? | Standard B3 | Met? | Comments |
|---|------|--|------|---|
| <p>To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</p> <p>To support medium densities in areas where development can take advantage of public transport and community infrastructure and services</p> | Yes | <p>An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</p> | Yes | <p>Statement of consistency with housing policies.</p> <p>The proposed development is consistent with the relevant policies for housing in the State Planning Policy Framework (SPPF) and the Local Planning Policy Framework (LPPF), including the Municipal Strategic Statement (MSS) and local planning policies, as outlined below:</p> <p><i>State Planning Policy Framework (SPPF):</i></p> <ul style="list-style-type: none"> • Clause 16.01-1S (Integrated Housing): The development supports the objective of promoting a housing market that meets community needs by providing additional housing within an established urban area. This aligns with the policy to increase the supply of housing in existing urban areas and to promote a range of housing types. • Clause 16.01-2S (Location of Residential Development): The site is well-located in terms of access to services, public transport, and employment opportunities, supporting the policy to encourage higher density housing development in locations with good access to these amenities. <p><i>Local Planning Policy Framework (LPPF):</i></p> <ul style="list-style-type: none"> • Clause 21.03 (Settlement): The development aligns with the strategic direction to accommodate population growth within existing urban areas, thereby reducing the pressure on rural and undeveloped land. |

CLAUSE 55 ASSESSMENT

18 Beverley Street - PORTLAND

| | | | |
|--|--|--|--|
| | | | <ul style="list-style-type: none">• Clause 21.04 (Housing): The proposal contributes to the diversity of housing types and densities in Portland, supporting the policy to provide a range of housing options to meet the needs of the community. <p><i>Municipal Strategic Statement (MSS):</i></p> <ul style="list-style-type: none">• Clause 21.05 (Built Environment and Heritage): The design of the new dwelling respects the existing neighbourhood character and enhances the built environment. The development incorporates sustainable design principles, including energy-efficient building materials and orientation to maximize natural light and ventilation. <p><i>Local Planning Policies:</i></p> <ul style="list-style-type: none">• Clause 22.01 (Urban Design): The proposed development adheres to the urban design principles outlined in the local policies, ensuring that the new dwelling is visually compatible with the existing house and the surrounding area. The design includes appropriate setbacks, landscaping, and building materials that complement the existing streetscape. <p>Overall, the existing house on the lot covers 101sqm of the 640sqm site, leaving ample space for the proposed second dwelling. The development will maintain adequate open space, provide sufficient parking with the option of on street parking available, and ensure that the overall site coverage remains within the permissible limits.</p> |
|--|--|--|--|

CLAUSE 55 ASSESSMENT

18 Beverley Street - PORTLAND

| 55.02-3 Dwelling Diversity | Met? | Standard B3 | Met? | Comments |
|--|------|---|------|---|
| To encourage a range of dwelling sizes and types in developments of ten or more dwellings | N/A | Developments of ten or more dwellings should provide a range of dwelling sizes and types, including: <ul style="list-style-type: none">Dwellings with a different number of bedrooms.At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level. | N/A | Proposal is for a second dwelling. |
| 55.02-4 Infrastructure | Met? | Standard B4 | Met? | Comments |
| To ensure development is provided with appropriate utility services and infrastructure. To ensure development does not unreasonably overload the capacity of utility services and infrastructure. | Yes | Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available. | Yes | Reticulated services are available to the site. |
| | | Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads. | Yes | |
| | | In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure. | N/A | |
| 55.02-4 Integration With The Street | Met? | Standard B5 | Met? | Comments |
| To integrate the layout of development with the street | Yes | Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility. | Yes | Vehicle and pedestrian links to the new dwelling will be provided via the existing driveway. |
| | | Development should be oriented to front existing and proposed streets | Yes | Vehicle entry is orientated to the front. |
| | | High fencing in front of dwellings should be avoided if practicable | N/A | No front fencing proposed, and the site is not adjoining open space. |
| | | Development next to existing public open space should be laid out to complement the open space. | N/A | |
| 55.03 SITE LAYOUT AND BUILDING MASSING | | | | |
| 55.03-1 Street Setback | Met? | Standard B6 | Met? | Comments |
| To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site | Yes | Walls of buildings should be set back from streets the distance specified below: There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner: The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. | No | 18 Beverley Street: 5.82m 16A Beverley Street: 9m The existing house was constructed in the 1950's. The current setback of 5.8m was approved at the time. This proposal does not alter the setback that has been in place for more than 70 years. |

CLAUSE 55 ASSESSMENT

18 Beverley Street - PORTLAND

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|--|-------------|---|-------------|--|
| | | <i>Porches, pergolas and verandahs that are < 3.6m high and eaves may encroach ≤ 2.5m into the setbacks of this standard</i> | N/A | Not proposed. |
| 55.03-2 Building Height | Met? | Standard B7 | Met? | Comments |
| <i>To ensure that the height of buildings respects the existing or preferred neighbourhood character</i> | Yes | <i>The maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.</i> | Yes | Building height = 6.54m |
| 55.03-3 Site Coverage | Met? | Standard B8 | Met? | Comments |
| <i>To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.</i> | Yes | <i>The site area covered by buildings should not exceed 60 per cent.</i> | Yes | 245 = 38.1% Includes existing dwelling, new dwelling and outbuilding. Existing garage will be removed. |
| 55.03-4 Permeability | Met? | Standard B9 | Met? | Comments |
| <i>To reduce the impact of increased stormwater run-off on the drainage system To facilitate on-site stormwater infiltration</i> | Yes | <i>The site area covered by the pervious surfaces should be at least 20% of the site.</i> | Yes | 249.6 = 38.8% Includes both front and rear garden areas. |
| | | <i>The stormwater management system should be designed to:</i> <ul style="list-style-type: none"> <i>Meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).</i> <i>Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.</i> | Yes | A 2500L slim water tank will be located on the eastern or northern side of the new dwelling. Concrete pathways to be removed near new dwelling in favour of permeable gravel sand. Vegetation to be planted along northern boundary before connection to existing stormwater system is connected to new house. |

CLAUSE 55 ASSESSMENT

18 Beverley Street - PORTLAND

| 55.03-5 Energy Efficiency | Met? | Standard B10 | Met? | Comments |
|---|------|---|-----------|---|
| <p>To achieve and protect energy efficient dwellings and residential buildings</p> <p>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy</p> | Yes | <p>Buildings should be:</p> <ul style="list-style-type: none"> Orientated to make appropriate use of solar energy Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced | No | <p>Building will have a 6 star rating.</p> <p>The living area on the ground floor faces the POS is located on the southern side of the building.</p> <p>ALTERNATIVE SOLUTION</p> <p>The lot configuration offers some challengers in terms of maximizing the northern light. In order to offset these deficiencies, the use of sky lights has been incorporated into the design. This will provide additional light into the living/dining room and into the upper floor area.</p> |
| | | Living areas and private open space should be located on the north side of the development if practicable | No | |
| | | Developments should be designed so that solar access to north-facing windows is maximised | No | |
| | | <p>The stormwater management system should be designed to:</p> <ul style="list-style-type: none"> Meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999). Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces. | Yes | <p>Stormwater will be directed into Beverley Street drain network. A 2500L tank will be installed as part of stormwater retention.</p> |
| 55.03-6 Open Space | Met? | Standard B11 | Met? | Comments |
| To integrate the layout of the development with any public and communal open space provided in or adjacent to the development | N/A | <p>If any public or communal open space is provided on site, it should:</p> <ul style="list-style-type: none"> Be substantially fronted by dwellings, where appropriate Provide outlook for as many dwellings as practicable Be designed to protect any natural features on the site Be accessible and useable | N/A | |
| 55.03-7 Safety | Met? | Standard B12 | Met? | Comments |
| To ensure the layout of development provides for the safety and security of residents and property | Yes | Entrances to dwellings should not be obscured or isolated from the street and internal accessways | Yes No | <p>Existing dwelling complies.</p> <p>Due to a combination of narrow lot configuration and existing access, the second dwelling is proposed to be</p> |
| | | Planting which creates unsafe spaces along streets and accessways should be avoided | Yes | |
| | | Developments should be designed to provided good lighting, visibility and surveillance of car parks and internal accessways | Yes | |

CLAUSE 55 ASSESSMENT

18 Beverley Street - PORTLAND

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|---|-------------|---|-------------|--|
| | | Private spaces within developments should be protected from inappropriate use as public thoroughfares | Yes | located behind the rear of the existing dwelling. ALTERNATIVE SOLUTION Visibility will be provided to the street from the western window. The garage door will be visible from the street, however the front access door will be located on the southern side of the building. |
| 55.03-8 Landscaping | Met? | Standard B13 | Met? | Comments |
| <p>To encourage development that respects the landscape character of the neighbourhood</p> <p>To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance</p> <p>To provide appropriate landscaping</p> <p>To encourage the retention of mature vegetation on the site</p> | Yes | <p>The landscape layout and design should:</p> <ul style="list-style-type: none"> Protect any predominant landscape features of the neighbourhood Take into account the soil type and drainage patterns of the site Allow for intended vegetation growth and structural protection of buildings In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals Provide a safe, attractive and functional environment for residents | Yes | The proposal will not alter the existing neighbourhood landscape character. Existing garden beds and features will also remain. |
| | | Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood | Yes | There is a significant lemon tree in the rear of the yard which will be protected. |
| | | Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made | NA | No trees will be removed as a part of this proposal. |
| | | The landscape design should specify landscape themes, vegetation (location and species), paving and lighting | Yes | See Landscape Plan. |
| 55.03-9 Access | Met? | Standard B14 | Met? | Comments |
| <p>To ensure the number and design of vehicle crossovers respects the neighbourhood character</p> | Yes | <p>The width of accessways or car spaces should not exceed:</p> <ul style="list-style-type: none"> 33% of the street frontage, or if the width of the street frontage is less than 20m, 40% of the street frontage | Yes | Access to the new building is via the existing access which is 15% of the street frontage. |
| | | No more than one single-width crossover should be provided for each dwelling fronting a street | Yes | Shared access. 2 spaces will be provided inside the second dwelling. |
| | | The location of crossovers should maximize the retention of on-street car parking spaces | Yes | No change |
| | | The number of access point to a road in a Road Zone should be minimised | Yes | No change |

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| | | <i>Developments must provide access for service, emergency and delivery vehicles</i> | Yes | Existing access already services the primary dwelling. Front of property also provides adequate space for emergency and delivery vehicles. |
| 55.03-10 Parking Location | Met? | Standard B15 | Met? | Comments |
| <i>To provide convenient parking for resident and visitor vehicles</i> <i>To protect residents from vehicular noise within developments</i> | Yes | <i>Car parking facilities should:</i> <ul style="list-style-type: none"> <i>Be reasonably close and convenient to dwellings and residential buildings</i> <i>Be secure</i> <i>Be well ventilated if enclosed</i> | Yes | 2 secure internal spaces will be provided for the new dwelling. |
| | | <i>Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5m from the windows of habitable rooms. This setback may be reduced to 1m where there is a fence at least 1.5m high or where window sills are at least 1.4m above the accessway</i> | Yes | No change to the existing environment concerning the primary dwelling. |

55.04 AMENITY IMPACTS

| | | | | |
|--|-------------|---|-------------|---|
| 55.04-1 Side And Rear Setback | Met? | Standard B17 | Met? | Comments |
| <i>To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings</i> | Yes | <i>A new building not on or within 200mm of a boundary should be set back from side or rear boundaries 1 metre, 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.</i> | No | <p>Should be 1.6m, but replaces an existing garage which is on the boundary.</p> <p>ALTERNATIVE SOLUTION</p> <p>A 1.4m setback from the northern boundary has been applied which is 0.2m from the standard. Rationale for this is that the building would then encroach the established canopy of the lemon tree, which is a significant feature in the yard and is believed to be planted at the time the dwelling was built.</p> <p>1.4 allows both a 500mm garden bed along the northern boundary to include landscaping/screening. The Italian Pencil Pine (<i>Cupressus sempervirens stricta</i>) is proposed.</p> |
| | | <i>Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5m into the setbacks of this standard</i> | No | A water tank will be installed on the eastern side of the dwelling side of dwelling, the width of the tank will be approximately 0.68m wide. |
| | | <i>Landings having an area of not more than 2sqm and less than 1m high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard</i> | NA | Proposed landing is 0.5m high. |

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| 55.04-2 Wall On Boundaries | Met? | Standard B18 | Met? | Comments |
|--|------|---|------|---|
| To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings | Yes | A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot should not abut the boundary for a length of more than: 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater. | N/A | No walls on boundary proposed. |
| | | A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1m of a side or rear boundary of a lot should not abut the boundary for a length of more than: 10m plus 25% of the remaining length of the boundary of an adjoining lot, or Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater. | N/A | |
| | | A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary. | N/A | |
| | | The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall. | N/A | |
| 55.04-3 Daylight To Existing Windows | Met? | Standard B19 | Met? | Comments |
| To allow adequate daylight into existing | Yes | Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a | N/A | No habitable windows are located opposite the new dwelling. |

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| habitable room windows | | minimum area of 3sqm and minimum dimensions of 1m clear to the sky. The calculation of the area may include land on the abutting lot | | |
| | | Walls or carports more than 3m in height opposite an existing habitable room window should be set back from the window at least 50% of the height of the new wall if the wall is within a 55° arc from the centre of the existing window. The arc may be swung to within 35° of the plane of the wall containing the existing window Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window Refer to Diagram B2 | N/A | |
| 55.04-4 North Facing Windows | Met? | Standard B20 | Met? | Comments |
| To allow adequate solar access to existing north-facing habitable room windows | Yes | If a north-facing habitable window of an existing dwelling is within 3m of a boundary on an abutting lot, a building should be setback from the boundary 1m, plus 0.6m for every metre of height over 3.6m up to 6.9m, plus 1m for every metre of height over 6.9m, for a distance of 3m from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east. Refer to Diagram B3 | Yes | No change |
| 55.04-5 Overshadow Open Space | Met? | Standard B21 | Met? | Comments |
| To ensure buildings do not significantly overshadow existing secluded private open space | Yes | Where sunlight to secluded private open space of an existing dwelling is reduced, at least 75%, or 40sqm with minimum dimension of 3m, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9am and 3pm on 22 September | Yes | 91% or 64m ² of the 70m ² of the POS of the existing dwelling will receive over 5hrs of sunlight. |
| | | If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced | N/A | |

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| 55.04-6 Overlooking | Met? | Standard B22 | Met? | Comments |
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| To limit views into existing secluded private open space and habitable room windows | Yes | A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9m (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45° angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7m above the floor level | Yes | Windows on the northern side of the dwelling are located below the existing fence height. Skylights are to be located on the northern side of the roof. A window will be located facing the street from bedroom 3. Existing built form to the north - 27 & 29 TOWNSEND STREET limits visibility from said window to the north. No obscuring required. |
| | | A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of an existing dwelling within a horizontal distance of 9m (measured at ground level) of the window, balcony, terrace, deck or patio should be either: <ul style="list-style-type: none"> offset a minimum of 1.5m from the edge of one window to the edge of the other have sill heights of at least 1.7m above floor level have fixed, obscure glazing in any part of the window below 1.7m above floor level have permanently fixed external screens to at least 1.7m above floor level and be no more than 25% transparent | N/A | |
| | | Obscure glazing in any part of the window below 1.7m above floor level may be openable provided that there are no direct views as specified in this standard | N/A | |
| | | Screens used to obscure a view should be: <ul style="list-style-type: none"> perforated panels or trellis with a maximum of 25% openings or solid translucent panels permanent, fixed and durable designed and coloured to blend with the development | N/A | |
| 55.04-7 Internal Views | Met? | Standard B23 | Met? | Comments |
| To limit views into the secluded private open space and habitable room windows of dwellings and residential | Yes | Windows and balconies should be designed to prevent overlooking of more than 50% of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development | No | The window will be located facing the street from bedroom 3. ALTERNATIVE SOLUTION A canopy awnings will applied to B1 B2 & B3 windows to limit 45° side views. |

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| <i>buildings within a development</i> | | | | |
| 55.04-8 Noise Impacts Objective | Met? | Standard B24 | Met? | Comments |
| <i>To contain noise sources in developments that may affect existing dwellings</i> | Yes | Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings | Yes | Commercial buildings are located on 177 PERCY STREET to the east. Plant related to the new dwelling to be located on the eastern side of the building. |
| <i>To protect residents from external noise</i> | | Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties | Yes | |
| | | Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms | N/A | Not near busy roads or railways. |

| 55.05 ON-SITE AMENITY AND FACILITIES | | | | |
|--|-------------|--|-------------|--|
| 55.05-1 Accessibility | Met? | Standard B25 | Met? | Comments |
| <i>To encourage the consideration of the needs of people with limited mobility in the design of developments</i> | Yes | The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility. | Yes | Access to the building will include 4 openings on the ground floor. Refer to diagram 8. <ul style="list-style-type: none"> • A. Garage Door • B. Main Door • C. Sliding Door • D. Northern side access door |
| 55.05-2 Dwelling Entry | Met? | Standard B26 | Met? | Comments |
| <i>To provide each dwelling or residential building with its own sense of identity</i> | Yes | Entries to dwellings and residential buildings should: <ul style="list-style-type: none"> • be visible and easily identifiable from streets and other public areas • provide shelter, a sense of personal address and a transitional space around the entry | No | Main entry not located on southern side is not visible from the street. ALTERNATIVE SOLUTION Numbering new dwelling identifiable from front access. |
| 55.05-3 Daylight To New Windows | Met? | Standard B27 | Met? | Comments |
| <i>To allow adequate daylight into new habitable room windows</i> | Yes | A window in a habitable room should be located to face: <ul style="list-style-type: none"> • an outdoor space or a light court with a minimum area of 3sqm and minimum dimension of 1m clear to the sky, not including land on an abutting lot, or • a verandah provided it is open for at least one third its perimeter, or • a carport provided it has two or more open sides and is open for at least one third of its perimeter | Yes | B1: Window opens up to northern boundary, 1.4m depth and 26 sqm. B2: Window faces south to POS. B3: Window opens up to the west, visible to the street. Window faces south to POS. |

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| 55.05-4 Private Open Space | Met? | Standard B28 | Met? | Comments |
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| To provide adequate private open space for the reasonable recreation and service needs of residents | Yes | <p>A dwelling or residential building should have private open space:</p> <ul style="list-style-type: none"> • an area of 40sqm, with one part secluded at the side or rear with a min area of 25sqm, a min dimension of 3m and convenient access from a living room, or • a balcony of 8sqm with a min width of 1.6m and convenient access from a living room, or • a roof-top area of 10sqm with a min width of 2m and convenient access from a living room | Yes | <p>Existing Dwelling POS equates to 78m².</p> <p>New Dwelling POS equates to 102m².</p> |
| 55.05-5 Solar Access To Open Space | Met? | Standard B29 | Met? | Comments |
| To allow solar access into the secluded private open space of new dwellings and residential buildings | Yes | The private open space should be located on the north side of the dwelling or residential buildings | Yes | <p>Due to the lot the narrow lot configuration, and established gardens the primary POS for the 2nd dwelling are located on the southern side of the building.</p> <p>No change to existing dwelling.</p> <p>ALTERNATIVE SOLUTION The 1.4m setback on the northern and eastern boundaries will provide for a landscaped area along the fence line.</p> |
| | | The southern boundary of secluded private open space should be set back from any wall on the north of the space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall Refer to Diagram B29 | Yes | |
| 55.05-6 Storage | Met? | Standard B30 | Met? | Comments |
| To provide adequate storage facilities for each dwelling | Yes | Each dwelling should have convenient access to at least 6m ³ of externally accessible, secure storage space | Yes | 30sqm of storage space located in basement of new dwelling. |

| 55.06 DETAILED DESIGN | | | | |
|--|------|--|------|----------------------------------|
| 55.06-1 Design Detail | Met? | Standard B31 | Met? | Comments |
| To encourage design detail that respects the existing or preferred neighbourhood character | Yes | <p>The design of buildings, including:</p> <ul style="list-style-type: none"> • Facade articulation and detailing, • Window and door proportions, • Roof form, and • Verandahs, eaves and parapets, <p>should respect the existing or preferred neighbourhood character.</p> | Yes | Discussed in Standard B1. |
| | | Garages and carports should be visually compatible with the | Yes | |

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| | | <i>development and the existing or preferred neighbourhood character</i> | | |
| 55.06-2 Front Fences | Met? | Standard B32 | Met? | Comments |
| <i>To encourage front fence design that respects the existing or preferred neighbourhood character</i> | Yes No N/A | A front fence within 3m of a street should not exceed: <ul style="list-style-type: none"> Streets in a Road Zone – 2m Other Streets – 1.5m | Yes No NA | No fence proposed. |
| 55.06-3 Common Property | Met? | Standard B33 | Met? | Comments |
| <i>To ensure that communal open space, car parking, access lanes and site facilities are practical, attractive and easily maintained</i> <i>To avoid future management difficulties in areas of common ownership</i> | Yes | <i>Developments should clearly delineate public, communal and private areas</i> | N/A | No common property proposed. |
| | | <i>Common property, should be functional and capable of efficient management</i> | N/A | |
| 55.06-4 Site Service | Met? | Standard B34 | Met? | Comments |
| <i>To ensure that site services can be installed and easily maintained</i> <i>To ensure that site facilities are accessible, adequate and attractive</i> | Yes | <i>The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically</i> | Yes | See services plan on diagram 11. |
| | | <i>Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development</i> | Yes | See site plan on diagram 4. |
| | | <i>Bin and recycling enclosures should be located for convenient access</i> | Yes | |
| | | <i>Mailboxes should be provided and located for convenient access</i> | Yes | See site plan on diagram 4. |

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| Summary | |
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| The proposed development can be fully serviced, is consistent with built form in the immediate area and will meet density expectations of the zone. | |
| 65.01 DECISION GUIDELINES | |
| APPROVAL OF AN APPLICATION OR PLAN | Comments |
| <i>The matters set out in section 60 of the Act.</i> | The proposal does not contravene the matters set out in S.60 of the act give the proposal demonstrates it can be consistent with the objectives and requirements set out in the Glenelg Planning Scheme in terms of aligning with state, regional and local policy (Promote and capitalise on opportunities for infill redevelopment), provisions for second dwellings on a lot under Clause 55. |
| <i>Any significant effects the environment, including the contamination of land, may have on the use or development.</i> | None anticipated. |
| <i>The Municipal Planning Strategy and the Planning Policy Framework.</i> | 11.02-1S Supply of Urban Land The proposal seeks to enable infill development and intensification of an established area within the centre of Portland. |
| <i>The purpose of the zone, overlay or other provision.</i> | Purpose of the Mixed-Use Zone <ul style="list-style-type: none"> To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality. To provide for housing at higher densities. To encourage development that responds to the existing or preferred neighbourhood character of the area. |
| <i>Any matter required to be considered in the zone, overlay or other provision.</i> | Clause 55 Two Or More Dwellings on A Lot And Residential Buildings <i>The applicable objectives, standards and decision guidelines of Clause 55.</i> <ul style="list-style-type: none"> With exception to variation sought for standards B6, B10, B12, B17, B23, B26 & B29 all other relevant standards are met and all objectives can be achieved. |
| <i>The orderly planning of the area.</i> | The proposal has been designed and configured which considers the sites constraints. |
| <i>The effect on the environment, human health and amenity of the area.</i> | No detrimental effects anticipated. |
| <i>The proximity of the land to any public land.</i> | Approximately 400m from plough field. |
| <i>Factors likely to cause or contribute to land degradation, salinity or reduce water quality.</i> | None anticipated. |

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| <i>Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.</i> | Stormwater is directed through the proposed easement on the northern boundary. |
| <i>The extent and character of native vegetation and the likelihood of its destruction.</i> | N/A |
| <i>The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.</i> | Within an urban area, low fire risk. |
| <i>The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.</i> | In this case, the proposed dwelling on the site with internal garage designed for two vehicles. Therefore, + 2 vehicle movements will not impact local road network. |
| <i>The impact the use or development will have on the current and future development and operation of the transport system.</i> | As above. |
| 65.02 DECISION GUIDELINES | |
| <i>The existing use and possible future development of the land and nearby land.</i> | The use is consistent with existing land uses in the area at a density which is anticipated in the zone. |
| <i>The availability of subdivided land in the locality, and the need for the creation of further lots.</i> | The proposal will not impact future subdivision potential of the lot. |
| <i>The effect of development on the use or development of other land which has a common means of drainage.</i> | Drainage for new development will utilise existing infrastructure. |
| <i>The density of the proposed development.</i> | The proposal demonstrates it can meet the relevant standards and objectives for a second dwelling dwelling. |
| <i>The area and dimensions of each lot in the subdivision.</i> | No change to the subdivision. |
| <i>The layout of roads having regard to their function and relationship to existing roads.</i> | No change to the road network. |
| <i>The provision and location of reserves for public open space and other community facilities.</i> | Approximately 400m from the site (Plough Field). |
| <i>The staging of the subdivision.</i> | N/A |
| <i>The design and siting of buildings having regard to safety and the risk of spread of fire.</i> | N/A |
| <i>The provision of off-street parking.</i> | The new building will provide 2 covered spaces within the garage. |

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| <i>The provision and location of common property.</i> | Not proposed. |
| <i>The functions of any owners corporation.</i> | Not required. |
| <i>The availability and provision of utility services, including water, sewerage, drainage, electricity, and, where the subdivision is not a residential subdivision, gas.</i> | All services are available to the site. |
| <i>If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.</i> | N/A |
| <i>Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.</i> | N/A |
| <i>The impact the development will have on the current and future development and operation of the transport system.</i> | Modest increase in density anticipated, but not enough to impact the transport system. |