



**PLANNING REPORT** | 20 Fisher Street  
Ventnor  
May 2020

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## 1. Introduction

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This Planning Report has been prepared on behalf of the Permit Applicant in relation to a Planning Permit Application for the construction of a single dwelling on the subject site at 20 Fisher Street, Ventnor.

Use and development of the site is governed by the Bass Coast Planning Scheme. The site is located within the General Residential Zone (Schedule 1) and covered by the Design & Development Overlay Schedule 1 and the Vegetation Protection Overlay Schedule 2.

Pursuant to the provisions of Schedule 1 of the Design & Development Overlay, a planning permit is required for the construction of a dwelling over 7 metres in height. A permit is not required under the provisions of the General Residential Zone; however, we note that the proposal meets the mandatory requirements of the zone.

This report provides an assessment of the proposal against the provisions of the Bass Coast Planning Scheme and should be read in conjunction with architectural plans provided by Bellhaus Building Design.

## 2. Site & Context Description

### 2.1 Subject Site

The subject site is formally described as Lot 28 on Plan of Subdivision 012386. The site is encumbered by a 1.8-metre-wide drainage easement along the rear boundary.

The site is located on the southern side of Fisher Street, with a frontage of 15.24 metres and overall area of 696 square metres. The site is currently vacant.

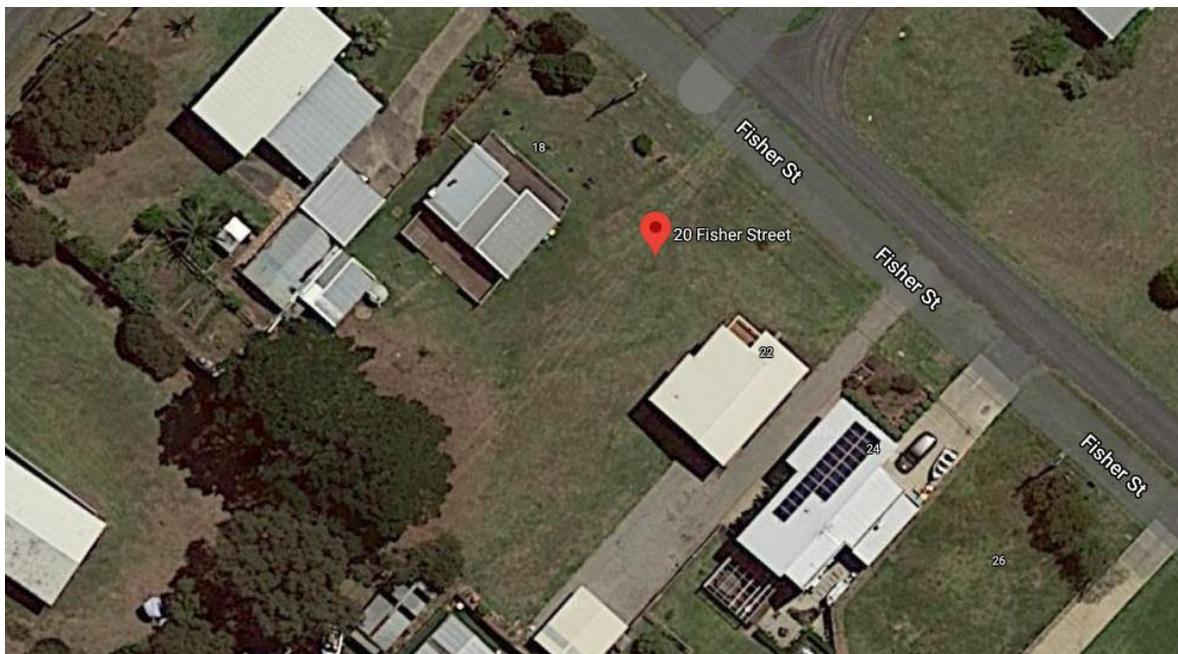


Figure 1: Site Aerial (Source: Google Maps)

### 2.2 Surrounding Area

The subject site is located in an established residential area bounded by Lyall Street, Graydens Road, Anchorage Road and the foreshore. The immediate area provides for a varied mix of housing types and styles, with the emerging built form character consisting of contemporary double storey dwellings designed to complement the existing coastal landscape character of the area.

The immediately abutting lot to the east at 22 Fisher Street is developed with a double storey dwelling with a front setback of 7 metres. The site to the immediate west at number 18 Fisher Street is developed with a single storey weatherboard dwelling with a setback of 9.3 metres.

### 3. Proposal

This application seeks approval the construction of a single dwelling. The proposed dwelling will comprise the following:

- Double storey contemporary built form
- Front setback of 9.6 metres
- Two bedrooms on the ground floor, with the second storey containing the master bedroom and ensuite
- Opening plan living and dining area opening onto a west facing alfresco area
- Double storey studio to the rear, joined to the dwelling by the alfresco area
- Outdoor shed located in the south eastern corner of the site
- Maximum height of 7.7 metres



Figure 2: proposed dwelling



Figure 3: proposed frontage

## 4. Planning Controls

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### 4.1 Planning Policy Framework (PPF)

#### Clause 11 Settlement

Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

#### Clause 11.03-4S Coastal settlement

Clause 11.03-4S seeks to plan for sustainable coastal development.

Strategies:

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

- Support a network of diverse coastal settlements that provide for a broad range of housing types, economic opportunities and services.
- Encourage urban renewal and redevelopment opportunities in existing settlements to reduce the demand for urban sprawl.
- Identify a clear settlement boundary around coastal settlements to ensure that growth in coastal areas is planned and coastal values are protected.
- Where no settlement boundary is identified, the extent of a settlement is defined by the extent of existing urban zoned land and any land identified on a plan in the planning scheme for future urban settlement.
- Direct new residential and other urban development and infrastructure to locations within defined settlement boundaries of existing settlements that are capable of accommodating growth.
- Support the sustainable management of growth around coastal, estuary and marine assets to protect environmental values, and to achieve regional economic and community benefits.
- Avoid linear urban sprawl along the coastal edge and ribbon development in rural landscapes.
- Protect areas between settlements for non-urban use.
- Avoid development on ridgelines, primary coastal dune systems and low-lying coastal areas.
- Encourage the restructure of old and inappropriate subdivisions to reduce development impacts on the environment.
- Ensure a sustainable water supply, stormwater and sewerage treatment for all development.
- Minimise the quantity and enhance the quality of stormwater discharge from new development into the ocean, bays and estuaries.

## 4.2 Local Planning Policy Framework (LPPF)

### Clause 21.02 Settlement

#### Clause 21.02-1 Growth of towns

The distinctive settlement pattern of Bass Coast Shire, based on a hierarchy of townships and villages, contributes to the diversity of residential, commercial, recreational and employment opportunities available not only to Shire's residents, but to the wider community who visit the area.

A Settlement Hierarchy has been developed which seeks to set out the strategic directions and development opportunities in the Shire.

Council has prepared Design Frameworks and Structure Plans for all towns that inform the Local Areas section in Clause 21.10. These provide more specific guidance about future land use in the Shire's towns.

### **Key Issues**

- Managing expectations regarding future residential or rural residential development of rural land and promote sustainable rural land use.
- Maintaining a separation between townships and avoiding extending residential development in a linear form along the coast.
- Protecting areas of environmental, landscape, agricultural, cultural or recreational significance.
- Protecting the liveability of Bass Coast's rural areas.
- Managing significant land use pressure from population growth and visitors.
- Avoiding the expansion of settlements into areas where environmental hazards are identified.

### **Objectives and Strategies**

Objective 1: To identify towns that are suitable for urban growth and to provide for sufficient land in these towns for growth until 2030.

Strategies:

- Restrict urban development to existing urban areas except:
  - Where the land is identified in an adopted Structure Plan as being within a future settlement boundary, or as part of a comprehensive review of the relevant Structure Plan for a town; and
  - Where the future settlement boundary from the adopted Structure Plan has been incorporated into the Bass Coast Planning Scheme; and
  - Where staging of the development is in accordance with a development plan approved by Council.

Objective 2: To ensure that residential development and related urban uses are restricted to existing or identified settlements.

Strategies:

- Discourage urban growth beyond existing settlement boundaries of towns not identified in the Settlement Hierarchy included in this Clause.
- Strongly discourage expansion of isolated residential, low density residential, and rural living estates.
- Ensure that development within old and inappropriate subdivisions only occurs in accordance with an approved restructure plan.
- Restructure existing rural living and low-density residential development within identified settlement boundaries, in accordance with an approved restructure or development plan.
- Protect and maintain the existing rural character of the Shire by providing clear definitions and distinctions between rural and urban areas.
- To encourage sustainable development and minimise impacts on the environment

Objective 3: To encourage sustainable development and minimise impacts on the environment.

Strategies:

- Minimise the impact on significant environmental features within identified settlement boundaries and address these impacts through the rezoning or development planning processes.
- To discourage urban development that encroaches or impacts on significant environmental features.

Objective 4: To discourage urban development that encroaches or impacts on significant environmental features.

Strategies:

- Ensure that urban growth and development enhances significant environmental features by identifying and protecting these areas during the preparation of Structure Plans.
- Manage climate change impacts by:
  - Identifying areas subject to future impacts of climate change.
  - Preparing a strategy to deal with the possible impacts of climate change for developments located within existing urban boundaries.

- Ensure that development is set back from the coast to accommodate coastal features, vegetation and climate change impacts.
- To discourage inappropriate development in areas where an environmental hazard has been identified.

Objective 5: To discourage inappropriate development in areas where an environmental hazard has been identified.

Strategies:

- Identify and plan for environmental hazards.
- Ensure development is responsive to environmental hazards.
- Apply the appropriate planning controls to ensure responsive development in areas affected by environmental hazards.
- Discourage inappropriate development in areas affected by riverine flooding and coastal inundation, in particular, areas affected by the Land Subject to Inundation Overlay.

Objective 6: To enhance the sense of identity for each community. Strategies:

- Ensure that new urban development contains high quality infrastructure, community services and facilities.

Objective 7: To provide for improved public open spaces to meet the needs of growing communities.

Strategies:

- Ensure the provision of unencumbered public open space meets the needs of the communities it is to serve by improving access, facilities, presentation and environmental sustainability.

## **Housing**

Provision needs to be made for a diverse range of housing types and tenures to cater for the municipality's varied community. As the population ages a more diverse range of housing is required. Provision also needs to be made for housing that can be adapted to cater for people with disabilities and older persons when the need arises. Housing in the area is becoming increasingly difficult to afford for many residents in the municipality. Urban consolidation is encouraged in areas that have the physical infrastructure, community facilities and commercial facilities to support an increase in population.

### Key Issues

- Providing housing to meet the demands of a changing demographic profile.
- Catering for an increasingly aged population.
- Providing affordable housing in the municipality.

### **Clause 21.08 Moderate Growth Settlements**

#### **Clause 21.08-8 Ventnor**

Ventnor is characterised by two residential pockets dispersed between areas of rural land and bush land and separated by the Ventnor Common. The local community identifies these distinct areas as Ventnor East and Ventnor West (Grossard Point).

Ventnor defines the western extent of urban area on Phillip Island and Ventnor Road acts as a gateway to the Summerland Peninsula, the Nobbies and the Penguin Parade.

Ventnor is primarily a holiday town, with a high proportion of non-permanent residential dwellings. Ventnor East is generally defined by an informal beach character; the built form is dominated by modest weekend cottages and 'beach house' dwellings.

Large two storey dwellings characterise Ventnor West, with newer contemporary built forms emerging as part of the Grossard Point Road streetscape. Coastal land further west of Ventnor West is considered of state landscape significance and provides habitat for the Hooded Plover and Short-tailed Shearwater.

Ventnor East is nestled into the Coastal Scrub that extends north east to the Cowes Foreshore area. It is separated from Cowes West by Saltwater Creek which creates a physical barrier to the east. Ventnor West sits above the foreshore on a windswept ridgeline that extends to Grossard Point.

#### Settlement

- Limit land available for urban development to land contained within the defined settlement boundaries.
- In Ventnor West, discourage the expansion of the residential area into the area between the existing settlement and Ventnor Road.

### Land Uses

- Facilitate the residential development of vacant land within the defined settlement boundaries.
- As identified on the structure plan map, encourage various forms and densities of urban development to locate within, as appropriate:
  - Areas where some increase in the number and diversity of dwellings may be acceptable, but where development must respect the character of the area (incremental change); and
  - Areas where minimal change to established built form and character is anticipated (minimal change).
- Provide residents and visitors with convenient access to day to day goods and services outside of the major commercial centre.
- Encourage the provision of small-scale general stores in the following locations;
  - West corner of Ventnor Road and Anchorage Road.
  - South corner of Lyall road and Graydens Road

### Environment

- Protect Ventnor's recognised and highly valued environmental attributes, including the landscape and aesthetic values of its rural land and coastal areas.
- Ensure that land use and development does not detrimentally impact upon identified significant flora and fauna habitats, including areas of roadside vegetation.
- Provide for the creation of indigenous vegetation buffers and a network of indigenous vegetation corridors, integrated with a pedestrian and cycle network

### Landscape and built form

- Protect the existing coastal landscape character of the urban area.
- Protect and retain any existing indigenous vegetation when constructing new buildings and avoid damage to environmentally sensitive areas.
- Ensure new developments maintain existing view lines to and from the foreshore.
- Limit building form to a maximum of two storeys in height (7 metres from natural ground level to top of wall and 8 metres from natural ground level to the ridgeline).
- Ensure that the built form is high quality and of an appropriate scale for Ventnor.
- Continue re-vegetation works on Ventnor Beach Road and along major roadsides in Ventnor.

### Infrastructure

- Improve movement, access and linkages for pedestrian & bikes.
- powerlines on all foreshore areas and on streets immediately parallel with the foreshore.
- Improve stormwater drainage and quality of water flowing to Western Port and Salt Water Creek.

## 4.3 Zone

### **General Residential Zone**

The purpose of the GRZ is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage development that respects the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

### **Clause 32.08-4 Construction or extension of a dwelling or residential building - Minimum garden area requirement**

- The proposal complies with the mandatory garden area requirement. Please refer to the plans.

### **Clause 32.08-5 Construction and extension of one dwelling on a lot**

- A planning permit is not required to construct or extend one dwelling on a lot greater than 300sqm.

## 4.4 Overlays

### **Design and Development Overlay**

The purpose of the DDO is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework. To identify areas which are affected by specific requirements relating to the design and built form of new development.

### **Clause 43.02-2 Permit requirement**

- A permit is required to construct a building or construct or carry out works.

## Schedule 1 – Residential Areas near the Coast

### Design objectives:

- To protect views from the coast to adjacent residential areas.
- To protect views to the coast from adjacent residential areas.
- To minimise the impact of development along the coastline.
- To protect and enhance the visual amenity and landscape of the coastal area.
- To respond to the potential coastal impacts of climate change.

### Buildings & Works

- A permit is required for buildings and work that have a height over 7 metres.
- A planning permit is sought under the provisions of the DDO Schedule 1.

### Permit requirements

- All buildings and works must be located and constructed so as to retain as much as possible existing native vegetation on the site. The proponent must justify the removal of any native vegetation.
- An application on land below 5m AHD in Pioneer Bay, Grantville, and Coronet Bay must be accompanied by a Coastal Hazard Vulnerability Assessment Notice of application must be given to the Department of Environment, Land, Water and Planning in accordance with Section 52(1)(c) of the Planning and Environment Act 1987 where the land adjoins coastal Crown land as defined under the Coastal Management Act 1995.

## Vegetation Protection Overlay

The purpose of Clause 42.02 is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To protect areas of significant vegetation.
- To ensure that development minimises loss of vegetation.
- To preserve existing trees and other vegetation.
- To recognise vegetation protection areas as locations of special significance, natural beauty, interest and importance.
- To maintain and enhance habitat and habitat corridors for indigenous fauna. To encourage the regeneration of native vegetation

## VPO Schedule 2 – Phillip Island

### **Statement of nature and significance of vegetation to be protected**

It is estimated that less than 15 per cent of Phillip Island retains a natural cover of vegetation. Given the general lack of vegetation on Phillip Island, it is important to protect indigenous and large native trees in urban areas. It is also important to encourage and facilitate the planting of vegetation indigenous to a particular locality to maintain and enhance the natural environment of the urban areas of Phillip Island and to enhance habitat. The urban areas of Phillip Island are generally characterised by native vegetation that contribute towards the character of these seaside communities and provide habitat for native fauna. Conservation and enhancement of the natural environment is very important to the character of these urban areas.

### **Vegetation protection objectives to be achieved**

To protect and enhance existing indigenous and larger native species within the urban area of Phillip Island.

### **Permit requirement**

A permit is required to remove, destroy or lop any tree or shrub with a girth greater than 30 centimetres (when measured 30 centimetres above ground level) or a height of at least two metres. This does not apply to introduced species of ornamental shrubs or fruit trees or to species identified as being weeds or to pruning.

A permit is not required for:

- The pruning of vegetation for maintenance.
  - The removal, destruction or lopping of dead vegetation.
- The proposal does not involve the removal of any existing vegetation on the subject site.

## 4.5 Particular Provisions

There are no Particular Provisions of the Bass Coast Planning Scheme relevant to the proposal.

## 4.6 General Provisions

### Clause 65 Decision Guidelines

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in Section 60 of the Act.
- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- 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.
- This clause does not apply to a VicSmart application.

## 5. Assessment

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### 5.1 Planning Policy Framework and Local Policy Framework

The proposed dwelling is consistent with the Planning Policy Framework. The dwelling is a long-established use that is served by existing infrastructure and is well located in terms of access to the local activity centres, public transport, schools and open space areas.

The dwelling has been designed to be respectful in terms of materials and scale to the neighbouring dwellings and the low-density residential character of the immediate area. The modern built form is characteristic of the emerging neighbourhood character in Ventnor as older housing stock is

replaced, further Clause 22.08-8 seeks to encourage and facilitate residential development of vacant land within the defined settlement boundaries, such as the subject site.

The proposal will maintain ensure that any existing view lines to and from the foreshore are maintained with a two-storey built form in accordance with Clause 22.08-8. The overall height of the dwelling is appropriate for the immediate area and provides a high quality and site responsive design.

## 5.2 DDO Schedule 1

The proposal has been designed with the decision guidelines of the DDO Schedule 1 in mind. The siting, colour and design of the dwelling allows the new building to integrate into the existing streetscape, with significant landscaping opportunities surrounding the dwelling to provide for greater environmental value on the site from its current conditions.

No native vegetation is required to be removed for the construction. The site does not contain any landscape features, and it is considered that the proposal will improve the landscape character of the site.

## 6. Conclusion

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The proposed dwelling is consistent with the relevant Planning Policy Framework and Local Planning Policy Framework, including the Municipal Strategic Statement, of the Bass Coast Planning Scheme. Importantly, the proposal is in accordance with the design objectives of the Design and Development Overlay Schedule 1. The proposal provides for an additional dwelling within the confines of the existing town boundary and provides a site responsive contemporary built form characteristic of the immediate area.

As demonstrated in this report the proposal is appropriate and warrants Council approval.