

12 June 2026

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Planning Application



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ADDRESS

39 Henderson Street, Indented Head, Victoria 3223

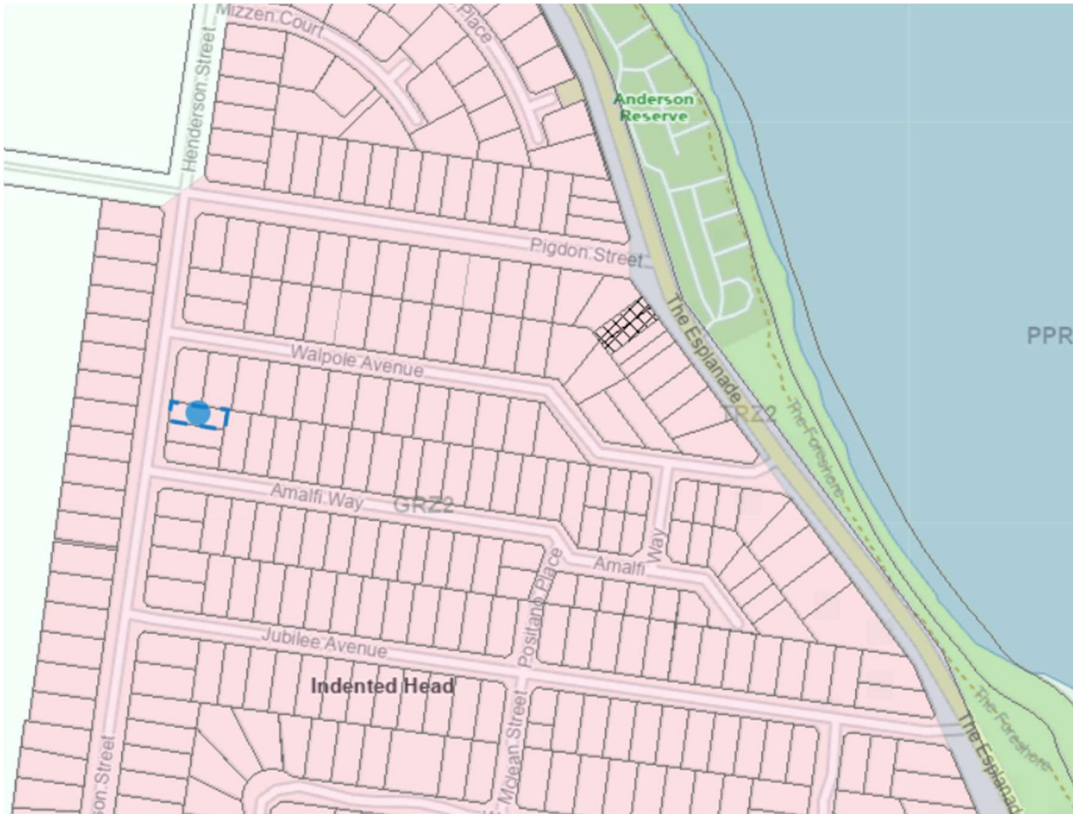
LOCATION & SITE

Site Photo



Vacant Land – 39 Henderson Street, Indented Head, Bellarine Peninsular

Site Context Map



39 Henderson Street, Indented Head, Victoria 3223

PROPOSAL

New Build Residential Dwelling on Vacant lot

One (1) dwelling is proposed to the vacant site of the existing subdivision lot.

The Application is seeking permit for the construction of one (1) new double level 7star energy efficient dwelling within the Design Development Overlay 'DDO' for 7.5m+ high.

PROPOSED PLANS

Architectural Drawing Plan Set: Refer to the Plan Set Attached

SITE DETAILS

Land Title

VOLUME	10832
FOLIO NUMBER	956

Refer Attachments: Land Title and Register of Search Statement

Locator Information

Address	39 Henderson Street, Indented Head, Victoria 3223
Lot and Plan Number	Lot 39 PS523158
Council Property Number	324845
Melway Directory Reference	Melway 445 J11

Refer Attachments: Planning Property Report

Planning Information

PLANNING ZONE	General Residential Zone (GRZ)
Schedule to the Zone	Schedule 2 to the GRZ (GRZ2)

PLANNING OVERLAY	Design Development Overlay (DDO)
Schedule to the overlay	Design Development Overlay Schedule 14 (DDO14) (Triggered for building works over 7.5M high)

BUSHFIRE PRONE AREA	No (Overlay misses building footprint location on site)
ABORIGINAL SENSITIVITY AREA	No

Refer Attachments: Planning Property Report

ZONES AND OVERLAYS

General Residential Zone

The development of the site is designed to implement the Municipal Planning Strategy and the Planning Policy Framework, whilst recognising the areas neighbourhood character for the proposed residential development of a single dwelling.

General Residential Zone Schedule 2

There are no Additional requirements of the schedule nominated.

The maximum height of a dwelling is **9m**

Planning Overlay

DDO – Design Development Overlay Schedule 14

The Design Development overlay is triggered for building works over 7.5M in height.

The proposal is a double level home with 30 degree pitch roof that would exceed 7.5M high with the ridge and some roof pitch, for consideration of this overlay. Refer Plans attached.

DDO SITE DESCRIPTION

The site of 39 Henderson Street is vacant land of an existing established subdivision housing estate. There are minimal vacant blocks of land remaining in the subdivision area, with established homes now forming the character being a built-up housing estate and residential area.

The site area 406 SQM and uniform rectangle shape with the lesser dimension facing Henderson Street to the West. The existing cross over is located on the southwest corner to access the land.

The site is void of vegetation and trees, with only managed lawn coverage. The site generally falls towards the front of the site, with the highest point at the rear and lowest point at the street front.

The front 5m setback area is generally steeper gradient than the remaining majority of the land.

The land has a northerly sewer easement running east/west which is restrictive to the building area of the lot and taking up a significant amount of usable land area. This would be considered detrimental to single level home design/construction options as significant land area cant be built over.

The nature strip features a central tree, concrete kerb and channel and concrete footpath.

The site is surrounded by existing established homes, whilst the rear adjoining site is also a vacant lot.

The northern neighbour facing Henderson street is single level established home with a large garage abutting the site boundary. The Garage has a brick boundary wall extending over 8m long from a modest 4.7m street setback. That site then has a small backyard width until the remainder of the

proposed site boundary is other properties backyards, which are fronting Walpole Av. The homes fronting Walpole Av are all double level and possibly have a view towards Port Phillip Bay water. These homes would disrupt any views possible from the 39 Henderson Street site at a upper level.

The south neighbour is a single level home, also with a boundary garage abutting the proposed site. This garage is attached to the dwelling which extends from Henderson Street back along the entire shared boundary. The boundary is fenced with a 1.9-2m existing fence.

Houses foaming the existing character of the immediate adjoining area are single level, modest scale. The built form surrounding after these single level homes are then generally all double level homes that would also be triggering the 7.5m DDO overlay. It is possible to build a double level home under 7.5m with minimal or very low roof pitch and favourable land undulation, although generally unachievable with common standard roof truss pitches for example.

Port Phillip bay and foreshore is almost 500meters towards the North East and East. There may be potential for some homes in the area closer to the bay to see water views north easterly, although East may be difficult to achieve this view in this general area as the land continues to become higher in topography gradually similar to the fall of the site. The land would need to start falling downwards towards the Bay to achieve views and have view impacts without obstructions and favourable topography.

The north although significant distance to the bay can see some water when looking directly down Henderson Street towards the north direction. Due to the street alignment providing this view line, it wouldn't be a view being shared by any housing orientation in the vicinity of this location due to the street alignment.

It may be possible to see some farmland to the West, as the houses opposite on Henderson Street and the only houses to the west before the land becomes open farming. The houses opposite might gain some farming type view when looking West across there backyard and over rear fences. The undulation of the land is minimal so single level homes wouldn't gain a farmland outlook, although double level homes main do so with upper level westerly outlooks.

All services are installed as per the previous past sub-division requirements, ready for connection.

All surrounding buildings adjoining and in the general area are dwellings and used as residential. As mentioned there is farmland to the west at the extends of the settlement boundary.

The land does not appear to have any existing cut/fill or its it known to have fill.

Refer to the Plan Set attached for further information.



Frontage and Vacant Site - On site 39 Henderson Street (Existing Neighbours North side and South)



North Neighbour - On site 39 Henderson Street at the front boundary looking north.



39 Henderson Street Site – Vacant land , looking East from footpath.



South West Boundary - On the rear adjacent site looking south west at the southern neighbour.



39 Henderson Street – Looking West from the rear boundary down the vacant lot



39 Henderson Street – Looking North West from the rear boundary.

DDO DESIGN RESPONSE

A design response for this site derives from and responds to the existing site conditions and land position, slope, surrounding properties and the view impact assessment. The design has been created in alignment with the site conditions and the the owners brief for their needs and requirements of a home to live and the living spaces for lifestyle and function.

A building design has been formulated through concept design stages with the owner reaching a suitable home layout, scale and attractive built form they are happy to build and live with for their personal lifestyle. The plans attached have been drawn for planning and subsequent construction, now seeking planning permission for the land triggering the Design Development Overlay 'DDO' overlay for a 2 storey house height.

The DDO overlay has objectives to ensure the siting, height and visual bulk of dwellings achieves a reasonable sharing of views between properties to significant landscape features. In this location being close to Port Phillip Bay the landscape features would be considered the water located north to easterly directions. A secondary view may be considered as the farming land to the west.

A view impact site plan and architectural plans have been prepared to demonstrate the design and view impacts of the site for this DDO planning overlay.

The land size is small with usable construction land also lost due to northerly easement, resulting in double level design/construction outcomes. Maximum heights have nonetheless been kept modest and partial less than the 7.5m height trigger of the Design Development Overlay for front and rear portions of the dwelling. The central part of the new dwelling will have some ridge line and roof pitch exceeding the 7.5m height trigger for the DDO overlay. This staggering of the heights reduces bulk and lessens the impact of the built form creating interest and lesser scale.

Existing access point onto site defines the position of garage and parking, whilst easements at the north side of the land cannot be built over. Rear Northerly positions being the ultimate position for private open space and outlook of living spaces, has formed the design layout consideration for remainder building footprint. The south has also been considered for shadow with double level construction proposed. For this reason, a larger side setback design for the south reduces shadow impacts of surroundings, although slightly extending over existing fencing shadow. The wall height and side boundary setbacks requirements setting minimum setbacks has been met and increased in setback to reduce shadowing. The heights are further reduced as the building extends towards the rear with a site cut into the land and no fill.

Overlooking has been maintained within the site boundaries, so that the proposed dwelling complies to the overlooking arc. There is no overlooking into surrounding established properties yards, and demonstrated on the plans.

Shadow of the proposed dwelling has been designed to be at a minimum possible, by cutting the site down lower without any fill area. The house effectively sits lower in the site to seek to minimize bulk and heights experienced by surroundings properties. The shadowing is demonstrated on the plans.

Sharing of views being the primary purpose of the DDO overlay has enacted investigation on site and a site analysis survey. A view impact analysis has been undertaken and prepared on plan and as discussed as follows:

VIEW IMPACTS

Any views would be considered north and east in this general area, although this site has not got a noticeable outlook to a view from site inspection. Any views may be possible further north easterly along Walpole Street where the Design Development Overlay may be more appropriate for view sharing between properties.

There is no view from the south looking north or east over this proposed site, therefore there would be no view sharing considerations. The proposed dwelling being double storey possibly could gain some view north easterly in between existing built-up houses along Walpole Street with their rear yards adjoining the site. The southern neighboring house is single storey and generally minimal slope without any view north or east. Possible view to the street frontage which may sight farmland west, between houses opposite.

A view could be considered westerly towards farmland, as the houses opposite along Henderson Street directly back onto farming land. The proposed house would have no change to any view existing homes may gain towards the farmland to the west. The site also has a vacant lot adjoining the rear, so no impacts westerly looking are possible for farmland views.

It is possible to see the bay when standing on Henderson Street looking north down the road, some kilometers away. This view is only witnessed by the use of the street driving and walking, not possible to outlook by the houses in the area due to the built up nature of the area, distance and orientation of the subdivision lots lined up along a north south street alignment. No view impact by the proposed home is possible to anyone else existing in the area.

View Impacts for others by the proposed dwelling is considered to be non existent for this site.

A sharing of views with other adjacent homes is not necessary for this site, as there are no views across the existing site in any direction or orientation.

The proposed dwelling would be lucky to achieve some views, if any, already experienced by existing by dwellings backing onto the site facing Walpole Street and looking north easterly towards the bay.

The design objective has been met / not triggered for the design development overlay 14 (DDO) in regards to the siting, height and visual bulk of the dwelling vs significant landscape features.

Overall the site and dwelling design responds positively to its position providing a suitable and functional home for the owners. With a streetscape Hamptons façade of architectural merit with interesting and different external and internal features, the home will be of high-quality construction methods and materials enhancing the quality and character of the area.

Refer to the Plan Set attached for further information.

WRITTEN STATEMENT

The Design response has positively maintained the design objectives of the DDO schedule.

There is no impact of the proposed building and works on the view from another property as a result of the design, siting, height, size and bulk including the roof.

Opportunities have been taken to avoid the building being visual obtrusive by cutting the building into the site without any fill or raised land. The roof has been designed to be staggered with different ridge heights minimising the section of roof ridge and some pitch that is over the 7.5m DDO height. The central part of the building roof ridge and some roof pitch are the only parts of the building exceeding 7.5m high. Front and rear sections of the building offer lesser ridge heights to stagger the building form down lower than the 7.5m DDO height trigger, whilst creating visual interest and least obtrusive bulk and size possible.

Sharing of views is considered, although no views are existing by the surrounding neighbors over the site being only single level homes without a view. Any view would be considered at street frontage and outlook that is not possible or has not been impacted by this design.

North easterly directions on site possibly have some bay views which is already taken by the existing homes surrounding the site to the north and east, and would not be impacted by siting the building behind these existing homes. Refer to the view impact site plan for further detail.

Overlooking has been designed within the constraints of the regulation 9m arc, which has been contained within the property boundaries of the 39 Henderson Street site.

Shadowing has been designed to be a minimal change possible to the existing conditions of the boundary fence by a larger setback than allowable by the side setback wall height regulation. The section of roof over 7.5m for the DDO overlay would not contribute to any shadowing as the roof pitch angle is less than all the angles of the sun for 22nd September 9am to 3pm.

Refer to the Plan Set attached for further information.

SERVICES

All services are available to be connected to the vacant land site 39 Henderson Street.

All services are installed as per the previous subdivision housing estate.

Refer attached service location maps from the relevant authorities.

DIAGRAMS

Shadow Diagrams	Refer to the Plan set attached for shadow diagram
Overlooking Diagrams	Refer to the Plan set attached for overlooking diagram
Landscaping	There is no existing vegetation or trees on the vacant site. No retention of any existing trees relevant to this site.

NATHERS ENERGY REPORT

The Dwelling to meet the building regulation requirements of 7star energy rating with the latter building permit requirements for construction. The working drawings endorsed for building permit.

SURVEY

The site has been surveyed by licensed surveyors 'AGS' all general surveying.

Please find attached survey and architectural drawings.

ATTACHMENTS

APPLICATION FORM

Refer to the Planning Application form attached.

ARCHITECTURAL DRAWINGS

Refer to the Architectural Drawings Plan Set attached.

REPORT ATTACHEMENTS

Additional attachments, Planning Report Zones and Overlays, Barwon Water Sewer and Water, COGG drainage, site survey levels/contours,

TITLE

Refer to the Copy of Title and Register of Search document attached.

Thankyou