City of Greater Geelong, Statutory Planning - Date Received 11/9/2026

TOWN PLANNING REPORT

39 Seaview Avenue, Barwon Heads and 36-38 Margate Street, Barwon Heads

Two lot subdivision (re-subdivision), development of a dwelling, extension of a dwelling, development of front fencing, and demolition of an outbuilding and fence

10 September 2026

Context. Planning

PREPARED BY
CONTEXT PLANNING PTY LTD

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Context.
Planning

Context Planning Pty Ltd
PO BOX 787 Torquay VIC 3228
info@context-planning.com

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Prepared By	Context Planning Pty Ltd
Report Date	10 September 2026

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1 Application summary

Proposal	Two lot subdivision (re-subdivision), development of a dwelling, extension of a dwelling, development of front fencing, and demolition of an outbuilding and fence
Location	39 Seaview Avenue, Barwon Heads and 36-38 Margate Street, Barwon Heads
Applicant	Context Planning Pty Ltd PO Box 787 Torquay Vic 3228
Owner	[redacted]
Zone	Neighbourhood Residential Zone – Schedule 6 General Residential Zone – Schedule 1
Overlays	39 Seaview Avenue, Barwon Heads: Design and Development Overlay – Schedule 41 Heritage Overlay – Schedule 1701 36-38 Margate Street, Barwon Heads: Design and Development Overlay – Schedule 42
Existing use	Outbuilding
Restrictions	Nil

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2 Introduction

Planning Permit PP-629-2025 was issued on 17 October, 2025 for land at 39-41 Seaview Avenue, Barwon Heads. PP-629-2025 approved the development of a three bedroom dwelling on the land and a two lot subdivision. The subdivision which was approved under PP-629-2025 has been acted on, and 39 Seaview Avenue, Barwon Heads is now a separate title.

Rather than seeking to amend the existing Planning Permit, a fresh application for Planning Permit has been lodged, as this application also includes the adjoining land at 36-38 Margate Street, Barwon Heads, and does not include the land at 41 Seaview Avenue, Barwon Heads.

We note that Planning Permit PP-629-2025 is spent insofar as permit conditions apply to the subdivision of the land, with no requirement for the development of the land at 39 Seaview Avenue, Barwon Heads to be undertaken per the existing Planning Permit but is valid in relation to the construction of the dwelling approved on the land.

This application provides for a scaled back, single storey development outcome which is designed to be even more respectful of the heritage values of the area, as well as responding to the requirements of the Design and Development Overlay. The newly proposed dwelling at 39 Seaview Parade, Barwon Heads provides for a larger front setback area, through the demotion of a non-significant outbuilding, and the development of a smaller dwelling, with larger setbacks to the north, and more landscaping when compared with the dwelling which is currently approved under Planning Permit PP-629-2025.

Approval is also required for the front fence proposed at 39 Seaview Avenue, Barwon Heads, and the front fence at 36-38 Margate Street, Barwon Heads, and the demolition of the non-significant front fence at 39 Seaview Avenue, Barwon Heads. Planning approval is not required to extend the dwelling at 36-38 Margate Street, Barwon Heads, except for the small part of the dwelling which extends into the land at 39 Seaview Avenue, Barwon Heads.

Approval is also sought for the re-subdivision of the subject site with land at 36-38 Margate Street, Barwon Heads, and to allow the extension of the dwelling at 36-38 Margate Street, Barwon Heads onto the land at 39 Seaview Avenue, Barwon Heads.

We understand that a Planning Permit is required by the following provisions of the Greater Geelong Planning Scheme, but we also understand that Council is responsible for determining the permit triggers for this application:

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- Subdivision (re-subdivision) of land in the Heritage Overlay, the Design and Development Overlay, the Neighbourhood Residential Zone, and the General Residential Zone.
- Demolition of a building in the Heritage Overlay, development of a building in the Heritage Overlay, extension to a building in the Heritage Overlay, and development and demolition of a front fence in the Heritage Overlay.
- Construct a front fence in DDO42 and DDO41.
- Development of a dwelling in DDO41.

We note that a Planning Permit is not required to extend the dwelling on the land at 36-38 Margate Street, Barwon Heads, apart from the part of the dwelling that extends into 39 Seaview Avenue, Barwon Heads.

As the development, demolition, and re-subdivision of the land provide a positive response to the Greater Geelong Planning Scheme, we recommend the issue of a Planning Permit in support of the application.

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2.1 Purpose of this Report

The purpose of the report is to:

- Explain the proposal.
- Provide a written response to the planning permit triggers and explain how the proposal meets the purpose statement and relevant decision guidelines identified in the Greater Geelong Planning Scheme.
- Identify and consider any relevant general or particular provisions.
- Provide an assessment of the proposal against the Municipal Planning Strategy (MPS) and Planning Policy Framework (PPF) as relevant to this application.

Considering the context of the site, the relevant planning controls and policies, the key planning considerations are:

- Is the application responsive to the zone?
- Does the application achieve an acceptable response achieved in relation to the Heritage Overlay?
- Is the application supported by the Municipal Planning Strategy and the Planning Policy Framework?
- Is the application responsive to the Design and Development Overlay?
- Is an acceptable outcome achieved in relation to the issues required to be considered in Clause 65.01 and Clause 65.02 of the Greater Geelong Planning Scheme?

This report demonstrates that the proposal will provide for an acceptable planning outcome for the land, having regard to the direction of planning policy and the permit triggers, and will provide for an improved response to the heritage values of the site.

We recommend that the application is supported through the issue of a Planning Permit.

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3 Site Analysis

3.1 Subject site

The subject site is addressed as 39 Seaview Parade, Barwon Heads, and 36-38 Margate Street, Barwon Heads, and it consists of two titles.

The land at 39 Seaview Parade, Barwon Heads comprises a single title and it is developed with a non-significant outbuilding and front fence which were to be retained in the redevelopment of the site approved by Planning Permit PP-629-2025. The outbuilding is setback 3.43 metres from the street and is provided with a double roller door, designed to accommodate two vehicles, and can be seen in the image below.



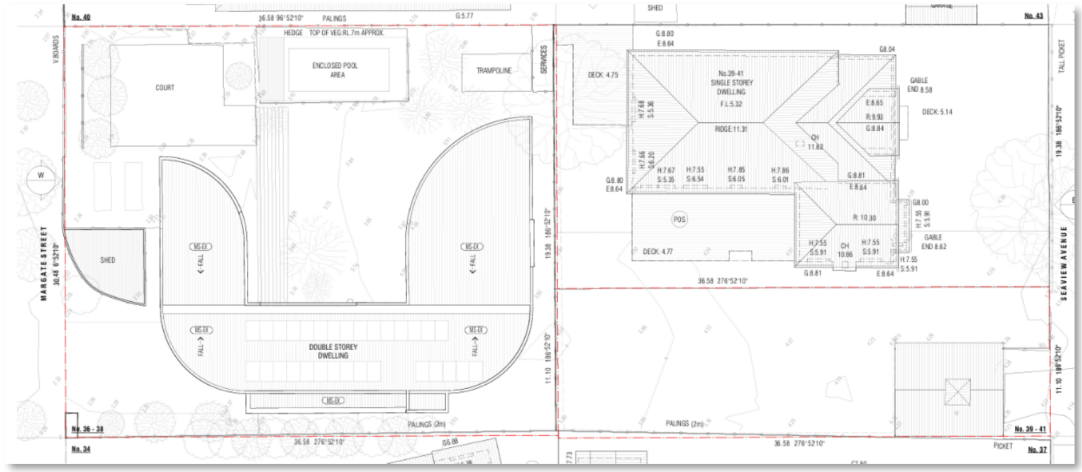
Existing development | Seaview Parade, Barwon Heads

The land at 36-38 Margate Street, Barwon Heads is a double block, comprising one title and two land parcels, developed with a double storey timber clad dwelling designed by Clinton Murray. The dwelling is complemented by a high front fence, as seen in the image below.

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Existing development | 36-38 Margate Street, Barwon Heads



Existing conditions

The land is located in a residential area of Barwon Heads.

All surrounding land is developed for residential purposes, and the manner in which this land is developed remains unchanged from when Council determined Planning Permit PP-629 -2025.

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4 The Proposal

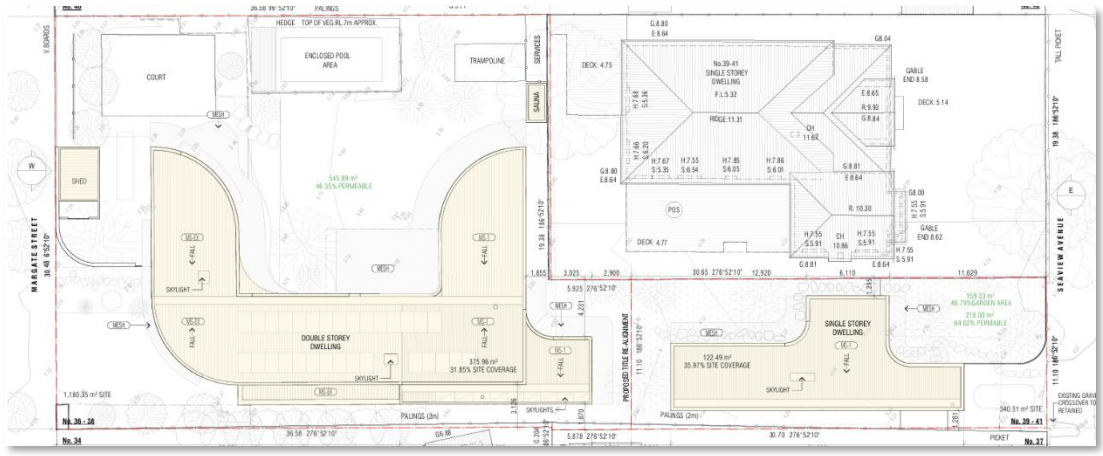
This application seeks approval for:

- Development of a two bedroom dwelling and front fence at 39 Seaview Avenue, Barwon Heads.
- Demolition of the outbuilding at 39 Seaview Avenue, Barwon Heads and its replacement with a building of a similar footprint and scale.
- Demolition of the front fence at 39 Seaview Avenue, Barwon Heads.
- Subdivision (re-subdivision of the land).
- Extension to the dwelling at 36-38 Margate Street, Barwon Heads to the east into 39 Seaview Avenue, Barwon Heads.
- Construction of a front fence at 36-38 Margate Street, Barwon Heads.

Extension of existing dwelling

The image below shows the intended extension to the dwelling at 36-38 Margate Street, Barwon Heads.

A single storey extension to the dwelling is proposed, extending the building 3.027 metres to the east to accommodate a dining room and a small pergola structure. The extended building will be located on land within the Heritage Overlay.



Site plan

The extension to the dwelling reflects the form and scale of the existing dwelling and it will be constructed using timber cladding to match the existing dwelling, along with metal roofing, also to match the existing dwelling.

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Other changes are proposed to the dwelling at 36-38 Margate Street, Barwon Heads, but none of these changes require planning approval, as the site coverage requirements of Table 1 of DDO42 are met.

Front fence 36-38 Margate Street, Barwon Heads

Planning approval is required for the new front fence proposed at 36-38 Margate Street, Barwon Heads.



Proposed fence

The fence replaces an existing fence of similar height and has been designed to provide a positive response to the architectural values of the dwelling at 36-38 Margate Street, Barwon Heads, and to provide for an improved streetscape presentation.

The proposed fence is 2.1 metres high and of rendered brick construction.

Subdivision (re-subdivision)

As a result of the extension of the dwelling at 36-38 Margate Street, Barwon Heads, there is a need to re-subdivide the land to allow the entirety of the dwelling at 36-38 Margate Street, Barwon Heads to be included on one title, and not straddle lot boundaries.

The proposed subdivision provides for a lot size for the land at 39 Seaview Avenue, Barwon Heads of 340.51 square metres, and the title boundary is setback 2.9 metre from the extended building at 36-38 Margate Street, Barwon Heads.

A lot size of 1,180.35 square metres is proposed for the land at 36-38 Margate Street, Barwon Heads.

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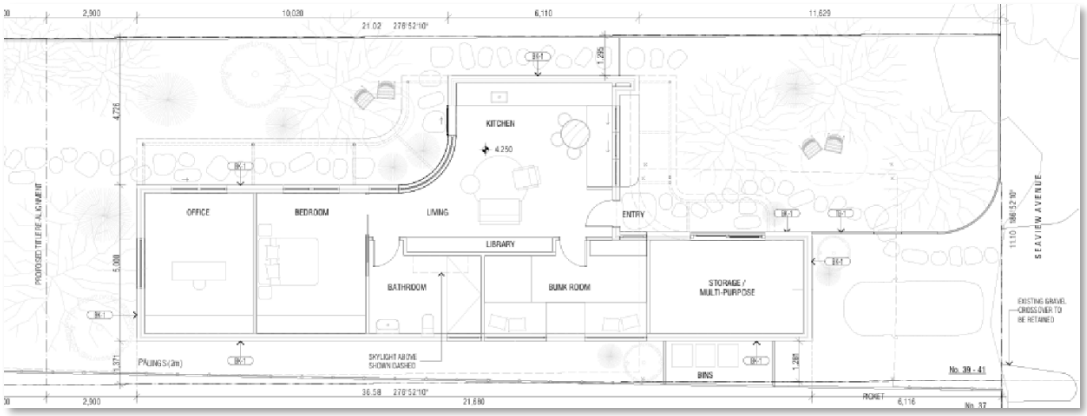
Re-subdivision

New dwelling at 39 Seaview Avenue, Barwon Heads

Approval is sought to demolish the existing non-significant outbuilding located at 39 Seaview Avenue, Barwon Heads to allow the land to be replaced with a new dwelling which is of similar form and scale to the existing outbuilding, designed to provide an improved streetscape response.

Vehicle access is provided by the existing vehicle crossing.

The proposed dwelling is single storey in scale and is setback 6.116 metres from Seaview Avenue. It is offset from all side boundaries, achieving a setback of 1.281 metres from the site's southern boundary, and 1.295 metres from the northern boundary.



Proposed dwelling, 39 Seaview Avenue, Barwon Heads

The proposed dwelling is provided with two bedrooms, an office, storage/ multi-purpose room, and associated kitchen/ living areas, and a bathroom. An open car space is provided in front of the proposed dwelling, and the remainder of the front setback is available for landscaping.

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The proposed dwelling has a flat roof form and will be constructed from brick, with a bagged finish, as seen in the image below. The low-scale dwelling has a maximum height of 3.85 metres.



A front fence is proposed, ands this fence has a height of 1.5 metres, is visually permeable, and adopts a flat batten design. Demolition of the existing non-significant front fence is also proposed.

The application is supported by:

- Architectural Plans | Folk Architects.

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5 Pre-Application Meeting

A Pre-Application Meeting was held with Council's Planners and its Heritage Advisor on 11 December, 2025.

At this meeting Council's Heritage Advisor provided some information about the significance of the site.

Significance
The dwelling at 39-41 Seaview Avenue, Barwon Heads, is identified in the Greater Geelong Outer Areas Heritage Study Stage 2 as having local significance as an example (albeit altered) of a Federation styled dwelling in Barwon Heads following the subdivision of the Barwon Heads Estate in 1891. The heritage study indicates that the dwelling was constructed in 1904 05 for John Herbert Langhorne, manager of the Bank of Victoria. Further research confirms that the dwelling was built for John Herbert Langhorne and his wife, Madeline Langhorne, in 1904. It was designed by the prolific local architects, Tombs and Durran (Geelong Advertiser, 14 January 1904, p.4). It was Madeline Langhorne who was owner of the property (M. Langhorne, Will, Grant of Probate, 1933, VPRS 7591/P2, 259/312, Public Record Office Victoria). On J.H. Langhorne's retirement from the Bank, they retired to the property. It was named 'Corra Linn' (M. Langhorne Probate & Gippsland Times, 3 May 1923, p.6). The garage historically associated with the Federation dwelling at 39-41 Seaview Avenue and now excised as a separate allotment on the south side, has no significance.

Heritage Status
The property at 39-41 Seaview Avenue is listed as HO1701. No external paint controls, internal alteration controls or tree controls apply. Solar energy systems controls do apply. There are no outbuildings or fences of note. No heritage overlay applies to the property at 36-38 Margate Street.

Garage Options
Fronting Seaview Avenue Because the existing garage has no significance, its removal would align with the purpose of the heritage overlay (there would be no adverse affect on the significance of the Federation dwelling to the north).

While garages and carports were traditionally recessive from heritage dwellings (and hence the City of Greater Geelong Heritage and Design Guidelines promote recessive garages and carports), given that there is already an existing garage forward of the Federation dwelling, arguably, no additional adverse affection on the significance of the heritage dwelling would result if a new garage of smaller footprint and similar scale, construction and form was to be constructed in the same location. A contemporary interpretation of the Federation dwelling -in terms of roof form and materials – would

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align with the Heritage and Design Guidelines and the purpose of the heritage overlay. Another alternative that was discussed was the absence of a garage fronting Seaview Avenue and a garden planted instead. This would be the most ideal heritage outcome.

Proposed Studio

A single storey studio building is proposed instead of the two storey dwelling as per the previous planning permit. It was advised that that the front setback of the proposed studio should not be forward of the principal front wall plane of the neighbouring and significant Federation dwelling. Conceptually, given the single storey scale of the proposal, no obvious adverse affect on the significance of the Federation dwelling should result. This would depend on the form and external materials and finishes. A contemporary interpretation of the hipped and gabled roof forms of the Federation dwelling, possibly with secondary elements independent in appearance to the Federation dwelling, would align with the purpose of the heritage overlay. The Flinders Heritage Area Heritage Design Guidelines and the City of Greater Geelong Heritage and Design Guidelines provide further information. See the following links:

https://planning-schemes.app.planning.vic.gov.au/static/incorporateddocs/legacy/Greater Geelong/581936/C417ggee-HO1649-Flinders-Heritage-Design-Guidelines-June-2022.pdf

https://planning-schemes.app.planning.vic.gov.au/static/incorporateddocs/legacy/Greater Geelong/401445/ggee-NPS1-Heritage-and-Design-Guidelines,-City-of-Greater-Geelong, 1997.PDF

Proposed Additions to Dwelling fronting 36-38 Margate St

Additions similar in scale, form and appearance to the existing dwelling are proposed to extend into the excised allotment fronting 39-41 Seaview Avenue. Given the highly recessive location from Seaview Avenue, no adverse affect on the significance of the Federation dwelling should result. New work does not have to be 'in keeping' with the character and appearance of the heritage place if no adverse affect on its significance will result. The highly recessive location of the addition should ensure that this will be the case. It is suggested that all materials and finishes are documented on the drawings for permit assessment.

Proposed Consolidation

The proposal is also to consolidate the recently excised allotment fronting Seaview Avenue to the south of the Federation dwelling. This the consolidation will not change the appearance of the property when viewed from Seaview Avenue, no adverse affect on the significance of the heritage place should result.

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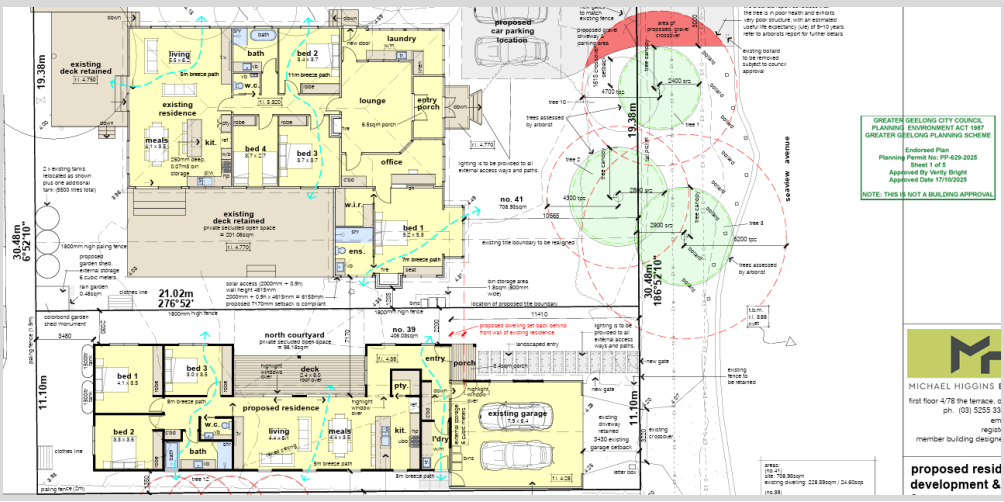
5.1 Response to Pre-Application Meeting guidance

Since the Pre-Application Meeting was held, the proposed development and subdivision have been refined. Importantly, the plans submitted with this application provide a positive response to the advice from Council's Heritage Advisor by:

- Providing for the removal of the non-significant garage and the non-significant front fence.
- Providing an open car parking space for the proposed dwelling, which was noted as being an ideal heritage outcome.
- Continuing to provide for a single storey building at 39 Seaview Avenue, Barwon Heads.
- We note the Heritage Advisor's preference to have the front wall of the new dwelling set behind the front wall of the dwelling at 41 Seaview Avenue, which would present an ideal heritage outcome, but it was also advised that a single storey scale of development would not impact on the adjoining dwelling.

  Given that the multi-purpose room in the proposed dwelling is setback significantly from the dwelling at 41 Seaview Avenue and given that the kitchen/living rooms which are closest to the Federation dwelling are set behind the front wall of the Federation dwelling, an acceptable outcome is achieved. Certainly, we submit that the design solution is a superior outcome when considered against the development which has been approved for the site (below), which involved the retention of the non-significant garage located on the land, meaning that the site would be developed with a building with a 3.43 metre setback, instead of the 6.116 metre substantially landscaped front setback and large side setbacks which are proposed through this application.

  As the Victorian planning system is focussed on achieving acceptable outcomes, rather than ideal outcomes, we submit that an acceptable outcome is achieved and an improved outcome is provided when compared to the current set of plans approved for the site.



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- Providing for single storey additions which extend into the land at 39 Seaview Avenue, Barwon Heads which were identified as having no adverse impact on the dwelling at 41 Seaview Avenue, Barwon Heads due to their recessive location.
- In lieu of the consolidation of the land, proposing the re-subdivision of the land, which results in no change to the appearance of the property when viewed from Seaview Avenue, and therefore no adverse impact on the significance of the heritage place at 41 Seaview Avenue will result.

Given that a positive response to the direction provided at the Pre-Application Meeting is achieved, we expect that the proposed development and subdivision will be supported under the Heritage Overlay.

6 Planning Controls

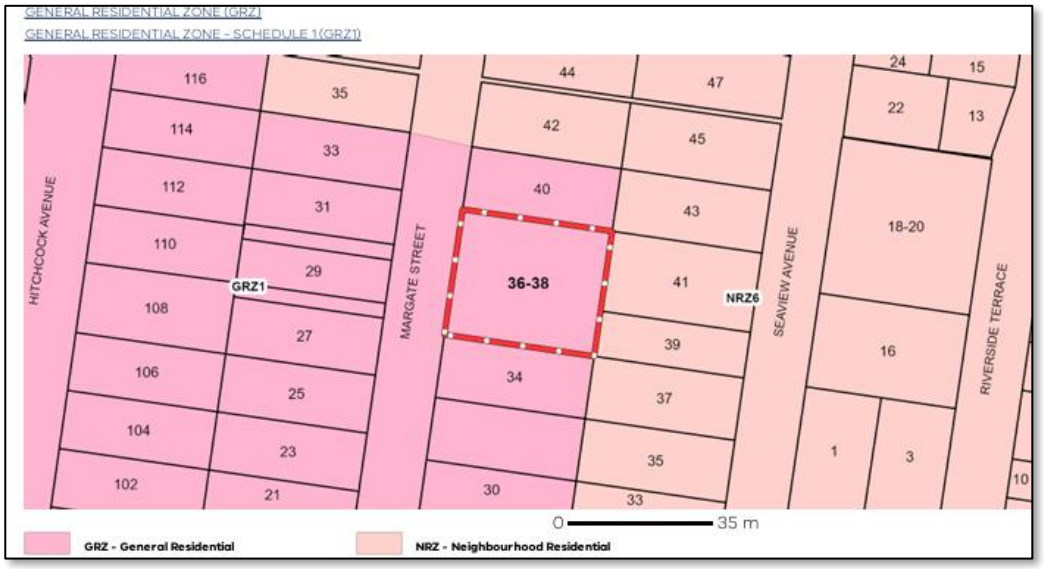
6.1 Zone

The site consists of two separate addresses, which are subject to different zoning controls.

The land at **36-38 Margate Street, Barwon Heads** is located within the General Residential Zone – Schedule 1. The purpose of the General Residential Zone is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage development that is responsive to 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.*

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Zone Map | 36-38 Margate Street, Barwon Heads

6.1.1 Response to GRZ1

Permit triggers

A Planning Permit is **not required under the zone** to extend the dwelling at 36-38 Margate Street, Barwon Heads

A Planning Permit is **not required under the zone** to construct a front fence on the land at 36-38 Margate Street, Barwon Heads as the land is greater than 300 square metres in area.

A Planning Permit is required for the subdivision (re-subdivision) of the land.

Response to the zone

This re-subdivision is aligned with the purpose of the zone and the relevant decision guidelines as demonstrated in Section 10 of this report.

The re-subdivision complies with the required standards of Clause 56 as detailed in the attachment to this report.

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6.2 Zone

The site consists of two separate addresses, which are subject to different zoning controls.

The land at **39 Seaview Avenue, Barwon Heads** is located within the Neighbourhood Residential Zone – Schedule 6 (NRZ6). The purpose of the NRZ6 is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To recognise areas of predominantly single and double storey residential development.*
- *To manage and ensure that development is responsive to the identified neighbourhood character, heritage, environmental or landscape characteristics.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*



Zone Map | 39 Seaview Avenue, Barwon Heads

6.2.1 Response to NRZ6

Permit triggers

A Planning Permit is **not required under the zone to develop a dwelling** and there is no requirement for a Clause 55 assessment for this application.

A Planning Permit is **not required under the zone to construct a front fence** as the land is greater than 300 square metres in area.

Garden area requirements are met.

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The proposed dwelling, and extension to dwelling, is less than the maximum building height of 9 metres and two storeys allowed under the zone.

A Planning Permit is required for the subdivision (re-subdivision) of the land.

Response to the zone
This re-subdivision is aligned with the purpose of the zone and the relevant decision guidelines as demonstrated in Section 10 of this report.

The re-subdivision complies with the required standards of Clause 56 as detailed in the attachment to this report. The NRZ6 details that where a subdivision creates lots of less than 500 square metres in area, a development plan must be provided. This requirement has been met.

6.3 Design and Development Overlay

The land at **36-38 Margate Street, Barwon Heads** is subject to the Design and Development Overlay – Schedule 42 (DDO42) as can be seen in the image below.

The design objectives of the DDO42 are:

- *To encourage new development within a spacious and vegetated garden setting that integrates with the vegetation of the public realm.*
- *To ensure garages, carports, driveways and vehicle crossovers do not visually dominate buildings or streetscapes, by setting them back from the façade and integrating them with the building.*
- *To encourage buildings to be constructed with lightweight, natural and timber materials.*
- *To retain existing indigenous vegetation and encourage new indigenous plantings that compliment the existing environment.*

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DDO42 | 36-38 Margate Street, Barwon Heads

6.3.1 Response to DDO42

Permit Triggers

Part 1.0 of DDO42 details that Planning Permit is **not required to extend one dwelling on a lot** that meets the design requirements for site coverage in Table 1.

Table 1: Design Requirements

	Design Requirement
Site coverage	The site area covered by buildings must not exceed 60%.

The proposed site coverage is 36%.

A Planning Permit is required to construct a front fence which exceeds 1.5 metres in height.

A Planning Permit is required to subdivide (re-subdivide) land in DDO42.

Exemptions from notice

We note that the development of one dwelling on a lot and associated buildings and works, ie front fence, is **exempt from notice and review.**

Response to the DDO42

This re-subdivision and front fence are aligned with the design objectives of the overlay and the relevant decision guidelines as demonstrated in Section 10 of this report.

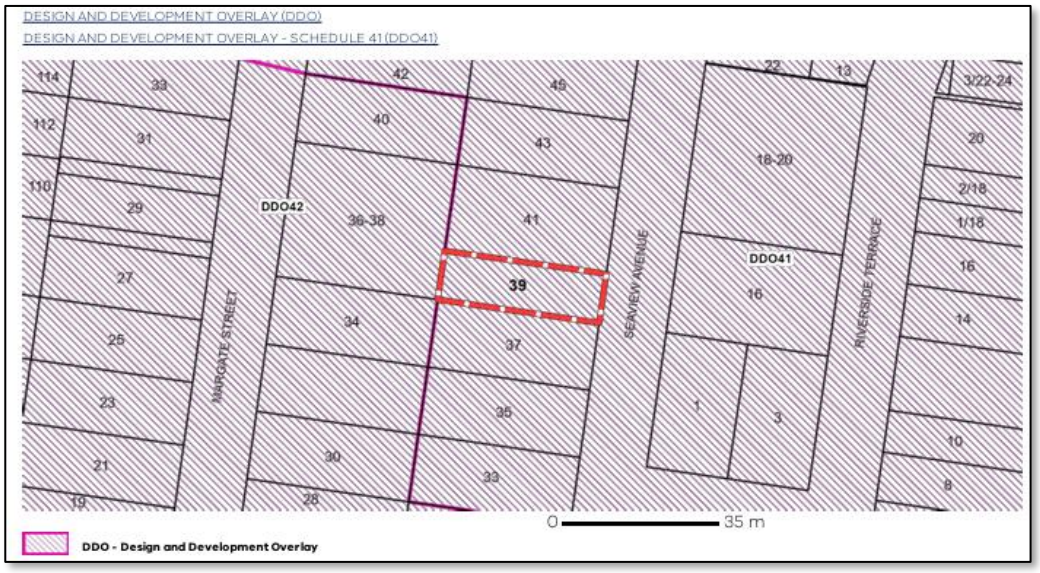
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6.4 Design and Development Overlay

The land at **39 Seaview Avenue, Barwon Heads** is subject to the Design and Development Overlay – Schedule 41 (DDO41) as can be seen in the image below.

The design objectives of DDO41 are:

- *To protect the unique coastal design character of Barwon Heads.*
- *To encourage new development to retain spacious and vegetated garden settings with minimal or low, transparent front fencing.*
- *To ensure garages, carports, driveways and vehicle crossovers do not visually dominate buildings or streetscapes, by setting them back from the façade and integrating them with the building.*
- *To encourage buildings to be constructed with lightweight, natural and timber materials.*
- *To retain existing indigenous vegetation and encourage new indigenous plantings that compliment the existing environment.*



DDO41 | 39 Seaview Avenue, Barwon Heads

6.4.1 Response to DDO41

Permit triggers

A Planning Permit is required by DDO41 as the proposed dwelling has a side setback of less than 2 metres.

A Planning Permit is required to construct a front fence exceeding 1 metre in height.

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A concept landscape plan shows that at least two canopy trees will be provided on the land, and a permit condition can formalise this requirement, along with a requirement for the planting of at least two indigenous species on the land in compliance with the canopy tree and landscaping requirements of the DDO41.

A Planning Permit is required to subdivide (re-subdivide) land in DDO41.

Exemptions from notice
We note that the development of one dwelling on a lot and associated buildings and works, ie front fence, is **exempt from notice and review.**

Response to the DDO41
This re-subdivision and development are aligned with the design objectives of the overlay and the relevant decision guidelines as demonstrated in Section 10 of this report.

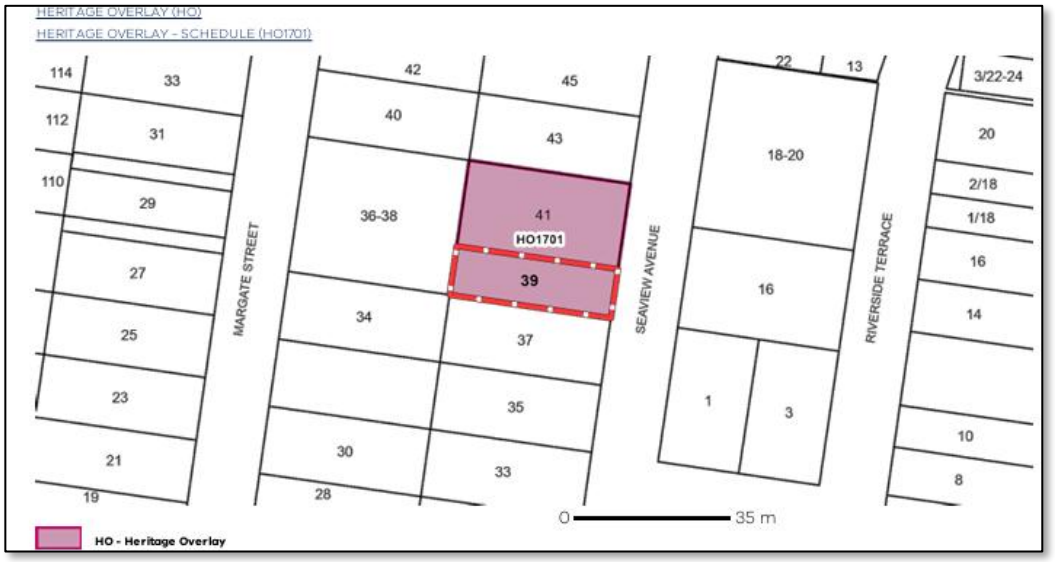
6.5 Heritage Overlay

The land at **39 Seaview Avenue, Barwon Heads** is subject to the Heritage Overlay – Schedule 1701 (HO1701) as can be seen in the image below.

The purpose of the Heritage Overlay is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To conserve and enhance heritage places of natural or cultural significance.*
- *To conserve and enhance those elements which contribute to the significance of heritage places.*
- *To ensure that development does not adversely affect the significance of heritage places.*
- *To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.*

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HO1701 | 39 Seaview Avenue, Barwon Heads

6.5.1 Response to HO1701

As can be seen, HO1701 is an overlay which applies only to the subject site and the dwelling located to the north at 41 Seaview Avenue, Barwon Heads. That is, HO1701 is an individual heritage overlay, rather than a precinct control, and given this, land in the surrounding area is not of any heritage significance.

It is clear that when Council approved the subdivision of the land through PP-629-2025 and created a separate parcel of land at 39 Seaview Avenue, Barwon Heads which contained only a non-significant outbuilding, it found that the land at 39 Seaview Avenue, Barwon Heads did not contribute to the heritage values of the dwelling at 41 Seaview Avenue, Barwon Heads. Given this, while the Heritage Overlay applies to the land, it is of limited value to the assessment of this application. We expect that in due course, Council will re-visit the application of the Heritage Overlay to the subject site, and will remove the Heritage Overlay through an anomaly amendment as the site has no heritage value, consistent with all of the lots in the surrounding area apart from 41 Seaview Avenue, Barwon Heads.

We note that when approving the subdivision of the land through PP-629-2025, Council did not tie the subdivision of the land to a particular development outcome – cementing our view that the site is not of any heritage value.

As is detailed in Section 5.1 of this report, a Pre-Application Meeting was held and the advice provided by Council's Heritage Advisor has been considered and responded to in the design solution. The low-scale, sensitively sited dwelling will not negatively impact on the heritage values of the Federation dwelling located at 41 Seaview Avenue, Barwon Heads.

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Permit Triggers

A Planning Permit is required to develop the land with a dwelling, construct a front fence, to subdivide land, and to demolish the outbuilding and fence located on the land.

No changes are proposed to the vehicle crossing, which already provides access to the land.

Exemptions from notice

Clause 43.01-4 details the following elements are **exempt from notice and review:**

- Demolition of an outbuilding and fence.
- Construction of a fence.
- Services normal to a dwelling.

Response to the heritage overlay

This proposal is aligned with the purpose of the overlay and the relevant decision guidelines as demonstrated in Section 10 of this report.

The proposal is also aligned with the advice from Council's Heritage Advisor at the Pre-Application Meeting, as detailed in Section 5.1 of this report.

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7 General and Particular Provisions

7.1 Clause 52.06 – Car parking

The purpose of Clause 52.06 is:

- *To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.*
- *To support sustainable transport alternatives to the motor car.*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*
- *To ensure that car parking does not adversely affect the amenity of the locality.*
- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

Clause 52.06-2 details that before:

- *a new use commences; or*
- *the floor area or site area of an existing use is increased; or*
- *an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use,*

the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be provided to the satisfaction of the responsible authority in one or more of the following ways:

- *on the land; or*
- *in accordance with a permit issued under Clause 52.06-3; or*
- *in accordance with a financial contribution requirement specified in a schedule to the Parking Overlay.*

A permit is required to:

- *Reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.*

Table 1 details the following car parking requirement for the use:

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Table 1: Car parking requirement					
Land use	**Measure**	**Category 1 (Minimum Requirement)**	**Category 2 (Minimum Requirement)**	**Category 3 (Minimum and Maximum Requirement)**	**Category 4 (Maximum Requirement)**
Dwelling	To each dwelling	1.2	1	0 - minimum 2 - maximum	2

Requirements of Table 1

7.1.1 Response to Clause 52.06

Permit triggers
A Planning Permit is **not required under Clause 52.06**, as the dwelling at 39 Seaview Avenue, Barwon Heads provides one car parking space, consistent with Table 1's requirements and the direction of Clause 52.06 to round down car parking requirements to the nearest whole number.

As noted above, an open car space is provided for in front of the dwelling, providing for an ideal heritage outcome.

There is no requirement for covered car parking to be provided on this site, and the dimensions of the car parking space exceed the requirements of Clause 52.06-9.

7.2 Clause 56 – Residential subdivision

The purpose of Clause 56 is:

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To create liveable and sustainable neighbourhoods and urban places with character and identity.

To achieve residential subdivision outcomes that appropriately respond to the site and its context for:

- *Metropolitan Melbourne growth areas.*
- *Infill sites within established residential areas.*
- *Regional cities and towns.*

To ensure residential subdivision design appropriately provides for:

- *Policy implementation.*
- *Liveable and sustainable communities.*
- *Residential lot design.*
- *Urban landscape.*
- *Access and mobility management.*

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- *Integrated water management.*
- *Site management.*
- *Utilities.*

Operation

The provisions of this clause contain:

- *Objectives. An objective describes the desired outcome to be achieved in the completed subdivision.*
- *Standards. A standard contains the requirements to meet the objective.*

A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered

7.2.1 Response to Clause 56

This application is consistent with the required standards of Clause 56 as detailed in the attachment to this report.

7.3 Clause 65.01 – Approval of an application or plan

The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause. To assist Clause 65.01 details a number of decision guidelines for consideration, those relevant to the application include:

- *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.*

***Clause 65.02 – Approval of an application to subdivide land** includes the following includes the following issues which are relevant to the consideration of this application.*

- *The suitability of the land for subdivision.*
- *The existing use and possible future development of the land and nearby land.*
- *The availability of subdivided land in the locality, and the need for the creation of further lots.*
- *The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.*
- *The area and dimensions of each lot in the subdivision.*
- *The design and siting of buildings having regard to safety and the risk of spread of fire.*

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- *The provision of off-street parking.*
- *The provision and location of common property.*
- *The availability and provision of utility services, including water, sewerage, drainage, electricity, and, where the subdivision is not a residential subdivision, gas.*

7.3.1 Response to Clause 65.01 and Clause 65.02

Clause 65 – Decision Guidelines detail that *because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.*

Our assessment of the application against Clause 65.01 and Clause 65.02 confirms that this application will result in an acceptable outcome for the site.

8 Public notification

Many planning permit triggers in Victoria's planning schemes include exemptions from third party notice and review rights, meaning those permit triggers do not need to be notified and third parties do not have the right to appeal the decision. It is important to note that the following elements of this application are exempt from notice and review:

- Development of a dwelling and buildings and works associated with a dwelling, including fencing, in DDO41 and DDO42.
- Demolition of an outbuilding and fence in the Heritage Overlay.
- Construction of a fence in the Heritage Overlay.
- Services normal to a dwelling in the Heritage Overlay.

We highlight this for information during any public notification process to ensure an awareness that objections cannot be considered where they relate to the exemptions from notice identified above. Any objections lodged in relation to these issues have no standing.

The *Planning and Environment Act 1987* requires Council to consider all objections which it has received, before making its decision. However, where the Act or the Planning Scheme does not require notice, Council is not required to consider an objection received on that matter.

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9 Municipal Planning Strategy and Planning Policy Framework

9.1 Municipal Planning Strategy (MPS)

The most relevant sections of the MPS are included below.

Clause 02.01 – Context

The City of Greater Geelong is Victoria's largest regional municipality. Located 75 kilometres south west of Melbourne, the municipality covers an area of 1247 square kilometres comprising suburban, coastal, and country areas. Greater Geelong is bounded by the Moorabool Shire in the north, Wyndham City Council and the Borough of Queenscliffe in the east, Surf Coast Shire and Golden Plains Shire in the west, and Bass Strait to the south.

Geelong is the largest regional city in Victoria and the primary service and employment hub for the G21 Geelong Region Alliance.

Clause 02.02 – Vision

Council's overarching vision for Greater Geelong is:

Geelong, coast, country and suburbs, is the best place to live through prosperity and cohesive communities in an exceptional environment.

Clause 02.03-1 – Settlement

Geelong is expected to grow by an additional 152,000 people by 2036 based on an average annual growth rate of 2.5 per cent. This growth will create demand for over 73,400 additional dwellings which can be met under the City's identified planned growth. While the City is keen to take advantage of Geelong's proximity to Melbourne it is important to the community that the unique identity and character of the municipality is retained.

Clause 02.03-5 – Built environment and sustainability

Built environment

Geelong's sense of place and identity is valued by its community. Council seeks to balance growth in the municipality while maintaining its identity by identifying areas for varying levels of change and by balancing the need for conservation and renewal. Medium density housing can have a greater impact on neighbourhood character than traditional detached housing. As housing density intensifies, it is important that housing makes a positive contribution to the neighbourhood. The protection of amenity and facilitation of environmentally sustainable and healthy development that will benefit and improve the community's quality of life is at the forefront of Council's built environment goals.

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Heritage

Greater Geelong's rich heritage makes a significant contributions to its sense of place and identity.

The cultural heritage of the region brings economic and cultural benefits to the community. The diversity of heritage places allows for interpretation of the region's development. It assists in understanding the City's foundation and growth from wool sales and exports, to gold discovery, through to expansion in industry and manufacturing. It also enables appreciation of individual house design and neighbourhoods that contribute to the character, image and sense of place of each of the City's heritage areas.

9.2 Planning Policy Framework

The most relevant sections of the Planning Policy Framework (PPF) are included below

Clause 11.01-1R – Settlement - Geelong G21

Support the role of Central Geelong as a major regional city and revitalise and strengthen its role as Victoria's second city.

Clause 11.01-1S – Settlement

Objective

To facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

Clause 11.03-6L-01 – Bellarine Peninsula

General strategies

Contain urban development within the protected settlement boundaries identified in the structure plan maps.

Support the district towns of Ocean Grove, Drysdale, Clifton Springs and Curlewis, and Leopold to fulfil their role as service hubs for the Bellarine Peninsula.

Ensure all other townships provide retail, commercial and community uses and facilities that serve the daily needs of the community.

Retain the land outside protected settlement boundaries as green breaks to preserve agricultural, environmental, tourism, landscape and scenic values.

Barwon Heads strategies

Protect the unique character of Barwon Heads as a coastal village located within a sensitive environment and significant landscape setting.

Ensure development has minimal impact on the indigenous vegetation and landscape character in the environmental significance area.

Reinforce the Hitchcock Avenue shopping centre as the focus of retail activity in Barwon Heads.

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Restrict new retail development and discourage industry and warehouse uses in the village centre.

Support the development of Stage 3 of the 13th Beach Resort as a focus for golf that excludes residential development and provides net environmental benefits.

Facilitate the upgrading of the Barwon Heads Village Park and foreshore reserves in accordance with established master plans.

Protect existing street trees and informal landscaping in streets.

Support accommodation diversity, including tourist accommodation, in the increased housing diversity area.

Clause 15.01-3S – Subdivision design

Objective

To ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.

Clause 15.03-1S – Heritage conservation

Objective

To ensure the conservation of places of heritage significance.

Clause 15.03-1L – Heritage conservation

Strategies

Retain and conserve significant and contributory heritage places.

Discourage demolition of buildings or other elements that are significant or contributory to a heritage place unless it:

- *Will contribute to the long-term conservation of the fabric of the part of the building being retained.*
- *Involves the removal of later unsympathetic modifications.*
- *Will enhance the heritage significance of the place.*

Support use and development of a heritage place that enhances its significance and contributes to its longevity.

Design and site development, including external alterations of buildings, to make a positive contribution to the significance of the heritage place.

Design development in heritage areas to provide a contemporary interpretation that relates to the location, bulk, form and materials of existing or neighbouring significant heritage places.

Encourage the retention or re-instatement of streetworks including street trees and bluestone kerbs, street construction form, asphalt footpaths, channels and crossovers.

Support the subdivision of land where:

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- *The pattern of the proposed subdivision will not adversely affect the significance of the original subdivision.*
- *The subdivision will conserve or enhance the significance of the heritage place.*

Encourage replanting of a similar type of tree where the removal of a significant street tree is unavoidable.

Design development to be consistent with the City of Greater Geelong Heritage and Design Guidelines (Helen Lardner Conservation and Design, 1997).

Clause 16.01-1S – Housing supply

Objective

To facilitate well-located, integrated and diverse housing that meets community needs.

9.2.1 Response to planning policy

Our assessment in Section 10 of this report demonstrates that this application is supported by the MPS and PPF and will provide for the development of a new dwelling on land which is zoned for residential development, it will also facilitate the re-subdivision of the land, extension of an existing dwelling, ensuring that the dwelling meets the needs of the landowner, and responds to the heritage values and design direction within the Greater Geelong Planning Scheme.

We confirm that this application will assist Council in achieving its overarching vision for Greater Geelong, outlined in Clause 02.02 which sees Greater Geelong as the best place to live through prosperity and cohesive communities in an exceptional environment.

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10 Key planning considerations

To assist Council in its assessment of this application, we have identified and responded to the following key planning considerations:

- Is the application responsive to the zone?
- Does the application achieve an acceptable response achieved in relation to the Heritage Overlay?
- Is the application supported by the Municipal Planning Strategy and the Planning Policy Framework?
- Is the application responsive to the Design and Development Overlay?
- Is an acceptable outcome achieved in relation to the issues required to be considered in Clause 65.01 and Clause 65.02 of the Greater Geelong Planning Scheme?

10.1 Is the application responsive to the zone?

As has been noted, the site is located in two zones, and a Planning Permit is required to subdivide land (re-subdivide land) in both zones.

The subdivision seeks approval for the minor re-subdivision of the land to allow for the extension of the dwelling located at 36-38 Margate Street, Barwon Heads. The re-subdivision achieves lot sizes of greater than 300 square metres in area and the application plans provide for the development and subdivision of the land at 39 Seaview Avenue, Barwon Heads and achieve a garden area of greater than 25% for the new lot, which will be less than 400 square metres in area.

The re-subdivision **is consistent with the purposes and decision guidelines of the zones** and will provide for a lot layout which allows a development outcome that responds to the character of the area.

The subdivision layout, and associated development, provides for a pattern of subdivision and a building spacing which provides a positive response to the surrounding area. Our attached assessment against Clause 56 demonstrates that the standards of Clause 56 are met.

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10.2 Does the application achieve an acceptable response achieved in relation to the Heritage Overlay?

As has been noted, HO1701 is an overlay which applies only to the subject site and the dwelling located to the north at 41 Seaview Avenue, Barwon Heads. That is, HO1701 is an individual heritage overlay, rather than a precinct control, and given this, land in the surrounding area is not of any heritage significance. HO1701 applies the following controls to the land, and notes that the Federation dwelling at 41 Seaview Avenue is of significance.

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO1701	Residence 41 Seaview Avenue, Barwon Heads	No	No	No	Yes	No	No	No	No

It is clear that when Council approved the subdivision of the land through PP-629-2025 and created a separate parcel of land at 39 Seaview Avenue, Barwon Heads which contains only a non-significant outbuilding, that it found that the land at 39 Seaview Avenue, Barwon Heads does not contribute to the heritage values of the dwelling at 41 Seaview Avenue, Barwon Heads. Given this, while the Heritage Overlay applies to the land, it is of limited value to the assessment of this application. We expect that in due course, Council will re-visit the application of the Heritage Overlay to the subject site, and will remove the Heritage Overlay through an anomaly amendment as the site has no heritage value, consistent with all of the lots in the surrounding area apart from 41 Seaview Avenue, Barwon Heads.

We note that when approving the subdivision of the land through PP-629-2025, Council did not tie the subdivision of the land to a particular development outcome – cementing our view that the site is not of any heritage value.

However, we acknowledge that HO1701 applies to the land, and we provide the following response to the purpose and decision guidelines of the Heritage Overlay.

- This application implements the Municipal Planning Strategy and Planning Policy Framework, as detailed later in this report.
- The removal of a non-significant outbuilding, and fence, will not have any impact on the heritage values of the site, and this has been confirmed by Council's Heritage Advisor at the Pre-Application Meeting.
- The development which is proposed will not impact on the heritage values of the dwelling at 41 Seaview Avenue given that it is located on a separate, newly created title to the dwelling. In allowing the subdivision of the land, Council has, in our view, determined that the title at 41 Seaview Avenue provides an

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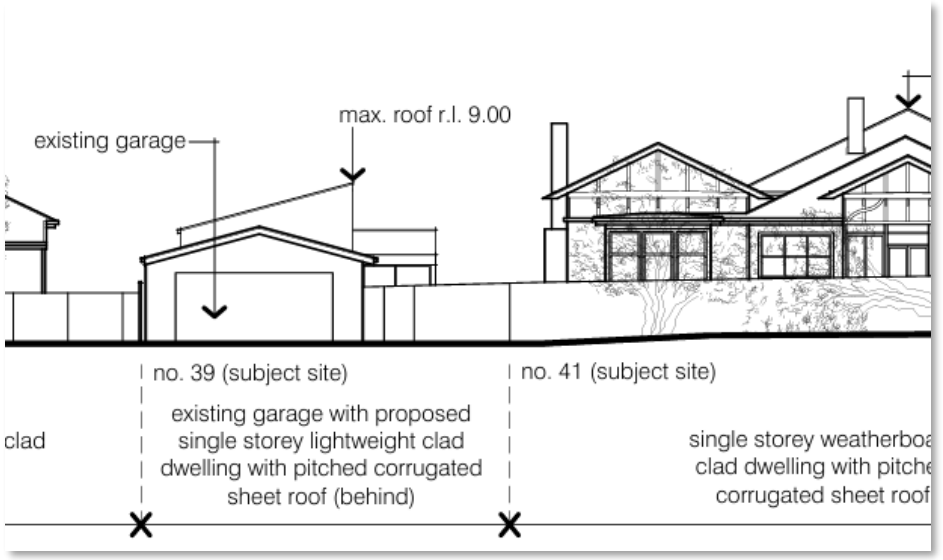
appropriate setting for the heritage listed dwelling, and the newly created title at 39 Seaview Avenue does not provide for any building fabric, trees, or other assets which are of heritage value.

- By providing for a single storey scale of development for the dwelling at 39 Seaview Avenue, there is limited impact on the adjoining Federation dwelling, as noted by Council's Heritage Advisor at the Pre-Application Meeting.
- The 6.116 metre landscaped front setback provides a superior response to the heritage values of the land at 41 Seaview Avenue, Barwon Heads when compared to the current, approved development and it provides for a larger front setback, more landscaping, for the bulk of the dwelling to be set behind the front wall plane of the dwelling at 41 Seaview Avenue, Barwon Heads, and generally for larger side setbacks from the north.
- The recessive nature and design of the additions to 36-38 Margate Street which project into the land at 39 Seaview Avenue will not impact on the heritage values of the dwelling at 41 Seaview Avenue, as confirmed by Council's Heritage Advisor at the Pre-Application Meeting.
- The re-subdivision results in a minor change to the lot configuration, but no changes to the appearance of the land as viewed from Seaview Avenue, which Council's Heritage Advisor confirmed at the Pre-Application Meeting will provide for an acceptable heritage outcome.
- The current set of plans approved for the site show the retention of the existing front fence, which we estimate to be 1.5 metres in height, as seen in the images below.



Existing front fence

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Endorsed plans | PP-629-2025

This application also seeks approval for a 1.5 metre high front fence, consistent with the current approval for the land.

As has been noted, the subject site and its Heritage Overlay status are related to an individual heritage control rather than a precinct control. Given that the proposed front fence is visually permeable, and matches the height of the existing front fence in front of 41 Seaview Avenue, Barwon Heads, it is apparent that the proposed front fence will not negatively impact the heritage values of the dwelling at 41 Seaview Avenue, Barwon Heads.

- The redevelopment of the land provides for a modern, single storey dwelling which uses subdued materials and colours for its construction and which is offset from the shared boundary with 41 Seaview Avenue, ensuring that the heritage values of the dwelling at 41 Seaview Avenue are not compromised.
- The re-subdivision of the site provides for a changed lot configuration but will provide for an appropriate development outcome, with the changed configuration not perceptible from the public realm, in line with the advice from Council's Heritage Advisor at the Pre-Application Meeting.

It is demonstrated that the application **is responsive to the purpose and decision guidelines of the Heritage Overlay.**

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10.3 Is an acceptable outcome achieved in relation to the Design and Development Overlay?

As has been noted, a Planning Permit is required under the Design and Development Overlay as follows:

- Construction of a front fence on both lots.
- Construction of a dwelling at 39 Seaview Avenue, Barwon Heads.
- Subdivision (re-subdivision) of land.

The proposed front fencing, dwelling at 39 Seaview Avenue, Barwon Heads, and subdivision (re-subdivision) **achieve an acceptable outcome in relation to the Design and Development Overlay**, as detailed below.

Fencing

As has been detailed earlier in this report, the proposed front fencing at 39 Seaview Avenue, Barwon Heads provides for a visually permeable fencing solution which is similar in height to the existing fence located on the land, which Council approved for retention in PP-629-2025. The proposed fence also reflects the fence height of the existing fence at 41 Seaview Avenue, Barwon Heads.

Given this, the front fence provides an acceptable outcome in relation to the design objectives and decision guidelines of DDO41, and the proposed fencing will not negatively impact on the identified coastal character of this area of Barwon Heads, where the established fence character of the area sees fencing which is higher than 1 metre in height developed on most lots in the surrounding area.

The proposed front fence at 36-38 Margate Street, Barwon Heads replaces an existing fence of similar height and is designed to provide a positive response to the architectural values of the dwelling located on the land. The slightly higher fence height which is proposed will not impact on established landscaping in the front garden area of the dwelling and is therefore consistent with the design objectives and decision guidelines of DDO42.

Dwelling | 39 Seaview Avenue, Barwon Heads

The low-scale dwelling, which is approximately 3.85 metres in height, and which includes a landscaped front setback area, and which is offset from both side boundaries achieves a positive response to the design objectives of DDO41.

The dwelling has been designed to achieve most of the Table 1 requirements of DDO41, and only triggers the need for a Planning Permit because of the proposed side setbacks:

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Table 1 Design Requirements | DDO41

Site coverage	The site area covered by buildings must not exceed 40%	**Complies**, 36% site coverage
Street setbacks	Walls of buildings must be setback at least 6 metres from the front street	**Complies**, 6.116 metre front setback
Side setbacks	Buildings must be setback at least 2 metres from one side boundary	Does not comply, this is a permit trigger
Canopy trees	Development must provide for at least two indigenous canopy trees per lot, with at least one tree in the front setback	**Complies**, conceptual landscape plan shows multiple canopy trees. A permit condition can secure this requirement
Landscaping	Development must provide additional planting, including at least two local indigenous species	**Complies**, conceptual landscaping plan shows new planting. A permit condition can secure this requirement
Permeability	The site area covered by pervious surfaces must be at least 30%	**Complies**, 64% of the site is available for permeable surfaces
Garages		Not applicable
Fencing	Fencing within the front setback must not exceed 1 metre and be at least 50% transparent	Does not comply, this is a permit trigger

The proposed site layout provides for side setbacks from both the northern and southern boundaries of the site, achieving a setback of 1.295 metres from the northern boundary and 1.281 metres from the southern boundary.

The permit trigger in Table 1 seeks a 2 metre setback from one side boundary only to achieve a spacious setting for development. This application provides for side setbacks from both side boundaries, applying a different response to achieving a spacious setting for the dwelling, and, importantly, avoiding building on the boundary – which is allowed under Table 1. The removal of the outbuilding located on the site results in no construction on the boundary and in our assessment, the design solution provides a positive response to the coastal character of the area, and will provide for a spacious setting for development, as is encouraged in the design objectives.

We highlight that it is only a small part of the dwelling which is setback less than 2 metres from the northern boundary (kitchen/ dining room), and the remainder of the dwelling is setback at least 4.726 metres from the site's northern boundary, creating a much more

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spacious setting than the development currently approved under PP-629-2025. These side setbacks are complemented by a setback from the rear boundary of 2.9 metres.

Subdivision (re-subdivision)
There are no decision guidelines in DDO41 or DDO42 relating to subdivision, nor is there any particular direction in the design objectives for either overlay.

We note that this application for re-subdivision, with its combined application for development, demonstrates that the lots are of adequate size and dimension to be developed in a manner which is consistent with the design objectives. Importantly, the minor change to the boundary will not change the presentation of either site when viewed from the street.

10.4 Is the application supported by the Municipal Planning Strategy and Planning Policy Framework?

The application **is supported by the Municipal Planning Strategy and Planning Policy Framework.**

The Greater Geelong Planning Scheme identifies that the municipality will continue to grow, and this application, which results in the development of a new dwelling on the land at 39 Seaview Avenue assists in providing housing for the growing population on land within the township boundary of Barwon Heads, which is zoned for residential development. As such, the development is consistent with Clause 02.03-1 – Settlement, Clause 11.01-1R and S – Settlement, Clause 11.03-6L-01 – Bellarine Peninsula, and Clause 16.01-1S – Housing supply.

This application is also responsive to heritage related policies in that it provides for the removal of a non-significant outbuilding and provides for a development outcome which better responds to the character of the area by removing the large double garage which is currently developed on the site.

As has been detailed, the site has recently been subdivided, and the land cut off from the heritage dwelling at 41 Seaview Avenue. In subdividing the land, Council has determined that the site does not contribute to the heritage values of the individually heritage listed dwelling at 41 Seaview Avenue. Given this, the redevelopment of the land with a modest, single storey dwelling, offset from side boundaries, and the minor reconfiguration of lot boundaries, will have no impact on the heritage values of the dwelling at 41 Seaview Parade, and will provide a positive response to the objective of Clause 02.03-5 – Built environment and sustainability, and Clauses 15.03-1S and L.

The re-subdivision which is proposed results in a minor change to the lot boundaries between 41 Seaview Avenue and 36-38 Margate Street, and will not be perceptible from

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the public realm, ensuring that the subdivision design creates an attractive and safe outcome, consistent with the objective of Clause 15.01-3S. We highlight that there are no changes to lot frontages and the interaction of the land with either Margate Street or Seaview Avenue.

10.5 **Is an acceptable outcome achieved in relation to the issues required to be considered in Clause 65.01 and Clause 65.02?**

The matters set out in section 60 of the Act.
The approval of this application will ensure that the objectives of planning in Victoria are met, with this application providing for an orderly development of land which assists in providing for a pleasant and safe living and working environment for Victorians.

The Municipal Planning Strategy and the Planning Policy Framework.
This has been addressed in Section 10.4 of this report.

The purpose of the zone, overlay or other provision.
Any matter required to be considered in the zone, overlay or other provision.
This has been addressed in Section 10.1, 10.2, 10.3 and 7.1.1 of this report.

The suitability of the land for subdivision.
The land is suitable for subdivision, and its residential zoning provides an opportunity for re-subdivision.

The availability of subdivided land in the locality, and the need for the creation of further lots.
This application achieves a reconfigured lot layout, rather than creating any new lots.

The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
The minor change to the lot boundary to the rear of each lot provides for the extension of the dwelling located at 36-38 Margate Street, without impacting on streetscape character, including existing vegetation.

The area and dimensions of each lot in the subdivision.
It is demonstrated that the area and dimensions of each lot provide for the development of a dwelling which responds positively to the character of the area.

The design and siting of buildings having regard to safety and the risk of spread of fire.
The new lot boundary is designed to be offset 2.9 metres from the rear wall of the dwelling at 36-38 Margate Street to consider safety and the potential risk posed by the spread of fire.

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The provision of off-street parking.
Both lots are provided with off-street parking.

The provision and location of common property.
The functions of any owners corporation.
No common property is proposed.

The availability and provision of utility services, including water, sewerage, drainage, electricity, and, where the subdivision is not a residential subdivision, gas.
The land is already connected to the required services.

The above assessment demonstrates that **an acceptable outcome is achieved in relation to the relevant decision guidelines of Clause 65.01 and Clause 65.02.**

11 Aboriginal Heritage

The *Aboriginal Heritage Regulations, 2007* which specify the circumstances in which a Cultural Heritage Management Plan (CHMP) is required for an activity or class of activity. Part 2 - Division 2 of the *Aboriginal Heritage Regulations 2007* specifies exempt activities which do not require a Cultural Heritage Management Plan.

A CHMP is not required for this application, as the development and subdivision are exempt from requiring a CHMP.

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12 Conclusion

This report demonstrates that an appropriate response to the requirements of the Greater Geelong Planning Scheme is achieved, confirming:

- The application is supported by the MPS and PPF.
- The development, re-subdivision, and demolition respond positively to the Heritage Overlay applying to the land.
- The re-subdivision complies with the standards of Clause 56 and provides for a lot layout which will have minimal impact on the character of the surrounding area.
- The development and re-subdivision provide a positive response to the Design and Development Overlays applying to the land.
- An acceptable outcome is achieved, and a superior response is provided when compared to the plans approved by PP-629-2025.

We recommend that a Planning Permit is issued in support of the proposal.