

11/06/2024

Planning Department
Moyne Shire Council
Princes Street, Port Fairy,
Victoria, 3284

Dear Planning Team,

Please find attached a planning permit application for 57 Halladale Street,
Peterborough, Victoria, 3270.

Attached are the following documents;

- Planning Permit Application Form
- Copy of Title
- Planning Assessment Report
- Plans and Elevations

Please contact me on [REDACTED] or via [REDACTED] if you have
any questions on the above application.

Yours faithfully,

[REDACTED]
[REDACTED]

[REDACTED]

Planning report

57 Halladale Street, Peterborough, Victoria, 3270

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ACKNOWLEDGEMENTS

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DOCUMENT CONTROL

This document has been prepared to aid the submission of a planning permit application for 57 Halladale Street, Peterborough, Victoria, 3270.

PROPOSAL

It is proposed to construct a small first floor bathroom extension attached to the northern elevation of the existing 3 bedroom dwelling. The site has an area of 910.55m² on the corner of Halladale Street and Champion Street in Peterborough, Victoria.

The extension will contain a new first floor bathroom which will occupy part of the space currently used for the first floor balcony. The remaining balcony will be retained yet reduced in size.

The extension will be finished in James Hardie Matrix cladding in light grey tones to match the existing exterior of the building, under a matching Trimdek iron roof covering. A new aluminium sliding window in contrasting dark tones will be provided whilst an existing aluminium sliding glazed door, also in dark tones, will be relocated from the existing structure positioned alongside the new extension. The extension will be supported by additional floor structure and post.

The extension will add 5.51m² (3.6m x 1.53m) to the existing floor area.

The height of the dwelling is unchanged at 6.55m with setbacks largely unchanged – North 3m, South 6.2m, East 10.9m, West 16.96m. There are no windows on the western or northern facades of the extension facing the abutting dwelling and only a highlight window on the northeast elevation for ventilation and articulation.

Vehicular access will remain unchanged as will landscaping and fencing.



WEST PERSPECTIVE



NORTHEAST PERSPECTIVE

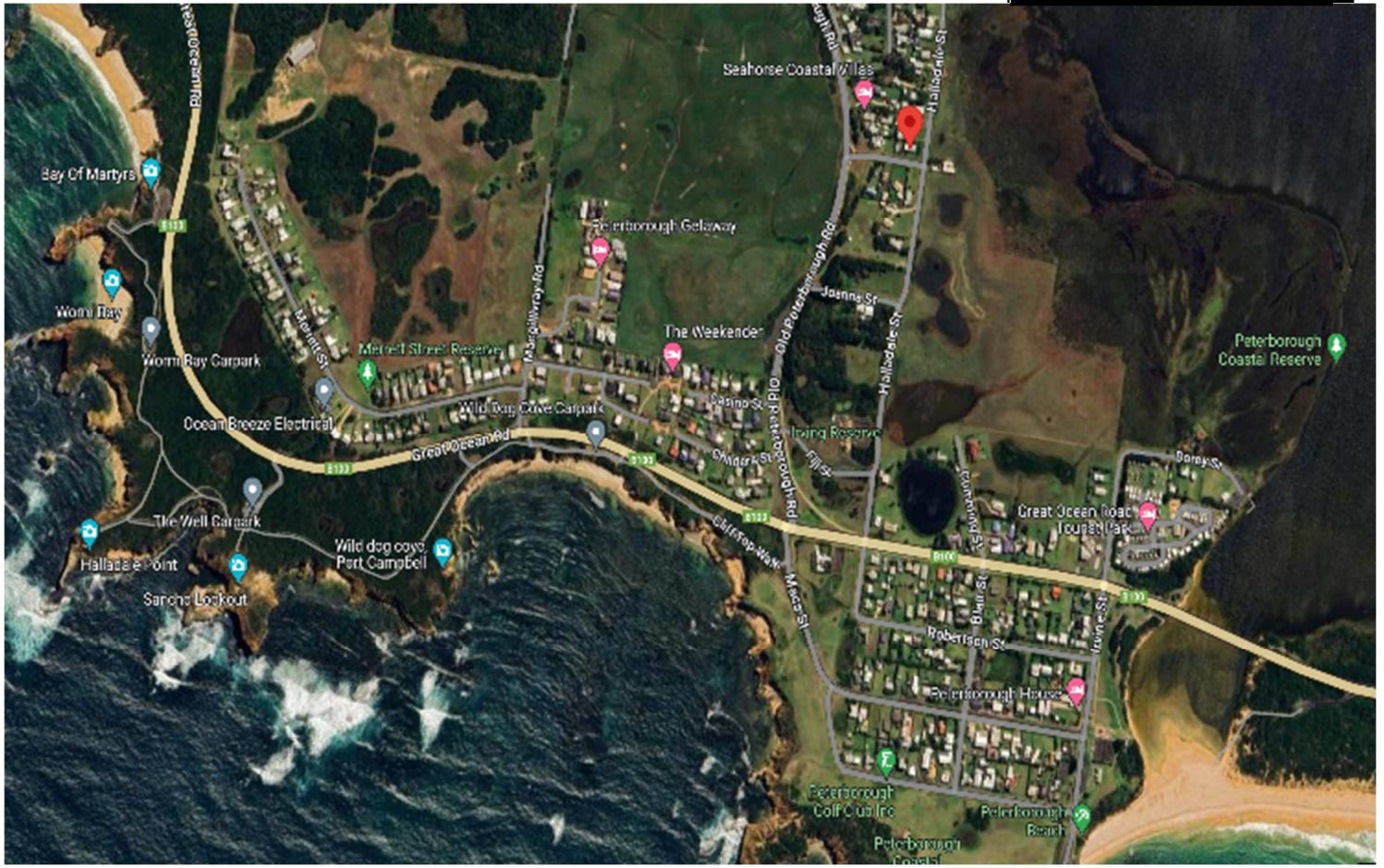
SITE ANALYSIS

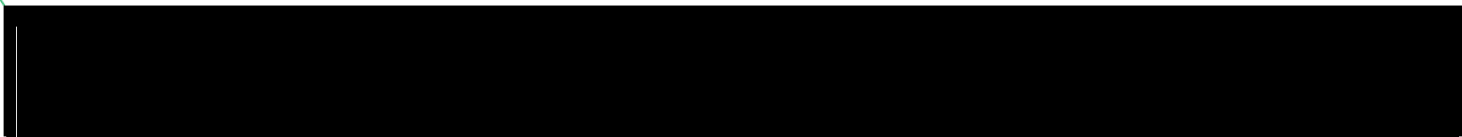
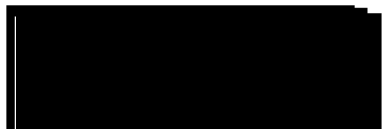
The subject site slopes to the east and is well established with mature gardens having an overall area of 910.55m². The dwelling has been raised from ground level on timber beams and built into the slope of the site with a two storey section on the northern elevation. The house contains 3 bedrooms with storage area under, a driveway, off street parking and a garage. The dwelling is clad externally under a slightly pitched roof, with a raised timber decks with steps to ground level.

The dwelling has frontage to Halladale Street and return frontage to Champion Street and is well setback at 10.9m from the front boundary (Halladale Street) and 6.2m setback from Champion Street.

The prevailing neighbourhood character is sparsely developed and single storied residential development, located approximately 350m from the Peterborough Coastal Reserve and approximately 900m from river mouth and foreshore areas, and is approximately 750m from the Bay of Islands.

There is no vegetation required to be removed to facilitate the works.







PLANNING CONTROLS

Zone

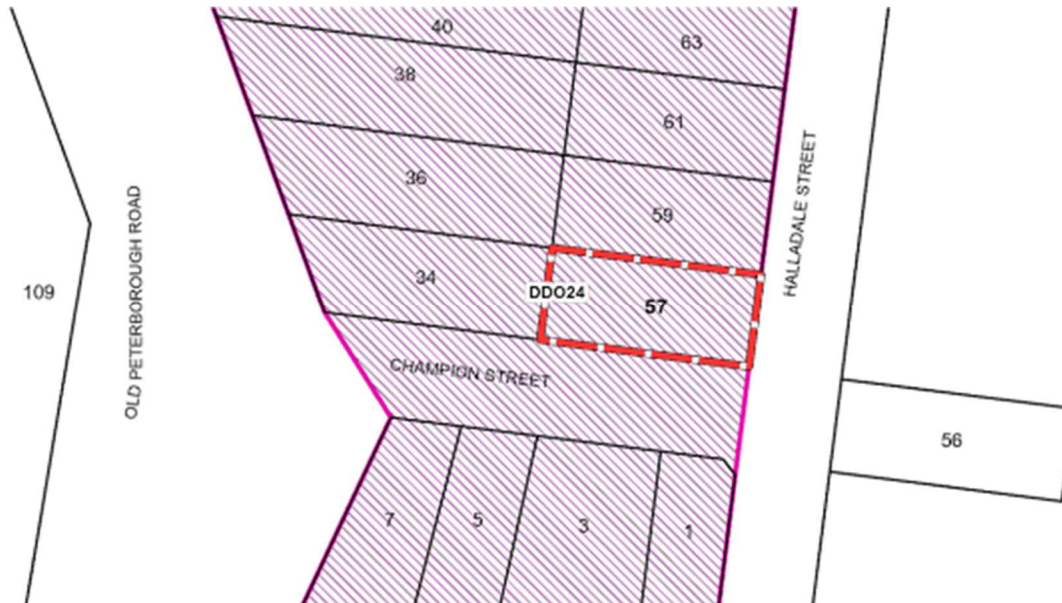
The site is located in the General Residential 1 Zone (GRZ1).



Overlays

The following Overlays apply to the land:

Design and Development Overlay Schedule 24 (DDO24)



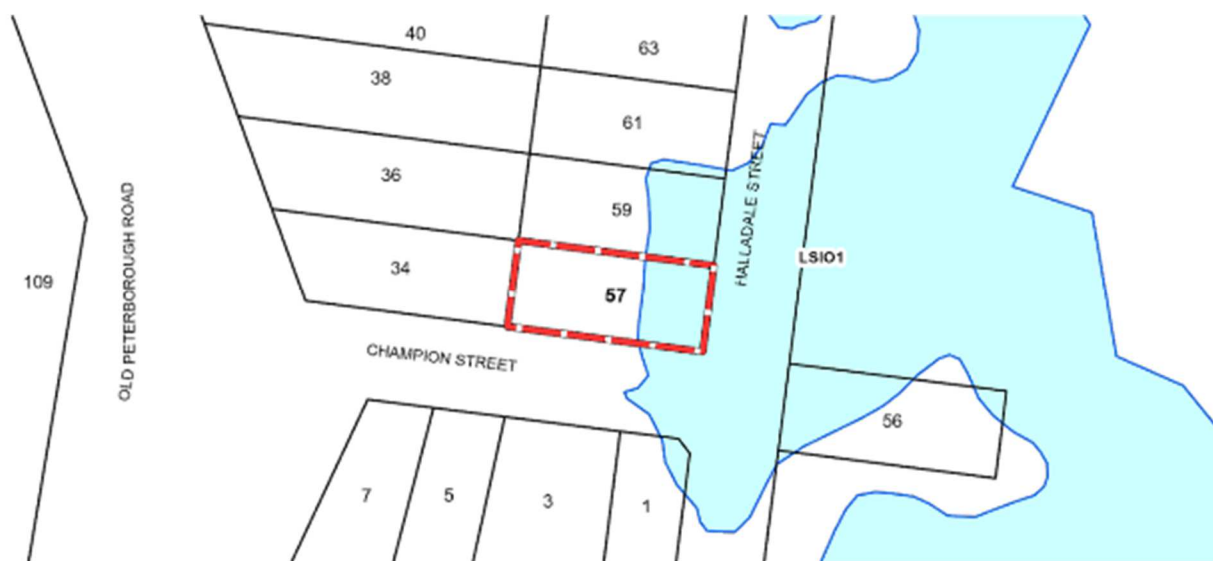
Environmental Significance Overlay Schedule 2 (ESO2)



Significant Landscape Overlay Schedule 2 (SLO2). Significant Landscape Overlay Schedule 3 (SLO3)



Land Subject to Inundation Overlay Schedule 1 (LSIO1)



The site is also within a Designated Bushfire Prone Area and is within an area of Aboriginal Heritage Significance. A Cultural Heritage Management Plan is not required as the works are associated with a single dwelling and are therefore exempt under the Aboriginal Heritage Regulations 2018.



Permit requirements

No permit is required under the General Residential Zone as the site exceeds 500m² with no other triggers.

- A permit is required under the ES02 pursuant to **Clause 42.01-2**
- No permit is required under the SLO2 pursuant to **Clause 42.03-2** as there is no vegetation removal required.
- A permit is also not required under the SLO 3 as the site is beyond 500m of the Bay of Islands (750m) and beyond 200m (750m) of the Curdies River mouth pursuant to **Clause 42.03-2**.
- A permit is required under the DDO 24 pursuant to **Clause 43.02-2**
- A permit is required under the LSI01 pursuant to **Clause 44.04-2**

RESTRICTIONS ON TITLE

None

PLANNING ASSESSMENT

Clause 42.01

ENVIRONMENTAL SIGNIFICANCE OVERLAY

Purpose

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

To identify areas where the development of land may be affected by environmental constraints.

To ensure that development is compatible with identified environmental values.

SCHEDULE 2

SCHEDULE 2 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

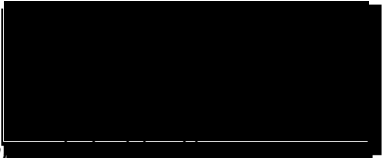
PETERBOROUGH COASTAL AND ESTUARY AREA

Clause 42.01-5

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- *The Municipal Planning Strategy and Planning Policy Framework.*
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- *The statement of environmental significance and the environmental objectives contained in a schedule to this overlay.*
 - *The need to remove, destroy or lop vegetation to create a defensible space to reduce the risk of bushfire to life and property.*
 - *Any other matters specified in a schedule to this overlay.*

5.0

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- *The existing use or development of the land.*
- *The impact of the development on other properties.*
- *The degree of dependence of the development on the coastal environment.*
- *The soil stability of the subject land and the need to prevent soil erosion.*
- *The likelihood of pollution and/or siltation of any watercourse.*
- *The amount of natural vegetation to be removed through the construction of any buildings or works.*
- *Whether adequate provision has been made for the landscaping and treatment of the site.*
- *The value of any native vegetation to be removed in terms of its physical condition, rarity or variety.*
- *The protection and enhancement of the landscape.*
- *The desirability of retaining a buffer strip of native vegetation along roads, watercourses and property boundaries.*
- *The need to protect the environmental values of limestone depressions including avoidance of the draining and filling of limestone depressions.*
- *The desirability of maintaining natural drainage features.*
- *The Peterborough Urban Design Framework, 2002.*

6.0 Background documents

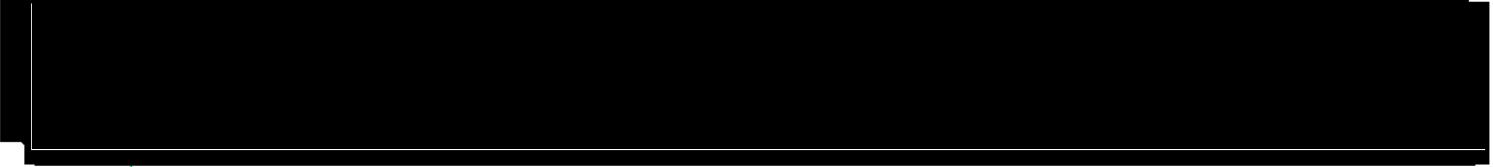
Peterborough Urban Design Framework, 2002.

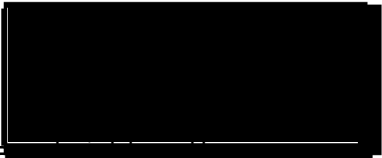
Siting and Design Guidelines for Structures on the Victorian Coast, 1998.

ASSESSMENT

The proposal is designed to increase the usable floor area of the dwelling by adding an additional bathroom to the accommodation.

This is done by adding a further 5.51m² to the floor area upstairs and by removing part of the first floor balcony.





The building including the small extension is well setback and of the same height as the existing dwelling on all sides which allows views over the top and through the site to protect coastal and rural views.

There are no anticipated adverse amenity impacts anticipated on surrounding properties as despite the modest increase in floor area, the overall height of the dwelling is unchanged and there are no window placements facing abutting dwellings and generous setbacks.

The proposed design respects the scale and pattern of residential development and blends with the prevailing neighbourhood character.

External materials are proposed to match the existing in muted neutral colours in contemporary materials.

The small-scale nature of the development ensures that the proposed works do not impact views or view lines of adjoining dwellings or the streetscape.

No significant excavation or vegetation removal is required.

The setbacks ensure there no walls on boundaries and to ensure sufficient open space provision, parking and to protect amenity.

No changes to landscaping, fencing or car parking are proposed or required.

The proposal is therefore considered to meet the purpose and decision guidelines of the overlay.

Clause 43.02

DESIGN AND DEVELOPMENT OVERLAY

Purpose

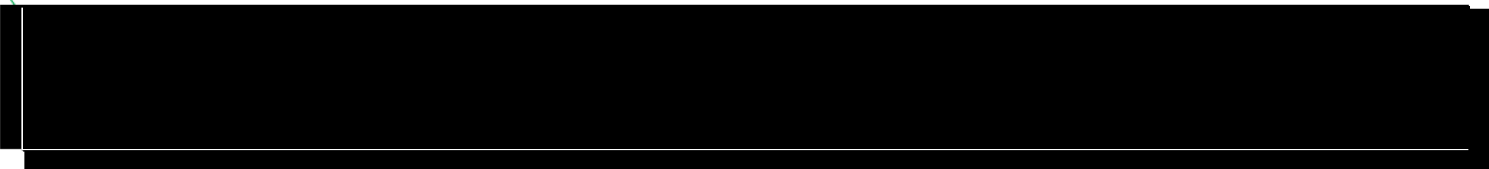
To implement the Municipal Planning Strategy and the Planning Policy Framework.

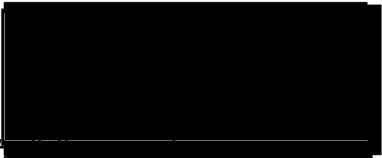
To identify areas which are affected by specific requirements relating to the design and built form of new development.

Clause 43.02-6

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- *The Municipal Planning Strategy and the Planning Policy Framework.*
 - *The design objectives of the relevant schedule to this overlay.*
 - *The provisions of any relevant policies and urban design guidelines.*
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- *Whether the bulk, location and appearance of any proposed buildings and works will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.*
 - *Whether the design, form, layout, proportion and scale of any proposed buildings and works is compatible with the period, style, form, proportion, and scale of any identified heritage places surrounding the site.*
 - *Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.*
 - *The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed off street car parking*
 - *Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area.*
 - *Any other matters specified in a schedule to this overlay.*

SCHEDULE 24 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY PETERBOROUGH RESIDENTIAL AREA

6.0

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

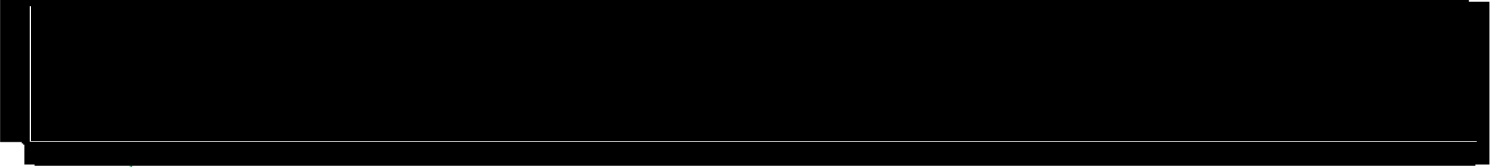
- *Whether any subdivision adopts the traditional grid pattern of the street layout.*
- *Whether there are appropriate setbacks between buildings to provide spaces and views between and from buildings.*
- *Whether the siting and design of buildings, works and subdivision is consistent with the objectives and the strategies of the Residential Design Guidelines, Peterborough, Victoria 2006.*
- *Whether a building dominates the natural landscape.*
- *Whether the bulk of a building dominates the townscape.*

ASSESSMENT

The proposed works are consistent with the existing and preferred character of the streetscape and area as defined by the Residential Design Guidelines Peterborough.

The proposal blends with the external appearance of the dwelling without impacting on amenity, the environment or sensitive landscapes.

Colours and materials selected compliment the coastal area.





Clause 44.04

LAND SUBJECT TO INUNDATION OVERLAY

Purpose

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

To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority.

To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

To minimise the potential flood risk to life, health and safety associated with development.

To reflect a declaration under Division 4 of Part 10 of the Water Act, 1989.


To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.


To ensure that development maintains or improves river, marine, coastal and wetland health, waterway protection and floodplain health.

Clause 44.04-8

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- *The Municipal Planning Strategy and the Planning Policy Framework.*
 - *Any local floodplain development plan.*
 - *Any comments from the relevant floodplain management authority.*
 - *The existing use and development of the land.*
 - *Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.*
 - *Alternative design or flood proofing responses.*
 - *The susceptibility of the development to flooding and flood damage.*
 - *The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:*
 - *The frequency, duration, extent, depth and velocity of flooding of the site and accessway.*
 - *The flood warning time available.*
 - *Tidal patterns.*
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- *Coastal inundation and erosion.*
 - *The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.*
 - *The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.*
 - *The effect of the development on river, marine and coastal health values including wetlands, natural habitat, stream stability, erosion, environmental flows, water quality, estuaries and sites of scientific significance.*
 - *Any other matters specified in a schedule to this overlay.*

SCHEDULE 1 TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY

5.0

Decision guidelines

None specified.

ASSESSMENT

As shown in 1/100 year flood mapping used to determine the extent of inundation for the LSI0, the front half of the site is inundated. The GHCMa flood portal does not provide mapping as to the extent of inundation. As the extension is at first floor level at a height of 3.6m it is considered that the extension does not add to the flood risk as it is above the anticipated flood level.

MUNICIPAL STRATEGIC STATEMENT

ENVIRONMENT

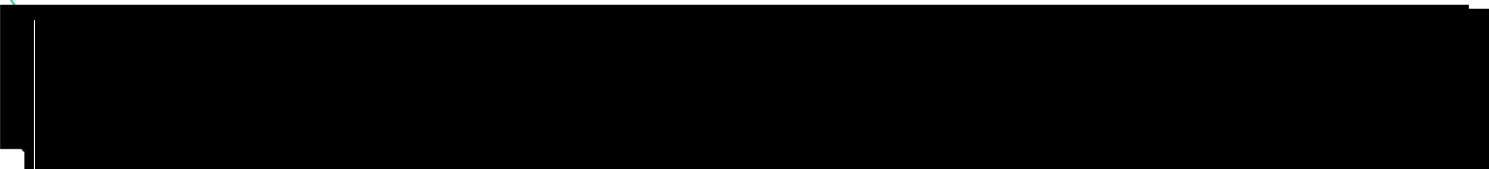
Clause 22.02-1

Coastal Areas

This policy applies to all land adjacent to the coastline including the area affected by the Environmental Significance Overlay Schedule 1.

Policy Basis

The coastal areas of the municipality are a major natural, economic and environmental resource. The MSS recognises the need to protect, conserve, manage and develop the coast in a sustainable environmental and economic manner. The MSS also recognises the need to ensure that any developments on the coast that optimise tourism



potential must do so in a manner which recognises the sensitive natural assets. It is policy to recognise the:

- *Natural character of the coastal area, which is of special cultural value to the municipality and to visitors from elsewhere.*
- *Importance of the coastal zone to Aboriginal people, in particular traditional uses and Aboriginal culture.*
- *Dynamic, complex and interconnected nature of biological and physical processes in the coastal zone (terrestrial and marine).*
- *Susceptibility of the coast to the effects of natural events, including sea-level rise.*
- *Importance of good water quality to marine ecosystems.*
- *Importance of maintaining representative or significant natural ecosystems and sites of biological importance, biodiversity and indigenous coastal flora and fauna.*
- *Protection of coastal sites and features of cultural and historic value is of State and regional importance.*
- *Coast as a major economic asset.*
- *Desire of the community for allocation of space and resources in the coastal area for a variety of recreation and commercial fishing opportunities.*
- *Economic and social values of tourism and recreation in the coastal area in general.*
- *Importance of public access to and along the coast consistent with protection of natural coastal values, systems and processes.*
- *Coastal environment as being affected by activities, uses and development occurring outside the coastal area.*

ASSESSMENT

There are no matters of state significance relevant to the proposal. The proposed works are small scale associated with a single existing dwelling in an established location. The proposed works concern the first floor only and increase the area by a mere 5.51m² and are in keeping with the scale, bulk and mass of the existing dwelling utilising external materials and colours to blend with the character of the area.

Clause 13.02-1S

Bushfire planning

Policy application

This policy must be applied to all planning and decision making under the Planning and Environment Act 1987 relating to land that is:

- *Within a designated bushfire prone area;*
- *Subject to a Bushfire Management Overlay; or*
- *Proposed to be used or developed in a way that may create a bushfire hazard.*

Use and development control in a Bushfire Prone Area

In a bushfire prone area designated in accordance with regulations made under the Building Act 1993, bushfire risk should be considered when assessing planning applications for the following uses and development:

- *Subdivisions of more than 10 lots.*
- *Accommodation.*
- *Child care centre.*
- *Education centre.*
- *Emergency services facility.*
- *Hospital.*
- *Indoor recreation facility.*
- *Major sports and recreation facility.*
- *Place of assembly.*
- *Any application for development that will result in people congregating in large numbers.*

When assessing a planning permit application for the above uses and development:

- *Consider the risk of bushfire to people, property and community infrastructure.*
- *Require the implementation of appropriate bushfire protection measures to address the identified bushfire risk.*
- *Ensure new development can implement bushfire protection measures without unacceptable biodiversity impacts.*

ASSESSMENT


The extension poses no increased fire risk as it is a small extension to an existing dwelling with water supply, road access and fire risk measures already in place.

Clause 65.01

APPROVAL OF AN APPLICATION OR PLAN

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.*
- *Any significant effects the environment, including the contamination of land, may have on the use or development.*
- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *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 environment, human health and amenity of the area.*
- *The proximity of the land to any public land.*

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- *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.*
 - *The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.*
 - *The impact the use or development will have on the current and future development and operation of the transport system.*

This clause does not apply to a VicSmart application.

ASSESSMENT

The extension has been assessed against the relevant overlays and has been found to meet the requirements. There are no anticipated adverse amenity, transport, environmental or other impacts associated with the development.

The extension is considered orderly planning.

SUMMARY

The proposed works are a minor extension of an existing dwelling to increase the floor area and match the external appearance.

There are no anticipated adverse amenity impacts as the extended dwelling occupies largely the same building footprint and setbacks with no windows facing the abutting property.

The proposal has been assessed against the relevant planning provisions including the PPF, MPS, Zone and Design Development Overlay Schedule 24, ES02, SLO2 and 3 and found to meet the relevant objectives and decision guidelines.

It is respectfully requested that a permit be issued by the Responsible Authority in its current form.

