

09/12/2024

Planning Department
Moyne Shire Council
Princes Street
Port Fairy VIC 3284

Dear Planning Team,

Please find attached a planning permit application for 19 James Street, Port Fairy, Vic. 3284.

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,

Nathan Divall Managing Director

Designing Spaces

Planning report

Lot 5 PS 053926 - 19 James Street, Port Fairy, Vic. 3284.

CONTENTS

ACKNOWLEDGEMENTS	- 2 -
PROPOSAL	- 3 -
SITE ANALYSIS	- 5 -
RESTRICTIONS ON TITLE	- 8 -
PLANNING CONTROLS	- 8 -
PLANNING ASSESSMENT	- 10 -
SUMMARY	- 16 -

ACKNOWLEDGEMENTS

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DOCUMENT CONTROL

This document has been prepared to aid the submission of a planning permit application for 19 James Street, Port Fairy, Vic. 3284.

Revision 1

PROPOSAL

It is proposed to add an extension and timber deck at the rear of the existing 3 bedroom brick veneer and tile mid-century dwelling, situated in an established 547sqm site in central Port Fairy.

Proposed works also include replacement aluminium windows and sliding doors, demolition of internal walls and a small section of the rear to accommodate a new internal layout and updated kitchen and bathroom facilities.

The proposal is intended to improve the internal layout of the property, slightly increase the floor area, update the kitchen, bathroom and laundry facilities, replace defective windows and add a component of outdoor living to improve its overall functionality and liveability of the property.

The extension will contain a new bedroom 1 with ensuite, a new laundry and bathroom which will open up space to remodel the internal layout to create an open plan kitchen/living /dining room, and to add decking to the rear.

Selected external materials will match the existing brick and tile exterior with decking to be constructed of timber together with replacement aluminium windows and doors with colours to be selected.

The height of the dwelling will be unchanged at 5.9m and setbacks to remain largely unchanged with the exception of the eastern elevation which will be slightly reduced to 9.2m.

When extended the building footprint will be increased by 34.28 sqm to 197.8 sqm or 36.1% of the site area, with decking of 17.27 sqm and with fencing and landscaping unchanged.



NORTHEAST PERSPECTIVE



EAST PERSPECTIVE



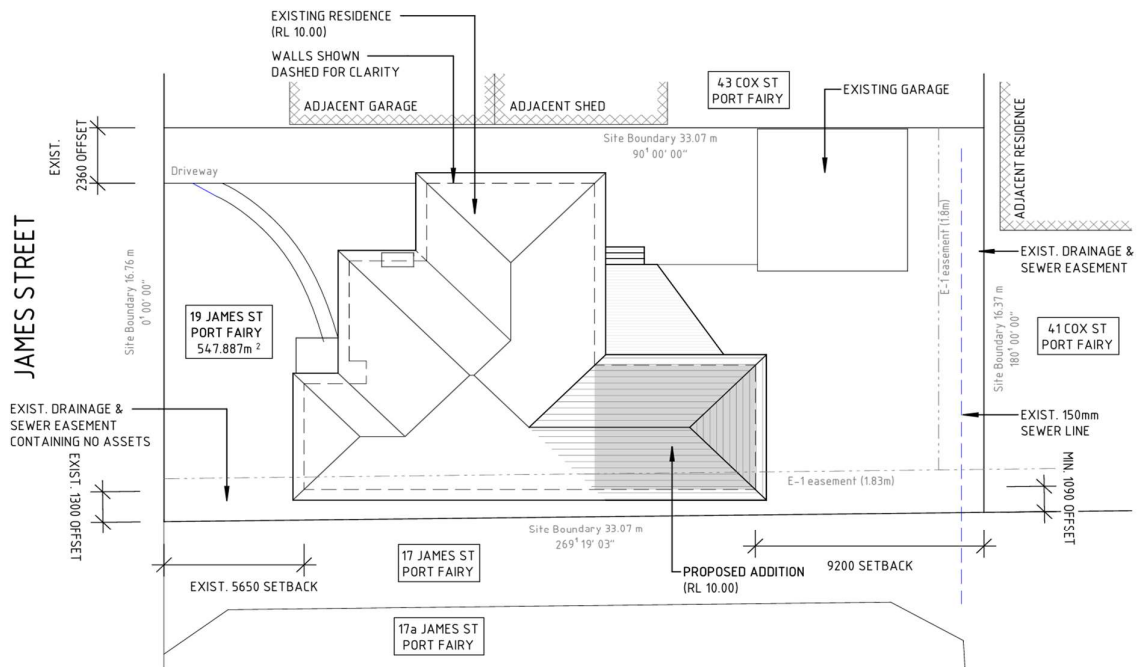
NORTH ELEVATION

1: 100



SOUTH ELEVATION

1: 100



SITE PLAN

1: 200

SITE ANALYSIS

The subject site has frontage to James Street, 1 allotment back from the corner of Cox Street in Port Fairy. The site extends 547.8 sqm which is flat and occupied by a 3 bedroom brick veneer dwelling under a plain tiled roof covering with metal single garage.

There is a driveway on the northern side leading from James Street, established gardens to front and rear which are mainly lawned, a selection of shrubs and enclosed by timber fencing. There is a sewer easement running along the rear (eastern) boundary which is unaffected by the works.

The neighbourhood character is entirely single storied residential with a mix of dwelling styles, ages from the early 1800's to mid-1900's with notably varied front setbacks. James Street has a wide road reserve with grassed nature strips, a concrete footpath on both sides, informal crossovers and no kerb and channel drainage.

The abutting allotments are single storied residential development on generous sized allotments.



Aerial view



Dwelling frontage



Rear garden



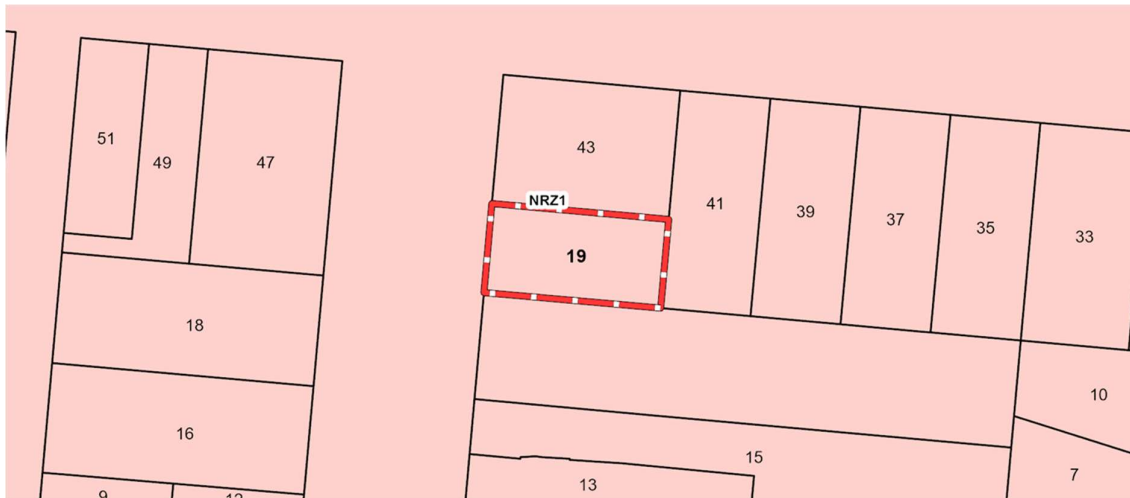
RESTRICTIONS ON TITLE

None

PLANNING CONTROLS

Zone

The site is located in the Neighbourhood Residential Zone Schedule 1 (NRZ1)



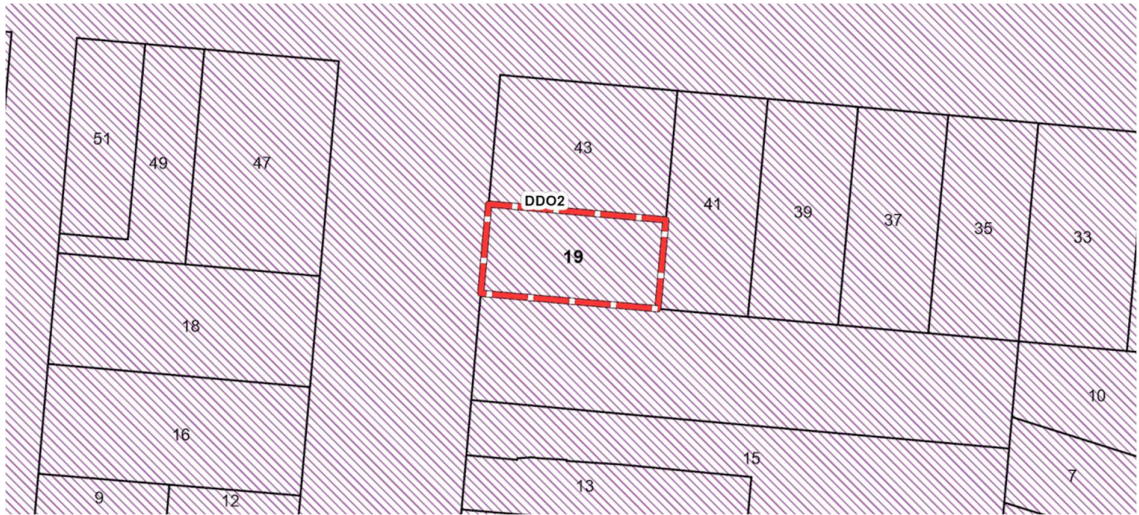
Overlays

The following Overlays apply to the land:

- Heritage Overlay Schedule 57 (HO57) – James Street Heritage Precinct. The building is contributory to the precinct.



- Design and Development Overlay Schedule 2 (DDO2).



Other

The site is within an area of Aboriginal Cultural Heritage Sensitivity.

Permit Requirements

No permit is required for use or buildings and works under the zone as the site exceeds 300 sqm.

A permit is required under the HO57 pursuant to **Clause 43.01-1** to construct a building or carry out works. The building is non-contributory to the precinct.

A permit is required under the DDO2 pursuant to **Clause 43.02-2** for buildings and works.

Other

The proposal is exempt from the requirement to prepare a Cultural Heritage Management Plan under the Aboriginal Heritage regulations 2018.

PLANNING ASSESSMENT

Clause 43.01

HERITAGE OVERLAY

Purpose

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.

Clause 43.01-8

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.*
- *The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.*
- *Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.*
- *Any applicable heritage design guideline specified in the schedule to this overlay.*
- *Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.*
- *Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.*
- *Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.*
- *Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.*
- *Whether the proposed subdivision will adversely affect the significance of the heritage place.*
- *Whether the proposed subdivision may result in development which will adversely affect the significance, character or appearance of the heritage place.*
- *Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.*
- *Whether the lopping or development will adversely affect the health, appearance or significance of the tree.*
- *Whether the location, style, size, colour and materials of the proposed solar energy system will adversely affect the significance, character or appearance of the heritage place.*

Heritage Citation

What is significant?

The James Street Precinct, Port Fairy runs north-south from Regent Street to Campbell Street. It is in three parts, divided by Bank Street in the Commercial Precinct and by the Cox Street Precinct. The street was one of the first to be developed in James Atkinson's privately developed township of Belfast.

Few businesses were located in the Precinct which has always been mostly residential but several important nineteenth century non-residential buildings survive.

The key heritage characteristics and elements of the James Street Precinct are:- The single-storey, late Georgian stone cottages and houses dating from the 1850s, and 1860s at Nos. 4, 6-8, 12, 15, 18 and 21.- The pair of early stone cottages renovated about 1885 at Nos. 9-11.- The late nineteenth century timber cottages and houses at Nos. 28, 34 and 45 James Street.- The Interwar bungalow, Watgania at No. 3 James Street.- The Country Fire Authority Complex at No. 26 James Street.- The former Gould residence at No. 30 James Street.- The former Masonic Lodge, No. 37 James Street.- The former Braim House, Dr Thomas Braim's school at No. 42 James Street.

The former Wesleyan Methodist Parsonage at No. 46 James Street.- The relative intactness of the precinct to its mid-twentieth century state, with few prominent infill buildings or intrusive additions.- The extent to which the early history of land subdivisions and development is reflected in the street pattern and many remaining structures.

The country town quality arising from the wide streets, the absence of curbs and channels, the low scale of the built form and the generous garden setbacks associated with many of the dwellings. Significant places 3, 4, 6-8, 9-11, 12, 13, 15, 16, 18, 21, 26, 27, 28, 30, 37, 42, 43, 45, 46 James Street Bluestone boundary wall - 35 James Street Contributory places 1, 5, 7, 17A, 19, 22, 23, 24, 31, 31a, 34, 35 & 49 James Street

ASSESSMENT

The dwelling is a contributory building within the James Street heritage precinct. The heritage significance of the place is the contribution it makes to the overall precinct. The proposed extension is single storied and well setback from the street so as to not be the dominant element of the heritage place or overwhelm the simple form and low height of the existing dwelling. The extension does not dominate the streetscape or affect the contribution the dwelling makes to the precinct, in fact will be barely visible.

The external colours and materials will match the existing with the exception of the windows, however the aluminium windows will do not adversely affect the overall significance of the precinct

Overall, it is considered the proposed works as a collective do not adversely affect the significance of the place or precinct and are an adaptive reuse of a heritage place consistent with the statement of significance and decision guidelines.

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.*
- *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 2 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY PORT FAIRY TOWN CENTRE RESIDENTIAL PRECINCT

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 the design responds to the building and works requirements contained within this schedule.*
- *The integration of the design response with any heritage considerations.*
- *The contribution the proposed development makes to housing diversity in Port Fairy.*

- *Whether the development reinforces traditional streetscape patterns.*
- *Whether building footprint and/or building height are detrimental to the existing patterns and character of the area.*
- *The availability of areas of open space and landscaping.*
- *Whether subdivisions provide sufficient space along driveways for landscaping.*

ASSESSMENT

The extensions are consistent with the guidelines in terms of siting, site coverage, building heights and exterior finishes. Car parking and landscaping are unaffected. The proposed extension is small scale and unobtrusive. Whilst there is a small change to the rear setback, there is still adequate rear setback to provide a high degree of amenity for adjoining properties.

Site coverage is modest at 36%.

Clause 02.03-5

Built environment and heritage

Built environment

Development occurring in coastal areas and between settlements and on highly visible sites has potential to affect landscape character. Larger, more 'imposing' dwellings, that are designed to maximise coastal views, often protrude above existing vegetation and natural landforms.

There is increasing pressure for substantial tourism development in coastal and non-urban locations. Other tourism-related development pressures relate to signs, car parking and viewing platforms.

Heritage

The Shire contains an outstanding collection of heritage places that are recognised as a significant asset and give it a distinctive character.

The Shire has been occupied by three Aboriginal clans and played a key role in local indigenous history, leaving many significant cultural heritage places, including the Budj Bim World Heritage Area, Tower Hill and areas along the coast and river valleys. Distinctive volcanic cultural landscapes contribute to the richness of the Shire's heritage. There is a need to appropriately protect these heritage places and landscapes.

Port Fairy has benefitted from heritage protection for several decades, having been the subject of one of the earliest heritage studies undertaken in Victoria in 1976. In addition, heritage protection has been applied to heritage precincts and significant places in Mortlake. There are places of heritage significance in locations other than Port Fairy and Mortlake that need to be protected from inappropriate development.

The Avenue of Honour on the eastern approach to Mortlake is historically and aesthetically significant to Victoria as a memorial to World War 1 and 2 veterans and is listed on the Victorian Heritage Register.

ASSESSMENT

The rear extension and decking are consistent with Councils aim to protect the integrity of its heritage streetscapes and distinctive character. The extension is small scale and proportionate to the existing dwelling and lot size.

Clause 15.03-1S

Heritage conservation

Objective

To ensure the conservation of places of heritage significance.

Strategies

Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.

Provide for the protection of natural heritage sites and man-made resources.

Provide for the conservation and enhancement of those places that are of aesthetic, archaeological, architectural, cultural, scientific or social significance.

Encourage appropriate development that respects places with identified heritage values.

Retain those elements that contribute to the importance of the heritage place.

Encourage the conservation and restoration of contributory elements of a heritage place.

Ensure an appropriate setting and context for heritage places is maintained or enhanced.

ASSESSMENT

The proposal is not in conflict with state heritage policy as the proposed works are consistent with the heritage values of the precinct.

16.01-1S

Housing supply

Objective

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

Strategies

Ensure that an appropriate quantity, quality and type of housing is provided, including aged care facilities and other housing suitable for older people, supported accommodation for people with disability, rooming houses, student accommodation and social housing.

Increase the proportion of housing in designated locations in established urban areas (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas.

Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.

Identify opportunities for increased residential densities to help consolidate urban areas.

Facilitate diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types.

Encourage the development of well-designed housing that:

- *Provides a high level of internal and external amenity.*
- *Incorporates universal design and adaptable internal dwelling design.*

Support opportunities for a range of income groups to choose housing in well-serviced locations.

Plan for growth areas to provide for a mix of housing types through a variety of lot sizes, including higher housing densities in and around activity centres.

ASSESSMENT

The proposed works affect a modest sized mid-century dwelling which is well placed to provide residential accommodation in the centre of Port Fairy which is on one level and close to shopping and day to day amenities of Port Fairy including public transport.

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.*
- *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 application is considered to meet the requirements of Clause 65 in the following ways:

- The proposal is small scale in and meets the purpose and requirements of the heritage overlay.
- There are no detrimental effects on the environment as stormwater and waste water which will be managed in conjunction with the existing dwelling or via permit conditions.
- There are no additional traffic impacts, and the proposal represents orderly planning.
- The proposal does not conflict with the PPF or LPPF.

SUMMARY

The proposal has been assessed against the requirements of the HO 57, DDO10, PPF, LPPF and the requirements of Clause 65 and found to be compliant.

The heritage significance of the existing dwelling and the wider heritage precinct is protected by virtue of the modest height and setback of the new extension which will be barely visible from the public realm.

There is adequate garden and secluded open space retained with the extended dwelling to protect its significance and the amenity of residents of adjoining properties.