



PLANNING REPORT

71 Princes Highway Port Fairy
(Lot 2 PS921 183D)

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ATTACHMENT LIST

- Application Form
- Copy of Title
- Materials and Colours Schedule

ACKNOWLEDGEMENTS

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DOCUMENT CONTROL

This document has been prepared to aid the submission of a planning permit application for 71 Princes Highway Port Fairy (Lot 2 PS921183D)

Revision 1 17/12/2024

PROPOSAL

The application proposes the development of the land for the construction of a building or carrying out of works for a new dwelling.

The proposal consists of the following:

- A three (3) bedroom, single storey dwelling.
- The dwelling has a modest footprint of 114m² and a traditional pitched/hipped roof form.
- An overall height of 4.66m± and eave height of 2.55m from FFL.
- The external materials and colours are as follows:
 - Recycled brick feature wall at entrance (recycled red brick).
 - Vertical corrugated Colorbond wall cladding (Basalt – mid grey).
 - Colorbond corrugated roof cladding (Shale Grey – lighter grey).
 - Fascia, windows & trim are Colorbond Monument (dark grey).

The proposed dwelling provides a single storey contemporary built form that has modest dimensions and is sited at the rear of the dwellings that directly front the Princes Highway.

The previous planning permit granted for the subdivision of the land provided permission to demolish multiple outbuildings on the site that will enable the establishment of a landscaped finish around the existing mature garden. A condition of permit required this demolition to be complete prior to the final consent being granted for the subdivision. Those works are now complete.

The previous planning permit also provided permission for the construction of a new vehicle accessway that provides access to Lot 2, which is the subject land for this application. Given that all works to construct the new vehicle crossover will be completed as part of the civil works for the subdivision, it will not be necessary to undertake any alterations/create a new access as part of the proposed works for this application.

DESIGN VISION

The vision for the proposed dwelling commenced with a need to construct a new modern dwelling on the newly created title, that was sited so as to maximise the retention of most of the existing garden on the site, while also providing extensive area for a vegetable garden and orchard to provide a sustainable food source for the residential use.

This development is being proposed in an economic climate where the cost of building materials and interest rates are volatile, which is a dynamic and ever changing situation at present. Given the economic climate, the modest nature of the dwelling has been purposeful to ensure that the development is sustainable, much like the environmental sustainability principals used for the future onsite vegetable garden and orchard, but also provides additional housing stock to Port Fairy.

The subdivision and resulting proposed residential development provides additional housing stock to the town (albeit modest addition), which in its location will assist in maintaining the diversity in the community population that Port Fairy is currently in real need of at present.

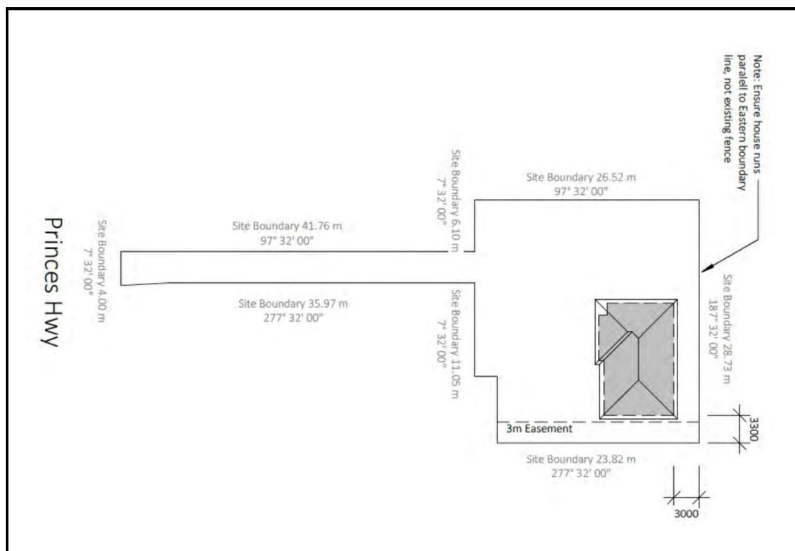
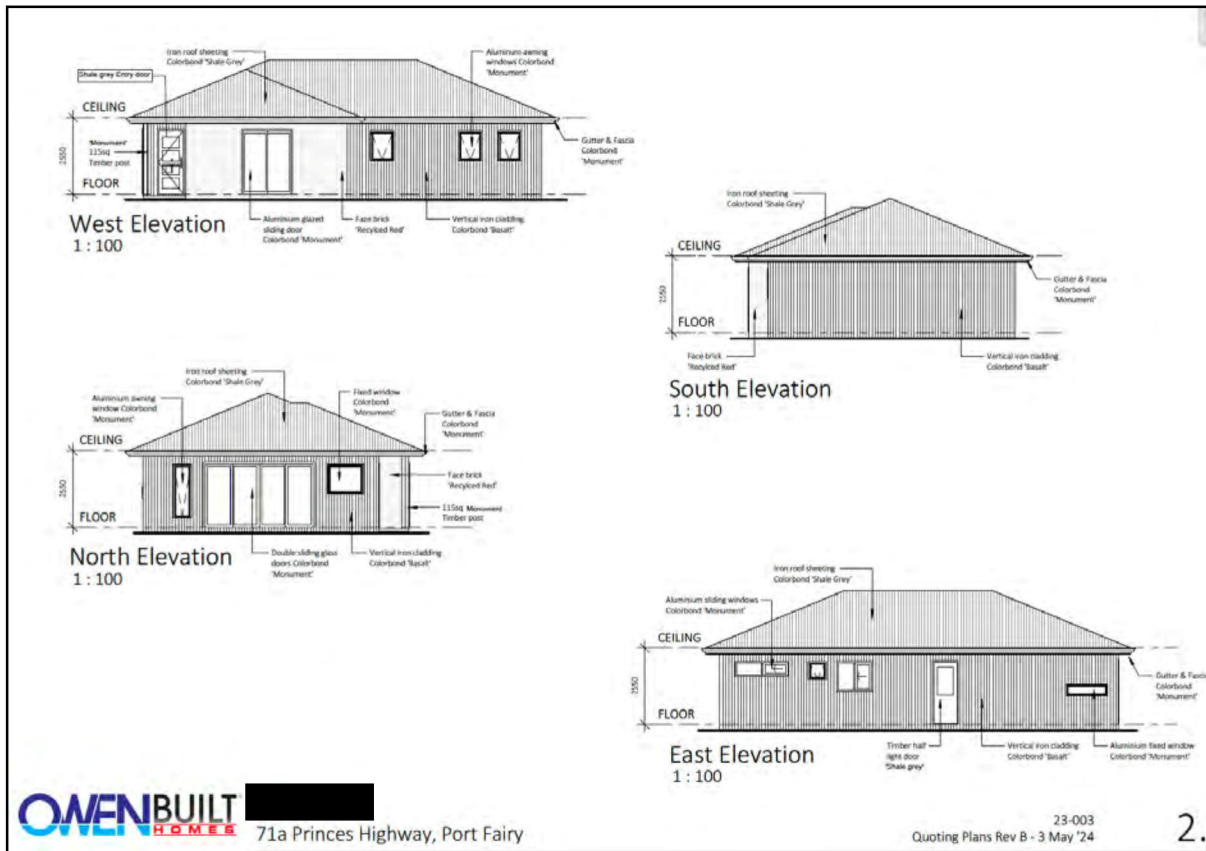


Figure 1 - Proposed dwelling location and built form, including colours/materials

PLANNING CONTROLS

The Planning Controls which apply to the property are as follows:

- General Residential 1 Zone (GRZ1)

- Design and Development Overlay Schedule 21 (partial DDO21 & partial DDO15)
- Heritage Overlay Schedule 49 (HO49)

Relevant to the proposal, a planning permit is required to:

- Construct a building or construct or carry out works (HO49);
- Construct a building or construct or carry out works (DDO21 & DDO15).

GARDEN AREA REQUIREMENTS

The minimum garden area requirements for the subject land is 35%.

As shown on the design plans, approximately 87.5% of the site remains available and exceeds the required 35% of the site for garden area.

THE SUBJECT LAND

The subject land is located at a site known as 71 Princes Highway, Port Fairy (being Lot 2 PS921183D).

CURRENT AND PREVIOUS LOT CONFIGURATION

The previous land titles that make up this address is Lot 1 TP210202E & Lot 1 TP216586Y.

The configuration of the existing lots is shown at Figure 3.

The former lot configuration contains a single storey dwelling that presents as an Inter-war to Post-war timber bungalow. The dwelling is located at the frontage of the site and is entirely located within the existing Lot 1 TP216586Y & proposed Lot 1 PS921183D. The dwelling is listed as significant in document Port Fairy Heritage Citations 2015, but the Citation report does not specifically state what is significant about the dwelling, other than its timber construction.

An approved and now completed re-subdivision of two lots has recently had new titles issued. This re-subdivision was approved by planning permit PL22/228.

The new titles for the two reconfigured lots shown at Figure 2.

The proposed dwelling and planning permit application is being sought for the proposed Lot 2 PS921183D.

The footprint of the proposed dwelling is located entirely located within former Lot 1 TP210202E, which was a land locked parcel.

SUBJECT LAND FEATURES

The subject land is located on the eastern side of the Princes Highway, with the major portion of the site being located behind an existing dwelling.

The subject land has direct frontage to the Princes Highway via a battle axe shaped lot, with a frontage width of 4m.

The land is 896m² with an effective developable area at the rear of 740m², which is a typical lot size of much of the surrounding residential neighbourhood.



Figure 4 - Above - view from the north west toward dwelling Below – view from the south west toward dwelling – only portions of dwelling will be seen from oblique views for short periods of time



Figure 5 - View of location for dwelling and walnut tree in foreground

RESTRICTIONS ON TITLE

The title does not contain any restrictions that will be breached by this proposal.

THE SURROUNDS

The surrounding area is almost exclusively used for residential purposes and contains a vast variation in style/era of residential built form.

HERITAGE CONTEXT

Part of the surrounding area is located in the Heritage Overlay Schedule 49 (Princes Highway Precinct). The description of the Heritage Precinct is described in the document Port Fairy Heritage Citations 2015, which is an incorporated document in the Planning Scheme.

Relevant to the subject land, the Citation Report details the following:

HISTORIC CONTEXT

- The land north of Regent Street on both side of the 'North Road leading to Melbourne' was 'part of James Stribling's Farm. (Plan of Town of Belfast, 1850)

There was no development noted and little land sold south of Cox Street before 1850.

- Marten Syme states that 'Farms of 5 to 50 acres [2.0 to 20.0 ha] along the Rosebrook Road were standard, producing potatoes, mangel wurzels, hay, wheat, oats and barley' (Syme, 1991, p. 130).

WHAT IS IMPORTANT

- The road pavement is flanked by substantial grass verges on either side, with modern concrete footpaths hard on the title boundaries, but no curbs and channels for much of the precinct which enhances Port Fairy's sense of place as a small seaside village.
- The precinct is almost entirely residential. The building stock within the precinct is mixed, ranging from mid-Victorian through to modern, although the majority of places are clustered between about 1850-1870, 1890-1920 and 1945-1970.
- The most important places within the precinct are firstly the modest stone cottages, with small setbacks scattered along either side of the Princes Highway, reflecting Port Fairy's early settlement pattern and for many, its distinctive early vernacular character.
- The large Late Victorian and Federation timber houses, with deep setbacks in substantial garden settings, particularly those on the west side of the Precinct, especially Nos. 72 and 76 Princes Highway, are critical for the character of the precinct.
- The contribution of post-World War 2 housing should not be underestimated. It represents an important period of prosperity and development in Port Fairy. Most of the houses and their gardens are sympathetic with their surroundings.

CHARACTER DESCRIPTION

- The clear character of the Princes Highway precinct is single storey with usually large allotments, being deep or wide and, in some cases, both. Gardens and plantings are important within this precinct.
- There is a strong presence of appropriate and original gardens and plantings associated with early cottages and later timber residences.
- Interestingly, the majority of the fences in this precinct are either original or appropriate in size, scale, form and bulk for the residences which stand behind them.

GENERAL CONTEXT

The Princes Highway and residential surrounds is a key entrance area to the township and has a variety of housing stock within that entrance corridor. As detailed above, the mixed housing stock contains a range of styles from Mid-Victorian to Post War styled dwelling and more recent construction being constructed anywhere between 1980-2024.

The commonality in the residential development is that in the most part the built form remains in a single storey height. Most dwellings are located on traditional sized

residential lots, ranging from 700m² and upwards with substantial surrounding domestic gardens.

The Princes Highway road formation is approximately 30m wide corridor with generously proportioned naturestrips of 10m either side of the road with mature street trees.

The street trees are a mix of Norfolk Island Pines and Queensland Box Trees. The Norfolk Island Pines are significant to the township with most of the trees being State Heritage listed.

The Queensland Brush Box (North Eastern Australian rainforest vegetation) are a replacement tree for a former World War 2 Avenue of Honour/Cypress Tree avenue. The Queensland Box Trees are not significant. The subject land is an area of the Princes Highway that is planted with Queensland Box street trees.

POLICY ANALYSIS

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, 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.

STRATEGIC DIRECTIONS (RELEVANT TO THE PROPOSAL)

- Contain township development within defined boundaries and manage development on the fringes of townships to enhance the landscape setting.
- Protect and enhance the Shire's heritage places and precincts.

- Protect and enhance landscaping, including street trees, on all major approach routes, access roads and local streets.
- Protect all mature Norfolk Island Pines in Port Fairy from removal and lopping, and where such species is to be removed, encourage relocation of the tree.

RESPONSE

The following response particularly highlights any built form consideration to ensure that the surrounding context heritage conservation is maintained.

It is not a response about the proposed dwelling itself and whether the particular built form, materials and colours are consistent with heritage controls. The primary reason for this is that the subject location for the proposed dwelling is not located within the Heritage Overlay and therefore does not trigger the need for a planning permit.

Therefore, a detailed assessment of the dwelling built form has not been undertaken. Moreover, it remains relevant to ensure that the proposed dwelling does not detrimentally impact on its significant heritage surrounding context.

The proposal is located within the identified settlement boundary referenced at Clause 11.01-1L-02 and within the General Residential 1 Zone, where medium density housing is encouraged.

As detailed, the addressed land with the land in its unsubdivided state contains an existing Inter/Post war timber Bungalow, which is currently set amongst a mature garden (front and back yards).

The mature garden behind the dwelling consists of mature trees that provide a backdrop to the Bungalow, which include a Walnut Tree, an Almond Tree and other mature natives.

All of those trees will be located within Lot 2 PS921183D, which is the subject land of this application. All of these trees are being retained as part of the proposal.

Given that the trees that being retained, the vegetation will continue to provide a green backdrop to the existing Bungalow and the proposed dwelling will rarely be seen within the same setting of the Bungalow.

Even if the proposed dwelling can be seen at the rear of the Bungalow; the location, modest scale and similar hipped roof profile of the roof line will generally be the only part of the proposed dwelling that will be able to be seen. Within this context, the proposed dwelling will not impact on the significance of the existing dwelling on the site as it will not dominate the significant Bungalow when seen from the street; and in fact, the proposed dwelling roof will likely appear as an outbuilding in the back yard (if it is seen at all).

CLAUSE 02.03-6 HOUSING

A significant proportion of dwellings in the coastal towns are not permanently occupied, serving as holiday homes. This contributes to a lack of affordable worker accommodation, particularly during peak tourism periods.

Housing affordability and availability of long-term rental stock is declining in the Shire, and there is limited dwelling diversity, due to a low proportion of medium density and small dwellings in urban areas.

STRATEGIC DIRECTIONS (RELEVANT TO THE PROPOSAL)

- Encourage a range of accommodation opportunities in settlements, including medium density housing, to suit the needs of the Shire's residents.
- Support residential development densities that protect the heritage value and neighbourhood character of settlements.

As detailed above, the proposed dwelling will not cause detriment to the significance of its surrounding heritage context.

The proposal adds new housing stock to the diverse supply within an established settlement.

The more important consideration, which is identified by this Strategy, is consideration around providing affordable housing for worker accommodation in coastal towns that are more over providing new housing stock that is located in areas of the town where a future short term tourist rental is more likely.

Despite the current ownership and the design vision for the dwelling at present. The proposed dwelling is in a location in the town, where it is more likely that it will be consistently used for a permanent residential land use.

The dwelling will effectively provide a meaningful addition to the much needed 'more affordable' housing stock within the town, compared to that of housing stock that is more likely to be used for short term accommodation.

GENERAL RESIDENTIAL 1 ZONE (GRZ1)

The construction of a single dwelling on a lot of above 300m² and therefore there is no permit trigger under the Zone.

Despite this, it is important to highlight that the land is located in the GRZ1 and to that end, the predominant intent of the use of GRZ1 is to use and develop land for medium density residential development.

The underlying intent for the land is consistent with the application proposal.

HERITAGE OVERLAY SCHEDULE 49 (PRINCES HIGHWAY PRECINCT)

There is a portion of the subject land that is located within the HO49.

As already detailed, the footprint location for the proposed dwelling is not located within the HO49 (Figure 6).

There is no permit trigger for the proposed dwelling under this Overlay.

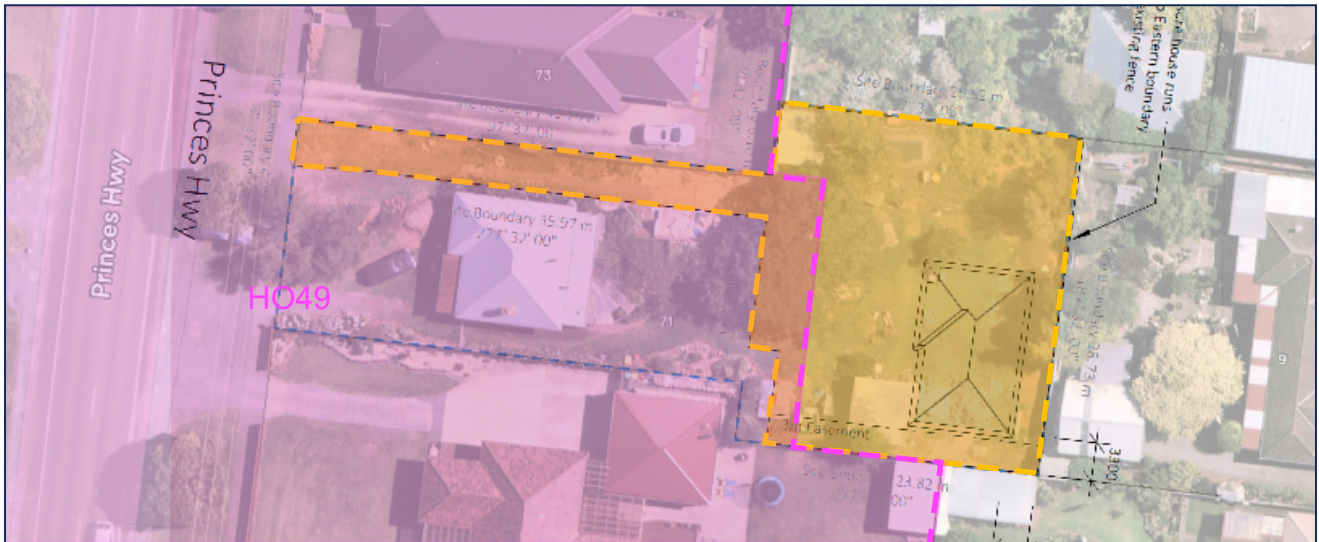


Figure 6 - Heritage Overlay area shown in pink - subject land shown in orange – dwelling location outside HO49

The extent to which it affects the site, the alignment of the HO49 is based on the original lot layout of land known as 71 Princes Highway, that intends to conserve the Inter/Post War Bungalow. It does not apply to the rear of the site.

Despite there being no permit trigger under the HO49, the siting and overall scale of the dwelling has been considered within the context of relevant heritage policy consideration. The above analysis demonstrates that there will be no tangible impact to the surrounding heritage context of the proposal.

There has not been a formal response made to the purpose or provisions of the HO49 on this basis, or the Port Fairy Residential Heritage Precincts Heritage Design Guidelines June 2023 (which are listed in the Schedule provision).

DESIGN & DEVELOPMENT OVERLAY SCHEDULE 4 (DDO4)

The subject land is located within DDO4 Schedule (Port Fairy Residential Areas).

DESIGN OBJECTIVES

To support development that respects the historic scale and pattern of Port Fairy’s residential areas.

To encourage residential development that responds to the traditional character of buildings within a garden setting with minimal or low, transparent front fencing.

To minimise the visual impact of car parking and outbuildings.

To minimise impacts of buildings on the prominence of dunes or ridgelines.

Response

As detailed in this report already, the proposed dwelling will be located substantially behind the existing Inter/Post War Bungalow and will only be seen in part at an oblique angle looking through the property. Once fencing and landscaping is complete on the rear lot, the dwelling will rarely be seen from the street, resulting in the dominant element being the Bungalow at the street front.

The pattern of development in locating the dwelling at the rear has been pre-determined through the approval of the battle axe lot in the subdivision.

There is somewhat of a pattern of that type of additional infill development occurring along the highway corridor in different forms with unit development, battleaxe lots with free standing dwellings or the creation of small common properties with smaller dwellings. Varied examples have resulted in maintaining the historic fabric at the street front being the dominant feature.

As an example at 79-81 Princes Highway where a new in-fill free standing dwelling has been located on a battle axe lot, the streetscape maintains the dwelling at the front as the dominant feature and the garage at the rear appearing as an associated outbuilding.



Figure 7 - Battle axe development to the north on highway at 79 & 81 Princes Highway

REQUIREMENTS

The provisions of the DDO state that:

- A permit cannot be granted to construct a building or construct or carry out works which are not in accordance with any built form requirements expressed with the term 'must'.
- A permit may be granted to vary a built form requirement expressed with the term 'should'.

RESPONSE

There are no parts of the DDO4 Schedule that prohibits development that is not in strict accordance with the requirements of the provision.

In summary, all application requirements are discretionary and any variation can be considered on its merits. There are no mandatory provisions.

Within the context of this application however, all the following design requirements have been met. There are no proposed variations to the requirements that are proposed.

The analysis is provided as follows.

SITE COVERAGE AND PERMEABILITY

The site area covered by buildings should not exceed 40 per cent.

The site area covered by permeable surfaces should be at least 50 per cent.

Response

The proposed dwelling is equivalent to 12.5% of the site, resulting in a very low site coverage.

All permeable surfaces are equivalent to 87.5%, exceeding the requirement by at least 30%.

DESIGN REQUIREMENT MET

BUILDING MASSING

Buildings should be articulated to respect the character and rhythm of the surrounding area.

Response

The proposed dwelling is articulated in its horizontal direction every 6-8m, with only the rear of the dwelling being a modest length of 13m±.

The scale of the single storey dwelling is very similar (if not) smaller than that of the surrounding modest (mostly) single storey residential development.

The proposed dwelling because of the presence of other buildings and landscaping, will rarely be visible from the street.

DESIGN REQUIREMENT MET

BUILDING HEIGHT AND SITING

The building is not located on a ridgeline or dune.

The overall height meets the height requirement in the NRZ1 of 9m or less and no more than 2 storeys (Figure 8).

The land is not subject to flooding or inundation.

DESIGN REQUIREMENT MET

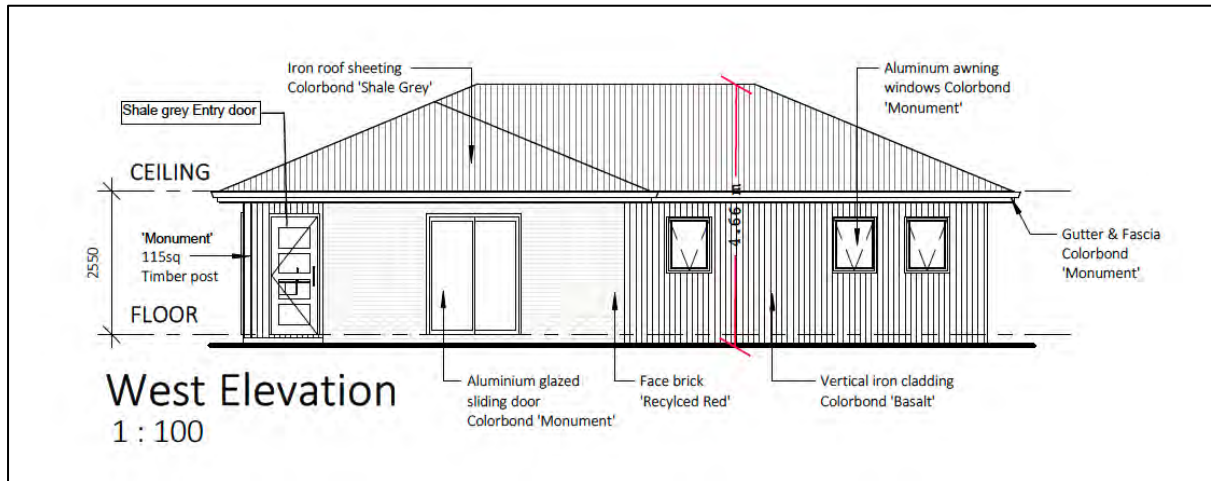


Figure 8 - Overall height at 4.66m± NGL & facade height at 2.55m from FFL

BUILDING SETBACKS

Any part of a new building or extension should be set back:

- At least 6 metres from the front boundary.
- From any side boundary, a distance of at least 3 metres between buildings on adjacent properties within 10 metres of the front boundary.

RESPONSE

The proposed dwelling is located on a battle-axe shaped lot and therefore does not have a typical/traditional lot frontage.

The setback of the dwelling to the lot frontage (not including the driveway area) is 14.25m.

The proposed side and rear setbacks are consistent at 3m to 12-14m from boundaries.

DESIGN REQUIREMENT MET

FRONTAGE PRESENTATION

Buildings should provide an active edge to the street and enable passive surveillance.

RESPONSE

The proposed dwelling does not have a typical frontage to the street, therefore there is limited opportunity for passive surveillance to the street.

NOT APPLICABLE

OUTBUILDINGS AND CAR PARKING

Garages should have a maximum external width of 6.5 metres.

Garages should be sited at least 1 metre behind the front wall of a building (excluding porticos and projecting windows).

Driveways should be constructed with a permeable surface where practicable.

Where double garages are provided these should be accessed by a single width crossover.

RESPONSE

The development does not include a formal garage at this time.

The internal driveway is constructed from a crushed rock surface, which has been constructed in conjunction with the approved SWMP for the subdivision.

DESIGN REQUIREMENT MET

DESIGN DETAILING

When constructing new buildings or extensions or carrying out works:

- Natural materials such as timber or stone should be used.
- Unrendered brickwork or blockwork should be avoided to a street facing facade.
- Reflective materials should be avoided.
- Non-reflective materials should be used for roofs.

RESPONSE

The primary external materials and colours are as follows:

- Roof: Colorbond Shale Grey
- Walls: Part Colorbond Basalt and part recycled red brick

DESIGN REQUIREMENT MET

LANDSCAPING AND FENCING

Front fencing and landscaping should create a garden setting.

Fences forward of the front façade should be at least 50 per cent visually permeable.

Service boxes and storage areas should be located where they are not visible from the street or are visually screened using quality materials or landscaping.

RESPONSE

The proposal does not include any new or re-built fencing.

Note: Site photos taken in this report show the site going through a phase of boundary fence renewal. These fence works do not trigger the need for a planning permit as they are less than 1.8m behind the façade of any dwelling and no more than 1.2m forward of the façade of the dwelling. The fence works are also being undertaken as part of the civil works for the subdivision.

The landscaping plan details that the existing mature trees in the subject land and additional substantial plantings will be undertaken to ensure that the proposed development integrates into the preferred garden setting even more than it does at present (Figure 9).

DESIGN REQUIREMENT MET

LANDSCAPE PLAN Lot 2) 71 Princes Highway, Port Fairy.

KEY

1. Almond (*Prunus dulcis*) - existing
2. Hop Wattle (*Acacia stricta*)
3. Scented Paperbark (*Metaleuca squarrosa*)
4. Weeping paperbark (*Malaleuca leucadendra*) - existing
5. English Walnut (*Juglans regia*) - existing
6. Myrtle wattle (*Acacia myrtifolia*)
7. Hedge wattle (*Acacia Paradoxa*)
8. Sweet Bursaria (*Bursaria spinosa*)
9. Hop Wattle (*Acacia stricta*)
10. Scented paperbark (*Malaleuca squarrosa*)

-  Silver banksia (*Banksia marginata*)
-  High quality lawn
-  Recycled solid red brick path and paved area
-  Edging of Spiny-headed mat rush (*Lomandra longifolia*)
-  Parking (11 x 8.5m - 93.5sqm)
-  Crushed rock
-  Garden shed
-  Driveway - (crushed rock- completed to a high standard)
-  Raised vegetable garden beds (timber construction)
-  Timber paling fence (supporting planting of *Hardenbergia violacea*)
-  Timber frame fence supporting planting of *Hardenbergia violacea* with single row of *V. filiformis*.
-  Timber frame fence supporting planting of Sweet Jasmine (*Jasminum suavisimum*) v. rush (*Lomandra filiformis*)
-  Native grasses (Common and Bristly Wallaby grass, Tall Spear grass, Common wheat and Grey Tussock grass.

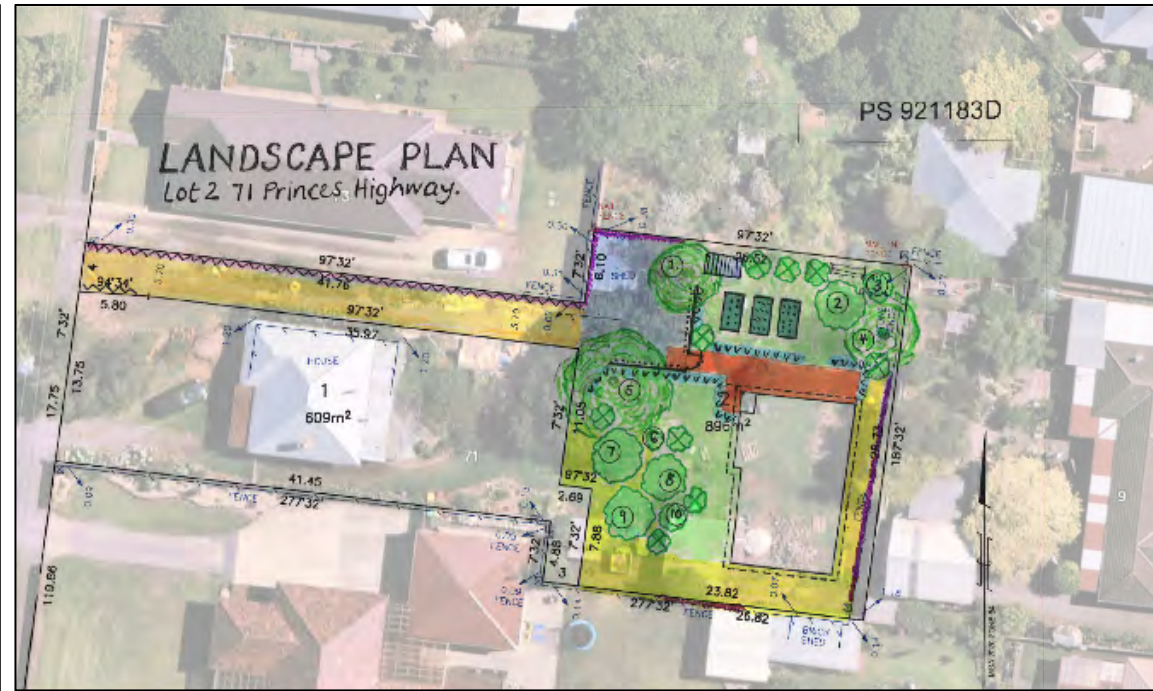


Figure 9 - Landscaping Plan - proposed and existing mature trees/landscaping to integrate dwelling into preferred garden setting

SUMMARY

The proposed dwelling is a modest contemporary dwelling that is able to meet adopted heritage best practise design principal to ensure the proposal does not dominate the surrounding heritage precinct.

The extension will not compete with the significant historical features of the adjoining Inter/Post War Bungalow at the street front or the surrounding precinct as detailed in this report.

While one minor aspects of the acceptable solutions to meet performance standards is partly met, ALL of the performance standards of the Design Guidelines are met as well as the requirements of DDO21 and relevant policy at Clause 02.03 detailed above.

This proposal meets all the objectives proposed in Design and Development Overlay Schedule 21 to provide a high quality design response which does not compromise or threaten the established historic and preferred character of the streetscape and wider precinct.

It is requested that the application is supported in its current form by the Responsible Authority and a permit granted in due course.