

RESIDENTIAL & COMMERCIAL BUILDING DESIGN

Planning Report

Lot 8 LP 202299 – 3 Hanley Court, Port Fairy, Vic. 3284.

Buildings and works to construct a dwelling.

Date 13/12/24



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1. DISCLAIMER

Although Chris Steel Designs have taken all reasonable steps to ensure that an accurate document has been prepared, the company accepts no liability for any damages or loss incurred as a result of reliance placed upon the report and its contents.

2. DOCUMENT CONTROL

This document has been prepared to aid the submission of a planning permit application for the construction of a dwelling at 3 Hanley Court Port Fairy, Vic, 3284.



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3. PROPOSAL

It is proposed to construct an individually designed 4 bedroom two storey dwelling on a vacant 629 sqm site overlooking East Beach in Port Fairy. The design of the new dwelling has been created with curved parapets and flat roofing in a modern Art Deco style intended to suit its beachfront location, limit amenity impacts and meet the prevailing planning controls.

On the ground floor, the dwelling will contain a covered entry leading to the entrance hall with stairs and lift to first floor, 2 ground floor bedrooms, bathroom, laundry, rumpus room with BBQ kitchenette, alfresco living/dining terrace area with steps leading to the lower garden area, and a double integral garage.

The first floor will have an open plan kitchen/living/dining room, 2 further bedrooms (1 ensuite), separate WC, and with balconies to front and rear, overlooking East Beach at the front and the garden at the rear.

Statistically, the dwelling will have a building footprint of 310.97 sqm with a site coverage of 45% and a maximum height of 6.81m. The area of land set aside for open space and garden is 55.15% of the site, of which 51.80% is permeable.

The dwelling uses light coloured external materials including weathered hardwood cladding, extensive use of glazing, white curved parapets, light grey masonry in small measure, with anodised aluminium windows and doors to suit its coastal setting. The roof covering will be non-reflective Colorbond in "Shale Grey".

The front of the dwelling faces east and is setback 6.60m from the front, with the garage recessed behind the front façade, setback 12.2m from the front boundary to reduce its prominence. The side setbacks are 1.8m from the southern and northern boundaries with the exception of the garage and parapet wall on the northern side with the building offset stepped to create space between buildings at first floor level.

The design provides adequate car parking by means of the double garage with additional car parking off street partly concealed by the first floor parapet.

The plans submitted with the application include overlooking and overshadowing diagrams which show how the design and setbacks limit amenity impacts on surrounding properties, together with a landscape plan to show how the split level site can be appropriately landscaped to suit the terrain and local environment.

The intent of the design response is to redevelop the site in a less visually intrusive manner than the former building, in a building style more suited to a beachfront location, and with window placements and setbacks to limit amenity impacts on abutting properties, in all to achieve an improved planning outcome.



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Front (east) and rear (west) elevations



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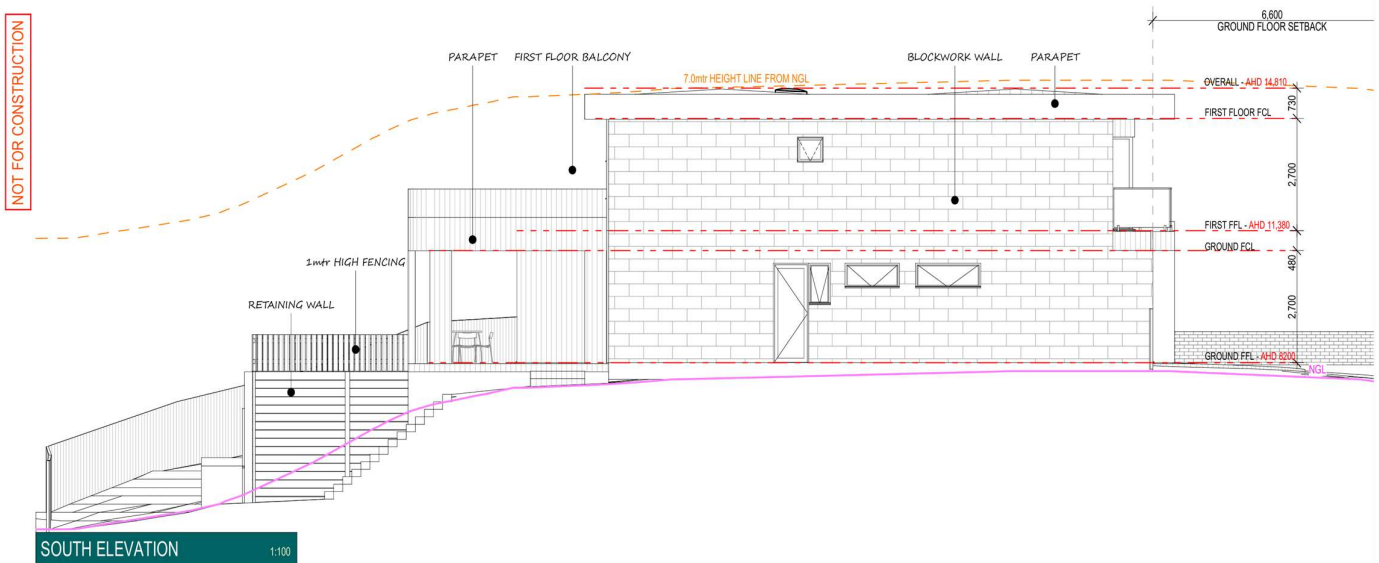
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West elevation

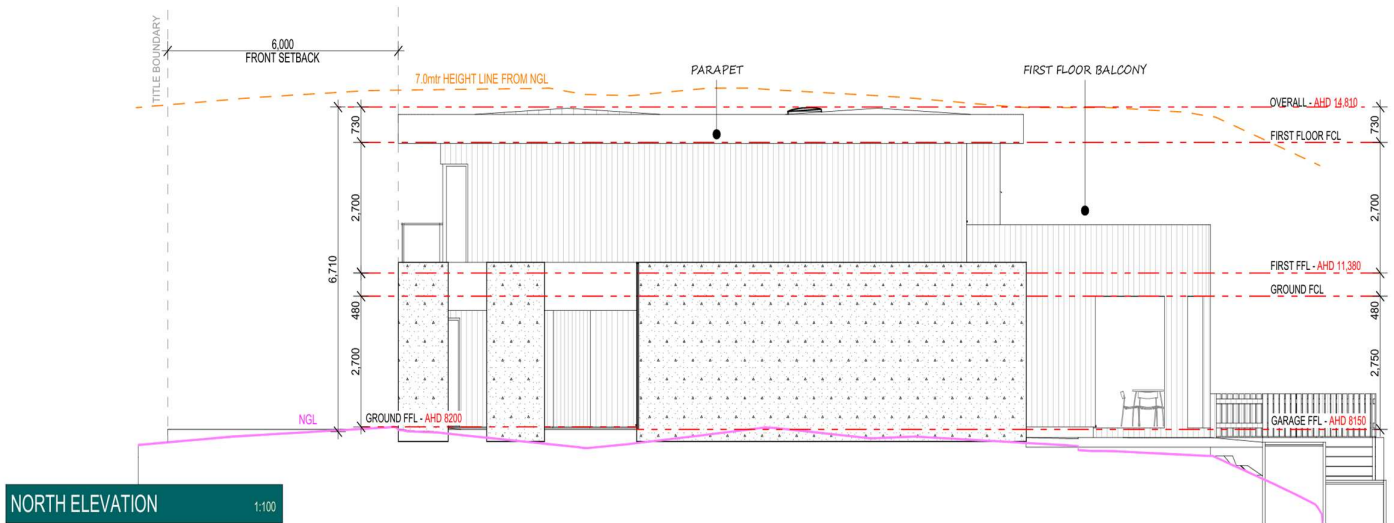


South elevation – notated

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North elevation - notated

4. PLANNING CONTROLS

Zone

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



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Overlays

Design Development Overlay Schedule 6 (DDO6).



Erosion Management Overlay Schedule 1 (EMO1)



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Other

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

Permit requirements

No permit is required for the use of land or for buildings and works under the Neighbourhood Residential Zone as the site exceeds 300 sqm.

A permit is required for buildings and works under the DDO5 at **Clause 43.02-2**.

A permit is required for buildings and works under the EMO1 at **Clause 44.01-2**.

The proposal for a single dwelling is exempt from the need to prepare a cultural heritage management plan under the Aboriginal Heritage regulations 2018.

5. SITE ANALYSIS

The site is vacant and situated fronting Hanley Court which is a popular beach front location overlooking East Beach just off Griffiths Street in Port Fairy. Until recently the site was occupied by a two storey detached dwelling which has since been demolished, refer to photos overleaf.

Hanley Court is fully a constructed Council maintained road although there are no footpaths or kerb and channel drainage infrastructure in place. There is a public car park directly in front of the allotment and a public footpath with timber staircase access leading to the beach.

The allotment has an overall area of 629 sqm and faces broadly east/west. The site is split level, with a generally level front section facing Hanley Court and a lower level at the rear (north western) section of the site which has been retained in sections. The site has existing fencing on the side and rear boundaries with close boarded timber fencing, and no front fence. There is no significant vegetation present and the existing driveway and crossover retained from the former dwelling.

The neighbourhood character along Hanley Court is contemporary coastal double storied dwellings finished in brick and rendered surfaces with uniform front setbacks and varied side setbacks. Griffiths Street to the rear is at a lower level, although well set back, and developed with a mix of double and two storied residential.



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Aerial view



Former dwelling (now demolished)



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Site frontage and streetscape as it is today



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Subject site - frontage to Hanley Court



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Site frontage looking southeast



Allotment looking northwest showing split level



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Rear of allotment showing lower level terraced area

6. RESTRICTIONS ON TITLE

None

7. PLANNING ASSESSMENT

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 5 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

PORT FAIRY EAST BEACH PRECINCT

Design objectives

To deliver high quality contemporary design responses that support the integration of new development with Port Fairy's historic and coastal character.



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To protect the existing built form and landscape character of the precinct through the appropriate siting and design of new development.

To ensure development provides for shared views of significant landscape features and does not dominate the dune backdrop and coast.

To ensure development is sited to enable the retention of existing native coastal vegetation and encourage the planting of indigenous vegetation.

To minimise the visual impact of car parking and outbuildings.

ASSESSMENT

The design of the replacement dwelling has a simple contemporary form which is low to the ground and takes cues from the Art Deco period with curved parapets and expanses of glass and walls in pale coastal tones.

The building has space around it to allow views through the site and is comparatively low set for a two storey building at less than 7m (6.81m) and less than the abutting properties. The garage has been recessed behind the front façade and is setback some 12m from the front boundary to ensure it is subservient to the dwelling in a visual sense.

The building does not dominate when viewed from the front or rear perspectives particularly when viewed from Griffiths Street to the rear, having less visual impact than the abutting properties along Hanley Court despite being on the high point of the landscape. It is considered that the replacement building is less visible than the previous building on the site, now demolished.

Buildings and works

A permit is required to construct a fence unless:

- The fence is forward of the front façade of the building and does not exceed 1.2 metres in height and is at least 50 per cent permeable.*
- The fence is behind the front façade of the building and does not exceed 2 metres in height.*

The following buildings and works requirements apply to an application to construct a building or construct or carry out works:

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'.



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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.

ASSESSMENT

The site coverage is very slightly in excess of the “should” or preferred range at 45%. This is due to the compact lot size and generous front setback provided to match the setbacks of abutting buildings. The dwelling footprint is not excessive and is well below standard site coverage requirements under rescoding of 60% and is necessary to develop a house with adequate floor space commensurate with the capital value of the land without being ostentatious.

Similarly on site permeability is very close to the preferred range of 50% at 51.8% which is considered a negligible variation.

Building Massing

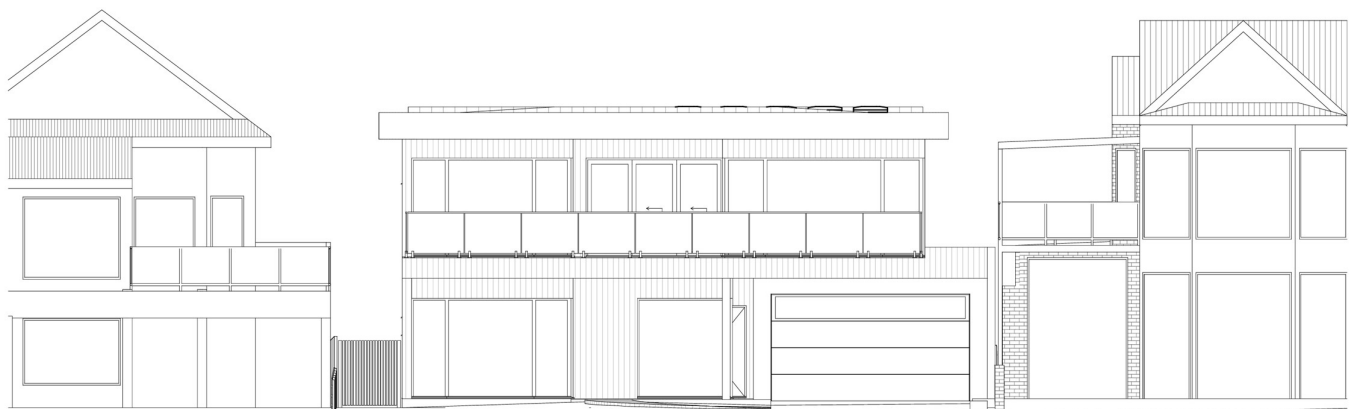
Buildings should be articulated so that the overall bulk and mass of the building does not dominate views to and from the beachfront.

Buildings on ridgelines or dune areas should be sited so that the bulk and mass of the buildings does not dominate the skyline when viewed from the public realm.

Building height and massing should allow for equitable view sharing of East Beach with nearby properties.

ASSESSMENT

As demonstrated below, the pitched roof of the former dwelling was more prominent than the proposed flat roofed dwelling with the overall height proposed being less than the preferred height of 7m. The building from the front is “low set” and diminutive comparatively to the streetscape.



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VIEW OF PREVIOUS DWELLING
FROM 168C GRIFFITH STREET

Building Height

Building height should not exceed 7 metres.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.



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If the land is in a Floodway Overlay, Land Subject to Inundation Overlay or is liable to inundation, the maximum building height specified in this schedule is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

The dune system must not be excavated or filled to accommodate additional building height.

ASSESSMENT

The proposed building height is 6.81m.



Building Setbacks

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

- *At least 6 metres from the front boundary*
- *At least 2 metres from any side boundary*
- *A distance of at least 6 metres between buildings on adjacent properties within 10 metres of any beach and street frontage.*

The first floor of a building should be set back behind the ground floor façade by a minimum of 2 metres to a street or East Beach frontage to reduce visual bulk.

ASSESSMENT

Front setback is 6.6m.

Side setbacks are 1.8m on the southern boundary and 1.8m on the northern boundary with the exception of the garage wall which is on the northern boundary lining up with the garage of the abutting dwelling boundary. The “building to building” side setbacks are 3.7m on the southern side and 3m on the northern side excluding the garages. The side setbacks are considered to meet the objective given the building to building setbacks ensuring space between buildings and visual permeability through the site. The slightly

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reduced side setbacks are to achieve a well-balanced and proportioned floor plan within the restricted site coverage limitations. It is logical to line the garage wall with the abutting dwelling garage to reduce amenity impacts.

The stepped ground and first floor levels also create a sense of space and provide light courts between buildings sufficient to meet rescode if it applied.

The rear setback is in excess of 9m (9.87m) to the edge of the rear terrace and 12.87m to the rear wall. Potential overlooking to the rear is ameliorated by the setback distance and existing vegetation in the rear garden of the dwelling abutting to the rear.

Frontage Presentation

Buildings should provide an attractive and active edge to East Beach.

Ground floor and first floor habitable room windows should be orientated towards the beach to provide passive surveillance.

ASSESSMENT

The building has an active and attractive front presentation with wide expanses of glazing for passive surveillance, and the use of natural timbers to complement the surroundings.

Car Parking

Driveways should be constructed of a permeable material.

Garages, outbuildings and areas allocated for parking should be:

- *Sited to minimise visibility from the street.*
- *Set back at least 1 metre behind the front wall of a building (excluding porticos and projecting windows).*
- *Designed to respect the character of the area.*

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

ASSESSMENT

The existing paved driveway is planned to be replaced with a new permeable double width crossover and driveway. The introduction of a new permeable driveway will provide a less formal street approach to the site than the existing hard surface driveway. The garage is well recessed behind the front façade of the building and well setback to reduce its prominence, accessed via a single width crossover. There is provision for 2 cars in the garage plus additional off street car parking in the driveway.

Design Detailing

When constructing new buildings or extensions or carrying our works:

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- *Natural materials such as timber or stone should be used.*
- *Unrendered brickwork or blockwork should be avoided.*
- *Reflective materials should be avoided.*
- *Non-reflective materials should be used for roofs.*

ASSESSMENT

External materials are mostly weathered hardwood cladding. There is a small amount of blockwork to the garage and northern wall but this is barely visible. Roof materials are light in colour and non-reflective.

Landscaping and Fencing

Fences forward of the front façade or parallel to the street frontage should be at least 50 per cent visually permeable.

Generous landscaping using indigenous species should be provided between dwellings and within the street frontages to soften built form.

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

ASSESSMENT

No front fence is proposed. Side and rear fencing is as existing. A landscape plan has been provided which shows how the site can be appropriately landscaped particularly given the split level format of the allotment. There are no service boxes visible from the street.

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.*
- *Whether the design responds to the landscape and visual setting of the precinct.*
- *Whether the building setbacks retain the established development pattern of the area and avoid development being perceived as a continuous wall of buildings along the beachfront.*
- *Whether garages, outbuildings and parking areas have been sited and designed to minimise visibility from the street.*
- *Whether the building materials and colours minimise the visual impact of buildings and reflect the character of the area.*
- *Whether front fencing and landscaping reflect the seaside character of the area and provide opportunities for passive surveillance to the street.*



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ASSESSMENT

As discussed in the above assessment the proposal meets the decision guidelines in the following ways.

- The proposal has been assessed against the objectives and preferred standards of the DDO5 and found to be compliant, including accommodating a recently introduced preferred height of sub 7m.
- The new dwelling is lower than the abutting buildings and that of the former dwelling on the site.
- The setbacks proposed are consistent with the pattern of development and “street rhythm”.
- The design is well articulated and stepped to reduce bulk and visual intrusion.
- The external colours and materials are pale and suit a contemporary coastal design and local vernacular.
- No front fencing is proposed and a landscaping is included on the plans.

Clause 44.01

EROSION MANAGEMENT OVERLAY

Purpose

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

To protect areas prone to erosion, landslip, other land degradation or coastal processes by minimising land disturbance and inappropriate development.

44.01-8

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.*
- *Regional Catchment Strategy (Catchment and Land Protection Act 1994).*
- *Civil construction, building and demolition guide (Publication 1834, Environment Protection Authority, November 2020).*
- *Control of Erosion on Construction Sites, Soil Conservation Authority.*
- *Your Dam, an Asset or a Liability, Department of Conservation and Natural Resources.*
- *Any proposed measures to manage concentrated runoff and site drainage.*
- *Any proposed measures to minimise the extent of soil disturbance.*
- *Whether the removal of vegetation will increase the possibility of erosion, the susceptibility to landslip or other land degradation processes, and whether such removal is consistent with sustainable land management.*
- *The need to stabilise disturbed areas by engineering works or revegetation.*
- *Whether the land is capable of providing a building envelope which is not subject to high or severe erosion concern.*
- *Whether buildings or works are likely to cause erosion or landslip.*
- *Whether access and servicing of the site or building envelope is likely to result in erosion or landslip.*



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- *Land Capability Report (if prepared) as developed by the Department of Energy, Environment and Climate Action.*
- *The need to remove, destroy or lop vegetation to create defensible space to reduce the risk of bushfire to life and property.*
- *Any technical information or reports required to be provided by a schedule to this overlay.*
- *Any other matters specified in a schedule to this overlay.*

SCHEDULE 1 TO CLAUSE 44.01 EROSION MANAGEMENT OVERLAY

MANAGEMENT OF COASTAL HAZARD

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 44.01, in addition to those specified in Clause 44.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- *The risk to life, property and community infrastructure from coastal erosion hazards as a result of coastal processes and geotechnical properties.*
- *Whether the proposed works are associated with essential works crossing the area, including the installation of utility services or the provision of an access track.*
- *The recommendations of any coastal erosion risk assessment and application documentation.*
- *The recommendations of any independent review of the coastal erosion risk assessment and application documentation.*
- *The existing use of the land and the purpose of the proposed building or works in relation to the existing use.*
- *The need for on-going risk management measures.*
- *The comments of relevant coastal management authorities.*

ASSESSMENT

The purpose of the EMO is to protect the dune system from development on the edge of the beachfront from construction activities closer to the source. The application site is separated from the dune by a public coastal reserve and roadway providing a large separation between the space sought to be protected together with a large quantity of bluestone boulders along the edge of the dune.

A specialist coastal management assessment has therefore not been provided as the proposed dwelling is a replacement dwelling which although is different in appearance, broadly occupies the same footprint as the former dwelling now demolished.

There is no additional risk to life or property that is proposed over and above that which existed with the former dwelling.

The purpose of the zone supports residential development with the replacement dwelling not considered "inappropriate development" under the intent of the overlay.



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Under the prevailing circumstances and in consideration of the above and the low impact nature of the development it is considered appropriate to not provided a coastal impact assessment.

Planning Policy Framework

Clause 02.03-2

Environmental and landscape values

Coastal areas

The coastal areas of the municipality are an important biodiversity, recreation and economic asset. There is a need to protect and manage the coast in an environmentally sustainable manner. This includes ensuring that development on the coast recognises the sensitive nature of these assets.

Significant environments and landscapes

The natural landscape of the municipality is an important asset that requires protection from inappropriate use and development. The visual and environmental implications of development on the municipality's natural features can destroy the attractiveness and environmental qualities of the area.

Other significant natural features include the hilltops and ridgelines, areas of native forest, and various water bodies, wetlands and grasslands.

Strategic directions

- *Promote greater revegetation and the management of pest plants and animals to address areas of degraded land.*
- *Manage land use and development to minimise impacts on coastal and river environments.*
- *Protect volcanic features, prominent hilltops and ridgelines from inappropriate development.*
- *Protect and enhance significant environmental values, remnant vegetation and riparian corridors within settlements.*

ASSESSMENT

The proposed dwelling and associated works respect the coastal setting and do not detract from views of viewlines and do not dominate the streetscape or environmental values of the area.

Clause 12.02-1L-01



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Protection of coastal areas - Moyne

Policy application

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

Strategies

Discourage the development or draining of limestone depressions.

Ensure development provides substantial landscaping using environmentally suitable plant species to screen and blend development with coastal environs.

Discourage new access roads leading to or running parallel with the coastline.

Ensure that development minimises and clearly defines pedestrian and vehicular access through the coastal landscape to avoid potential visual and erosion impacts.

Discourage the development of buildings and structures on sand dunes on free hold properties.

Discourage soil removal and excavation close to the boundary of the coastal reserve.

Policy guidelines

Consider as relevant:

- *Ensuring built form does not exceed 8 metres above natural ground level.*
- *Ensuring built form uses non-reflective exterior colours and materials.*

ASSESSMENT

As discussed in this report, the design response meets the design guidelines and performance standards therefore meets the requirements of the above clauses.

The built form does not dominate the streetscape or detract from coastal views or vistas. No significant vegetation is required to be removed.

15.01-2L

Building design - significant landscapes

Strategies



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Encourage a reasonable sharing of views between new and existing built form, particularly where the view is of a significant landscape feature, including views of the ocean and coastal shoreline, coastal cliffs and sand dunes, rivers and estuaries and notable cultural and scenic landscape features.

Ensure that buildings and structures are designed and sited to avoid overshadowing of foreshore areas, waterways, wetlands or areas of public access such as boardwalks, walkways and pathways.

ASSESSMENT

View sharing has been catered for by means of the stepped facades, setbacks and modest building height and site coverage. There is no overshadowing of public spaces or the foreshore.

15.01-5S

Neighbourhood character

Objective

To recognise, support and protect neighbourhood character, cultural identity, and sense of place.

Strategies

Support development that respects the existing neighbourhood character or contributes to a preferred neighbourhood character.

Ensure the preferred neighbourhood character is consistent with medium and higher density housing outcomes in areas identified for increased housing.

Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by respecting the:

- *Pattern of local urban structure and subdivision.*
- *Underlying natural landscape character and significant vegetation.*
- *Neighbourhood character values and built form that reflect community identity.*

ASSESSMENT

The design response is respectful of its natural and built surroundings and of less height and bulk than the former dwelling and the prevailing streetscape.

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.*



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- *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 proposal has been assessed against the prevailing zone and overlay provisions, MPS and PPF and is consistent with their requirements and objectives. There are no increased visual or environmental impacts or safety/amenity impacts. The proposal represents orderly planning.

8. CONCLUSION

The dwelling has been individually designed to suit the split level nature of the site and its sensitive landscape surroundings, whilst capturing sea views at the front.

The design response is intended to minimise amenity impacts such as overlooking and overshadowing of abutting properties with the living accommodation well setback from the front and sides of the site and addressing the street at the front and being elevated, mindful of height and bulk when viewed from the rear.

The size and orientation of the site together with the prevailing streetscape is more suited to double storied development which consequently cannot realistically be done with "no impact" upon the amenity of abutting properties. The design is seeking to limit amenity impacts and to achieve an improved outcome than the previous building, and as a minimum cause no further amenity impacts to that which was already there with the former dwelling.

The dwelling has a modest height, building footprint, achieves view sharing and does not dominate and is worthy of support by Council.

