

Lifestyle



Town Planning & Services



Planning Report

Lot 2 TP19803 – “Clonmara”
106 Princes Highway, Port
Fairy, Vic 3284 – Construction
of Group Accommodation (2
dwellings).

Report prepared by Glenn Reddick

Date 30/03/25

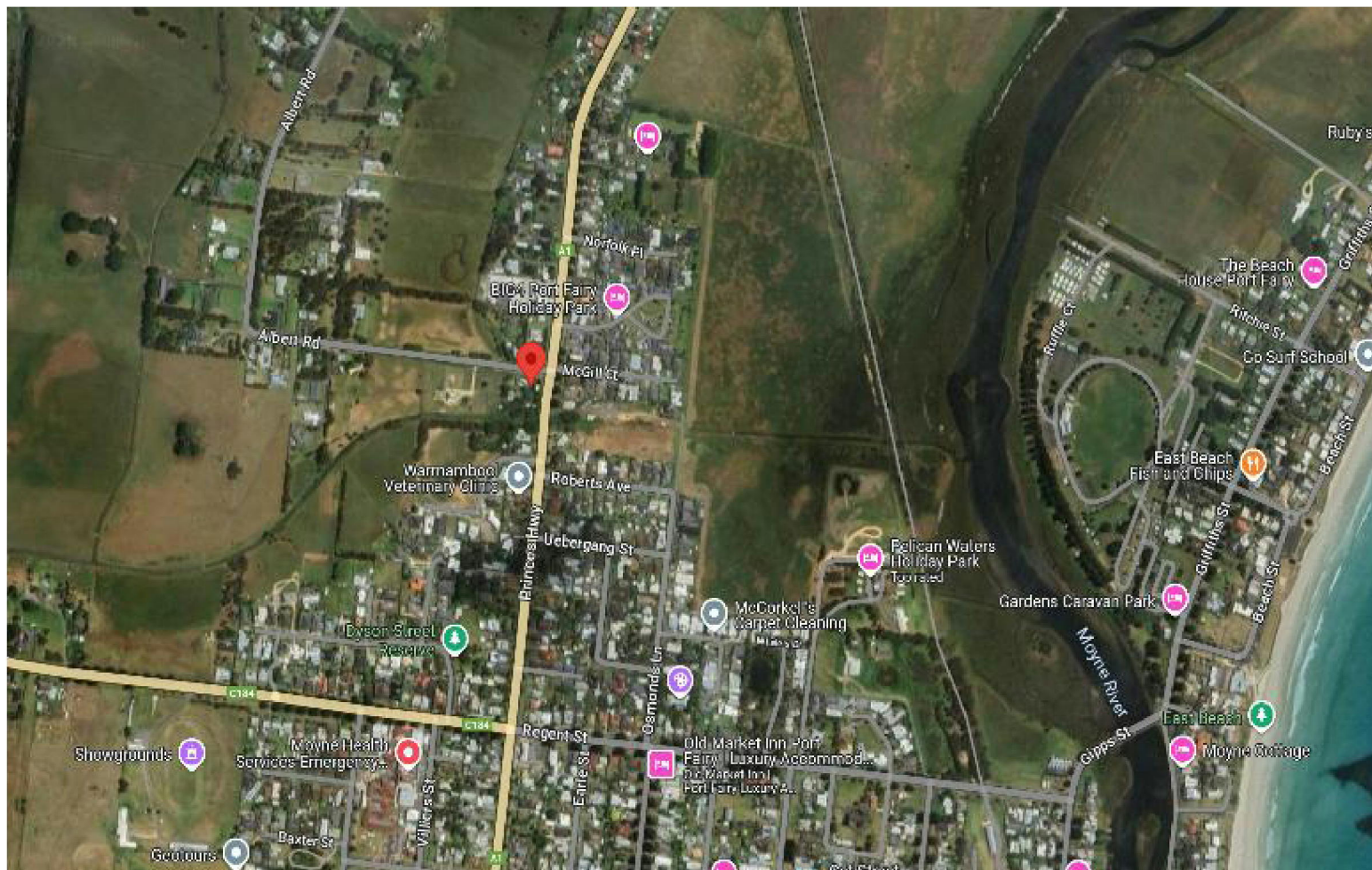
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DOCUMENT CONTROL

This document has been prepared to aid the submission of a planning permit application for Clonmara - 106 Princes Highway, Port Fairy, Vic. 3284.



1. PROPOSAL

Clonmara is an established and well known accommodation business situated in a prominent location at 106 Princes Highway Port Fairy. Clonmara offers a mix of self-contained accommodation styles including the original period cottage “Clonmara” facing Princes Highway with more contemporary cottage style accommodation units to the rear in an attractive landscaped setting.

The proposal is seeking planning permission to add 2 new 1 bedroom detached prefabricated dwellings to the existing accommodation. Currently there are 6 separate self-contained overnight units with either 1 or 2 bedrooms set in an acre of landscaped gardens including off street car parking facilities. The existing accommodation facilities are detailed under the site analysis section of this report.

The 2 new dwellings will be identical, prefabricated each containing 1 bedroom, an open plan kitchen/living/dining room, bathroom and a roofed deck area.

Render impressions of proposed dwellings in place



The new dwellings will be well spaced and will be finished externally in darker toned Axon vertical cladding, Ultra Colorbond roofing and double glazed aluminium windows and external doors with each dwelling having a floor area of 57.95 sqm and decking of 9.94 sqm and a maximum height of 3.37m

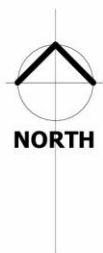
The finished floor level for each building will be 960mm and 1340mm respectively in order to be responsive to the flood controls. The dwellings will be constructed on stumps to allow free flow of water under each dwelling.

The existing car park will be expanded to contain 6 car spaces plus the existing indented on street parking area which has further parking for at least 4 cars. When constructed The overall proposed site coverage of all existing and proposed buildings will be 658.3 sqm or 16 % of the total site area of which leaving 84% of the site permeable.

There is no significant or native vegetation for removal as the new dwellings will be sited in existing spaces between trees.

The new buildings have been assessed as being “dwellings” for simplicity therefore a Clause 55 assessment has been provided which confirms that the proposed dwellings meet all of the objectives of Clause 55 with only minor variations requested to some standards.

Site plan



| COLOUR SCHEDULE | |
|-----------------|---------------|
| | FLOOD OVERLAY |
| | CAR PARK |
| | BOUNDARY |

| AREA SCHEDULE | | |
|----------------------------------------|---------|---------------|
| AREA | SQS m2 | % OF COVERAGE |
| TOTAL SITE AREA | 4047m2 | |
| EXISTING DWELLINGS | 522.6m2 | 12.9% |
| PROPOSED NEW DWELLINGS | 135.7m2 | 3.35% |
| TOTAL SITE COVERAGE WITH NEW DWELLINGS | 658.3m2 | 16.26% |

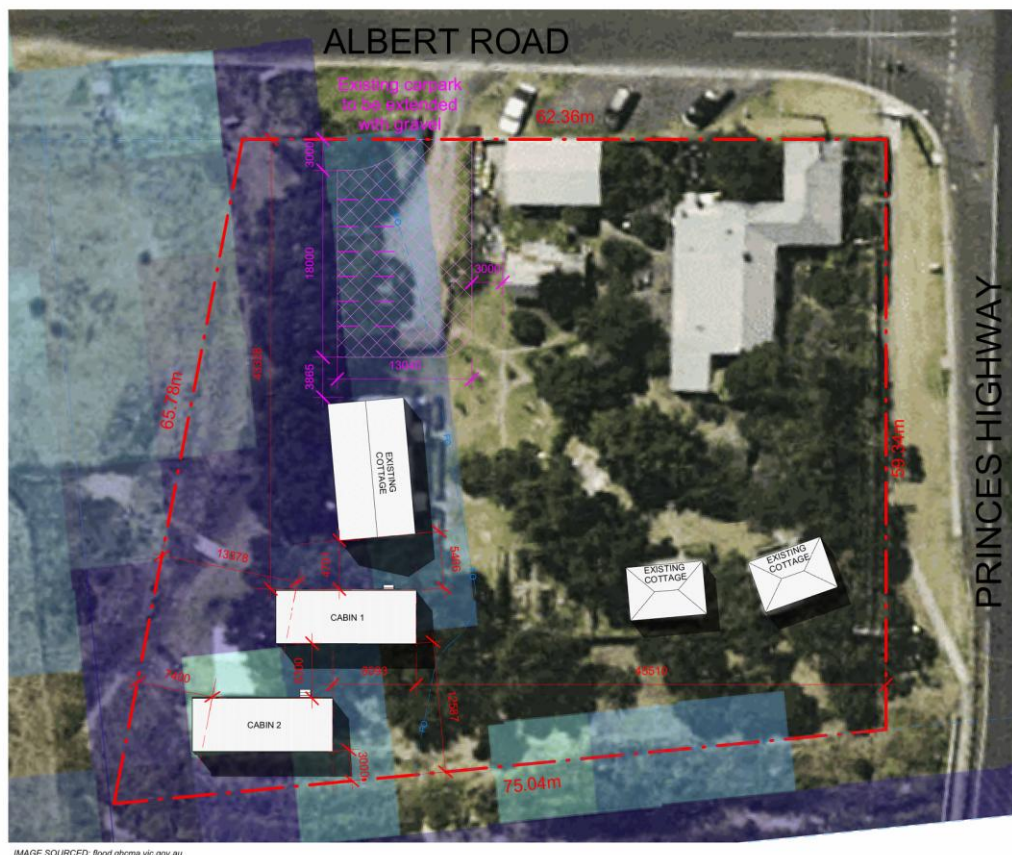
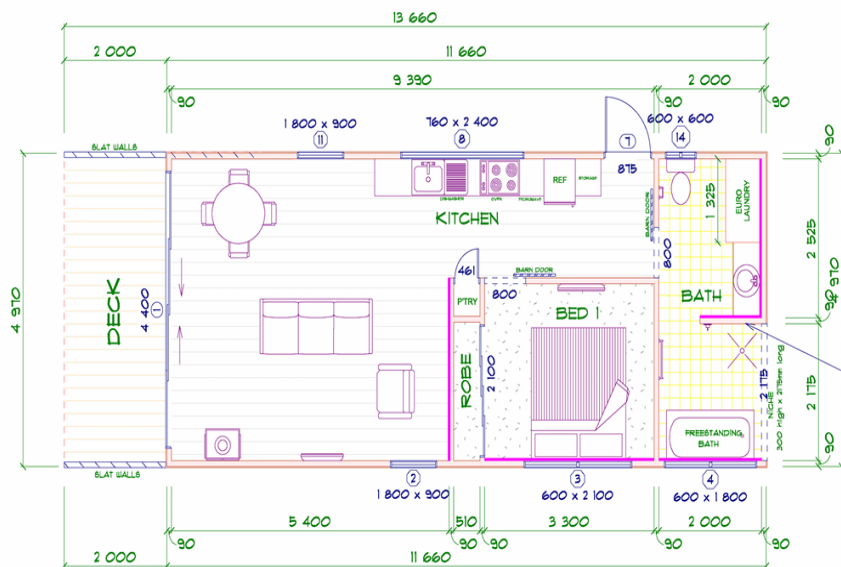


IMAGE SOURCED: flood.ghoma.vic.gov.au

Floor plan

DECK - 9.94m²
CABIN - 57.95m²
TOTAL - 67.89m²

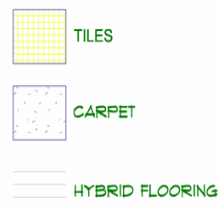


KITCHEN NOTES

- Oven
- Cooktop
- Rangeshood
- Dishwasher
- Microwave under benchtop
- Oak Flooring
- Fixed panel window as splashback
- Fridge space
- Storage cupboard
- Overhead Cupboards
- Separate Pantry

NOTES

- Skillion Roof
- Oak Flooring
- 5 x Wall Panelling (VJ Panel)
- Timber Slat Walls on the Deck
- Gas log Fire Place
- Shower/Bath Niche (2175mm long x 300mm high)
- 2 x 820mm Barn Doors
- Roofing: Ultra colorbond Roofing/Fascia/Gutters
- Axon Cladding (Vertical)
- Double Glazed Windows
- Window Shrouds ???
- Painted Steel Base (For Corrosion)
- High External Sliding Door with a 4 Stacker opening from the centre out.
- Gas Hot Water system
- Standard Blinds a privacy roll down along with the block out on sliding doors area, and bedroom
- Euro Laundry in Bathroom



At the time of preparing the documents for this application, gas appliances have been included which are able to be replaced with alternatives if required.

2. SITE ANALYSIS

The site is situated on the eastern outskirts of Port Fairy fronting Princes Highway and on the corner of Albert Road. The site is broadly rectangular and has an overall area of 4,407 sqm and is generally flat. The Reedy Creek adjoins the southern boundary.

The site contains a series of buildings used for overnight accommodation including the original “Clonmara” cottage. More recently Clonmara has been a café with accommodation, now exclusively used for accommodation. Clonmara cottage is now converted into 2 accommodation units with 1 bedroom and 2 bedrooms respectively with separate accesses and courtyard gardens. Behind the cottage there is a two storey semi-detached building providing 2 further 1 bedroom self-contained accommodation units, together with a pair of detached 1 bedroom cottage style units. Collectively, the accommodation on the site can provide 7 bedrooms.

The site has the benefit of mains water, electricity and sewerage connected and is enclosed by existing post and wire and timber fencing with an off street gravelled car park and indented on street car parking all of which can provide at least 10 car spaces. The site is within close proximity to the town centre (approx. 500m) and backs onto undeveloped pasture at the rear used for grazing providing a picturesque rural backdrop. There are dwellings opposite which are generally well spaced from Clonmara Cottage and the accommodation. There is also a detached double garage and service area for the complex fronting Albert Road.

Location plan



Existing accommodation facilities

“Stone Cottage” – Corner property with 1 bedroom, bathroom, kitchenette.





“Clonmara Country Cottage” - Situated to the rear of the Stone Cottage and can be interconnected to Stone Cottage via an internal door. Contains 2 bedrooms, kitchen, living room, bathroom, snug, laundry, courtyard.



2 Semi-detached 1 bedroom cottage style (“King View” rooms)

Each contains 1 bedroom, lounge, bathroom, kitchenette, rear deck.





2 Garden cottages- each with 1 bedroom, lounge, kitchenette, bathroom, rear deck.





3. PLANNING CONTROLS

Zone

The site is located in the Neighbourhood Residential Zone (NRZ).

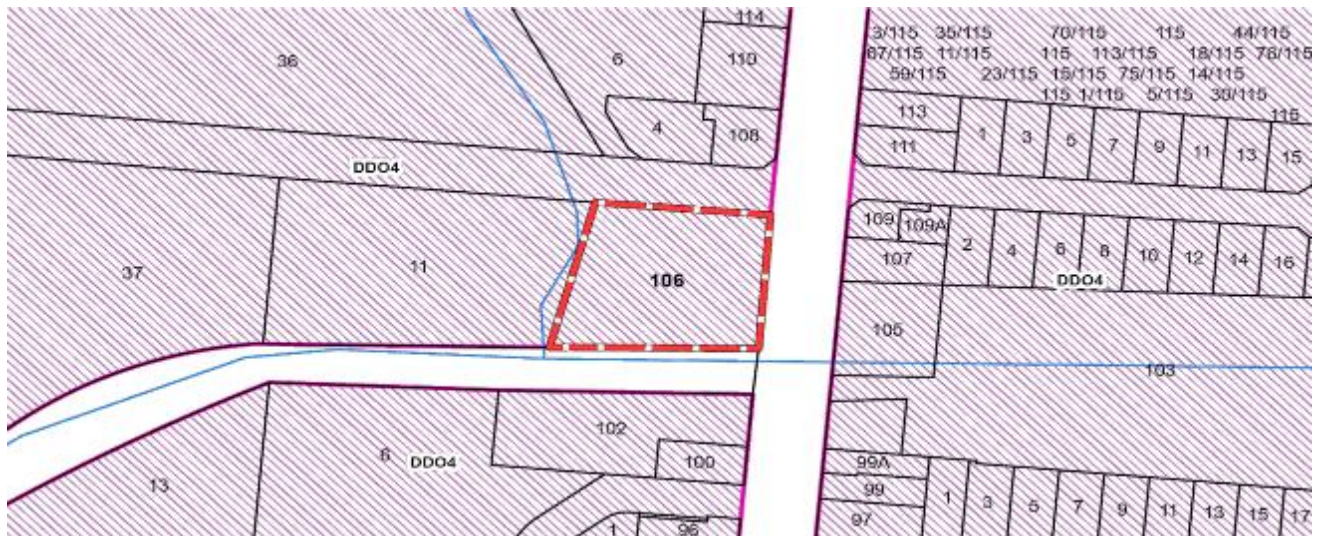


Overlays

Heritage Overlay Schedule 49 (HO49)



Design Development Overlay Schedule 4 (DDO4)



Floodway Overlay Schedule 3 (FO3)



Other

The site is within a Designated Bushfire Prone area and an area of Aboriginal Cultural Heritage Sensitivity.

Permit requirements

A permit is required under the NRZ to construct 2 or more dwellings on a lot pursuant to **Clause 32.05-8**.

A permit is required under the HO49 for buildings and works pursuant to **Clause 43.01-1**.

A permit is required under the DDO4 for buildings and works pursuant to **Clause 43.02-2**.

A permit is required under the FO3 for buildings and works pursuant to **Clause 44.03-2**.

A Cultural Heritage Management Plan is not required as 2 dwellings are exempt under the Aboriginal Heritage Regulations 2018.

4. RESTRICTIONS ON TITLE

None.

5. PLANNING ASSESSMENT

Clause 32.09

NEIGHBOURHOOD RESIDENTIAL ZONE

Purpose

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

To recognise areas of predominantly single and double storey residential development.

To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Clause 32.09-14

Decision guidelines

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

General

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of this zone.*
- *The objectives set out in the schedule to this zone.*
- *Any other decision guidelines specified in a schedule to this zone.*
- *The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Housing Choice and Transport Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.*

Dwellings, small second dwellings and residential buildings

- *For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55.*

ASSESSMENT

The character of Clonmara as a collective is that of small scale, low height, residential accommodation in a cottage garden setting. The intent of the proposal is to replicate this look and feel so as to not overwhelm the very essence and spacious nature of property and its rural outlook.

The proposed dwellings are prefabricated, simple in design and low set having a maximum height of 3.37m and well-spaced from other buildings. Each dwelling will be connected to mains services including, town water supply, reticulated sewer and mains electricity. Each dwelling has a functional design and layout and a high standard of internal finish with individual car parking in the designated car parking areas which provides a minimum of 10 car spaces. There are dedicated open space areas on decking or to the rear of each unit plus a large area of communal open space in the landscaped gardens.

The scale and intensity of the development is not excessive with 5 modest buildings on a 4,000 sqm site achieving a site coverage of just 16% of the site leaving most of the site of the site for open space and garden.

A clause 55 assessment has been provided which confirms the development meets all objectives of Rescode with only minor variations requested for some standards.

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.*

ASSESSMENT

The heritage overlay covers the entire site even though the buildings behind the old Clonmara cottage are contemporary. It is assumed that these controls are in place to manage future development to ensure that any new buildings respect and do not overwhelm the cottage or wider precinct.

The proposed new dwellings are situated well behind the period cottage and are not visible from the public realm. There are of contemporary design so as to not mimic heritage buildings and are clearly distinguishable as later inclusions to the site.

The dwellings are low scale and low height and do not overwhelm or compromise the integrity of the heritage place.

The new dwellings are also collocated with the other contemporary buildings on the site. The dominant character of the site is that of small buildings in a garden setting which is well suited to the setting and heritage conservation.

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 4 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

PORT FAIRY RESIDENTIAL AREAS

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'.

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.

Building Massing

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

Building Height and Siting

Buildings on ridgelines or dune areas should be sited so that the bulk and mass of the buildings do not dominate the skyline.

If the land is in a Floodway Overlay, Land Subject to Inundation Overlay or is liable to inundation, the maximum building height specified in the zone or a schedule to the zone 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.

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.*

Frontage Presentation

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

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.

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.*

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.

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.*
- *Whether the design and siting of buildings retains the established development pattern of the area.*
- *Whether adequate space is available between buildings to avoid boundary to boundary development and to maintain a landscaped garden setting.*
- *Whether the building is articulated to minimise the scale and bulk of the building.*
- *Whether the building materials and colours respect the character of surrounding dwellings.*
- *Whether garages, outbuildings and parking areas have been sited to minimise visibility from the street.*
- *Whether battle axe subdivisions provide sufficient space along driveways to accommodate landscaping.*

ASSESSMENT

The site coverage of all buildings on site – including the 2 proposed is 16% which is less than the preferred site coverage of 40%.

Massing of buildings is modest with buildings well-spaced and proportionate to the site area and its surrounding buildings.

The new dwellings are well setback from the frontage well in excess of 6m.

Although in private secluded gardens the proposed dwellings are visible from within the development for passive surveillance.

Neutral contemporary materials are proposed to suit the setting.

Fencing and landscaping are unchanged with no significant vegetation for removal.

Clause 44.03

FLOODWAY OVERLAY

Purpose

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

To identify waterways, major floodpaths, drainage depressions and high hazard areas which have the greatest risk and frequency of being affected by flooding.

To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.

To reflect any declarations under Division 4 of Part 10 of the Water Act, 1989 if a declaration has been made.

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 and wetland health, waterway protection and flood plain health.

Clause 44.03-7

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 local floodplain development plan or flood risk report.*
- Any comments of the relevant floodplain management authority.*
- The Victorian River Health Strategy (2002) and any relevant regional river health strategy and associated wetland plan.*
- Any other matters specified in a schedule to this overlay.*

SCHEDULE 3 TO CLAUSE 44.03 FLOODWAY OVERLAY

PORT FAIRY RIVERINE AND COASTAL INFLUENCED INUNDATION AREAS

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 44.03, in addition to those specified in Clause 44.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- *The contents of the Port Fairy Local Floodplain Development Plan 2023 Incorporated Document.*
- *The context of the proposed development having regard to the longer term impacts of riverine and coastal flooding.*

MOYNESHIRE LOCAL FLOODPLAIN DEVELOPMENT PLAN

Requirements

- a) *Site plans showing:*
 - *The boundaries, dimensions, shape, size, orientation, slope, and elevation of the site.*
 - *The location of all existing and proposed buildings or works.*
 - *The use and development of surrounding sites and buildings.*
- b) *Elevation plans prepared by or under the direction and supervision of a licensed land surveyor showing:*
 - *Natural ground level, finished ground level and the floor levels of any existing and proposed buildings in relation to both the AHD and the NFPL as nominated by the relevant Floodplain Management Authority.*
 - *The difference in ground and building levels between the site and surrounding properties to AHD.*
 - *The levels of adjoining roads, internal driveways, and access tracks to AHD.*
 - *Construction details of all buildings, fences, driveways, and other works.*
- c) *Documents providing:*
 - *A written response to Clause 13.03-1S and 13.03-1L of the Moyne Planning Scheme, Floodplain Management, including demonstration that the proposed development could not be located on land not subject to flood risk, and a response to relevant decision guidelines.*
 - *An outline of any actions or measures required to reduce the risk to individuals, property, infrastructure, and the environment, over the predicted life of the buildings or works, including those applying to the siting and design of the buildings or works, and/or to the use and occupation of all aspects of the proposal.*
 - *For proposals including fencing, a statement of compliance with the Glenelg Hopkins CMA Guidelines for Fencing in Flood-prone Areas, or evidence demonstrating that the fence does not significantly obstruct flood flows.*
 - *For proposals involving cut-and-fill earthworks, a statement of compliance with the Glenelg Hopkins CMA Guidelines for Floodplain Cut and Fill, including: o plans prepared by*

or under the direction and supervision of a licensed land surveyor showing ground levels to AHD of all fill and borrow areas, depths of cut and height of fill, and calculations showing the net level for level cut and fill volume balance. o modelling of flood behaviour demonstrating impacts of proposed works.

d) A flood risk report is required for proposals to develop land located within the FO if the application does not fully comply with this Local Floodplain Development Plan.

ASSESSMENT

This report generally provides the information required in the Moyne Local Floodplain Development Plan. Pre application discussions were held with the CMA which have informed the project. It is acknowledged that recent planning scheme amendments have altered the declared flood levels. The dwellings are intended to be above the flood level and to take account of water velocity with the design based on the published CMA floodplain information and the flood overlay FO3 in the Moyne Shire planning scheme.

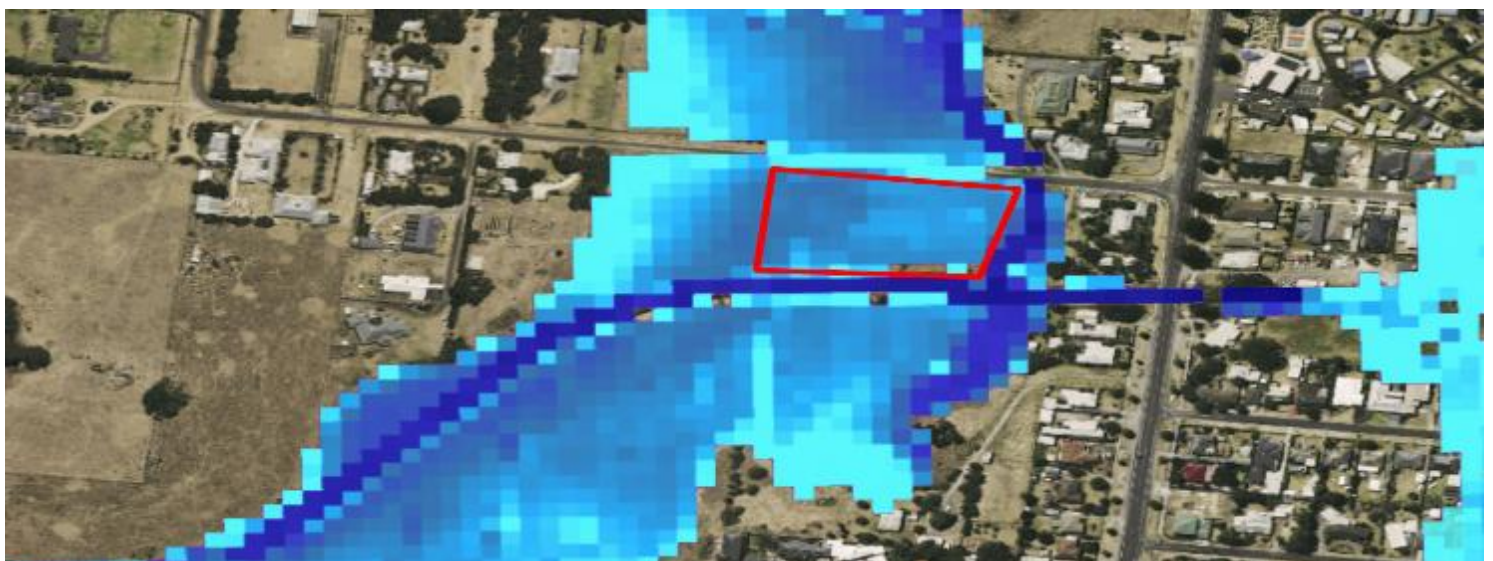
The plans provided show the site, key features, existing buildings, proposed buildings and elevations, photographs and a written assessment against Clauses 13.03-1S and 13.03-1L (refer below).

The plans have transposed the FO3 data and CMA flood levels and plotted the buildings for clarity. The finished floor levels of the proposed dwellings are shown on the plans. A site survey has also been carried out and provided on the plans for information.

The intent of the proposal is to place the proposed dwellings in a location which is both suited to the layout of the site, to avoid native vegetation removal and in consideration of the heritage controls on the site. The positioning of the dwellings has been to align the dwellings in the “shallow water” inundation avoiding darker blue “deeper water” areas and fast flowing water. The car park and access are also in light blue shallow water.

The buildings will be constructed on stumps to allow free flow of water underneath and a freeboard between the proposed floor level and the declared flood levels.

The image below has been taken from the CMA flood portal to demonstrate flood levels.



Clause 52.06

CAR PARKING

Purpose

To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.

To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.

To support sustainable transport alternatives to the motor car.

To promote the efficient use of car parking spaces through the consolidation of car parking facilities.

To ensure that car parking does not adversely affect the amenity of the locality.

To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

ASSESSMENT

The car parking requirement is based on “Motel” which requires 1 space per accommodation unit.

Applied to the existing 6 accommodation units requires 6 spaces plus 2 new spaces for the proposed 1 bedroom dwellings – a requirement of 8 spaces with 10 spaces provided.

MUNICIPAL PLANNING STRATEGY

Clause 02.03-3

Environmental risks and amenity

Climate change impacts

The coast is under threat from the effects of climate change, including sea level rise and increased storm surges. East Beach, the Griffiths Street and Wharf Precincts, and the areas around Belfast Lough in Port Fairy are severely impacted by flooding and coastal hazards.

Rising sea levels may threaten land use and development due to eroding shorelines, increased cliff instability and landward penetration of saline water within estuaries.

Development and infrastructure close to coastal and estuarine areas, including sea walls and other protective structures, may threaten the capacity of the environment to adapt to rising sea levels and increased tidal penetration.

Bushfire

The municipality faces complex fire risk in agricultural, forested, urban bushland, rural residential and coastal areas.

Floodplains

The catchments within the municipality include areas of land prone to natural flooding. The inherent function of the floodplains to convey and store floodwater should be preserved to minimise the deterioration of environmental values, and manage flood risks to assets and communities.

ASSESSMENT

The MPS recognises the importance of flood mitigation and risk management in development. As discussed in this report, the proposal has been designed to be responsive to these risks.

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 heritage aspect of the site is mainly the period cottage on Princes Highway- “Clonmara”, but also the impact proposed buildings may have on the cottage and the wider precinct.

The scale and modest height of the proposed dwellings together with the generous spacing conserves and enhances the heritage significance of the site and the precinct.

Clause 02.03-7

Economic development

The economy of the Shire is based on agriculture, manufacturing, tourism and commerce.

Tourism

Tourism is a key sector of the local economy and has significant growth potential.

The Shire is a major tourist destination, with a range of attractions, and tourism and accommodation facilities. Key attractions include the coast, significant heritage buildings and towns, local reserves, national parks, volcanic features, and cultural heritage sites and landscapes.

The Great Ocean Road is a major component of the tourist infrastructure in the region, complementing other attractions of south western Victoria. The number of travellers on the Great Ocean Road is continuing to increase.

There is a need to manage the development pressure caused by the influx of tourists and provide a variety of tourist accommodation.

ASSESSMENT

There is a strong tourism and economic benefit associated with accommodation in Moyne Shire. Clonmara is a unique, high quality and popular accommodation site which is adding to the visitor economy by providing comfortable and conveniently located overnight accommodation. The proposal adds to the capacity of the site and increases the availability of accommodation in Port Fairy.

PLANNING POLICY FRAMEWORK

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.*

Policy guidelines

Consider as relevant:

- *Any applicable approved state, regional and municipal fire prevention plan.*

ASSESSMENT

The site has the benefit of a town water supply, has excellent access for emergency vehicles and is well connected and planned for a fire emergency. The proposed dwellings do not therefore add to the fire risk as measures are already in place.

Clause 13.03-1L

Floodplain management - Moyne

Policy application

This policy applies to development on land affected by the Land Subject to Inundation Overlay or Floodway Overlay.

Strategies

Discourage the use of fill in areas prone to flooding.

Avoid the development of permanent, temporary or removable housing in areas subject to the Floodway Overlay.

Support the development of housing in areas subject to the Land Subject to Inundation Overlay provided the design response addresses identified flood risks including the availability of safe accessways.

Policy guidelines

Consider as relevant:

- *Ensuring the availability of accessways to habitable buildings that are subject to a depth of flooding of not more than 0.3 metres for flood events up to and including the 1 per cent Average Exceedance Probability standard.*
- *Ensuring development is consistent with any relevant Local Floodplain Development Plan.*
- *Achieving balanced cut and fill in accordance with the Glenelg Hopkins Catchment Management Authority Guidelines for Floodplain Cut and Fill.*

ASSESSMENT

As discussed the finished floor levels are above the declared flood levels and are consistent with the Local Floodplain Development Plan. There is no cut and fill required.

It is understood that the access road is within the tolerance of 0.3m flooding of the 1% average exceedance.

Clause 13.03 FLOODPLAINS

13.03-1S Floodplain management

Objective

To assist the protection of:

- *Life, property and community infrastructure from flood hazard, including coastal inundation, riverine and overland flows.*
- *The natural flood carrying capacity of rivers, streams and floodways.*
- *The flood storage function of floodplains and waterways.*
- *Floodplain areas of environmental significance or of importance to river, wetland or coastal health.*

Strategies

Identify land affected by flooding, including land inundated by the 1 in 100 year flood event (1 per cent Annual Exceedance Probability) or as determined by the floodplain management authority in planning schemes.

Avoid intensifying the impact of flooding through inappropriately located use and development.

Plan for the cumulative impacts of use and development on flood behaviour.

Locate emergency and community facilities (including hospitals, ambulance stations, police stations, fire stations, residential aged care facilities, communication facilities, transport facilities, community shelters, child care centres and schools) outside the 1 in 100 year (1 per cent Annual Exceedance Probability) floodplain and, where possible, at levels above the height of the probable maximum flood.

Locate use and development that involve the storage or disposal of environmentally hazardous industrial and agricultural chemicals or wastes and other dangerous goods (including intensive animal industries and sewage treatment plants) outside floodplains unless site design and management is such that potential contact between such substances and floodwaters is prevented, without affecting the flood carrying and flood storage functions of the floodplain.

Ensure land use on floodplains minimises the risk of waterway contamination occurring during floods and floodplains are able to function as temporary storage to moderate peak flows and minimise downstream impacts.

ASSESSMENT

The proposed dwellings do not substantively impede the flow of flood water nor pose environmental risks of contamination of waterways as the units are sewerred and will be used for domestic purposes.

Clause 17.04-1L Tourism - Moyne Strategies

Concentrate coastal tourist and commercial recreation development within existing settlements or close to existing settlements where existing infrastructure and community services can be utilised.

Limit major development outside existing settlements to situations where:

- *There is a genuine need in response to a regional tourism product strength.*
- *It is consistent with a regional tourism strategy.*
- *It will cause minimal impact on environmental capability.*
- *It provides for significant environmental biodiversity benefits.*
- *It is subordinate to the visual qualities of the locality.*
- *The overall footprint is minimised.*
- *It provides for an appropriate scale and intensity of use and development relative to a site.*
- *The provision of additional services such as water and sewerage can be suitably managed.*

Design accommodation outside existing settlements to prevent conversion to permanent residential occupation so that accommodation stock is preserved.

ASSESSMENT

The site is ideally situated to be prominent but within easy walking distance to the town centre and support services and infrastructure. As discussed there are no anticipated environmental impacts.

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 proposal meets the MPS, PPF and relevant planning controls, Clause 55 and has been designed to suit its location. There are no foreseeable adverse environmental impacts as a consequence of developing group accommodation on this site which is considered to represent orderly planning and to meet the decision guidelines of Clause 65.

6. CONCLUSION

A lot of thought and attention to detail has been put into this development to achieve an aesthetically appealing, yet safe, cost effective and functional development.

This has led to the obvious choice of prefabricated buildings. In formulating this proposal, to attract visitors, the prefabricated buildings chosen are a “high end” product with the quality and level of internal finish, it is hoped that this addition to Clonmara will be a place where visitors and key workers can stay comfortably in attractive surroundings.

The nature of group accommodation can by its very nature can be monochromatic in built form. The intent of the proposal is to create small homes in a garden setting with the landscaping intended to be the dominant feature. To this end the buildings are well spaced to provide an attractive compact dwellings in a landscaped setting for indoor/outdoor living and privacy.

The site is centrally located and well connected by foot and car to the town centre and beyond, to enjoy visiting and staying longer in the region.