

LINTONIA

TOWN PLANNING

PLANNING REPORT

168B Griffiths Street Port Fairy

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ACKNOWLEDGEMENTS

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DOCUMENT CONTROL

This document has been prepared to aid the submission of a planning permit application for 168B Griffiths Street Port Fairy Vic 3284

Revision 2 27/03/2026

SUMMARY

The proposal seeks to construct a single storey dwelling which is raised above ground level for flood resilience that has a high quality contemporary architectural style, including parapet roof profiles, recessive ground floor component, passive design elements with northern facing orientation and contemporary external materials that reflects the beachside context.

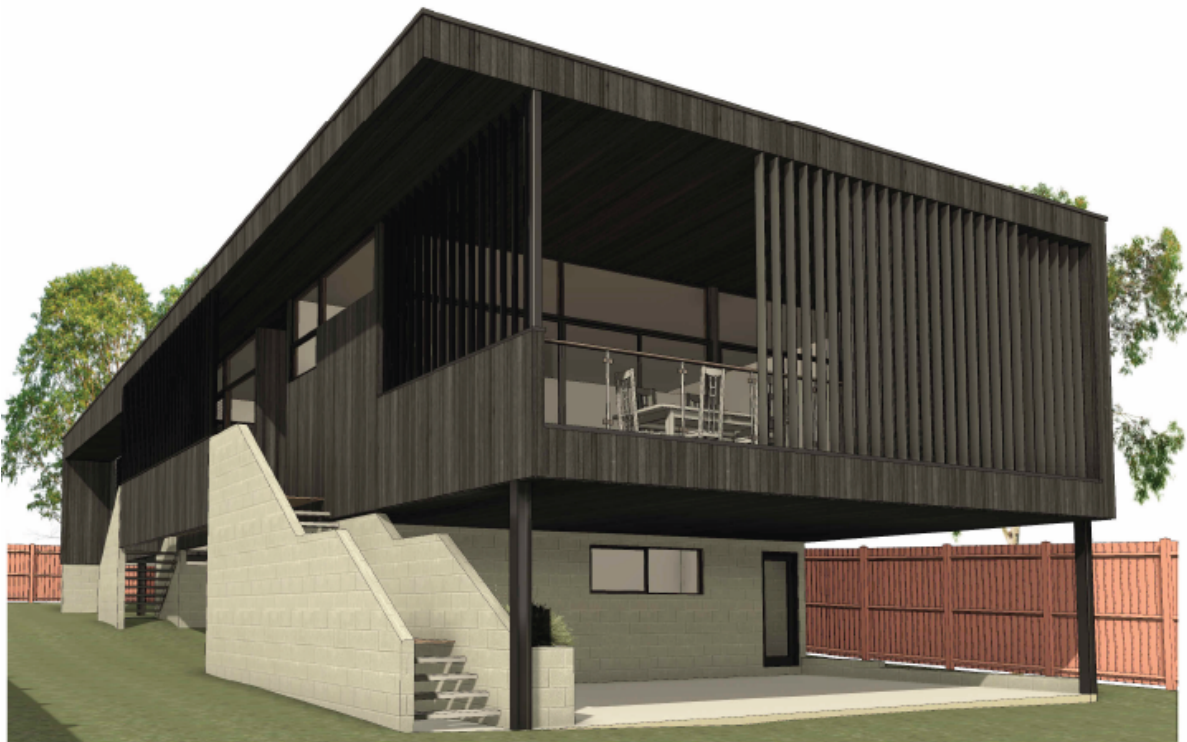


Figure 1 Revised Design – Indicative render looking south east from front yard

PROPOSAL – DESIGN RESPONSE

SUMMARY

The proposed dwelling is made up of an upper floor (habitable spaces) and a lower recessed floor (non-habitable spaces). To the upper floor area 4 bedrooms and an open plan kitchen/dining area, a living room and two bathrooms. There is also a balcony and stair landing to the entrance. The rear stairwell provides access to the rear yard and is set at around 3.8m AHD, above the 1% flood level.

The garage has been removed from the proposal and replaced by an open carport with storage/utility areas under the dwelling.

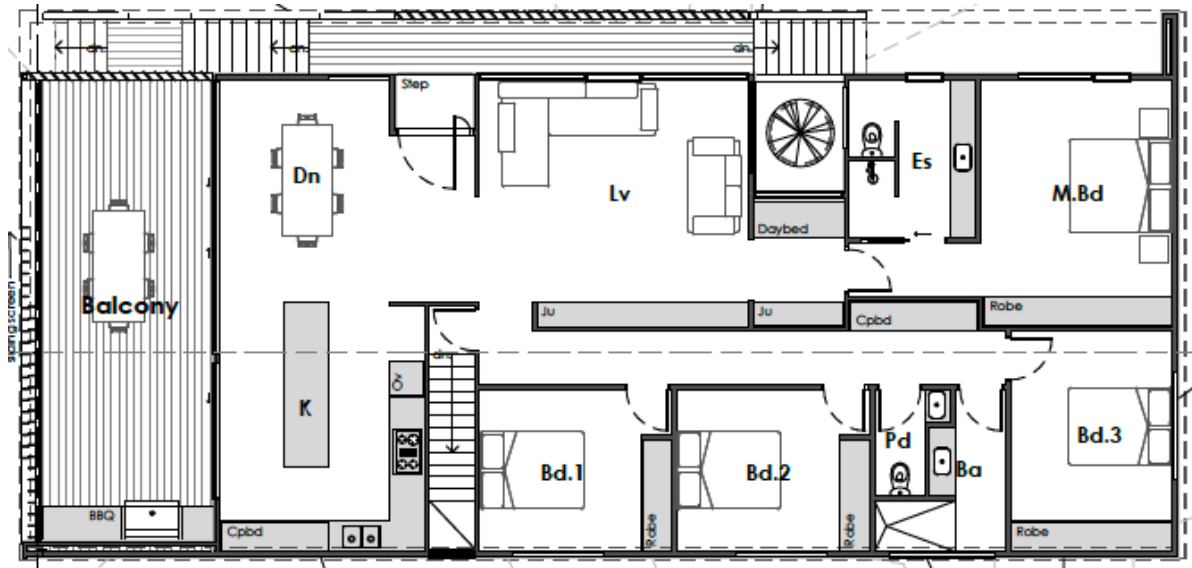


Figure 3 Upper floor layout (all habitable spaces)

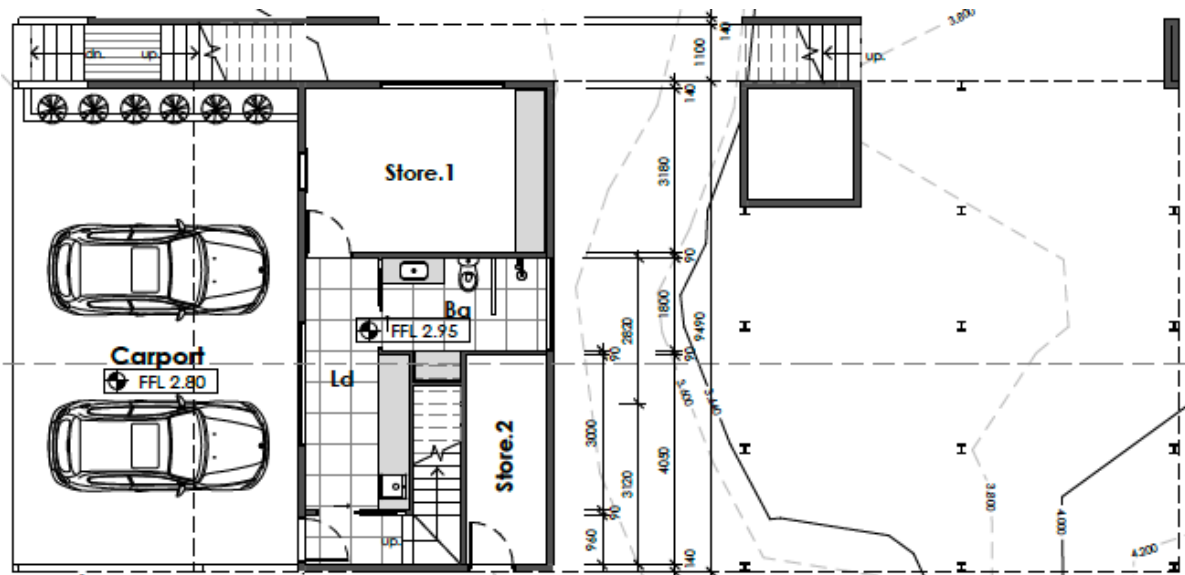


Figure 2 Utilities level layout showing carport and indicative stump locations

The upper floor of the dwelling is made up of a contemporary screened façade that is flanked by a generous north/west facing deck and main entrance/front door to the north, with both the ground floor areas being recessed.

The design vision for the proposed dwelling was to present a contemporary minimalist design that uses traditional light weight typical of 'beach shack' cladding/materials, such as charred external timber, limited blockwork (for flood resilience) and oversized eaves for shade and weather protection.

FLOOR LEVELS

The proposed floor level for the upper-level habitable rooms is 5.71m AHD. This is a significant increase from the previous floor level of 3.53AHD.

The ground level is restricted to non-habitable storage areas and utilities. The storage areas are necessary as no garage or shed is proposed. The floor level of the non-habitable spaces is 2.95m AHD. The carport has a floor level of 2.8m AHD.

The GHCMA's requirements in the Port Fairy Floodplain Development Plan (PFLFDP) that requires the FFL to be at least 3.64m AHD for a 1% AEP flood event with 1.2m sea level rise (SLR).

GHCMA letter dated 5 March 2025 states that:

- 1% AEP flood level for the site is equal to 3.34m AHD (inclusive of 1.2m SLR).
- The nominal flood protection level is 3.64m AHD

The lowest natural ground level on the site is 2.35m AHD to the Griffiths Street frontage, with the edge of the bitumen of the road surface having a height of 1.97m AHD. The natural ground level at the front of the dwelling is 2.8m AHD, with a floor level for the dwelling being 5.71m AHD.

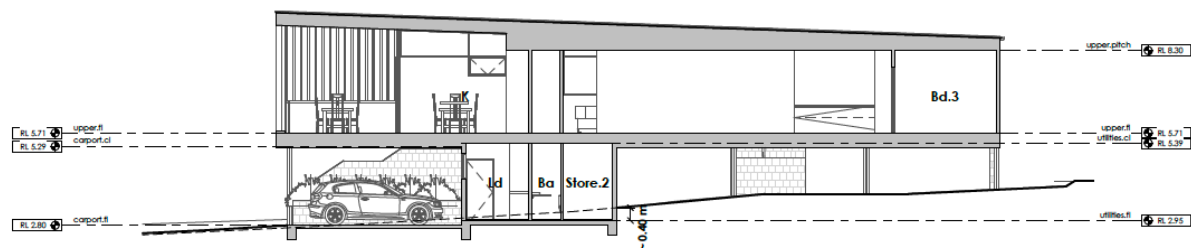


Figure 4 Section drawing showing height from West to East through the middle of the site

HEIGHT

All elements of height that relate to land that is located within either the LSIO or FO Overlays are provided allowance to measure the façade height and overall height from the NFPL of the dwelling, to ensure that the risk from flooding is adequately managed.

On that basis, the overall and façade heights for the proposed dwelling are:

- Overall height is 6.75m± above natural ground level to west facade
- Building height is 5.91m above the NFPL.

The building is constructed on stumps and has an open sub floor area, retained at NGL except for the utilities area. The stairwell is open except for the side walls.

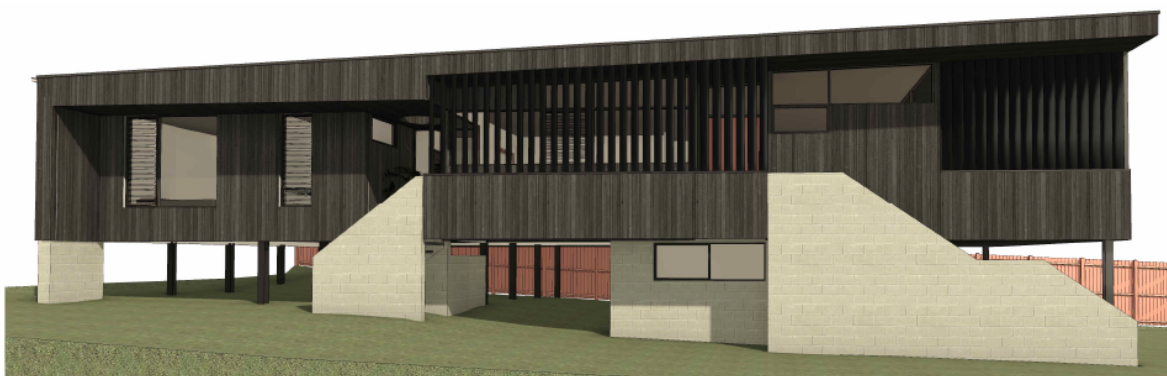


Figure 5 Indicative render of north facade showing stairwells, stumps and open underfloor areas

UPPER FLOOR

The upper floor level is located behind the front façade and is setback 3.7m from the front of the balcony. This floor includes 4 bedrooms and the kitchen/dining/living area.

All habitable spaces are located on the upper floor. The floor area is 180sqm of internal floor space, plus 36sqm balcony and a 9.5sqm landing/entrance.

UTILITIES FLOOR

The utilities floor includes a laundry, bathroom and two separate storage areas. These spaces are non-habitable. The floor area is 44sqm.

SETBACKS

Setback locations	Current Setbacks	Previous Setbacks (old design)
Front Wall from Griffiths St (utilities floor)	13.345m	9.45m±
Front Wall from Griffiths St (upper floor)	11.65m	15.6m±
Garage frontage from Griffiths St	N/A	10.85m±
North Boundary	5.42m	.95m±
South Boundary	2.0m	2.29m±
East Boundary	2.36m	2.0m

SITE COVERAGE

Proposal element	Current dimensions	Previous dimensions (old design)
Subject site	561m²	561m ²
Building footprint	240.87m²	274.53m ³
Site coverage for all buildings (including unroofed decks)	42.94%	49%
Permeable surfaces (unroofed decks and open space)	90% (noting the sub floor area around the stumps will be permeable)	51%
First floor area as a percentage of ground floor area	N/A	45.8%

COLOUR & MATERIALS

The proposed building will be finished with light toned blockwork as a feature in various positions with charred timber cladding and aluminium screening louvres to the upper level.

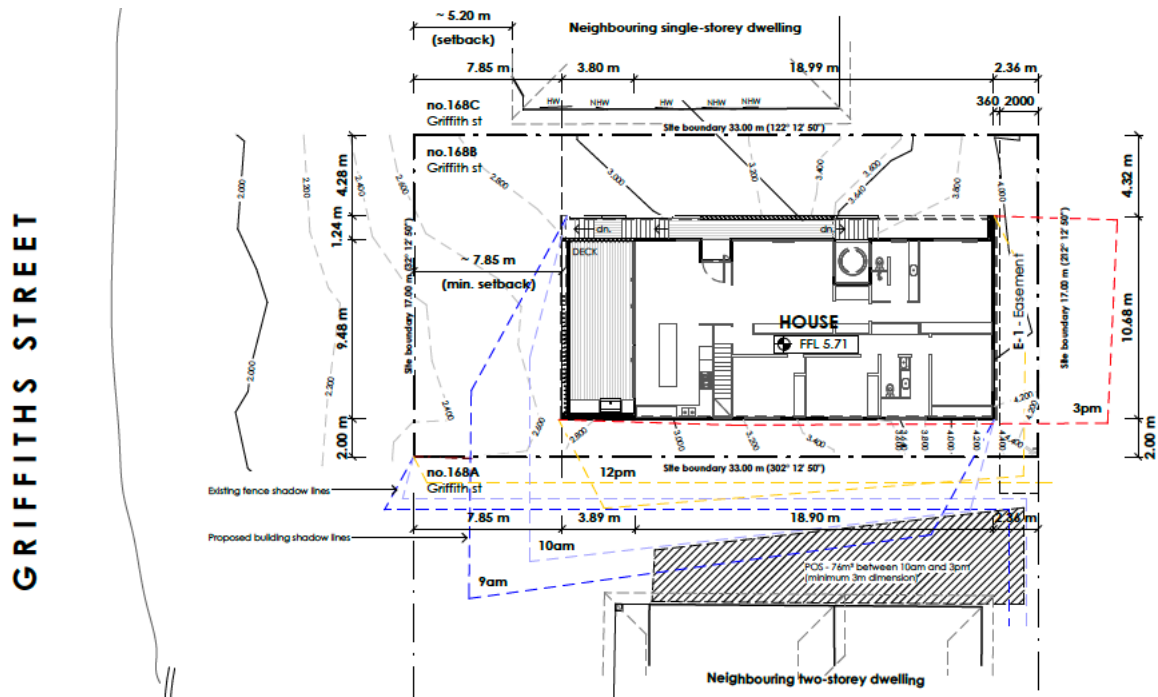


Figure 8 Proposed site layout showing upper-level footprint

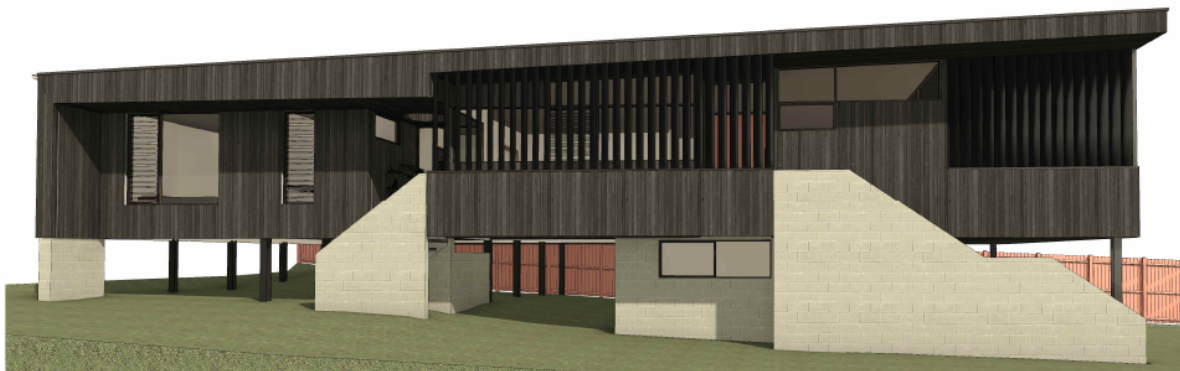


Figure 8 Proposed North elevation



Figure 8 Proposed Griffiths St Elevation

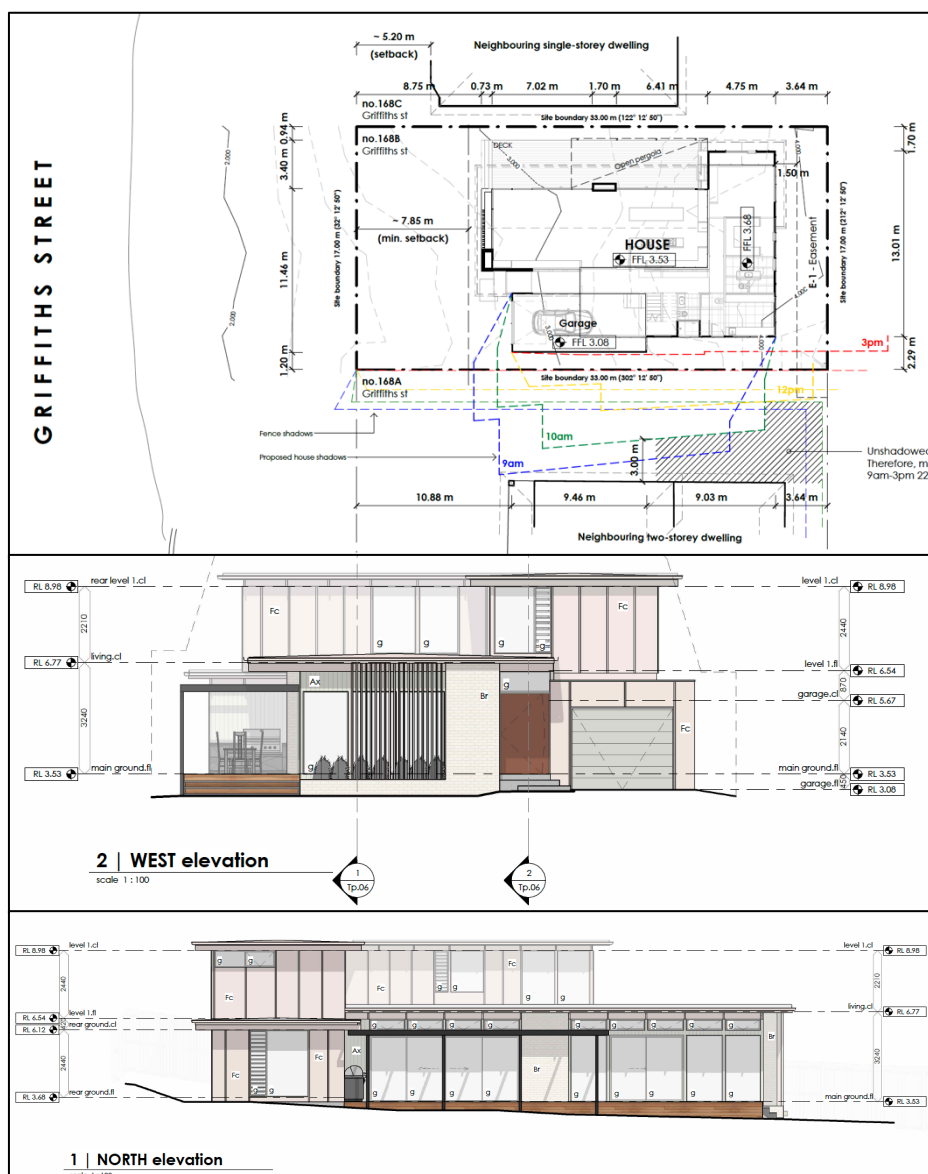


Figure 9 – PREVIOUS Site plan, North & West elevation plans

PLANNING CONTROLS

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

- The property is located in the Neighbourhood Residential 1 Zone (NRZ1)
- The property is located in a Design and Development Overlay Schedule 6 (DDO6)
- The property is partially located in a Floodway Overlay Schedule 3 (FO3)

PERMIT REQUIREMENTS

A permit is required pursuant to:

- Clause 43.02-2 (DDO6) – to construct a building or to construct or carry out works
- Clause 44.03-2 (FO3) to construct a building or to construct or carry out works

There is no planning permit required pursuant to the NRZ1.

NOTICE AND APPEAL RIGHTS

The application under Clause 44.03-5 (FO3) is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

The application under Clause 43.02 (DDO6) is not exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

OTHER RELEVANT PROVISIONS

Port Fairy Local Floodplain Development Plan (PFLFDP)

The PFLFDP is an incorporated document listed in the Moyne Planning Scheme and acts as a subordinate provision of the LSIO and FO provisions.

The Floodway Overlay requires at Clause 44.03-4 that:

- If a local floodplain development plan has been developed for the area and has been incorporated into the scheme, an application must be consistent with the plan.

Further assessment of the Floodway Overlay and the PFLFDP is provided further in this report.

ANALYSIS

RESTRICTIONS ON TITLE

The title does not contain any restrictions.

SUBJECT SITE ANALYSIS

The subject land is located at 168B Griffiths Street Port Fairy (being Lot 4 PS202299J). The land is 561m² and is a regular rectangular shape.

The site is currently vacant and has a gradual consistent slope from the lowest point at the road frontage with a height 2.4m AHD± to the highest point of the site at 4.2m AHD±. The approximate slope percentage is 5.45% or 1 in 18.33.

The site has a typical frontage width of 17m with a lot depth of 33m. The land is located on the western side of the primary dune system which is sited between East Beach Bay and the Moyne River/Belfast Lough.

SURROUNDING AREA ANALYSIS

LAND USE AND BUILT FORM

The surrounding area is predominantly used for residential purposes within the surrounding setting of the Moyne River to the immediate west and the coastal/dune area that adjoins East Beach Bay to the east.

The surrounding area is widely used as a gateway entrance to the township and highly trafficked area with visits to East Beach and other recreational areas of the town.

The Griffiths Street Road reserve contains an avenue of mature and semi mature Norfolk Island Pines. The nature strip directly adjacent to the site has a recently planted Norfolk Island Pine Tree. The location of the tree is central to the property frontage and will not affect the driveway location.

The built form in the immediate area (between Ritchie Street and Manifold Street) is a mix of double and single storey dwellings in a masonry/brick, timber or rendered finish with a predominantly pitched or gable roof profiles. There are a small number of heritage buildings in proximity to the site, however they are visually separated sufficiently where they are viewed in a different setting/context.

PATTERN OF DEVELOPMENT

The surrounding pattern of development along the eastern side of Griffiths Street is informed through development of larger single dwellings constructed with traditional setbacks to Griffiths Street and also a parallel line of development facing East Beach Bay with a predominant double storey form.

FOOTPRINT OF DWELLINGS

Most dwellings are located towards the highest part/rear of each individual lot, which can only be concluded that this has occurred to reduce any flooding risk. The following diagram is provided as further analysis.

HEIGHTS OF SURROUNDING DWELLINGS

The scale of dwelling development is varied across the precinct with a mix of single and two storey development. On that basis, the proposed development is consistent with that variation in scale of built form. The following is a visual analysis of development within the block between Ritchie Street and Manifold Streets.



Figure 10 – Subject land in middle, with mix of single and two storey development immediately adjacent



TOWNSHIP GATEWAY/ENTRANCE

Within the context of the dwellings setting, the proposed development will integrate well into its surrounding coastal setting on the basis that:

- The scale of development as detailed above is consistent with the surrounding varied built form.
- The proposed buildings and works will always be provided with a visual backdrop of the dune to the rear of the dwelling.
- The generous setback from the road seal means that any substantial bulk of the proposed structure is located at the rear of the site and will not dominate the gateway/entrance corridor to Port Fairy. See streetscape photos below.



Figure 11 – View of existing streetscape from 163 Griffiths Street approximately 70m north of the subject land



Figure 12 – Subject site only visible 40m prior to passing the land. the subject land therefore does not present as a dominant part of the streetscape, given its limited visual exposure



Figure 13 – Surrounding context plan

PLANNING POLICY

MUNICIPAL PLANNING STRATEGY

CLAUSE 2.02 - VISION

The Moyne Shire Council Plan (2021–2025) responds directly to the *My Moyne, My Future 2040 Community Plan* in focus areas that include:

- Place
- Environment
- People
- Economy

The adopted 'Vision' for Moyne is:

The people of Moyne embrace the region's extraordinary cultural and ecological country. Our fertile volcanic plains and pristine coast are the pride of Victoria's southwest. From coast to country, our connected and vibrant communities are active stewards, working meaningfully towards the protection and advancement of environment, history, social and economic vitality for present and future generations.

The priority aspirations for each of the above themes include a commitment to:

- Live in well-planned and connected neighbourhoods that protect our way of life and cultural heritage.
- Have access to housing that suits our budget, the size of our family and lifestyle needs.

RESPONSE

This application responds appropriately to the surrounding context of existing development through considerate scale and form of the proposed development. The proposed dwelling suits the landowner's budget, the size of their family and their lifestyle needs.

CLAUSE 2.03-1 - PORT FAIRY

Port Fairy is the major business and administrative centre of the Shire and an historic coastal town that is a popular destination for tourists. Integral parts of the town's character are the historic buildings around the town's centre, the fishing port, Moyne River estuary, Griffith Island and its coastal setting.

It is a District Town with moderate growth capacity through infill development and some growth beyond existing urban zoned land, but within defined settlement boundaries.

Port Fairy is experiencing an increase in population driven by its attractive setting. Demand has been strong for new development, redevelopment of older properties and more intense forms of urban housing.

The population of Port Fairy increases substantially over the summer holiday period. Its tourism and recreation values include swimming and surfing beaches, recreational boating and fishing, and a range of accommodation types. Due to the ongoing popularity of the Great Ocean Road region, development and tourism pressures are expected to increase.

Port Fairy has regional heritage significance because of its role in the European settlement of the area. Natural and cultural values include sites of indigenous and non-indigenous significance, scenic landscapes, wildlife viewing, and wetlands and ecosystems.

Port Fairy West is characterised by residential and tourist accommodation with rural uses in the western section.

Given Port Fairy's proximity to the Southern Ocean, there is an increased risk of coastal inundation and erosion due to anticipated sea level rise.

STRATEGIC DIRECTIONS

- Encourage growth within clearly established boundaries of townships and settlements to protect their character, protect adjoining farmland and ensure that the environment of the area is not compromised.
- Promote Port Fairy as the retailing, service and cultural centre for the municipality.

CLAUSE 02.03-3 ENVIRONMENT 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.

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.

RESPONSE – CLAUSE 02.03-1 & CLAUSE 02.03-3

The site is located within the township boundary and responds to the surrounding coastal character by providing a high-quality architectural design response.

The dwelling FFL and its siting ensure that it is located above and above the 1% AEP flood level, which is set at 3.64m AHD (which also now includes 1.2m SLR).

The dwelling FFL is higher than the 1% AEP flood level, which is proposed at 5.71m AHD.

The access to the site is less than 300mm in depth in a 1% AEP storm event in the most part.

Parts of the road surface of Griffiths Street are identified as being subject to a flood depth of greater than 500mm during a 1% AEP flood event, however the Griffiths Street Road reserve is beyond the scope and control of the subject land and therefore remediation works in conjunction with the proposal are not possible to resolve this matter. Reducing the extent of flooding along the Griffiths Street road network can only be undertaken and resolved by the Road Authority.

CLAUSE 2.03-6 HOUSING

The population of the Shire is growing; however, it is ageing and household size is declining.

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.

There is a need to provide well-located and accessible housing in the Shire to accommodate demand and attract new residents. However, housing growth is

subject to infrastructure constraints, and can compromise environmental, heritage, landscape and neighbourhood character values.

The development of housing between settlements and in sensitive locations, such as areas of environmental or landscape significance, including the coastline, is an issue.

Ad hoc low density residential and rural living development has the potential to fragment productive agricultural land.

STRATEGIC DIRECTIONS

- Encourage population growth within all areas of the Shire.
- 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.
- Discourage rural residential development in areas of agricultural, cultural heritage, environmental or landscape value.

RESPONSE

This application proposes to add an existing dwelling to an area of Port Fairy in an area where there is high demand for holiday accommodation and additional permanent population.

The dwelling contributes to the permanent population of the shire and provides an accommodation type to suit the resident's family and lifestyle.

The site, whilst located in a township gateway area is not within itself an area of significant environmental or landscape value.

PLANNING POLICY FRAMEWORK

11.01-1L-02 SETTLEMENT – PORT FAIRY

POLICY APPLICATION

This policy applies to all land identified in the Port Fairy Framework Plan in this clause.

STRATEGIES

- Retain the distinctive character of Port Fairy based on the heritage features, the coastal and river character and high-quality urban design.

- Reduce the visual intrusion of built form on approaches to Port Fairy and across key landscapes such as the Belfast Lough.
- Protect the existing avenues of Norfolk Island Pines.
- Support limited new housing development in the East Beach, Griffiths Street and Wharf Precincts where land is not subject to flooding or erosion risk, and access is managed to the satisfaction of the responsible authority.
- Encourage development that responds to the constraints of the Moyne River floodplain and increasing coastal hazards, while protecting the sensitive coastal surrounds and iconic wharf precinct

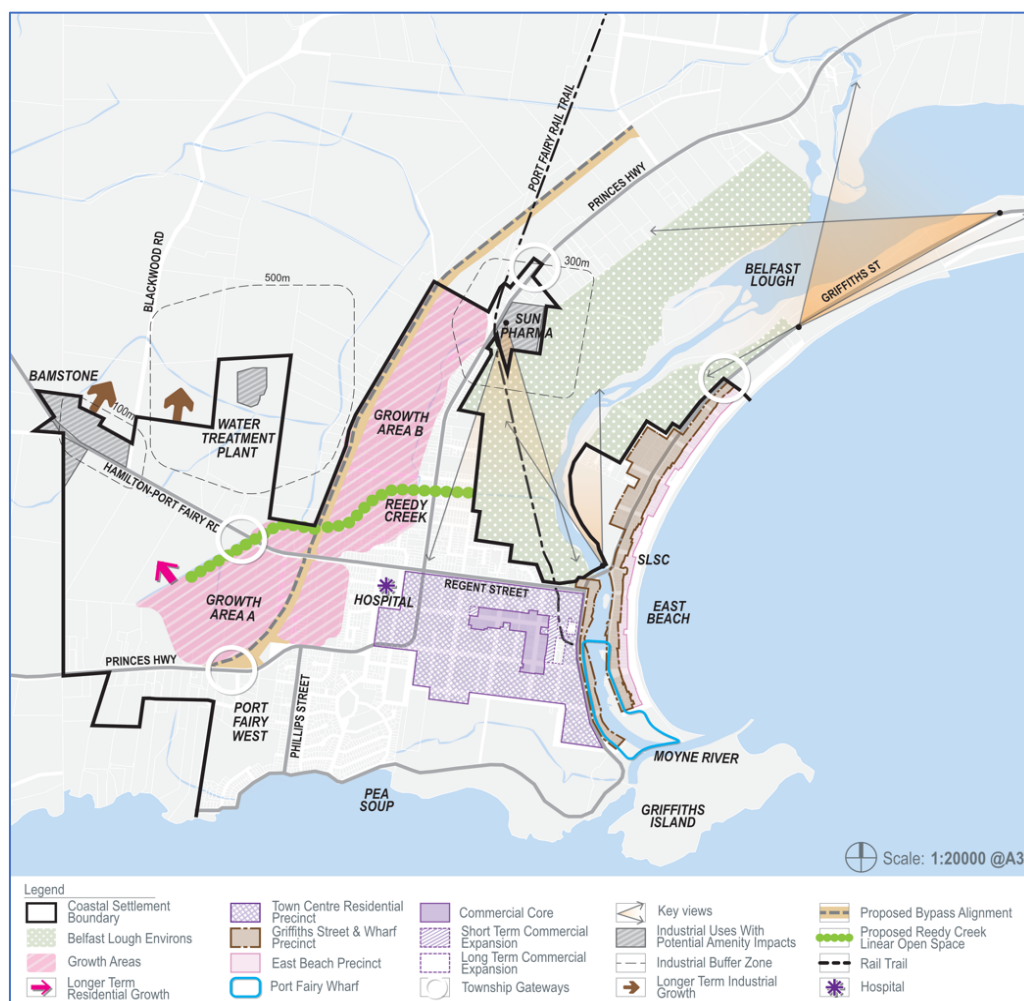


Figure 14 Port Fairy Framework Plan

RESPONSE

The proposal does not impact on the Norfolk Island Pine, which has been recently planted centrally on the nature strip frontage of the property. This tree has been planted by Council since the application was lodged.

The proposal improves and responds to the distinctive and emerging contemporary coastal character of the area, maximising high quality design and contemporary architectural character.

The subject site is not visually linked with the landscape and surrounds of the Belfast Lough.

The proposed development is located on the highest available ground on the site, the FFL is set above the 1% AEP flood event with 1.2m SLR, which both actively minimise risk from coastal hazards and riverine flooding.

Access via Griffiths Street is an area of the floodplain that is more than 0.5m in depth.

CLAUSE 13.01-2L COASTAL INUNDATION AND EROSION – PORT FAIRY

STRATEGIES

Discourage any increase in residential density or the introduction of sensitive uses, such as schools or aged care, in areas affected by coastal inundation.

RESPONSE

The proposed development is located on the highest available ground on the site, the FFL is set above the 1% AEP flood event with 1.2m SLR, which both actively minimise risk from coastal hazards and riverine flooding.

Access via Griffiths Street is an area of the floodplain that is more than 0.5m in depth, but this is outside the control of the landowner and all surrounding properties, including Hanley Court have the same access risks.

The height of Griffiths Street for emergency access beyond the scope of an individual development to be able to control.

CLAUSE 13.03-1L FLOODPLAIN MANAGEMENT – MOYNE

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.

RESPONSE

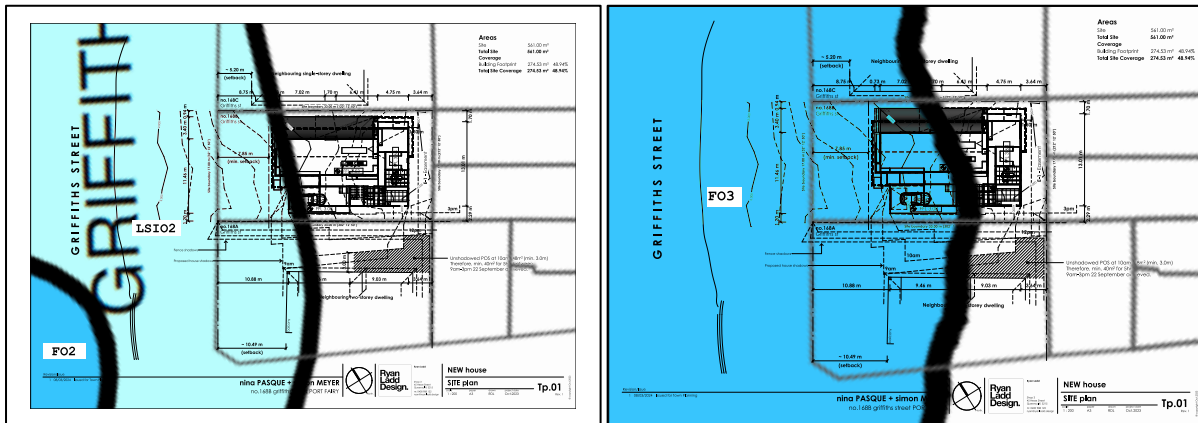


Figure 15 – Pre (LEFT) and Post C69 (RIGHT) floodplain management controls (note previous floorplan shown in diagrams)

As a result of recent changes to the Moyne Planning Scheme via Planning Scheme Amendment C69 the extent of predicted flooding has increased as shown at Figure 5 below.

Prior to C69, the site was subject to the LSIO controls only with the FO not affecting any part of the site.

Now that the flood study (introduced by C69) includes riverine flooding, coastal inundation and a strategic measure of sea level rise of 1.2m, there are many sites (including the subject site) that remain in the residential area of Port Fairy but at the same time are need to consider risk from constructing any additional/new residential/sensitive use where the land is located in the FO.

It is understood that managing risk regarding flooding and climate change factors is critical to ensure proper and orderly planning. During the process of the Planning Panel hearing that analysed and provided a recommendation to the Council and Minister for Planning about C69, the flooding extent and best science presented was of significant importance and broke down matters regarding flooding, risk management and new development into two main considerations, which were:

- How the new controls would influence finished floor levels
- How the new controls would influence safe access/egress from sites within a 1% AEP flood event.

The land is almost entirely within the Floodway Overlay Schedule 2, however when the proposal is considered within the scope of the depth of a 1% AEP event with 1.2m SLR, the finished floor level (FFL) is reasonably set above the 1% flood event at 5.71m AHD, when the 1% AEP flood extent (with 1.2m SLR) is set at 3.64m AHD, leaving a freeboard above the flood level of 2.07m.

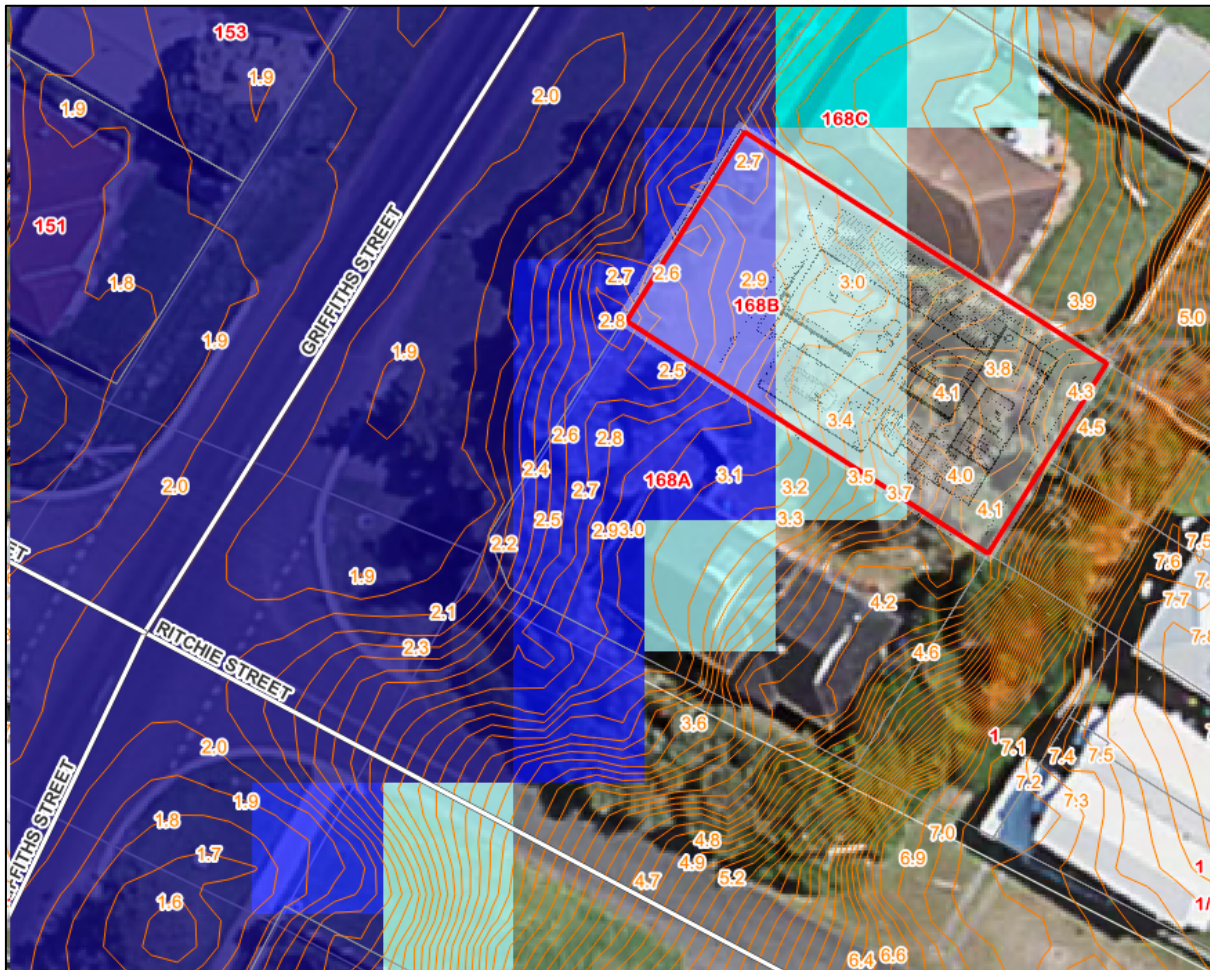


Figure 16- Diagram from GHCMa advice showing depth of floodwater in a 1%AEP flood event (with 1.2m SLR)
Note previous floorplan shown

As identified by advice from the GHCMa, the depth of water in a 1% AEP flood event (with 1.2m SLR) for that part of the land that is affected is expected to be between 0–300mm and 0.50–1.00 in depth (Figure 13).

For proposed buildings and works within an area that is subject to rising sea levels, the new version of the Port Fairy Local Floodplain Development Plan introduced by C69 no longer requires any extent of freeboard above the proposed FFL (page 7 of PFLFDP).

The subfloor and utilities level of the proposed dwelling is also constructed from flood resistant materials, and it is also possible that vents can be installed in the subfloor to enable safe passage of floodwater where required. The utilities level has been deliberately designed to ensure there are no habitable spaces at or near the 1% floor level.

Given the above, the proposal is consistent this Strategy at Clause 13.01–2L as the higher FFL and compliant subfloor (subject to requirements) will ensure that the building remains safe from impact of flooding and building damage.

The application does not propose to include the introduction of new fill onto the site.

Avoidance of proposing a dwelling in the FO3 is a strategy that is in conflict to the discretion afforded by the FO3 (via the PFLFDP) to apply for a new dwelling, referenced at Clause 6.3.1 page 9 of the PFLFDP.

CLAUSE 15.01 BUILT ENVIRONMENT

15.01-1S URBAN DESIGN

OBJECTIVE

- To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

STRATEGIES

- Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.
- Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.
- Ensure the interface between the private and public realm protects and enhances personal safety.
- Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.
- Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.
- Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.
- Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.
- Promote good urban design along and abutting transport corridors.

RESPONSE

The proposed dwelling responds to the context of the area as a gateway precinct between the river and the beach to provide a high quality of architecture in a contemporary coastal style.

The proposed façade provides a visually permeable, high-quality interface between the public and private realm with high levels of passive surveillance and public realm amenity. The existing grassed yard will be improved after the construction is completed to provide vegetated character commensurate with the high-quality design of the dwelling.

CLAUSE 15.01-2S BUILDING DESIGN

OBJECTIVE

- To achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.

STRATEGIES

- Ensure a comprehensive site analysis forms the starting point of the design process and provides the basis for the consideration of height, scale, massing and energy performance of new development.
- Ensure development responds and contributes to the strategic and cultural context of its location.
- Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.
- Improve the energy performance of buildings through siting and design measures that encourage:
 - Passive design responses that minimise the need for heating, cooling and lighting.
 - On-site renewable energy generation and storage technology.
 - Use of low embodied energy materials.
- Ensure the layout and design of development supports resource recovery, including separation, storage and collection of waste, mixed recycling, glass, organics and e-waste.
- Encourage use of recycled and reusable materials in building construction and undertake adaptive reuse of buildings, where practical.
- Encourage water efficiency and the use of rainwater, stormwater and recycled water.
- Minimise stormwater discharge through site layout and landscaping measures that support on-site infiltration and stormwater reuse.

- Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.
- Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.
- Ensure development is designed to protect and enhance valued landmarks, views and vistas.
- Ensure development considers and responds to transport movement networks and provides safe access and egress for pedestrians, cyclists and vehicles.
- Encourage development to retain existing vegetation.
- Ensure development provides landscaping that responds to its site context, enhances the built form, creates safe and attractive spaces and supports cooling and greening of urban areas.

RESPONSE

The dwelling will provide a high-quality interface with the public realm, respond to the site context and implement sustainable design features including introducing passive design features to improve the energy performance of the dwelling.

This report provides a comprehensive site analysis and provides the basis for all design elements of the proposed dwelling.

NEIGHBOURHOOD RESIDENTIAL 1 ZONE

A permit is not required under the Neighbourhood Residential 1 Zone as the lot is greater than 300sqm in area.

GARDEN AREA ASSESSMENT

There is a requirement to provide 30% of the lot area as Garden Area.

The proposed Garden Area is 57%, which exceeds the mandatory requirement.

DESIGN & DEVELOPMENT OVERLAY SCHEDULE 6

A permit is required under this Overlay to construct a building or to construct or carry out works.

PORT FAIRY GRIFFITHS STREET AND WHARF 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.
- To protect the existing built character and scale of the river and dune landscapes through the appropriate siting and design of new development.
- To ensure development provides for shared views of the Moyne River estuary and does not dominate the visual setting.
- To ensure development is sited to enable the retention of existing native coastal vegetation that respects the identified landscape character.
- To minimise the visual impact of car parking and outbuildings.

RESPONSE – OBJECTIVES MET

The design vision and character of the proposed dwelling is a nostalgic nod to a beach shack with restrained bulk by locating all of the upper floor form and reduced side setbacks at the rear so that they do not dominate the frontage, enabling the minimalist form/style to present in an uncomplicated way to the streetscape.

The restrained but contemporary dwelling provides new built form that is able to integrate into the surrounding coastal character, and the site also has scope to add landscaping to further enhance the integration of the dwelling into the coastal surrounds.

The use of a carport for parking and minimal floor area for utilise is an appropriate design response as well as a flood risk minimisation response.

The side entrance to the dwelling and prominent staircase is appropriate to the context of the area and provides to access via either external stair to both the front and rear of the property.

DESIGN REQUIREMENTS

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'.

All of the following design standards and guidelines are non-mandatory provisions and there is discretion to approve variations.

SUMMARY TABLE

Design Objective	Compliance
Site Coverage & permeability	Partially Achieved.
Building Massing	Achieved
Building Height	Achieved
Building setbacks	Achieved
Frontage Presentation	Achieved
Design Detailing	Achieved
Outbuildings and Car Parking	Achieved
Landscaping and Fencing	Achieved

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– OBJECTIVE MET

Site coverage is 42% of the site. This includes the upper floor and entry stairwell.

The dwelling is set up on stumps with an open underfloor area except for the utilities/storage space of 44sqm. As such, impermeable surfaces at ground level are minimal, allowing natural runoff to soak throughout the site, and down the dune as natural process permit. This significantly exceed the permeability standard of 50% of site area – leaving 527sqm (approx.) of permeable land on the site (around 90%).

BUILDING MASSING

Buildings should be articulated along the frontage so that the overall bulk and mass of the building does not compromise the characteristic scale and streetscape rhythm of the precinct.

Building height and massing should allow for equitable view sharing of the Moyne River estuary with nearby properties.

RESPONSE– OBJECTIVE AND STANDARD MET

The proposed dwelling is articulated vertically and horizontally with changes in cladding and form, despite the simple rectangular footprint. The building is raised on stumps and has a footprint of 22.8m by 10.68m.

There are no views of the Moyne River available from this site or either of the adjoining lots.

BUILDING HEIGHT

Building height should not exceed 8 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.

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.

RESPONSE – OBJECTIVE AND STANDARD MET

The site slope is approximately 5% from the front to the rear of the site.

The overall building height from the front of the dwelling to natural ground level at this point is 6.75m. (Overall height is 9.55m AHD with a natural ground level of 2.8m AHD)

All elements of height that relate to land that is located within either the LSIO or FO Overlays are provided allowance to measure the façade height and overall height from the finished floor level of the dwelling, to ensure that the risk from flooding is adequately managed.

- The nominal flood protection level is 3.64m AHD.
- The maximum building height from the NFPL is 5.91m

BUILDING SETBACKS

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

- At least 2 metres from any side boundary.
- At least 4.5 metres from the street boundary unless the rear boundary of the property is adjacent to the Moyne River Reserve.

The first floor of a building should be set back by a minimum of 3 metres behind the ground floor facade to a street and/or the Moyne River to reduce visual bulk.

RESPONSE – OBJECTIVE AND STANDARD MET

The building is setback between 2.0m and 4.32m from all side boundaries.

The building is setback 11.65m from the street boundary, with the balcony being setback 7.85m from the street boundary. The balcony depth is 3.8m, screening the upper level from the street, meeting minimum setbacks for a first floor.

FRONTAGE PRESENTATION

Buildings should provide an active frontage and support passive surveillance to the Moyne River.

Ground floor and first floor habitable room windows should be orientated towards Griffiths Street or Gipps Street.

RESPONSE – OBJECTIVE AND STANDARD MET

Both the ground floor and first floor windows provide a high level of activation to the street, providing for passive surveillance.

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.
- Reflective materials should be avoided.
- Non-reflective materials should be used for roofs.

RESPONSE – OBJECTIVE AND STANDARD MET

The external building materials and colours proposed for the dwelling have been selected to be reminiscent of a typical 'beach shack' construction typology, through the use of charred timber with aluminium screens having a lighter weight appearance, with feature blockwork to the stairwell and utilities area and Colorbond roofing and skillion roof profile.

The overarching character of the proposed dwelling is a nostalgic nod to a beach shack with restrained bulk by locating all of the upper floor form and reduced side setbacks at the rear so that they do not dominate the frontage, enabling the minimalist form/style to present in an uncomplicated way to the streetscape.

The elevation plans indicate conceptual tones for an uncomplicated colour palette through the use of charred timber, with feature blockwork (to be specified). Given the upper level overhangs the utilities area, the use of blockwork is appropriate in this circumstance as it is a flood resilient material which will not be dominant in views from the streetscape. The skillion roof profile disguises the roof materials, that are generally not seen from the street or other properties, therefore is not essential to be muted/non-reflective.

OUTBUILDINGS AND CAR PARKING

Driveways should be constructed of a permeable material.

Garages structures should have an external maximum width of 6.5 metres.

Garages, outbuildings and areas allocated for parking vehicles 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.

RESPONSE – OBJECTIVE AND STANDARD MET

There is no formed internal accessway proposed, which accentuates the 'beach shack' theme of constructing an uncomplicated built form and surrounds.

From a practical perspective, it is an ideal outcome not creating a formed internal accessway that avoids the potential for flood water to pool or pond against raised accessways.

The garage has been removed and a double carport proposed under the balcony.

LANDSCAPING AND FENCING

A fence forward of the front façade of the building and/or within 5 metres of any Moyne River frontage should:

- Not exceed 1.2 metres in height.
- Be at least 50 percent permeable.

Landscaping should be provided between dwellings and street frontages and along any driveway associated with a 'battle-axe' subdivision to soften built form and hard surfacing.

Landscaping should utilise indigenous species wherever possible.

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

Response – Objective and Standard Met

There is no front fence proposed.

Landscaping will naturally be added to the property following the completion of the construction process. Given the salt laden coastal weather and conditions, it is highly likely that the species chosen will be indigenous native species to enable good growth habits.

FLOODWAY OVERLAY SCHEDULE 3 (FO3) –

PORT FAIRY RIVERINE AND COASTAL INFLUENCED INUNDATION AREAS

A planning permit is required pursuant to the FO3.

Pursuant to Clause 44.03-4 if a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

The Port Fairy Local Floodplain Development Plan November 2023 is an incorporated document in the Moyne Planning Scheme as a result of Planning Scheme Amendment C69.

AMENDMENT C69

The extent and controls for the FO3 have been recently introduced and adjusted in the Moyne Planning Scheme to apply new planning controls based on a best available science flood study with the introduction of 1.2m sea level rise (SLR).

As detailed in the Glenelg Hopkins Catchment Management Authority (GHCMA) advice for this proposal (submitted with this application), the advice includes 1% flood levels for the new FO3 provisions, including the application of 1.2m SLR.

Detailed in the GHCMA advice and the 2023 Local Floodplain Development Plan (new incorporated document), the NFPL for the subject site is 3.64m AHD.

PORT FAIRY LOCAL FLOODPLAIN DEVELOPMENT PLAN (PFLFDP)

The following is provided in response to the provisions of the PFLFDP.

CLAUSE 4.5 NOMINAL FLOOD PROTECTION LEVEL (NFPL)

There is no longer a requirement for any new dwelling that is located within the FO3 (flood overlay that is subject to rising sea level) to have an FFL higher than the 1% AEP, as detailed at Figure 8. This means that the NFPL is equal to the same level as the 1% AEP flood level/3.34m AHD.

4.5

Nominal Flood Protection Level (NFPL) and Adaptation to Increasing Flood Risk Due to Sea Level Rise

Unless advised otherwise by the Floodplain Management Authority, the NFPL applicable to Port Fairy and surrounds is as follows:

Outside the area affected by rising sea level:	Within the area affected by rising sea level:
The best available 1% AEP riverine flood level estimate, plus 600mm of freeboard.	The estimated maximum 1% AEP flood level accounting for 1.2 metre higher sea level, with no added freeboard.

To account for future increase in the intensity of inland catchment rainfall and increase in sea level, the application of a NFPL must be adaptable. A higher NFPL may be adopted in the future.

Figure 17 – Nominal Flood Protection Level design guidance – PFLFDP

That said the GHCMA has specified a NFPL 0.3m greater than the 1% flood level. The dwellings habitable spaces have a flood level of 5.71m AHD, significantly exceeding requirements.

The dwelling meets the NFPL floor level requirement and where required will be designed with underfloor venting to meet the GHCMA requirements.

CLAUSE 5.0 APPLICATION REQUIREMENTS

In response to this provision and the requirements as they are relevant to the proposal, the following information has been provided with the application:

- a) Site plan that includes detail regarding site, level and features on the land, including proposed buildings and works.
- b) Elevation plans, which include:
 - Finished floor and ceiling levels to AHD,
 - Finished ground level,
 - Section drawings
 - Survey of site and adjoining road reserve to AHD
- c) Documents providing:
 - A policy response to Clause 13.03-1S & 13.03-1L (provided above)

- 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

RESPONSE

All of the above have been provided within this report, accompanying reports and/or design plans.

CLAUSE 6.3.1 NEW DWELLINGS IN RESIDENTIAL ZONES

New dwellings in Residential Zones and the Rural Living Zone must not be sited where:

- Flooding exceeds a depth of 500mm and/or VxD of 0.4m²/sec during the planned for flood event; and
- Flooding of the vehicle accessway to the building envelope exceeds a depth of 300mm and/or VxD of 0.3m²/sec during the planned for flood event.

RESPONSE

The proposed dwelling footprint has a depth in the 1% AEP flood event of less than 0.5m above natural ground level, therefore meeting the first dot point of this Clause.

The utilities FFL is lower than the dwelling with a floor level of 2.95m AHD. However, it is understood that non-habitable outbuildings, such as a garage, are able to have lower FFL's than that of the dwelling (habitable spaces), and this space is a similar proposal, but contained under the dwelling instead of to the front, back or side of it.

The vehicle accessway (of which the extent of accessway remains undefined/silent by the PFLFDP – onsite or offsite or both) internal to the site is at some points more than 300mm in depth.

The current advice from the GCHMA reasonably identifies that the property hazard category as low and the access hazard as high on the above basis.

Whilst the accessway matter that is identified by the GHCMa response received during design work the policy and the PFLFDP, are expected to be resolved through the application process and will be considered in due course.

It is also noted that work is underway to replace the Griffiths Street Bridge in 2027, and at this point in time, it is expected that flood behaviour north of the bridge may alter and potentially reduce extent to part of the Griffiths Street Road reserve depending on the final design. As such, there is no expectation that the long-term flood risk on the property will increase as a result of the bridge replacement works.

A Flood emergency response plan has been prepared by the 6 C's emergency management consultants. The 6 Cs are experts in emergency management across a wide range of emergency types, including flooding.

Their response plan covers many scenarios and action plans, and provides guidance, including regular plan updates for the residents of the dwelling.

SUMMARY

The application proposes the construction of a dwelling that provides a high-quality architectural design response to the site that sits within its coastal context/coastal village with its reminiscent 'beach shack' character through the use of minimalist form and lighter weight materials.

The application has demonstrated that it is consistent with relevant policy and DDO provisions as it relates to infill residential development and achieving a consistent design response with preferred built form outcomes.

There is discretion for a dwelling to be proposed within the FO3 and the PFLFDP. The FFL of the dwelling meets the requirements of the PFLFDP by achieving a significantly higher FFL level than the NFPL.

The revised design further reduces flood risk for occupants compared to the original design, and in conjunction with the household flood emergency plan, allows for residents to stay safely in place during a flood event, although all parties desire that residents leave early and do not wait out a flood. The building materials have been designed to be flood resilient and are not out of keeping with other dwelling affected by flood risk built in or around the Griffiths Street area over the last 10 years.

The dwelling site is located in a developed area and does not propose to overdevelop the site, nor does it disregard the very real flood risk. The property is likely to be at less risk of flood damage than the surrounding older dwellings which were built without resilience in mind. The flood risk from Griffiths Street is never going to be reduced to zero, given the road pavement sits below the 1% flood level when 1.2m sea level rise is taken into account, but there is hope that

in time, with the replacement of the Griffiths Street Bridge that flood risk management may change or even reduce.

It is requested that the proposal be considered, and the Council as Responsible Authority, determine to support the proposal and issue a planning permit for the construction of the dwelling in due course.