



15.3.	Fisherman's Flat Heritage Review
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Purpose

The purpose of this report is to introduce and discuss the findings and recommendations of the *Heritage Review of Places in Fisherman's Flat Urban Conservation Precinct (HO1), Fisherman's Flat, Queenscliff, Victoria* (Ecology and Heritage Partners Pty Ltd 04/08/2023) and to identify the next steps in introducing strengthened heritage protections into the Queenscliffe Planning Scheme.

Executive Summary

Portfolio 4: Heritage, planning and infrastructure

Strategic Objective: To protect our distinctive coastal, cultural and built environment, and provide sustainable, suitable infrastructure

Ecology and Heritage Partners Pty Ltd have undertaken a review of the heritage values in Fisherman's Flat and the current provisions in the Queenscliffe Planning Scheme specific to the protection of those values. The consolidated analysis and views of Ecology and Heritage Partners are presented in the attached document *Heritage Review of Places in Fisherman's Flat Urban Conservation Precinct (HO1), Fisherman's Flat, Queenscliff, Victoria*.

This report outlines the findings of the review and recommends seeking authorisation, from the Minister for Planning, to prepare and exhibit a planning scheme amendment to incorporate the Ecology and Heritage Partners recommendations into the Queenscliffe Planning Scheme.

RECOMMENDATION

That Council:



1. Endorses the draft *Heritage Review of Places in Fisherman's Flat Urban Conservation Precinct (HO1), Fisherman's Flat, Queenscliff, Victoria* (Ecology and Heritage Partners Pty Ltd 04/08/2023) for the purpose of preparing an amendment to the Queenscliffe Planning Scheme.
2. Resolves to seek authorisation from the Minister for Planning to prepare and exhibit an amendment to the Queenscliffe Planning Scheme to:
 - Introduce a Statement of Significance for Fisherman's Flat;
 - Amend the *Fisherman's Flat Urban Conservation Precinct Heritage Design Guidelines 2021* to strengthen policy guidance for applicants and Council officers; and
 - Insert the *Heritage Review of Places in Fisherman's Flat Urban Conservation Precinct (HO1), Fisherman's Flat, Queenscliff, Victoria* (Ecology and Heritage Partners Pty Ltd 04/08/2023) into the Queenscliffe Planning Scheme as a Background Document.



REPORT

Background

In October 2021 Council received the *Borough of Queenscliffe Planning Scheme Review Volumes 1, 2, 3 & 4*, prepared by Lovell Chen. The documents presented a contemporaneous review of the existing heritage values in the Borough.

In responding to at least two (2) recent development applications in Fisherman's Flat a group of community members, including Fisherman's Flat landowners, identified errors in the 2021 Lovell Chen report specific to the Fisherman's Flat precinct.

In response to these concerns, Council sought a 'peer review' of the *Borough of Queenscliffe Planning Scheme Review Volumes 1, 2, 3 & 4*. Taking into consideration time and financial constraints, Council determined to review the document on a precinct-by-precinct basis, with Fisherman's Flat nominated as the first precinct to be reviewed.

Ecology and Heritage Partners Pty Ltd were engaged by Council to undertake the review of heritage values in Fisherman's Flat. The brief was as follows:

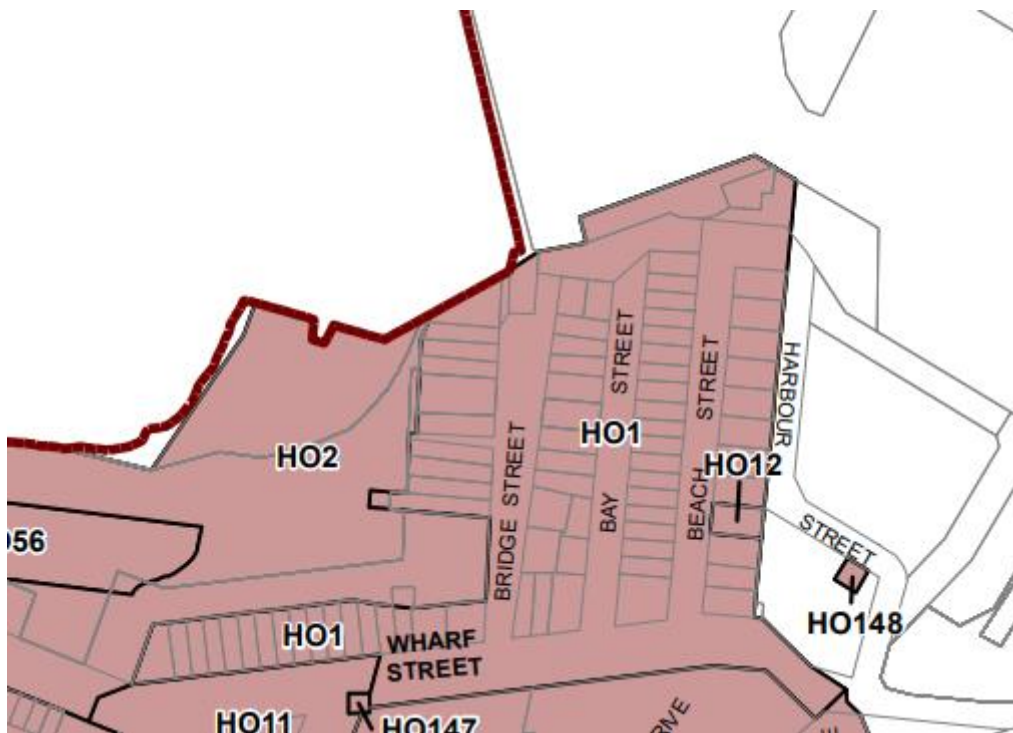
1. A comprehensive review of existing citations for places located within the Fisherman's Flat Heritage Precinct (HO1).
2. Review of the recommendations of the Borough of Queenscliffe Planning Scheme Review Volumes 1, 2, 3 and 4 as it relates to Fisherman's Flat.
3. Confirmation, or modification, of the 'contributory' and 'non-contributory' classifications within Fisherman's Flat.
4. Assessment of potential heritage buildings, in addition to those already nominated, within existing property boundaries in Fisherman's Flat and where relevant:
 - a. Nomination of items as 'contributory', 'non-contributory' or worthy of individual listing.
 - b. Citations in accordance with the requirements of *Planning Practice Note 1 – Applying the Heritage Overlay (August 2018)*
5. Drafting of planning controls and planning scheme amendment documentation associated with the recommended changes.

The first draft of the review report, prepared by Ecology and Heritage Partners, was made available to the public for comment in February 2023. A community meeting was held at the Queenscliffe Hub on 9 March 2023 where Oona Nicolson, Director of Ecology and Heritage Partners, spoke to a group of residents interested in the heritage protection of Fisherman's Flat.

Submissions and feedback received on the draft report were forwarded to Ecology and Heritage Partners for incorporation into a final draft which was received on 4 August 2023. It is the final draft that is the subject of this Council report.

Fisherman's Flat

The geographic area of Fisherman's Flat is defined in the Queenscliffe Planning Scheme by the application of Heritage Overlay 1 (HO1).

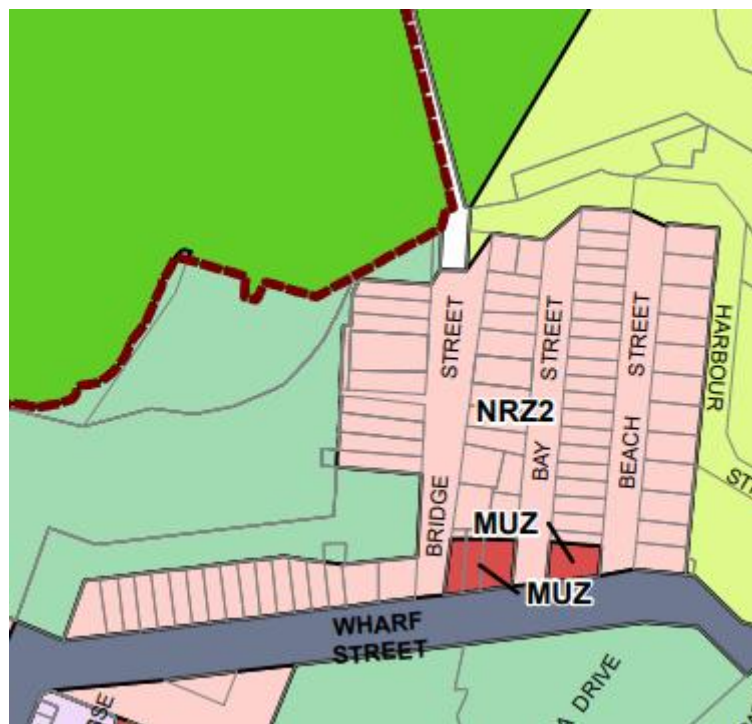


Within the boundary of HO1 are seventy-four (74) individual properties. Of these, 72 contain residential buildings and two (2) contain non-residential buildings (both of which are currently being utilised by the Queenscliffe Maritime Museum).

There is only one individual heritage listing in HO1, which is a Norfolk Island Pine with the designation in the planning scheme of HO12. The listing for HO12 in the

Queenscliffe Planning Scheme nominates the tree and *land beneath the canopy edge of the tree for a distance of three metres from the canopy edge.*

Seventy (70) of the properties are zoned Neighbourhood Residential Zone – Schedule 2 (NRZ2) with the remaining four (4) properties zoned Mixed Use Zone (MUZ). The MUZ is a residential zone which recognises the non-residential use of the Fisherman’s Co-operative building on the corner of Beach Street and Wharf Street and the historic use of the three individual parcels on Wharf Street, between Beach Street and Bay Street, as a Guest House.



HO1 triggers the requirement for a planning permit to demolish or remove a building or construct a building or carry out works. There are exemptions from the requirement for a planning permit, and for the advertising of an application for a planning permit, but these are limited to proposals that will not impact residential amenity for landowners and occupiers surrounding the subject site or detrimentally impact the identified heritage values of the area.

Examples of planning permit exemptions include internal works (where internal works are nominated as exempt in the Schedule to HO1) and works that do not alter the external appearance of a building. This includes maintenance and external painting using the same colour(s).



Examples of applications that do not require advertising include demolition of outbuildings that are not nominated in the Schedule to HO1, demolition and construction of fences, external painting, internal alteration (where internal alterations trigger the requirement for a planning permit) and services normal to a dwelling (hot water systems, heating and cooling, window shades, security devices etc.).

At present, any application for a planning permit in HO1 is assessed against the relevant provisions of the planning scheme which include the *Fisherman's Flat Urban Conservation Precinct Heritage Design Guidelines 2021*. The guidelines are an incorporated document at Clause 72.04 in the Queenscliffe Planning Scheme.

The content of an incorporated document is read, and has the same statutory effect, as any other planning scheme provision. An incorporated document can only be revised by a planning scheme amendment.

The guidelines identify the intent for conservation of Fisherman's Flat and nominate preferred building siting, design, form, materials, colours and finishes. The guidelines also specifically reference preferred outcomes and heights for fencing in the precinct.

The guidelines list the *Geelong Region Historic Buildings and Objects Study (Allan Willingham for the Geelong Regional Commission, 1986)* and the *Queenscliffe Urban Conservation Study (Allom, Lovell and Associates Pty Ltd, 1984)* as primary sources for information. The work undertaken by Lovell Chen in 2021 was an attempt to contemporise heritage references in the planning scheme.

Fisherman's Flat Heritage Review

The following discussion of the review has been grouped under each of the tasks nominated in the project brief.

A comprehensive review of existing citations for places within the Fisherman's Flat Heritage Precinct (HO1)

Ecology and Heritage Partners surveyed all the properties located within the area defined by HO1 on foot. Individual citations were then created for every property.



Each citation references site history, historic allotment plans (where available), property photographs and identification of contributory and non-contributory elements – including outbuildings where they are visible from the street.

Confirmation, or modification, of the 'contributory' and 'non-contributory' classifications within Fisherman's Flat.

The review report defines contributory and non-contributory as follows:

'Contributory' are those which contain original elements of fisherman's cottages and outbuildings or cladding over original structures, retain a low front fence, house single-storey dwellings/structures or contribute to the historical significance of the precinct.

'Non-contributory' contain little or no original elements of fisherman's cottages and outbuildings, were constructed post 1960, are constructed or brick and other modern materials or house two-storey dwellings and outbuildings.

The following table (Table 1) identifies each property and the determination of contributory and non-contributory status as a comparison between the work undertaken by Lovell Chen and Ecology and Heritage Partners.



Table 1 – comparison between properties identified as Non-contributory and Contributory in the Lovell Chen report of 2021 and the Ecology and Heritage Partners report of 2023.

Address	Place name	Lovell Chen (2021) recommendation	Ecology and Heritage Partners (2023) recommendation
2 Bay Street	Sparkling Waters	Non-contributory	Non-contributory
4 Bay Street	-	Non-contributory	Non-contributory
6 Bay Street	-	Non-contributory	Non-contributory
8 Bay Street	-	Non-contributory	Contributory
10 Bay Street	-	Contributory	Contributory
12 Bay Street	-	Non-contributory	Non-contributory
16 Bay Street	The Moorings	Contributory	Contributory
18 Bay Street	-	Non-contributory	Non-contributory
20 Bay Street	Maison par la Mer	Contributory	Contributory
22 Bay Street	-	Contributory	Contributory
24 Bay Street	-	Contributory	Contributory
1 Beach Street	Park	-	-
2 Beach Street	Fitz's Corner	Contributory	Contributory
4 Beach Street	-	Contributory	Contributory
5 Beach Street	Calala	Non-contributory	Contributory
6 Beach Street	Laganas	Non-contributory	Contributory
8 Beach Street	-	Contributory	Contributory
9 Beach Street	Brixham	Non-contributory	Contributory



Address	Place name	Lovell Chen (2021) recommendation	Ecology and Heritage Partners (2023) recommendation
10 Beach Street	-	Non-contributory	Non-contributory
11 Beach Street	-	Contributory	Contributory
12 Beach Street	-	Contributory	Contributory
14 Beach Street	-	Non-contributory	Contributory
15 Beach Street	-	Contributory	Contributory
16 Beach Street	-	Non-contributory	Non-contributory
18 Beach Street	Chidgeys	Non-contributory	Contributory
19 Beach Street	-	Non-contributory	Contributory
20 Beach Street	-	Contributory	Contributory
22 Beach Street	Lola's by the Sea	Non-contributory	Contributory
23 Beach Street	-	Non-contributory	Contributory
24 Beach Street	-	Contributory	Contributory
26 Beach Street	Marguerite	Contributory	Contributory
27 Beach Street	-	Contributory	Contributory
28 Beach Street	-	Non-contributory	Non-contributory
30 Beach Street	-	Non-contributory	Non-contributory
31 Beach Street	Sailmaker's Cottage	Contributory	Contributory
32 Beach Street	Beach Cottage (formerly Moyston)	Contributory	Contributory
34 Beach Street	La Bella	Contributory	Non-contributory
35 Beach Street	La Belle	Contributory	Contributory
36 Beach Street	-	Non-contributory	Contributory
37 Beach Street	Queenscliff Holiday House	Non-contributory	Contributory



Address	Place name	Lovell Chen (2021) recommendation	Ecology and Heritage Partners (2023) recommendation
39 Beach Street	Queenscliffe Maritime Museum Gil Allbutt Boat Shed	Non-contributory	Non-contributory
1 Bridge Street	-	Non-contributory	Non-contributory
6 Bridge Street	-	Contributory	Contributory
8 Bridge Street	-	Contributory	Contributory
10 Bridge Street	-	Non-contributory	Non-contributory
12-14 Bridge Street	-	Non-contributory	Non-contributory
15 Bridge Street	-	Contributory	Non-contributory
16 Bridge Street	-	Contributory	Contributory
18 Bridge Street	-	Contributory	Contributory
19 Bridge Street	-	Non-contributory	Contributory
20 Bridge Street	-	Contributory	Contributory
22 Bridge Street	-	Contributory	Contributory
23 Bridge Street	-	Contributory	Contributory
24 Bridge Street	-	Contributory	Contributory
4 Wharf Street	Fishing Co-op	Non-contributory	Contributory
6 Wharf Street	Bonnie Vue Guesthouse	Non-contributory	Contributory
8 Wharf Street	The Salt House/Le Quamby	Non-contributory	Non-contributory
10 Wharf Street	-	Contributory	Non-contributory
12 Wharf Street	-	Contributory	Contributory
14 Wharf Street	-	Contributory	Contributory



Address	Place name	Lovell Chen (2021) recommendation	Ecology and Heritage Partners (2023) recommendation
16 Wharf Street	-	Non-contributory	Non-contributory
18 Wharf Street	-	Non-contributory	Non-contributory
20 Wharf Street	-	Non-contributory	Contributory
22 Wharf Street	-	Non-contributory	Contributory
24 Wharf Street	Municipal drainage reserve	Non-contributory	Non-contributory
26 Wharf Street	-	Contributory	Contributory
28 Wharf Street	-	Non-contributory	Contributory
30 Wharf Street	-	Non-contributory	Non-contributory
32 Wharf Street	-	Non-contributory	Non-contributory
34 Wharf Street	Lauralea	Contributory	Non-contributory
36 Wharf Street	Stewart's Cottage	Contributory	Contributory
38 Wharf Street	-	Contributory	Contributory
40 Wharf Street	Skara Brae	Contributory	Contributory
42 Wharf Street	-	Non-contributory	Non-contributory
44 Wharf Street	-	Non-contributory	Contributory
46 Wharf Street	Station Cottage	Non-contributory	Contributory



Review of the recommendations of the Borough of Queenscliffe Planning Scheme Review Volumes 1, 2, 3 and 4 as it relates to Fisherman's Flat

The largest component of the review of the recommendations for Fisherman's Flat relates directly to the classification of buildings as contributory or non-contributory and proposed revised heritage provisions in the Queenscliffe Planning Scheme. Both are discussed under separate headings in this report.

Drafting of planning controls and planning scheme amendment documentation associated with the recommended changes

Ecology and Heritage Partners have reviewed the existing heritage provisions in the Queenscliffe Planning Scheme, as they relate to Fisherman's Flat, and make the following recommendations:

- Strengthen the *Fisherman's Flat Urban Conservation Precinct Heritage Design Guidelines 2021*;
- Prepare a Statement of Significance for Fisherman's Flat Urban Conservation Precinct; and
- Include the *Heritage Review of Places in Fisherman's Flat Urban Conservation Precinct (HO1), Fisherman's Flat, Queenscliff, Victoria* (Ecology and Heritage Partners Pty Ltd 04/08/2023) in the Queenscliffe Planning Scheme as a Background Document.

The *Fisherman's Flat Urban Conservation Precinct Heritage Design Guidelines 2021* were incorporated into the Queenscliffe Planning Scheme as part of the Planning Policy Framework (PPF) translation undertaken by the (then) Department of Environment, Land, Water and Planning (DELWP). Ecology and Heritage Partners have recommended changes to the guidelines with the aim of strengthening policy specific to the protection of the built form heritage located within Fisherman's Flat. The existing guidelines, including tracked changes as recommended by Ecology and Heritage Partners, is attached to this report.

A Statement of Significance lists what, how and why an area is significant. The Queenscliffe Planning Scheme does not currently contain any Statements of Significance as all the nominated heritage places and precincts were incorporated into the scheme prior to 31 July 2018. There is nothing preventing the preparation



and incorporation of a Statement of Significance and a draft Statement of Significance for Fisherman's Flat is attached to this report.

Options

1. That Council resolve to seek authorisation from the Minister for Planning to prepare and exhibit an amendment to the Queenscliffe Planning Scheme to incorporate the recommendations of the draft Fisherman's Flat heritage review.
2. That Council seek further input from interested community members on the draft review prior to deciding on pursuing a planning scheme amendment.
3. That Council note the draft Fisherman's Flat heritage review and do not pursue a planning scheme amendment to incorporate the recommendations into the Queenscliffe Planning Scheme.

Communications and Engagement

Community Engagement

Council will involve the community in the decision-making process for this project.

The proposed amendment to the Queenscliffe Planning Scheme will be undertaken in accordance with Part 3 of the *Planning and Environment Act 1987*. Individual notices will be sent to owners and occupiers of land that may be materially affected by the amendment (Part 3 19(1)(b)), a notice will be published in a newspaper generally circulating in the area (Part 3 19(2)) and a notice will be published in the Government Gazette (Part 3 19(3)).

The amendment will be exhibited for no less than 28 days. Any person may make a submission to the planning authority (Borough of Queenscliffe) within the 28 day exhibition period (Part 3 Division 2 21(1)).

Council officers also intend to hold a community information session during the public exhibition period to inform interested persons about the planning scheme amendment process.

Collaboration

Officers have collaborated with local community groups in relation to this report.

Governance Context



Relevant Law

Planning and Environment Act 1987
Queenscliffe Planning Scheme

Charter of Human Rights

This report has had consideration to, and complies with, the *Charter of Human Rights and Responsibilities Act 2006*.

Gender Equality Act 2020

The *Gender Equality Act 2020* requires a Gender Impact Assessment to be undertaken when the Council develops or reviews any Council policy, program or service that has a direct and significant impact on the public. Has a Gender Impact Assessment been undertaken in respect of the matters in this Council Report?

No; while the matters in this report have a direct impact on the public, it is not considered sufficiently significant to require a Gender Impact Assessment.

Regional, State and National Plans and Policies

Queenscliffe Planning Scheme

Legal and Risk Implications

There are no known legal or risk implications relating to the heritage review of Fisherman's Flat. Fisherman's Flat is currently a nominated heritage precinct in the Queenscliffe Planning Scheme and, as a consequence, is afforded the protection of a Heritage Overlay and design guidelines in the Queenscliffe Planning Scheme. The current work is an attempt to strengthen the existing provisions and provide contemporary references in accordance with *Planning Practice Note 1 – Applying the Heritage Overlay (August 2018)*.

Related Documents

Council Plan 2021–2025
Queenscliffe Planning Scheme

Disclosure of Interest

No officer involved in the preparation of this report has any conflicts of interest.



Considerations

Environmental Sustainability

The review represents an assessment of existing built form in a heritage context. As a result, environmental sustainability has not been a specific consideration in the development of the review of heritage in Fisherman's Flat.

Financial and resource implications

This project will be delivered using existing Council resources.

Innovation and Continuous Improvement

Innovation and continuous improvement is not a consideration in the development and implementation of the heritage review of Fisherman's Flat.

Implementation

Operational Impacts

This project will be delivered with existing operational resources.

Implementation Process

This project will be delivered by existing staff and resources.

Attachments

1. Heritage Review Fishermans Flat Queenscliff [**15.3.1** - 296 pages]
2. Draft Fishermans Flat Statement of Significance [**15.3.2** - 2 pages]
3. Draft Fishermans Flat Urban Conservation Precinct Heritage Design Guidelines [**15.3.3** - 3 pages]