



# Planning Review Meeting of Council

## AGENDA

WEDNESDAY 5 AUGUST 2009

QUEENSCLIFF TOWN HALL

50 Learmonth Street,  
Queenscliff, 7.00pm

Information contained in this Agenda is for the  
**CONFIDENTIAL** and **PRIVILEGED** use of Councillors  
until 10.00am on the Monday before the Meeting.

THIS MATERIAL DOES NOT NECESSARILY REFLECT THE VIEWS OF COUNCIL.

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**1. OPENING OF MEETING**

**2. APOLOGIES**

**3. PECUNIARY INTEREST & CONFLICT OF INTEREST DISCLOSURES**



#### 4.1 ITEM 10.2 118 HESSE STREET, QUEENSCLIFF

Planning Permit Application: 2009/024

##### SUMMARY:

|                              |   |
|------------------------------|---|
| <b>Proposal</b>              | Buildings and works associated with the installation of exterior lighting (netball courts)<br><br>Refer Appendix 1                                |
| <b>Zone/Overlays</b>         | Special Use Zone 2<br>Design and Development Overlay Schedule 1<br>Heritage Overlay Schedule 11 - Central Queenscliff Urban Conservation Precinct |
| <b>Permit Triggers</b>       | Clause 43.01-1<br>Clause 43.02-2  |
| <b>Public Notification</b>   | Advertised by registered post to adjoining property owners, a notice on site for 14 days and a notice in municipal offices.                       |
| <b>Submissions</b>           | 2<br><br>Refer Appendix 2   |
| <b>Amendment to proposal</b> | Refer Appendix 3  |
| <b>Key Issues</b>            | Height of light towers<br>Light glare to residents and motorists<br>Potential hours of use<br>Overshadowing                                       |



## Appendix 1–118 Hesse Street, Queenscliff



### QUEENSCLIFF COMMUNITY SPORTS CLUB INC.

A 12165 ABN 90 359 091 730

Incorporating: Queenscliff Football & Netball Club Inc. and Queenscliff Cricket Club Inc.

**PRESIDENT:**  
BILL COMERFORD  
Ph: 5258 2304

**SECRETARY:**  
ALAN MALONEY  
Ph: 5258 2236

16<sup>th</sup> March 2009

#### TO WHOM IT MAY CONCERN

We are currently in the process of making an application for a Planning Permit to install Training Lights at the recently resurfaced Netball Courts, and as you will be given the opportunity to make comment, we have included a copy of the proposed plan and the following reasons for our request.

- 1 Our competitive netball is a winter sport played on outdoor courts in conjunction with the football, so we need to train outdoors as much as possible
- 2 **With a squad of over 120 players, commencing at 7 years of age to open age we often need to train 4 nights per week but only during that time between 4-00 pm to 8-00pm.**
- 3 Currently we have only two lights and they are not that satisfactory for safe training drills particularly for large groups of players. The current lighting is also very poorly positioned for game practice. Whilst the lighting has always been of a poor standard, these issues have been magnified by the repositioning of the courts at the time of resurfacing.
- 4 As you will note on the plan we intend to request permission to situate one light pole at each corner of the fenced area of sufficient strength lighting only to illuminate both courts
- 5 Our information with regard to the above is that the lights will be focused on the centre of the courts and will not intrude into nearby houses.
- 6 Finally, we are endeavoring to provide our players with safe, and user friendly training facilities and as such, we believe that the proposed lighting will do that

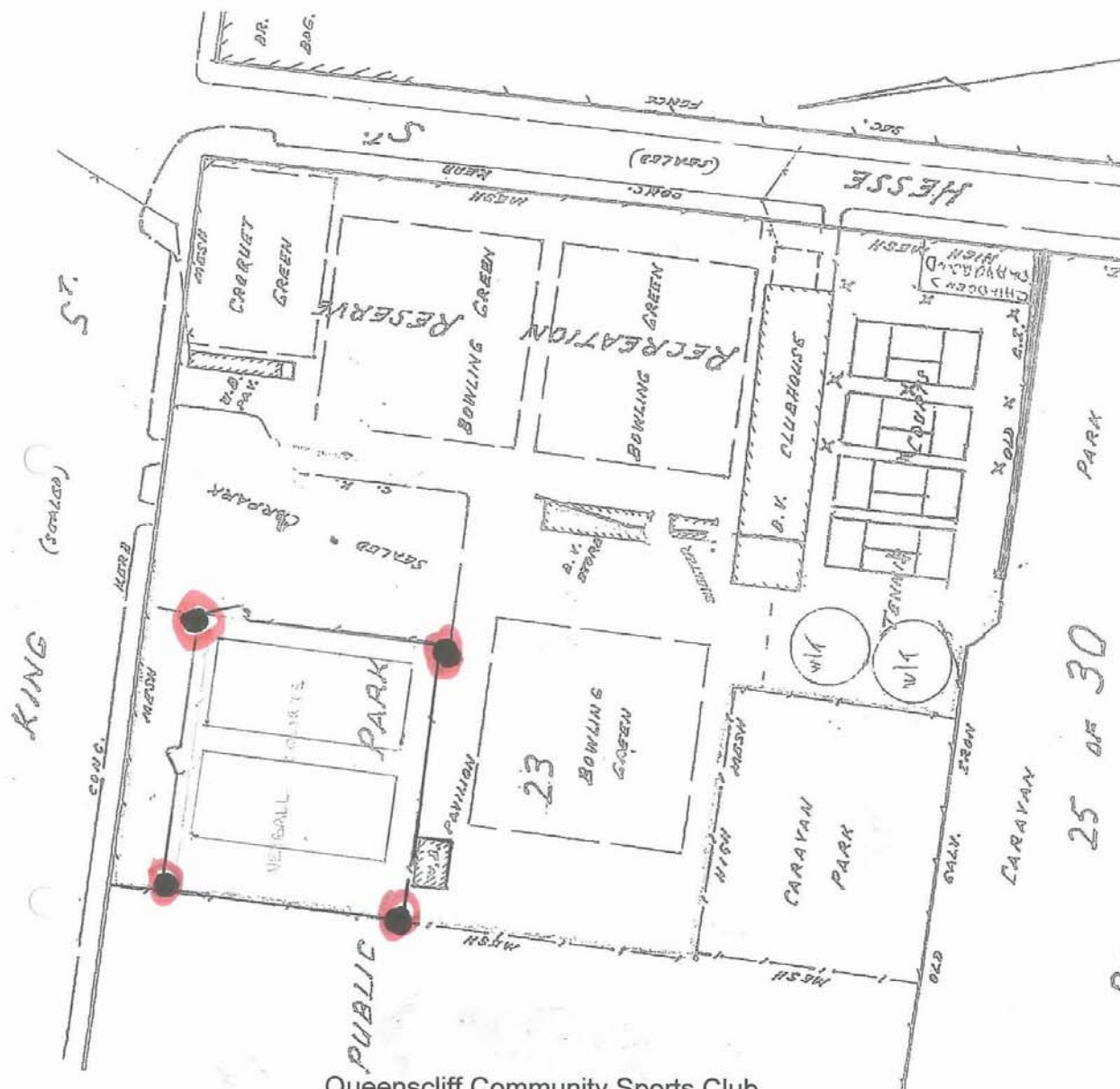
Thank You

Bill Comerford

President

J.A. MONAHAN CENTRE, HESSE ST. QUEENSCLIFF

P.O. BOX 102, QUEENSCLIFF, 3225.



Queenscliff Community Sports Club  
Proposed Lights For Netball Courts

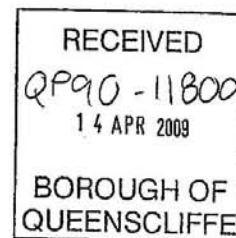
There will be 4 > 15 metre galvanised light towers fitted with one  
EYE HOF201 / M2000 LIGHT

These lights will be situated at each corner of the fenced area  
as marked ● on the plan

16th.Mar.09



## Appendix 2-118 Hesse Street, Queenscliff



9 April 2009

David Kenwood  
73 Learmonth Street  
Queenscliff Vic 3225

Mayor & Councillors  
Borough of Queenscliffe  
PO Box 93  
Queenscliff Vic 3225

Dear Councillors

**Re: Planning Permit Application by Queenscliff Community Sports Club Inc to  
Erect 4x15 metre Galvanised Light Towers on Bowling Tennis and Crochet  
Club Site adjacent to King Street Residential Precinct**

As a Queenscliff resident and near neighbour to the netball courts I would like to make the following comments in respect of the above application:

1. I fully support the retention of netball and tennis facilities on the Bowling Club site. Indeed I believe that netball courts that have recently been resurfaced should be retained permanently on the King Street site and not relocated to the Recreation Reserve as is being envisaged sometime in the future. I also agree that the current lighting for netballers training is inadequate and needs upgrading. Given the recent loss of other sporting venues and activities it is good to see so many young people involved in netball and other genuine sports in the town.
2. However, in respect of the application may I make a couple of suggestions to protect the adjoining neighbours in King and Learmonth Streets, I must say I was surprised by the height of the proposed light towers which are close to 50 feet each (15 metres) which are to be placed on each of the four corners of the courts. I understand they are from the tennis courts at Ganes Reserve in Point Lonsdale. The current very high light tower in the Recreation Reserve, which I think also doubles as a communications tower, projects a lot of glare for residents when used on winter nights and is a problem for some motorists when they drive directly toward it whilst moving south along Learmonth Street and on to King Street. We don't want to magnify an existing problem with these new light towers.



3. In order to illuminate both netball courts only and not have light glare and spillage into the adjoining Residential 1 area along King Street can I suggest that any planning permit granted by Council contain a condition that the light towers have baffles around the light source to properly focus the light directly to where it is needed – on to the netball court surface. This was done at Point Lonsdale tennis courts some years ago after considerable residential problems/concerns were encountered with these very high light towers. We should learn from our past mistakes.
4. Can I also suggest to Council that to protect nearby residential amenity (mainly late night noise) that hours of operation be included as a permit condition. The problem is certainly not with the netballers 4 pm to 8 pm training or their weekends games which are fine but with the potential use of the netball site as a future tennis court site (including after hours playing as at Point Lonsdale) as is being planned. I think 10 pm or 10-15 pm is reasonable closing time in such circumstances – tennis court users usually get an additional ½ an hours grace beyond that time to clear the courts.
5. I'm not sure given the 50 foot height of the proposed light towers whether or not they will throw a shadow during the day or evening over the road and onto adjoining properties, perhaps Council could make enquires of their officers if this could happen or not before granting a permit. Hopefully given the light towers are to be located to the south of King Street this will not be a problem.
6. I presume given DSE as custodians of Government reserves and Borough of Queenscliffe Council as Committee of Management over the site that they have given permission for the application to be considered by Council. I am not sure where the Bowling, Tennis and Crochet Club fit into the picture in relation to this matter. I presume they will be the applicants for the light towers on the tennis court site.

In summary I'm pleased that the netballers will have a home on their current site, at least in the short term, and I support improved lighting facilities for their training sessions but I would like my suggestions to be considered for inclusion in the planning permit for the proposed light towers adjoining King Street. I believe it is important to protect residential amenity as best we can especially given the recent late night alcohol related problems that have occurred in King Street in recent times including, property damage, fights and the complete demolition of a persons car in an act of vandalism.

Happy to discuss at Council's planning review meeting

Yours sincerely

David Kenwood



Fiona Hunter-Evans  
<fiona.hunter-evans@queenscliffe.vic.gov.au>  
08/04/2009 11:06 AM

To <D.Kenwood@patrick.com.au>  
cc Michelle Watt <michelle.watt@queenscliffe.vic.gov.au>  
bcc  
Subject 118 Hesse Street, Queenscliff - Planning application 2009/24

David,

As discussed by phone, please find attached a copy of the site plan showing the location of the proposed lighting, and also the written submission by the Sports Club.

I will arrange for a letter of acknowledgement of your submission (as discussed) to be posted to 73 Learmonth Street, Queenscliff.

If you require any additional information, please contact either myself or Michelle Watt.

Regards,

Fiona Hunter-Evans  
Technical Officer - Planning  
**Borough of Queenscliffe**

50 Learmonth Street  
PO Box 93  
Queenscliff Vic 3225

Ph: (03) 5258 1377  
Fax: (03) 5258 3315  
[www.queenscliffe.vic.gov.au](http://www.queenscliffe.vic.gov.au)

**From:** D.Kenwood@patrick.com.au [mailto:D.Kenwood@patrick.com.au]  
**Sent:** Tuesday, 7 April 2009 10:08 AM  
**To:** Michelle Watt; Karen Hose  
**Subject:** planning application for the erection of lights - tennis bowling & crochet club

Michelle/Karen I live at 73 Learmonth street and I noticed a planning application for the erection of lights on the bowling club fence on the weekend. Can you tell me if the lights are to be placed along the King Street frontage to Residential 1 or confined to the existing tennis courts area south of the Bowling club building. I have no problems if the lights are on the existing tennis courts only.

If they are to be placed along the King Street frontage i.e. where the netball courts have recently been refurbished can I suggest that as a permit condition that they be suitably contained (baffled) so that light is directly on to the courts only and there is no spillage/glare into the adjoining residential areas. The existing large light on a high pole in the recreation reserve has considerable glare on winters nights for nearby residents and especially for motorists travelling down Learmonth Street and turning into King Street.

Again if the overhead lights are to be placed along the King Street frontage can I suggest that as a condition of any permit that maximum operating hours be specified i.e. finish at 10-30pm so that residents are not impacted at night by noise, cars leaving etc. I think it is important to retain residential amenity given the existing problems ratepayers and residents at the southern end of the town have with alcohol venues and vegetation issues in our parks etc.

As a precedent you might like to have a look at the operating conditions of the Point Lonsdale lights at the tennis courts on Ganes Reserve (Council land). I recall they caused a lot of controversy when they were first installed and had to be modified and baffled etc. to minimise their impact on nearby



residential neighbours.

Overall I am pleased we are renewing sporting facilities in the town and I'm also pleased both netball and tennis have been retained on the bowling club site.

look forward to your reply

**David Kenwood** | Property Manager | **Patrick Ports and GeelongPort**

Phone 03 5247 0207 | Fax 03 5272 1560 | Email [d.kenwood@patrick.com.au](mailto:d.kenwood@patrick.com.au) |

Address Corio Quay Road, North Geelong VIC 3215

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----- Message from <xerox.scan@queenscliffe.vic.gov.au> on Wed, 8 Apr 2009 11:00:30 +1000 -----

To: "Fiona Hunter-Evans"

<[fiona.hunter-evans@queenscliffe.vic.gov.au](mailto:fiona.hunter-evans@queenscliffe.vic.gov.au)>

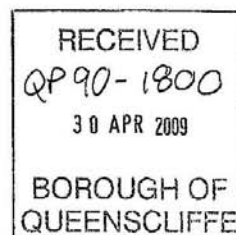
Subject: Scan Data from FX-472D21



**QUEENSCLIFF BOWLING TENNIS & CROQUET ASSOC. INC**

**A.B.N. No: 18137320798**

118 Hesse Street Queenscliff VIC 3225  
Phone : 03 5258 1773 Fax : 03 5258 1772  
Email: admin@queenscliffbowling.com.au  
Web: www.queenscliffbowling.com.au



22 April 2009

Bill Commerford  
Queenscliff Community Sports Club Inc.  
P.O Box 102  
Queenscliff  
3225

Dear Bill,

Thank you for your recent correspondence regarding the proposed installation of lighting at the temporary netball facility recently upgraded by council.

I write to you today to offer our Clubs support of the project and wish your organisation all the best in bringing it to fruition.

I have articulated our support of this project along with the proposed scoreboard redevelopment to council this week.

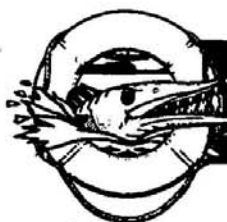
Yours faithfully,

Rod Wayth  
**MANAGER**

cc: Karen Hose, Borough of Queenscliff



## Appendix 3–118 Hesse Street, Queenscliff



### QUEENSCLIFF COMMUNITY SPORTS CLUB INC.

A 12165 ABN 90 359 091 730

Incorporating: Queenscliff Football & Netball Club Inc. and Queenscliff Cricket Club Inc.

**PRESIDENT:**  
BILL COMERFORD  
Ph: 5258 2304

**SECRETARY:**  
ALAN MALONEY  
Ph: 5258 2236

28<sup>th</sup> June 09

To the Owner or Occupier

I previously wrote to you on the 16<sup>th</sup> March re the proposed lighting of the Netball Courts Located in King St. and although we did not receive any objections from you, we have altered the positioning of the light poles from the four corners to the two sides of the actual courts, so as to prevent any glare or spillage of light onto the surrounding area, and I have included a copy of the current plan for the repositioning of the lights for your information.

The previous plan with 15 metre high poles would have illuminated the whole area and surrounds which was unwarranted and now the Poles will only be 12 metres high with the lights being directed down at the actual courts, which will certainly be better for the girls training and severely reduce any glare or spillage.

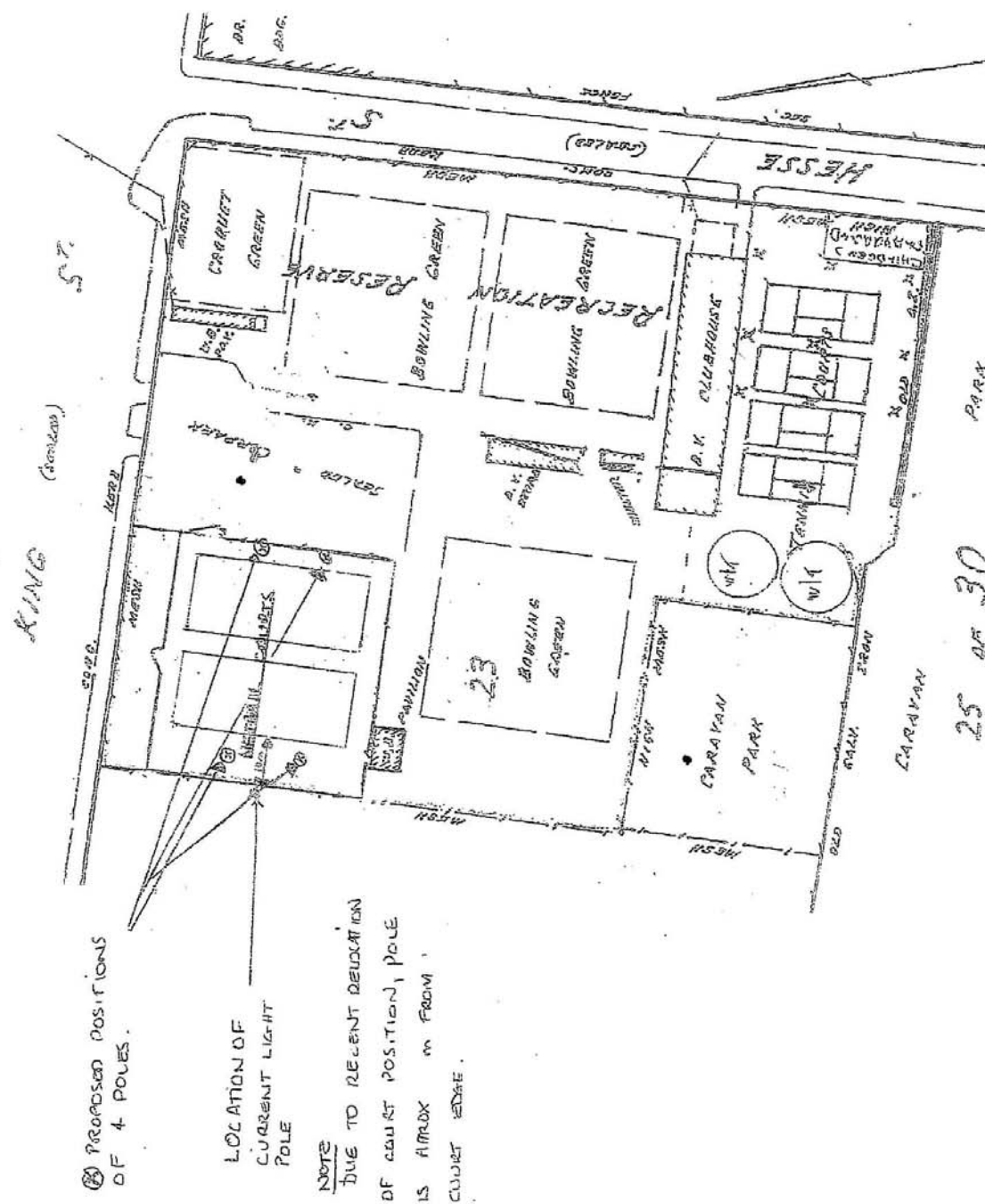
This new plan was recommended by Sport and Recreation Victoria, Netball Victoria and the Planning Dept. of the Borough of Queenscliffe, and I would like to thank you for your previous support and if you have any queries I am available on 0418 553 264 or 52582304 to answer your queries..

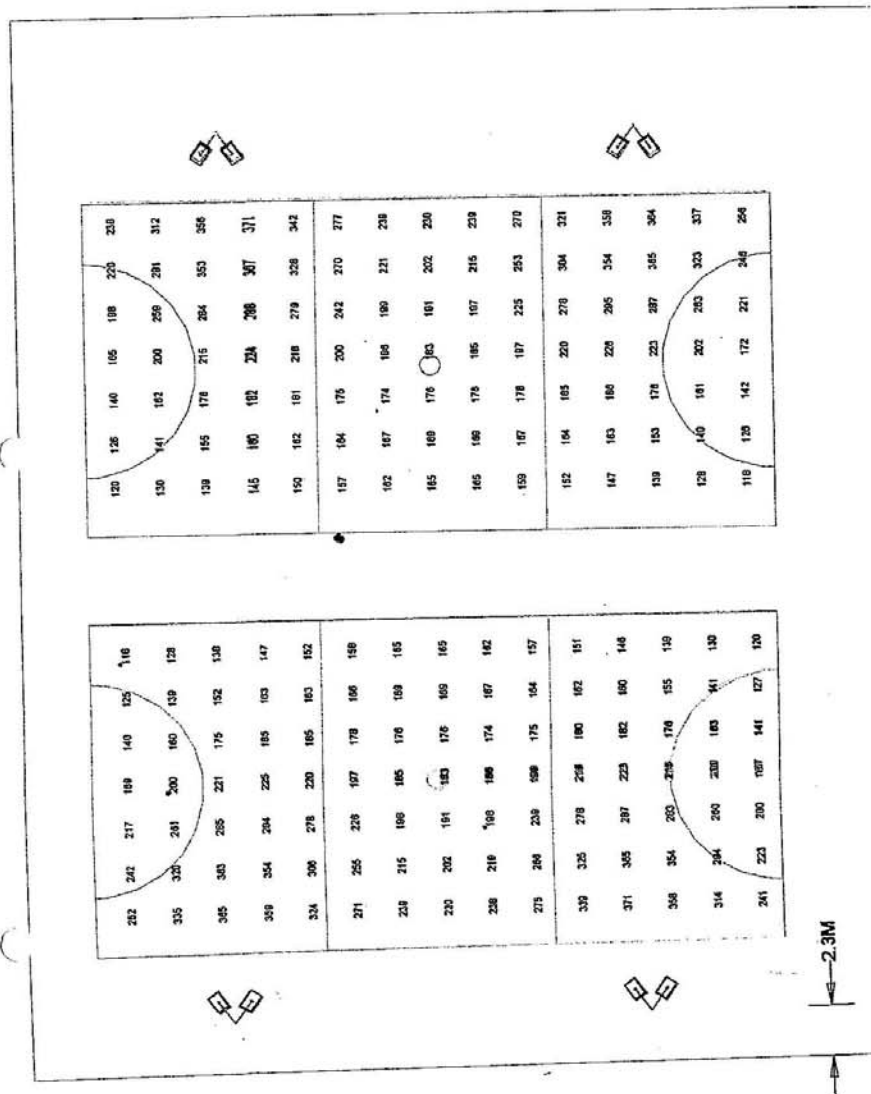
Yours truly,

Bill Comerford  
President

J.A. MONAHAN CENTRE, HESSE ST. QUEENSCLIFF

P.O. BOX 102, QUEENSCLIFF, 3225.





Towerheath Pty Ltd  
31 Advantage Road, Highbett, VIC, 3190  
Ph: 03 9553 1528  
Fax: 03 9532 5363  
www.elscolighting.com.au  
Mounting Height 12M Tilt 5 degrees  
Outreach Arms 900mm  
Date 26/06/2009  
Project: QUEENSLIFF NETBALL  
COURTS, TRAINING LIGHTS

| Calculation Summary |             |         |        |             |
|---------------------|-------------|---------|--------|-------------|
| Label               | CalcType    | Units   | Avg    | Min/Avg     |
| COURT 2             | Illuminance | Lux     | 215.33 | 118         |
| COURT 1             | Illuminance | Lux     | 214.98 | 118         |
| Luminaire Schedule  |             |         |        |             |
| Qty                 | Label       | Lumens  | LLF    | Description |
| 8                   | Elisco EVR2 | 107,000 | 1.000  | 1000W MH    |



#### 4.1 ITEM 10.3 2 JORDAN ROAD, POINT LONSDALE

Planning Permit Application: 2009/041

##### SUMMARY:

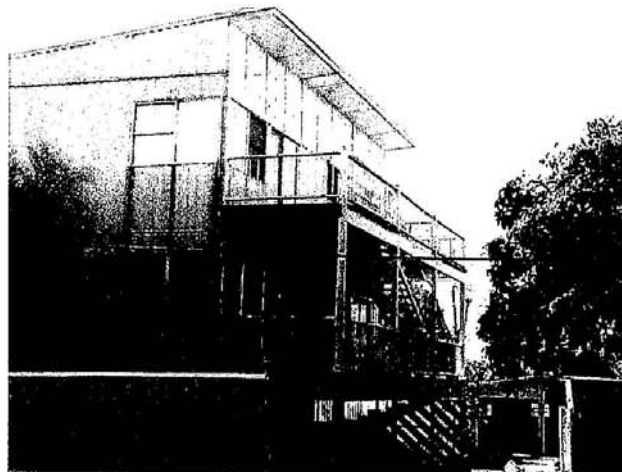
|                            |  |
|----------------------------|--|
| <b>Proposal</b>            | Alterations and extensions to two existing dwellings, change of use of two existing dwellings from dwelling to group accommodation, waive the standard car parking requirement and development of a dwelling (two storey up to 8 metres)<br><br>Refer Appendix 4 |
| <b>Zone/Overlays</b>       | Residential 1 Zone   |
| <b>Permit Triggers</b>     | Clause 43.02-2<br>Clause 32.01-1<br>Clause 32.01-2   |
| <b>Public Notification</b> | Advertised by registered post to adjoining property owners, a notice on site for 14 days, a notice in municipal offices and a notice in The Echo newspaper.  |
| <b>Submissions</b>         | 2<br><br>Refer Appendix 5<br><br>Response to objection:<br><br>Refer Appendix 6  |
| <b>Key Issues</b>          | Loss of amenity<br>Vehicle impact on roadside vegetation<br>Overshadowing<br>Impact on value of property<br>Open space inadequate<br>Privacy<br>Future access to sewer line  |



**Appendix 4–2 Jordan Road, Point Lonsdale**

**K A N D U**  
consultants  
"building industry advisory services"

**SUPPORTING INFORMATION  
FOR PLANNING PERMIT  
FOR USE OF DWELLINGS AS GROUP  
ACCOMMODATION  
AND DEVELOPMENT WORKS UNDER  
CLAUSE 55 OF THE  
PLANNING SCHEME**

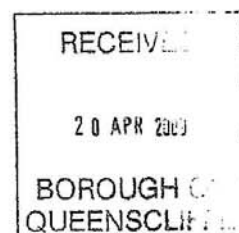


**FOR**

**NUMBER 2 JORDAN ROAD**

**POINT LONSDALE**

KU340/FARMER JORDAN





RESCODE/FARMER JORDAN/REPORTS

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RESCODE/FARMER JORDAN/REPORTS

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RESCODE/FARMER JORDAN/REPORTS

## **EXECUTIVE SUMMARY**

**This submission outlines a proposal to construct a 3<sup>rd</sup> dwelling on an allotment, modify the existing 2 dwellings and allow the existing 2 dwellings to be used as group accommodation.**

**The total building area, inclusive of garages, is 285m<sup>2</sup>. The total site area is 673m<sup>2</sup> giving 42.2% site utilization.**

**This submission considers the requirements of local and State planning requirements and addresses, in detail, the provisions of clause 55 of Rescode and requirements of Section 2 clause 32.01-1 of the planning scheme.**

**The site is generally under specific elements of the requirements covered by a character overlay of the Borough of Queenscliff, Foreshore Areas, Schedule DDO3 and Vegetation Protection Overlay, Remnant and Vegetation Protection Area, Schedule VPO1.**

**This submission, together with other supporting information and documents, is presented in support of the issue, by council, of a determination to issue a planning permit for the construction of 1 new dwelling on a single site with 2 existing dwellings and approval for use of 2 dwellings for group accommodation.**

## **INTRODUCTION**

**On August 24, 2001, the Victorian Government enacted the requirement for all residential buildings and sub-divisions to be considered under the new provisions of Rescode. It is now a requirement that where more than one dwelling is to be constructed on a single site that the provisions of Clause 55 are applicable.**

**In support of this submission Kandu Consultants have prepared drawn documents, together with this report including a photographic essay of the general surrounding area.**

**Each of the 34 specific objectives of clause 55 has been addressed along with an assessment of the neighbourhood character of the area and completion of council's Neighbourhood Character Analysis. The whole proposal has been considered for its design solution against the outcomes of maintaining current street character or assisting in the creation of new design directions.**

**This submission has been prepared as the support information in an application for the issue of a planning permit for use and development.**

20/4/2009

- 3 -

KU340



RESCODE/FARMER JORDAN/REPORTS

### **GENERAL PROJECT DESCRIPTION**

This submission puts forward a proposal to develop a site at 2 Jordan Road Point Lonsdale, on which a 3 level, 2 dwelling structure is already constructed. These existing dwellings are to remain but with new cladding and roofing (following the removal of the existing asbestos cladding material) and minor external changes to balconies and external stair access.

The site has a driveway to the Eastern boundary which will be used to service the new garages for both the existing and the new dwelling.

To the rear of the site an area of approximately 370m<sup>2</sup> has been made available for the construction of a new 2 storey dwelling. This area will be accessed from the existing driveway along the East boundary utilizing the existing vehicle crossover thus avoiding any modification to the current streetscape.

The new dwelling will consist of 3 bedrooms, a study, 2 bathrooms, laundry, kitchen and living/meals area. There will also be a multiple car garage and store area. Materials for the new dwelling will be sympathetic with the general location and existing building and will generally be painted plywood cladding with corrugated colorbond roof sheeting.

### **SPECIFIC SITE / AREA CONTROLS**

Point Lonsdale is under the control of the Borough of Queenscliffe Council planning scheme. At present the existing site is zoned Residential 1 and is covered by a Design & Development Overlay "Foreshore Areas" and schedule 3 to the overlay DDO3, together with a Vegetation protection Overlay "Remnant and Vegetation Protection Area" schedule 1, VPO1

Overall the site is regular in shape with an 16.76m frontage to Jordan Road and a depth of 40.20m. There is a fall of approximately 1.0m across the land from the South East corner to the North West corner. There are no indigenous existing trees on site within the area of the new dwelling or other works albeit there are some mature trees within the site boundaries and on adjoining sites. Any trees to be removed are shown on the Existing Conditions drawing KU340/EC01.

The existing dwelling footprint will remain unaltered with only internal alterations and external cosmetic works to be undertaken.

20/4/2009

- 4 -

KU340



RESCODE/FARMER JORDAN/REPORTS

## GROUP ACCOMMODATION

The 2 existing dwellings on site have for many years been used as holiday accommodation for more than 1 family at a time. Each dwelling occupies a single floor level and up until now access to each is via external stairs from the North elevation and then to the upper level from the first floor deck area. The intention of the new owners is to construct a new dwelling on the site as their permanent accommodation and rent the existing 2 dwellings as short term holiday accommodation. In accordance with the residential 1 zoning, accommodation "other than Dependent Person's unit, Dwelling and Residential aged care facility" are listed under Section 2 of clause 32.01-1 of the planning scheme as requiring a planning permit to be applied for. The term "Group Accommodation" is listed in the use definitions as being included in Accommodation.

Group accommodation is defined as "Land, in one ownership, containing a number of dwellings used to accommodate persons away from their normal place of residence" Accordingly it is deemed that the proposal to use the existing 2 dwellings for short term rental accommodation does constitute group accommodation and a permit for use of this nature is required.

The site has always been used as holiday accommodation and has always consisted of the 2 dwellings since constructed. The continued use for holiday accommodation is therefore considered to be a natural progression of the original intention of the property. The 3<sup>rd</sup> dwelling on the site will be permanently occupied and has all the required services and parking requirements for this purpose.

The proposal, as shown on the application drawings, indicates that there will be 1 car space for each of the 2 bedroom dwellings. Under the Particular provisions, Clause 52.06 of the planning scheme the nominated requirement for a dwelling if at least 2 on an allotment is 2 car spaces to each dwelling. Whilst the site could accommodate the extra cars on the site within the front setback to the street, it is argued that the most likely use of the buildings would be for a family or 2 couples, most likely only requiring 1 car for each dwelling. There would be occasions when 2 cars would be used but there is capacity within the public domain as is the norm for many surrounding homes during holiday times.

Accordingly this application will seek a dispensation on the number of car spaces from 4 to 2. The new dwelling will have capacity for at least 3 cars to be garaged at any one time with access not dependant on moving of any other vehicles.

An important element in the consideration of the use as group accommodation is the impact, if any, on the amenity of surrounding property owners. As mentioned later in this report the area is a mixture of permanent and holiday style accommodation with the proportion being more in favor of holiday accommodation. It is therefore reasonable to say that the intended use is not a variance to the general nature of the

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**area. The fact that there are already 2 dwellings on the site, of modest size, that will not provide for increased accommodation over their normal use suggests that increased traffic or noise would be nominal. The owners of the dwellings will be resident on the site and therefore able to manage the use first hand.**

**The streetscape will not be impacted upon by the proposed use and, in fact, will be improved with the proposed maintenance works forming part of the overall development application for the site.**

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## NEIGHBOURHOOD & SITE DESCRIPTION & DESIGN RESPONSE

### • NEIGHBOURHOOD & SITE DESCRIPTION

The site for this proposal is located in Jordan Road, Point Lonsdale some 50m from the bay beach to the East. The existing dwellings on the site enjoy views to Port Phillip Bay; however the proposed new dwelling will not be able to take advantage of a similar aspect.

This area of point Lonsdale contains a variety of building styles although the dominant feature is the "holiday home nature" of many properties. Houses along Point Lonsdale Road to the East are generally 2 storey and of 20-30 years standing. Most of these homes were constructed before planning controls were in place and exhibit features such as sub floor car parking and first floor living with balconies facing the views.

Set against this backdrop is the historic Point Lonsdale cemetery immediately opposite to the South. There is no development on this site save for some minor facility structures. The perimeter of the cemetery site is extensively treed with native tea tree and moonah. The road reserve for much of this area is similarly vegetated although non indigenous planting in private gardens has occurred over many years.

There are no footpaths or defined edges to the road way and trees overhang the pedestrian walkways along the street as far as Grant Road to the West. The existing property breaks this rhythm with a high asbestos sheet clad fence affixed to a low post and rail fence behind. This would be removed as part of this proposal and the low fence not reinstated.

The existing dwellings on the site are quite a feature of the area for all the wrong reasons. The building is approximately 9.5m high with a sub floor area commencing at 2.0m above ground level and then rising to over 3.0m at the North West corner. Only part of the sub floor area has been utilized for enclosed space. The dominant feature of the building however is the starkness of the architecture. There are sheer walls to all 4 elevations only moderated by the balconies at levels 1 & 2 to the East elevation. Access to the dwellings is only via external stairways. The dwellings are clad entirely in asbestos ribbed sheeting as is the roof. This gives the building a rather distinctive and ominous appearance only broken by the natural anodized aluminum window frames. In other words a classic 1970's beach holiday home now at odds with the general community expectation for the area.

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**EXISTING DWELLINGS VIEWED FROM JORDAN ROAD**

**There has been a considerable amount of activity in Jordan Road over the past 5 years with new buildings and extensions to some 10 sites in the street. Much of the addition work has been to upgrade finishes and this has further highlighted the disparity of the current dwellings at 2 Jordan Road.**

**There is currently no indigenous vegetation on the site, albeit there are around 5 mature trees/shrubs that have been identified. There is also a significant tree close to the western boundary within the title of 4 Jordan Road. Of the 5 trees identified as being mature on the property it is intended to remove 3 of them. There is 1 tree and 1 large shrub in the front garden that are inappropriate to the location and not considered worthy of retention. The tree is of the Pittosporum family and the plant of the Buddleia family. The other tree to be removed will be adjacent to the existing external stairs.**

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- **DESIGN RESPONSE**

**The design presented in this submission responds to the site and its neighbourhood. Consideration has been given to its location, orientation, potential views, sharing of views and the raft of other constraints imposed by adjacent buildings and the preferred neighbourhood character proposed in local planning policy.**

**Consistent with the architectural style preferred for the Foreshore Areas and Point Lonsdale in general, the proposed building will incorporate sloping corrugated colorbond roofs , painted grooved plywood walls together with powder coated aluminum window and door frames. The new and existing buildings have a simple, basically rectangular form which, for the new building has been varied to provide a number of articulated elements to break up the roof structure, make reference to the existing dwellings on the site and reduce the apparent mass of the structure. This articulation has further been emphasised by the receding location of the garage as viewed from the street.**

**There are no adjacent properties that will have existing views impacted upon by the new dwelling and the existing dwellings will also retain their current views.**

**The height of the building is not inconsistent with the range of other buildings in the area, and has purposefully been limited to be low than the existing structure on site. The proposed dwelling is also sited to the Northern rear area of the site so that, as well as allowing Northern solar access for the living rooms, the bulk of the building is located behind the existing dwelling at the front of the site. The new dwelling will be all but invisible from Jordan Road and hence will have very little impact on the current streetscape. Where it can be glimpsed, the articulated massing and varied roof forms will ensure that it sits comfortably within the mix of current buildings and does not dominate its neighbours.**

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## **NEIGHBOURHOOD CHARACTER & INFRASTRUCTURE**

**Issues related to retaining the existing street character or addressing preferred directions.**

- **NEIGHBOURHOOD CHARACTER OBJECTIVE  
STANDARD B1**

Architectural styles within the general area of the site cover almost the full range of building types from the Twentieth Century. These range from the painted cement sheet and corrugated roofing, through newer plywood clad flat roofed dwellings timber dwellings to brick veneer with tiles or tray deck roofing. The existing building on the site is a ribbed asbestos sheet clad structure with no paint finish other than to timber components, and a corrugated asbestos sheet skillion roof with no eaves other than the East elevation.

The proposed works to the existing building will replace the cladding and roofing with painted plywood and colorbond sheeting more consistent with surrounding architecture. A proposed front deck addition will help break up the sheer wall detail facing the street.

The new dwelling will be of a similar style to the existing building echoing the simple building forms and skillion roof profile. It will not impose on the streetscape, being setback from the street, the existing dwelling and the site boundaries, and is lower in height than the existing house.

\*This proposal meets the objective in that the street presence is typical of the neighbourhood theme and residential in scale.

- **RESIDENTIAL POLICY OBJECTIVE  
STANDARD B2**

The proposed new development is to be constructed in an area which is a mixture of holiday and permanent living. Current full time residents have long enjoyed the advantages of close proximity to the beach, recreation facilities and public shopping facilities. These services will be readily available to the occupiers of the proposed development.

\* This proposal meets the objective in that the location is well served to provide an increase in site usage consistent with the development's scale in the streetscape.

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- **DWELLING DIVERSITY OBJECTIVE  
STANDARD B3**

This standard relates to a diversity of dwelling sizes and types in developments of ten or more dwellings.

\* Although the standard is not wholly relevant to this development, this proposal does meet part of the objective in that the new dwelling, albeit 2 storey, has all its facilities on a single level, making it suitable for an occupier of limited mobility.

- **INFRASTRUCTURE OBJECTIVES – STANDARD B4**

The site is in an area where all reticulated services are available. As there will be only 1 additional dwelling, of moderate size on the site, it is not envisaged that there will be any difficulties in capacity for sewer, power, drainage or gas supplies.

\* This proposal meets the objective in that required reticulated services are available to the site with sufficient capacity to service the proposed demand.

- **INTEGRATION WITH STREET OBJECTIVE  
STANDARD B5**

To provide this development with an image consistent with the current residential character of Jordan Road, the existing dwellings will be upgraded and the new dwelling and garages will be located to the rear of the site more than 23m back from the frontage. The new building will consequently be obscured by the existing building, and any views down the driveway will be to an articulated form.

All cars will enter from the existing driveway in Jordan Road and it is proposed to remove the current front fencing.

\*This proposal meets the objective in that the focus of the design is to present the existing building to the street with the retention of existing tree cover and remove the high front fencing.

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## **SITE LAYOUT & BUILDING MASSING**

**Issues related to appropriate utilization of the site and infrastructure.**

- **STREET SETBACK OBJECTIVE - STANDARD B6**

The intention of this proposal is to break up the 3 storey sheer walls facing the street of the existing dwellings by incorporating a 1.5m wide x 6.5m long deck area at first and second floor levels. These decks will be roofed at the upper level but will otherwise be open structures to match the decking along the eastern elevation. The installation of these decks will decrease the front setback from 4.9m to 3.4m.

The schedule to the overlay DDO3 sets out under building setbacks that front setbacks should be a minimum of 6.0m or the average of the properties either side, whichever is the lesser. The property to the West is single storey and setback 3.0m from the frontage. The property to the East has a Point Lonsdale Road address and does not technically count for evaluation in Jordan Road frontages. However this building has a garage to Jordan Road set back 2.7m and a 2 storey addition some 2.0m away from its Jordan Road boundary. Overall it could be considered that the area around 2 Jordan Road has an existing effect of front boundary setbacks closer than 6.0m.

The principal intent however for the decking is to give some articulation to the stark front elevation of the existing building. Decking has been suggested as a means to moderate building designs to have a more presentable aspect to public views. The construction of these deck areas will not impact on any existing vegetation and will not preclude the introduction of new vegetation in the future.

**\*This proposal meets the objective in that the proposed setback is greater than the adjoining building.**

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- **BUILDING HEIGHT OBJECTIVE - STANDARD B7**

This proposal is for a new 2 storey dwelling. The overall height of the building is to be a maximum of 8.0m above natural ground level. The existing building on the site and in front of the new dwelling is 9.5m some 1.5m higher than the new dwelling. The overall height of the new dwelling is below the DDO4 maximum of 8.5m.

The new dwelling is partially screened from the street by its distance from the frontage, and the current position of the existing building.

\*This proposal meets the objective in that the overall height is below recommended guidelines, less than the current structure on site and is similar to adjacent properties.

- **SITE COVERAGE OBJECTIVE - STANDARD B8**

Dwelling and outbuilding areas for this development total 284m<sup>2</sup> of a total site area of 673m<sup>2</sup>. This represents site coverage of 42.2%.

\*This proposal meets the objective in that it covers less than the 55% recommended by council and does not impact on the Jordan Road streetscape.

- **PERMEABILITY OBJECTIVE - STANDARD B9**

This proposal retains approximately 319m<sup>2</sup> of pervious area or 47.4% of the total site of 673m<sup>2</sup>.

\* As DD03 makes no reference to permeable areas it could be assumed that the Rescode standard of 20% applies. This proposal substantially better the Rescode objective in that permeable area is greater than the nominated 20% and is also above the 30% nominated in other DDO's within the planning scheme.



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- **ENERGY EFFICIENCY OBJECTIVE  
STANDARD B10**

This proposal has considered energy efficient principles by providing North facing windows to the living areas of the new building. All walls and ceilings for the new dwelling are to be thermally insulated to a minimum level of R1.5 & R3.0 respectively. An energy audit will be conducted on the new dwelling which will have no difficulty in achieving a 5 star rating in accordance with the SEAV "FirstRate" system.

\* This proposal meets the objective in that it maximises the benefits of solar energy and provides for control of heat gain and heat loss, and does not impact the energy efficiency of existing dwellings on adjoining lots.

- **OPEN SPACE OBJECTIVE – STANDARD B11**

There is no communal open space provided on site. The development is within 50m of public parkland and recreational facilities to the North, East and West.

\*This proposal meets the objective in that communal space is not required, but public space is within walking distance.

- **SAFETY OBJECTIVE – STANDARD B12**

The new dwelling has been provided with an identifiable and highly visible entrance together with convenient access from the garage to the interior of the dwelling. The existing building maintains its current entrance to the rear of the building and is accessible to the existing drive way and proposed car spaces.

\*This proposal meets the objective in that it provides for safe and visible access for all residents to their car parking and front door areas.



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- **LANDSCAPING OBJECTIVE – STANDARD B13**

The site, as currently existing, has little if any established garden structure to the front of the site, but some informal perimeter planting to the large rear yard. To the front the landscaping exists of 3 mature trees and grassed areas. It is proposed to remove 2 of the existing trees to the front area. In the proposed development to the rear of the site there is to be no loss of trees although there will be the need to undertake pruning to 2 trees along the Western boundary. It is proposed that a qualified arborist will be engaged to perform this work, and also to oversee protection of the root systems of trees on the adjacent property to the West during excavations at the time of construction.

It is proposed for final landscaping plans to be provided as a condition of the issue of permit should one be granted.

\*This proposal meets the objective in that it does not intrude on any existing natural features and any native trees to be removed will be offset by new plantings.

- **ACCESS OBJECTIVES – STANDARD B14**

Vehicle access for all dwellings will be from Jordan Road using the existing driveway along the East boundary. This driveway extends to the end of the existing dwellings although the current on site garage is some 11.0m further on into the site. Vehicle access to the garage has been over native grass areas for nearly 30 years with no requirement for hard paved surfaces. It is intended that for all new onsite parking that the current grassed areas remain and be used as is. This will avoid any interruption to the root system of a tree close to the West boundary but on the adjoining property.

\* This proposal meets the objective in that a conforming width driveway provides access to vehicle accommodation.

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- **PARKING LOCATION OBJECTIVES  
STANDARD B15**

This proposal includes the provision of car spaces for the existing dwellings located in such a way that convenient access is possible. The new dwelling will have a garage area capable of accommodating up to 4 vehicles. The new garage has been located to avoid disturbance to the existing dwellings and adjoining properties.

\*This proposal meets the objective in that residents have been provided with convenient parking adjacent to each dwelling, and are protected from vehicular noise within the development.

- **PARKING PROVISION OBJECTIVES  
STANDARD B16**

Both the new and existing dwellings are to have car parking spaces.

Rescode requires 2 car spaces for a 3 bedroom dwelling and 1 car space for 2 bedroom dwellings. These requirements have been met by this development.

\*This proposal meets the objective in that adequate provision is provided for garaging and parking cars for each dwelling.



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### **AMENITY IMPACTS**

Issues related to the impact on adjoining residents and occupiers of facilities on the same site.

- **SIDE AND REAR SETBACKS OBJECTIVE  
STANDARD B17**

The existing and proposed dwellings are setback varying distances from current boundaries. At no point does any part of the new dwelling come closer than 1.3m to any boundary, and in fact most of the new dwelling is more than 1.5m from any boundary. For walls less than 3.6m high a 1.2m setback, exclusive of eaves and gutters, is satisfactory under DDO3.

\* This proposal meets the objective in that setbacks given are within council's minimum DDO guidelines of 1.2m for walls up to 3.6m high and 1.92m for those up to 6.0m high.

- **WALLS ON BOUNDARIES OBJECTIVE  
STANDARD B18**

It is not proposed to have any walls on the boundary to any elevation.

\*This proposal meets the objective in that no walls are to be built on any boundary.

- **DAYLIGHT TO EXISTING WINDOWS OBJECTIVE  
STANDARD B19**

The location of houses on adjoining sites is such that this proposal does not affect any existing windows as illustrated on the locality plan provided. The only possible conflict is the house to the West of the site which has windows located adjacent to the new dwelling. However these windows are more than 12.0m away.

\*This proposal meets the objective in that no windows to adjoining buildings are affected by proposed structures.

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- **NORTH FACING WINDOWS OBJECTIVE  
STANDARD B20**

There are North facing windows on any adjoining property as Jordan Road is to the South of the site and therefore no buildings are adjoining the property.

\* This proposal meets the objective in that North facing windows to existing properties are not denied solar access.

- **OVERSHADOWING OPEN SPACE OBJECTIVE  
STANDARD B21**

As shown in the overshadowing diagram for this proposal there is some impact on access to sunlight for adjoining owners. The proposed new dwelling will have some impact outside of the site boundaries to the property to the East; however this amounts to 84m<sup>2</sup> at 3.00pm for an overall rear garden area of 360m<sup>2</sup> this more than meets the requirements of Rescode for leaving unshaded areas available. The property to the West will also experience some overshadowing during the morning but as shown on the shadow diagrams it is minimal at only 12m<sup>2</sup>.

\* This proposal meets the objective in that it does not significantly overshadow the secluded private open space of any adjoining property.

- **OVERLOOKING OBJECTIVE - STANDARD B22**

The overlooking diagram provided indicates that limited overlooking of the adjoining property to the North will occur from the living and meals area of the new dwelling at ground floor and bedrooms 1 & 2 at first floor. The property to the North at 165 Point Lonsdale Road is a substantial land area at approximately 1300m<sup>2</sup>. There are currently no boundary fences to its North, South or West boundaries and this is a similar situation to many adjacent properties. Photographs are provided of this property to indicate the nature of the current environment. The overlooking diagram does show that views will be possible into the rear garden area of 165 Point Lonsdale Road but not into any habitable areas or windows.

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**Whilst overlooking does occur and there are no fences it suggested that the new dwelling proposal does not unnecessarily impact on the amenity of the adjoining property. The need, under Rescode, to install a 1.8m high screen fence on the boundary would seem to be incongruous with the feel of the area and has not been included in this application. Should the owners of 165 point Lonsdale Road wish to have this screening provided then the owners of 2 Jordan Road will liaise directly with them on the most appropriate form.**

**\*This proposal generally meets the objective in that proposed new works do not unduly overlook adjoining properties.**

**• INTERNAL VIEWS OBJECTIVE – STANDARD B23**

**Overlooking within the property is restricted due to the 9.0m separation between the existing dwellings and habitable areas of the new dwelling.**

**\*This proposal meets the objective in that each dwelling within the development is protected from over looking of secluded private open space by the nature of the development.**

**• NOISE IMPACTS OBJECTIVES – STANDARD B24**

**In this proposal the existing dwellings are separated by 9.0m from the new dwelling. Mechanical plant and equipment will be located for the new dwelling sufficient distance away to not impact on the existing structures.**

**\* This proposal meets the objective in that consideration has been given to the location of service equipment and vehicle accommodation to reduce noise transmission between and within residences.**



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## **ON-SITE AMENITY & FACILITIES**

**Issues related to natural comfort of occupants and Neighbours.**

- **ACCESSIBILITY OBJECTIVE – STANDARD B25**

Access to the front door of the new dwelling would be possible for someone of limited mobility, but the direct access from the garage to the house would be more readily accessible.

\* This proposal meets the objective in that step free access can be provided at a later date to the front door or garage access door.

- **DWELLING ENTRY OBJECTIVE – STANDARD B26**

The new dwelling in the proposal is to be provided with an identifiable front entry complete with skillion verandah. This entry is facing the access driveway and provides immediate access identity when entering the driveway.

\* This proposal meets the objective in that the new dwelling has a readily identifiable address.

- **DAYLIGHT TO NEW WINDOWS OBJECTIVE  
STANDARD B27**

Natural light to all habitable rooms has been provided by windows in external walls, none of which is closer to the boundary than 1.6m. Inclusive of eaves the clear light to all windows is in excess of Rescode guidelines of 1.0m clear light.

\*This proposal meets the objective in that all habitable rooms have windows facing natural light sources.

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- **PRIVATE OPEN SPACE OBJECTIVE  
STANDARD B28**

The new dwelling has an area to the North of 3.4m x 16.8m that is considered to be secluded private open space albeit there is to be no fencing to the rear North boundary. This overall space is in excess of 56m<sup>2</sup> in area. There is additional space to the South and East in the side setbacks.

The existing dwellings have their area of secluded private open space to the East onto covered decking area. Each dwelling will have exclusive use of a deck area of 2.4m x 11.0m or 26m<sup>2</sup>. This area more than satisfies Rescode in proportions and area.

\* This proposal meets the objective in that open space is to be provided in excess of Rescode requirements.

- **SOLAR ACCESS TO OPEN SPACE OBJECTIVE  
STANDARD B 29**

The new and existing dwellings all have private secluded open space provided as either decks or garden with some North aspecting. In each case there is sufficient clearance from fences or buildings to the North to allow good solar access for the open space. All areas are accessible from internal living spaces via doors in external walls.

\*This proposal meets the objective in that North solar access to secluded private open space is available to all dwellings.

- **STORAGE OBJECTIVE – STANDARD B30**

All dwellings are to have access to a collective external store under the existing dwellings. This area is 25m<sup>2</sup> and more than adequate for the needs of the 3 dwellings on a single title.

\* This proposal meets the objective in that externally accessible secure storage is allowed for to each dwelling.



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## DETAILED DESIGN

**Issues related to presentation to the general street environment.**

- **DESIGN DETAIL OBJECTIVE - STANDARD B31**

As illustrated in the photographs accompanying this report there is a diverse range of Architectural styles in the immediate vicinity. There are numerous existing properties that have similar design elements of pitched or skillion corrugated iron roofs, painted lightweight cladding and timber or aluminum window frames. This proposal does not seek to challenge the general style of the area and, in fact, echoes the main elements of nearby existing dwellings.

\*This proposal meets the objective in that it respects the preferred neighbourhood character.

- **FRONT FENCES OBJECTIVE- STANDARD B32**

There is existing front fencing and this will be removed and not reinstated.

\*This proposal meets the objective in that front fencing will be removed to compliment the informal nature of the interface between public and private land.

- **COMMON PROPERTY OBJECTIVES  
STANDARD B33**

There is no common property as the dwellings are to remain on a single title. Any area not developed or set aside for vehicle access or parking will be left in its current natural state with some replanting provided as per endorsed landscape drawings.

\* This proposal meets the objective in that there is no common property.



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- **SITE SERVICES OBJECTIVES – STANDARD B34**

As there will only be a single permanent residence on the property a single letter box will be located at the front of the property to meet Australia Post requirements.

Rubbish bins will be contained within the site area and controlled by the residents of the permanent dwelling for collection purposes.

\* This proposal meets the objective in that each dwelling is to be provided with site services.

### **ABORIGINAL HERITAGE REGULATIONS 2007**

In May 2007 the Victorian Government enacted new legislation to protect sensitive aboriginal heritage sites. Where a site, under the definition of a sensitive area, is deemed to be covered by the act it is required to submit a Heritage Management plan to the responsible authority, sanctioned by Aboriginal Affairs Victoria.

The subject site is defined as a "sensitive heritage site" and would technically require an assessment as there are more than 2 dwellings on the allotment. It is however contended that as 2 dwellings already exist in a single built form the new dwelling will not impact on the site to an extent more than a new 2 dwelling proposal. Accordingly it is considered that the requirements of the act do not apply to this multi dwelling application.

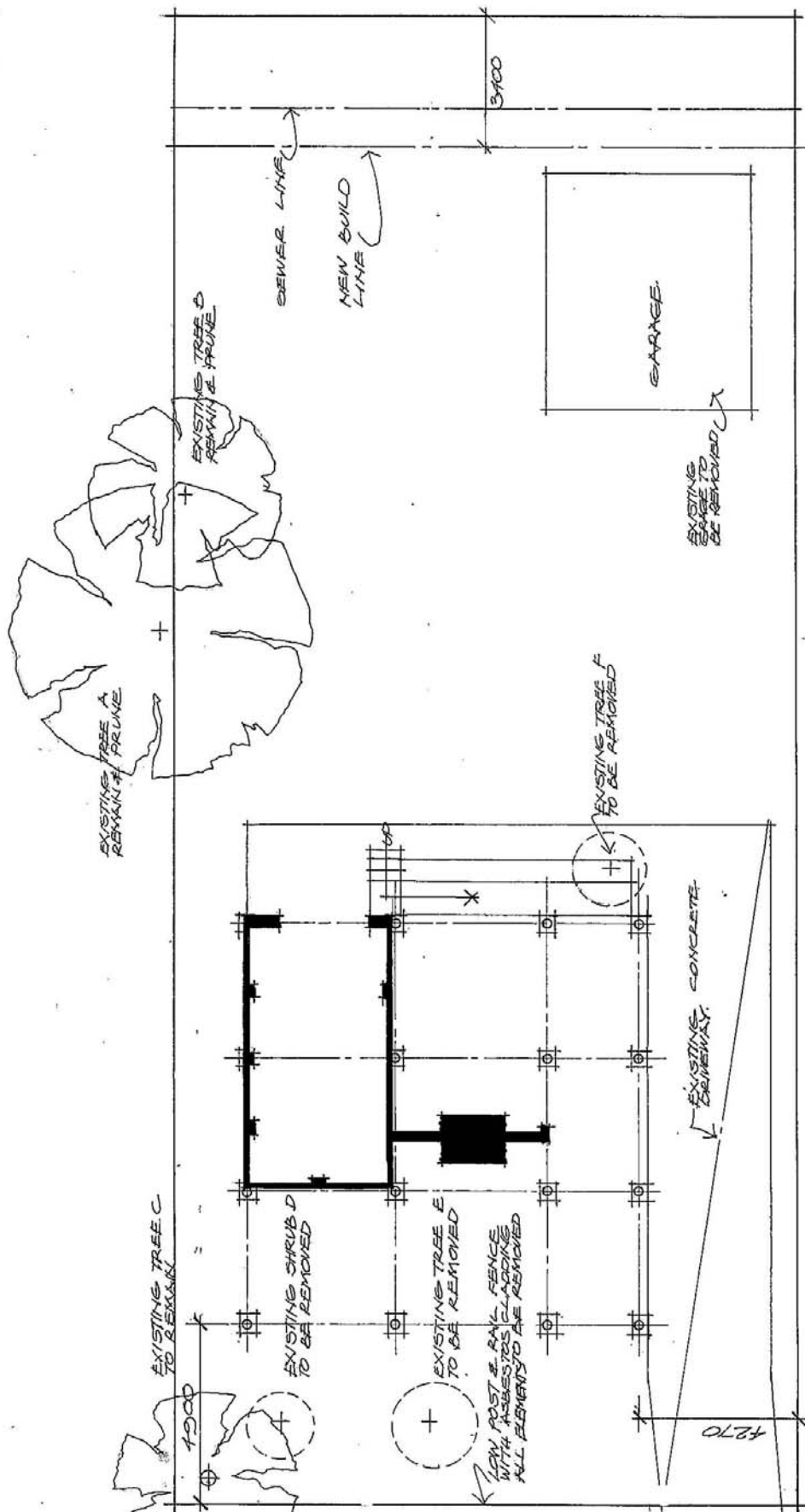
### **BUSH FIRE ATTACK LEVELS**

As at March 10<sup>th</sup> 2009, the Victorian Government declared all of the state a bush fire prone area requiring all class 1, 2 & 3 buildings to be the subject of an evaluation of their Bushfire Attack Level (BAL). The site for this application has been the subject of a preliminary BAL evaluation and is rated as "Low" meaning no measures are required for the construction of the building other than standard BCA & VBR requirements. However, should a more detailed evaluation change this rating amendments to the submitted documents may be required to comply with Building Permit requirements?

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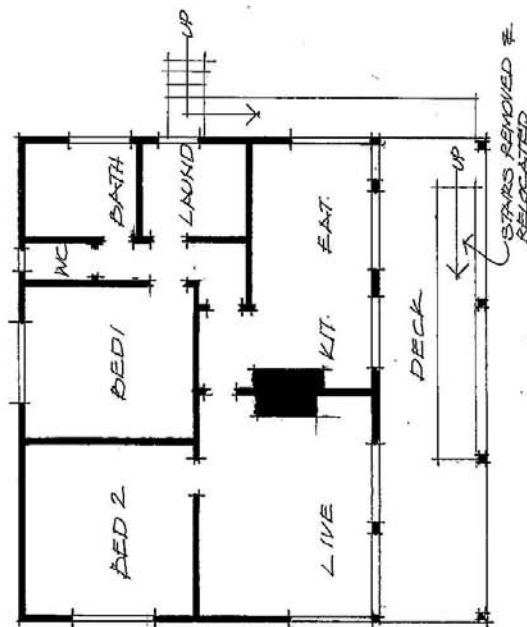


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## GROUND FLOOR & SITE PLAN

PROPOSED ALTERATIONS AND ADDITIONS  
AT 2 JORDAN ROAD, POINT LONGDALE,  
FOR P & A FARMER  
EXISTING CONDITIONS 1:100 FEB 09  
KANDI CONSULTANTS 52584820

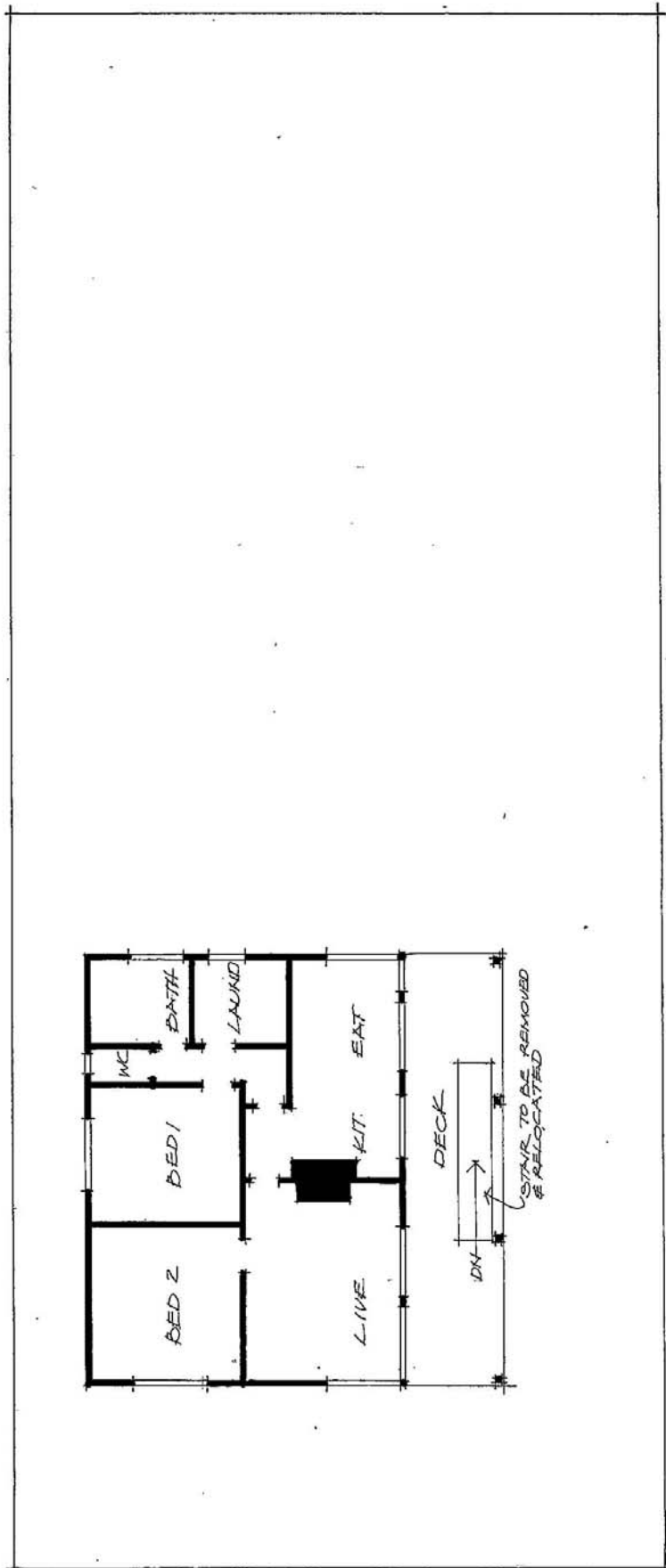
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## FIRST FLOOR PLAN

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PROPOSED ALTERATIONS AND ADDITIONS  
AT 2 JORDAN ROAD, POINT LONSDALE  
FOR P & A FARMER  
EXISTING CONDITIONS 1:100 FEB 08  
KUN340/EC02



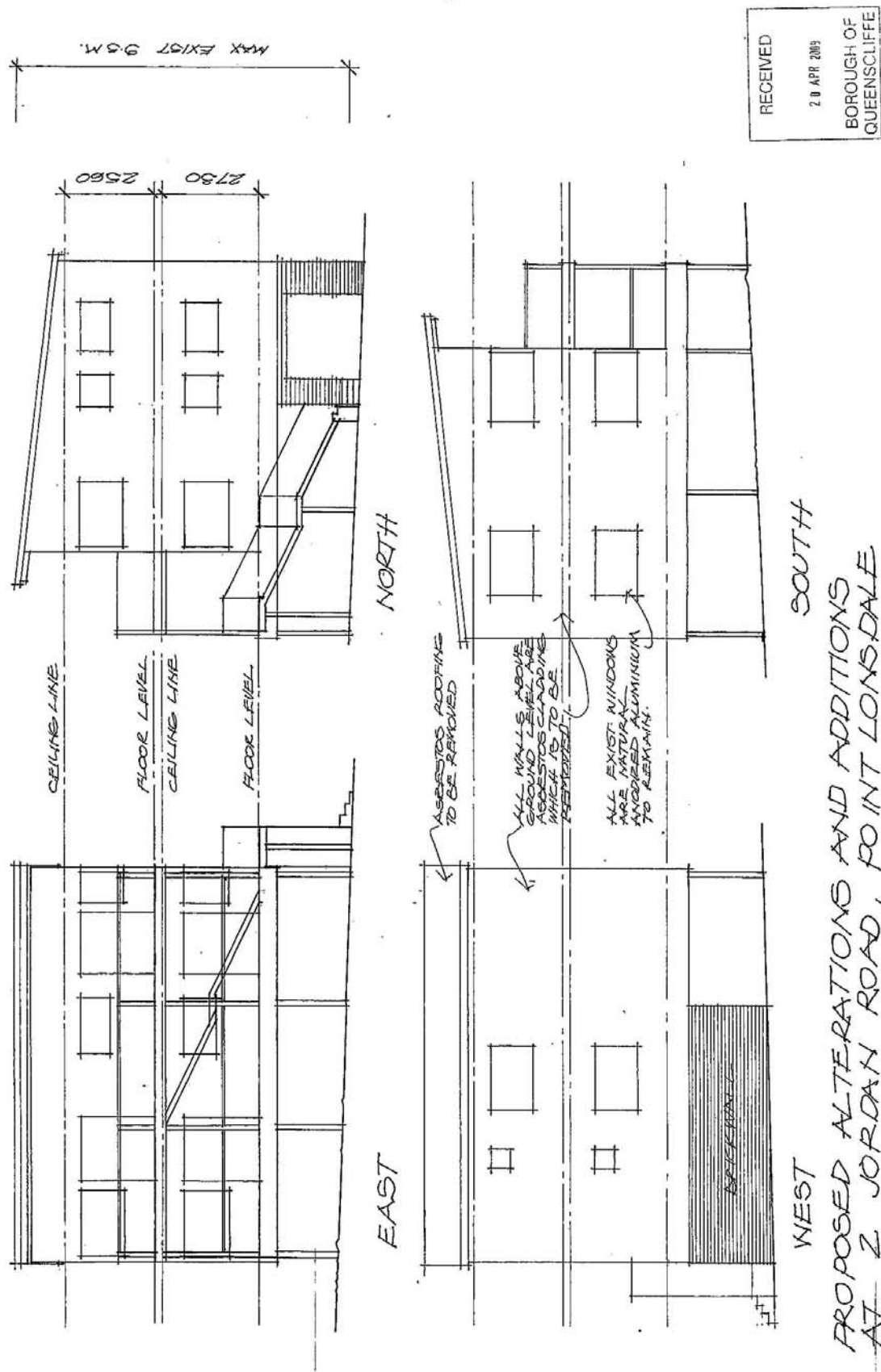
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QUEENSCLIFFE

## SECOND FLOOR PLAN

PROPOSED ALTERATIONS AND ADDITIONS  
AT 2 JORDAN ROAD, POINT LONSDALE  
FOR P & A FARMER  
EXISTING CONDITIONS  
MAXIMUM CONSULTANTS

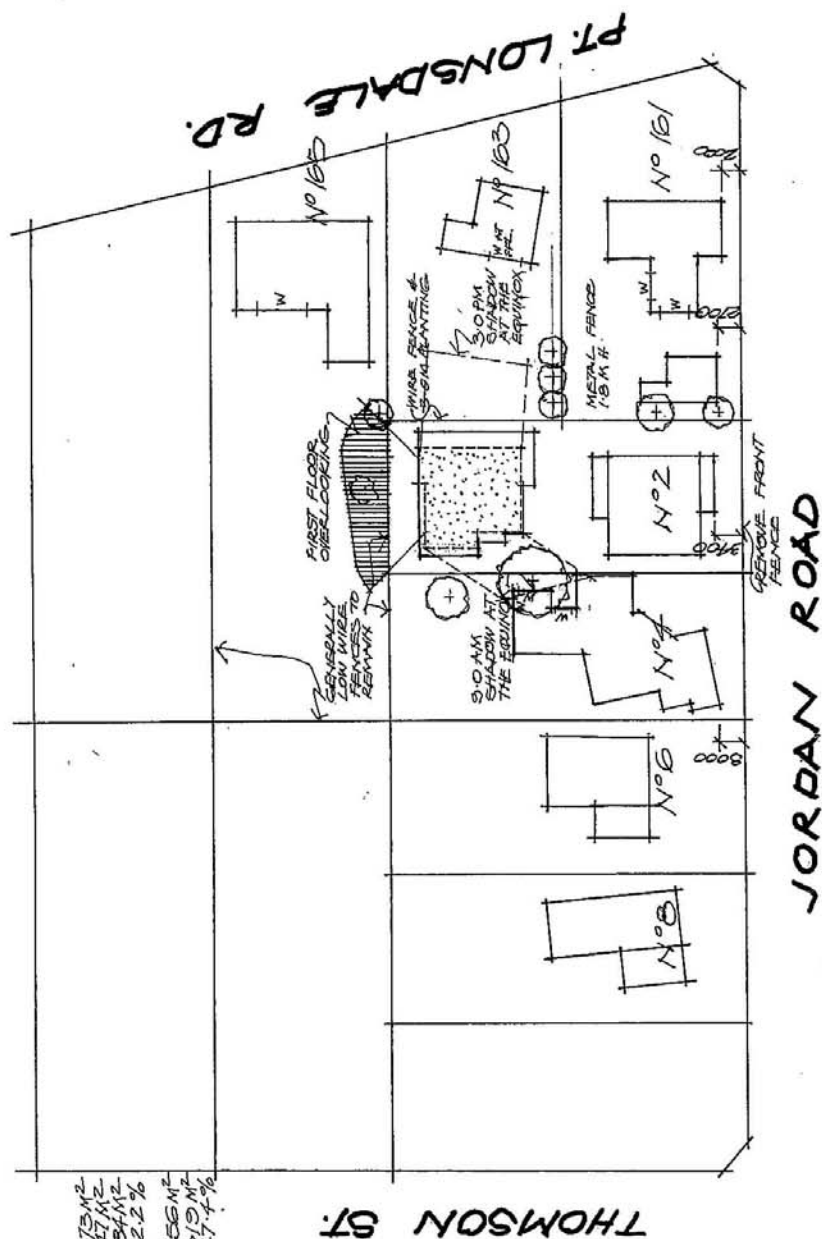
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PROPOSED ALTERATIONS AND ADDITIONS  
AT 2 JORDAN ROAD, POINT LONSDALE  
FOR P & A FARMER  
EXISTING CONDITIONS ELEVATIONS 1:100 FEB 09 KU340/ECO4  
KANDU CONSULTANTS 5258 4820



| SITE ANALYSIS       |                    |
|---------------------|--------------------|
| TOTAL SITE AREA     | 63.3M <sup>2</sup> |
| CURRENT SITE COVER  | 14.1M <sup>2</sup> |
| PROPOSED SITE COVER | 20.4M <sup>2</sup> |
| % PROPOSED COVER    | 42.1%              |
| CURRENT PERMEABLE   | 45.6M <sup>2</sup> |
| PROPOSED PERMEABLE  | 51.9M <sup>2</sup> |
| % PERMEABLE         | 47.4%              |

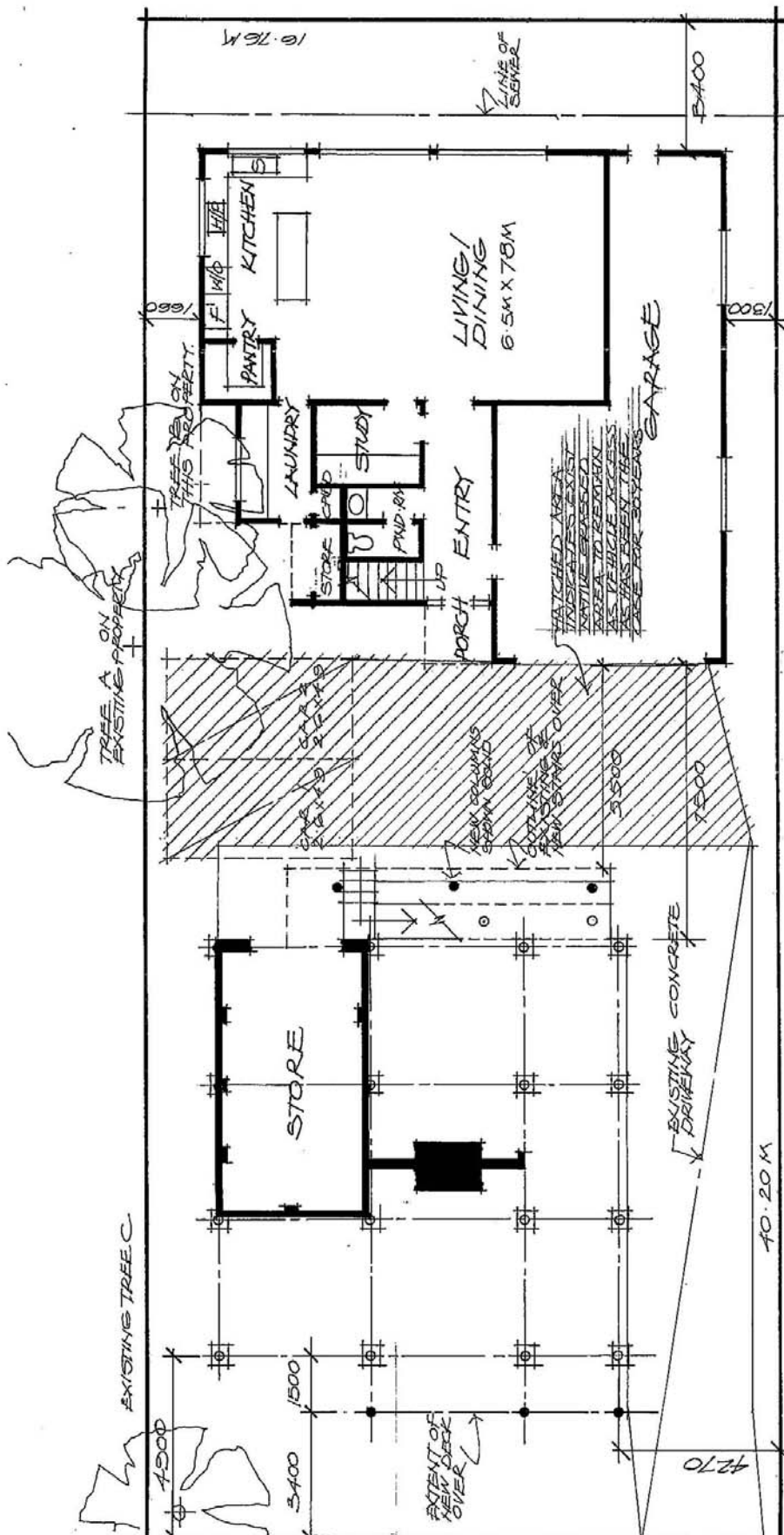
TREES ON ADJOINING  
PROPERTIES SHOWN THIS  
CANOPY DIAMETER SHOWN  
TO SCALE.

PROPOSED ALTERATIONS AND ADDITIONS  
AT 2 JORDAN ROAD,  
FOR P & A FARMER,  
SITE ANALYSIS  
KANDU CONSULTANTS  
1:500 APR  
52584820

1:500 APR 09  
5258 4820

KU340/TP01/A

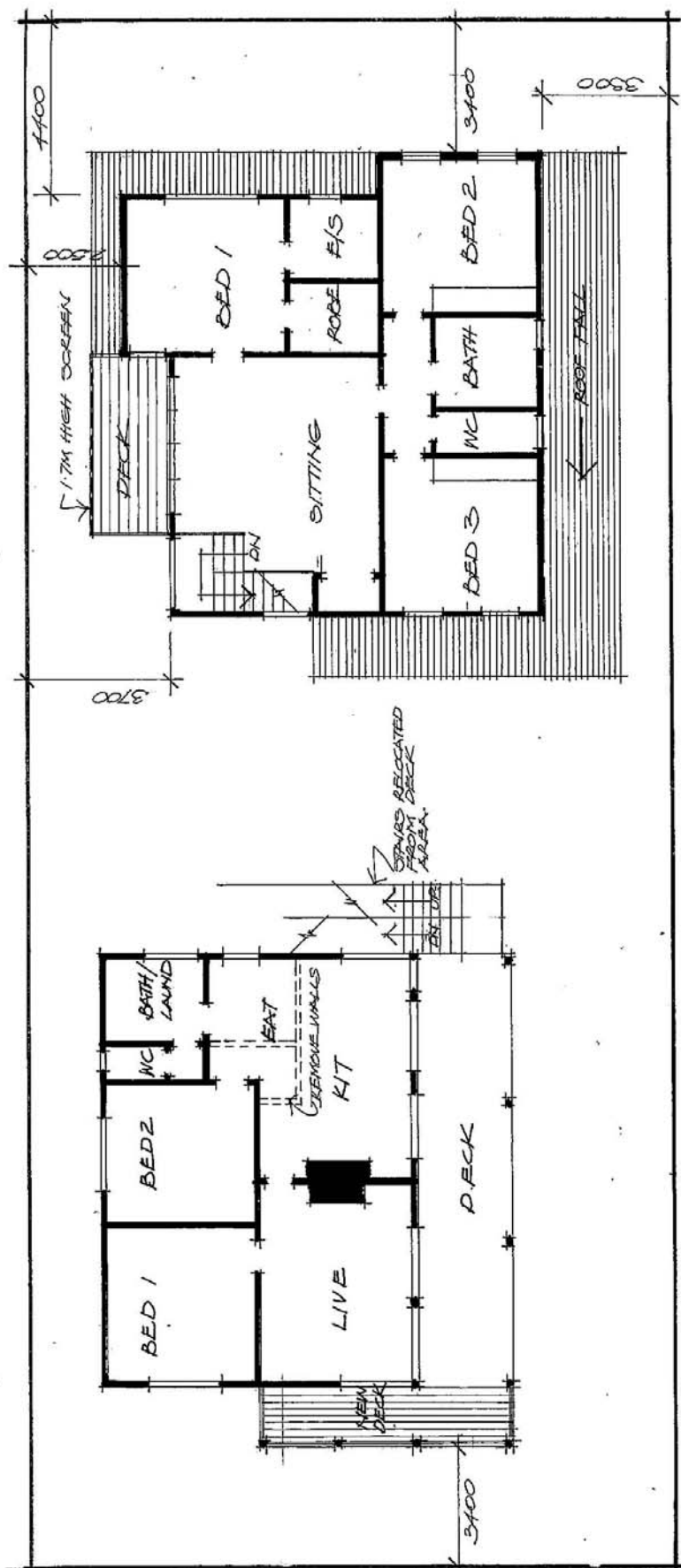
RECEIVED  
7 MAY 2005  
BOROUGH OF  
QUEENSLAND



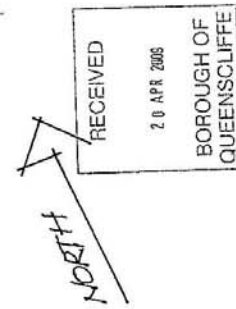
**GROUND FLOOR & SITE PLAN**

PROPOSED ALTERATIONS AND ADDITIONS  
AT 2 JORDAN ROAD, POINT LONSDALE  
FOR P & A FARMS  
PROPOSED WORKS 52584820  
KAYDU CONSULTANTS 1:100 APR 09

KU340/TP02/A



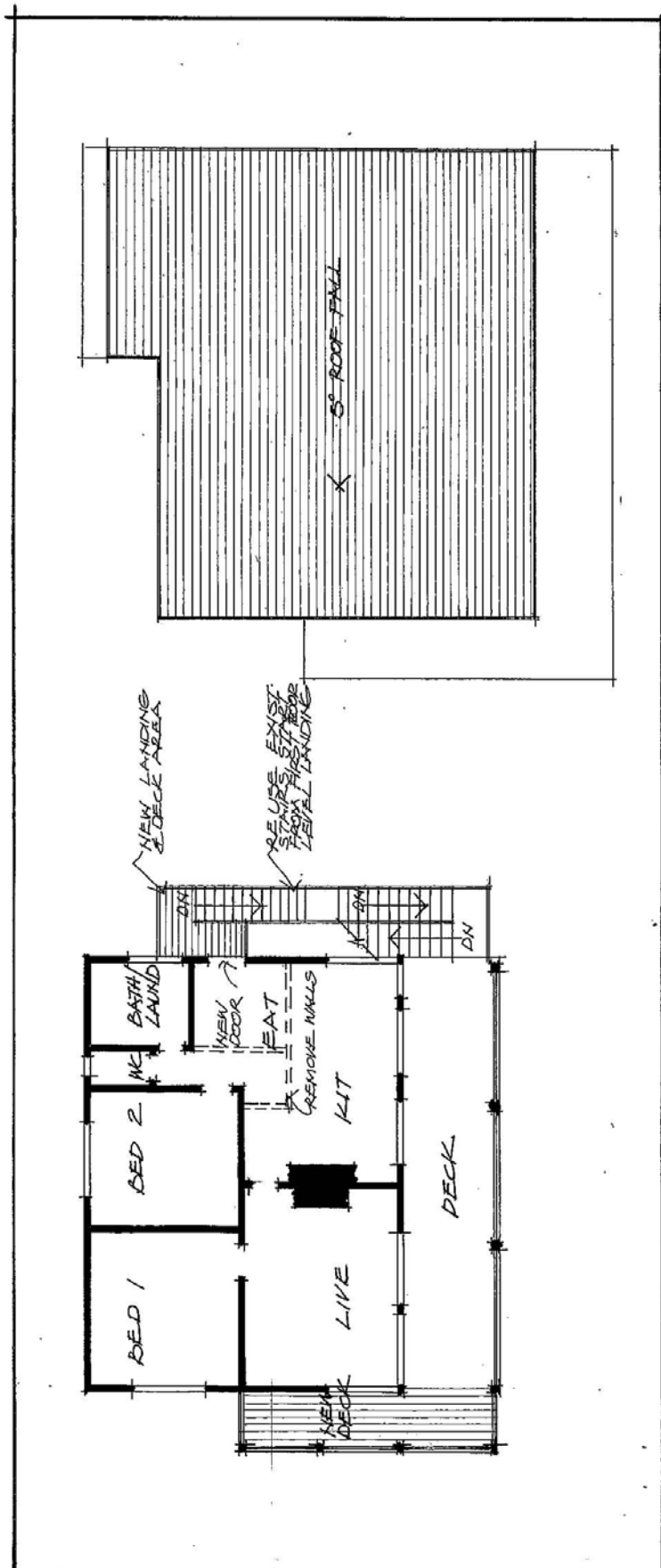
**FIRST FLOOR PLAN**



PROPOSED ALTERATIONS AND ADDITIONS  
AT 2 JORDAN ROAD, POINT LONSDALE  
FOR P & A FARMER  
PROPOSED WORKS  
KAN DU CONSULTANTS

KU340/TP03

1 100 APR 05  
52584820



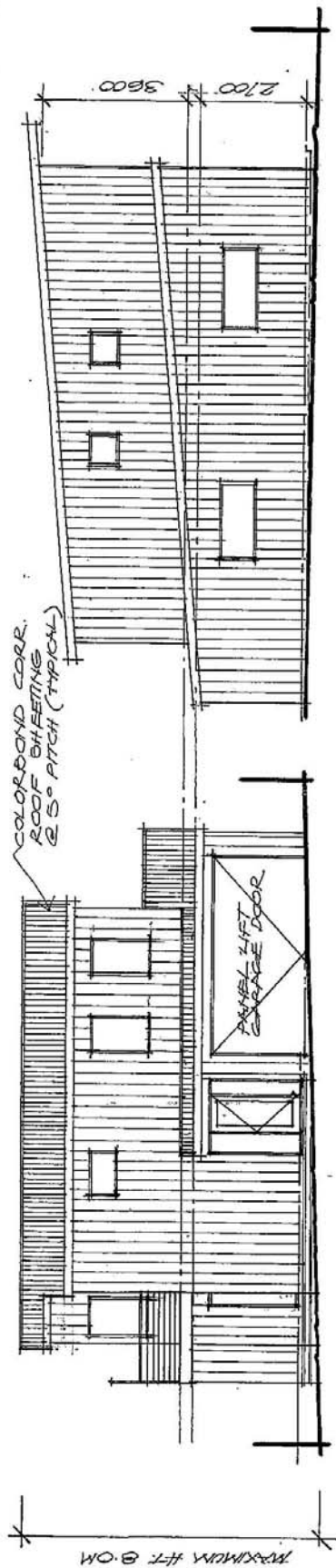
**SECOND FLOOR & ROOF PLAN**

RECEIVED  
20 APR 2009  
BOROUGH OF  
QUEENSLIFFE

PROPOSED ALTERATIONS AND ADDITIONS  
AT 2 JORDAN ROAD, POINT LONSDALE  
FOR P & A FARMER  
PROPOSED WORKS  
KANDU CONSULTANTS

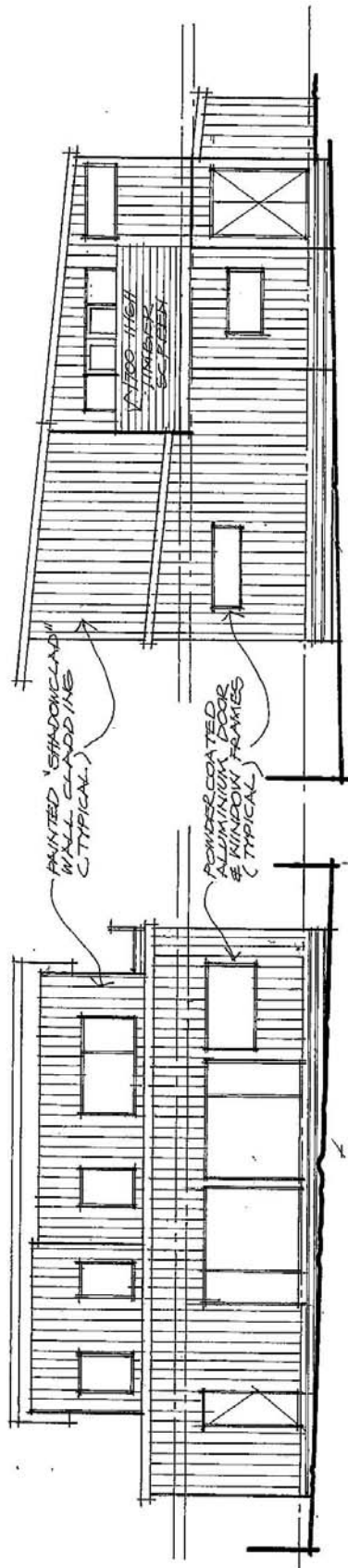
KU340/TP04

1:100 APR 09  
52584820



**SOUTH ELEVATION**

**EAST ELEVATION**



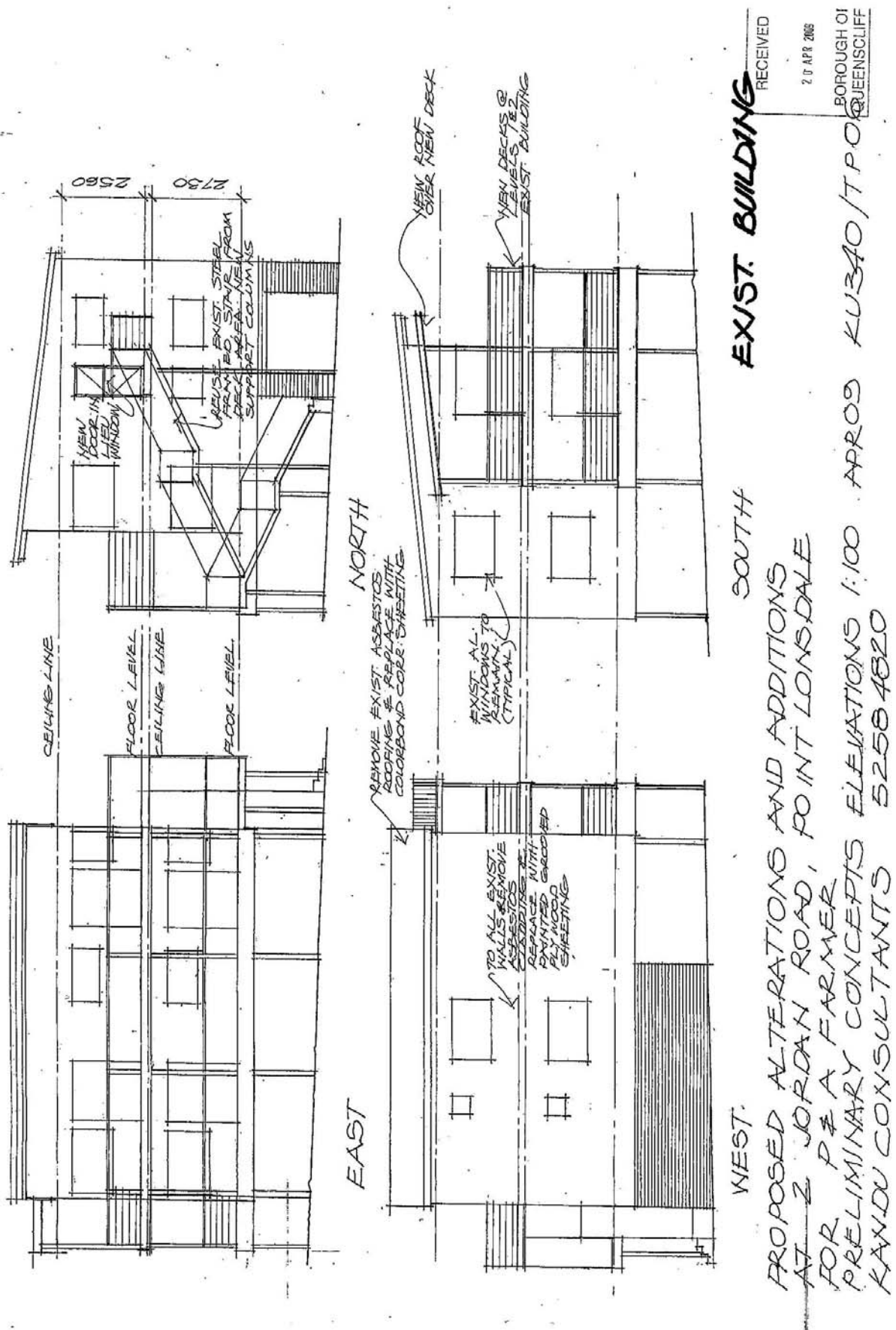
**NORTH ELEVATION**

**WEST ELEVATION**



PROPOSED ALTERATIONS AND ADDITIONS  
AT 2 JORDAN ROAD, POINT LONSDALE  
FOR P&A FARMER  
PROPOSED NEW DWELLING 1:100 APR 09  
KANDU CONSULTANTS 52504820

KU340/TP05





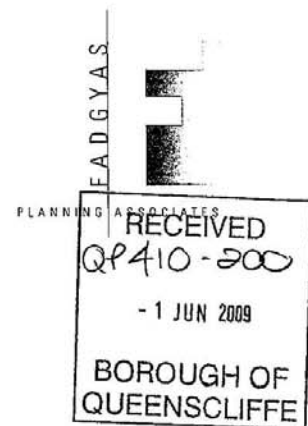


## Appendix 5–2 Jordan Road, Point Lonsdale

FAXED  
29-5-09

29 May 2009  
FPA-6500-09

Fadgyas Planning Associates Pty Ltd  
International and Local Planning  
Principal: G.L.G. Fadgyas PIA, AINS, VPCLA  
PO Box 801 Belmont Victoria 3216  
Tel: + 613 5241 3200 Fax: +613 5241 3992  
Mob: 0438 219 533  
Email: fadgyas@ipc.com.au  
ABN 73098557745



Borough of Queenscliffe  
50 Learmonth Street  
Queenscliff Vic 3225

Dear Sir/Madam

### Application 2009/41 – Objection

This objection is made on behalf of Mrs Grace Canterbury resident at 165 Point Lonsdale Road, Point Lonsdale, on the instruction of Miss Lillian Canterbury (exercising Power of Attorney for Mrs Grace Canterbury).

Mrs Canterbury's property is to the east of the subject site and has a common boundary with the rear (northern) part of No. 2 Jordan Road.

Presently the common boundary is screened by a 3-metre high hedge and the only development in the rear of No. 2 Jordan road is a double garage.

Whilst Mrs Canterbury is not in principle opposed to the development/redevelopment of the subject site, she is an elderly lady (98 years) who currently enjoys the quiet amenity afforded by the area generally.

She is particularly concerned that:

- The increase in development density may result in a significant loss of amenity by virtue of additional noise from:
  - a) More intensive use of the two attached dwellings at the southern frontage; and
  - b) The proximity of the new dwelling (and inhabitants) in the northern part of the site.
- The increased intensity of usage of the site will detrimentally impact upon her quiet enjoyment of her own property – particularly outdoors.
- Any waiver of car parking will place an unsustainable burden on the roadside vegetation in Jordan Street, which is one of the characteristic features of the locality.
- The extent of overshadowing (3:00 p.m. at the equinox) of her backyard will have an adverse effect on the amenity in her yard.
- The increased density and the consequent change in the spacious, open character of the locality will have a negative impact upon the valuation of her property.
- The new house unreasonably reduces the area of effective ground level open space for future tenants/residents of the existing two dwellings.



In conclusion, it would not seem unreasonable to modify/reduce the footprint of the proposed new house to provide serviceable ground level private open space for the existing two dwellings, ensuring that the full ratio of car parking is provided on-site.

I trust these matters will be fully considered within the context of the Borough's extensive policy guidelines for development in the Borough.

Yours faithfully

A handwritten signature in black ink, appearing to read 'C.L.G. Fadgyas'.

C.L.G. Fadgyas  
Director & Principal  
Fadgyas Planning Associates Pty Ltd

c.c. Miss L. Canterbury, 41 Nelson Road, Pt Lonsdale Vic 3225  
Ms L. Secen, Birdsey, Dedman & Bartlett Solicitors, PO Box 815, Geelong Vic 3220



Fax from : 61 3 54563300

26-05-09 16:44 Pg: 2

26<sup>th</sup> May 2009

Planning Department  
Borough of Queenscliffe  
Queenscliffe.



To Whom It May Concern

RE: Proposed Alterations and Extensions at 2 Jordan Road. Point Lonsdale.

Thank you for forwarding information regarding the above alterations and extensions.

I do not have a problem with alterations to the existing residence as shown on the plans but I do however, have concerns regarding the proposed new structure to be built behind the existing building.

The main downstairs living area faces directly onto my property which raises some concerns regarding privacy. The positioning of the proposed new building is only 3400mm. from my boundary fence with the main windows in that area looking directly onto my yard.

If the proposed building was to go ahead, I feel that a privacy screen a minimum of 2.4m high would need to be erected on the boundary fence of sufficient length to ensure the privacy of my property is not compromised.

Consideration should also be given to the sewer line which runs between the boundary line and the proposed extensions. This line has blocked at least once in the past 3 years which has necessitated works within this property.

Once again, thank you for forwarding information,

Yours sincerely,

Kay Ayres  
13 Patho School Rd,  
Patho 3564

(165 Point Lonsdale Road .  
Point Lonsdale)

Cc; Kandu Consultants Pty Ltd. Point Lonsdale.



## Appendix 6–2 Jordan Road, Point Lonsdale

Rescode/farmer/correspondence/letter 6

**K A D U**  
consultants  
"building industry advisory services"

1<sup>st</sup> June, 2009

Ms. M. Watt,  
Statutory planner,  
Borough of Queenscliffe,  
50 Learmonth Street,  
3225

Dear Michelle,

**RE: PROPOSED DEVELOPMENT**  
**AT**  
**2 JORDAN ROAD, POINT LONSDALE**

I am in receipt of the objection lodged by Fadgyas Planning & Associates on behalf of the owner of 163 Point Lonsdale Road (the objection nominates 165 but it has been clarified with the objector that it is 163). We have considered the range of objections raised and wish to respond in the following manner.

1. The proposal as submitted is for residential use typical of the general area around the site. The existing 2 dwellings are to be used for holiday rental not dissimilar to many other local properties. The new dwelling is for the permanent occupation of the property owners. Any noise component associated with the properties would not be out of character with any use of a residential site;
2. Designated car parking has been provided on site for the use of all tenants of the existing dwellings and additional onsite parking is possible within the front of the property. Car parking for the permanent residence is above that required for Rescode. Parking within the Jordan Road street reserve is not uncommon during holiday periods whether residents or visitors. There are no restrictive parking requirements set out by the Borough Council. Car parking is considered to be well catered for in this proposal;
3. Overshadowing of the objectors property is shown at 3.00pm to encroach some 8.0m into the site. This is not taking into account the impact that the existing 3.0m high hedge has on the shadowing of the site at the moment. The additional impact of the building over the hedge will be minimal. Clause 55.04-5 of the Planning Scheme requires that adjoining properties are left with unshaded areas at least 40m<sup>2</sup> with a minimum dimension of 3.0m. The property at 163 Point Lonsdale road will be left with an area of over 200m<sup>2</sup> and a minimum dimension of at least 10.0m;
4. Private open space provisions all comply with the requirements of clause 55.05-4 of the planning scheme. As the existing dwellings do not have direct access from living areas to the ground the existing deck areas more than meet the standard. The new dwelling will have 3.4m x 16.7m of external space off the living areas to the North.

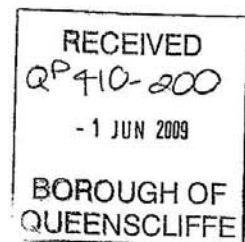
Overall we believe the requirements of all State and Local planning controls have been met by the proposed development. Whilst existing conditions, as seen from 163 Point Lonsdale Road, will change, the proposal does not breach any of the amenity controls applicable to this site. Particular care has been taken in regards to building height, setback, overlooking and overshadowing to not only meet but significantly better the required standards.

We would be happy to participate in any council generated process to discuss this matter with the objector.

Yours Sincerely,

John Gullan

p 52584820 f 52584620 m 0407 101947 email john@kandu.net.au  
21 Silver Ridge Road, Point Lonsdale  
KANDU CONSULTANTS PTY. LTD. ABN 20 221 556 612





#### 4.1 ITEM 10.4 2 JACQUELINE COURT, POINT LONSDALE

Planning Permit Application: 2009/047

##### SUMMARY

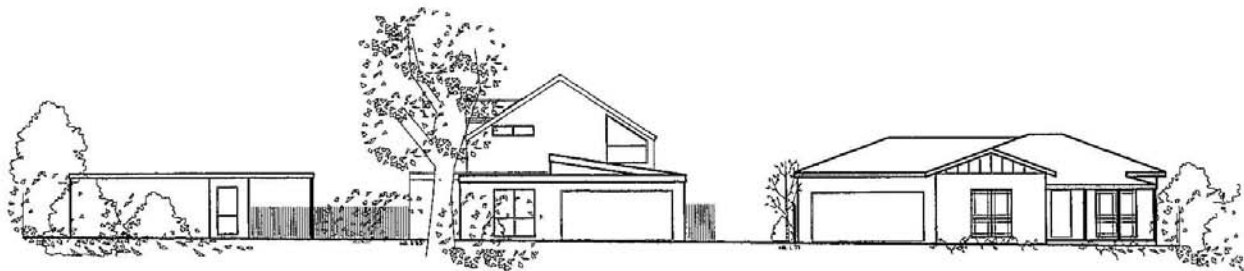
|                              |  |
|------------------------------|--|
| <b>Proposal</b>              | The development of a dwelling (two storey up to 6.5 metres), subdivision of the land into two lots and removal of native vegetation<br><br>Refer Appendix 7  |
| <b>Zone/Overlays</b>         | Residential 1 Zone<br>Vegetation Protection Overlay Schedule 1<br>Design and Development Overlay Schedule 4  |
| <b>Permit Triggers</b>       | Clause 42.02-2<br>Clause 43.02-2   |
| <b>Public Notification</b>   | Advertised by registered post to adjoining property owners, a notice on site for 14 days, a notice in municipal offices and a notice in The Echo newspaper.  |
| <b>Submissions</b>           | 3<br><br>Refer Appendix 8  |
| <b>Amendment to proposal</b> | Refer Appendix 9   |
| <b>Key Issues</b>            | Privacy (dividing fence)<br>Overlooking<br>Overshadowing<br>Removal of vegetation (providing screening)<br>Excessively high garage wall on boundary<br>Overdevelopment and bulk<br>Excessive height<br>Site coverage<br>Subdivision out of character<br>Bulk<br>Overlooking<br>Removal of vegetation (providing screening) |



**Appendix 7-2 Jacqueline Court, Point Lonsdale**



**SUPPORTING INFORMATION FOR A PLANNING  
PERMIT UNDER CLAUSE 55 OF THE PLANNING SCHEME**



**FOR SUBDIVISION & SECOND RESIDENCE AT  
2 JACQUELINE COURT, POINT LONSDALE**



## 2 JACQUELINE COURT, POINT LONSDALE

### THE SUBJECT LAND

The subject land is a block of 838. 7 sq mts on the west side of Jacqueline Court.

The site has a 16. 76 mt. frontage.

The existing four bedroom residence is 216. 5 square metres.

There is a grassed nature strip with no kerb, channel or no footpath.

There is a large gum tree on the nature strip that would need to be removed to allow access to the new driveway. (refer to Tree Report)

The new building site at the rear of the property has a number of trees three of which are to be removed.

The adjoining properties are used for residential purposes with a range of dwelling sizes, styles and built in various time periods.

On the south adjoining site there is a single storey brick dwelling with a flat roof.

On the north adjoining site there is a single storey brick dwelling with a gable and hip roof.

Dwellings opposite the site vary from two storey modern style to single storey brick veneer with flat roofs.

### THE PROPOSAL

- \* Construct a second residence at the rear of the site with three bedrooms, living/ kitchen and laundry downstairs and sitting, bedrooms and study upstairs.
- \* The proposed unit would be two storey as there would be limited views of the unit from the street.
- \* There is provision for indigenous planting at the front of the site and down the boundaries.

The proposed subdivision and second dwelling development has been designed taking into account the size, height and scale of the emerging neighbourhood medium density development.



#### RELEVANT PLANNING CONTROLS

The site is part of the Point Lonsdale Contributory Area and covered by Schedule 1 to the Vegetation Protection Overlay (VP01) and Schedule 5 to the Design and Development Overlay (DD05)

##### Design Considerations

- \* To encourage native coastal vegetation species.
- \* To encourage the use of appropriate building materials.
- \* To encourage appropriate site coverage.
- \* To discourage buildings dominating the horizon.
- \* To encourage building form and scale to reflect predominate patterns.

#### CLAUSE 55. 02-1 NEIGHBOURHOOD CHARACTER

THE NEIGHBOURHOOD CHARACTER OF THE SUBJECT SITE AND SURROUNDING AREA.

The dwellings vary from brick veneer styles to 60-70's holiday houses with tile or colorbond roofs.

Most dwellings have low front fences and open style gardens.

Roof styles vary from hip and gable to low pitched.

The surrounding area has a high level of holiday houses and an increasing number of new modern dwellings.

The site is within walking distance of the shopping centre, restaurants, medical clinic and the beach.

#### CLAUSE 55. 02-4 INFRASTRUCTURE OBJECTIVES

TO ENSURE THAT THE DEVELOPMENT DOES NOT UNREASONABLY OVERLOAD THE CAPACITY OF UTILITY SERVICES AND INFRASTRUCTURE

The development is connected to reticulated services, including reticulated sewerage, drainage, electricity and gas.



CLAUSE 55. 02–5 INTEGRATION WITH THE STREET OBJECTIVE

TO INTERGRATE THE LAYOUT OF THE DEVELOPMENT WITH THE STREET

Proposed development has adequate vehicle and pedestrian links with shops and the street.

The proposed unit faces the new driveway and has its own entrance.

CLAUSE 55. 03 SITE LAYOUT AND BUILDING MASS

CLAUSE 55. 03–1 STREET SETBACK OBJECTIVE

TO ENSURE STREET SETBACKS RESPECT EXISTING NEIGHBOURHOOD CHARACTER

Not applicable.

CLAUSE 55. 03–2 BUILDING HEIGHT OBJECTIVE

TO ENSURE THE HEIGHT OF BUILDINGS RESPECT EXISTING NEIGHBOURHOOD CHARACTER

The proposed unit is approx. 7300 high, 2770 above the adjoining north dwelling.

The second storey is setback 35570 from the front boundary and there would be limited views from the street.

CLAUSE 55. 03–3 SITE COVERAGE OBJECTIVE

TO ENSURE SITE COVERAGE RESPECTS THE EXISTING NEIGHBOURHOOD CHARACTER

Area of site: 838. 5 sqs mts.

Area of dwellings, garages and verandahs : 351. 7. 4 sq. mts  
(42% site coverage)

55. 03–4 PERMEABILITY OBJECTIVES

TO REDUCE THE IMPACT OF INCREASED STORMWATER RUN–OFF ON THE DRAINAGE SYSTEM

Area of site: 838. 5 sqs mts.

Area of buildings, paving and driveway : 550. 7 sq mts

Area of impervious surfaces: 66% site coverage

CLAUSE 55. 03–5 ENERGY EFFICIENCY OBJECTIVES

TO ACHIEVE AND PROTECT ENERGY EFFICIENT DWELLINGS

The existing and proposed dwelling have living areas with north solar access.



CLAUSE 55. 03-6 OPEN SPACE OBJECTIVE

TO INTEGRATE THE LAYOUT OF THE DEVELOPMENT WITH PUBLIC AND COMMUNAL OPEN SPACE IN OR ADJACENT TO THE DEVELOPMENT.

Each dwelling has its own driveway and crossing.

CLAUSE 55. 03-7 SAFETY OBJECTIVE

TO ENSURE THE LAYOUT OF THE DEVELOPMENT PROVIDES FOR THE SAFETY OF RESIDENTS

The proposed unit faces the new driveway and the entrance can be clearly seen.

CLAUSE 55. 03-8 LANDSCAPING OBJECTIVES

OF THE NEIGHBOURHOOD

Spreading indigenous trees and native plants are to be planted around the proposed dwelling. Refer to landscape plan.

CLAUSE 55. 03-9 ACCESS OBJECTIVES

TO ENSURE VEHICLE ACCESS TO AND FROM A DEVELOPMENT IS SAFE, MANAGEABLE AND CONVENIENT.

All vehicles can be clearly seen leaving and entering the site at all times.

CLAUSE 55. 03-10 PARKING LOCATION OBJECTIVES

TO PROVIDE CONVENIENT PARKING FOR RESIDENTS AND VISITOR VEHICLES

The new dwelling has an adjoining single garage and a carspace in the driveway.

The existing dwelling has a double garage and carspaces in the driveway.

CLAUSE 55. 03-11 PARKING PROVISION OBJECTIVES

TO ENSURE THAT CAR AND BICYCLE PARKING FOR RESIDENTS AND VISITOR IS APPROPRIATE

The new dwelling has an adjoining single garage and a carspace in the driveway.

The existing dwelling has a double garage and carspaces in the driveway. Storage areas provide room for bicycles.



CLAUSE 55. 04 AMENITY IMPACTS

CLAUSE 55. 04-1 SIDE AND REAR SETBACKS OBJECTIVE

TO ENSURE THAT THE HEIGHT AND SETBACK OF A BUILDING FROM A BOUNDARY RESPECTS EXISTING OR PREFERRED NEIGHBOURHOOD CHARACTER

The new dwelling has a side setback of 2500 and a rear setback of 3140.

CLAUSE 55. 04-2 WALLS ON THE BOUNDARIES OBJECTIVE

TO ENSURE THAT THE LOCATION, LENGTH AND HEIGHT OF A WALL ON A BOUNDARY RESPECTS THE EXISTING OR PREFERRED NEIGHBOURHOOD CHARACTER AND LIMITS THE IMPACT ON THE AMENITY OF EXISTING DWELLINGS

The proposed garage is on the internal new boundary providing a noise buffer and privacy for the existing dwelling's private open space.

CLAUSE 55. 04-3 DAYLIGHT TO EXISTING WINDOWS OBJECTIVE

TO ALLOW ADEQUATE DAYLIGHT INTO EXISTING HABITABLE ROOM WINDOWS

There are no existing windows affected by the proposed dwelling.

CLAUSE 55. 04-4 NORTH-FACING WINDOWS OBJECTIVE

TO ALLOW ADEQUATE SOLAR ACCESS TO EXISTING NORTH-FACING HABITABLE ROOM WINDOWS

There are no existing north facing windows affected by the proposed dwelling.

CLAUSE 55. 04-5 OVERSHADOWING OPEN SPACE OBJECTIVE

TO ENSURE BUILDINGS DO NOT SIGNIFICANTLY OVERSHADOW EXISTING SECLUDED PRIVATE OPEN SPACE

There is no significant overshadowing of adjoining sites.

The 3 pm shadow from the proposed dwelling falls across the existing residence's open space but there is unshaded areas along the north driveway boundary.

CLAUSE 55. 04-6 OVERLOOKING OBJECTIVE

TO LIMIT VIEWS INTO EXISTING SECLUDED PRIVATE OPEN SPACE AND HABITABLE ROOM WINDOWS

Overlooking from the ground floor windows can be restricted by screening along fence lines.

Overlooking from the first floor windows falls on the south adjoining rear yard.

All first floor windows facing the existing dwelling have no clear glazing below 1700 above fl.



CLAUSE 55. 04-7 INTERNAL VIEWS OBJECTIVE  
TO LIMIT VIEWS INTO SECLUDED PRIVATE OPEN SPACE AND HABITABLE  
ROOM WINDOWS WITHIN THE DEVELOPMENT  
All first floor windows facing the existing dwelling have no clear glazing  
below 1700 above fl.

CLAUSE 55. 04-8 NOISE IMPACTS OBJECTIVES  
TO CONTAIN NOISE SOURCES IN DEVELOPMENTS THAT AFFECT EXISTING  
DWELLINGS  
The existing dwelling's private open space is separated by the driveway  
and the proposed garage.

CLAUSE 55. 05 AMENITY AND FACILITIES  
CLAUSE 55. 05-1 ACCESSIBILITY OBJECTIVE  
TO ENCOURAGE THE CONSIDERATION OF THE NEEDS OF PEOPLE WITH  
LIMITED MOBILITY  
The proposed dwelling is accessible for people with disabilities on the  
ground floor area.

CLAUSE 55. 05-2 DWELLING ENTRY OBJECTIVE  
TO PROVIDE EACH DWELLING WITH ITS OWN SENSE OF IDENTITY  
The new dwelling's entry is visible and easily identifiable from the  
driveway.

CLAUSE 55. 05-3 DAYLIGHT TO NEW WINDOWS OBJECTIVE  
TO ALLOW ADEQUATE DAYLIGHT INTO NEW HABITABLE ROOM WINDOWS  
Habitable room windows are a min. distance of 2500 from the boundary  
and living room windows face north.

CLAUSE 55. 05-4 PRIVATE OPEN SPACE OBJECTIVE  
TO PROVIDE ADEQUATE OPEN SPACE FOR REASONABLE RECREATION  
AND SERVICE NEEDS OF RESIDENTS  
Both dwellings have recreation areas off living rooms.  
Min. width 4500



CLAUSE 55. 05-5 SOLAR ACCESS TO OPEN SPACE OBJECTIVE  
TO ALLOW SOLAR ACCESS INTO SECLUDED PRIVATE OPEN SPACE OF  
NEW BUILDINGS

Both dwellings have north facing recreation areas off living rooms.

CLAUSE 55. 05-6 STORAGE OBJECTIVE

TO PROVIDE ADEQUATE STORAGE FACILITIES FOR EACH DWELLING

The existing residence has a double garage and the new dwelling has  
a store area in the proposed garage.

CLAUSE 55. 06 DETAILED DESIGN

CLAUSE 55. 06-1 DESIGN DETAIL OBJECTIVE

TO ENCOURAGE DESIGN DETAIL THAT RESPECTS THE EXISTING OR PREFERRED  
NEIGHBOURHOOD CHARACTER

The proposed residence has a high pitched roof, large doors off the living  
area and a flat roofed verandah to protect the doors.  
Large areas of north facing windows for solar access.

CLAUSE 55. 06-2 FRONT FENCE OBJECTIVE

TO ENCOURAGE FRONT FENCE DESIGN THAT RESPECTS THE EXISTING OR  
PREFERRED NEIGHBOURHOOD CHARACTER

No front fence is proposed.

CLAUSE 55. 06-3 COMMON PROPERTY OBJECTIVES

TO ENSURE THAT COMMUNAL OPEN SPACE, CAR PARKING, ACCESS AND  
SITE FACILITIES ARE PRACTICAL, ATTRACTIVE AND EASILY MAINTAINED

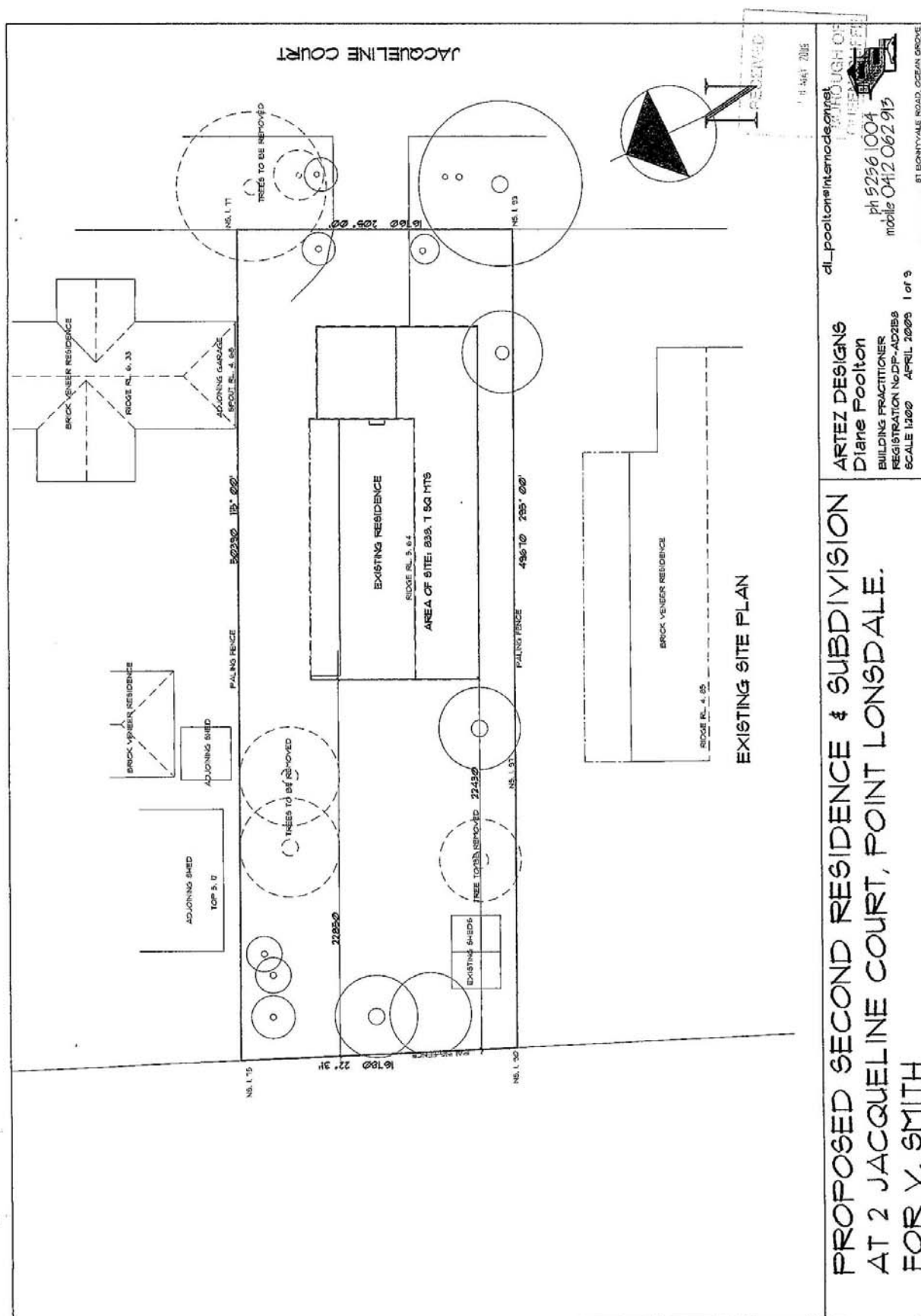
The new driveway is to be concrete with planting along the edge.

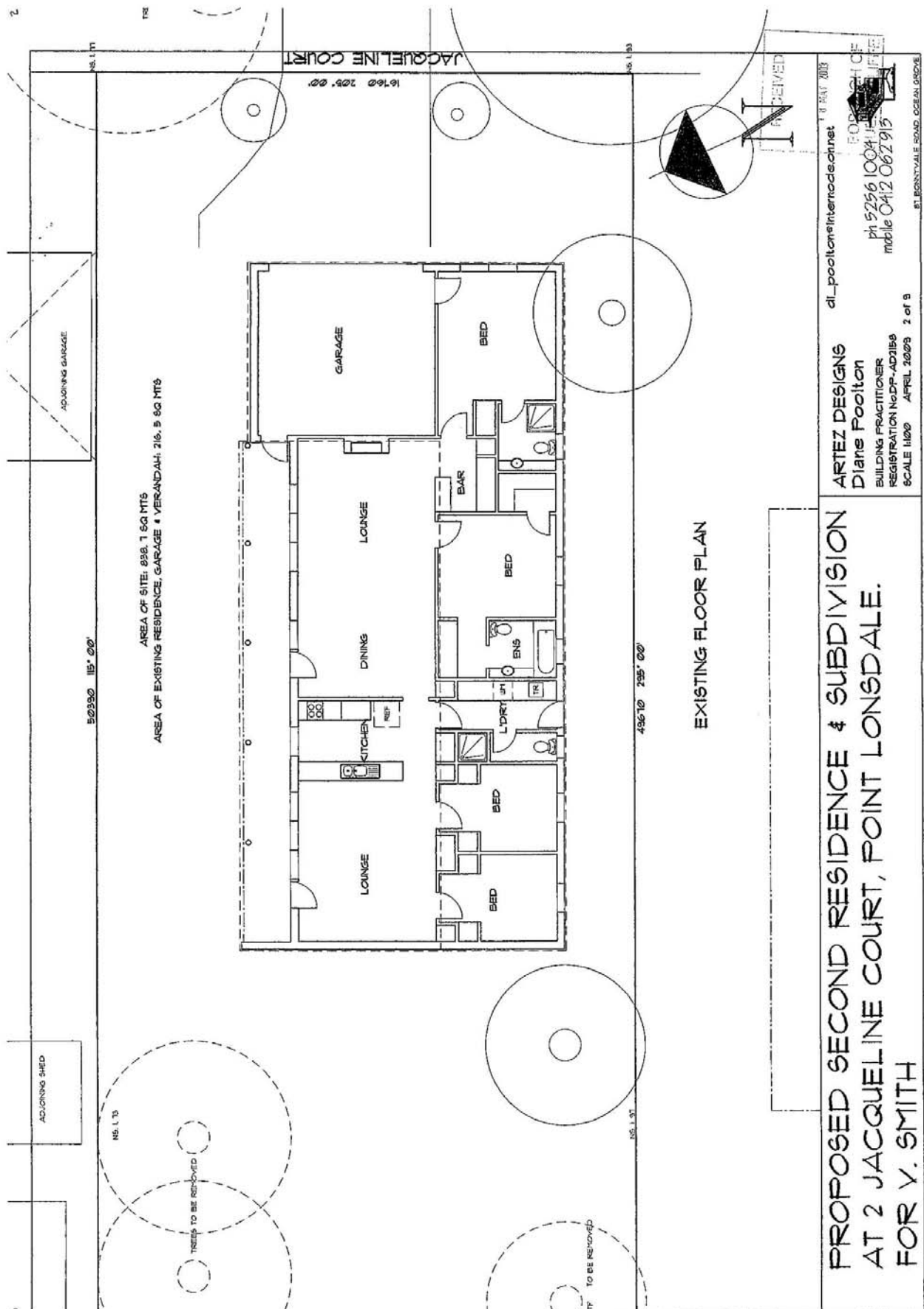
CLAUSE 55. 06-4 SITE SERVICES OBJECTIVES

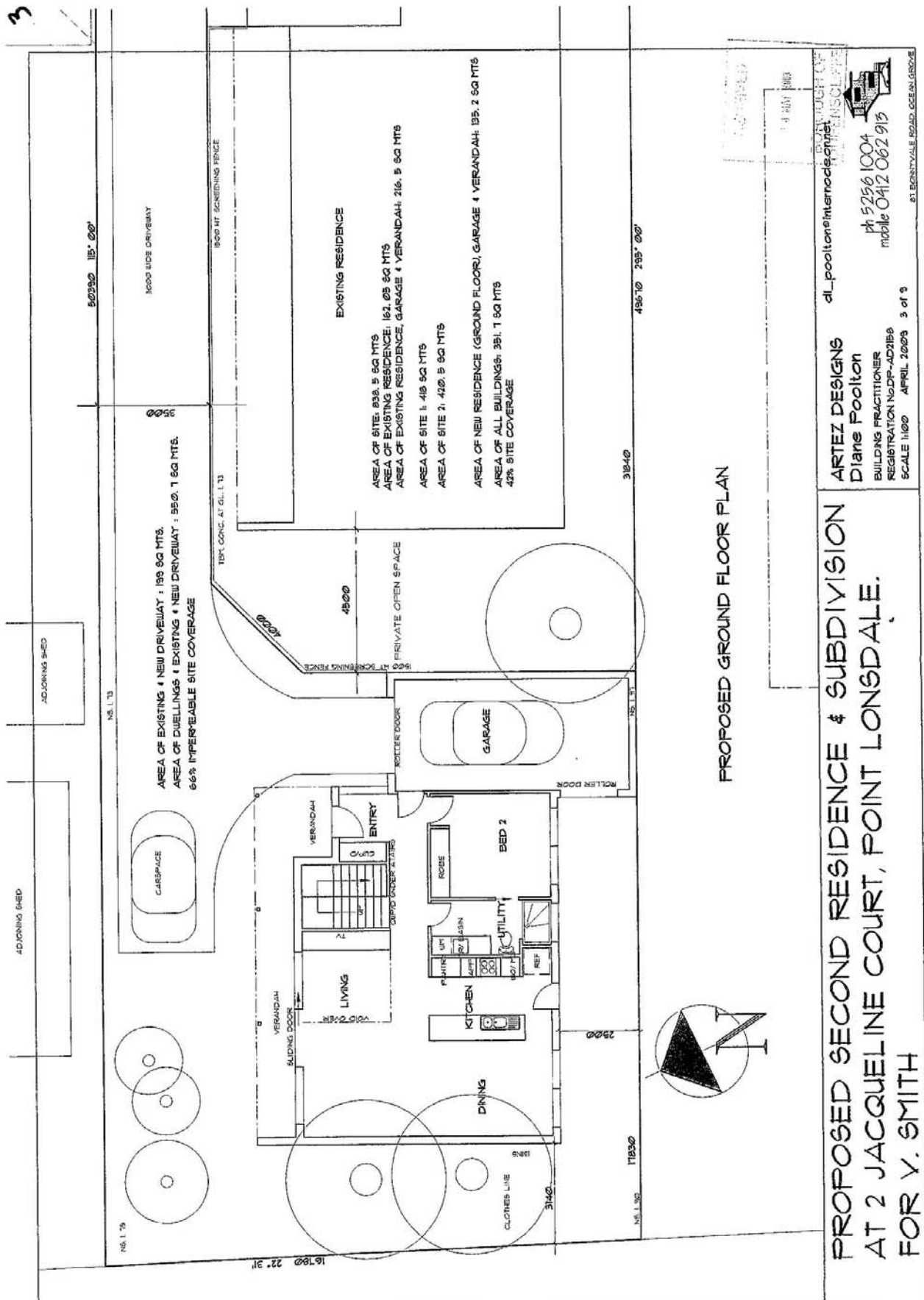
TO ENSURE THAT SITE SERVICES CAN BE INSTALLED AND EASILY MAINTAINED

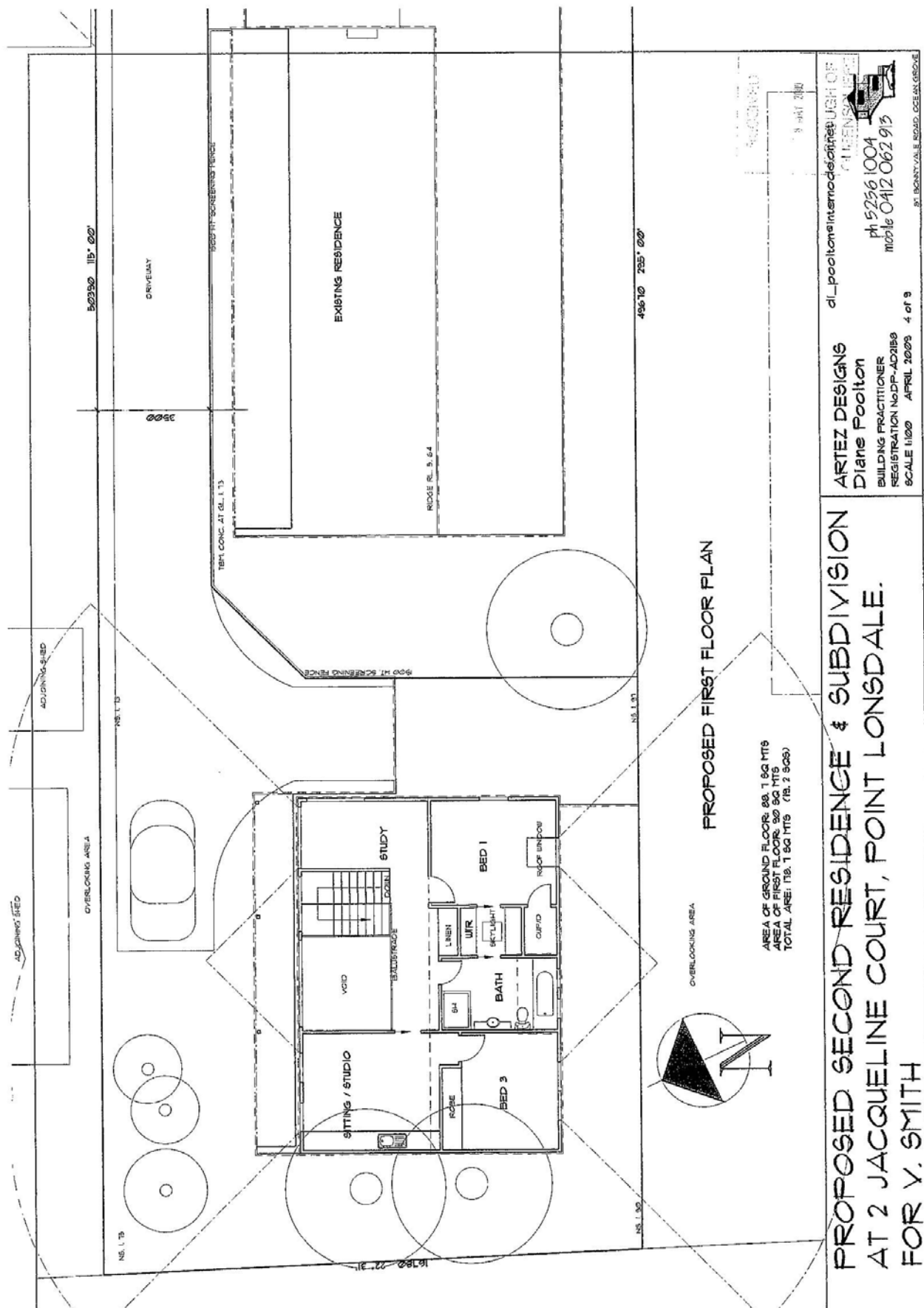
TO ENSURE THAT SITE FACILITIES ARE ACCESSIBLE, ADEQUATE AND ATTRACTIVE

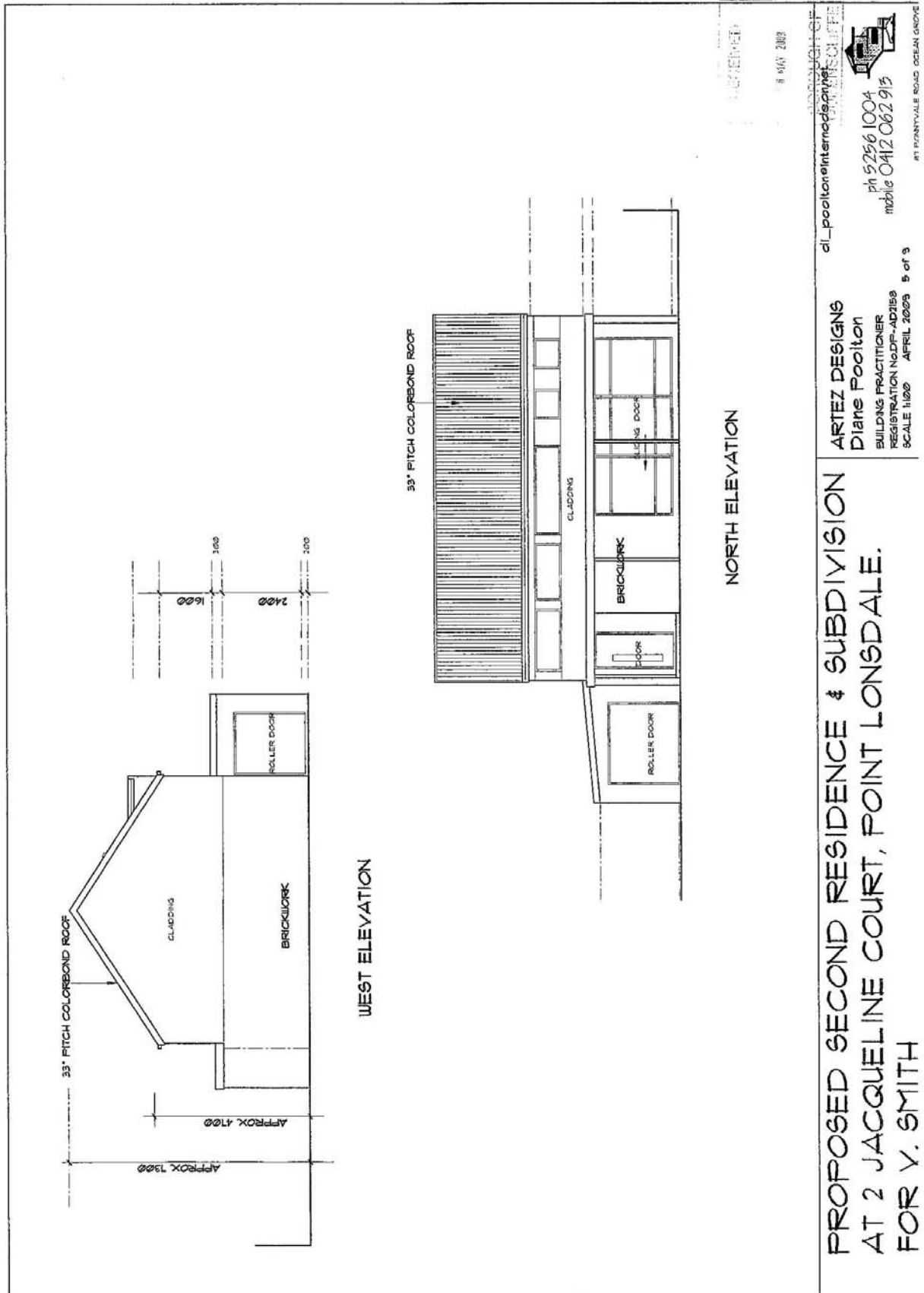
Both dwellings have mailboxes facing the street and easily accessible.



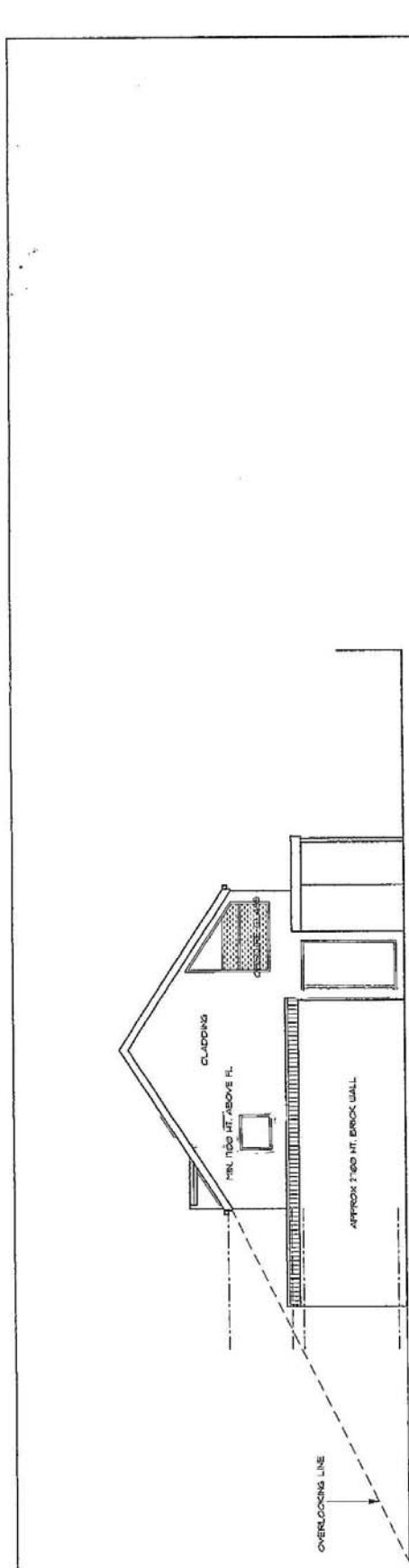
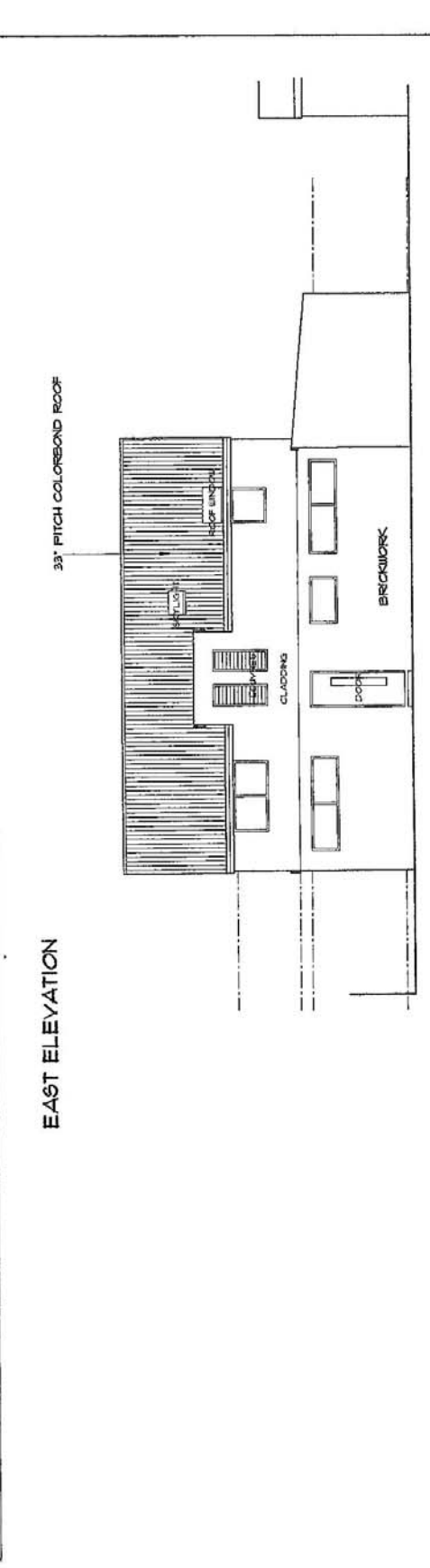



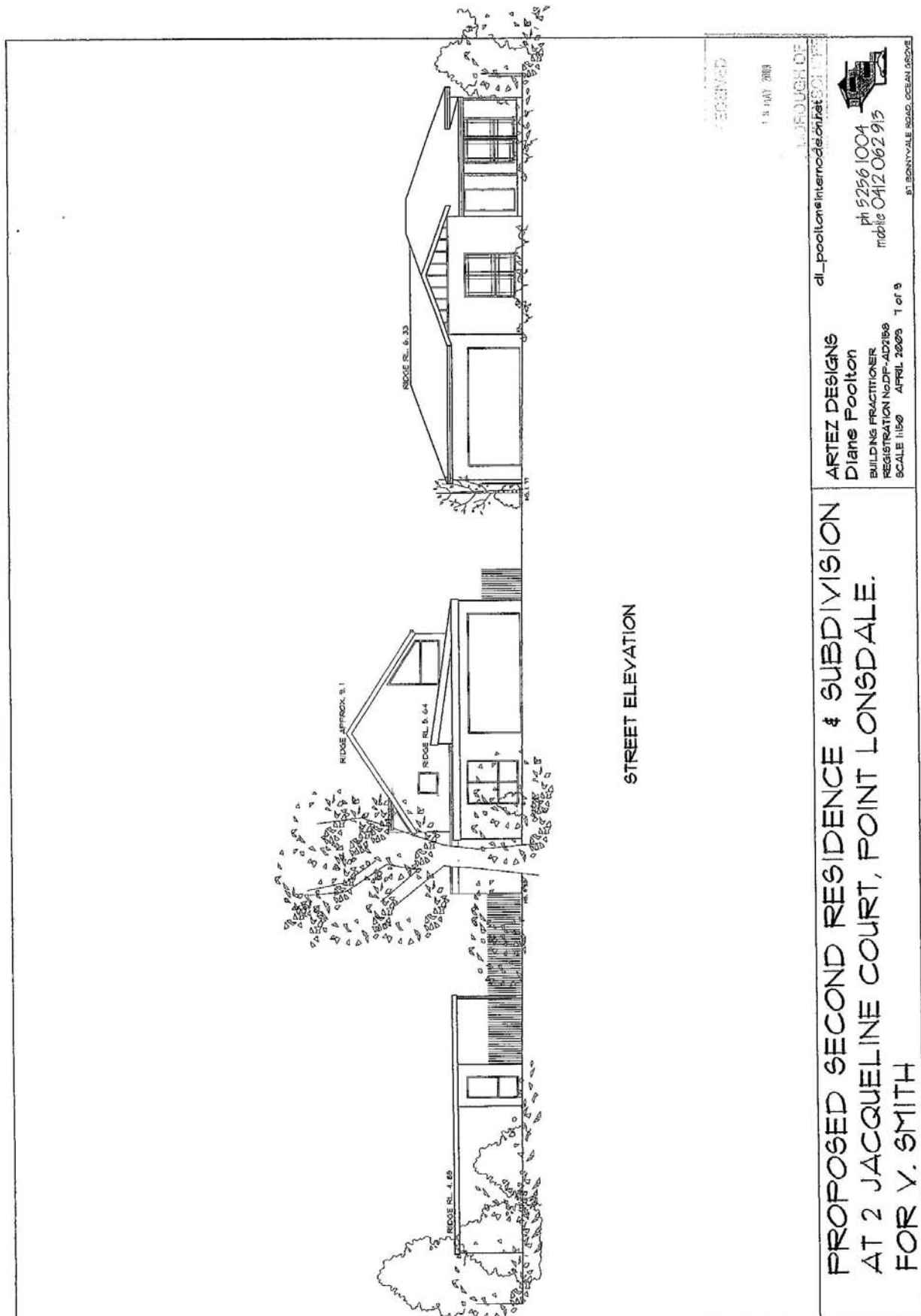


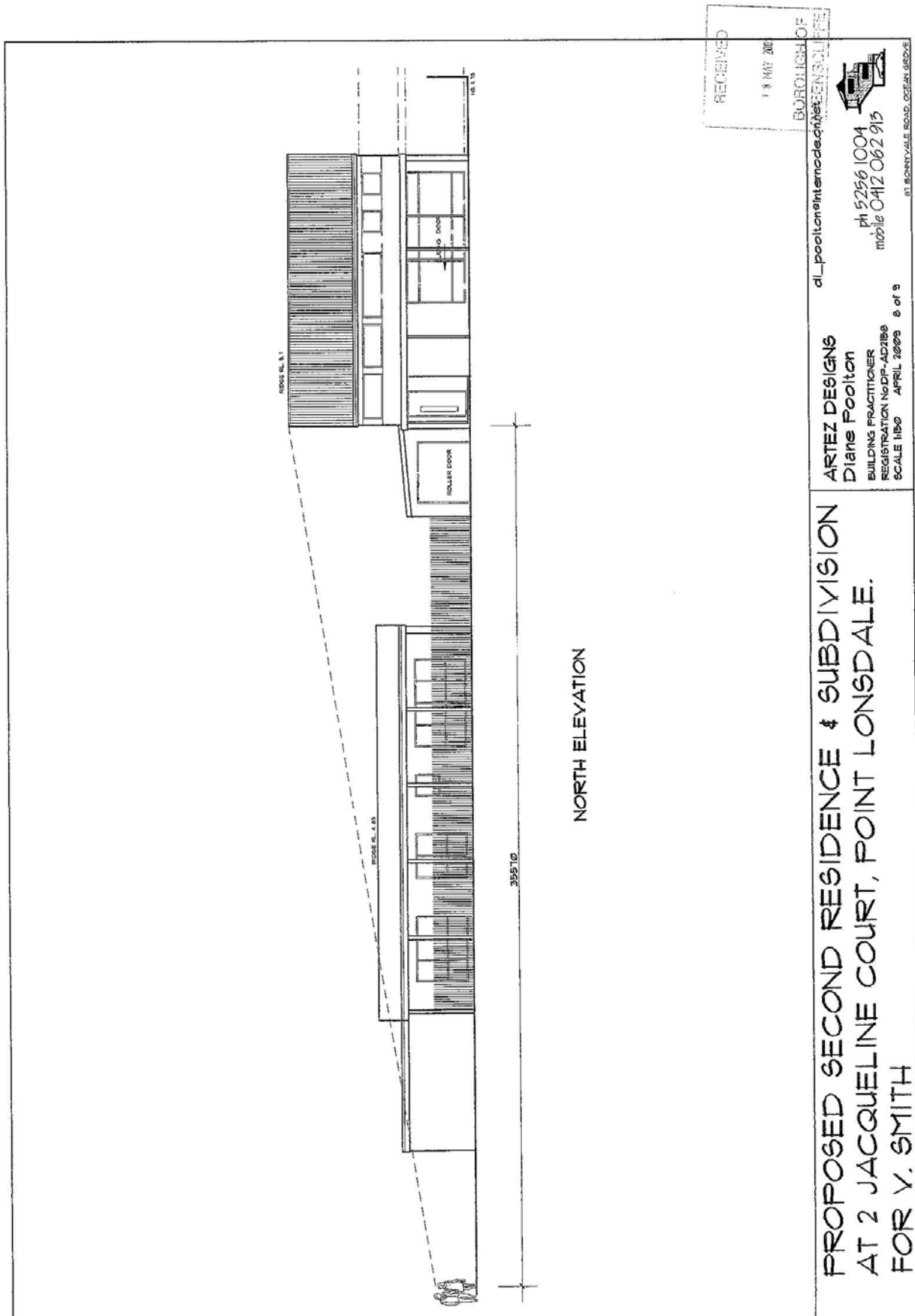






|  |  |   |
|--|--|---|
|  | <p><b>EAST ELEVATION</b></p>  | <p><b>SOUTH ELEVATION</b></p> <p>RECEIVED<br/>14 MAY 2009<br/>BOROUGH OF QUEENSCLIFFE</p> <p>dl_poollan@internode.on.net</p> <p><b>ARTEZ DESIGNS</b><br/>Diane Poollan<br/>BUILDING PRACTITIONER<br/>REGISTRATION NO. DP-AD218<br/>SCALE 1:100 APRIL 2009 6 of 9</p> <p>ph 5256 1004<br/>mobile 0412 062 913</p>  <p>ST BENTINVALE ROAD, OCEAN GROVE</p> <p><b>PROPOSED SECOND RESIDENCE &amp; SUBDIVISION<br/>AT 2 JACQUELINE COURT, POINT LONSDALE.<br/>FOR V. SMITH</b></p> |
|--|--|---|







## Appendix 8–2 Jacqueline Court, Point Lonsdale

### Info

**From:** PETER VUILLERMIN [PETERV@BarwonHealth.org.au]  
**Sent:** Monday, 22 June 2009 9:11 PM  
**To:** Info  
**Subject:** Objection re planning application for 2 Jacqueline Court Point Lonsdale.

RECEIVED

23 JUN 2009

BOROUGH OF  
QUEENSCLIFFE

Dear Staff,

I write in order to register several objections to the planning application lodged by Ms Smith regarding 2 Jacqueline Court Point Lonsdale (Application Reference Number 2009/47).

The objections are as follows:

**Land coverage:** The proposed subdivision will dramatically alter the proportion of land covered with buildings. As far as I am aware, there are no similar subdivisions of the properties in the envelope between Anderson Street and Jordan Rd. The surrounding blocks all have large gardens, with abundant vegetation. Thus the proposed subdivision is entirely out of character with the surrounding neighbourhood.

**Bulk:** The proposed structure is a 7.3 metre tall double storey dwelling. The adjoining buildings (including our own) are single story. We currently have a view to the northeast of our living area that is mostly comprised of trees. The proposed structure will obscure this view and will represent a substantial bulk of building out of keeping with the surrounding houses.

**Potential for overlooking:** The Western aspect of the proposed double storey dwelling is directly adjacent to our living space and backyard. There is unacceptable potential for overlooking.

**Removal of screening native vegetation:** The proposed development includes the removal of multiple established native trees. Several of these native trees are close to our fence line and provide screening. The established native trees in the area are an important asset that must be protected.

I am categorically opposed to the application in its current form and will pursue legal options if the application is approved.

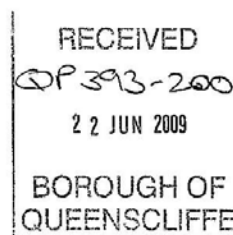
With kind regards,

Peter Vuillermin  
3 Pelham Court  
Point Lonsdale

Dr Peter Vuillermin  
FRACP MBBS BMedSc PhD  
Paediatrician  
Child Health Research Unit, Barwon Health  
Email: [peter.v@barwonhealth.org.au](mailto:peter.v@barwonhealth.org.au)  
Telephone: +61 03 5260 3044 or 0400 071 218  
Fax: +61 5226 7953



4 Jacqueline Court,  
Point Lonsdale,  
Vic. 3225



22.6.09

To:  
**Planning Department,  
Borough of Queenscliffe.**

Objections to second residence and subdivision of 2 Jacqueline Court, Point Lonsdale,  
Ms. V. Smith, Reference 2009/47.

The objections are based on:

1. Overlooking of our property by upstairs windows. Two windows are totally unscreened. Two other windows have louvres which do not necessarily prevent overlooking. The range of overlooking extends over our entire rear garden and over part of our side garden.
2. Overshadowing of our property. This affects our amenity, natural solar heating of our dwelling and light to our garden. Diagrams supplied demonstrating shadowing do not specify the date of the calculations given.
3. Removal of screening trees along the boundary fence on the south side of the development will affect our amenity and increase exposure to the building.
4. The 2.9 metre high garage wall on our boundary is excessive in height and creates overshadowing.
5. Overdevelopment and bulk. A two storey residence at the rear of a Point Lonsdale property is out of keeping with the accepted level of development in the area.
6. Ridge height of 7.3 metres of roof is excessive. There is also a measurement on one diagram indicating 9.1 metres. It is not clear if this is a height or an RL or an error.

Signed for and on behalf of Catherine Robb, Owner.

  
Martin Robb, Spouse.



Received by email  
29-06-2009

710 Drummond St,  
Nth Carlton. 3054  
28/6/09

Michelle Watt  
Senior Planner,  
Borough of Queenscliffe.

Dear Michelle,

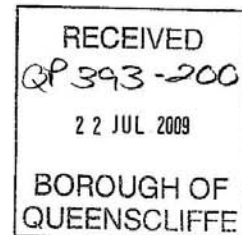
**Re** Application for Planning Permit No 2009/47  
2 Jacqueline Crt, Pt Lonsdale.

I returned from overseas at the end of last week and I am writing to support the objections raised by my husband to the above-mentioned planning permit. We are the neighbours on the South side (4 Jacqueline Crt) and I want to add to the following points:

- **Overlooking.** I note that the windows on the south side are made of obscure glass, but I am unable to find any indication of whether these are both fixed.
- **Overshadowing.** This is my greatest concern as the winter sun is a highly valued aspect of the rear of our property and our house was designed to maximise winter sun and minimise summer sun on our north side. With a two storey building at the rear of 2 Jacqueline Crt, and garage on the boundary, the winter sun would be greatly compromised both within our living room and in our rear garden. The shadow diagrams shown on the application do not indicate time of year and are therefore inadequate. I understand that it is usual that these should be shown for all seasons of the year.
- **Overdevelopment.** Apart from the redevelopment of the old A Frame house at the very beginning of the street, there are no 2 storey dwellings in Jacqueline Crt, and in particular there are none to the rear of properties. This would create an unfortunate precedent. The street does not have a suburban feel to it, but rather has a bush-like/seaside feel to it, which is very precious to us. We live in inner city Melbourne but as for many others in similar situations, our home at Pt Lonsdale has become increasingly important to us as the place we come to for "our backyard" (peace and privacy). We have recently installed large rainwater tanks with a view to establishing a vegetable garden, which will be overshadowed.
- This development would leave the front house at number 2 Jacqueline Crt with a pocket garden at the front only (most of the open area at the front would be hard surface)- site coverage of the front property seems excessive.



I am available for further discussion (0417010823) should  
you wish to contact me,  
Regards,  
Catherine Robb



710 Drummond St,  
Nth Carlton, 3054

22/7/09

Michelle Watt,  
Senior Planner,  
Borough Of Queenscliffe.

Dear Michelle,

Re Application for Planning Permit No 2009/47 - amended plans letter dated 10/7/09

I continue my objections to the proposed 2-storey development located on our north, north/west boundary on the following grounds:

➤ **Over shadowing.** Our house was sited, designed and built approx 25 years ago with a view to maximizing winter sun (large glazing on our north and west side – where living areas are located) and minimizing summer sun (deciduous vine & pergola on north windows, deciduous trees and exterior blinds on west window). Our private open space used for recreation (lawn) is located towards the rear of the property in the north/west corner with the utility areas (veggie garden & clothes line) towards the south side. The proposed 2-storey development certainly impacts significantly on our open space as the new shadow diagrams (21<sup>st</sup> March/ 22<sup>nd</sup> September –Equinox) indicate. The 9 am shadow covers nearly all of the lawn at the back (clothes line and vegetable garden area are excluded). The shadow diagram accompanying the initial plans did not indicate at what time of year these were. The newest plans show shadows at the equinox but shadow diagrams for the winter sun (21<sup>st</sup> June) have **not been provided** and I would ask that these be presented to council and myself.

➤ **Overlooking.** Obscure glazing is fitted up to 1700 in the upstairs windows on the south side, however there is still no indication that these windows are fixed. The north side windows do **not have** obscure-glazing, so overlooking is a problem for the neighbours on the north side of the proposed development.

➤ **Overdevelopment.** This development is not in keeping with the ambience of the area. The aesthetics of this proposed development will not complement the original residence or the streetscape. The houses in the street including the house at number 2 Jacqueline Crt are generally low pitched and nestled amongst the vegetation. There are no other subdivisions with a 2 storey development in the back yard in the area/street. It will also compromise the integrity of the original residence. The letter accompanying the revised plans (July 2009) attempts to justify the development by discussing other possible precedents:

1. The subdivision of the north property. This is a corner block and both the new and the original residences are **single** storey.
2. The height of the "new" house on the corner of Anderson St & Jacqueline Crt. This house has been **rebuilt/renovated** to the height of the **original** "A" frame house. There is no subdivision on this property.

➤ Finally, the bulk of the property will be overpowering for us:

1. The view from our back garden.
2. The view from our lounge (west window).

I am available for further discussion should you wish to contact me (0417010823),

Regards,  
Catherine Robb  
4 Jacqueline Crt,  
Pt Lonsdale



---

**Fiona Hunter-Evans**

---

**From:** Fiona Hunter-Evans  
**Sent:** Wednesday, 15 July 2009 2:00 PM  
**To:** 'Internode'  
**Subject:** 2 Jacqueline Court Point Lonsdale

Di,

The following email has been received by this office today. Please note that this is considered an objection (the third objection on file to this application).

Regards,

Fiona Hunter-Evans  
Technical Officer - Planning  
**Borough of Queenscliffe**

50 Learmonth Street  
PO Box 93  
Queenscliff Vic 3225

Ph: (03) 5258 1377  
Fax: (03) 5258 3315  
[www.queenscliffe.vic.gov.au](http://www.queenscliffe.vic.gov.au)



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If you have received this email in error or have any other concerns regarding its transmission, please notify [info@queenscliffe.vic.gov.au](mailto:info@queenscliffe.vic.gov.au)

Hi Michelle,

Further to my call regarding the above planning application, could a requirement be made that the dividing fence between my property at 27 Anderson St and the development be replaced with a 1800mm vertical paling fence.

The current fence is approx 1200+ high and we believe will offer no privacy from users of the proposed development.

*Regards*

*David Turnour*

16/10 Elaine Crt  
Richmond 3121

## Appendix 9-2 Jacqueline Court, Point Lonsdale

### ARTEZ DESIGNS

Diane Poolton

Building Practitioner No. DP-AD2158  
87 Bonnyvale Road,  
Ocean Grove  
ph. 5256 1004  
mobile 0412 062 913  
di\_poolton@internode.on.net



2 Jacqueline Court,  
Point Lonsdale

July 2009

Changes to Unit design.

1. Unit height is reduced by 1300 and proposed parapet walls are to be 5800 high.

2. No overlooking to properties on the west and south with first storey windows having obscure glass to 1700.

3. Garage reduced in size and moved off the boundary. Verandah changed to slatted pergola reducing the site coverage to 40%.

4. Only one tree on site to be removed.

Refer to tree report which outlines problems with its condition.

The tree in the nature strip has council consent to be removed and the adjoining neighbour has requested its removal for safety issues.

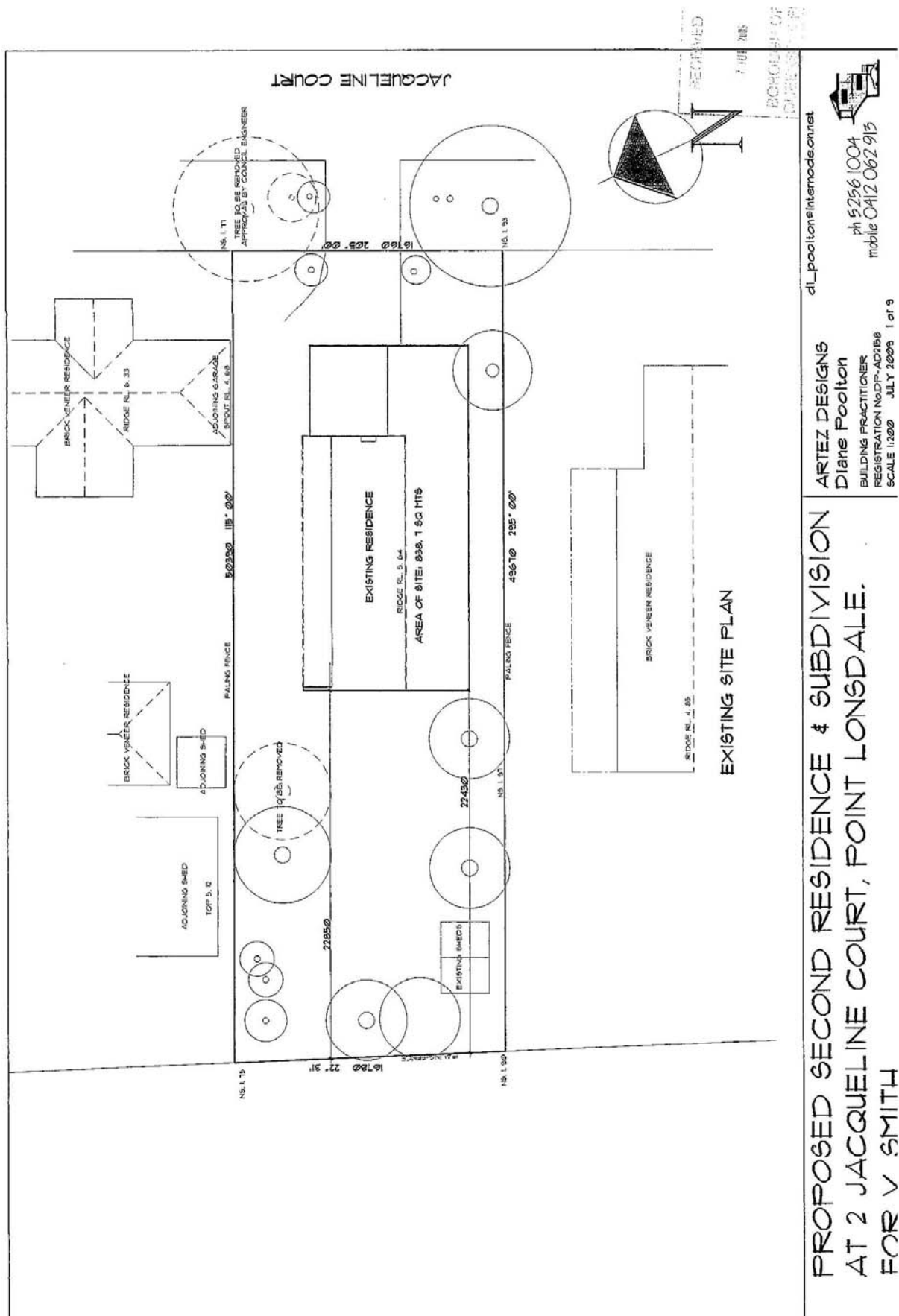
5. Referring to letter from 3 Pelham Court.

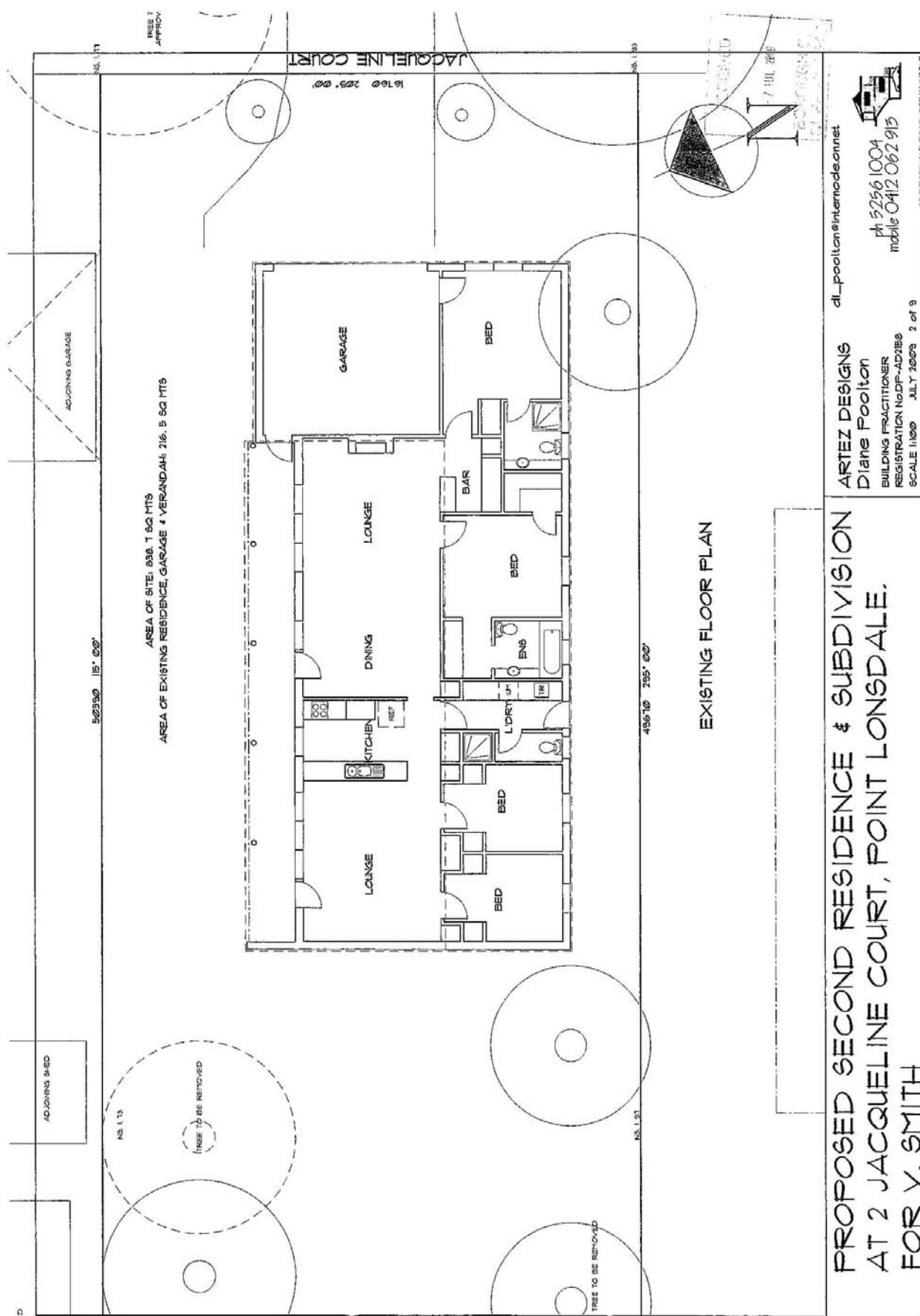
(Surrounding blocks not subdivided) the adjoining north property has been subdivided.

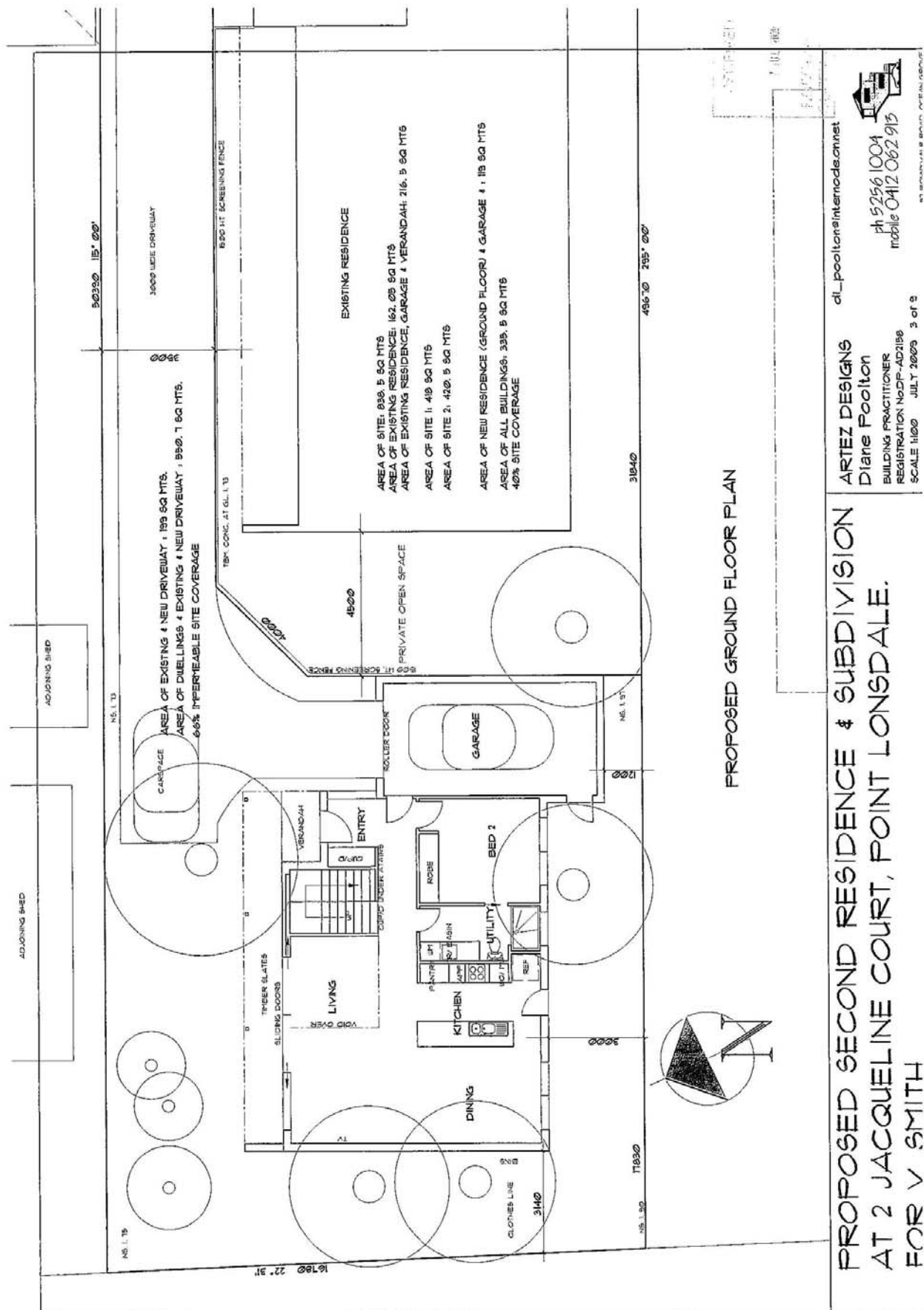
No trees along the west boundary are to be removed so views of the proposed unit would be filtered through the foliage.

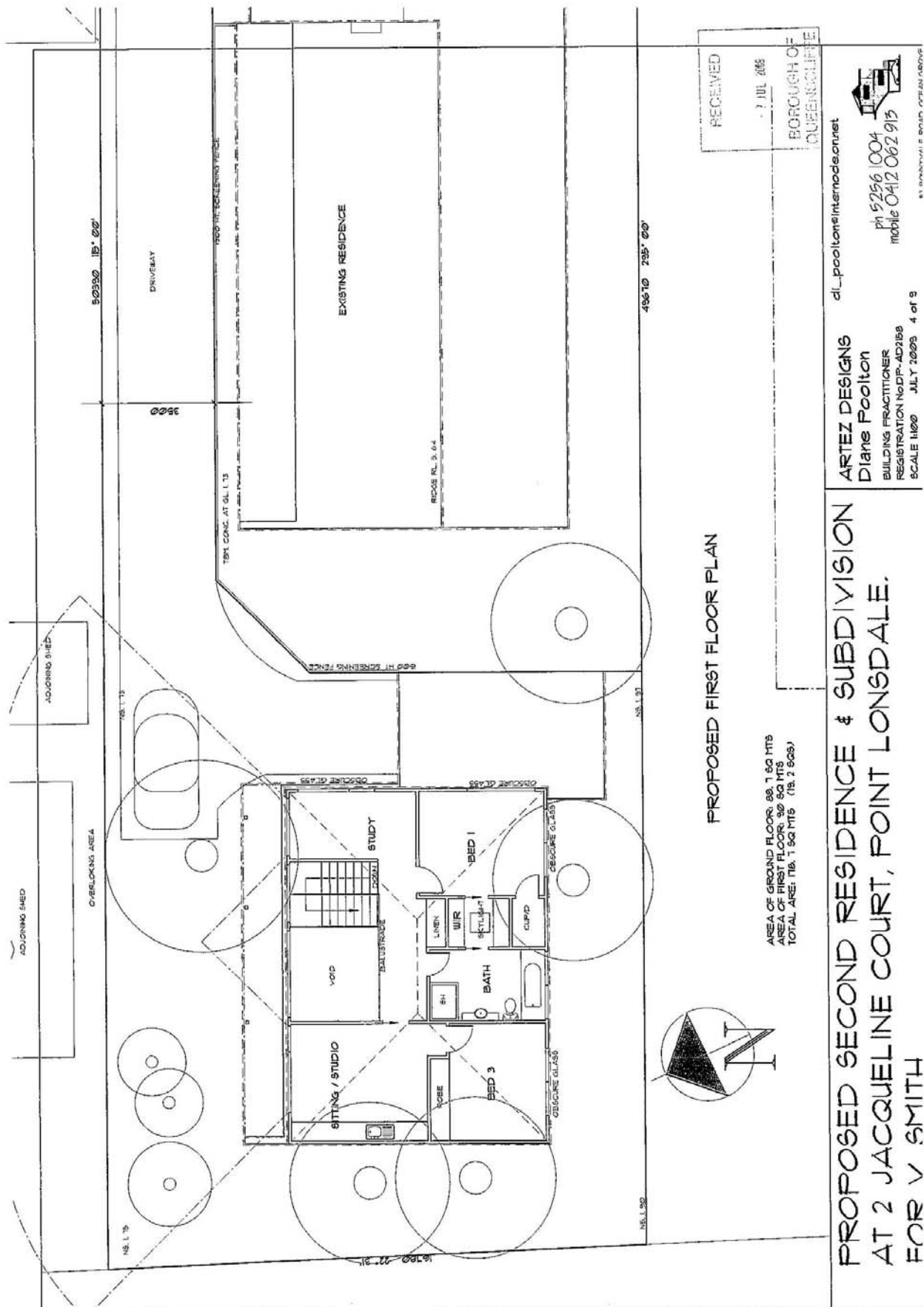
(Objections of bulk and height being inconsistent with the street), the residence on the corner of Jacqueline Court and Anderson Street is higher and has substantially more bulk than the proposed unit.

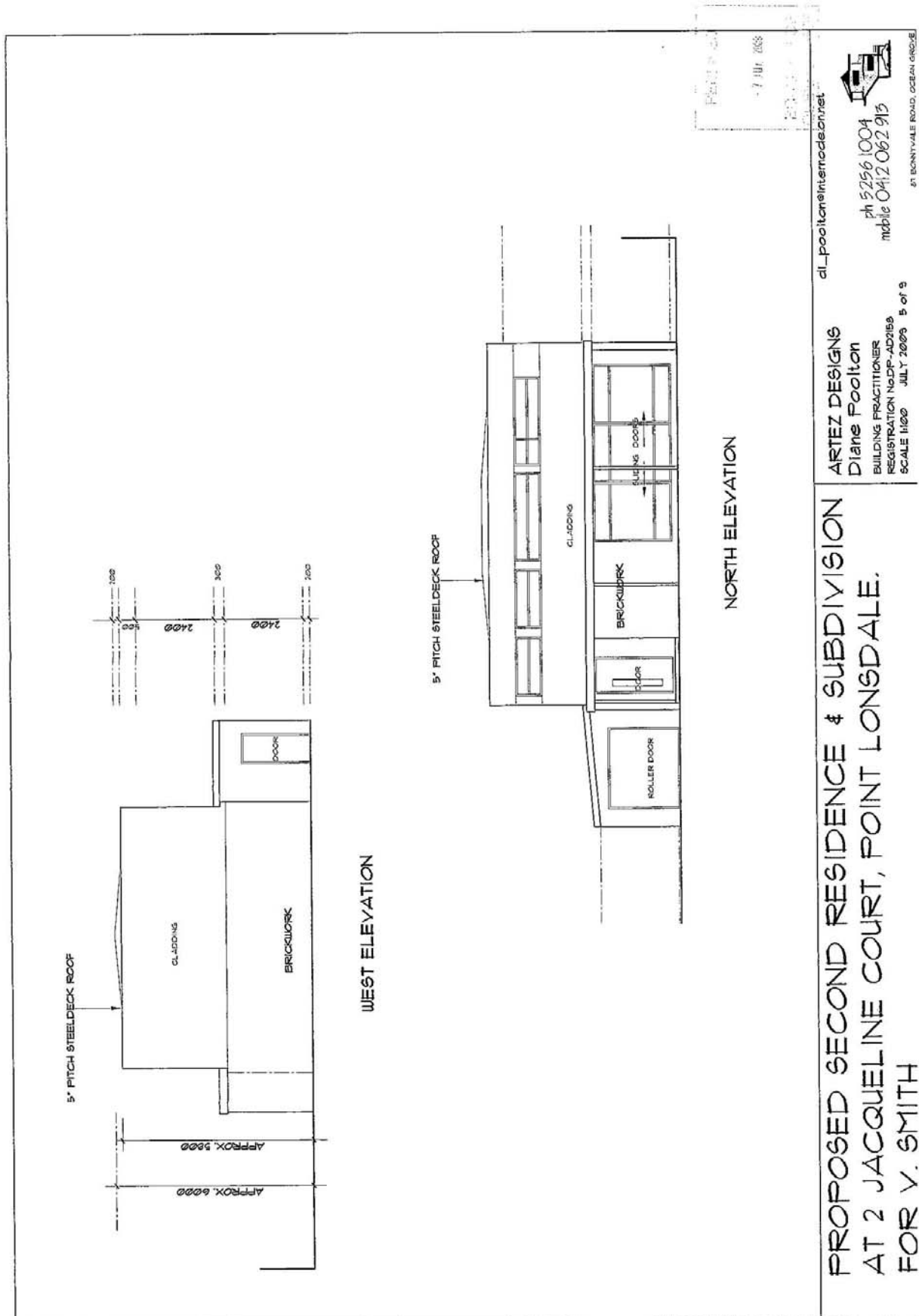
The proposed unit meets the council requirements and has limited views from the street.

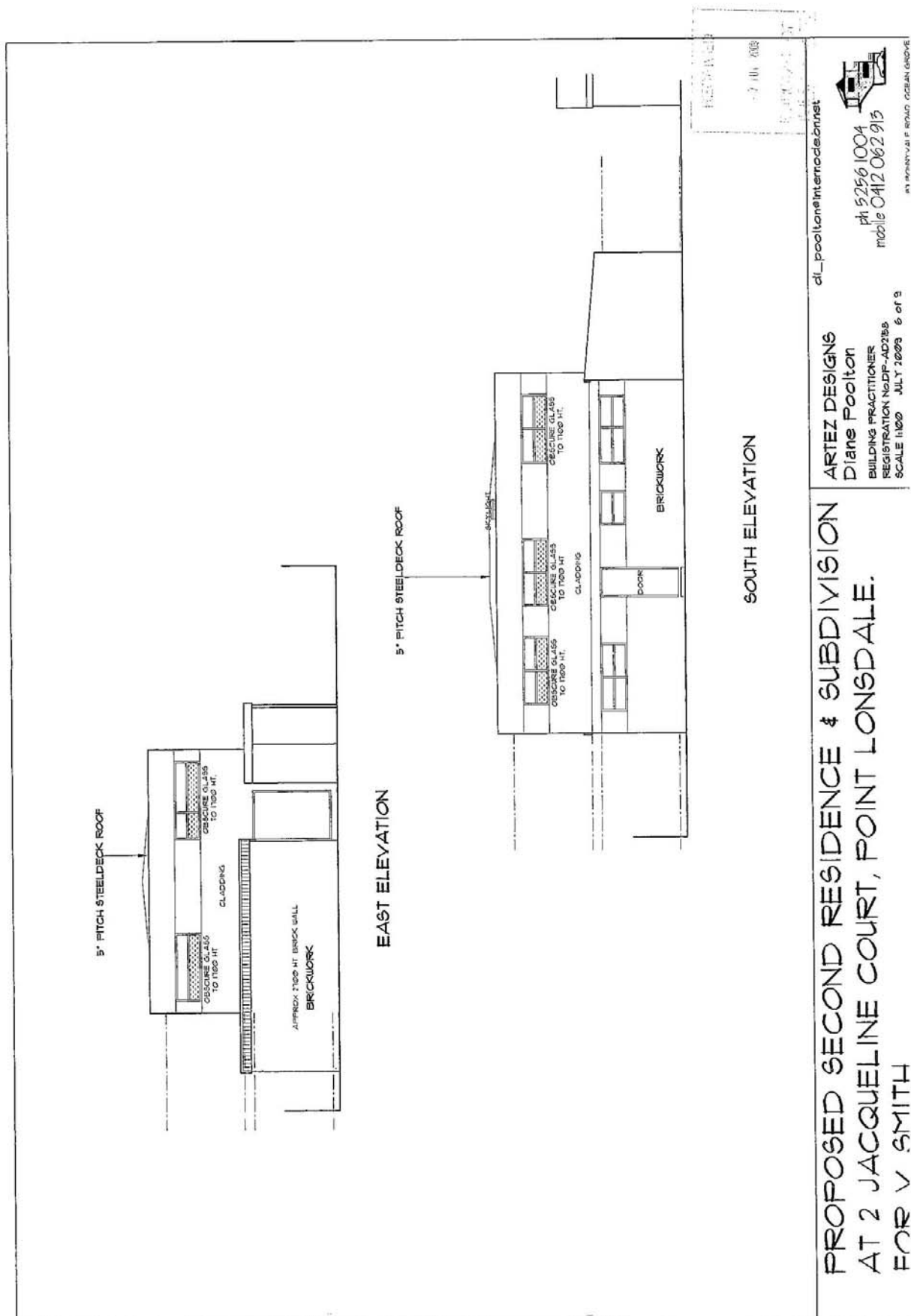


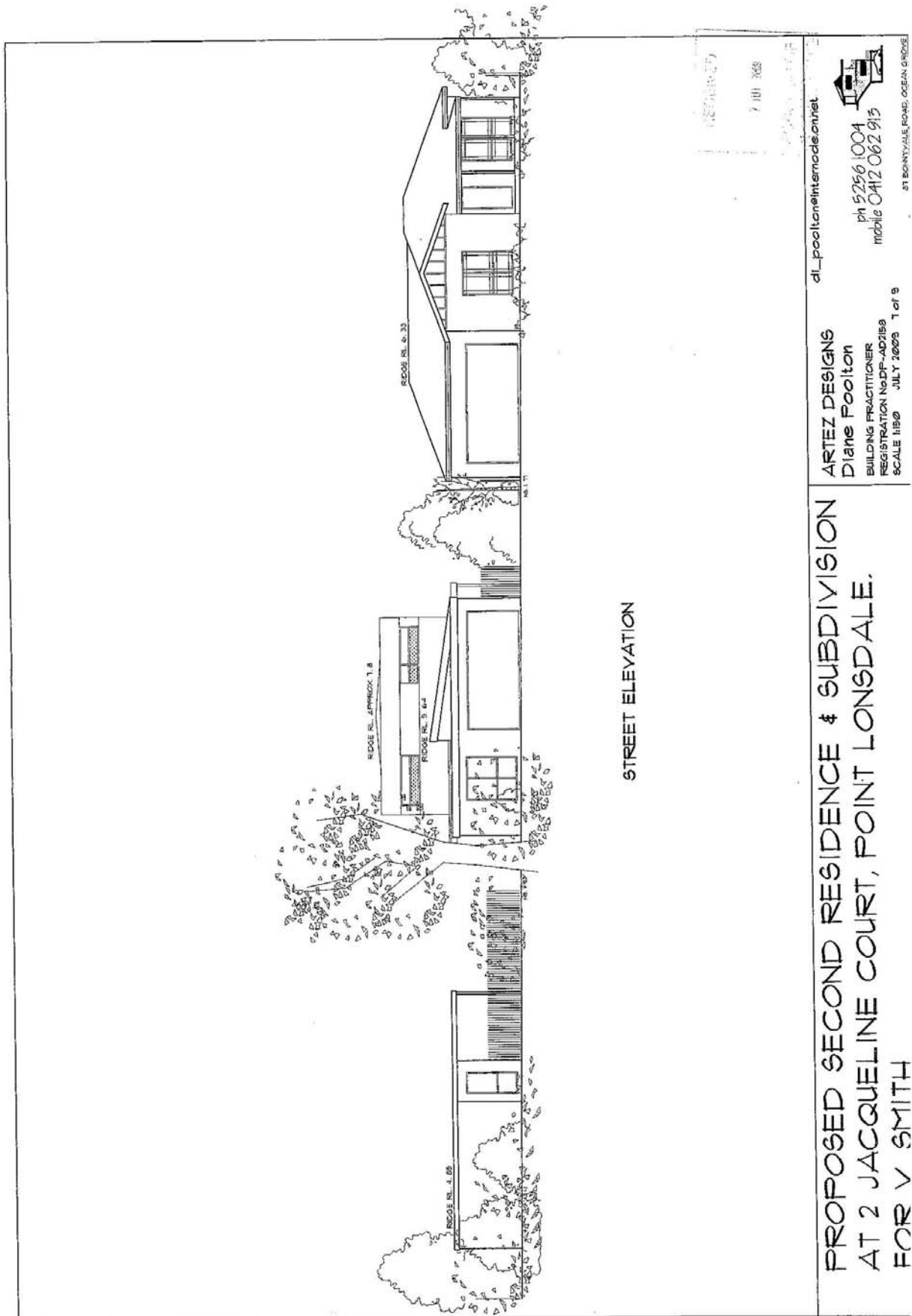


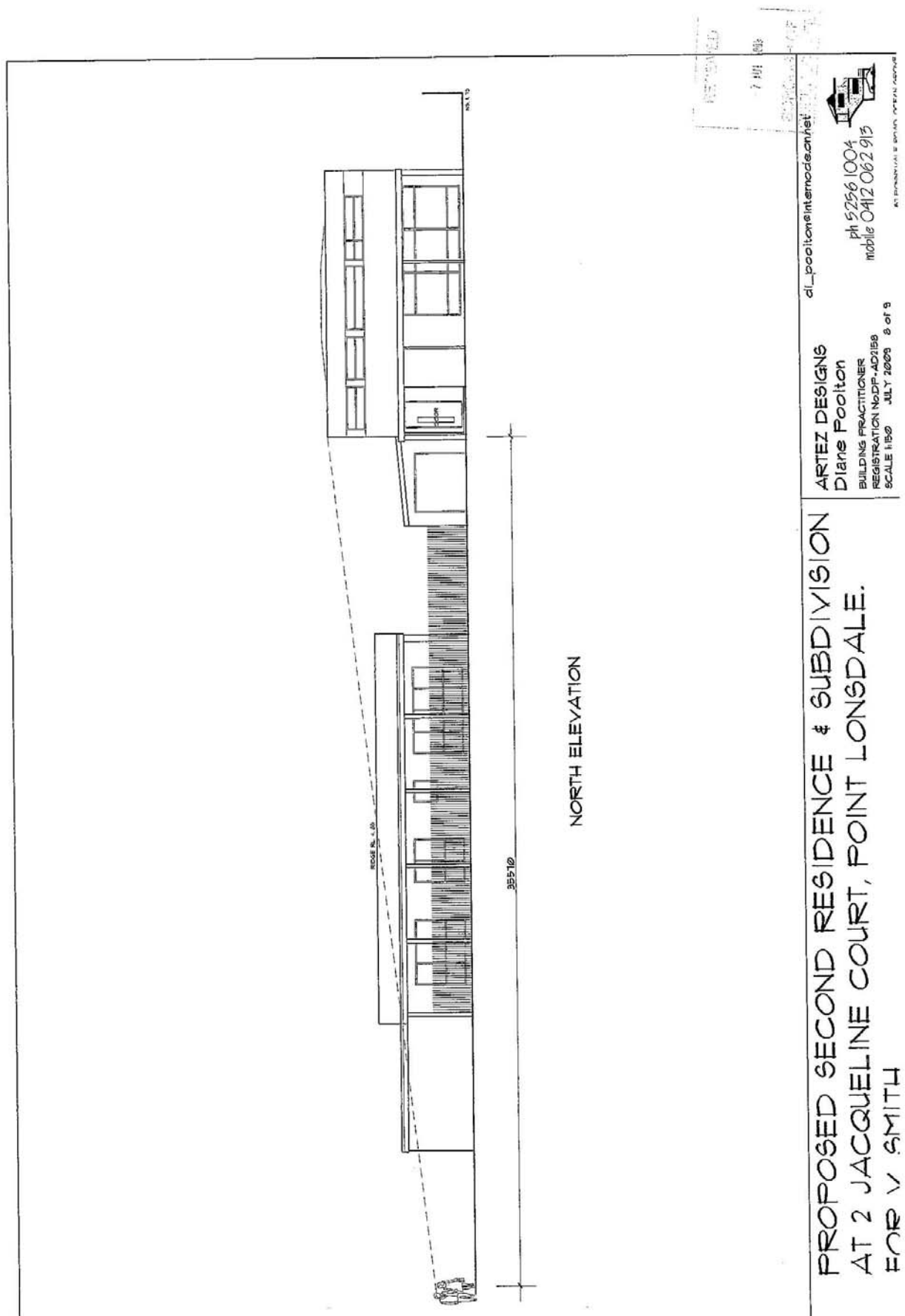














#### 4.1 ITEM 10.5 8 ELIZABETH STREET, POINT LONSDALE

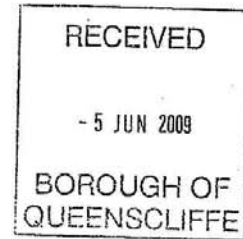
Planning Permit Application: 2009/061

##### SUMMARY

|                            |  |
|----------------------------|--|
| <b>Proposal</b>            | <p>The development of a dwelling (two storey up to 8.5 metres) and front fence, variation to the setback requirements of the DDO4 and removal of native vegetation.</p> <p>Refer Appendix 10</p> |
| <b>Zone/Overlays</b>       | <p>Residential 1 Zone<br/>Vegetation Protection Overlay Schedule 1<br/>Design and Development Overlay Schedule 4</p>   |
| <b>Permit Triggers</b>     | <p>Clause 42.02-2<br/>Clause 43.02-2</p>   |
| <b>Public Notification</b> | <p>Advertised by registered post to adjoining property owners, a notice on site for 14 days, a notice in municipal offices and a notice in The Echo newspaper.</p>                               |
| <b>Submissions</b>         | <p>1</p> <p>Refer Appendix 11</p>  |
| <b>Key Issues</b>          | <p>Not in keeping with streetscape<br/>Privacy/Overlooking<br/>Building mass<br/>Overshadowing<br/>Non compliance with building codes</p>  |



## Appendix 10–8 Elizabeth Street, Point Lonsdale



### APPLICATION FOR PLANNING APPROVAL

**Demolish the existing two storey house and construct a new two storey residence**

**No 8 Elizabeth Street, Point Lonsdale.**

OWNER – Tracey Blundy.  
DESIGNER - A Thoms Building Designs,  
261 Rhinds Road, Wallington. Ph. 52503133.  
BUILDER – O'Dowd Design and Construction  
Cnr. Fellows Road and McNaught Street, Point Lonsdale. Ph. 52581634

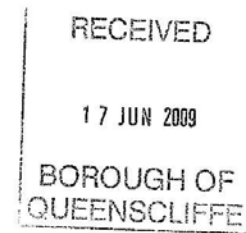
#### Documents included:-

Existing Site plan.  
Site plan.  
Ground floor plan.  
Upper floor plan.  
Elevations.  
Overlooking diagram.  
Shadow diagram.



QP-150-800

2



### **Site Context**

Elizabeth Street is typical of Old Point Lonsdale, in that there is plentiful street vegetation with a variety of housing styles and sizes. There is a two storey house to be removed from the double block. The site is relatively flat, but falling one meter in the north east corner. There are several mature trees and one enormous tree on the site to remain. Surrounding development is typical of this area of Point Lonsdale in that houses are varied in style, era and materials. A single storey pitched roof, with a flat roof upper addition, weatherboard & cement sheet clad house lies to the east, while a part two storey brick veneer house with pitched tiled roof is located to the west.

The proposed house is designed around the existing tree to the north and Ti trees to the east, while still making the most of the north orientation and bay view's to the east.

Materials proposed are vertical hardwood cladding, rough rendered brick, timber windows and corrugated skillion roofs.

### **Building Height**

The majority of the building has a height of less than 8.0m. The land falls away in the North East corner which makes one portion of the skillion roof 8.5m., the maximum allowable in this area. We have sloped the high point of the skillion roof in this area away from the neighbour on the east side to lessen the height of the building from their side.

### **Building Setback**

The proposed street setback is to be 7.955 metres, greater than the allowable average of 7.62 m. The house to the east has a street setback of 10.23 m and the house to the west 5.0 m. The side setbacks are 2.766 m and 3.73 m with a 4.455 m rear setback all well within the required height to boundary setback rules. There are no walls on boundaries.

### **Permeable Surface Area**

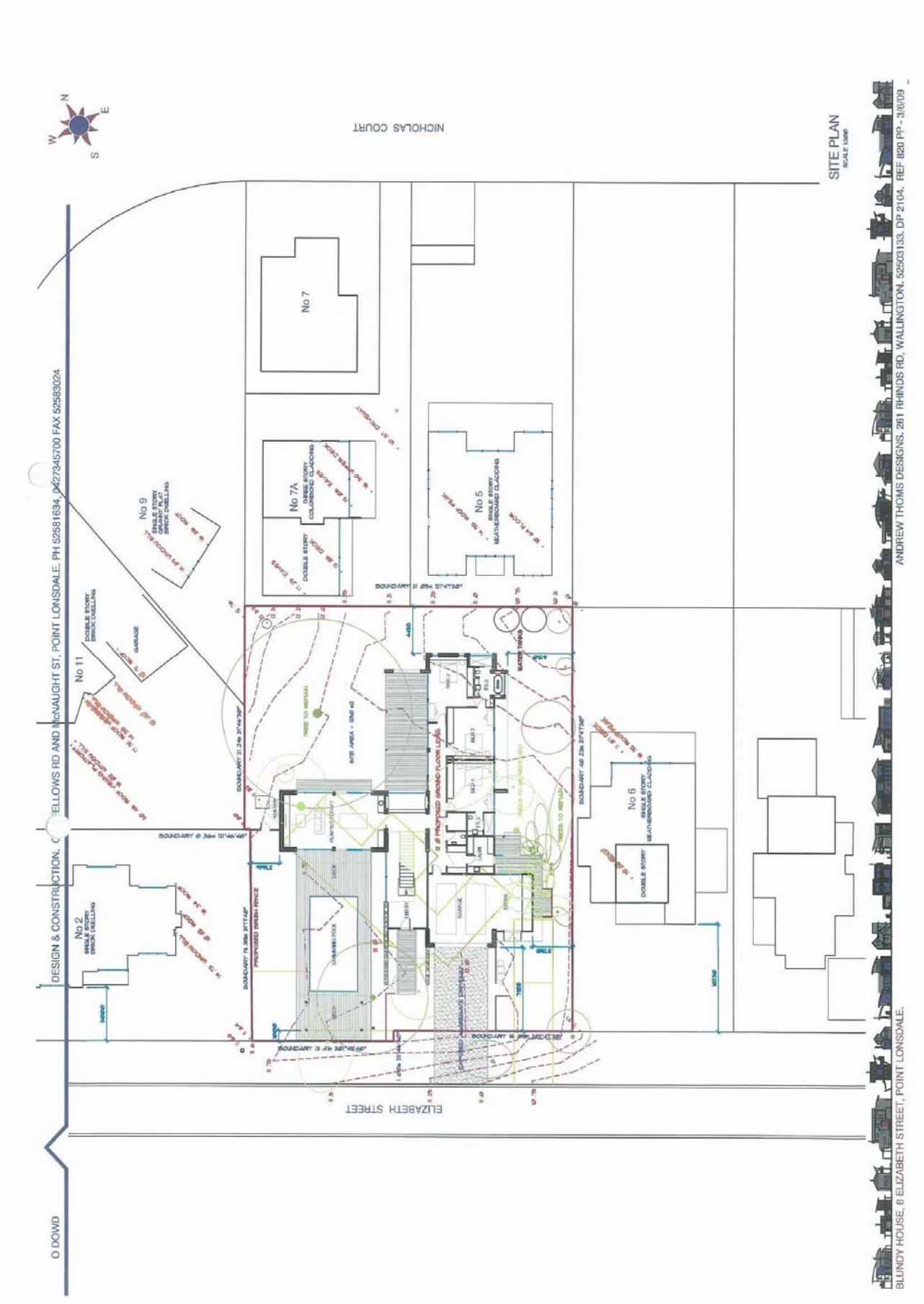
55 % of the site is not covered by impervious surfaces. (House, drive, pool & decking). In excess of the 30% required.

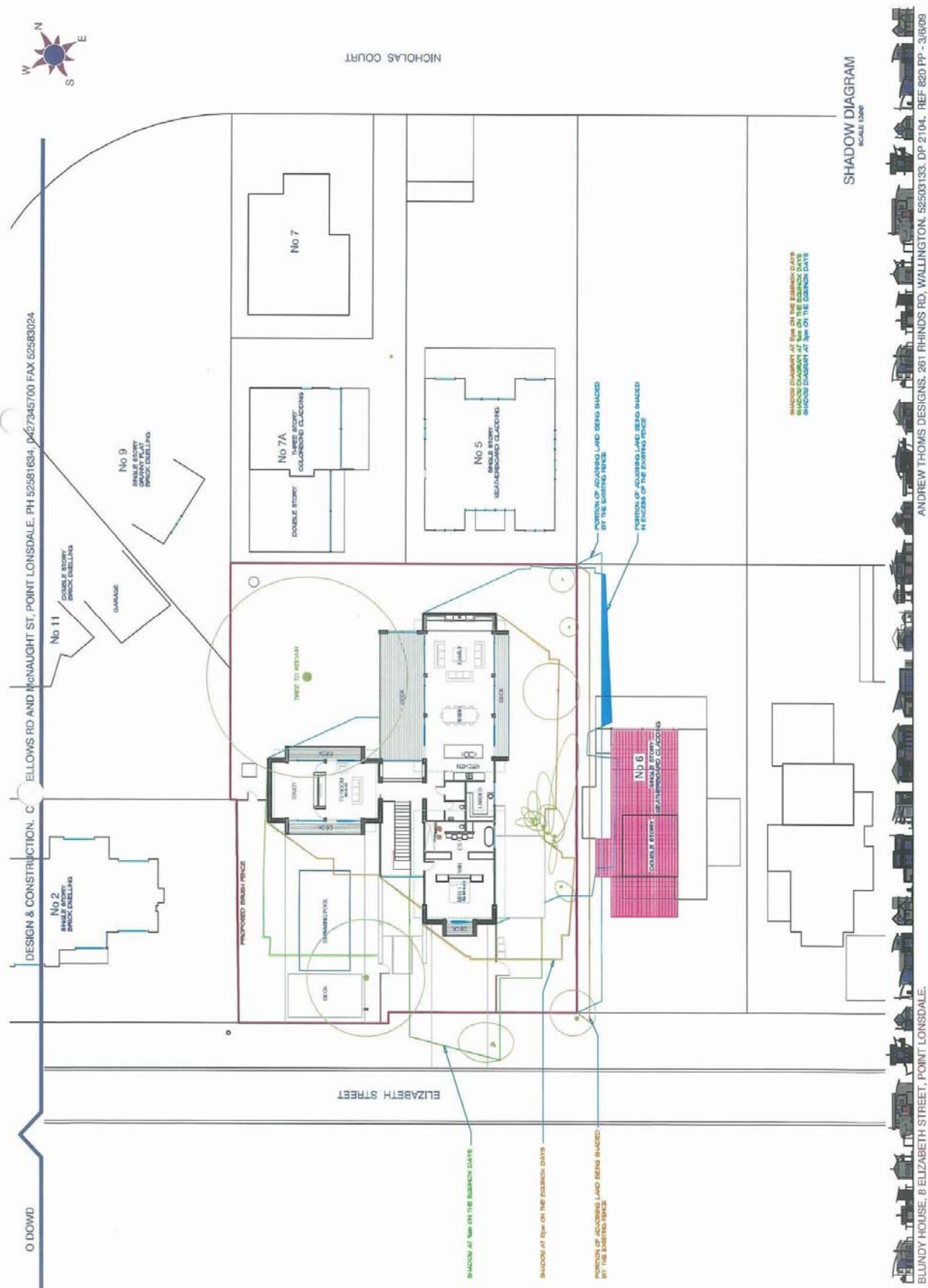
### **Site Coverage**

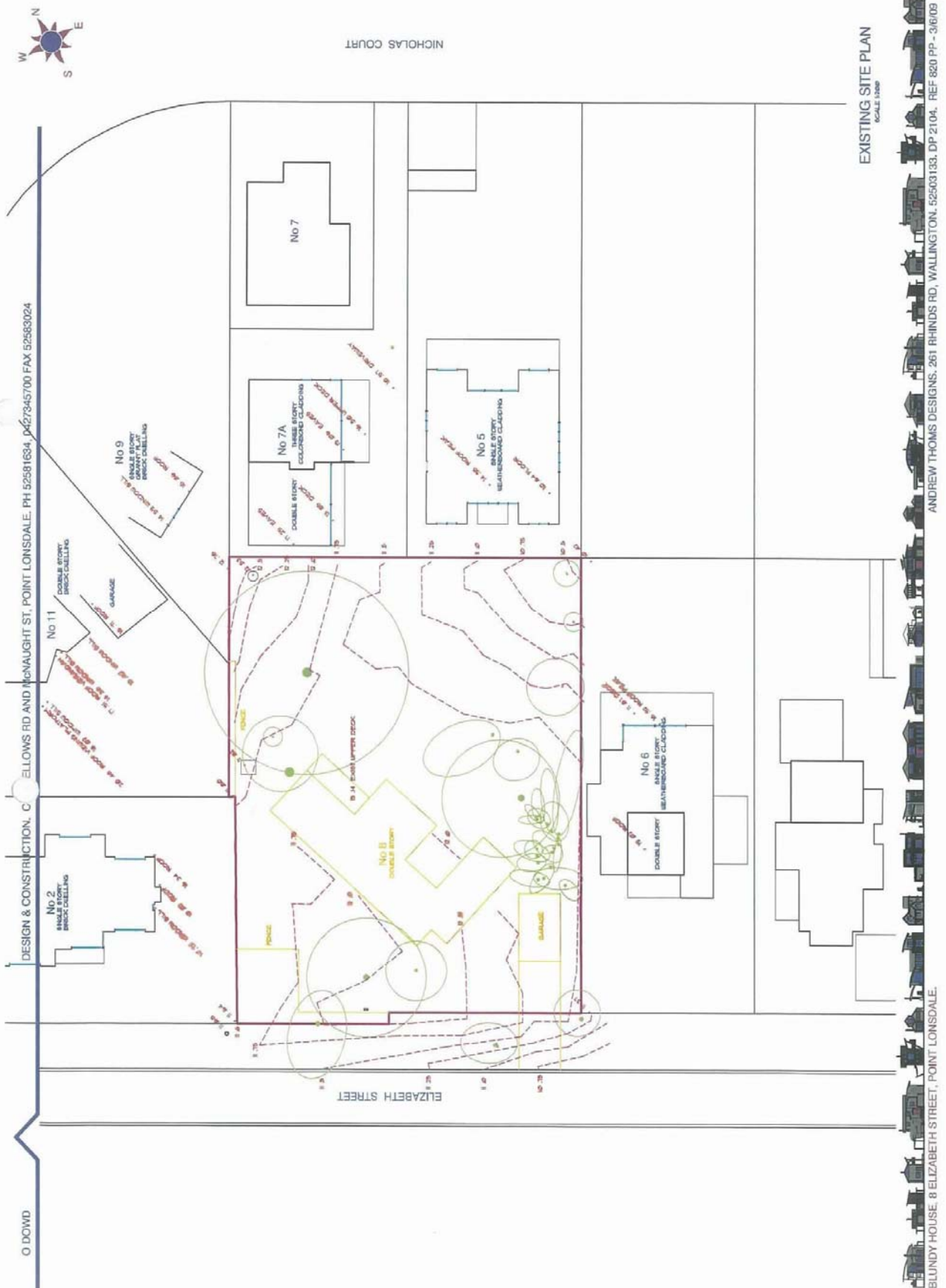
Site coverage is 25%. Less than the 40% maximum.

### **Fencing, driveways and landscaping**

A timber front fence is proposed, with one third left unfenced, exposing the house to the street. The drive is to be exposed aggregate concrete, with timber decks to outdoor areas. Landscaping will be kept native & casual maintaining the majority of the existing trees.









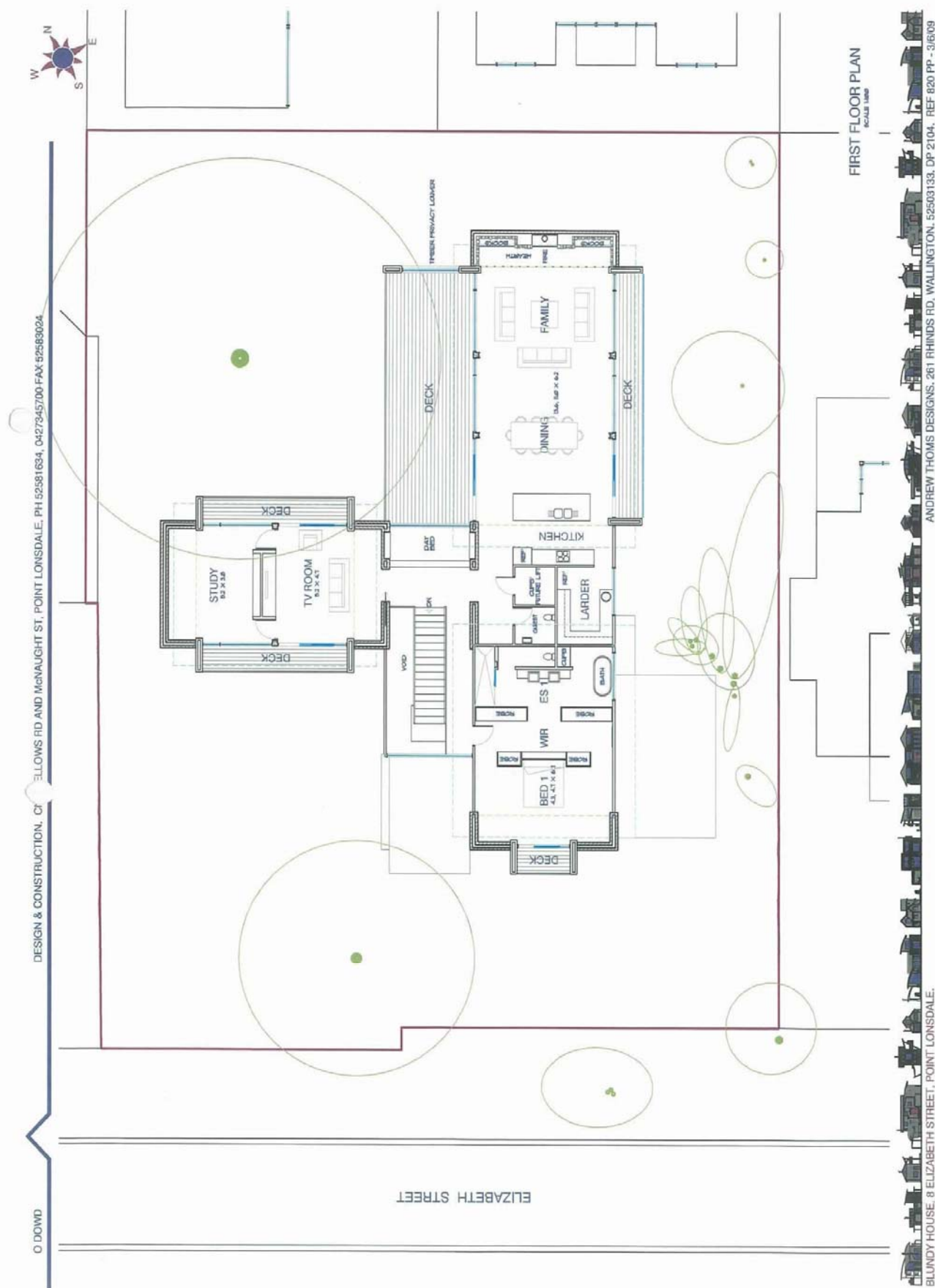
DESIGN & CONSTRUCTION, CIVIL ENGINEERING, SURVEYING, PHOTOGRAPHY, VIDEO, 3D RENDERING, 0427 945 700 FAX 52583024

O DOWD



STREET ELEVATIONS  
SCALE 1:200







O DOWD

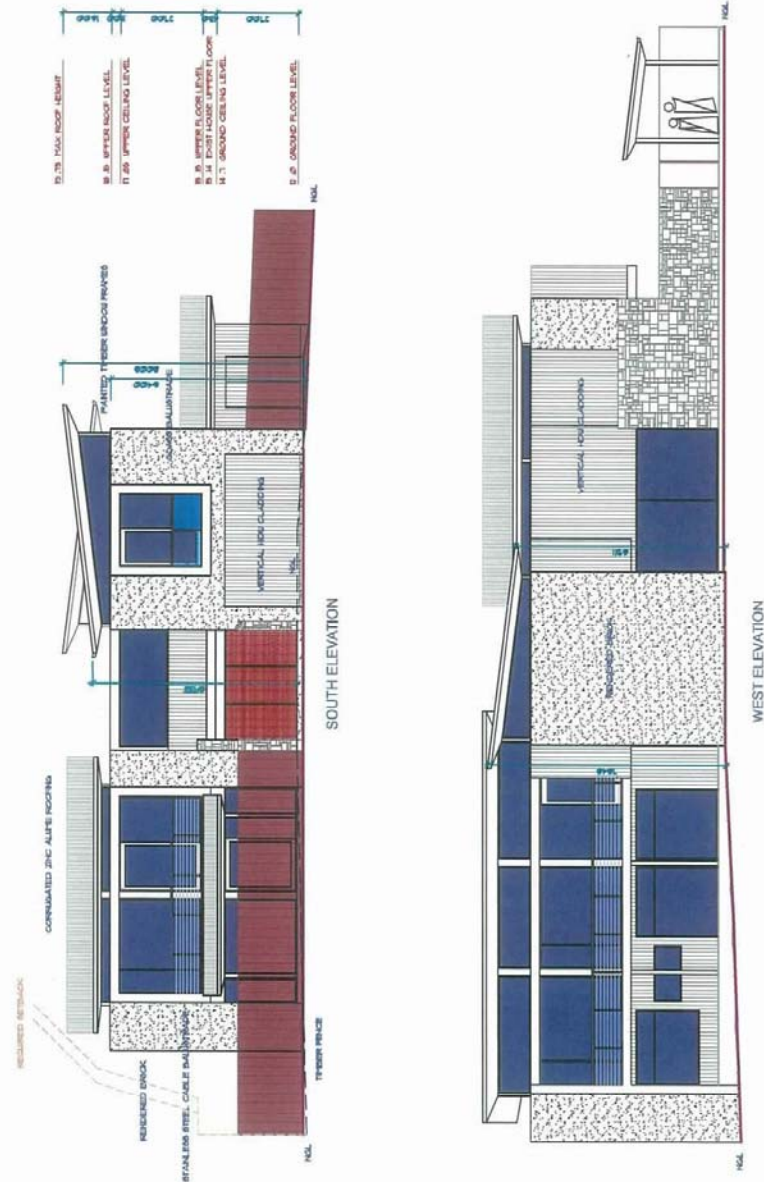
DESIGN & CONSTRUCTION. CIRCLELOS RD AND MCNAUGHT ST, POINT LONSDALE. PH 52581634. 0427345700 FAX 52583024



ELEVATIONS  
SCALE 1/8"=1'-0"

DESIGN & CONSTRUCTION, C/ ELLOWS RD AND McNAUGHT ST, POINT LONSDALE, PH 52581634, 0427-345700 FAX 52583024

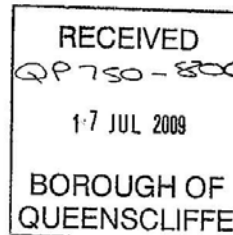
O DOWD



ELEVATIONS  
SCALE 1:100



## Appendix 11-8 Elizabeth Street, Point Lonsdale



Mills Oakley Lawyers Pty Ltd  
ABN: 51 493 069 734  
ACN: 079 480 943

16 July 2009

### Confirmation of Facsimile

Your ref:  
Our ref: AJB/JCP  
All correspondence to:  
PO Box 453  
Collins Street West  
MELBOURNE VIC 8007

Contact  
Anthony Brearley 03 9605 0810  
Email: abrearley@millsOakley.com.au

Partner  
James Price 03 9670 9111  
Email: jprice@millsOakley.com.au

**By Express Post**  
Borough of Queenscliff  
Planning, Heritage & Building Department  
50 Learmonth Street  
QUEENSCLIFF VIC 3225

**Facsimile No.: 5258 3315**  
**No. of Pages: 1**

Dear Sir/Madam

**Notice of Application for Planning Permit**  
**Premises: 8 Elizabeth Street, Point Lonsdale**

We act for Mr and Mrs I Sutherland, the owners of 6 Elizabeth Street, Point Lonsdale.

Our client objects to the application on the following grounds.

1. The proposed development is not in keeping with the streetscape of Elizabeth Street, Point Lonsdale. If the development is approved it will set a precedent which could lead to similar buildings being erected. This development belongs in certain parts of Melbourne, not Point Lonsdale.
2. Invasion of privacy. There is currently proposed a deck on the first floor of the development facing the side boundary of 6 & 8 Elizabeth Street. As proposed this deck will permit the occupants of the development to have at all times a clear and uninterrupted view of our clients outside entertaining area and back yard.
3. Building Mass. The building carries far too much bulk for the parcel of land. Once again it is not in keeping with the typical building mass seen in Point Lonsdale.
4. Overshadowing. The building height and mass will interfere with our clients sun light.
5. The plans as proposed do not comply with the relevant building codes.

We urge the Responsible Authority to reject the application on the above grounds and request the owner to submit plans that are sympathetic to the surrounding neighbourhood and do not have an adverse impact on our client's property.

Yours faithfully

**ANTHONY BREARLEY**  
**SPECIAL COUNSEL**

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MILLS OAKLEY LAWYERS  
Melbourne Law Firm of the Year



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Melbourne Vic 8007 Australia  
Ph: (03) 9670 9111  
Fax: (03) 9605 0933  
DX 558 Melbourne

Sydney 2000  
P.O. Box A2492,  
Sydney South  
NSW 1235 Australia  
Ph: (02) 8289 5800  
Fax: (02) 9247 1315  
DX 13025 Sydney Market Street

Brisbane 4000  
P.O. Box 12608, George Street  
Brisbane  
QLD 4003 Australia  
Ph: (07) 3228 0400  
Fax: (07) 3012 8777  
DX 40160 Brisbane Uptown



## **5. CLOSURE OF MEETING**