



# **Agenda**

## **Planning Review Meeting**

Wednesday 4 July 2012 at 7:00pm

Queenscliff Town Hall  
50 Learmonth Street, Queenscliff

### **Councillors**

Cr. Bob Merriman

Cr. Helene Butler

Cr. Lloyd Davies

Cr. David Mitchell

Cr. John Burgess

### **Officers**

Lenny Jenner, Chief Executive Officer

Phil Josipovic, General Manager Planning & Infrastructure

Information contained in this Agenda is for the CONFIDENTIAL and PRIVILEGED use of Councillors until 5:00pm on the Friday before the meeting.

**THIS MATERIAL DOES NOT NECESSARILY REFLECT THE VIEWS OF COUNCIL**



## Planning Review Meeting

### A guide to understanding meeting protocol

There is a need to cover some simple protocols as each meeting will often involve people attending for the first time.

1. Planning Review meetings are held to provide additional information to Councillors in preparation for the following formal council meeting. The meetings are informal and proponents and submitters to any planning matter are encouraged to address council.
  2. This is not a debating forum – we are trying to obtain the best possible understanding of the matter.
  3. We ask that parties addressing Council speak to the chair and not involve the gallery.
  4. Submitters are asked to elaborate on their written submissions – not just read out their letter – all councillors have a copy of written material.
  5. The meeting process will typically adopt the following sequence:
    - Introduction and welcome by the Chairperson.
    - Overview presentation by Council's Planning Officer.
    - The Applicant is given 5-10 minutes to outline their proposal – longer time may be given at the discretion of the chair depending on the complexity of the matter.
    - We ask submitters to limit their comments to 5 minutes bearing in mind we are seeking elaboration on the comments already received in their submission.
    - Following the last submitter the Applicant will be given an opportunity to clarify any matter of fact – but not to comment on matters of opinion.
    - Throughout this process Councillors will be able to ask questions of the Applicant, submitters or a Council Officer.
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**1. OPENING OF MEETING**

**2. APOLOGIES**

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

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#### 4. PLANNING & DEVELOPMENT

##### 4.1 64 King Street, Queenscliff

Planning Permit Application: 2012/004

#### SUMMARY

<b>Proposal</b>	Alterations and extensions (two storey) to an existing dwelling and variation to side setback requirements of Design and Development Overlay – Schedule 1  Application and plans: <i>Refer Appendix 1</i>
<b>Zone/Overlays</b>	Residential 1 Zone Design and Development Overlay, Schedule 1
<b>Permit Triggers</b>	Clause 43.02-2: Buildings and works
<b>Public Notification</b>	Advertised by registered post to adjoining property owners and occupiers, notice on site for 14 days, notice in municipal offices and public notice in the Echo newspaper.
<b>Submissions</b>	Three (3) objections: <i>Refer Appendix 2</i>  Applicants response to submissions: <i>Refer Appendix 3</i>
<b>Key Issue raised by objector</b>	Impact on streetscape Height/scale/design/materials Character Overshadowing Overlooking Setbacks



**4.1.1 Applicant to present to Council**

**4.1.2. Submitters to present to Council**

**4.1.3 Applicant to readdress Council**

**5. CLOSE OF MEETING**

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## APPENDIX 1 – APPLICATION DOCUMENTS

Office Use Only

Application No.: 2012/004

Date Lodged: 10 JAN 2012

#172920

RECEIVED

QP120-6400

\$490-00

BOROUGH OF QUEENSCLIFFE

### Application for Planning Permit

If you need help to complete this form, read *How to Complete the Application for Planning Permit form*.

**Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the *Planning and Environment Act 1987*. If you have any concerns, please contact Council's planning department.**

**Questions marked with an asterisk (\*) are mandatory and must be completed.**

**If the space provided on the form is insufficient, attach a separate sheet.**

Planning Enquiries  
Phone:  
Web:

Clear Form

### The Land

1 Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

**Street Address \***

Unit No.:	St. No.:	St. Name:
	64	KING
Suburb/Locality: QUEENSCLIFF		Postcode: 3225

**Formal Land Description \***  
Complete either A or B.

**A** Lot No.: 1 ☐ Lodged Plan ☒ Title Plan ☐ Plan of Subdivision No.: TP015988X

**OR**

**B** Crown Allotment No.: Section No.:

Parish/Township Name:

This information can be found on the certificate of title.

If this application relates to more than one address, please click this button and enter relevant details. Add Address

### The Proposal

**You must give full details of your proposal and attach the information required to assess the application. Insufficient or unclear information will delay your application.**

**2 For what use, development or other matter do you require a permit? \***

If you need help about the proposal, read:  
*How to Complete the Application for Planning Permit Form*

Select the focus of this application and describe below: Other

DEMOLITION OF EXISTING ROOF STRUCTURE AND CONSTRUCTION OF A NEW UPPER LEVEL EXTENSION.

☒ Provide additional information on the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal.

**3 Estimated cost of development for which the permit is required \***

Cost \$250,000 **You may be required to verify this estimate.**

Insert '0' if no development is proposed (eg. change of use, subdivision, removal of covenant, liquor licence)





## Existing Conditions

**4** Describe how the land is used and developed now \*

eg. vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

SINGLE STOREY STAND ALONE DWELLING

Provide a plan of the existing conditions. Photos are also helpful.

## Title Information

**5** Encumbrances on title \*

If you need help about the title, read:

*Application for Planning Permit Form*

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

☐ Yes. (If 'yes' contact Council for advice on how to proceed before continuing with this application.)

☒ No

☐ Not applicable (no such encumbrance applies).

Provide a full, current copy of the title for each individual parcel of land forming the subject site. (The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', eg. restrictive covenants.)

## Applicant and Owner Details

**6** Provide details of the applicant and the owner of the land.

**Applicant \***

The person who wants the permit.

*Where the preferred contact person for the application is different from the applicant, provide the details of that person.*

*Please provide at least one contact phone number \**

Name:		
Title:	First Name: CHRIS	Surname: PRICE
Organisation (if applicable): PRICE WILLIAMS ARCHITECTS		
Postal Address:		
Unit No.:	St. No.:	St. Name: PO BOX 287
Suburb/Locality: QUEENSCLIFF		State:  Postcode: 3225
Contact person's details *		
Same as applicant (if so, go to 'contact information') <input checked="" type="checkbox"/>		
Name:		
Title:	First Name:	Surname:
Organisation (if applicable):		
Postal Address:		
Unit No.:	St. No.:	St. Name:
Suburb/Locality:		State:  Postcode:
Contact information		
Business Phone:	Email:	
Mobile Phone:	Fax:	







**Owner \***

The person or organisation  
who owns the land

*Where the owner is different  
from the applicant, provide  
the details of that person or  
organisation.*

Name: <input type="checkbox"/> Same as applicant		
Title: <input type="checkbox"/>	First Name: B & H	Surname: MURRAY
Organisation (if applicable):		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No.:	St. No.: 64	St. Name: KING STREET
Suburb/Locality: QUEESNCLIFF	State: <input type="checkbox"/>	Postcode: 3225
Owner's Signature (Optional):		Date: <input type="checkbox"/>
		day / month / year

**Declaration**

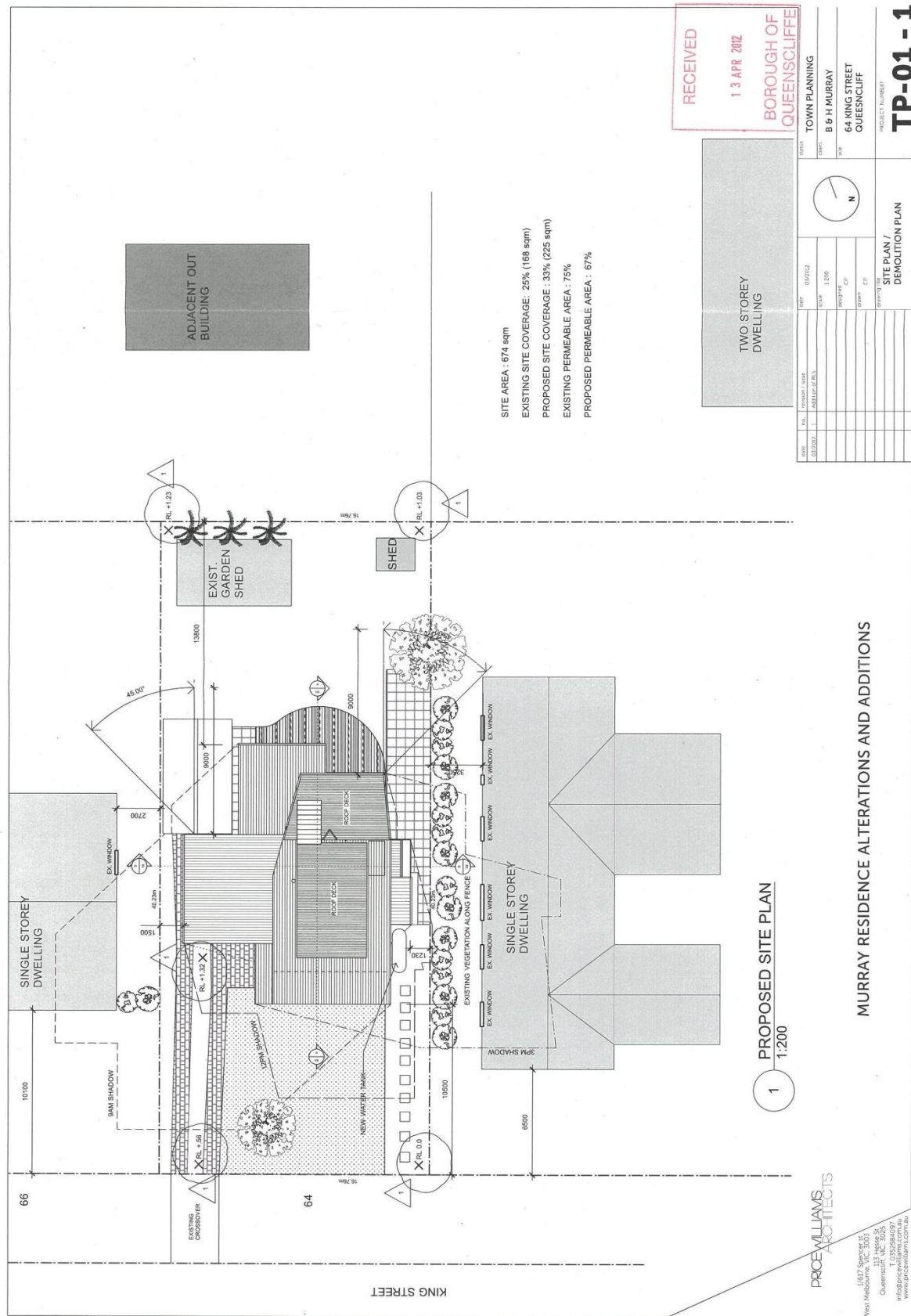
⑦ This form must be signed by the applicant \*

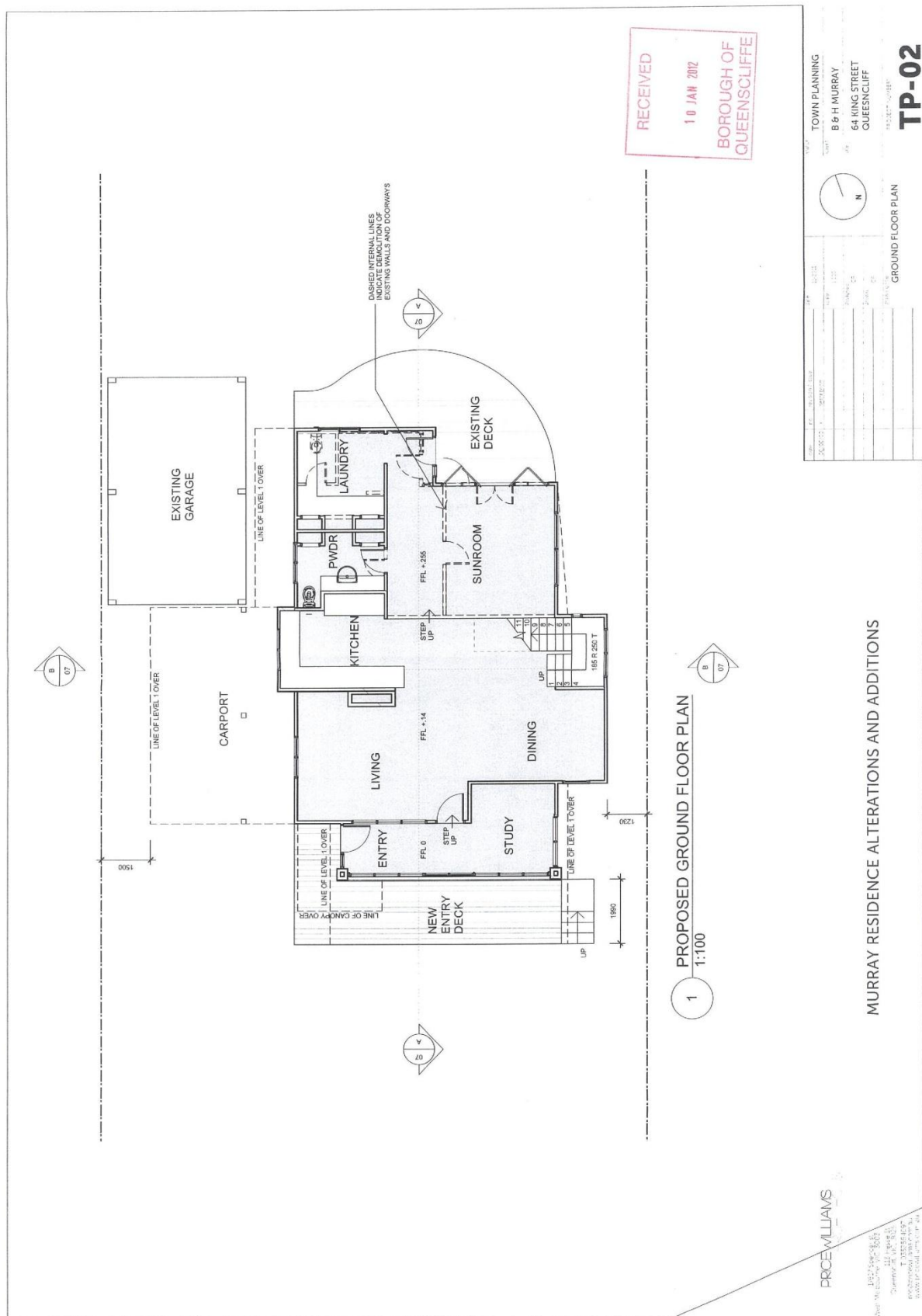
**⚠** Remember it is against  
the law to provide false or  
misleading information,  
which could result in a  
heavy fine and cancellation  
of the permit.

I declare that I am the applicant; and that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application.

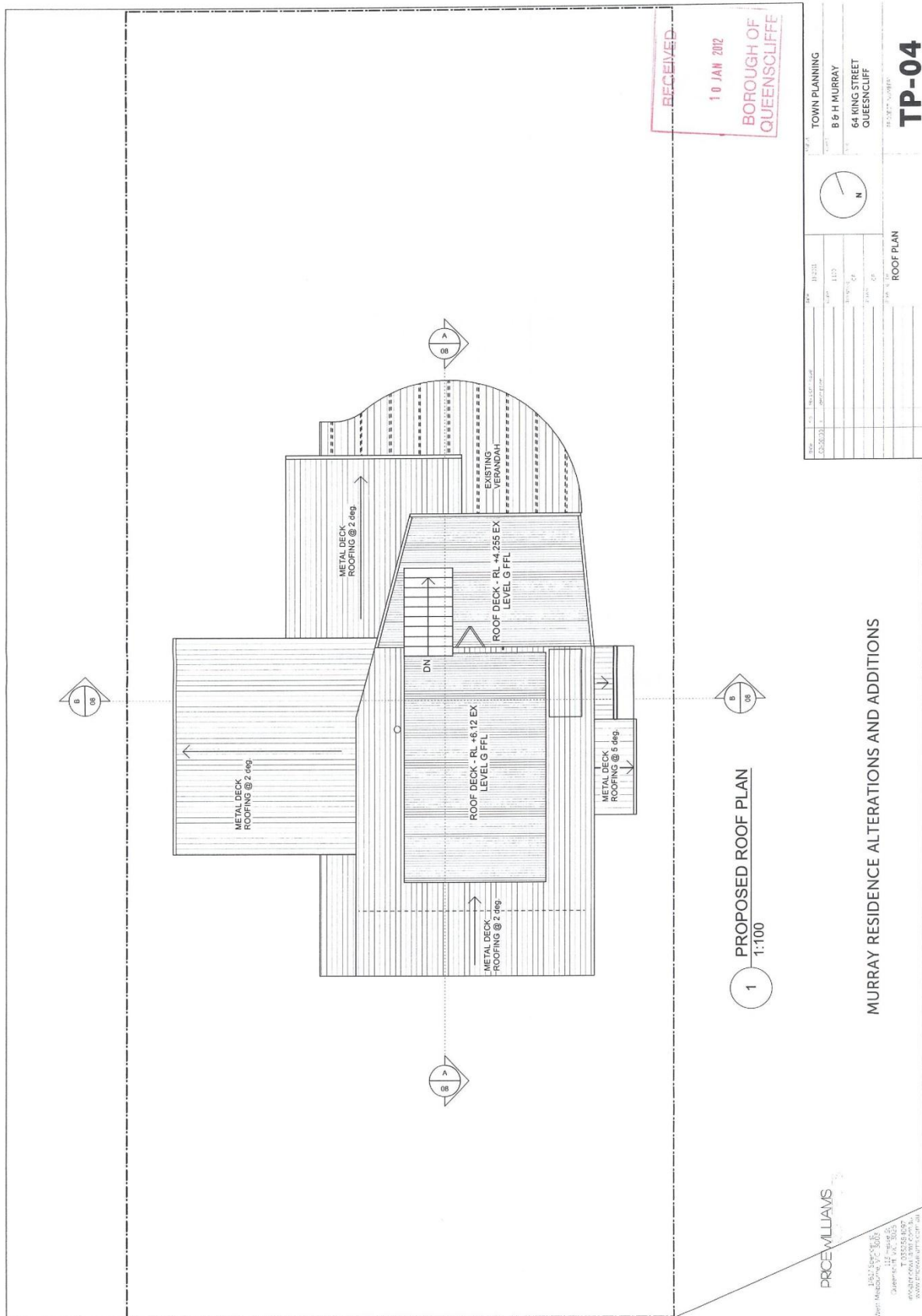
Signature: Date: 10/01/12  
day / month / year



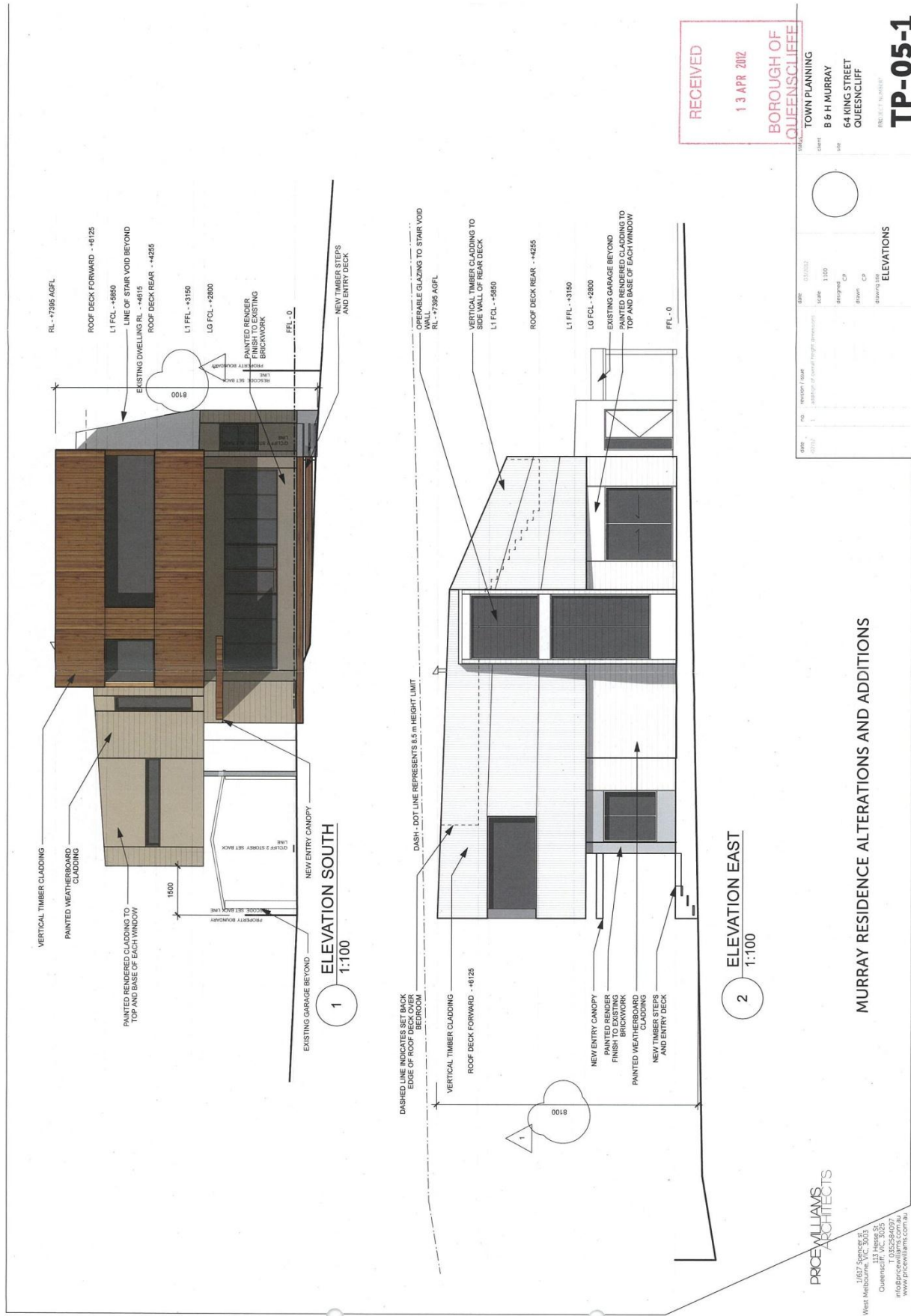


















PRICE WILLIAMS  
ARCHITECTS

5 April 2012

Attn: Mitch Hodgson  
Senior Planner  
BOROUGH OF QUEENSCLIFFE  
Queenscliff, VIC. 3225

www.pricewilliams.com.au  
info@pricewilliams.com.au  
1/607 Spencer Street,  
West Melbourne, 3003  
PHONE 0425 732 310

**Re: 64 KING ST, QUEENSCLIFF**

**RESPONSE TO DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 1**

Dear Mitch,

In response to your letter dated 24th January requesting further information for the above application, please see below responses specific to these queries;

**1. Written response to Design and Development Overlay - Schedule 1.**

**Building Setbacks**

New buildings must also meet the following requirements:

- Side and rear setbacks are to be a minimum of 1.0 metres for a single storey building (up to a wall height of 3.6 metres) and a minimum of 1.92 metres for a two storey building (up to a height of 6.0 metres), or are to equal the side and rear setbacks of buildings on adjoining land.

**Standard A10**

A new building not on or within 150mm of a boundary should be set back from side or rear boundaries:

- At least the distance specified in the schedule to the zone as noted below;

*Side and rear setbacks are to be a minimum of 1.0 metres for a single storey building (up to a wall height of 3.6 metres) and a minimum of 1.92 metres for a two storey building (up to a height of 6.0 metres), or are to equal the side and rear setbacks of buildings on adjoining land*

Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

#### Decision guidelines

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.

#### Response

The issues of primary concern to this application relate to the visual bulk of the proposed addition within the streetscape, and the requirement to impede on the required side setback on the Western boundary.

The proposed form of the new dwelling, whilst contemporary in nature, maintains the rhythm of surrounding dwellings as the ground falls away down King St. The elevation photo shown below indicates that there is a rise in ridge lines as the existing surrounding dwellings move further down the hill. The neighbouring dwelling on the corner of Bethune and King St lower on the hill than the existing dwelling at 64 King St, yet is taller from natural ground. The dwellings beyond at 12 and 10 Bethune Street are both 2 storey, and much taller than the proposed 8.1m maximum height from (worst case) natural ground as is proposed in this new addition.



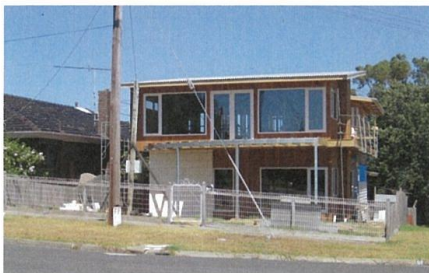
The majority of visual bulk in the proposed dwelling is contained over the existing entry gable and is clad in timber vertical boards to differentiate it from the remainder of the upper level extension. The photomontage below illustrates the effect of the proposed upper level in terms of visual bulk in the streetscape. The outline of the neighbouring dwellings is now also shown on Drawing TP 05 rev 1.





The second issue that requires further detail is the request to allow an amendment to the side set back requirements of DD01. The 2 bedroom extension to the west of the upper level serves a dual purpose as a carport below. The thinking behind this type of formal arrangement was to reduce extension of the existing dwelling at ground level to the North to accommodate additional bedrooms (the current dwelling is 2 bedroom). This effectively maintains the existing building footprint with the proposed dwelling, with the bedrooms suspended over the carport being the only actual increase in built form on the site. TP-01 shows that even with this extension, the proposed is well contained within the existing site.

The extension to the West overlooks (and beyond) the roof of the existing, and can look down to a non-habitable room at 62 King St that already has obscure glazing. We feel that even though the setback is 1500mm, rather than the 1920mm setback as required under this DD01, there is minor impediment on the amenity of the adjacent neighbor, and that because this only occurs at the upper level the visual bulk from the street is reduced. This request for a dispensation to the requirements of DD01 is similar to the recently constructed approved application for a new 2 storey dwelling on the corner of Bethune and Stokes St (see photo below). In this approved development, both ground and first storeys are set back approximately 1500mm from boundary. Our proposal is over a shorter length of boundary and still allows solar access to the neighbouring dwelling.





2. Plans amended to clearly show the maximum height of the proposed extension above natural ground level (in metres).

Refer TP-05 rev 1 attached

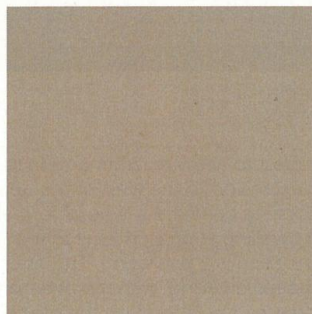
3. Proposed Colour Schedule.

Refer TP-05 rev 1 attached and below

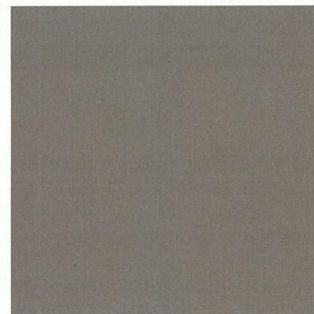
VERTICAL TIMBER  
CLADDING



DULUX  
PN 1E8  
BUFFHIDE



DULUX  
PN 1A9  
CHARCOAL LIGHT



LOCATION

LEVEL 1 CLADDING TO  
MASTER BEDROOM AND  
ROOF DECKS

STAINED WITH  
PENETRATIVE

LOCATION

WEATHERBOARD PAINT  
COLOUR

BRICK RENDER COLOUR

CEMENT SHEET PAINT COLOUR

EXTERNAL DOORS COLOUR

LOCATION

WINDOW FRAMES

DOOR TRIMS

CAPPING



## APPENDIX 2 – OBJECTIONS

17<sup>th</sup> May 2012

Planning Officer  
Borough of Queenscliffe  
PO Box 93  
50 Learmonth Street  
Queenscliff  
Victoria 3225

Mike & Susan Kelly  
57 King Street  
Queenscliff 3225



**RE Objection to Application for Planning Permit, Application Reference Number 2012/004, 64 King Street**

### **Without prejudice**

We wish to lodge an objection in relation to the Notice of Application for Planning Permit for 64 King Street, Queenscliff.

#### **The reasons for our objections are**

We wish to object because we believe that the proposed building does not maintain, enhance or harmonise with the prevailing character of the area. The proposed new development falls on land within the Queenscliff Heritage and Contributory Areas but does not reflect the objectives of the Queenscliff Local Planning Policies.

- This new development does not give regard to the visual sensitivity, scale and proportion of the street and townscape skyline. This prominent ultra-modern building over 7 metres high, at a high point of King Street, will have an adverse impact on the predominant low level streetscape and will make it more difficult to maintain the appearance of the King Street streetscape into the future.
- This new development does not respect and blend in with the existing historic character of the streetscape and townscape in which it would be a 'stand out' feature. King Street running from Fort Queenscliff westward up to its crest on Rockets Hill (named after Captain Rocket who owned a property on the corner of King and Raglan Street) is a stretch of road with great heritage significance that has largely maintained its historical character.

The Queenscliff Urban Conservation Study draws the heritage section of King Street as running from Fort Queenscliff to Henry Street at the Swan Bay end. King Street has many premises of historical significance inclusive of 12, 22, 24, 26, 34-38, 39, 43 and 50 King Street and the Royal Hotel.

The proposed development would also be a predominant feature in its raised position at the Northern end of Raglan Street. Raglan Street is a street of notable historical significance with number 7 Raglan Street and Kent House being listed in the Urban Conservation Study. A 'stand out' modern structure will make it more difficult to maintain the historical significance and character of both King Street and Raglan Streets into the future.





- The proposed building does not sympathetically complement the design, materials, and form of other buildings within the street and the immediate neighbourhood. The proposed two story flat roof building is inconsistent with the style of neighbouring Victorian and Edwardian buildings which reflect traditional Queenscliff features of gabled roofs, traditional weather board, windows and entrance features.

The vertical timber cladding, a major feature, is neither in keeping with traditional weatherboard cladding on immediate neighbouring houses on the corners of King and Raglan Street nor with the character of houses along Raglan Street that are predominantly single story, traditional weatherboard or rendered brick dwellings.

- The new development will contribute a visually dominant and prominent aspect due to its height and bulk. The proposed building is being built on the high point of King Street as it runs Eastwood towards Fort Queenscliff. The construction will be a prominent feature on the horizon looking Westward along King Street. An ultra-modern building of this prominence will seriously compromise the heritage and historic appearance of King Street.
- In addition, 64 King Street is typical of many weather board Queenscliff houses built in the early 1900s and its many traditional features add to the attractiveness of the western stretch of King Street. The proposed major alterations and extensions effectively replace this traditional dwelling with a dominant modern structure.

#### **How the development would affect us**

- Our house is situated directly opposite on the corner of King and Raglan Streets. There has been much attention and endeavour by architects, builders, property owners and council over the last 30 years to ensure that new buildings along King Street are constructed in sympathy with the historical streetscape.

We have contributed in endeavouring to maintain the historical look of the King Street and Raglan Street streetscape including maintenance of our house, older trees and traditional perimeter picket fencing that extends around the Bethune, King and Raglan Street block. Our neighbours have also extended themselves to ensure that their dwellings reflect the historical nature and character of the area. The dwelling would adversely affect the endeavours we and others have made to maintain, enhance and harmonise the prevailing character of historic King Street and compromise the charm of living in this part of the township.

It is respectfully submitted that Council reject the proposed planning permit application **Number 2012/004, 64 King Street**

Yours sincerely

Mike and Sue Kelly



## Objection to a Planning Permit Application

Please note: Your objection will be made available for public viewing and copies may be made to interested parties for the sole purpose of enabling consideration and review as part of the planning process under the Planning and Environment Act 1987. Please print clearly and read the notes on the back before completing this form. There is no requirement that you use any particular form to make an objection. This form is provided to help you provide the information required by the Planning and Environment Act 1987. If there is not enough space on the form, you may like to add pages.

Name: **MARK BOWLING**

Postal Address: **3/181 FITZROY STREET  
ST KELOA VIC 3182**

Telephone: Home: **0407465702** Work: **0399478110** Mobile: **0407465702**

Email address: **mark.bowling@dha.gov.au**

Which application are you responding to? Planning application number:

Address of the application land:

**64 KING STREET QUEENSLIFF**

What is the application for? **ALTERATIONS & EXTENSIONS (TWO STOREY) TO EXISTING DWELLING & VARIATION TO SIDE SETBACK**

Who has applied? (Applicant)

**MR CHRIS PRICE**

Do you own or occupy land near the subject land? ☒ Yes (tick) ☐ No (tick)

Address (if the same as your postal address write 'as above')

**60 KING STREET QUEENSLIFF**

Reasons for objection:

1. Overshadowing into a habitable room window
2. Overlooking into a recreational private open space from the proposed decking area.
3. Building envelope breaches side boundary setback from planning permit
4. Height, shape and overall building envelope will reduce the character of the existing character of the surrounding residential building/properties in the Queenscliff area and particularly King Street.
5. The size of the proposed building will dwarf over the properties around it.

Send to: Borough of Queenscliffe  
PO Box 93  
QUEENSCLIFF VIC 3225  
[www.queenscliffe.vic.gov.au](http://www.queenscliffe.vic.gov.au)

Fax: 03 5258 3315  
Email: [info@queenscliffe.vic.gov.au](mailto:info@queenscliffe.vic.gov.au)  
Phone enquiries: 03 5258 1377





### Objection to a Planning Permit Application

#### How will you be affected if a permit is granted?

The proposed building will affect the occupation of 60 King Street by overshadowing habitable room, overlooking into a recreation private open space. The proposed planning permit if granted will overshadow the character of the surrounding residential property's in King Street. The proposed build will dwarf the surrounding properties.

#### Any person who may be affected by the granting of a permit may object.

- If you object, Council must consider the objection unless you withdraw it.
- If you object you must state the reasons why and say how you would be affected by the grant of a permit.
- Council must reject an objection that it considers has been primarily made to secure or maintain a direct or indirect commercial advantage for the objector.
- Council must make a copy of every objection available at its office for any person to inspect during office hours.
- Council will not decide on an application until after the latest date shown on the notice you received or the notice in The Echo or on the site.
- If you object you will be notified in writing of Council's decision.
- If you object and are not satisfied with Council's decision you may appeal to the Victorian Civil and Administrative Tribunal.

#### Could the application be modified to alleviate your concerns? ☒ Yes ☐ No (tick box)

If yes, would you like to discuss possible modifications with a Council officer?

☐ Yes ☒ No

You may ring the Statutory Planning Department on 5258 1377 to discuss the application

#### What changes would you like to see made to the application to satisfy your concerns?

1. Remove proposed roof plan decking into recreation private open space
2. Reduce the building envelope so as to move the building to its correct side setback from side boundary fence
3. Proposed plan will reduce daylight to a habitable room window by the reduction of building envelope height will reduce sun shadow
4. The proposed building is not in keeping with the character of the surrounding residential building in the Queenscliff area.

Signature:

*[Handwritten Signature]*

Date: 17 May 2012

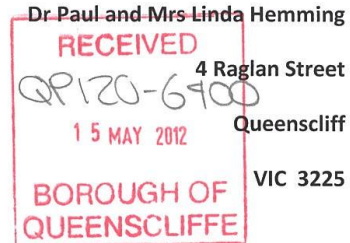
Privacy Statement

The personal information requested on this form is being collected by Council to assist Council in the registration of your objection and assessment of the issues that you have raised. The personal information will be used solely by Council for that purpose or directly related purposes. Council may disclose this information to the applicant and their representatives, neighbouring property owners and/or occupiers and any other parties who may have an interest in the application. Council must make this information available to comply with the *Planning and Environment Act 1987*.

If this information is not collected, Council will be unable to thoroughly consider your comments, inform you of its decision on the application or notify you of any further action. The person(s) objecting understands that the personal information provided is for the registration of their objection and the processing and assessment of a planning application.

Send to: Borough of Queenscliffe  
PO Box 93  
QUEENSCLIFF VIC 3225  
www.queenscliffe.vic.gov.au

Fax: 03 5258 3315  
Email: info@queenscliffe.vic.gov.au  
Phone enquiries: 03 5258 1377



Planning Officer  
Borough of Queenscliffe  
P.O. Box 93  
Queenscliff,  
VICTORIA, 3225

14 May 2012

*Re: 64 King Street*

We wish to express our objection to the planning application for the above address, which is facing Raglan Street.

We have seen the proposed development plans and find the scale and design of the building to be most inappropriate and totally out of keeping with the historic nature of most of the buildings in the local area.

In particular the two storey nature of the building, with a height of almost seven and a half meters, on an already elevated block, will look most prominent and totally change the character of that side of King Street.

We do hope that Council will be able to ensure some modification of the proposal, in order that the characteristics of this area of Queenscliff are not changed too dramatically.

Yours faithfully,



### APPENDIX 3 – APPLICANT’S RESPONSE TO OBJECTIONS

PRICE WILLIAMS  
ARCHITECTS

21 May 2012

Mitch Hodgson  
Senior Planner  
Borough of Queenscliffe  
QUEENSLIFF VIC. 3225

www.pricewilliams.com.au  
info@pricewilliams.com.au  
1/607 Spencer Street,  
West Melbourne, 3003  
PHONE 03 93285857

Dear Mitch,

#### Re: Objection to 64 King St Planning Application dated 14/05/2012

In response to the objection for the above Town Planning Application (2012/004) we wish to submit the following in relation to Urban Character Policy 22.04-1 of the Queenscliffe Planning Scheme:

#### Building Design

*“New development respects and blend in with the existing historic character of the streetscape and townscape (skyline) and are consistent in terms of traditional building massing, scale, proportion and matching of materials and angles.*

*Sympathetically complement the design, materials and form of other buildings in the streetscape and neighbourhood;*

*Retain the general uniformity in scale and massing of buildings within the street and avoid buildings which are visually dominant when viewed from public spaces due to height, bulk, colour, materials, scale or proportion;”*

The proposal has been designed to reference the materials and forms of other buildings in the streetscape and respect the general scale and massing of buildings within the street. We provide the following attached images of surrounding buildings to 64 King St in order to demonstrate specific examples of the context;

- 1. - 72 King St - Modernised Edwardian two storey timber bungalow with poorly executed historical referencing.
- 2. - 76 King St - Two storey flat roofed dwelling with undercroft car parking similar in form to what is proposed in this application. Use of weatherboards and masonry similar to our proposal at 64 King St.
- 3. - Recently approved and under construction two storey dwelling on the corner of Bethune and Stokes St with similar form and materiality to the proposal under consideration here.
- 4.- Streetscape view showing 64 King St in foreground. The height and scale of buildings beyond in Bethune St predominates the streetscape



- 5. - View from the roof of 64 King St down Raglan St. with two storey dwellings on the corner of Raglan and King Streets and two storey dwelling at 4 Raglan St.

We believe that this documentary evidence should be utilised in assessing our proposed alterations to the existing property at 64 King St, and form part of the assessment of the urban character the character of the surrounding dwellings in King Street.

Regards

A handwritten signature in black ink, appearing to read 'Chris'.

Chris Price



IMAGE 1

Director





IMAGE 2



IMAGE 3



IMAGE 4



IMAGE 5