



Agenda

Planning Review Meeting

Wednesday 9 April 2014 at 7:00pm

Queenscliff Town Hall
50 Learmonth Street, Queenscliff

Distribution

Councillors

Cr. Helene Cameron (Mayor)
Cr. Susan Salter (Deputy Mayor)
Cr. Graham J Christie, JP
Cr. Bob Merriman
Cr. Sue Wasterval

Officers

Lenny Jenner, Chief Executive Officer
Phil Josipovic, General Manager Planning & Infrastructure
Leah Protyniak, Senior Planner

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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



4. PLANNING & DEVELOPMENT

4.1 16 KING STREET, QUEENSCLIFF

Planning Permit Application: 2013/053

SUMMARY

Proposal	Demolition of dwelling, outbuildings and fence in a Heritage Overlay, removal of vegetation in a Heritage Overlay where tree controls apply, creation of access to a road in a Road Zone Category 1, the development of two double storey dwellings and fences and variation to the side setback and fence height requirements of Design and Development Overlay - Schedule 1, and a two (2) lot subdivision Application and plans: <i>Refer Appendix 1</i>
Zone/Overlays	Residential 1 Zone Design and Development Overlay – Schedule 1 Heritage Overlay – Schedule 11
Permit Triggers	Clause 32.01 – Subdivision, Two dwellings on a lot Clause 43.01 – Subdivision, demolition, removal of vegetation, buildings and works Clause 43.02 - Buildings and works in the Design and Development Overlay (Schedule 1)
Public Notification	Advertised by registered post to adjoining property owners and occupiers, sign on site, notice in “The Echo” newspaper and notice in municipal offices for 14 days.
Submissions	Five (5) submissions received. Copies of submissions provided to Councillors: <i>Refer Confidential Appendix 2</i>
Key issues raised by submitters	Prevailing height/streetscape, scale/bulk/height/setbacks, site coverage, overshadowing, privacy, traffic/crossover, views/skyline, heritage, clarity of information provided, asbestos removal, fence height, landscaping/vegetation, materials/colour, emissions from site, neighbourhood character.



4.1.1 Applicant to present to Council

4.1.2 Submitters to present to Council

4.1.2 Applicant to readdress Council

5. APPENDIX 1 – APPLICATION DOCUMENTS



Queenscliffe Planning Scheme
Planning Report for Demolition of
dwelling, outbuildings and fence in a
Heritage Overlay, removal of
vegetation in a Heritage Overlay
where tree controls apply,
development of two double storey
dwellings, creation of access to a
road in a Road Zone, Category 1 and
a two (2) lot subdivision

Address: 16 King Street, Queenscliff
Reference: P-00064

Borough of Queenscliffe

iPlanning Services Pty Ltd – June 2013 (revised January 2014)



Demolition of dwelling, outbuildings and fence in a Heritage Overlay, removal of vegetation in a Heritage Overlay where tree controls apply, development of two double storey dwellings, creation of access to a road in a Road Zone, Category 1 and a two (2) lot subdivision
16 King Street, Queenscliffe



Prepared for:

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Quality Information

Document	Planning Report
Reference No.	P-00064
Date	June 2013 (revised January 2014)
Prepared by	James Iles

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Demolition of dwelling, outbuildings and fence in a Heritage Overlay, removal of vegetation in a Heritage Overlay where tree controls apply, development of two double storey dwellings, creation of access to a road in a Road Zone, Category 1 and a two (2) lot subdivision
16 King Street, Queenscliffe



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16 King Street, Queenscliffe



1. Introduction

iPlanning Services Pty. Ltd. has been engaged by James Lifestyle Developments to submit a Planning Permit Application on their behalf for the demolition of dwelling, outbuildings and fence in a Heritage Overlay, removal of vegetation in a Heritage Overlay where tree controls apply, development of two double storey dwellings, creation of access to a road in a Road Zone, Category 1 and a two (2) lot subdivision on land at 16 King Street, Queenscliffe.

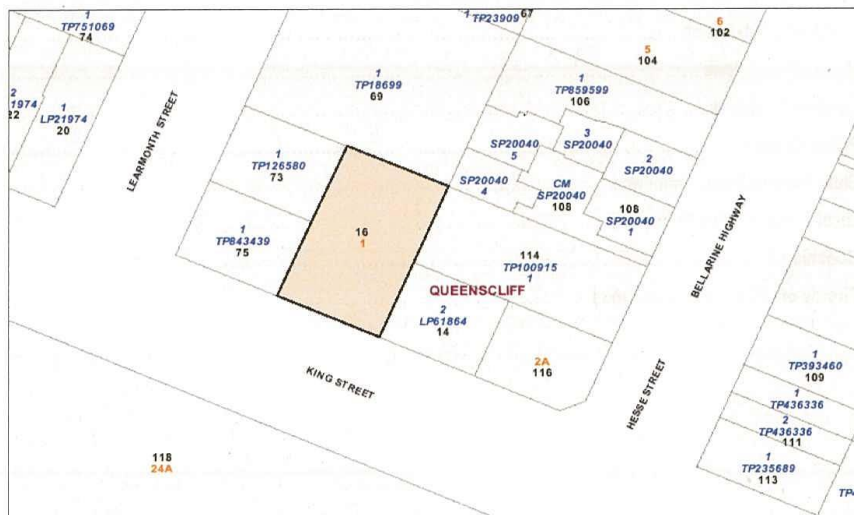
2. Permit Trigger/s

A Planning Permit is required for the above proposal under the following provisions of the Planning Scheme:

▪ Residential 1 Zone	Clause 32.01-2	Subdivision
	Clause 32.01-4	Two or more dwellings on a lot
▪ Heritage Overlay	Clause 43.01-1	Demolition of buildings, removal of trees, removal of a fence, construct a vehicle crossover and subdivide land
▪ Design and Development Overlay	Clause 43.02-3	Subdivision
▪ Land adjacent to a Road Zone	Clause 52.29	Create access and Subdivide land

3. Subject Site and Site Context

The subject site is located on the north side of King Street. The site consists of one Title, Memorial Book 901 No. 434 Part of Allotment 1, Section 7, Township of Queenscliffe. The site is regular in shape with a frontage of approximately 25.26 metres to King Street, a western boundary of approximately 40.35 metres, an eastern boundary of approximately 40.61, a northern boundary of approximately 25.35 metres with an overall area of approximately 1020m².



The site is currently contains an existing double storey weatherboard dwelling, detached single storey bungalow, detached garage and carport and a small derelict wood shed at the rear of the carport. A concrete driveway provides vehicular access from King Street to the garage. The dwelling is centred in the property with its western elevation set closer to the western boundary. There is exotic vegetation scattered around the dwelling and other buildings. There are two (2) large exotic trees located on the site; an existing Walnut tree located in the north east

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corner which has an approximate height of 5.0 metres; and an existing Banksia Tree located next to the existing driveway which has an approximate height of 10 metres. The remainder of the trees at the rear are fruit trees.



The surrounding development includes a mixture of residential development located to the north, east and west of the site. The housing stock is mainly single storey with some recent double storey additions to the rear. The dwelling to the east of the site is a single storey cream brick tiled roof building that was constructed during the 1970s and is setback approximately 5.4 metres from the street frontage. An existing colourbond shed on this site abuts the western boundary. There is very little vegetation located in the front or rear yards. The dwelling to the east is a single store weatherboard building that has its main frontage to Learmonth Street. The side setback of the dwelling to King Street is approximately 5.9 metres. A single vehicle weatherboard garage on this site is setback approximately 1.5 metres from the eastern boundary and approximately 2.0 metres from the King Street frontage.

The existing dwelling located at 116 Hesse Street is a double storey tiled roof building that has a roof pitch of 40 degrees and has a number of brick chimneys projecting above the roof line.





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The neighbourhood character of the immediate area is described in the following table:

Table 1 – Neighbourhood Description

Street No.	Era - style	Height	External materials	Roof materials	Roof pitch (°)	Fence Type	Fence height (mm)	Front garden style	Existing lot size (m ²)
King Street									
9	1970s	d/s	brick	iron	5	nil	nil	nil	760
14	1970s	s/s	brick	tiles	25	brick	600	exotic	483
16	1960s	d/s	weatherboard	iron	25	timber	1200	exotic	1020
20	1950s	d/s	weatherboard	iron	27.5	timber	300	exotic	542
22	1920s	s/s	weatherboard	slate	27.5	picket	1200	exotic	480
24	1920s	s/s	weatherboard	slate	27.5	picket	1000	exotic	448
26	1920s	s/s	rendered	slate	27.5	wire	600	exotic	570
28	1960s	s/s	weatherboard	tiles	27.5	brick	300	exotic	909
29	1940s	s/s	brick	tiles	25	wire	1500	exotic	464
30	1940s	s/s	weatherboard	tiles	27.5	wire	600	exotic	1169
31	Caravan Park	nil	nil	nil	nil	nil	nil	exotic	1.5ha
Learmonth Street									
65	1940s	s/s	weatherboard	iron	27.5	wire	1200	exotic	524
67	1940s	s/s	weatherboard	iron	27.5	wire	1200	exotic	570
68	1960s	s/s	brick	tiles	27.5	brick	900	exotic	691
69	vacant	nil	nil	nil	nil	nil	nil	nil	2126
70	1920s	s/s	weatherboard	iron	27.5	wire	1200	exotic	644
72	1920s	s/s	weatherboard	iron	27.5	wire	1500	exotic	752
73	1950s	s/s	brick	tiles	27.5	brick	600	exotic	509
74	1920s	s/s	weatherboard	iron	27.5	timber	600	exotic	907
75	1960s	s/s	weatherboard	iron	5	timber	600	exotic	509
Hesse Street									
103	1950s	s/s	weatherboard	iron	30	wire	1200	exotic	438
105	1920s	s/s	weatherboard	iron	30	picket	1200	exotic	484
106	1950s	s/s	weatherboard	iron	22	wire	1200	exotic	701
107	1920s	s/s	weatherboard	iron	22	picket	900	exotic	953
108	1970s	s/s	brick	tiles	22	metal	600	exotic	245
109	1940s	s/s	weatherboard	iron	27.5	wire	1200	exotic	411
111	1940s	d/s	weatherboard	iron	30	wire	1200	exotic	448
113	1960s	s/s	brick	tiles	27.5	brick	600	exotic	413
114	1920s	s/s	weatherboard	iron	27.5	brick	600	exotic	1022
116	1940s	d/s	brick	tiles	40	brick	600	exotic	503

The immediate neighbourhood character is a mixture of different building styles ranging between the 1920s through to the 1970s. The external building materials are predominantly weatherboards and pitched iron roofs. Newer dwellings are constructed from brick and have tiled roofs. The majority of the dwellings are single storey with the scattering of double storey buildings that have been originally constructed as a double storey building or existing single storey dwelling that has had a second storey extension. The front setbacks of the dwellings are relatively close to the street frontage and there is very limited vegetation planted. Front fencing comprises a mixture of wire, brick and timber materials which are no higher than 1.2 metres in height.



Demolition of dwelling, outbuildings and fence in a Heritage Overlay, removal of vegetation in a Heritage Overlay where tree controls apply, development of two double storey dwellings, creation of access to a road in a Road Zone, Category 1 and a two (2) lot subdivision
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The subject site is located in close proximity to existing physical and social infrastructure. The main centre of Queenscliffe is located approximately 350 metres to the north of the site in Hesse Street. The small tourist shopping centre comprises a supermarket, post office, bank, library, vegie shop, butcher, newsagency, chemist, specialty clothing stores, a number of accommodation places (Vue Grand, Lombardes on Hesse, Queenscliffe Motel), Victoria Hotel, Queenscliffe Hotel and great cafe and eating places.

Directly opposite the site is the Queenscliffe Bowling and Tennis Club and the Queenscliffe Reserve which is surrounded by the Queenscliffe Tourist Park. The Swan Island Golf Club is located approximately 1.3 kilometres to the north of the site. The new Queenscliffe Marina is located approximately 1.5 kilometres to the north east of the site and this area has recently been revamped and includes shops, restaurants, cafes and moorings for large boats. The Queenscliffe-Sorrento Ferry terminal is located in the same area as the marina, which provides a ferry service for pedestrians and vehicles to cross the bay between western and eastern sides of Port Phillip Bay.

The site is also located approximately 5.0 kilometres to the north east of the other small township in the Borough, Point Lonsdale. There is an existing bicycle track that provides access between both townships with part of the track travelling along the foreshore.

There are a number of excellent beaches in the area with Point Lonsdale Surf beach, Point Lonsdale front beach and the Cottage by the Sea beach.

Another important tourist attraction in Queenscliffe is the Queenscliffe-Drysdale Tourist Railway, which provides a tourist service running between Queenscliffe and Drysdale.

The subject site and all surrounding land is included within the Residential 1 Zone. The land on the south side of King Street is zoned Special Use Zone 2. The subject site and the surrounding land is affected by the Heritage Overlay and the Design and Development Overlay.

King Street is a bitumen sealed road with grass verges and concrete kerb and channel on both sides. Concrete footpaths are located on both sides of the street. Large exotic street trees are located within the grass verge as well as on the grassed naturestrips. King Street is a Road Zone Category 1 road under the Planning Scheme and is controlled and maintained by VicRoads.

4. Proposal

The proposal is the demolition of the existing dwelling, outbuildings and fence in a Heritage Overlay, removal of vegetation in a Heritage Overlay where tree controls apply, development of two double storey dwellings, creation of access to a road in a Road Zone, Category 1 and a two (2) lot subdivision on the subject site. The following is a breakdown of the development:

Demolition:

The existing double storey dwelling will be demolished as the proposed dividing boundary between the two proposed lots runs through the middle. The bungalow, carport and garage structures are no longer required on the site due to the dwelling being demolished. The existing front timber paling fence is also to be demolished.

Vegetation:

The majority of the existing vegetation on the site will be removed. The existing Walnut tree and existing Banksia Tree will be retained on Lot 2.



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Double storey dwellings:

Two double storey dwellings are to be constructed on the site and will comprise the following:

- Ground floor will comprise master bedroom with ensuite and walk-in-robe, laundry, kitchen, meals area and living room, an outside deck area and a single covered garage. The total floor area of the ground floor will be approximately 158.0 square metres and the garage area will have a floor area of 45.2 square metres.
- First floor will comprise three (3) separate bedrooms, ensuite to front bedroom, separate bathroom, separate toilet and a living room. There is a deck at the front and rear of the first floor. The total floor area of the first floor is approximately 134.12 square metres which includes the two deck areas.
- Total floor area of dwelling is approximately 337.3 square metres.

Each dwelling will have a northerly secluded private open space area which has direct access from an internal living room. Large windows along both ground and first floor northern elevations will provide sufficient daylight into the dwelling. The secluded private open space for each dwelling is greater than the 25 squares required under ResCode.

The front section of each dwelling is has been designed to be single storey and setback approximately 6.0 metres from King Street frontage. The first floor sits well behind the single storey portion and is setback approximately 12.5 metres from the street frontage.

The single storey portion of the building will comprise gable or gabled roofs which reduce the first floor from being too dominating from the street. The upper floor will comprise a lower hipped roof, which will a portion of will be hidden by the front parapet wall.

The overall height of the double storey building is approximately 6.5 metres and side and rear setbacks accord with the setback requirements of ResCode. The garage wall is to be located along the boundary which is less than 10 metres. The wall height on the boundary is 3.4 metres.

The building materials will comprise rendered brick work on the ground floor walls and the first floor will be painted weatherboards. The roller doors for the garages be a colourbond colour that is in keeping with the existing colours of the area. The roof will be galvanised iron sheeting with the single storey roof portion having a roof pitch at 30 degrees and the first floor roof having a pitch of 15 degrees.

Vehicle crossover:

Two (2) new vehicle crossovers will be constructed to provide new driveway access to each property. The crossover will be of concrete construction which is the existing material used on the existing crossovers in the street. The existing crossover at the south east corner of the site will be retained and use for vehicle access to Lot 2.

Subdivision:

The subject site is to be subdivided into two (2) separate parcels. The following is a breakdown on each lot:

- Lot 1 will have an area of approximately 510m², with a frontage of approximately 12.63 metres to King Street, a western boundary of approximately 40.35 metres and a northern boundary of approximately 12.25 metres.
- Lot 2 will have an area of approximately 510m², with a frontage of approximately 12.63 metres to King Street, an eastern boundary of approximately 40.61 metres and a northern boundary of approximately 13.10 metres.

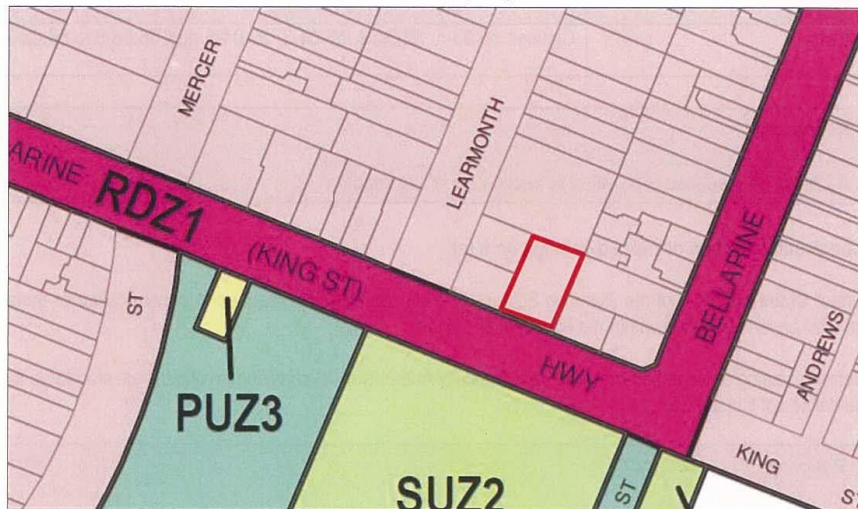
Demolition of dwelling, outbuildings and fence in a Heritage Overlay, removal of vegetation in a Heritage Overlay where tree controls apply, development of two double storey dwellings, creation of access to a road in a Road Zone, Category 1 and a two (2) lot subdivision
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5. Planning Controls

5.1 Zoning

The subject site is situated within the **Residential 1 Zone (R1Z)**.



Clause 32.01 of the Queenscliffe Planning Scheme refers to the Residential 1 Zone and the purpose of the Zone is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To provide for residential development at a range of densities with a variety of dwellings to meet the housing needs of all households.
- To encourage residential development that respects the neighbourhood character.
- In appropriate locations, to allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs.

Response:

The proposal is consistent with the purpose of the Residential 1 Zone. It will enable development for residential purposes at a range of densities, and will contribute to a choice of dwelling types in the area, to meet the needs of a variety of households. The new dwellings will be constructed to the rear of the site and will have no detriment to the existing character of the area. The proposals compliance with relevant State and Local policies is addressed below.

5.2 Subdivision

Under **Clause 32.01-2** of the Planning Scheme, a Planning Permit is required to subdivide land included within the Residential 1 Zone.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of **Clause 56** and:

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- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

Class of Subdivision	Objectives and standards to be met
2 lots	Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5 and 56.06-8 to 56.09-2.

Response:

A Clause 56 response is provided in Section 7.6 of this report.

5.3 Construction of two or more dwellings on a lot

Under **Clause 32.01-4** of the Planning Scheme, a Planning Permit is required to construct two or more dwellings on a lot on land included within the Residential 1 Zone.

Before deciding on an application, the Responsibility Authority must consider the objectives, standards and decision guidelines of Clause 55.

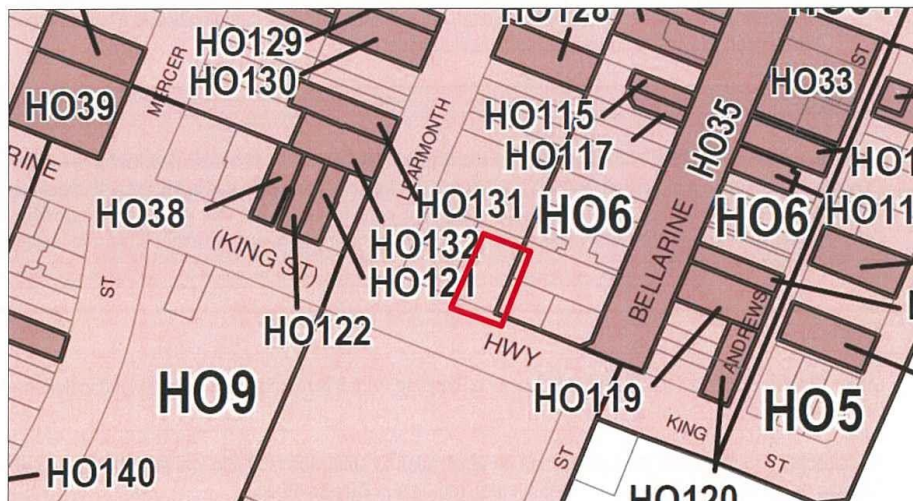
Response:

Refer to Section 7.5 of the report for a Clause 55 assessment.

6. Overlays

6.1 Heritage Overlay

The subject site is also included within the **Heritage Overlay (HO11)**.





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Clause 43.01 of the Queenscliffe Planning Scheme refers to the Heritage Overlay and the purpose of the Overlay is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To conserve and enhance heritage places of natural or cultural significance.
- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that development does not adversely affect the significance of heritage places.
- To conserve specifically identified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

Clause 43.01-1 Permit requirement states that a permit is required to:

- Subdivide land.
- Demolish or remove a building.
- Construct a building or construct or carry out works, including:
 - A fence.
 - Road works and street furniture other than:
 - traffic signals, traffic signs, fire hydrants, parking meters, post boxes and seating
 - speed humps, pedestrian refuges and splitter islands where the existing footpaths or kerb and channel are not altered.
- Remove, destroy or lop a tree if the schedule to this overlay identifies the heritage place as one where tree controls apply. This does not apply:
 - To any action which is necessary to keep the whole or any part of a tree clear of an electric line provided the action is carried out in accordance with a code of practice prepared under Section 86 of the Electricity Safety Act 1998.
 - If the tree presents an immediate risk of personal injury or damage to property

Clause 43.01-4 Decision guidelines states that before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

Decision Guidelines	Response
The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.	<p>The development and subdivision is consistent with the State Planning Policy Framework (SPPF) and Local Planning Policy Framework (LPPF) including the Municipal Strategic Statement (MSS).</p> <p>A detailed response to both the SPPF and LPPF including the MSS and local planning policies has been provided.</p> <p>It is considered that the proposed development and subdivision will not result in a detrimental impact on the existing residential character or identity of the area.</p> <p>Furthermore, the proposed development and subdivision achieves the settlement and housing aspirations of the Queenscliffe Planning Scheme, providing for the orderly development and subdivision of the site promoting a more compact neighbourhood without diminishing the liveability and character of the neighbourhood.</p> <p>Reticulated sewerage, water, stormwater management and telecommunications facilities are available to the site.</p> <p>The development will have available access to different modes of transport including bus, car, bicycle and pedestrian.</p>



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	The development and subdivision caters for diversity in housing type in the area.
The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.	The existing dwelling is not individually listed or contributory in the precinct and the demolition will have no adverse affect on the natural or cultural significance of the heritage place.
Any applicable statement of significance, heritage study and any applicable conservation policy.	The dwelling is not considered a heritage place as the site does not appear under the items of particular heritage significance under Schedule 11 to the Heritage Overlay.
Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.	The proposed buildings on the site will not adversely affect the significance of the heritage place. The ground floor section has been setback 6.0 metres from the King Street frontage to represent the single storey character in the street. The first floor has been setback 12.5 metres from the street and the use of gable and hipped roof pitches over the single storey portion will further reduce any dominance of the first floor to the street. The bulk of the building is set well back from the street and is set appropriately from the side boundaries. There is appropriate separation between both buildings with 1.8 metre setbacks from boundaries. The garages are setback behind the front facades to further provide articulation to the buildings.
Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.	The use of similar external building materials such as rendered brickwork and weatherboards will complement the streetscape. The use of hipped and gable roofs clad in corrugated iron will match the existing roof materials in the street and similar roof pitches will also complement the street. Garages are setback behind the existing dwellings.
Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.	The dwelling is not considered a heritage place as the site does not appear under the items of particular heritage significance under Schedule 11 to the Heritage Overlay.
Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.	The proposed dwellings and associated works will have no adverse affect on the significance of the heritage place.
Whether the proposed subdivision will adversely affect the significance of the heritage place.	The proposed subdivision will have no impact on the significance of the heritage place as the two proposed lots are of similar shape and size to existing lots that are currently found in King and Learmonth Streets. The proposed frontages are of similar width (10-12 metres), long and narrow and have similar sizes ranging between 400-550 square metres.
Whether the proposed subdivision may result in development which will adversely affect the significance, character or appearance of the heritage place.	Dwellings are to be built on each lot in accordance with the heritage provisions of the planning scheme.
Whether the lopping or development will adversely affect the health, appearance or significance of the tree.	The existing trees on the site have been planted. There are to be two existing trees to be retained on site, the remainder will be removed. The trees are considered to be exotic species.

Under the provisions of Clause 43.01 to Schedule 1 of the Heritage Overlay, external paint controls tree controls apply in the Heritage Overlay – Schedule 11.

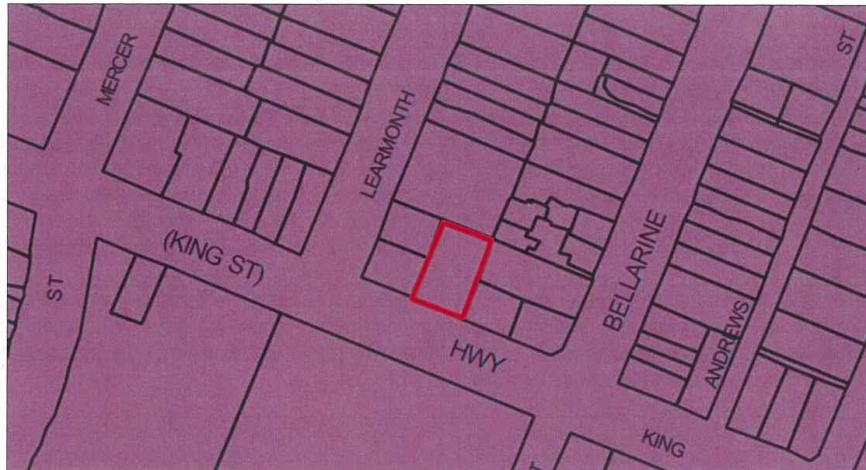


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6.2 Design and Development Overlay

The subject site is also included within the **Design and Development Overlay (DDO1)**.



Under the provisions of **Clause 43.02-2**, a permit is required to construct a building or construct or carry out works, and to construct a fence if specified in a schedule to this overlay. A permit is also required for subdivision under this overlay pursuant to **Clause 43.02-3**.

Clause 43.02-5 Decision guidelines states that before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

Decision Guidelines	Response
The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.	<p>The subdivision is consistent with the State Planning Policy Framework (SPPF) and Local Planning Policy Framework (LPPF) including the Municipal Strategic Statement (MSS).</p> <p>A detailed response to both the SPPF and LPPF including the MSS and local planning policies has been provided.</p> <p>It is considered that the proposed development and subdivision will not result in a detrimental impact on the existing residential character or identity of the area.</p> <p>Furthermore, the proposed development and subdivision achieves the settlement and housing aspirations of the Queenscliffe Planning Scheme, providing for the orderly subdivision of the site promoting a more compact neighbourhood without diminishing the liveability and character of the neighbourhood.</p> <p>Reticulated sewerage, water, stormwater management and telecommunications facilities are available to the site.</p> <p>The dwellings and lots will have different modes of transport including bus, car, bicycle and pedestrian.</p> <p>The development and subdivision caters for diversity in housing type in the area.</p>
The design objectives of the relevant schedule to this overlay.	The proposed dwellings and subdivision have addressed the matters relating to building height, building setback,



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	landscaping and site coverage. The total site coverage of each dwelling is approximately 43%, appropriate setbacks from the street, with the upper floor setback behind the ground floor, side and rear setbacks in accordance with the design guidelines and ResCode.
The provisions of any relevant policies and urban design guidelines.	The proposal meets the relevant policies and urban design guidelines.
Whether the bulk, location and appearance of any proposed buildings and works will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.	The proposed buildings will be in keeping with the character of the area by constructing a single storey section at the front of the site to address the single storey character of the area. The upper floor area will be recessed behind the single storey construction and with gable roofs forming part of the single storey construction will help to further reduce any potential impact on the existing streetscape.
Whether the design, form, layout, proportion and scale of any proposed buildings and works is compatible with the period, style, form, proportion, and scale of any identified heritage places surrounding the site.	The proposed buildings are compatible with the period, style, form, proportion and scale of the surrounding heritage place. Refer to the section that is relevant to Heritage matters.
Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.	The vegetation removal is mainly small exotic trees located along the western and northern sections of the site. These trees are mainly fruit trees and other exotic trees that have been pruned over time. They don't have any significance in the immediate area and the majority of the existing properties surrounding the site don't contain substantial vegetation. The proposed front, side and rear setbacks will allow areas of proposed landscaping and the retention of two existing trees will continue to provide a tree canopy on the site.
The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed off street car parking.	Appropriate access and car parking can be provided on site. A single car garage and a car space in front of the garage provides the required 2 car spaces and new driveways will be provided from King Street.
Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area.	The proposed subdivision meets the requirements of building setbacks, site coverage and landscaping areas.
Any other matters specified in a schedule to this overlay.	Refer to the table below that addresses the requirements of Schedule 1 to the Design and Development Overlay.

Schedule 1 to the Design and Development Overlay refers to Queenscliff and the design objectives that ensure any **new development** maintains, protects and enhances the distinguishing elements of the urban character of the township.

Clause 2.0 to Schedule 1 of the **Clause 43.02** refers to the buildings and works and the permit requirements that need to be assessed for new development.

Buildings and works	Response
Permit requirements	
A permit is not required to carry out routine or preventative maintenance to existing structures.	Not applicable.



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A permit is required for all other buildings and works, including a front fence.	Two dwellings are being constructed on the site and a permit is required for the development.
Building Height - No building can exceed a height of :	
▪ Two Storeys; and	The proposed buildings are two storeys.
▪ 8.5 metres above natural ground level	The proposed buildings have an overall height of 6.5 metres above natural ground level.
Despite the maximum building height stated above, a lesser building height may be necessary in order to:	
▪ Reflect a 'bottom up' rather than 'top down' approach to building design;	The upper floor has been recessed behind the single storey section of the dwellings. A setback of 12.5 metres and the use of gabled roofs over the single storey sections will help with reducing any impact on the existing streetscape.
▪ Satisfy the objectives contained in Clause 21.05;	Refer to Section 9 of the report.
▪ Satisfy the <i>Building Siting and Design Guidelines</i> contained in the <i>Queenscliffe Urban Character Study</i> ;	The proposed buildings have regard to providing sufficient front, side and rear setbacks from adjoining properties, and appropriate areas set aside for landscaping.
▪ Reflect the prevailing building height in the immediate area, especially in streets that are predominantly single storey in character; and,	The front portion of the buildings are single storey and will comprise hipped or gabled roofs. The upper floors are well recessed behind the single storey portion and the use of the hipped and gabled roofs provide further reduction in any dominance to the street.
▪ Take into consideration the reasonable sharing of views.	No existing views will be impeded from the adjoining properties. Front setbacks are in line with the requirements of the guidelines and existing properties to the south currently don't have a view to the ocean.
Building setbacks – new buildings must also meet the following requirements:	
▪ The front setback should either match that of adjacent buildings or if the setbacks of those buildings are different should be between the setbacks of those buildings, or should be equal to the average front setback of buildings in the street, whichever is the greater of the two	The proposed front setback accords with this provision. A 6.0 metre setback from the street with a 12.5 metre setback for the upper floor is a great outcome for the site and the surrounding properties.
▪ 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.	Side setbacks accord with this provision (refer to the development plans).
▪ Buildings should not be built on side and rear boundaries unless this is a dominant feature of buildings in the street.	The proposed buildings are to be built to the side boundary which will contain the garage wall. There are other garages currently built to side and rear boundaries in the immediate area.
Landscaping	
▪ At least 50% of the required private open space on a site should be "soft landscaping" (i.e. vegetation). Hardstand areas should consist of porous surfaces.	At least 50% of the site is capable of being landscaped.



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Front fence	
▪ Front fences should be no higher than 1.3m and should complement the design, architecture, era, materials and finishes of the building on the land and other buildings and fences throughout the street.	Not applicable.
Site coverage	
▪ Buildings should not occupy more than 40% of the area of a site.	The proposed dwellings are generally in accordance with the 40% site coverage.
Adjacent to a heritage overlay	
▪ Any subdivision, building or works adjoining a building, site or object listed in a heritage overlay will require plans and a report to be submitted showing how the subdivision, buildings or works are sympathetic to the character and amenity of the adjoining building.	The site is within an existing heritage overlay.

7. Particular Provisions

7.1 Public Open Space Contribution and Subdivision

Under the provisions of **Clause 52.01**, a person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under Section 18 of the Subdivision Act 1988.

Response:

No public open space contribution of 5% of site value will be paid to Council in accordance with Section 18 of the Subdivision Act, 1988 if required.

7.2 Car Parking

The table contained in **Clause 52.06-5** of the Planning Scheme states that car parking must be provided at a ratio of:

- 1 car space to each one or two bedroom dwelling, plus;
- 2 car spaces to each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus;
- 1 car space for visitors to every 5 dwellings for developments of 5 or more dwellings.

Response:

The proposed development comprises 2 x 4 bedroom dwellings. This equates to 2 car spaces per dwelling to be provided. As there are less than 5 dwellings, no visitor car space is required.



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7.3 Native Vegetation

Under the provisions of **Clause 52.17-2**, a permit is required to remove, destroy or lop native vegetation, including dead native vegetation. This does not apply:

- If the table to **Clause 52.17-6** specifically states that a permit is not required.
- To the removal, destruction or lopping of native vegetation specified in the schedule to this clause.
- To an area specified in the schedule to this clause.

Response:

No native vegetation will require removal in order to facilitate the development as proposed; therefore the provisions of this Clause are not applicable in this instance.

7.4 Land Adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road

Under the provisions of **Clause 52.29**, a permit is required to create or alter access to a road in a Road Zone, Category 1 or land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road. Further, a permit is also required to subdivide land adjacent to a road in a Road Zone, Category 1 or land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road.

Response:

The application requires the construction of two new driveways and the land is to be subdivided. The application will be referred to VicRoads for consideration.

7.5 Two or more Dwellings on a Lot and Residential Buildings

Clause 55 of the Planning Scheme sets out various objectives and standards which Planning Permit applications for multi-dwelling residential development must meet.

Clause	Comment
55.02-1 NEIGHBOURHOOD CHARACTER To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character. To ensure that the design responds to the features of the site and surrounding area.	Complies – Refer to Section 3 of the attached Planning Report for further details.
55.02-2 RESIDENTIAL POLICY To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework	Complies – Refer to Section 9 of the attached Planning Report for further details.



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<p>and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</p> <p>To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.</p>	
<p>55.02-3 DWELLING DIVERSITY</p> <p>To encourage a range of dwelling sizes and types in developments of ten or more dwellings.</p>	<p>Not applicable.</p>
<p>55.02-4 INFRASTRUCTURE</p> <p>To ensure development is provided with appropriate utility services and infrastructure.</p> <p>To ensure development does not unreasonably overload the capacity of utility services and infrastructure.</p>	<p>Complies - The existing services of gas, electricity, reticulated water and sewerage are currently available to the site and will be utilised as part of the proposed development.</p> <p>There is no indication that the development will overload these services.</p>
<p>55.02-5 INTEGRATION WITH THE STREET</p> <p>To integrate the layout of development with the street.</p>	<p>Complies – Site access is minimised by having only one cross-over per lots which is the current feature of other existing properties that front King Street.</p> <p>Both dwellings are oriented to the street with a small front yard that will allow residents and pedestrians to interact.</p> <p>Medium fencing will be provided along the frontage.</p>
<p>55.03-1 STREET SETBACK</p> <p>To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.</p>	<p>Complies – The proposed dwellings are to be setback 6.0 metres from the King Street frontage. The development provides appropriate setbacks that are similar to the setbacks of the dwellings in the street and will not be out of character with the neighbourhood.</p>
<p>55.03-2 BUILDING HEIGHT</p>	<p>Complies – The maximum height of the development is 6.5 metres from natural ground level.</p>



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To ensure that the height of buildings respects the existing or preferred neighbourhood character.	
55.03-3 SITE COVERING To ensure that the site coverage respect the existing or preferred neighbourhood character and responds to the features of the site.	Complies – Built area – 406.0m ² Site area – 1020.0m ² $406.0\text{m}^2 \div 1020.0\text{m}^2 \times 100 = 39.8\%$
55.03-4 PERMEABILITY To reduce the impact of increased stormwater run-off on the drainage system. To facilitate on-site stormwater infiltration.	Complies – Built/hard surface area – 482.0m ² (approx.) Site area – 1020.0m ² $482.0\text{m}^2 \div 1020.0\text{m}^2 \times 100 = 47.25\%$
55.03-5 ENERGY EFFICIENCY To achieve and protect energy efficient dwellings. To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.	Complies – The internal living areas have been orientated towards the north, with these internal areas having direct access to an outdoor living area that is located to the north at ground level. There are large areas of windows in the living areas to allow for good solar access, which will help with the reduction of the use of fossil fuels. There are balconies of the upper floor at the rear (facing north) which are approximately 13.0m ² .
55.03-6 OPEN SPACE To integrate the layout of development with any public and communal open space provided in or adjacent to the development.	Not applicable.
55.03-7 SAFETY To ensure the layout of development provides for the safety and security of residents and property.	Complies – Proposed entrances to each dwelling are oriented towards the King Street frontage.
55.03-8	



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<p>LANDSCAPING</p> <p>To encourage development that respects the landscape character of the neighbourhood.</p> <p>To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.</p> <p>To provide appropriate landscaping.</p> <p>To encourage the retention of mature vegetation on the site.</p>	<p>Complies – Appropriate landscaping will be provided as part of the development. A detailed landscape plan will be provided as a requirement of a condition on the planning permit.</p>
<p>55.03-9 ACCESS</p> <p>To ensure vehicle access to and from a development is safe, manageable and convenient.</p> <p>To ensure the number and design of vehicle crossovers respects the neighbourhood character.</p>	<p>Complies – Two (2) new driveways will be constructed from King Street to the site. The existing driveway will be removed and reinstated to match the existing street profile.</p> <p>The driveways will be single and will be 3.0 metres wide. There is sufficient room for another vehicle to park off street in front of garages. Visitor parking is not required in this instance.</p>
<p>55.03-10 PARKING LOCATION</p> <p>To provide convenient parking for resident and visitor vehicles.</p> <p>To avoid parking and traffic difficulties in the development and the neighbourhood.</p> <p>To protect residents from vehicular noise within developments.</p>	<p>Complies – Car parking spaces are conveniently located with easy access to each dwelling.</p> <p>Each dwelling contains an undercover single garage and a second car space in front of the garage.</p>
<p>55.04-1 SIDE AND REAR SETBACK</p> <p>To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</p>	<p>Complies – A garage wall will be constructed on a boundary and will have a height of 3.4 metres which complies with the maximum height of a wall on a boundary.</p>
<p>55.04-2 WALLS ON BOUNDARIES</p>	



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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.	Complies – A garage wall will be constructed on a boundary and will have a height of 3.4 metres which complies with the maximum height of a wall on a boundary.
55.04-3 DAYLIGHT TO EXISTING WINDOWS To allow adequate daylight into existing habitable room windows.	Complies – All habitable room windows on surrounding dwellings are in excess of 1m from the subject site.
55.04-4 NORTH-FACING WINDOWS To allow adequate solar access to existing north-facing habitable room windows.	Complies – There are no habitable room windows within 3 metres of the property boundary.
55.04-5 OVERSHADOWING OPEN SPACE To ensure buildings do not unreasonably overshadow existing secluded private open space.	Complies – Refer to the overshadowing diagrams that detail 9am, 12noon and 3pm.
55.04-6 OVERLOOKING To limit views into existing secluded private open space and habitable room windows.	Complies – The habitable room windows located upper floor of each dwelling will be located 1.7 metres above floor level and will open outwards to allow appropriate ventilation into the room. The windows at the northern elevation will be full length windows and the balcony will be screened at the eastern and western end to prevent any overlooking into the adjoining properties. There is no screening to the north as the land to the north is vacant of any buildings.
55.04-7 INTERNAL VIEWS To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.	Complies – The internal views from the upper floor will be screened (refer to plans).
55.04-8 NOISE IMPACTS To contain noise sources in developments that may affect existing dwellings.	Complies – There will no noise impacts to adjoining dwellings.



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To protect residents from external noise.	
55.05-1 ACCESSIBILITY To encourage the consideration of the needs of people with limited mobility in the design of developments.	Complies – Entry point is located at ground level and is easily accessible.
55.05-2 DWELLING ENTRY To provide each dwelling or residential building with its own sense of identity.	Complies – Entry point is visible from the King Street frontage and is contained under a verandah.
55.05-3 DAYLIGHT TO NEW WINDOWS To allow adequate daylight into new habitable room windows.	Complies – All habitable room windows open to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky.
55.05-4 PRIVATE OPEN SPACE To provide adequate private open space for the reasonable recreation and service needs of residents.	Complies – Each dwelling will have approximately 150.0m ² of secluded private open space located at the rear. The first floor balconies at the rear comprise approximately 13.0m ² of area.
55.05-5 SOLAR ACCESS TO OPEN SPACE To allow solar access into the secluded private open space of a new dwelling.	Complies – All secluded private open spaces areas are either located at ground level or on balconies and face the north.
55.05-6 STORAGE To provide adequate storage facilities for each dwelling.	Complies – Storage spaces are available in the garages and contain 6 cubic metres.
55.06-1 DESIGN DETAIL	Complies – The built form with compliment and be compatible with existing surrounding development.



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To encourage design detail that respects the existing or preferred neighbourhood character.	<p>The existing neighbourhood is characterised by a mixture of older weatherboard dwellings and modern designs with the use of face brickwork in differing colours, the use of iron roofs, covered entrances with a verandah or portico structure, hipped and gabled roofs of pitches at 15 to 30 degrees, and mainly single storey in height. Upper floors or first extensions are recessed behind the single storey portion and set well back from the street.</p> <p>The proposed development will comprise rendered face brickwork, weatherboard, iron roofs, hipped and gable roofs, covered verandahs and porticos, colourbond roller doors.</p>
55.06-2 FRONT FENCES To encourage front fence design that respects the existing or preferred neighbourhood character.	Complies – A front fence is to be constructed on the front property boundary.
55.06-3 COMMON PROPERTY To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership.	Not applicable.
55.06-4 SITE SERVICES To ensure that site services can be installed and easily maintained. To ensure that site facilities are accessible, adequate and attractive.	Complies – Site services have been located where possible in the most efficient and economical location. Provision has been made for the storage of bins and mailboxes have been located in convenient and appropriate locations.

7.6 Residential Subdivision

Clause 56 of the Planning Scheme sets out various objectives and standards which Planning Permit applications for residential subdivision must meet.



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Clause 56 Residential Subdivision Provisions	Development Response
Clause 56.03-5 - Standard C6 Neighbourhood Character.	The subdivision will integrate well within the context of the immediate neighbourhood and surrounds. The subdivision will have negligible effect on the established and prevailing land pattern and will have little if any adverse impact on either the established or emerging neighbourhood character values in the area.
Clause 56.04-2 - Standard C8 Lot Area and Building Envelopes.	The size (dimensions and area) of the proposed lots will be able to accommodate the future development of a dwelling and will be able to easily meet Standard C8, which requires a building envelope size of 10m x 15m. It is submitted that future development will be able to achieve an appropriate front setback. Any proposed development will be able to be designed to incorporate solar access as appropriate to the new lot. The lots are sufficient in area to provide appropriate vehicular access.
Clause 56.04-3 - Standard C9 Solar Orientation.	The site is located on the north side of King Street and each lot will be able to achieve sufficient solar access to the secluded private open space of any future dwelling located to the north.
Clause 56.04-5 - Standard C11 Common Areas.	No common property is proposed as part of this application.
Clause 56.06-8 - Standard C21 Lot access.	Access will be available to Lot 1 and 2 from King Street.
Clause 56.07-1 - Standard C22 Drinking Water.	The supply of drinking water will be from existing water supply mains and will be provided to each new lot in accordance with the requirements of the Barwon Water Authority.
Clause 56.07-2 - Standard C23 Recycled water.	The Barwon Water Authority does not mandate the recycling of water for the area within which the subject land is situated. There is opportunity to install water tanks on any of the new lots to collect stormwater.
Clause 56.07-3 - Standard C24 Waste Water.	Connection to the existing reticulated sewerage system is required for both lots.
Clause 56.07-4 - Standard C25 Urban Runoff.	The subject land can connect into the legal point of discharge as part of an approved drainage system to accommodate urban run-off.
Clause 56.08-1 - Standard C26 Site Management.	Appropriate site management conditions are recommended as permit conditions in respect to site management requirements during construction of the subdivision. Measures will address: <ul style="list-style-type: none">▪ Hosing down of soil to prevent emission of dust▪ Erosion and sediment control.▪ Run-off control.▪ Waste management and disposal of litter, concrete and other construction wastes.
Clause 56.09-1 - Standard C27 Shared Trenching.	Shared trenching will be undertaken where possible in the design and construction of the subdivision.



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Clause 56 Residential Subdivision Provisions	Development Response
Clause 56.09-2 - Standard C28 Electricity, Telecommunications and Gas.	Both lots will be connected to electricity, gas and telecommunications.

8. General Provisions

8.1 Decision Guidelines

Under the provisions of **Clause 65.01**, before deciding on an application or approval of a plan, the responsible authority must also consider, as appropriate:

Clause 65.01- Application or approval of a plan	Comments
The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies	The proposed development complies with the SPPF and LPPF including the MSS and local planning policies.
The purpose of the zone, overlay or other provision	The development complies with the Residential 1 zone.
Any matter required to be considered in the zone, overlay or other provision	The development complies with the Heritage Overlay and the Design and Development Overlay.
The orderly planning of the area	This proposal represents an orderly, sensible and practical response to land that is situated within a residential context.
The effect on the amenity of the area	There will be no measurable effect or impacts on the amenity of the area. Appropriate offsets distances exist between the proposed dwellings and adjoining residential properties. No adverse overshadowing effects or overlooking of private open space has occurred through this layout and design of the proposed dwellings.
The proximity of the land to any public land	The site is within proximity to the Royal Reserve, which provides ample public open space and access to recreational facilities.
Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site	Any storm or surface water runoff will be discharged to the current legal point of discharge. The proposal will not increase stormwater runoff.
The extent and character of native vegetation and the likelihood of its destruction	There is no native vegetation on the site.
Whether native vegetation is to be or can be protected, planted or allowed to regenerate	Not applicable.
The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard	Not applicable.

Under the provisions of **Clause 65.02**, before deciding on an application to subdivide land, the responsible authority must also consider, as appropriate:

Clause 65.02 – Application to subdivide land	Comments
The suitability of the land for subdivision	The land is suitable for subdivision.



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	Moreover, the subdivision finds support in the Local Planning Policy Frameworks including the Municipal Strategic Statement (MSS), and is consistent with the purpose of the Residential 1 Zone.
The existing use and possible future development of the land and nearby land	This is a residential subdivision in an established residential area. The resulting lots will be developed for single dwellings. Nearby and adjacent land is also zoned residential and will remain for residential use and development.
The availability of subdivided land in the locality, and the need for the creation of further lots	This subdivision presents itself as a residential infill and urban consolidation opportunity, which are both outcomes sought by the LPPF.
The effect of development on the use or development of other land which has a common means of drainage	Subject to the provision of appropriate drainage infrastructure, the subdivision will not have any adverse affect on the drainage regime that is associated with adjoining land or other land that is situated within the vicinity of the subject land.
The subdivision pattern having regard to the physical characteristics of the land including existing vegetation	Having regard to the physical characteristics of the subject land and its surrounding context, it is submitted that the pattern and rhythm of the subdivision is appropriate for the subject land. The subdivision will facilitate development that is in keeping with the existing and preferred neighbourhood character.
The density of the proposed development	The density of development that is contemplated by the subdivision is consistent with that undertaken on adjoining and nearby land within the Residential 1 Zone.
The area and dimensions of each lot in the subdivision	The proposed subdivision will create two (2) new residential lots all capable of containing a dwelling as designated by the proposed building envelopes.
The layout of roads having regard to their function and relationship to existing roads	Access will be provided from King Street which is the major road into Queenscliffe and to Geelong.
The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots	Both pedestrians and vehicles will have convenient and practical access to the lots created by the subdivision.
The provision and location of reserves for public open space and other community facilities	No public open space will be set-aside as part of the subdivision. The subdivision is of a kind that will attract a public open space contribution pursuant to the scheme or Section 18 of the <i>Subdivision Act 1988</i> .
The staging of the subdivision	The subdivision is not staged.
The design and siting of buildings having regard to safety and the risk of spread of fire	No development is proposed as part of this subdivision application.
The provision of off-street parking	Sufficient land is available on each of the proposed lots to accommodate off-street car parking in association with the anticipated use of the land for dwellings.
The provision and location of common property	Not applicable.



Demolition of dwelling, outbuildings and fence in a Heritage Overlay, removal of vegetation in a Heritage Overlay where tree controls apply, development of two double storey dwellings, creation of access to a road in a Road Zone, Category 1 and a two (2) lot subdivision
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The functions of any body corporate	Not applicable.
The availability and provision of utility services, including water, sewerage, drainage, electricity and gas	The proposed subdivision can be serviced by the following utility services, which are all available to it: Water; Sewerage; Drainage; Electricity; Natural Gas; and Telecommunications
If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot	The proposed subdivision can be serviced by the existing reticulated sewerage infrastructure provided by the Barwon Water Authority.
Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas	There is no native vegetation on the site.

9. Policy Context

It is considered the proposal is consistent with the relevant State and Local Planning Policies as outlined below:-

9.1 State Planning Policy Framework

Clause 12.01 – Biodiversity – Contains policies relating to the protection of habitat and native vegetation management.

Response:

There is no native vegetation on the site. The existing Walnut Tree and Banksia Tree are to be retained to continue the existing landscape character of the area.

Clause 15.01 – Urban Environment – Contains policies relating to urban design, urban design principles, neighbourhood and subdivision design, density and safety and cultural identity and neighbourhood character.

Clause 15.02 – Sustainable Development – More specifically 15.02-1 Energy and Resource Efficiency aims to encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.

Response:

The proposal is considered to be an orderly and appropriately planned development and subdivision that is close to public transport, schools, community facilities, shops and public open spaces. The proposal is located within an established residential area and the layout of the lots respect the existing surrounding development and provides for a safe and functional living environment by having lots facing directly onto the existing roads. The subdivision will be connected to existing infrastructure to allow for maximisation of existing resources.

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Clause 15.03 – Heritage – Contains policies relating to heritage conservation and aboriginal cultural heritage.



Response:

Under the Aboriginal Heritage Act, 2006, the subject site is identified as being within an area of possible cultural heritage sensitivity, as indicated on the above map extract from the Department of Planning and Community development. However, under the regulations a two lot subdivision is exempt from any cultural heritage requirements.

The existing dwelling has no heritage significance and demolition is supported by Council's Heritage adviser. The new dwellings have also support from the Heritage Adviser. Extensive consultation and redesign has designed a development that meets the heritage guidelines of the Borough.

Clause 16.01 – Residential Development – Contains policies relating to integrated housing, location of residential development, housing diversity and housing affordability.

Response:

The proposal will add to the range of available housing and will assist to meet demand in this area. The site is located within an established residential area and the development will help to consolidate the urban area without consuming additional land for residential purposes. The design is appropriate to the existing character of the area. Physical and community infrastructure are located close to this site in Hesse Street.

Clause 18.02-5 – Car Parking – Aims to ensure an adequate supply of car parking that is appropriately designed and located.

Response:

The required number of car spaces for residents has been provided on site.



Demolition of dwelling, outbuildings and fence in a Heritage Overlay, removal of vegetation in a Heritage Overlay where tree controls apply, development of two double storey dwellings, creation of access to a road in a Road Zone, Category 1 and a two (2) lot subdivision
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Clause 19.03-2 – Water Supply, Sewerage and Drainage – This policy aims to plan for the provision of water supply, sewerage and drainage services that efficiently and effectively meet State and community needs and protect the environment.

Response:

Existing water, sewer, power and drainage is already available to the site.

9.2 Local Planning Policy Framework

9.2.1 Municipal Strategic Statement

Clause 21.04 Vision Strategic Framework – aims to underpin the strategic objectives of the Borough and the relevant visions with respect to this application are:

- provide attractive residential areas which are capable of accommodating the needs of resident and tourist populations, whilst maintaining residential amenity;
- require new developments to maintain, enhance, and harmonise with the Borough's significant heritage architecture and coastal village atmosphere.

Response:

The proposed development and subdivision will have very little impact on the existing residential and heritage area. The proposed dwellings will maintain and enhance the Borough's heritage architecture with the use of appropriate building materials and colours, hipped and gable roofs, single storey development located at the front of the site and setting back of upper floors where there is no impact on the streetscape or adjoining properties.

Clause 21.05-1 Settlement – aims to:

- Maintain a stable permanent resident population.
- Allow for growth in appropriate locations.

Response:

The proposed development will add to and maintain a permanent resident population.

Clause 21.05-2 Environment – aims to:

- Preserve the biodiversity of flora and fauna.
- Protect the natural environment from inappropriate use and development.
- Encourage development that complements natural environment values.

Clause 21.05-2 Heritage Conservation – aims to:



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- Protect and enhance identified places, sites and objects of European cultural, historical, landscape and architectural significance.
- Identify and protect significant Aboriginal sites.
- Ensure that development is sympathetic to the heritage values of heritage sites, places and objects.

Clause 21.05-2 Urban Character – aims to:

- To recognise and protect the significant cultural heritage and natural coastal atmosphere of the Borough.
- To ensure new development maintains, enhances and harmonises with the distinguishing cultural heritage identity of the township of Queenscliffe.
- To ensure new development does not reduce the integrity of significant areas of intact native or remnant indigenous vegetation within Queenscliffe.

Response:

The existing vegetation on the site will be removed except for the Walnut Tree located in the north east corner of Lot 2 and the existing Banksia Tree located at the front fence of Lot 2. The remaining vegetation is not native and is not significant.

The existing dwelling is considered not to be significant and has no objection from Council's Heritage Adviser on the demolition. The new dwellings will maintain the cultural heritage identity of the township with single storey character at the front and upper floors setback behind the single storey development. The use of appropriate building materials and hipped or gabled roofs will enhance the area and not be out of character with the neighbourhood.

The proposed lots are of similar size and dimension to existing lots that currently front King and Learmonth Streets.

Clause 21.05-3 Housing – aims to:

- Encourage environmentally sustainable housing and subdivision designs including the taking of opportunities for energy efficiency, improved storm and waste water disposal mechanisms.

Response:

The proposed dwellings and lots are orientated north-south. The secluded private open space will be facing north allowing good use of the northerly sun. Internal living areas will have direct access to the northern outdoor living areas. Use of large windows on the northern elevations will allow appropriate daylight and sunlight into the habitable rooms.

Appropriate stormwater will be collected in rainwater tanks and waste water disposal will be directed to the reticulated sewer.

9.2.2 Local Planning Policies

Clause 22.03 Heritage Policy – aims to:

- To conserve and enhance the buildings, works, tree, objects and sites which are specified in the Heritage Overlay;



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- To ensure that the potential negative effects of subdivision on the buildings, works, tree, objects and sites which are specified in the Heritage Overlay are minimised;
- To ensure that an appropriate setting and context for heritage places is maintained;
- To ensure that development which may result from a subdivision does not adversely affect the significance, character or appearance of a buildings, works, tree, objects and sites which are specified in the Heritage Overlay;
- To give effect to the recommendations of:
 - The Geelong Region Historic Buildings and Objects Study
 - The Queenscliffe Urban Conservation Study
 - Borough of Queenscliffe Urban Character Study

Policy	Response
<p>Before deciding on an application for a building or works to be demolished, removed, altered or constructed the responsible authority must consider:</p> <ul style="list-style-type: none"> ▪ the overall objectives of this policy contained within this Clause ▪ The Geelong Region Historic Buildings and Objects Study ▪ The Queenscliffe Urban Conservation Study ▪ The Borough of Queenscliffe Urban Character Study ▪ the existing character and appearance of such building, work or object and the contribution such building or work or object makes to the architectural or historical character and appearance of the locality; ▪ the cultural significance of such building, work, tree, object or site. ▪ whether the design, building materials, colours or general appearance of the proposed alterations will detrimentally affect the architectural or historical character or appearance of the existing buildings, works, objects, site or streetscape. ▪ the demolition or alteration of heritage buildings should not be supported unless it can be demonstrated that: <ul style="list-style-type: none"> ▪ the action will contribute to the long-term conservation of the significant fabric of the building; and ▪ the demolition involves the removal of later inappropriate modifications. <p>Planning permits for demolition should not be granted until the replacement buildings or works have been approved and the owner or developer has entered into a bona fide construction of redevelopment</p>	<p>The existing dwelling is not significant in the heritage precinct. Advice from Council's Heritage Adviser is that demolition is not of concern.</p> <p>The new dwellings have been designed to meet the heritage provisions of the planning scheme. There has been significant consultation with Council's Heritage Adviser on meeting heritage design guidelines and all of the recommendation put forward have been implemented into the design. The use of similar building materials, setback of the upper floor to behind the single storey construction, use of hipped and gabled roofs at similar pitches as other existing roofs, use of appropriate colours that blend with the existing colours of the area (whites, light colours), etc...</p> <p>The existing building is not of any significance under Schedule 11 of the Heritage Overlay.</p> <p>Development plans have been submitted with the application.</p>



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Subdivision should not impact negatively on the significance of buildings, works, tree, objects and sites, which are specified in the Heritage Overlay.	The subdivision will not impact negatively on the significance of buildings or trees in the precinct. The existing dwelling is not of any significance or is the vegetation on the site.
Subdivision should be avoided or limited if resulting in development, including boundary fences and buildings, that will be detrimental to the visual appearance of buildings, works, tree, objects and sites which are specified in the Heritage Overlay or be detrimental to the significant view lines to and from the of buildings, works, tree, objects and sites which are specified in the Heritage Overlay. Maintenance of an appropriate visual setting is essential.	Development Plans have been provided with the application.
Subdivision should be avoided if it may result in development that affects the consistent rhythm and pattern of buildings and adversely affects the historically important views and interrelationship of a group of buildings.	Appropriate front setbacks have been provided in accordance with the policy provisions of the Heritage Overlay.

Clause 22.03-10 Heritage Overlay 11 – Central Queenscliff – aims to:

- To provide an appropriate setting for the Urban Heritage and historically significant buildings of Queenscliff;
- To ensure that new development does not detract from the significance of the identified Heritage Overlays 1-10;
- To encourage new buildings or works to be in harmony with buildings, works or objects listed in the Heritage Overlays;
- To conserve those trees which contribute to the historic and landscape interest of the Heritage Overlays or the town in general;
- To encourage new planting to respect the historic significance of the buildings listed in the Heritage Overlays;
- To protect the uniformity in scale and massing of the buildings;

Policy	Response
The objectives of the policy will be taken into account in assessing any planning permit application.	Consideration of the objectives to the Heritage Policy has been addressed appropriately within the planning application.
In carrying out buildings and works the following will apply: <ul style="list-style-type: none"> ▪ The frontage setback should be the same as the setbacks of adjacent buildings or if these are different the setback may be between the setbacks of adjacent buildings; ▪ Buildings should not exceed 2 storeys. 	Front setbacks have been addressed and accord with the policy requirements (see attached plans). The buildings are no higher than two storeys and the setbacks of the new dwellings are 6.0 metres which is consistent with the existing setbacks in King Street.

Clause 22.04 Urban Character Policy – aims to:

- To recognise and protect the significant cultural heritage and natural coastal atmosphere of the Borough which distinguishes its special character;

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- To ensure new development in Queenscliff maintains, enhances and is harmonises with the distinguishing cultural heritage identity of the township;
- To require new development in Queenscliff to have regard to the prevailing scale, style, height, siting, fencing, building materials and finishes of buildings in the core heritage centre of the town;
- To minimise the visual impact of new development in foreshore areas, having regard to building height and topographical features of the land, bulk, site coverage, external materials and finishes and the removal of vegetation; and
- To require all new development to have regard to the siting and design objectives and guidelines of the Borough of Queenscliffe Urban Character Study.

Clause 22.04-1 Queenscliff Urban Character Policy – aims to:

To protect the following distinguishing elements of the character of the Queenscliff Urban Areas:

- The substantial and intact groupings of historic one and two storey Victorian and Edwardian buildings;
- The informality of streetscape materials and finishes including front fences;
- Broad straight streets with buildings abutting or close to the street frontage and side boundaries which creates a distinctive and relatively high density urban environment;
- Established exotic street tree planting and private gardens that frame views to building facades and reinforce the formality and historic appearance of the township.

Response:

The design objectives of the design and Development Overlay have been adequately addressed in Section 6.2 of this report.

10. Conclusion

In conclusion, it is considered that the demolition of the existing dwelling, outbuildings and fence in a Heritage Overlay, removal of vegetation in a Heritage Overlay where tree controls apply, development of two double storey dwellings, creation of access to a road in a Road Zone, Category 1 and a two (2) lot subdivision is appropriate for the following reasons:

- The development and subdivision meet the local planning policy objective for infill development and urban consolidation.
- The development and subdivision are consistent with the purpose and strategic intent of the Residential 1 zone.
- The development and subdivision respond favourably to the decision guidelines of Clause 65.01 and Clause 65.02 respectively.
- The development and subdivision will result in the efficient use of existing infrastructure and will also help to reduce the pressure on urban expansion beyond designated growth boundaries.
- The resulting lot sizes are such that they will promote residential development on the land that is respectful of the character of the neighbourhood.
- The resulting lot sizes are such that they will promote development on the land that is responsive to the principles for energy efficiency and the achievement of sustainable development.
- The new dwellings meet front, side and rear setbacks, site coverage and areas for future landscaping.
- The dwellings and subdivision meet the local planning policy objectives of the Heritage Overlay and including Schedule 11 to the overlay.
- The dwellings and subdivision meet the local planning policy objectives of the urban character policy and including the design guidelines as detailed in Schedule 1 of the Design and Development Overlay



Demolition of dwelling, outbuildings and fence in a Heritage Overlay, removal of vegetation in a Heritage Overlay where tree controls apply, development of two double storey dwellings, creation of access to a road in a Road Zone, Category 1 and a two (2) lot subdivision
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For these reasons, it is respectfully requested that Queenscliffe Borough Council issue a planning permit to allow for the demolition of the existing dwelling, outbuildings and fence in a Heritage Overlay, removal of vegetation in a Heritage Overlay where tree controls apply, development of two double storey dwellings, creation of access to a road in a Road Zone, Category 1 and a two (2) lot subdivision.

A handwritten signature in blue ink, appearing to read "James Iles".

James Iles
Town Planner

Demolition of dwelling, outbuildings and fence in a Heritage Overlay, removal of vegetation in a Heritage Overlay where tree controls apply, development of two double storey dwellings, creation of access to a road in a Road Zone, Category 1 and a two (2) lot subdivision
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11. Photos of the site and surrounds



Existing two (2) storey dwelling at 16 King Street (subject site).



Existing driveway and garage structure of the subject site.



Existing front garden of the subject site.



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Existing eastern elevation of the existing dwelling on the subject site.



Existing garage/carport structure located on the eastern boundary of the site.



Northern elevation of the existing dwelling and the existing bungalow structure at the rear of the dwelling.



Demolition of dwelling, outbuildings and fence in a Heritage Overlay, removal of vegetation in a Heritage Overlay where tree controls apply, development of two double storey dwellings, creation of access to a road in a Road Zone, Category 1 and a two (2) lot subdivision
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Existing rear yard of the existing site.



Existing Walnut tree to be retained.



Rear elevation of the existing dwelling.



Demolition of dwelling, outbuildings and fence in a Heritage Overlay, removal of vegetation in a Heritage Overlay where tree controls apply, development of two double storey dwellings, creation of access to a road in a Road Zone, Category 1 and a two (2) lot subdivision
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Rear section of the existing
bungalow building.



Western side of the existing
dwelling.



Rear section of the existing
garden area.





Demolition of dwelling, outbuildings and fence in a Heritage Overlay, removal of vegetation in a Heritage Overlay where tree controls apply, development of two double storey dwellings, creation of access to a road in a Road Zone, Category 1 and a two (2) lot subdivision
16 King Street, Queenscliffe



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Front garden of the existing site.



Existing dwelling at No.14 King Street.



Existing dwelling at 75 Learmonth Street.



Demolition of dwelling, outbuildings and fence in a Heritage Overlay, removal of vegetation in a Heritage Overlay where tree controls apply, development of two double storey dwellings, creation of access to a road in a Road Zone, Category 1 and a two (2) lot subdivision
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Existing bowling and tennis
club car park.



Looking towards the rear
section of the existing
dwelling from Learmonth
Street.



Looking east along King
Street in front of the site.





Demolition of dwelling, outbuildings and fence in a Heritage Overlay, removal of vegetation in a Heritage Overlay where tree controls apply, development of two double storey dwellings, creation of access to a road in a Road Zone, Category 1 and a two (2) lot subdivision
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Existing driveway entrance
to the site from King Street.



Looking west along King
Street.



Looking east to the
intersection of King and
Hesse Streets.





Demolition of dwelling, outbuildings and fence in a Heritage Overlay, removal of vegetation in a Heritage Overlay where tree controls apply, development of two double storey dwellings, creation of access to a road in a Road Zone, Category 1 and a two (2) lot subdivision
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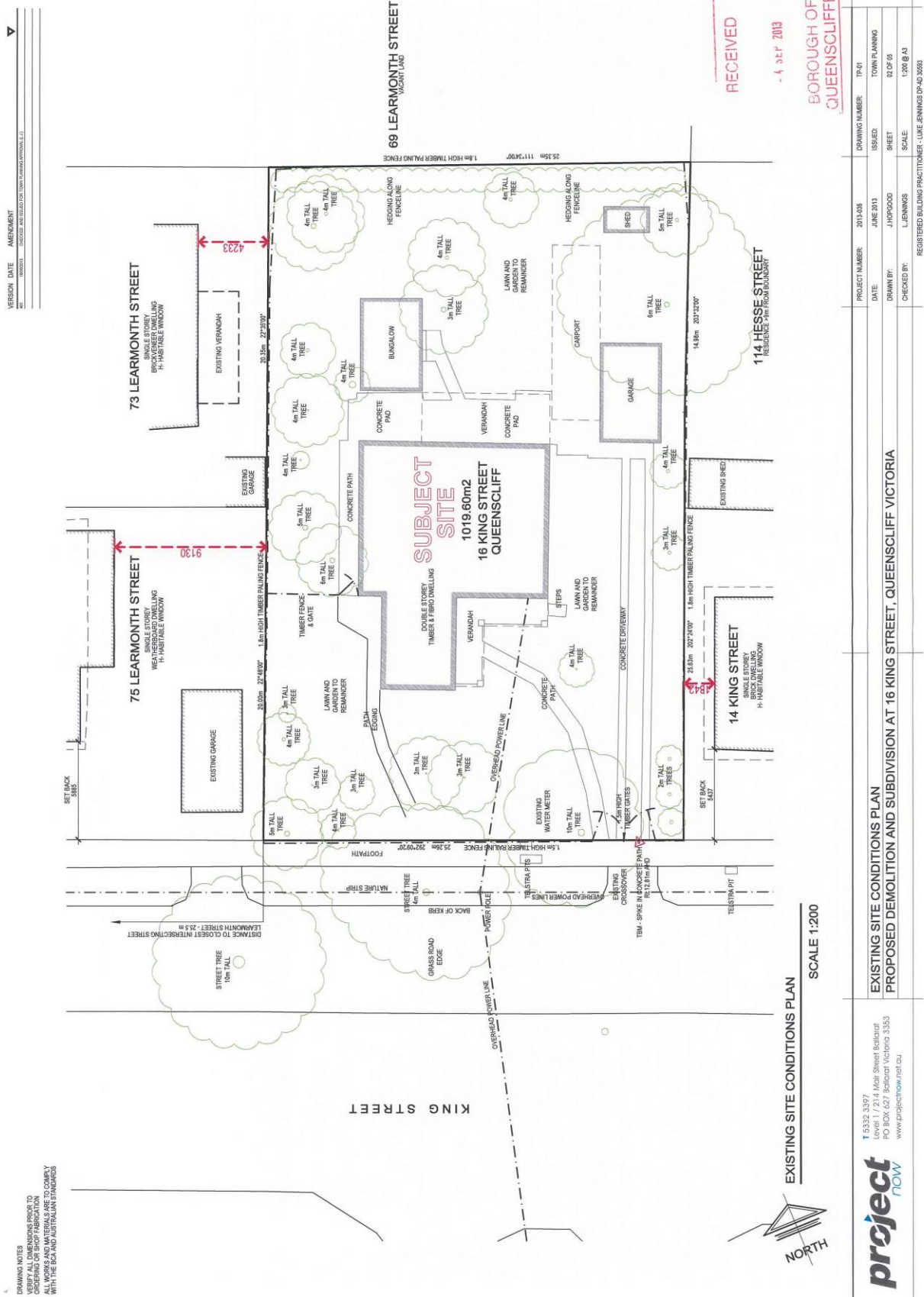
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Existing double storey
dwelling at 20 King Street.

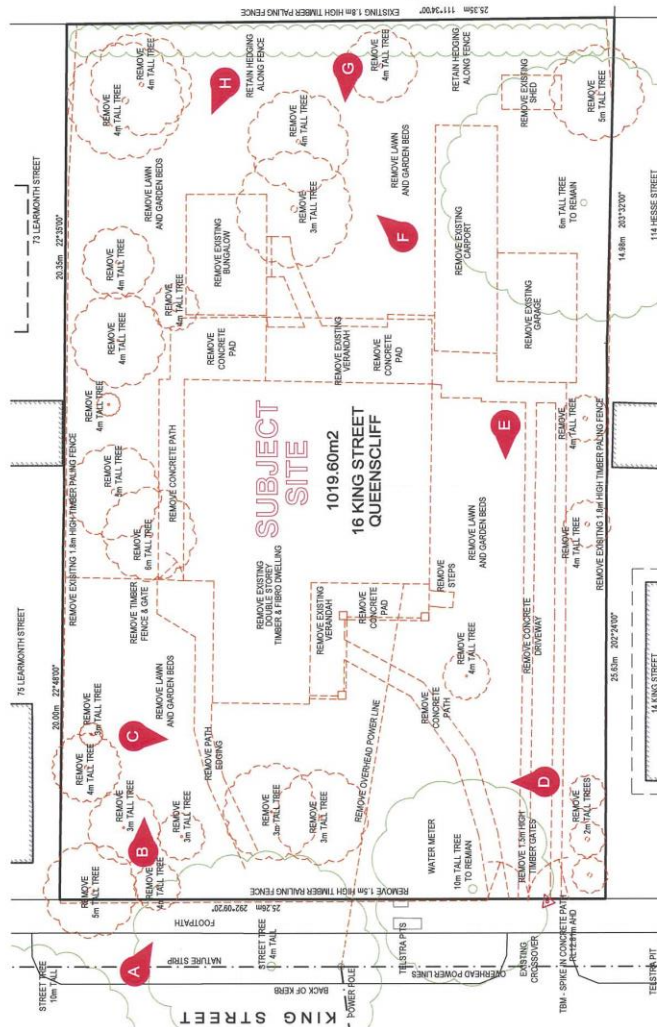
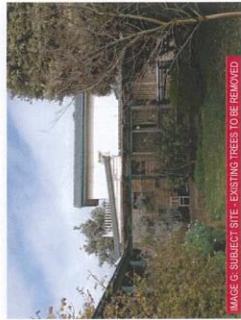
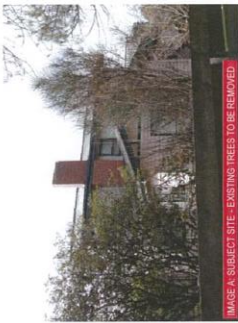


Existing two storey dwelling
at 116 Hesse Street.





DRAWING NOTES
 VERIFY ALL DIMENSIONS PRIOR TO ORDERING OR SHOP FABRICATION
 ALL WORKS AND MATERIALS ARE TO COMPLY WITH THE BCA AND AUSTRALIAN STANDARDS



PROPOSED DEMOLITION PLAN

SCALE 1:200

--- BUILDINGS, VERANDAS, CARPORTS, PATHS TO BE DEMOLISHED/REMOVED SHOWN IN RED

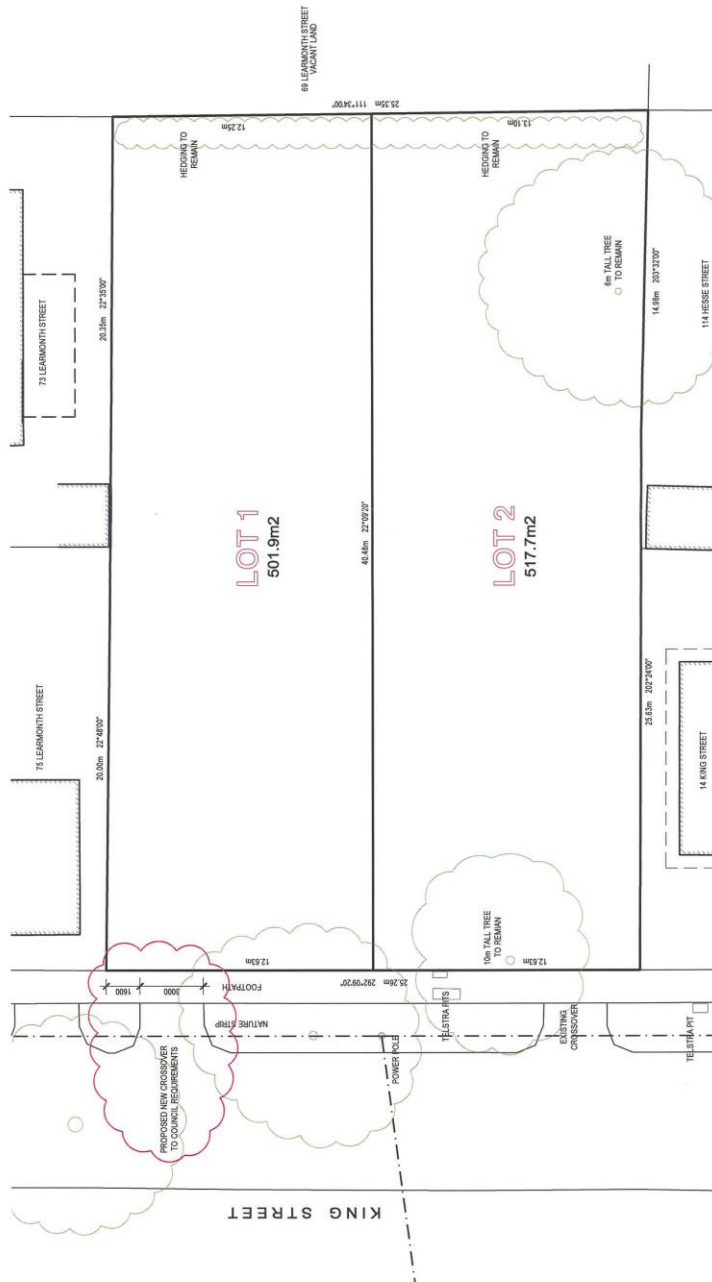


 <p> T 5332 3397 Level 1 / 214 Main Street Burwood PO BOX 627 Balgair Victoria 3153 www.projectnow.net.au </p>	PROPOSED DEMOLITION PLAN				PROJECT NUMBER: 2014-018	DRAWING NUMBER: TP-42
	PROPOSED DEMOLITION AND SUBDIVISION AT 16 KING STREET, QUEENSLIFF VICTORIA				DATE: JUNE 2013	TOWN PLANNING
					DRAWN BY: JHP00000	SHEET 01 OF 04
					CHECKED BY: LENNINGS	SCALE: 1:200 @ A3
					RECORDED & INDEXED BY: LENNINGS (2014) 1001	



VERSION	DATE	AMENDMENT
1	16/06/2013	DESIGNED AND SUBMITTED FOR TOWN PLANNING APPROVAL
2	16/06/2013	AMENDED TO REFLECT THE PROPOSED 1:200 SCALE AND TO ADD THE BOROUGH OF QUEENSCLIFFE LOGO

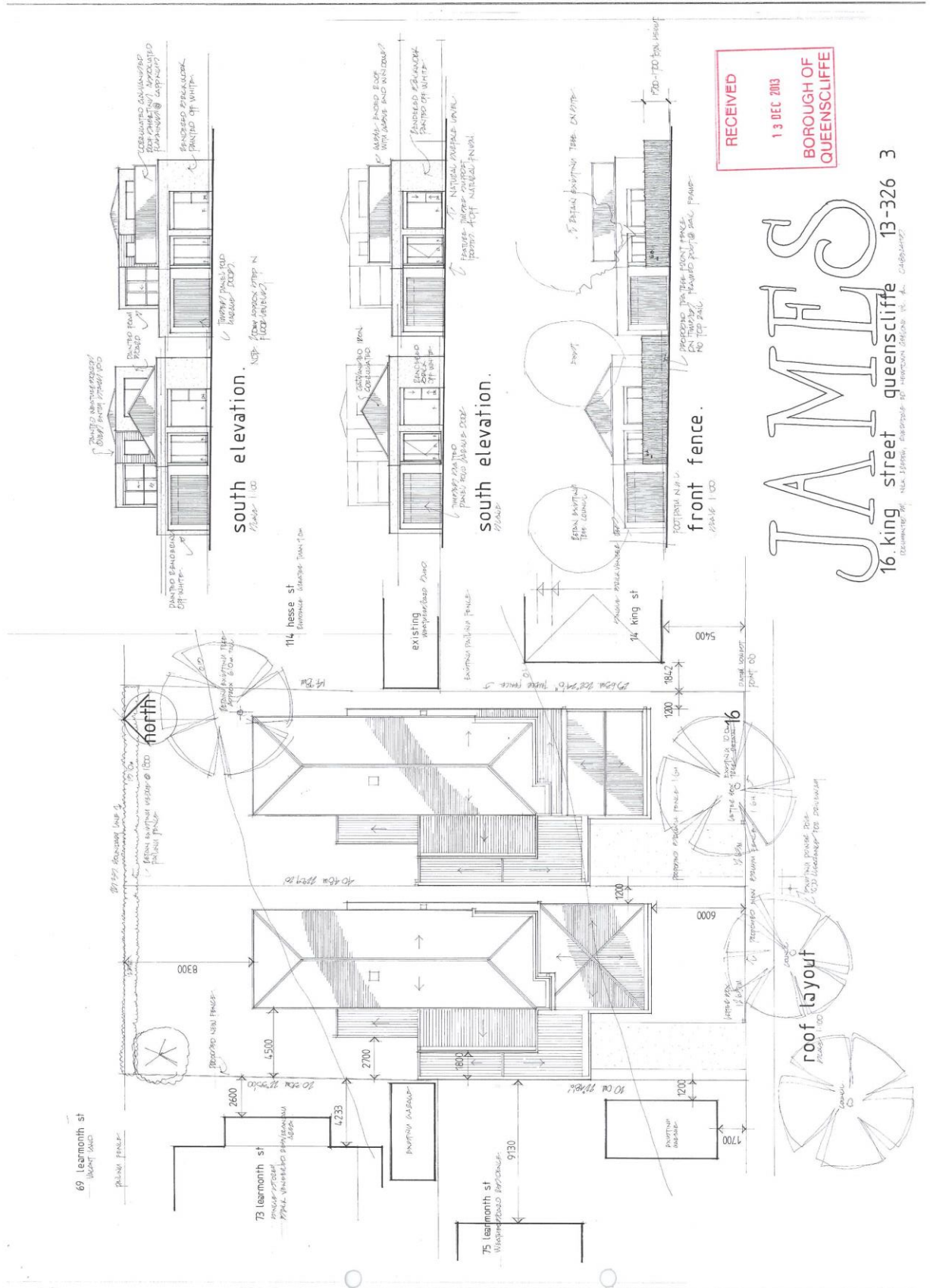
DRAWING NOTES
VERIFY ALL DIMENSIONS PRIOR TO
CONSTRUCTION
ALL WORKS AND MATERIALS ARE TO COMPLY
WITH THE BCA AND AUSTRALIAN STANDARDS

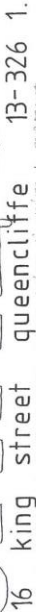
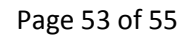


PROPOSED PLAN OF SUBDIVISION
SCALE 1:200



project now	T 5332 3397 Level 11/214 Main Street, Burwood PO Box 627, Burwood VIC 3133 www.projectnow.net.au	PROPOSED SUBDIVISION PLAN PROPOSED DEMOLITION AND SUBDIVISION AT 16 KING STREET, QUEENSCLIFF VICTORIA	PROJECT NUMBER: 2013-006 DRAWING NUMBER: TP-03 DATE: JUNE 2013 DESIGNED BY: J. HOPWOOD DRAWN BY: L. JENNINGS CHECKED BY: L. JENNINGS SCALE: 1:200 @ A3 REGISTERED BUILDING PRACTITIONER - LUCE JENNINGS DP-AD 26593
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JAMES
16 king street queenscliffe
VIC 3220 AUSTRALIA

13-3



6. APPENDIX 2 (CONFIDENTIAL) – SUBMISSIONS

Provided to Councillors under separate cover

7. CLOSE OF MEETING
