



# **Agenda**

## **Planning Review Meeting**

Wednesday 5 December 2012 at 7:00pm

Queenscliff Town Hall  
50 Learmonth Street, Queenscliff

### **Distribution**

#### **Councillors**

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

#### **Officers**

Lenny Jenner, Chief Executive Officer  
Phil Josipovic, General Manager Planning & Infrastructure  
Mitch Hodgson, Senior Planner

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**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 documentation and plans of revised proposal : <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>	Revised proposal re-advertised by Council (on behalf of applicant) to objectors and adjoining property owners.
<b>Submissions</b>	Five (5) objections received to original proposal: <i>Refer Appendix 2</i>
<b>Key Issue raised by submitters</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**

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## 4.2 10-18 HESSE STREET, QUEENSCLIFF

### Planning Permit Application: 2012/061

#### SUMMARY

<b>Proposal</b>	<p>Part demolition of an existing building in a Heritage Overlay, buildings and works for the construction of a two storey building comprising of the existing restaurant and eight (8) new dwellings, reduction of the standard car parking requirement of Clause 52.06, variation to the design standards for car parking of Clause 52.06, waiver of the loading bay requirement of Clause 52.07, alteration to access to a road in a road zone category 1, and variation to the setback and site coverage requirements of the Design and Development Overlay - Schedule 1</p> <p>Application and plans: <i>Refer Appendix 3</i></p>
<b>Zone/Overlays</b>	<p>Business 1 Zone Design and Development Overlay – Schedule 1 Heritage Overlay – Schedule 31</p>
<b>Permit Triggers</b>	<p>Clause 34.01-4 – Buildings and works in a Business 1 Zone Clause 43.02-2 – Buildings and works in a Design and Development Overlay Clause 43.01-1 – Demolition and buildings and works in a Heritage Overlay Clause 52.06 - reduction of standard car parking requirement and variation to the design standards for car parking Clause 52.07 – Waiver of the loading bay requirement Clause 52.29 – Alteration to access to a road in a Road Zone – Category 1</p>
<b>Public Notification</b>	<p>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.</p>
<b>Submissions</b>	<p>14 submissions received: <i>Refer Appendix 4</i></p>
<b>Key issues raised by submitters</b>	<p>Refer to submissions</p>



**4.2.1. Applicant to present to Council**

**4.2.2. Submitters to present to Council**

**4.2.3. Applicant to readdress Council**

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**5. CLOSE OF MEETING**

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**APPENDIX 1 – APPLICATION DOCUMENTS, 64 King Street, Queenscliff**



TOWN PLANNING REPORT  
for: 64 KING ST, QUEENSCLIFF

SUMMARY OF REQUIREMENTS FOR A PLANNING PERMIT  
FOR THE DEMOLITION OF AN EXISTING DWELLING AND  
CONSTRUCTION OF A NEW DWELLING COVERED BY A  
DESIGN DEVELOPMENT AND HERITAGE OVERLAY AT 64  
KING STREET, QUEENSCLIFF



PRICE WILLIAMS  
ARCHITECTS

WEST MELBOURNE  
1/617 Spencer St  
03 9328 5857





TOWN PLANNING REPORT - 64 KING STREET, QUEENSCLIFF

## GENERAL PROJECT DESCRIPTION

This proposal involves demolition of the existing single storey ad hoc 2 bedroom dwelling and construction of a new 2 level dwelling. The proposed new dwelling contains an entry vestibule, 2 bedrooms, bathroom, laundry and living room on the ground floor, and a new kitchen, family room, master bedroom, ensuite and decks on the first floor. A new single garage on the Western boundary also forms part of this proposal. It is considered that the existing bungalow has been added to at various stages over time, and is unworkable for the existing owners, with a series of 'lean-to' extensions creating smaller and smaller spaces.

The proposal has 2 external deck areas at level 1. The rear deck is accessed from the family room and offers extensive views to the North across Swan Bay. This deck is screened to the East and West by an open batten structure that extends the length of the upper level and forms both privacy and solar protection to upper level windows. The deck at the front (Southern elevation) is accessed from the master bedroom and sits above the entry entry vestibule at ground level. This entry vestibule offers protected arrival to the main front entry door from the predominant south westerly weather to which the site is subject. It also is a formal mechanism that gives visual bulk at ground level to the street elevation.

The proposed dwelling steps back at the upper level on both the East and West side and a series of gabled portal frames provide the structure for screening battens along each of these elevations. As described above, these battens provide both shading and privacy to upper level windows. They are also a formal device that assists in the composition of the new dwelling, which references the pitch roofed dwellings that are typical of the urban character of the surrounding neighbourhood. The dwelling is clad in painted weatherboard with a galvanised corrugated roof.

The proposed garage is also a pitched gable form that attaches to the dwelling at right angles and is set back from the front facade of the main dwelling. The roof and walls of the garage are clad in shingles, a material typical of many historic dwellings within this part of Queenscliff. The use of a different yet complimentary materials within a similar formal arrangement assists in breaking down the mass of the whole, that is, the dwelling and garage.

The extents of works proposed within the planning permit application are outlined below in point form;

- Demolish existing dwelling, retaining the fireplace
- Construct a new 2 level dwelling incorporating entry vestibule, 3 bedrooms, bathroom, ensuite, laundry, kitchen, 2 separate living areas and decks
- Construction of a new single garage

## DESIGN SUMMARY

The Design can be summarised through the following points;

- Construct a new two storey dwelling and garage that references the formal and material qualities of the surrounding neighbourhood character.
- Provide a deck with a Northerly aspect at level 1 that is accessed from the living room taking in views across Swan Bay.



TOWN PLANNING REPORT - 64 KING STREET, QUEENSCLIFF

- Provide a small deck accessible from the master bedroom and sitting above a new entry vestibule that affords views across the heads at Port Phillip Bay. The entry vestibule is clad in timber battens and offers guests arriving at the front door protection from predominant South Westerly weather.
- The main dwelling will utilise a palette of two primary materials; weatherboard and timber batten screening/cladding. The external walls are painted weatherboard cladding. The upper level is stepped back from the ground floor walls and is protected from East and West solar glare by timber battens that are 50% open. These battens also provide visual screening towards each of the adjacent properties. The battens are fixed to a portal structure that articulates the length of the building, informing window locations and accentuating the gable pitched roof form.
- A new garage is proposed on the Western side of the property and is a gable pitched roof building perpendicular to the main dwelling. The garage is clad in shingles which reference this traditional historic cladding method that is common of many dwellings in Queenscliff. A reference image of the preferred system is shown below.



- The rear garden is accessible from the front garden along the Eastern side of the dwelling. Vehicle access to the new garage and existing carport is unchanged from the current configuration and cross over on King Street.

MINIMUM STREET SETBACK (from King Street)

- The ground floor entry vestibule and upper level deck are set back 8.5m from the King Street boundary. The main dwelling is set back 10.5m. This is set back farther than both adjacent dwellings.
- Minimum setback provisions are satisfied.

BUILDING HEIGHT

- The new dwelling is 2 level and sits at roughly the highest point on the site. As shown by the dashed line on the East Elevation of TP-05, the 8.5m height restriction on the site is achieved even with the gable pitched roof over the second floor.
- It is considered that this proposal is within the context of neighbouring buildings along King St.

SITE COVERAGE



TOWN PLANNING REPORT - 64 KING STREET, QUEENSCLIFF

- Site area – 674 m<sup>2</sup>
- New Building Area - 188 m<sup>2</sup>
- Percentage of site cover – 28%
- Building site coverage provision is satisfied.

PERMEABILITY

- There is approximately 486 m<sup>2</sup> of site coverage remaining which is equal to 72% of the property, all of which will be permeable. The requirement within the planning scheme is for 20% of the site to be not covered and permeable.
- Permeability provision within the site is satisfied.

CAR PARKING

- The existing carport and new garage provide under cover parking for 2 vehicles.
- Car parking requirements for two cars is satisfied.

REAR AND SIDE SETBACKS AND WALLS ON BOUNDARIES

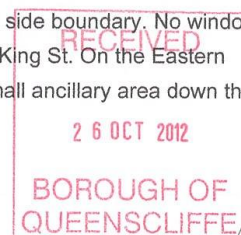
- SOUTH BOUNDARY (KING STREET)– The ground floor of the proposed dwelling has a minimum setback of 8.5m from the Southern boundary.
- NORTH BOUNDARY – The dwelling is set back 11.8m from the Northern boundary and steps back in the upper storey.
- WEST BOUNDARY – The new garage is proposed along abuts the Western boundary. It is a maximum of 3.6m from natural ground at the highest point of the gable and is an average of 3m.
- EAST BOUNDARY – The proposed dwelling is set back 1.95m from the Eastern boundary and steps in another 1m at the upper level.

SOLAR ACCESS TO EXISTING NORTH FACING HABITABLE WINDOWS

- The proposed dwelling does not impact on any north facing habitable windows.
- Solar access to existing windows provision is satisfied.

OVERSHADOWING OF SECLUDED PRIVATE OPEN SPACE

- Overshadowing to adjacent dwellings from this proposal occurs along the Eastern and Western boundaries. The diagram showing shadow on TP-07 shows the impact of overshadowing caused by this proposed dwelling. The majority of shadow falls onto the adjacent properties at 66 King Street in the side access pathway during the morning, and 62 King St along the side boundary. No windows are overshadowed and there is no impact to private open space at 66 King St. On the Eastern adjoining property at 62 King St, the majority of shadow falls over a small ancillary area down the





TOWN PLANNING REPORT - 64 KING STREET, QUEENSCLIFF

side of the house. The existing vegetation along this boundary already puts these windows into shadow.

- Provisions for the potential to overshadow have been satisfied.

OVERLOOKING

- The two primary locations that require assessment for overlooking are illustrated on TP-01 by a 9m arc located at the level 1 rear deck.

DAYLIGHT TO NEW HABITABLE ROOM WINDOWS

- All habitable rooms within the proposal have windows on external walls.
- Provision for daylight to habitable rooms is satisfied.

PRIVATE OPEN SPACE

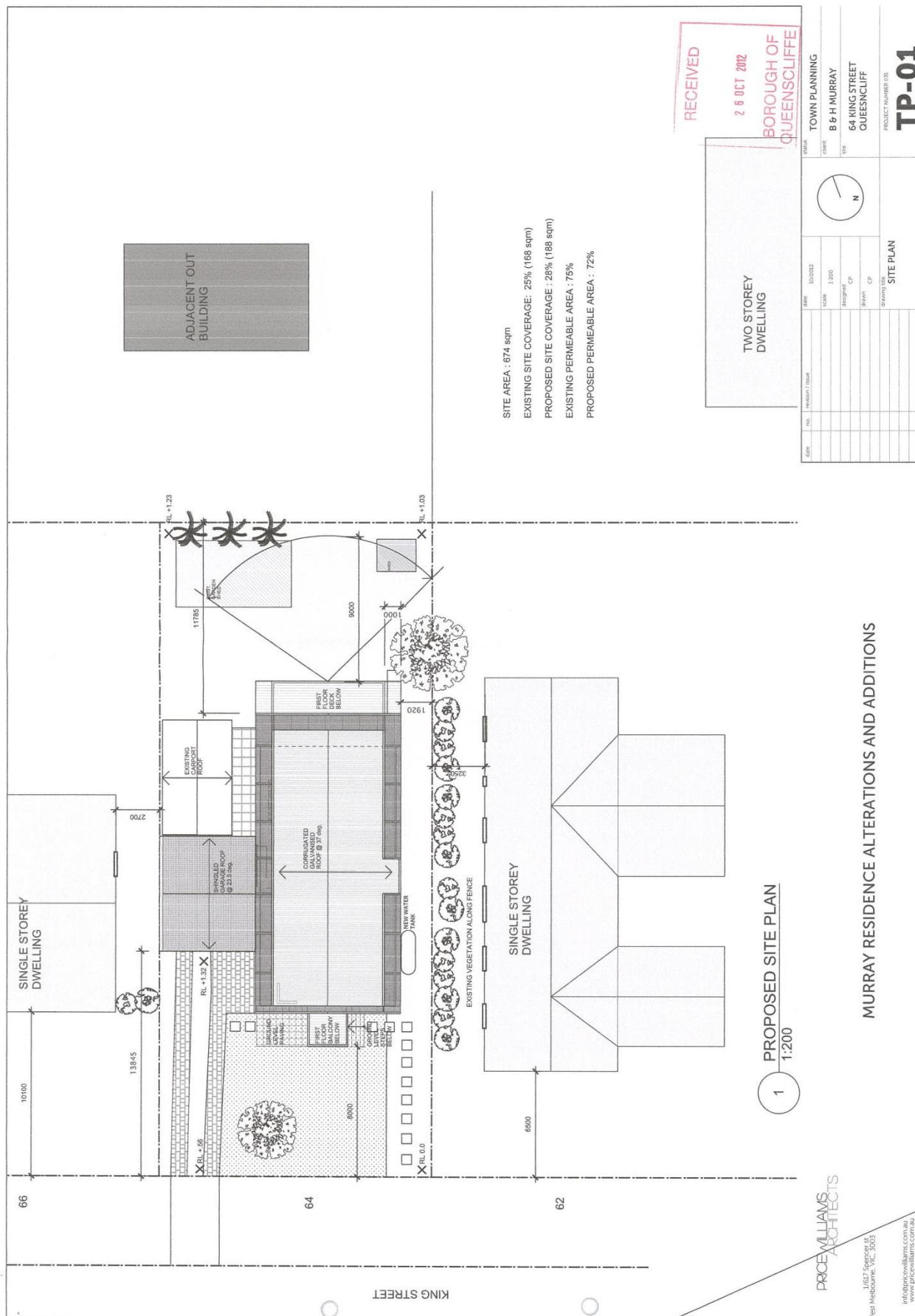
- There is private open space at the rear of the proposal with a northerly aspect. This area is approximately 160m<sup>2</sup> in area.
- Provision for secluded private open space is satisfied.

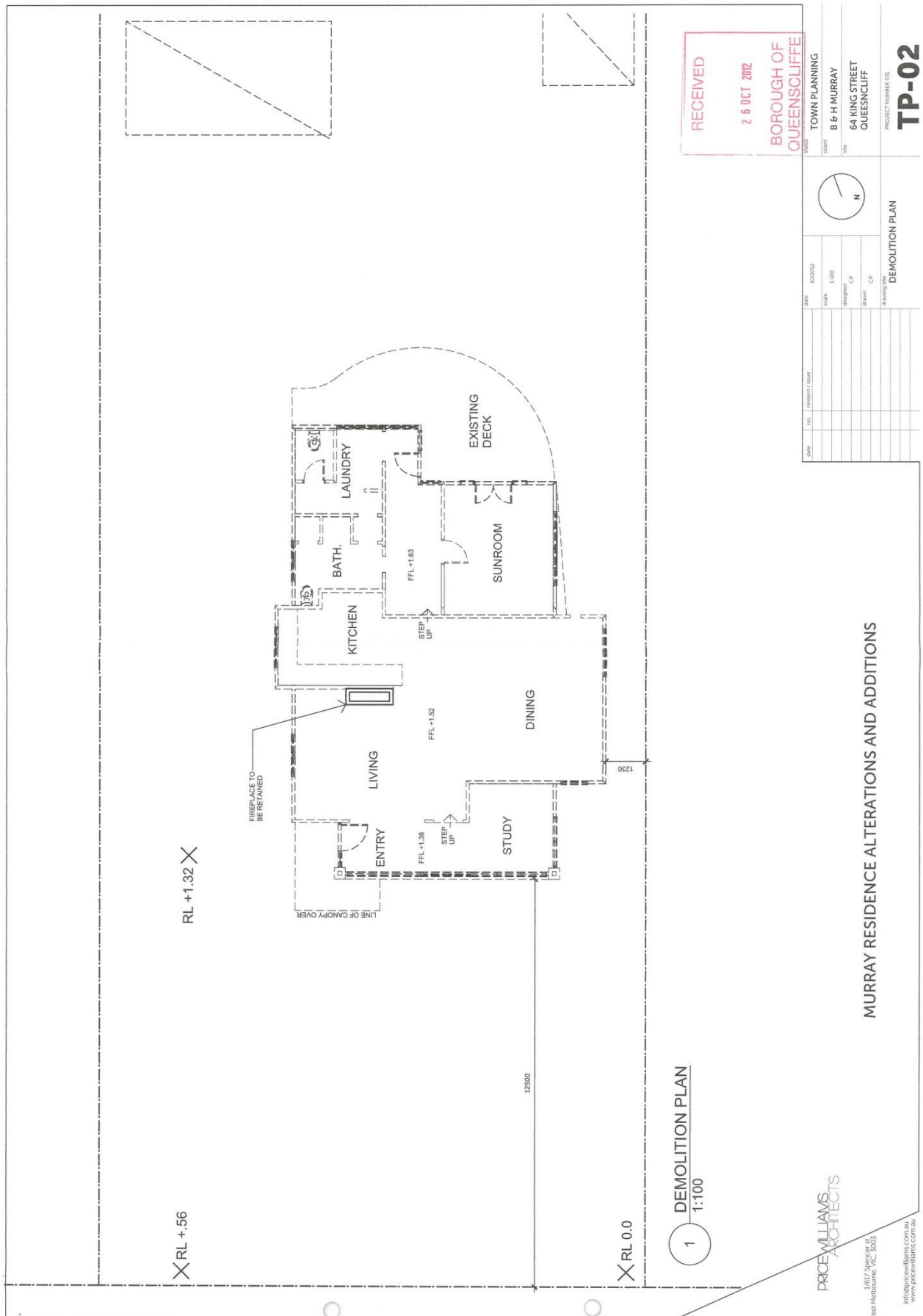
FENCING

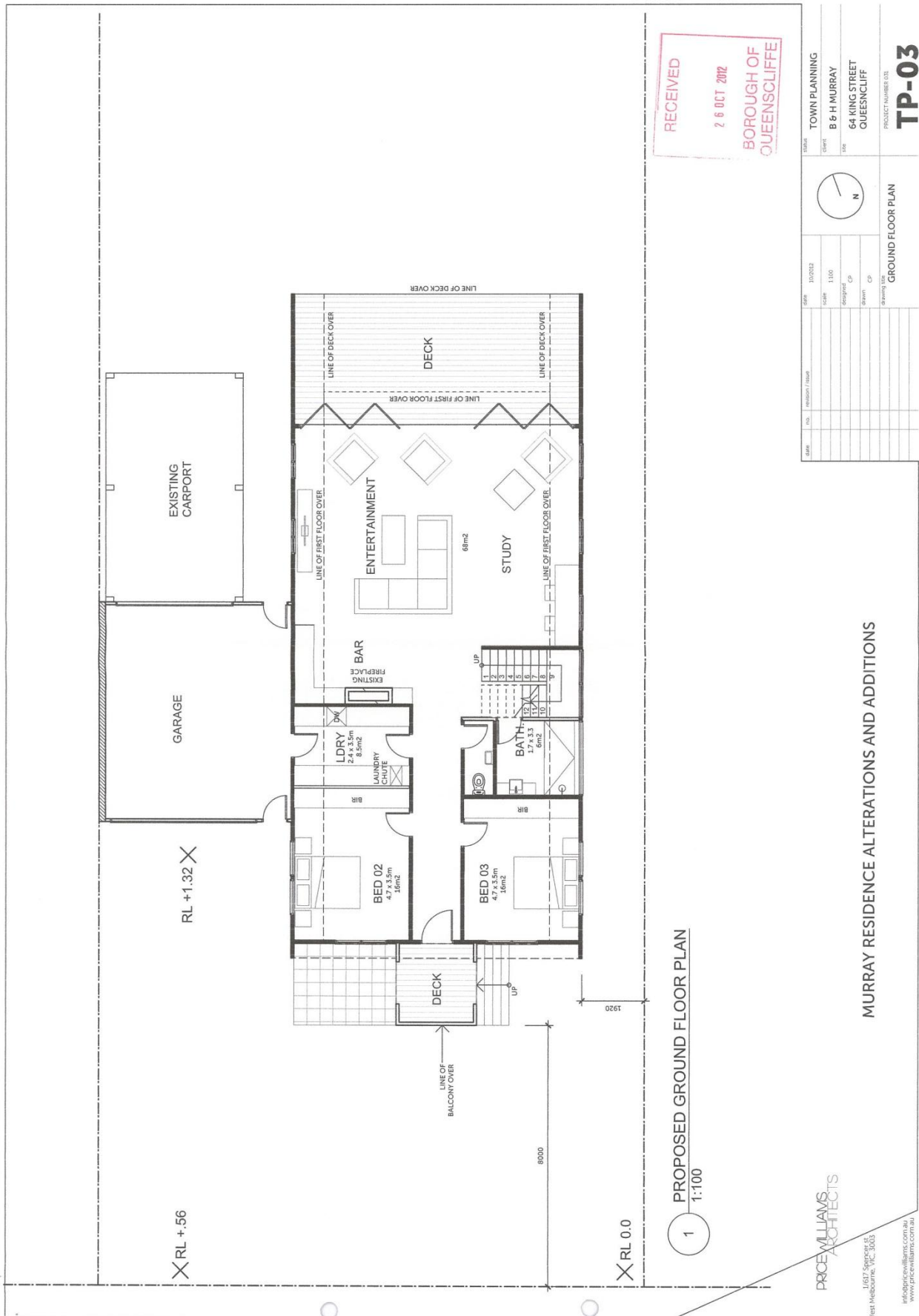
- All other fencing is in good condition and will remain.
- All provisions for fencing are satisfied

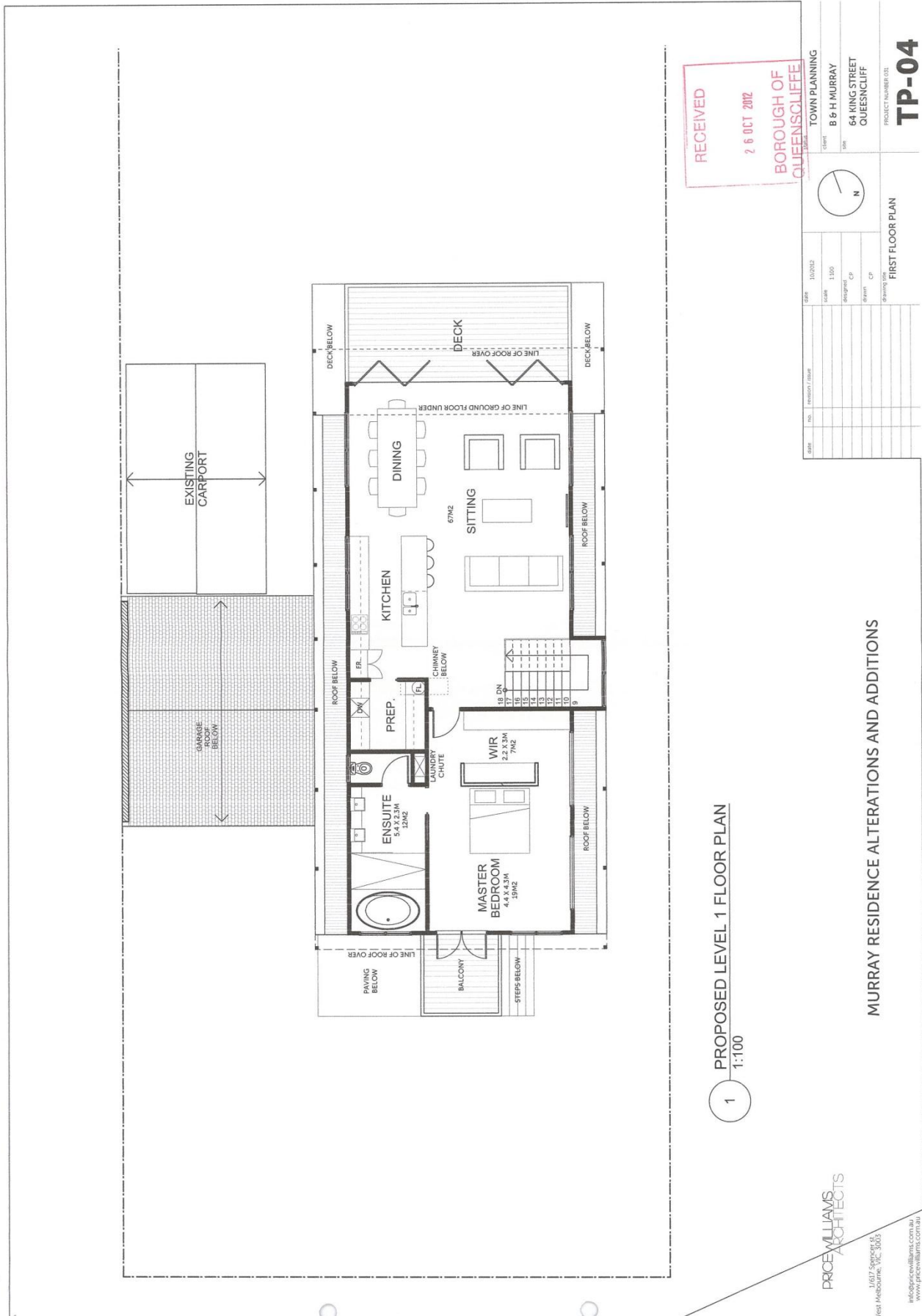




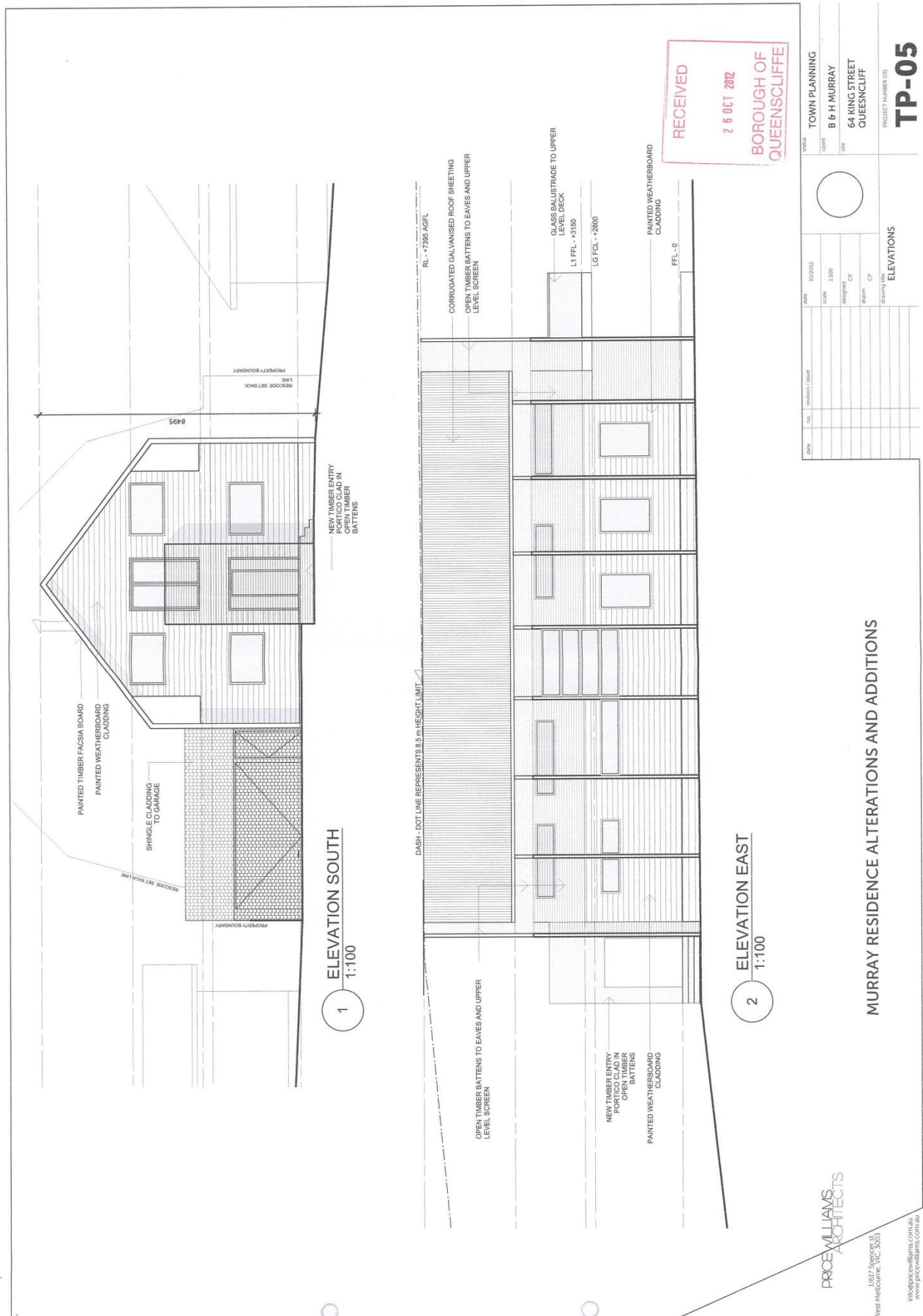




















## APPENDIX 2 – SUBMISSIONS, 64 King Street, Queenscliff

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** **L5/181 FITZROY ST**

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 QUEENSCLEIFF**

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 QUEENSCLEIFF**

Reasons for objection:

1. Over shading 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)

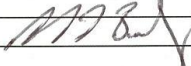
If yes, would you like to discuss possible modifications with a Council officer?

☐ 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:**  **Date:** 17 May 2012

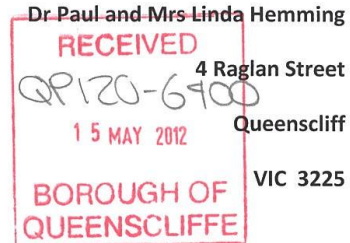
Privacy Statement

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.

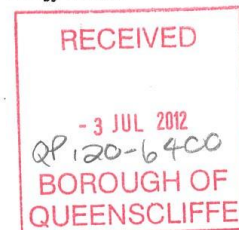
Yours faithfully,





**Queenscliffe Community Association Inc.**

Reg. No. A00 323 01V  
PO Box 19 Queenscliff 3225



TO: The Mayor and councillors  
FROM: The Queenscliffe Community Association

The Queenscliffe Community Association (QCA) wishes to object to a planning permit for 64 King Street, Queenscliff, 3225.

The Association's objection is based on the following grounds:

**SCHEDULE 1 TO THE DESIGN AND DEVELOPMENT OVERLAY under 1.0 Design objectives states:**

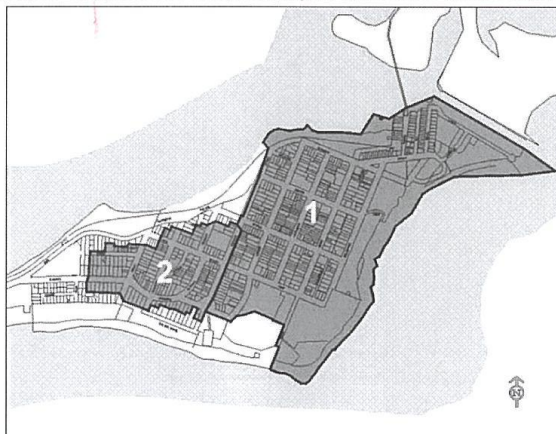
'...new development maintains, protects and enhances the distinguishing elements of the urban character of the Queenscliff township' and 'To ensure the height, form, mass, siting, style and materials of new development is responsive to the heritage qualities of the town of Queenscliff. The DDO1 cover all of Queenscliff and not just the core heritage area.

The QCA appreciates that the location is not within the Core Heritage area as indicated by the map below however it is within the Contributory area and in a prenominate location on a ridge line that is visible when people leave Queenscliff along King Street.

QUEENSLIFFE PLANNING SCHEME LOCAL PLANNING POLICIES - CLAUSE 22.04 PAGE 7 OF 17 **Urban Character Policy Map 1**

**Queenscliff Heritage and Contributory Areas (Not to scale)**

Legend 1. Queenscliff Urban Heritage 2. Queenscliff Urban Contributory



Taken from **22.04 URBAN CHARACTER POLICY** To require all new development to have regard to the siting and design objectives and guidelines of the Borough of Queenscliffe Urban Character Study (DDO1).

**Policy**

It is policy that:

New development in the Borough will seek to protect, enhance and harmonise with the following distinguishing elements of the Borough's urban character:

The significant viewlines to and from the sea, coastal dune environments and the Queenscliff townscape skyline;

The QCA believes the proposed development does not comply with these and other areas of the Queenscliffe Planning Scheme.

Yours sincerely,  C. Johnson secretary Queenscliffe Community Association



QP120.6400

To Planner & Councillors & Heritage Adviser  
Borough of Queenscliffe  
15/6/2012



Re: Demolition of 64 King St.

I express my disappointment that there is a proposal to demolish one of the few Bungalow style houses in the Borough. This is a further loss of heritage & history in the town and I believe the new development does not reflect the planning & heritage values of the town. A more sensitive treatment is desired and one that maintains the existing house would benefit the historic nature of this Borough.

Mine Sincerely.

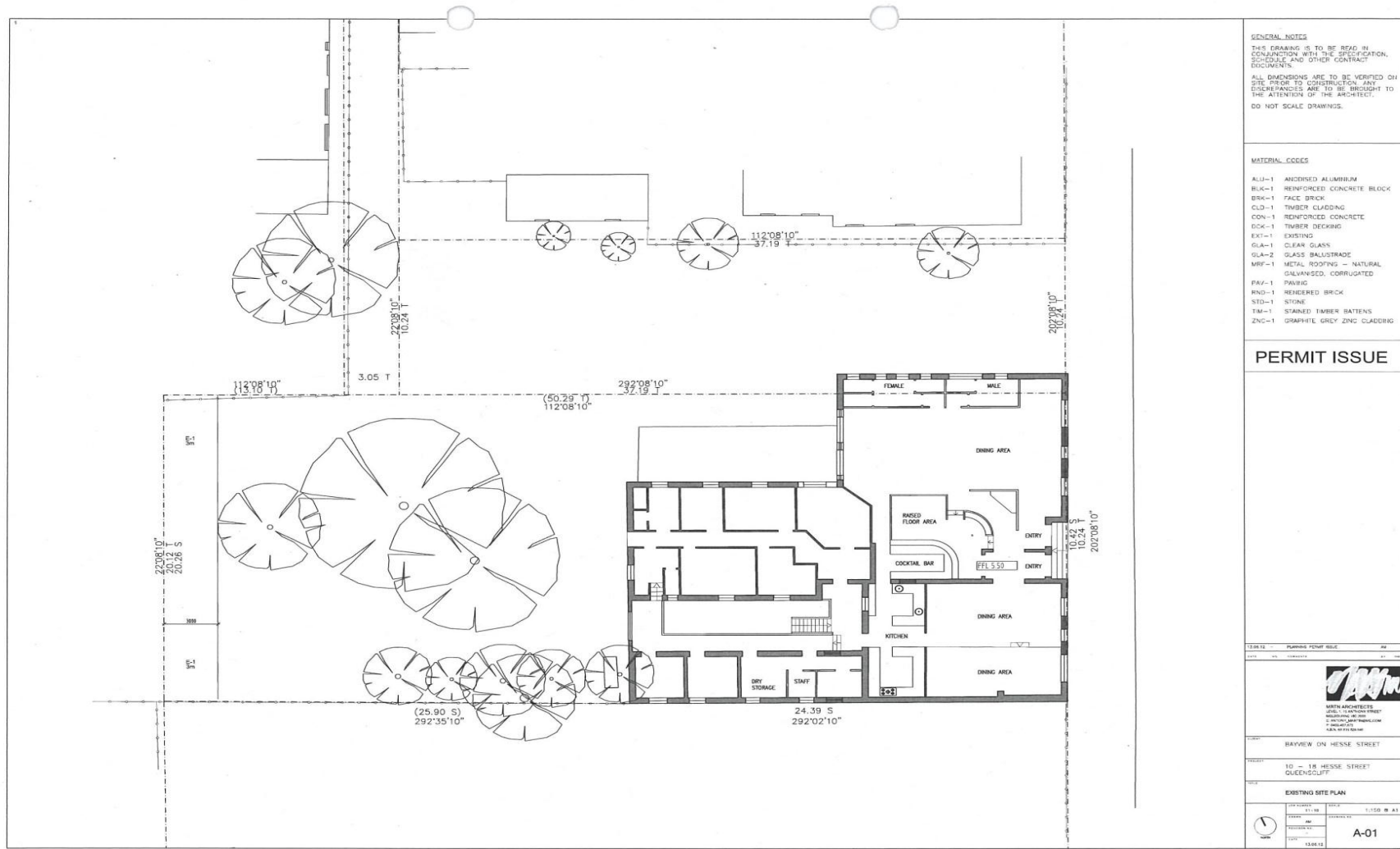
D Connolly

P.O. Box 39

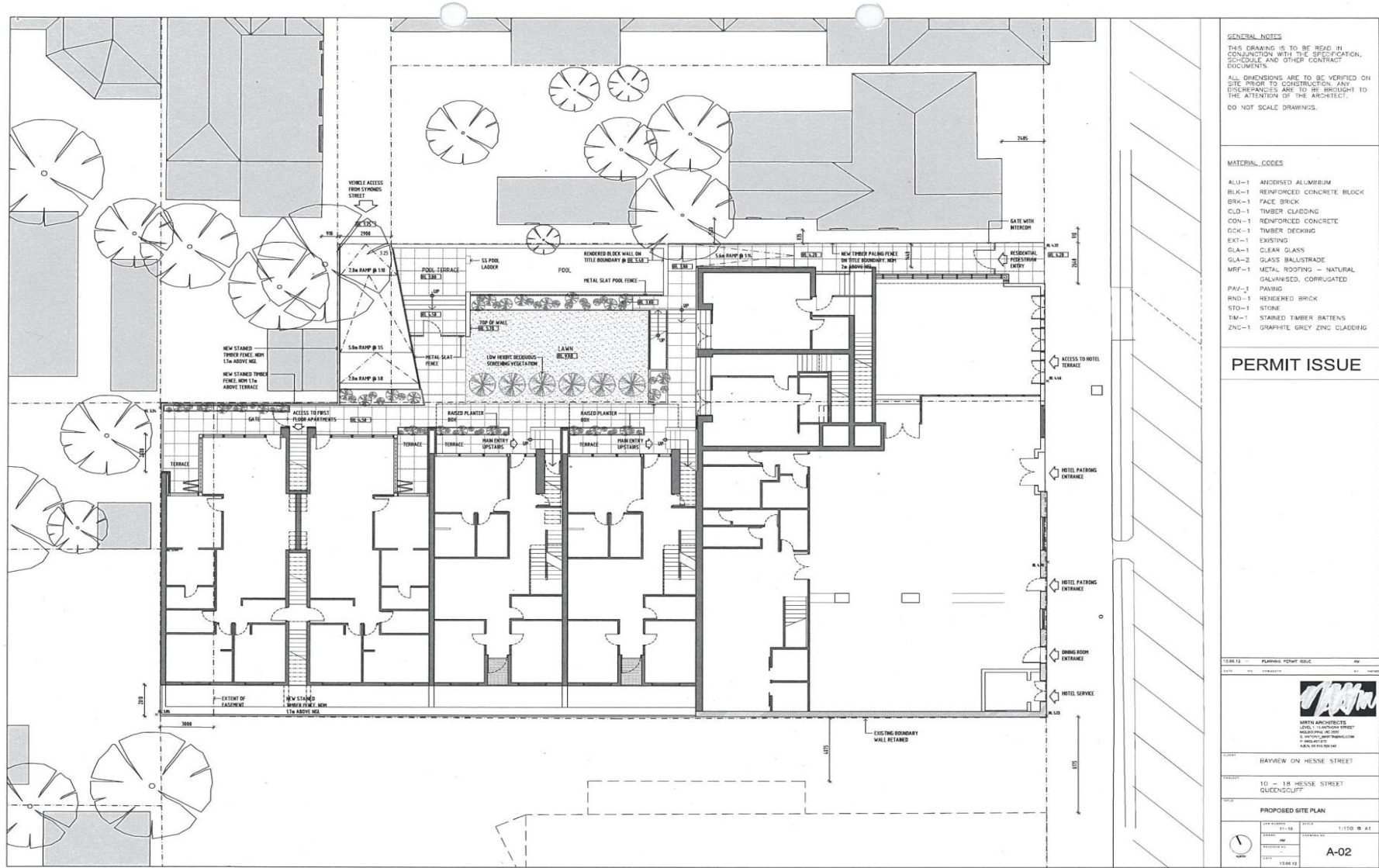
Queenscliffe.

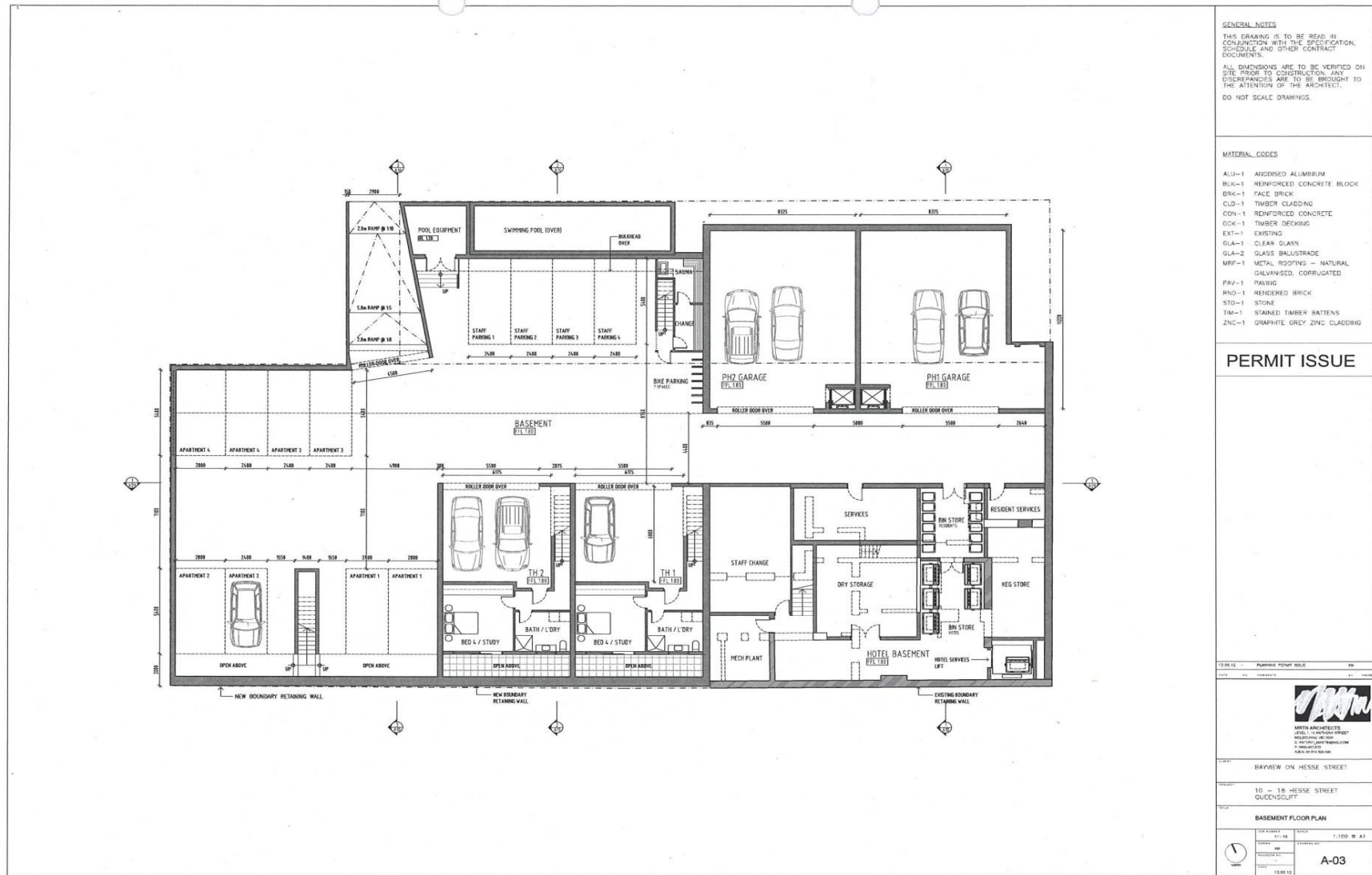


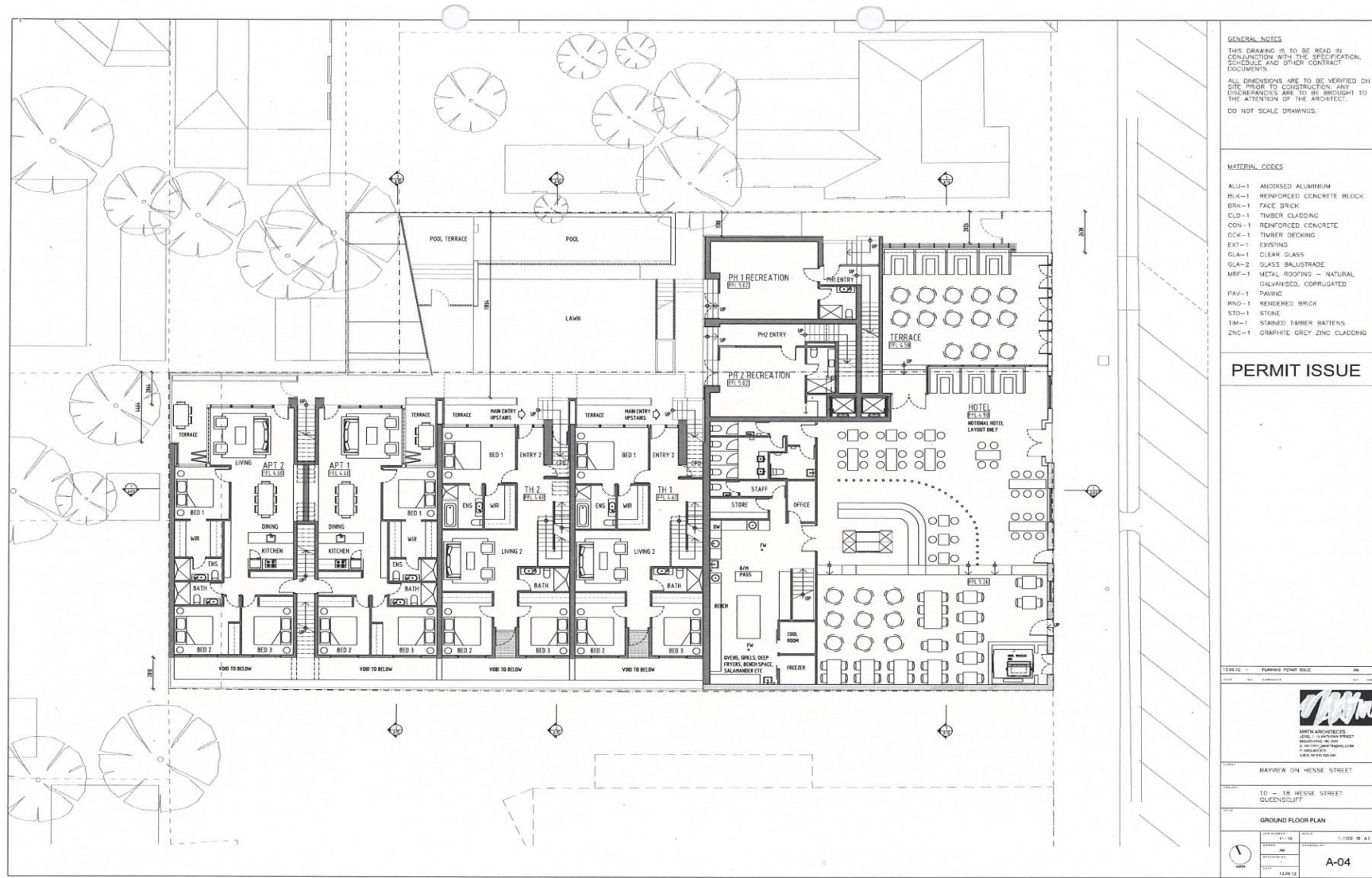
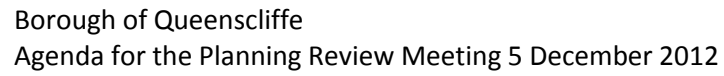
APPENDIX 3 – APPLICATION DOCUMENTS, 10-18 Hesse Street, Queenscliff



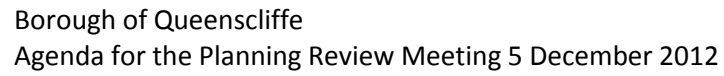


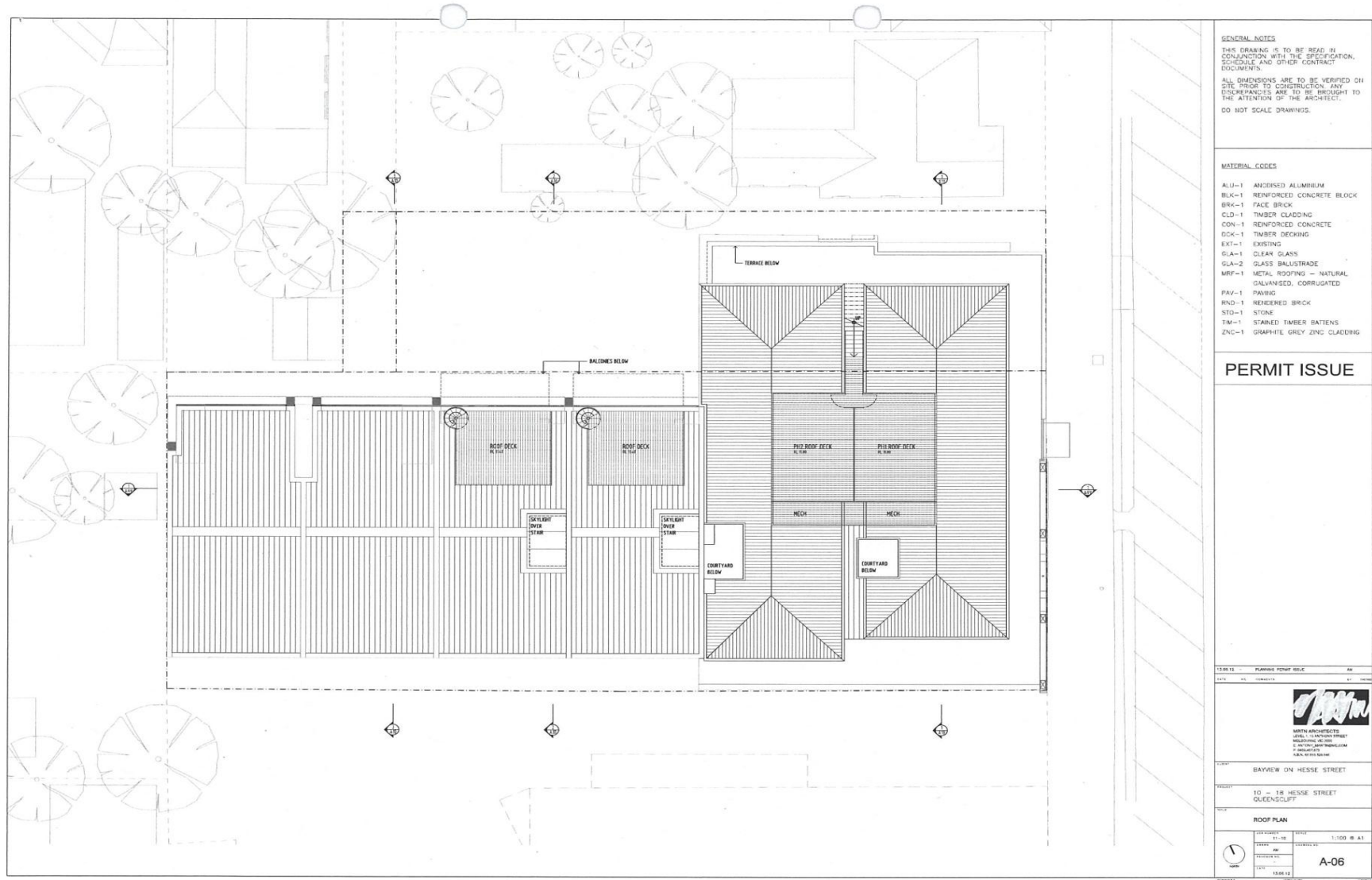




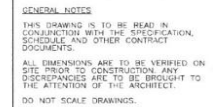
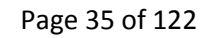












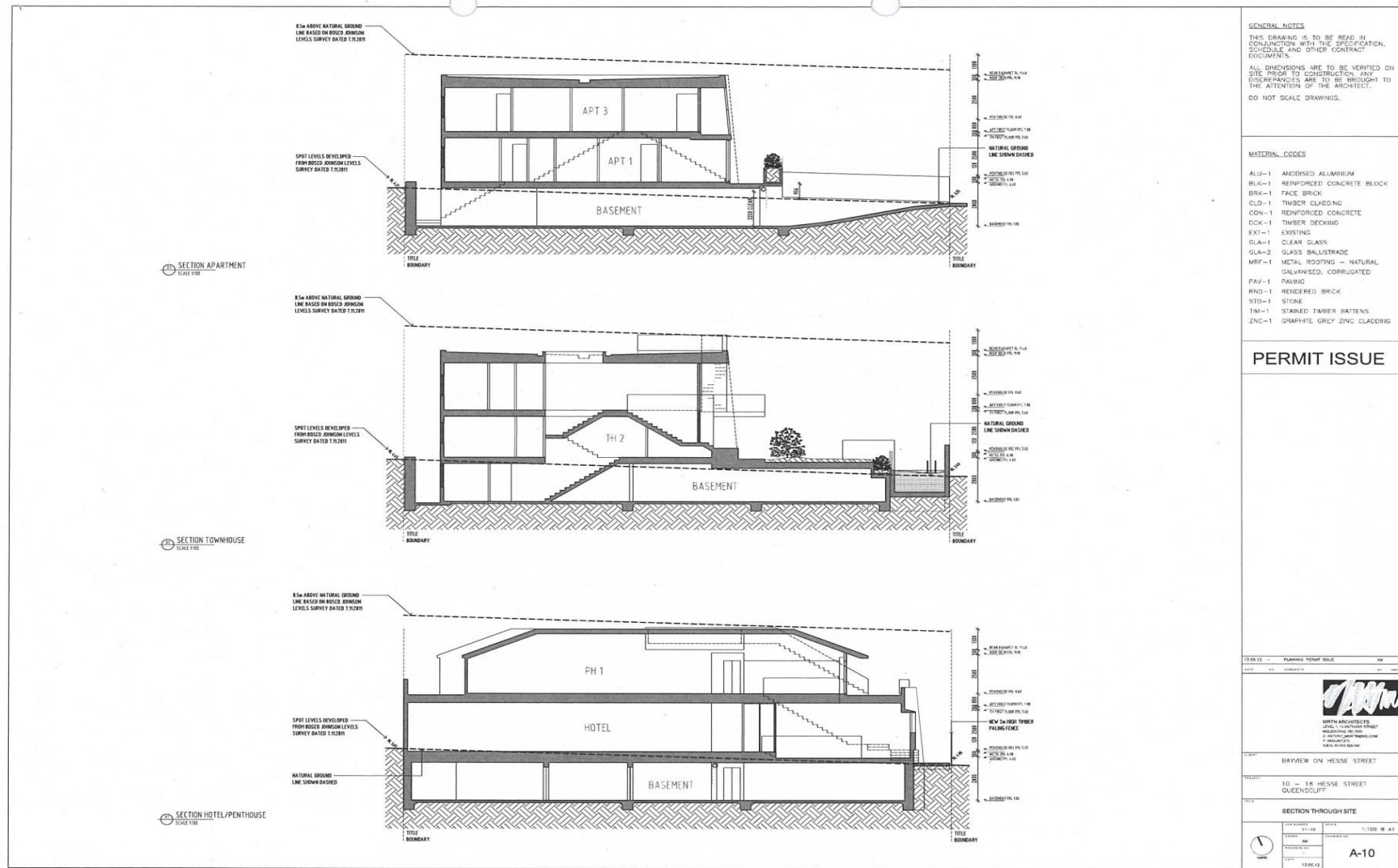
## MATERIAL CODES

- ALU-1 ANODISED ALUMINIUM
- BLU-1 RENDERED CONCRETE BLOCK
- BRK-1 FACE BRICK
- CLD-1 TIMBER CLADDING
- CON-1 REINFORCED CONCRETE
- DCK-1 TIMBER DECKING
- EXT-1 EXISTING
- GLA-1 CLEAR GLASS
- GLA-2 GLASS BALUSTRADE
- MRF-1 METAL ROOFING - NATURAL
- PAV-1 ALUMINISED, CORRUGATED
- PAV-1 PAVING
- RND-1 RENDERED BRICK
- RND-2 RENDERED BRICK
- STO-1 STONE
- TIM-1 STAINED TIMBER BATTENS
- ZNC-1 GRAPHITE GREY ZINC CLADDING

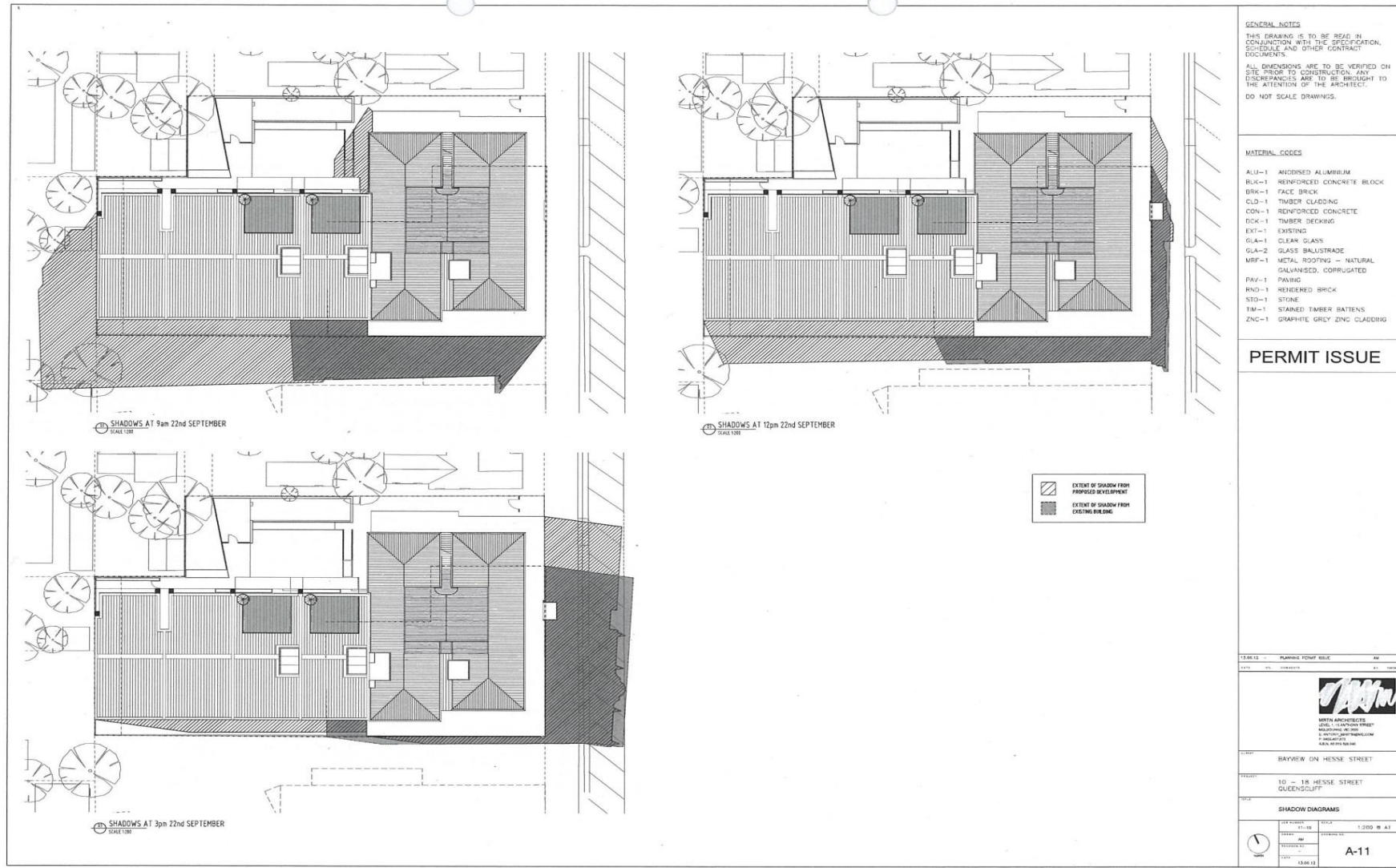
## PERMIT ISSUE

17.08.12	A	REQUEST FOR INFORMATION	RM
18.08.12	A	PLANNING MEETING ISSUE	RM
DATE	NO.	COMMENTS	BY
			
<b>ANTON ARCHITECTS</b> 1001 - 1000 UNIVERSITY STREET VANCOUVER, BC V6C 1A8 TEL: 604.681.1000 FAX: 604.681.1001 E-MAIL: info@anton.ca URL: www.anton.ca			
<b>PROJECT</b>			
BAYVIEW ON HESSE STREET			
<b>PROJECT</b>			
10 - 18 HESSE STREET QUEENSWAY			
<b>TITLE</b>			
EAST AND WEST ELEVATIONS			
		DATE: 17-10-12 DRAWING NO.: A-07 SCALE: 1:100 @ A1 17.08.12	



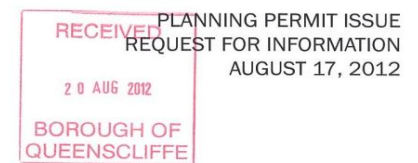








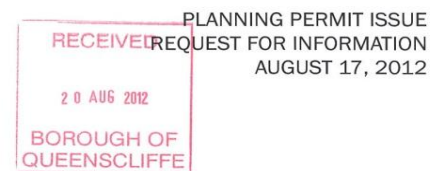
BAYVIEW ON HESSE STREET  
VIEW FROM THE SOUTH-  
EAST





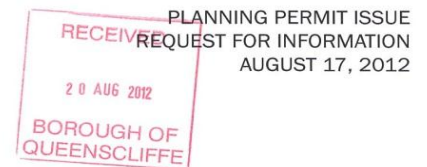


BAYVIEW ON HESSE STREET  
VIEW FROM THE NORTH-  
EAST





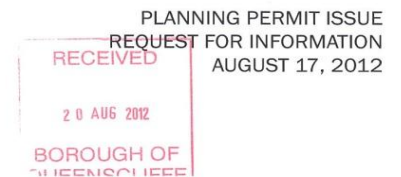
BAYVIEW ON HESSE STREET  
VIEW FROM THE COURT-  
YARD







BAYVIEW ON HESSE STREET  
COLOURED ELEVATIONS







BAYVIEW ON HESSE STREET  
COLOURED ELEVATIONS

RECEIVED  
20 AUG 2012  
BOROUGH OF  
WILMINGTON

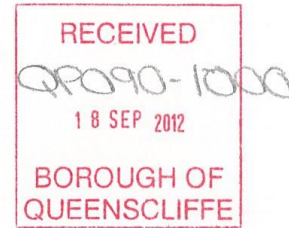


BAYVIEW ON HESSE STREET  
VIEW FROM IN FRONT

RECEIVED PLANNING PERMIT ISSUE  
REQUEST FOR INFORMATION  
20 AUG 2012  
BOROUGH OF  
QUEENSCLIFFE



#### APPENDIX 4 – SUBMISSIONS, 10-18 Hesse Street, Queenscliff



APPLICATION 2012/16

10-18 HESSE STREET  
QUEENSCLIFFE

OBJECTION

NADIA TASS  
4 HOBSON STREET  
QUEENSCLIFF

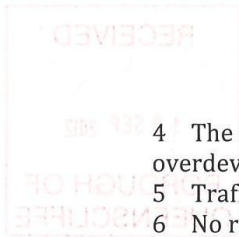
c/o 171 Ferrars Street  
South Melbourne  
Vic 3205

1. The development is an overdevelopment of the site
2. The development is inappropriate to the overall atmosphere of this heritage town.
3. The development is more suited to an inner urban capital city style of development.
4. The term 'access road' is deceptive. It is a narrow lane between two residential properties
5. The access in Symonds Street is inappropriate for 20 vehicles. It is a danger to pedestrians, particularly children.
6. The 'access road' includes ramping that is not on title.
7. The access is too narrow for its length for this volume of cars.
8. The major access at present is off Hesse Street and should remain that way.
9. Parking allowance is inadequate given that space exists now for adequate parking.
10. The development includes habitable areas over a sewerage branch pipe.
11. The development does not enhance nor is it in harmony with the heritage qualities that are the very essence of Queenscliff.
12. The development will cause excessive noise – vehicles, people, air conditioners will reduce amenity for nearby residences.
13. The development is not in keeping with the heritage overlay for this precinct.

HOW WILL IT AFFECT THE OBJECTOR?

Our amenity will be affected by –

- 1 Street parking, already stretched, will be exacerbated.
- 2 Noise will be increased
- 3 The mass of the development will encroach on the harmony of the existing environment.



- 4 The quality of life is reduced by the introduction of poor design and an overdeveloped site.
- 5 Traffic will be increased without proper solutions offered to counteract.
- 6 No rubbish collection plan
- 7 The appeal of Queenscliff will be lessened by rampant over-development.
- 8 Parking is available on site at present. We were required to provide parking, so should this site.
- 9 Design that requires air conditioners is bad design. New buildings in Queenscliff should not require noisy, energy inefficient air conditioning. (ref. Queenscliff Marine Centre)
- 10 The Hotel has a reputation for unruly behaviour late at night at a time when there is no police presence in Queenscliff. This can only increase with increased clientele.





### 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: <u>ROBERT MAIN</u>			
Postal Address: <u>11 MURRAY RD</u>			
Telephone:	Home: <u>52583548</u>	Work:	Mobile: <u>041273025</u>
Email address:			
Which application are you responding to?		Planning application number:	
Address of the application land: <u>VIC TAVERN 10 TO 18 HESSE ST Q'CLIFF</u>			
What is the application for? <u>FINDS</u>			
Who has applied? (Applicant) <u>DEVELOP BUSINESS</u>			
Do you own or occupy land near the subject land?		<input checked="" type="checkbox"/> Yes (tick)	<input type="checkbox"/> No (tick)
Address (if the same as your postal address write 'as above') <u>4 LEARMONTH ST QUEENSCLIFF VIC 3225</u>			
Reasons for objection: <p>VICTORIA TAVERN WAS BUILT TO PLAN + FOR A PURPOSE THAT PLAN AND PURPOSE RESPECTED THE PRIVACY OF THE RATE PAYERS THAT WERE NEAR BY. IT SEEMS THAT THE SO CALLED MODERN ERA IN ITS QUEST FOR MONEY WILL DO ANYTHING TO ACHIEVE THAT GOAL. AS A THIRD GENERATION RATE PAYER WHO HAS SEEN MANY CHANGES OF GUNS AT THE QUEENSCLIFF COUNCIL I THINK COUNCIL SHOULD NOT ALLOW THESE SORTS OF MODERN DEVELOPMENT IN SUCH RESTRICTED LAND SPACES WE HAVE CHOSEN TO LIVE WHERE WE LIVE AND DO NOT WANT OR NEED SUCH DEVELOPMENTS ON OUR BACK DOOR STRT. NEVER WERE AND NEVER SHOULD BE ALLOWED</p> <p><u>RM</u></p>			

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









09 2012 13:16 FAX



Objection to a Planning Permit Application

How will you be affected if a permit is granted?	
<ul style="list-style-type: none"> <li>- Mostly the building which is proposed is not in keeping Heritage Overlay - so will not be good to look at</li> <li>- Noise levels will be increased</li> <li>- Privacy levels will be affected</li> <li>- Hesse St should not have another building added which affects a Heritage Overlay - another unattractive building.</li> </ul>	
Any person who may be affected by the granting of a permit may object.	
<ul style="list-style-type: none"> <li>▪ If you object, Council must consider the objection unless you withdraw it.</li> <li>▪ If you object you must state the reasons why and say how you would be affected by the grant of a permit.</li> <li>▪ 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.</li> <li>▪ Council must make a copy of every objection available at its office for any person to inspect during office hours.</li> <li>▪ 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.</li> <li>▪ If you object you will be notified in writing of Council's decision.</li> <li>▪ If you object and are not satisfied with Council's decision you may appeal to the Victorian Civil and Administrative Tribunal.</li> </ul>	
Could the application be modified to alleviate your concerns? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (tick box)	
If yes, would you like to discuss possible modifications with a Council officer?	
<input type="checkbox"/> Yes <input type="checkbox"/> 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?	
SCRAP the application to 10 - 18 Hesse St. Queenscliff.	
Signature: <i>John M...</i>	
Date: 17/9/12	

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



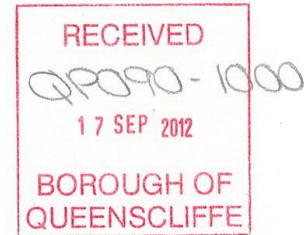


APPLICATION 2012/16

10-18 HESSE STREET  
QUEENSCLIFFE

OBJECTION

DAVID PARKER  
17 SYMONDS STREET  
QUEENSCLIFF



1. The development is an overdevelopment of the site
2. The development is inappropriate to the overall atmosphere of this heritage town.
3. The development is more suited to an inner urban capital city style of development.
4. The term 'access road' is deceptive. It is a narrow lane between two residential properties.
5. The access in Symonds Street is inappropriate for 20 vehicles. It is a danger to pedestrians, particularly children.
6. The 'access road' includes ramping that is not on title.
7. The access is too narrow for its length for this volume of cars.
8. The major access at present is off Hesse Street and should remain that way.
9. Parking allowance is inadequate given that space exists now for adequate parking.
10. The development includes habital areas over a sewerage branch pipe.
11. The development does not enhance nor is it in harmony with the heritage qualities that are the very essence of Queenscliff.
12. The development will cause excessive noise – vehicles, people, air conditioners will reduce amenity for nearby residences.
13. The development is not in keeping with the heritage overlay for this precinct.

HOW WILL IT AFFECT THE OBJECTOR?

Our amenity will be affected by –

- 1 Insufficient parking will cause increased street parking
- 2 Noise will be increased
- 3 The mass of the development will encroach on the harmony of the existing environment.
- 4 The quality of life is reduced by the introduction of poor design and overdeveloped sites.
- 5 Traffic will be increased without proper solutions offered to counteract
- 6 No rubbish collection plan



## 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: M. STEWART & M. MAIN

Postal Address: 5 LEARMONTH STREET, QUEENSLIFF

Telephone: Home: Work: Mobile:

Email address:

Which application are you responding to? Planning application number: 2012/061

Address of the application land: 10-18 HESSE STREET, QUEENSLIFF

What is the application for? OVER DEVELOPMENT OF SITE

Who has applied? (Applicant) BAYVIEW ON HESSE PTY LTD

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') AS ABOVE

Reasons for objection:

- LOSS OF AMENITY
- OVER SHADOWING
- NOISE
- PARKING
- EXCESSIVE WAIVERS
- HERITAGE IMPACT
- BULK AND SCALE
- OUR PROPERTY DEVALUATION

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?

- LOSS OF AMENITY. VIEW IS NOT A RIGHT. THEY ARE ENDEAVOURING, BY BULK & HEIGHT, TO OBTAIN A VIEW. OUR VIEW WILL BE REPLACED BY A BRICK WALL.
- WE ARE PERMANENT RESIDENTS, SPANNING GENERATIONS, IN A MUCH LOVED HERITAGE HOME & ENVIRONMENT. THIS WILL MAKE IT INTOLERABLE.
- OUR HOME WILL BE DEVALUED THROUGH VISUAL IMPACT OF BULK & SCALE & NOISE.

## 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?

REDUCE PROPOSAL BY AT LEAST 40%

Signature:

*M Stuart M. Bain*

Date: 15-9-2012

## 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*.

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PO Box 93  
QUEENSLIFF 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





Page 1 of 3

**Objection to Planning Permit Application**



Name:	Joanne Cushing		
Postal address:	70 The Parade, Ascot Vale, 3032		
Telephone:	Mobile: 0409 257 695		
Email address:	<a href="mailto:jcushing@bigpond.com">jcushing@bigpond.com</a>		
Which application are you responding to?		Planning Application Number: 2012/061	
Address of the application land:		10 to 18 Hesse Street, Queenscliffe	
What is the application for: Part demolition of an existing building in a Heritage Overlay, buildings and works for the construction of a two story building comprising of the existing restaurant and eight (8) new dwellings, reduction of the standard car parking requirement of Clause 52.06, variation to the design standards for car parking of Clause 52.06, waiver of the loading bay requirements of Clause 52.07, alteration to access to a road in a road zone category 1, and variation to the setback and site coverage requirements of the Design and Development Overlay-Schedule 1.			
Who has applied? (Applicant) Bayview on Hesse Pty Ltd C/- Mr Shayne Link, Contour Consultants Aust PL			
Do you own or occupy land near the subject land?		Yes	
Address: 11C Symonds Street, Queenscliffe, 3225			
<b>Reasons for objection:</b>			
<b>1. Site Over-development</b> The proposed development contravenes the site coverage requirements of the Queenscliffe Planning Scheme, Schedule 1 to the Design and Development Overlay. The proposed site coverage is approximately 95%. The permit requirements with respect to site coverage state that "Buildings should not occupy more than 40% of the site".  The Decision Guidelines included within Design and Development Overlay Schedule 1 state that when deciding on the application for permit Council must consider "The impact of the proposed subdivision or development on the prevailing heritage character of adjoining and nearby buildings, and of the Queenscliffe township".  This does not appear to have been properly considered - For example – <ul style="list-style-type: none"><li>• With a height of 9.5 metre the 3 story building (including roof deck), the highest point of the roof is greater than the highest point of the rooves of all adjacent buildings.</li><li>• Has no regard to the location of houses on adjoining properties in terms of street and side and rear boundary setbacks.</li><li>• Overlooks all adjacent premises on both the north and west sides with no design provision having been made for landscaping or similar, to address this overlook problem and neighbor privacy issues.</li></ul>			
<b>2. Parking</b> The proposed development involves the provision of 20 car parking spaces, whereas Clause 52.06, require appropriately 98 car parking spaces (16 resident spaces, 2 visitor spaces and 80 Hotel/Restaurant spaces). <ul style="list-style-type: none"><li>• Provision of only 20% of the required car parking spaces would have a significant impact on traffic and parking management in both Hesse and Symonds Streets.</li><li>• The Traffic Study, commissioned by the Developers to support their Planning application, is flawed</li></ul>			





in many aspects in relation to car parking. For example, the Traffic Study ignores the impact on local car parking of the recently approved Planning Permit No 2006/157 in relation to 20-26 Hesse Street, involving 22 dwellings and 5 shops.

- Irrespective of the contrary claims made in the Traffic Report, the proposed redevelopment of the existing Hotel Victoria, will have to result in an increase in patron numbers and therefore, is required to provide 80 car spaces.
- Similarly, the Traffic consultant's conclusions in relation to available car spaces within the adjacent Queenscliffe streets are flawed due to the selection of two non typical, off peak, survey weekdays, outside Sundays or the normal busy holiday periods.

### 3. Vehicle access

The proposed development provides for 20 car parking spaces and connects to Symonds Street, utilizing the land between the residents of 11A and 11 Symonds Street. This access land fails to provide the required passing area at the entrance of at least 5 metres in width and 7 metres in length.

Similarly, the proposed access land is too narrow for Emergency Service Vehicles, for example, Country Fire Authority vehicles.

### 4. Loss of amenity due to excessive noise

The proposed public outdoor swimming pool and pool terrace, located on the property's northern boundary, will result in excessive noise and therefore, will negatively impact on the residents of adjoining properties.

### 5. Errors and omissions in Proposal

As has been detailed in points 2, 3 and 5 above the Proposal contains errors and omissions that have a fundamental impact upon how it will be assessed and in the case of the Traffic Study, what was actually reported upon. In addition the information on Drawing A-00 does not even include my property – 11C Symonds St (I am not sure if this is an error or deliberate omission to underplay the number of impacted properties) – either way this does not give confidence that the developers have done appropriate preparation or consultation.

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

The effect upon our amenity as a result of a Permit being granted for this development in its present form will be addressed against points 1 to 7 as in our Reasons for Objection.

- I purchased my property at the beginning of the year. The reason I chose Queenscliffe over other beach towns was because of the charm and character of heritage that has been preserved and that the town had not been taken over by developers building large apartment dwellings (like many other places I looked at). You can imagine my disappointment to find this move to build an overly large excessive apartment block in such a prominent location which will detract in a very obvious way from what makes Queenscliffe unique and special.
- I will have people looking directly down into my property – my privacy and enjoyment of my property will be compromised.
- The competition for parking in the Northern end of Hesse Street is already intense during the months of mid November through to the end of April and on Sundays – I frequently have people parking across my driveway!! A substantial increase in patronage at a re-developed and substantially expanded Hotel Vic is inevitable and must surely be an objective of a capital investment of this nature and this will



Page 3 of 3



make parking issues even worse.

- Symonds Street is already accommodating parking generated from local residents, the Bellarine Tourist Railway, the Blues Train, the Fishing shop (cars and boat trailers) the Senior Citizens Centre, overflow from the Boat ramp car park and Hesse Street. Patrons leaving the Hotel Vic and the Esplanade Hotel, particularly late at night, generate noise that wakes you from your sleep.
- Without the mandated setbacks, which are surely designed to lessen the impact of substantial developments such as that proposed, the single story traditional Queenscliffe residential structures, mandated by Design and Development Overlay 6 (DDO6), will be completely overwhelmed by the size and style of this building.

**Could the application be modified to alleviate your concerns?** Yes

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

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

- Modification of the proposed design to ensure that the requirements of the Queenscliffe Planning Scheme are met, in terms of setback, site coverage and overlook requirements.
- Modification of the proposed design to ensure that adequate car parking is provided to cater for the proposed Hotel restaurant's increased patronage and resident parking permit spaces provided for Symonds Street
- Modification of the proposed design to provide Vehicle access via Hesse Street, and not via the inappropriate narrow strip of public land into Symonds Street.
- Modification of the site design to provide sound barriers to contain the noise that will emanate from the use of the open air swimming pool.
- Signage should be posted within the complex requesting residents/tenants and visitors to respect the amenity of their neighbours.

*Joanne Cushing*

Signature: Joanne Cushing

Date: 14 September 2012



QP090-1000



Objections to Planned development at 10-18 Hesse Street Application reference 2012/061

Objector Information

Brian Shane O Cleirigh and Suzanne Cronin

Owners and full time residents at 11 Symonds Street for past 10 years

Family home with children

We object to the above name development due to the reduction in our amenity, specifically for the following reasons that are detailed in following pages:

1. The diversion of all traffic through the land between 11 Symonds Street and 11a Symonds Street is just not safe
2. Overdevelopment of site impacting amenity of adjacent neighbours
3. Incorrect noticing
4. Site coverage is 95.5% which exceed limit of 40% specified in Overlay
5. Construction of ramp to basement on land to which they developer does not have title
6. Incorporation of land into development to which developer does not have title
7. Construction of ramp to basement which would block side access to 11 Symonds Street.
8. Construction of ramp to basement which affect Right of Carriageway to land adjacent to 11 Symonds Street
9. During construction of basement Right of carriageway to land would be blocked and access to side entrance to 11 Symonds Street would be blocked
10. Excavation for basement will cause our fence and garden to collapse
11. Construction plans show replacement on our fence to rear of our property and to side of our property without our permission.
12. Excessive noise as a result of additional 20 vehicles using land between 11 and 11a Symonds Street
13. Excessive exhaust pollution as a result of additional 20 vehicles using land between 11 and 11a Symonds Street
14. Excessive light pollution as a result of additional 20 vehicles headlights driving up new ramp to land between 11 and 11a Symonds Street
15. Excessive exhaust odours as a result of additional 20 vehicles headlights driving up new ramp to land between 11 and 11a Symonds Street
16. Increase in Licensed Area of restaurant without Planning Permit
17. In sufficient parking, parking provided 20 spaces, parking required 98 (16 resident spaces, 2 visitor spaces and 80 restaurant spaces)
18. The parking survey data was invalid.
19. Waste management plan is insufficient; does not indicate how collection vehicle will approach site and where it will park whilst collection operation is occurring.
20. Excessive noise as a result of public outdoor swimming pool adjacent to neighbours
21. Inappropriate setbacks to front, side and rear



22. Construction of 3 storey building 9.66m high is not permitted in accordance with Design and Development Schedule overlay DD01
23. Not in accordance with BOQ Urban Character Study Building Siting & design Guidelines
24. Schedule of existing native vegetation required
25. Excessive overlooking
26. No on-site loading bay is to be provided for the restaurant
27. Construction over Easement
28. The owners of the new townhouses and apartments will not have Right of Carriageway over land between 11 and 11a Symonds Street and consequently vehicular access to their properties.
29. Loss of views







1. The diversion of all traffic through the land between 11 Symonds Street and 11a Symonds Street is just not safe

At the narrowest point, the clear space between 11 Symonds Street and 11a Symonds Street is just 2.75m wide. This land is unsurfaced. Where it joins Symonds Street, there is fencing 1.9m high at 11 Symonds and 1.66m high at 11a Symonds Street.

This part of Symonds Street is residential. To the north is a park, Scout hall, tourist steam train and a Senior Citizens Centre. The park plays host to many activities throughout the year including Markets, Thomas the Tank engine fairs, the Blues Train gathering point, athletics events, vintage car shows and other community events. On the north side of Symonds Street there is no footpath. School buses use this street to drop off children on the way home from school. The footpath on Symonds Street is used by many walkers on their way to school, school buses, to the beach or to Hesse Street.

The Traffic Engineering Study says the land between 11 and 11A Symonds Street "only provides access to the Victoria Hotel". This is incorrect. The land is used by 11 and 11A Symonds Street and also No 8 Hesse Street. All of these properties have Right of Carriageway over the land included in their title. The access to 11 Symonds Street and 8 Hesse Street is for both vehicles and pedestrians. The access for 11A Symonds Street is only for Pedestrians.

Access to 8 Hesse St      Access to 11A Symonds Street



Access to 11 Symonds Street (just off picture)

To have 20 additional vehicles from two directions entering from Symonds street, exiting from the proposed development from a basement level where they can't see what's ahead, pedestrians and vehicles for 11 Symonds Street, 11A Symonds Street and 8 Hesse Street all trying to use a piece of land 2.75m wide with no sightlines in a area where there is high pedestrian traffic is dangerous and should not be allowed. There is a significant risk of collision. When a vehicle trying to enter comes upon another trying to exit at the same time, vehicles may be forced to reverse back out onto Symonds Street, again risking a collision.



Over the 10 years that we have lived at our property, our side fence has been struck by vehicles on numerous occasions. In 2008 we had to replace the whole fence as it struck with such great force that it was knocked over. We have walkway between our property and our fence. Luckily no-one was using the walkway at the time of the 2008 collision.



Pictures of collision damage to fence. Clearly this is not suitable for use for an additional 20 cars.



We can be just on the other side of the fence.



Is it safe to run an additional 20 vehicles through here? Will emergency vehicles be able to access the proposed properties?



2. Overdevelopment of site impacting amenity of adjacent neighbours

The proposed development is a significant overdevelopment in terms of mass and size and will have a high impact to the amenity of adjacent neighbours.

3. Incorrect noticing

The proposed developer was required to undertake the following noticing:

Notice and copy of plans to property owners and occupiers by Registered Post with delivery confirmation giving a clear 14 days til the closing date. We received our notice only 13 clear days before the closing date

and



The erection of a sign on the subject land. It should then be placed on a solid board mounted on a post in the ground. Plywood and star pickets, or similar materials, are considered suitable. The notice was not so displayed. It was on the inside of the Victoria Tavern window and was not mounted on a board. There were many similar other advertising notices displayed. The notice could easily have been mistaken for a menu advertisement for the Victoria Tavern and not recognised as an Application for Planning notice.

and

Public notice placed in the newspaper. As of the 12<sup>th</sup> September this has not been done.

Given that none of the correct notices have been given. The developer should be required to re-advertise properly. This will allow the community their rightful opportunity to have their input into this proposed development.



4. Site coverage is 95.5% which exceed limit of 40% specified in Overlay

The Queenscliff Planning Scheme for the Design And Development Overlay DD01 requires that:

**“Site coverage**

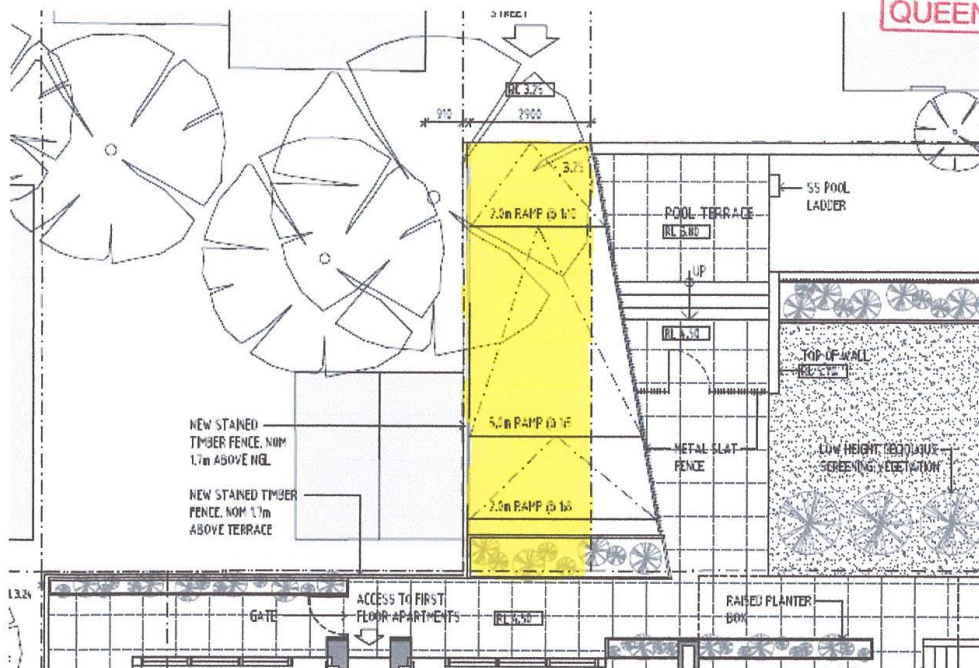
Buildings should not occupy more than 40% of the area of a site.”

Based upon the areas provided by the developer on the Title Page Drawing, this proposed Development would have a building coverage of 95.5%. Clearly this is excessive and therefore prohibited.





5. Construction of ramp to basement on land to which they developer does not have title

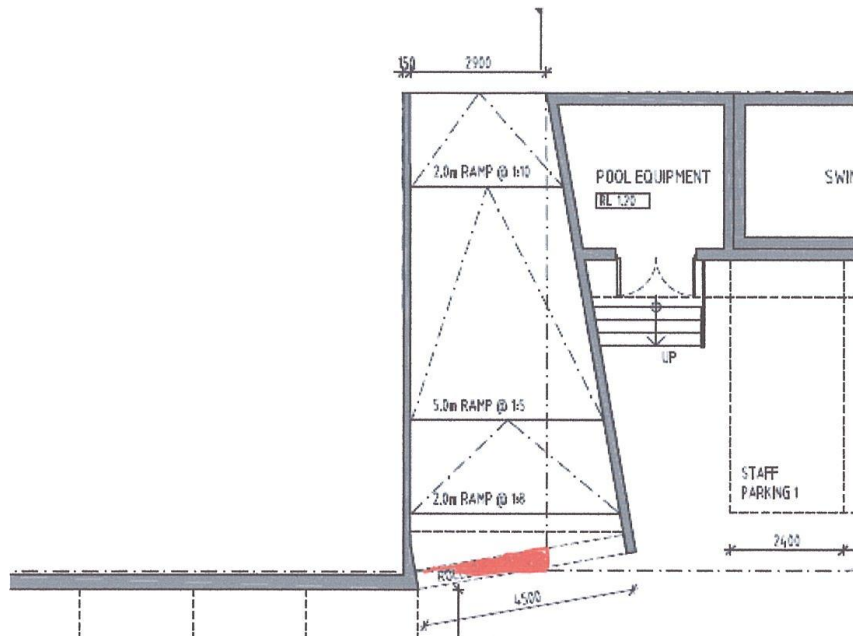


The yellow highlighted area from drawing "Proposed Site Plan" on which the developer plans to construct a ramp is not part of the title owned by the developer.





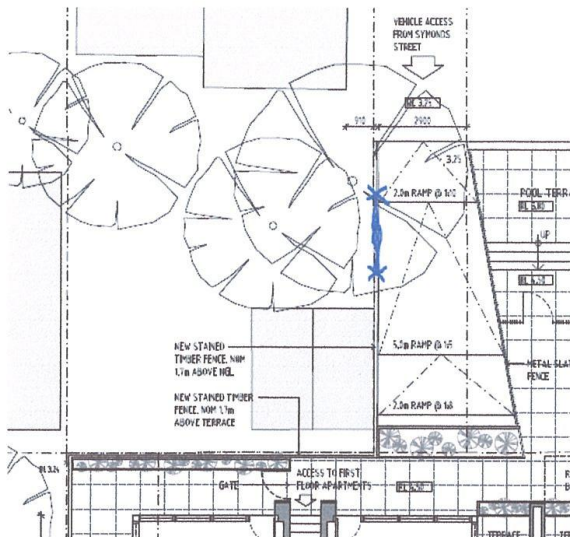
6. Incorporation of land into development to which developer does not have title



The red highlighted area from drawing basement Floor Plan which the developer proposes to enclose behind a roller door is not part of the tile owned by the developer.



7. Construction of ramp to basement which would block side access to 11 Symonds Street



The blue highlighter shows the location of the double gate shown below.



This gate allows us to bring a vehicle into our property. Construction of the ramp to the proposed basement would create an unacceptable step between our property and the ramp.

8. Construction of ramp to basement which affects Right of Carriageway to land adjacent to 11 Symonds Street



<b>TITLE PLAN</b>		<b>EDITION 1</b>		<b>TP 613237M</b>							
<b>Location of Land</b>  Parish: PAYWIT Township: QUEENSCUPP Section: 5 Crown Allotment: 8 (PT) Crown Portion:  Land Plan Reference: Derived From: VOL 5996 FOL 706 Deed or Easement: NIL				<b>Notations</b>          ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN.							
<b>Description of Land - Easement Information</b>  <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <i>All that piece of Land, delineated and coloured red on the map in the margin, being part of Crown Allotment No. 8 Section Two ... Town of Queenscliff, Parish of Paywit, County of Geelong together with a right of - Easement way over the land related upon on the said map .....</i> </div> <p>A Boundary Easement has been created over the land shown as red A on the map in the Crown Survey of Queenscliff No. 1866/77.</p>				THIS PLAN WAS BEING PREPARED FOR THE LAND REGISTRY, LAND VICTORIA FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT. COMPILED: 08/10/2009 VERIFIED: 08/10/2009							
<b>COLOR CODE</b>  A = RED  BR = BROWN											
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: center;">TABLE OF PARCEL IDENTIFIERS</th> </tr> <tr> <td colspan="2" style="padding: 5px;">           WHEREIN: Where multiple parcels are referred to or shown on this Plan this does not imply immediately adjoining parcels under Section 26 of the Sale of Land Act 1962.         </td> </tr> <tr> <td colspan="2" style="padding: 5px;">           PARCEL 1 = CR 8 (PT)         </td> </tr> </table>						TABLE OF PARCEL IDENTIFIERS		WHEREIN: Where multiple parcels are referred to or shown on this Plan this does not imply immediately adjoining parcels under Section 26 of the Sale of Land Act 1962.		PARCEL 1 = CR 8 (PT)	
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PARCEL 1 = CR 8 (PT)											
LENGTHS ARE IN FEET & INCHES METERS = 0.3048 x FEET METERS = 0.254 x INCHES											

The above is the title deed for 11 Symonds Street which shows that the owner also has Right of Carriageway over the land between 11 and 11a Symonds Street. Note that this extends to the full length of our property including the section where the developer plans to construct a ramp to the proposed basement. We understand that a similar Right of Carriageway exists for owners of properties 11A Symonds Street, 8 Hesse Street and 10 Hesse Street.

Construction of the ramp to the proposed basement will change the gradient of the land and will significantly affect our Right of Carriageway. It will affect our current ability to service our property and will affect any changes to the access to the property which we may wish to carry out in the future. For example, as we have no current off-road parking we may wish to construct a car port at the bottom out our garden with a new access point.



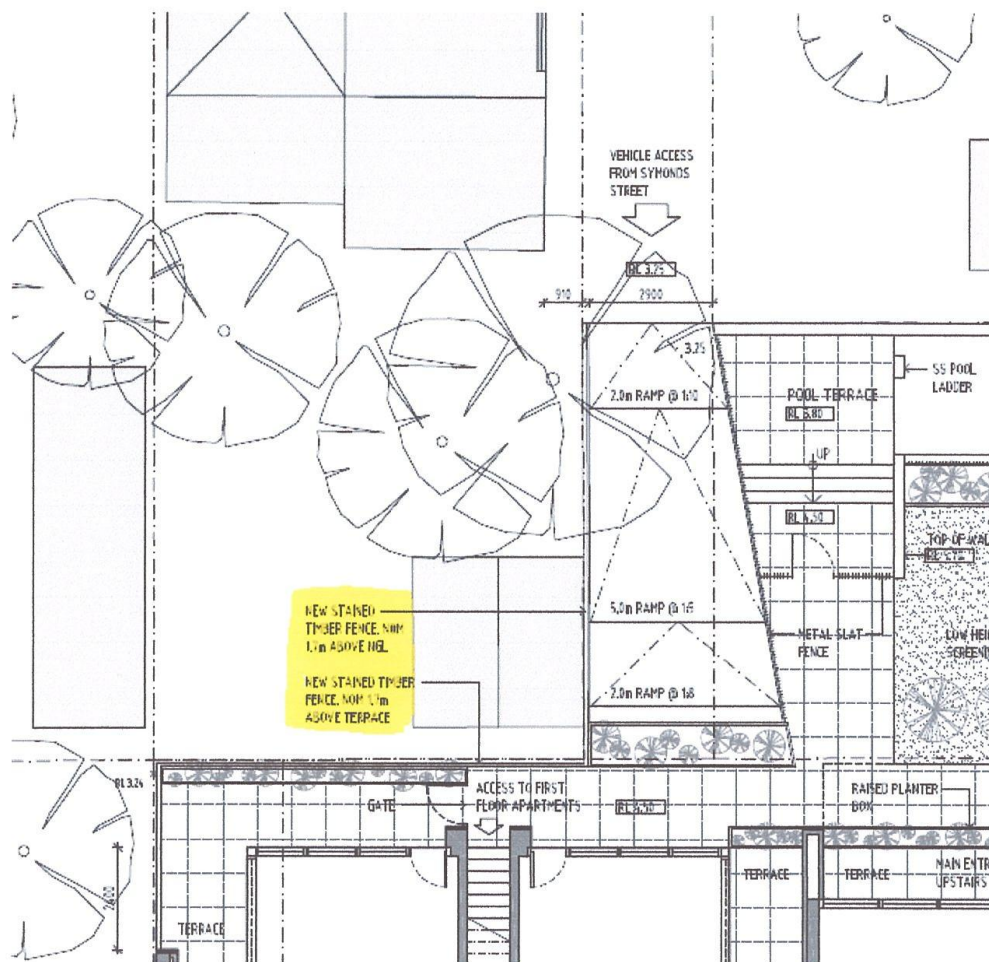


9. During construction of basement Right of carriageway to land would be blocked and access to side entrance to 11 Symonds Street would be blocked

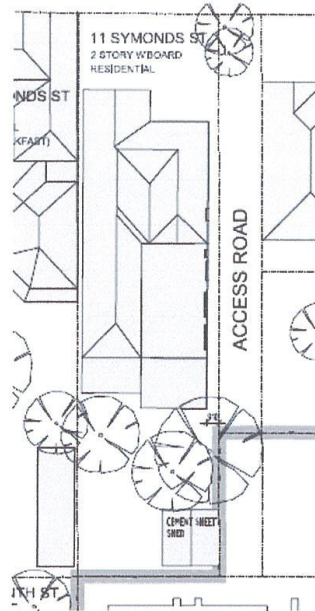
10. Excavation for basement will cause our fence and garden to collapse

The basement is right up against our boundary line and during the excavation our fence and garden are likely to collapse into the excavation.

11. Construction plans show replacement on our fence to rear of our property and to side of our property without our permission.







We are full time residents at 11 Symonds Street. We are a family of four. We are situated in a residential zone. Our property adjoins the land between 11 and 11A Symonds Street. Our bedrooms and living rooms are less than 1m away from the land that the developer plans to use for an additional 20 vehicles to traffic through. Some of these vehicles will belong to staff at the Victoria Hotel. The Victoria Hotel is currently licensed til 11pm and has some temporary licenses til 1am. Consequently there will be traffic over this land late at night.

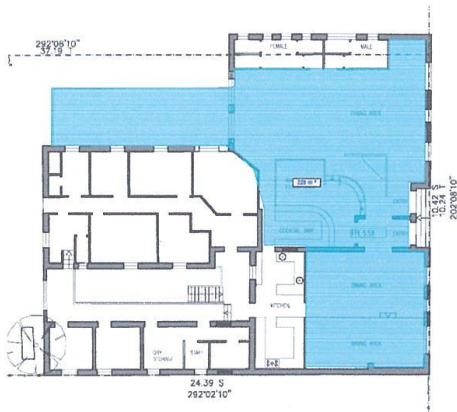
Routing all traffic through this land will cause:

12. Excessive noise as a result of additional 20 vehicles using land between 11 and 11a Symonds Street
13. Excessive exhaust pollution as a result of additional 20 vehicles using land between 11 and 11a Symonds Street
14. Excessive light pollution as a result of additional 20 vehicles headlights driving up new ramp to land between 11 and 11a Symonds Street
15. Excessive exhaust odours as a result of additional 20 vehicles using land between 11 and 11a Symonds Street

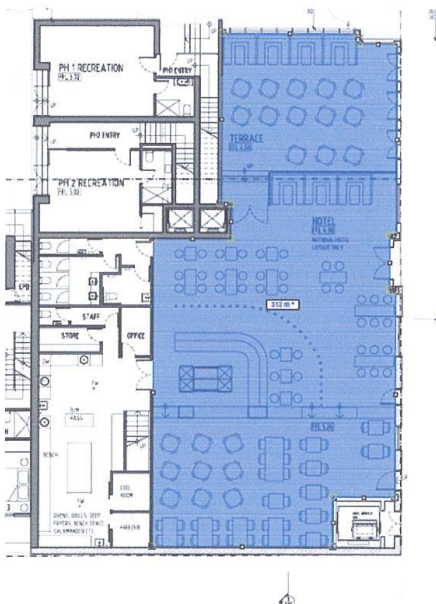


16. Increase in Licensed Area of restaurant without Planning Permit

The licensed area of the Victoria Hotel is planned to be extended considerably, this will require a planning permit which has not been applied for.



Old Licensed Restaurant Area 229m<sup>2</sup>



New Licensed Restaurant Area 312m<sup>2</sup>. This represents an increase of 36% to the Licensed Restaurant Area



17. In sufficient parking, parking provided 20 spaces, parking required 98 (16 resident spaces, 2 visitor spaces and 80 restaurant spaces)

Based upon the Notional Hotel Layout, there is seating for 200 patrons. The parking requirements are .4 of a space per patron, therefore there is a requirement for 80 restaurant spaces. Taking into account only the increase in the size of the restaurant would lead to a requirement of 29 restaurant spaces.

Clearly, this proposed development does not allow sufficient parking

18. The parking survey data was invalid.

The data was collected at off-peak times i.e. mid-morning and mid-afternoon outside of holiday periods and so the data is not representative of typical or maximum conditions and consequently should not be used as a basis for decision making. The area for the survey data took into account streets that are too far away from the proposed development.

19. Waste management plan is insufficient

It does not indicate how collection vehicle will approach site and where it will park whilst collection operation is occurring.

Excerpt from Waste Management Plan follows:

***"2.2 Collection Arrangements and Access to Waste Facilities***

*A private contractor shall collect waste on Heese Street (site's frontage).*

- ☐ *Collection staff (driver and assistant) shall have access to the Bin Stores and transfer bins to the truck and back to the stores. The operator may assist the driver with bin transfers.*
- ☐ *The waste collection shall be carried-out by rear-lift vehicles (nom. 8.8m long and 4m operational height).*

*Note: The goods lift shall be utilised for vertical bin transfers."*

Where is the 8.8m long vehicle going to park on Hesse Street? Hesse is set out for angled parking with parking spaces sizes set for cars not for 8.8m long trucks.

This would not be a problem is a loading bay was provided.

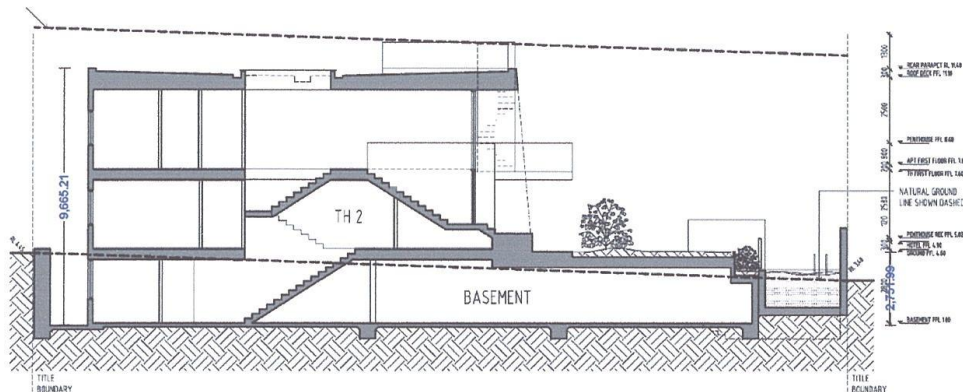
20. Excessive noise as a result of public outdoor swimming pool adjacent to neighbours

The development includes for an outdoor swimming pool which is only 7m away from our property which is in a residential zone. The pool is not provided with any sound barriers. Clearly this will lead to an excessive noise problem.

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## 21. Inappropriate setbacks to front, side and rear

My understanding of setback requirements of the Queenscliff Planning Scheme section 54-56 are that the front should be set back the average of adjacent buildings or 9m. The side and rear setback should be 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.



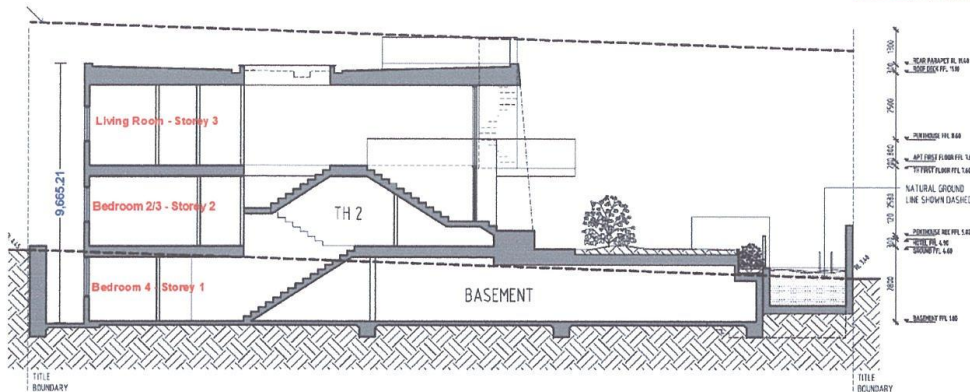
Based on a height of 9.66 m

The front of the reconstructed Victoria Hotel should be setback 2.405 m. It's 0m  
The side of the reconstructed Victoria Hotel should be setback 4.75, it's only 1.44m  
The front of the Townhouses should be setback 9.0m. This is met  
The rear of the Townhouses should be setback 4.75m. It's only 2m  
The front of the Apartments should be setback 9.0m. It's only 2.064m  
The rear of the Apartments should be setback 4.75m. It's only 2m  
The side setback of Apartments 2 and 4 should be 4.5m. It's 0m





22. Construction of 3 storey building 9.66m high is not permitted in accordance with Design and Development Schedule overlay DD01



Extract from Design and Development Schedule overlay DD01

***“Building height***

*No building can exceed a height of:*

- ☐ *two storeys; and*
- ☐ *8.5 metres above natural ground level.*

*These requirements cannot be varied with a permit, except where alterations and additions are sought to an existing building that exceeds 2 storeys or 8.5m in height but which do not increase the maximum height of that building.*

*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;*
- ☐ *satisfy the objectives contained in Clause 21.05;*
- ☐ *satisfy the Building Siting and Design Guidelines contained in the Queenscliffe Urban Character Study;*
- ☐ *reflect the prevailing building height in the immediate area, especially in streets that are predominantly single storey in character; and*
- ☐ *take into consideration the reasonable sharing of views.”*

Clearly, the above building is not permitted as it is 3 storeys and 9.66m high, it does not satisfy the Queenscliff Urban Character Study, it does not reflect the prevailing building height (single storey) in the immediate area and there is not a reasonable share of views.

23. Not in accordance with BOQ Urban Character Study Building Siting & design Guidelines

There are many areas in which the proposed development does not comply with this study as follows:

*“Avoidance of replica buildings, pastiche and historical cliché”* The rebuilding of the Victoria Hotel in the 20’s style surely does not comply with this.

*“A layout which provides a high quality of living for occupants of the site and which maintains an appropriate standard of amenity for the occupants of adjoining dwellings.”* Our amenity will be significantly affected and consequently the proposed development does not comply.

*"Ensure the protection of existing trees on site, in particular those which are visible from or contribute to the streetscapes"*

The developer plans to remove these trees



View of Hesse Street from Symonds Street looking southward.

*"New Buildings and extensions which respect 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."*



How does any of this respect and blend in?

*"Interpret traditional building designs which include single and double frontages, pitched hipped and gable roofs, vertical rectangular window openings and verandahs."*

Flat roofs are planned for the townhouses and apartments.





*"Use traditional building materials which include horizontal weatherboard cladding, rendered brickwork, corrugated iron or slate roofs, brick chimneys, timber verandahs and door and window joinery and painted finishes"*



This does not look like traditional materials.

*"Have regard to the design, materials and form of other houses in the streetscape and neighbourhood."*

The above picture is not typical of other houses nearby.

*"Building boundary to boundary on the ground floor is generally not permitted"*

24. Schedule of existing native vegetation required. This has not been provided.



25. Excessive overlooking

The Queenscliff Planning Scheme states:

*"New development should meet the following design standards:*

*Avoid direct overlooking into neighbouring properties and minimise the loss of significant views across the site from neighbouring properties*

*the responsible authority must consider, as appropriate:*

*The impact of the buildings and works on the amenity of the surrounding area including overlooking, overshadowing and neighbourhood character."*

There will be excessive overlooking of our property from the proposed development from the windows and terraces of the apartments, townhouses and penthouses.

26. No on-site loading bay is to be provided for the restaurant

This will result in further parking congestion and danger to traffic and pedestrian as trucks try to unload from the angled parking on Hesse Street.

27. Construction over Easement

A 150mm sewer which services all the properties on Learmonth Street and Symonds Street runs on the land between 11 and 11A Symonds Street and to the rear of the proposed development . The developer plans to excavate a basement that will intersect this sewer.

28. The owners of the new townhouses and apartments will not have Right of Carriageway over land between 11 and 11a Symonds Street and consequently vehicular access to their properties.

Currently, the title for 10 Hesse Street has Right of Carriageway over land between 11 and 11a Symonds Street. The title for 18 Hesse Street doesn't. The townhouses and apartments are being constructed in the land occupied by the 18 Hesse Street title and hence they would have no Right of Carriageway over land between 11 and 11a. As the access to Hesse St is being built over the townhouses and apartments would be left without vehicle access to their properties.

29. Loss of views

From or back garden, we currently have views of the trees and overgrown area to the rear of 18 Hesse Street. These views would be lost.





Page 1 of 3



### Objection to Planning Permit Application

**Name:** Simone Knott

**Postal Address:** 1 Learmonth Street Queenscliff

**Telephone:** Home: 03 5258 1603 **Mobile:** 0413 713 359

**Email address:** simknott@yahoo.com.au

**Planning Application Number:** 2012/061

**Address of the application land:** 10 to 18 Hesse Street, Queenscliff

**What is the application for:** Part demolition of an existing building in a Heritage Overlay, buildings and works for the construction of a two storey building comprising of the existing restaurant and eight (8) new dwellings, reduction of the standard car parking requirement of Clause 52.06, variation to the design standards for car parking of Clause 52.06, waiver of the loading bay requirements of Clause 52.07, alteration to access to a road in a road zone category 1, and variation to the setback and site coverage requirements of the Design and Development Overlay-Schedule 1.

**Who has applied?**

Bayview on Hesse Pty Ltd C/- Mr Shayne Link, Contour Consultants Aust PL

**Address:** Own 1 Learmonth Street, Queenscliff, Victoria. 3225

### Reasons for objection:

#### 1. Site Coverage

- The proposed development does not comply with site coverage requirements of the Queenscliff Planning Scheme, Schedule 1 to the Design and Development Overlay.
- The proposed site coverage greatly exceeds the requisite **"Buildings should not occupy more than 40% of the site"**.
- The height, form, mass, siting are not responsive to the heritage qualities of Queenscliff.
- Building setbacks do not comply with requirements of Schedule 1 to the Design and Development Overlay. **"Side and rear setbacks are to be a minimum of 1.92 metres for a 2 storey building (up to a height of 6 metres), or are equal to the side and rear setbacks of buildings on adjoining land."** The great height and setback of the proposal along the rear (west) boundary is of particular concern



Page 2 of 3

## **2. Stormwater Drainage and construction over easement**

No provisions for impact of the development on the existing stormwater drainage system have been nominated. Given that the existing rear easement will be 'built over', the provision for any future drainage for this property and upstream properties would be impossible. An existing valley is located along this easement; the development will affect stormwater runoff routes from upstream properties. Consideration to overland flows needs to be considered and catered for.

## **3. Barwon Water Sewer Assets and construction over easement**

The proposal indicates that the existing Barwon Water sewer assets at the rear of the lot will be at, or slightly below the basement ceiling level. This gravity sewer will be suspended in mid air within the basement carpark, and all access structure cover levels will be well above proposed finished surface levels. This sewer system is the outfall of our sewer reticulation. Lowering this section of sewer below basement carpark will require significant sewer relocation costs, including provision of a sewer pump station to maintain sewer flow to existing gravity sewers within Symonds Street.

## **4. Access way to proposed car parking and Loading issues**

- The proposal does not consider entering sight distance specified in AS/NZS 2890.1 FIGURE 8.3.2A, where minimum splays and stopping distances are required for pedestrian safety.
- The width of the carriageway does not allow for access of emergency vehicles. Delivery and commercial vehicles will also be unable to access the proposal, therefore they will be forced to 'prop' in Symonds Street, thereby creating more congestion and danger to pedestrians and local residents.
- The change of levels of this access way (ie the ramped section) will also affect right of carriageway for adjacent properties. The level difference of the ramp and the existing property levels will prevent adjacent properties from access along the 'lane'

## **5. Errors and omissions in Proposal**

There are numerous errors indicated on the plans provided (which were at A4 format, therefore very difficult to read). Errors such as omissions of existing access arrangements and detailing and specification of existing properties and uses.



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14 SEP 2012

BOROUGH OF  
QUEENSCLIFFE

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

- The proposed development design currently fails to meet the site coverage, heritage qualities, scale and massing requirements of the Queenscliffe Planning Scheme.
- The neighbourhood in general will face an increase of traffic flow and commercial vehicle activity. The neighbourhood surrounded by this development is residential.
- The land proposed as access to the development should be able to be used by neighbouring properties.
- The overdevelopment of the site impacts on the privacy, scale and amenity of the overall neighbourhood. The removal of the existing large trees on the property, will also affect the amenity and outlook of surrounding neighbours. We will be viewing large mass and scale walls of the proposed development instead, thereby affecting the neighbourhood amenity.

**Could the application be modified to alleviate your concerns? Yes**

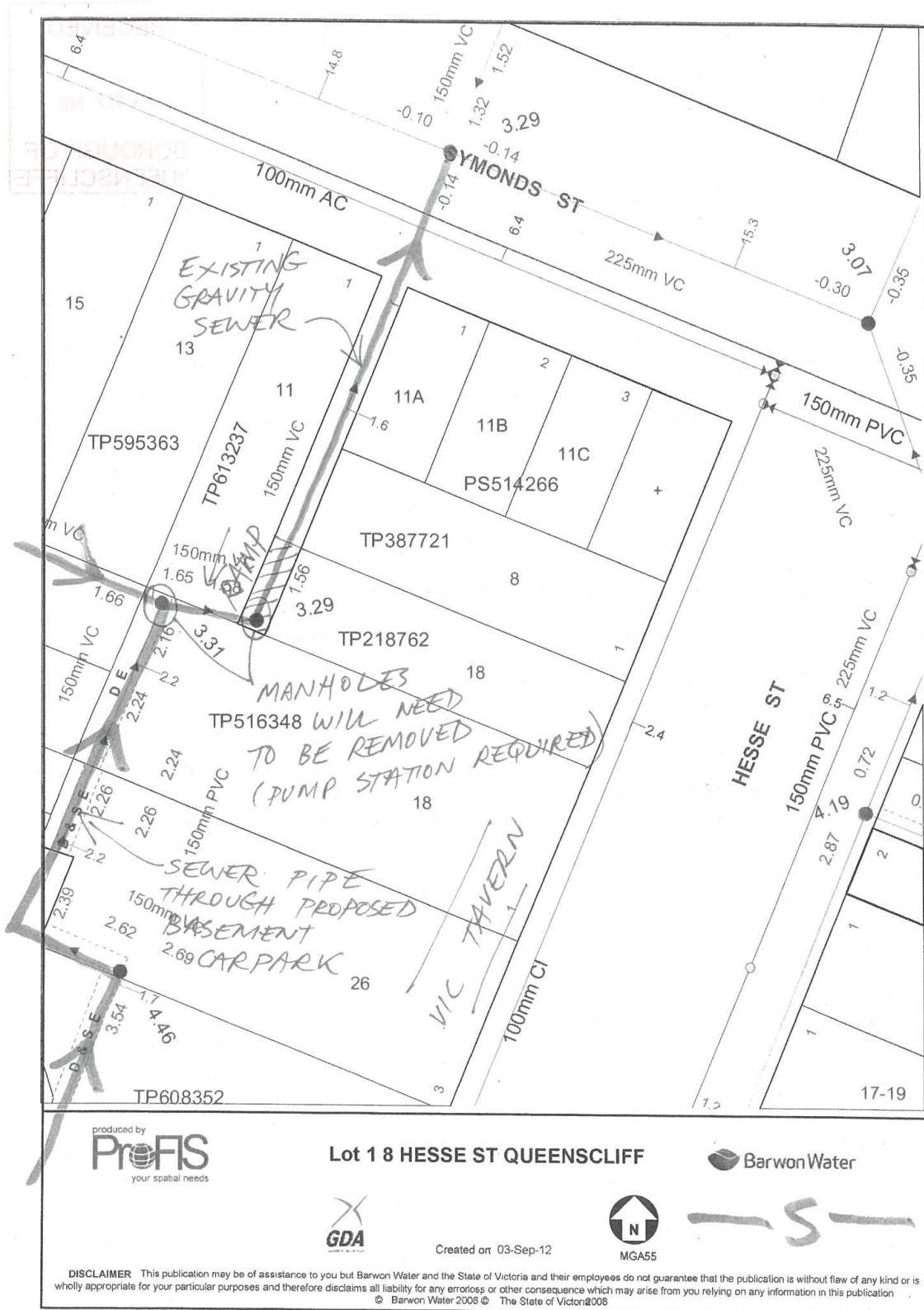
**If yes, would you like to discuss possible modifications with a Council officer? Yes**

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

- Modification of the proposed design to ensure that the requirements of the Queenscliffe Planning Scheme are met, in terms of setback, site coverage, scale and mass and heritage requirements.
- Modification of the proposed design to provide Vehicle access via Hesse Street, and not via the laneway into Symonds Street.
- Modification of the proposed design to prevent removal of the two mature eucalyptus trees.

Simone Knott







## Objection to Planning Permit Application



**Name:** Heather Carter and Barry Sutton

**Postal Address:** 148 Brackenbury St, Warrandyte Vic 3113

**Telephone: Home:** 03 9844 3281 **Mobile:** 0409 230005

**Email address:** barry.sutton@grays.com.au

**Planning Application Number:** 2012/061

**Address of the application land:** 10 to 18 Hesse Street, Queenscliff

**What is the application for:** Part demolition of an existing building in a Heritage Overlay, buildings and works for the construction of a two storey building comprising of the existing restaurant and eight (8) new dwellings, reduction of the standard car parking requirement of Clause 52.06, variation to the design standards for car parking of Clause 52.06, waiver of the loading bay requirements of Clause 52.07, alteration to access to a road in a road zone category 1, and variation to the setback and site coverage requirements of the Design and Development Overlay-Schedule 1.

### **Applicant**

Bayview on Hesse Pty Ltd C/- Mr Shayne Link, Contour Consultants Aust PL

**Do you own or occupy land near the subject land?** Yes

**Address:** 11A Symonds Street, Queenscliff, Victoria. 3225

Reasons for objection

### **A Traffic Management**

#### **1. Use of adjacent land as a vehicle access.**

The proposal is to use the existing land on the western boundary of my property (between 11 and 11a Symonds St ) as vehicle access to the proposed dwellings. The exit gate at the rear of our property leads directly onto this land which with the proposed increase in traffic movement will significantly increase the risk of being struck by a vehicle accessing/leaving the proposed complex. A formal risk assessment of such an event using the guidelines contained within the risk management standard **AS/NZS ISO 31000** would be as follows:



## Risk Assessment Matrix

### RISK RATING MATRIX – QUALITATIVE

#### Likely Outcome - Consequence

Descriptor	Description
Insignificant	No injuries, bruising, low financial loss
Minor	First aid treatment, discomfort, minor financial loss.
Moderate	Medical treatment required, unconsciousness, medium financial loss
Major	Extensive injuries, permanent disability, loss of production capability, major financial loss.
Catastrophic	Death, huge financial loss.

#### Likelihood of Hazard Causing Injury / Loss - Probability





Descriptor	Definition
Almost Certain	Is expected to occur in all / most circumstances.
Likely	Will probably occur in most circumstances.
Possible	Might occur at some time.
Unlikely	Could occur at some time, but less possible.
Rare	May occur only in exceptional circumstances





Risk Rating Matrix (Qualitative)

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Catastrophic
Almost certain	H	H	E	E	E
Likely	M	H	H	E	E
Possible	L	M	H	E	E
Unlikely	L	L	M	H	E
Rare	L	L	M	H	H

	E	=	Extreme risk, immediate action required
	H	=	High / significant risk; urgent management attention needed
	M	=	Medium risk; management attention as soon as possible
	L	=	Low risk; longer term action required

The assessment (unlikely and catastrophic—fatality) from the above Australian Standard table confirms that the exposure to vehicles using the adjacent land is extreme and would require an immediate risk control measure.

Subjectively, I also believe this to be an unacceptable risk.

## **2 Access by emergency services vehicles.**

The supporting documentation prepared for the proposal contains inaccurate information. (1 example being that my property 11A is shown as a 2 storey dwelling where as it is a single storey). In particular the width of the land between 11 and 11a (at the Symonds St building line) is shown in the proposal as being 3.05m whereas it actually is **2.7m**. This limited access point (with restricted sightline access) would immediately prevent access by an fire tanker as the width of the Isuzu type 24dDtanker of 2800 litres is **2.9m** (3.1m including mirrors).

Again using the above referenced risk assessment table (rare event/catastrophic outcome) the risk is high, requiring urgent attention and rectification.



### **3 CAR PARKING REQUIREMENTS**

Available car parking in the area of Symonds and Hesse St during the on going events such as :

- any weekend between October and April
- Thomas the Tank activities
- Blues on Saturday evenings
- Music festival/Christmas processions

The outcome of the above events is quite often traffic parked across the access driveway to 11A. This situation is currently a hazard as such vehicles are within the prohibited line of sight requirements (approx 2m) for any vehicles accessing or leaving the land between 11 and 11A Symonds St.

The parking survey contained within the proposal is misleading and does not address the parking availability during the above defined "peak times" when access to the proposed extended restaurant/hotel would also be at the maximum.

Surveys conducted on a Wednesday and a Thursday do not reflect the true position regarding access to on street parking requirements in the adjacent roadways.

### **4 LOADING BAY REQUIREMENTS**

The proposal is seeking an exemption from the requirement to include a loading bay area in the expanded development.

Given that loading/unloading via the land accessible from Symonds St is impossible because of the narrow width of the path, such an exemption would immediately generate a parking issue together with a traffic management risk with regard to isolating the public from the movement and parking of trucks unloading restaurant supplies.

A risk assessment of such a task (using the previously reference Risk Management Standard AS/NZS ISO 13000) would produce an extreme risk which would require the implementation of a structured traffic management system when such loading/unloading activities occur.

The proposal is silent as to how the developer plans to isolate the general public from these vehicle unloading tasks.



## **B COMPLIANCE WITH QUEENSCLIFFE HERITAGE**

Under the Queenscliffe planning scheme, it is understood that the proposal should be in accordance with :

Clause 22.03 Heritage Policy (General), which states:

- To recognise the existing significance, character and appearance of a building, work or object and the contribution such a building or work or object makes to the architectural or historical character and appearance of the locality;
- To conserve and enhance the buildings, works, tree, objects and sites which are specified in the Heritage Overlay;
- To ensure that an appropriate setting and context for heritage places is maintained;
- To ensure that new development maintains, protects and enhances the distinguishing elements of the urban character; and adjacent buildings"

I believe the proposal fails the above criteria in the following areas:

- The removal of the trees fails to conserve the site
- The building footprint (over 95% of the land area) does not protect or enhance the elements of the adjacent residential dwellings.
- The proposed building would dominate the landscape in the area and is out of character with the existing character and buildings within the busy and high profile area.

## **C ENVIRONMENTAL MANAGEMENT**

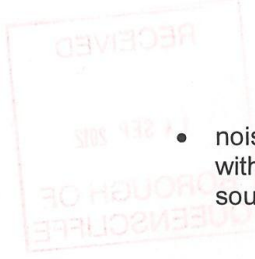
The private dwellings adjacent to the proposed development in Symonds, Hesse and Learmonth Sts, are traditionally exposed to low background noise, consistent with "residential noise" levels.

This proposal would significantly increase the noise levels as a result of :

- planned excavation work on the site
- increase in vehicle traffic along narrow strip of land between 11 and 11A Symonds St (with associated echoing effect from the concrete wall which forms the boundary along the eastern side of the land).
- associated noise generated by the on going removal of waste and bottles from the site.
- noise generated from roof top deck areas





- 
- noise generated by tenants using the open air swimming pool which is within 10 m of my property. There is no indication as to whether any sound isolation barriers will be incorporated within the structure.

Without the preparation by the developer of an environmental impact plan (addressing the above defined issues for this predominantly residential area), I have no confidence in supporting this proposal.

Barry Sutton  
B Eng Grad Dip OHM

Heather Carter  
B Arts Dip Ed  
Grad Dip TESOL



## 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: R.D & M.A CRAIG			
Postal Address: 13 SYMONDS STREET QUEENSCIFF 3225			
Telephone:	Home: 0352582634	Work:	Mobile: 0418487153
Email address:			
Which application are you responding to?		Planning application number: 2012/061	
Address of the application land:		10 TO 18 HESSE STREET QUEENSCIFF	
What is the application for? PART DEMOLITION OF AN EXISTING BUILDING AND WORKS FOR THE CONSTRUCTION OF A TWO STOREY BUILDING ETC.			
Who has applied? (Applicant) BAYVIEW ON HESSE PTY LTD c/o MR SHAYNE LINK, CONTOUR CONSULTANTS AUST P/L			
Do you own or occupy land near the subject land?		<input checked="" type="checkbox"/> Yes (tick)	<input type="checkbox"/> No (tick)
Address (if the same as your postal address write 'as above')			
As ABOVE.			
Reasons for objection:		SEE ATTACHED DOCUMENTATION	

Send to: Borough of Queenscliffe  
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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?

SEE ATTACHED DOCUMENTATION

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?

SEE ATTACHED DOCUMENTATION

Signature:

Privacy Statement

*DA Craig*

Date: 14/9/2012

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.

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Phone enquiries: 03 5258 1377





## REASONS FOR OBJECTION

### To proposed development 10-18 Hesse Street, Queenscliff

#### 1. Site Coverage

The proposed development contravenes the site coverage requirements of the Queenscliff Planning Scheme, Schedule 1 to the Design and Development Overlay. Shown on the Planning Map as DDO1.

The proposed site coverage is approximately 95%.

The permit requirements with respect to site coverage state that ***"Buildings should not occupy more than 40% of the site"***.

Given that the proposed development is a building with a mix of both Commercial and Residential type it is understood that the decision guidelines provide some discretion to permit an increase in site coverage, however, the Decision Guidelines included within Design and Development Overlay Schedule 1 also state that when deciding on the application for permit Council must consider ***"The impact of the proposed subdivision or development on the prevailing heritage character of adjoining and nearby buildings, and of the Queenscliff township"***.

#### 2. Parking

The submission in support of the development states that : "In terms of the existing Restaurant no increase in floor area available to the public or patron numbers is proposed" and further, "Given there will be no increase to the floor area of the Restaurant, the statutory car parking requirements apply only to the residential component of the proposal".

Examination of the drawings provided by the Applicant, in particular A-01, A-02 & A-04 indicate that the floor area of the proposed new Restaurant, Dining Area and Hotel (the Licensed Premises) available to the public and patrons will increase by a minimum of 45%.

The current Liquor License for the Hotel Vic Queenscliff does not specify any number of patrons or public who may use the existing premises at any one time. It is therefore difficult to quantify how many extra patrons or public might be accommodated by a minimum of 45% increase in floor space. It is however not credible to propose that only the residential component of this application should be taken into account when considering the number of car parking spaces that should be provided.



### 3. Setbacks

Section 22.04 of the Queenscliff Planning Scheme, Urban Character Policy when referring to Building Heights and Setbacks, states that ***"The height and setback of new buildings do not cause any adverse significant impact on the amenity of adjacent dwellings or land"***.

The proposed development contravenes the Building Setbacks requirements of the Queenscliff Planning Scheme, Schedule 1 to the Design and Development Overlay. Shown on the Planning Map as DDO1. The permit requirements with respect to Building Setbacks states that ***"Side and rear setbacks are to be a minimum of 1.92 metres for a 2 storey building (up to a height of 6 metres), or are equal to the side and rear setbacks of buildings on adjoining land"***.

Additionally, the rear of the proposed development, including the basement, is to be constructed over and into an easement which the responsible authority, Barwon Water, says contains a sewerage main and drain. (see attached plan of assets provided by Barwon Water on 12/9 2012).

### 4. Heritage Impact

Within their proposal the Applicant attempts to address the Decision Guidelines within the Planning Scheme with respect to Heritage Overlay, Section 43.01-4. Specifically ***"Whether the location, bulk, form or appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place"***. The statement addresses impact within HO7 but does not attempt to address the abuttal to HO2.

### 5. Accessway to on-site car parking

The Traffic Report included within the development proposal states that "The right of way extends in a North-South direction between Symonds Street in the North and the informal parking area associated with the existing Hotel Victoria in the South. The right of way is 3.05 metres wide, approximately 40 metres long and only provides access to the Hotel Victoria".

This statement is incorrect in at least 2 aspects and does not address another important fact which may mitigate against the use for which it is proposed.

The right of way (accessway) varies in width from 2.76 metres at the Symonds Street entry to a maximum width of 3.05 metres just before it widens at the rear of 8 Hesse Street to allow entry into their garage. (see attached drawing titled Accessway).



There are in fact 4 entry gates into 3 different properties other than the Hotel Victoria off this accessway:

- 11 Symonds Street (double vehicle gates)
- 11A Symonds Street (single gate pedestrian)
- 8 Hesse Street (1x single gate pedestrian and 1x double vehicle gates).  
(see attached drawing titled Accessway).

Additionally, advice from Barwon Water indicates that a sewerage main runs along the length of the accessway starting close to the rear of 11 Symonds Street. This may impact upon the excavation required for the car park ramp. (see attached plan of assets provided by Barwon Water on 12/9 2012).

The entry/exit point of the accessway into Symonds Street is narrow and has a 2 metre height paling fence on the West side and 1.75 metre height picket fence on the East side. The vision for both vehicle drivers within the accessway and pedestrians in Symonds Street is severely limited. The footpath in Symonds Street is in frequent use by both adults and children. Any increase in vehicle numbers exiting the accessway into Symonds Street will only exacerbate an already unsafe situation.

#### **6. Loss of amenity due to excessive noise**

The potential for noise to be generated from open balconies and the pool area of the proposed development outside the acceptable mandated hours, particularly on warmer nights, has not been addressed.

The proposed residential accommodation will be largely used for holiday purposes, rather than permanent living, which will result in visitors coming to party with little regard or respect for their immediate neighbours.

This will impact upon our amenity as we will not be able to have our Bedroom windows or doors open to allow the fresh air inside. This is experienced in similar situations around the Borough.

The proposal does not specify the provision of a designated manager who has the authority, responsibility and accountability to ensure that the proposed swimming pool area in particular is not used outside of reasonable hours.

#### **7. Repeated errors and omissions in Proposal**

As has been detailed in points 2, 3 and 5 above the Proposal contains errors and omissions that have a fundamental impact upon how it will be assessed and in the case of the Traffic Study, what was actually reported upon. In addition the information on Drawing A-00 identifies our property at 13 Symonds Street as a "2 Story Commercial (Bed & Breakfast)". Our property is in fact a Single Storey Weatherboard Private Residential Dwelling, Circa 1900.

It is difficult to see how the Proposal can be properly considered in its present form.





## HOW WILL YOU BE AFFECTED IF A PERMIT IS GRANTED

The effect upon our amenity as a result of a Permit being granted for this development in its present form will be addressed against points 1 to 7 as in our Reasons for Objection.

1. We live in a modest circa 1900 weatherboard home which will be visually overwhelmed by the size and bulk of a contemporary structure that is right on our fence line.
2. The competition for parking in the Northern end of Hesse Street is already intense during the months of mid November through to the end of April. A substantial increase in patronage at a re-developed and substantially expanded Hotel Vic is inevitable and must surely be an objective of a capital investment of this nature.

Symonds Street is already accommodating parking generated from local residents, the Bellarine Tourist Railway, the Blues Train, the Fishing shop (cars and boat trailers) the Senior Citizens Centre, overflow from the Boat ramp car park and Hesse Street. Patrons leaving the Hotel Vic and the Esplanade Hotel, particularly late at night, generate noise that wakes you from your sleep.

3. Without the mandated setbacks, which are surely designed to lessen the impact of substantial developments such as that proposed, the single storey traditional Queenscliff residential structures, mandated by Design and Development Overlay 6 (DDO6), will be completely overwhelmed by the size and style of this building. We have put considerable effort and expense into restoring and renovating our property in a manner that reflects the era in which it was built. Along with our Builder, we won a Master Builders Association award in 2004 for the quality of our second major renovation. We have on each occasion worked within the provisions of the Planning Scheme respecting the modest style of the built environment around us.
4. The proposal in its present form is consistent with the style of commercial buildings within Hesse Street but very different from that in the area of Symonds Street and the Railway Precinct covered by Heritage Overlay 2 (HO2). The stark difference in both style and scale, particularly with the walls being right on our fence line and in direct line of site out of our living room will be overpowering.
5. Our Grandchildren visit with us frequently and enjoy running up and down the footpath between Hesse and Learmonth Streets. With the accessway between number 11 and 11A Symonds Street now becoming the only point of entry and exit for the proposed development we will now have to restrict this activity. Drivers exiting the accessway will be totally blind to approaching pedestrian traffic. While as local residents we will be aware of the hazard that exists, this will not be the case for visitors to the town. We constantly have families parking their vehicles in the vicinity of our home and walking (children often running) back toward the attractions of Hesse Street.

We fear that a tragic accident is inevitable.



6. We live in a neighbourhood where some noise at all hours, particularly in the warmer months, is accepted as a way of life. This occurs particularly with people exiting the Blues Train and people walking home from the Esplanade Hotel. This type of noise whilst it wakes you, it is only transitory. People carrying on conversation, laughing, arguing etc over a prolonged period of time in the early hours of the morning wakes you from your sleep and prevents you from getting back to sleep. It ruins your amenity. We and our neighbours experienced this problem with Whitehall group accommodation for over 2 years. With the assistance of Council and the co-operation of the owner of the property, this problem has been solved. We do not want to go down this path again.
7. Having studied the documentation presented in support of the proposed development, we have discovered so many fundamental errors and omissions that we are no longer confident that the proposal can be fairly considered without these areas being re-addressed.



### **WHAT CHANGES WOULD YOU LIKE TO SEE MADE TO THE APPLICATION TO SATISFY YOUR CONCERNS?**

The changes we would like to see made to the application to satisfy our concerns will be addressed against points 1 to 7 as in our Reasons for Objection.

1. The building should be setback off the rear and north side property boundaries at least in accordance with the Planning Scheme, Schedule 1 to the Design and Development Overlay. Shown on the Planning Map as DDO1.
2. Given that the existing Parking survey was predicated upon “no increase in floor area available to the public or patron numbers”, and this is clearly not the case, the Traffic/Parking study needs to be re-done. If it is then found that there will be an un-acceptably negative impact upon nearby residents the Council should implement a Resident Only Permit Parking Area in order to mitigate the problem.
3. The building should be setback, at least on the rear boundary, in accordance with the Planning Scheme, Schedule 1 to the Design and Development Overlay. Shown on the Planning Map as DDO1.
4. The proposal needs to fully consider its impact upon the Heritage type of dwellings in the Queenscliff Railway Station, Urban Conservation Precinct that it abuts. Given the stark contrast in building mass and style the meeting point between the 2 areas needs the softening benefit of a setback.
5. Convex mirrors need to be provided where the accessway enters Symonds Street to enable vehicle drivers to observe pedestrian traffic before they proceed.  
Warning signs need to be posted at both ends of the accessway alerting vehicle drivers proceeding toward Symonds Street of the need to watch for pedestrians.  
Warning signs need to be placed in Symonds Street warning pedestrians of entering traffic.
6. Signage should be posted within the complex requesting residents/tenants and visitors to respect the amenity of their neighbours.

There should be a reasonable limit placed upon the hours of operation/occupancy of the pool area and signage posted to this effect.

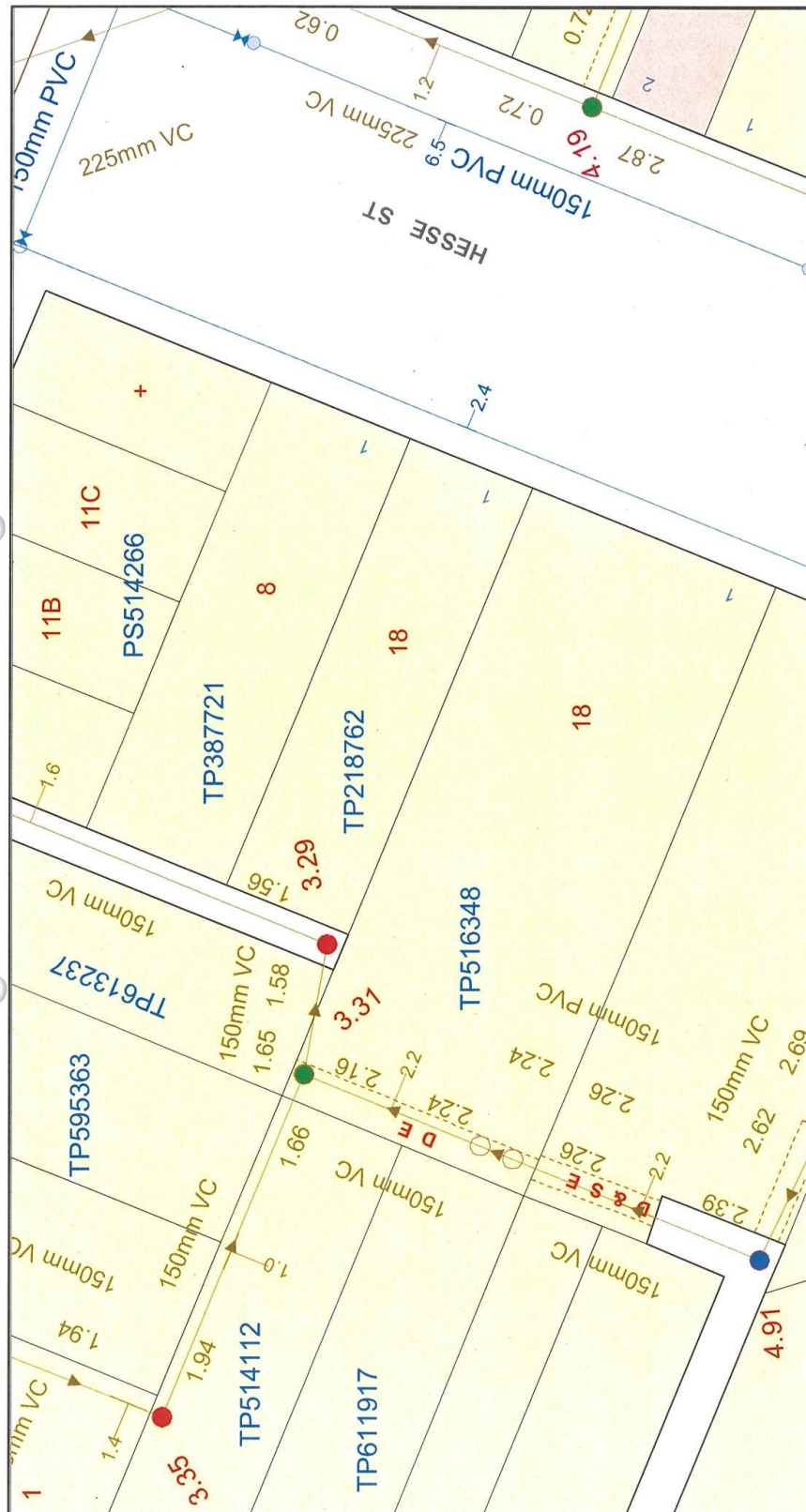
The “Owners Corporation” associated with the development need to appoint a specific Manager who has the authority, responsibility and accountability to ensure that regulations applicable to the complex are adhered to. This person might be the Licensee of the Hotel Vic. This approach has worked very well with the Whitehall Group Accommodation complex.





7. It is critical that the approval process for a development and capital investment of this magnitude be considered on the basis of the best available data. It is also important that the Developer is seen to be approaching the proposal ethically. I am sure that this is the case with all those involved in this Project, but at this time they have not been well served by some of the material presented.

It is important that any errors, omissions or misunderstandings be addressed before the approval process proceeds.



18 Hesse St



**WARNINGS**

Indicates the presence of a hazardous zone. Follow OH&S guidelines - Barwon Water OH&S Alert

- Sewer - Benzene
- Water - Cadmium / Chromium / Copper
- Cracked AC Pipe

**LEGEND**

- Gravity Sewer
- Pressure Sewer
- Potable Water
- Recycled Water

**Scale: 1:424**

Date Created: 12/9/2012

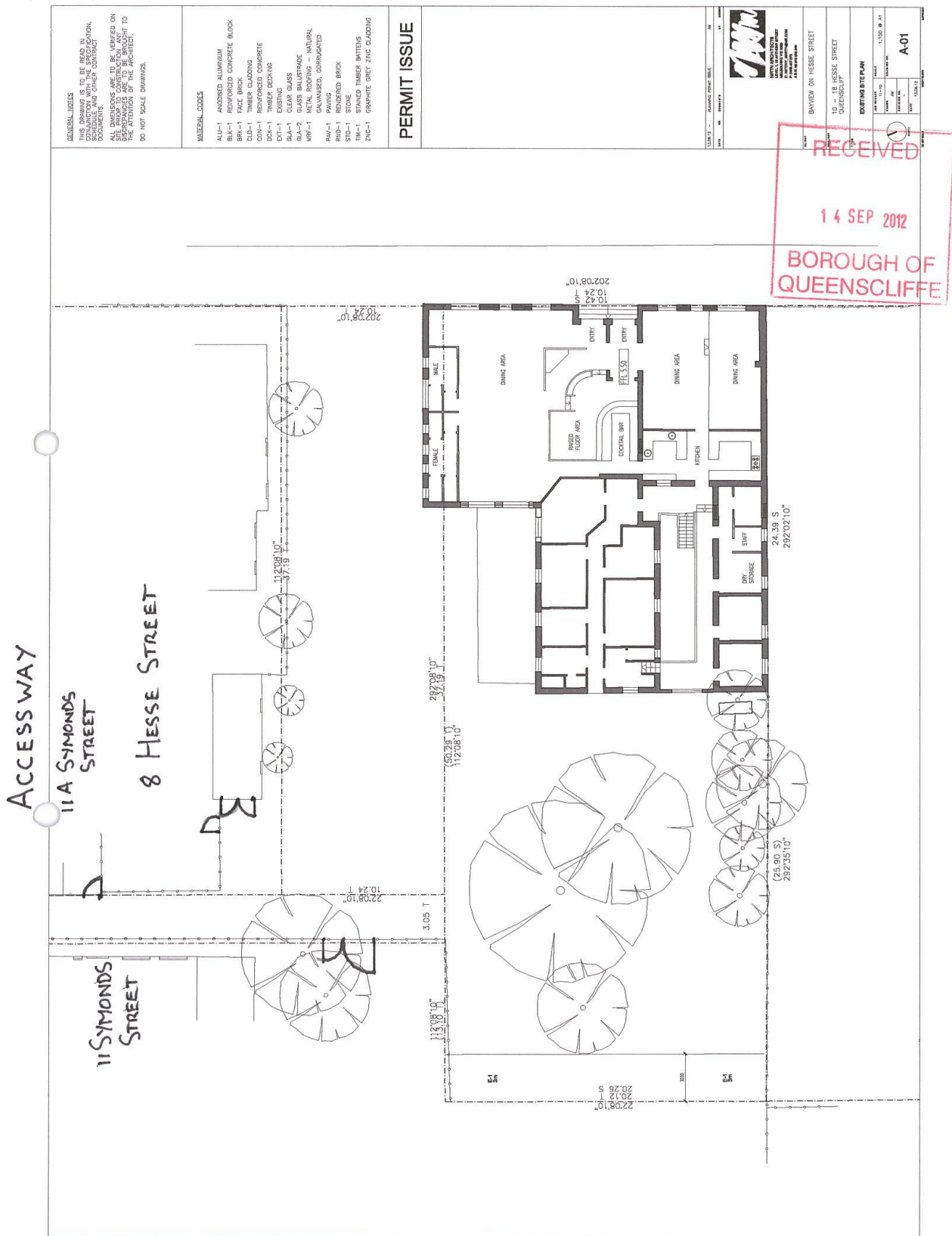


RECEIVED

14 SEP 2012

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## Objection to a Planning Permit Application

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Name: DONALD FORSYTHE		
Postal Address: 14 BELLETT STREET CAMBERWELL 3124		
Telephone:	Home: 9889 4944	Work: Mobile:
Email address: donald.forsythe@gmail.com		
Which application are you responding to?		Planning application number: 2012/061
Address of the application land: 10 TO 18 HESSE STREET QUEENSCLIFF		
What is the application for? PART DEMOLITION OF VIC TAVERN THEN BUILDING OF 8 NEW DWELLINGS		
Who has applied? (Applicant) BAYVIEW ON HESSE P/L c/- MR SHAYNE LINK CONTOUR CONSULTANTS AUST PL		
Do you own or occupy land near the subject land? <input checked="" type="checkbox"/> Yes (tick) <input type="checkbox"/> No (tick)		
Address (if the same as your postal address write 'as above') 3 LEARMONTH STREET QUEENSCLIFF		
Reasons for objection:  SEE NOTES ATTACHED (3 PAGES)		

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?

AS NEIGHBOURS ON WESTERN SIDE OF THE DEVELOPMENT  
WE WILL LOOK ON A MASSIVE WALL IN CONTEMPORARY  
ARCHITECTURAL STYLE THAT WILL HAVE NO RELATIONSHIP  
WITH THE OLDE QUEENSCLIFF HERITAGE WHICH WE  
LOVE.  
THERE IS A POSSIBILITY THAT STORM WATER WILL BE  
DIRECTED INTO OUR PROPERTY

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?

5 ARCHITECTURE IN SYMPATHY WITH SURROUNDS.  
LOWER DENSITY  
SET BACK FROM OUR BOUNDARY — DEFINITELY TO  
THE E-EDGE OF THE EASEMENT  
DECREASED HEIGHT

Signature:

*K. O'Leary for D. + J. FORSYTHE*

Date:

12/9/2012

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*.

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Fax: 03 5258 3315  
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Phone enquiries: 03 5258 1377



To accompany  
**Objection to Planning Permit Appln 2012/061**  
By Donald Forsythe  
12 Sept 2012

**Reasons for Objections**

- 1a. Objection to removal of drainage easement on western side of the site. (See Note 1.)
- 1b. Objection to building over the existing drainage easement as this will block 'passage of water and soil' and will redirect storm water and other surplus water, etc., into adjacent properties, including ours. (See Note 1.)
- 1c. Objection to any building over the sewer in the easement. The sewer is 2.2m in from the western boundary of the site, and new building should end at least 3.2m in from that boundary. (See Note 1.)
- 1d. Objection to any excavation for a basement-access ramp in the lane because of the existence of the sewer main under the centre of the lane. (See Note 1.)
2. Objection on Heritage grounds to the destruction/demolition of the unique historic rear parts of the hotel building in HO7 overlay. (See Note 2.)
3. Objection to use of lane beside No 11 Symonds St as principal access to site. Lot 8 (Pt) (i.e. No. 18 Hesse St) does not have Right of Carriageway over this lane as other neighbours do. Those neighbours would lose much amenity. The lane is unsafe. The building site address is Hesse St, and principal access should be from that street, retaining the existing crossover.
4. Objection to building of high density housing in Business 1 Zone which is supposed to be a 'business centre used for retailing and other complementary commercial, entertainment and community uses', and to encourage retail and commercial employment.
5. Objection to bedrooms and bathrooms in the basement which effectively make this a three storey residential development by stealth.
6. Objection to a 'contemporary architectural style' in this HO7 setting which leaves neighbours to the west (Learmonth St, including us) and on Symonds St looking on facades that fail in numerous requirements of Clauses 21.05, 22.03, 22.0. At the western end of the planned building there are no corrugated iron pitched roofs, no timber, just massive aggressive rendered brick lacking any heritage interest or connection with the neighbourhood.





To accompany  
**Objection to Planning Permit Appln 2012/061**  
By Donald Forsythe  
12 Sept 2012

**NOTE 1**

**Expanding on Objections 1a, 1b, 1c, & 1d.**

**Building over Easement, and Excavating in Lane.**

The Applicant's Town Planner's Report states that the site is affected by a 3.0m wide easement along part of the western boundary of the site. It is a 'water and soil' drainage easement. They are advised that there are no 'assets' within the easement, and so they intend to apply for removal of the easement, then to build upon it.

Yet, on the detailed site survey plan accompanying the application to Council (but not supplied to neighbours) a 'Sewerage Pit' with R.L. is clearly indicated in the north end of the easement. This surely is an important 'asset'.

Barwon Water plans clearly indicate that a 150mm VC sewer servicing numerous properties south of the Vic Tavern passes through the easement, 2.2m in from the site boundary. This sewer is joined by another 150mm VC sewer servicing several properties (including ours) at the 'Sewerage Pit' mentioned above. The sewer then passes diagonally across the rear of No. 11 Symonds St. to the adjacent lane, then continues northward under the centre of that lane to join a trunk sewer in Symonds St. The depth of the sewer is at or slightly above the planned basement floor level.

Barwon Water policy states that no person shall erect any structure within a Barwon Water easement or over or within one metre of a sewer main or within 3m of a water main or restrict access to a Barwon Water asset, unless they have received written approval from Barwon Water. We understand that as of 6/9/2012 no such approval has been sought from Barwon Water by the Applicants.

That one metre clearance is a minimum requirement. Soil type may affect it. Barwon Water may be concerned that the soil type in the easement is unconsolidated sand and require a larger clearance.

When we showed the planned footprint of the development to Barwon Water in Geelong on 6/9/2012 we were informed that building would not be permitted over the sewer in the easement, and excavation of the ramp under the lane/'access road' would not be permitted. Building would have to be at least 3.2m back from the western boundary of the site.



To accompany  
**Objection to Planning Permit Appln 2012/061**  
By Donald Forsythe  
12 Sept 2012

**NOTE 2**

**Expanding on Objection 2**

**Objection on Heritage grounds.**

The Applicant's Town Planner erroneously states that the Vic Tavern has continuously traded from 1871 until today.

About 1988-1991 the Vic was owned by the Maltese Fathers who used it as a holiday camp for children. About 1990 we were able to look inside the rear of the building. We saw the prison-like arrangement of cell-like rooms, and an amazing huge old wood-fired stove in a kitchen. It was all very evocative of the 19<sup>th</sup> Century.

The 'Existing Site Plan' in the application indicates that little has changed. The Applicant's Heritage Consultant seems to have been slightly impressed. He writes "while the removal of the remaining 19<sup>th</sup> Century fabric of the existing building (rear parts) may not be optimal, overall the impact on the precinct will not be unduly negative, and in some ways the heritage value would be enhanced by the accurate reconstruction of the primary heritage component, the late 19<sup>th</sup> century façade." That would replace the façade reconstruction done in 1990.

It is sad that the consultant sees an enhancement of heritage by the destruction of the real, the unique, the genuinely historic parts of this old building, and that he is satisfied with just the second reconstruction of a fake façade.

---



Objection to a Planning Permit Application



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Name: NICHOLAS JOHNSTONE			
Postal Address: 27 SHOUBRA DRIVE, HIGHTON. VICTORIA 3216			
Telephone:	Home: 52432090	Work: 52531555	Mobile:
Email address: nick.johnstone49@gmail.com			
Which application are you responding to?		Planning application number: 2012/061	
Address of the application land: 10-18 HESSE STREET, QUEENSCLIFF 3225			
What is the application for? DEVELOPMENT OF VIC TATERN SITE.			
Who has applied? (Applicant) BAYVIEW ON HESSE PTY. LTD. C/- MR. SHAYNE LINKE CONTOUR CONSULTANTS AUST P/L.			
Do you own or occupy land near the subject land?		<input checked="" type="checkbox"/> Yes (tick) <input type="checkbox"/> No (tick)	
Address (if the same as your postal address write 'as above') 8 HESSE STREET, QUEENSCLIFF 3225			
Reasons for objection:			
- SEE ATTACHED SHEET			
- I HAVE ATTACHED A COPY OF CERTIFICATE OF TITLE TO SHOW COMMON LAND REAR LANE FROM SYMONDS STREET AS WELL AS LAND. VIC. GOV. AU MAPS FOR THE AFFECTED AREA BEING PROPOSED FOR DEVELOPMENT (DATED DECEMBER 22ND, 2001)			

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





Objection to a Planning Permit Application

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BOROUGH OF  
QUEENSLIFFE

How will you be affected if a permit is granted?

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. ACCESS TO COMPLEX NEEDS TO BE CHANGED - PRESENTLY PROPOSED ACCESS FROM SUMMONS STREET VIA NARROW LANE.
2. SITE COVERAGE MUCH GREATER THAN NORMALLY ALLOWABLE IN PLANNING GUIDELINES.
3. POSITION OF SWIMMING POOL INAPPROPRIATE.

Signature:

Date: 14/9/2012

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  
QUEENSLIFF VIC 3225  
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



14/9/2012

My name is Nicholas Johnstone and my wife Jennifer and I have enjoyed ownership of 8 Hesse Street, Queenscliff for over 22 years. There have been a lot of significant changes to the lower end of Hesse Street during that period but I would particularly like to emphasise that I believe the proposal being considered at 10 Hesse Street (which presently incorporates the Vic Tavern) is quite unreasonable with respect to best planning requirements, good amenity for all affected parties and sympathetic heritage considerations.

Firstly, let me state that when we bought the property in 1990, the Vic Tavern site was very run down, and that after 1990, a lot of renovation was carried out to the section of the property fronting Hesse Street, after which a restaurant was opened by Steve Powell. There was a brick fence connecting the North-East corner frontage of the Vic Tavern with our property at that time, but because of the need for service vehicles to access the property for deliveries, rubbish removal and the like, as well as parking for patrons, council requested that entry to the property by these vehicles had to be from Hesse Street, and so the brick fence was removed with access created by installing a gutter cross-over and driveway entrance into the Vic Tavern property from Hesse Street. There was a specific prohibition on the use of the laneway at the rear of the property to Symonds Street, for any vehicles other than staff cars, due to the narrowness of the lane, as well as to protect the neighbourhood amenity with regard to low volume of traffic.

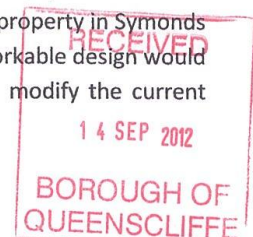
It is this laneway off Symonds Street that is public land, which is the only access for the proposed development. This is totally unsatisfactory. Apart from being too narrow, less than the normal required access for residential subdivisions, there is a sewerage connection which runs along this laneway. The applicants have made a land grab for a portion of this laneway for use as a descending ramp into the proposed basement car park – this will deny Shane O’Cleirigh and Suzanne Cronin (owners of 11 Symonds Street) the current access to the rear of their property from the laneway that they presently enjoy. Further it has been an access to this property for more than the 22 years that we have owned our property. The current owners have expressed a willingness to sell their property in order to alleviate the narrowness of the proposed access as well as the problems with the sewerage pathway and the use of a portion of public land for a private ramp to a car park. For similar reasons, access to the rear of my property will be compromised. The problem of greatly increased traffic flow and the narrow access for service vehicles cannot be overstated.

Secondly, the proposed development incorporates a swimming pool to be erected on my Southern boundary where a garage presently is situated. With all the excavation and reinforcement needed for the pool wall the developers will require access to my property – this is not an option. I have wanted to construct a two-storey dwelling on my land where the present garage is situated for a number of years. I had discussion with Queenscliff Council officer Natalie Walker and building design consultant Michael Higgins a few years ago, and recently have had further discussion with Michael regarding submitting a plan to council for consideration. I have shown a willingness to reconsider this plan if the developer is interested in purchasing my property.

Thirdly, the proximity of the proposed development to my Southern boundary towards Hesse Street will create an unacceptable degree of overlooking to my property – 9 metre site lines have been completely ignored in the current proposal. With the previous development of dwellings on the corner of Hesse and Symonds Streets, our privacy was protected. We should not have to allow further structures that situate closely to our boundary and do not provide similar protection for our privacy.

I believe that despite my previous wishes to develop my property I have offered the developers of the Vic Tavern site a unique opportunity to incorporate my property, as has Mr O’Cleirigh with his property in Symonds Street, into the proposed development site so that a much more aesthetic, practical and workable design would be possible. If they do not take up this opportunity, there needs to be a willingness to modify the current proposal to improve the amenity of all residents affected by the proposed development.

I look forward to your reply to my objection.







Entered in the Register Book  
Vol. 4541 Fol. 958037  
RECEIVED  
14 SEP 2012  
BOROUGH OF QUEENSLIFFE

VICTORIA.

# Certificate of Title.

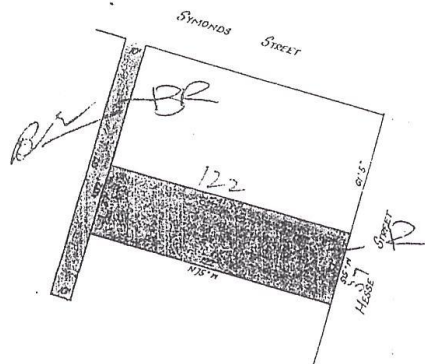
UNDER THE "TRANSFER OF LAND ACT 1915."

Charles Palmer Wane of Hesse Street Queenscliff Tobacconist is - - - - -  
now the proprietor of an Estate in Fee-simple, subject to the Encumbrances  
notified hereunder in All that piece of Land, delineated and coloured  
red on the map in the margin, being part of Crown Allotment Nine Section Five Town  
of Queenscliff Parish of Paywit County of Grant Together with a right of carriage-  
way over the road colored brown on the said map - - - - -

Not to be dealt with outside the Titles Office.

Dated the Seventeenth  
thousand nine hundred and twenty-two.

day of February One  
*W. B. Blyden*  
Assistant Registrar of Titles.  
ENCUMBRANCES REFERRED TO.



M.M.D.  
COMMERCIAL LEGAL SERVICES  
3rd FLOOR, 432 COORKE ST.  
PHONE: (03) 670 0899  
DX 610 MELB.

UNREGD. DEALINGS

26 FEB 1990

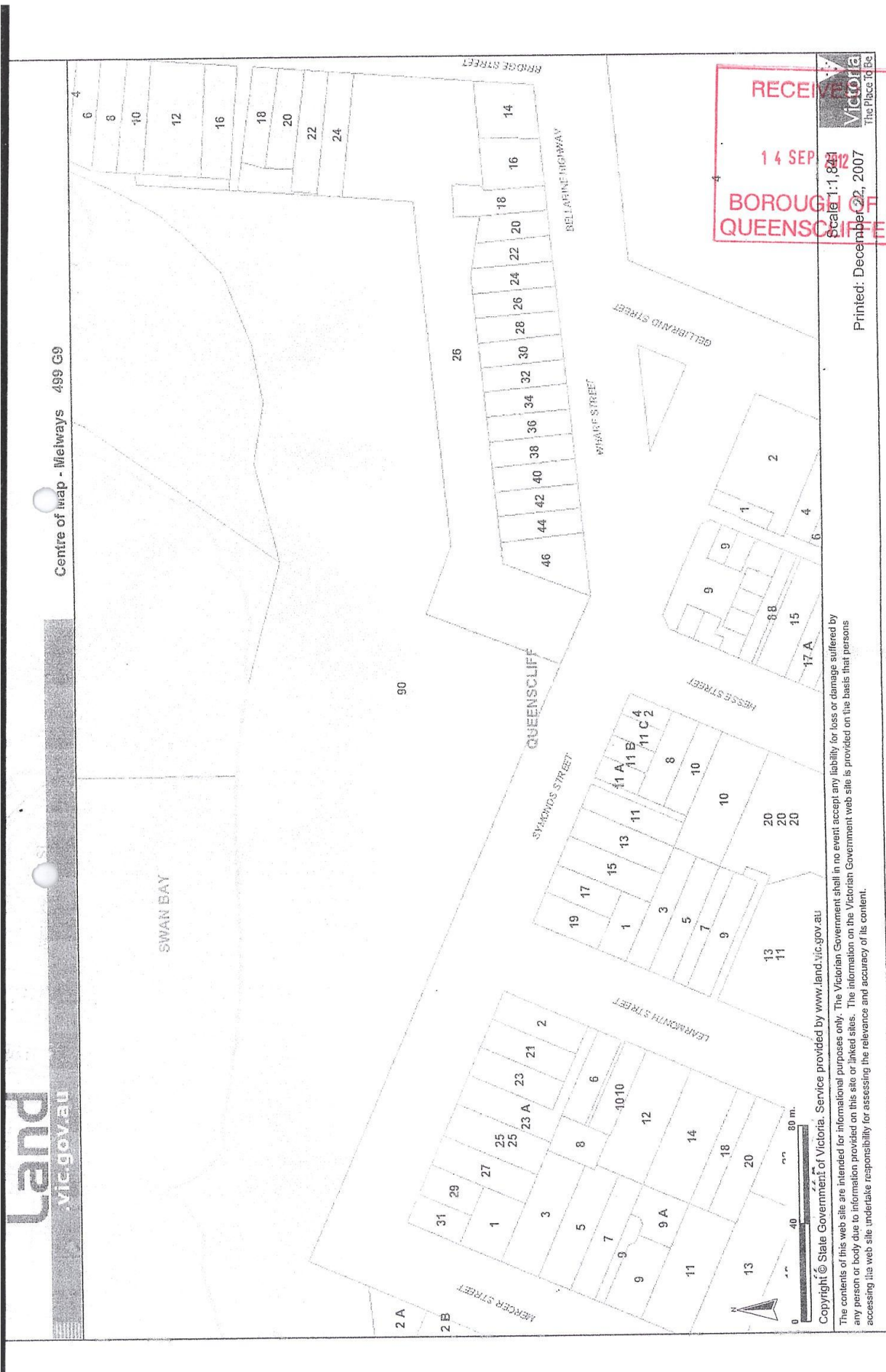
See statement  
attached

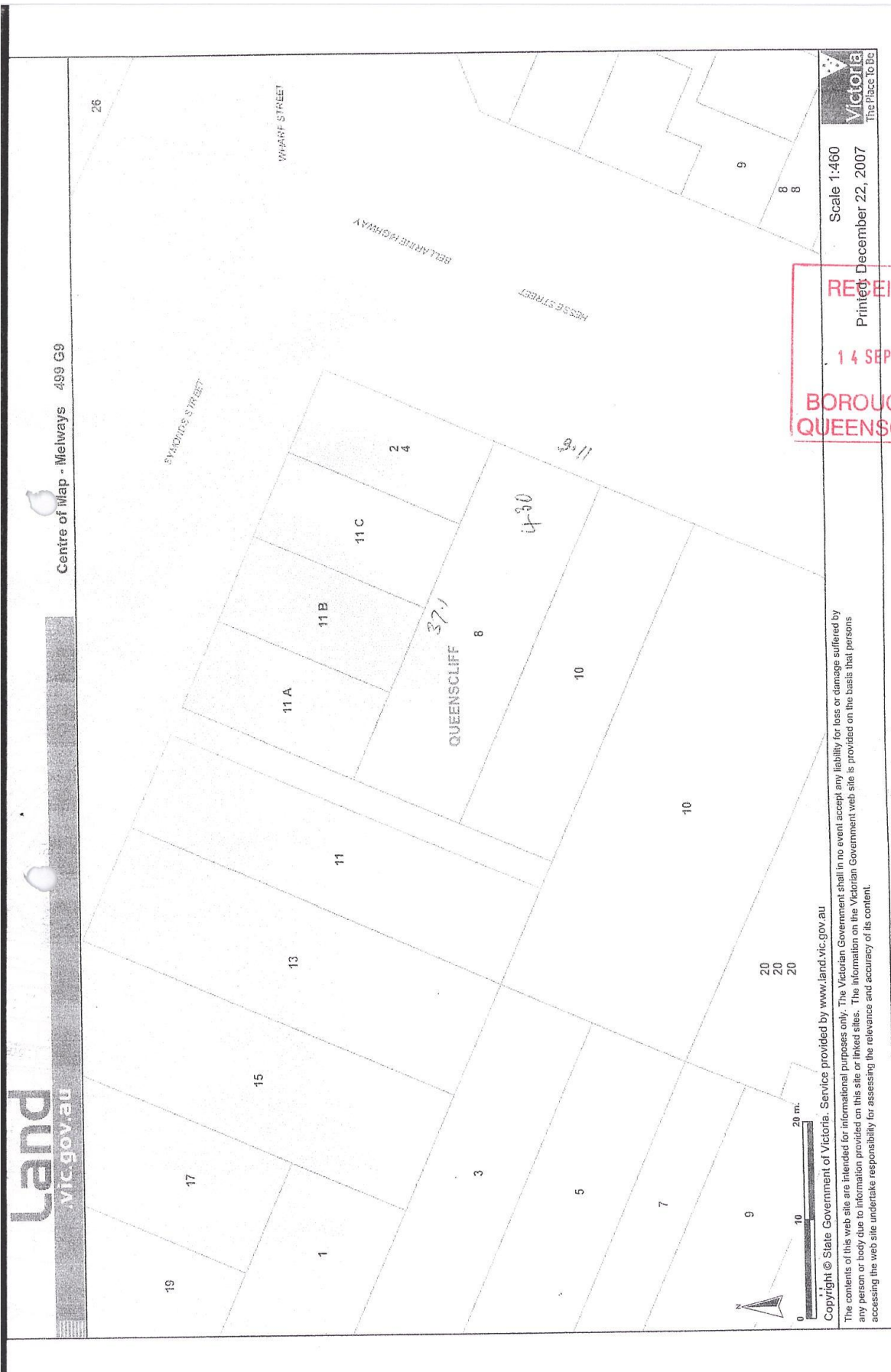
Measurements are indicative

DAIR: 2012/06/10  
Transfer of Land Act 1950

DL - Blue  
DL - Green  
DL - Yellow  
DL - Red  
DL - Cross Hatched  
DL - Black









Page 1 of 4



### Objection to Planning Permit Application

**Name:** Peter & Jenny Geary

**Postal Address:** PO Box 1108, Carlton, Victoria, 3053

**Telephone: Home:** 03 52585211 **Mobile:** 0408 341348

**Email address:** [petercgeary@bigpond.com](mailto:petercgeary@bigpond.com)

**Planning Application Number:** 2012/061

**Address of the application land:** 10 to 18 Hesse Street, Queenscliff

**What is the application for:** Part demolition of an existing building in a Heritage Overlay, buildings and works for the construction of a two storey building comprising of the existing restaurant and eight (8) new dwellings, reduction of the standard car parking requirement of Clause 52.06, variation to the design standards for car parking of Clause 52.06, waiver of the loading bay requirements of Clause 52.07, alteration to access to a road in a road zone category 1, and variation to the setback and site coverage requirements of the Design and Development Overlay-Schedule 1.

**Who has applied? (Applicant)**

Bayview on Hesse Pty Ltd C/- Mr Shayne Link, Contour Consultants Aust PL

**Do you own or occupy land near the subject land?** Yes

**Address:** 11B Symonds Street, Queenscliff, Victoria. 3225

**Reasons for objection:**

- ***in relation to the objectives of the Borough of Queenscliffe Urban Character Policy, the proposed new development, because of its significant site overdevelopment;***
  - Fails to maintain, enhance or harmonize with the prevailing character and distinguishing cultural heritage identity of the township.
  - Is, for its financial viability, totally dependent upon receiving multiple exemptions from the Queenscliffe Planning Scheme. The planning exemptions requested by the Developers, will inevitably be to the specific detriment of both existing residents of adjacent properties and also to all Queenscliff residents and visitors.
  - Fails 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.
  - With a proposed site coverage of 96%, significantly exceeds the 40% limit as specified in the Overlay.
  - With a height of 9.5 metre the three storey building (including roof deck), where the highest point of the roof is greater than the highest point of the roof of all adjacent buildings, fails to meet the Heritage Overlay requirements.
  - Fails to protect, enhance or harmonize with the distinguishing elements of the Borough's urban character and the character of the specific area in which it is located.
  - Has no regard to the location of houses on adjoining properties in terms of street and side and rear boundary setbacks.





Page 2 of 4

- Will adversely impact on the amenity of adjacent buildings and land due to the height and limited setback of the proposed new three storey buildings (including roof decks).
  - Will overlook all adjacent premises on both the north and west sides with no design provision having been made for landscaping or similar, to address this overlook problem and neighbor privacy issues.
  - Has no regard to the visual sensitivity, scale and proportion of the street and landscape skyline.
- ***The layout of the proposed new development is inconsistent in terms of;***
    - Location and relationships to the existing building on the site and associated adjacent residential buildings in Symonds and Learmonth Streets. For example, the highest point of the roof in the proposed development is higher than the highest point on the roofs of the adjacent buildings in Hesse, Symonds and Learmonth Streets.
- ***Appropriation of public land;***
    - The success of the proposed development appears to be predicated entirely upon the ability of the private developer, to appropriate public land, in order to provide access to the proposed over developed site.
- ***Environmental Issues;***
    - The proposed site layout of the development involves removal of two significant eucalyptus trees and therefore, fails to protect existing trees on the site which are visible and contribute to the streetscape and visual amenity of adjacent properties,
- ***Major earthworks***
    - The proposed development involves construction of underground car parking and therefore, fails to minimize the need for earthworks on the land, as prescribed in the Borough of Queenscliffe Urban Character Policy – Site Layout.
- ***Property Access – Heavy duty service trucks and delivery vehicles***
    - The proposed development provides no space on the land for loading/unloading of vehicles servicing the Hotel, as the public land to be utilized as an access driveway, is only 2.9 metres wide which is less than the required width of 3.6 metres.
    - The truck that currently removes the bottle and rubbish skips from the Hotel each week is, because of its width, unable to access the proposed narrow access land. Currently, all delivery vehicles utilize the vacant land adjoining the Hotel as a surrogate unloading /loading bay, entering and exiting the property from Hesse Street. Given this land will no longer be available for deliveries, further congestion can be expected in Hesse Street, if no loading bay is provided for in the proposed development.
    - The Traffic Study, commissioned by the Developers, incorrectly states that as no loading/unloading bay currently exists, there is no requirement for such a bay in the proposed development.



- **Vehicle Access;**
  - The proposed development provides for 20 car parking spaces and connects to Symonds Street, utilizing the land between the properties at 11A and 11 Symonds Street. This access land fails to provide the required passing area at the entrance of at least 5 metres in width and 7 metres in length.
  - Similarly, the proposed access land is too narrow for Emergency Service Vehicles, for example, Country Fire Authority vehicles.
- **Car parking spaces;**
  - The proposed development involves the provision of 20 car parking spaces, whereas Clause 52.06, require appropriately 98 car parking spaces (16 resident spaces, 2 visitor spaces and 80 Hotel/Restaurant spaces).
  - Provision of only 20% of the required car parking spaces would have a significant impact on traffic and parking management in both Hesse and Symonds Streets.
  - The Traffic Study, commissioned by the Developers to support their Planning application, is flawed in many aspects in relation to car parking. For example, the Traffic Study ignores the impact on local car parking of the recently approved Planning Permit No 2006/157 in relation to 20-26 Hesse Street, involving 22 dwellings and 5 shops.
  - Irrespective of the contrary claims made in the Traffic Report, the proposed redevelopment of the existing Hotel Victoria, does involve an increase in patron numbers and therefore, is required to provide 80 car spaces.
  - Similarly, the Traffic consultant's conclusions in relation to available car spaces within the adjacent Queenscliff streets are flawed due to the selection of two non typical, off peak, survey weekdays, outside the normal busy holiday periods.
  - This inadequate car parking provision for Hotel patrons, residents and visitors will affect the amenity of the locality. As a consequence, Hesse and Symonds Street will become a surrogate car park for users of the development. This problem will be exacerbated during the summer and other holiday periods including the Music Festival.
- **Noise Pollution**
  - The proposed public outdoor swimming pool and pool terrace, located on the property's northern boundary, will result in excessive noise and therefore, will negatively impact on the residents of adjoining properties.

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

- **Inadequate provision for property access**
  - In seeking to maximize site utilization, the proposed development design currently fails to meet the site coverage requirements of the Queenscliffe Planning Scheme.
  - As a direct consequence of over development, the proposed design makes inadequate provision for vehicle access to the property.
  - The proposed vehicle access, via Symonds Street rather than from Hesse Street as at present, will detrimentally increase the traffic flow and noise in our immediate neighbourhood.



Page 4 of 4

- The land proposed to be utilized to provide access to the development is a public asset which should benefit the whole Queenscliff community and not a private developer.
- ***Overdevelopment of the proposed site – environmental, privacy and quiet possession***
  - The overdevelopment of the proposed site, involving apartments overlooking our property, with a public outdoor swimming pool on its boundary line, will detrimentally impact upon our privacy and quiet possession.
  - The removal of two substantial eucalyptus trees from the proposed development site will destroy our outlook to the beautiful skyline views that we currently enjoy and the development, therefore, negatively impacts upon our visual amenity.
  - The inadequate car parking allowed for in the proposed development, will result in patrons and visitors parking in Symonds Street, with the consequent adverse effect on vehicle congestion, traffic flows and road safety.

***Could the application be modified to alleviate your concerns? Yes***

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

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

- Modification of the proposed design to ensure that the requirements of the Queenscliffe Planning Scheme are met, in terms of setback, site coverage and overlook requirements.
- Modification of the proposed design to ensure that the standard car parking requirements of Clause 52.06 are met. Specifically, ensuring that adequate car parking is provided to cater for the proposed Hotel restaurant's increased patronage.
- Modification of the proposed design to provide Vehicle access via Hesse Street, and not via the inappropriate narrow strip of public land into Symonds Street.
- Modification of the proposed design to incorporate the existing vegetation, namely two mature eucalyptus trees, into the revised design.
- Modification of the site design to provide sound barriers to contain the noise that will emanate from the use of the open air swimming pool.

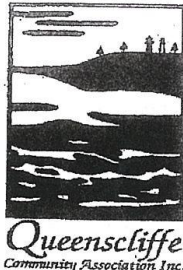
***Signature:*** Peter C Geary

***Date:*** 8 September 2012





QPO90-1000 1



*Queenscliffe Community Association Inc.*

Reg. No. A00 323 01V  
PO Box 19 Queenscliff 3225



**TO: The mayor, councilors and planner**

**SUBJECT: Proposed redevelopment of the VIC Tavern in Hesse Street, Queenscliff.**

**Under PURPOSES OF THIS PLANNING SCHEME it states**

'To express state, regional, local and community expectations for areas and land uses.'

The QCA believes that these expectations relate to the amenity of Queenscliffe which has a broad focus and not just a specific one such as tourism. The following objection to the proposed changes to the Victoria Tavern in Hesse St Queenscliff attempts to address these other amenity issues.

**Under the MUNICIPAL STRATEGIC STATEMENT – CLAUSE 21.03**

**21.03 KEY INFLUENCES**

**Substantial temporary population**

The future development of the Borough must be managed to accommodate the temporary population, without detrimentally impacting on the character of the area or the permanent population.

The QCA is concerned that the needs of this 'substantial temporary population' via the substantial redevelopment of the Victoria Tavern will have a detrimental impact on the character of the area and the permanent population.

The QCA is concerned that the request to waiver parking to the shops will create even greater pressure on residential streets including Learmonth Street. Clause 52.06 CAR PARKING is very clear about the need to provide adequate parking for the uses of retail areas. The council needs to look closely at its current approach when dealing with the wavering of car parking.

**The SCHEDULE 1 TO THE DESIGN AND DEVELOPMENT OVERLAY (Shown on the planning scheme map as DDO1 QUEENSCLIFF)**

**1.0 Design objectives**

To ensure new development maintains, protects and enhances the distinguishing elements of the urban character of the Queenscliff township,

**Building height**

No building can exceed a height of:  
two storeys; and

Noted J. 25.11.12  
H. J. Fiono Hunter. Eroni



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8.5 metres above natural ground level.

These requirements cannot be varied with a permit, except where alterations and additions are sought to an existing building that exceeds 2 storeys or 8.5m in height but which do not increase the maximum height of that building. 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

And while the QCA is aware that recent decisions by the past Queenscliffe Council and VCAT do not consider a basement car park and a roof deck as a floor the QCA believes they reflect a 'top down approach' rather than 'bottom up'. Our understanding of this is that a development is built looking at the maximum height it can be built to rather than considering the fact that there is a single storey residence adjacent to the proposed dining area. Roof decks and basement car parking are seen as a reflection of this 'top down approach'. The DDO1 covers the whole of Queenscliff and does not exclude Business Zones or Mixed use zones.

### Business 1 Zone

Under 34.01-2 Use of Land (page 3): Amenity of the neighbourhood it states that a land use must not detrimentally affect the amenity of the neighbourhood through the

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, stream, soot, ash, dust, waste water, waste products, grit or oil.

The QCA is concerned that with the wheelie bin entry and exit point via a hotel service lift that fronts on to Hesse Street there will be noise emission, vibration, smells and dust generated by the removal of and replacement of the wheelie bins. This activity does not currently occur on the Hesse Street frontage.

Plus the extension of hotel's eating area (called the terrace on the plan) will impact negatively on the amenity of the immediate residence through, emission of noise, artificial light, vibrations, fumes and potential smoke from patrons smoking in the street.

Under Decision Guideline for Business 1 Zone (page 4) it states that before deciding on an application the responsible authority must consider the following:

- Provision for vehicles providing for supplies, waste removal and emergency services ...

The QCA fails to see how access to a basement car park at the rear side of the block via an easement between residential properties in Symonds Street meets this requirement.

Thank-you for considering the QCA's objection. If there is an opportunity to further speak to this submission we would like to be informed.

Yours sincerely

C. Johnson Secretary QCA



27 SHOUBRA DRIVE  
HIGHTON VIC 3216

22<sup>ND</sup> OCTOBER 2012.

MITCH HODGSON  
SENIOR PLANNER  
BOROUGH OF QUEENSLIFFE



DEAR MITCH,

FURTHER TO OUR TELEPHONE CONVERSATION  
THIS MORNING, I AM SENDING YOU A DRAFT  
AMENDMENT FOR THE PROPOSED DEVELOPMENT OF THE  
VIC TAVERN SITE. THESE AMENDMENTS HAVE BEEN  
SUGGESTED BY BRENDAN HENRY, WHO WOULD BE HAPPY  
TO DISCUSS THESE WITH YOU. HIS CONTACT DETAILS  
ARE (03) 5229 6650 ADDRESS: 41 MERVYN STREET, NEWTOWN  
HE HAS NOTED THAT THE PROPOSED ACCESS VIA THE  
LANEWAY FROM SYMONDS STREET IS NOT WIDE ENOUGH,  
AS WELL AS USING CROWN LAND, FOR A DOWN-RAMP,  
TO WHICH THE DEVELOPER(S) DOES NOT HAVE EXCLUSIVE  
RIGHTS FOR THEIR PREFERRED USE UNDER THE EXISTING  
APPLICATION.

BRENDAN HAS SUGGESTED CHANGING THE ACCESS  
TO THE BASEMENT CAR PARK BY MEANS OF A  
3.6 METRE WIDE DRIVE-IN FROM HESSE STREET.  
THIS WOULD MEAN REDUCING THE SITE COVERAGE  
SLIGHTLY WHERE THE PROPOSED TERRACE & PH1 RECREATION





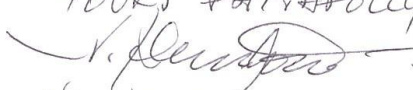
AREAS HAVE BEEN PLANNED.

THE PROPOSED POSITION OF THE SWIMMING POOL  
WOULD NEED TO BE MOVED AS SHOWN  
PHOTOCOPY OF A PLAN, THAT I AM SENDING YOU.

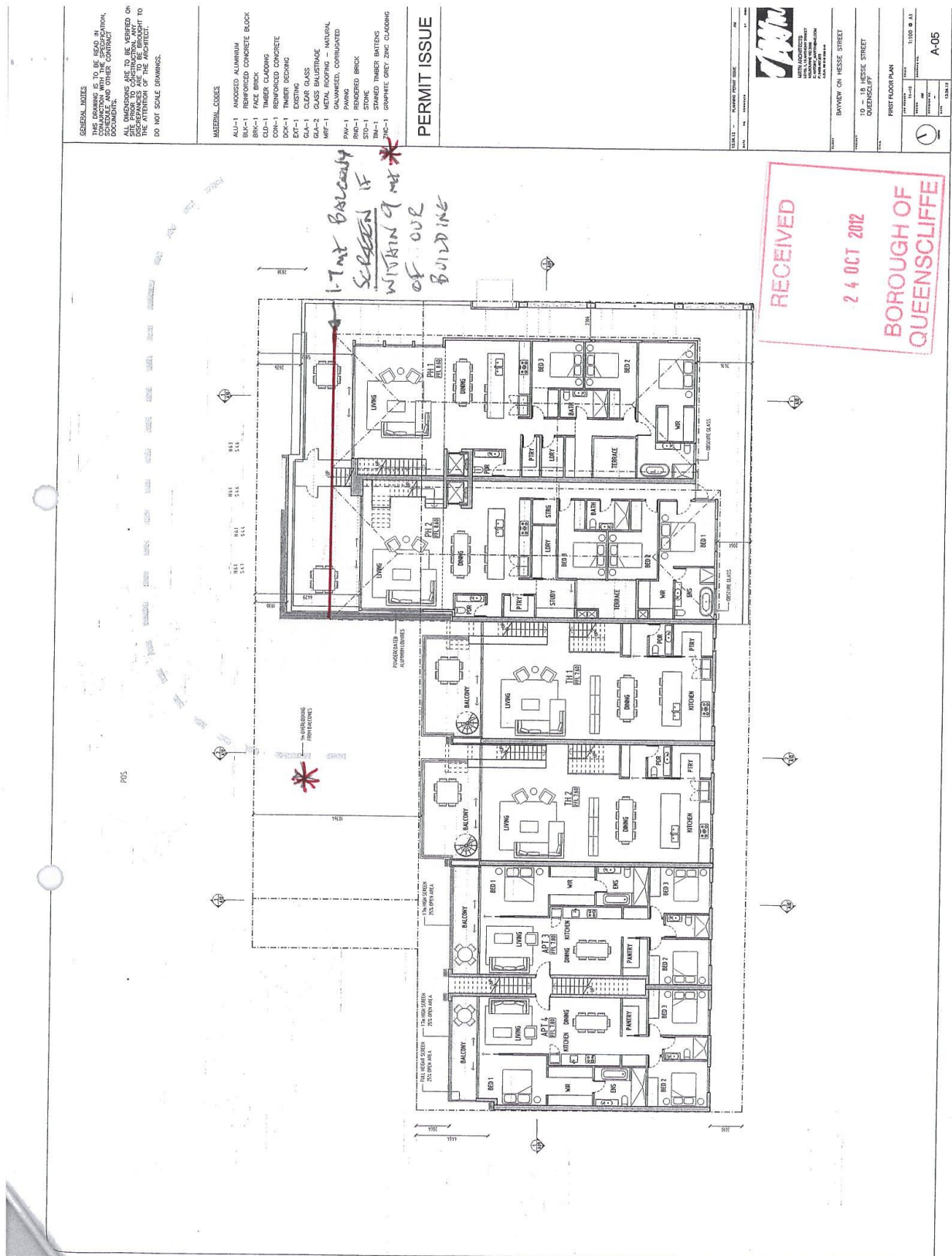


I WILL BE SUBMITTING PLANS TO YOU BY THE  
END OF NOVEMBER FOR REDEVELOPMENT OF OUR  
EXISTING GARAGE WITH A TWO STOREY DWELLING.  
BRENDAN IS AT PRESENT PREPARING THESE PLANS

I WILL BE AWAY FROM OCTOBER 28<sup>TH</sup> UNTIL  
NOVEMBER 27<sup>TH</sup> 2012, SO I LOOK FORWARD  
TO DISCUSSING THE AMENDMENTS THAT HAVE BEEN  
SUGGESTED FOR THE VIC TATERN SITE, AS WELL  
AS MY REDEVELOPMENT PLANS FOR MY PROPERTY  
AFTER MY RETURN. I UNDERSTAND FROM WHAT  
YOU TOLD ME TODAY THAT A PLANNING REVIEW  
COMMITTEE MEETING MAY TAKE PLACE EARLY  
IN DECEMBER,

YOURS FAITHFULLY  
  
NICHOLAS JOHNSTONE











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**Fiona Hunter-Evans**

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**From:** Donald Forsythe <donaId.forsythe@gmail.com>  
**Sent:** Wednesday, 28 November 2012 2:47 PM  
**To:** Fiona Hunter-Evans  
**Subject:** Planning Application No: 2012/061. 10-18 Hesse St., Queenscliff  
**Attachments:** VicTavBarwonWaterSewerage&ContourPlan.jpg

To; Ms Fiona Hunter-Evans,  
Technical Officer - Planning,  
Borough of Queenscliffe.

Dear Ms Hunter-Evans,

Re the Planning Review Meeting on Vic Tavern on 5/12/2012, I very much regret that I will NOT be able to attend the meeting due to a long-anticipated appointment of my wife's in Melbourne at 4.30pm on that day. Please pass on my apologies to the Meeting.

I intended showing a Barwon Water plan at the Meeting to illustrate drainage and sewerage problems related to the application that I consider very important. I attach the main part of that plan in the hope that you might be able to pass it on to the Meeting for me. In case you are not permitted nor able to do that I will forward it to Mitch Hodgson as well.

With thanks & best wishes, Don Forsythe, for D. & J. Forsythe

3 Learmonth Street, Queenscliff.

(Mail address; 14 Bellett Street, Camberwell, 3124.)

-----This message has been scanned by Hewstone MailArmour Anti-Virus,  
Spam & Content Filter.<http://www.mailarmour.com.au/mailarmour>-----







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**Fiona Hunter-Evans**

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**From:** Shane O Cleirigh <shaneocleirigh@bigpond.com>  
**Sent:** Thursday, 29 November 2012 10:15 AM  
**To:** Mitch Hodgson  
**Subject:** RE: 10-18 Hesse St Planning  
**Attachments:** Registered proprietors of land between 11 and 11a symonds street.pdf; TitlePlan land between 11 and 11a Symonds.pdf

Mitch

I wish to raise a further objection to the proposed development at 10-18 Hesse St as follows:

The land between 11 and 11A Symonds over which various parties have rights of Carriageway is privately owned by  
WILLIAM HERBERT COTTEE of MCKILLOP STREET MELBOURNE  
ARTHUR HAROLD COTTEE of DICKENS STREET MOONEE PONDS

The developer plans to construct a ramp to their car park on this land.

I don't the developer should be granted permission to build on land whose title is held by other individuals.

I have attached relevant title documents.

Regards  
Brian Shane O Cleirigh  
Suzanne Cronin

Residents of 11 Symonds Street  
Phone: 03 52582691

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[Hewstone MailArmour](#)  
Anti-Virus, Spam & Content Filter.

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VOLUME 03224 FOLIO 796

Security no : 124042992163R  
Produced 30/08/2012 01:40 pm

#### LAND DESCRIPTION

Lot 1 on Title Plan 934697J (formerly known as part of Crown Allotment 9 Section 5 Township of Queenscliff Parish of Paywit).

PARENT TITLES :

Volume 02627 Folio 213      Volume 02846 Folio 006  
Created by instrument 0556348 11/09/1907

#### REGISTERED PROPRIETOR

Estate Fee Simple  
Joint Proprietors

WILLIAM HERBERT COTTEE of MCKILLOP STREET MELBOURNE  
ARTHUR HAROLD COTTEE of DICKENS STREET MOONEE PONDS Legal Personal  
Representative(s) of ANNIE JANE COTTEE deceased  
2106438 03/11/1920

#### ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

#### DIAGRAM LOCATION

SEE TP934697J FOR FURTHER DETAILS AND BOUNDARIES

#### ACTIVITY IN THE LAST 125 DAYS

NIL

DOCUMENT END

<b>TITLE PLAN</b>	<b>EDITION   1</b>	<b>TP934697J</b>			
<b>LOCATION OF LAND</b>  Parish:             PAYWIT Township:         QUEENSCLIFF Section:           5 Crown Allotment:  9 ( PT ) Crown Portion:   -  Last Plan Reference:- Derived From:     VOL. 3224 FOL. 796  Depth Limitation:  NIL	<b>Notations</b>       ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN				
<b>Description of Land/Easement Information</b>  <u><b>ENCUMBRANCES</b></u> THE CARRIAGEWAY EASEMENTS CREATED BY INSTRUMENT No.'s 809529, 887243, 1033118 & 1312737		THIS PLAN HAS BEEN PREPARED BY LAND REGISTRY, LAND VICTORIA FOR TITLE DIAGRAM PURPOSES  COMPILED:           Date: 2 - 2 - 2009  VERIFIED:           A. DALLAS Assistant Registrar of Titles			
<p style="position: absolute; top: 340px; left: 360px;"><b>SYMONDS STREET</b></p> <p style="position: absolute; top: 400px; left: 650px;"><b>HESSE STREET</b></p> <p style="position: absolute; top: 560px; left: 470px;"><b>LOT 1</b></p>					
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center; padding: 5px;">TABLE OF PARCEL IDENTIFIERS</th></tr> </thead> <tbody> <tr> <td style="padding: 5px;">WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962</td></tr> <tr> <td style="padding: 5px;">LOT 1 = CROWN ALLOTMENT 9 ( PT )</td></tr> </tbody> </table>			TABLE OF PARCEL IDENTIFIERS	WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962	LOT 1 = CROWN ALLOTMENT 9 ( PT )
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LOT 1 = CROWN ALLOTMENT 9 ( PT )					
LENGTHS ARE IN METRES	Metres = 0.3048 x Feet Metres = 0.201168 x Links	Sheet 1 of 1 Sheets			