



Agenda

Planning Review Meeting Wednesday 13 October 2021 at 7:00pm

Via videoconference (ZOOM)

Distribution

Councillors

Cr Ross Ebbels (Mayor)

Cr Donnie Grigau

Cr Michael Grout

Cr Fleur Hewitt

Cr Susan Salter

Officers

Martin Gill – Chief Executive Officer

Johann Rajaratnam – Director -Place

Brydon King – Contract Planner

In accordance with the Governance Rules of the Borough of Queenscliffe, the information contained within this Agenda is for the confidential and privileged use of Councillors until at least 48 hours prior to this meeting.

THIS MATERIAL DOES NOT NECESSARILY REFLECT THE VIEWS OF COUNCIL



Council Vision

Inspired by the Borough's Latin motto, 'Statio Tutissima Nautis', that translates as "the safest anchorage for seafarers", our vision for the future is that:

The Borough remains a safe haven defined by its unique heritage, rich culture and significant natural environment. It is a special and restorative place for an involved and caring community and our visitors.

Council acknowledges the traditional owners of this land, the Wadawurrung people, one of some 25 clans that form part of the Kulin nation.

We acknowledge and respect their continuing connection to the Land, Water, Culture and the Contribution they make to the life of our Community.

We pay respect to their past and present Elders and their emerging leaders, and extend this respect to all Aboriginal and Torres Strait Islander peoples.



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/email – 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

The meeting opened at:

2. APOLOGIES

3. PECUNIARY INTEREST & CONFLICT OF INTEREST DISCLOSURES

Councillors:

Officers:



4. PLANNING & DEVELOPMENT

4.1 Application summary: 5 Beach Street, Queenscliff

Planning Permit application number: 2021/067

SUMMARY

Proposal	Demolition of a dwelling, outbuilding and fences in a Heritage Overlay, construction of a dwelling and fences and variation to the site coverage requirements of Design and Development Overlay – Schedule 6 Refer <i>Appendix 1</i>
Zone/Overlays	Neighbourhood Residential Zone – Schedule 2 (NRZ2) Heritage Overlay – Schedule 1 (HO1) Significance Landscape Overlay – Schedule 1 (SLO1) Design and Development Overlay – Schedule 6 (DDO6)
Public Notification	<ul style="list-style-type: none"> • Advertised by registered post to adjoining property owners and occupiers • Three signs placed on site • Application made available for viewing on Council’s website
Submissions	Number submissions received: 9 Copy of submissions provided to Councillors: Refer <i>Confidential Appendix 2</i> Applicants response to submissions: Refer <i>Appendix 3</i>
Key issues raised by submitter	Heritage significance of existing dwelling Viewing platform inappropriate Amenity Impact of Harbour use on occupants Flood risk Height Use of modern materials Overshadowing Setbacks Impact of double garage



4.1.1. Applicant to present to Council

4.1.2. Submitters to present to Council

4.1.3. Applicant to readdress Council



5. APPENDIX 1- APPLICATION DOCUMENTS: 5 Beach Street, Queenscliff



Enquiries:
Ph: (03) 5258 1377
Web:
www.queenscliffe.vic.gov.au

Clear Form

Office Use Only

Application No.: Date Lodged: / /

Application for a Planning Permit

If you need help to complete this form, read MORE INFORMATION at the end of this form.

Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the Planning and Environment Act 1987.

Questions marked with an asterisk (*) must be completed.

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

Click for further information.

The Land

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

Street Address *

Unit No.: St. No.: 5 St. Name: Beach Street
Suburb/Locality: Queenscliff Postcode:

Formal Land Description *
Complete either A or B.

This information can be found on the certificate of title.

If this application relates to more than one address, attach a separate sheet setting out any additional property details.

A Lot No.: Lodged Plan Title Plan Plan of Subdivision No.:
OR
B Crown Allotment No.: 11 & 11A Section No.: 5A
Parish/Township Name: Paywit / Queenscliff

The Proposal

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

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

Demolition of dwelling, fence and outbuildings, buildings and works associated with a dwelling, vehilce crossover and construction of a front fence in the heritage overlay, design and development overlay and significant landscape overlay

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

Estimated cost of any development for which the permit is required *

Cost \$800000 You may be required to verify this estimate. Insert '0' if no development is proposed.



Existing Conditions ▼

Describe how the land is used and developed now *
For example, vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

Single dwelling

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

Title Information ▼

Encumbrances on title *

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

- Yes (If 'yes' contact Council for advice on how to proceed before continuing with this application.)
- No
- Not applicable (no such encumbrance applies).

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

Applicant and Owner Details ▼

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

Applicant *

The person who wants the permit.

Please provide at least one contact phone number *

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

Owner *

The person or organisation who owns the land

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

Applicant Details:

Name: Title: First Name: Surname:

Organisation (if applicable): **Sincock Planning**

Postal Address: If it is a P.O. Box, enter the details here:

Unit No.: St. No.: St. Name: **PO Box 284**

Suburb/Locality: **Geelong** State: **Vic** Postcode: **3220**

Contact information for applicant OR contact person below

Business phone: Email: **toni@sincockplanning.com.au**

Mobile phone: **0407344369** Fax:

Contact person's details* Same as applicant

Name: Title: First Name: Surname:

Organisation (if applicable):

Postal Address: If it is a P.O. Box, enter the details here:

Unit No.: St. No.: St. Name:

Suburb/Locality: State: Postcode:

Owner Details: Same as applicant

Name: Title: First Name: **SM & EV** Surname: **Draper**

Organisation (if applicable):

Postal Address: If it is a P.O. Box, enter the details here:

Unit No.: St. No.: **275** St. Name: **Merrawap Road**

Suburb/Locality: **Ceres** State: **Vic** Postcode: **3221**

Owner's Signature (Optional): Date: day / month / year



Queenscliff Residence

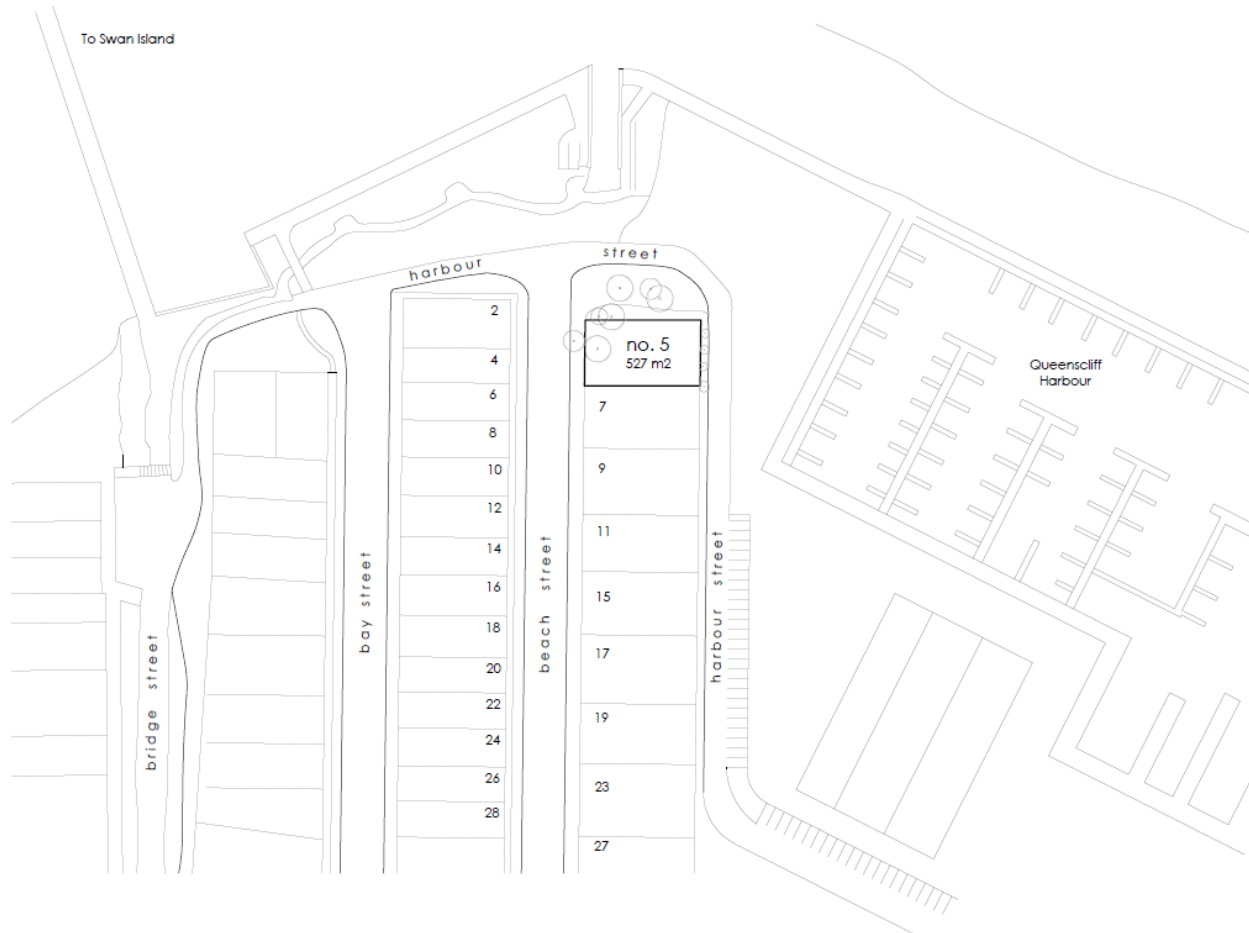
5 Beach Street, Queenscliff



Drawing Schedule

- tp-01 cover page & project details
- tp-02 area plan
- tp-03 site plan
- tp-04 site analysis plan
- tp-05 existing conditions/demolition plan
- tp-06 proposed site/floor plan
- tp-07 proposed roof plan
- tp-08 proposed elevations
- tp-09 proposed elevations
- tp-10 proposed sections
- tp-11 proposed sections
- tp-12 landscape plan
- tp-13 proposed fence details
- tp-14 shadow diagram study
- tp-15 site overlooking plan
- tp-16 site overlooking sections
- tp-17 street scape elevations
- tp-18 area analysis plans
- tp-19 material / finishes schedule



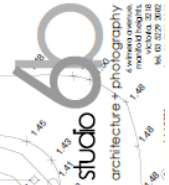
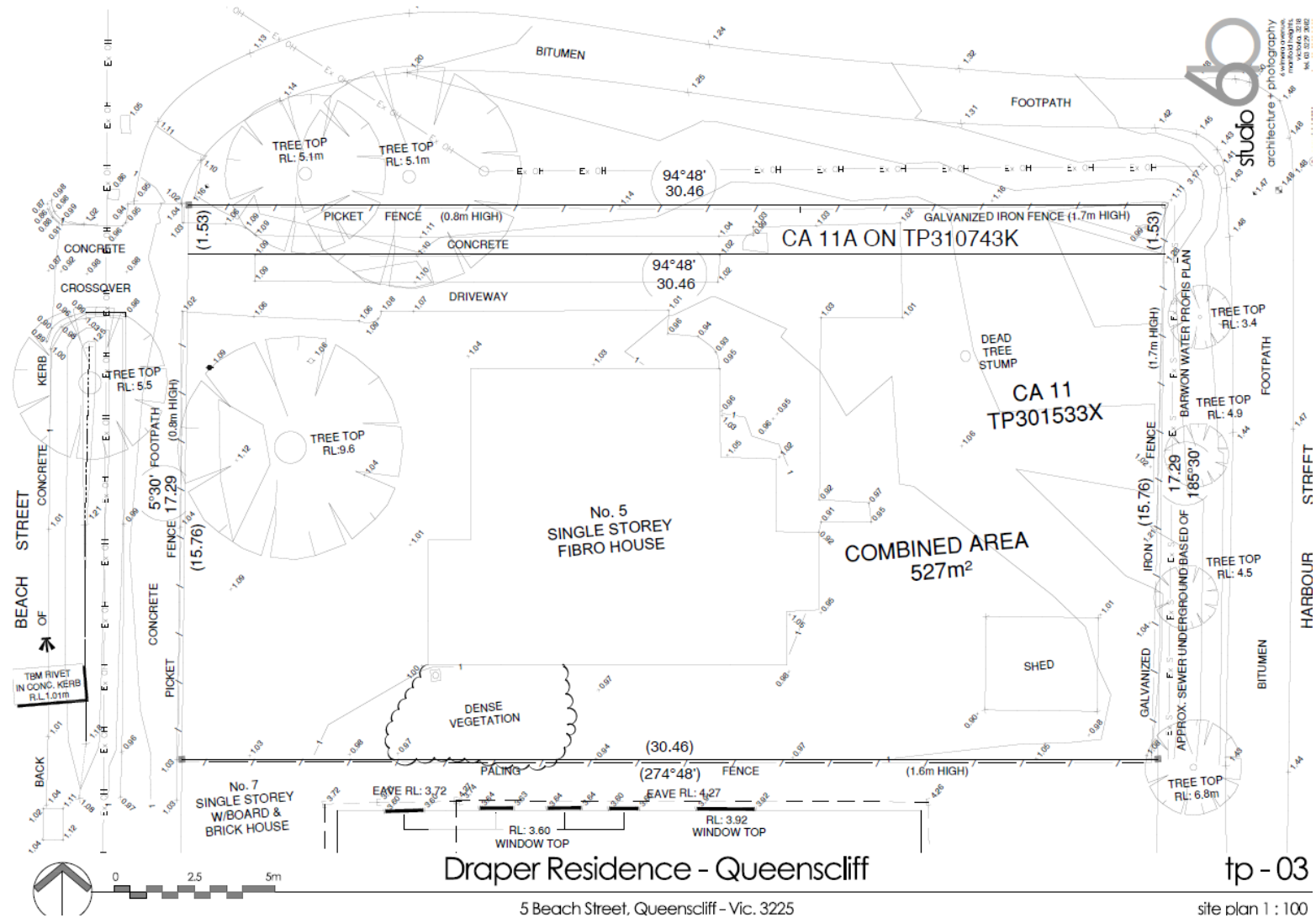


Draper Residence - Queenscliff

5 Beach Street, Queenscliff - Vic. 3225

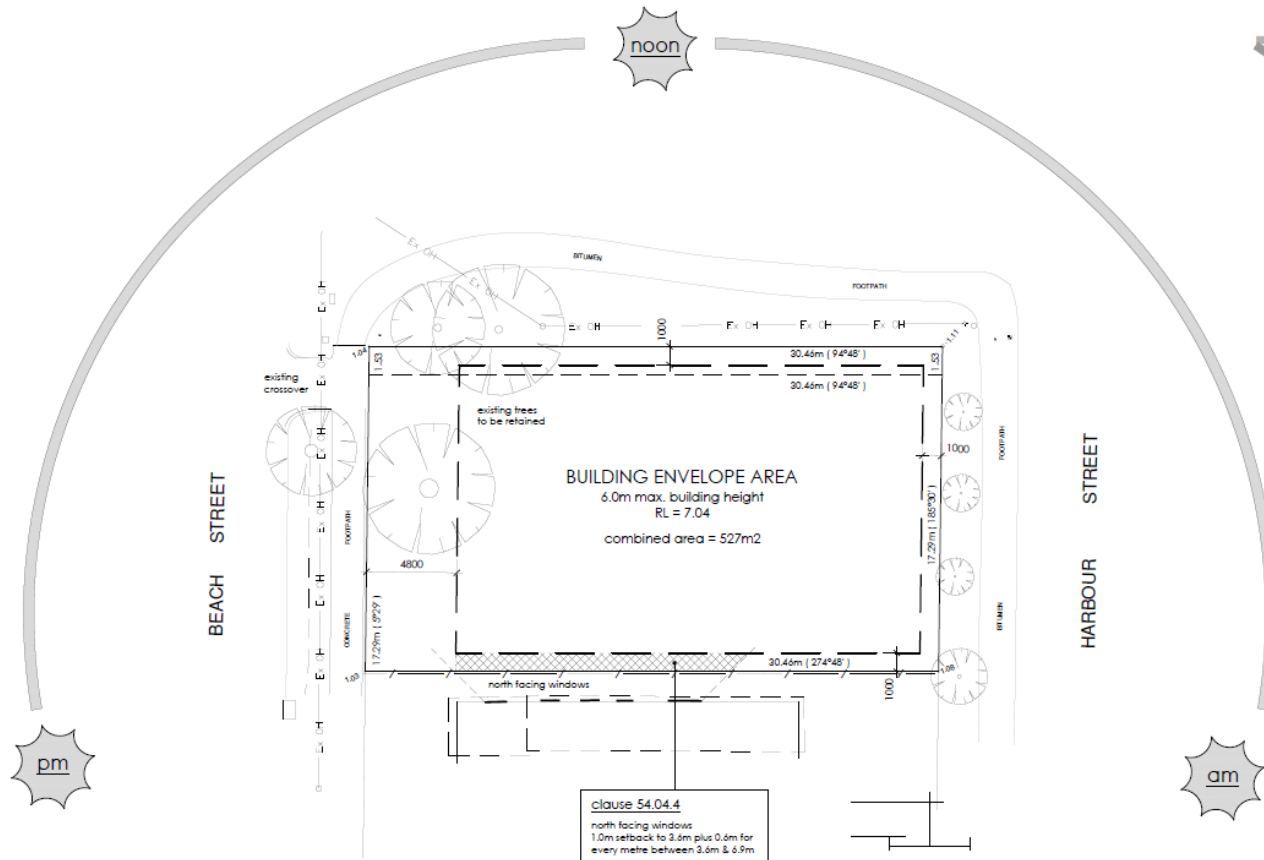
tp - 02

area plan 1 : 1000



tp - 03

site plan 1 : 100

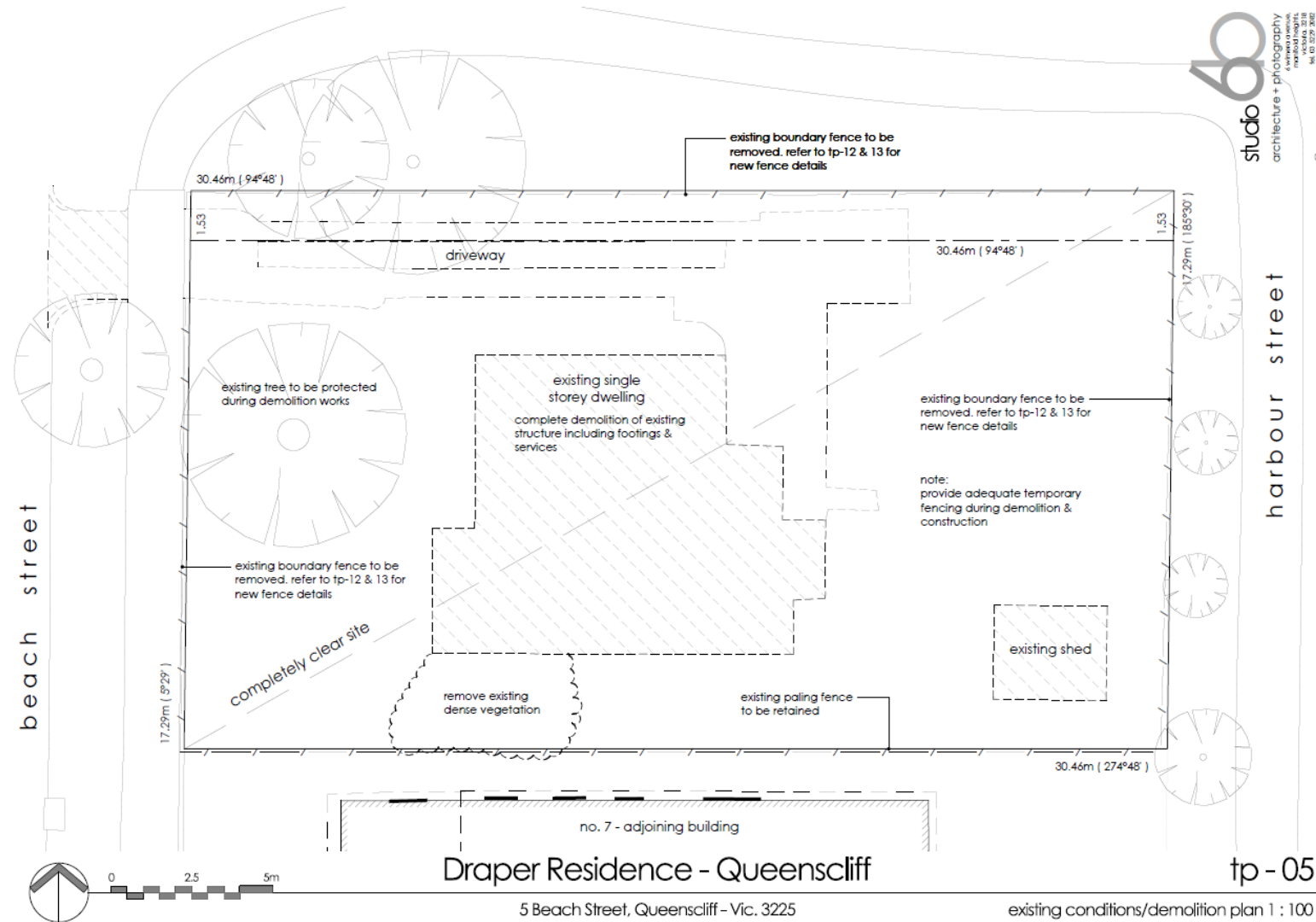


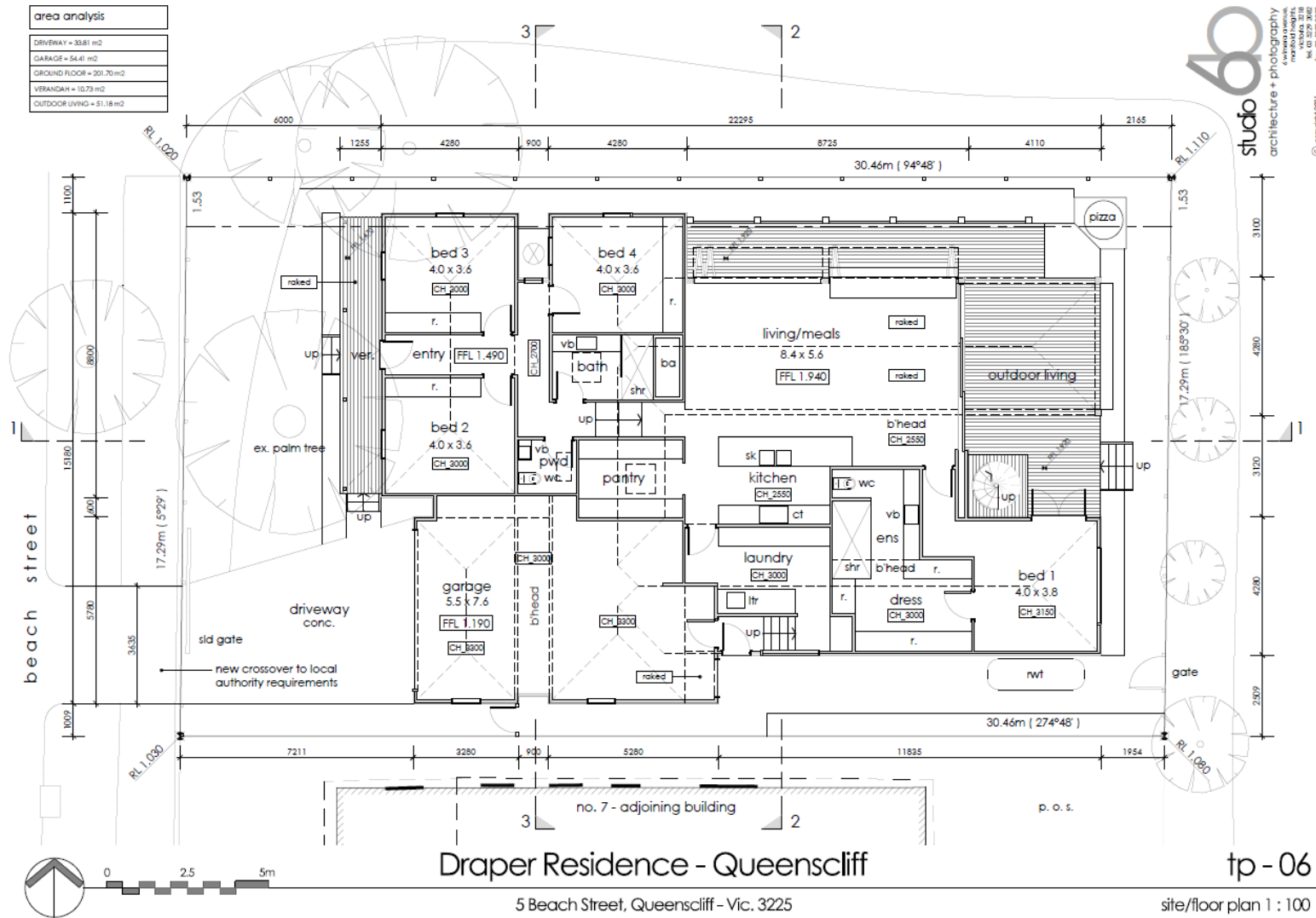
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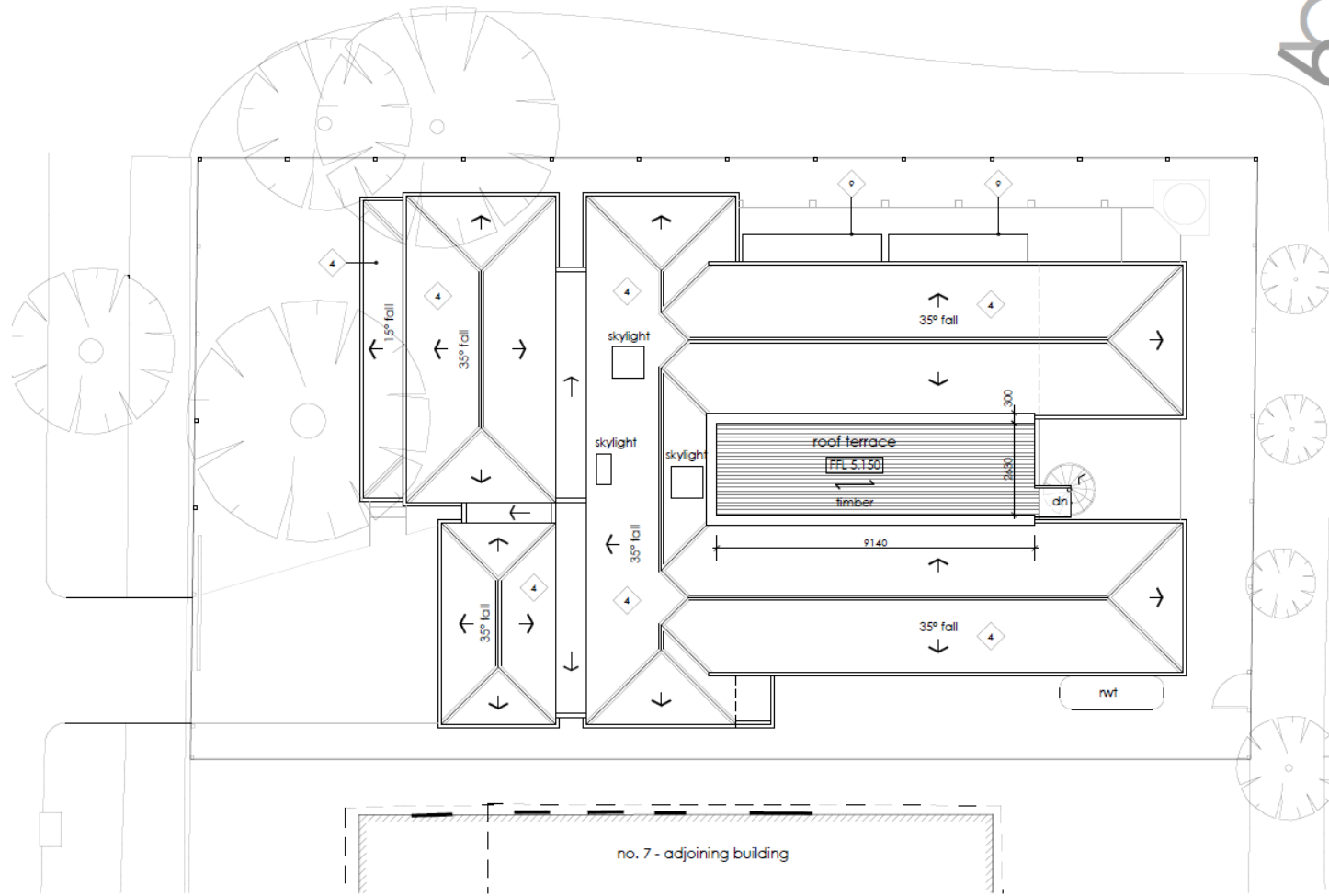
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tp - 04

site analysis plan 1 : 200








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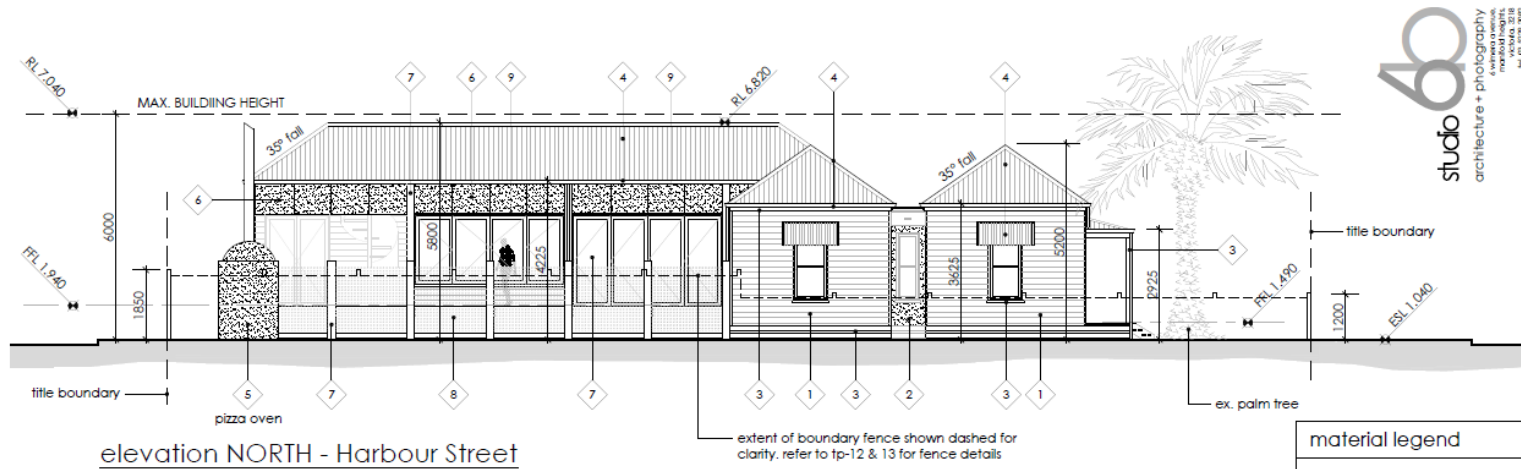


Draper Residence - Queenscliff

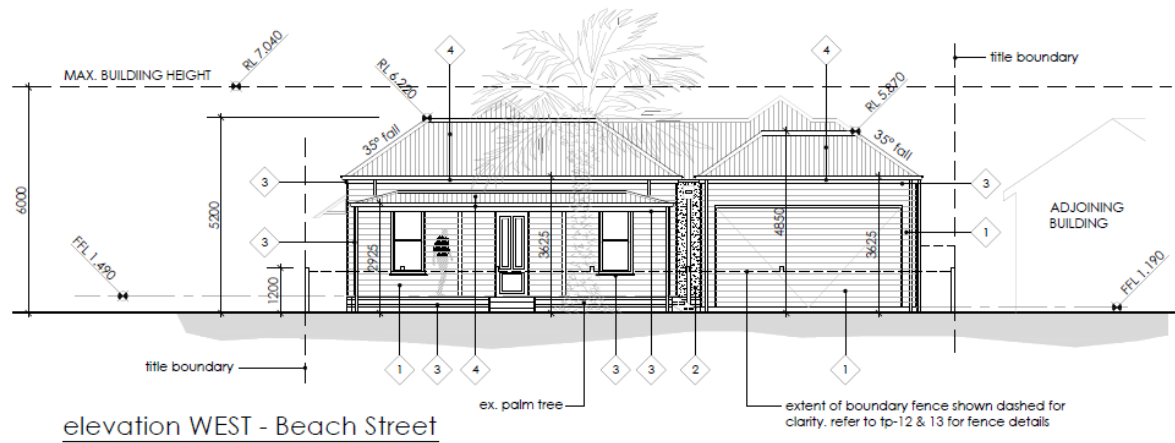
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tp - 07

roof plan 1 : 100



elevation NORTH - Harbour Street



material legend	
1	weatherboards dulux - balsa stone P15 - D3
2	fc sheet render finish dulux - reservation P15 - D8
3	timber windows & fascia dulux - asso bucco P15 - D5
4	galvanised corrugated sheet steel roof, quad gutter & 65mm dia. downpipes
5	rendered blockwork dulux - reservation P15 - D8
6	cemintel barestone wall cladding - natural
7	hardwood timber columns, windows & doors - natural oil
8	A1 metal mesh screens A1MMS-05 stainless steel
9	sunshade - galvanised sheet steel
10	spiral stair hot dipped galvanised
11	stainless steel handrail, balustrade & wires

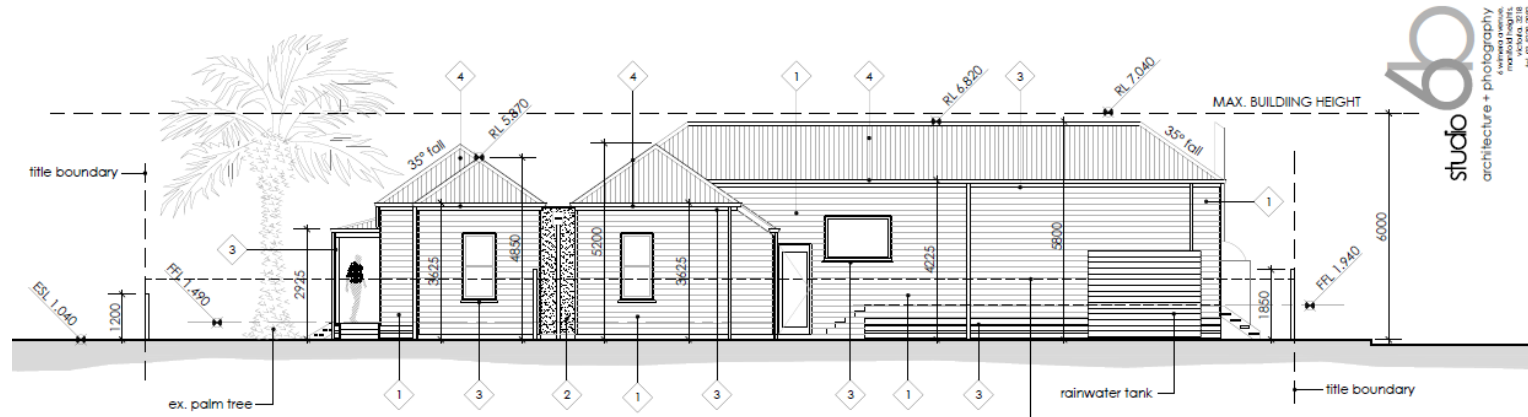


Draper Residence - Queenscliff

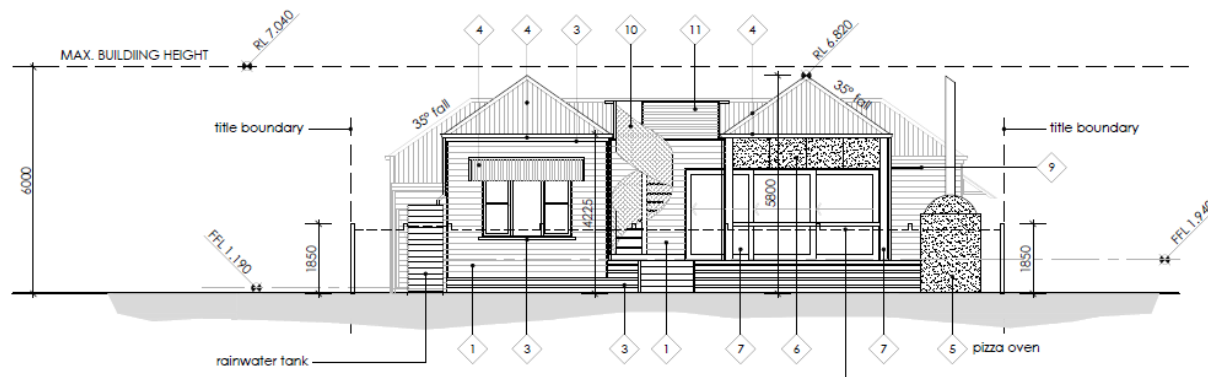
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tp - 08

elevations 1 : 100



elevation SOUTH



elevation EAST - Harbour Street

material legend	
1	weatherboards dulux - balsa stone P15 - D3
2	fc sheet render finish dulux - reservation P15 - D8
3	timber windows & fascia dulux - osso bucco P15 - D5
4	galvanised corrugated sheet steel roof, quad gutter & 65mm dia. downpipes
5	rendered blockwork dulux - reservation P15 - D8
6	cemintel barestone wall cladding - natural
7	hardwood timber columns, windows & doors - natural oil
8	A1 metal mesh screens A1MMS-05 stainless steel
9	sunshade - galvanised sheet steel
10	spiral stair hot dipped galvanised
11	stainless steel handrail, balustrade & wires



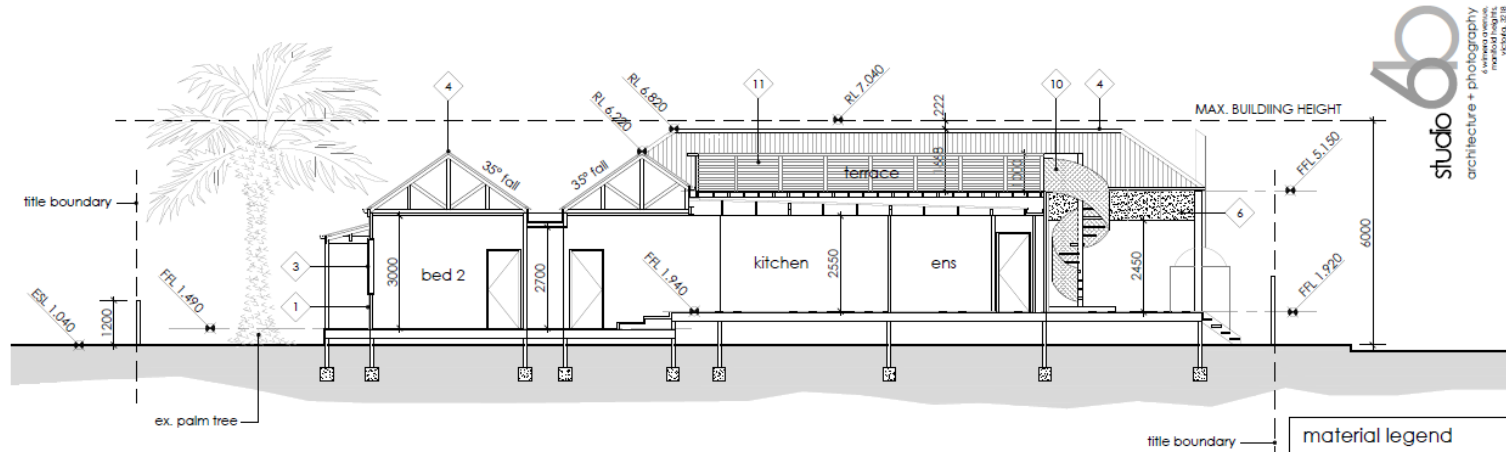
Draper Residence - Queenscliff

5 Beach Street, Queenscliff - Vic. 3225

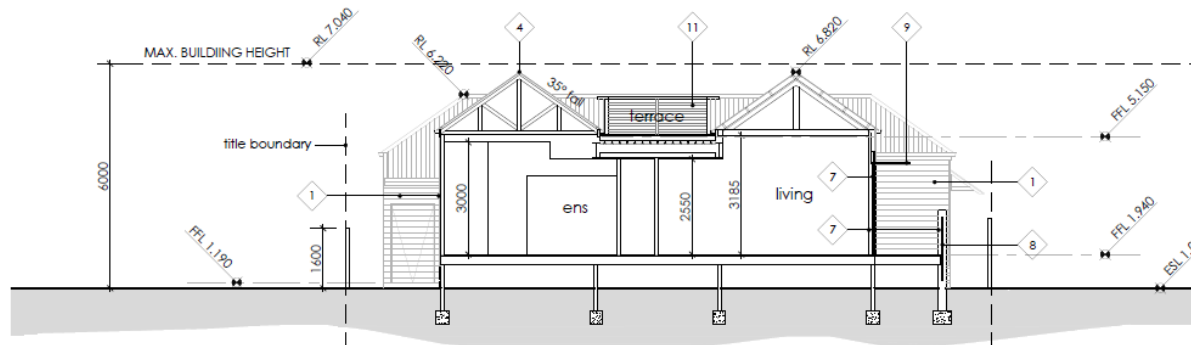
tp - 09

elevations 1 : 100





section 1 - 1



section 2 - 2

material legend	
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2	fc sheet render finish dulux - reservation P15 - D8
3	timber windows & fascia dulux - osso bucco P15 - D5
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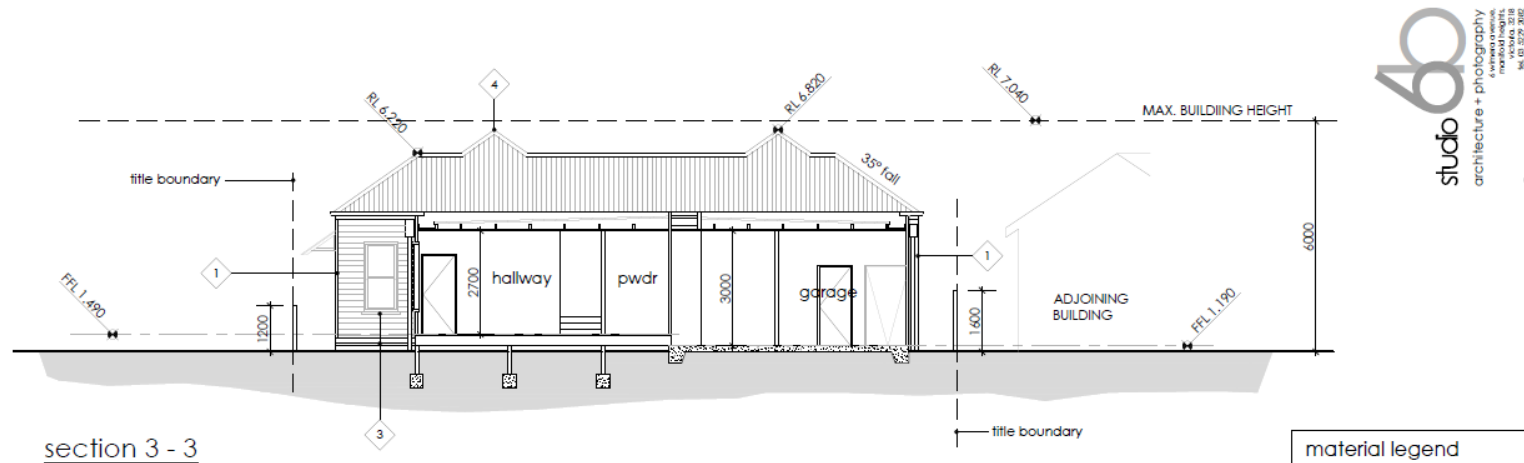


Draper Residence - Queenscliff

5 Beach Street, Queenscliff - Vic. 3225

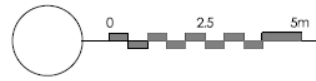
tp - 10

sections 1 : 100




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 VIC 3225
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 Fax: 03 5229 6232
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material legend	
1	weatherboards dulux - balsa stone P15 - D3
2	fc sheet render finish dulux - reservation P15 - D8
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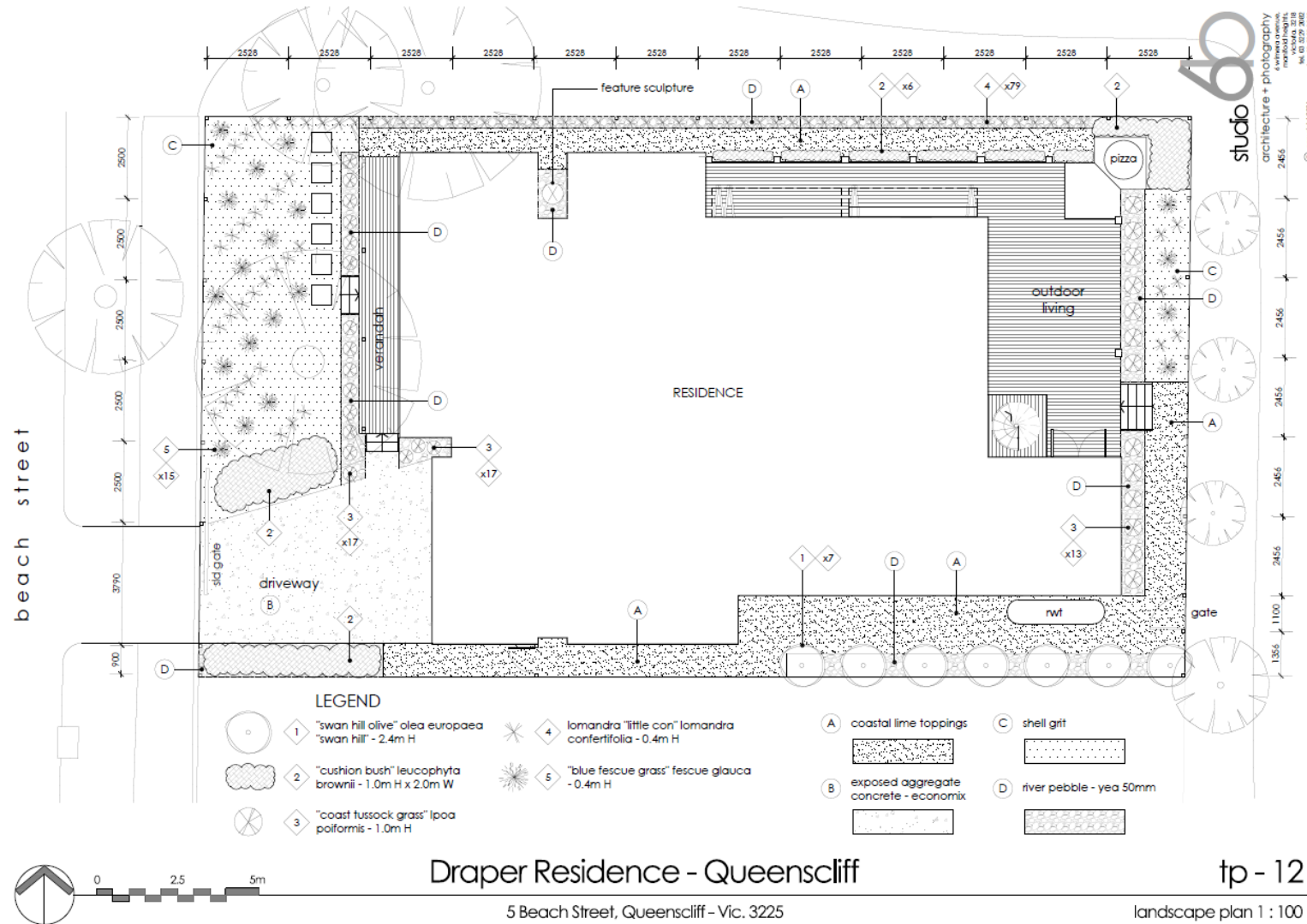


Draper Residence - Queenscliff

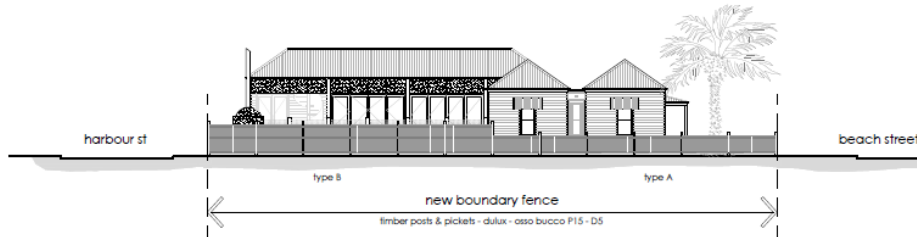
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tp - 11

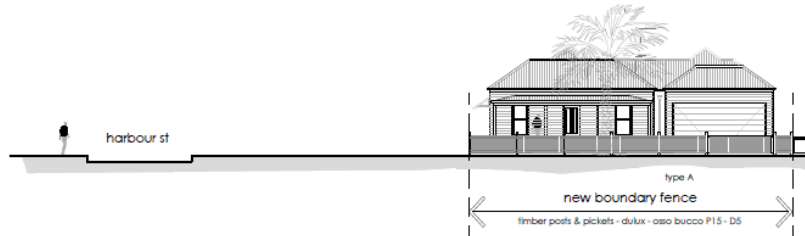
sections 1 : 100



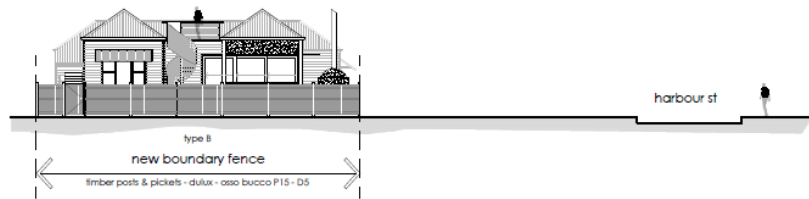
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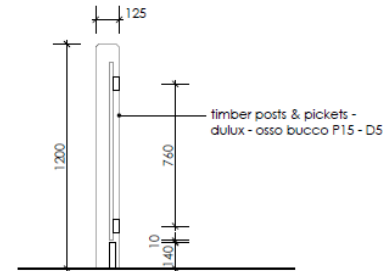
fence elevation NORTH - Harbour Street



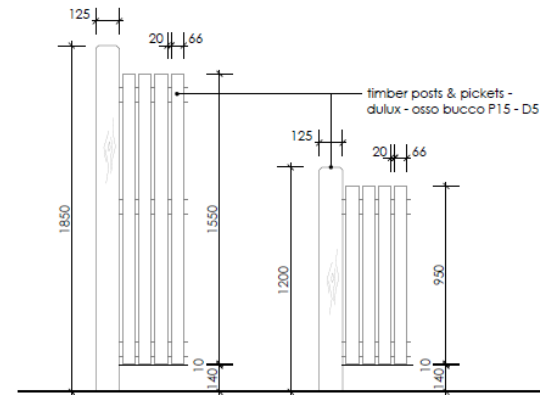
fence elevation WEST - Beach Street



fence elevation EAST - Harbour Street



fence section
1 : 20 - type A



fence elevation
1 : 20 - type B

fence elevation
1 : 20 - type A

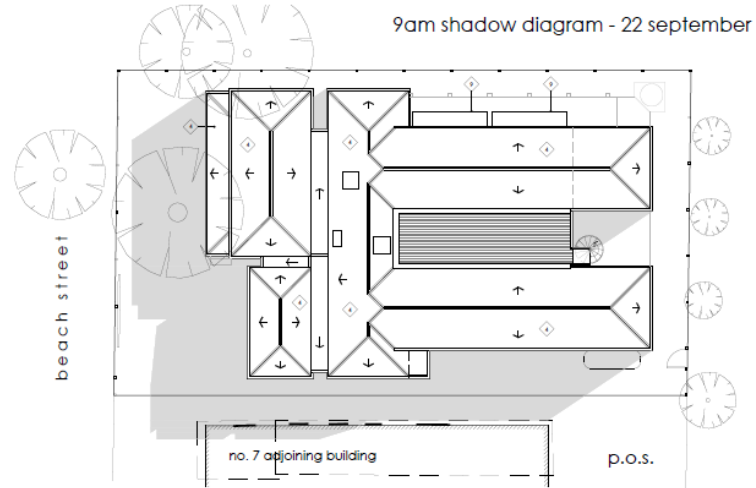
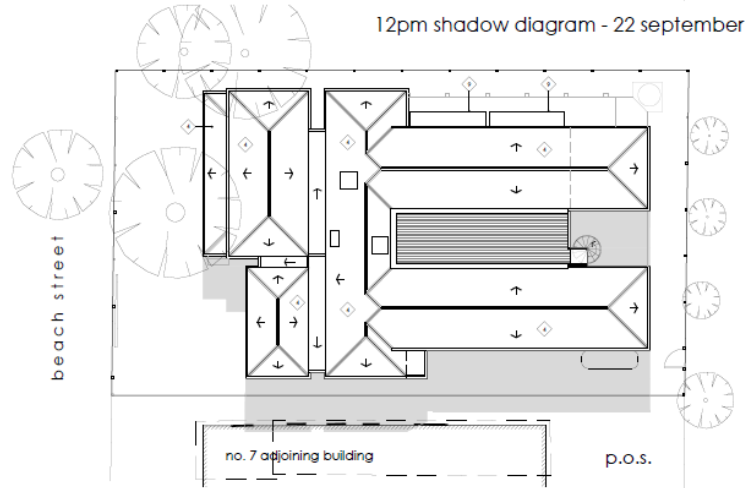
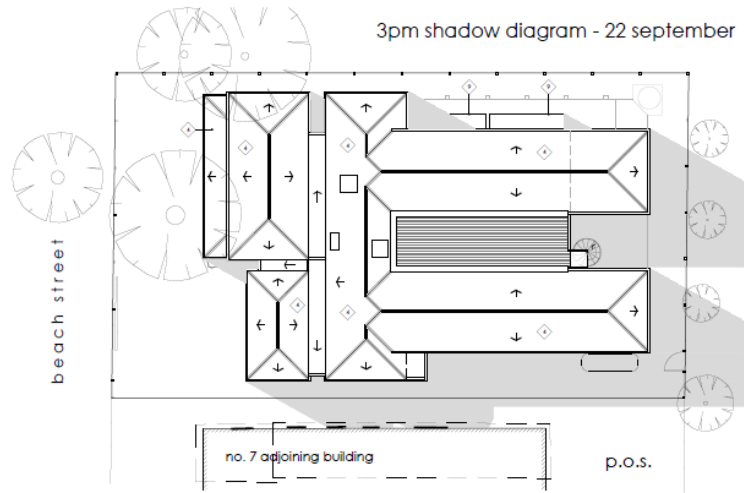


Draper Residence - Queenscliff

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tp - 13

fence details 1 : 200 & 1 : 20



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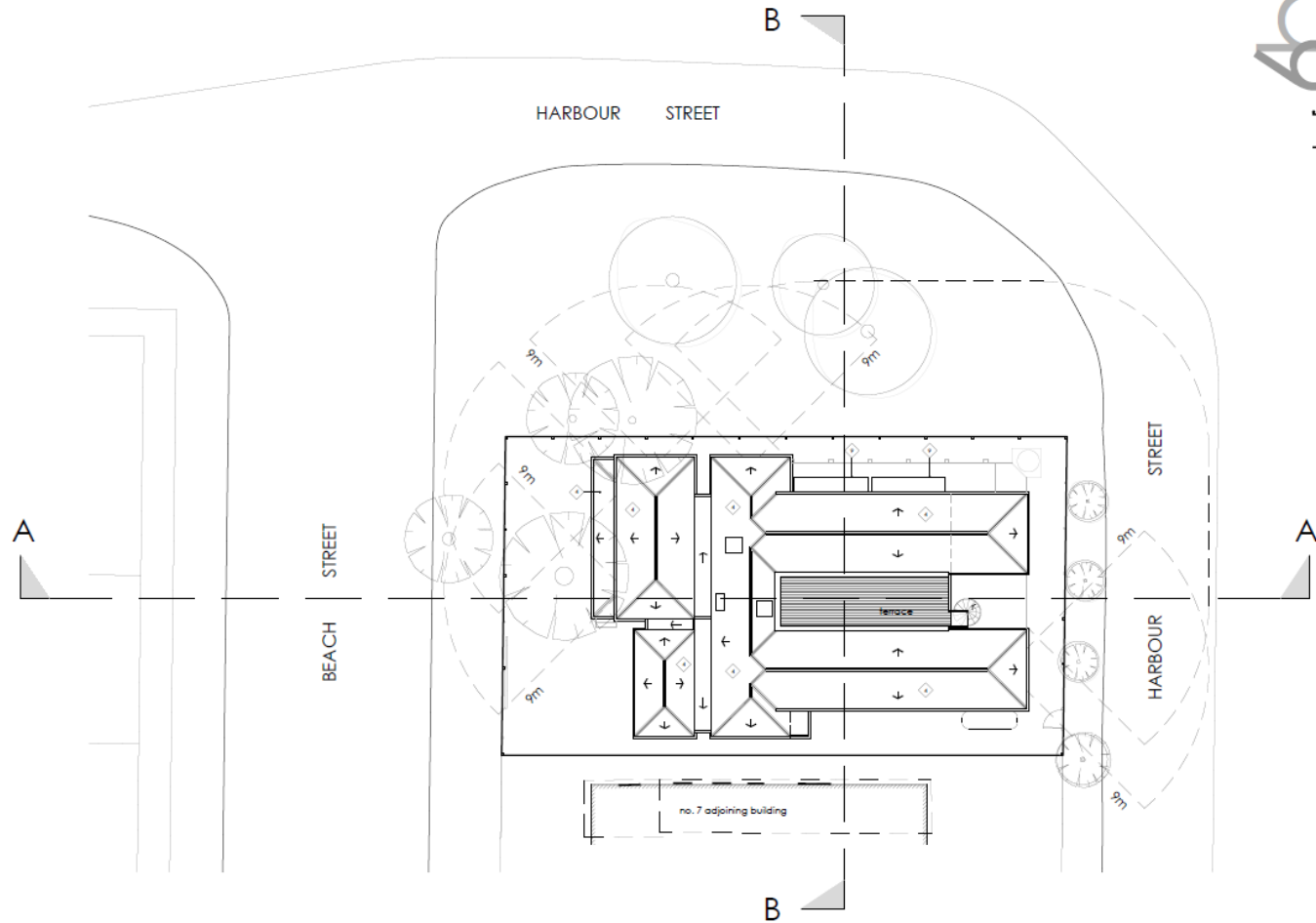


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tp - 14

shadow diagram study 1 : 200




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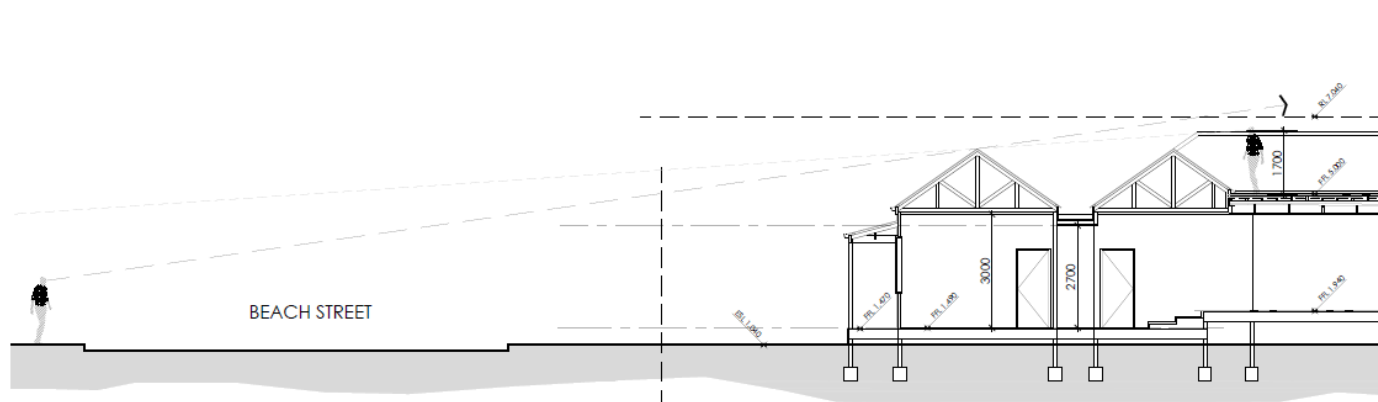


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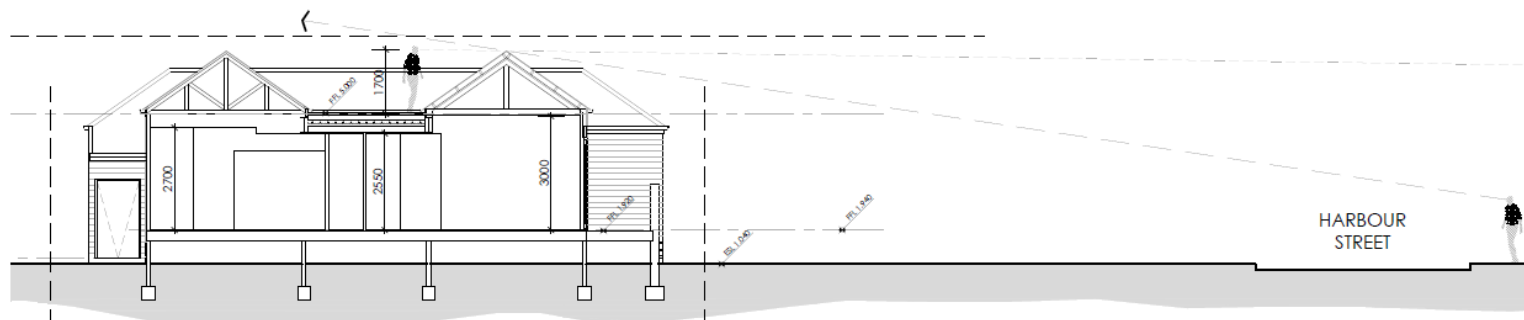
tp - 15

site overlooking plan 1 : 200



WEST LOOKING SITE VIEW LINES

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NORTH LOOKING SITE VIEW LINES

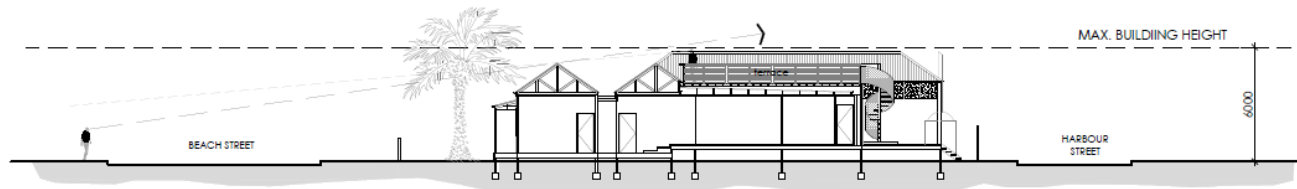


Draper Residence - Queenscliff

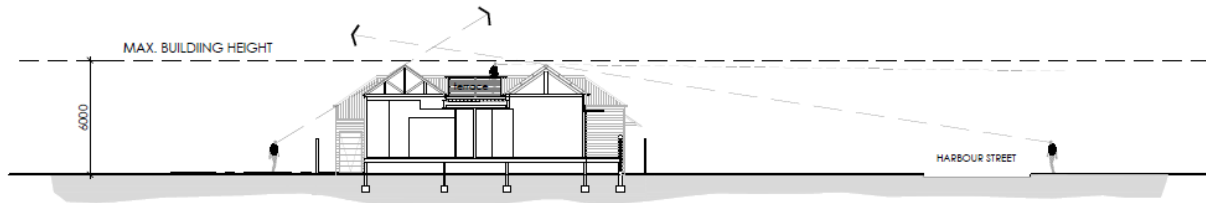
5 Beach Street, Queenscliff - Vic. 3225

tp - 15

site view lines 1 : 100



overlooking view lines A - A



overlooking view lines B - B

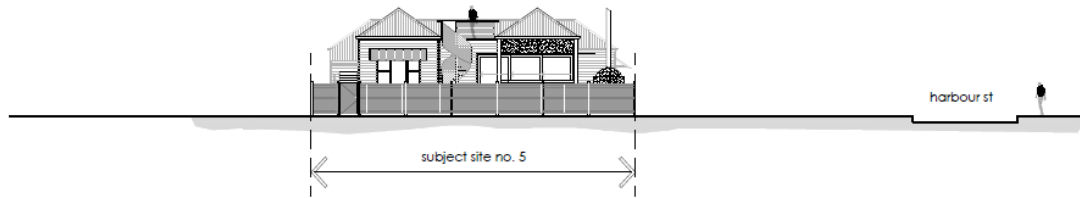


Draper Residence - Queenscliff

5 Beach Street, Queenscliff - Vic. 3225

tp - 16

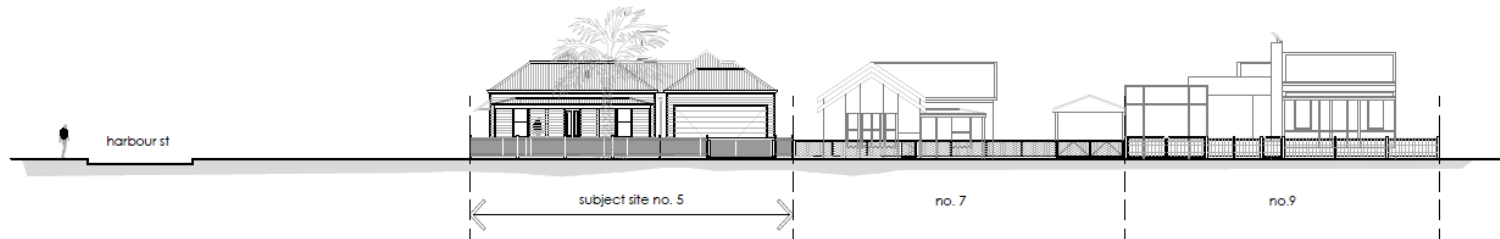
site overlooking sections 1 : 200



streetscape elevation EAST - Harbour Street



streetscape elevation NORTH - Harbour Street



streetscape elevation WEST - Beach Street



Draper Residence - Queenscliff





5 Beach Street, Queenscliff - Vic. 3225

tp - 17

street scape elevations 1 : 200







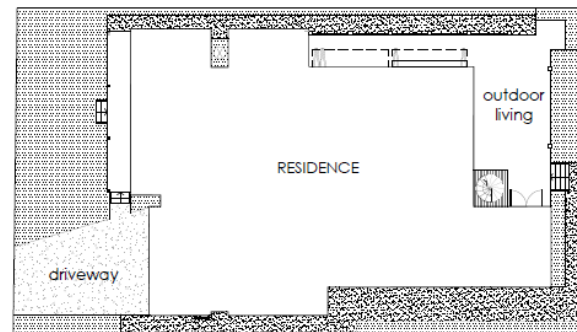
site & building area analysis

-  site area 527.00 m²
-  roof building area 284.43 m² (53.97 %)
-  uncovered deck area 36.24 m²
-  landscape area 206.33 m² (39.15 %)



landscape area analysis

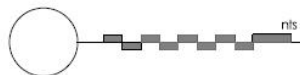
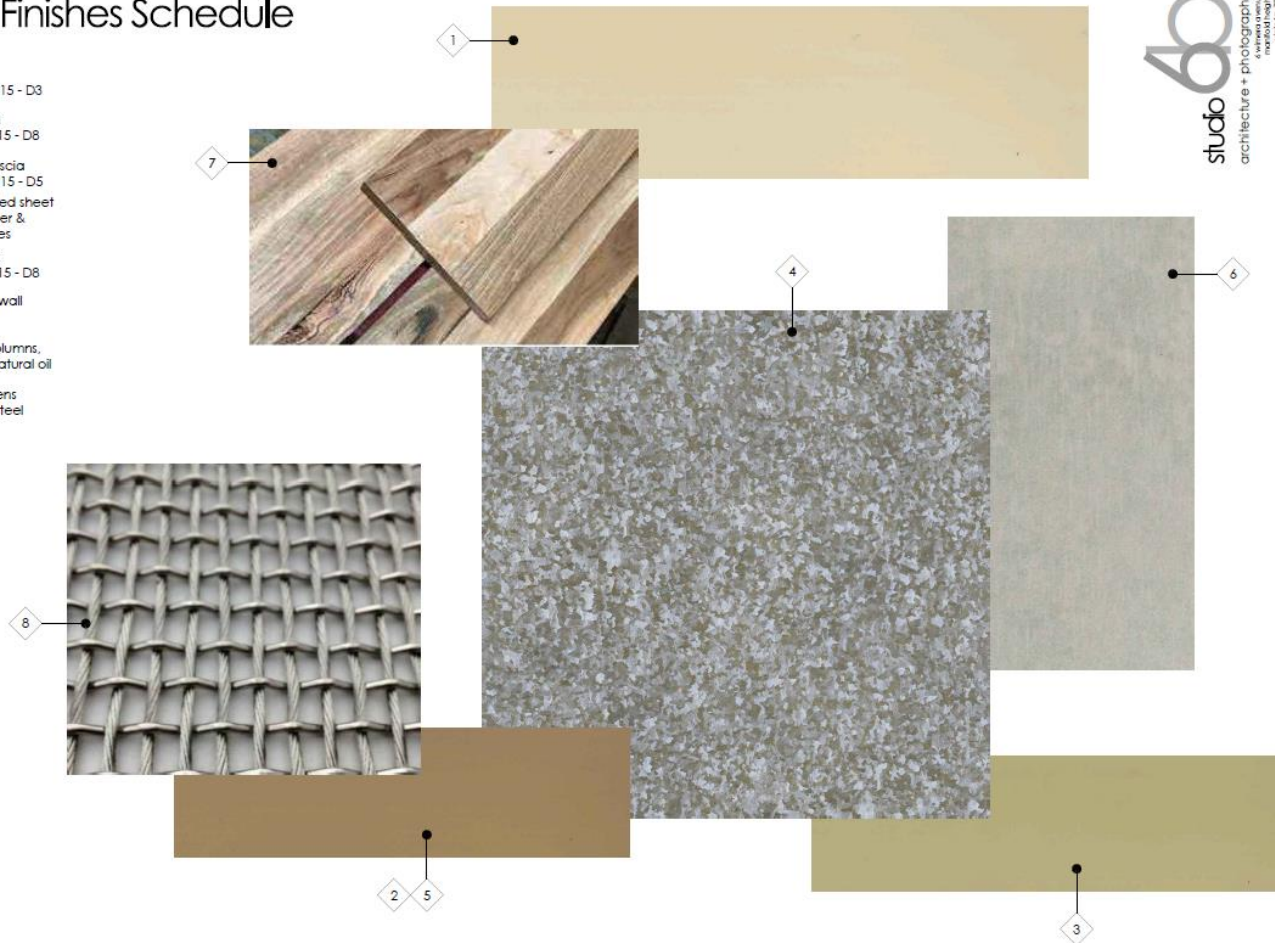
-  building area (inc. uncovered deck) 320.24 m²
landscape area = 206.33 m²
-  concrete 33.44 m² (16.17 %)
-  soft landscaping 106.02 m² (51.38 %)
-  porous gravel 66.87 m² (32.45 %)





Material & Finishes Schedule

- 1 weatherboards
dulux - balsa stone P15 - D3
- 2 fc sheet render finish
dulux - reservation P15 - D8
- 3 timber windows & fascia
dulux - osso bucco P15 - D5
- 4 galvanised corrugated sheet
steel roof, quad gutter &
65mm dia. downpipes
- 5 rendered blockwork
dulux - reservation P15 - D8
- 6 cemintel barestone wall
cladding - natural
- 7 hardwood timber columns,
windows & doors - natural oil
- 8 A1 metal mesh screens
A1MMS-05 stainless steel





Demolition of dwelling, fence and outbuildings, buildings and works associated with a dwelling and vehicle crossover and construction of a front fence in the heritage overlay, design and development overlay and significant landscape overlay

AT

5 Beach Street, Queenscliff



sincockplanning.com.au



1. Introduction

Sincock Planning has been engaged to prepare a planning report for the demolition of the dwelling and fences at 5 Beach Street, and buildings and works associated with a new single storey dwelling, crossover and fences.

The site is located to the north-east of the town centre within the Fishermans Flat precinct and the existing dwelling has no heritage significance in the heritage overlay, however is contained within the Fishermans Flat Urban Conservation Precinct.

The proposed demolition includes all buildings and structures on the property, whilst the palm tree in the front setback is to be protected and retained during construction and redevelopment of the site.

The proposed works are single storey and have a maximum height of 5.8m which is below the maximum permitted 6m height. The dwelling is sited to match the setback of the abutting dwelling to the south, whilst the roof form and massing is reflective of a Victorian style dwelling.

The property does not have any restrictive covenants or Section 173 Agreements and the only constraints to the site are associated with the vegetation in the road reserve and the difference in levels between the site and Harbour Street to the east.

The proposal is consistent with planning policy in relation to urban character, built environment, landscape and heritage. The new works reflect the outcomes sought by the Design and Development Overlay, Significant Landscape Overlay and Heritage Overlay controls that apply.

The planning controls including the applicable policy are all set out at Section 4 of the report and the assessment is fully contained within Section 5. This should be read in full.



2. Proposal

The application proposes the following:

The entire dwelling including outbuildings and the northern, eastern and western (Beach Street) fences are proposed to be demolished. The palm tree located in the front setback is proposed to be retained and will be protected during demolition and construction.

A new single storey dwelling is proposed to be constructed with the dwelling facing Beach Street, with vehicular and pedestrian entry from the west, whilst the dwelling is orientated to the north and east with living and outdoor spaces having these aspects.

At the front of the dwelling are three minor bedrooms, with the front door site centrally between the front bedrooms. The front façade will have a 6m setback, with a 1255mm verandah projecting forward.

A garage is sited to the south, with a 7.211m setback from Beach Street. The garage has a 1009mm setback from the southern boundary with a pedestrian gate providing access along this boundary to the rear of the site.

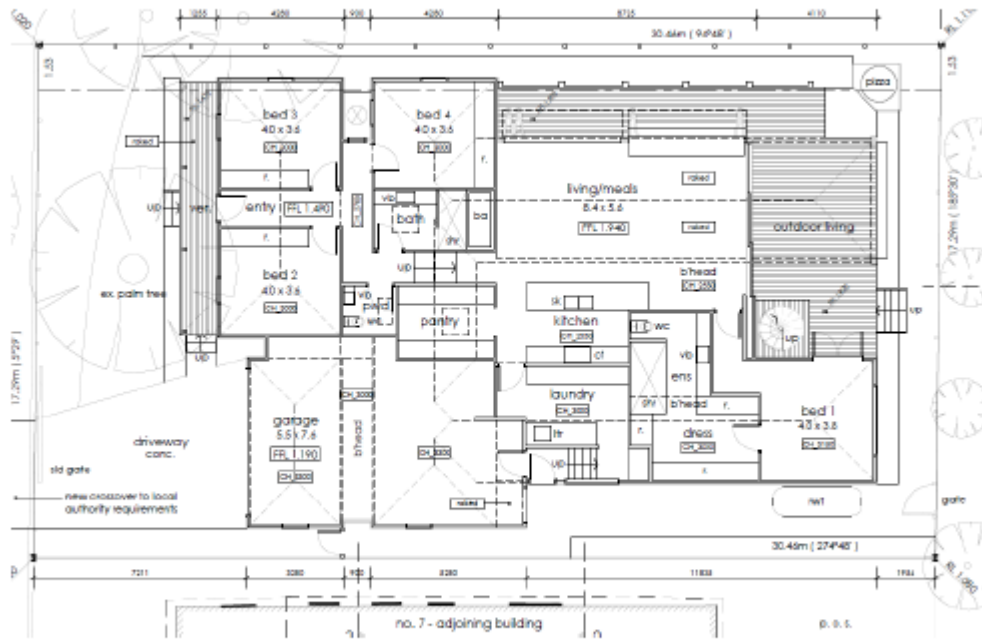
To the east side of the property is a large open plan living area that opens out to decking to the north and east. The master bedroom is located in the south-east corner of the dwelling with a dressing room and ensuite.

A spiral staircase at the rear of the dwelling, provides access to a roof terrace that sits between two hipped roof forms and is not visible from Beach Street or from the north. The roof terrace has a total area of 26.3m².

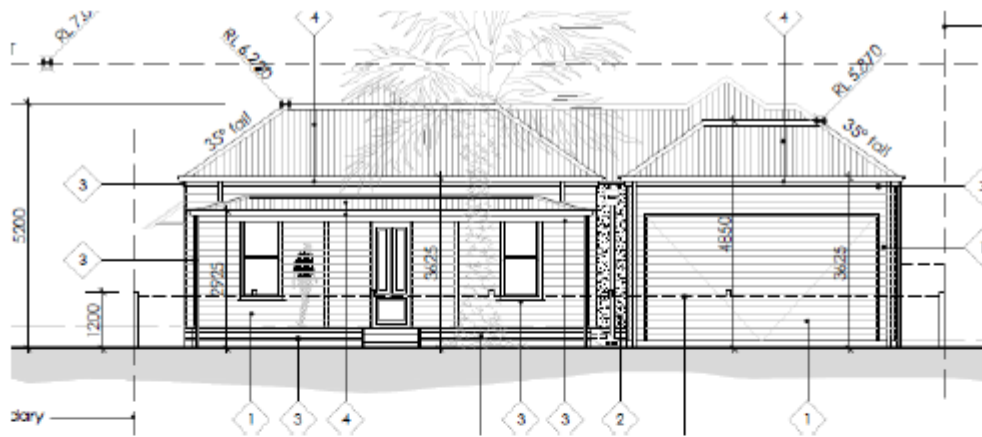
The dwelling has a traditional Victorian style façade with timber double hung windows to the front rooms, a centrally located timber front door and hipped roof form. Horizontal weatherboards are proposed to the majority of the external walls, with the north façade and part of the east façade of the living room having cemented barestone wall cladding, and the small recesses between the bed 3 & 4, bed 2 & garage, and the garage southern wall that have fc sheet with render finish.

The dwelling has a maximum height of 5.8m and the plans show where the maximum 6m height (of the DDO) is applied. The front Victorian façade has a 5.2m maximum height.

A picket fence with posts at 1200mm and pickets at 1100mm is proposed across the front façade and wrapping around the north side of the dwelling (across the front bedrooms) and a taller 1850m timber post and picket fence (pickets at 1700mm) is proposed to the remainder of the northern boundary and the east side (Harbour Street).



Site plan and floor plan shown above



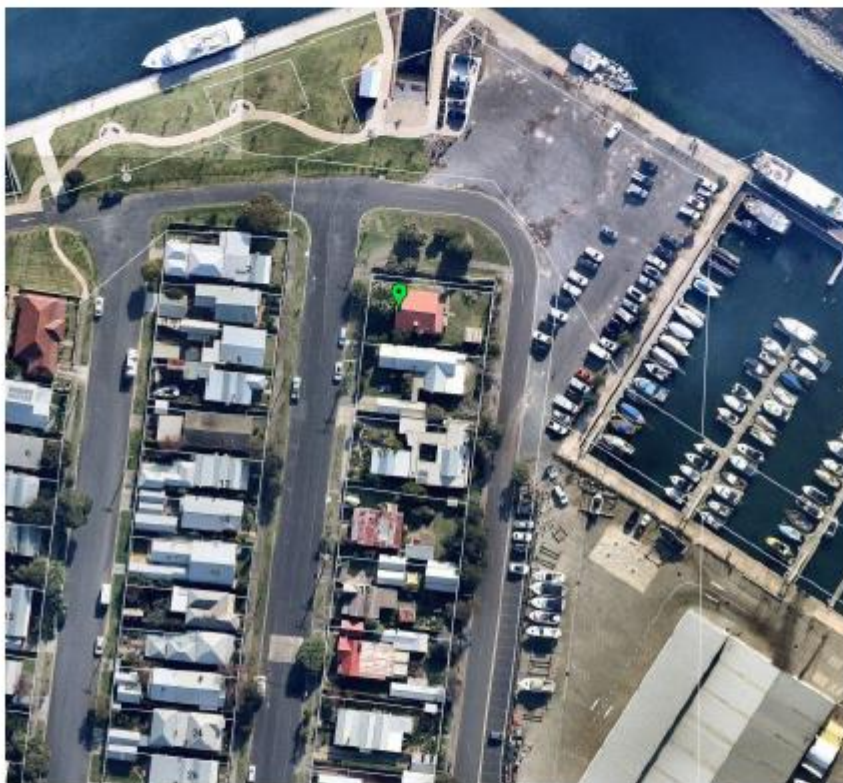
Beach Street elevation shown above



3. Site and surrounds

Site

The subject site is located at 5 Beach Street Queenscliff on a 527m² parcel of land in the north-east corner of the town and adjacent to the Harbour.



Subject site marked with green marker

The site is rectangular in shape with a street frontage of 17.29m and a depth of 30.46m. The site has a very modest fall toward the north-eastern boundary.

The property is developed with a single storey fibro dwelling with a red Colorbond roof. The dwelling has no heritage value and sits behind a 900mm timber picket fence that extends across Beach Street and part of the northern boundary, with a green iron fence to the remainder of the Harbour Street frontage (north and east).

A flat roofed outbuilding is located in the south-east corner of the property and a large palm tree sits in the Beach Street front setback. A concrete crossover exists to Beach Street and the drive runs along the northern side of the dwelling.



Dwelling as seen from the north-west (left) and from the north (right)



Dwelling as seen from the east side (Harbour Street)

Surrounds

The site is located within an established historic residential area to the north-east of the town and adjacent to the harbour. Swan Island is to the north of the site and the road access extends north from Bridge Street. The Queenscliff Golf Club and the Department of Defence are located on Swan Island.

Searoad Ferries that run between Queenscliff & Sorrento are located a short walk east of the site and the Queenscliff foreshore is located to the south.

Whilst the land is located within close proximity to all manner of services and facilities, residential land in Queenscliff is within the Neighbourhood Residential Zone. This particular pocket of residential land is ideally located to access the local shops and services offered 600-1200m to the south-west in Hesse Street.

The built form in the Fishermans Flat precinct is single storey, with most dwellings having dual street frontages.

More specifically the immediate interfaces with the subject site are described as follows:

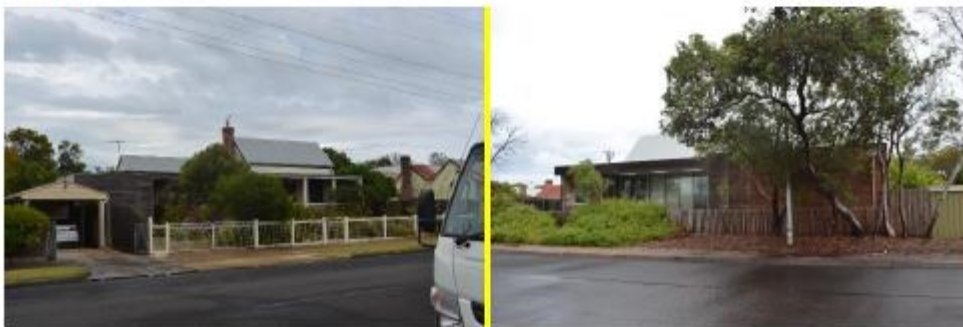
South

To the south, at 9 Beach Street is a single storey weatherboard dwelling. The dwelling is sited to the north side of the property whilst a single carport is located to the south side. A simple timber and wire fence extends across the Beach Street frontage with metal gates at the vehicle entry. The dwelling has a gable end to the front and a bricked up gable end to the east facing Harbour Street. The east boundary has a mix of low timber and wire fencing and timber palings.



9 Bridge Street as seen from Bridge Street (left) and Harbour Street (right)

Further south at 11 Bridge Street is a timber cottage that has a contemporary extension to the side and rear. The dwelling has car parking from Beach Street and a native front garden behind a low emu wire fence. At the rear the dwelling has a low fence and large windows that overlook the harbour.



11 Bridge Street as seen from Bridge Street (left) and from Harbour Street (right)

West

To the west are dwellings on the opposite side of Bridge Street. These are also single storey dwellings, in a variety of styles and predominantly weatherboard, however fibro and brick also feature in the street.

Immediately opposite the site is an original hipped roof cottage that was extended in 2016. The dwelling has a skillion addition to the north and garaging located to the west with access from Bay Street. A timber picket fence extends across the Beach Street and part of the Harbour Street frontage whilst a taller corrugated iron fence extends around the remainder of the site for privacy.



2 Beach Street as seen from Beach Street (left) and Harbour Street (right)



Further south at 4 Beach Street is a fibro dwelling with gable ends that sits centrally within the site and behind a timber picket fence.



2 Beach Street

To the south again at 6 Beach Street is a timber dwelling with a very low pitched roof and gable end. An orange brick fence extends across Beach Street frontage with a timber gate.



6 Beach Street

East

To the east is the Queenscliff Harbour with car parking available to the north-east and boat hire, charters and marine services available in the precinct. The Searoad Ferries depart from the far east.



4. Planning Controls

Zoning

The subject site is within a Neighbourhood Residential Zone, Schedule 2 and the purpose of zone as set out at Clause 32.09 is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To recognise areas of predominantly single and double storey residential development.
- To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.



Zoning map

Pursuant to the provisions of the Table of uses at Clause 32.09-2 a permit is not required to use the land for a dwelling, nor is a permit required to alter or extend a dwelling on a lot greater than 300m² in area.

At Clause 32.09-4 the zone provides the following minimum garden area requirements, which apply to an application to construct a dwelling:

Lot Size	Minimum percentage of a lot set aside as garden area
400 - 500m ²	25%
Above 500 - 650m ²	30%
Above 650m ²	35%

Clause 32.09-10 provides a maximum building height for a dwelling and states:

A building must not be constructed for use as a dwelling or a residential building that:

- exceeds the maximum building height specified in a schedule to this zone; or
- contains more than the maximum number of storeys specified in a schedule to this zone.



If no maximum building height or maximum number of storeys is specified in a schedule to this zone:

- *the building height must not exceed 9 metres; and*
- *the building must contain no more than 2 storeys at any point.*

Schedule 2 to the Neighbourhood Residential Zone is entitled 'Fishermans Flat Neighbourhood Residential Area' and does not provide any variations to the Standards of Clause 54.

Overlays

The subject site is affected by a Design and Development Overlay Schedule 6, Significant Landscape Overlay Schedule 1 and Heritage Overlay Schedule 1.

A planning permit is required pursuant to the provisions of the Design and Development Overlay and Schedule 6 to construct a building or construct or carry out works, including a fence.

The Design objectives of Schedule 6 to the Design and Development Overlay are:

- *To ensure that development is consistent with the uniform, low-rise streetscape character of the Fisherman's Flat precinct and nearby Symonds Street.*
- *To ensure that development reflects the character of the precinct as a fishing village physically and visually set apart from the main town centre.*
- *To protect coastal and heritage vistas from intrusive development.*
- *To ensure new development maintains, protects and enhances the distinguishing elements of the urban character of the Queenscliff township.*
- *To require all new development to have regard to the urban character policies contained in the Municipal Planning Strategy and to the Building Siting and Design Guidelines contained in the Borough of Queenscliffe Urban Character Study.*

The Schedule also provides the following relevant building and works requirements:

Building height

No building can exceed a height of:

- *one storey; and*
- *6 metres above natural ground level.*

Despite the maximum building height stated above, a lesser building height may be necessary in order to:

- *Reflect a 'bottom up' rather than 'top down' approach to building design.*
- *Satisfy the objectives contained in Clause 21.04.*
- *Satisfy the Building Siting and Design Guidelines contained in the Queenscliffe Urban Character Study.*

New buildings must also meet the following requirements:

- *The front setback should either match that of adjacent buildings or if the setbacks of those buildings are different should be between the setbacks of those buildings, or should be equal to the average front setback of buildings in the street, whichever is the greater of the two.*
- *Side and rear setbacks are to be a minimum of 1.0 metre for a single storey building (up to a wall height of 3.6 metres) and a minimum of 1.9 metres for a two storey building (up to a height of 6.0 metres), or are to equal the side and rear setbacks of buildings on adjoining land.*
- *Buildings should not be built on side and rear boundaries unless this is a dominant feature of buildings in the street.*

Landscaping

At least 50% of the required private open space on a site should be 'soft landscaping' (i.e. vegetation). Hardstand areas should consist of porous surfaces.



Front fence

Front fences should be no higher than 1.2 m and should complement the design, architecture, era, materials and finishes of the building on the land and other buildings and fences throughout the street.

Site coverage

Buildings should not occupy more than 50% of the area of a site.

Adjacent to a heritage overlay

Any building or works adjoining a building, site or object listed in a Heritage Overlay will require plans and a report to be submitted showing how the subdivision, buildings or works are sympathetic to the character and amenity of the adjoining building.

The following decision guidelines are also set out within the Schedule:

Before deciding on an application for a permit, the responsible authority must consider, as appropriate:

- *The design objectives of this schedule.*
- *Whether the proposed development satisfies the local planning policy contained in Clause 22.03 of the Planning Scheme.*
- *The height, frontage setback, facade width, and design of the building in the context of the surrounding streetscape.*
- *Heritage Overlay Schedule 1.*
- *Heritage Local Policy, Clause 22.02-1 'Heritage Overlay 1 - Fisherman's Flat' and Clause 22.02-2 'Heritage Overlay 2 - Queenscliff Railway Station'.*
- *The Building Siting and Design Guidelines contained in the Borough of Queenscliffe Urban Character Study, where relevant.*

Pursuant to the provisions of the Heritage Overlay, a planning permit is required (inter alia) to demolish or remove a building, to construct a building or construct or carry out works, including a fence and to externally alter a building by structural work, rendering, sandblasting or in any other way.

Heritage Overlay Schedule 1 (HO1) relates to the Fishermans Flat Urban Conservation Precinct and external paint controls and tree controls apply to places in the precinct. The dwelling at 5 Beach Street is not significant in the heritage precinct.

The Significant Overlay Schedule 1 applies to the land and at Clause 42.03-2 a permit is required to:

- *Construct a building or construct or carry out works. This does not apply:*
 - *If a schedule to this overlay specifically states that a permit is not required.*
 - *To the conduct of agricultural activities including ploughing and fencing (but not the construction of dams) unless a specific requirement for that activity is specified in a schedule to this overlay.*
- *Construct a fence if specified in the schedule to this overlay*

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The statement of the nature and key elements of the landscape and the landscape character objective contained in a schedule to this overlay.*
- *The conservation and enhancement of the landscape values of the area.*
- *The need to remove, destroy or lop vegetation to create a defensible space to reduce the risk of bushfire to life and property.*



- *The impact of the proposed buildings and works on the landscape due to height, bulk, colour, general appearance or the need to remove vegetation.*
- *The extent to which the buildings and works are designed to enhance or promote the landscape character objectives of the area.*
- *The impact of buildings and works on significant views.*
- *Any other matters specified in a schedule to this overlay.*

The landscape character objectives of Schedule 1 are:

- *To maintain the integrity of Swan Bay's unique landscape features.*
- *To protect the landscape values of Swan Bay and its foreshore from visual intrusion resulting from the inappropriate siting or design of buildings and works.*
- *To protect scenic vantage points of Swan Bay and its islands from visual intrusion resulting from the inappropriate siting or design of buildings and works.*
- *To encourage the siting, design and landscaping of buildings and works that are responsive to the landscape values of the overlay area.*
- *To maintain and protect remnant local vegetation as an important element in the value of the Swan Bay landscape.*

A permit is required to:

- *Construct a fence, other than timber post and wire fencing up to a height of 1.5 metres.*
- *Remove, destroy, or lop native vegetation and cypress trees.*

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- *The landscape values of Swan Bay and environs.*
- *Visual sequences along access routes.*
- *The preservation of scenic vantage points.*
- *Whether an alternative site is available on the land for the proposed buildings and works.*
- *The inclusion and benefit of landscaping to achieve the schedule objectives.*
- *The compatibility of colours and external finishes of buildings with the character and appearance of the area.*
- *The effect of the siting, shape, height, and appearance of any buildings or works on the landscape qualities of the area.*
- *The conservation of natural vegetation and significant stands of trees.*
- *The Siting and Design Guidelines for Structures on the Victorian Coast (Victorian Coastal Council, 1998).*

Planning Policy

Policy as set out within the Planning Scheme provides strategic direction and guidance in decision making to achieve good planning outcomes. Of relevance to this proposal are the following relevant

Municipal Planning Strategy policies:

- Clause 11 Settlement
- Clause 15 Built environment and heritage
- Clause 16 Housing
- Clause 18 Transport

Particularly relevant objectives and strategies within these policies include:



Clause 15.03-15 Heritage conservation

Objective - *To ensure the conservation of places of heritage significance.*

Strategies

- *Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.*
- *Provide for the protection of natural heritage sites and man-made resources.*
- *Provide for the conservation and enhancement of those places that are of aesthetic, archaeological, architectural, cultural, scientific or social significance.*
- *Encourage appropriate development that respects places with identified heritage values.*
- *Retain those elements that contribute to the importance of the heritage place.*
- *Encourage the conservation and restoration of contributory elements of a heritage place.*
- *Ensure an appropriate setting and context for heritage places is maintained or enhanced.*
- *Support adaptive reuse of heritage buildings where their use has become redundant.*

More specifically, the following local planning policy provisions are applicable:

- Clause 21.01 Borough of Queenscliffe Key Issues and Strategic Vision
- Clause 21.02 Settlement, Housing and Residential Development
- Clause 21.04 Built Environment and Heritage
- Clause 22.02 Heritage Policy
- Clause 22.03 Urban Character Policy

Relevant details within these policies include:

Clause 21.01 Borough of Queenscliffe Key Issues and Strategic Vision

The Borough's population is expected to grow marginally from 3,058 to 3,360 by 2031. The Borough is experiencing an aging population, decreasing household sizes, substantial numbers of temporary residents and the limited opportunities for housing growth.

The Borough's population swells considerably during seasonal holiday periods through tourist stays and part time residents. There is a considerable non-permanent population who own property and holiday or live part-time in the Borough.

Of relevance to this proposal are the following key issues and influence facing the Borough:

Settlement, housing and residential development

- *Minimising the impact of urban development on the natural environment.*
- *Limited opportunity for urban expansion and urban redevelopment, as the Borough is constrained by the coast and the municipal boundary with the City of Greater Geelong.*
- *Managing seasonally fluctuating population from tourists and part-time residents.*
- *Managing demographic changes and demand for variety in housing choice for existing and future households.*

Built environment and heritage

- *Protecting the unique character of the Bellarine Peninsula and the Borough's townships.*
- *The importance of cultural, military and maritime heritage.*
- *The protection and enhancement of the Borough's unique physical character, in particular:*
 - *Queenscliff's historic buildings, heritage areas and formal streets;*
- *The conservation, protection and enhancement of heritage places and heritage areas.*

Economic development

- *The importance of the natural environment, the built environment and cultural heritage to the Borough's economy.*



Strategic vision

The Borough of Queenscliffe Council Plan 2013-2017 describes the following vision for the municipality.

A vibrant, safe and welcoming community that draws inspiration and life from its heritage, unique environment and connection to the sea.

Council is committed to:

- *Supporting a healthy involved and creative community.*
- *Developing a vibrant local economy.*
- *Protecting the Borough's unique natural environment.*
- *Ensuring the Borough is a well-planned and attractive place to live and visit.*

Clause 21.02 Settlement, Housing and Residential Development

Settlement

The townships of Queenscliff and Point Lonsdale form the Borough's urban area, which is predominately residential.

The Borough's physical size and its environmental assets and constraints limit the capacity for growth. The urban areas of the townships comprise the extent of developable land.

The opportunity for new development is limited to some infill development and redevelopment, which must be sensitive to the Borough's valued heritage and urban character.

Key Issues

- *An ageing population and a decline in household size are correlating with a decrease in the permanent population. A stable population is required to sustain the current level of infrastructure and community services.*
- *The impact of new development needs to be managed to maintain liveability, amenity, heritage and character.*
- *The Point Lonsdale Structure Plan provides for an expansion of the township within the City of Greater Geelong. This will impact upon the structure of the township, and the demand for services.*

Objective 1

- *To maintain a stable permanent residential population.*

Strategies

- *Encourage innovative housing solutions and designs that accommodate smaller households, whilst respecting the established urban and heritage character.*

Objective 2

- *To avoid inappropriate development that compromises areas of acknowledged natural, aesthetic, built, cultural or environmental sensitivity.*

Strategies

- *Contain development within existing urban areas.*
- *Avoid the adverse impacts of new use and development proposals on environmental, heritage and urban character values.*

Implementation

- *These strategies will be implemented by:*

Policy Guidelines

- *Applying Clause 22.02 (Heritage Policy) in considering all applications under the Heritage Overlay.*
- *Applying Clause 22.03 (Urban Character) in considering applications that trigger a Planning Permit.*



Queenscliff

Queenscliff was developed primarily in the late 1800s as a fishing town and resort. The amenity provided by the natural setting and heritage characteristics of the town is valued by both residents and visitors.

Queenscliff's heritage is strongly reflected in the streetscapes, residential areas and town centre. In addition to the town itself, Queenscliff contains a number of tourist attractions, including the Queenscliff Harbour and Fort Queenscliff.

The Queenscliff Harbour provides tourism and recreation facilities, and a ferry connection to Sorrento.

The township provides a range of tourism accommodation.

Key Issues

- *Retaining Queenscliff's distinct heritage character.*

Objective

- *To reinforce the distinctive identity of Queenscliff - its heritage values, urban character and natural coastal setting.*

Strategies

- *Reinforce the residential character of areas outside the existing activity centre.*
- *Provide for sensitive redevelopment and infill development that responds to Queenscliff's urban and heritage characteristics.*

Implementation

These strategies will be implemented by:

Policy Guidelines

- *Applying Clause 22.02 (Heritage Policy) in considering all applications under the Heritage Overlay.*
- *Applying Clause 22.03 (Urban Character) in considering applications that trigger a Planning Permit.*

Housing and Residential Development

The Borough provides an attractive and sought-after living environment accommodating permanent and occasional residents. These different groups have a diverse range of requirements.

The majority of housing in the Borough is in the form of single detached houses on medium sized lots. There are few medium density housing developments.

Key Issues

- *Maintaining the liveability, amenity and character of residential areas, and ensuring that new development does not adversely impact upon heritage and urban character.*
- *Protecting the rural character of the McDonald Road/Burnt Point area from further subdivision or more intensive residential development.*
- *The Borough is experiencing a decline in household size, with potential to create a demand for an increased number and greater diversity of dwellings in order to maintain the present population. A stable population is required to sustain the current level of infrastructure and community services.*
- *Preserving the natural environment and minimising the off-site environmental effects of new housing.*

Objective 1

- *To protect the character and appearance of residential areas that are of heritage significance and/or have urban character value.*



Strategies

- *Require housing design to have regard and respond to the predominant character of the area, including important heritage features/characteristics and key elements of urban character.*
- *Require that new residential development retains significant vegetation.*
- *Require that new residential development and redevelopment of existing dwellings achieves high quality design standards.*

Clause 21.04 Built Environment and Heritage

Urban Character

The Borough's character is fundamental to its amenity, to the lifestyle of its residents and to its tourism economy.

The Borough has resisted major redevelopment of sensitive areas and recognised that it is the inherent structure, size and dimensions of Queenscliffe that have consistently been its primary appeal. It is the 'feel' of the Borough and the delicate balance of urban heritage, natural coastal and residential themes that make Queenscliffe a memorable place.

The unique combination of development diversity and intimacy will continue to position the Borough as an intensely popular living environment and tourism destination of regional and state significance.

Key Issues

- *The natural coastal and heritage character qualities of the municipality are highly sensitive to the adverse impacts of taller buildings.*
- *Managing the pressure to allow taller buildings, especially where there is an opportunity to access bay views.*
- *Preventing new development and redevelopment from eroding the valued characteristics of the Borough.*
- *Managing shared view lines and the opportunity to protect 'reasonable views'.*

Objective

- *To require that new development in the Borough protects, enhances and harmonises with the following distinguishing elements of the Borough's urban character:*
 - *The significant view lines to and from the sea, coastal dune environments and the Queenscliff townscape skyline;*
 - *The unique and intact building, landscape heritage, and natural foreshore qualities of the Borough;*
 - *The distinguishing cultural heritage identity of the township of Queenscliff, including the prevailing Victorian and Edwardian built form and scale of development;*
 - *The sense of seclusion and intimacy of Point Lonsdale, which is created through its low-rise, recessive built form and informal, narrow streets in a natural landscape dominant environment; and*
 - *The distinctive natural coastal settings of Queenscliff and Point Lonsdale, including significant areas of intact native and remnant indigenous vegetation.*

Relevant Strategies

- *Require new development in Queenscliff to have regard to the prevailing scale, style, height, siting, fencing, and palate of building materials and finishes in the core heritage centre of the town.*
- *Minimise the visual impact of new development in foreshore areas, having regard to building height and topographical features of the land, bulk, site coverage, external materials and finishes, and the removal of vegetation.*

Heritage Conservation



The Borough has both pre and post-settlement heritage elements. In particular, there remains evidence of a unique combination of civic, military, maritime, economic and social activities in the mid to late-nineteenth century and later, which survive in the form of urban planning, buildings, monuments and associated infrastructure.

In a State context, Queenscliff is an unusually intact example of a Victorian-era seaside resort and fishing town. These two aspects continue to be clearly demonstrated through its layout and surviving fabric.

Key Issues

- *The Borough's heritage elements contribute to its unique character and sense of place.*
- *Protecting the Borough's heritage places.*
- *The Borough's heritage places are a key factor in attracting visitors and growing the tourism industry, which is vital to the local economy.*
- *The Borough's significant heritage elements provide a reference for residents and visitors to appreciate the social and cultural history of the local area, and the role of Queenscliffe in the history of the region and State.*

Objective

- *To protect the heritage values of cultural and historical heritage sites, places and objects.*

Strategies

- *Require that all new use and development in places of cultural, historical and architectural significance protect heritage interests.*
- *Require retention of buildings of heritage significance.*
- *Avoid use and development that would damage heritage interests.*
- *Protect the diverse interests and character of local heritage conservation precincts.*
- *Support residents' and visitors' appreciation of the Borough's heritage values and interest.*
- *Provide expert heritage conservation advice to the public, developers, designers and other interested parties.*

Sustainable Development

There is an increasing preference for new urban development to be environmentally responsive and sustainable. Sustainable design may call for the inclusion of features, built form and infrastructure which, if not carefully considered, has the potential to detract from the established character of the Borough.

Key Issues

- *Minimising the adverse impact of sustainable development infrastructure and built form on heritage and urban character values.*

Objective

- *To encourage environmentally sustainable development, while ensuring that the valued heritage and urban character values of the Borough are protected.*

Strategies

- *Facilitate sustainable development initiatives, including the appropriate installation of solar panels and water tanks on buildings within the Heritage Overlay.*
- *Support environmentally sustainable housing and subdivision designs, particularly those that improve energy efficiency and storm, and wastewater disposal mechanisms.*

Clause 22.02 Heritage policy

This policy applies to all land included in the Heritage Overlay.

This policy includes an overall Heritage Policy and 11 individual local planning policies that apply to particular heritage areas within the Borough ...



Policy Basis

The Municipal Strategic Statement (MSS) identifies the need for a local policy to ensure the unique heritage character and significant heritage attributes of the Borough of Queenscliffe are recognised, acknowledged and preserved

Objectives

- *To recognise, conserve and enhance buildings, sites, works, trees, objects, streetscapes, precincts and settings in the Borough identified as having architectural, cultural or historic significance.*
- *To ensure the continued aesthetic, historic, scientific or social value of the Borough's heritage places for past, present and future generations.*
- *To ensure that any additions, alterations and replacement buildings are sympathetic to the heritage place and/or its surrounds.*
- *To ensure that new development maintains, protects and enhances the distinguishing elements of the Borough's heritage character.*
- *To recognise the existing significance, character and appearance of heritage places and the contribution to the architectural or historical character and appearance of the locality.*
- *To ensure that subdivision or development which may result from subdivision does not adversely affect the significance, character or appearance of heritage places.*
- *To promote the recognition and protection of heritage places on Commonwealth land not protected by the Victoria Planning Provisions, but listed with Heritage Victoria.*
- *To ensure that an appropriate setting and context for heritage places is maintained*

Policy

General

- *Before deciding on an application to use or develop land, including for buildings or works to be demolished, removed, altered or constructed, the responsible authority will consider, as appropriate:*
 - *The heritage and cultural significance of buildings, sites, works, trees, objects, streetscapes, precincts and settings included in the Heritage Overlay, including the contributory elements.*
 - *The existing character and appearance of the heritage place and the contribution of the heritage place to the architectural or historical character and appearance of the locality.*
 - *The potential impact of a proposal, including the design, building materials, colours and general appearance, on the heritage values and architectural or historical character or appearance of the existing heritage place or site and/or on its setting and area.*
- *Subdivision will not be supported unless it can be demonstrated that the subdivision or development which may result from the subdivision will have no adverse impact upon the significance or understanding of heritage places included in the Heritage Overlay, including through:*
 - *the effects on the consistent rhythm and pattern of buildings;*
 - *the effects on the visual appearance of heritage places through the development of boundary fences and buildings;*
 - *the effects on significant view lines to and from heritage places;*
 - *the effects on historically important views and interrelationship of groups of buildings; and*
 - *the effects on the maintenance of an appropriate visual setting for heritage places.*
- *The demolition of heritage buildings will generally not be supported until such time as replacement buildings or works have been approved and the owner or developer has entered into a bona fide construction of redevelopment.*
- *It is policy that in the event that Commonwealth control ceases on an area, building, place, object or work situated within the Borough, but listed with Heritage Victoria that these shall be given protection under the planning scheme.*



Clause 22.02-1 Fishermans Flat Urban Conservation Precinct (HO1)

Objectives

- *To maintain and enhance the character of the area as a fishing village set apart from the main town centre.*
- *To retain the general uniformity in scale and massing of the buildings.*
- *To retain the locally unique subdivision pattern, with dual access to many properties.*
- *To encourage the use of the traditional building materials of the area, being timber weatherboard walls, timber-framed windows, corrugated iron roofs and brick chimneys.*
- *To facilitate and safeguard pedestrian movements within the area and particularly the wharf area.*
- *To ensure that the frontage setback of buildings is consistent with the dominant setback of adjoining buildings.*
- *To maintain traditional fencing in the area, such as low pickets, capped corrugated iron or twisted wire, and for new fencing to buildings, encourage the use of the traditional materials and construction techniques.*
- *To discourage vehicular traffic movements, particularly heavy vehicles, through the area.*
- *To encourage use of the traditional building design of the area, which include narrow eaves, gable roofs, verandahs, vertical rectangular windows and unbroken facades.*
- *To retain the historic integrity of the area in any replanting program.*

Policy

It is policy that:

- *The policy objectives are considered in the assessment of any planning permit application.*
- *Subdivision of land will be discouraged, except to realign the boundary between lots.*
- *Preference will be given to buildings that incorporate the following design characteristics:*
 - *corrugated iron pitched roofs;*
 - *unbroken front facades and narrow eaves;*
 - *vertical rectangular timber-framed windows;*
 - *horizontal timber weatherboard cladding;*
 - *timber verandahs;*
 - *traditional fencing materials and construction techniques.*
- *In carrying out buildings and works, the following will apply:*
 - *The frontage setback should be the same as the setbacks of adjacent buildings, or if these are different, the setback may be between the setbacks of adjacent buildings;*
 - *The width of the facade of a dwelling should not be greater than 10 metres;*
 - *buildings must not exceed one storey;*
 - *the highest point of the roof of a building must not be greater than the highest adjacent building; and*
 - *fences should not exceed:*
 - *for the frontage - 1300 mm;*
 - *for side, rear or for vacant land - 2000 mm.*



Clause 22.03 Urban Character policy

This policy applies to all planning applications in the Queenscliffe Character Management Areas, as shown on Map 1, 2 and 3, forming part of this clause.

Policy Basis

The Municipal Strategic Statement identifies the importance of urban character and the need to identify the distinctive qualities of Queenscliff and Point Lonsdale in order to ensure that new development maintains, enhances and harmonises with the prevailing character of the area.

The subject site is located within Queenscliff Urban heritage Area 1 as illustrated in the map below from Clause 22.03.



Character Management Area Map 1 - Queenscliff Urban Heritage areas

Queenscliff Urban Heritage Areas

This policy applies to all land in the Queenscliff Urban Heritage Areas, as shown on the Character Management Area Map 1. It includes the core Queenscliff Urban Heritage Area and the Queenscliff Urban Contributory Area.

Design and Development Overlay Schedule 1 (Queenscliffe Urban Heritage Areas) and Design and Development Overlay Schedule 6 (Fisherman's Flat and Environs) applies to this Character Management Area.

Policy

Site Layout

It is policy that:

- *The layout of new development has regard to visual impact upon the scale and proportion of the street and the townscape skyline.*
- *The layout of new development is consistent with the layout of development in the surrounding area, including the location and relationships to any existing buildings on the site or adjacent buildings.*
- *The layout of new buildings, paved areas, driveways, car parking, active outdoor living areas and landscape areas complement the site, having regard to its physical, historic and environmental features, and the location of buildings and other features on adjacent land.*
- *The layout of new development provides a high quality of living for its occupants and maintains an appropriate standard of amenity for the occupants of adjoining dwellings.*
- *The layout of buildings provides opportunity, where relevant, for frontage landscaped areas to be planted with vegetation that contributes to and reinforces the formality of the formal grid streetscape.*



- *New development should:*
 - *minimise the need for earthworks on the land;*
 - *provide north facing indoor and outdoor living areas where possible, to maximise solar access;*
 - *protect existing trees on the site which are visible or contribute to the streetscape;*
 - *provide for appropriate outdoor living areas, preferably integrated with indoor living areas with northern orientation;*
 - *provide for appropriate landscaping opportunities, shown on a landscape plan;*
 - *provide for front, side and rear boundary setbacks that respond appropriately to the streetscape and the location of buildings on adjoining allotments; and*
 - *consider and respond to sea or townscape views from the site or across the site from other properties, public places and roads.*

Building Design

It is policy that:

- *New development respects and harmonises with the existing historic character of the streetscape and townscape (skyline) and is consistent with the traditional massing, scale and proportion of the built form, including the palate of materials and finishes and the array of building angles.*
- *The design of new development demonstrates regard for the features of the site, coastal conditions of the locality, sensitivities within the streetscape, and view corridors from streets, public spaces and surrounding properties.*
- *New development is designed to make efficient use of a site and applies environmentally sustainable design principles, without compromising the historic value of the streetscape.*
- *New development should:*
 - *interpret traditional building designs, which include single and double frontages, pitched, hipped and gable roofs, vertical rectangular window openings and verandahs;*
 - *use traditional building materials, including horizontal weatherboard cladding, rendered brickwork, corrugated iron or slate roofs, brick chimneys, timber verandahs, door and window joinery, and painted finishes;*
 - *sympathetically complement the design, materials and form of other buildings in the streetscape and neighbourhood;*
 - *retain the general uniformity in scale and massing of buildings within the street and avoid buildings which are visually dominant when viewed from public spaces due to height, bulk, colour, materials, scale or proportion;*
 - *incorporate corrugated iron or slate pitched roofs in recessive or non reflective colours, verandahs which read as part of the roof form and match the scale, pitch and materials of the main roof form;*
 - *reflect the traditional widths and proportion of adjoining buildings, including on sites with a greater width than adjoining properties;*
 - *adopt building design techniques and use materials that reduce energy use and are responsive to coastal conditions; and*
 - *provide for additions to the rear of buildings, which are of an appropriate style in relation to the existing building and do not exceed the prevailing building or ridge lines established by the main existing building on, and adjoining the site.*



Building Heights and Setbacks

It is policy that:

- *The height and setback of new buildings retain the existing prevailing rhythm, scale and frontage setback of the streetscape.*
- *The height of new buildings is such that no individual building or building addition is visually prominent in the streetscape, or townscape skyline.*
- *The height and setback of new buildings does not cause any adverse significant impact upon the amenity of adjacent dwellings or land.*
- *New buildings are set back from the front boundary to provide the opportunity for the foundation of established gardens in front setback areas, which contribute to the streetscape setting, where front gardens are a prevailing feature in the street.*

Fencing, Driveways and Landscaping

It is policy that:

- *Front fences complement and relate to the design, architectural era, materials and finishes of the building on the land.*
- *New or replacement front fences give regard to the height, configuration and visual transparency of fences on adjoining properties and the predominant height of fences in the street.*
- *Fences and gates associated with driveways are indistinguishable from fencing along the front of the land.*
- *Hard surface areas for the provision of driveways and paths are minimised and designed to complement the style, building era and materials of the main building on the land.*
- *New or replacement outbuildings are sited to the side or rear of existing buildings, behind the front of the building and respond to the roof shape, wall and roofing materials of the main building on the land.*
- *New development seeks to retain established trees on the land and adjoining road reserve that are visible within the streetscape.*
- *In streets where front gardens are a prevailing feature in the streetscape, new development should complement existing plantings on the site with appropriate new landscaping to enhance the contribution of front gardens to the character of the street.*
- *In areas where detached buildings are the prevailing form of development, landscaped setbacks to side boundaries should be provided to minimise the potential for overlooking, whilst providing an important landscape link to rear garden and private open space areas.*
- *New development should:*
 - *other than known environmental weeds, retain established trees and vegetation on the site that is visible in the streetscape, public areas and adjoining properties, wherever possible;*
 - *provide for the retention of any existing or remnant bluestone kerb and guttering or open channel drains;*
 - *provide for straight, narrow driveways which continue the pattern of formal grid streets and unmade verges into private driveways leading to outbuildings or the side of buildings;*
 - *provide appropriate landscaping opportunities, shown on a landscape plan, including the use of plant species which relate to existing vegetation on the site and blend with the height and form of existing formal or exotic planting in the area; and*
 - *ensure that outbuildings are designed in keeping with the style and form of the main building on the land, and are located to the side or rear of the main building, not abutting the street frontage.*



Particular & General Provisions

The following particular and general provisions are relevant to the proposal:

- Clause 53.18 Stormwater Management in Urban Development
- Clause 65 Decision Guidelines
- Clause 65.01 Approval of an Application or Plans

Clause 65 Decision Guidelines

Clause 65.01 sets our matters that must be considered by the responsible authority prior to deciding on application and include (inter alia):

- *The matters set out in Section 60 of the Act.*
- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the amenity of the area.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*



5. Assessment

The assessment of the application has regard for the various planning permit triggers including the Design and Development Overlay, Significant Landscape Overlay, Heritage Overlay and the policy framework along with the background documents.

Overall the proposal seeks to demolish an insignificant dwelling and fences within the heritage overlay, with new works proposed in the form of a single storey dwelling that is setback from all boundaries and with a form, scale and design details that reflect the low rise dwellings in this significant part of Queenscliff.

The property is within the Neighbourhood Residential Zone, and there are no permit triggers for a single dwelling in the zone/schedule and an assessment against Clause 54 is not required.

The dwelling meets the statutory height controls applied by the zone with the dwelling having a maximum height of 5.8m which is also below the maximum height of the DDO6 (being 6m). The minimum garden area is exceeded as well, with 39.7% garden provided compared to the 30% statutory control.

The proposal responds well to the various planning provisions and achieves the relevant built form, landscape and heritage design outcomes sought by planning policy as detailed below.

Strategic policy considerations

The proposed development has been designed with regard for the strategic direction of the planning policies within the Queenscliffe Planning Scheme and in particular the proposal:

- Provides an appropriate low rise single storey dwelling that reflects the form, scale, massing and design features of the low rise Fishermans Flat precinct, whilst providing or setbacks to boundaries that maintain space around the dwelling and respect the identified heritage values of the overlay. (Clause 15.03-15 Heritage Conservation)
- Retains the low rise streetscape that does not impact on the heritage values of the overlay, but more importantly does not have any impact on the significant buildings within this precinct, thereby ensuring those elements that contribute to the importance of the heritage precinct are not affected by the proposed works. (Clause 15.03-15 Heritage Conservation)
- Delivers a new dwelling that will better accommodate the owners and their daily needs in an environment that provides for limited opportunities for housing growth (Clause 21.01 Borough of Queenscliffe Key Issues and Strategic Vision)
- Provides a new low scale dwelling which has been sympathetically designed and will contribute to the maintenance and protection and enhancement of the Borough's unique physical character, in particular Queenscliff's historic buildings, heritage areas and the formal streets. (Clause 21.01 Borough of Queenscliffe Key Issues and Strategic Vision)
- Provides for building works which are sensitive to the Borough's valued heritage and urban character and responds positively to Queenscliff's urban and heritage characteristics. (Clause 21.02 Settlement, Housing and Residential Development)
- Provides for improved living environment for residents whilst the design respects the established urban and heritage character and by replacing a single dwelling with another single dwelling will maintain the stable permanent residential population in Queenscliff. (Clause 21.02 Settlement, Housing and Residential Development)
- The design response has had regard for and responded to the low scale, single storey, pitched roof, front verandahs and side setbacks that reflect the predominant character of the area, and the single storey weatherboard (Victorian style) design will not conflict with important heritage features/characteristics and key elements of the established urban character. (Clause 21.02 Settlement, Housing and Residential Development)



- Delivers enhanced living in a design response that complements existing built form and character, and does not compromise any identified natural, built heritage, landscape and cultural values of the surrounding area. (Clause 21.02 Settlement, Housing and Residential Development)
- Provides for a new dwelling that has been designed with regard for the prevailing scale, style, height, siting, fencing, and palate of building materials and finishes of the surrounding heritage and non-heritage dwellings. (Clause 21.04 Built Environment and Heritage)
- Provides an extension that seeks to implement sustainability measures, including good northerly orientation for energy efficiency and rain water tanks for stormwater collection. (Clause 21.04 Built Environment and Heritage)

With respect to the outcomes sought by Clause 22.02 Heritage policy and Clause 22.03 Urban Character Policy, it is submitted that:

- The buildings and fences proposed to be demolished and removed from the land have no heritage value, and do not contribute to the heritage significance of the precinct.
- The new works are appropriately sited with a front setback that reflects the abutting dwelling, and of a low scale such that they will not dominate the streetscape or detract from original housing stock, and will not impact the heritage significance of the significant dwellings in the precinct.
- The setback of the dwelling from all boundaries is generally consistent with those of the adjoining dwelling at 9 Beach Street, whilst the dwelling is orientated to maximise its privacy, outlook and solar efficiency.
- The dwelling is orientated to all street frontages, thereby maintaining the sense of dual access from a visual perspective, whilst minimising the dominance of vehicle access by maintaining car access from Beach Street where road levels are reflective of the site levels, and where the wide road reserve of Harbour Street to the north is maintained.
- The layout of the dwelling on the land complements the site and the neighbouring dwelling having regard to the desire to separate open space areas to avoid conflict with neighbours, maximise solar orientation and outlook, whilst retaining the primary frontage to Beach Street as has traditionally occurred.
- The dwelling design will deliver a high level of amenity outcomes for the occupants and has been designed such that it will not impact the amenity of the residents within the adjoining dwelling.
- The palm tree at the front of the site is to be protected and retained during demolition and redevelopment, with new landscaping proposed to enhance the dwelling and its relationship with the street.
- The garage is sited off the boundary and recessed behind the main façade to reduce the visual impact of the vehicle parking, with the garage being contained under its own separate roof line to minimise the visual impact.
- Retention of the palm tree assists to settle the new development into the streetscape with a mature tree that projects above the roof of the dwelling.
- The external palette of materials and colours will blend with and complement those of the existing dwellings within the surrounding streetscapes and broader Queenscliff township, with traditional materials and a neutral colour palette used.
- Front, side and rear fencing is designed to maintain an open streetscape, including the corner element to Harbour Street, whilst reflecting the traditional fencing in a slightly more contemporary manner with post and picket used instead of palings to the side and rear.



- The new dwelling is designed to make efficient use of the site, applies environmentally sustainable design outcomes and will not impact on the historic value of the surrounding area.

Neighbourhood Character

The Design and Development Overlay, Heritage Overlay and relevant local policies provide guidance and inform the built form neighbourhood character outcomes sought within the Queenscliff township, as has been partly addressed above.

Overall the proposed works will have no negative impacts on the existing neighbourhood character which is valued within Queenscliff due to the careful consideration and design of a single storey dwelling with traditional forms that is generally reflective of the building scale and massing in the Fishermans Flat precinct.

The Beach Street façade has a low overall height of 5.2m which is reflective of the height of surrounding dwellings, and this low height protects the amenity of the abutting property.

The proposal incorporates traditional materials and finishes to the dwelling with contemporary bifold doors provided to the minor streets. Windows have vertical double hung traditional styles with widow hoods whilst the 35° corrugated iron roof reflects original heritage roof forms and finishes.

In response to the buildings and works requirements set out within the Design and Development Overlay which inform the neighbour character outcomes for the area, the following response is provided:

Building height

- The proposed dwelling has an overall building height of 5.8 metres above natural ground level and is single storey in height which is less than the maximum permitted 6 metres.

Building setbacks

- The front setback has been designed to match the front setback of the abutting dwelling to the south (9 Beach Street).
- Side setbacks of 1.009m have been provided to the southern boundary which meets the Schedule 6.
- A rear setback of 2.165m is proposed, and this far exceeds the minimum 1m setback that is required.
- A 1.1m minimum setback is proposed to the northern boundary, again exceeding the minimum setback.
- No buildings are proposed on the side or rear boundaries.

Landscaping

- As illustrated by the landscaping plan submitted with the application, 51.38% of the landscape space will comprise soft landscaping. The retention of the palm tree gives immediate effect to the landscaped outcome, with grasses and shrubs planted throughout the site in a considered manner that maintains access around the site whilst reflecting the traditional landscape character with both native and exotic species.

Front fence

- The front fence is to be removed and a new post and picket fence of 1200mm is proposed to Beach Street and the corner of Harbour Street. The fence design and style reflects other picket fences in the precinct.

Site coverage

- Overall the development provides a building site coverage of 53.97% which is slightly above the preferred 50% site coverage. The site coverage proposed is reflective of other buildings in the precinct and space is retained around the site with no buildings constructed to boundaries, whilst the wide road reserve to the north (Harbour Street) further exacerbates the feeling of space.
- The building site coverage maintains a large area of outdoor space for residents to enjoy.



Adjacent to a heritage overlay

- The proposed works are not located on a lot that adjoins a heritage dwelling. The site is however within a heritage precinct and the works are designed to maintain the low rise single storey streetscape with traditional forms, massing and finishes which reflect the heritage buildings in the precinct and are therefore considered appropriate.

The proposed works provides a good design response for the site in terms of neighbourhood character considerations of built form and heritage, with the new building being well designed, of an appropriate scale and mass, and reflecting the heritage characteristics of dwellings in the precinct.

Significant Landscape Overlay

The significant landscape overlay applies to the Swan Bay Landscape Area that includes each of the dwellings at the northern end of the Fishermans Flat streets. This overlay is provided to give protection to the landscape to the north, requiring development to consider the manner in which it could impact these broader distant landscape views. Protection of the foreshore is important in this particular landscape.

The proposed dwelling is designed to sit comfortably within this landscape, with a built form that is single storey, well-articulated, uses traditional materials and neutral palette, to achieve a high level of residential amenity without affecting the public realm.

The dwelling utilises traditional forms and massing such that views from Swan Bay toward the township will not be affected by the proposal. The dwelling will sit within the modified envelope of residential development that is the existing backdrop for a person looking toward the town from Swan Bay. The building does not introduce new contemporary forms into that viewscape or interrupt the roof forms of the current streetscape.

New side fencing will enhance the aspect from the street, with the iron fencing to be demolished and timber picket fencing extend along Harbour Street. This fencing will enhance the outlook both from the property and toward the property from the public realm.

Retention of the palm tree in the front setback will assist to maintain the current landscape setting as seen from the north, with the vegetation within the road reserve to be retained. The impact of this is the maintenance of the current landscape setting within the broader landscape, and the dominance of the palm tree over the dwelling to be maintained.

Stormwater Management in Urban Development

An effective stormwater management plan will be able to be prepared for the development to meet the objectives and standards of Clause 53.18 if required, and in particular:

- Will be designed and drained in accordance with the requirements and to the satisfaction of the responsible authority to meet current best practice performance for stormwater quality (Clause 53.18-4).
- Can include appropriate on-site management requirements to be implemented prior to and during construction to address erosion / sediment loss from the site, stormwater runoff and rubbish / construction waste (Clause 53.18-6).



6. Conclusion

Consistent with the strategic outcomes sought by the Queenscliffe Planning Scheme, the proposal provides for a well-designed new dwelling that will respect and complement the heritage value of the surrounding residential dwellings; provides improved living spaces and environmental benefit to the dwelling within the established township area.

The height and massing of the proposed dwelling reflects the low rise building forms traditionally found in the Fishermans Flat precinct, whilst the building is well-articulated and used traditional materials and neutral colour palettes that enable the building to sit comfortably within this traditional streetscape.

The new works respond well to the context and responds well to the outcomes sought by the Design and Development Overlay Schedule 6, whilst the landscape outcomes of the Significant Landscape Overlay Schedule 1 are also met.

Demolition of the existing dwelling and fences is acceptable given the dwelling has no heritage value in the precinct, and the replacement dwelling is acceptable when assessed against the heritage Overlay.

The proposal delivers a good response to Council's Heritage Policy and Urban Character Policy, whilst there is no conflict with any of the state based policy in relation to housing, landscape, character or heritage.

Given all of the above we look forward to the grant of a planning permit in due course.

SINCOCK PLANNING



6. APPENDIX 2 (CONFIDENTIAL) SUBMISSIONS: 5 Beach Street, Queenscliff

PLEASE SEE APPENDIX 2 (FOR CONFIDENTIAL DISTRIBUTION TO COUNCILLORS ONLY)



7. APPENDIX 3: APPLICANTS RESPONSE TO SUBMISSIONS: 5 Beach Street, Queenscliff

7 SEPTEMBER 2021

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Dear Sir,

Re: 2021/067
5 Beach Street Queenscliff

I refer to the above application and confirm that we have received and reviewed the objections and now wish to proceed to a delegated decision.

A response is provided to each of the objections below:

Loss of heritage fabric

Most of the objections raise concern with the loss of heritage fabric and seek to have the dwelling retained. Whilst we can understand the residents desire for the street to undergo limited change, the dwelling on the subject site is not identified in the heritage study (or planning scheme) as having heritage value and therefore necessitating its retention. As such, the heritage overlay and policy provisions, do not recognise this building as contributing to the heritage precinct, and therefore do not provide for its retention. Heritage value can only be applied to this site via a planning scheme amendment, and we understand that there is no such amendment currently being prepared to award this site any individual heritage value.

Sea level rise

We note the concerns about sea level rise, and further the informal advice from CCMA which recommends the minimum floor level be raised to 1.75 metres AHD. The existing plans provide for this level to be exceeded within the rear living/meals, bedroom 1, laundry and kitchen. The front three bedrooms and entry are currently designed at 1.49m AHD and would need to be raised 0.26m to comply.

As the floor to ceiling heights in the front rooms are currently 3m, the floor level can be increased internally without increasing the external wall heights or overall height of the dwelling. We believe the changes to the plans could be accommodated by an amended plan condition.

Viewing platform / visual impact

There are clearly concerns raised by residents in relation to the viewing platform given it is not a feature of houses in the street. Regardless, it is well recognised that dwelling design and features vary over time, and there is nothing within the planning scheme that prohibits such a structure. The platform is not visible from the street, deliberately hidden behind the roof form, such that it would not have any visual impact.

The visibility of stairs from the eastern harbour view, are not at odds with the heritage overlay or the design and development overlay, with new development already visible within this streetscape.

The viewing platform is not a storey, and the dwelling remains at the maximum one storey and below the maximum 6m height.



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Shadows to 9 Beach Street

A shadow assessment formed part of the application plans in order to address the broad amenity impacts raised by the Urban Character Guidelines. Strictly speaking the shadow assessment is undertaken by the building surveyor through the building permit process as Clause 54 (ResCode) is not triggered by this proposal.

The shadow assessment however provides for limited shadows, noting that the shadow diagram shows where the shadow falls on the ground, therefore whilst the shadow appears to cover the windows, in fact it hits the bottom of the neighbouring dwelling wall at 3pm, is slightly above ground level at midday and affects the bottom of the windows at 9am. Most of the windows will remain unaffected by shadow and will continue to receive natural light.

Further, the plans at tp-04 demonstrate that the north facing window standard (Clause 54.04-4) has been met, therefore protecting these windows to the standard expected by ResCode.

Height of the dwelling and fill being brought onto the site

One objection raised concern about the potential for fill to be brought onto the site, therefore increasing the height of the new dwelling. It is well recognised that "natural ground level" is the ground level of the site immediately prior to a planning application being made. Therefore, if a plan shows a dwelling being 5.8m above ngl, the dwelling will be 5.8m above the current natural ground level.

The site has been surveyed and site levels are shown on TP-04 such that the Borough (and residents) could be satisfied that levels are well understood and that the overall height will be taken from these levels.

Built form

Built form matters have been dealt with in the original planning report. Whilst neighbours object to the form and scale of the dwelling, it reflects the planning controls that apply, and the dwelling is not considered to result in the loss of heritage value to the precinct or to any individually listed building within the precinct.

The existing dwelling exceeds the height of the proposed dwelling (at the front), and the new dwelling is only slightly taller than the existing dwelling (at the rear). At a maximum of 5.8m in height (at the rear), and only 5.2m at the front, we suggest that the height of the new dwelling is consistent with the single storey scale and form of dwellings desired by the planning controls, and the new dwelling will not alter the consistent scale and height of dwellings in the Fishermans Flat precinct.

We look forward to receipt of the Borough's Heritage Advice, and if required, will address any matters that arise from that assessment.

Sustainability

Sustainability has been a matter raised by one objection, recognising that the Borough introduced a climate emergency plan and this needs to be integrated into the planning scheme. Many Councils have introduced ESD policies that require detailed assessments, however at this stage this is not a policy matter within the Queenscliff Planning Scheme and therefore is not a matter that the planning scheme requires an application to address.

The building Regulations require energy ratings to be provided and this will be addressed via the Building Regulations and the application for Building permit.





Noise & light from the harbour

The Queenscliff Harbour identified a concern with the location of bedroom 1 and its outlook toward the harbour, therefore raising concern about potential light and noise from the harbour activities. Whilst we recognise the concern is legitimate and the Harbour seek to protect their own interests and operations, a dwelling is as of right | this location and light/noise are not relevant planning issues.

Having said this, my client is aware of the activities within the harbour and recognises that light and noise may occur during normal harbour activities, and outside normal business hours, and accepts this.

Conclusion

We submit that the objections cannot be upheld and as such we ask that Council undertake their assessment and issue a decision at your earliest convenience.

If you have any queries or concerns in relation to any of the above, please do not hesitate to contact me.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Toni Sincock'.

Toni Sincock





8. CLOSE OF MEETING
