



# Agenda

## Planning Review Meeting

Wednesday 7 December 2022 at 7:00pm

Queenscliff Town Hall

### Distribution

#### **Councillors**

Cr Isabelle Tolhurst – Mayor  
Cr Fleur Hewitt – Deputy Mayor  
Cr Ross Ebbels  
Cr Donnie Grigau  
Cr Michael Grout

#### **Officers**

Martin Gill – Chief Executive Officer  
Tim Crawford – Manager Planning & Community Safety  
Brydon King – Senior Planner

In accordance with the Borough of Queenscliffe *Local Law No. 1, 2010*, 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 these lands, waters and skies, the Wadawurrung People. We acknowledge and respect their continuing connections to their Lands, Waters, Skies, Culture and the contribution they make to the life and spirit of our community. We pay respect to their past and present Elders, and extend this respect to all Aboriginal and Torres Strait Islander peoples.***

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## **PLANNING REVIEW MEETING**

### **A GUIDE TO UNDERSTANDING MEETING PROTOCOL**

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

1. Planning Review meetings are held to provide additional information to Councillors in preparation for a 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 address 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 material submitted.
  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**

**Council acknowledges the Traditional Owners of these lands, waters and skies, the Wadawurrung People. We acknowledge and respect their continuing connections to their Lands, Waters, Skies, Culture and the contribution they make to the life and spirit 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.**

The meeting opened at:

**2. APOLOGIES**

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

Councillors:

Officers:

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## 4. PLANNING & DEVELOPMENT

### 4.1 Application summary: 5 Beach Street, Queenscliff

**Planning Permit application number: 2022/083**

#### SUMMARY

<b>Proposal</b>	Part demolition, alterations and extensions to an existing dwelling in a Heritage Overlay area, construction of fences and variation to the site coverage requirements of Design and Development Overlay – Schedule 6 Refer <i>Appendix 1</i>
<b>Zone/Overlays</b>	Neighbourhood Residential Zone – Schedule 1 (NRZ2) Heritage Overlay – Schedule 1 (HO1) Design and Development Overlay – Schedule 6 (DDO6) Significant Landscape Overlay – Schedule 1 (SLO1)
<b>Public Notification</b>	<ul style="list-style-type: none"><li>• Advertised by registered post to adjoining property owners and occupiers</li><li>• Three signs placed on site for 14 days</li><li>• Application made available for viewing on Council’s website</li></ul>
<b>Submissions</b>	7 submissions received Copy of submissions provided to Councillors: Refer <i>Confidential Appendix 2</i> Applicants response to submissions: Refer <i>Appendix 3</i>
<b>Key issues raised by submitter</b>	Inappropriate viewing deck, heritage concerns, alterations to dwelling, future works, precedent, noise, relocation of dwelling, Fisherman’s Flat heritage review, loss of chimney, height, materials, impact on streetscape, demolition, form and scale, site coverage.



**4.1.1. Applicant to present to Council**

**4.1.2. Submitters to present to Council**

**4.1.3. Applicant to readdress Council**

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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. If you have any questions, please contact Council's planning department.

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?

Partial demolition of dwelling, demolition of fence and outbuildings, buildings and works associated with a the relocation of the dwelling within the site and rear extension, vehicle crossover and construction of a front fence in the heritage overlay, the design and development overlay and the 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 \$850000

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 i

**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 i

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.

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:

**Contact information for applicant OR contact person below**

**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:

Same as applicant



## Declaration i

**This form must be signed by the applicant \***

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

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

Date: 26/07/2022

day / month / year

## Need help with the Application? i

General information about the planning process is available at [planning.vic.gov.au](http://planning.vic.gov.au)

Contact Council's planning department to discuss the specific requirements for this application and obtain a planning permit checklist. Insufficient or unclear information may delay your application.

**Has there been a pre-application meeting with a council planning officer?**

No

Yes

If 'Yes', with whom?: Brydon King

Date:

day / month / year

## Checklist i

**Have you:**

Filled in the form completely?

Paid or included the application fee?

**⚠** Most applications require a fee to be paid. Contact Council to determine the appropriate fee.

Provided all necessary supporting information and documents?

A full, current copy of title information for each individual parcel of land forming the subject site.

A plan of existing conditions.

Plans showing the layout and details of the proposal.

Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.

If required, a description of the likely effect of the proposal (for example, traffic, noise, environmental impacts).

Completed the relevant council planning permit checklist?

Signed the declaration above?

## Lodgement i

**Lodge the completed and signed form, the fee and all documents with:**

Borough of Queenscliffe  
PO Box 93  
Queenscliffe VIC 3225  
50 Learmonth Street  
Queenscliffe VIC 3225

**Contact information:**

Email: [info@queenscliffe.vic.gov.au](mailto:info@queenscliffe.vic.gov.au)

**Deliver application in person, by post or by electronic lodgement.**



Demolition of fence and outbuildings, partial demolition of dwelling (lean to, block work verandah, aluminium windows & chimney), buildings and works associated with the relocation of the dwelling within the site and rear extension and vehicle crossover and construction of a fencing in the heritage overlay, design and development overlay and significant landscape overlay

at

5 Beach Street, Queenscliff



[sincockplanning.com.au](http://sincockplanning.com.au)

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## 1. Introduction

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This application has evolved from the previous application on this site (2021) with a desire to retain the original building, removing only more recent additions and modifications, whilst basing the alterations to the original building on historic evidence obtained from the 1940's photograph obtained via an objector to the earlier proposal.

The photograph provided evidence of original building fabric which was used to provide for the return of the building to its true original fabric, as such enhancing the building and providing for a more attractive and desirable streetscape finish. Those elements that currently detract from the building (including the aluminum windows, Colorbond roof and water cooler) are to be removed and traditional timber windows and galvanized iron roof reintroduced which reflects both heritage and character values of the planning scheme.

A heritage consultant was engaged to assist with the redesign of the works within the site and to provide advice in relation to the relocation of the building within the property and the external fabric of both the original building and the extensions. This advice is provided in full within the application documents.

The sites location within the Fisherman's Flat precinct at the north-east edge of the township and the historic association of the property with a fishing family is preserved by the retention of the building.

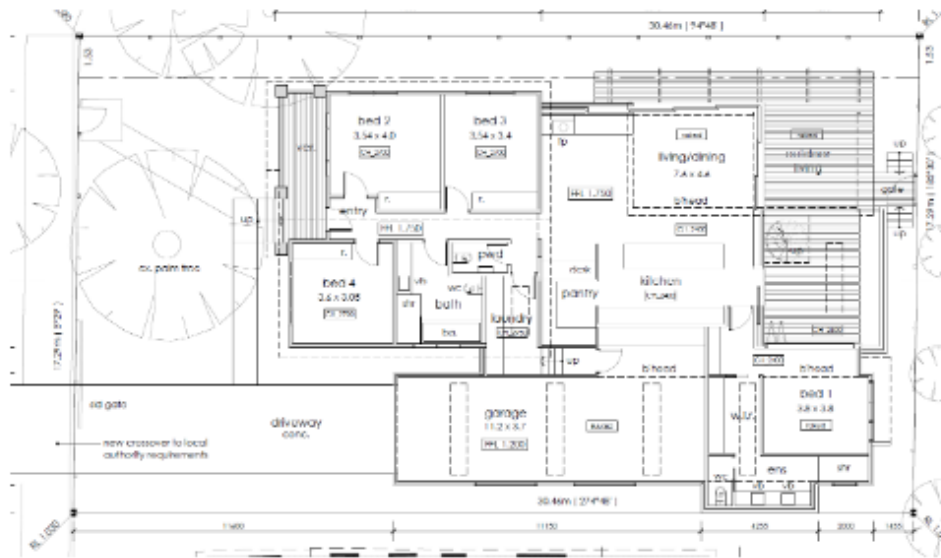
The new proposal is consistent with planning policy in relation to urban character, built environment, landscape and heritage. The new works reflect the outcomes sought by the Design and Development Overlay, Significant Landscape Overlay and Heritage Overlay controls that apply and supported by a heritage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

The planning controls including the applicable policy are all set out at Section 4 of the report and the assessment against these planning provisions is fully contained within Section 5.





Single storey extensions are proposed to the south and east of the dwelling including a single width tandem garage, laundry, master bedroom in the south-east corner, open plan kitchen/dining/living and deck to the north and east of the living area. The garage is setback 1m from the southern boundary whilst the ensuite for the master bedroom is sited on the boundary.



The front verandah is to be reconstructed using recycled redbrick and timber windows are to replace the aluminium windows. The minimum floor level is to be raised to reflect the CCMA requirements given the coastal sea level rise predictions. From the rear deck a spiral staircase leads to a roof terrace that has a 20m setback rom Beach Street. The roof terrace is designed to sit within the roof form of the garage and living area.

The extension sits below the height of the existing dwelling and below 6m. Hipped roof forms are proposed to the sides of the extension, with the roof terrace sitting in between. Random stone cladding is used to the walls facing the street between the old and new works, along with a section of stone on the north elevation that also joins the old and new works.

The asbestos cladding is to be removed and replaced with fc sheet cladding with cover straps that replicates the existing cladding. The roof pitch of the dwelling will not be altered. Standing seam Colorbond cladding is proposed to the east, south and west faces of the garage, along with the roof of the extension. From Harbour Street spotted gum is proposed on the central sections of walls (to the kitchen) along with small elements to the north (Harbour Street ) elevation.

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 original building) 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).



Beach Street streetscape elevation shown above



### 3. Site and surrounds

#### Site

The subject site is located at 5 Beach Street Queenscliff on a 527m<sup>2</sup> 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 Fisherman's 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 300m<sup>2</sup> 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 <sup>2</sup>	25%
Above 500 - 650m <sup>2</sup>	30%
Above 650m <sup>2</sup>	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 'Fisherman's 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 Fisherman's Flat Urban Conservation Precinct and external paint controls and tree controls apply to places in the precinct.

**Incorporated documents**

**Fisherman's Flat Urban Conservation Precinct Heritage Design Guidelines 2021**

**Conservation**

- Protect and enhance the character of the area as a fishing village set apart from the main town centre.
- Retain the general uniformity in scale and massing of the buildings.
- Retain the historic integrity of the area in any replanting program.
- Retain the locally unique subdivision pattern, with dual access to many properties by discouraging further subdivision of land, except to realign boundary between lots.

**Building siting, design and form**

- Encourage the use of the traditional building design of the precinct, including narrow eaves, gable roofs, verandahs, vertical rectangular windows and unbroken facades.
- Site and design buildings and works to blend with the prevailing character of the precinct by:
  - o Providing a front setback that matches the setbacks of adjacent buildings, or if these are different, a setback that is between the setbacks of adjacent buildings.
  - o Designing dwelling facades to not be greater than 10 metres in width.



- o Discouraging buildings to exceed one storey.
- o Ensuring the highest point of the roof of a building is not greater than the highest adjacent building.

**Materials, colours and finishes**

- Encourage the use of the traditional building materials of the precinct, including:
  - o Corrugated iron pitched roofs.
  - o Vertical rectangular timber-framed windows.
  - o Horizontal timber weatherboard walls.
  - o Brick chimneys.
  - o Timber verandahs.

**Fences**

- Maintain the traditional fencing of the precinct, such as low pickets, capped corrugated iron or
- twisted wire.
- Encourage the use of traditional materials and construction techniques for new fences.
- Design fences to not exceed:
  - o 1300 mm for the frontage.
  - o 2000 mm for side, rear or adjacent to vacant land.

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 and Planning Policy Framework:

- Clause 02.03 Strategic directions
- Clause 15 Built environment and heritage

Particularly relevant objectives and strategies within these policies include:

#### Clause 02.03-1 Settlement

##### 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 and recreation facilities, including the Queenscliff Harbour and Fort Queenscliff. The Queenscliff Harbour also provides a ferry connection to Sorrento. The township provides a range of tourism accommodation.

#### Clause 02.03-2 Environmental and landscape values

The Borough forms the southern end of Swan Bay and is almost entirely within the Swan Bay catchment. Swan Bay contains marine and terrestrial environments, foreshore areas and islands that are protected under the Ramsar, CAMBA (China-Australia Migratory Birds Agreement) and JAMBA (Japan-Australia Migratory Birds Agreement) treaties. It contains areas that are on the Commonwealth Heritage List and endangered species listed under the Flora and Fauna Guarantee Act 1988.



The Borough's beaches, foreshores, marine environments and rural landscapes contribute towards its valued urban and landscape character and are major tourist attractions. The coastal landscape features a typically rugged surf coast with sweeping beaches, headlands and dunes with largely intact indigenous vegetation. Historic built elements include the Point Lonsdale and Queenscliff lighthouses.

Council's strategic directions for environmental and landscape values are to:

- Minimise the visual impact of built form on natural landscape features.

Clause 02.03-3 Environmental risks and amenity

Large sections of the Borough are low-lying and particularly vulnerable to the coastal impacts of climate change. Accordingly, the Borough has an obligation to plan for projected sea level rises when considering the risks and coastal impacts associated with climate change.

Specific areas have been identified as subject to bushfire hazard and are included within the Bushfire Management Overlay. As identified in the State Bushfire Plan (Emergency Management Victoria, 2014), the overall level of bushfire risk in Victoria is increasing.

Council's strategic direction for environmental risks and amenity is to:

- Protect life and property from exposure to an unacceptable level of risk associated with the coastal impacts of climate change and other environmental hazards, including bushfire, flooding, sea level rise and storm surge.

Clause 02.03-4 Built environment and heritage

**Urban character**

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

This 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.

**Heritage conservation**

The Borough's heritage elements, both pre and post-settlement contribute to its character and sense of place. 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, that survive in the form of urban planning, buildings, sites, monuments and associated infrastructure. Heritage places also include trees, objects, streetscapes, precincts and settings.

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. The Borough's heritage places are a key factor in attracting visitors and growing the tourism industry, which is vital to the local economy. They provide a reference for people to appreciate the social and cultural history of the local area, and the role of Queenscliff in the broader history of the region and State.





Council's strategic directions for built environment and heritage are to:

- Protect areas of identified natural, aesthetic, built, cultural or environmental significance.
- Protect the distinctive heritage character of the Borough and its townships, in particular:
  - Queenscliff's historic buildings, heritage areas and formal streets.
  - Point Lonsdale's vegetated, coastal environment and informal streets.
  - The coastal village character of both townships, including green vistas, vegetated character and unspoilt coastal views.
- Maintain the liveability, amenity and character of residential areas by protecting their heritage significance, appearance and urban character.
- Avoid adverse impacts of use and development on environmental, heritage and urban character values.
- Support the efficient use of sites and application of environmentally sustainable design principles, without compromising the historic value of the streetscape, neighbourhood character or natural coastal quality of the area.

15.01-5L-01 Neighbourhood character in the Borough

Design development to protect and enhance 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 building and landscape character and natural foreshore qualities.
- The prevailing Victorian and Edwardian built form and scale of development, streetscapes and skyline of Queenscliff.
- The sense of seclusion and intimacy of Point Lonsdale that is created through its low-rise, recessive built form and informal, narrow streets in a natural landscape dominant environment.
- The natural coastal settings of Queenscliff and Point Lonsdale, including significant areas of intact native and remnant indigenous vegetation.

Site and design buildings, paved areas, driveways, car parking, active outdoor living areas and landscape areas to respect and complement the site's physical, historic and environmental features, and the location of buildings and other features on adjacent land.

Retain the prevailing rhythm and scale of the streetscape through height and setbacks.

Site outbuildings to the side or rear of existing buildings, behind the front of the building.

Design outbuildings to complement the roof shape and wall and roofing materials of the main building.

Provide landscaped setbacks to side boundaries to minimise the potential for overlooking of adjoining properties whilst providing a landscape link to rear garden and private open space areas, particularly in areas where detached buildings are the prevailing form of development.

Reinforce the residential character of areas outside the Queenscliff town centre.

Clause 15.01-5L-02 Neighbourhood character in Queenscliffe urban heritage areas

**Site layout strategies**

Site and design development to:

Provide for front boundary setbacks that provide the opportunity for gardens.

Provide for front, side and rear boundary setbacks that complement the streetscape and location of buildings on adjoining allotments.



Minimise the need for earthworks on the land.

Maximise solar access by providing north-facing indoor and outdoor living areas.

Provide for outdoor living areas, preferably integrated with indoor living areas with northern orientation.

#### **Building siting and design strategies**

Interpret traditional building designs, including 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, brick chimneys, timber verandahs, door and window joinery, and painted finishes.

Retain the general uniformity in scale and massing of buildings within the street and avoid buildings that are visually dominant when viewed from public spaces, in the streetscape or townscape skyline due to height, bulk, colour, materials, scale or proportion.

Incorporate corrugated iron or slate pitched roofs in recessive or non-reflective colours.

Design verandahs to read as part of the roof form and match the scale, pitch and materials of the main roof form.

Reflect traditional widths and proportion of adjoining buildings, including on sites with a greater width than adjoining properties.

Design additions to the rear of buildings to be complementary in style to the existing building and to not exceed the prevailing building or ridge lines established by the main existing buildings on, and adjoining the site.

#### **Fencing, Driveways and Landscaping strategies**

Design front fences to complement the predominant height and visual transparency of fences throughout the street.

Design fences and gates associated with driveways to be indistinguishable from fencing along the front of the land.

Minimise hard surface areas for driveways and paths.

Design driveways and paths to complement the style, building era and materials of the main building on the land.

Retain any existing or remnant bluestone kerb and guttering or open channel drains.

Provide straight, narrow driveways that continue the pattern of formal grid streets and unmade verges into private driveways leading to outbuildings or the side of buildings.

In streets where front gardens are a prevailing feature in the streetscape, provide landscaping that complements existing plantings on site and enhances the front garden character of the street.

Design and site development to provide for landscaping opportunities.

Retain established trees and vegetation that are visible in the streetscape from public areas and adjoining properties. This does not apply to known environmental weeds.

#### 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.

Clause 15.03-1L Heritage

**Conservation strategies**

Protect the setting and context of heritage places, including:

- The heritage and cultural significance of buildings, sites, works, trees, objects, streetscapes, precincts and settings, including the contributory elements.
- The existing character and appearance of the heritage place and its contribution to the architectural or historical character and appearance of the locality.

Minimise any adverse impact on the heritage values, architectural and historical character, and appearance of an existing heritage place and its setting, including through design, building materials, colours and general appearance.

Avoid removing, destroying or lopping trees except as otherwise permitted or the tree poses an immediate danger to people or property.

**Development strategies**

Avoid use and development that would damage heritage places.

Design and locate use and development within heritage places to preserve and enhance the identified precinct character and Aboriginal cultural heritage.

Design and locate additions, alterations and replacement buildings to be sympathetic to the heritage place and its surrounds.

Avoid subdivision unless the subdivision and any development that may result from the subdivision will have no adverse impact on the significance or understanding of the heritage place, including on:

- The consistency of rhythm and pattern of buildings.
- The visual appearance of heritage places, including through the development of boundary fences and buildings.
- The visual setting of heritage places.
- Significant view lines to and from heritage places.
- Historically important views and interrelationship of groups of buildings.

**Demolition strategies**

Avoid the demolition or alteration of a heritage place unless it:

- Contributes to the long-term conservation of the significant fabric of the building.
- Involves the removal of alterations, additions and works that detract from the significance of the heritage place.



#### **Particular & General Provisions**

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

- Clause 65 Decision Guidelines
- Clause 65.01 Approval of an Application or Plans

#### Clause 65 Decision Guidelines

Clause 65.01 sets out 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 had regard not only to the planning permit triggers and relevant planning policy, but also to matters specifically arising out of the previous application and the residents and Councillors views regarding the desire to retain the existing original (modified) building. The proposal also meets the mandatory provisions of the zone including by providing 38.679% garden area.

The application has also provided for the minimum floor levels as identified by the referral to the CCMA in the previous application and providing for those levels to be achieved in both the existing building and the proposed extensions. As such minimum floor levels are set as 1.75AHD.

The amended application provides for the retention of the building on the site, albeit that the building is relocated to enable vehicle access to the southern side, as such maximising northern solar aspect and providing for garaging to be recessed and visible from only one street frontage.

Whilst the dwelling is not noted as significant in the planning scheme, the historic evidence provided in the previous application has been used to better understand the original building fabric and used to remove more recently installed fabric and return the building to a more traditional early form. These changes are supported by heritage policy and a heritage consultant was engaged to provide direction and assist in the formation of this application.

The new additions are lower than the original building and well below the maximum height controls of the DDO, and the extensions designed to provide for setbacks and space to boundaries and a building form and scale that is appropriate to the heritage precinct and reflective of the scale and footprint of other altered and extended dwellings in this local area.

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, however we note that the architect has designed the dwelling extensions to ensure full compliance with all ResCode siting matters.

The dwelling meets the statutory height controls applied by the zone with the dwelling extension having a height of 5.5m (above NGL) whilst the original part of the dwelling has a maximum height of 5.8m (increased only to achieve minimum floor levels set by CCMA).

The minimum garden area is exceeded as well, with 38% garden provided compared to the 30% statutory control.

The proposal responds 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 strategic directions of the MPS & PPF, the proposal:

- Retains an original single storey building with known connection to an early fisherman family, as such retaining the existing form and scale to the streetscape. More recent modifications to the building including the verandah blockwork, Colorbond roofing and aluminium windows are to be removed and replaced with more traditional fabric, with evidence being provided by the early photograph provided by one of the residents. The asbestos cladding is to be removed and the building clad in fc sheeting and cover straps to match the original fabric whilst providing for health and safety of residents long term.
- Provides an appropriate low scale single storey dwelling extension that reflects the form, scale, massing and design features of the low rise Fisherman's Flat precinct, whilst providing for setbacks to boundaries that maintain space around the dwelling and respect the identified heritage values of the overlay.



- Retains the low rise streetscape and provides for a visually recessive garage that is also physically setback from the original building and a building form that does not negatively impact on the heritage values of the overlay. The retention of the existing building provides for the valued elements of the heritage precinct to be retained and protected. Significant heritage buildings identified in the heritage study are not affected by the proposal, and in fact are supported by the retention of the original building in the traditional streetscape.
- Delivers a dwelling that will accommodate the owners and their contemporary living needs in an environment that provides for limited opportunities for housing growth.
- Provides for the retention of the original building and a single storey extension that 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. The extension sits 300mm lower than the original building and is recessive both in siting and scale to the original built form.
- 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.
- Provides for contemporary living for residents whilst the retention of the building and the design of the extension respects the established urban and heritage character and will maintain the stable permanent residential population in Queenscliff.
- The design response has had regard for and responded to the low scale and the specific design characteristics that are reflective of the precinct, whilst retention of the building and rear additions maintain the streetscape character of the area and the contemporary rear additions do not conflict with important heritage features/characteristics and key elements of the established urban character. The rear additions are recessive physically and visually to the traditional original building form. (Clause 02.03-4 Built environment and heritage)
- Delivers contemporary 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.
- Provides for a recessive extension that has been designed with regard for the prevailing scale, style, height, siting, fencing, and building materials and finishes of the surrounding buildings.
- Provides an extension that seeks to implement sustainability measures, including good northerly orientation for energy efficiency.
- The original building is retained on site and original building fabric and finishes returned such that the heritage value of the place is retained. The relocation of the building within the site enables its re-use whilst providing the opportunity for recessive garaging. The fabric to be demolished has no heritage value (fences and introduced works and extensions) and themselves have no contribution to the heritage significance of the precinct.
- The relocation of the dwelling maintains the existing front setback, therefore enabling retention of the mature tree in the front setback whilst also maintaining the existing street setbacks. The building scale and height is nominally increased to accommodate CCMA requirements for floor levels whilst sitting below the maximum permitted heights.
- The new garage is physically separated from the original building and recessed to maintain the primary three dimensional form of the original building.
- The setback of the dwelling from all boundaries is generally consistent with those in the precinct noting that setbacks vary considerably and have less consequence in the heritage values of this precinct. Regardless, the building is sited to maintain space and separation from streets and neighbouring dwelling.
- 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 but relocating garaging such that it is only visible from one street.
- 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 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. 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 used in a contemporary manner 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 as supported by the Council Officer in the previous application.
- The new dwelling extension 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 as discussed in the accompanying heritage report.

#### **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 in response to heritage matters. The proposed works will positively contribute to the neighbourhood character which is valued within Queenscliff due to the careful consideration and design of a single storey extension and the retention of the existing heritage building within the site. The overall scale and form is reflective of the historic scale and massing in the Fisherman's Flat precinct.

The Beach Street façade is retained yet enhanced with the reintroduction of timber framed windows and the brick verandah. The proposal incorporates traditional materials and finishes in a contemporary manner to the dwelling extension. The height of the dwelling is only increased to accommodate CCMA requirements whilst having no visual impact on the streetscape.

In response to the specific 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 proposal has an overall building height of 5.8 metres above natural ground level (original dwelling) whilst the extension has a lower height of 5.5m, both of which are less than the maximum permitted 6 metres.

#### ***Building setbacks***

- The front setback has been retained (minor increase in setback of 160mm) to retain the siting of dwellings in the street generally.
- Side setbacks of 1m have been provided to the majority of the southern boundary which meets the Schedule 6, with a very small boundary wall provided to the bedroom 1 ensuite.
- A rear setback of 1.455m is proposed, and this exceeds the minimum 1m setback that is required.
- A 2m minimum setback is proposed to the northern boundary, again exceeding the minimum setback.



*Landscaping*

- As illustrated by the landscaping plan submitted with the application, 190.5m<sup>2</sup> of landscape zone is provided, and of this 137.88m<sup>2</sup> comprises soft landscaping and 52.9m<sup>2</sup> is porous gravel. 72% of the landscape zone 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 55.04% which is slightly above the preferred 50% site coverage. The site coverage proposed is reflective of other extended buildings in the precinct and space is retained around the site 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 alterations and extension reflect a considered design response that seeks to retain the original dwelling whilst providing for contemporary living and maintaining the form and scale of buildings in Fisherman's Flat.

**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 Fisherman's 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 proposal sits 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 backdrop of residential development within the township as seen from Swan Bay.

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.





## 6. Conclusion

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The proposal is consistent with the strategic outcomes sought by the Queenscliffe Planning Scheme, with the application providing for the retention of the original building and the return of some of the original fabric that has been lost over the years. Retention of the dwelling in this heritage precinct provides for a response which is considerate of the heritage values of the precinct and the significance of the historical / family connection of this building to the local residents.

The extension provides for contemporary living and an environment that is inviting and enjoyable for future use, in an extension that is subservient to the original building and clearly articulated as a new form, distinguished from the building that is to be retained.

The height and massing of the extension is considerate and responsive to the low rise building forms traditionally found in the Fisherman's Flat precinct, whilst the building is well-articulated and uses traditional materials in a contemporary manner and neutral colour palettes that enable the building to sit comfortably within this traditional streetscape.

The proposal responds to the context and the outcomes sought by the Design and Development Overlay Schedule 6, whilst the landscape outcomes of the Significant Landscape Overlay Schedule 1 are also achieved.

The minor demolition works are acceptable given the elements to be removed have no heritage value in the precinct, whilst the relocation of the building within the site has no impact on the heritage values. The heritage value of this precinct is not determined by the siting of buildings, but the scale, form and simple designs which are all maintained by the proposal.

The proposal delivers a very well-considered response to Council's Heritage and Urban Character policies, 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



## Proposed Residential Development 5 Beach Street, Queenscliff Heritage Impact Statement

15 June 2022 - B

### 1.0 Background

The proposed residential development is within the Fisherman's Flat Heritage Precinct HO1.

The author has been engaged to provide advice on the design development and the preparation of this Heritage Impact Statement. Please refer also to the documentation by Studio 6b which accompanies the Planning Application.

### 2.0 Statement of Cultural Significance

- 2.1 The following is an extract from the 1984 Allom Lovell Queenscliffe Urban Conservation Study for the Fishman's Flat Precinct.

**"Statement of Significance**

*What is significant?*

*The Fisherman's Flat Precinct is significant for its residential building stock, comprising modest fishermen's residences ranging in date from the 1860s and 1870s through to the C1940s, as well as for its relatively intact subdivision pattern.*

*How is it significant?*

*The Precinct is of historical and aesthetic significance to the Borough of Queenscliffe.*

*Why is it Significant?*

*The Fishermen's flat Precinct is historically important as a defined area of the Queenscliff township specifically reserved by the Crown in the 1850s for development as fishermen's residence. Until the 1950s the allotments were all leased from the Crown Lands Department. The largely intact subdivisional layouts date back to 1856 when the Department surveyed the area and, with its dual frontage arrangement, is distinctive from the layout of the boarder township. The Precinct clearly demonstrates the physical and social separation that existed in the nineteenth century between the fishing community and other residents and visitors to Queenscliff and its siting on low-lying land near the harbour, is also demonstrative of this divide. Despite modifications, many of the fishermen's residence are still broadly intact externally and through modest in their form and fabric, provide a valuable insight into the lives of a community of great importance in the history of the township of Queenscliff and the Borough as a whole.*

*The Fishermen's Flat Precinct is of significance for its strong historical association with the fishing community of Queenscliff.*



*While the buildings themselves are simple and modest with no architectural pretension, the precinct as a whole has a particular visual quality that derives from its wide streets, unusual subdivisional pattern, the consistency of scale, form, siting and materials, and the simplicity of detailing of its building stock. The area retains a strong sense of cohesion from the scale and massing of the buildings as well as in the general simplicity of form and detail."*



Plan of the Fishermen's Flat Heritage Precinct.

## 2.2 Comments on the Statement of Significance

The Fishermen's Flat Heritage Precinct is listed a precinct. The importance of individual elements (buildings) is their contribution to the character of the whole Precinct, not as individually listed buildings.

The Precinct's character is generic, rather than literal. The Precinct has evolved over time and is not that of the original 1850, 1900 or 1950s visual character. Roads have been sealed, concrete kerbs and gutters and footpaths have been installed, services poles installed, and trees and fences have been added/changed. Nowhere in the documentation available has it been stated, or even implied, that the Precinct must be literally returned to a set date.

Sensitive change has been wisely accepted, and this Proposal reflects that. It is in this spirit that the Proposal for 5 Beach Street has been conceived and executed.

## 3.0 The Proposal

3.1 The proposal consists of two main parts, 1. the repositioning of the existing house slightly on the site, as well as its 'restoration', and 2. the construction of an extension to the rear of the allotment.

### 3.2 Repositioning and Restoration

It is proposed to reposition the existing residence 3.1 metres to the north. This is to provide room on the south boundary for a recessed single garage. The residence will not be destroyed and rebuilt. At the same time there is a statutory requirement to raise the residence



550mm to accommodate the projected flood level. The orientation of the residence, its setback from the street, and its contribution to the Precinct will be maintained.

Usually, conservation practice looks unfavourably at 'relocating' heritage buildings. This however is in the context of removing them entirely from their historical setting and placing them in inappropriate settings. The Proposal is to retain the residence in its historical setting and maintain its relationship to the street. It should be noted that within the Precinct, there is no standard side (or front) setbacks. They vary from less than a metre to several metres. In this respect the proposed repositioning is not inconsistent with the existing. As stated, the front setback will be maintained.

**Impact:** The repositioning of the existing residence will be within the variety of existing side setbacks already present in the Precinct and will complement the varied character of the Precinct. The minor repositioning of the existing residence will maintain the residence's historical associations with the historical fishing origins of the Precinct.

The present cladding of the residence is asbestos cement sheet, with its associated dangerous health issues. This cladding will be replaced with fibrous cement sheet to match the pattern of the existing and its cover straps.

A photograph of the residence, supposedly dated 1945, has recently been presented by interested residents – below. This clearly indicates the present block verandah posts are not original. It is proposed to reinstate red brick posts and infill to match the photo. An appropriate traditional colour scheme will also be reinstated on the existing residence to highlight its contribution to the Precinct.



The original windows of the residence have been replaced with aluminium windows at an unknown date and it is proposed to reinstate double hung timber windows to match those in the photo.

A chimney exists at the rear of the existing residence. It is built adjacent to the building and not integrated into the building. This will not be rebuilt, with the repositioning of the residence as it is not a major feature of the building and its location at the rear of the building does not create a dominant feature in the streetscape.

**Impact:** These works will reinstate and complement the existing, and original, character of the Precinct. It will also allow the existing



residence to visually dominate the more 'neutral' addition at the rear.

Likewise, the existing palm tree in front of the residence will be retained in situ to continue its visual contribution to the street and the Precinct.

### 3.3 New Addition

The new addition at the rear of the existing residence does not deliberately imitate that residence. It is a more 'neutral' structure, allowing the existing residence to visually dominate and maintain the residence's visual contribution to the Precinct.

At the rear, the roof and building of the addition, are visually separated from the existing residence, and set back, clearly allowing the existing residence to be appreciated in the Precinct. The addition's detailing, materials and colours are simple and contemporary. In relative terms, the new building is visually recessive to the existing residence. The addition's double skillion roof breaks up its form and avoids a monolithic intrusion. It also cleverly conceals a roof terrace, which is well recessed to views from the street frontage. The new garage on the south side is also well recessed from the street and the front of the existing residence. It will appear much like the other modern garages in the street.

The colours and materials are distinctive from the restored existing residence to maintain that building's identity. The roof and main walling material will be a light grey 'standing seam Colourbond material – a contemporary interpretation of corrugated iron. The wall materials also include timber battens, and rough stone, all in light colours as per other ancillary buildings in the Precinct.

**Impact:** The new addition has been conceived and executed to allow the existing residence to visually dominate in the streetscape and visually contribute to the Precinct. It maintains the important subdivision pattern of the Precinct with residences at the street frontages and a variety of structures/additions at the rear and side.

### 3.4 Other

The interior of the existing residence and new addition will be contemporary in nature and will not intrude upon the character of the Precinct. There are no internal controls for the Precinct in the Planning Scheme.

The new addition will require the removal of the existing skillion addition and shed at the rear of the existing residence. By their location and visual nature, they do not contribute to the historical or physical character of the Precinct.

## 4.0 Fisherman's Flat Heritage Design Guidelines

### 4.1 Comment

In 2021, the Borough of Queenscliffe added the Fisherman's Flat Urban Conservation Precinct Heritage Design Guidelines to the



Planning Scheme. The author respectfully suggests that there is a difference in the literal application in the Precinct of these guidelines to main (significant) residences and their application to additions/outbuildings. The Victorian Heritage Council states in their document [The Heritage Overlay Guidelines](#), "Alterations and additions which copy historical styles misrepresent the history form of the Heritage Place".

Throughout Fishermen's Flat the main (significant) residences are those which face the street and make a traditional contribution to the visual character of Fisherman's Flat. Additions and outbuildings are secondary features, at the rear of the properties and which make a minimal, if any, contribution to the character of the Precinct. Contemporary conservation practice for new work/additions to heritage buildings recommends avoiding literal imitations in the design of these secondary features, to allow the main residences to dominate. This has occurred in the Precinct with other additions/outbuildings.

#### 4.2 Clauses

The following are the clauses from those guidelines, with a comment about how the Proposal addresses each item.

##### **Conservation**

- "Protect and enhance the character of the area as a fishing village set apart from the main town centre." **Comment:** The Proposal retains the existing residence as the primary visual element and ensures the additions are visually recessive in relative terms.
- 'Retain the general uniformity in scale and massing of the buildings.' **Comment:** The Proposal retains the existing residence as the primary visual element of scale and massing. The addition at the rear is visually recessive, being lower than the existing residence and visually separate from the existing residence. The addition is single storey with pitched Colourbond roofs.
- "Retain the historic integrity of the area in any replanting program". **Comment:** The Proposal retains the existing mature palm at the street frontage. All other planting is minor or concealed.
- "Retain the locally unique subdivision pattern, with dual access to many properties by discouraging further subdivision of land, except to realign boundary between lots." **Comment:** The Proposal maintains the unique subdivision pattern. There is no subdivision component to the Proposal.

##### **Building siting, design and form**

- "Encourage the use of the traditional building design of the precinct, including narrow eaves, gable roofs, verandahs, vertical rectangular windows and unbroken facades." **Comment:** The existing residence is the primary visual element contributing to the character of the Precinct. It is being retained and restored. The new addition at the rear is a secondary visual element. In keeping with established



conservation practice, it is subtly distinctive so as not to literally imitate the main residence.

- *"Site and design buildings and works to blend with the prevailing character of the precinct by:*
  - *Providing a front setback that matches the setbacks of adjacent buildings, or if these are different, a setback that is between the setbacks of adjacent buildings."*  
**Comment:** The front setback of the existing residence has not been changed in the Proposal. The side setback has been adjusted to allow for a single car garage. It should be noted there are no consistent side setbacks in the Precinct to mimic.
  - *"Designing dwelling facades to not be greater than 10 metres in width."* **Comment:** The existing residence's façade is not being widened. The proposed garage on the south side is well recessed and does not visually 'read' as part of the existing residence's primary façade.
  - *"Discouraging buildings to exceed one storey."*  
**Comment:** The proposed addition at the rear is a single storey building.
  - *"Ensuring the highest point of the roof of a building is not greater than the highest adjacent building."* **Comment:** The apex of the roof of the proposed addition at the rear is lower than the existing residence.

#### **Materials, colours and finishes**

- *"Encourage the use of the traditional building materials of the precinct, including:*
  - *Corrugated iron pitched roofs."* **Comment:** The existing residence will have a galvanised corrugated iron roof. The addition will be a 'standing seam' Colourbond light grey roof to subtly distinguish it as new.
  - *"Vertical rectangular timber-framed windows."*  
**Comment:** The existing residence will have new windows installed to match the timber framed windows of the 1945 photo, replacing the later inappropriate aluminium windows. The proposed addition at the rear will have vertical timber windows to subtly distinguish the addition as new. They are also recessed from the north boundary under a canopy to further conceal them.
  - *"Horizontal timber weatherboard walls."* **Comment:** The existing residence is clad in asbestos cement. It will be reclad in fibrous cement sheet to match the detailing of the existing sheets. It is assumed this guideline's mention to weatherboards refers to other existing dwellings in the Precinct, where weatherboards are original and thus not directly applicable to this existing (originally fibro) residence.
  - The proposed addition at the rear will be clad in a variety of materials to visually break up its visual presence and allow the existing residence to visually dominate. Those materials are traditional, but their application is contemporary. Only portions of the addition will be visible to the public at any one time.



- "Brick chimneys." Interestingly chimneys are not a dominant feature of the existing residence. Only one chimney exists at the rear of the building. It is not prominent from the street. It will not be rebuilt as part of the repositioning of the existing residence.
- "Timber verandahs." **Comment:** The verandah upper structure on the existing residence is being retained, but it is proposed to replace the current blockwork base with the earlier red brick base – seen in the 1945 photo. The proposed addition has a 'verandah' on its north side, which visually breaks up and conceals the addition's presence on that side.

#### Fences

- "Maintain the traditional fencing of the precinct, such as low pickets, capped corrugated iron or twisted wire." **Comment:** The proposed fence will be simple painted timber posts and pickets, similar to that existing.
- "Encourage the use of traditional materials and construction techniques for new fences." **Comment:** As above.
- "Design fences to not exceed:
  - 1300 mm for the frontage.
  - 2000 mm for side, rear or adjacent to vacant land."**Comment:** The front fence will be 1200mm high and the side fence will be a combination of 1200mm and 1850mm high.

### 5.0 Recommendation

Article 2.2 of the Australia ICOMOS Burra Charter states, "the aim of conservation is to retain the cultural significance of a place", authors underling.

In relation to the significance as stated in the Statement of Cultural Significance for Fishermen's Flat (2.0 of this document), the Proposal for 5 Beach Street, Queenscliff:

- retains unchanged the historic association of this area of Queenscliff reserved for fishermen's residences;
- retains unchanged the distinctive subdivision layout of this area of Queenscliff;
- retains unchanged the physical and social separation of fishing community and other residents;
- retains, although slightly repositioned, the existing residence and will see it restored externally to continue and enhance its contribution to the Precinct. It will be repositioned, not destroyed and rebuilt;
- adds an extension at the rear of the existing residence, which is visually and physically recessive, sensitive, articulated in form, materials and colours. The extension ensures the Fisherman's Flat Precinct is viable and lived in.





It is my professional recommendation that the Proposal will not adversely impact upon the significance, character or appearance of the Fishermen's Flat Heritage Precinct HO1.

Ivar Nelsen  
Heritage Consultant



### The Author

Ivar Nelsen has been involved in heritage conservation in Australia for 48 years. Ivar has accrued direct hands-on experience in a plethora of conservation projects across NSW, Victoria, South Australia, Tasmania, Queensland and the ACT, for clients including local governments and State and Commonwealth government departments, architectural firms and private businesses.

From 1974 to 1981 Ivar was on the National Trust (NSW) Urban Conservation Committee. From 1976 to 1981 Ivar was employed as Heritage Architect by the National Parks and Wildlife Services (NSW) at their Hill End Historic Site. Then from 1981 to 1984 Ivar was a Heritage Architect with the Heritage Conservation Branch (SA).

From 1984 to 1995 Ivar was the Principle Heritage Architect and Environment Officer for the Australian Construction Services (Commonwealth), and also lectured in building conservation at the (then) Victorian University of Technology. The from 1995 to 2006 Ivar was Manager of the Historic Places Section of the (then) Department of Sustainability and Environment.

Since 2006 Ivar has been a private Heritage Advisor in Melbourne. As part of that role Ivar has been Heritage Advisor for Alpine Shire (7 years), City of Greater Geelong (acting), the Greater City of Bendigo (acting), Macedon Ranges Shire (7 years), Mansfield Shire (10 years) and Surf Coast Shire (3 years). Ivar also has a variety of private clients for projects throughout Victoria.



# Queenscliff Residence

## 5 Beach Street, Queenscliff

June 2022



### 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 floor plan
- tp -06 existing conditions elevations
- tp -07 demolition works floor plan
- tp -08 demolition works elevations
- tp -09 relocation floor plan
- tp -10 proposed site/floor plan
- tp -11 proposed roof plan
- tp -12 proposed elevations
- tp -13 proposed elevations
- tp -14 proposed sections
- tp -15 proposed sections
- tp -16 street scape elevations
- tp -17 proposed fence details
- tp -18 material / finishes schedule
- tp -19 site overlooking plan
- tp -20 site overlooking sections
- tp -21 landscape plan
- tp -22 area analysis plans
- tp -23 shadow diagram study
- tp -24 garden area analysis

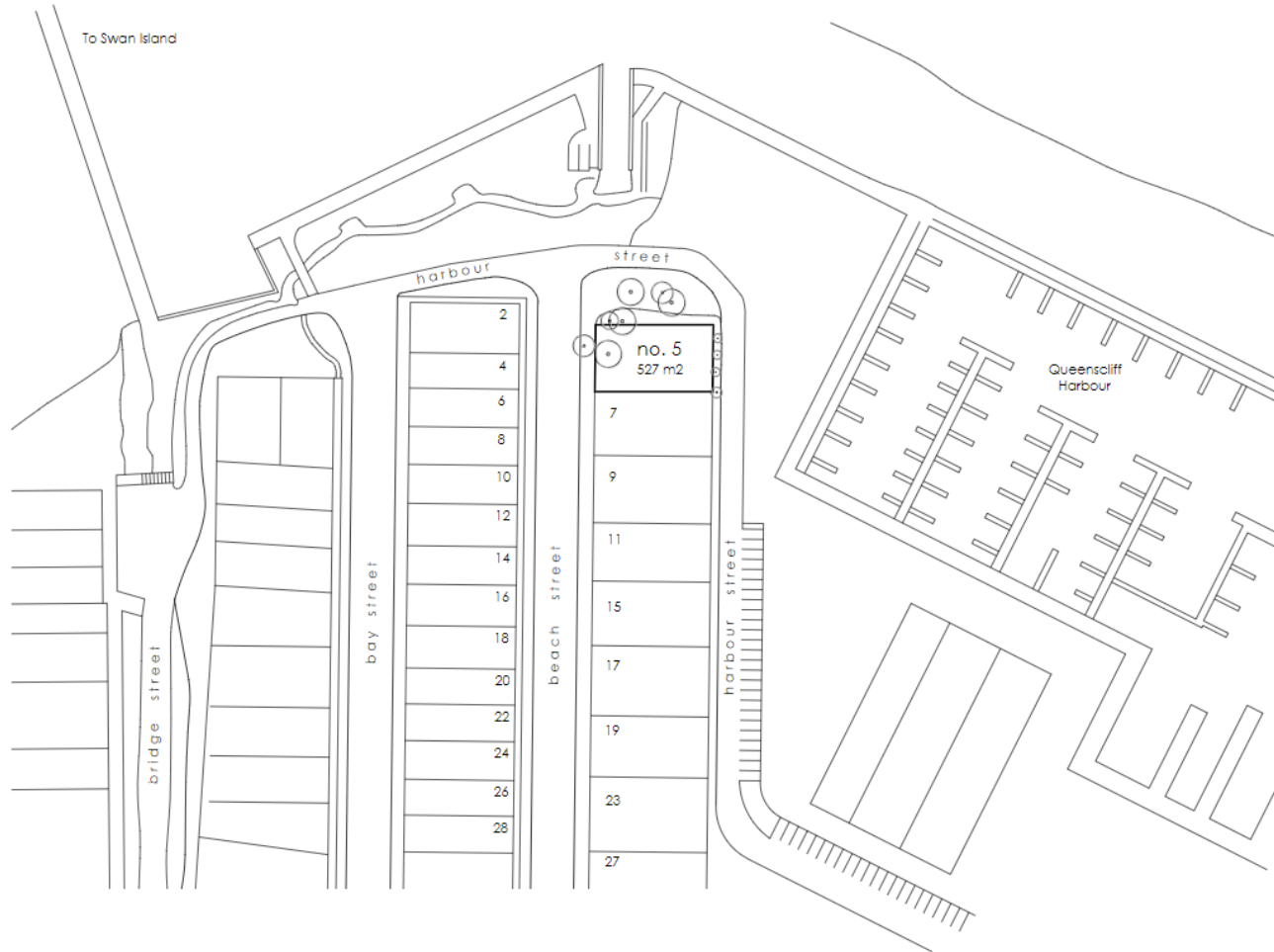
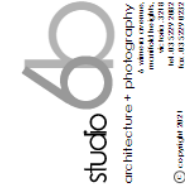


### Draper Residence - Queenscliff

5 Beach Street, Queenscliff - Vic. 3225

### tp - 01

cover page & project details

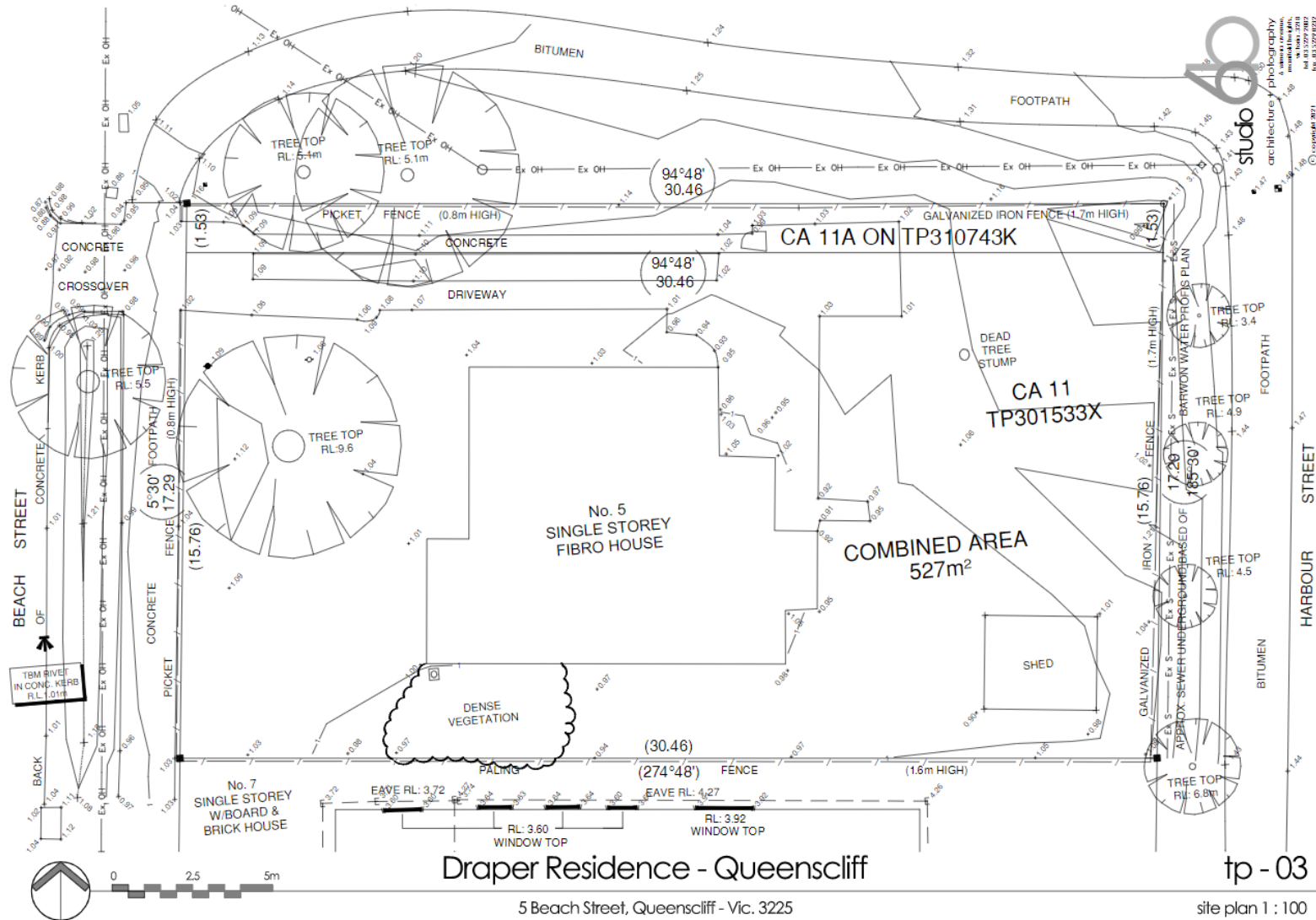


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5 Beach Street, Queenscliff - Vic. 3225

tp - 02

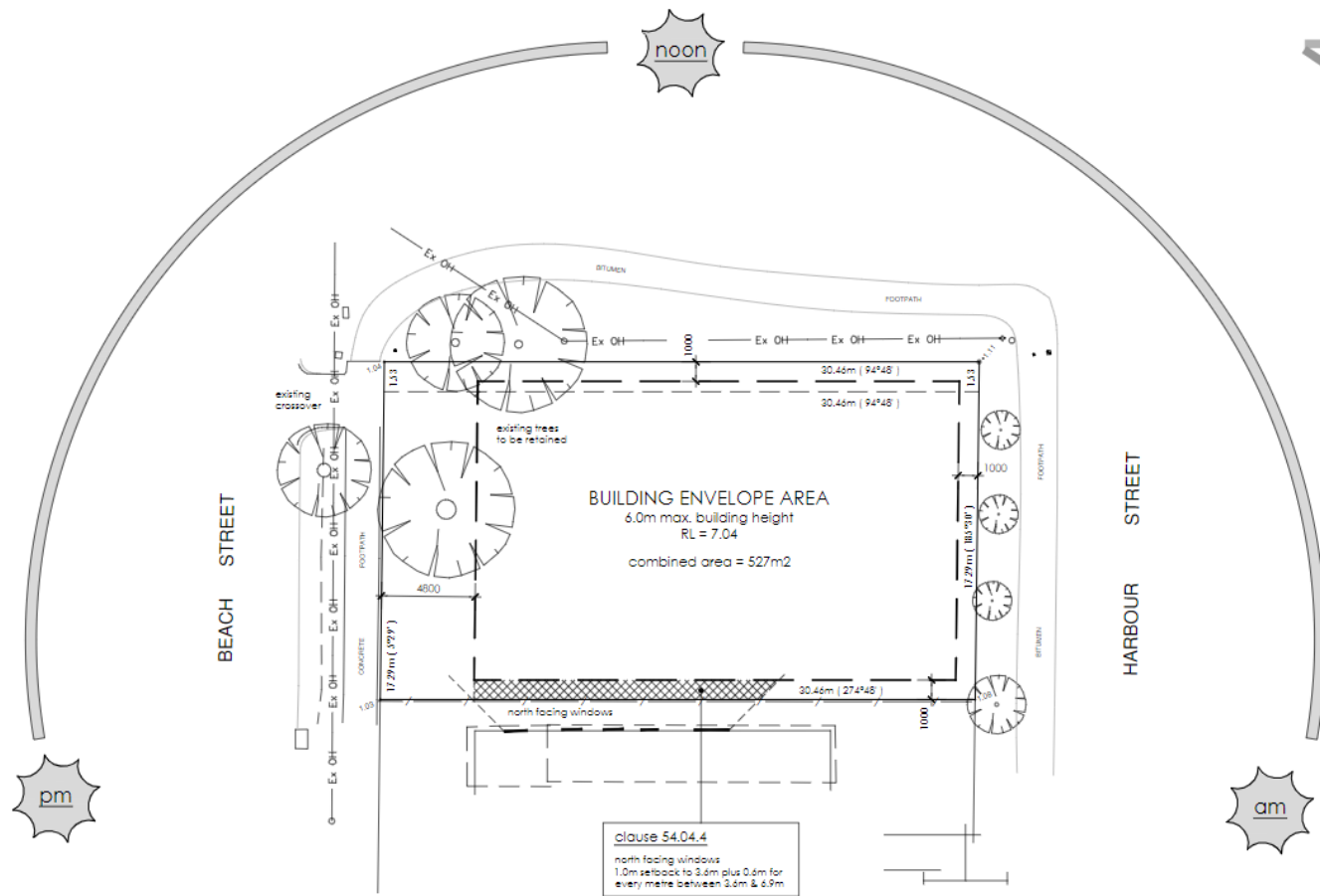
area plan 1 : 1000



Draper Residence - Queenscliff

5 Beach Street, Queenscliff - Vic. 3225

site plan 1 : 100

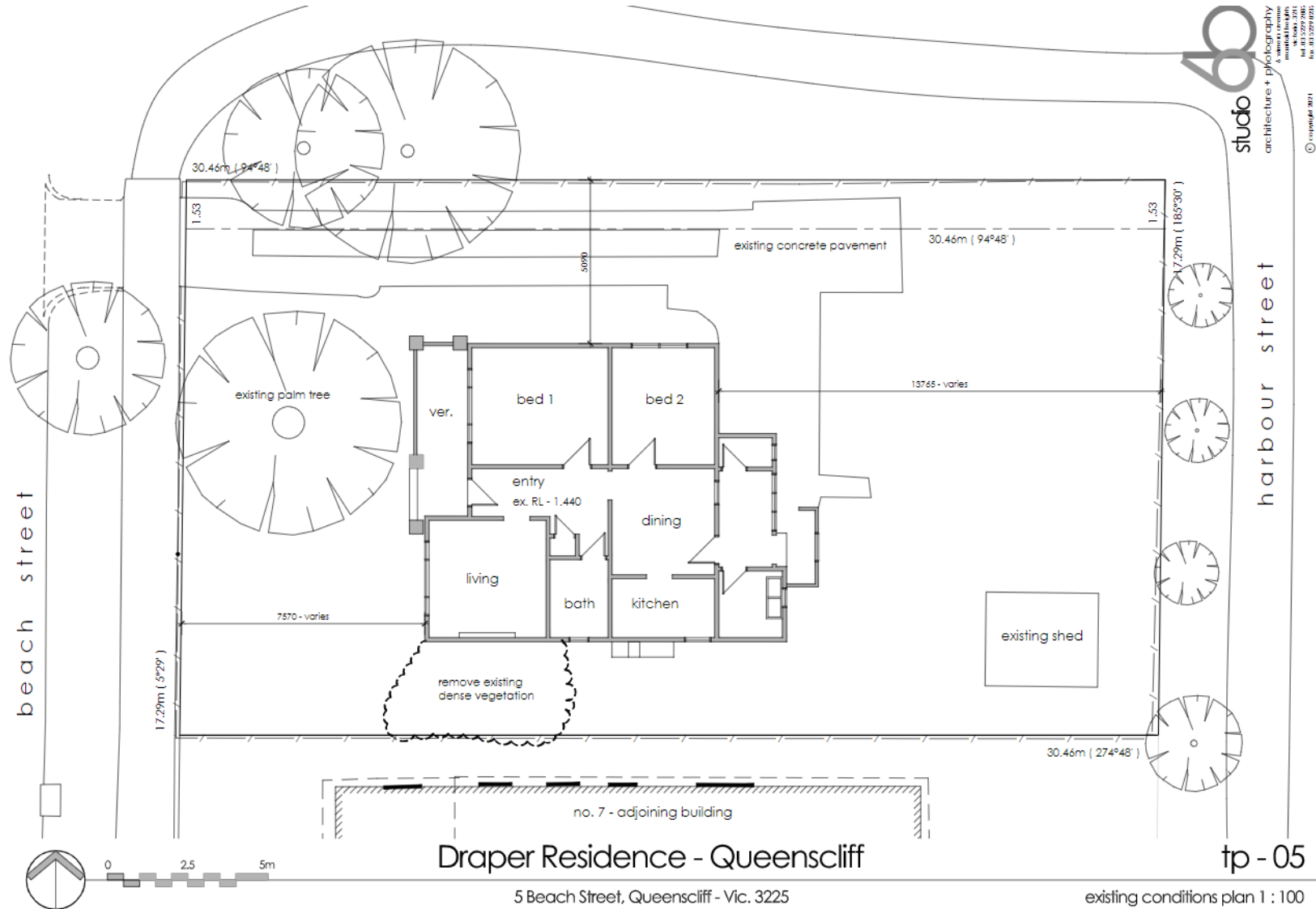


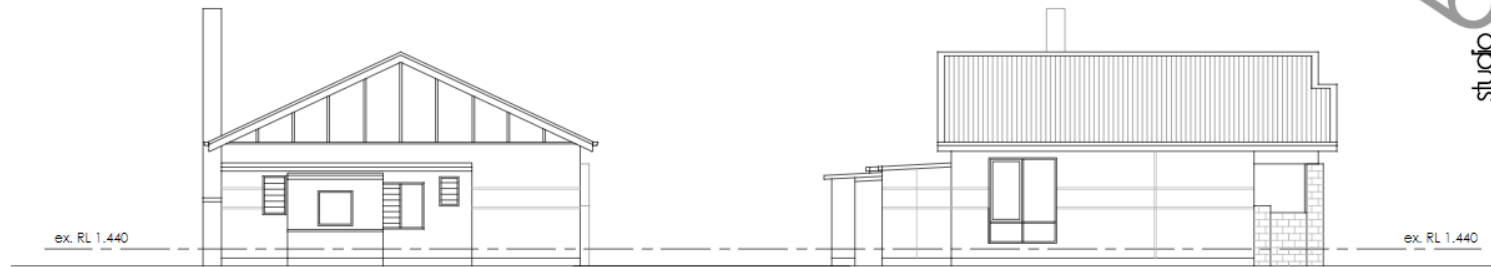
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tp - 04

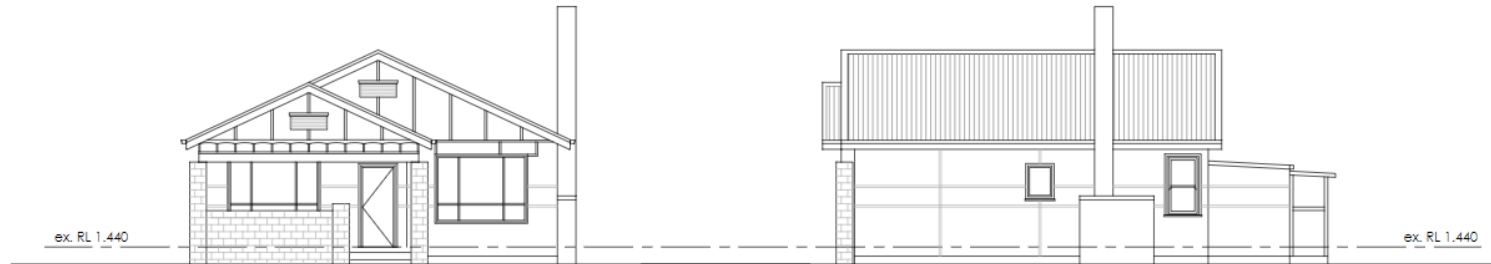
site analysis plan 1 : 200





existing EAST elevation

existing NORTH elevation



existing WEST elevation - Beach Street

existing SOUTH elevation

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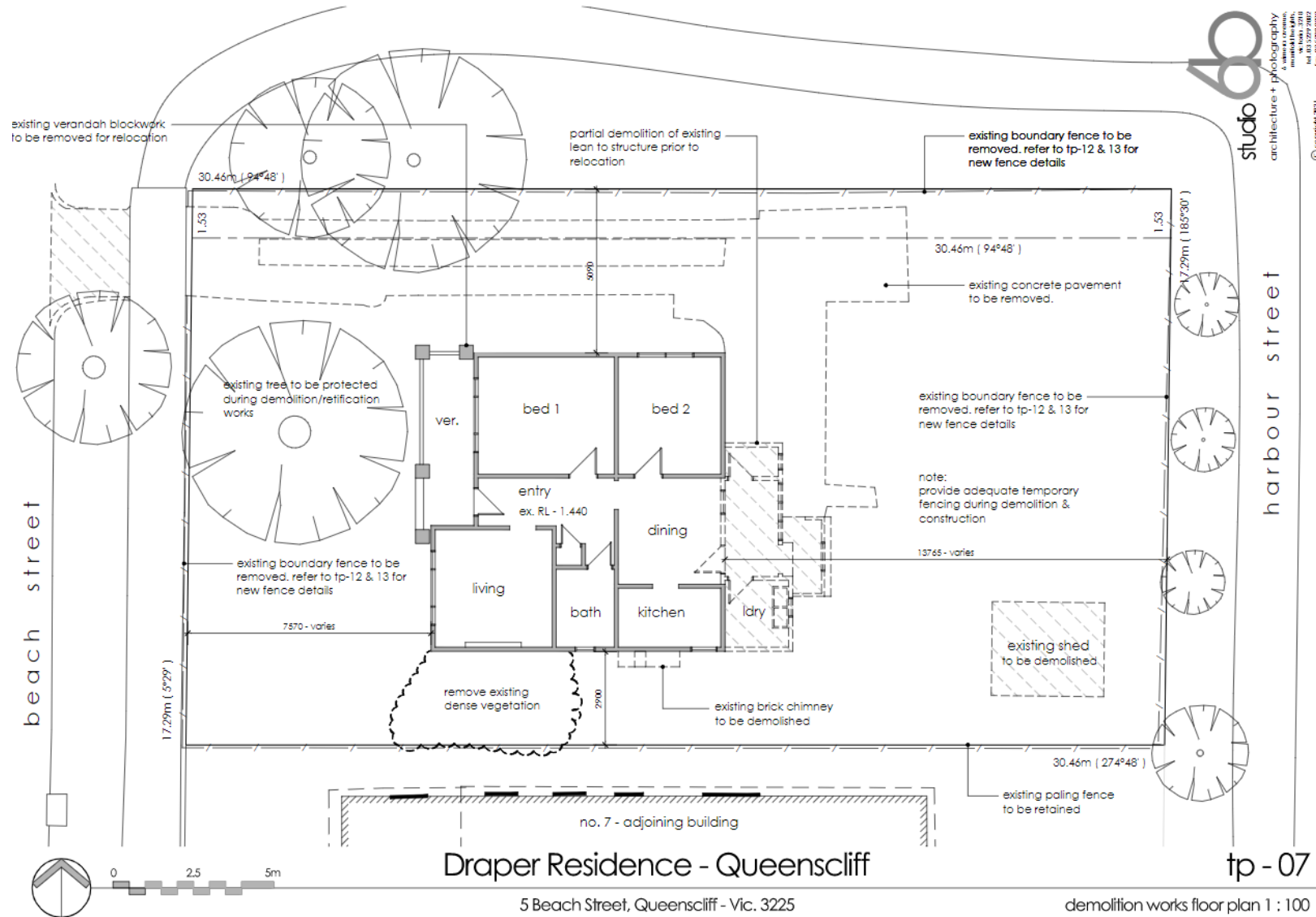
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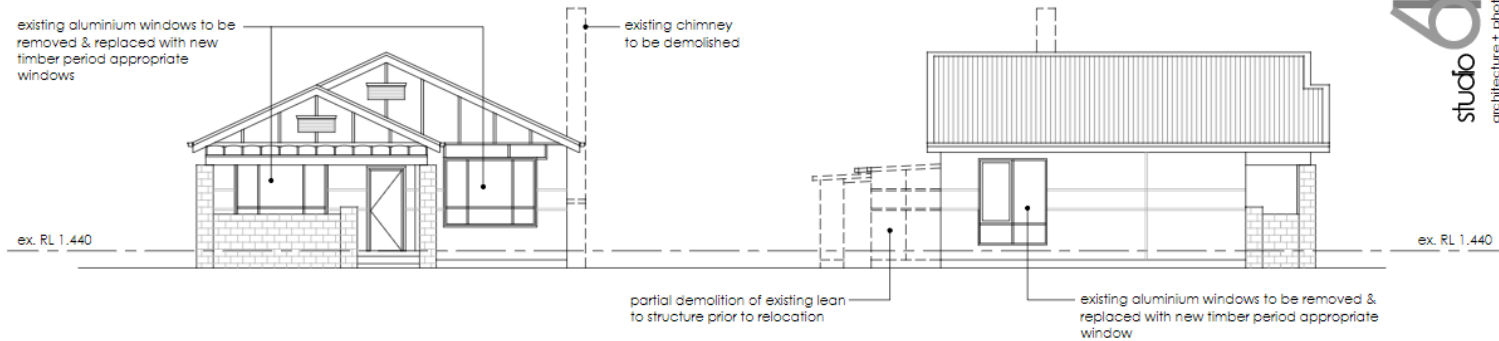
5 Beach Street, Queenscliff - Vic. 3225

tp - 06

existing elevations 1 : 100

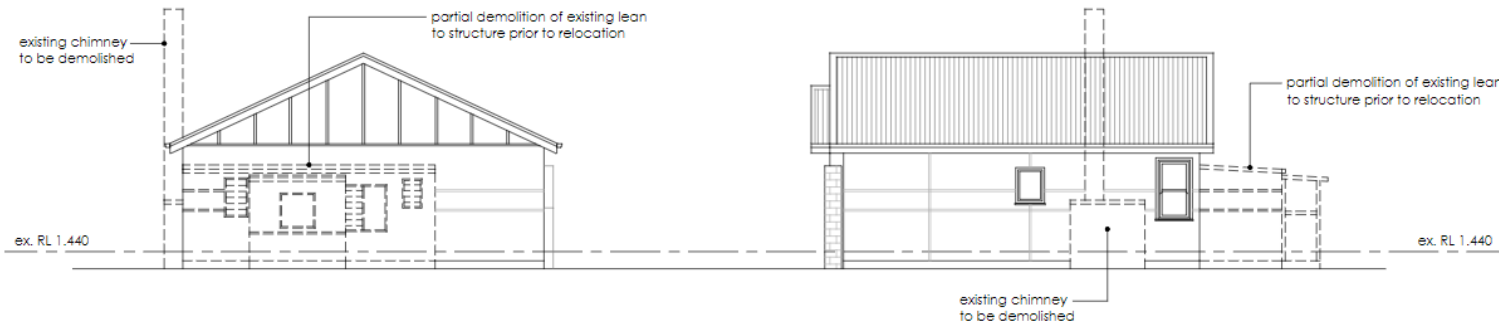






existing WEST elevation - Beach Street

existing NORTH elevation - Harbour Street



existing EAST elevation

existing SOUTH elevation

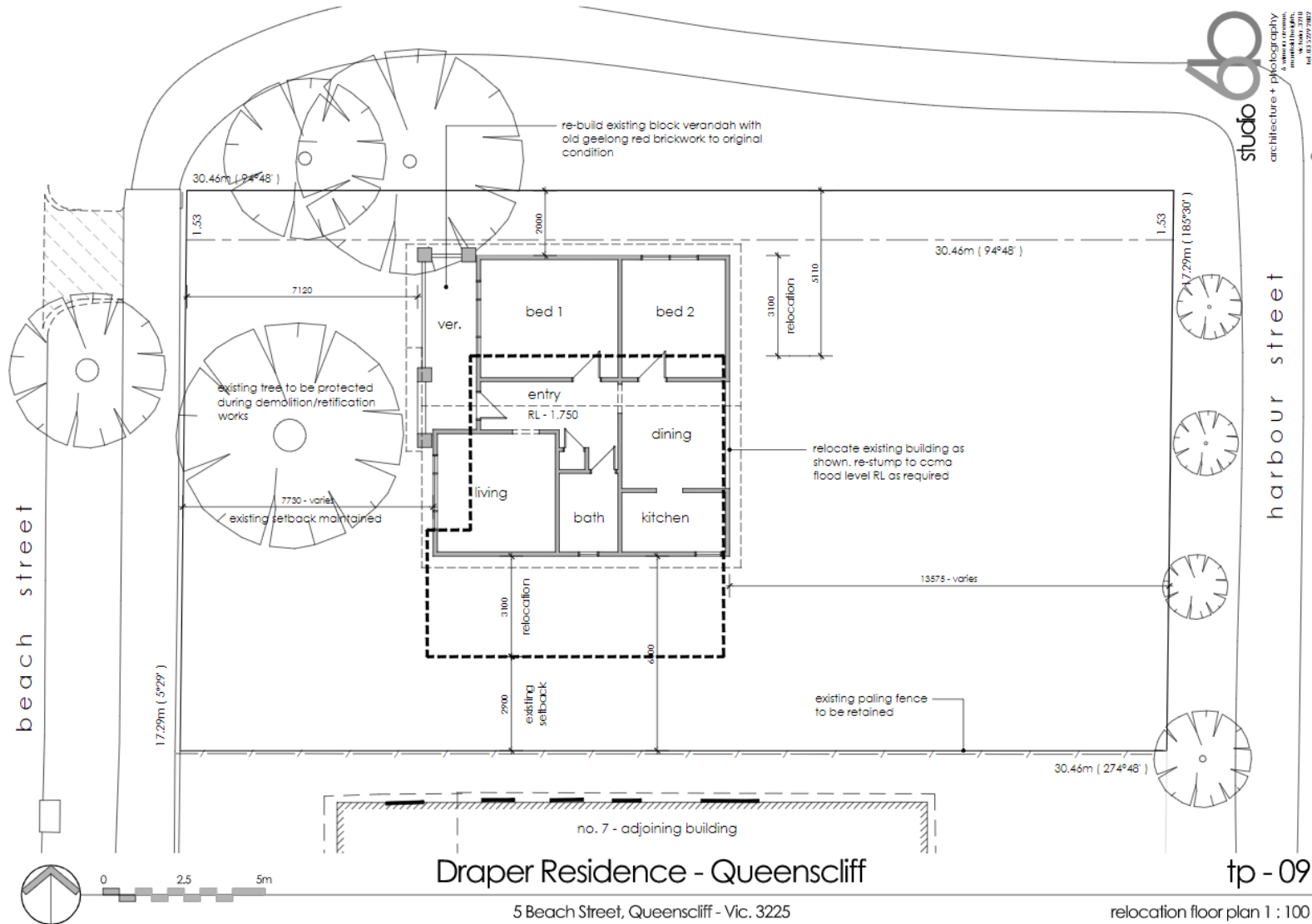


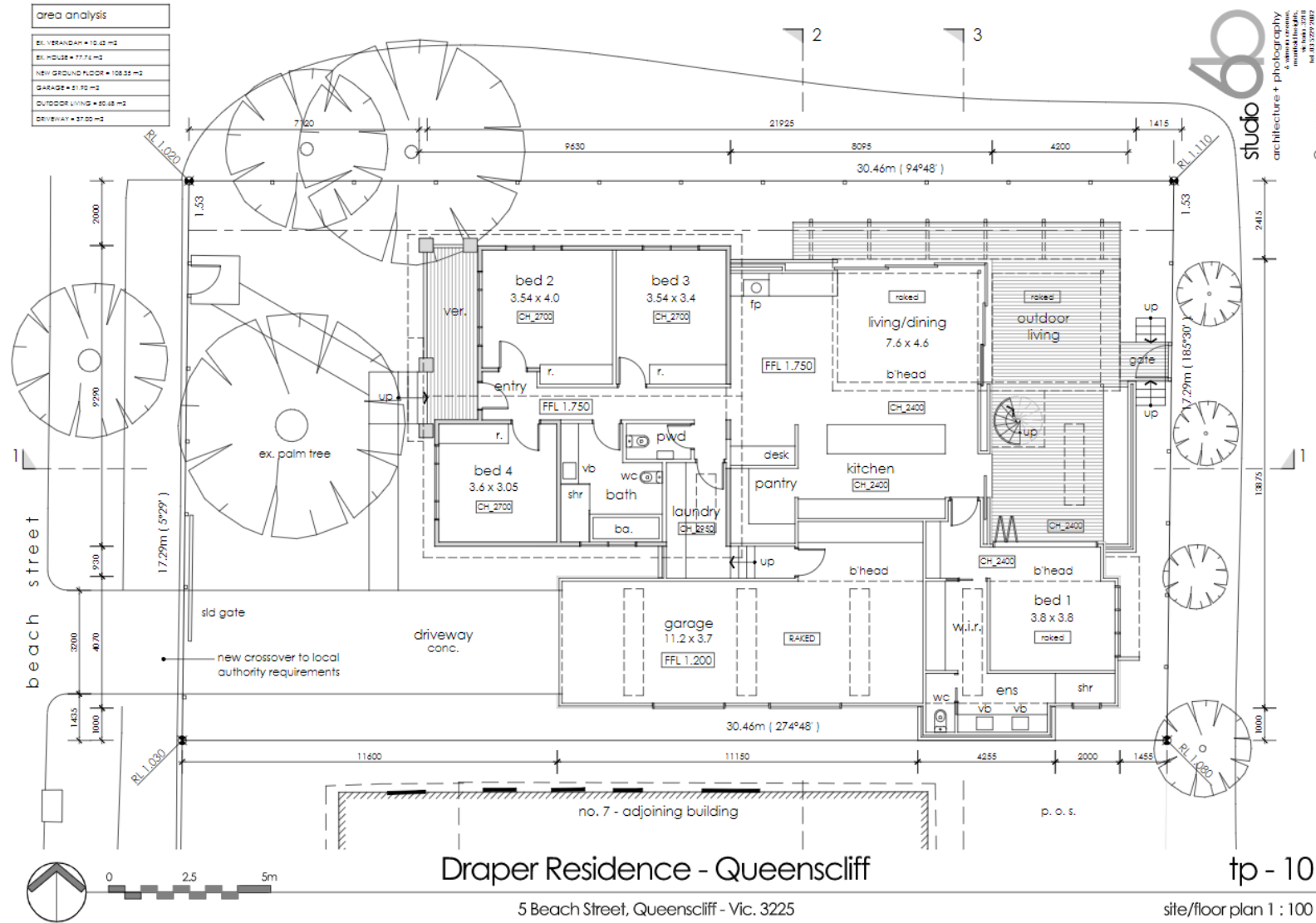
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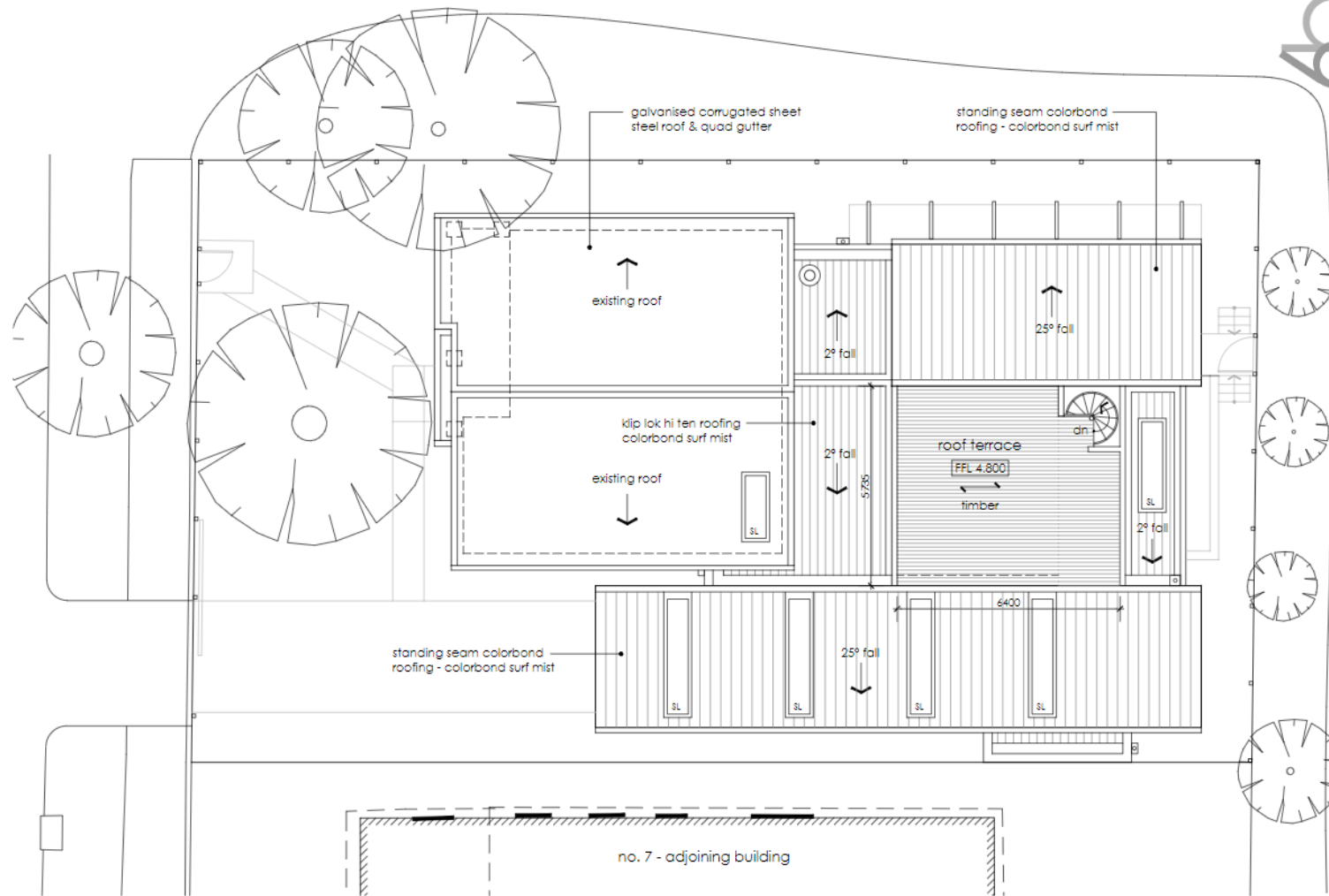
5 Beach Street, Queenscliff - Vic. 3225

tp - 08

demolition works elevations 1 : 100







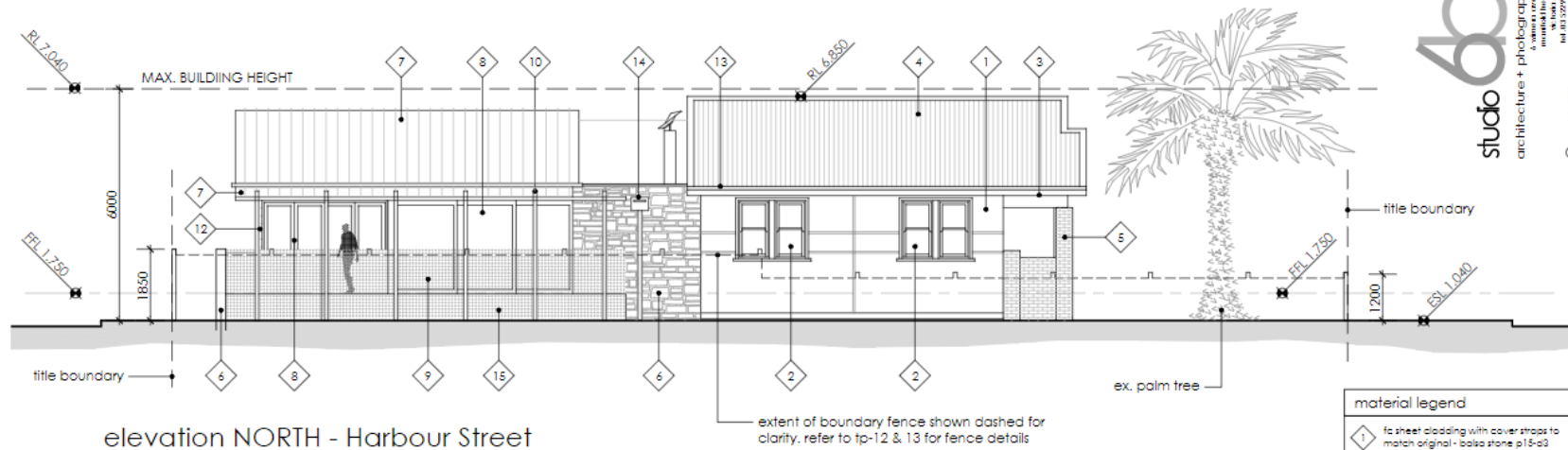
  
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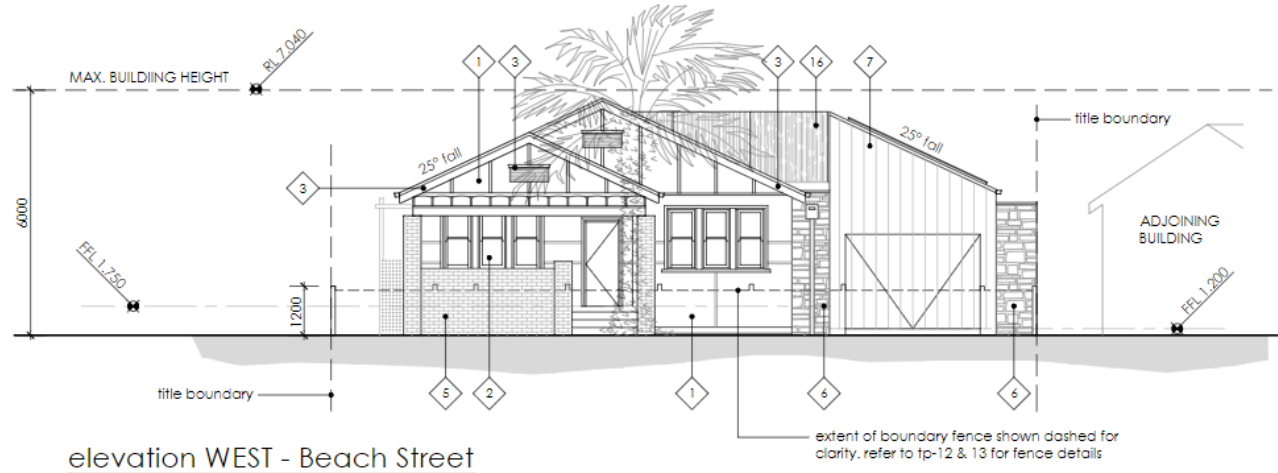
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tp - 11

roof plan 1 : 100

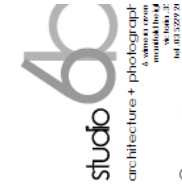


elevation NORTH - Harbour Street



elevation WEST - Beach Street

material legend	
1	ts sheet cladding with cover straps to match original - balsa stone p15-a3
2	timber windows dulux - osso bucca P15 - D8
3	timber fascia dulux - reservation P15 - D8
4	galvanised corrugated sheet steel roof, quad gutter & 65mm dia. downpipes
5	ala geelong red brickwork
6	yarabee random stone cladding
7	standing seam colorbond vertical cladding & roofing colorbond - surf mist
8	hardwood timber columns, windows & doors - natural oil
9	A1 metal mesh screens AIMING-05 stainless steel
10	hot dipped steel column & sunshade
11	spiral stair hot dipped galvanised
12	spotted gum horizontal cladding 200 x 20 - 3mm shadowline - natural oil
13	colorbond half round gutter & 65mm dia. downpipes - colorbond - surf mist
14	colorbond rainhead & 65mm dia. downpipes colorbond - surf mist
15	ts sheet cladding for paint finish colorbond - surf mist
16	patterned glazing vitrolite clear pattern catliffe clear

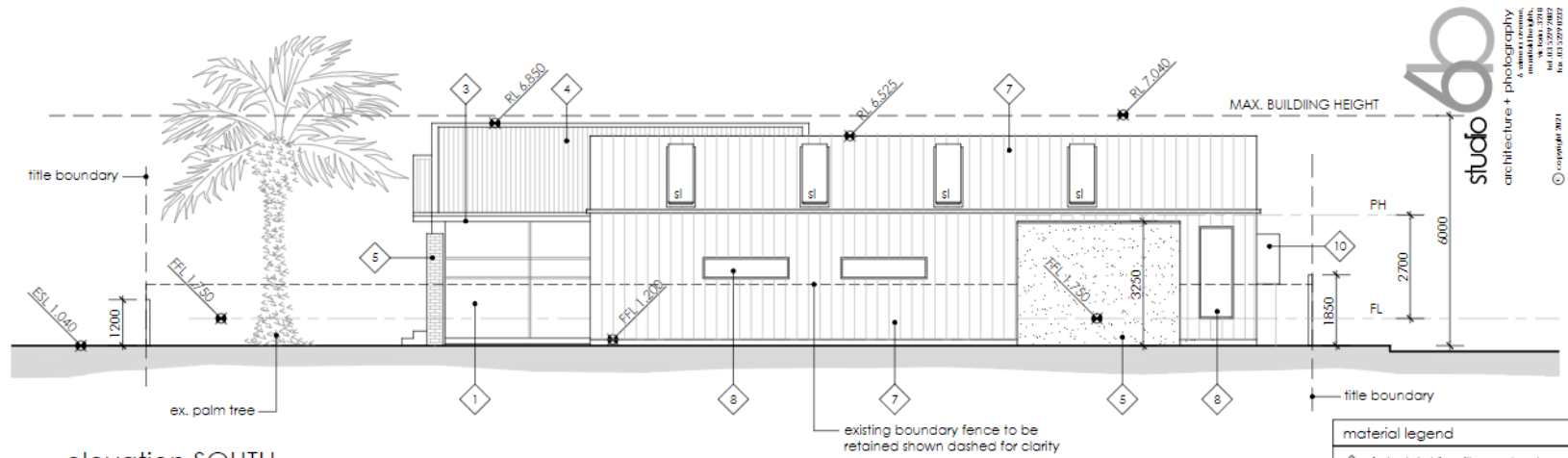


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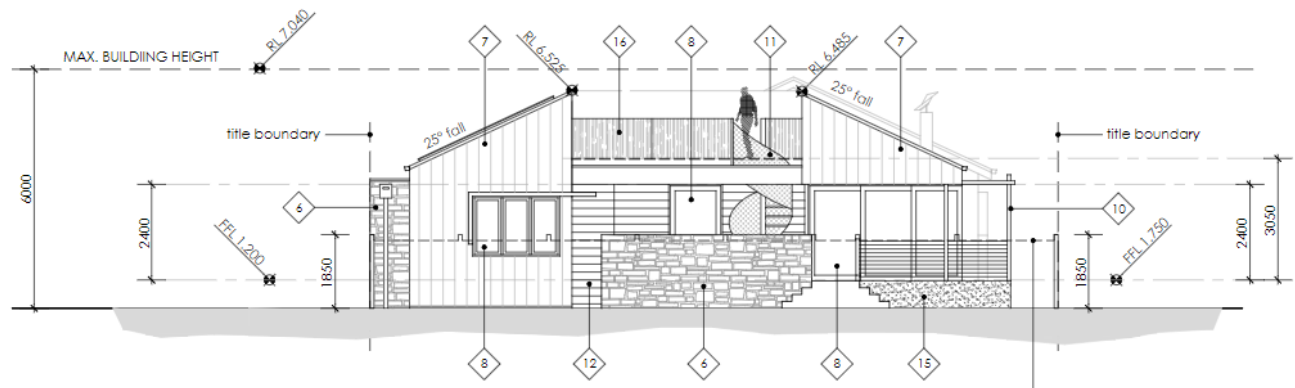
5 Beach Street, Queenscliff - Vic. 3225

tp - 12

elevations 1 : 100



elevation SOUTH



elevation EAST - Harbour Street

material legend	
1	fa sheet cladding with cover straps to match original - balia stone pl 5-a3
2	finer windows dulux - asso bucco P15 - D5
3	finer fascia dulux - reservation P15 - D5
4	galvanized corrugated sheet steel roof, quad gutter & 65mm dia. downpipes
5	old geelong red brickwork
6	yambee random stone cladding
7	standing seam colorbond vertical cladding & roofing colorbond - surf mist
8	hardwood timber columns, windows & doors - natural oil
9	A1 metal mesh screens A1MMS-05 stainless steel
10	hot dipped steel column & sunshade
11	spiral stair hot dipped galvanized
12	spotted gum horizontal cladding 200 x 20 - 3mm shadowline - natural oil
13	colorbond half round gutter & 65mm dia. downpipes - colorbond - surf mist
14	colorbond rainhead & 65mm dia. downpipes colorbond - surf mist
15	fa sheet cladding for paint finish colorbond - surf mist
16	patterned glazing vitralia decar pattern coltite clear



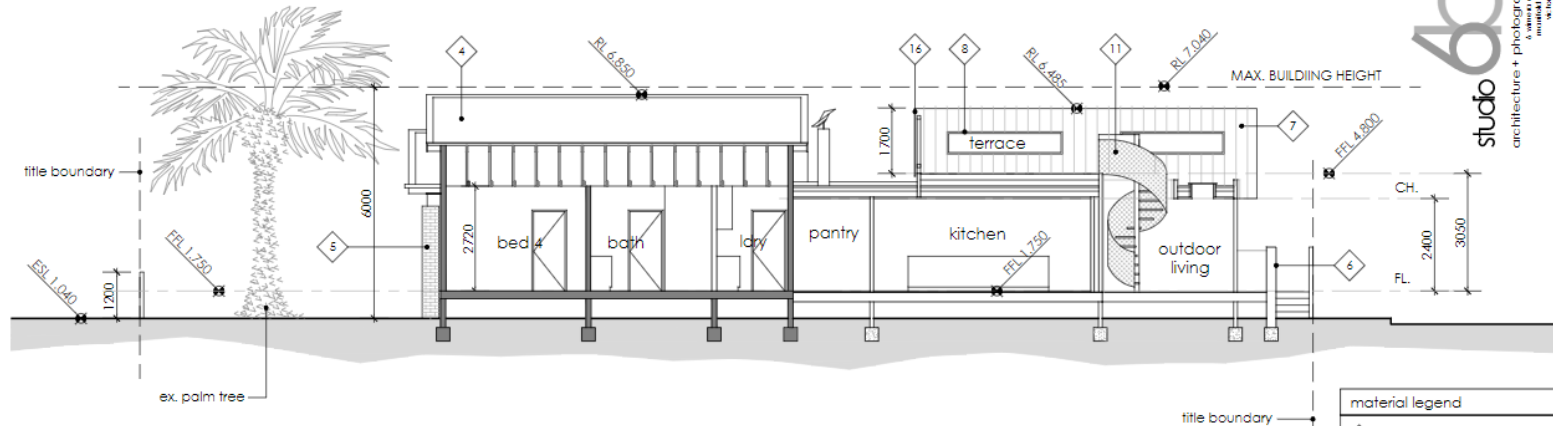
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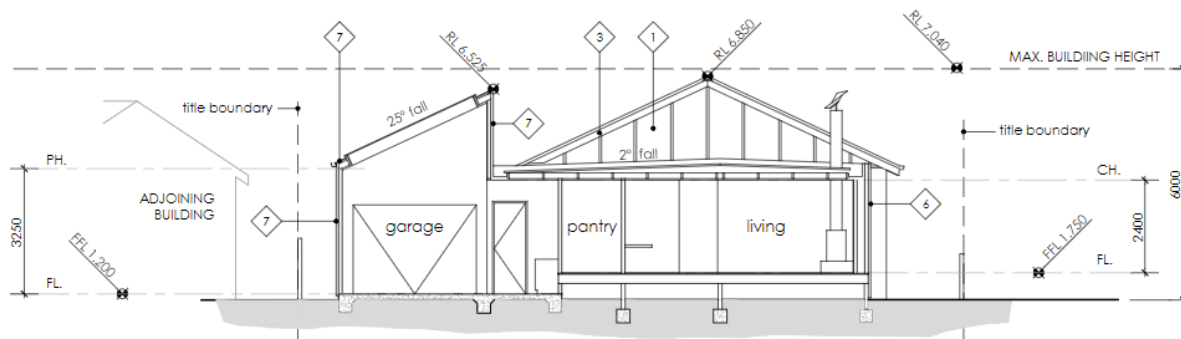
tp - 13

elevations 1 : 100

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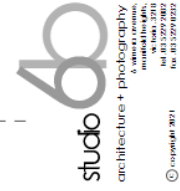


section 1 - 1



section 2 - 2

material legend	
1	fa sheet cladding with cover strips to match original - balsa stone p15-s3
2	timber windows dulux - ossa bucca P15 - D8
3	timber fascia dulux - reservation P15 - D8
4	galvanised corrugated sheet steel roof, quad gutter & 65mm dia. downpipes
5	old geelong red brickwork
6	yarrabee random stone cladding
7	standing seam colorbond vertical cladding & roofing colorbond - surf mist
8	hardwood timber columns, windows & doors - natural oil
9	A1 metal mesh screens A1MM5-05 stainless steel
10	hot dipped steel column & sunshade
11	spiral stair hot dipped galvanised
12	spotted gum horizontal cladding 200 x 20 - 3mm shadowline - natural oil
13	colorbond half round gutter & 65mm dia. downpipes - colorbond - surf mist
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15	fa sheet cladding for paint finish colorbond - surf mist
16	patterned glazing vitrian decar pattern catlite clear



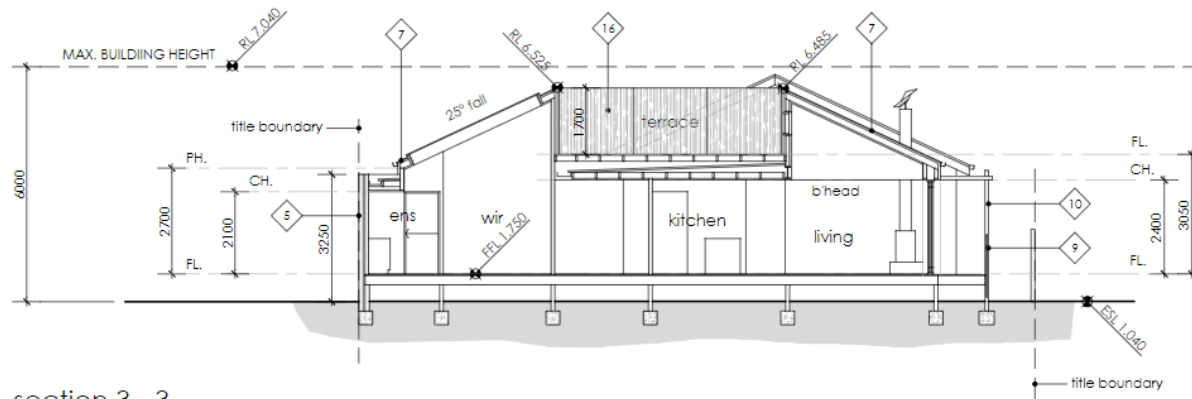
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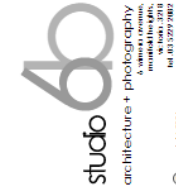
tp - 14

sections 1 : 100





section 3 - 3



material legend	
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2	timber windows dulux - oaso bucco P15 - D5
3	timber fascia dulux - reservation P15 - D5
4	galvanised corrugated sheet steel roof, quad gutter & 65mm dia. downpipes
5	old geelong red brickwork
6	yamabee random stone cladding
7	standing seam colorbond vertical cladding & roofing colorbond - surf mist
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15	fa sheet cladding for paint finish colorbond - surf mist
16	patterned glazing vitrolan decor pattern cathite clear

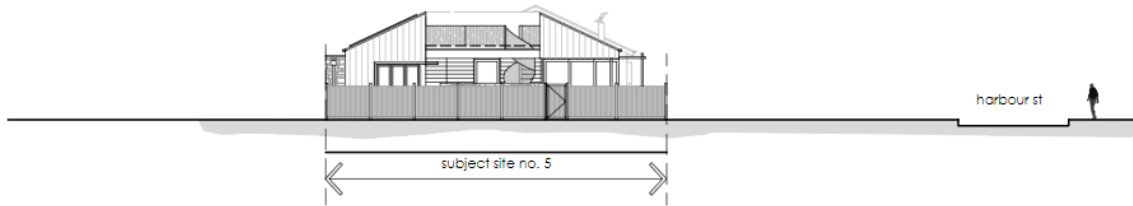


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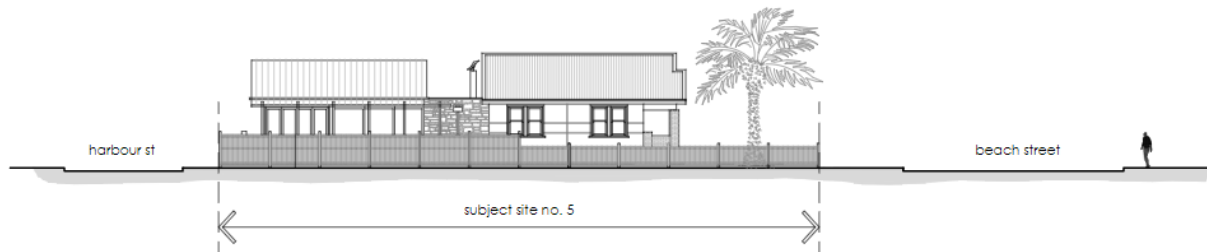
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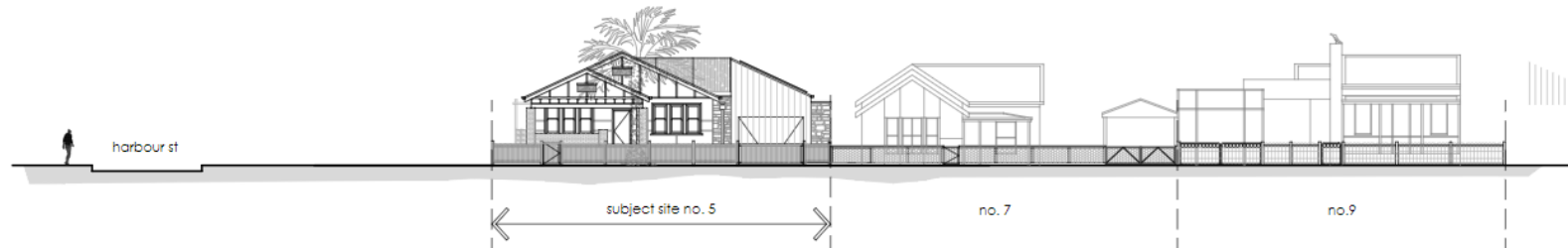
sections 1 : 100



streetscape elevation EAST - Harbour Street



streetscape elevation NORTH - Harbour Street



streetscape elevation WEST - Beach Street

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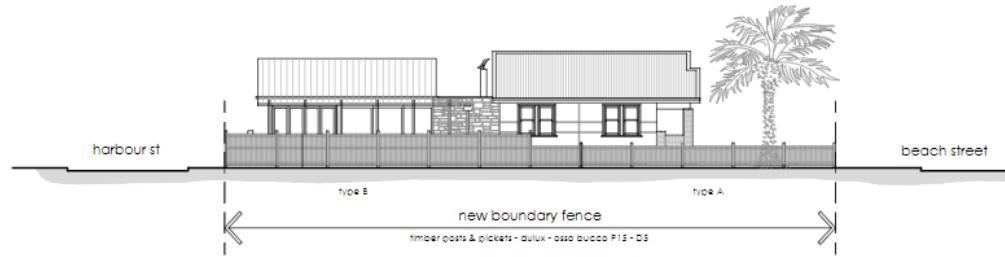


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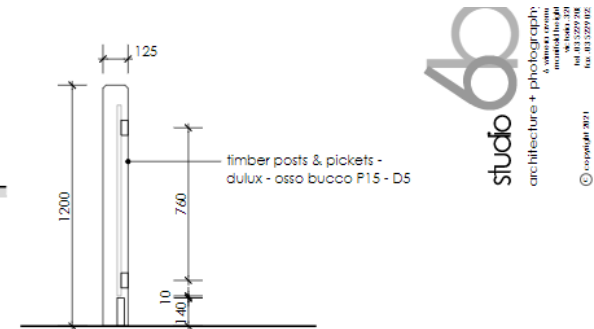
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tp - 16

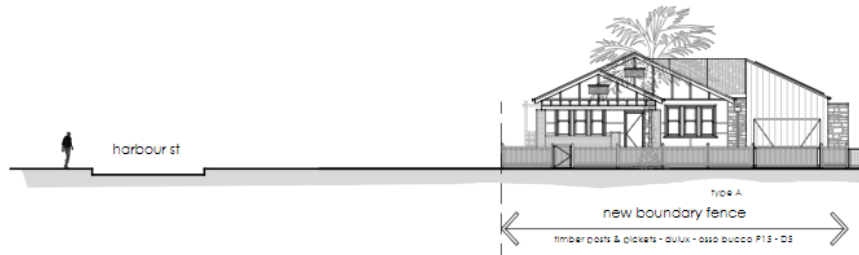
street scape elevations 1 : 200



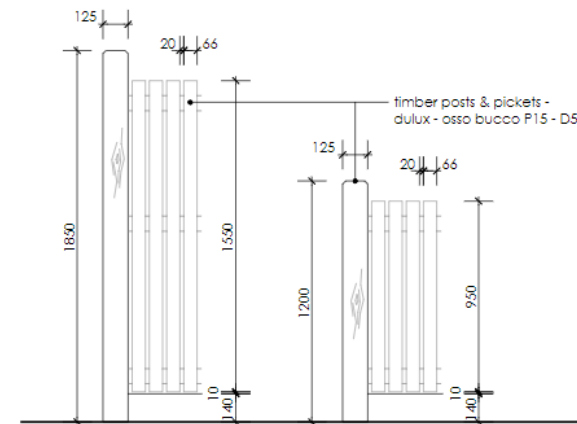
fence elevation NORTH - Harbour Street



fence section  
1 : 20 - type A

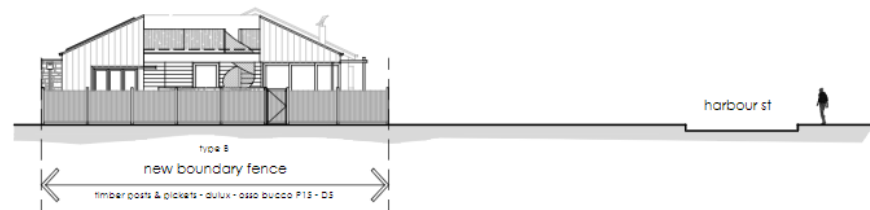


fence elevation WEST - Beach Street



fence elevation  
1 : 20 - type B

fence elevation  
1 : 20 - type A



fence elevation EAST - Harbour Street

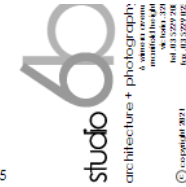


Draper Residence - Queenscliff

5 Beach Street, Queenscliff - Vic. 3225

tp - 17

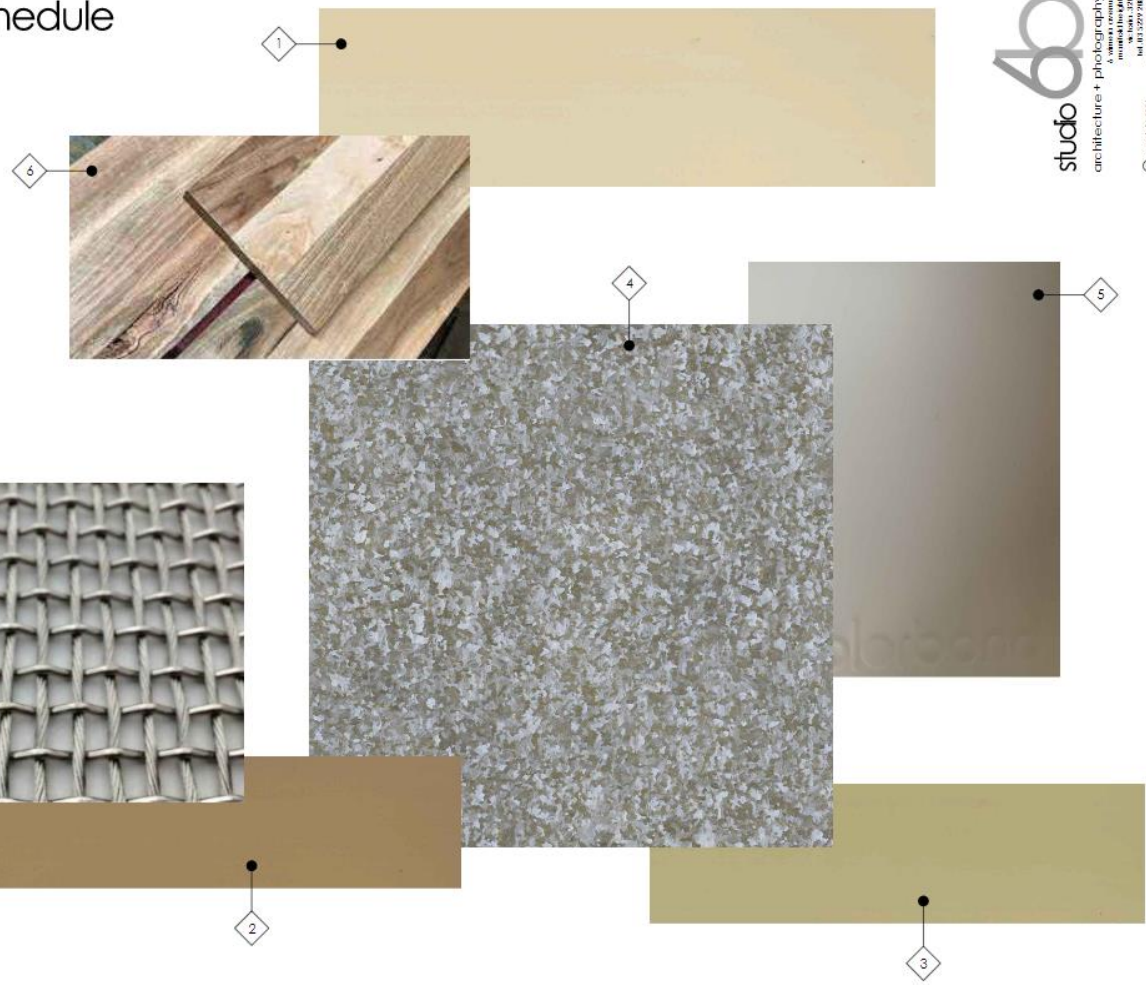
fence details 1 : 200 & 1 : 20

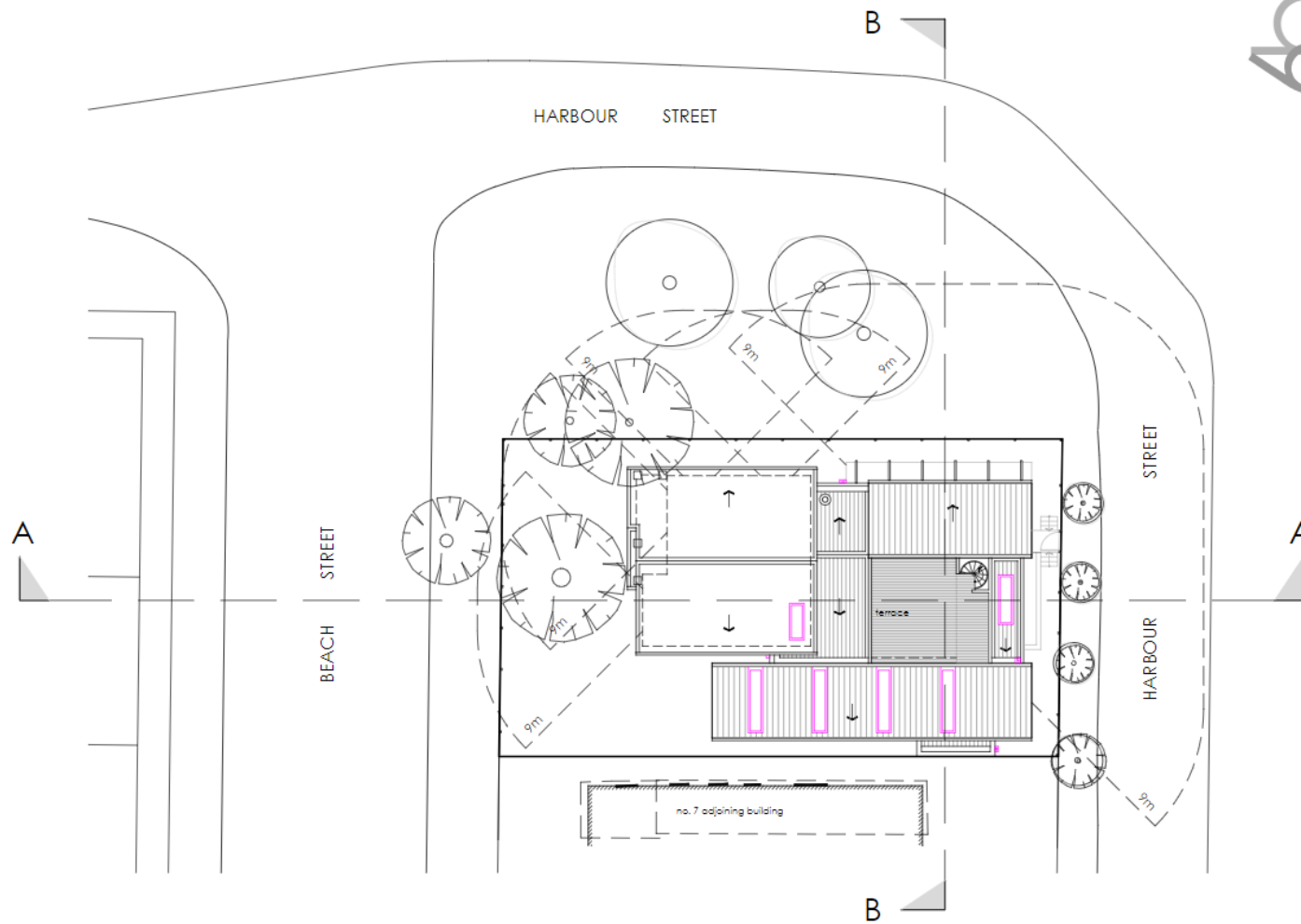




# Material & Finishes Schedule

- 1 fc sheet cladding with cover straps to match original - balsa stone p15-d3
- 2 timber fascia & barge  
dulux - reservation P15 - D8
- 3 timber windows  
dulux - ossa buoco P15 - D5
- 4 galvanised corrugated sheet steel roof, quad gutter & 65mm dia. downpipes
- 5 standing seam colorbond vertical cladding & roofing colorbond - surf mist
- 6 hardwood timber columns, windows & doors - natural oil
- 7 A1 metal mesh screens  
A1MMS-05 stainless steel
- 8 patterned glazing viridian decor pattern cathlite clear





  
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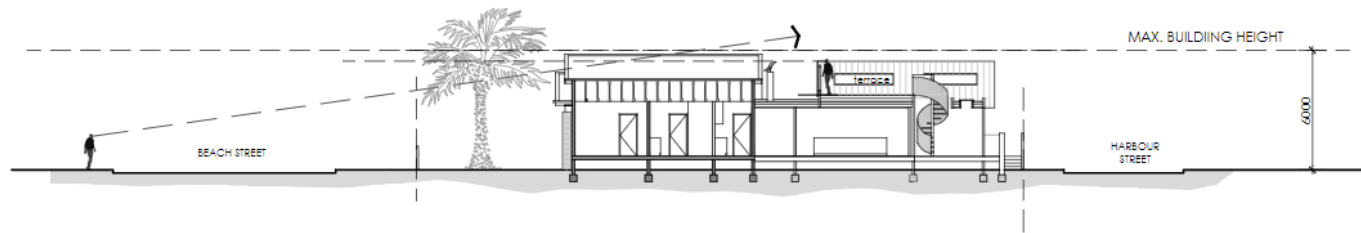


### Draper Residence - Queenscliff

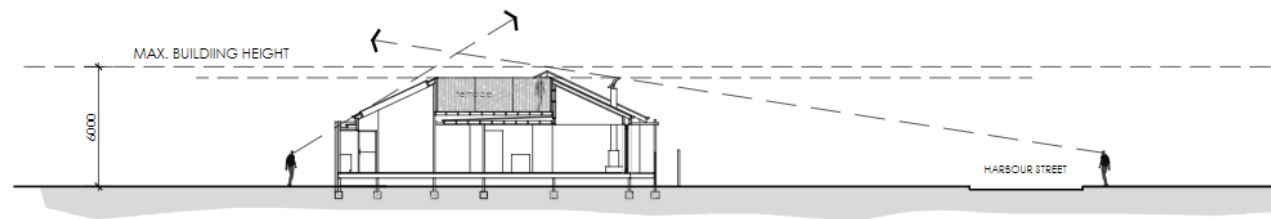
5 Beach Street, Queenscliff - Vic. 3225

tp - 19

site overlooking plan 1 : 200



overlooking view lines A - A



overlooking view lines B - B

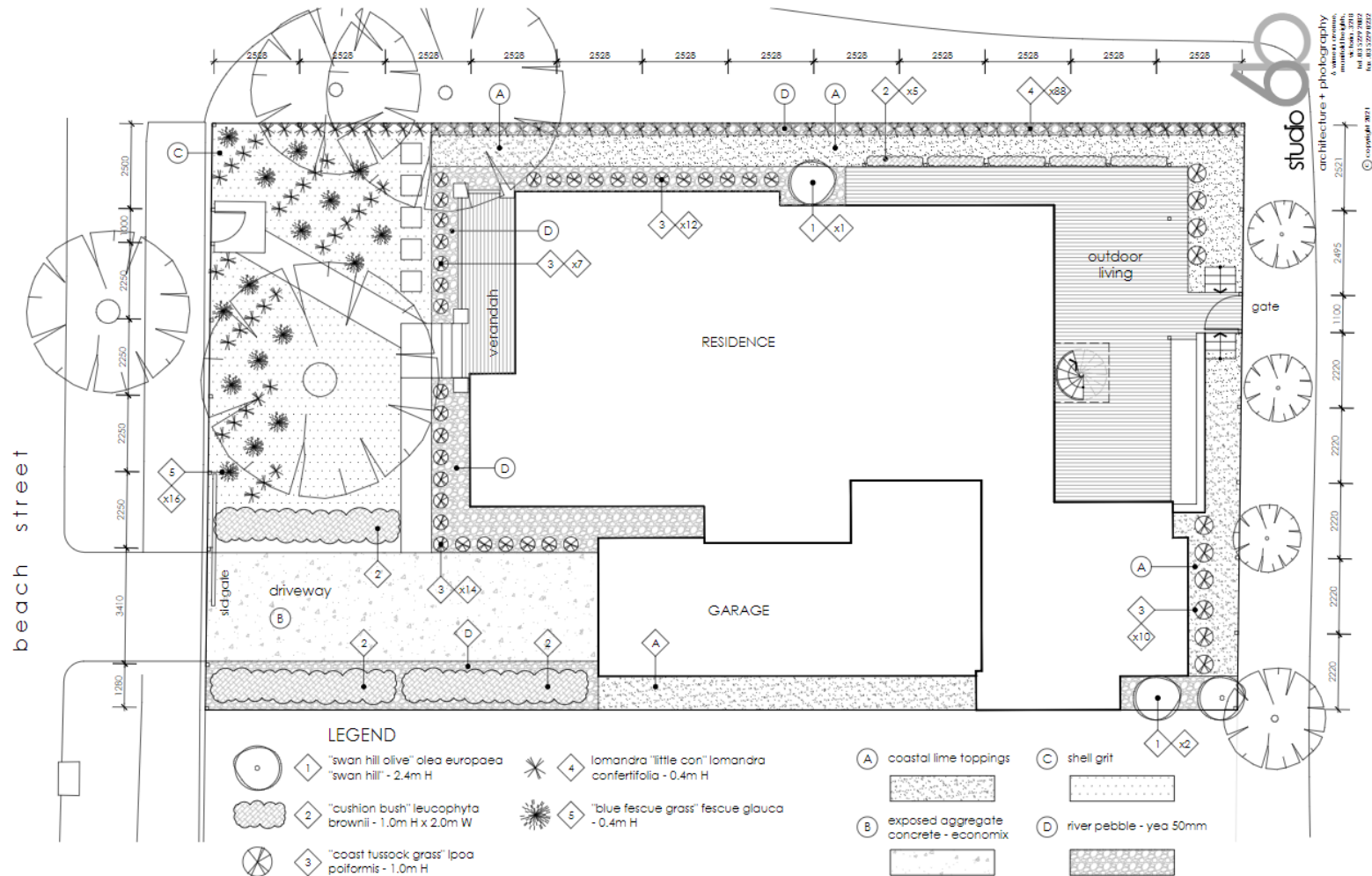


### Draper Residence - Queenscliff

5 Beach Street, Queenscliff - Vic. 3225

tp - 20

site overlooking sections 1 : 200



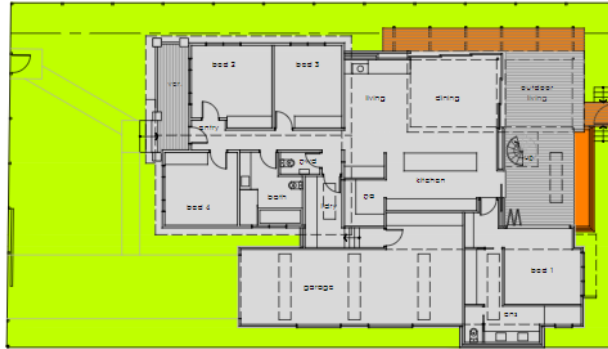
**Draper Residence - Queenscliff**

5 Beach Street, Queenscliff - Vic. 3225

tp - 21

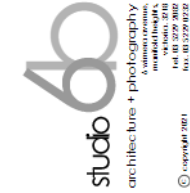
landscape plan 1 : 100

**studio 68**  
architecture + photography  
100 beach street,  
queenscliff vic 3225  
tel: 03 5297 1802  
fax: 03 5297 0572  
© copyright 2021



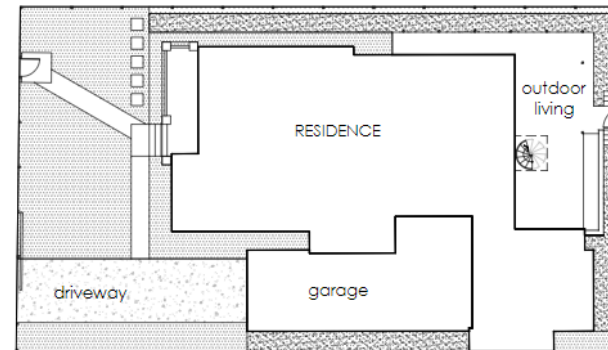
site & building area analysis

- site area 527.00 m<sup>2</sup>
- roof building area 290.11 m<sup>2</sup> ( 55.04 % )
- uncovered deck area 18.24 m<sup>2</sup>
- landscape area 227.49 m<sup>2</sup> ( 43.16 % )

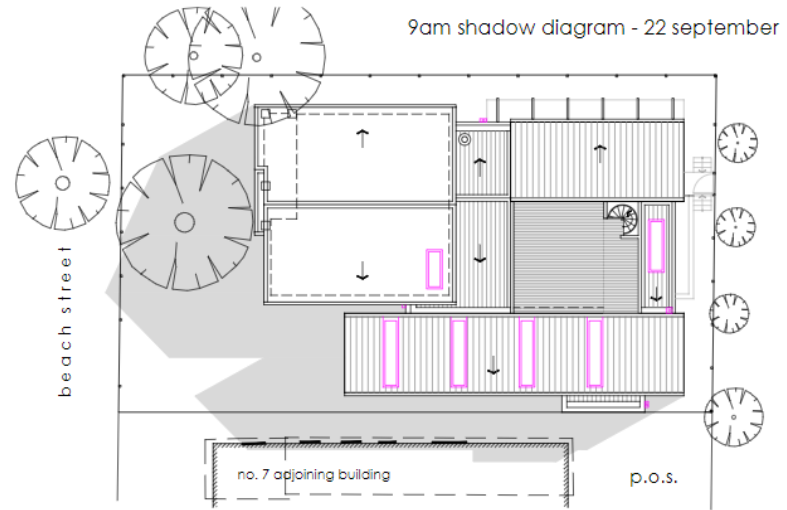
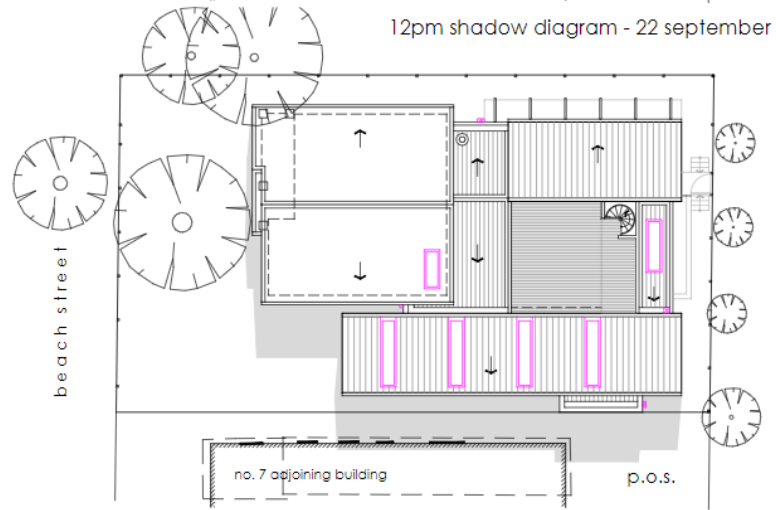
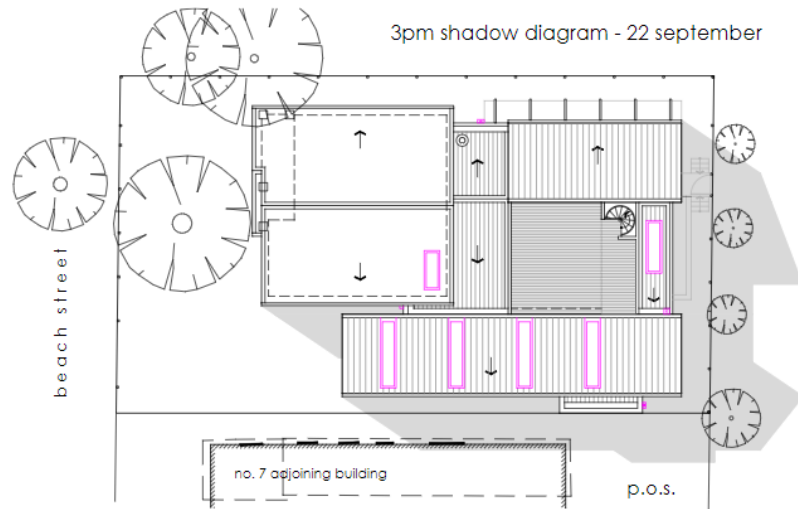


landscape area analysis

- building area ( inc. uncovered deck ) 299.14 m<sup>2</sup>  
landscape area = 227.49 m<sup>2</sup>
- concrete 37.00 m<sup>2</sup> ( 16.26 % )
- soft landscaping 137.88 m<sup>2</sup> ( 60.60 % )
- porous gravel 52.90 m<sup>2</sup> ( 23.25 % )







Draper Residence - Queenscliff

5 Beach Street, Queenscliff - Vic. 3225

tp - 23




shadow diagram study 1 : 200





garden area analysis



-  site area 527.00 m2
-  garden area 203.94 m2 ( 38.69 % )
-  driveway 37.00 m2 ( 16.26 % )





**APPENDIX 2- (CONFIDENTIAL) SUBMISSIONS: 5 Beach Street, Queenscliff**

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

---



## APPENDIX 3- APPLICANTS RESPONSE TO SUBMISSIONS: 5 Beach Street, Queenscliff

14 NOVEMBER 2022

Brydon King  
Statutory Planner  
Borough of Queenscliffe  
PO Box 93  
QUEENSLIFF VIC 3225



Dear Sir,

Re: 2022/083  
5 Beach Street Queenscliff

I refer to the above application and confirm that we have received and reviewed the seven objections and now wish to proceed to a delegated decision. A response is provided to each of the objections below:

### Relocation of dwelling

The objections all raise concern with the relocation of the dwelling within the title boundary. As discussed in the Heritage Impact Assessment lodged with the application, the concept of relocation typically refers to buildings moved off the site and away from the original location, and this form of relocation is generally discouraged.

Relocation within the site is however dealt with very differently, particularly in a heritage precinct such as the Fishermans Flat precinct where the heritage value and significance does not relate to the specific siting of dwellings in the precinct and the minor relocation within the site maintains the historical associations with the fishing origins of the precinct. We note the Boroughs Heritage Advisor has reached the same conclusion after a lengthy assessment dated 26<sup>th</sup> August 2022.

### Sea level rise / building height

We note the concerns about the increased height of the existing dwelling, however noting the CCMA's comments in relation to sea level rise, we submit that it would be irresponsible to renovate the existing dwelling without increasing the finished floor level about the applicable flood levels. The minor increase in height has no impact on the significance of the heritage precinct.

### Viewing platform

The earlier concerns in relation to the viewing platform are maintained, and whilst we acknowledge their concerns, we note that the Heritage Impact Assessment identifies no concern with this aspect of the proposal and further, acknowledge that the report to Councillors in 2021 similarly identified no issues with this aspect of the proposal, whilst Dr Rowe (on behalf of the Borough or Queenscliffe) confirms that this aspect has no impact on the heritage values of the precinct.

One objector has sought to imply that the roof top deck is a second storey, and we can confirm that the definition of a storey is:

*That part of a building between floor levels. If there is no floor above, it is the part between the floor level and ceiling. It may include an attic, basement, built over car parking area, and mezzanine.*

As the deck does not include a roof, it is not a storey and as the height sits below 6m, it therefore meet the maximum height conditions of DDO6. There is no infrastructure proposed for the roof top deck and note that if any were, planning permission would be required for any permanent works.



[sincokplanning.com.au](http://sincokplanning.com.au)



Height / low rise forms

The planning controls that apply to this precinct provide for a single storey and 6m maximum building height. The proposal meets this requirement and as such is considered to be a low scale building form. Neither the heritage or design and development overlays require different or reduced building heights in any circumstance.

The overall scale of the extension is not dissimilar to others that have occurred in this precinct, including 2 Beach Street and 11 Beach Street which can be seen in the aerial images on the following page from Jan 2010 and October 2022.



*Mon 4 Jan 2010 (left) and Sun 2 Oct 2022 (right)*

Materials / demolition of chimney

Issues related to the proposed materials include those of the verandah and those related to the proposed extension.

The Heritage Impact Assessment discusses the verandah at page 3 and notes that the current verandah is not original, and the proposed changes are intended to return the verandah to its original form/finish. This is consistent with the heritage overlay.

The materials of the extension are deliberately different to the existing dwelling to enable the original building to stand alone and ensure the new works are clearly interpreted as recent additions (not being confused with older works). The HIA discusses the proposed works at pages 6 & 7, and the heritage expert raises no concerns with the materials/colours or finishes.

The chimney is proposed to be demolished and we note that the chimney has no particular significance, and it is the single storey form and scale of buildings that is important in this precinct. The loss of the chimney does not devalue the heritage precinct in our opinion, and the heritage expertise that accompanied this application reached the same conclusion.





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





**4.2 Application summary: 6 McDonald Road, Queenscliff**

**Planning Permit application number: 2022/044**

**SUMMARY**

<b>Proposal</b>	Use of the land for a helicopter landing site  Refer <i>Appendix 4</i>
<b>Zone/Overlays</b>	Rural Conservation Zone (RCZ) Environmental Significance Overlay, Schedule 1 Coastal and Foreshore Areas (ESO1) Environmental Significance Overlay, Schedule 2 Swan Bay and Marine and Terrestrial Habitats (ESO2) Significant Landscape Overlay, Schedule 1 Swan Bay Landscape Area (SLO1)
<b>Public Notification</b>	<ul style="list-style-type: none"> <li>• Advertised by registered post to adjoining property owners and occupiers</li> <li>• One sign placed on site for 14 days</li> <li>• Application made available for viewing on Council’s website</li> </ul>
<b>Submissions</b>	28 submissions received against the proposal 6 submissions received in favour of the proposal Copy of submissions provided to Councillors: Refer <i>Confidential Appendix 5</i> Applicants response to submissions/additional information: Refer <i>Appendix 6</i>
<b>Key issues raised by submitters (against the proposal)</b>	Impact on RAMSAR site, noise and vibration, environmental concerns, impact on birdlife, location of flight path, risk of fuel spills, air pollution, impact on Defence facility, increased air traffic, damage from helicopter downwash, hours of operation, enforcement, inconsistent/inaccurate information provided, precedent, inappropriate development of area, control of airspace, invasion of privacy, safety/risk of accidents, fire risk, impact on insurance premiums, impact on domestic animals, amenity impacts.



**4.2.1. Applicant to present to Council**

**4.2.2. Submitters to present to Council**


**4.2.3. Applicant to readdress Council**

---





APPENDIX 4- APPLICATION DOCUMENTS: 6 McDonald Road, Queenscliff



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

Office Use Only

Application No.: \_\_\_\_\_ Date Lodged: \_\_\_\_\_

RECEIVED

3 JUN 2022  
BOROUGH OF QUEENSCLIFFE

## 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. If you have any questions, please contact Council's planning department.
- ▲ 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 1

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

**Street Address \***

Unit No.:	St. No.: 6	St. Name: MCDONALD ROAD
Suburb/Locality: QUEENSCLIFFE		Postcode: 3225

**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.:	<input type="radio"/> Lodged Plan <input type="radio"/> Title Plan <input type="radio"/> Plan of Subdivision	No.:
OR			
B	Crown Allotment No.:	59	
	Section No.:		
Parish/Township Name: PARISH OF PAYWIT			

---

### 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.

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

HELICOPTER LANDING SITE WITH RESTRICTIONS ON THE NUMBER OF FLIGHTS PER MONTH  
SEE ATTACHED DOCUMENTS:

- 1 LETTER REQUESTING A LIMIT OF THE NUMBER OF FLIGHTS TO 8 PER MONTH
- 2 HELICOPTER START-UP INITIAL FLIGHT & LANDING PROCEDURE & GENERAL INFORMATION
- 3 LOCATION PLAN AND SITE PLAN
- 4 HELICOPTER TAKE OFF PLAN & HELICOPTER LANDING PLAN
- 5 SHEET SHOWING CLAUSE 52-15-1 500M REQUIREMENT, SHOWING ALL NEIGHBOURS 1-10
- 6 TITLE, SITE PHOTOS & HELICOPTER PHOTOS
- 7 LETTERS FROM NEIGHBOURS ADVISING THAT THEY ARE AWARE OF FLIGHTS & HAVE NO CONCERNS

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.

---

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

Cost \$ <input type="text" value="0"/>	<span style="color: red;">▲</span> 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.

RESIDENTIAL
RURAL CONSERVATION ZONE

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.

Name:
Title:
Occupation:
Address:
Phone:
Email:
Date: day / month / year



### Declaration

This form must be signed by the applicant \*

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

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

Signature: [Redacted]

### Need help with the Application?

General information about the planning process is available at [planning.vic.gov.au](http://planning.vic.gov.au)

Contact Council's planning department to discuss the specific requirements for this application and obtain a planning permit checklist. Insufficient or unclear information may delay your application.

Has there been a pre-application meeting with a council planning officer?

No  Yes

If 'Yes', with whom? BRYDEN RING

Date: \_\_\_\_\_ day / month / year

### Checklist

Have you:

Filled in the form completely?

Paid or included the application fee?

Most applications require a fee to be paid. Contact Council to determine the appropriate fee.

Provided all necessary supporting information and documents?

A full, current copy of title information for each individual parcel of land forming the subject site.

A plan of existing conditions.

Plans showing the layout and details of the proposal.

Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.

If required, a description of the likely effect of the proposal (for example, traffic, noise, environmental impacts).

Completed the relevant council planning permit checklist?

Signed the declaration above?

### Lodgement

Take the completed and signed form, the fee and all documents with:

Borough of Queenscliffe  
PO Box 93  
Queenscliffe VIC 3225  
50 Learmonth Street  
Queenscliffe VIC 3225

Contact information:  
Email: [info@queenscliffe.vic.gov.au](mailto:info@queenscliffe.vic.gov.au)

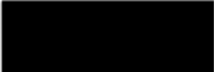
Deliver application in person, by post or by electronic lodgement.



**RECEIVED**

- 3 JUN 2022

**BOROUGH OF  
QUEENSCLIFFE**

  
31<sup>st</sup> May 2022

6 McDonald Road  
Queenscliff 3225

Attention Brydon King  
Planning Department  
Queenscliff Council  
Queenscliff 3225

Dear Sir,

Please find enclosed an application for a Helicopter Landing Site at 6 McDonald Road, Point Lonsdale – with restriction on the number of flights per month.

We would request that if Council determine to issue a permit for a Helicopter Landing Site that a condition within the permit would be inserted as follows:

“that the number of flights be restricted to 8 in any one month and a flight will consist of one take-off and landing from the subject site”

I also enclose a number of letters from the adjacent neighbours confirming they have no concerns.

Please use the P.O. Box 355, Point Lonsdale 3225, for any written communication as mail is not delivered to any properties in McDonald Road.

Yours Faithfully,

  
James Ramsey  




### **HELICOPTER STARTUP AND INITIAL FLIGHT AND LANDING PROCEDURES**

#### **Engine start**

Warm up of engine and check of temperature and pressure gauges on the ground.  
Approximately 2 minutes, and **not** at full power

#### **Initial Hover**

Hover with full power at 1 metre height to check all instruments safely working then descend to ground, then final take off checks  
Approximately 1-2 minutes.

#### **Take off**

Hover to 1 metre and transit at full power into immediate forward flight onto climb. Aircraft climbs at approximately 700 feet per minute.

#### **Airborne**

Once airborne, flight is under CASA (Civil Aviation) rules.

#### **Cruise**

Cruise flight over water usually at pilot's discretion.

Cruise flight over Rural land 500 feet minimum – usually 2000 feet

Cruise flight over urban land 1,000 feet minimum – usually 2500 feet

#### **Take off from site - See attached Sketch**

Take off from the site is normally to the Southeast and the aircraft in over the water within 10 seconds on the climb and at 1000 feet within 1.5 minutes.

Occasionally a flight may take off to the Northeast

#### **Inbound to Land - See attached Aerial photo**

Usually commences at height of 1000 feet and descends at 500 feet per minute with a landing time of 2 minutes. The landing flight to the site has never commenced over urban land, but commences over rural land or water

---



## **GENERAL INFORMATION**

### **Clause 52.15-1 Planning scheme 500 metre requirement - See attached Aerial Sketch**

It is noted that except for the residents of McDonald Road the nearest residential land is over 500 metres away.

### **Neighbours**

We are bounded by 9 neighbours in McDonald Road who all fall within the 500 metre range. My neighbours in McDonald Road have years ago been advised that a helicopter occasionally operates out of the site and have not raised any concerns.

### **Aircraft Use**

The aircraft is generally used as a mode of transport in the business the company operates, which is land development, subdivisions mainly in Geelong, Bannockburn, Inverleigh, Batesford and other towns. It is more efficient visiting sites by helicopter than by car in time, cost and safety.

The helicopter is NOT used regularly and note that the application is requesting a condition limiting of the numbers of flights to 8 per calendar month. Each flight would entail a take-off and landing from the subject site.

### **Helicopter Safety**

As this helicopter is not flown on a regular basis then a few times the engines would be started and run with a hover about 1 metre of the ground for approximately 3-4 minutes. The LAME (the helicopters Licenced Aircraft Mechanical Engineer) will request this procedure as a safety requirement as Heli engines are usually run on a regular basis to ensure any future flight is safe.

---



Point Lonsdale - Google Maps

19/4/22, 3:01 pm

Google Maps

Point Lonsdale



LOCATION PLAN: NO6 McDONALD ROAD, QUEENSLIFFE





Point Lonsdale - Google Maps

7/4/22, 10:31 am

Google Maps

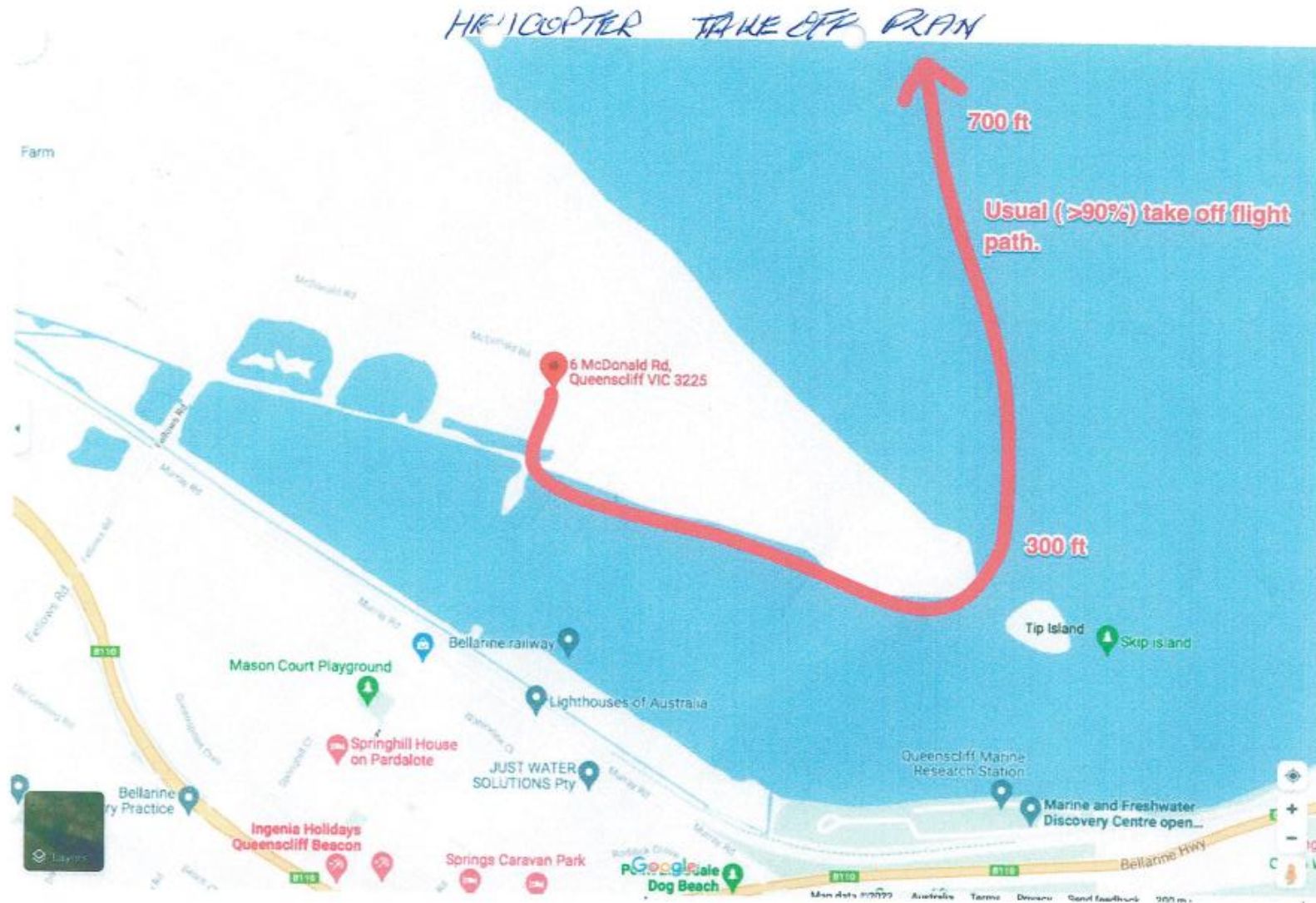
Point Lonsdale SITE PLAN NO 6 McDONALD ROAD QUEENSLIFFE



LOW VEGETATION PROVIDES SCREEN TO SOUTH (MURRAY) RD WHEN HOUSING AIRCRAFT IS NOT VISIBLE FROM MURRAY ROAD AND ACTS AS A SOUND BARRIER

Imagery ©2022 CNES / Airbus, Maxar Technologies, Map data ©2022 50 m









General Notations  
 Aerial image supplied by the Council of Queenscliffe  
 This plan is not based on survey. Measurements based on  
 (aerial image)  
 CLAUSE 22.5-1  
 HANGARS IN 500M ZONE

MARKED AS 1-9



Point Lonsdale - Google Maps

7/4/22, 10:29 am

Google Maps Point Lonsdale

AERIAL SHOWING PHOTO 1, 2, 3 SHOTS



Imagery ©2022 CNES / Airbus, Maxar Technologies, Map data ©2022 50 m









**APPENDIX 5- (CONFIDENTIAL) SUBMISSIONS: 6 McDonald Road, Queenscliff**

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





**APPENDIX 6- APPLICANTS RESPONSE TO SUBMISSIONS: 6 McDonald Road, Queenscliff**

RECEIVED

- 6 SEP 2022

BOROUGH OF  
QUEENSCLIFF

Attention Brydon King  
Planning Department  
Borough of Queenscliff

Dear Sir

**Helicopter Landing Site**

Further to my planning application I write to provide additional information in support of the proposal

1. Acoustic report by Clarity Acoustics Consultants
2. Planning Practice Note 75 "Planning Requirements for heliports and helicopter landing sites.

With particular note Helicopters and airspace - Once a helicopter is in the air, it is beyond planning control

3. HELICOPTER STARTUP AND INITIAL FLIGHT AND LANDING PROCEDURES and
4. GENERAL INFORMATION (AMENDED TO PROVIDE ADDITIONAL INFORMATION)

Also, please find below a short comment on the decision guidelines relevant to Helicopter Landing Sites.

**Decision Guidelines**

Clause 52.15-3 states:

Before deciding on an application to use land for a heliport or a helicopter landing site, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the proposal achieves a suitable separation distance from a nearby sensitive use, having regard to the Noise Control Guidelines (Environment Protection Authority, 2008).
- The effect of the proposal on nearby sensitive uses in terms of the proposed frequency of flight movements and hours of operation.

Clause 65 of the planning scheme referred to above requires Council to consider, as appropriate the effect of the proposed use on the environment. It should be remembered that the proposed use is a 'helicopter landing site' and not the flying of helicopters over Swan Bay or Ramsar sites.



As to noise control guidelines referenced in the first dot point of clause 52.15-3 the Clarity Acoustics report dated 26 August 2022, assesses the take-off and landing noise impacts and reports that it complies with Noise Control Guidelines (Environment Protection Authority, 2008) (now superseded) as well as its replacement EPA Publication *Noise control guidelines* dated May 2021 (EPA Publication 1254.2)

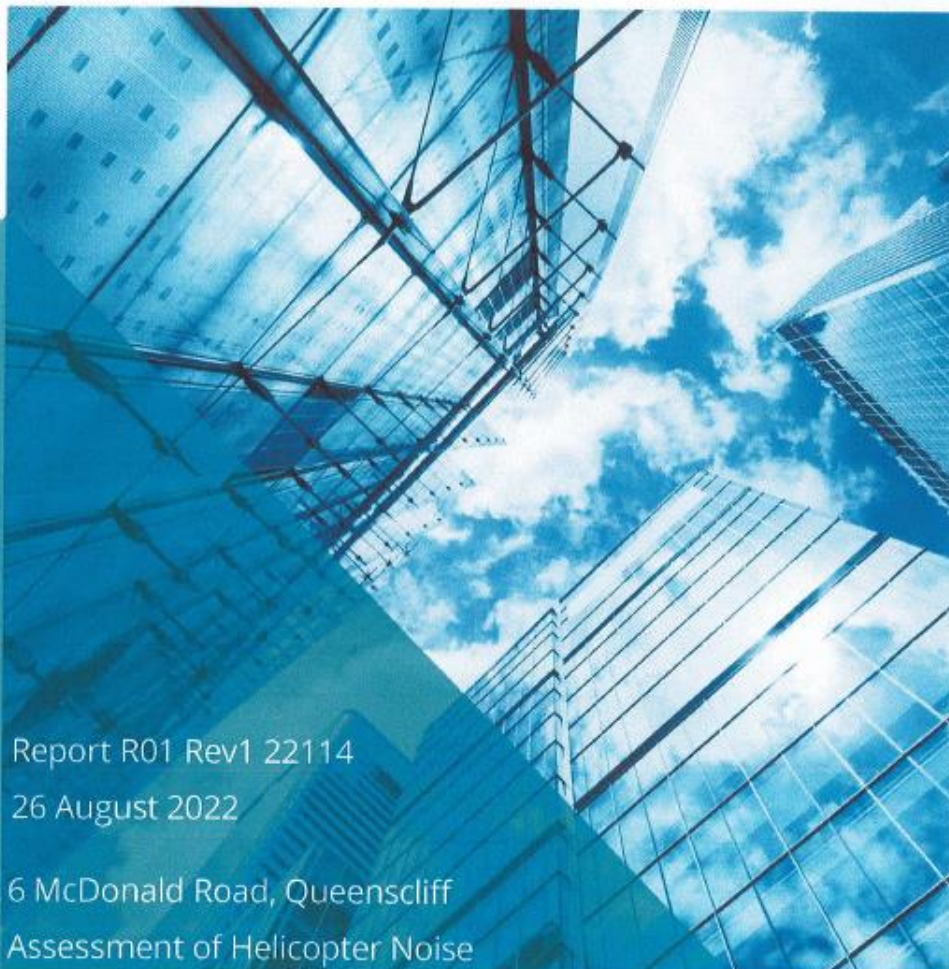
The second dot point of the decision guidelines also requires Council to consider the effect on nearby sensitive uses, frequency of flight movements and hours of operation. These are also considered in the Clarity Acoustic report at section 6 and concludes that;

*As such, relying on the separation distances and limited number of take-off and landing events, the environmental noise assessment findings are that there will be no unreasonable noise impacts due to the operation of the proposed helicopter landing site.*

Having regard for the above and all of the application materials, the limited number of flights and the separation distances to sensitive uses we ask that a planning permit be granted.

Yours Faithfully





Report R01 Rev1 22114  
26 August 2022

6 McDonald Road, Queenscliff  
Assessment of Helicopter Noise

+61 3 9088 2045  
PO Box 2433, Kew Vic 3101  
[www.clarityacoustics.com.au](http://www.clarityacoustics.com.au)  
ABN 86 301 701 872



**PROJECT SUMMARY:**

R01 Rev1 22144  
6 McDonald Road, Queenscliff  
Assessment of Helicopter Noise

**PREPARED FOR:**

James Ramsey C/o Kings Lawyers  
PO Box 270  
Geelong VIC 3220

**ATTENTION:**

James Ramsey

REFERENCE	REV	STATUS	DATE	AUTHOR	REVIEWER
R01 22144	-	ISSUED	24 AUG 2022	R LEO	A CHANDHOK
R01 22144	1	ISSUED	26 AUG 2022	R LEO	A CHANDHOK

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**AAAC**

Clarity Acoustics is a member of the Association of Australasian Acoustical Consultants (AAAC), the not-for-profit peak body representing the acoustic consulting industry in Australia and New Zealand.



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## 1.0 INTRODUCTION

A planning application for the use of land for a helicopter landing site at 6 McDonald Road, Queenscliff was lodged with the Borough of Queenscliffe.

Clarity Acoustics Pty Ltd (Clarity Acoustics) has been engaged by James Ramsey to undertake measurements of noise levels associated with the helicopter take off and landing and provide an acoustic assessment of the proposed use to be submitted as part of the planning application.

This report provides details of the proposed operations, relevant noise criteria and an assessment of noise levels from the proposed helicopter use at the subject site.

A glossary of acoustic terminology used in this report is provided in APPENDIX A.

## 2.0 PROJECT DESCRIPTION

### 2.1 Subject site

The subject site is located at 6 McDonald Road in Queenscliff and is bounded by the following:

- McDonald Road to the north with residential properties beyond
- Residential properties on McDonald Road directly to the east and west
- Swan Bay to the south with residential properties on Murray Road beyond.

The subject site is located in a Rural Conservation Zone (RCZ) with further RCZ in the immediate environs. The relevant planning map for the subject site is provided in APPENDIX B.

The nearest receivers are dwellings on McDonald Road to the east and west of the subject site. Table 1 provides details of the nearest affected receivers that have been considered in the following assessment.

**Table 1 - Details of the nearest noise sensitive receivers**

ID	Address	Description
R1	4 McDonald Road	Dwelling to the west of the subject site
R2	5 McDonald Road	Dwelling to the north of the subject site
R3	8 McDonald Road	Dwelling to the east of the subject site
R4	Flinders Street, King Street & Queen Street dwellings	Dwellings to the south-east of the subject site on the eastern side of Swan Bay
R5	Nelson Road & Murray Road dwellings	Dwellings to the south of the subject site on the southern side of Swan Bay

An aerial photograph of the subject site and nearest affected receivers is provided in Figure 1.



Figure 1 - Aerial photograph of the subject site and receivers (source: Nearmap)



It should be noted that the nearest dwelling (4 McDonald Street) is located more than 150 m from the helipad.

In addition to the above dwellings, we have also been asked to estimate helicopter noise levels at the following positions in the broader community:

- South shore of Lake Victoria at approximately 2.5 km to the south-west of the subject site
- Middle of Swan Bay at approximately 5.5 km to the north-east of the subject site
- Swan Island at approximately 3.2 km to the north-east of the subject site.

## 2.2 Proposed operation

The proposed use is summarised below:

- Up to 8 flights per month with flights only between 0700 hours and 2200 hours (i.e., total of up to 16 movements per month)
- Flight paths as per APPENDIX C
- Proposed helicopter (Enstrom 280 FX) with a gross weight of less than 1200 kg. A photograph of an equivalent helicopter (at the subject site) is provided in Figure 2.



**Figure 2 - Photograph of proposed helicopter type**







### 3.0 VICTORIAN GUIDELINES AND LEGISLATION

A summary of the key noise legislation and related guidelines and standards commonly referenced in Victoria in relation to the proposed helicopter use is provided in Table 2 below.

**Table 2 – Relevant legislation and standards**

Legislation/ Guideline	Description
Planning Scheme Clause 52.15	<p>Clause 52.15 of the planning scheme provides guidance for the Responsible Authority in terms of applications to use land for heliports or helicopter landing sites.</p> <p>52.15-3 references the now superseded 2008 version of the EPA's <i>Noise Control Guidelines</i> (2008) as the document which must be considered by the Responsible Authority in the decision-making process.</p> <p>The Responsible Authority must also consider the effect of the proposal on nearby sensitive uses in terms of the proposed flight frequency and hours of operation.</p>
EPA Publication <i>Noise control guidelines</i> dated May 2021 (EPA Publication 1254.2)	<p>The 1254.2 criteria relating to helicopter noise comprise three separate components, each of which should be satisfied at the nearest affected buildings:</p> <ul style="list-style-type: none"> <li>• The measured <math>L_{Aeq,T}</math> (measured over the entire daily operating time of the helipad) shall not exceed 55 dB(A) for a residence</li> <li>• The measured maximum noise level <math>L_{Amax}</math> shall not exceed 82 dB(A) at the nearest residential premises (See note below)</li> <li>• Operation outside the hours between 7 am and 10 pm shall not be permitted except for emergency flights.</li> </ul> <p>Note: These levels will generally be met by a separation between the landing site and the residential premises of 150 m for helicopters of less than two tonnes all-up-weight, and 250 m for helicopters of less than 15 tonnes all-up-weight.</p>

It is noted that the proposed helicopter is less than two tonnes all up weight and the setback between the proposed helipad and the nearest residences is greater than 150 m.



#### 4.0 NOISE MONITORING/MEASUREMENTS

Measurements/monitoring of noise from helicopter take off and landing were undertaken 9 August 2022. The measurements undertaken were of noise from the helicopter shown in Figure 2 and the measurement/monitoring positions are highlighted in Figure 3.

**Figure 3 - Helicopter noise monitoring/measurement positions (source: Nearmap)**



Table 3 provides details of the Class 1 sound level meters used at each position.

**Table 3 - Noise measurement equipment summary**

Position	Instrument detail	Calibration due
M1	Svantek 977A Sound & Vibration Analyser – serial number 69799	09/05/2023
M2	Svantek 977C Sound & Vibration Analyser – serial number 92629	20/09/2022
M3	Svantek 979 Sound & Vibration Analyser – serial number 69401	05/05/2023
M4	Svantek 971 Sound & Vibration Analyser – serial number 60697	09/05/2023
M5	Svantek 977C Sound & Vibration Analyser – serial number 98811	03/02/2023

The equipment was checked before and after the survey using a Class 1 calibrator (Svantek SV35 – serial number 58085) and no significant calibration drifts were observed.



The measurements of helicopter take off and landing were conducted over two take off events and two landing events which took approximately 10 minutes in total. The measured helicopter take off and landing noise levels are detailed in Table 4.

**Table 4 - Helicopter noise measurement noise summary, dB**

Position	Equivalent average helicopter noise level, $L_{Aeq, 10 \text{ minute}}$	Maximum helicopter noise level, $L_{Amax}$
M1	64	80
M2	58	74
M3	60	73
M4	51	62
M5	50	64

It should be noted that, subjectively, the highest equivalent average helicopter noise level of 64 dB  $L_{Aeq, 10 \text{ minute}}$  is approximately the equivalent to the following:

- normal speech conversation at 1 m
- a 600 cc ride-on lawn mower at 40-45 m
- a petrol chainsaw at 100 m.

## 5.0 DISCUSSION REGARDING HELICOPTER NOISE MEASUREMENTS

### 5.1 Equivalent average helicopter noise levels

As outlined in Table 2, helicopter noise should not exceed 55 dB  $L_{Aeq}$  when assessed over a full 15-hour day period (0700 hours to 2200 hours). It is proposed that there would be a restriction of 8 flights per month. For the purpose of this assessment, we have considered one helicopter takeoff and one landing in a full day period. Table 5 provides a comparison of the full day period equivalent average helicopter noise levels at each residential area with the 55 dB  $L_{Aeq}$  threshold.

**Table 5 - Helicopter full day period equivalent average noise levels, dB**

Residences	Equivalent average helicopter noise level, $L_{Aeq, 15 \text{ hour}}$	Compliance with the 55 dB $L_{Aeq, 15\text{-hour}}$ threshold?
4 McDonald Road	41	Yes
5 McDonald Road	35	Yes
8 McDonald Road	37	Yes
Flinders Street, King Street & Queen Street	27	Yes
Nelson Road & Murray Road	28	Yes



It can be seen from Table 5 that the  $L_{Aeq, 15\text{-hour}}$  threshold is achieved by a margin of at least 14 dB. It should be noted that the day period equivalent average helicopter noise levels are generally well below the existing measured day time ambient noise levels of 40-45 dB  $L_{Aeq}$ .

Table 6 provides the equivalent average helicopter noise levels at the positions in the broader community outlined in Section 2.1.

**Table 6 – Equivalent average helicopter noise levels in the broader community, dB**

Position	Equivalent average helicopter noise level, $L_{Aeq, 10\text{ minute}}$	Equivalent average helicopter noise level, $L_{Aeq, 15\text{ hour}}$
South shore of Lake Victoria	37	17
Middle of Swan Bay	30	<15
Swan Island	35	15

The above noise levels are considered lower than what is expected in terms of the typical ambient noise levels in the surrounding areas.

## 5.2 Maximum helicopter noise levels

As outlined in Table 2, helicopter noise should not exceed 82 dB  $L_{Amax}$ . Table 7 below provides a comparison of the measured maximum helicopter noise levels with the 82 dB  $L_{Amax}$  threshold. Table 7 also provides the calculated maximum noise levels<sup>1</sup> at the three positions in the broader community outlined in Section 2.1.

**Table 7 – Helicopter maximum noise levels, dB**

Position	Equivalent average helicopter noise level, $L_{Amax}$	Compliance with the 82 dB $L_{Amax}$ threshold?
4 McDonald Road	80	Yes
5 McDonald Road	74	Yes
8 McDonald Road	73	Yes
Flinders Street, King Street & Queen Street	64	Yes
Nelson Road & Murray Road	62	Yes
South shore of Lake Victoria	48	N/A
Middle of Swan Bay	41	N/A
Swan Island	46	N/A

It can be seen from Table 7 that the maximum noise level threshold is achieved at nearby residences by a margin of at least 2 dB.

<sup>1</sup> Calculated noise levels extrapolated based on additional setbacks from the M5 measurement position



In relation to the maximum noise levels in the broader community, the maximum noise levels shown in Table 7 are lower than what is expected in terms of the typical maximum noise levels in the surrounding areas.

## **6.0 CONCLUSION**

A planning application for the use of land for a helicopter landing site at 6 McDonald Road, Queenscliff was lodged with the Borough of Queenscliffe. The following summarises the proposed helicopter use:

- Up to 8 flights per month with flights only between 0700 hours and 2200 hours
- Flight paths as per APPENDIX C
- Proposed helicopter (Enstrom 280 FX) with a gross weight of less than 1200 kg.

It should be noted that the proposed helicopter is less than two tonnes all up weight and the setback between the proposed helipad and the nearest residences is greater than 150 m and, as such, under EPA publication 1254.2, the maximum helicopter thresholds are expected to be met.

Clarity Acoustics has carried out an environmental noise assessment of the proposed helicopter use in accordance with the Victorian EPA publication 1254.2 and Planning Scheme Clause 52.15 and found that, based on noise measurements of the proposed helicopter type, both the maximum noise level and equivalent average thresholds are achieved at all nearby residences.

As such, relying on the separation distances and limited number of takeoff and landing events, the environmental noise assessment findings are that there will be no unreasonable noise impacts due to the operation of the proposed helicopter landing site.



**APPENDIX A GLOSSARY OF TERMINOLOGY**

dB	Decibel (dB) a relative unit of measurement widely used in acoustics, electronics and communications. The dB is a logarithmic unit used to describe a ratio between the measured sound level and a reference or threshold level of 0 dB.
A-weighting	The A-weighting filter covers the full audio range - 20 Hz to 20 kHz and the shape is similar to the response of the human ear at lower levels. A-weighted measurements correlate well with the perceived loudness at low sound levels, as originally intended.
Hz	Hertz (Hz) the unit of Frequency or Pitch of a sound. One hertz equals one cycle per second. 1 kHz = 1000 Hz, 2 kHz = 2000 Hz, etc.
L <sub>Aeq(t)</sub>	A -weighted equivalent continuous sound Level is the sound level equivalent to the total sound energy over a given period of time (t). Commonly referred to as the average sound level.
L <sub>Amax</sub>	The A-weighted maximum noise level. The highest sound level which occurs during the measurement period or a noise event.



APPENDIX B PLANNING MAP





APPENDIX C FLIGHT PATHS



<b>General Notations</b> Aerial Image supplied by Metromap 25/02/2022. This plan is not based on survey. Measurements based on Metromap.		<b>LEGEND</b> - - - - - Primary flight path (98%) - - - - - Alternate flight path (2%) ● Helicopter Landing Site (HLS)							
<table border="1"> <thead> <tr> <th>Rev.</th> <th>Revision</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>-</td> <td>-</td> <td>-</td> </tr> </tbody> </table>	Rev.	Revision	Date	-	-	-	<b>PLAN OF TAKE OFF &amp; LANDING FLIGHT PATHS</b>  6 McDONALD ROAD QUEENSCLIFF, 3225  JIM RAMSEY		Job Number: 23165-01 Sheet: 1 of 1 Date of Survey: 25/02/2022  Date of Issue: 26/08/2022  At Size: A3  Survey: BD    Drawn: AD    Checked: DR DWG: 23165-01-EC03    REV: 0
Rev.	Revision	Date							
-	-	-							





# Planning requirements for heliports and helicopter landing sites

Planning Practice Note | 75

JUNE 2015

The purpose of this practice note is to:

1. Explain how helicopter activity is regulated by the planning system.
2. Provide guidance to applicants and responsible authorities on preparing and assessing an application under Clause 52.15 of the planning scheme. The clause applies to proposals to use or develop land for a heliport or a helicopter landing site.

## Helicopter land use definitions

Clause 74 of the *Victoria Planning Provisions (VPP)* defines two helicopter related land uses:

- **Heliport**

A heliport is not separately defined in Clause 74 but is included within the definition of transport terminal. A transport terminal is defined as land used to assemble and distribute goods or passengers. It includes facilities to park and manoeuvre vehicles.

A heliport would normally have one or more helipads, with facilities for passenger handling such as a terminal building. It may also include facilities such as a hangar, refuelling and lighting.

- **Helicopter landing site**

Land used for the take off and landing of a helicopter, with or without a permanent landing pad, but without permanent facilities for the assembly and distribution of goods or passengers.

A helicopter landing site may range from a permanent and constructed landing pad to an unprepared site with no new buildings and works.

## When does helicopter activity become land used for a helicopter landing site?

The Victorian Civil and Administrative Tribunal (VCAT) has considered the question of whether a helicopter landing site constitutes a use of land in a number of cases including *Mornington Peninsula SC v Inchalla Nominees Pty Ltd (Red Dot)* [2008] VCAT 399 and *Mornington Peninsula SC v Lindsay Edward Fox (et al)* [2003] VCAT 722.

The Tribunal has found that a helipad use could be regular, intermittent or occasional, but would need to be more than an isolated or fortuitous landing or take off.



### Helicopters and airspace

Once a helicopter is in the air, it is beyond planning control.

Two independent statutory authorities are responsible for administering federal legislation and regulations for airspace management, including helicopters in flight:

- **The Civil Aviation Safety Authority (CASA)**

Established by the *Civil Aviation Act 1988* and responsible for administering the Civil Aviation Regulations 1988, CASA conducts safety regulation of civil air operations.

- **Airservices Australia**

Established in 1995 and responsible for airspace management, aeronautical information, aviation communications, radio navigation aids, aviation rescue and fire fighting services.

### Flying overhead

Planning consideration of a heliport or helicopter landing site does not generally extend to a helicopter flying overhead. For areas of controlled airspace, Airservices Australia is responsible for air traffic services, including managing designated flight paths.

For areas of uncontrolled airspace, Civil Aviation Regulations 1988 stipulate that a helicopter pilot must not fly over a city, town or populous area at a height lower than 1000 feet, or 500 feet over any other area. This does not apply if a helicopter is flying at a designated altitude, for example a flight path in controlled airspace.

### Helicopter flight paths

Helicopters are a unique form of aircraft characterised by flexibility in flight and near vertical ascent and descent. This allows them to land virtually anywhere and this often requires variable flight paths. While land use planning does consider flight paths near to airports, it is not always necessary or appropriate to do so for helicopter landing sites.

Airservices Australia is a federal statutory authority responsible for ensuring that pilots comply with the Air Navigation (Aircraft Noise) Regulations 1984. The authority also provides air traffic management for Melbourne’s controlled airspace, which includes designating flight paths for helicopters.

For helicopter landing sites that are not in the vicinity of controlled airspace, flight paths are not approved. The operator must adhere to Visual Flight Rules and Civil Aviation Regulations which are based on safety.

For helicopter landing sites or heliports that are of significant community concern, there is an opportunity for a third party or the council to participate in a CASA administered process to develop a Fly Neighbourly Advice with the helicopter operator (see ‘Dispute resolution’ on page 5).

If it is imperative that the flight path be maintained for a heliport or helicopter landing site, for example a hospital helipad access, a planning authority may consider implementing a Design and Development Overlay on adjacent land to restrict building height levels on sites underlying the designated flight path.

### Do I need a planning permit under Clause 52.15?

A planning permit is required to use land for a helicopter landing site or a heliport under Clause 52.15 of the *Victoria Planning Provisions* unless the use meets one of the exemptions below. This includes if it is ancillary to another use of the land.

Any development (buildings and works) related to the use of land for a helicopter landing site or heliport requires a planning permit irrespective of whether the use is exempt. This ensures that any impacts of the development can be adequately assessed.

### Exemptions

Victoria’s planning system recognises that some helicopter functions are necessary to properly carry out rescue and emergency services, public land management and agricultural activities, which do not require a planning permit in Clause 52.15 to use land for a helicopter landing site.

There are also circumstances where the transient use of land for a helicopter landing site does not require a planning permit, if conditions are met.

- **Emergency services** – No permit is required under any provision of the planning scheme to use land for a helicopter landing site that is used by a helicopter engaged in the provision of emergency service operations.



This can include hospitals, police, search and rescue and fire service helicopter landing sites, including training and the emergency landing of a helicopter due to a weather event or technical problem.

- **Agriculture** – No permit is required under any provision of the planning scheme to use land for a helicopter landing site that is used by a helicopter engaged in agricultural activity in conjunction with the use of any land for agriculture.

This can include flights for purposes such as spraying, dusting and fertilising operations and herding cattle. The purpose of the flight must have a direct link to the carrying out of agricultural activity on the land. It does not include private transport to and from other parts of the property or scenic tourist flights.

- **Public land management** – No permit is required under any provision of the planning scheme to use land for a helicopter landing site that is used by a helicopter engaged in the provision of public land management activities conducted by or on behalf of the Department of Environment, Land, Water and Planning (DELWP) and Parks Victoria whether on private land or not.

Examples of the type of activity undertaken by helicopters owned or contracted by DELWP and Parks Victoria may include bushfire fuel reduction burning operations, sling loading materials, general compliance operations, fire training, crop spraying and locust control.

- **General** – No permit is required under any provision of the planning scheme to use land for a helicopter landing site where the site is located more than 500 metres from a building used for a sensitive use that is not associated with the helicopter operation and more than 200 metres from a shipping channel in the Port of Melbourne, provided:
  - **Frequency limitation:** The number of flight movements does not exceed eight in a 30 day period and four in a 24 hour period. The take off and landing of a helicopter are calculated as separate flight movements.
  - **Time limitation:** Flight movements do not take place before 7am or after sunset on a weekday. Flight movements do not take place before 8am or after sunset on a weekend or holiday.

The separation distance, frequency and time limits for this exemption ensure that the impact of flights on the amenity of surrounding areas is minimised. This exemption includes any charter, tourism or private transport flights that meet all of the separation distance, frequency and time conditions.

If none of the exemptions apply, a permit is required to use or develop any land for a heliport or helicopter landing site, even if it is ancillary to another use on the land.

That is the case unless the zone provision that applies to the land specifically states otherwise.

To determine whether a helicopter landing site is operating under and adhering to this exemption, the responsible authority may request to view a log book or register of flight movements from the owner (for multiple operators) or operator.

Log books with details of each flight made are required to be maintained by helicopter pilots under the Civil Aviation Regulations 1988.

### What is considered a sensitive use?

Uses that are sensitive to the potential adverse amenity impact of a heliport or a helicopter landing site include accommodation, child care centre, education centre and hospital. See Clauses 74 and 75 of the planning scheme for a definition of these sensitive uses and related uses that may be included within these land use terms.

### Making an application for a heliport or a helicopter landing site

Applicants should make sure that the application fully describes the proposal, adequately identifies the land affected by the proposal and includes any further relevant information deemed necessary by the council.

Application requirements that must be included in any application to use land for a heliport or helipad are set out in Clause 52.15-2. They include a requirement for a site plan, location plan and written report.

The written report must demonstrate that a suitable separation distance has been met between the landing point of a heliport or helicopter landing site and an existing building used for a sensitive use that is not associated with the helicopter operation. This



can be achieved by demonstrating at least one of the following has been met:

- the proposed helicopter landing site or heliport is located at least the distance specified in the clause (varies according to all-up weight of helicopter including passengers, cargo and fuel) away from a sensitive use, or
- an acoustic report is provided that demonstrates the proposed heliport or helicopter landing site does not have an adverse noise impact on a nearby sensitive use. The acoustic report should prove it meets the noise level criteria set out for helicopters in the *Noise Control Guidelines* (Environment Protection Authority, 2008).

### Assessing an application for a heliport or a helicopter landing site

The following information may be useful for the responsible authority when assessing the impact a helicopter landing site or heliport may have on the surrounding area.

#### Planning unit and measurement

A helicopter landing site is considered a specific site on land. There may be more than one suitable landing site on a property and more than one helicopter expected to service the site.

To measure the separation distance between a helicopter landing site or a heliport and the nearest sensitive use, the distance should be measured from the proposed helicopter landing site, rather than the boundary of the property.

The point of landing and take off for a helicopter landing site or heliport is generally a constructed pad or marked area. If the proposal doesn't include a pad or marked area, it can be considered to have an area equal in size to the undercarriage contact points plus one metre on all sides (consistent with the Landing and Lift Off Area of CASA's CAAP 92-2(1)).

If a landing site is not nominated, the boundary of the property should be used.

#### Amenity

A responsible authority should consider whether or not the requirement for a written report, that demonstrates a suitable separation distance between the landing site and an existing building used for a sensitive use, has been met. This should be assessed using the specified distances in application requirements (Clause 52.15-2).

If it has not been met, an acoustic report must be provided that outlines the impact helicopter noise will have on any nearby sensitive uses. It may provide flight frequency limitations for a condition on a permit or noise attenuation measures that allows for a smaller separation distance without reducing the amenity impact.

The responsible authority must ultimately decide whether the impact on the surrounding community's amenity is acceptable.

#### Safety

The helicopter operator is responsible for ensuring a proposed helicopter landing site or heliport meets CASA's *Guidelines for the establishment and operation of onshore helicopter landing sites* (CAAP 92-2 (2)) and *Guidelines for the development and operation of off-shore helicopter landing sites, including vessels* (CAAP 92-2(4)). However, safety may be considered a relevant matter (s.60(1A) of the Planning and Environment Act 1987) if there is an obvious or suspected safety issue or obstacle within the immediate vicinity of the helicopter landing site. It is recommended the responsible authority discuss the issue with the applicant and seek advice from CASA, if considered necessary.

#### What to consider

Before deciding on an application for a heliport or helicopter landing site, the responsible authority must consider the decision guidelines at Clause 52.15-3.

The responsible authority should assess that the separation distance provided with the application is suitable. The distance will be determined to be suitable if it meets the distance specified in the clause or includes an acoustic report that demonstrates it meets the noise level criteria set out in the EPA's *Noise Control Guidelines*.

The all-up weight of a helicopter includes the occupants, fuel quantity, engine fluids and removable equipment or cargo.

The frequency of flight movements and hours of operation are key factors that contribute to a helicopter landing site's noise impact on nearby sensitive uses. The exemption limits provide a guide of what is acceptable at a distance of 500 metres. Acoustic advice, or advice from the Environment Protection Authority may be sought for different circumstances.



### Applying planning permit conditions for a heliport or helipad

Permit conditions should not be included that:

- require compliance with the Civil Aviation Safety Authority Publication CAAP 92-2. CASA requirements and regulations apply regardless and CASA is responsible for related enforcement
- require compliance with designated flight paths. This is not a planning consideration and only a concern of CASA and Airservices Australia
- require the helipad to only be used by the owner of the land or an associated business. The operator of a helicopter is of little concern to planning.

Permit conditions could be included that:

- restrict the frequency of flights. This may be in accordance with acoustic advice or an agreement with the operator and community.
- require no flights to be undertaken after designated hours without written consent of the responsible authority
- have the use comply with the *Noise Control Guidelines* (Environment Protection Authority, 2008)
- require that the permit holder keep a logbook of the use of the heliport or helicopter landing site and the logbook be made available for inspection by the responsible authority on request
- require the surface of the helicopter landing site to be treated to the satisfaction of the Responsible Authority so as to prevent any loss of amenity to the neighbourhood by the emission of dust.

### Dispute resolution

#### Fly Neighbourly Advice

A Fly Neighbourly Advice (FNA) is a voluntary code of practice established between aircraft operators and communities or authorities to negotiate a reduction of disturbance or adverse amenity impact in an area. It may be instigated by the local government, business operator or community group that is affected by the operation of the aircraft. The development of the FNA is facilitated by the Office of Airspace Regulation, (+61 2 6217 1570).

FNA's must be consistent with CASA regulations and are not part of the planning system.

See the CASA website for more details at [www.casa.gov.au](http://www.casa.gov.au).

#### Noise complaints

Helicopter noise concerns can be directed to Airservices Australia's Noise Enquiry Unit on 1800 802 584. Their role is a co-ordination point for the community to have its voice heard on aircraft noise issues by reporting community concerns to airlines, airports and the government. They also provide information on flight path changes, unusual flight patterns that are a result of weather events or emergencies and respond to enquiries about air traffic patterns in particular areas.

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**HELICOPTER STARTUP AND INITIAL FLIGHT AND LANDING PROCEDURES**

**AMENDED TO PROVIDE ADDITIONAL INFORMATION**

**Engine start**

Warm up of engine and check of temperature and pressure gauges on the ground.  
Approximately 2 minutes, and **not** at full power

**Initial Hover**

Hover at 1 metre height to check all instruments safely working then descend to ground,  
then final take off checks  
Approximately 1-2 minutes.

**Take off**

Hover to 1 metre and transit at full power into immediate forward flight onto climb. Aircraft  
climbs at approximately 700 feet per minute.

**Airborne**

Once airborne, flight is under CASA (Civil Aviation) rules.

**Cruise**

CASA - Cruise flight over water usually at pilot's discretion.

CASA - Cruise flight over Rural land 500 feet minimum – usually we fly at 2000 feet

CASA - Cruise flight over Urban land 1,000 feet minimum – usually we fly at 2500 feet

**Take off from site - See attached PLAN OF TAKEOFF AND LANDING FLIGHT PATHS (98% of  
flights)**

98% of the time take off from the site is normally to the Southeast or the Southwest  
depending on the destination and the aircraft in over the water within 10 seconds on the  
climb and at 1000 feet within 1.5 minutes.

Very occasionally a flight may take off to the Northeast or Northwest

**Inbound to Land - See attached Aerial photo**

Usually commences at height of 1000 feet and descends at 500 feet per minute with a  
landing time of 2 minutes. The landing flight to the site has never commenced over urban  
land, but commences over rural land or water



**GENERAL INFORMATION**

**AMENDED TO PROVIDE ADDITIONAL INFORMATION**

**Clause 52.15-1 Planning scheme 500 metre requirement - See attached Aerial Sketch**

It is noted that except for the residents of McDonald Road the nearest residential land is over 500 metres away.

**Neighbours**

We are bounded by 9 neighbours in McDonald Road who all fall within the 500 metre range. My neighbours in McDonald Road have years ago been advised that a helicopter occasionally operates out of the site and have not raised any concerns.

**Aircraft Use**

The aircraft is generally used as a mode of transport in the business the company operates, which is land development, subdivisions mainly in Geelong, Bannockburn, Inverleigh, Batesford and other towns.

The helicopter is NOT used regularly and note that the application is requesting a condition limiting of the numbers of flights to 8 per calendar month. Each flight would entail a take-off and landing from the subject site.

**Helicopter Safety**

As this helicopter is not flown on a regular basis then a few times the engines would be started and run with a hover about 1 metre of the ground for approximately 3-4 minutes. The LAME (the helicopters Licenced Aircraft Mechanical Engineer) will request this procedure as a safety requirement as Heli engines are usually run on a regular basis to ensure any future flight is safe.

The maintenance of the Helicopter and safety procedures are regulated by CASA. All maintenance must be approved and signed off on the maintenance sheet by the LAME



RECEIVED  
20 SEP 2022  
009-030-600  
BOROUGH OF  
QUEENSLIFFE

Attention Brydon King  
Planning Department  
Borough of Queenscliff

James Ramsey

September 2022

Dear Sir

**Helicopter Landing Site**


Further to my planning application I write to provide additional information in support of the proposal.

An Environmental Report from Nature Advisory Consultants assessing the impact on Fauna within the landing and take-off zone.

It is noted that in considering the assessment, the proposed helicopter take-off and landing movements and its wider operations will not result in impacts inconsistent with the objectives of the relevant Queenscliff Planning Scheme.

In relation to the recommendation on page 8 of the report we would be prepared to accept a condition and any printed issues requiring the flight to use the Melbourne bound path at high tide.

Yours Faithfully

  
James Ramsey





14<sup>th</sup> September 2022



Attention: Jim Ramsey



Dear Jim,

**RE: 6 McDONALD ROAD, QUEENSLIFF  
BIODIVERSITY IMPACT ASSESSMENT  
NATURE ADVISORY REF. 22233.1 (1.1)**

#### Introduction

Nature Advisory was engaged by Jim Ramsey to provide an assessment of impacts on wildlife of helicopter landing and take-off movements at 6 McDonald Road, Queenscliff. This assessment is to inform a permit application. The specific scope of this report includes:

- A review of existing information on fauna of the study area and surrounds, including:
  - Review of the fauna habitat characteristics of the impact area;
  - Desktop assessment of existing roosting and foraging habitat for migratory birds, resident shorebirds and other waterbird species;
  - Literature review of impacts to fauna from helicopter activities; and
  - Review of a noise report prepared describing the impact of helicopter movements.
- The methods used and sources of information consulted for this assessment, including any limitations, where applicable;
- Assessment of impacts on fauna within the landing and take-off zone; and
- A map of suitable habitat for fauna species of key concern within the landing and take-off zone.

We have been supplied with the following information from the proponent to assist in the preparation of this report:

- *Assessment of Helicopter Noise: 6 McDonald Road, Queenscliff* (Clarity Acoustics 2022); and
- Air Services Visual Terminal Chart showing flight over Swan Island 24 Hr. Restricted, (Appendix 2)

#### Existing Information and Methods

The study area was chosen to identify potential wildlife and habitats that may be sensitive to helicopter flights comprising an area within a five-kilometre radius of the helicopter landing site (see Figure 1). The helicopter landing site is located within the Borough of Queenscliff local government area and is currently

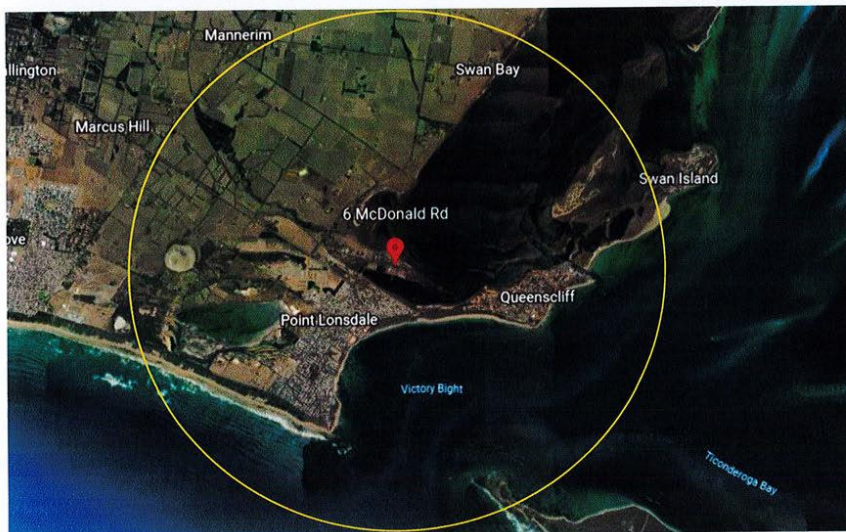


zoned Rural Conservation Zone in the Queenscliff Planning Scheme. Its coordinates are: latitude 38° 15' 50" S and longitude 144° 37' 40" E.

#### Existing information

A review of existing information and literature was undertaken as part of this investigation. The site and surrounds that were reviewed are shown in Figure 1. The following sources were consulted:

- *Victorian Biodiversity Atlas (VBA)* (DELWP 2022a)
- *Protected Matters Search Tool* (DCCEEW 2022)
- *NatureKit* (DELWP 2022b)



**Figure 1. Study area (yellow) and helicopter landing site**

#### Methods and Limitations

This report is a desktop review of the available information. Information available included public flora and fauna databases, national and state threatened species lists, predictive tools, vegetation mapping and satellite imaging. A literature review has been conducted in relation to impacts of helicopter operations on wildlife. Flight paths were provided by the proponent.

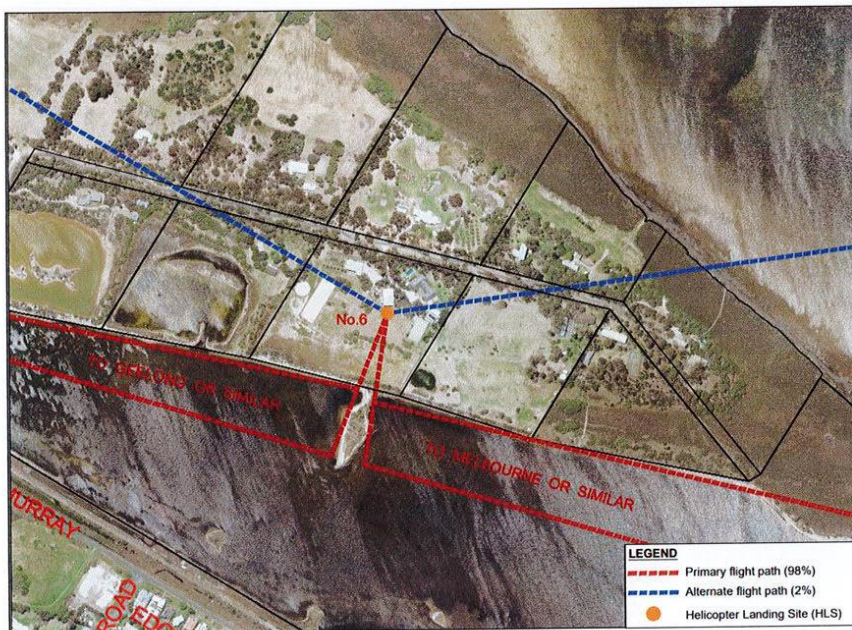
There has been no field inspection or ground-truthing any of these data, although the personnel preparing this report (Peter Lansley, Senior Zoologist and Brett Lane, Principal Consultant) are very familiar with fauna and their habitats in the Swan Bay – Queenscliff area.

#### Impact assessment

An impact assessment was undertaken to determine if the helicopter take off and landing movements would have any detrimental impacts to fauna in the study area, particularly values listed under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and/or the Victorian *Flora and Fauna Guarantee Act 1988* (FFG Act). Fauna records and mapped habitat for listed species was used to determine a likelihood of occurrence for fauna species within the study area.



Potential impacts on susceptible species were analysed using the flight plan provided by the proponent and shown in Figure 2.



**Figure 2. Plan of take-off and landing flight paths**

## Results

### Review of existing information

#### Local Government planning controls

The study area is subject to the following two overlays in the Queenscliff Planning Scheme:

- **Environmental Significance Overlay ES01** – These areas exhibit a high degree of environmental sensitivity. The intertidal waters of Swan Bay are listed under the Ramsar Convention on Wetlands as part of the Port Phillip Bay (Western Shoreline) and Bellarine Peninsula wetland of international significance. The overlay serves to manage the impact of human activity upon the natural environment, protect environmental diversity, stability of foreshore, cliffs and coastal sand dunes, minimise nutrient runoff, and discourage development that is inconsistent with environmental values of the area. Notification pursuant to Section 52 of the Act must be given to the Department of Environment, Land, Water and Planning, Parks Victoria and the Environment Protection Authority for any application for development within the overlay area. It is noted that no development is proposed.
- **Environmental Significance Overlay ES02** – This overlay serves to protect areas that serve as habitat for species listed under the EPBC Act and FFG Act. It controls inappropriate development that is inconsistent with species recovery plans under the FFG Act. Specifically, it protects



identified movement corridors of listed threatened and migratory species, sites for shorebird habitat and roost sites for fauna. It is noted that no development is proposed.

#### **State of Victoria**

The Victorian FFG Act lists threatened and protected species and ecological communities (DELWP 2018b, DELWP 2017b). Any removal of protected flora, which includes threatened flora species and the plants that make up threatened communities, listed under the FFG Act from public land requires a Protected Flora Licence or Permit under the Act, obtained from DELWP. It is noted that no protected or threatened flora is to be removed.

The FFG Act only applies to private land where a license is required to remove grass trees, tree ferns and sphagnum moss for sale, or where an Interim Conservation Order has been made to protect critical habitat for a threatened species or community. As no such habitat has ever been declared, this mechanism under the FFG Act has never been implemented.

The likelihood of occurrence of FFG Act-listed species that may occur in the study area are presented in Appendix 1 to this letter.

Implications under the *Environmental Effects Act 1978* have also been reviewed. In particular, two relevant potential Referral criteria have been considered:

- Potential loss of critical habitat (of a matter listed under the FFG Act); and/or,
- Potential significant effects on habitat values of a wetland supporting migratory bird species.

It has been concluded that there will be no loss of critical habitat and that there will be no effect on the habitat values of a wetland supporting migratory bird species as no habitat or vegetation is proposed for removal. Listed flora and threatened communities have therefore, not been considered further.

#### **Commonwealth of Australia**

The EPBC Act protects nationally threatened species and ecological communities. Any significant impacts on these species require the approval of the Australian Minister for the Environment.

If there is a possibility of a significant impact on nationally threatened species or communities or listed migratory species, a Referral under the EPBC Act should be considered. The Minister will decide after 20 business days whether the project will be a 'controlled action' under the EPBC Act, in which case it cannot be undertaken without the approval of the Minister. This approval depends on a further assessment and approval process (lasting between three and nine months, depending on the level of assessment).

Threatened and migratory species of flora and fauna and threatened ecological communities are protected under the EPBC Act. Listed species and communities that may occur in a geographical area may be determined by way of the Protected Matters Search Tool (DAWE 2022). The likelihood of occurrence of EPBC Act-listed species that may occur in the study area are presented in Appendix 1.

We have assessed that there is no significant impact on nationally threatened species or communities or listed migratory species and no Referral under the EPBC Act is necessary

#### **Fauna and habitats near the helicopter landing site**

Review of satellite imagery and fauna databases found that habitat for a variety of intertidal wetland dwelling species occurs in the shallow waters of Swan Bay. High tide roosts of shorebirds are known from the vicinity of Swan Island, three kilometres east of the site and foraging areas are known from Lake Victoria, three kilometres southwest of the site and the Barwon Estuary and Lake Connemara, between



1.1 and 1.5 kilometres east. The Air Services Chart indicating prohibited aircraft flying over Swan Island area is shown in Appendix 2.

The review of existing information (including VBA records, DELWP 2022a) and the results of the EPBC Protected Matters Search Tool (DCCEEW 2022) indicated that within the search region there were records of, or potential suitable habitat occurred for, 39 fauna species listed under the Commonwealth EPBC Act and the state FFG Act. The likelihood of occurrence of these species in the study area was assessed and the results are presented in Appendix 1.

Of the 39 species that could potentially occur in the study area and be impacted by the proposed helipad, the majority are listed migratory shorebirds. These are listed below.

It is considered that marine species including albatrosses and petrels, whales, dolphin and most sharks, are unlikely to occur in the shallow estuarine waters of Swan Bay and therefore these species are excluded from further consideration.

Key species of shorebirds identified to occur in the study area and may be impacted by the proposal are as follows:

- Bar-tailed Godwit
- Caspian Tern
- Common Greenshank
- Curlew Sandpiper
- Double-banded Plover
- Eastern Curlew
- Fairy Tern
- Grey Plover
- Great Knot
- Little Tern
- Pacific Golden Plover
- Red Knot
- Red-necked Stint
- Sharp-tailed Sandpiper

One species of migratory parrot may occur in the study area:

- Orange-bellied Parrot

Other species of larger waterbirds also inhabit Swan Bay. These include:

- Great Egret
- Little Egret
- White Ibis
- Royal Spoonbill
- White-faced Heron
- White-bellied Sea Eagle

Other species from Appendix 1 marked as potential to occur or likely to occur are generally at low risk due to their low numbers or infrequency of occurrence. These include:

- Black Falcon
- Fork-tailed Swift
- Little Eagle
- White-throated Needletail



The area of Swan Bay immediately south of 6 McDonald's Road is a former shell-grit extraction area, known as Lakers Cutting, that is deep and steep-sided and it lacks extensive intertidal habitats for shorebirds and other waterbirds. The nearest intertidal foraging areas for waterbirds, including migratory shorebirds, in the southern part of Swan Bay lie 350 metres north of the helicopter landing site and approximately 600 metres east of the site. These areas are used infrequently in comparison to the intertidal flats adjacent to the west shore of Swan Island and offshore from there, between 3.5 and 5.5 kilometres north east of the site.

High tide roosting and supplementary foraging areas for migratory shorebirds lie in Lake Victoria, between two and four kilometres west of the site and on the eastern shores of Swan Island between 3.5 and 5.5 kilometres east of the site. An important high tide roosting site for large wading birds in Swan Bay, such as Royal Spoonbills, White Ibis, White-faced Herons and egrets exists on Tip Island, about 900 metres east of the site. Largest numbers of these wading birds tend to occur here between January and June, after breeding and when alternative inland wetland habitat is at its driest and coastal wetlands become important dry season refuges.

Although, the critically endangered Orange-bellied Parrot (*Neophema chrysogaster*) was previously a regular visitor to the greens of Swan Island Golf Course, it has not been recorded since 2011.

Other sites close to the study area where regular numbers of shorebirds gather, and from where there are historical records of OBP is Lake Victoria, between two and four kilometres west of the site. The Lake Connewarre wetland complex on the lower Barwon River is an important waterbird habitat and part of the Ramsar site, located approximately 11-15 kilometres from the helicopter site.

#### **Existing knowledge of helicopter impacts**

Several studies and reviews of the impacts of helicopter activity on wildlife have been prepared. Relevant information from these is summarised below.

Generally, impacts on wildlife are of three types (Hoang 2013):

1. scanning and alert behaviours (head turning, neck extension, body re-orientation, tension)
2. agitated behaviours (increased calling, wing-flapping etc.), and
3. escape behaviours such as flying away, diving, crouching or running, usually measured by flight initiation distance (FID) in birds or flush distance at which animals run away.

These reactions to helicopters (and other types of disturbance) result in stress, leading to higher heart rate and energy expenditure, which may result in reduced time spent foraging and ultimately lower survival, increased predation and/or reduced breeding success (Hoang 2013).

Helicopters can cause more disturbance than fixed-wing aircraft, although this can depend on other factors such as frequency of flights, noise signature of the individual aircraft, height and speed of flight and type of flight (e.g. single pass versus repeated pass, Drewitt 1999). In the German Wadden Sea, it was found that helicopters had disturbed shorebirds every time they flew over them, compared with other types of aircraft, which had disturbance rates varying between 50% and 84% of flights (Heinen 1986 cited in Hoang 2013).

Flights below 500 metres were considered to cause higher disturbance levels than other flights (Drewitt 1999). Flights within 150 metres of the ground or fauna roost site were particularly likely to cause adverse impacts on wildlife (Anderson 2007, and references therein; Hoang 2013).

Anderson (2007) examined susceptibility to helicopter disturbance in Alaska of large mammals and migratory birds. She found that Caribou (*Rangifer tarandus*), Dall Sheep (*Ovis dalli*), Brown / Grizzly Bears (*Ursus arctos*) and Polar Bears (*U. maritimus*) were relatively sensitive to close helicopter approach but



that the more solitary Moose (*Alces alces*) was less affected. In the case of Dall Sheep, these were affected by flights at distances of 120 to 1280 meters above or below the sheep, at ranges from 200 metre to 2.1 kilometres; they resumed normal activity 6-10 minutes later. Adverse reactions by Mountain Sheep (*Ovis canadensis*) and Mountain Goats (*Capra hircus*) have been observed by biologists carrying out helicopter aerial surveys, although results have not been quantified (Anderson 2007).

Bison (*Bison bison*) were minimally affected, but this result was taken as habituation in these managed herds. Of marine mammals, the Beluga (*Delphinapterus leucas*) was considered relatively sensitive to helicopter disturbance, possibly due to noise amplification that occurs in the surface layers of marine waters (Anderson 2007). Ringed Seals were disturbed more by helicopters than fixed wing aircraft when both flew at 150 meters, and disturbance was detectable at a range of 1250 metres (Born et al. 1999 cited in Hoang 2013).

The Sandhill Crane (*Grus canadensis*) was relatively tolerant of helicopters when migrating but more wary when roosting on the ground. Waterfowl, such as Brant Geese (*Branta bernicla*) were highly sensitive to helicopters, whereas Trumpeter Swans (*Cygnus buccinator*) and Tundra Swans (*C. colombianus*) were less so. Raptors (birds of prey) were also affected, particularly Bald Eagles (*Haliaeetus leucocephalus*). Peregrine Falcons (*Falco peregrinus*) were relatively tolerant except where a close overflight occurred. Smaller birds such as woodpeckers and passerines have been found to have a high tolerance for noise and disturbance (Anderson 2007).

In Scotland, raptors were also recorded as having shifted nest sites in the year following disturbance even if successful in rearing a brood (Scottish Natural Heritage, 2015). Territorial adult raptors may exhibit aggressive or defensive behaviours in response to helicopters (Scottish Natural Heritage, 2015). It is known that Australian helicopter pilots are particularly vigilant for Wedge-tailed Eagles (*Aquila audax*), which aggressively swoop on or fly at helicopters.

In the Dutch Wadden Sea, the mean FID for roosting flocks of Eurasian Curlew (*Numenius arquata*) for disturbance by helicopters was 200 meters (Smit & Visser 1993).

On the Great Barrier Reef, Queensland, nesting Common Noddies (*Anous stolidus*) and Wedge-tailed Shearwaters (*Ardenna pacificus*) were minimally disturbed by helicopters landing a few metres away, however, in more remote areas of the reef, breeding seabirds flew from their nests even before humans could detect the approach of an aircraft (GRBMPA 1997 cited in Hoang 2013).

Although birds and marine mammals (the main groups of fauna that are potentially impacted by the helipad proposal at Queenscliff) are varying affected by helicopter disturbance, it is also the case that habituation to the noise and visual impact may occur, resulting in minimal ongoing disturbance (Hoang 2013 and references therein).

There are few Australian studies that may be relevant to the current proposal. The most relevant overseas studies are those that examined migratory shorebirds such as those in the Wadden Sea, which found evidence that birds gathering in larger flocks are more susceptible to disturbance than solitary birds or widely scattered birds (Visser 1986 cited in Smit & Visser 1993). Species involved included Bar-tailed Godwits (*Limosa lapponica*), Eurasian Oystercatchers (*Haematopus ostralegus*) and Eurasian Curlew, all present or represented by closely related species (Pied Oystercatcher and Eastern Curlew) in Swan Bay (see Appendix).

In summary, helicopter impacts on wildlife are widely documented and are most severe within 150 metres of the subject fauna but may be generally detected up to 500 metres away and up to 1250 metres or more depending on the species.



#### *Impact assessment*

The planned helicopter flight paths shown in Figure 2 confine the helicopter to the northern shore of Laker's Cutting. Helicopter flights will occur as follows (Clarity Acoustics 2022):

- Up to 8 flights per month with flights only between 0700 hours and 2200 hours;
- Flight paths as per Figure 2; and
- Proposed helicopter (Enstrom 280 FX) with a gross weight of less than 1200 kg.

Our client has also instructed us that take off and landing movements will see the helicopter flying below the 500 feet CASA regulated flight height over Rural Land only within 250 metres of the landing site. Beyond this distance, it continues to climb or descend to/from a cruising altitude of 2,500 feet. Appendix 2 is a local extract from the Air Services Visual Terminal Chart for the region and it shows a 24-hour prohibition on overflight of Swan Island. This will ensure that no helicopter activities occur over the sensitive roosting and foraging habitats on this island.

The most significant aspect of proposed helicopter operation in terms of wildlife disturbance is their infrequency, involving a maximum of eight flights per month. The potential for disturbance is unlikely to occur often and most days birds will continue to use habitats undisturbed. This frequency of disturbance is highly unlikely to result in permanent avoidance of the currently used habitats given how far they are from the take-off and landing site (i.e. between 900 metres and 5.5 kilometres).

The closest, sensitive, regularly used waterbird habitat to these flight paths is Tip Island, 900 metres east of the take-off and landing site. This roosting site lies within several hundred metres of the eastern flight path proposed to be used for Melbourne-bound flights. All other regularly used intertidal habitats lie well beyond the 1.25-kilometre maximum distance at which helicopters overseas have been observed disturbing waterbirds.

To avoid impacting the sensitive roosting site at Tip Island, it is recommended that Melbourne-bound flights use the Geelong-bound flight path at high tide when large wading birds are most likely using Tip Island. This will avoid disturbance to those birds when using this roost site at high tide. Apart from this rule-of-thumb operational recommendation, the infrequency of flights, the ready availability temporarily of alternative undisturbed foraging and secure roosting habitats, do not necessitate any further operational constraints. Overall, disturbance levels are unlikely significantly to impact waterbirds or their habitats or lead to permanent changes in waterbird use of habitats, which will remain undisturbed for the vast majority of the time.

Considering these findings, the proposed helicopter take off and landing movements and its wider operations will not result in impacts inconsistent with the objectives of the relevant Queenscliff Planning Scheme ESO1 and ESO2 controls. Furthermore, Referral of the activity under the EPBC Act is not required.

Yours sincerely,

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Appendix 1: Likelihood of occurrence of listed threatened species in the southern Swan Bay area

Common Name	Scientific Name	FFG Act	EPBC Act	Count of Sightings	Last Record	Likelihood of occurrence
Birds						
Antipodean Albatross	<i>Diomedea antipodensis</i>		M VU	0	n/a	No habitat - unlikely to occur
Australasian Bittern	<i>Botaurus poiciloptilus</i>	Critically Endangered	EN	2	1/01/1981	No habitat - unlikely to occur
Australasian Shoveler	<i>Spatula rhynchotis</i>	Vulnerable		93	26/07/2019	Potential to occur (Swan Bay intertidal area)
Australian Gull-billed Tern	<i>Gelochelidon macrotarsa</i>	Endangered		10	7/02/1982	Potential to occur (Swan Bay intertidal area)
Australian Painted Snipe	<i>Rostratula australis</i>	Critically Endangered	EN	0	n/a	No habitat - unlikely to occur
Bar-tailed Godwit	<i>Limosa lapponica</i>	Vulnerable	M VU	113	5/03/2019	Suitable habitat exists (Swan Bay intertidal area). Likely to occur
Black Falcon	<i>Falco subniger</i>	Critically Endangered		10	31/10/2016	Habitat exists. Potential to occur
Black-browed Albatross	<i>Thalassarche melanophris</i>		VU	0	n/a	No habitat - unlikely to occur
Black-tailed Godwit	<i>Limosa limosa</i>	Critically Endangered	M	28	1/05/2003	Potential to occur (Swan Bay intertidal area)
Blue Petrel	<i>Halobaena caerulea</i>		VU	0	n/a	No habitat - unlikely to occur
Blue-billed Duck	<i>Oxyura australis</i>	Vulnerable		40	23/07/2017	No habitat - unlikely to occur
Broad-billed Sandpiper	<i>Limicola falcinellus</i>		M			Potential to occur (Swan Bay intertidal area)
Broiga	<i>Antigone rubicunda</i>	Endangered		1	24/10/1998	No habitat - unlikely to occur
Buller's Albatross, Pacific Albatross	<i>Thalassarche bulleri</i>	Endangered	M VU	0	n/a	No habitat - unlikely to occur
Bush Stone-curlew	<i>Burhinus grallarius</i>	Critically Endangered		3	24/02/1992	No recent records. Unlikely to occur
Campbell Albatross,	<i>Thalassarche impavida</i>		VU	0	n/a	No habitat - unlikely to occur
Caspian Tern	<i>Hydroprogne caspia</i>	Vulnerable		777	11/09/2020	Suitable habitat exists (Swan Bay intertidal area). Likely to occur
Chestnut-rumped Heathwren	<i>Calamanthus pyrropygius</i>	Vulnerable		10	16/05/1981	No habitat - unlikely to occur
Common Greenshank	<i>Tringa nebularia</i>	Endangered		352	7/04/2019	Suitable habitat exists (Swan Bay intertidal area). Likely to occur
Common Noddy	<i>Anous stolidus</i>		M	0	n/a	No habitat - unlikely to occur
Common Sandpiper	<i>Actitis hypoleucos</i>	Vulnerable		36	7/03/2014	Potential to occur (Swan Bay intertidal area)
Curlew Sandpiper	<i>Calidris ferruginea</i>	Critically Endangered	CR	415	19/05/2019	Suitable habitat exists (Swan Bay intertidal area). Likely to occur
Double-banded Plover	<i>Charadrius bicinctus</i>		M			Potential to occur (Swan Bay intertidal area)
Eastern Curlew	<i>Numerius madagascariensis</i>	Critically Endangered	CR	126	28/02/2019	Suitable habitat exists (Swan Bay intertidal area). Likely to occur
Eastern Great Egret	<i>Ardea alba modesta</i>	Vulnerable		1	13/03/2015	Likely to occur.
Fairy Prion (southern)	<i>Pachyptila turtur subantarctica</i>		VU	0	n/a	No habitat - unlikely to occur
Fairy Tern	<i>Sterna nereis</i>	Critically Endangered	VU	206	10/12/2020	Suitable habitat exists (Swan Bay intertidal area). Likely to occur
Flesh-footed Shearwater	<i>Ardenna carneipes</i>		M			No habitat - unlikely to occur
Fork-tailed Swift	<i>Apus pacificus</i>		M			Suitable habitat exists. Likely to occur.
Freckled Duck	<i>Stictonetta naevosa</i>	Endangered		19	9/12/2018	No habitat - unlikely to occur
Gang-gang Cuckoo	<i>Callocephalon fimbriatum</i>		EN	0	n/a	No habitat - unlikely to occur
Gould's Petrel	<i>Pterodroma leucoptera leucoptera</i>		EN	0	n/a	No habitat - unlikely to occur
Great Knot	<i>Calidris tenuirostris</i>	Critically Endangered	CR	76	4/02/2018	Suitable habitat exists (Swan Bay intertidal area). Likely to occur
Greater Sand Plover	<i>Charadrius leschenaultii</i>	Vulnerable	VU	28	23/01/2011	Potential to occur (Swan Bay intertidal area)
Grey Falcon	<i>Falco hypoleucos</i>	Vulnerable	VU	0	n/a	No habitat - unlikely to occur
Grey Goshawk	<i>Accipiter novaehollandiae</i>	Endangered		5	14/09/2018	No habitat - unlikely to occur
Grey Plover	<i>Pluvialis squatarola</i>	Vulnerable		73	17/02/2019	Suitable habitat exists (Swan Bay intertidal area). Likely to occur



Common Name	Scientific Name	FFG Act	EPBC Act	Count of Sightings	Last Record	Likelihood of occurrence
Grey-crowned Babbler	<i>Pomatostomus temporalis</i>	Vulnerable		1	01/01/1891	Locally extinct.
Grey-headed Albatross	<i>Thalassarche chrysostoma</i>	Endangered	EN	4	7/08/1985	No habitat - unlikely to occur
Grey-tailed Tattler	<i>Tringa brevipes</i>	Critically Endangered		44	26/03/2000	Potential to occur (Swan Bay intertidal area)
Hardhead	<i>Aythya australis</i>	Vulnerable		97	28/01/2019	No habitat - unlikely to occur
Hooded Plover	<i>Thinornis cucullatus</i>	Vulnerable	VU	450	21/08/2021	Unlikely to occur regularly, although occurs nearby at Lake Victoria and ocean beaches.
Indian Yellow-nosed Albatross	<i>Thalassarche carteri</i>	Endangered	VU	19	28/04/2019	No habitat - unlikely to occur
Latham's Snipe, Japanese Snipe	<i>Gallinago hardwickii</i>		M			No habitat - unlikely to occur
Lesser Sand Plover	<i>Charadrius mongolus</i>	Endangered	EN	60	2/05/2013	Potential to occur (Swan Bay intertidal area)
Lewin's Rail	<i>Lewinia pectoralis</i>	Vulnerable		6	24/06/2018	No habitat - unlikely to occur
Little Eagle	<i>Hieraaetus morphnoides</i>	Vulnerable		51	14/05/2016	Habitat exists. Potential to occur
Little Egret	<i>Egretta garzetta</i>	Endangered		1292	27/06/2021	Suitable habitat exists (Swan Bay intertidal area). Likely to occur
Little Tern	<i>Sternula albifrons</i>	Critically Endangered		86	13/07/2019	Suitable habitat exists (Swan Bay intertidal area). Likely to occur
Little Curlew, Little Whimbrel	<i>Numenius minutus</i>		M			No habitat - unlikely to occur
Maggie Goose	<i>Anseranas semipalmata</i>	Vulnerable		1	5/02/2016	No habitat - unlikely to occur
Marsh Sandpiper	<i>Tringa stagnatilis</i>	Endangered		20	6/01/2018	Potential to occur (Swan Bay intertidal area)
Masked Owl	<i>Tyto novaehollandiae</i>	Critically Endangered		1	22/09/1979	No habitat - unlikely to occur
Musk Duck	<i>Biziura lobata</i>	Vulnerable		141	17/02/2019	Suitable habitat exists (Swan Bay intertidal area). Likely to occur
Northern Buller's Albatross, Pacific Albatross	<i>Thalassarche bulleri platei</i>		VU	0	n/a	No habitat - unlikely to occur
Northern Giant-Petrel	<i>Macronectes halli</i>	Endangered	VU	9	2/11/2014	No habitat - unlikely to occur
Northern Royal Albatross	<i>Diomedea sanfordi</i>		EN	0	n/a	No habitat - unlikely to occur
Orange-bellied Parrot	<i>Neophema chrysogaster</i>	Critically Endangered	CR	183	11/09/2011	Suitable habitat exists (Swan Bay intertidal area and Moonah & tea tree may serve as roost sites.). Potential to occur.
Osprey	<i>Pandion haliaetus</i>		M			Suitable habitat exists. Potential to occur.
Pacific Golden Plover	<i>Pluvialis fulva</i>	Vulnerable	VU	52	17/02/2019	Suitable habitat exists (Swan Bay intertidal area). Likely to occur
Painted Honeyeater	<i>Grantella picta</i>	Vulnerable	VU	0	n/a	No habitat - unlikely to occur
Pectoral Sandpiper	<i>Calidris melanotos</i>		M			No habitat - unlikely to occur
Pin-tailed Snipe	<i>Gallinago stenura</i>		M			No habitat - unlikely to occur
Plains-wanderer	<i>Pedionomus torquatus</i>	Critically Endangered	CR	0	n/a	No habitat - unlikely to occur
Plumed Egret	<i>Ardea intermedia plumifera</i>	Critically Endangered		3	3/03/2021	No habitat - unlikely to occur
Red Knot	<i>Calidris canutus</i>	Endangered	EN	133	6/04/2019	Suitable habitat exists (Swan Bay intertidal area). Likely to occur
Red-necked Stint	<i>Calidris ruficollis</i>		M			Suitable habitat exists (Swan Bay intertidal area). Likely to occur
Regent Honeyeater	<i>Anthochaera phrygia</i>	Critically Endangered	CR	0	n/a	No habitat - unlikely to occur
Ruddy Turnstone	<i>Arenaria interpres</i>	Endangered		100	5/10/2018	Suitable habitat exists (Swan Bay intertidal area). Likely to occur
Rufous Fantail	<i>Rhipidura rufifrons</i>		M			No habitat - unlikely to occur
Savin's Albatross	<i>Thalassarche salvini</i>		VU	0	n/a	No habitat - unlikely to occur
Sanderling	<i>Calidris alba</i>		M			Suitable habitat exists (Swan Bay intertidal area). Potential to occur.
Satin Flycatcher	<i>Myiagra cyanoleuca</i>		M			No habitat - unlikely to occur
Sharp-tailed Sandpiper	<i>Calidris acuminata</i>		M			Suitable habitat exists (Swan Bay intertidal area). Likely to occur
Shy Albatross	<i>Thalassarche cauta</i>	Endangered	EN	232	13/07/2019	



Common Name	Scientific Name	FFG Act	EPBC Act	Count of Sightings	Last Record	Likelihood of occurrence
Soft-plumaged Petrel	<i>Pterodroma mollis</i>		VU	0	n/a	No habitat - unlikely to occur
Sooty Albatross	<i>Phoebastria fusca</i>	Critically Endangered	VU	5	7/08/2014	No habitat - unlikely to occur
Sooty Shearwater	<i>Ardenna grisea</i>		M			No habitat - unlikely to occur
Southern Giant-Petrel	<i>Macronectes giganteus</i>	Endangered	EN	23	7/07/2018	No habitat - unlikely to occur
Southern Royal Albatross	<i>Diomedea epomophora</i>	Critically Endangered	VU	0	n/a	No habitat - unlikely to occur
Swift Parrot	<i>Lathamus discolor</i>	Critically Endangered	CR	5	6/07/2007	No habitat - unlikely to occur
Swinhoe's Snipe	<i>Gallinago megala</i>		M	0	n/a	No habitat - unlikely to occur
Terek Sandpiper	<i>Xenus cinereus</i>	Endangered		2	19/12/2005	Suitable habitat exists (Swan Bay intertidal area). Potential to occur
Wandering Albatross	<i>Diomedea exulans</i>	Critically Endangered	VU	21	14/07/1984	No habitat - unlikely to occur
Whimbrel	<i>Numenius phaeopus</i>	Endangered		27	6/10/2000	Suitable habitat exists (Swan Bay intertidal area). Likely to occur
White-bellied Sea-Eagle	<i>Haliaeetus leucogaster</i>	Endangered		38	30/06/2019	Suitable habitat exists (Swan Bay intertidal area). Likely to occur
White-capped Albatross	<i>Thalassarche steadi</i>		VU	0	n/a	No habitat - unlikely to occur
White-faced Storm-Petrel	<i>Pelagodroma marina</i>	Endangered		17	4/02/2018	No habitat - unlikely to occur
White-throated Needletail	<i>Hirundapus caudacutus</i>	Vulnerable	M VU	28	24/02/2018	Suitable habitat exists. Likely to occur.
Wood Sandpiper	<i>Tringa glareola</i>	Endangered		1	6/10/1979	No habitat - unlikely to occur
Yellow Wagtail	<i>Motacilla flava</i>		M	0	n/a	Rare vagrant. Unlikely to occur.
<b>Mammals</b>						
Blue Whale	<i>Balaenoptera musculus</i>	Endangered	EN	0	n/a	No habitat - unlikely to occur
Brush-tailed Phascogale	<i>Phascogale tapoatafa</i>	Vulnerable		1	6/05/1945	No habitat - unlikely to occur
Eastern Barred Bandicoot	<i>Perameles gunnii</i>	Endangered	EN	2	20/05/1981	Locally extinct.
Grey-headed Flying-fox	<i>Pteropus poliocephalus</i>	Vulnerable	VU	1	19/01/1884	No habitat - unlikely to occur
Southern Brown Bandicoot	<i>Isodon obesulus obesulus</i>	Vulnerable	EN	0	n/a	No habitat - unlikely to occur
Southern Humpback Whale	<i>Megaptera novaeangliae australis</i>	Critically Endangered		7	27/09/2019	No habitat - unlikely to occur
Southern Right Whale	<i>Eubalaena australis</i>	Endangered	EN	13	28/07/2019	No habitat - unlikely to occur
Spot-tailed Quoll	<i>Dasyurus maculatus maculatus</i> (SE mainland population)	Endangered	EN	0	n/a	No local records. Unlikely to occur.
Swamp Antechinus (mainland)	<i>Antechinus minimus maritimus</i>	Vulnerable	VU	0	n/a	No habitat - unlikely to occur
Yellow-bellied Glider (south-eastern)	<i>Petaurus australis australis</i>		VU	0	n/a	No habitat - unlikely to occur
<b>Reptiles</b>						
Glossy Grass Skink	<i>Pseudemola rawlinsoni</i>	Endangered		3	22/06/2007	Habitat may exist Potential to occur.
Green Turtle	<i>Chelonia mydas</i>		VU	0	n/a	No habitat - unlikely to occur
Leatherback Turtle, Leathery Turtle, Luth	<i>Dermochelys coriacea</i>	Critically Endangered	EN	0	n/a	No habitat - unlikely to occur
Loggerhead Turtle	<i>Caretta caretta</i>		EN	0	n/a	No habitat - unlikely to occur
Striped Legless Lizard	<i>Delma impar</i>	Endangered	VU	0	n/a	No habitat - unlikely to occur
Swamp Skink	<i>Lissolepis coventryi</i>	Endangered		2	16/05/1989	Habitat may exist but no recent records. Unlikely to occur
<b>Frogs</b>						
Growing Grass Frog	<i>Litoria raniformis</i>	Vulnerable	VU	0	n/a	No habitat - unlikely to occur
<b>Fish</b>						
Australian Grayling	<i>Prototroctes maraena</i>	Endangered	VU	0	n/a	No habitat - unlikely to occur

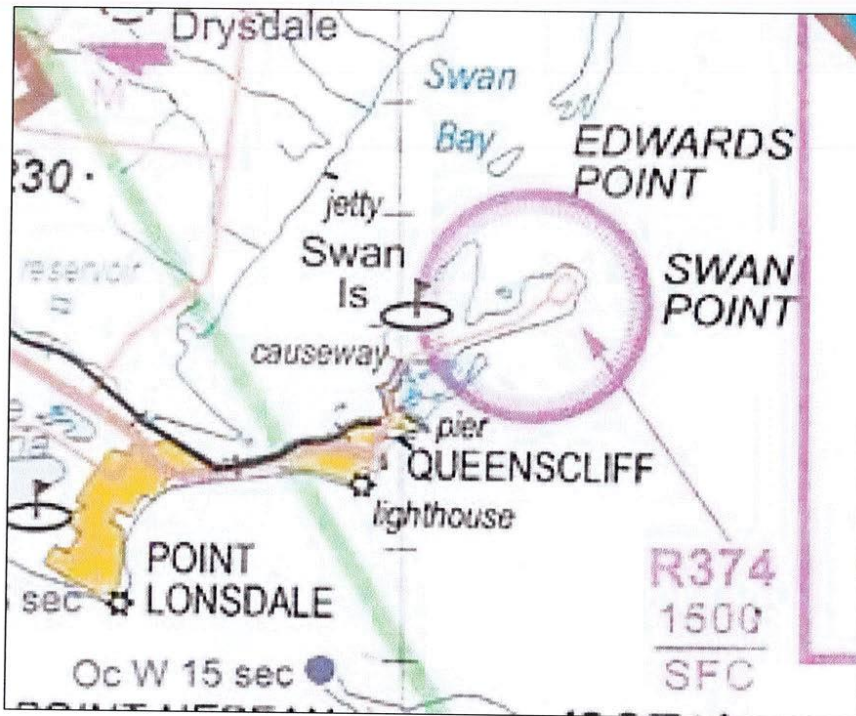


Common Name	Scientific Name	FFG Act	EPBC Act	Count of Sightings	Last Record	Likelihood of occurrence
Blue Warehou	<i>Serioteleia brama</i>	Conservation Dependent	CD	0	n/a	No habitat - unlikely to occur
Eastern Dwarf Galaxias	<i>Galaxiella pusilla</i>	Endangered	VU	0	n/a	No habitat - unlikely to occur
Yarra Pygmy Perch	<i>Nannoperca obscura</i>	Vulnerable	VU	0	n/a	No habitat - unlikely to occur
Invertebrates						
Yellow Sedge-skipper Butterfly	<i>Hesperilla flavescens</i>	Endangered		1	1/09/1988	No habitat - unlikely to occur

Notes: EPBC Act=threatened under the EPBC Act (M=Migratory, EN=endangered, VU=Vulnerable, CR=critically endangered, CD= conservation dependent), FFG Act=threatened under the FFG Act. Species shaded grey are species that could potentially occur in the study area and be impacted by the proposal.



Appendix 2: Extract from Visual Terminal Chart of Air Services Australia showing the 24 hour 1500 feet overfly ban at Swan Island.







**5. CLOSE OF MEETING**

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