

Agenda Planning Review Meeting

Thursday 12 January 2017 at 7:00pm

Queenscliff Town Hall 50 Learmonth Street, Queenscliff

Distribution

Councillors

Cr. Ross Ebbels

Cr. Tony Francis (Mayor)

Cr. Boyce Pizzey

Cr. Susan Salter (Deputy Mayor)

Cr. Bob Merriman

Officers

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



Planning Review Meeting

A guide to understanding meeting protocol

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

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



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1.	OPENING	OF	MFFL	ING

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3. PECUNIARY INTEREST & CONFLICT OF INTEREST DISCLOSURES

Councillors:

Officers:



4. PLANNING & DEVELOPMENT

4.1 107 Hesse Street, Queenscliff

Planning Permit application number: 2016/099

SUMMARY

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Proposal	Demolition of outbuildings in a Heritage Overlay area, construction of outbuildings and fences, alterations to an existing dwelling, outbuilding and front fence and variation to the wall height on boundary requirements of Design and Development Overlay - Schedule 1
	Application and plans:
	Refer Appendix 1
Zone/Overlays	Neighbourhood Residential Zone – Schedule 1 (NRZ1)
	Heritage Overlay Schedule 119 (HO119): 107 Hesse Street "Navestock" House
	Design and Development Overlay - Schedule 1 (DDO1)
Permit Triggers	DDO -Clause 43.02: Buildings and works
	HO – Clause 43.01: Demolition, buildings and works, fences
Public Notification	Advertised by registered post to adjoining property owners and occupiers, two signs on site and notice in municipal offices for 14 days.
Submissions	Seven (7) parties lodged submissions against the proposal One (1) party lodged a submission in support of the proposal Copies of submissions provided to Councillors: Refer Confidential Appendix 2 Applicants response to submissions Refer Appendix 3
Key issues raised by	Impact on surroundings, traffic, bulk, setback, height, design, heritage,
submitters	demolition, historical preservation, access for maintenance, wall height, materials, use, amenity.



- 4.1.1. Applicant to present to Council
- 4.1.2. Submitters to present to Council
- 4.1.3. Applicant to readdress Council



4.2 73 Bellarine Highway, Point Lonsdale

Planning Permit application number: 2016/028

SUMMARY

Proposal	The development of five (5) dwellings, variation to the site coverage requirements of Design and Development Overlay Schedule 5, subdivision of the land into five (5) lots, removal of native vegetation and creation of access to the Road Zone Category 1 and reduction to zero of the visitor carparking requirement under Clause 52.06-5 Application and plans: Refer Appendix 4
Zone/Overlays	General Residential Zone – Schedule 1 (NRZ1) Design and Development Overlay - Schedule 5 (DDO5) Vegetation Protection Overlay – Schedule 1 (VPO1)
Permit Triggers	GRZ1 – Clause 34.01: Construction of more than one dwelling on a lot DDO -Clause 43.02: Buildings and works VPO – Clause 42.02: Removal of vegetation
Public Notification	Advertised by registered post to adjoining property owners and occupiers, a sign on site, a notice in The Echo newspaper and notice in municipal offices for 14 days.
Submissions	Eight (8) parties lodged submissions Copies of submissions provided to Councillors: Refer Confidential Appendix 5 Applicants response to submissions: Refer Appendix 6
Key issues raised by submitters	Overdevelopment, neighbourhood character, two storey, design, loss of vegetation, amenity impact, privacy, site coverage, overlooking, overshadowing, height, traffic, parking, vehicle access, pedestrian safety, waste collection, noise, fire hazard, impact on TV reception.



- 4.2.1. Applicant to present to Council
- 4.2.2. Submitters to present to Council
- 4.2.3. Applicant to readdress Council



5. APPENDIX 1 - APPLICATION DOCUMENTS: 107 Hesse Street, Queenscliff

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OF QUEEN	Office Use Only	# 243860
	Application No.: 7016/06	Pate Lodged: / /
	Application for	ALCEIVED.
	Planning Perm	1 2 OCT 2016
Planning Enquiries	If you need help to complete this form, read Ho	w to complete the Application for Planning Permit form.
Phone: Web: http://www.queenscliffe.vic.gov	Any material submitted with this application available for public viewing, including electhe purpose of enabling consideration and and Environment Act 1987. If you have an	n, including plans and personal information, will be made tronically, and copies may be made for interested parties for review as part of a planning process under the <i>Planning</i> y concerns, please contact Council's planning department.
Clear Form	♠ Questions marked with an asterisk (*) are marked. ♠ If the space provided on the form is insufficition.	(2) (2) (3) (4) (4) (4) (4) (4) (4) (4) (4) (4) (4
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	e the Street Address and one of the Formal Land	Descriptions.
Street Address *	Unit No.: St. No.: 107	St. Name: HESSE STREET
	Suburb/Locality: QUEENSCLIFF	Postcode:3225
Formal Land Description *	The second of the second control of the second seco	
Formal Land Description * Complete either A or B.	A Lot No.: OLodged Plan OTitl	e Plan OPlan of Subdivision No.:
♠ This information can be	OR	
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RECEIVED

1 2 OCT 2016

BOROUGH OF QUEENSCLIFFE

SUPPORTING INFORMATION FOR DEVELOPMENT APPLICATION UNDER DDO1 & HO6 OF PLANNING SCHEME



FOR

107 HESSE STREET

QUEENSCLIFF

KU529/C&P WILMOT

10/11/2016



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EXECUTIVE SUMMARY

This report outlines a proposal to undertake maintenance works, modify an existing outbuilding into habitable space, construct an unroofed deck area, construct new rear fencing and an automatic sliding gate and construct new car accommodation accessed from St Andrews Street, in a Heritage Overlay, at 107 Hesse, Queenscliff. The existing original single storey dwelling is an 1880's structure of weatherboard cladding in a now cottage style with a corrugated gabled and hipped roof forms.

The site is in a Heritage Overlay area and abuts, on the North side, an individually listed building, HO118, "Romford", HO120 to a portion of the South boundary to the rear of the site and it is individually listed in its own right as HO119.

The site, is 959m², is in a Neighbourhood Residential zoned area of Queenscliff, NRZ1, just a few hundred meters from the principal shopping precinct to the North in Hesse Street.

Previous owners of the site carried out a range of additional works to the rear of the building and collectively have added approximately 110m² to the original dwelling. This current proposal only adds some 45m² of outbuildings to the site after demolition of an existing garage. All outbuildings will be in a similar style for the roof, cladding and single storey nature. The total site cover will be 30%.

This submission considers the requirements of the now local and State planning requirements and addresses, in detail, the new provisions of clause 54 of Rescode (where applicable) and amendment C7 of the Queenscliffe Planning Scheme including schedule DDO1 and HO6.

This submission is presented in support of the issue, by council, of a planning permit for the alterations and additions to a listed single storey stand-alone dwelling in a Heritage Overlay.

INTRODUCTION

Since August 24, 2001, it is a requirement that where a single residence or an alteration to an existing residence comes under the jurisdiction of an Urban Character Overlay or the requirements of decision guides lines of a zone, then the provisions of clause 54 of ResCode may come into effect. Although this is not the case within the Borough of Queenscliffe for DD01 it is considered appropriate that this report considers aspects of clause 54 where appropriate.

This submission is based on the fact that the subject site is in an Urban Character Overlay Area of the Borough of Queenscliffe Planning Scheme DDO1 and Heritage Overlay HO6 and is individually listed HO119

In support of this submission drawn documents have been prepared by Kandu Consultants, together with this report and a photographic essay of the general surrounding area.



Some of the 20 specific objectives of clause 54 have been addressed along with an assessment of the neighbourhood character of the area and the consequences of building in an important township vista.

GENERAL PROJECT DESCRIPTION

This project involves works to make modifications externally and internally to an existing, individually listed, single storey dwelling (detached outbuilding) in a heritage overlay and construct new garages after demolition of a non-original outbuilding. Other minor works include the construction of a non-enclosed low level timber deck, new rear fencing and gate and the modification of the existing front fence to relocate a pedestrian gate.

Works to the front portion of the dwelling will be of a maintenance nature only to replace decaying components with identical materials and does not form part of this application. A separate application for approved colors is made separate to this application.

The site is zoned "Neighbourhood Residential 1" NRZ1, and is covered by an urban character overlay "Queenscliff Urban Heritage" and schedule DDO1; it is in a Heritage Overlay, "Hesse Street, Residential Area", Schedule HO6, it is individually listed in the Queenscliffe Planning Scheme HO119, and it adjoins an individually listed site to the North shown as HO118 and to the South HO120. This site sits on the Eastern side of Hesse Street and is only some 200m South of Stokes Street and the start of the town's commercial precinct.

The new owners are now seeking to fully utilize the site's potential to meet their proposed use as a permanent family house. The brief requires at this time to retain the main building and only carry out maintenance items and painting externally, to provide external living space as an unroofed and unenclosed timber deck, to convert the existing outbuilding into habitable rooms to be used for a B&B, to construct new garages in the location of an existing single garage and to modify the front fence.

The architecture of the proposed additional outbuildings is in keeping with the interpretive concept used for current new developments with the use of corrugated sheeting and pitched roofs, other materials and colors will be of an approved heritage nature. The decking will be low level and not visible from St. Andrews Street at the rear of the property.

A schedule of works is outlined in this submission both as drawings and a written report. The extent of the project is outlined in point form below;

- Demolish existing single storey non-original garage at the rear of the property;
- Demolish existing stand-alone shed in rear garden;
- Construct new garages of approximately 71m² accessed from St. Andrews Street;
- Construct new unroofed deck of approximately 60m²;
- Construct new rear fence with corrugated sheet cladding and provide matching automatic sliding gate;

- Convert existing outbuilding to non-self-contained habitable rooms
- Relocate the front pedestrian gate to align with existing front door;
- Paint whole exterior of house and any new works or repairs to rear outbuildings;

SPECIFIC SITE / AREA CONTROLS

The subject site is in the BOROUGH OF QUEENSCLIFFE and is covered under an "URBAN CHARACTER POLICY" & "DESIGN DEVELOPMENT OVERLAY" of the planning scheme schedule DDO1, a "HERITAGE OVERLAY" schedule HO6. The site is zoned Neighbourhood Residential 1, NRZ1 and has a frontage to a Road Zone category 1.

No vehicle access is available from Hesse Street and none is proposed as part of the application.

The site is in an area overlay of the heritage provisions of the planning scheme and is individually listed in the schedule to the Heritage Overlay HO119. The site does adjoin individually listed properties HO118 & HO120.

The site is connected to all required services for the proposed development and there are no restrictive easements shown on title that would be affected by the proposed works.



CLAUSE 43.01 HERITAGE OVERLAY

GENERAL COMMENTS

The subject site has remained virtually intact in its presentation to the street since its conversion to a house in the late 1880's.

Commencing life in the 1850's as a mechanics institute and then a library the property underwent significant changes to arrive at the street elevation that is now existing. These changes were considered to have been made around the late 1870's into the 1880's. Since that time little has been done to the Hesse Street presentation albeit the original structure has been doubled in size with rear additions over the past 100 years. There have also been a variety of sheds and outbuildings added along the South side.

There is a timber floored outbuilding in the North East corner of the site which may have been part of the original development on the site or added before the 20th century. The original use of this building is not known but it did serve as the work shop for the local undertaker and owner of the site for many years.

Works have been undertaken over the years to the rear of the building and to the South side. Much of the works are visible from Hesse Street but this application does not amend or add to these structures.

DECISION GUIDELINES

There a number of decision guidelines that relate to the whole of the Borough and across a range of issues, some of which are not relevant to this application. We believe of the decision guidelines stated the first 7 dot points are relevant and are detailed below. The balance of 4 dot points relate to sub division or vegetation matters, none of which apply to 107 Hesse Street.

- Assessment against the SPPF, LPPF including the MSS and local planning policies: Within the body of this report details of the proposal are assessed against prevailing statutory controls. In particular assessment against Local Planning Policies Clauses 22.03 and 22.04 are specifically detailed.
- Significance of heritage place and whether the proposal will adversely affect the natural or cultural significance of the place: The subject site is within a Heritage overlay and is itself a listed site. It adjoins listed sites and particular attention has been paid to both heights and setbacks as they may affect the adjoining properties. The application proposal still retains the salient features of the location being a single stand-alone dwelling;



- Any applicable statement of significance, heritage study and applicable conservation study: The site is within an overall classification within the planning scheme of HO6 within which there are a number of specific citations for buildings, sites and vegetation. The application proposal does address these issues within the design to minimize any impact on the relevant citations including HO119 relevant to this site;
- Whether the location, bulk, form, or appearance of the proposed building will adversely affect the significance of the heritage place: The sitting and scale of the proposed new outbuildings will have no impact on the current Hesse Street streetscape (See TP03). The selection of materials and the articulation of the building and pitched roof forms have been incorporated to address the issue of compatibility to the location. No adverse effect will be visible as all works are at the rear of the building.

In respect to St. Andrews Street the rear of the building will be visible. Within this street there are numerous examples of car accommodation built on or near the rear boundary as well as dwellings facing the street with very small setbacks. The overall impression is of seeing structures of a variety of forms and ages along the entire length of this predominantly vehicle access way. The introduction of a double garage close to the rear boundary and other dwelling elements within 8m of the rear boundary would not be out of character or appear to detract from the current streetscape or heritage values;

- Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place: The proposed garages will be viewable from adjoining properties to the South and North but only from rear garden areas. As the works are single storey and compatible to adjoining or the existing buildings on site, any perceived dominance will be minimal;
- Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place: The proposed demolition of the existing garage has been assessed by council's heritage advisor as having no significance to the original building. The major outbuilding considered worthy of retention will be retained and restored externally;
- Whether the proposed works will adversely affect the significance, character or appearance of the heritage place: As all proposed works are single storey, at the rear of the site, replace other non-original structures and are lower than the existing building, there will be minimal impact on the heritage place. Material selections and colors are also compliant with required standards as discussed with council officers.



CLAUSE 22.03-6 HERITAGE POLICY HERITAGE OVERLAY 06, HESSE STREET, RESIDENTIAL AREA

GENERAL COMMENTS

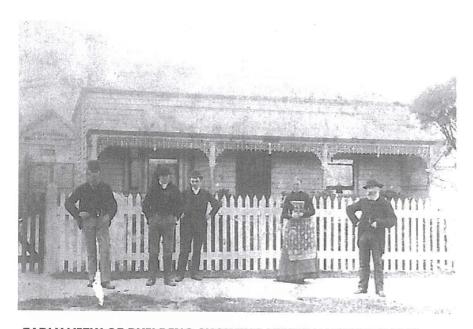
Consideration has been given to the range of objectives under this overlay and of the 7 dot points 3 are considered relevant to this submission

OBJECTIVES

- To protect and enhance this section of Hesse Street as one of the main entrances to the centre of Queenscliff: The subject site is located on the East side of Hesse Street halfway between King Street to the South and Stokes Street to the North. The building sits well back from the front boundary and has an interesting façade and roof forms consistent with the architecture of the 1880's and its evolution from mechanics institute to dwelling. As the proposed works are to the rear of the site and single storey lower than the existing building it is contended that the current streetscape and entrance character to the main township will not be changed or compromised. Changes to the front fence to relocate the pedestrian gate to align with the front door of the dwelling will not change the overall appearance of the fence;
- To encourage the traditional front fencing used in the overlay which include low pickets, twisted wire and corrugated sheeting: Again the current street vista incorporates all of this objective. The existing front fence is a simple post and rail structure with angle topped spaced timber pickets. An examination of the fence indicates that the pickets are more recent being of treated pine. Some of the posts have been replaced but the wedge shaped horizontal rails appear to be original. The gate is of a matching style but as shown in the picture below was not originally part of the fence, the only access being for vehicles through double gates to the North end. It is proposed to move this gate approximately 850mm to the North to align with the front door and allow the pedestrian path to be reinstated at 90° to the front elevation;

KU539 7 31/08/2016





EARLY VIEW OF BUILDING SHOWING VEHICLE GATES TO THE LEFT OF THE PICTURE BUT NO PEDESTRIAN GATE ALONG VISIBLE FRONTAGE

To encourage the use of traditional building design of the overlay area which
include pitched roofs, broken facades and verandahs or porticos: The existing
Hesse Street building façade incorporating all of the overlay objectives will be
retained. The rear garage will build on this theme with gable ended roof forms
of different widths and heights. The height of the garage has been set to
match the retained outbuilding at the North side of the site.



CLAUSE 22.04 URBAN CHARACTER POLICY

OBJECTIVES

The development of a design proposal for this site has considered both the overlay requirements and the proximity to adjoining individually listed buildings and the importance of the subject site. The resultant design solution does incorporate measures to limit impact on the listed properties to the South and North and all other neighbours.

The position of the existing building relative to the adjoining property to the South requires consideration of not creating adverse impacts on external living areas or architecturally dominating the heritage structure. The proposed garage will be constructed on the common boundary for a length of 10.7m. This will run parallel with a 15.0m long wall on the boundary of the property at 12 King Street.

Apart from the new garages all other works will be to restore and retain existing structures. The garages have been designed to complement the existing outbuilding and the general forms of other structures viewed from St. Andrews Street.

The unroofed deck will only be 200mm above ground level and will not be visible either from Hesse Street or St. Andrews St.

We are aware of the Urban Character polices within the local planning provisions of Clause 22 and the subsequent Schedule DDO1. In considering the Building and Works requirements of DDO1 we have endeavored to comply with the empirical requirements regarding heights, setbacks, site cover and the like with the exception of the average height of the garage wall on the South boundary as detailed later in this report.

In the interpretation of Design Objectives we have relied upon a number of statements that give support to our proposal.

- 1. "The unique mix of historic building scales and types varying from grand freestanding hotels and landmark buildings to intimate single storey cottages";
- "The informality of streetscape materials and finishes including front fences";
- "The broad straight streets with buildings abutting or close to the street frontage and side boundaries which creates a distinctive and relatively high density urban environment";
- "The opportunities for long views towards Swan bay or port philip Bay and shorter views to intact historic buildings and streetscapes";



These distinguishing elements of Queenscliff paint a picture of diversity over a long period of time where architecture of the day and individual preferences has shaped the current townscape. This is never more relevant than the subject property with its varied and changing uses and incremental development.

Hesse Street is a main entry point to central Queenscliff and boasts many original and significant buildings from King Street to Symonds Street. The property at 107 Hesse Street is one such building in a varied streetscape with a number of other important buildings. It is imperative then that any works not detract from this relatively intact grouping as viewed from the public domain.

The existing building is individually listed albeit the current building is a modified version of the original structure on site and has had numerous more recent additions to the rear of the site. The proposed development acknowledges this and is respectful of the overall streetscape element of this location.

The new owners of 107 Hesse Street require to upgrade, repair and better utilize the site for their specific family needs, in a manner that will not compromise the streetscape appearance of the overall site and adjoining properties.

The design for new garages at 107 Hesse Street is not radical and has been adopted in recent times for many other new and redeveloped sites within this section of the street.

- To recognize and protect the significant cultural heritage and natural coastal atmosphere of the Borough which distinguishes its special character: The proposed garages, when viewed against the wider neighborhood, are not inconsistent with other developments over recent years. The site and proposed works will not preclude views too or from important sites and the selected materials have a coastal and neighbourhood influence;
- To ensure new development in Queenscliff maintains, enhances and harmonizes with the distinguishing cultural and heritage identity of the town ship:

 Queenscliff is noted for its cottage feel in certain areas of the township and the spread of dwellings used for purposes associated with the early settlement of the area. The town boasts fishermen cottages, pilot cottages, and grand holiday homes for early notable Victorians and large commercial buildings scattered throughout Queenscliff. The building at 107 Hesse Street is an example of adaptation from the initial non-residential use to the now modified structure on site.



The retention of the original rear outbuilding, the construction of new garages in corrugated sheeting with pitched roofs are all contributors to maintaining the heritage significance of the site;

 To require all new development to have regard to the sitting and design objectives and guidelines of the Borough of Queenscliffe Urban Character Study: As is detailed later in this report an assessment against these design objectives has been provided;

CLAUSE 22.04-1 QUEENSCLIFF

OBJECTIVES

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

- The substantial and intact groupings of historic one and two storey Victorian and Edwardian buildings: The subject site is within a grouping of houses from Stokes Street to King Street that have varying ages and importance that are fundamentally intact for their respective eras. It is almost a snap shot of residential evolution within a small town of a 100+ year period. It sits within an area that has seen only modest redevelopment over the past few decades. The proposed works will contribute to the retention of the general low level character of the area and will not impact on the existing streetscape;
- The unique mix of historic buildings scales and types varying from grand freestanding hotels and landmark buildings to the intimate single storey cottages precinct known as Fisherman's Flat: The current proposal is modest in its nature with only new garages to be constructed at the rear of the site. The design is complimentary to other structures on the site and replicates the style and cladding of the current garage to be demolished. Overall the impact of the proposed works will not detract from public views from either Hesse Street or St. Andrews Street;



- The informality of streetscape materials and finishes including front fences: The existing street façade will be upgraded but not changed. The new development will be barely visible from Hesse Street but the St Andrews Street elevation will be visible and has been designed to reduce in height and bulk as it approaches the boundary in a complimentary manner to the existing on site buildings. The front fence, albeit it not original materials but original in style, will remain with only a minor alteration to relocate a non-original pedestrian gate;
- Broad straight streets with buildings abutting or close to the street frontage and side boundaries which creates a distinctive and relatively high density urban environment: This objective is evident along this section of the street between King and Stokes Streets, Nearby dwellings at 101 & 105 Hesse Street are different in architecture and of the different eras but create an important cluster of diverse early buildings in intact forms. They represent the norm of the day with walls on boundaries with windows facing neighbours;
- The opportunities for long views towards Swan bay or port Phillip Bay and the shorter views to intact historic buildings and streetscapes: This development has no impact on this objective due to its low level height and the new works being screened from Hesse Street.



POLICY STATEMENT

This project involves works to modify an existing single storey, stand alone, dwelling at 107 Hesse Street, Queenscliff. Works involve maintenance works to the front façade and verandahs, upgrade and re use of the rear outbuilding and the construction of new single storey garages to the rear of the site. The site is part of Design Development Overlay DDO1 as per amendment C7 of the planning scheme.



EXISTING HOUSE VIEWED FROM HESSE STREET

The building in question was constructed in the mid 1850's on an original crown allotment which has remained unsubdivided. The building, as indicated earlier in this report, underwent several architectural and use changes in the later part of the 19th century. It has remained relatively unchanged since then with the exception of some rear additions, some in the mid 1900's. The current building is of a very early 1900's style and could be described as coastal Victorian. It has many original features internally and the exterior is basically intact but in need of maintenance.

Hesse Street has an interesting mixture of dwellings varying from structures of the late 20th century brick veneers to 19th century cottages built close to the footpath boundary. Within this section of Hesse Street on the East side there are few substantial dwellings with most being single fronted weatherboard or rendered small to medium cottages with small front setbacks and often no or minimal side setbacks. The only exception is the St. Andrews Presbyterian Church some 150m to the North. On the West side there is a greater mixture of modified, new and larger buildings including Seaview House.



Hesse Street is an important avenue within the town and has many sites that are of interest for tourist to see. It is a main through road to the wharf area and the town's commercial center.

As has been mentioned earlier in this report one of the characteristics of this location in Queenscliff is the ability of pedestrians and motorists to view the more prominent buildings outside of the center of town. The most prominent are the church buildings to the North and the grand houses along Gellibrand Street. These are significant buildings within the Borough and township of Queenscliff.

Views of these buildings are substantial and the retention of this situation has been paramount in the final design resolution for the site.

SCHEDULE 1 TO THE DESIGN AND DEVELOPMENT OVERLAY

BUILDING AND WORKS

STREET SETBACK

The current dwelling/front verandah has a setback to the street frontage in excess of 7.5m. This setback is not to be modified as part of the development.

The proposed garage will have a 200mm setback to the rear roadway know as St. Andrews Street. This roadway whilst having some buildings that face onto it directly is predominantly to provide vehicle access to the rear of properties in Hesse and Gellibrand Streets. As such many garages have been built over the years with access from St. Andrews Street with varying setbacks from a few 100mm to 2.0m.

This proposal shows a rear setback to the carport of approximately 0.20m as against the property to the South which is on the boundary. However, as indicated setbacks do vary considerably and approval is sought for the current proposal at 0.20m.

*This proposal meets the objective in that the front setback does not vary from the existing however consideration is required for the rear setback at 0.20m.



BUILDING HEIGHT

The proposed garage to the rear of the existing building is to be constructed as single storey. The building will not exceed 5.2m at its maximum height above natural ground level at any location. The maximum height will occur at the Western end of the ridge line dropping to 4.9m at the ridge line at the East boundary. This height is matching the ridge height of the existing outbuilding at the North boundary.

Overall the new roof lines will not impede views to surrounding heritage buildings in any significant manner or be overtly visible from Hesse or Gellibrand Streets.

*This proposal meets the objective in that the overall height does not exceed the maximum allowable of 8.5m and retains the single storey nature of the existing building.

SITE COVERAGE

The proposal presented has a gross new building area, inclusive of the existing front verandah, of approximately 289m², located on a site of 959m². This represents maximum site coverage of 30%.

The DD01 requires an objective of 40% site cover within this area of Queenscliff. As the proposed building works have been specifically created to retain the single storey concept of the existing and adjoining buildings to retain important street views, it is appropriate that consideration be given to proposed site cover. There is still a significant garden area to the front public domain and over 120m² to the rear of the site. The building will still show as a standalone structure and permeable or private secluded open space requirements will still be meet.

*This proposal meets the objective in that it covers less than 40% of the site as required under the DDO.



PERMEABILITY

This proposal retains 670m² of open space inclusive of gardens and courtyard areas to the East elevations, representing a potential total permeable area of 70% of the site.

There is existing paving of 10m² reducing the permeable area to 660m² or 68.8% of the site.

This allowance is greater than the 30% required under the DDO1 and is considered reasonable for a residentially zoned site.

* This proposal meets the objective in that permeable area is greater than the nominated DDO requirement of 30% coverage as a minimum.

SIDE AND REAR SETBACKS

The closest portion of the new works to the North boundary will be 12.5m for a wall height of 3.0m. The DDO allows for a minimum setback of 1.0m in this circumstance, the proposal complies for the North elevation.

The garage is to be built within 200mm of the South boundary in a similar footprint to the existing garage to be demolished. This is further detailed in the "Walls on boundaries" section of this report.

Also along the North elevation there is a low level timber deck that is un-roofed. This deck will be setback 2.4m from the North boundary for a height of 150mm which complies.

The East rear elevation of the deck will be setback from the St. Andrews Street roadway boundary approximately 13.0m.

* This proposal meets the objective in that setbacks given comply with the DDO and are permitted under Rescode.



WALLS ON BOUNDARIES

Under DDO1 walls on boundaries are permitted if they are a predominant feature in the neighbourhood or an adjoin property has a wall on the boundary in a matching location. We believe in the case of 107 Hesse Street this is the case, specifically at the St. Andrews Street elevation, where properties on both sides of the street have either habitable room walls or outbuilding walls on the boundary.

This proposal requires that the South wall of the garage be built approximately 200mm away from the South boundary. The wall height will be 3.2m at the rear East boundary and 3.55m at the Western end of the structure. This will give an average height of 3.375m in lieu of the recommended average of 3.2m. Approval will be sought for this requirement.

Normally walls on boundaries are restricted under the planning scheme to a maximum of 10.0m unless they adjoin a structure existing on the adjoining property. The proposed garage will have a wall 10.7m long against the wall on the boundary of 12 King Street which is in excess of 15.0m.

*This proposal meets the objective of DD01 in that walls to be built on the boundary comply with the criteria set out in the schedule.

OVERLOOKING

All new buildings will be garages and not habitable spaces and no overlooking will occur.

The unroofed decking will be 150mm above ground level and will face an existing paling fence and blank wall of the adjoining building along the North boundary preventing overlooking.

*This proposal meets the objective of DD01 to consider the amenity of adjoining property owners in that floor levels and boundary fencing excludes overlooking of any adjoining property.



OVERSHADOWING

The requirements of the planning scheme under DDO1 do not have as a decision guideline overshadowing, however it is considered that the construction of the garages will have no impact on the property to the South as there is a wall on boundary on that property longer than the proposed garage and only some 300mm lower at the Western end.

*This proposal meets the objective of DDO1 in that the orientation and site conditions excludes undue overshadowing of any adjoining property and maintains the DDO requirement to consider the amenity of adjoining owners. What overshadowing that does occur would be within the guidelines of the building regulations.

FRONT FENCES

The existing front fencing will be retained. As mentioned elsewhere in this report it is intended to relocate the existing pedestrian gate some 850mm to the North of its current position and then infill the space to match the current fence.

We have indicated that the gate is not original to the fence as shown in an early photograph of the site. The existing pathway to the verandah is constructed of concrete masonry pavers indicating a late 20th century construction. The path is bordered by low level shrubs which again may only be as old as the pathway and not of a heritage nature. The pathway and shrubs would be removed and replaced with a new access and garden layout to be provided as part of the conditions on permit if approval for the project is granted.

*This proposal meets the objective in that the front boundary has an existing fence.

VEGETATION

There will be no requirement to remove any vegetation from the site in the area of the garage or decking.

*This proposal meets the objective in that no vegetation will need to be removed to allow the new development works to be constructed.





VIEW OF ST ANDREWS STREET REAR BOUNDARY



VIEW OF EXISTING OUTBUILDING TO BE RETAINED AND CONVERTED TO HABITABLE SPACE





VIEW ALONG WEATHERBOARDS OF NORTH WALL OF OUTBUILDING TO BE REPLACED WITH LINEA BOARD FOR FIRE RATING REQUIREMENTS



VIEW OF EAST WALL OF OUTBUILDINGS AT 12 KING STREET (GARAGE SHOWN IS TO BE DEMOLISHED)





VIEW OF EXISTING GARAGE AND FENCING TO BE DEMOLISHED AND REPLACED



VIEW OF GARAGES TO ADJOINING PROPERTY AT 105 HESSE STREET



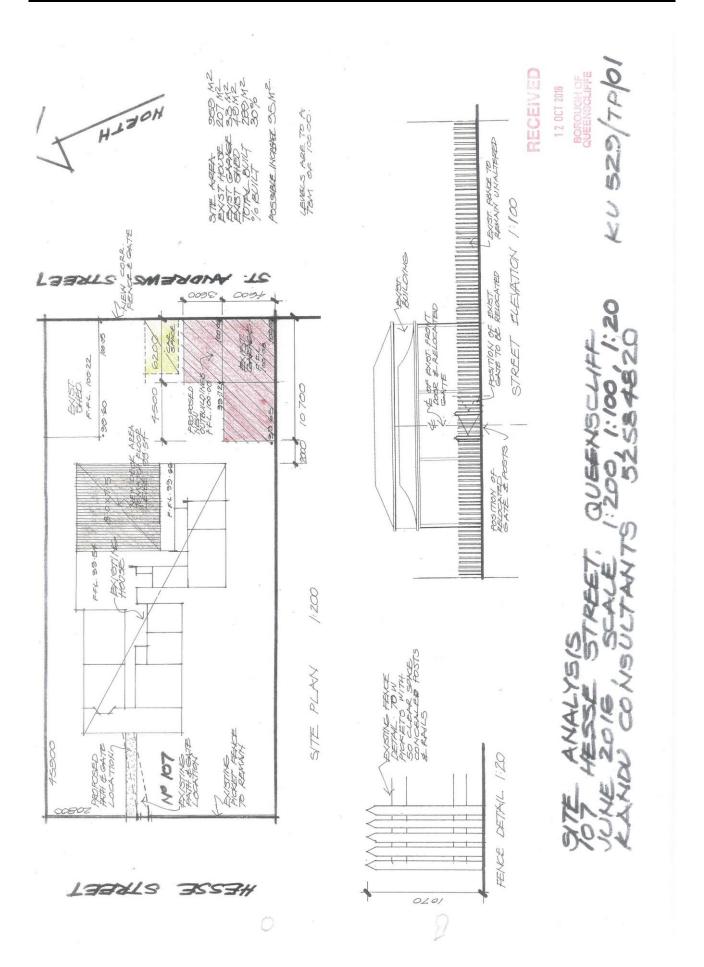


REAR OF EXISTING BUILDING SHOWING GRASSED AND PAVED AREA TO HAVE NEW LOW LEVEL DECKING INSTALLED OVER

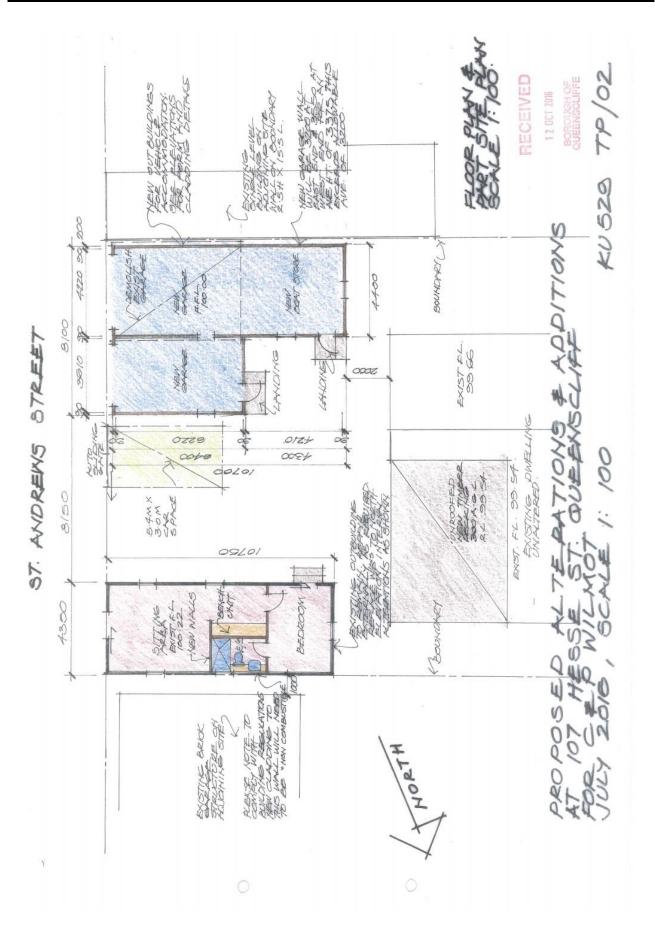


EXISTING FRONT FENCE TO REMAIN WITH PEDESTRIAN GATE PROPOSED TO BE MOVED TO LEFT OF PICTURE TO ALIGN WITH FRONT DOOR

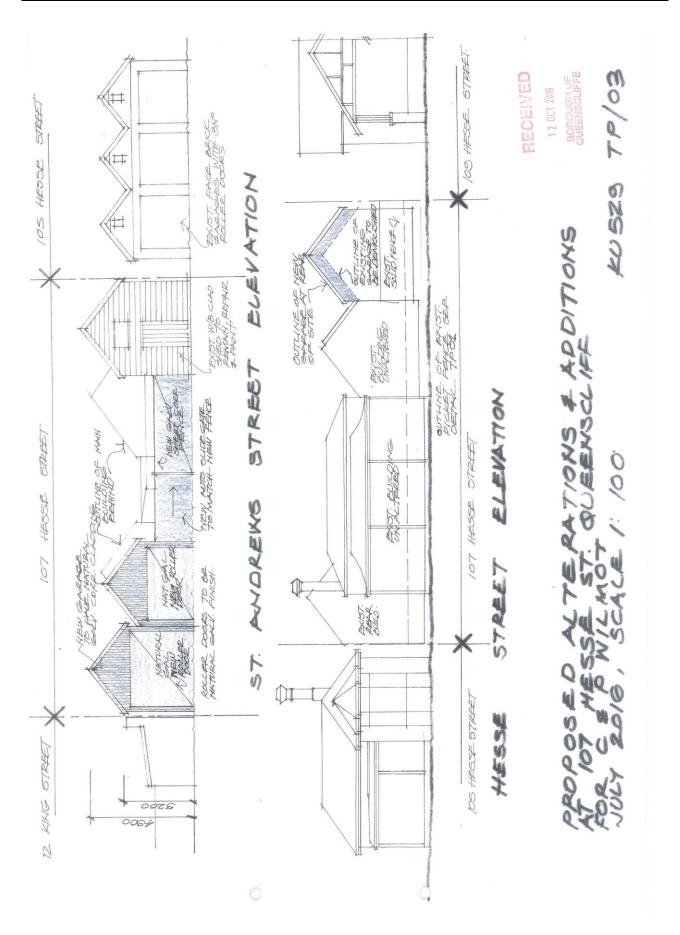




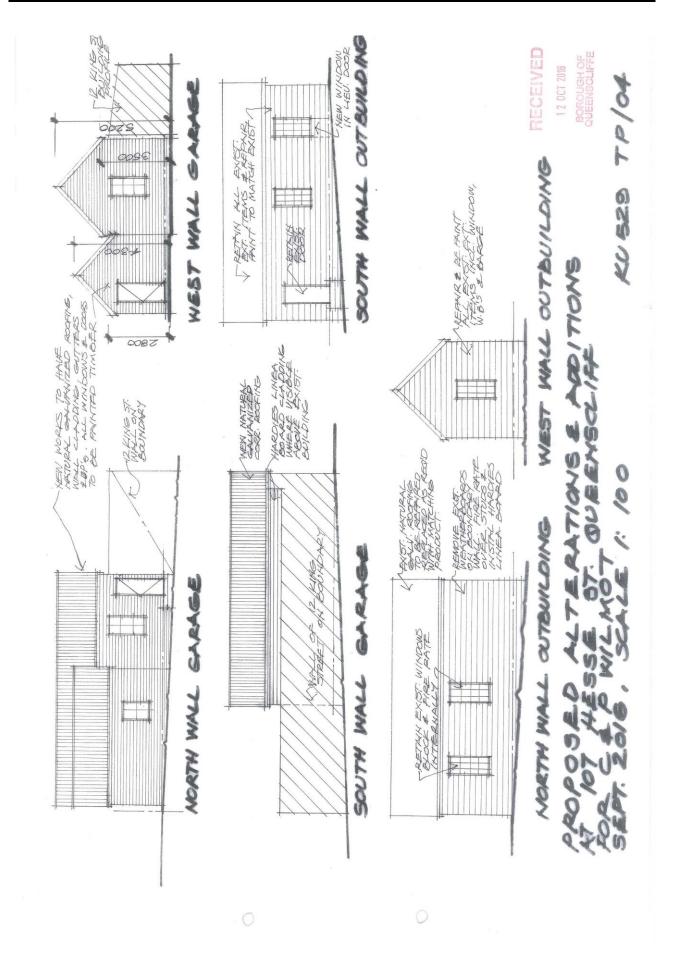














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Provided to Councillors under separate cover



7. APPENDIX 3- APPLICANTS RESPONSE TO SUBMISSIONS: 107 Hesse Street, Queenscliff

rescode/107 hesse street/correspondence/letter 3





9th December, 2016

Ms. L. Protyniak, Senior Statutory planner, Borough of Queenscliffe, 50 Learmonth Street, 3225

Dear Leah,

RE: PROPOSED ALTERATIONS AND ADDITIONS AT 107 HESSE STREET, QUEENSCLIFF RESPONSE TO OBJECTIONS

We are in receipt of objections from 5 sources (1 objector submitted 3 separate objections based on different property addresses)

We have considered the objections in detail and rather than address each objector individually we have extracted what we believe to be the salient concerns expressed by several objectors.

We have identified that the objections are based on 2 major considerations, physical matters about design and demolition, and philosophical matters considering heritage values and social significance of the subject property. We have therefor provided our response in these 2 categories.

PHYSICAL MATTERS – The current proposal is for the demolition of an outbuilding, the construction of 2 adjoining outbuildings, the renovation and conversion of an existing outbuilding and the construction of an external unroofed low level deck area. No work has been applied for to the listed habitable building or any subsequent additions to that building. In this manner Navestock itself will be unchanged and apart from the addition of a 3.6m wide outbuilding there will be no amendment to the public perception of the listed building.

We have shown below a range of the comments received and our clarification, explanation and, in some cases, alteration to our proposal.

1. The overall building height of the proposed works has been based on the existing outbuilding to the North side of the site which we will be retaining. The New outbuilding along the South boundary has a ridge height 200mm lower than that of the retained outbuilding at 4.9m when viewed from St. Andrews Street and 5.2m when viewed from the rear garden of 107 Hesse Street. The building proposed to be demolished has a ridge height when viewed from St. Andrews Street of 4.2m which is 0.7m lower than the proposed outbuilding. The second outbuilding proposed has a ridge height of 4.1m compared to the existing building of 4.2m.

In our design considerations we created the 2 different roof heights to give delineation between the buildings and reduce the potential for a single street façade. We believe that the heights we are proposing are not inconsistent with the buildings along St. Andrews Street and are lower than the retained outbuilding on the site;

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- 2. There have been a number of comments about building next to the wall of the 2nd dwelling at 12 King Street with the proposed outbuilding. However we wish to point out that there is already a building adjoining this wall some 6.0m long. The view from St. Andrews Street will therefore not change other than in overall height of 700 millimeters. We confirm that it is our intention to extend the wall length to 10.7m and we have detailed the legality of this later in this response. Some comments have been made that the demolition of the current building will in some way impact on the waterproofness or longevity of the existing wall of the cottage at 12 King Street. Given these 2 existing buildings have been only a few hundred millimeters apart for many decades, the exposure of one of the walls prior to the erection of a new adjoining wall may afford the opportunity to assess the condition of the wall and effect any repairs and maintenance prior to the new wall be constructed.
- 3. The wall height on the South boundary has been shown as 3.2m at the St. Andrews Street boundary and 3.55m at the Western end within the site. The average height is therefore 3.375m or 175mm higher than the recommended average under ResCode and Part 4 of the building regulations. This average is not an absolute under either regulation and provisions exist to request a variation to this height. We have undertaken this request as part of the application. We have acknowledged in our report and clearly noted on our drawings this increase in average height. The maximum height of 3.55m is below the recommended maximum of 3.6m.

We have shown, and again acknowledge, that the North wall of 12 King Street is on the boundary and is at a lesser height than our proposal. Our wall is shown as being 10.7m long overall which is greater than recommended in ResCode or Part 4 of the building regulations unless there is a preexisting wall on the boundary of a neighboring property and then the height and length of that wall can be matched. We have measured the wall of 12 King Street to be approximately 15.5m some 4.8m longer than our proposed wall. We believe therefore that our proposal complies with the recommended wall length.

Given the concern raised by objectors about this increase in average height we will amend our documents to reflect the recommended average of 3.2m by lowering the wall heights to a minimum of 3.0m at St. Andrews Street and 3.35m at the Western end for an average of 3.175m.

By doing this we believe the proposal will comply with both height and length requirements of all statutory codes;

4. Overshadowing of the property at 12 King Street has been mentioned. Overshadowing is not a decision guideline of the Queenscliffe Planning Scheme under DDO1. Consequently no overshadowing diagrams have been provided, however we clarify our understanding of this requirement as follows. Part 4.17 of the building code deals with solar access to North facing windows and Part 4.18 deals with overshadowing of secluded private open space.

Part 4.17 requires that no wall can be more than 3.6m high within 1.0m of a boundary if there are North facing windows within 3.0m of that wall. Where a wall is on the boundary it must not exceed 3.6m at its highest point and must be at least 3.0m away from North facing habitable room windows. The North wall of the property at 12 King Street is on the common boundary and there are no windows in that wall. Therefore Part 4.17 is not applicable.



Part 4.18 deals with overshadowing, at the Equinox only, between 9.00am and 3.00pm. Overshadowing is exclusively to areas nominated as secluded private open space primarily used for recreational purposes. Whilst no shadow diagram has been prepared we can state that the height of the proposed building compared to the existing height of the wall on the boundary of 12 King Street will be approximately 400mm and any shadow cast by the proposed wall will be contained over the roof area of the dwelling at 12 King Street. There is no provision in any code to suggest that sky lights or solar panels (existing or proposed) are required to be considered in any overshadowing calculations. That being said we would estimate the impact to the roof area at 12 King Street would be very minimal and only in the region of perhaps 300mm encroachment over the roof;

5. Some concern was raised about view of the proposed outbuilding from Hesse Street. In our submission drawings we prepared a street elevation from Hesse Street and indicated the existing roof profile and the proposed roof profile. As a result of our intention to reduce the height of the building by 200mm the consequent view from Hesse Street will also be less. This view does already exist and the existing building is only visible over another structure and fence on site and will be some 34.0m from the Hesse Street frontage.



EXISTING VIEW FROM HESSE STREET TO EXISTING OUTBUILDING PROPOSED TO BE DEMOLISHED

- 6. We have indicated the use of Hardies Linea weatherboards to 2 locations where walls are to be constructed on or within 200mm of the property boundary. The choice of this material is to provide a non-combustible cladding to meet building regulations. However, we are able to obtain this rating by other means and reinstate timber weatherboards over a fire rated plaster sheeting. Therefore we will remove any reference to the use of Linea board for this proposal;
- Our drawings show that access to the rear of the site will be via an automated or manual sliding vehicle gate incorporated in the erection of a new boundary fence to St. Andrews Street;



8. The floor plan for the conversion of the Northern boundary outbuilding indicates a bench unit. This unit will not have a sink incorporated in it but will allow users to make a cup of tea or have a set down space for prepared meals by others. It is not intended, and the drawings do not show, that this converted building would be by definition a "dwelling". We have not applied for a second dwelling and the conversion to habitable space will be treated as a non-contiguous addition to the main building.

PHILOSOPHICAL MATTERS – Our definition for this category is for those items that have a subjective evaluation to them rather than a numerical or statutory requirement. We have again listed below our assessment of comments received.

1. There has been a lot of mention that the building proposed to be demolished was the first "Morgue" in Queenscliff. This cannot be verified by any visual or written historical record and in fact all that can be said is that in the 1879 photograph of the rear of 'Navestock" the building was not there. We have provided with this response a letter from Mrs. Farman (nee Priddle) who was the granddaughter of Henry Priddle who became the town undertaker sometime after 1906. Mrs. Farman, who is 95, vividly remembers living at 105 Hesse Street next to her grandfather's house at 107 Hesse Street, and as her attached letter states, the outbuilding was only ever used to garage vehicles, sometimes the hearse sometimes the family car. Bodies were never retained in this building. On this basis we believe any social significance attached to the building being used as a morgue can be discounted.

We can confirm, and Mrs. Farman's letter agrees, that the larger outbuilding that we are retaining was used for the manufacture of coffins. The new owners accepted the building without any of the tools or other attornments to do with the coffin manufacture and are proposing to refurbish the exterior with the only visual change being the replacement of a pedestrian door with a window to match others in the building.

The view of "Navestock" from St Andrews Street has been raised together with the style of the proposed buildings.



CURRENT VIEW OF "NAVESTOCK" FROM ST. ANDREWS STREET

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As can be seen from the photograph the view to "Navestock" is very limited and most of the building façade visible is of 20^{th} century additions, also outlined in Mrs. Farman's letter. An original chimney and part of the post mechanics building design pitched roof is also available. However the fundamental view of the original building is only from Hesse Street. The incorporation of buildings along the St. Andrews Street frontage will not therefore impact on the original building fabric.

As our drawings show the new buildings are along the St. Andrews Street face some 200mm setback to match the current building proposed to be demolished. We have designed these buildings to match in profile both the current outbuildings and to clad them in corrugated sheeting as is the building proposed to be demolished. The roof is the same pitch and again will have corrugated natural galvanized sheeting. All trims will be timber as will the pedestrian doors and windows shown on the drawings. The windows and doors will be styled to match those retained in the larger outbuilding.

In this manner we believe, apart from the extra width of the structures, the designs compliment "Navestock" itself and the retained outbuilding and, as far as is possible, replicates the existing structure. The existing views of the visible parts of the original building will not be impacted by the proposed works. The documents show galvanized roller doors which we have selected to emulate the corrugated wall sheeting.

Overall we believe the prosed designs are sympathetic to the location and do not detract from the importance of the main building;

3. Concern has been raised that the documents show the construction of a 2 car garage, with boat storage at the rear of 1, and how that may impact on traffic in St. Andrews Street. We consider that the requirements presented are not unusual for a standard residence where statutory regulations usually require that 2 cars be accommodated on site. We have provide an additional on-site car space for any users of the converted outbuilding together with a vehicle access gate from St. Andrews Street.

We do not consider that the allocation of a new outbuilding for 2 cars with boat storage at the rear is inappropriate for a residential property. Other properties in Hesse Street and Gellibrand Street have vehicle access from St. Andrews Street some with 2 or 3 car garages. Other properties in these streets also have B&B accommodation or self-contained cottages that are let out at various times of the year to which vehicle access is exclusively from St. Andrews Street.

The provision of a 2 car garage for the property owners and another off street space for users of the converted out building would not in itself constitute an abnormal or unacceptable level of vehicle activity given vehicle access is only available from St. Andrews Street;

4. A fundamental issue raised is should any part of the site be allowed to be demolished. The citation for the listing of "Navestock" makes no specific mention of either existing outbuilding in the Assessment Against Criteria and under normal circumstances, unless an outbuilding is specifically included, it does not have the same level of protection or significance as the actual dwelling on site.

We are cognizant of the importance of the larger outbuilding both for its previous use and its architecture, and that it appears to have been constructed at the same time as the main building or shortly thereafter. We intend to retain and refurbish this building. Its date of construction is unknown but is not evident in an 1879 photograph.

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We will not speculate on when the outbuilding in the South East corner was constructed but it is a much simpler building and has corrugated wall cladding rather than weatherboards which the larger building has. The barge boards are simple compared to the fretwork style on the larger building and any original garage doors have long since been replaced with an automatic roller door.

The building is in poor condition and we are unable to ascertain the condition of the Southern wall cladding.

Overall we do not believe it is inappropriate to apply for the demolition of this outbuilding when the owners are intending to undertake refurbishment of the main outbuilding and in time other parts of the original building.

5. A number of objectors requested that the amenity of the cottage at the rear of 12 King Street, which is on the common boundary, not be compromised. Amenity is a difficult term to evaluate. It should mean does the other party suffer any meaningful loss of enjoyment of their property or benefits that currently exist.

In considering the cottage at 12 King Street one needs to put amenity in context. The cottage has no windows facing 107 Hesse Street. The cottage is on the boundary and there has been for many decades a building some 6.0m long and higher than the cottage wall within 200mm of the wall. The adjoining building at 107 Hesse Street has a steep pitched roof with a ridge height 00000 above the St. Andrews Street level.

What the current proposal changes is that the new outbuilding will be approximately 000000 higher at the wall and ridge line and will be approximately 4.7m longer but sit the same distance away from the North wall. Whether this constitutes an unacceptable loss of amenity must now be debated and determined in the process of the planning permit evaluation.

On behalf of our clients, the new owners of 107 Hesse Street, we have interpreted their requirements as shown on our drawings. In doing this we have been cognizant of the listed building and undertook on 2 occasions to meet on site with council's heritage advisor and once with council's planner. We received feedback from both council officers and prepared our submission in good faith that we had responded to their input.

Where we believed we did not fully comply with recommendations of the Urban or Heritage Overlays we made note of them in our written report, on our drawings and in the description of what we were applying for in the permit. We have, in other words, been completely transparent in our application and remain prepared to discuss and consider any concerns that members of the public, council officers or councilors may have that are considered contrary to relevant controls or expectations.

Should council convene a planning review meeting for this application we will be pleased to attend and provide assistance to councilors and council officers.

Should you require any additional information please do not hesitate to contact me at any time.

Yours Sincerely

John Gullag

p.O. BOX 235, POINT LONSDALE 3225

KANDU CONSULTANTS PTY, LTD.

ABN 20 221 556 612



To whom it may cone



as far as I know the workshop has
not been altered, but I havend been
in it of course for a long sime.
The house was foff let for meany years
before my course boright if and
peticed there wintil he passed on and
left if to his son + daughter this son
is Robert Springall a marine lawyer;
in Melbourn, but I doubt he would
hnow much about the history of the
place. But you can sest assured there
never was a morgae at 107 these St.

There were 2 more primited broth on the repety one on the South Side whach was built to recommodate my Uncle Stein + family who came down rom Ballarat every year with his family, nothing whathis just a big room really with I get bedroom (6 hids) and a narrow cooking theating was I bedroom &

Kitcher with Sinh + Fridge etc. where Crampas daughter used to conservited her 3 children Springalls) I had was on the & North side next to Romford twhen my cousin altered the property he made that his Kitchen and rebuilt the east (lane side) to what is now is. There was no verandah. Then, first a big heterer and small bedroom, where they slept + beyond east) that Chaindry & bathwork continued.



APPENDIX 4- APPLICATION DOCUMENTS: 73 Bellarine Highway, Point Lonsdale 8.

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PLANNING REPORT FOR DEVELOPMENT OF FIVE DWELLINGS & FIVE LOT SUBDIVISION, CREATE ACCESS TO A ROAD ZONE CATEGORY 1 & REMOVAL OF ONE TREE

ΑT

73 BELLARINE HIGHWAY, POINT LONSDALE





Introduction

Sincock Planning has been engaged to assist in the review of preliminary plans and preparation of a town planning report to accompany an application for five dwellings and a five lot subdivision.

The property is located on the south side of Bellarine Highway, directly opposite the Beacon Resort. The site is developed with a single storey faux brick dwelling and a number of outbuildings including a carport, garage, bungalow and sheds. The site has an unusual shape and an area of 1670sq.m.

The site has no restrictions or covenants, and only one tree requires planning permission for its removal.

The proposal is consistent with the overlay and policy framework of the planning scheme, and the application complies with Clause 55. A full assessment of all planning scheme controls is provided below.

2. Proposal

The application proposes the development of five dwellings (four double storey, one single storey), a five lot subdivision, the creation of a new access to a Road Zone Category 1 and the removal of one tree.

Dwellings 1-3 are sited along the east side of the property, whilst dwellings 4 & 5 are on the west side behind 75 Bellarine Hwy. Dwellings 2-5 share a new crossover and access between 73 & 75 Bellarine Highway, and each dwelling has been designed with garaging and the necessary turning areas to ensure that all vehicles can exit these dwellings in a forward direction.

Dwelling 1 is located at the front of the site and will utilise the existing crossover for access to a new double garage. The dwelling has a 9m front setback, whilst the garage is setback a further 850mm. Tandem parking is available in front of the garage for 2 vehicles.

Dwelling 1 has a master bedroom at the lower level, along with the main living areas. Secluded open space is provided to the west of the living space, whilst a secondary area is also provided to the east.

The first floor contains two bedrooms, a bathroom and foyer. The garage is proposed to be constructed to the eastern boundary and the dwelling has a 3.08m setback to the same boundary. The dwelling has a maximum height of 6.99m.

Dwelling 2 has similar facilities at the lower level, however this dwelling has three bedrooms at the first floor. Secluded open space is provided to the north east of the dwelling, whilst a small service yard is located to the south. The dwelling has a maximum height of 7.087m.

The dwelling has a minimum 2.08m setback to the eastern boundary at the lower level and 4.08m at the first floor level.

Dwelling 3 also has living areas and the master bedroom at the lower level, with a service yard to the south and primary secluded open space to the north and east. The ensuite and laundry are constructed to the southern boundary, whilst the master bedroom has a 1200mm setback to the south and 1599mm setback to the east.

At the upper level are two bedrooms, bathroom and foyer, and this level has a 6.4m setback to the east and minimum 1.8m setback to the south (to the stairwell). The dwelling has a maximum height of 7.19m.

Dwelling 4 is to the west of the driveway, directly behind 75 Bellarine Highway, and this is also a two storey dwelling with master bedroom and living areas at the lower level. The dwelling has a substantial area of secluded open space to the north of the dwelling, and a smaller service yard to the south.

The upper level contains two bedrooms and a bathroom, and the dwelling has a maximum height of 6.99m. The lower level has a setback of 1.83m from the western boundary and the upper level has a 5.11m setback.

Dwelling 5, in the south west corner, is single storey and has three bedrooms and an open plan living area. The dwelling has a maximum height of 4.884m.

The site has a proposed site coverage of 42.58% and permeable surfaces of 55.13%.



3. Existing site conditions

The subject site is located on the south side of the Bellarine Highway, 30m west of the Point Lonsdale Road roundabout. The site and the neighbouring properties are shown in the image below:



The site is an unusual shape, with an area of 1670.74sq.m. A single storey dwelling (with faux brick finish) is sited at the front of the site with a 7.87m setback to the street. A large carport is located to the east of the dwelling and a single crossover provides vehicle access. A timber picket fence is constructed across the property frontage with gates for vehicle access.



Site as seen from the Bellarine Hwy.



At the rear of the site are a number of sheds along with trees and shrubs, all of which are identified in the Table at pages 6-9 of the attached arborist report.

The property is flat and has easements along the southern boundary, western boundary and the northern boundary of the portion of land behind 75 Bellarine Hwy.

To the west is a single storey brick dwelling with detached garage and side drive along the west side of the dwelling. The dwelling has a 7.4m setback to the Bellarine Hwy and secluded open space located to the rear of the dwelling.



Dwelling at 75 Bellarine Hwy.

To the east are two dwellings at 71 Bellarine Hwy that share vehicle access from an opening at the eastern end of the property frontage. 1/71 Bellarine Hwy has its secluded open space provided in the street setback behind a high timber fence, whilst 2/71 Bellarine Hwy which is located to the southern end of the property, has secluded open space to the west and north west of the dwelling.



Two dwellings at 71 Bellarine Hwy as seen from the vehicle entry



To the north is the Beacon Resort, with the main entry located directly opposite the site. The two storey office/managers residence is located to the west of the entry, and the cabins, motel units and caravan/camping spaces are all located to the north, east and west, with the park extending between Nelson Road and Ward Road.



Beacon Resort as seen from the opposite side of the road.

Due to the unusual size and shape of the allotment, there are four properties to the rear that all immediately abut the site. To the west and south west is a multi dwelling development comprising 17 single storey brick dwellings with undercover parking adjacent to each dwelling. The Seabreeze general store is located at the front of the site adjacent to the entry, with frontage to Point Lonsdale Road.

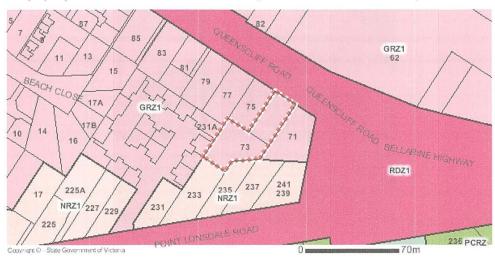
To the south and south east are three single storey dwellings with frontage to Point Lonsdale Road. Each of the dwellings has secluded open space to the north of the dwelling, and the dwelling face Point Lonsdale Road. They have a mix of materials including weatherboard, fibro and brick.

None of the neighbouring properties have any vegetation of any significance, with shrubs and grass dominating the landscape.



4. Zoning Provisions

The property is within the General Residential Zone, Schedule 1 as shown on the map below.



The purpose of the General Residential Zone is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To encourage development that respects the neighbourhood character of the area.
- To implement neighbourhood character policy and adopted neighbourhood character guidelines.
- To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other nonresidential uses to serve local community needs in appropriate locations.

A permit is required for subdivision pursuant to Clause 32.08-2 and for construction and extension of two or more dwellings on a lot pursuant to Clause 32.08-4.

Decision guidelines at Clause 32.08-10

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

General

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The purpose of this zone.
- Any other decision guidelines specified in a schedule to this zone.



Comment

The subject site is in the General Residential Zone Schedule 1 where no modifications to the Clause 54/55 standards have been applied. The purpose of the General Residential Zone is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To encourage development that respects the neighbourhood character of the area.
- To implement neighbourhood character policy and adopted neighbourhood character guidelines.
- To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other nonresidential uses to serve local community needs in appropriate locations.

The General Residential Zone Schedule 1 has only one Clause 55 variation, being that a building used as a dwelling or a residential building must not exceed a height of 8.5 metres. The zone expects that there will be a level of development (or re-development) at a higher density that provides alternate housing form other than single dwellings, whilst also requiring development to respect neighbourhood character.

The policy framework as relevant to this application is primarily contained within Clauses 15 (Built environment and heritage), 16.01-4 housing diversity and Clause 22.04 urban character policy.

The local policy is primarily concerned with character matters that are contained within the DDO5 & Clause 22.04, and a detailed response to the urban character policy at Clause 22.04 and 22.04-2 (point Lonsdale) is contained within the following section which addresses the Schedule 5 to the Design and Development Overlay to avoid repetition throughout the report.

At the state level, the policy objective is to provide for a range of housing types to meet increasingly diverse needs. Strategies seek to provide housing choice and well-designed medium density housing that respects neighbourhood character, improves housing choice, makes use of infrastructure and improves energy efficiency, whilst housing in well serviced locations is supported and a mix of housing types and densities around activity centres is provided. These broad state policy objectives reflect the expectations of the general residential zone.

Quite simply, there is clear zone support for increased densities in this GRZ1 where this can be managed in a way that does not offend the neighbourhood character objectives and the design outcomes sought by the Point Lonsdale Urban Character Policy.

The subject site is unusually large for the urban context of Point Lonsdale and therefore provides greater opportunity for redevelopment and higher densities. The vegetation on the site is either exempt from planning permission due to the species being non-indigenous, and/or being exempt under the bushfire exemptions at Clause 52.48-1. The vegetation removal plan at sheet 2 of 22 identifies all of the vegetation that is exempt from permits for removal, whilst the arborist report addresses the remaining vegetation. The fact that there is no significant vegetation on the site also provides for an opportunity for a higher density of development.



The principles of considering and respecting neighbourhood character have been addressed in careful design of the dwellings, and whist the detailed assessment is provided later in the submission, we note that respecting neighbourhood character is not about replicating existing building styles, nor is it about the density of development in an area. Neighbourhood character requires the designer to consider building scale, bulk, form, roof pitch, materials, finishes, setbacks and landscaping, and a design solution that has regard to these factors without replicating neighbouring buildings. We believe the proposal has successfully considered and addressed the neighbourhood character, primarily having regard to the preferred character as defined by the DDO5 & 22.04.

The low density nature of the proposal, along with the provision of a detailed and well considered building form and landscape design, will provide for an outcome that is appropriate, attractive and consistent with the preferred character outcomes of the area.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause
 56.

Comment

The application proposes a 5 lot subdivision to create a separate title for each of the five dwellings. The subdivision creates common vehicle access along the western boundary of the site, however the subdivision does not create new public roads or footpaths, and as such an assessment against Clause 56 is not required.

Dwellings and residential buildings

- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55.
- For a development of five or more storeys, excluding a basement, the Design Guidelines for Higher Density Residential Development (Department of Sustainability and Environment 2004).

Comment

An assessment against Clause 55 is provided at Section 6 of the report and the proposal meets all of the objectives.

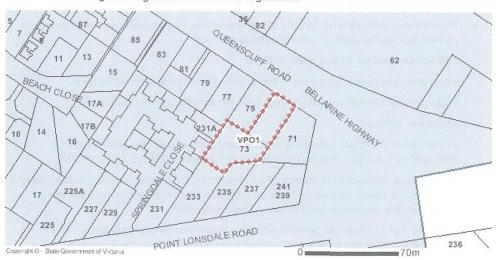


5. Overlay Controls

5.1 Vegetation Protection Overlay Schedule 1

The purpose of Clause 42.02 is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To protect areas of significant vegetation.
- To ensure that development minimises loss of vegetation.
- To preserve existing trees and other vegetation.
- To recognise vegetation protection areas as locations of special significance, natural beauty, interest and importance.
- To maintain and enhance habitat and habitat corridors for indigenous fauna.
- To encourage the regeneration of native vegetation.



Clause 3 of the Schedule states:

A permit is required to remove, destroy or lop all native or indigenous vegetation including Moonah, Tea Tree and Coastal Heath.

A permit is not required to remove, destroy or lop vegetation that is within 3 metres of an existing dwelling, except within the frontage of a site.



Clause 52.48-1 provides some exemptions from planning permission for the removal of vegetation. The clause states:

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to:

- The removal, destruction or lopping of any vegetation within 10 metres of an existing building used for accommodation that was:
 - constructed before 10 September 2009; or
 - approved by a permit issued under this scheme before 10 September 2009; or
 - approved by a building permit issued under the Building Act 1993 before 10 September
 2009: or
 - constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.
- The removal, destruction or lopping of any vegetation, except trees, within 30 metres of an existing building used for accommodation that was:
 - □ constructed before 10 September 2009; or
 - approved by a permit issued under this scheme before 10 September 2009; or

 - constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.
- The removal, destruction or lopping of any vegetation for a combined maximum width of 4
 metres either side of an existing fence on a boundary between properties indifferent
 ownership that was constructed before 10 September 2009.

The plan at sheet 2 of 22 shows the permitted clearing area around a boundary fence. The vegetation within this zone can be removed without a permit pursuant to the exemptions above.

Of the remaining vegetation, these include shrubs within 30m of the dwelling, fruit trees and weeds. The only tree requiring permission to be removed is Tree 26 (Pink Flowering Yellow Gum) that is centrally sited in the rear yard and notated within the arborist report as being "a planted non-indigenous native tree with good structure and canopy, however with a large failed main scaffold evident to the north of the crown, and the canopy is now unbalanced, open, spreading and susceptible to further failings." The tree has a Medium hazard level, being that:

"The tree displays signs of structural problems, evidence of pests or disease, signs of low vigour, deadwood, decay, may be growing into an area that could create a hazard."

Given this, and potential future problems with the tree that may eventually require its removal anyway, incorporating the tree into a new development is inappropriate and has potential to cause damage to new buildings at a later time. Therefore the application seeks permission to remove the tree.

Replacement plantings are proposed and Moonah & Coast beard heath will be planted as replacement species.



5.2 Design and Development Overlay Schedule 5

DDO5 applies to the Point Lonsdale Contributory Area, and the design objectives are:

To ensure new development maintains, protects and enhances the distinguishing elements of natural coastal character that typifies Point Lonsdale, especially the more established parts, such as:

- The undulating dune topography and dense coastal tea tree and moonah vegetation within private gardens, road verges and foreshore areas, which creates a prevailing natural coastal and informal village atmosphere for the area.
- Predominantly low density development and informal roadways.
- Prevailing low scale, detached early 20th Century residential buildings that recede within the vegetated coastal environment.
- Unique mix and diversity of intact historic holiday town building types varying from Californian, Art Deco, Post War, 1960s and contemporary design.
- Substantial estate properties with large dwellings set within significant areas of remnant vegetation which significantly contributes to the native coastal sense of place.
- The informal road network with limited use of kerb and channel and predominantly grassed road shoulders.
- The predominantly broad and densely vegetated road reserves and relatively indistinguishable front boundaries of private properties.
- Significant viewlines towards Port Phillip Bay and shorter corridor views to well vegetated dunes. To ensure buildings, fences and driveways do not visually dominate the prevailing natural coastal appearance of the area.

To encourage respect for existing built forms through compatible building heights and setbacks for new development.

To ensure new development in the area makes a positive contribution to the prevailing natural coastal character of more established areas of Point Lonsdale.

To encourage new development to have regard to the urban character policies contained in the MSS and to the Building Siting and Design Guidelines contained in the Borough of Queenscliffe Urban Character Study.

A permit is required to construct a building or carry out works pursuant to Clause 43.02-2. This does not apply:

If a schedule to this overlay specifically states that a permit is not required.

Schedule 5 provides that a permit is not required:

- to carry out routine or preventative maintenance to existing structures;
- to construct a building that is not more than 1 storey or 6 metres above natural ground level; or
- for works.

A permit is required to construct a two storey building or a single storey building of more than 6 metres in height.



The proposal is assessed against the relevant provisions of the overlay below.

	Requirement	Comment	Complies
Building Height	No building can exceed the height of: Two storeys; and 8.5 metres above NGL	The proposed dwellings are double storey and well below 8.5 metres, with the tallest of the five dwellings having a maximum height of 7.19m and therefore satisfies this requirement.	Yes
Site Coverage	Buildings should not occupy more than 40% of the area of the site.	Total site coverage will be 42.8% which does not meet the requirement.	No

As demonstrated above, the application is compliant with the requirements of the Design and Development Overlay - Schedule 5 (DDO5), with a variation being sought only in relation to site coverage, with a 42.8% site coverage proposed.

The schedule states that a permit may be granted to vary the requirements, except where a specific statement is made that the requirements cannot be varied.

A permit will only be granted to vary the requirements if the Responsible Authority is satisfied that compliance with the requirements is unreasonable or unnecessary, and that the variation satisfies the design objectives of this schedule and the Building Siting and Design Guidelines contained in the Borough of Queenscliffe Urban Character Study.

An application is sought to exceed the site coverage provisions of DDO5, however the variation is minor, and the proposal clearly satisfies the design objectives which are:

- A layout which endeavours to minimise the visual intrusion of buildings or any other elements into the natural coastal appearance of the area.
- On sites where vegetative screens are insubstantial, a layout which provides the opportunity for landscaped areas in appropriate locations to be planted with tea-tree and moonah to screen buildings from view, extend the roadside vegetation corridor, and reinstate the natural environment.
- 3. A layout of building or additions, paved areas, and driveways, car parking, active outdoor living areas and landscape areas that suits the site having regard to its physical, historic and environmental features and the location of buildings on adjacent land.
- A layout which provides a high quality of living for occupants of the site and which
 maintains an appropriate standard of amenity for the occupants of adjoining dwellings.
- 5. A layout which carefully considered the need for future extensions or additions on the site (ie total site planning).
- 6. A layout which minimises the removal of any existing native coastal trees that contribute to the total natural vegetated presence of the area.
- A layout which locates buildings on the flattest portion of the site so as to minimise the need for site excavation and major earth disturbance.

The design of the development limits the visual impact from the street with dwellings 4 & 5 located on the south west corner of the site where they sit behind the dwelling at 75 Bellarine Highway and are so recessive from the street that they will have no impact. The three dwellings along the east side are sited one behind the other such that although they are visible down the drive, they don't visually intrude in the streetscape.



The site is located in an unusual pocket of Point Lonsdale in that it has little vegetation within private land or the road reserve, and it displays quite a different character as a result (see aerial image below). The proposal is setback sufficiently from the street to enable landscaping to be planted in front dwelling 1, along the driveway and then around each of the dwellings, with Moonah proposed as the primary canopy tree. The extent of landscaping will positively contribute to the desired landscape character. Vegetation could be planted within the road reserve if this was desired by the Borough, and supported by VicRoads, and this would also assist to green this section of the road which is unusually bare for Point Lonsdale.



The siting of buildings has specifically sought to provide separation from neighbouring dwellings and space between dwellings so that a wall of building is not evident from any neighbour and such that visual bulk does not result. All dwellings are also sited such that they won't result in any unreasonable shadow, particularly having regard to the small areas of open space associated with the dwellings at 231 Point Lonsdale Road.

The layout and siting of dwellings also provide s a high level of amenity for the future residents with larger areas of secluded open space, all of which have some northerly aspect and all of which are accessed directly from the living area of the dwelling. The open space areas will easily accommodate the needs of future residents.

As detailed in the response to the VPO, only one tree requires planning permission for its removal and this tree is unbalanced, spreading and susceptible to further failings, such that its retention in an urban environment is inappropriate and its removal should be permitted.



The proposal is also consistent with the urban character study and Clause 22.04 for the reasons outlined above, given the objectives of both the character study, DDO4 and Clause 22.04 are replicated in the three documents.

The design standards that Clause 22.04-2 identify as needing to be met are addressed as follows under the same headings and in the same order as outlined in the policy:

Site Layout

- · North facing indoors and outdoors living areas are maximised;
- Dwellings are designed to provide for all of the needs of the future residents and designed to consider total site planning;
- No buildings are prominently sited;
- Views from neighbouring properties are not affected by the proposal;
- Landscaping is nominated on site for removal including identification of those trees and shrubs that are exempt from planning permit, and those that require a permit (Tree 26 only);
- There is no indigenous vegetation in front of the site, and as noted earlier, additional roadside plantings could be provided if necessary and if supported by VicRoads;
- The dwellings are designed and sited behind each other and are very recessive from the street or surrounding streets, along with having smaller second storey elements such that the buildings are not dominant structures, and the adjacent private open space and dwellings are protected from any unreasonable loss of amenity;

Building design

- No vegetation of any significance exists on site or within the road reserve that warrants any
 protection;
- The dwellings are not bulky in design, with the dwellings being setback beyond the
 requirements of Clause 55 and well below the maximum height permitted by the policy and
 DDO5. The dwelling design uses traditional roof pitches and eaves and has no bulk when
 viewed from neighbours;
- West facing windows are minimised and living areas are sited to the north side to optimize solar access;
- Traditional materials are used with some brick and render at the lower levels, and the dwellings maintain a costal holiday house appearance;
- Colours are not nominated at this stage, however muted tones that reflect the coastal location will be used and a detailed set of colours and finishes can be submitted for approval as a permit condition;
- The dwellings have a low height and do not have any appearance of height or bulk due to the horizontal boards at the upper level
- The design has provided protection from overlooking for neighbours and full compliance with Clause 55 has been achieved;

Building height and setback

- There is no prevailing building height in the street with both single and double storey
 dwellings, however the design has sought to minimise the overall height of the dwellings
 and the maximum height is well below the preferred maximum of 8.5;
- building height maintains the traditional single storey scale of the street;
- The front setback of dwelling 1 is 9m which sits between the two neighbouring dwellings and meets the setback standard of Clause 55;
- The development does not build across the width of the lot at any point in the property, with substantial spaces between dwellings.



Fencing, drives and landscape

- A narrow, curved driveway is proposed with permeable surfaces that will maintain the relaxed coastal nature of the property;
- Only one native tree is proposed to be removed and this tree is inappropriate in the urban setting given the condition of the tree as outlined in the arborist report;
- No front fence is proposed;
- Coastal heath and Moonah are used in the landscaping of the site and will replace the nonnative and weed species currently on site;
- The site has limited slope and the dwellings cannot be screened from view.

It is clear from the above that all of the design standards have been met, and whilst the site coverage of DDO5 is not met, this is a purely a mathematical equation, and there is no impact on neighbouring properties or the character of the area as a result of the non-compliance.

The property sits in a fairly unusual context in that the Beacon Resort opposite has a higher site coverage than the surrounding dwellings, whilst the unit development to the south west also has an unusually high site coverage and hard surface coverage. The minor variation to site coverage is not inappropriate in this context.

The variation will have no impact on the visual impact of the building from the street or from neighbours, and the proposal complies with the design standards of Clause 22.04, the Urban Character Study and the Design and Development overlay Schedule 5.



6. Particular Provisions

6.1 52.06 Car parking

Table 1 at Clause 52.06-5 states that parking is required at a rate of 1 space for each 1 or 2 bedroom dwelling, and 2 spaces for each 3 or more bed dwelling.

As the application proposes five new 3 bed dwellings, a total of 10 car parking spaces are required to be provided for residents, along with one visitor car space.

The application proposes parking for each of the dwellings within a double garage, with additional tandem parking provided in front of dwelling 1. A single car space is also retained on the street between the two crossovers.

Each of the garages meets the required minimum internal dimensions of design standard 2 at Clause 52.06-8 with each garage being $6m \times 5.5m$. Design standard 1 details access requirements, and the proposal complies with an accessway of at least 3m in width, internal radius of at least 4m at changes of direction and allows all vehicles using the common driveway (dwellings 2-5) to exit the site in a forward direction.

6.2 52.29 Land adjacent to a road zone category 1

The purpose of Clause 52.29 is:

- To ensure appropriate access to identified roads.
- To ensure appropriate subdivision of land adjacent to identified roads.

The application proposes one new crossover at the western end of the title frontage, and retention of the existing crossover for dwelling 1.

Garaging and accessways have been designed to enable all vehicles from dwellings 2-5 to exit the site in a forward direction, whilst dwelling 1 will continue to reverse onto the road as the existing dwelling does, and from the same general location.

The design and layout of the proposal enables vehicles to enter and exit the site in a safe manner and does not compromise the safety of road users.

6.3 55 - Two or more dwellings on a lot and residential buildings

The purpose of Clause 55 is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.
- To encourage residential development that provides reasonable standards of amenity for existing and new residents.
- To encourage residential development that is responsive to the site and the neighbourhood.



55.02-1

NEIGHBOURHOOD CHARACTER

Standard B1

The design response must be appropriate to the neighbourhood and the site.

The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.

Comment

This issue has been addressed in some detail earlier in the report in response to state and local planning policy and also the DDO where the Urban Character Study and Clause 22.04 were addressed and therefore will not be repeated.

55.02-2

RESIDENTIAL POLICY

Standard B2

An application must be accompanied by a written statement to the satisfaction of the Responsible Authority that describes how the development is consistent with any relevant policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

Comment

As discussed earlier in the submission in response to the policy provisions of the scheme.

The development meets the residential policy objective.

55.02-3

DWELLING DIVERSITY

Standard B3

Developments of ten or more dwellings should provide a range of dwelling sizes and types, including:

· Dwellings with a different number of bedrooms.

At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.

Comment

Not applicable as only five dwellings are proposed, however all five dwellings contain a kitchen along with bedroom and bathroom at the lower level, with dwelling 5 at the rear of the site being single storey.

55.02-4

INFRASTRUCTURE

Standard B4

Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas if available.

Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.

In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

Comment

The dwelling will be connected to all infrastructure as required by Council's engineers.

The requirements of the servicing authorities will be imposed via the referral of the subdivision application and no issues about spare capacity are expected to be encountered.

The development meets the infrastructure objective.

55.02-5

INTEGRATION WITH THE STREET

Standard B5

Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.

Development should be oriented to front existing and proposed streets.

High fencing in front of dwellings should be avoided if practicable.

Development next to existing public open space should be laid out to complement the open space.

Comment

Dwelling 1 is designed to face the street, with its own driveway along the eastern boundary and the front door located immediately adjacent to the garage and clearly visible form the street. The proposal does not seek permission for any high fencing across the front of the site.

Dwellings 2-5 share a common access along the western boundary, and this access provides good vehicular and pedestrian links. The dwellings will be clearly visible from the shared driveway.

55.03-1

STREET SETBACK

Standard B6

Walls of buildings should be set back from streets:

- · At least the distance specified in the schedule to the zone, or
- If no distance is specified in the schedule to the zone, the distance specified in Table B1.

Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.

Comment

The dwelling has been designed to meet the standard, with a minimum 9m setback to the street given the adjoining dwellings have setbacks of 7.4m and 10.88m.



55.03-2

BUILDING HEIGHT

Standard B7

The maximum building height should not exceed:

- The maximum height specified in the schedule to the zone, or
- If no maximum height is specified in the schedule to the zone, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.

Changes of building height between existing buildings and new buildings should be graduated.

Comment

The schedule to the zone specifies a maximum height of 8.5m above natural ground level, and all dwellings are less than 8.5m, with the tallest dwelling being dwelling 3 which has a maximum height of 7.19m above n.g.l.

55.03-3

SITE COVERAGE

Standard B8

The site area covered by buildings should not exceed:

- The maximum site coverage specified in the schedule to the zone, or
- If no maximum site coverage is specified in the schedule to the zone, 60 per cent.

Comment

The site coverage standard is not modified by the schedule to the zone and the proposed site coverage is very low at 42.8% and is well below the 60% maximum.

The development meets the site coverage standard.

55.03-4

PERMEABILITY

Standard B9

At least 20 per cent of the site should not be covered by impervious surfaces.

Permeable surfaces far exceed the 20% minimum at 55.13%, with substantial areas of open space provided for each dwelling along with a permeable surface along the driveway.

The proposal exceeds the required standard.

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55.03-5

ENERGY EFFICIENCY

Standard B10

Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north facing windows is maximised.

Comment

The living area of dwellings 2-5 have all been designed with northern orientation, along with some eastern and/or western orientation. The living area of dwelling 1 has a western orientation as the dwelling is located at the front of the site and the living area would ideally have access to the secluded open space which cannot be located within the front setback. As a result therefore, the living area is located to the rear of the dwelling and the open space to the west.

The energy efficiency of the adjacent dwellings is not compromised by the proposed development, and this matter is addressed in more detail later in the submission.

55.03-6

OPEN SPACE

Standard B11

If any public or communal open space is provided on site, it should:

- Be substantially fronted by dwellings, where appropriate.
- Provide outlook for as many dwellings as practicable.
- Be designed to protect any natural features on the site.
- Be accessible and useable.

Comment

N/A

55.03-7

SAFETY

Standard B12

Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways.

Planting which creates unsafe spaces along streets and accessways should be avoided.

Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.

Private spaces within developments should be protected from inappropriate use as public thoroughfares.



Comment

Each dwelling is provided with good vehicle and pedestrian access to Bellarine Highway, and whilst the entry of dwellings 2-5 are not clearly visible from the street due to the alignment of the proposed access and the distance to the street, however each dwellings entry is clearly identifiable from the driveway as you approach the dwelling.

The design solution provides for good visibility along the driveway which provides for general surveillance.

55.03-8

LANDSCAPING

Standard B13

The landscape layout and design should:

- Protect any predominant landscape features of the neighbourhood.
- Take into account the soil type and drainage patterns of the site.
- Allow for intended vegetation growth and structural protection of buildings.
- In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.
- Provide a safe, attractive and functional environment for residents.

Development should provide for the retention of planting of trees, where these are part of the character of the neighbourhood.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.

Comment

A landscape plan has been prepared and this provides for planting throughout all of the open space areas and along the common property driveway. Moonah and Coast Beard-heath are proposed throughout the site, along with smaller shrubs and ground covers.

There has been no vegetation removed from the site in the past 12 months, and whilst there are trees to be removed to provide for the development, only one tree require planning permission for its removal as the others are either exempt due to the bushfire exemptions or exempt from permission due to being non-indigenous species.

The landscaping is designed to enhance the development and the aspect from within and outside the site. The landscaping will enhance and improve the landscape / garden character of the immediate area.

55.03-9

ACCESS

Standard B14

Accessways should:

- Be designed to allow convenient, safe and efficient vehicle movements and connections within the development and to the street network.
- Be designed to ensure vehicles can exit a development in a forwards direction if the accessway serves five or more car spaces, three or more dwellings, or connects to a road in a Road Zone.
- Be at least 3 metres wide.
- Have an internal radius of at least 4 metres at changes of direction.
- Provide a passing area at the entrance that is at least 5 metres wide and 7 metres long if the
 accessway serves ten or more spaces and connects to a road in a Road Zone.

The width of accessways or car spaces should not exceed:

- · 33 per cent of the street frontage, or
- if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.

No more than one single-width crossover should be provided for each dwelling fronting a street.

The location of crossovers should maximise the retention of on-street car parking spaces.

The number of access points to a road in a Road Zone should be minimised.

Developments must provide for access for service, emergency and delivery vehicles.

Comment

The application proposes to retain and use the existing crossover for access to dwelling 1, and proposes a new crossover and driveway along the west side of the property. The width of the two crossovers equates to 32% of the frontage and this meets the required standard.

55.03-10

PARKING LOCATION

Standard B15

Car parking facilities should:

- Be reasonably close and convenient to dwellings and residential buildings.
- Be secure.
- Be designed to allow safe and efficient movements within the development.
- · Be well ventilated of enclosed.

Large parking areas should be broken up with trees, buildings or different surface treatments.

Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

Comment

Car parking is proposed within a double garage for each of the dwellings and direct access is provided into each of the dwellings.

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The proposed parking arrangements are convenient, are secure and designed to allow safe and efficient movement within the development.

Habitable room windows for dwellings 2 & 3 are located within 1500mm of the common driveway and as such are provided with screening in the form of a pergola to provide protection from vehicle noise and ensure privacy within the living areas. Dwelling 4 has a bedroom window adjacent to the common driveway however this window has a sill height of more than 1.4m and therefore complies.

The master bedroom of dwelling 5 is also located adjacent to the common driveway, however the window is adjacent to a turning area that is required only for that dwelling, and as such there is no loss of amenity due to passing vehicles and retention of a low sill height is submitted to be appropriate and providing for a high level of amenity for the future residents.

55.04-1

SIDE AND REAR SETBACKS

Standard B17

A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:

- At least the distance specified in the schedule to the zone, or
- If no distance is specified in the schedule to the zone, 1 metre, plus 0.3 metres for every metre
 of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9
 metres.

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

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.

Comment

Side and rear setbacks all meet the required standard, and no variations are sought.

55.04-2

WALLS ON BOUNDARIES

Standard B18

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot should not abut the boundary for a length or more than:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
- Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports,

Whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where the slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

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The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

Comment

The only walls proposed on the boundary are those associated with the garage for dwelling 1 and the laundry and ensuite for dwelling 3. Both sections of wall are below 3.2m (average) wall height and the length of walls on boundary is well below the maximum permitted.

55.04-3

DAYLIGHT TO EXISTING WINDOWS

Standard B19

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

Comment

All adjacent dwellings retain a light court to habitable room windows and meet, or exceed this standard.

55.04-4

NORTH-FACING WINDOWS

Standard B20

If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building not on or within 150mm of the boundary should be setback from the boundary 1 metre, plus 0.6 metre for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.

Comment

N/A

55.04-5

OVERSHADOWING OPEN SPACE

Standard B21

Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of 5 hours of sunlight between 9am and 3pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.



Comment

Minimal overshadowing of adjacent open space will result due to the low height of the dwellings and proposed setbacks from boundaries. The overshadowing diagrams are shown on sheets 20, 21 & 22 of 22, and no single area of adjoining secluded open space has sunlight reduced below 75% or 40sq.m of open space for the required 5 hours between 9am and 3pm.

55.04-6

OVERLOOKING

Standard B22

A habitable window, balcony, terrace, deck or patio should be located and designed to avoid the direct views into the secluded private open space and habitable room windows of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other, or
- Have sill heights of at least 1.7 metres above floor level, or
- Have fixed obscure glazing in any part of the window below 1.7 metres above floor level, or
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- · Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

Comment

No overlooking will occur as first floor windows have been designed will either sill heights of 1700mm above floor level or obscure glazing to windows below 1700mm and therefore comply with the standard.

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55.04-7

INTERNAL VIEWS OBJECTIVE

Standard B23

Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.

Comment

There is no overlooking within the site with the design providing for obscure glazing or sill heights of 1700mm above floor level.

55.04-8

NOISE IMPACTS OBJECTIVES

Standard B24

Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.

Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.

Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.

Comment

There are no noise sources on the subject site or adjoining lots that will result in any loss of amenity, or require acoustic measurements to be put in place.

55.05-1

ACCESSIBILITY

Standard B25

The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.

Comment

The dwellings have been designed such that the lower level of each dwelling is accessible to people with limited mobility.

55.05-2

DWELLING ENTRY

Standard B26

Entries to dwellings and residential buildings should:

- Be visible and easily identifiable from streets and other public areas.
- Provide shelter, a sense of personal address and a transitional space around the entry.

Comment

The entry to each dwelling is visible from the driveway and provides for a clear sense of address. These spaces are well designed to provide shelter and transitional space around the entry.



55.05-3

DAYLIGHT TO NEW WINDOWS

Standard B27

A window in a habitable room should be located to face:

- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- · A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

Comment

All new windows within the development are located to face an outdoor space clear to the sky and all will receive more than adequate daylight to ensure a high level of amenity for future residents.

55.05-4

PRIVATE OPEN SPACE

Standard B28

A dwelling or residential building should have private open space of an area and dimensions specified in the schedule to the zone.

If no area or dimensions are specified in the schedule to the zone, a dwelling or residential building should have private open space consisting of:

- An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or
- A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or
- A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.

Comment

Private open spaces are provided to each of the dwellings with in excess of the required 40sq.m of total open space. Secluded open space areas all have a minimum width of 3m and exceed the required 25sq.m, with further open space areas providing well in excess of the minimum requirements.

55.05-5

SOLAR ACCESS TO OPEN SPACE

Standard B29

The private open space should be located on the north side of the dwelling or residential building, if practicable.

The southern boundary of secluded private open space should be set back from any wall on the north of the space at least (2 + 0.9h) metres, where 'h' is the height of the wall.

Comment

The private open spaces for each dwelling are located on the north side of the dwellings, and all are setback well in excess of the required distances from walls to the north side.

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The open space area will receive good solar access throughout the day and be enjoyable spaces for the residents to use.

55.05-6

STORAGE

Standard B30

Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.

Comment

Storage is proposed within the garages of each dwelling with an area that exceeds the required 6 cubic metres and this detail is shown on sheet 17 of 22.

55.06-1

DESIGN DETAIL

Standard B31

The design of buildings, including:

- Façade articulation and detailing,
- · Window and door proportions,
- · Roof form, and
- Verandahs, eaves and parapets,

Should respect the existing or preferred neighbourhood character. Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.

Comment

As discussed elsewhere the proposal has had regard to the character of the area and the dwelling design incorporates hipped roof forms, smaller first floor elements, substantial side setbacks and materials which will present an attractive finish and low scale built form when viewed from the street and from neighbouring properties.

The siting of the dwellings provides an opportunity to landscape the site in a manner that will positively contribute to the street, particularly given there is little vegetation on surrounding sites or within the road reserve in front of the site at present.

The overall height of the dwellings reflects other two storey dwellings in the immediate area, whilst site coverage and hard surface areas are low, and not inconsistent with surrounding properties.

55.06-2

FRONT FENCES

Standard B32

The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties

A front fence within 3 metres of a street should not exceed:

- The maximum height specified in the schedule to the zone, or
- If no maximum height is specified in the schedule to the zone, the maximum height specified in Table B3.

Comment

N/A

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55.06-3

COMMON PROPERTY

Standard B33

Developments should clearly delineate public, communal and private areas.

Common property, where provided, should be functional and capable of efficient management.

Comment

The common property area is clearly delineated and easy to manage. The common property includes the access and landscaping along the edge of the driveway.

55.06-4

SITE SERVICES

Standard B34

The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.

Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development. Bin and recycling enclosures should be located for convenient access by residents. Mailboxes should be provided and located for convenient access as required by Australia Post.

Comment

All services can be provided within the property boundary.



7. Conclusion

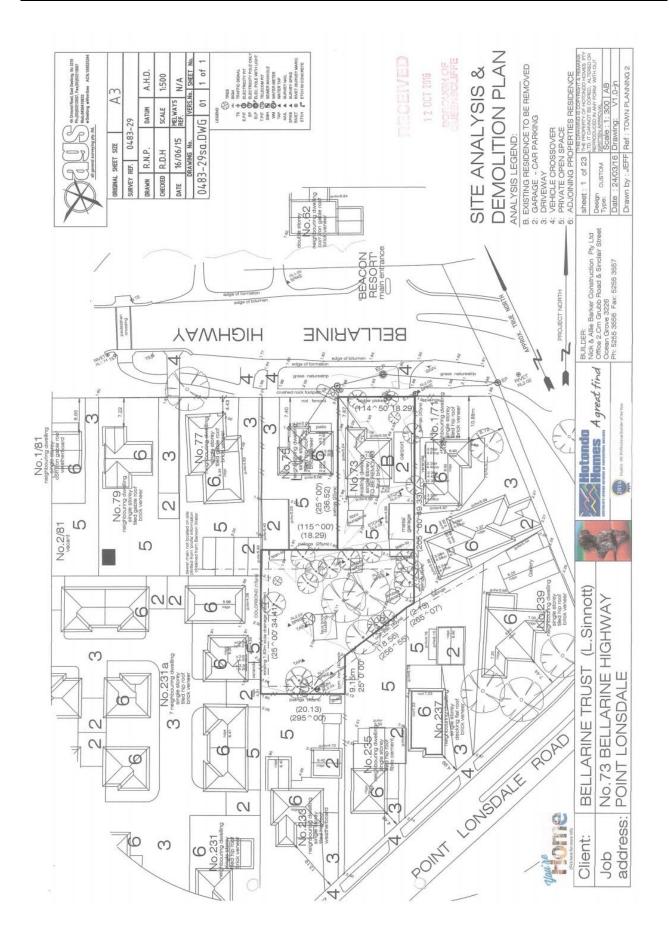
We believe the development of five dwelling, a five lot subdivision, creation of access to a road zone category 1 and removal of one tree is appropriate in this location, designed in such a manner that the development will present well to the street and to the neighbouring properties, whilst all amenity impacts for neighbours are addressed in the design.

The proposal is consistent with the requirements of Clause 22.04, DDO5 and VPO1 with the exception of the minor variation to site coverage. The variation is submitted to be acceptable given all other standards are met, no loss of amenity results to neighbours and the dwellings will have limited visual impact from the street due to the siting and lot layout. The proposal exceeds the permeable surface requirements, further demonstrating the appropriateness of the development.

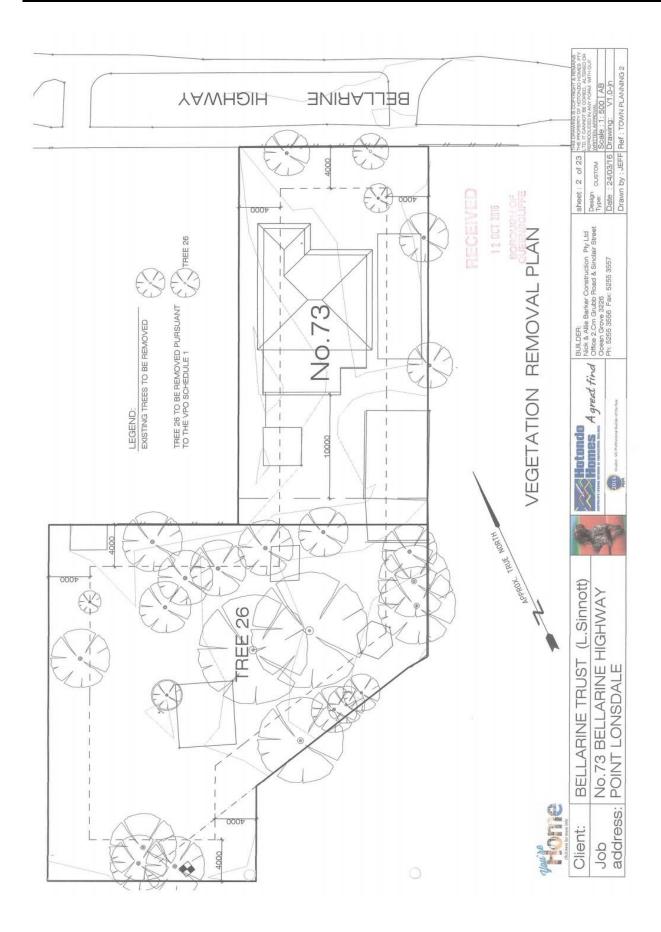
The application is consistent with the planning scheme in its entirety and we look forward to the grant of a permit in due course.

SINCOCK PLANNING

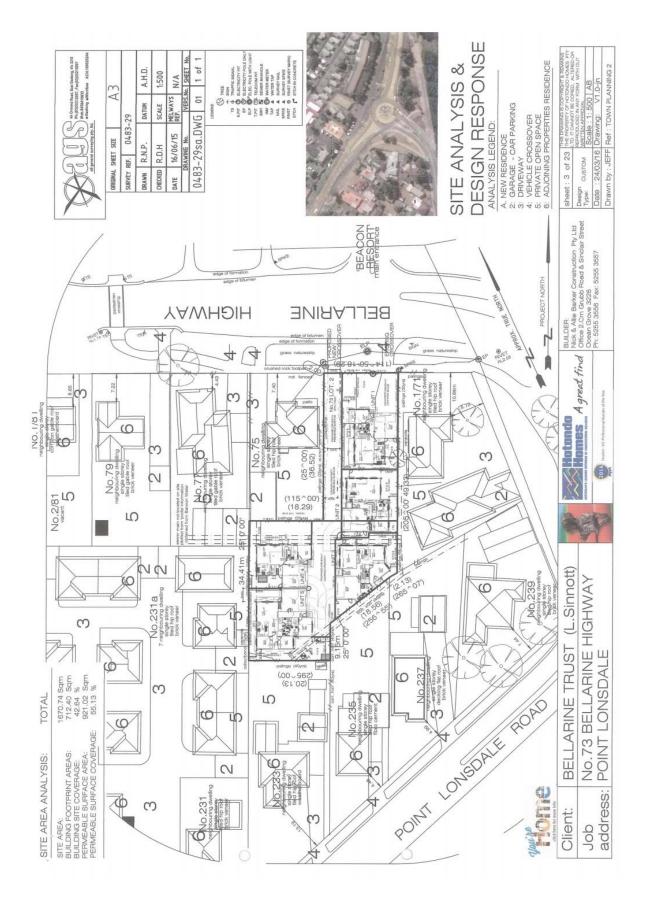




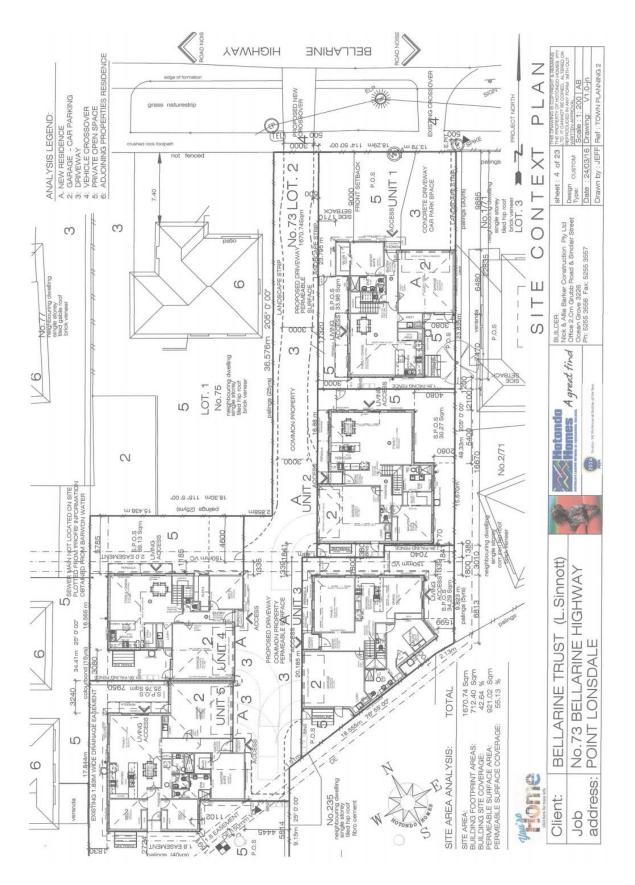




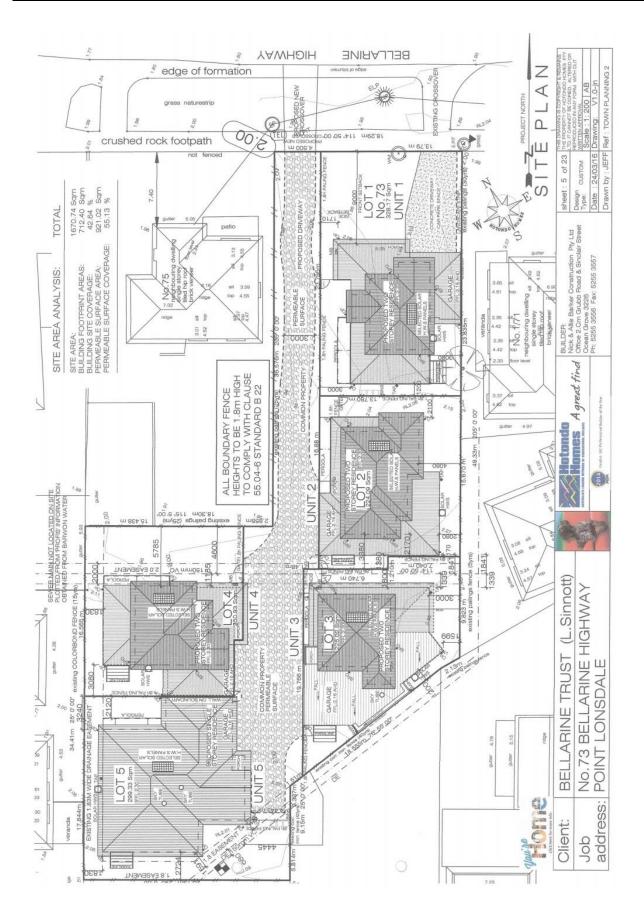




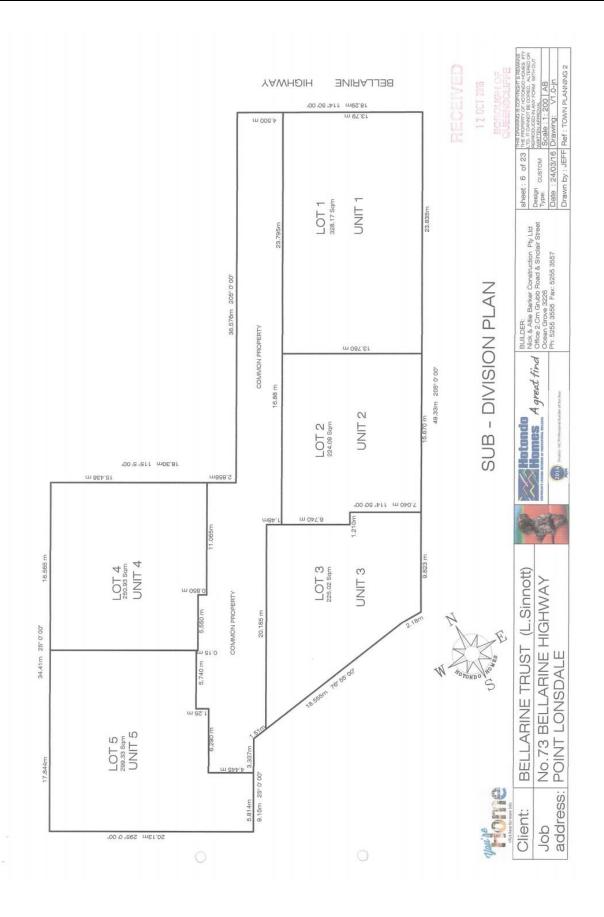




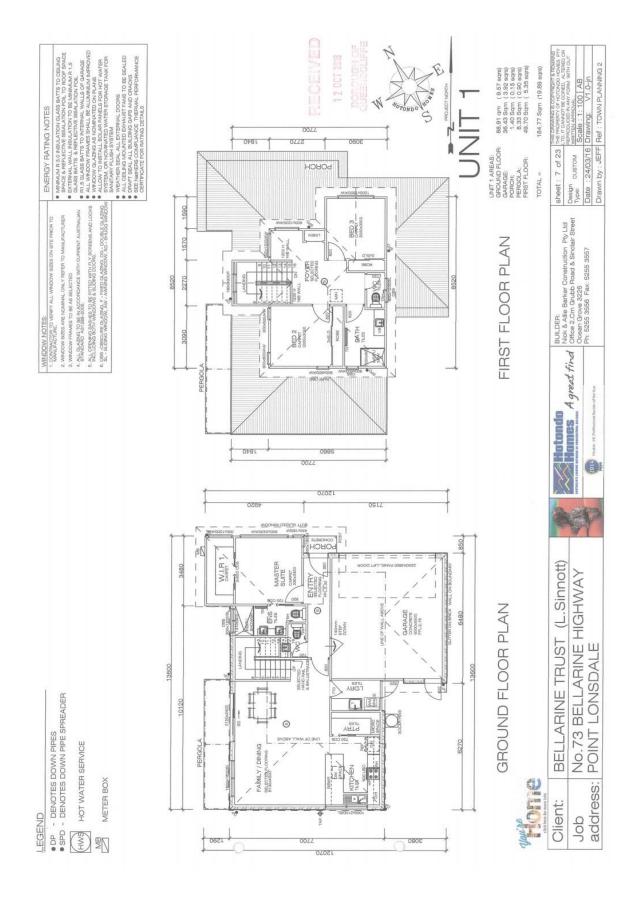




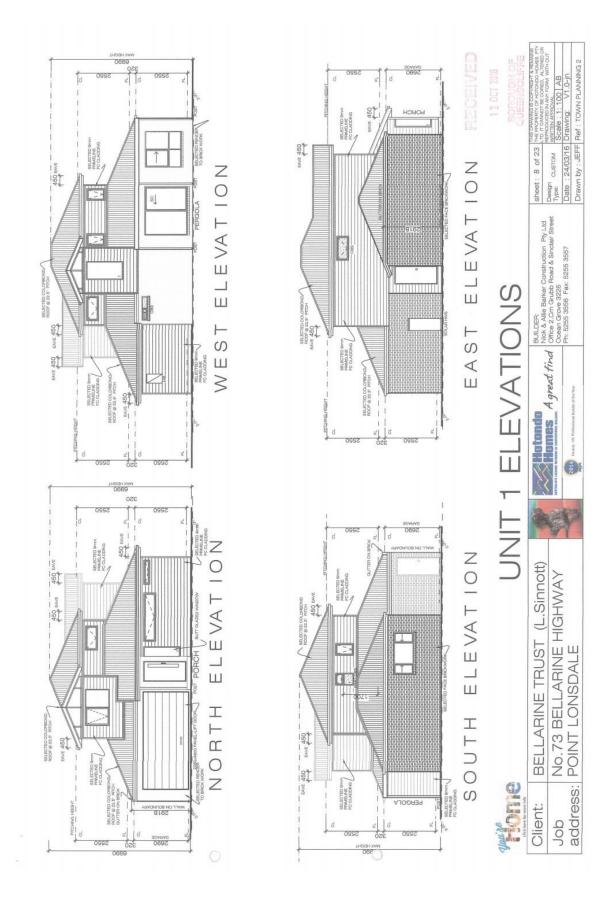




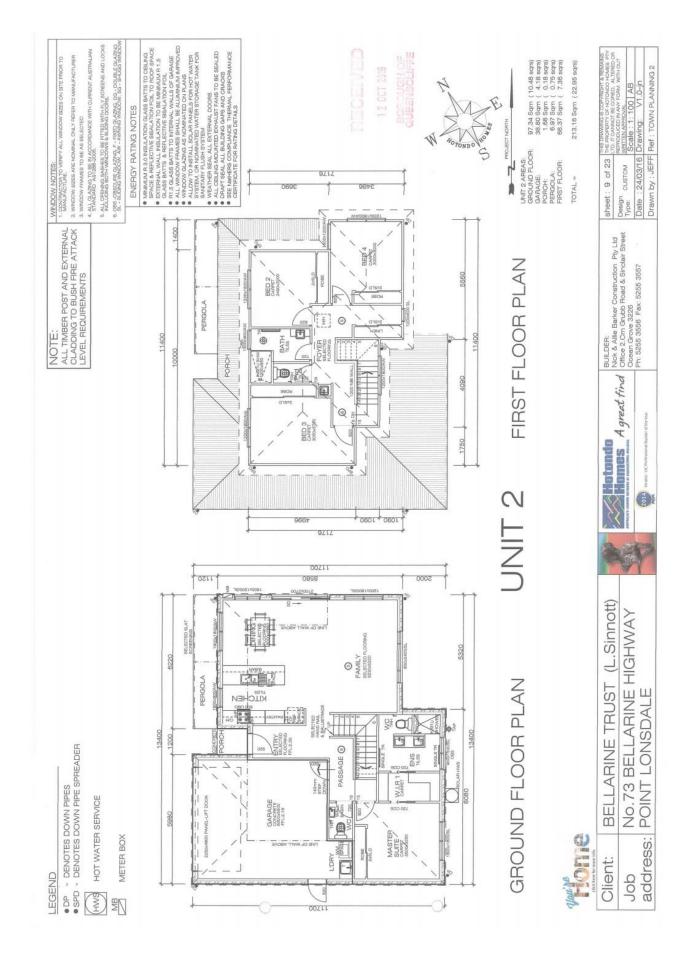








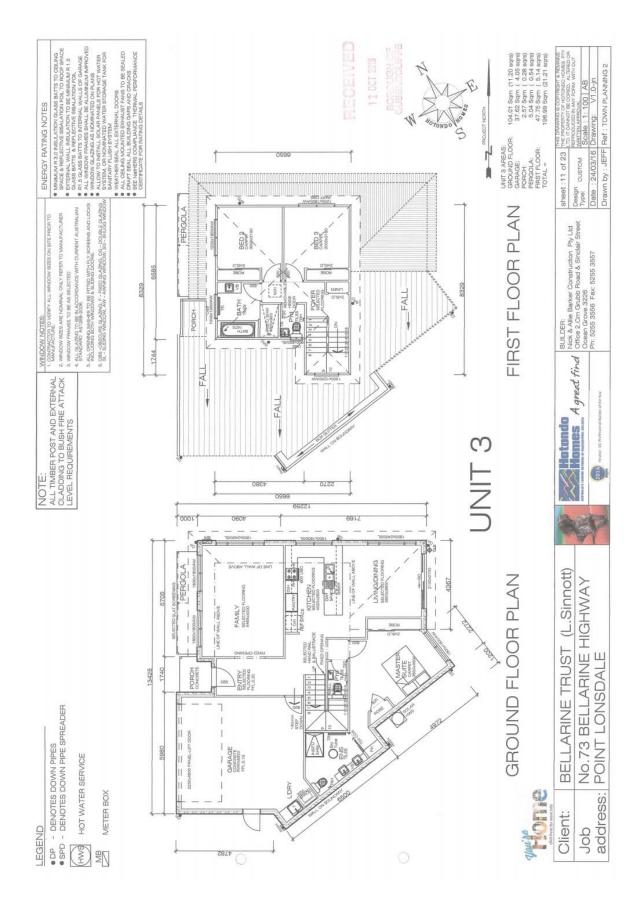








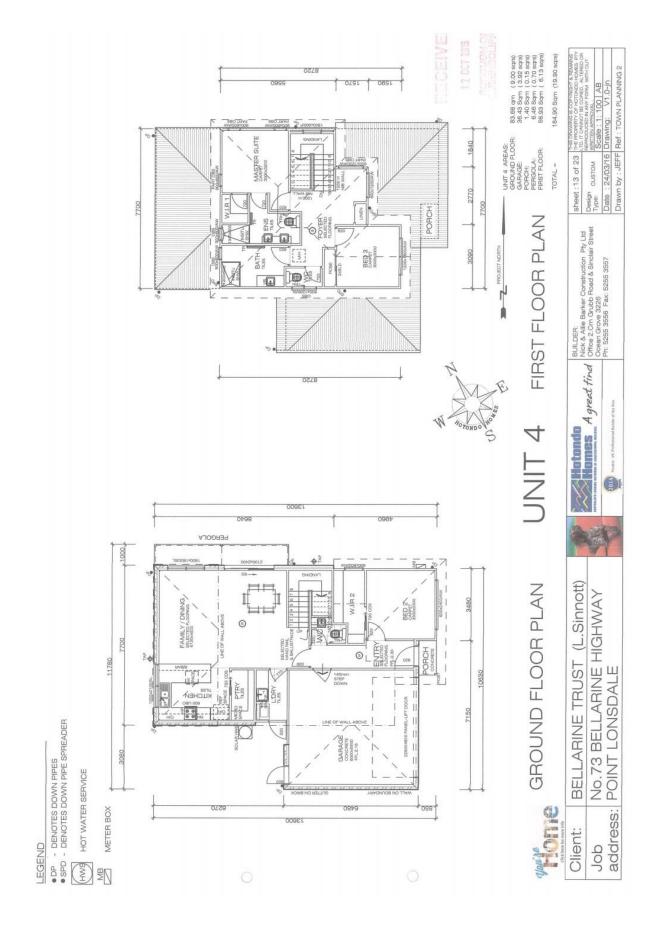




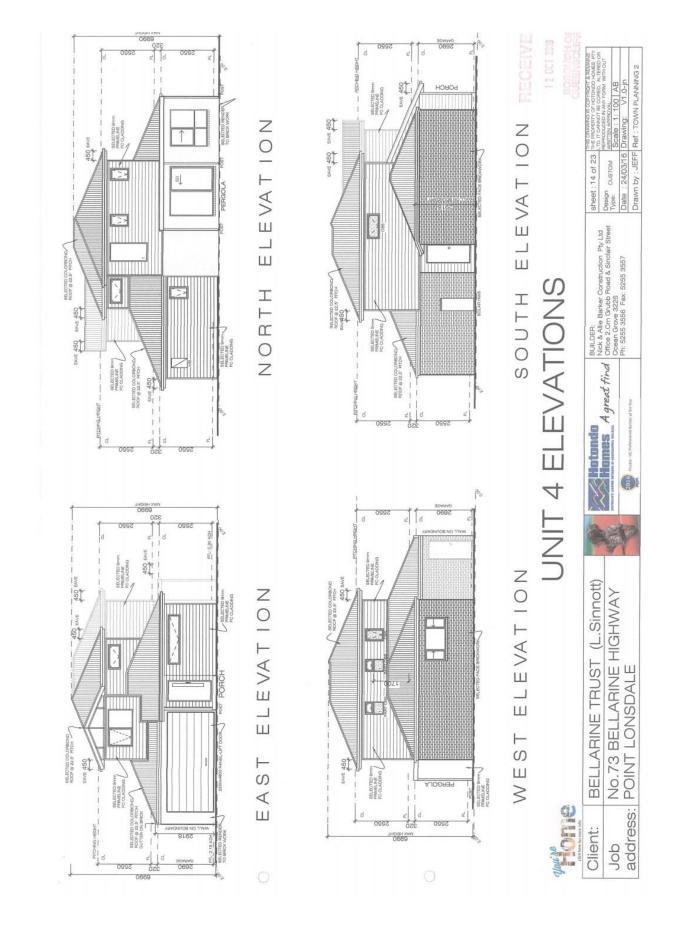




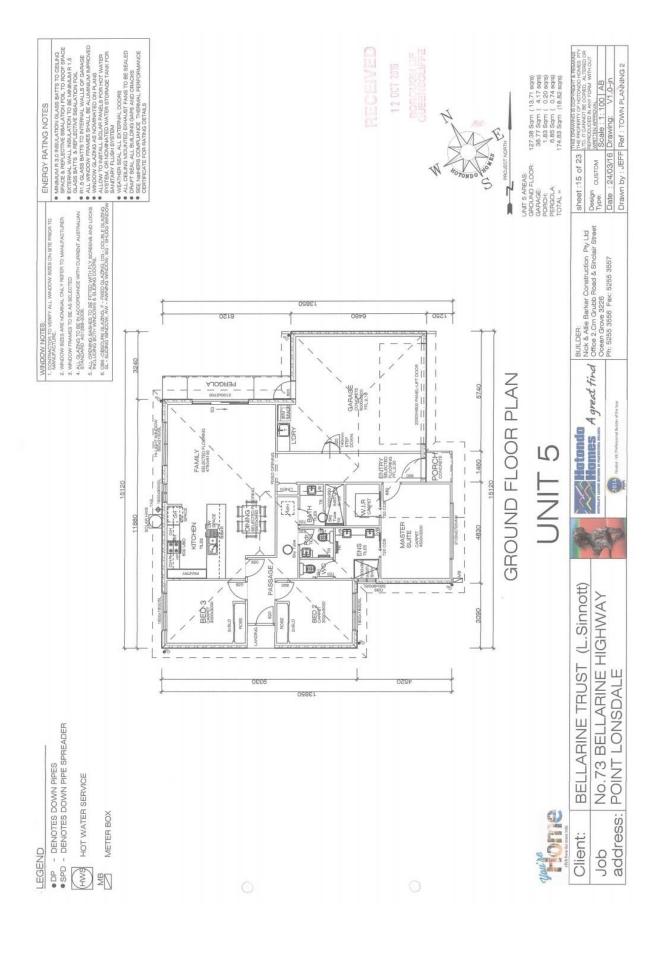








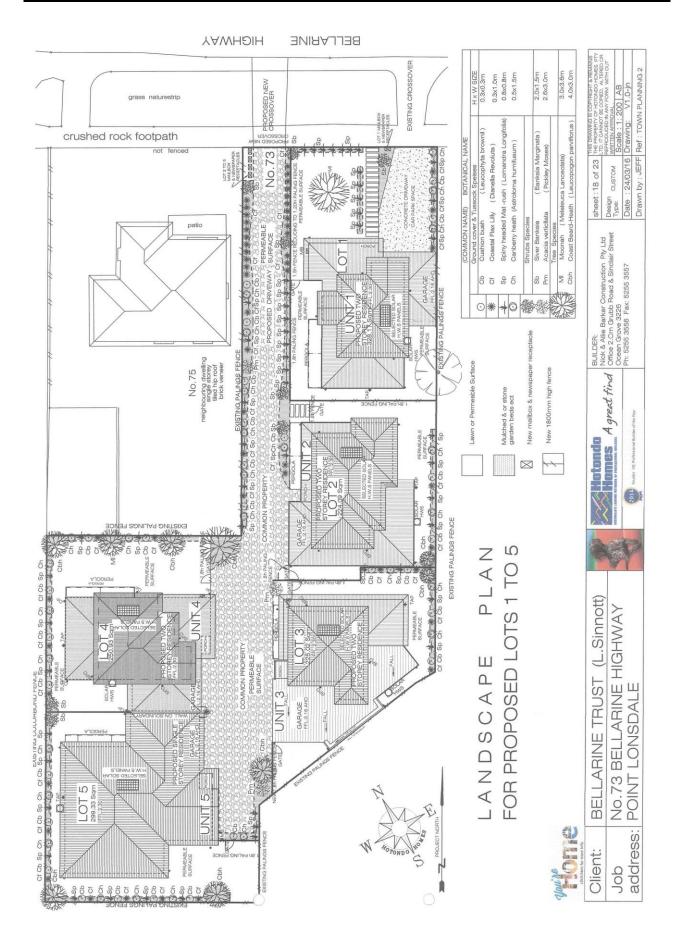








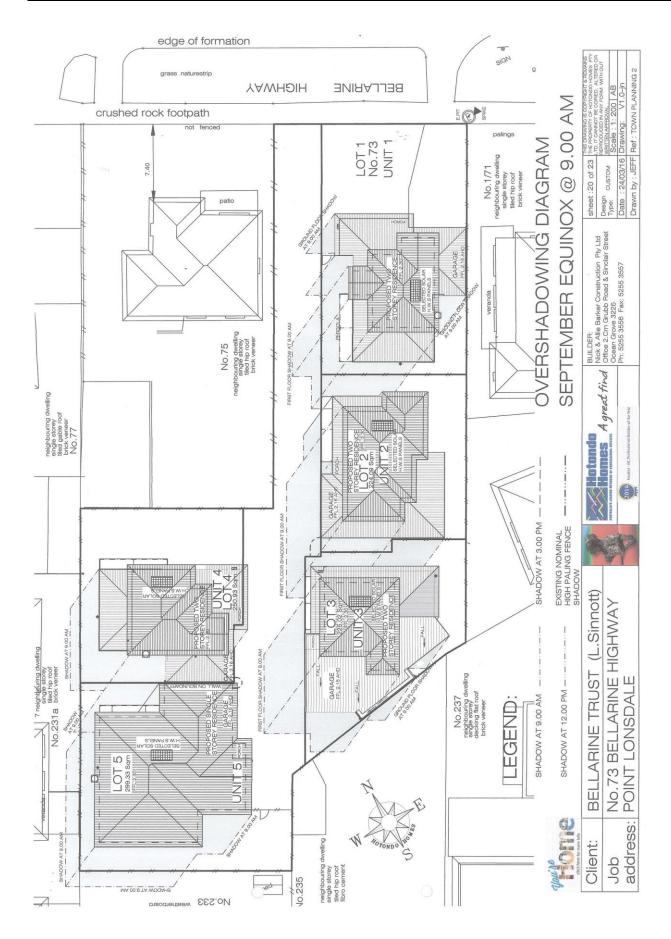




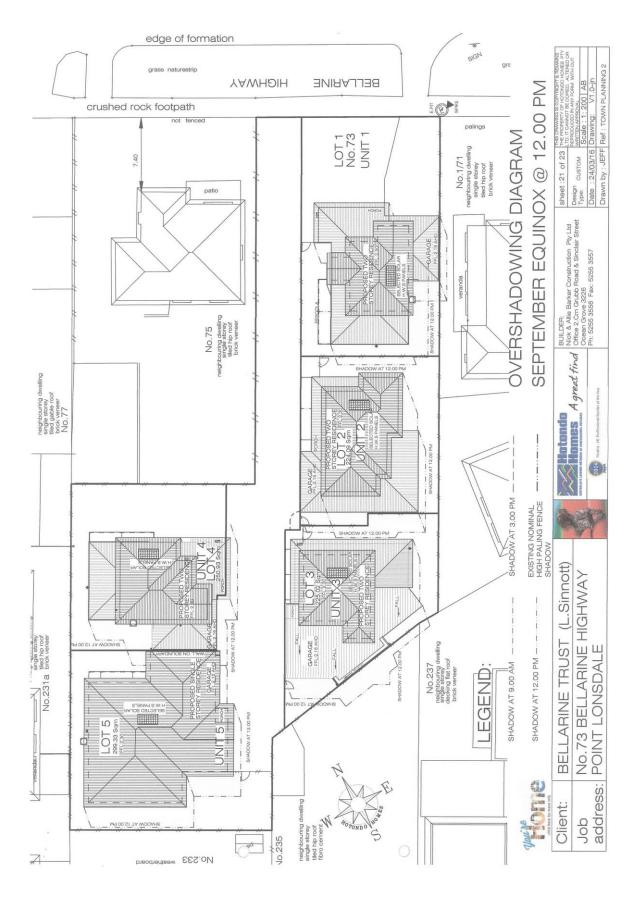




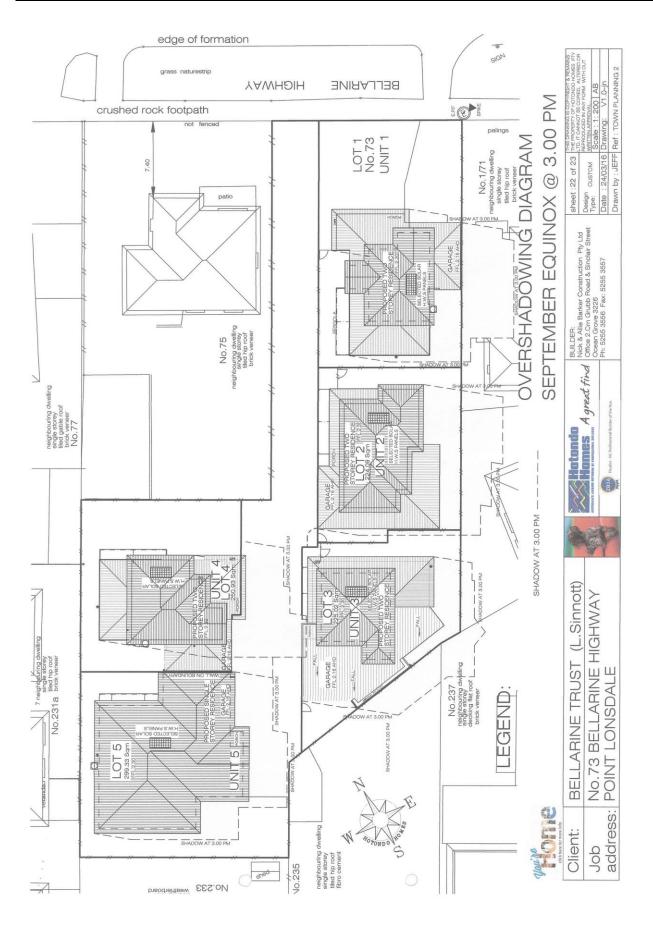




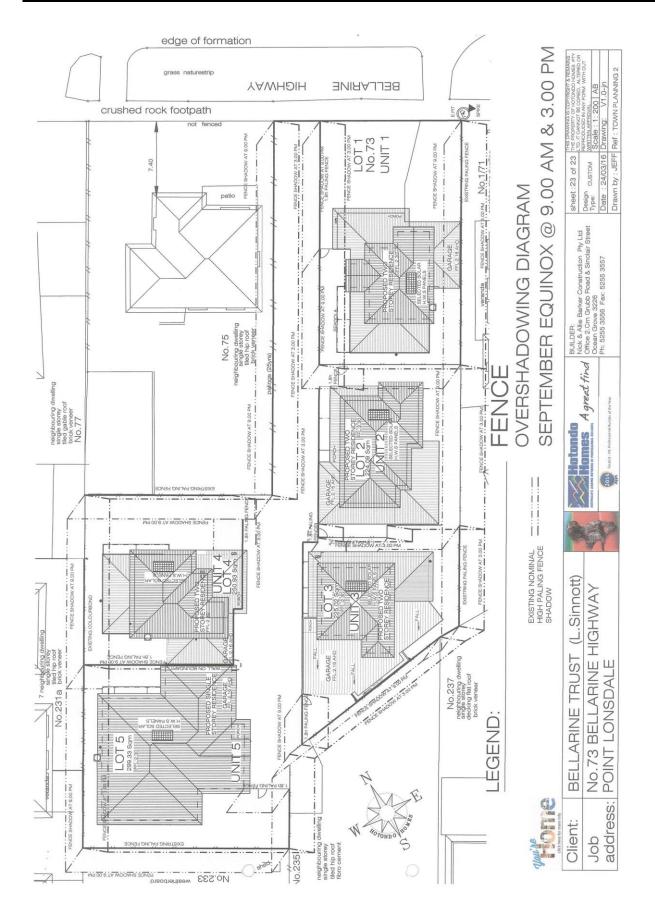














APPENDIX 5- (CONFIDENTIAL) – SUBMISSIONS: 73 Bellarine Highway, Point Lonsda
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Provided to Councillors under separate cover



10. CLOSE OF MEETING