

# Queenscliffe Community Association Inc.

Reg. No A00 323 OIV



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## **Queenscliffe Community Association Response to Draft Bellarine Peninsula SPP**

The Queenscliffe Community Association would strongly support the intent and direction of the Draft Bellarine DALs and thank DELWP for the opportunity to make comment and make further suggestions to the Draft. The QCA very strongly supports in particular, the proposal to apply permanent protected settlement boundaries around all Bellarine Peninsula towns in their current location as shown in Council's Settlement Strategy and township Structure Plans.

The QCA has strongly advocated over the many years of existence for greater planning protections in Queenscliffe and across the Bellarine. The QCA thanks the local member Lisa Neville for advancing this election promise.

### **General Overview**

The QCA takes the view that the DALs should be a **highly protective and prescriptive planning document** that maintains and conserves **existing distinctive character** and important Green Belts.

Importantly, it should encompass sound policy action that intends to enhance the existing built character of the Bellarine (that in the specific case of Queenscliff and the wider Borough possesses a significant heritage and historic fabric) and the natural environment. It is strongly suggested other towns also possess their own histories and heritage fabric that require protection. Queenscliff is blessed with a significant built heritage that is largely intact and deserving of highest protections. Importantly, resources should be devoted to their ongoing maintenance. Infill development needs careful and considered design that harmonises with the streetscape and does not make a 'statement'. Many of these viewpoints have been expressed in VEAC and Heritage Act Submissions. DALs should ideally reinforce the strong protective qualities of the Marine and Coastal Act and VEAC.

A sustainable and population cap must be placed on the Bellarine to preserve both open space and agricultural land and importantly, the character of its town centres.

Ideally, the residential cap should both preserve important town centres and town boundaries. There are limits to growth in terms of both economic sustainability and environmental protections. It must be remembered the populations of these towns swell many times over in summer months that puts pressures on available resources (particularly water), traffic and general amenity and overall safety. Such factors can put major pressures on any disaster relief eg. Bush or wildfires.

DELWP and Planning authorities have a primary duty to protect and conserve the environmental and coastal values of the Bellarine. **This duty of care becomes increasingly apparent with Climate Change. This has been recognised in inundation and coastal studies such as Our Coast.** There must also be recognition that dredging of the Rip and channels have been impacting on sensitive and vulnerable coastlines. DALs cannot remain silent on the destructive elements and coastal impacts of Rip and channel dredging.

The QCA supports the various concerns from other Community Associations and also their support of some excellent strategies. It is believed further on-going dialogue and **true effective consultation** needs to be undertaken with all Bellarine Community Associations as **good transparent process and ongoing engagement**. The QCA support the excellent CBCA Submission and congratulate the work the individual Community Associations who 'know' their towns. The QCA also broadly support the submission made by BHCAC submission. It is this passion and intellectual capital that should be supported and encouraged. The QCA in particular supports the excellent detailed submission made by the PLCA. The QCA fully supports its suggestions and acute observations. We concur with its detailed report and recommendations. The QCA also acknowledges and supports the excellent GEC submission.

Highlighting some issues. There appears a lack of mandated requirements and beholden on individual Councils to include such a document into its Planning Scheme. No timeline is provided for this and the QCA has not yet been able to meet with the Council Planning office to gain further insights and contribute to its response.

Heritage and Environment are and remain central pillars of the BOQ Planning Scheme and the QCA are hopeful that the DALs reinforce those pillars as the basis of the Boroughs character.

Heritage places include (as per the Burra Charter) a 'site, area, land, landscape, building or other work, groups of buildings or other works'. The Borough also possesses **Wadawurrung** cultural heritage and can include many types of places – land, water, natural features, buildings and structures - associated with Aboriginal history, culture and peoples. Heritage values are the reasons why a place is important. It is recognised significance is the sum of these values. Heritage is what remains and what is kept not what is demolished and removed. Heritage and environment require ongoing funding and resourcing.

### GOOD PLANNING/GOOD DESIGN FUNDAMENTAL TO THE BOROUGH

The QCA also support the valuable work undertaken by **Deakin University and published as the Arc Study** and providing planning methodologies and tools so that the Bellarine and in particular, the Borough does not become another Mornington/Sorrento or victim of suburbia by the sea. This research was Government funded and contributed to by bodies such as the QCA some years ago. It remains highly relevant and should be adopted as a reference document to inform the DALs. It represents important planning, landscape and good design principles. Fundamentally, it is about protecting the valued open spaces and heritage qualities of the Borough from overdevelopment and poor planning outcomes.

Good appropriate design principles enhance the Borough. A number of new infills simply do not fit the streetscape by either bulk or poor design. More stringent advice on appropriate design as outlined in the ARC study should be referenced. The Urban Character Document of 2000 still has excellent design principles. **Good design is fundamental to enhancing existing heritage. Minimalist approaches are fundamental to heritage protection.** Queenscliff is restricted thankfully by its coastal boundaries. The challenge is and has been that coastal reserves are seen as 'developable' or available for untenable uses. The QCA strongly made those points in the submission on Coastal Reserves. **Open space is highly valued. Green belts within the Borough are highly valued.**

### DEMOLITION OF PROPERTIES

The QCA believes there are heritage precincts that demand no demolition of entire properties or historic fabric such as Fisherman's Flat given its low-rise significance and fishing heritage. Such narratives are important historic documents and remnants. The same applies to the residential sections of Hesse Street as the entrance to the town centre in addition to the Core Heritage centre. Heritage is what is saved and preserved not what is removed. The Burra Charter needs to be applied much more often.

C27 was a disappointing planning exercise that compounded errors rather than redressing and strengthening our planning policy. We are more optimistic with this process achieving some solid and highly protective qualities.

The QCA has raised some specific issues with Council over the Support Documents and what is perceived as wrong factual information included as it relates to Queenscliff. Ideally, this should be rectified. Various historical details and current settings descriptions (eg Ferry precinct) are significantly being altered as we speak and ideally should have been referenced in the Support Document.

**Heritage values** are and remain a fundamental core value to the Borough. The unique tree-sided coastal and marine setting establishes a distinct character. Heritage and coastal degradation have been continually threatened since the introduction of the Urban Conservation and Urban Character documents. State Planning has tended to undermine these essential qualities and core principles. The QCA remain concerned about initiatives such as Vic Smart on Heritage properties and Overlays. The QCA also remain concerned about other processes such as secondary consents that can lead to non-preferred community outcomes without third party input.

**Heritage** as it applies to central core townships could be threatened continually by the intended intensification including inappropriate **subdivision and height allowances** that has been acknowledged as 'balanced' Planning outcomes by one of the DELWP officials in the Zoom presentation. It is the QCA view that often 'balance' has represented 'development' which has undermined urban and heritage character.

**The important balance the QCA sees for the Borough is one of protecting, conserving and maintaining what is here.**

**Map 17 Proposed Queenscliff Housing Change Areas page 68.**

The Association recommends that Minimal Change residential area extends across the entire township rather than having the town split into Minimal and Incremental Change (western Swan Bay side) when the entire township is zoned NRZ. We would also suggest that the entire township has heritage overlays rather than a series of individual sites recognised east of Stevens Street.

The lack of a heritage focus having no regular expert and fully independent fulltime heritage adviser remains an ongoing concern. The changing nature of tourism and hotel functions has threatened many of our grandest buildings and turned them into vacant uses. This represents a significant challenge. The ask how DALs may encourage continued public use of such iconic buildings?

**Building Heights**

The QCA reiterates **no changes to the effect of local height limits set under the BOQ LPS**. We highlight and attach a previous MSS that outlines the clear Council planning reasons for preserving such height limits. In part it states-

Building height is a key issue in the municipality and was addressed in detail the *Queenscliffe Urban Character Study*. **Further it found that the natural coastal and heritage character qualities of the municipality are so sensitive to adverse impacts from taller buildings, that control over building height should be mandatory rather than discretionary.** Mandatory controls are justified to ensure that ad hoc approvals for taller buildings, which would occur over time if discretion existed, do not lead to the gradual dissolution of the valued character elements of the Borough. **The study identified that two storeys (and 8.5m) was an appropriate maximum building height across the whole of the municipality.**

(see Attachment)

It is worth noting Queenscliff previously had a 7.5mt height limit. It is also worth noting the DDOs and heritage overlays do have restrictive height controls embedded in policy and that mandated heights tend to expose the Planning Scheme to pressures to exploit the upper limit. Stringent character or heritage controls need a stringent control and clear policy objectives. There should be no relaxation of this important existing planning control.

**The QCA strongly opposes Amendment GC172** as being highly detrimental and contradictory to the intent of the DALs and the overall protection of the Queenscliffe skyline, heritage overlays and urban character. Such changes listed are extremely disturbing and of major concern. They completely undermine the DALs sensitivity to vistas and view-lines. Such amendments should not be recognised.

- Amends General Residential Zone - Schedule 1 (GRZ1) to modify the maximum building height from 8.5 metres, to 11 metres and 3 storeys.
- Amends Neighbourhood Residential Zone - Schedule 1 (NRZ1) to modify the maximum building height from 8.5 metres, to 9 metres and 2 storeys.
- Amends Neighbourhood Residential Zone - Schedule 2 (NRZ2) to modify the maximum building height from 6 metres, to 9 metres and 2 storeys

**The QCA asks how DALs will resolve such planning disasters if implemented?**

The QCA reinforces its request for the heritage overlay to apply to the whole of Queenscliff including the Narrows and the Avenue of Honour that VHD has suggested is recognised and incorporated into a distinct HO. This should be seen as a priority Council action under its Heritage Review.

The QCA further request National Heritage as a staging for potential World Heritage and UNESCO listing be afforded to the Three Headlands and Marine Park areas. Such recognition will enable greater heritage recognitions of Queenscliff and Point Lonsdale (and Point Nepean). The QCA is encouraged by the direction of the Draft Coastal and Marine Strategy.

Swan Bay and Lakers Cutting are seen as of National importance. Its feeder tributaries need to be afforded similar regard and prestige as components of a vital wetland system. The Bellarine wetland areas are a highly distinctive feature. Swan Island and surrounding environs are seen as of National importance.

The Borough parks remain a fundamental attraction as valued open space. Essential tree protections are in place and that canopy cover be increased. Queenscliff's prized Botanic Gardens are continually threatened despite being under DELWP Crown lands ownership. Council COM needs to be cognisant of its responsibilities.

The QCA remain concerned over current heritage practices of separation and visual distinction that runs contrary to Planning edicts of streetscape rhythm and visual consistency. This has already set precedents of ad hoc streetscape design and in fill development and additions. Some infill is purely badly designed and does not produce good heritage outcomes. The QCA support all the key points in the PLCA document on Historic Heritage.

Concepts and wording such as protection, conservation, preservation and maintenance of heritage remain core terminology and ideals that should be applied to the Borough. Heritage Victoria need to take a more active role in promoting such protections. VCAT should fundamentally protect Queenscliff. Heritage **European towns mandate extraordinary protective devices. Queenscliff bends like the wind. DALs should be a tool of putting firm stake in the ground.**

The QCA are concerned with the unclear nature of town and activity centres becoming mixed use and higher density housing areas. There is particular concern with Strategy 8.4 and its application to Queenscliff that should have minimal or little change. Queenscliff's main street is highlighted as an activity centre and possibly open to Strategy 8.4 -

*Direct the majority of residential development to activity centres, areas identified for substantial change or identified greenfield development areas.*

A number of properties in the Borough are either State or Federal owned properties and outside the planning ambit and under limited authority. Presumably non-compliance with DALs will or could occur and DALs possibly may not be able to be enforced over Commonwealth properties. Will this be the case? There needs to be clarity with regard to properties that fall outside the SPP. Council properties also tend to be approved by its own planning team. What effect will this have on the strength of the DALs?

The State has little say over the developments on Swan Island that is a unique and distinctive coastal area. How will this be managed under DALs?

How will DALs affect authorities or RPE such as Vic Roads, CCA, Parks Vic and Barwon Water for example? The overlap of various referral and statutory authorities such as Parks Vic and DELWP create

confusion at times over coastal responses. Will there be required adherence to DALs values placed on such authorities and complementary actions?

The QCA has witnessed substantial change with the Harbour and Ferry areas that have markedly altered the character of the town coastal entrance and arguably have detrimentally affected the important skyline and coastal views and approaches. Lack of Third-Party rights is seen as a detriment to better planning outcomes. Such approaches to Planning are not viewed as 'balanced' planning when rights are undermined in favour of such development. Requests to determine who is the 'lead' authority in the Ferry precinct projects remains unclear and not clearly defined. The Borough has a multitude of authorities operating on the coastal areas and this results at times in non-coordinated decision making and ineffective management.

Apart from the supporting documents accompanying the DALs including wrong historical information there has also been substantial change since the writing of the support document particularly at Ferry area that will emerge during 2021.

It is noted the power imbalance between developer and community associations should require more precise terminology to alleviate legal ambiguity and 'get out' clauses that could undermine the good and worthwhile intent of the DALs as primarily a protective and valid planning document. The 50-year Vision is supported- We are concerned review stages may wind back any of the strong intent. The QCA hope that what we leave the next generation will be a worthy testament to the care and passion that its current residents and associations have shown in these various submissions and engagement sessions.

Finally, the Acknowledgments at the end of various DAL documents should be heeded as a way forward of a proper and caring custodianship of the Bellarine.

We acknowledge and respect the Traditional Owners of the Wadawurrung land and waters, **their unique ability to care for Country and deep spiritual connection to it**. We honour Elders past and present whose knowledge and wisdom has ensured the continuation of culture and traditional practices.

We are committed to genuinely partner and meaningfully engage with Traditional Owners **to support the protection of their Country**, the maintenance of spiritual and cultural practices and their broader aspirations in the 21st century and beyond.

The would encourage a continued dialogue in the preparation of the final draft to clarify any of the above issues raised.

Yours sincerely



QCA President

[Appendix Building Heights Queenscliffe MSS](#)

MUNICIPAL STRATEGIC STATEMENT - CLAUSE 21.05-2 PAGE 8 OF 11  
QUEENSCLIFFE PLANNING SCHEME

Building height is a key issue in the municipality and was addressed in detail the *Queenscliffe Urban Character Study*. The Study found that the pressure for high buildings is so great in parts of the municipality, especially in foreshore areas and other places that provide the opportunity for bay views, that control over the height of buildings is justified. Further it found that the natural coastal and heritage character qualities of the municipality are so sensitive to adverse impacts from taller buildings, that control over building height should be mandatory rather than discretionary. Mandatory controls are justified to ensure that ad hoc approvals for taller buildings, which would occur over time if discretion existed, do not lead to the gradual dissolution of the valued character elements of the Borough.

The study identified that two storeys (and 8.5m) was an appropriate maximum building height across the whole of the municipality. It identified that buildings of more than two storeys had considerable potential to threaten both the heritage character values of Queenscliff and the natural coastal landscape values of Point Lonsdale and the foreshore areas.

A single, municipal wide two storey maximum height control is justified because of the small size of the municipality and the consistently high character values that exist across the whole of the Borough. The only exemptions relate to the Point Lonsdale Shopping Centre which has the potential for buildings of up to 3 storeys, and the Fisherman's Flat area which is an intact single storey area of high heritage and character value and which has a maximum one storey building height limit. Exemptions also exist to enable a permit to be considered for alterations to existing that already exceed the two storey (8.5m) height limit.

The approach used in determining the appropriate height of new buildings should be "bottom up" rather than "top down". The height of new buildings and extensions should be based on an assessment of the existing character of the area in which they are proposed, the relationship to adjoining buildings and vegetation, and the topography of the area.

The policies and controls contained within the scheme, and the *Building Siting and Design Guidelines* contained within the *Borough of Queenscliffe Urban Character Study* provide the basis for making an assessment regarding the appropriate height of new buildings. In many cases a single storey building or a "partial" two storey building will be the most appropriate design solution. The two-storey height control does not establish a "right to develop" up to that limit. Rather it is the maximum limit up to which a building may be constructed.

The concept of "view sharing" and the opportunity to retain "reasonable views" for neighbouring properties should also be taken into account in determining the appropriate height and location of new buildings.

**From:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** QCA DALs amendment  
**Date:** Friday, 27 August 2021 2:31:35 PM

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**EXTERNAL SENDER: Links and attachments may  
be unsafe.**

The QCA has now been able to finally view the BOQ officers submission and support these statements made particularly in regard to Parts 2.3 2.4 2.5 2.6 2.7  
Please amend our statement to include such support to the Council Comments.

Regards [REDACTED]

QCA President

2.3 Reserve green breaks between settlements for conservation, agriculture, nature-based tourism and natural resource purposes that prioritise the protection and enhancement of the significant landscapes and landscape characters.

Disagree.

Any further encroachment of development into the acknowledged green breaks between Geelong and the Borough and Ocean Grove and the Borough must be prohibited or severely restricted. As an example of potential further degradation of green breaks 'nature based tourism' can be used to justify development that compromises this strategy.

2.4 Ensure any development allowed in green breaks between settlements responds to the surrounding landscape character and maintains the visual dominance of the natural landscape by:

- Being sited so buildings are responsive to the landscape and use established vegetation or new vegetation buffers to screen development when viewed from the public realm

Disagree.

The strategy associated with development in green breaks must be more prescriptive. As written, any proposal for development has the potential to be approved and risks the slow undermining of the very features the DAL seeks to protect.

2.5 Ensure development does not protrude above hilltops and ridgelines, so natural contours and vegetation remain visible.

Agree.

This is particularly important to the Borough of Queenscliffe as significant views of the Borough are available via hilltops and ridgelines from within the City of Greater Geelong. Specifically, the DAL SPP must protect features such as Mannerim and Marcus Hill from the development of wind turbines and communications towers. Other, and often better, forms of renewable energy and communication must be utilised on the Bellarine.

2.6 Manage development and infrastructure to retain the dominance of views to the rural to the rural hinterland and/or coast from main movement corridors and public areas with access



to significant views within the landscape.

Agree.

Council will continue to advocate for more prescriptive controls in this respect.