

## Statement to Planning Panels Victoria on Bayside [Planning Scheme Amendment C140](#)

My wife and I are long-term residents of Beaumaris. It is where I have had the greatest awareness of the adverse effect of current planning scheme rules on residential properties in Bayside, and on the remaining relatively small area of its public land, which is affected by certain private developments.

Beaumaris is 20 kilometres from Melbourne's Central Business District. About 40% of its perimeter is on the very edge of the Melbourne Metropolitan area, which is its narrow and vulnerable foreshore reserve that fronts onto Port Phillip Bay. That nearby foreshore reserve, of scenic, botanical and geological significance, is the same width and area it was when it was made a permanent public reserve in 1891, despite the great pressures on it now of a much more mobile metropolitan population, which has expanded more than tenfold since then.

When [Crown allotments](#) in Beaumaris were subdivided near the start of the 20th Century, they became residential lots of 800 square metres in area more or less. Nearly all of those residential lots had single dwellings, usually single-storey, built on them by [the late 1960s](#). The residential lots were, by then, affordably provided with services for electricity, telephone, gas, water, and sewerage, and nearly all had drainage and sealed roads.

**MINIMUM RESIDENTIAL LOT SIZE:** The road reserves were, as is still the case, generally quite narrow, designed for the typical case of a single car per property. By the 1980s, over 30 years ago now, planning scheme changes introduced 'dual occupancy' of single residential lots. Such proposals, unlike the customary single dwellings on a residential lot, required a planning permit, which allowed the proposal to be examined and decided upon by the municipal council. There was also a right to have a review by the Victorian Civil and Administrative Tribunal, which could make a final decision.

Frequently, as properties came up for sale, many were bought not by intending residents, who might have wanted to retain an existing house built only a few decades earlier, but by developers that could outbid them, given those developers' calculations of the profit to be made by buying a single house and replacing it with two more cramped properties on the same residential lot.

The developers, unlike long-term residents that contributed to the social character and values of Beaumaris, were never seen again once their developments had yielded the expected monetary gains. The elements that much of Beaumaris has lost in those operations were many landmark properties, much private open space, numerous once-conspicuous trees, and relatively uncluttered and unimpeded residential streets.

It is a well-recognized aspect of human habitations in a range of cultures and eras - to which modern Australia is no exception - that concentration of habitations is generally associated with perpetuating disadvantaged inhabitants, particularly families, whereas a greater degree of spaciousness is generally associated with inhabitants that have acted to overcome those disadvantages.

One of the notable, and understandable, characteristics of Australian suburbia since the beginning of the 20th Century is that the land size of residential lots became deliberately larger than those in the horse-drawn transport era. Those seeking such residential lots proudly aspired to have them made

larger than those that still existed in most cities in the old world cultures from which Australian owners' families generally originated. The slums of Glasgow and London's East End were all cramped.

One understandable reason for seeking greater space was the [increased use of cars](#) by inhabitants and by their visitors, which required room for convenient short-term parking, and for storage to protect them from interference and from the weather. Cars were less appealing in areas where frequent trams ran close nearby. With more recent ownership of cars by every adult member of a family, the matter of short-term visitor parking and longer-term safe storage has become much more troublesome. The use of private vehicles for door-to-door transport is recognized as a continuing feature of large modern cities, given the investment in developing economical electric vehicles powered by renewable energy.

The absence of a defined, enforceable minimum residential lot size in the Bayside Planning Scheme is giving rise to a 'race to the bottom'. It is allowing Bayside municipality to be altered in a way that would increasingly entrench a concentration, with a greater percentage of habitations and ambience becoming associated with disadvantage. Developers' exploitation of the absence of a worthwhile minimum residential lot size gives the appearance of a return to some of the housing conditions of the 19th Century, but with 21st Century marketing and spin disguising it before the downside becomes evident. There are parallels here with Australia's enlightened perceived need for a decent minimum wage, rather than less fortunate citizens being unprotected, and being left to accept poverty.

Bayside City Council's experience with the examination and evaluation of proposals for more intensive development than the Beaumaris street pattern was originally designed for has led it to seek a condition in the Bayside Planning Scheme that would set a minimum residential lot size of 400 square metres, in place of the present absence of a minimum residential lot size. Such a minimum would still enable the subdivision of residential lots that are 800 square metres or larger, which would focus subdivision activities more on larger residential lots, where there would, by definition, be more land available. That seems a reasonable prioritization.

The proposed minimum residential lot size of 400 square metres would still allow the consolidation of abutting residential lots that could not otherwise be subdivided under that rule. That would still enable two or more residential lots of at least 400 square metres to be formed from those residential lots. An example would be where two abutting residential lots, each of 600 square metres, could be consolidated to produce a single residential lot of 1,200 square metres, which could then be subdivided into three residential lots, each of 400 square metres.

At present developers press for a small area that suits them and considerable public resources are used in protracted haggling with them over what they can get away with. The outcome varies in an *ad hoc* way that does not clearly reveal any consistent rationale. The public interest would be better suited to confining debate to residential lots of a defined and acceptable minimum area where debate can be focussed instead on design parameters other than squeezing a development's land area to an unacceptable and unpredictable minimum.

**PERMEABILITY:** The proposed increase of the area of a residential lot that is required to be permeable to rain water from 20% to 35% of the residential lot is a worthwhile 75% increase. It would

provide much-needed rain water for the large root areas of substantial trees. Beaumaris has long been noted for its distinctive coastal and other trees, so this increase will help preserve that quality.

The consequential decrease of the impermeable area from 80% to 65% of the residential lot is a modest 19% percentage reduction in the impermeable area allowed. It will still be useful in reducing the load on the drainage system, and the risk of flooding by future periods of increased intense rainfall rates that can be expected with adverse climate change.

**PRIVATE OPEN SPACE:** The increase in private open space proposed, from 40 to 75 square metres is a welcome move. That 88% increase would make a significant difference to the feasibility of retaining substantial trees on residential land, because of the extra space and sunlight assured, by a reduction in the cramped conditions that have appeared under the present rules.

The 140% increase in secluded open space, from 25 to 60 square metres, is an important reform needed to avoid the miserably small existing minimum provision. The 67% increase in the minimum dimension of such space, from a grudging 3 metres to a better figure of 5 metres, is also welcome.

**REAR SETBACK:** The small 33% increase in the requirement for a rear setback, from 3 to 4 metres, is the most modest aspect of Amendment C140, but it is nevertheless appreciated.

Those open space reforms, together with the improved rear setback requirement, will assist in providing people and plants with longer periods of much-needed sunshine in the winter months.

Together, the realistically useful minimum residential lot area of 400 square metres, and the greater dimensions of open space and the rear setback will reduce the impact of unwanted noise on residents of adjacent properties. The greater modern use of amplified music, mobile phones, and the noise associated with the greater use of barbecues and private swimming pools, has made outdoor areas less agreeable in some circumstances, so significantly larger buffer areas will help ameliorate those concerns.

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