

S57 FORM - OBJECTION TO GRANT A PLANNING PERMIT

Planning and Environment Act 1987

To submit an objection complete this form and lodge it with the Responsible Authority – forward to: enquiries@bayside.vic.gov.au or at the address above.

Details – (please use BLOCK letters) *Please refer to privacy statement below*

I/We: Beaumaris Conservation Society Inc.	
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Details of Application:

Application Reference Number: 6854/2016	Permit application No:
Address of Land: 2 Burgess Street, Beaumaris, 3193	

Reasons for Objection:

The proposal for Subdivision of Land (1 to 9 lots) Two(2) lot Subdivision at 2 Burgess Street Beaumaris is unacceptable to residents and members of the Beaumaris Conservation Society Inc. because:

The subdivision proposal fails to detail how it responds to the neighbourhood character objectives sought for this site as detailed in the the Neighbourhood Residential Zone and its schedule (Schedule 3), 'NRZ3', the associated neighbourhood character policy at Clause 22.06 of the planning scheme and Clauses 56.03-5 and 56.04-2 of the Bayside Planning Scheme.

The NRZ purposes include whether the proposal:

- Respects the identified neighbourhood character, heritage, environmental and landscape characteristics.
- Implements neighbourhood character policy and adopted neighbourhood character guidelines.

The objectives of Clause 56.03-5 of the planning scheme state that a subdivision should:

- Respect the existing neighbourhood character or achieve a preferred neighbourhood character consistent with any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Respond to and integrate with the surrounding urban environment.
- Protect significant vegetation and site features.

The objective of Clause 56.04-2 of the planning scheme states that lot dimensions and building envelopes should protect:

- Significant vegetation and site features.

The NRZ3 and Clause 56.03 require the subdivision to implement neighbourhood character policy and any preferred character statement with the objective of the NRZ3 requiring the respect for 'identified' character and Clause 56 requiring respect of 'existing' character 'or' achieve a preferred one. Clause 56.04 requires lots that enable the retention of significant vegetation.

The site lies in Precinct H4 and the preferred Neighbourhood Character statement for H4 is stated as:

The single and double storey dwellings sit within the topography and informal landscaped surrounds, including remnant and indigenous coastal trees. The variety of dwelling styles reflect the coastal setting through their design, details and finishes. An informal feel to the streetscapes is achieved by spaces around buildings, the lack of or unobtrusive style of front fencing and informal street treatments. Along Beach Road, development responds to its highly visible location on the edge of the coast by providing visually interesting forms and facades. Informal street treatments remain in those streets with no kerbing and remnant street tree planting is retained.

The Precinct Guidelines include the following design response:

- Retain large, established trees and provide for the planting of new trees and shrubs wherever possible (locate footings outside root zone).

The site at 2 Burgess is a large prominent site with considerable vegetation that makes a significant contribution to the identified vegetation character of Beaumaris and the surrounding coast. The proposed subdivision is straightforward in design and retains generous spaces to accommodate a single dwelling on each lot.

However, the subdivision plan lacks building envelopes to show that any future dwellings on the site will not impact the existing vegetation on the site and will comply with the 50% site coverage requirements required under the applicable Bayside Planning Scheme and Building Regulation Division 2 411 under Schedule 3 to Clause 32.09 of the Neighbourhood Residential Zone.

Without appropriate permit conditions Council and residents may have little if any rights to protect the identified strong vegetation character on this site from further fragmentation by subdivision and the potential to build single dwellings that compromise existing vegetation and provide insufficient space for new vegetation.

To ensure the subdivision of the site and future dwellings respect identified, existing or preferred neighbourhood character the following conditions to the subdivision are recommended:

CONDITIONS

1. The plans modified to show:
 - a. lots 1 and 2 to have a building envelope that include a setback to Burgess Street of at least 9 metre;
 - b. lots 1 and 2 to include notation on plan that reads "Proposed dwelling envelope, including garages and carports";
 - c. the building envelope on lot 1 and 2 is to provide a built site coverage of no more than 50%;
 - d. side and rear setbacks at ground and first floor to comply with Schedule 3 of the Neighbourhood Residential Zone;
 - e. the identification of all trees abutting the site where they encroach into the site with appropriate tree protection zones identified;
 - f. the identification of all existing trees on the site with appropriate tree protection zones (TPZ) identified;
 - g. the retention of all existing trees on the site.

2. The subdivision on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. Tree Protection:

Before any buildings or works (including demolition) an arborist report must be prepared by a suitably qualified arborist for the trees identified on the site and abutting the site where they encroach into the site. The report must specify:

 - a. erection of tree protection barriers prior to the commencement of any buildings or works (including demolition),
 - b. that there is to be no open trenching or service installation within the TPZ areas and
 - c. that any proposed pruning and/or lopping works for trees within TPZs to be undertaken in accordance with a tree works plan.
 - d. all works must comply with tree protection works for trees within Tree Protection Zones
 - e. during demolition of any buildings or pavement that affects any tree protection zones a suitably qualified arborist must be on site to supervise works.
4. Before the issue of a Statement of Compliance for any stage of the subdivision under the [Subdivision Act 1988](#), the owner of the land must enter into an agreement with the Responsible Authority pursuant to [section 173](#) of the [Planning and Environment Act](#), and that agreement must be registered against title. The agreement must provide that:
 - a. the construction of any dwelling on lot 1 and lot 2 created by the subdivision must occur within the building envelopes shown on the endorsed Plan of Subdivision;
 - b. lot 1 and lot 2 must not be subdivided
 - c. the building height of a dwelling on each lot created by the subdivision must be calculated from natural ground level as determined in the endorsed plans;
 - d. prior to any permit for a dwelling on the land is granted, a concept landscape plan and design guidelines for planting and landscape construction of individual lots with planting to be shown outside of the building envelope for each lot must be prepared by a suitably qualified person and approved by the responsible authority.
 - e. landscaping established on each lot must be maintained by the landowner in accordance with an approved landscape plan to the satisfaction of the Responsible Authority.

Privacy Statement: Please be aware that copies of objections may be made available to any person for the purpose of consideration as part of the planning purpose.