

S57 FORM - OBJECTION TO GRANT A PLANNING PERMIT

Planning and Environment Act 1987

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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: 762/2016	Permit application No:
Address of Land: 70 Oak Street, BEAUMARIS, 3193	

Reasons for Objection:

1. The proposal to construct two new dwellings, to remove native vegetation in a Vegetation Protection Overlay 3 and to construct a front fence with a height exceeding 1.2 m.
<ul style="list-style-type: none"> is an over-development of the site having regard to planning policy, Bayside Planning Scheme provisions and sound land use planning principles, and is incompatible with the low residential density and landscaped garden character of the site and adjoining land as well as the wider context where a blend of large trees and bushy gardens surrounding the dwellings dominate the streetscapes.
2. In particular the proposed development is inappropriate and unacceptable to Beaumaris Conservation Society Inc. members as neighbours because it:
<ul style="list-style-type: none"> is inconsistent with and does not support the State Planning Policy Framework including Clause 11.02-1 <i>Supply of Urban Land</i>, Clause 15 <i>Built Environment and Heritage</i> and Clause 16.01-2 <i>Location of Residential Development</i>, and is inconsistent with and does not support Bayside Planning Scheme Local Planning Policy Framework, specifically <i>Clause 21.02 Bayside Key Issues and Strategic Vision</i>, <i>Clause 21.04 Environmental and Landscape Values</i>, <i>Clause 21.06 Built Environment and Heritage 21.06-1 Character and Identity</i> and <i>Clause 22.06 Neighbourhood Character Policy</i>.

3. The proposal does not comply with the requirements of Clause 55 of the Bayside Planning Scheme, most significantly:

- i. Standard B1 Neighbourhood Character – The development fails to respond to the existing and preferred neighbourhood character for this precinct distinguished by treed character.
- ii. Standard B2 Residential policy
- iii. Standard B13 Landscaping – The proposal fails to provide appropriate landscaping areas, contrary to the preferred neighbourhood character.

4. The extent of proposed vegetation removal and replacement does not comply with the objectives of Clause 42.02 (Vegetation Protection Overlay, Schedule 3) as:

- i. By failing to integrate sufficient areas for planting medium to large trees across and within the boundaries of the site, the proposal fails to promote the regeneration and replanting of indigenous species in the Beaumaris and Black Rock area, and
- ii. It fails to provide both an assessment and management plan for the wildlife that depend on the site's vegetation for habitat.

5. The proposal fails to respond to the objectives of Clause 22.06 (Neighbourhood Character Policy, Precinct H3) of the Bayside Planning Scheme, on the following grounds:

- i. The proposal fails to maintain and enhance the garden settings of the dwellings owing to the lack of space provided around the dwellings for the planting of replacement vegetation.
- ii. The proposal fails to strengthen the bushy garden character by because it proposes avoiding a lack of landscaping and substantial vegetation.
- iii. The proposal fails to provide adequate space around dwellings for the retention and planting of vegetation, particularly indigenous canopy trees.
- iv. The proposal fails to avoid the removal of large established trees.
- v. The proposal fails to avoid the loss of front garden space.
- vi. The proposal fails to avoid car parking facilities that dominate the façade.
- vii. The proposal fails to strengthen the garden setting of the area, as the amount of impervious surfaces has not been minimised in the front and side setbacks.

The proposed development is on a constrained site of 664_m² and requires a compromise between built form, conservation of existing vegetation and provision of adequate space for an-informal planting of indigenous and native vegetation in the front, rear and side setbacks.

An example of appropriate balance of built form and space for vegetation is a current proposal for two dwellings near 702 Oak Street, Beaumaris, at 102 Oak Street, Beaumaris. This development on a comparable site of 663_m² comprises an exemplary site coverage of 36% and permeability of 56%, a physical separation of dwellings, and the sensible use of single garages while retaining sufficient space for an existing pool.

The proposal at 70 Oak Street wrongly orders the claimed merits of the built form ahead of providing vegetation that responds, as is required, to the preferred neighbourhood character and VPO3 objectives.

The first of the three VPO3 objectives is to prevent the loss of native and particularly indigenous vegetation incurred by development and the third objective is to promote the regeneration and replanting of indigenous species in the Beaumaris and Black Rock area.

It is not uncommon for Beaumaris gardens to have a mix of native and exotic trees in varying states of health that provide ongoing and highly valued amenity to residents, as well as habitat for wildlife. A visual inspection shows the unobstructed views to the yellow gum

and golden elm make a strong contribution to the vegetation character of this prominent and well known corner site. Their removal will have an immediate and long-lasting negative impact on Beaumaris vegetation character and residential amenity.

The removal of the yellow gum to accommodate a pool and paving fails the primary VPO3 objective to prevent the loss of native vegetation from development. Removing the yellow gum and golden elm without providing adequate space for replacement indigenous vegetation also fails the VPO3 objective to promote regeneration of indigenous species in Beaumaris.

The landscape plan planting scheme for existing and replacement vegetation fails to satisfy the preferred neighbourhood character for Precinct H3 and the Bayside Landscaping Guidelines. The proposal shows three replacement native and indigenous trees concentrated in pockets of space along the narrow front setback of dwelling Dwelling twoTwo. The Landscaping Guidelines state that Landscape Plans need to identify a replacement planting area around each proposed canopy tree based on the tree canopy width at maturity. The proposed canopy trees need to be:

- appropriately planted in order to optimise tree growth and vitality, and to reduce the likelihood of long-term conflict with buildings.
- centred within their tree replacement planting area in order to encourage even growth
- should be clear of buildings, hard surfaces and clothes lines
- where buildings, basements or hard surfaces do encroach, demonstrate that there is sufficient soil volume for the optimal growth of the tree.

The proposed planting of these canopy trees will be constrained by the encroachment of hard surfaces including driveways and public footpath and the built form of dwelling Dwelling twoTwo. This planting does not achieve neighbourhood precinct guidelines, that which seeks to maintain the rhythm of spacious visual separation between buildings, and ensure adequate space is provided around buildings for the retention and planting of vegetation. Once again in Beaumaris, a development proposal provides insufficient space for an informal planting of replacement vegetation that can grow to maturity without conflict to dwellings and driveways.

The landscape plan clearly shows the canopy of the large Desert Ash (*Fraxinus angustifolia*) in the rear setback of Dwelling Two will conflict with the decking and built form. Over time it is not unreasonable to expect an application to remove this non-protected species will be approved. The loss of this tree and lack of adequate planting area for a large indigenous replacement tree will further erode the vegetation character of this site. At a minimum, the provision of a single garage for unit Unit twoTwo will provide a more appropriate planting area in the rear of dwelling Dwelling twoTwo.

A visual survey of medium density near 70 Oak Street, particularly on corner sites, highlights the negative impact dominant built form and a lack of substantial vegetation can have on neighbourhood character. The proposal for 70 Oak Street will only compound that loss by replacing a valued modest dwelling surrounded by mature trees on a prominent corner site with an excess of built form, parking facilities, and vegetation partially obscured by inappropriate high front fences.

The inadequate planting areas provided for existing and replacement vegetation results in the net loss of vegetation character and habitat. Loss of habitat unsustainably concentrates native fauna to the vegetation in surrounding sites, and will thus cause deaths of such fauna

and stress and damage to (often loss of) that vegetation, which in addition, detrimentally impacts the amenity of neighbouring residents.

The design response excessively focusses on the claimed 'contribution' of built form without respecting and responding to the surrounding vegetation character. This is an unacceptable response to the environmental aspects of the Bayside Planning Scheme. A balance of built form and open space for vegetation, similar to 102 Oak Street, **not** replication of bad planning, is the appropriate test to be applied to this site.

The proposed dominance of built form with insufficient space provided for vegetation is indistinguishable from the style of medium density development replicated in areas across Melbourne where vegetation, unlike in Beaumaris, which is protected by the VPO, is *not* the dominant feature of neighbourhood character.

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