

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: 5/2016/825/1	Permit application No:
Address of Land: 4 Bolton Street, Beaumaris, 3193	

Reasons for Objection:

1. The proposal to construct two dwellings and associated buildings and works and to remove substantial site vegetation:
<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 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 Clause 21.02 <i>Bayside Key Issues and Strategic Vision</i>, Clause 21.04 <i>Environmental and Landscape Values</i>, Clause 21.06 <i>Built Environment and Heritage</i> 21.06-1 <i>Character and Identity</i> and Clause 22.06 <i>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, because of 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 avoid a large bulky building.
 - viii. 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 rear setbacks.

This proposed development is on a substantial site area of 836 m². This large site could balance medium density development with the retention of existing vegetation and adequate space for an informal planting of indigenous and native vegetation in the front and rear setbacks and in spaces along the side setbacks.

It is proposed to remove thirteen of the fifteen trees on site owing to the uncompromising built form, the excessive use of dual driveway access, and a rear setback dominated by swimming pools and *al fresco* areas. So uncompromising is the design it has not incorporated retention of a publicly valued street tree.

The first of the three VPO3 objectives is to prevent the loss of native and particularly indigenous vegetation incurred by development. The proposal requires the removal of 12 trees that are within or close to the building envelope. The design of the building envelope must take account of the trees as a planning constraint, not a hindrance. The removal of the trees to accommodate the building envelope cannot be justified simply owing to the trees' being less than exemplary in health or life expectancy.

The Arborist's Report assessment that none of the trees are significant to the local or wider landscape and will not be a loss if removed is a disingenuous response to the prevailing vegetation character in Beaumaris. As with many gardens in Beaumaris, the vegetation on this site is of varying genus, health and life expectancy, and would be expected to provide ongoing and highly valued amenity to the residing and surrounding residents, and habitat for wildlife, for many years. Removal of these trees without adequate replacement trees will have an immediate and long-lasting negative impact on Beaumaris vegetation character and residential amenity, and on the wildlife which calls it home.

The third VPO3 objective is to promote the regeneration and replanting of indigenous species in the Beaumaris and Black Rock area. Where the poor health of a tree may support its immediate removal, the proposal fails to meet this third VPO objective and the Bayside Landscaping Guidelines owing to the lack of space provided for replacement vegetation. Only two medium replacement trees are proposed on the extreme rear boundary, and two medium to large replacement trees are proposed in the front setback, with no space provided for replacement trees along the side setback.

With regard to fauna, the Arborist's Report makes reference to possums impacting four trees. The proposal makes no reference to how the impact of tree removal and inadequate replacement vegetation on legally protected native fauna will be managed. Once again in Beaumaris, development resulting in the net loss of habitat will unsustainably concentrate native fauna to the vegetation in surrounding sites, and will thus cause deaths of such fauna and stress and damage to that vegetation.

This proposal to remove large native trees and a wholly inadequate provision for their replacement fails to satisfy the VPO objectives of both protecting and promoting indigenous and native vegetation in Beaumaris and Black Rock. The Arborist's Report presents an overly pessimistic assessment of the considerable and valued vegetation on this site

The unjustified removal of these trees in combination with a grossly inadequate provision of space for replacement planting in the front, side and rear setbacks will unreasonably destroy the significant contribution this site makes to the strength and integrity of the vegetation character along Bolton Street, Keating Street and the wider areas of Black Rock and Beaumaris.

Photographs in the submission of medium density near [4 Bolton Street](#) highlight the negative impact dominant built form and a lack of substantial vegetation can have on neighbourhood character. The proposal for 4 Bolton Street will only compound that loss. Good planning, not copycat bad planning, is the appropriate test to be applied to this site.

The supporting documentation for this proposal lacks substantial evidence of how the demolition of respected mid-20th Century housing style and removal of most of the large and valued vegetation could make a positive contribution to neighbourhood character. The lack of supporting evidence, and use of a standardised cut-and-paste boilerplate style, is evident in multiple erroneous references to the site being located '1.5 km from Mentone Railway Station' and retaining a frontage to a 'Carrington Grove'. Mentone Railway Station is some 3 km to the east of the site, in a different municipality; and the nearest [Carrington Grove](#) - which is in East Brighton - is some 7 km to the north of the site. Given those unacceptable errors, Beaumaris Conservation Society Inc. is not confident that the statements of compliance do not include similar fundamental and critical errors.

This proposal is not an acceptable response to the environmental aspects of the Bayside Planning Scheme. Rather than respect and respond to the surrounding neighbourhood character, this proposal comprises the unjustified removal of large and valued vegetation, excessive built form, a front setback dominated by car parking facilities, a rear setback dominated by impervious surfaces, swimming pools, and a dearth of vegetation. This proposal replicates an uncompromising style of built form indistinguishable from the style of medium density development replicated in areas across Melbourne where vegetation, unlike in Beaumaris, is *not* the dominant feature of neighbourhood character.

The design does not meet the Bayside Planning Scheme objectives for Beaumaris where vegetation is the existing and preferred dominant feature of neighbourhood character, not excessive built form, paved areas and driveways.

(Please attach additional pages to this form)

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