

WRITTEN STATEMENTS

8 June 2021

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Committee Meeting**

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Definitions

A= Applicant

S= Supporter

O= Objector

Item 4.1
Middle Crescent, Brighton
Parking Review

1. Mr Jason Barnfather (O)

Agenda Item 4.1

Middle Crescent, Brighton Parking Review

Dear Councillors,

We hope that you are all well in these challenging times.

On Tuesday night, the results of a parking review undertaken by Council will be presented to the Council for consideration in response to Part B of the Council Resolution from the Planning and Committee Meeting on 13 April 2021. As always, we value the opportunity to discuss applications with Councillors and present at the Committee Meetings which we understand is not possible at this time.

We represent Bayley House who are the owners and occupiers of 52 and 54 Middle Crescent, Brighton and are also the occupier of 50 Middle Crescent, however they do not own this site.

On behalf of Bayley House, we advise that we oppose the proposed parking restrictions along the west side of Middle Crescent. Our key reasons are as follows:

1. The review of parking undertaken by Council's Engineering Department was responsive to complaints made separate to the Resolution of Council in April 2021. When completing their review, the Traffic Department confirmed with us that they were not aware of the Resolution of Council and therefore we believe they have not considered the agreed purpose of the Resolution which was to *'determine what alternate arrangements could be implemented to manage the increasing parking congestion and potential parking impact of the future education facility at 50 Middle Crescent, Brighton.'*
2. We understand the issues raised by objectors in relation to parking along Middle Crescent which is in part due to Bayley House at 52 and 54 Middle Crescent, however we believe the objections in relation to impacts to on-street carparking associated with the education centre at 50 Middle Crescent are misconceived.
3. The proposed use of 50 Middle Crescent, Brighton for the next few years will have no impact to on-street car parking. Bayley House will not be appointing any new staff or taking on any more clients as a result of using this property for the short term and in fact, this property offers two more car parking spaces off-street which is likely to benefit on-street car parking. This has not been considered in the review by Council.
4. The results of the parking survey presented to Councillors differ substantially from those that were provided to our office verbally from the Council's Engineering Department following their inspections. These were outlined in our original objection lodged with Council and were as follows:
 - *The west side of Middle Crescent has an average occupancy rate of 80 percent. These car spaces are currently unrestricted.*

- *The east side of Middle Crescent has an average occupancy rate of 40 - 50 percent. These car spaces have a 2 hour parking restriction and there is a Residential Parking Permit Scheme already in place.*
- *Based on the figures above, the combined occupancy rate is a maximum of 65 percent.*
- We have enquired as to why there was such a discrepancy between those outlined verbally to us and those printed in the Report and the Department has advised that they were not willing to provide any explanation. This is clearly disappointing given the proposed recommendations.
- Based on the data provided to our office verbally, the current level of parking demand in this section of Middle Crescent does not meet the Criteria for Proposal Development as per Section 7.1 of the Council Procedure. When reading Council's procedure, this actually means that Council should not be taking further action at this time. The recommendation to Council on Tuesday night should be to postpone the implementation of further on-street parking restrictions whilst further parking reviews over a greater period of time are undertaken to ensure the accuracy of the survey results and to be certain if any change is required.
- Imposing such restrictions so promptly, with questionable survey results, will have a lasting impact on Bayley House and the broader community. Not only will it impact the operation of Bayley House, the change will effectively 'shift the perceived issue' as staff will simply park in front of other residential properties as they have no choice.
- In our opinion, this is not a good outcome, as Bayley House has been a resident of Middle Crescent for 70 years and should have some rights to convenient unrestricted on-street parking.
- This change does not cause a significant impact on any other resident, as the other residents are eligible to be part of the Residential Parking Permit Scheme, albeit what is also lacking from the consideration within the Report, is an acknowledgement that approximately half of the proposed area to be restricted are located in front of the properties occupied by Bayley House.
- What this means is that these spaces would become short term parking spaces as they are excluded from the Residential Parking Permit Scheme as outlined in Section 6 of the relevant Council policy and in our opinion, there is little point applying the restrictions, as it would only create more short term parking for which there is already plenty along the east side of the street.
- We are mindful of the purpose of the original Council resolution and support the premise subject to further and more comprehensive investigations. We therefore respectfully ask Council to either refuse to adopt the recommendations or to defer the matter and make an alternate resolution such as follows:
 1. That Council's Traffic Team undertake comprehensive parking surveys on four days between the hours of 9am and 3pm when the education centre is in operation. The parking surveys must be undertaken over a minimum of two weeks and the timing must not align with any Government enforced lockdown period associated with COVID 19.

2. The full results of the comprehensive parking surveys and proposed recommendations are to be reported to the Planning and Amenity Delegated Committee by no later than October 2021.

If you have any questions prior to the Meeting, please email jason@squareback.com.au or call us on 9965 1930.

Regards,

A handwritten signature in black ink, appearing to read 'JB', with a horizontal line underneath and a diagonal slash through it.

Jason Barnfather
Director
Squareback

2. Mr Warwick Cavanagh (obo: Bayley House) (O)

Dear Councillors

I write to you with respect to the agenda item concerning a review of parking in Middle Crescent Brighton. A detailed response has been submitted on our behalf by Jason Barnfather of Squareback Planning and I do not intend to repeat the points effectively made in that submission.

I do seek to urge Councillors to consider, in addition to the specifics of a parking survey, the broad community contribution of organisations like Bayley House, our longevity on this site as well as the general appreciation of a shared environment.

Bayley House has been at this same address for 70 years as many of you will be aware. It is a residential area, a fact we are well aware of, and we recognise that in matters relating to parking in particular, residents come first whilst appreciating that compromise is required by all stakeholders in what is a shared but limited resource.

My concern in this specific situation is that the priority of residents is already being addressed by the existing parking provision –

- Two hour restricted parking all along the east side of Middle Cres
- Parking permit scheme for residents
- All day parking along the west (Bayley House) side of Middle Cres

Residents of Middle Cres have ample opportunity to park outside or near their property and with no time restriction. Whilst Bayley House is not a 'resident' in that sense, we are a community asset i.e. our activities are not comparable to a for profit business. I hope that Councillors will acknowledge this contribution and support our capacity to continue providing valuable services for people with disabilities by not endorsing the proposal by Bayside staff to impose 2P restrictions on the west side of Middle Crescent Brighton.

Yours sincerely

A handwritten signature in purple ink, consisting of several loops and a long horizontal stroke extending to the right.

WARWICK CAVANAGH

CHIEF EXECUTIVE OFFICER

Item 4.3
2A Primrose Crescent,
Brighton East

1. Mr Jeremy & Mrs Christine Wood (A)

To: Cr. Laurence Evans OAM (Mayor)

Cr. Sonia Castelli (Deputy Mayor)

Cr. Alex del Porto (Chair – Planning and Amenity Delegated Committee)

Cr. Clarke Martin

Cr. Fiona Stitfold

Cr. Jo Samuel-King

Cr. Hanna El Mouallem

Brief history

- My wife and I have lived at 2A Primrose Crescent East Brighton since returning from Sydney in 2003
- During that time we have undertaken significant improvements to the property and carried out extensive landscaping to **both** the front and rear gardens. **(A site inspection is encouraged and considered essential)**
- Reluctantly we applied to Council to remove the large Narrow-leaved Black Peppermint located in the front northeast corner of the property.
- The tree had begun to damage the brick fence on our property and had, for some time, been lifting our neighbours driveway and had, on several occasions, damaged their water pipes and water meter requiring repairs by both South East Water and a local plumber. The most recent occasion required the digging up of the council footpath by South East that had only been replaced by Council a couple of months earlier
- **Council granted consent for the removal of the tree** on 1 April 2021 but placed a condition on the permit that **“a replacement tree capable of reaching a minimum height of 12m and a minimum canopy width of 10m at maturity must be planted on the property...**
- We considered that this was an unreasonable condition as we believed that by planting a tree of this size in the same location would lead to the same problems for both us and our neighbours in future years. Further, there is nowhere else on the block where a tree of that dimension could be planted having regard to the existing extensive vegetation which includes a **35 – 40 metre high Eucalyptus Rubida** in the backyard, a swimming pool and other assets on the block.
- We requested a review by Council and proposed a compromise providing a replacement tree with a minimum height at maturity of 6m and a canopy diameter of 4m at maturity.
- We felt that this was reasonable based on the remaining established vegetation and availability of a suitable location along both our frontage and adjoining side boundary with our neighbours and elsewhere on the property.
- **Council responded to our appeal by agreeing to a reduction in the size of the replacement tree with a minimum height at maturity of 9m and a minimum canopy width of 8m at maturity**

Justification for the Appeal to Council

- The planting of a replacement tree of the size specified by Council in the same location as the removed tree will simply lead to similar problems in the future to both our property and that of our neighbours
- On that side of our property we have our main water supply, our gas supply and our sole storm water outlet for our entire property. The location of these services is shown on the **attached site plan**.
- In addition the main water supply for No 4 Primrose Crescent is only **200mm** from our property boundary and even closer to any replacement tree than such tree would be to our services.
- No other suitable location on the site is suitable for the planting of a replacement tree of the size specified by Council, **as a site inspection would readily demonstrate**. Vegetation on the block including the backyard is already extensive.
- With the removal of the existing tree, the adjacent **five established Silver Birch trees, two established Magnolia trees and three established Grevilleas** would be able to grow and thrive even further as they are not in competition for sunlight and moisture. This advantage would be lost if another significant tree of the size proposed by Council's condition was planted in this location.
- A replacement tree of the size proposed by us, preferably near where the existing tree is to be removed or elsewhere on the block would compliment what we have already planted and would be far less likely to lead to further potential property damage.
- Further Council has been trying for more than **15 years** to get a street tree to grow on our nature strip but **without success**. The reason given for this by Council was because the existing tree in our front yard (the tree to be removed) was providing too much shade. Our proposal would enable the successful planting and growth of a new nature strip tree thereby improving the existing streetscape of Primrose Crescent.
- **An inspection of our property will clearly demonstrate our issues of concern with the proposed condition, but also our ongoing commitment to encouraging and maintaining our extensive landscaping (Viewing aerial photographs of our property clearly shows this)**

Specific Response to Council Officer's Report (Item 4.3)

1. Whilst the amended permit reduced the size of the replacement tree by 25%, it still does not adequately address the limited size of our front yard to accommodate a tree of that size having regard to existing underground services, existing established planting and access to natural light to our lounge room and main bedroom once mature.
2. The planting of a suitable canopy tree of any size, especially a substantial tree of the size proposed by the amended condition **MUST** have regard to the location of underground services, It is **not** mere "speculation" that damage might occur but a **very likely outcome** should a tree of the size proposed be planted. It would be irresponsible and even negligent to plant a substantial tree of the size proposed by Council in close proximity to these services.

3. The landscaping of our property should be considered as a whole and it is not reasonable for Council Officers to simply dismiss the existing planting that we have undertaken for both the enhancement of our property and also the streetscape on the possibility that these existing trees may be removed due to their trunk size. Using the Officers own words appearing elsewhere in the report such action on our part to remove them would be **“Speculation of Future issues”**.
4. No mention has been made in the Officers Report that we have a **35metre - 40 metre tall Eucalyptus Rubida** in our backyard that can be seen from neighbouring streets including Centre Road. It is concerning that in addition to not mentioning this tree in the report for Councillors consideration, the aerial view provided as **Attachment 1** in the report “conveniently” omits showing the extent of this tree within our property. **It is essential that Councillors are aware of this fact in their consideration of our request.**
5. There are three varieties of Crepe Myrtle that we have researched which we are confident would grow to the minimum height and have a minimum canopy width that we are proposing. These are **Biloxi - 7m high/canopy 5m wide, Natchez- 8m high/canopy 6m wide and Tuscarora- 6m high/canopy 4m wide**. The Council arborist is “speculating” that our preferred variety (Tuscarora) may not grow to the height we are requesting. Whilst we do not necessarily agree with this view we are willing to plant either **Biloxi or Natchez** or a different species altogether that will be within the size range at maturity of what we are proposing.

Request to Council

That Council accepts the submission from Jeremy and Chris Wood of 2A Primrose Crescent Brighton East and agrees to amend Condition 2 of Permit No 2021/68/1 as follows:

“2. A replacement tree capable of reaching a minimum height of 6 m and a minimum canopy width of 4 m at maturity must be planted on the property of 2A Primrose Crescent Brighton East.”

Thank you for your consideration.

Jeremy and Christine Wood

Item 4.4
U1 & U3 / 533–535
Hampton Street, Hampton

1. Mr Paul Novacco (O)

The 4 storey development as currently proposed for this site is not appropriate for the reasons as detailed below. However, the Bayside Planning recommendation to grant a permit for a 3 storey development is considered acceptable.

A positive and commendable element of the proposed development is the retaining of the existing shop fronts and facade as it will maintain the character and fine grain of the 6 adjoining buildings,

It's also worth noting that the 3 storey development recently completed at 547-551 Hampton St was originally proposed as a 4 storey development but was rejected by VCAT numerous times. In addition, all the existing developments in Hampton St between Holyrood St and South Road (Precinct C) are a maximum of 3 levels, so a 4 storey development for the proposed site would exceed the height of all the existing building in this precinct, be out of character and also exceed the DDO12 preferred height.

Our current outlook from the rear 1st floor bedrooms is a green canopy. However, with the proposed development, the outlook will be a wall of concrete and glass, and even with a 3 storey development, there will be significant visual bulk.

There will also be an issue with overlooking into the nearby properties including ours to the west. For reference, the development at 529 Hampton St was required to provide frosted glass windows in order to prevent overlooking. Also, with the recently completed development at 547-551 Hampton St, higher balconies and screening was a specific requirement to prevent overlooking. On this basis, screening to prevent overlooking from the balconies needs to be included as a condition of the proposed development.

While a car stacker helps to provide additional parking spaces in a tight space without the need for underground parking, it has a number of drawbacks.

- Car stackers can be slow to access and would cause traffic delays in the laneway and entrance to the laneway.
- Noise from the car stacker will be an issue as we have two upstairs bedrooms directly facing the car stacker.
- Because car stackers are slow, people will park in the street exacerbating the existing parking problems. This will also be compounded by the car parking waiver for the Café.

Waste collection that is currently shown as being from the nature strip in Arcadia St is unacceptable, as it would compound the existing problem of garbage bins being placed and left out for days on end. There is also an existing problem with the number of garbage trucks accessing the laneway, especially early in the morning and with frequent damage to our fencing that adjoins the laneway.

In addition, all the services that will be installed on the roof of the proposed development need to be quantified. More specifically, all the items as shown on roof plan Drawing SD02_06 need to be detailed on the elevation drawings, as these services will add to the overall height of the development and therefore need to be accurately defined and dimensioned.

2. Ms Nikki Taylor (O)

Dear Committee

Re: U1 & U3 / 533–535 HAMPTON STREET, HAMPTON EAST
Planning Permit Application No 2020/425/1
Submission to Planning and Amenity Delegated Committee Meeting
Date and Time: Tuesday 8 June 2021, 6.30pm
Agenda Item 4.4

I am a resident at 17 The Avenue, Hampton and an original objector to the application.

I am also a town planning consultant.

As noted in my original objection to the application, I am not opposed to a redevelopment of the site as this is supported by State and Local policy.

However, what I am opposed to is the 4th storey which is contrary to the requirements outlined in Design and Development Overlay Schedule 12. This schedule encourages a maximum of 3 storeys only and this has been provided given the proximity of this area of the activity centre to the more central areas which are located in and around the station.

This site is located towards to edge of the activity centre and directly abuts land within a Neighbourhood Residential Zone which has a mandatory height of 2 storeys and 9 metres. The proposed 4th storey is out of context with surrounding development will dominate the surrounding area.

The permit applicant has sought to vary the preferred height and whilst this has been supported in other parts of the activity centre, it has not be supported by Council or the Tribunal in this part of the centre.

The proposed built form is excessive for this part of the centre and should not be supported.

I note that the Council officer's report recommends approval subject to a number of conditions including the removal of the 4th storey and a restriction on the overall height. I do not believe that such a condition is suitable as it has a flow-on effect for the design of the building, car parking design, waste provisions etc, the impacts of which objectors will not have an opportunity to comment on. It changes the design so significantly such that in my view, it would be appropriate to allow objectors and other interested parties to comment on any amended design which they will not have an opportunity to do if the NOD is issued.

The changes required by the conditions are such that a refusal of the application is warranted. A new amended design should be provided for by way of a new planning application which will need to go through the normal process including public notification.

In addition to the above, it has been noticed by many residents of Hampton who live in proximity to the activity centre that with all the recent developments traffic and car parking demand in and around the centre has increased significantly and Hampton Street and the surrounding roads are struggling to cope.

With new development expected both at this end of the centre and in the centre in general, I believe that a review of traffic and car parking in the activity centre be carried out with a view to planning for 'full development' of the centre. Hampton is carrying the weight of Bayside's

population increase and this needs to be accounted for through the provision of appropriate traffic and car parking facilities.

Things that need to be considered include additional pedestrian crossings in Hampton Street and residential parking permits in and around the centre. Also, whether more public car parking needs to be provided for the centre, which I believe it does.

Should you have any questions regarding this letter, please do not hesitate to contact this office on 9541 6600 or email me at nikki@devconps.com.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Nikki Taylor', with a long horizontal flourish extending to the right.

Nikki Taylor
Town Planner and Director
Devcon Planning Services Pty Ltd

3. Mr Adrian Godfrey (O)

I am the owner of Holy Bowly Superfood Cafe. The issues I have:

- 1) Construction over a possible 18months, right next to my cafe, is going to have a severe effect on my business
- 2) The dust and noise will not make it conducive to a cafe environment
- 3) My business will not be able to operate when water, electricity, gas & telecommunications, will have to be shutdown during construction from time to time.
- 4) My current customers find it extremely difficult to bordering on impossible, to find parking as it is.
- 5) I will be filing for significant compensation should this project be approved.

4. Dr Jonathan Nightingale (obo: Hampton Neighbourhood Association) (S)

Hampton Neighbourhood Association (HNA) urges councillors to support fully Council officers' recommendation that a permit be granted in this matter, subject to the conditions outlined in the council officers' report. Our reasoning follows:

In September 2020 an application was lodged with Council for a mixed use development at 533-535 Hampton Street, comprising a cafe with seven apartments over. The building proposed was four storeys in height in a precinct of the Hampton MAC that is zoned 3 storeys preferred.

HNA objected to the proposal mainly on the basis that an exercise of discretion to permit a fourth storey was unsupportable, as the proposal did not satisfy the requirements for the exercise of discretion, as laid out in DDO12.

Subsequent to this, HNA participated in a consultation meeting organised by Council officers and has also been in direct dialogue with the developer's representative (SJB Planning).

The Council officers' report, and proposed conditioning of a permit for the development fully address the concerns which HNA had with the initial proposal:

- 1) By requiring deletion of the uppermost (fourth) storey of the proposal, the officers' recommendation brings the proposal very closely in line with built form requirements for height and setbacks, as outlined in DDO12.
- 2) By requiring overlooking issues between the balcony of apartment 1.01 and the neighbouring residence at 531 Hampton Street be demonstrably addressed, the officers' recommendation addresses a key offsite amenity impact.
- 3) By requiring deletion of two surplus residential car parking spaces in association with deletion of the uppermost level, as opposed to those spaces being sold to apartment owners, the officers' recommendation addresses a key community concern as relates to the direct transfer of community amenity to developments for developer profit.

Further, discussions between HNA and the developer's representative (SJB Planning) have indicated that the applicant in this case has a strong preference not to appeal to VCAT, implying that if a permit is granted by Councillors it has a good chance of being acted upon.

Notwithstanding the above, Councillors will no doubt observe that the proposal still contemplates consent to a parking waiver (9 spaces). If Councillors are minded to reject the officers' recommendation on the basis of parking provision, from the aforementioned discussions it has been made clear that an appeal of Council's decision to VCAT is likely. This will of course be based on the applicant's original (ie four storey) application.

In light of all the above, HNA therefore firmly urges councillors to support the Council officers' recommendation in this case, and, in turn, provide certainty to local residents and the broader community with respect to the development proposed.

5. Ms Anna Thang (A)

Dear Councillors,

We act on behalf of Niu Town Pty Ltd, the Permit Applicant in relation to the above Planning Permit Application.

We thank you for the opportunity to address you on behalf of the Permit Applicant.

We respectfully submit that this proposal is exactly what Council's Hampton Street Centre Structure Plan, local planning policies, zones and overlays, anticipate for this site and in this location.

The proposal is entirely consistent with policy expectations on the subject site, given its location within the Commercial 1 Zoning and Hampton Street Major Activity Centre. The proposal will contribute towards a vibrant mixed use commercial centre and provide for a moderate increase in residential density to support a more diverse, inclusive, affordable and sustainable housing market.

In our submission, the proposed design responds positively to its immediate context. It provides a contemporary interpretation of the evolution of development in the area. Notably:

- o The brick façade of the existing shops will be retained and incorporated. This is despite the fact that the site is not affected by a Heritage Overlay and there is no requirement to retain the existing buildings. This unusual (and costly) approach reflects the proposal's desire to be respectful of the area's valued character and history, in a location where Council has explicitly identified a desire for change to the existing character, in order to protect and maintain the existing character of more sensitive residential areas outside of the activity centre.
- o The Council officer's recommendation to delete the topmost level will result in a proposal that complies with all of the preferred built form requirements set out in DD012, with the exception of the front setback on account of the retention of the existing brick façade. The variation to the front setback is considered to be acceptable given the benefits to the streetscape of retaining the existing shops, and is a view shared by Council's officer.
- o The proposed design is of high-quality and provides a visually interesting, articulated and carefully crafted building expression utilising high quality, sustainable materials and finishes.
- o The proposed building meets Council's best practice ESD requirements and will assist Council with addressing the declared climate emergency.

In response to the key areas of concern expressed by objectors to the proposal, the answer to the concerns can be found in the following:

- o The proposal is an appropriate response to its immediate context and the policy expectations set out for the site in the Bayside Planning Scheme. Council officers agree.
- o The Council officer's recommendation to delete the topmost level will reduce the off-site amenity impacts cited by neighbours, including **overshadowing** impacts and **visual bulk**. We note the proposal's overshadowing impacts are limited to dwellings within the Commercial 1 Zone and Major Activity Centre. Maintaining solar access to these properties is considered unrealistic, if the Council's aspirations for change in these activity centres is to be realised.
- o **Overlooking** concerns are addressed in the application plans and where found to be inadequate by officers, will be appropriately addressed via the officer's recommended condition.
- o The proposed **reduction of car parking** spaces, which is limited to the retail component, is considered acceptable by Council's traffic engineers. We note that the existing retail uses on the site are currently provided with on-site parking (for staff only, not customers) well below the applicable statutory car parking rate. In this regard, the impacts arising from the proposed shortfall in parking is comparable to the existing shortfall. There is no ability to provide additional on-site parking for the retail use due to the provision of most of the proposed parking in stackers for residents.
- o There are no unacceptable **traffic impacts** arising from the proposal. This is due to the modest amount of additional on-site parking and associated vehicle movements. The development will also facilitate local widening of the laneway and provide for two-way passing that does not presently exist, with attendant benefits to all laneway users.
- o The proposed **waste management** arrangements are considered by Council's engineers to be satisfactory. We note only two (2) FOGO bins are proposed to be placed on Arcadia Street for collection by the Council - this is fewer than the standard number of bins for single dwelling in Bayside's residential areas. All other bins will be stored on the site and collected by private contractor from Arcadia Street naturestrip. Bins will be transferred from the site, via the laneway, to the waiting collection vehicle and not stored on-street. It is not possible to collect the bins from the laneway as suggested by some neighbours. It is not possible

to turn around a waste collection vehicle within the laneway, given the extensive space required to perform such a manoeuvre. The only alternative is for the Council to require the waste collection vehicle to reverse down the laneway, from Arcadia Street and across the footpath, with associated risks to public safety.

- o The proposal does not have the potential to create any unreasonable **noise** impacts on existing residents. Whilst there will be inevitable (and unavoidable) disruptions and inconvenience during the construction phase, any potential noise issues are a consequence of living immediately adjacent to land in a Commercial 1 Zone and Major Activity Centre, not a proposed development designed to comply with the Council's future vision for the precinct.

It is significant that the proposal complies with the applicable objectives of ResCode and the vast majority of corresponding standards. Where there are some minor technical non-compliances, they do not manifest in any unreasonable impacts on existing neighbours, nor the preferred future character of the area, as concluded by your planning officer.

In reaching a decision tonight, we respectfully request you keep at the forefront of your minds the proposal's high degree of consistency and compliance with the very planning policies and controls, which Council has purposefully put in place to guide development outcomes on this site in this area.

Like your officers, we hope you will conclude that a planning permit should issue.

We thank you for your time in considering our submission and this application.

Yours Sincerely



Hugh Smyth
Director
SJB Planning

Item 4.5
109 Cromer Road, Beaumaris

1. Mr David & Mrs Heidi Maddern (O)

Dear Madam / Sir,

I write to you regarding the planning application (number 5/2020/574/1) for 109 Cromer Road, Beaumaris.

After reading the relevant pages of the Planning and Amenity Delegated Committee Meeting (8 June 2021, 6.30pm) document (also to be referred to as "BCC 8/6/21 Report") I was surprised that there is no tabling of any of the objector's correspondence.

In summary our objections still stand. These are documented in our letter dated 4 March 2021 and our email dated 5 May 2021 to Laura Pocock and this letter.

Can I please ask that this letter along with the other correspondence sent on 4/3 & 5/3/21 be lodged / tabled in the Planning and Amenity Delegated Committee Meeting (to be held 8/6/21 at 6.30pm).

SIDE SETBACK

The below text in italics is from page 116 of the BCC 8/6/21 Report and is the only section addressing the ground floor northern setback.

The ground floor northern side setback associated with Unit A's laundry, powder room, formal living and kitchen, was originally proposed to be setback 1.2m from the boundary, however Section 57A amended plans have increased the proposed setback to be 1.41m, where the standard requires 2m. A variation of 590mm is acceptable as the portion of non-compliance is adjacent to a side service yard associated with 111 Cromer Road. This area is a non-sensitive use area as the private open space is located to the rear of the dwelling. The ground floor walls are setback approximately 3.6m from the adjoining northern property, allowing for sufficient separation of built form from adjoining windows.

This variation does not create any unreasonable off-site amenity impacts largely by way of overshadowing and overlooking, as these standards are both compliant. The development will also include a compliant amount of landscaping in the open space areas.

There are no ground floor plan drawings showing the siting of the proposed residence with respect to our residence in this section. The above excerpt is the only mention of the northern ground floor setback in the side setback section that covers pages 116 to 120. Most of this section that follows the page 116 excerpt, relates to the first floor southern setback. On page 120 there is a small mention of an objection. This would be read in the context of an objection to the southern first floor side. It is not clear that this objection is actually for the northern side setback.

On page 127 there is a ground floor site layout plan and from this it is clear that the proposed dwelling unit A kitchen and to a lesser extent dining room are adjacent to one of our habitable rooms (within 3.6m), which is a bedroom. The laundry (laundry door?), powder room and living room are very close (3.6m) to another habitable room, which is also a bedroom. We request that near our bedrooms the setback be 2m.

As per our letter dated 4/3/21, the northern side ground and first floor setbacks should be more in line with what the Council has approved for 23 Hastings Avenue and 101 Cromer Road, both in Beaumaris. In particular neither of these properties have a 15m length of their structure being 1.4m away from the boundary fence, nor are they very close to habitable rooms of the adjoining properties. Table 1 compares the proposed 109 development with these properties.

FRONT SETBACK

The below text in italics is from page 114 of the BCC 8/6/21 Report, which indicates our property is set back 7.6m.

*The non-compliant areas are 7.88m – 7.93m from the street, a variation of 1.07m - 1.12m. This variation is acceptable as the non-compliant areas provide for an articulated and interesting façade to the streetscape. As noted above, the ground floor allows for adequate planting of vegetation. The existing street setback character of the area is varied with properties ranging from 6.1m – 9.2m. **The adjoining northern property (111 Cromer Road) has a street setback of 7.6m,** therefore the proposed first floor setback is acceptable as it provides for a transition to the adjoining property, see figure 2 below. An objection has raised the fact that the proposal includes a non-compliant street setback. As noted above, the proposed setback is acceptable as the numerical variation is minor.*

A letter from the Council to us regarding our planning application for 111 Cromer Road, Beaumaris (dated 2 July 2009), page 1, Prescribed Matter 1a) states “To permit the porch having a setback of 7.75 metres from the front street alignment, in lieu of the prescribed minimum setback of 9.0 metres. Our porch is setback approximately 3m and the master bedroom and garage (dwelling) total approx. 12m and are setback 9.0m. Our property is set back approx. 8.8m from the street, not 7.6m as stated in the BCC 8/6/21 Report.

Can I ask the Council to clarify the yellow highlighted words above stating that “The adjoining northern property (111 Cromer Road) has a street setback of 7.6m, therefore the proposed first floor setback is acceptable as it provides for a transition to the adjoining property...acceptable as the numerical value is minor”.

The variation sought by the applicant at 109 is around 1.1m (7.9m setback) and our house is setback at 8.8m. Is the numerical value around 0.9m. This does not appear to be minor.

Will the Council rely on the statement that “The adjoining northern property (111 Cromer Road) has a street setback of 7.6m. Are you able to provide guidance on how the figure of 7.6m was calculated?

If this statement is not correct, can this be corrected in the BCC 8/6/21 Report and the Council Planning recommendation be altered. Will the Council rely on the statement that “The adjoining northern property (111 Cromer Road) has a street setback of 7.6m. If this statement is not correct, can this be corrected in the BCC 8/6/21 Report and the Council Planning recommendation be altered.

A letter from the Council (dated 24/6/09) addressed our requested setbacks of 6.7m for the porch and 8.0m for the dwelling. These requested setbacks were rejected by the Council. In this letter the reasons for the rejections were:

- a. *Will not be appropriate taking into account the prevailing setback within the street; and*
- b. *Will not be appropriate taking into account the preferred character of the area, where it has been identified in the Bayside planning scheme; and*
- c. *Will result in a disruption to the streetscape; and*
- d. *Is not consistent with any relevant neighbourhood character objective, policy ... set out in the Bayside planning scheme*

Further on page 115 of the BCC 8/6/21 Report it indicates that

the overall development will sit comfortably within the streetscape context particularly having regard to the front setback of the two adjoining properties.

The neighbouring property (as per Keen Planning report) is setback 9.2m and also indicates our property being set back 8.9m.

Given my above comments about the potential misstatement of fact, the rationale for rejections of our front setbacks, I believe that the proposed front first floor setback should be

rejected in accordance with the rejection criteria from the Council letter dated 24/6/09 and represented above in points a) to d). Also, given the front setback of the two adjoining properties, and the criteria above, a more appropriate setback would be around 8.8-9.0m.

3. CONSTRUCTION OF A NEW CONCRETE DRIVEWAY

The plans indicated that a new concrete driveway may be constructed. We would be opposed to a replacement concrete driveway due to the potential loss of our trees due to new foundations (the % Loss ranges from 17% to 29%) for trees 26 to 30, as stated in the Consultant Arboricultural Assessment and Report).

If you need any further clarification please contact David Maddern on 0401 890 170.

Yours Sincerely,

David & Heidi Maddern

TABLE 1

| Note | Ground floor – When not on the boundary | | | First Floor | | | |
|---|---|---|------------|-------------|---|--------------|--------|
| | North (Side) | Requirement | Proposed | Av. SB | Requirement | Proposed | Av. SB |
| 1. | 109 Cromer Rd | 2.0m | 1.2m -2.0m | 1.4m | 3.65 – 4.18m | 2.26 – 3.15m | 2.9m |
| 2. | 109 Cromer Rd | <p>A. 15m of the setback is 1.2m in length.</p> <p>B. Next to 2 habitable rooms of 111 Cromer Road.</p> <p>C. The 1.2M is directly on the edge of the TPZ of trees 23, 24, & 25 of 111 Cromer Road.</p> | | | | | |
| Other Comparable 2 Level x 2 Townhouses In Beaumaris | | | | | | | |
| | North (Side) | Actual Setback | | Av. SB | Actual Setback | | Av. SB |
| 3. | 23 Hastings, Beaumaris | 1.4m - 2.2m | | 1.8m | 3.1m - 3.7m | | 3.5m |
| 4. | 23 Hastings, Beaumaris | A. 6m of the setback is 1.4m, with 80% of the setback not near habitable rooms of 21 Hastings. | | | B. 3.1m minimum cf 2.26m & average of 3.5m cf 2.9m (comparisons with (cf) 109 plans). | | |
| 5. | 101 Cromer, Beaumaris | 1.2m - 2.1m | | 1.7m | 3.1m - 3.4m | | 3.4m |
| 6. | 101 Cromer, Beaumaris | A. 7-8m of the setback is 1.2m, with the majority looking at a boundary brick wall / garage on 103 Cromer. Not near habitable rooms. | | | B. 3.1m minimum cf 2.26m & average of 3.4m cf 2.9m (comparisons with (cf) 109 plans). | | |
| | | | | | | | |

2. Ms Clare Chadderton (A)

Dear Councillors,

We refer to the above matter and provide our written submission in support of our request for Council to uphold the recommendation of the Planning Department to approve the proposal.

We firstly note that this application is being decided at the Planning and Amenity Delegated Committee only as a result of the fact that trees are being removed under the Vegetation Protection Overlay.

We note the following with regard to our discussions with objectors and the resultant amended plans that form the basis of your decision.

- There were originally four (4) objections to the application, including one (1) from the Beaumaris Conservation Society.
- Three (3) of the objectors met with us at a consultation meeting arranged by Council to discuss their concerns. We then had further discussions with the Beaumaris Conservation Society and one (1) adjoining property owner.
- We were able to clarify with the objectors in attendance that the large significant Alder tree in the rear yard was proposed to be professionally pruned (as recommended by the Consultant Arborist) to remove dead wood and maintain the health of the tree, not to make way for the development.
- Following the meeting, a Section 57A application was lodged with Council on 29 March 2021 to respond to key concerns of all objectors, with amendments as follows.
 - Retention of one (1) additional native canopy tree in the rear yard (Tree 1).
 - Retention of two (2) palms (Trees 3 and 5) in the rear yard that adjoining owners at 196 Tramway Parade stated had sentimental value to the former owner of the site.
 - Addition of one (1) native canopy tree (Snow Gum) in the rear yard of Dwelling 2.
 - These additional trees result in a total of 14 trees either being retained or proposed as part of the development.
 - Amendments to the proposed planting scheme, resulting in all native/indigenous vegetation now being proposed.
 - An increased setback to the northern boundary. We note that this was in response to concerns raised by the residents of 111 Cromer Road that the side setback (previously 1.2 metres) was less than other side setbacks in the neighbourhood and may impact the trees along the common boundary within their property (this is despite Council's Arborist being satisfied that the previous setback was already sufficient to protect the adjoining trees).
- The amended plans were then circulated to all objectors and as a result, two (2) of the objections were withdrawn (one (1) adjoining owner and the Beaumaris Conservation Society), resulting in only two (2) outstanding objections.

As evidenced by the above, we submit that we have been responsive to the concerns of objectors and that the proposal represents a site responsive development that appropriately integrates with the existing neighbourhood character.

A summary of our response to key policy objectives are as follows.

Vegetation Protection Overlay, Schedule 3

- It is noted that a Planning Permit is required to remove four (4) canopy trees and four (4) tree ferns under the provisions of the Vegetation Protection Overlay, Schedule 3 (VPO3) that applies to the site.
- Council's Arborist is supportive of the removal of these trees, commenting that one (1) of these trees is dead, one (1) has poor retention value, and the other two (2) being of moderate retention value and can be replaced with indigenous canopy trees.
- Council's Arborist also supports the removal of the tree ferns, commenting that they are relatively small and can be replaced with suitable native species.
- As recommended by Council's Arborist, 10 native or indigenous canopy trees are proposed to replace any canopy trees removed by the development.
- It is also noted that a variety of other vegetation is proposed to be retained or added throughout the site to positively contribute to the native vegetated landscape character of Beaumaris.
- Although not protected by the VPO3, a mature Alder tree 12 metres in height will also be retained within the rear yard of Dwelling 1 in accordance with the wishes of some objectors and will continue to provide an outstanding contribution to the landscape character of the area.

Built Form and Street Character

- The proposed dual occupancy, which is in a side by side arrangement, is similar in scale to other side by side developments in the locality and will provide high quality, relatively affordable housing for families seeking to enter/remain in the Bayside area.
- The proposed street setback (minimum 8.7 metres at ground floor and 7.9 metres at first floor level) is consistent with/will integrate with the existing streetscape, which contains street setbacks ranging from 6.1 to 9.2 metres.
- The proposed front façade is well articulated and incorporates a projecting first floor feature façade with a rounded wall and balcony, angled parapets and a combination of timber screening and battens with graduated spacing in front of large areas of glazing. These design elements will create depth to the front façade and a visually interesting built form with high architectural merit.
- The proposal includes Garden Area of 39 percent which is well in excess of the minimum requirement (35 percent) and site coverage of 50.2 percent, providing for large landscaped areas for each dwelling as described above.
- The proposal maintains open front yards providing views to the well vegetated front gardens, with the only structure within the front setback being the letterbox/meter enclosure which is only 3.3 metres wide and 1.3 metres high.

Based on the above, we submit that the proposed development is consistent with the existing and preferred character of the area and has been designed to limit the impacts on adjoining properties.

We therefore respectfully request that Council support the report and recommendation from the Planning Department to issue a Notice of Decision to Grant a Permit for this proposal.

For any further enquiries, please contact Clare Chadderton by phone on 9596 9000 or by email at clarec@keenplanning.com.au.

Yours sincerely,

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

Keen Planning

Item 4.6
20 Arkaringa Crescent,
Black Rock

1. Mrs Nava & Mr Steve Clauscen (O)

BAYSIDE COUNCIL
PO BOX 27 SANDRINGHAM VIC 3191

7th June 2021

Mr Steve and Nava Clauscen
22 Arkaringa Crescent
BLACK ROCK VIC 3193

Re: Written Statement – request to be heard to the Councillors at the Planning and Amenity Delegated Committee Meeting 8th June 2021 regarding Proposed Planning Application at 20 Arkaringa cres Black Rock
5/2020/282/1

Dear Councillors

We are the neighbours on the eastern boundary of the subject site and wish to object to council's recommendation to issue a permit in its current form.

Despite the statement in the council report that the applicant had contacted objectors privately we have not had anyone contact us, no consultation with the applicant or the council planning department and no mediation to address our concerns. When did council change this procedure and why were we not advised of this change? As such, we would have liked to know that amended plans were in progress prior to a decision to grant a permit was made in order to address the following concerns.

1. The details of our upstairs balcony are not correctly shown on the plans, giving a false idea of generous setbacks from the proposed east elevation.
2. The proposed east elevation is currently non-Compliant with Res-code clause 55 and we disagree that this is minor, as the windows currently proposed present as physically dominant. We would like to see the setbacks adhered to so as to not cause further detriment to the amenity of our property.

3. The Hedge on our boundary fence is also incorrectly shown and not included in the arborist report. These are mature trees (3 plus /metres) and we would like to see them correctly notated on the plans and added to the arborist report, so they receive suitable protection.
4. It has been acknowledged that the air-conditioning has been located in an unfavourable location (too close to habitable rooms) and we would like to see the new location of these prior to a decision to grant a permit.
5. The garage and laundry footpath currently impedes the tree protection zone of our mature Magnolia trees which undervalues the importance of these trees. To ensure the health of our trees, we would like to know how this is going to be properly managed when footings and a brick wall is proposed to be built here. This includes any other footings for footpaths that may cause increased encroachment to the root zones of trees and work within the tree protection zone of our trees.
6. Overall and in addition, the overall dominant presentation of the building form to our property remain an issue and we request that the garage is set back from our boundary, so that we can enjoy some added visual relief and our trees are suitably protected. Currently the proportionate build to land size ratio on the eastern side of the development is not commensurate with the western side and all the above points can be easily addressed if it were equal. We further note that the sheds are now proposed to be placed in the garage making this a fair proposition.

Thanking you in advance for your consideration

Nava and Steve Clausen

2. Mr Chris Pippo (A)

Good evening Councillors,

We thank you for the opportunity to prepare this written submission in relation to the development application at no. 20 Arkaringa Crescent, Black Rock.

My name is Chris Pippo and I prepare this submission on behalf of the Permit Applicant, who respectfully seeks your support this evening.

We say the application before you is one that strikes the right balance between what is being asked by the Bayside Planning Scheme and the character of the area.

We say the two, modest dwellings will sit comfortably within Arkaringa Crescent, and its contemporary presentation is consistent with recent developments in the street and within the character precinct area.

The proposal continues the theme of generous setbacks from side boundaries, which in turn ensures it has limited impact upon external, residential amenity.

The proposal provides a surplus of car parking on the site, thereby reducing its reliance on on-street, visitor parking.

Finally, it provides ample space to deliver a landscape outcome across the site as envisaged by VPO3.

Further to the above, we say there are two additional items that are important when contemplating this application.

The first is the Applicant's willingness to approach and listen to neighbours' concerns. Like with all applications managed by our office, we commonly reach out to objectors in an attempt to work through their concerns. In this instance, an outcome was successfully mediated with one objector (no 15 Seaview Crescent), whilst unfortunately, others that were approached either did not return messages or were not willing to engage in discussions.

The second is a recognition that some variations are proposed to Bayside's ResCode requirements, for which we say the following is critical when considering these:

1. We compensate the increase in site coverage of 0.75% by achieving a compliant front setback, side setbacks that meet or exceed Bayside setback standards (ground level), and providing each dwelling with open space that more than doubles (>85m²) what the Planning Scheme requires.
2. The variations to the first floor setback requirements are countered by providing setbacks to other walls that exceed Bayside setback requirements. This is evident on both the side elevations and ensures a balanced approach is delivered.

It is for these reasons that we respectfully ask for your support this evening.

Thank you.

Chris Pippo
The North Planning Pty Ltd

Item 4.7
13 Crawford Street, Cheltenham

1. Mr Derek & Mrs Judy Wilson (O)

Planning and Amenity Delegated Committee – 8 June 2021 – Item No 4.7

Dear Councillors,

We object to the above planning application on the following grounds:

1. **13 Crawford St is a narrow E-W block and unsuitable for a side-by-side development.**
We believe that the proposal is fatally flawed because of the 15m width of block is too narrow, resulting in a proposed development that is unreasonably long, bulky and dominant AND non-compliant with the standards. These and other issues are covered in more detail below.

WE ASK THAT THE PROPOSAL BE REFUSED, with the recommendation that it be reconfigured as two separate units (front and rear) with a shared driveway along the southern boundary.

2. **The proposal is non-compliant with the standards**

- The proposed development does not meet side setback requirements on the first floor. We are particularly offended by the assertion in the report, in regard to the south side non-compliance, that this is “acceptable because it is adjacent to a side courtyard associated with 11 Crawford St” and that these areas are “non-sensitive”. **This is utter nonsense**. In fact, these courtyards host the north-facing windows of No 11 and are very important for light and solar access – both of which will be seriously diminished by the proposed development.

PLEASE DO NOT APPROVE THIS NON-COMPLIANCE on the southern side of the proposed building.

- The proposed high 1.8m front fence is non-compliant and unnecessary. There is a clear objective to maintain garden settings in Neighbourhood Character area H2 and a 1.8m high fence will not achieve this.

PLEASE DO NOT APPROVE THIS NON-COMPLIANT FRONT FENCE

3. **Visual bulk:**

- The house under construction to the north of the subject site, at 15 Crawford St, is a huge house that is completely out of character with the Street, especially in the way in which it extends so far back into the property. The proposed development at No 13, will extend even further back and present as a massive over-development to No 11 Crawford as well as to our home at 10 Victor Avenue.
- The proposed, huge dividing wall between the rear private open spaces of the two units adds to visual bulk and **should be deleted**.

- The visual bulk of the new house at 15 Crawford St should not be taken as a precedent for this development. Especially, this even more massive development should not be allowed on the basis of a poor precedent.

4. Neighbourhood Character

Clause 22.06-1 (Policy basis of Neighbourhood Character) states that

“Development in residential areas needs to respond to the particular built form and natural environment elements that make up the neighbourhood character of Bayside. These elements include topography, vegetation, building form, scale, siting, materials and front fencing.” (Emphasis added).

...

“This policy includes Objectives and Design Responses for ensuring that development is responsive to the key characteristics that make up the preferred future character of each precinct.” (Emphasis added).

The proposed development lies in precinct H2 and is non-compliant with multiple aspects of the preferred future character of precinct H2 and the objectives for Bayside Character area H2:

- The proposal is for a large and bulky building with non-existent articulation on north and south elevations
- The proposed development would be of a scale and form that is not consistent with the preferred character of precinct H2.
- The proposed additional cross-over and driveway (and parking in setback) fails to maintain garden settings
- It does not minimise impervious surfaces
- The proposed parking provision is too dominant

2. Inadequate parking

- A **single garage is insufficient** for units of this size.
- Relying on a second parking space in the front setback is a very **poor design outcome** that will be impractical in use and result in future residents not using the garages
- Front garages are **not consistent with precinct H2 objectives**

3. Open Space

The units have minimal private open space which is contrary to the objective of Precinct H2.

5. Internal Amenity

Council should be embarrassed that the report does not even address this aspect – given that it was raised in our objection.

Council has a responsibility to ensure that future residents enjoy a reasonable level of amenity in their homes. The southern unit (Unit 1) will have very poor amenity as it will have almost non-existent solar access, with **no north facing windows**.

- A more modest, front/back form of development would not have this issue.

We ask that you refuse this application.

Yours sincerely
Derek and Judy Wilson

2. Ms Lee-Anne Fisher (O)

Dear Councillors,

As advised by the A/Manager, Development Services, I am participating in the Planning and Amenity Delegated Committee meeting of 8 June, 2021 through the provision of a written statement.

My concerns relate to the proposed development of 13 Crawford St, Cheltenham.

Impact of the proposed development

The proposed development has two side by side units each of two storeys. The south-oriented unit is aligned to the living areas of my home, all of which are on that side of my house. Along the north side of my house is the living and dining room, the kitchen and family area and now that we are working from home, the home office. This proposal has real implications for our privacy and the extent of overlooking is clear from the plans.

My request is that:

- *The triple glass doors on the ground floor on the south side which will open onto my family room be removed, and*
- *Given the many windows and doors that will be facing my living and dining areas I request that all windows and doors on the south side of the unit have a privacy treatment.*

Inconsistency with Neighbourhood character precinct H2.

The report states (p252) that the proposal is considered to demonstrate an acceptable level of compliance with the preferred future character statement and precinct guidelines. The preferred character statement calls for 'low scale dwellings within established gardens that contain established trees. Front setbacks are large'.

The preferred character statement calls for avoiding 'large, bulky buildings'. It is not logical to claim as the report does that the proposed large bulk of the buildings is offset by having mixed elements on the façade. Different finishes do not change the fact that a very dominating angular building is proposed which replaces a three-bedroom, two bathroom home with eight bedrooms, eight bathrooms and adds a storey to the site, all behind a very high fence.

The report states the surrounding properties are a mix of single and double storey dwellings. The proposed units will be on the western side of Crawford Street where there is only one two storey dwelling which is a single house, not a multi-unit development. There are some double storey houses on the eastern side of the street where the blocks are 50 feet deeper and so better able to accommodate a larger structure.

My request is that:

The proposed front fence which exceeds the acceptable height be scaled back to be compliant with Council requirements.

Non-Compliance with Clause 55

The report notes that the first floor northern and southern side setbacks are non-compliant.

The first-floor southern side setbacks associated with the bathroom, bed 2, ensuite and WIR to Unit 1 are proposed to be 3.15m, where the standard requires a setback of 3.56m. This variation of 410mm is unacceptable; it overlooks our courtyard and the living and dining area of our home. It is incorrect to claim as the Council's report does, that this area is 'nonsensitive' use.

It is ludicrous to suggest, as the report does, that this non-compliance will provide a benefit by reducing visual bulk.

My request is that:

- *The Council does not approve a development which is not compliant with its own planning scheme. The plans must be modified to be made compliant.*

Access to the plans

The current arrangements for interested parties to view proposals is very poor; going to the council offices and looking at a laptop across a desk and behind a Perspex screen. It is impossible to get an accurate idea of the proposed plans. If the Council is committed to community consultation it should take immediate steps to improve the process.

Thank you for your consideration. I will watch the meeting on 8 June with interest.

Yours faithfully,

Lee-Anne Fisher

3. Miss Mietta Gleeson (S)

Dear Mayor & Councillors,

PLANNING AND AMENITY COMMITTEE MEETING –
AGENDA ITEM 4
PLANNING APPLICATION NO. 5/2020/597/1
NO. 13 CRAWFORD STREET, CHELTENHAM

1. INTRODUCTION

Urbis continue to act on behalf of the permit applicant with regard to the use and development of the land at No. 13 Crawford Street, Cheltenham, subject to Planning Permit Application No.5/2020/597/1.

The application for a two-dwelling development and associated tree removal is to be heard at the next Planning and Amenity Committee Meeting to be held on Tuesday 8 June 2021.

2. VEGETATION REMOVAL

The proposed vegetation removal associated with the development is considered appropriate with regard for both the site context and the decision guidelines of the Vegetation Protection Overlay – Schedule 3 (VPO3).

As confirmed in the submitted arborist report and from the Council arborist’s review, both Tree 7 and Tree 9 are supported for removal on the basis of their amenity and retention values (low and medium, respectively) and inconsistency with the neighbourhood character objectives of the VPO3.

Replacement planting, in accordance with the proposed landscaping requirements of the permit at Condition 10, will provide a more meaningful vegetation outcome in line with the preferred future landscape character. This includes the requirement for 80% native species and the provision of four new canopy trees to be planted on the subject site.

On this basis, it is considered that the proposed tree removal is in compliance with the objectives of the VPO3 and should be supported.

3. Response to Objector Concerns

In response to the objector’s comments, we submit the following:

Side-by-side development & Neighbourhood Character

Side-by-side dual occupancy developments are common throughout Bayside, particularly on lots with the standard frontage length of 15.24 metres. The proposed contemporary built form on the site adds to the diverse character of development that is evident throughout the area where a range of built form styles are present.

The proposal appropriately responds to the preferred character of Precinct H2 and shows compliance with the design guidelines of Clause 22.06, these include allowing for; adequate garden space, interesting and articulated facades, a mixture of materials and finishes and vegetated and open setbacks.

Notably, the precinct design guidelines do not discourage side-by-side development. As such, we find that a dual occupancy development in a side-by-side formation is suitable for the site and fits comfortably within the existing neighbourhood character of the area.

Visual Bulk

The proposal doesn't reflect an over development in context of the street as there are numerous examples of developments with a length relative to that of the of the proposal.

Examples of properties similar in terms of length to the proposal. This includes 15 Crawford Street, as well as a number of battleaxe dual occupancy examples that extend the length of the site (leaving little room for soft landscaping and with a much greater level of built form coverage than the proposal).

Further to this, it is noted that any perceived visual bulk from the adjoining properties is mitigated through proposed minimum upper level setbacks over 3 metres from the side boundary. In addition, the development proposes variation in the setbacks to provide articulation and break up the building mass. As well as canopy tree planting in the rear setback of each dwelling to soften views to the built form.

Garden Area and Impervious Surfaces

It is confirmed that the proposal provides a garden area of 41.74% and site permeability of 41.78%, which are both well in excess of the requirements of the Bayside Planning Scheme.

This outcome ensures there is adequate space for landscaping, including canopy tree planting in the front and rear of each dwelling, as shown on the advertised landscape plan. This landscaping outcome will be implemented as part of the development in line with the proposed landscaping requirements of the permit at Condition 10.

Private Open Space

Each dwelling is provided with an adequate provision of private open space. This includes secluded private space at the side and rear of each dwelling, that is easily accessible from the living area, and is well in excess of the requirements of Standard B28.

Car Parking

The proposed provision of car parking is in accordance with the requirements of Cluse 52.05 of the Bayside Planning Scheme.

Overlooking

The development has been designed to limit any opportunity for overlooking. Appropriate measures to ensure no unreasonable overlooking to the adjoining properties will be ensured by proposed Condition 6 of the planning permit, which requires fixed privacy screens to be provided in accordance with Standard B22.

4. Conclusion

Based on the above, and the planning officer's assessment of the application, it is submitted that this planning permit application reflects a well resolved proposal and warrants favourable determination.

Should you wish to discuss any matters of the application please contact me on 0421 479 752 or via email at mgleeson@urbis.com.au.

Yours sincerely,

A handwritten signature in black ink that reads "M Gleeson". The signature is written in a cursive, flowing style.

Mietta Gleeson
Senior Consultant

Item 4.8
26 Erowal Street, Beaumaris

1. Mr Andrew Stewart (O)

Although we are disappointed that this plan is being upheld, we thank you for the detailed report and for taking into consideration the concerns lodged relating to the impact on the solar-system and, based on the initial plans submitted, the removal of fencing on my boundary. My apologies if this has been covered in the report but, can Council please confirm;

1). Whilst appreciating the analysis provided, please confirm recourse should the solar system be impacted and cease to function through the loss of sunlight.

We firmly believe that, due to the low-lying nature of our dwelling, the analysis significantly underestimates the loss of sunlight resulting in a deterioration of available sunlight and solar functionality.

2). Timing of the amended plans (with amendments) being made available to view online.

There is a concern that the kitchen may have views into one of the children's bedrooms - a review of the plans would either confirm or allay these concerns.

3). The new, amended, plans will show the wall of the garage be set away from the boundary and fence line.

4). That relating to Section 4, clause 1a, will Council, monitor the project to ensure agreed changes are adhered to?

Where does the accountability lie and will Council ensure works are carried out correctly and boundaries are not breached further?

2. Ian Urquhart (on behalf of Beaumaris Conservation Society) (O)

BCS objects strongly to this application.

This site is covered in native trees and bushes, it provides habitat and is a strong ecology site for native animals, birds and insects.

The coastal Mana Gum and Tea Tree are both natives trees and are protected by the Vegetation Overlay which is a local law to protect this site.

The applicants Arborists report concludes every tree on this site is in poor condition. Of course he would, he is paid by the applicant.

The issue is that these trees are currently providing habitat and will continue to do so into the future. When we visited this site at the time the property was for sale, these trees were strongly supporting local wildlife. They were full of happy Native Birds.

We are in a situation once again, where a developer/applicant has purchased the site, which is covered in trees protected by the Vegetation Protection Overlay and for whatever reason feels they are entitled to apply to their local council to remove them. This Tree protection overlay amongst others is clearly outlined on the contract of Sale.

Why do they feel entitled to ignore this overlay and apply to remove the protected trees. I am sure they wont be applying to build over the easement or build a 3 story property which are covered under other planning acts and overlays.

To make it worse, the proposed 2 x townhouses, do not allow for any canopy trees to be planted on either side of the properties, this is clearly overdevelopment.

Trees actually need room light and room to grow.

Lastly we are aware of other ethical developers who passed up on this site due to the amount of protected native vegetation and its location.

The Coastal Mana Gum and the large horizontal Tea tree are positioned in the middle of the back yard! This is not a dual occupancy development site.

A new home could be built on this site and the trees could be retained as local law requires them to be. 2 x Townhouses cannot be built on this site which is covered by the Vegetation Protection Overlay.

The question is what gives the applicant the right to even apply for the vegetation removal on this site?

3. Ms Pauline Grimau (O)

Statement

Planning & Amenity Delegates Committee Meeting held on the 8 June 2021

| Item number | Issue |
|-------------|--|
| 4. | <p>Query how it is possible for a tree in the rear of the west dwelling (outside the easement area) capable of reaching 8 metres minimum height at maturity will be possible as it will be beneath the canopy of a mature elm tree.</p> <p>Existing trees along east boundary of No.24 will not receive enough sunlight to maintain growth.</p> |
| 6.1 | <p>Would Council please explain why they are not upholding the required minimum side setbacks? Similarly, the top story exceeds the Bayside setback.</p> <p>The design is not in keeping with the regulations. I am all for appropriate development. I would like to see the Council uphold their rules and regulations.</p> <p><i>“There is a habitable room window associated with the western neighbour that partially aligns with the position of the kitchen “ - this will be in view from a bedroom window.</i></p> |
| 6.8 | <p>Proposed garage wall on the western boundary is not a desirable outcome and out of character with the neighbourhood character.</p> |

4. Mrs Rimma Belkin (A)

APPLICANT Response to objections

Application No: 5/2021/74/1

Address: 26 Erowal Street BEAUMARIS

Proposal: Construction of two dwellings on a lot and removal of native vegetation

Dear Joseph

E&N PLANNING have been engaged by the applicant to provide a response to the two (2) objections received to the application at No. 26 Erowal Street Beaumaris.

As the Council would be aware, the site is located in a street and neighbourhood that is undergoing transition with older homes being incrementally replaced with larger double storey dwellings and multi-dwelling developments, including 'side-by-side' 'boundary-to-boundary' dual-occupancy developments (such as No's. 5 and 5A Erowal Street; No's. 8 and 8A Erowal Street; and No's. 20 and 20A Erowal Street). Given the context of the site and housing character of Erowal Street, it is considered appropriate to propose a design response for the site that includes a 'side-by-side' double storey dual occupancy development.

The first floor of each dwelling is also recessed from its ground floor footprint, and includes generous side and rear setbacks (3.345 and 8.545 metres respectively) to ensure an articulated built form is achieved and sunlight to east and west facing windows of the adjoining dwellings at No's. 24 and 28 Erowal Street are not impacted. This also ensures the development does not propose any sheer "slab" like walls and "box" like buildings and does not impact sunlight access enjoyed by the adjoining properties;

Response to objections received to the application

Objection received from owners/occupiers of No. 28 Erowal Street Beaumaris

Matters raised:

1. Impact on existing solar roof top solar panels and pool solar blanket; and .
2. Placement of garage wall on the boundary in lieu of a fence.

Response

Matter 1

Pursuant to Clause 55.03-5 Energy efficiency objectives Standard B10 which states:

“ Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.....”

The decision guidelines included in this clause require the responsible authority to consider:

- The design response.
- The size, orientation and slope of the lot.
The existing amount of solar access to abutting properties.
- The availability of solar access to north-facing windows on the site.
- The extent to which an existing rooftop solar energy system on an adjoining lot is overshadowed by existing buildings or other permanent structures.
- Whether the existing rooftop solar energy system on an adjoining lot is appropriately located.
- The effect of overshadowing on an existing rooftop solar energy system on an adjoining lot.

The objector's property is located to the east of the subject site and includes a solar panel array mounted located along the western face of their single storey dwelling pitch roof at a distance of about 2 metres from the side property boundary.

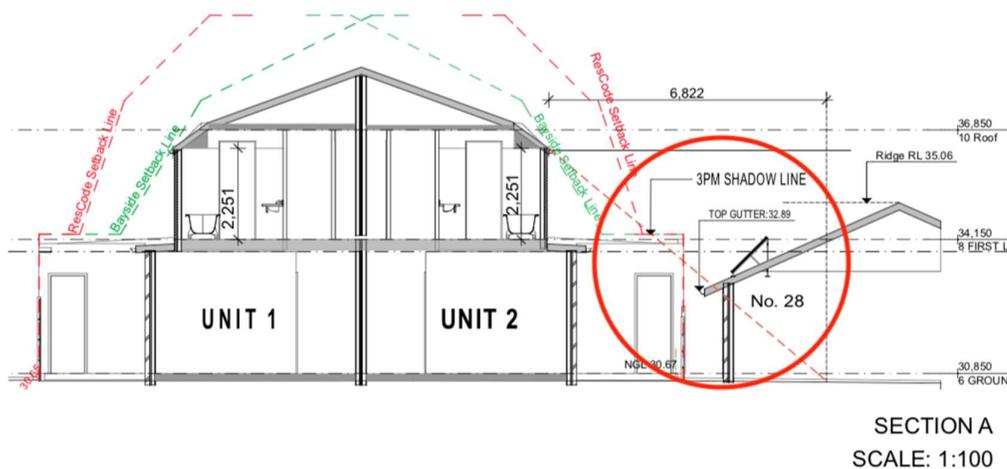
This solar array faces west but is also aligned north-south so as to receive sunlight from both the north and west.

As can be seen from the submitted plans, the overshadowing generated by the proposed dwelling 2 will not have a detrimental impact on sunlight access to the array.

The proposed dwelling has a wall height of between 5.701 and 5.791 metres adjacent the objectors site and this is setback at least 3.345 metres from the property boundary and about 4.5 metres from the solar panel array.

Given the proposed dwelling is located to the west of the objector's property and includes a modest wall and roof height and generous setback, it will not overshadow the solar panel array during peak sunlight hours.

As can be seen from the diagram below taken from Drawing No. TP5-8 Rev – A dated 12.04.2021 submitted with the application, the shadow cast by proposed dwelling 2 on the objector's property still does not impact the solar array at 3 pm. This means the solar panels receive full sunlight throughout the whole day and may only be slightly impacted after 3.30 to 4pm.



The objection also raises concerns about potential impact of the proposal on solar access to a swimming pool located at the rear south-eastern portion of their site.

This swimming pool is located a significant distance away from the development site and will not have its solar access affected. In fact, the swimming pool is currently affected by the objector's own single storey dwelling which casts a shadow during the late afternoon.

The extent of overshadowing being generated by the proposed development also fully satisfies Clause 55.04-5 Standard B21 in that adjoining dwellings will continue to receive well over the minimum of five hours of sunlight between the hours of 9am and 3pm on September 22.

Matter 2

Garage walls are permitted on a boundary pursuant to Clause 55.04-2 and Standard B18 as long as they do not constitute a length of more than 10 metres plus 25 percent of the remaining length of an adjoining lot. The proposal fully satisfies this Standard.

Objection received from owners/occupiers of No. 24 Erowal Street Beaumaris

Matters raised:

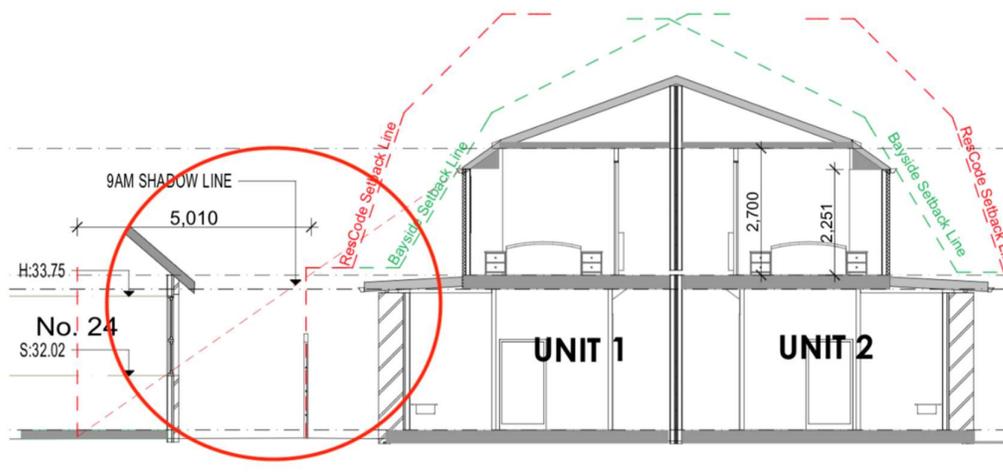
1. Overshadowing impact on kitchen, bathroom toilet and 3 habitable rooms;
2. Setback of dwelling from side property boundaries;
3. Frontage setback of dwelling;
4. Inadequate first floor side setbacks; and
5. Minimum lot size.

Response

Matter 1

As mentioned earlier in this submission, the extent of overshadowing being generated by the proposed development fully satisfies Clause 55.04-5 Standard B21 in that adjoining dwellings will continue to receive well over the minimum of five hours of sunlight between the hours of 9am and 3pm on September 22.

As can be seen from the diagram below taken from Drawing No. TP5-8 Rev – A dated 12.04.2021 submitted with the application, the shadow cast by proposed dwelling 1 on the objector's property will have minimal impact their east facing windows which will receive full sunlight from 9am. Some impact may occur on these windows before this time however this is expected to be similar to the impact generated by the existing adjoining single storey dwelling.



Pursuant to clause 55.04-3 Daylight to existing windows objective and Standard B19 which states:

- Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.
- Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.
- Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window. “

The proposal fully satisfies this standard and the objector’s east facing windows will continue to receive daylight.

Matter 2

Council has introduced a local variation to Standard B17 of Clause 55.04-1 requiring the following:

“A new building not on or within 200mm of a boundary should be set back 2 metres from the side boundary, and 3 metres from the rear boundary, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 2 metres for every metre of height over 6.9 metres.”

Standards can be varied and are not considered as the only way an objective of a policy can be achieved.

In this instance a minor reduction of 446mm is proposed to a small part of the side ground floor setback of both dwellings to add further articulation to the ground level elevation.

This minor setback reduction does not impact the amenity of adjoining properties and is consistent with the side setbacks of dwellings in the street including the western setback of the objector’s dwelling.

Matter 3

As mentioned earlier in this submission, both dwellings include a ground floor frontage setback of 9.955 metres and first floor setback of 9 metres, which are generally greater than the average setback of dwellings in the street and is fully compliant with the 9 metres required under Council's Clause 55 replacement Standard B6 contained in Schedule 3 to Clause 32.09 Neighbourhood Residential Zone.

Matter 4

As mentioned above, pursuant to clause 55.04-1 Side and rear setbacks objective and B17 replacement Standard contained in Schedule 3 to Clause 32.09 Neighbourhood Residential Zone, the following is required:

“A new building not on or within 200mm of a boundary should be set back 2 metres from the side boundary, and 3 metres from the rear boundary, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 2 metres for every metre of height over 6.9 metres.”

The proposal includes an architectural feature parapet wall along the front elevation of both dwellings. Whilst the parapet does extend beyond Council's side setback requirements, it does not extend the upper floor elevations closer to the side boundaries.

As also mentioned earlier, Standards can be varied and are not considered as the only way an objective of a policy can be achieved. A variation to accommodate the parapet wall is considered warranted in this instance as it will add significant visual interest to the street front presentation of the development without impacting the amenity of adjoining properties.

Matter 5

The planning scheme does not include a 400 square metres minimum lot size per dwelling for development. The site has an area of 783 square metres and is capable of being developed for more than one dwelling.

5. Mrs Elena Kiseleva (A)

To the Bayside Planning and Amenity Delegated Committee

Application No. 5/20121/74/1

Address: 26 Erowal Street, BEAUMARIS

From owners of Eastern Dwelling E.Kiseleva and V.Kiselev with the support of western unit owners R.Vaschenko and V.Vaschenko

Request to be heard to the agenda of Planning and Amenity Delegated Committee meeting.

Dear Mayors and Councillors,

We refer to Planning and Amenity Delegated Committee Agenda submitted by Bayside City Council Planner department to provide recommendation on development at 26 Erowal Street, Beaumaris.

Being future owners of the Eastern dwelling we carefully reviewed Report and Recommendations from planning department. We are very thankful and appreciative that planning department support our application and advertised plans and kindly asking to reconsider and eliminate proposed condition stated under Recommendations (4.1.a) page 305 of Agenda.

The proposed recommended condition is stating that: *"the Eastern dwelling to be set back from the boundary at least 2 metres and that increase to be absorbed into the proposed footprint of the dwelling"*.

We would like you to reconsider above recommendation, as future residents we have some concerns on this condition outlined below:

- 1. Proposed changes will cause change of layout of the unit, thus the entrance door will be located behind the garage and will be obscured and isolated from the street.**

We prefer the latest design of the advertised plans, as being a parent of two little girls after careful consideration we decided that boundary-to-boundary layout option will be most appropriate for our family needs and reflect better security and safety.

Safety and security in the area become one of the main concern since couple of events recently happened in the Bayside area.

- a) We became victims of criminal damage of our recently purchased property on 26 Erowal Street, Beaumaris and reported to Victoria Police the crime on **18th of April 2021**. Police advised that Bayside City Council would be informed as well.

Just 12 days after settlement date we found out our property was damaged by criminal. This incident caused a lot of worry for and anxiety of our children. Please see the proof of lodged report with the relevant reference number at the appendix of this latter.

- b) Channel 9 News shocked many Victorian parents when reported multiple crimes happened in one of the Bayside Park on the **30th of March 2021**. Based on the channel 9 News crime involved two teen age boys sexually harassed and assaulted and one girl was raped by the gang. Please refer to the link below for your reference:

<https://7news.com.au/news/melbourne/bayside-parks-in-melbourne-including-dendy-have-string-of-violent-crimes-c-2461982>

After all these events, security become one of the main concern.

It is very important for us as a growing family, as by the end of construction we plan to enrol our older daughter to Beaumaris Secondary school and expect that she will travel to and from school by herself, as we are both working full time and cannot drop off /pick up her from the school. So we are thinking that **our proposed latest design with boundary-to boundary layout will provide the best security for our children and the best possible outcome for our family needs**. As safety and wellbeing of our children is a main priority for us as parents.

Based on the above **from the bottom of our hearts we are kindly requesting you to approve our currently proposed and advertised plans without changes of the garage wall boundary**.

- 2. Recommended condition on the change of the setback of the garage wall from the boundary will amend current layout and abolish the design of allocated study area downstairs.**

Being in the **COVID-19 environment** with multiple lockdowns in more than a year, we all recognised how **important is to have study/working** allocated area in the house. Last year we experienced a lot of pressure when both of us were working from home, consistently having multiple online meetings and children studying online for many months. **As a growing family we designed our future home to accommodate our needs and to allow work and study in the separate areas of the house. So we are pleased to ask you to keep current design which is very important for us as a family.**

- 3. Our proposed and advertised plans designed with Bayside Planning Scheme standards and requirements, with respect of our neighbourhood and emerging boundary-to boundary characteristic of the street.**

We were very cautious when we planned our development and our experienced architect took into consideration all standards of clause 55 of Bayside Planning Scheme. **With a lot of respect to our neighbours and community, we preferred boundary-to-boundary layout option, as boundary-to boundary construction is emerging character of the street and most of recent developments on the street were constructed with this approach.** We also tried to align design characteristics of our proposed dwelling with characteristics of the existing neighbourhood area by choosing similar colour scheme and building articulations to make our future home consistent with our neighbourhood area, **so please do not amend our advertised plans.**

Conclusion:

Dear Mayors and Councillors,

As Bayside residents we are truly believe that you are acting in the best interest of your people and community and trust that you will carefully consider our letter and grant the right decision. Based on the reasons described in this latter **we respectfully asking you to keep and support our currently advertised plans with boundary-to-boundary layout and to not issue a condition to set back the wall of the garage from the boundary, thus allowing us to have a dream home** with a sufficient security for us and our children. Children are our future, and future of Australia, as adults we should protect them and act in the best interest to secure their wellbeing.

Appendix 1:

1. Police report reference, for damage of our property 26 Erowal Street, Beaumaris.

NOTICE TO THE VICTIM -
23505847

NOTICE TO THE VICTIM - VP
IMPORTANT INFORMATION Form
L1

This is your copy of the report made to police - please keep it. Your insurer may require a copy of this if you lodge an insurance claim for stolen or damaged property.

The police will do their best to find the person responsible. Police investigations can take some time to complete.

The police will ask you if you wish to be kept informed about the progress of your case. This may include if an offender has been charged, outcomes of bail applications and court results. You should let the police know if you have any concerns for your safety.

THE POLICE INVESTIGATOR
LOOKING AFTER YOUR CASE IS SBY Bayside

ON POLICE /
EMAIL: CIU ON [85305100](tel:85305100)
TELEPHONE:

| REPORT BY MEMBER NAME | PAL PAL- OLR | MEMBER Reg. No. | MEMBER STATION | Police Assistance line |
|-----------------------|--------------------------|--------------------------|--|------------------------|
| | | 1 | | |
| | | 1 | | |
| REPORT DATE | 18/04/2021 | REPORT TIME | 1 2 A M | |
| LEDR MK2 No. | 23505847 | BRIEF SUMMARY OF OFFENCE | 419A - CRIMINAL DAMAGE (INTENT DAMAGE/DESTROY) Erowal Street Beaumaris, VICTORIA 3193 | |
| | | | DAMAGED PROPERTY | |
| | | | STOLEN PROPERTY TOTAL | |

Item 4.9

Royal Melbourne Golf Club – Cheltenham Road, Black Rock

1. Ian Urquhart (on behalf of Beaumaris Conservation Society) (O)

Good evening all,

The application includes the removal of some 13 trees protected by VPO3 as well other trees that are not protected. Amongst the protected trees are a cluster of tee trees and 3 mature healthy Eucalyptus trees.

The proposal involves the construction of a basement car park and associated alterations to adjacent structures and landscaping.

The proposal has come to our attention as a clear and present example of the failure of the Organisation to adequately critique such applications for tree removal in a time of recognised climate emergency.

The recommendation to grant a permit also highlights the impotence of the VPO as currently constructed to protect native vegetation. .

After attending the Urban Forest Strategy Meeting held by Council on Saturday, if this is approved the 18% tree coverage (from figures 3 years old?) will be further depleted. What is Council doing to encourage good design which considers existing trees that form part of the BCC Urban Forest Strategy?

One of the 3 Eucalypts is a Lemon Scented Gum of 20 m. height and diameter at breast height (DBH) 95 cm. described (rather conservatively) in the Arboricultural Assessment as of 'Moderate to High' value.

The only offset requirement imposed on the proponent to gain approval is to plant an equivalent number of seedling trees capable of reaching the same height at maturity.

We have no guarantee that all or any of the seedlings will ever reach maturity. Even if they do, we are left with a wait time of 25 - 35 climate critical years over which time we will lose not only the amenity value of the removed trees but also the eco-system services value which, for the Lemon Scented Gum alone, would amount to several hundred thousands of dollars.

A casual inspection of the plans suggests that if the architect had been advised in advance that the tree warranted protection, they would easily have reconfigured the layout of the development to accommodate the tree and its root zone.

I urge the Committee to send the proposal back to the planners requesting them (at the very least) to amend the plans in order to retain the Lemon Scented Gum.

I also urge the Council to initiate a rewriting of the VPO to place effective limits on grounds for removal of protected trees, to reflect the goals of both the proposed Urban Forest Strategy and the Climate Emergency Action Plan.

2. Mr Paul Little (A)

8 June 2021

Chair & Councillors of Planning and Amenity Delegated Committee
Bayside City Council
76 Royal Avenue
Sandringham
VIC -3191

Via online portal

Dear Chair & Councillors of Planning and Amenity Delegated Committee,

**AGENDA ITEM 4.9 – PLANNING PERMIT APPLICATION 2021/190/1
ROYAL MELBOURNE GOLF CLUB, CHELTENHAM ROAD, BLACK ROCK – EBDEN
WARD**

We continue to act on behalf of Royal Melbourne Golf Club Inc. the owner and permit applicant in respect of land comprising the Royal Melbourne Golf Club, ('the Site').

We welcome the ongoing engagement with Council and the opportunity to make this submission in support of planning application 2021/190/1.

The proposal to upgrade the Royal Melbourne Golf Club ('RMGC') Clubhouse Precinct including the removal of vegetation to facilitate construction is a highly resolved design response consistent with the strategic direction of the Bayside Planning Scheme.

The ongoing stewardship of the native vegetation population on Site is supported by an integrated landscape strategy which will be implemented in liaison with Council officers and the Bayside Community Plant Nursery.

The improved facilities will ensure RMGC can appropriately maintain a world class facility and continue to provide an internationally acclaimed sporting and recreation asset for the City of Bayside and the State of Victoria.

The officer's report identifies the clear strategic policy provisions that inform their recommendation and the technical analysis of the Bayside Planning Scheme relative to the proposal's built form response, off-site amenity impacts, landscaping contribution and car parking.

We support the officer recommendation to grant a planning permit, including the conditions contained therein and respectfully request Councillor's careful review the merits of the proposal in the context of the officer's detailed assessment and clear strategic support for the proposal.

Should you require any additional information or wish to discuss this application in further detail, please contact the under-signed on 8626 9000 or Kirsty Slater (email: slater@pppartners.com.au).

Yours sincerely,



Paul Little
Planning & Property Partners Pty Ltd

