

Requests to be Heard

11 July 2023

Planning and Amenity
Delegated Committee Meeting

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Item 4.2		Objector (O) Supporter (S) Applicant (A)
17 Wattle Avenue, Beaumaris		
Requests to Speak		
1.	Ms Laura Gosen	(A)
2.	Mr Damon Gosen	(A)

Item 4.4		Objector (O) Supporter (S) Applicant (A)
32 Haldane Street, Beaumaris		
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1.	Mr Aiden Spence (on behalf of Taylors Development Strategists)	(A)
2.	Anonymous	(A)

Item 4.6		Objector (O) Supporter (S) Applicant (A)
148 Were Street, Brighton		
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1.	Mr David Alsop (on behalf of 144 Were Street Brighton Body Corporate)	(O)
Requests to Speak		
1.	Mr Jack Fryer	(O)
2.	Mr David Tennant (on behalf of Sync Architecture)	(A)
3.	Mr Ryan Jaffari	(A)

Item 4.8		Objector (O) Supporter (S) Applicant (A)
322–326 New Street and 71–73 Bay Street, Brighton		
Requests to Speak		
1.	Ms Alice Maloney	(A)

WRITTEN STATEMENTS

Item 4.4 32 Haldane Street, Beaumaris		Objector (O) Supporter (S) Applicant (A)
1.	Mr Aiden Spence (on behalf of Taylors Development Strategists)	(A)
<p>Dear Sir / Madam,</p> <p style="text-align: center;">Contribution to Planning and Amenity Delegated Committee Meeting Item 4.4 – 32 Haldane Street, Beaumaris</p> <p>We continue to act on behalf of Boutique Homes in relation to the land at 32 Haldane Street, Beaumaris ('the site').</p> <p>We have been notified by Bayside City Council that our planning application for the removal of vegetation at the abovementioned address will be a matter of discussion at Council's Planning and Amenity Delegated Committee meeting on Tuesday 11 July 2023.</p> <p>As per Council's letter dated 27 June 2023, we as the applicant are eligible to lodge a written statement to further justify the proposed tree removal on the subject site. Our statement and justification below pertain to the proposed removal of the following trees:</p> <ul style="list-style-type: none"> • Tree 5 – <i>Callistemon viminalis</i> (Weeping bottle brush) • Tree 21 – <i>Allocasuarina torulosa</i> (Forest she-oak) • Tree 25 – <i>Eucalyptus leucoxylon</i> (Yellow gum) • Tree 26 – <i>Leptospermum petersonii</i> (Lemon-scented tea tree) <p>Further Submissions</p> <p>We would firstly like to acknowledge that we do agree that a select number of trees on-site could be retained with regard to the extent of proposed encroachment representing a minor encroachment under Australian Standard AS4970-2009, but as we are sure Council are aware, the practical realities of removing the existing dwelling and constructing a new dwelling deemed it worth initially seeking permission for tree removal for efficiencies sake. In saying that, there is a select number of trees on-site that simply cannot be retained by virtue of their unreasonable encumbrance in preventing the proposed built form outcome on-site.</p> <p>With regard to Tree 5, the proposed development will impose a major encroachment into the Tree Protection Zone (TPZ) of Tree 5 located within the front setback of the site. The proposed works, including the proposed dwelling, site cut and driveway, will impose an encroachment of approximately 24.64% into the Tree's TPZ. This is considered a major encroachment pursuant to Australian Standard AS4970-2009.</p> <p>As such, if Tree 5 were to be retained, the proposed works have a high possibility of impacting the tree's long-term health and viability, hence is unsuitable to be retained after construction of the dwelling. Furthermore, its removal can be adequately offset by the replanting of an indigenous canopy, which was</p>		

proposed as part of our initial application. The Landscape Plan prepared by Taylors depicts the replanting of one (1) *acacia implexa* (Lightwood) within the front setback of the site, which is capable of growing 8 to 15 metres in height at maturity. This tree, amongst other vegetation proposed for replanting onsite, is indigenous to Bayside City Council, or native to Australia. Should it be deemed that this tree must be retained, our client can explore alternative and less invasive accessway treatments, such as permeable paving or grasscrete, although the landowner's preference here is re-landscape the front setback to achieve a more well-manicured and attractive soft landscaping presentation to the streetscape.

With regard to Tree 21, it is evident that the proposed service trench will impose a direct and sizable impact upon the tree's viability post construction, being located within the Tree's TPZ. The tree's location at the corner of the site, provides no apparent contribution to the vegetation character when viewed from the streetscape. Furthermore, as observed within the arborist report prepared by Arbkey Urban Forest Professionals, this tree's canopy is in decline, indicating the tree's health is slowly decreasing. However, canopy coverage will still be provided at the rear of the site as a result of Trees 19, 20 and 22 located within properties adjacent to the subject site. By virtue of this tree being in decline, we believe it worth of removal to allow the establishment of a new canopy tree in this location that will prosper. If this tree is to remain, the advice we have received is that it will ultimately die and require replacement anyway.

Whilst no encroachment is proposed within the Tree Protection Zone of Tree 25, its character contribution is minimal to nothing in this instance. By virtue of its siting and location behind the existing dwelling, the degree of dense vegetation proposed within the front setback, and its relatively slim appearance, we are of the opinion that this tree could be reasonable replaced with a more substantial and robust species. Should the Councillors resolve to allow the removal of this tree, we would of course welcome a suitable worded condition of permit requiring the planting of a more substantial tree on-site within the rear setback.

Regarding Tree 26, we have been advised that the proposed redevelopment cannot proceed if this tree were to be retained onsite. The proposed site cut is required to accommodate an appropriate building outcome for the proposed dwelling. The proposed site cut is there to ensure that there is the necessary building platform required to facilitate the delivery of a new home that is at grade and accessible. The retention of Tree 26 will heavily restrict any building foundations to be established for the dwelling, which does not require planning permission to be built. Hence, construction will be impossible in its current form if this tree were retained in conjunction with the proposed siting on the dwelling. Furthermore, any options to reduce the 1.8 mere building platform or re-siting of the dwelling to accommodate, will still require site cut into the tree's protection zone and structural root zone, which will still be adversely impacted. To depict the extent of encroachment proposed by the dwelling and associated works, please refer to the image below provided by Boutique Homes. This image shows the TPZ and SRZ of each tree onsite and immediately abutting the property.

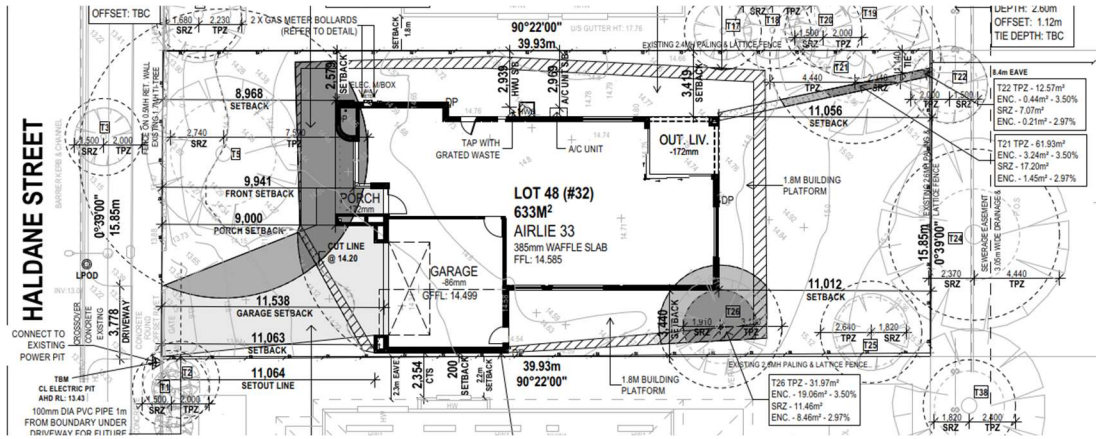


Figure 2: TPZ and SRZ encroachment (Boutique Homes)

The removal of this tree is also warranted by virtue of its size and actual contribution to the landscape character of the streetscape. This tree is only visible, by virtue of its size and location, from narrow and minor oblique angles south of the site as highlighted below in Figure 2.



Figure 2: Oblique Streetscape Imagery from Haldane Street (Source: Google Maps)

Furthermore, this tree can be easily offset through the provision and implementation of one or more additional canopy trees on-site which are native to the area as opposed to retaining the existing tree, that whilst native to Australia, is not native to the area and hence has evidently been planted in-site.

By virtue of this tree providing little to no contribution to the landscape character, it not being a native species to the area, the imperativeness of this tree being removed to allow any sort of reasonable re-development on-site, and the ability to accommodate more robust and prominent tree planting offsets and species that are native to the area, we respectfully request and plead that Council vary the recommendation put forward to them to allow the removal of Tree 26.

In conclusion, we need to emphasise that the landscaping and vegetation on-site has been un-kept and unmanaged for a number of years, and that whilst these trees may trigger a planning permit for removal, not all of these trees present any sort of tangible value or significance with regard to their presentation to the public realm, particularly with regard to Trees 25 and 26 which are nominated to have low arboricultural value from the project arborist. Furthermore, and as discussed above, this application presents an opportunity to provide an improved and well managed landscaping outcome on-site that utilises trees and plant species that are indigenous to the area and that align with the relevant EVC planting guides for Bayside.

On the basis of the above, and the material provided throughout the application process, we respectfully request that Council move to vary the recommendation before them and permit the removal of Trees 5, 21, 25 and 26.

Should you have any queries please contact the undersigned on 9501 2800 or at a.spence@taylorsds.com.au.

Yours faithfully

A handwritten signature in black ink, appearing to read 'A. Spence', written in a cursive style.

**AIDEN SPENCE
PROJECT PLANNER**

Dear Sirs and Madams,

Please accept the below written statement in support of our application.

For many years, we have dreamt of living in the leafy Bayside council suburb of Beaumaris. A year ago, we purchased the property. The existing dwelling is a small 2 bedroom house which was built over 40 years ago. We appreciate the individuality of the existing dwelling and have explored options of extending the current structure to retain it. Due to high levels of asbestos, stump damage, excessive mould and very poor energy rating, we believe that replacing the current house with a 6-star energy rated home would be the most viable option and better for future climate and environment needs.

Our application for removal of Trees 5, 21, 25 and 26 onsite is due to the following:

1. Tree 5 – an encroachment of 24.64% will be imposed into the tree's TPZ and is located within the site's front setback. This is considered a major encroachment as per Australian Standard AS4970-2009. The tree is located within the property's front set back. We are absolutely committed to re-vegetating this tree with one that is Indigenous to Bayside Council. The proposed tree to be planted is significantly larger, and has an estimated maturity height of 8-15 metres which is much greater than the existing tree 5. We believe this will add to the streetscape and provide additional greenery.
2. Tree 21 encroaches the corner stack to the property. The proposed service trench will impose a direct and sizable impact upon the tree's viability. We are completely committed to re-vegetating this tree with one that is Indigenous to Bayside Council.
3. Tree 25 is experiencing a canopy decline, is of low arboriculture value and is not visible from the street and has no tangible contribution to the vegetative character when viewed from the street. We absolutely welcome any council recommendations to re-vegetate this tree with more trees that are Indigenous or Native to Bayside Council.
4. Tree 26 will not allow for our family home to be built. The proposed site cut is required to accommodate an appropriate building outcome for the proposed dwelling. The proposed site cut is there to ensure that there is necessary building platform required to facilitate the delivery of a new home that is at grade, safe and accessible. As per our arborist report, the tree is experiencing a canopy decline, is of low arboriculture value and is not visible from the street and has no tangible contribution to the vegetative character when viewed from the street. Please see below photos of the current tree. You will note the tree will not allow for safe side access to the property, and the size of the canopy will not allow for the house to be built, and the necessary scaffolding and safety equipment to be used.

Our building plan indicate a total garden area equating to approximately 58.39% of the site area. This was very important to us, we wanted to ensure that the house built allows for a substantial green area. We are truly committed to planting more Indigenous Trees as recommended by the Council.

Thank you kindly for your consideration.

Item 4.6 148 Were Street, Brighton		Objector (O) Supporter (S) Applicant (A)
1.	Mr David Alsop (on behalf of 144 Were Street Brighton Body Corporate)	(O)
<p>Bayside City Council APPLICATION no 5/2023/38/1 148 Were Street, Brighton Construction of three (3) dwellings</p> <p>David H Alsop Chair Body Corp 1154 144 Were Street, Brighton</p> <p>8th July, 2023</p> <p>The following comments are raised in connection with the nine Architects' drawings.</p> <ol style="list-style-type: none"> 1. Neighbourhood Character – the subject site is in the middle of 15 properties between Handy Street at the west and Roslyn Street at the east. This portion of the street is typically single storey residences with pitched tile roofs. There are 3 two-storey residences of more recent construction which are sensitively designed to blend with the surrounding residences. The subject property is notable as an older two storey clinker brick of elegant design. This building is much admired. It is acknowledged that the internal planning is outdated and due for refurbishing. 2. The proposal is a stark structure with a flat roof and internal gutters. It relates in no way to the neighbourhood character which is much admired and valued by the Bayside community. On the street front, the proposed unit number 1, a curious curved porch is indicated. Adopting a straight front elevation could present an opportunity to relocate the classical front door surround thus “softening” the building’s presentation to the street. 3. The drawings are not clear particularly the west boundary on the ground floor. It is unclear if the timber fence is retained or if the masonry walls are on the boundary. <u>Please clarify this.</u> 4. It is noted that the windows on the east elevation have glazing to 1.7m with glass of limited transparency for privacy for various houses adjacent to the east. 5. On the west side no special glazing appears to be mentioned for the windows over-looking residences 1 and 2 of 144 Were Street. <u>Please clarify this.</u> 6. <u>Reviewing the whole development, it is clear that the proposed development of three four bedroom residences is plainly too big for the site.</u> It is noted that there is an access path along the east side to units 2 and 3. Narrow garden beds are indicated along the two sides of that path. Clearly these would be only suitable for small shrubs offering no possibility of “softening” the east elevation. The eastern neighbouring properties (single storey) are going to be presented with a large building almost the full length of their site about the same height as the highest point of the roof of the subject building. The situation for the west side is similar. Parts of the large building will be on the boundary. There is little opportunity for planting anything of size to “soften” the western side. 7. A possible alternative would be to preserve the existing brick residence and modernize it as necessary. A second residence of higher quality could be designed on the back half of the site together with car parking between the two houses. 8. The return on investment by creating two high quality residences would be better than three mediocre residences with very limited outdoor space. A solution of this kind would preserve the neighbourhood character and be in accordance with Bayside objectives. 		