

Submission to the New Residential Zones Advisory Committee Public Hearing

From: Beaumaris Conservation Society Incorporated

Date: 11 June 2009

Submission presented by Chris Sutton,
Junior Vice-President,
Beaumaris Conservation Society Inc.



**Beaumaris
Conservation
Society Inc.**

Association Number A00348878

PO Box 7016

Beaumaris Victoria 3193

T/F 9589 5194 M

0429176725

info@beaumarisconservation.net

www.beaumarisconservation.net

On behalf of the Beaumaris Conservation Society Incorporated (BCS) I would like to thank you for the opportunity to make the following submission on the new residential zones for Victoria.

To provide some [background](#), BCS was formed 56 years ago as the Beaumaris Tree Preservation Society (BTPS). The name was changed to the Beaumaris Conservation Society (BCS) in 1970.

BCS Inc. has, in 2009, a total of [around 440 members](#).

One of the key aims of the BTPS was to help alter an accepted practice of Australian suburban development which saw all if not most indigenous vegetation being removed before any land was developed. The BTPS was active in encouraging Beaumaris residents to retain the existing vegetation on their blocks and plant native vegetation. BCS is proud to be continuing on the work of BTPS today, maintaining a long and dedicated history of protecting and promoting the vegetation character of Beaumaris.

BCS understand the Advisory Committee is not determining which zones are to apply to each area. BCS would like to highlight to the Advisory Committee some of the concerns we have with how the new zones may be applied to a suburb such as Beaumaris.

Firstly I will read the seven key points raised in the BCS submission to the new residential zones consultation paper and than expand on some of these points.

BCS have adopted a position of support to the objective of using zones rather than policy to identify where change will occur. However, we have reservations about how the objectives of the new zones will be effectively translated into recognising and protecting neighbourhood character, sense of place and the values, needs and aspirations of the community such as ours in Beaumaris. We have the following specific comments of support and concern with the proposed new zones:

1. BCS support the retention of the notice requirements and review rights at VCAT for all three proposed zones.
2. The Bayside Council has implemented a number of major planning standards and strategic direction after the allocation of considerable time and expense of Council, ratepayers and residents. As a major resident community group in Beaumaris, BCS has actively contributed to introducing these standards and strategic direction. Along with the Bayside Council submission to the draft zones¹, BCS are concerned that the new zones will be applied without adequate consideration of these standards and strategic direction or that these standards and strategic direction will be re-opened for re-testing during the amendment process.
3. The draft consultation paper provides limited detail about the degree of consultation and delegation that will be provided to councils to determine the new zones at a local level. We are concerned that the enormity of applying new residential zones across Victoria will constrain the opportunity for DPCD to engage in adequate consideration of local requirements and produce a result that meets community expectations. BCS seeks an assurance that the new zones will be applied with a requirement for sufficient consideration and consultation with the council, residents and community groups at a local level.

4. The consultation draft states there is an anticipation that the limited change zone would apply to areas with an overlay such as a Vegetation Protection Overlay (VPO) which limit opportunities for additional housing. We are concerned that the draft states that for a limited change zone the extent and application of this zone will need to be balanced against the need to ensure that opportunities for sufficient housing growth are provided elsewhere to meet the anticipated growth requirements of the community.
5. BCS are very concerned that the amendment process will not provide sufficient opportunity to fully consider the VPO that currently applies to areas like Beaumaris and Black Rock, in a timeframe appropriate for implementing this reform. The insufficient consideration of the VPO and the pressure to provide opportunities for housing growth could reduce the application of the VPO across Beaumaris and Black Rock and lead to some areas of Beaumaris and Black Rock, currently covered by a VPO, being classified as an incremental change zone. We are concerned the focus of neighbourhood character under an incremental change zone is largely defined by housing style and would provide limited protection for a neighbourhood character that is predominately defined (as is Beaumaris) by its vegetation.
6. We support councils being provided the discretion to determine building heights in the incremental change and limited change zones and support Bayside Council seeking assurance that the maximum height in a substantial change zone can be varied lower to reflect local circumstances. Furthermore, we support Bayside Council seeking assurance that DPCD will accept the building height and density controls that Council selects as appropriate.
7. BCS note that standards under Clause 54 and 55 for both the incremental and limited change zones refer only to private open space and do not provide any specific provision for vegetation open space. BCS recommend that the concept of a vegetation open space be added to these standards. The purpose of a vegetation open space standard is to require a development to include a minimum area set aside exclusively for the planting of vegetation including canopy trees. As an example we highlight the recently introduced provisions in the significant trees and landscaping requirements of the Surf Coast planning scheme.ⁱⁱ
8. BCS recommend the proposed landscape areas and landscape layout requirements under clause 32.06-08 of the limited change zone are included in the incremental change zone scheme. The purpose of including this requirement is to support appropriate vegetation outcomes in areas that have valued vegetation characteristics but are not covered by a vegetation protection overlay or limited change zoning.

In our submission we state we are concerned that the considerable and detailed process of applying the new zones will not allow sufficient opportunity for consideration of existing strategic direction or will not allow sufficient opportunity to consult with council and the local community. Specifically we are concerned about the future application and effect of the VPO which applies to Beaumaris and Black Rock.

As noted the Bayside community and Bayside Council have invested considerable time and resources into identifying and articulating how vegetation contributes to the predominant neighbourhood character in Beaumaris and Black Rock leading to the implementation of a Vegetation Protection Overlay for these suburbs. The VPO was implemented based on recommendations made in the March 2000 City of Bayside Vegetation Character Assessment report by John Patrick Pty Ltd.ⁱⁱⁱ The report made the following observations about the vegetation character in Beaumaris:

8.9 Beaumaris

Overall a high density of vegetation cover in both the streetscape and private space, making vegetation the dominant element of streetscape character. In comparison with other areas, Beaumaris has a higher density of both canopy and shrub layers, the majority of which is native or indigenous species.

Private gardens tend to have high proportion of canopy trees, particularly eucalypts, which relate well with the street tree character. Dwellings tend to be screened from the road.

A significant number of front gardens contain remnant indigenous vegetation.

Where new developments have occurred there is often a dramatic contrast with the established vegetation character. Indigenous species are typically cleared from the site with the incongruent formal planting of small scale, exotics and an absence of canopy trees. Such development is consequently highly visible and forms a dissonant feature in the generally leafy streetscape.

BCS are concerned the consultation paper qualifies the application of a limited change zone in a suburb such as Beaumaris by the need to ensure opportunities for sufficient housing growth. BCS recognise the demands for more housing detailed in Melbourne 2030 and supporting documents and in recent years a steady number of medium density developments have occurred in Beaumaris. However, we also note that Melbourne 2030 recognises protecting the valued attributes of existing suburbs and states under key directions on page 31:

Established residential areas

The valued character of established parts of the city will be protected through application of the residential development provisions (ResCode) and other planning measures. This includes items of cultural heritage, historic buildings, green spaces and valued suburban streetscapes.

Unfortunately we do not see an appropriate balance between the development occurring in Beaumaris and protection of the valued vegetation streetscapes identified in the vegetation character assessment.

While the prospect of limited change zoning may help restore some of the balance we think is appropriate, our major concern with the new residential zones proposals is that some areas of Beaumaris, if not the whole suburb, will not receive limited change zoning and there will be limited protection over the existing and preferred vegetation character provided under the incremental or substantial change zoning. Alternatively, BCS are concerned the limited change zone may only be applied to certain areas of Beaumaris covered by the existing VPO, thereby diluting the impact and standing of the VPO and importance of vegetation character for those areas that do not receive limited change zoning.

In point 6 of our submission we recommend that the concept of private open space be expanded to include the provision of a vegetation space. Despite such planning protections provided by a VPO and a larger than normal site coverage maximum of 50%, as noted above Beaumaris still experiences significant new single and medium density development that is, as stated in the Patrick Study, highly visible and forms a dissonant feature in the generally leafy streetscape. These developments are characterised by considerable built form and paved areas with the remaining private open space largely used for recreation leaving inadequate space for planting vegetation of a scale and size consistent with the preferred vegetation character defined by the VPO.

While a VPO is important to protect, conserve or reinforce the existing vegetation character, BCS submit that it is imperative we also have supporting controls to enhance and reinstate vegetation character. To achieve this objective BCS submit that where an area is covered by a VPO than all three new residential zones should require an area of open space that is defined as a vegetation space reserved for the purpose of planting vegetation including canopy trees.

In conclusion I would thank the Advisory Committee for the opportunity to make this submission and trust it makes a positive contribution to your assessment and final recommendations on the new residential zones in Victoria.

Thank you.

ⁱ Response Submission on the new residential zones Consultation Draft February 2009 – Bayside Council General Committee Tuesday 17 March 2009 and Minutes of the Ordinary Meeting of Bayside City Council Tuesday 24 March 2009.

ⁱⁱ Surf Coast Planning Scheme. Schedule 2 to the Neighbourhood Character Overlay shown on the planning scheme map as NCO2, Lorne Residential Areas.

ⁱⁱⁱ City of Bayside Vegetation Character Assessment Final March 2000, John Patrick Pty. Ltd Landscape Architects