

WRITTEN SUBMISSION TO THE ENVIRONMENTAL & PLANNING COMMITTEE
INQUIRY INTO THE PROTECTIONS WITHIN THE VICTORIAN PLANNING FRAMEWORK

Note..... for ease of reading this submission, the key relevant points of interest in this document have been highlighted in BLUE text.

This submission relates primarily to three key aspects associated with the areas of interest of this inquiry. These three specific areas of interest relate to:

1. **The urgent need to place limitations on the overall height and development site scale in relation to all proposed new high rise/high density residential developments in any/all residential streets across the Melbourne metropolitan area.....i.e. any residential street located outside any core retail or commercial area.**
2. **The urgent need to significantly increase the level of protection associated with the retention of all existing significant, mature, environmentally high valued trees on public or private property in any/all existing residential neighbourhoods across the Melbourne metropolitan area.**
3. **The urgent need to pursue each of the actions discussed above, with the view to providing a much higher level of protection (than currently exists) to ensure the preservation of the unique heritage values and identity of many of Melbourne's existing local suburbsto avoid the unique character of these local suburbs being completely erased in the rush to demolish, replace and further increase the density of what still remains of this once fine city.**

Perhaps the simplest way to present a case in support of each of the interrelated key areas of interest discussed above, is to provide for consideration the example of a recent highly controversial VCAT planning application which has been fiercely contested over the past 15 months or more. This planning application relates to the proposed development of an exceptionally large scale three storey residential apartment complex in what is currently an extremely well presented, high character, leafy residential street in Hampton.

The VCAT planning application referred to in this submission relates to a property at 28 - 32 Service Street, Hampton VCAT reference: P953/2020 VCAT:00066000497.

Attached are copies of two recent emails (Dec 2021) which I have forwarded the Mayor of the City of Bayside and two of my Local Ward Councillors, which I believe serve to outline my views and concerns regarding the adequacy of both the City of Bayside and the Victorian State Government's current policies and processes associated with addressing the three interrelated key areas of interest discussed in this submission.

It should perhaps be noted here, that the views offered in this submission are provided in the context of the writer having been employed in a senior capacity in the residential/retail/commercial Town Centre Masterplanning & Delivery Industry in Victoria and elsewhere around Australia for a period of in excess of 30 years.

In the event that the E&PC members might wish to discuss further any aspects of the matters raised in this submission, I would be only too pleased to make myself available to do so.

Copy of email sent to the Mayor of the City of Bayside on 20 December 2021

Subject of Email.....request for meeting to discuss two critically important planning matters

Dear Cr del Porto,

Over the past 25 years or more I have retained an active interest in planning and development activities associated with the Hampton Retail/Business Centre and its immediate surrounding residential area..... including the broader City of Bayside municipal area.

Following my on-going involvement in this area of activity, I now write to see if you might be able to spare the time to meet with me to discuss, what I consider to be, two critically important matters which the City of Bayside (and its residents) need to urgently address, if we are to retain any degree of control over the fast moving rate of new (and, sadly, often aggressive) residential development activity which is currently occurring across the municipality.

As part of my ongoing advocacy in this area, over the past 12 months or more I have been in regular discussions with my two local Ward Councillors (Crs Fiona Stitfold and Jo Samuel-King), who have both expressed a high level of interest and support in relation to the matters which I have raised with them over this period of time.....including, I should stress, a good level of interest in some of the potential Council policy changes/refinements which I have raised for discussion.

Specifically, the two areas of interest I would like to meet with you to discuss.....(together with Crs Stitfold and Samuel-King)..... are:

- 1. The need for Council to urgently consider what options/opportunities exist for it to introduce and/or strengthen its policy position in relation to being able to place a limit on the site scale and building footprint of any proposed new high density/high rise residential development proposals which might be proposed to be delivered in any local residential street anywhere within the City of Bayside.**

In relation to this issue, it is suggested that this action is urgently needed to hopefully avoid another disastrous Service Street 'mega scale' development proposal, which has involved the consolidation of 4 separate large scale residential properties. **

Surely, it must be recognised that we need to proactively consider what happens if the next such development proposal of this nature involves the potential consolidation of 6 or 8 separate large scale residential properties?

**** The following critically important points should be noted in connection with this proposal:**

- this development site is located in a high character, leafy residential street more than 250m from the core Hampton retail/commercial activity centre**
- the Hampton Activity Centre is by far the largest of the seven local neighbourhood activity centres which service the City of Bayside.....incorporating more than 300 individual businesses**
- this very large/high density apartment development proposal involves a consolidated site area of in excess of 3,600m²**
- of great concern to vast majority of local residents, this development site area is more or less the same size as (within 5% of) the largest single retail/commercial site which exists..... not only within the Hampton Activity Centre, but in the entire seven local neighbourhood activity centres located which service the City of Bayside municipality**

- 2. The need for Council to urgently consider what options/opportunities exist for it to take a far more proactive position in protecting significant, large, established trees from being either legally or illegally removed by property owners and/or developers across the municipality, in order to clear these existing residential sites for new high density/high rise residential development.**

In relation to this issue, based on my extensive knowledge of the residential development industry (having worked in this industry for in excess of 30 years), it is very obvious to all who have any knowledge of this industry, that the current level of fines imposed by the City of Bayside (and many other Melbourne LGAs) offers little or no deterrent to any individual that might wish to either legally or illegally remove one or more large, established trees from any private property anywhere within this municipality.

Your comments in relation to this matter would be greatly appreciated.....ideally at some stage over the next couple of weeks or so.

Kind Regards,

Rob Dagnall

Copy of email sent to City of Bayside Crs Jo Samuel-King and Fiona Stitfold on 12 December 2021
Subject of Email.....Significant Tree Nomination

Hi Jo & Fiona,

Further to my email of earlier this week, see below a copy of the email response I received from Council's Senior Investigations Arborist, Shane Hall which1) acknowledges receipt of my significant tree nomination and2) somewhat concerning for me, advises that no further action is likely to be taken in relation to undertaking any initial assessment of this tree until 'the middle of next year'at which stage 'the next round of assessments are likely to begin'.

As you are both well aware, given my significant interest in advocating for the protection of established, mature trees across the City of Bayside, and, my particular interest in attempting to secure some level of protection from Council for this particular tree by having it considered for inclusion on Council's Significant Tree Register, I am more than a little concerned by a potential delay of likely 6 months or more before any action is taken by Council staff to commence this assessment process.

Putting my concern in context, I would ask that you consider the following:

- if this initial internal assessment process is delayed for 6 months or more until the middle of 2022, then my assumption is that the entire assessment process associated with this tree nomination might not be completed until the end of 2022..... a period of possibly 12 months, or, potentially longer?
- as a point of comparison, it warrants highlighting that over the immediate past 12 months, I have been involved in providing support to the residents of Service Street in opposing, through VCAT, the development of a very large and inappropriately scaled high density apartment complex proposal, during which timei.e. in just less than 12 months..... the developer associated with this project has acquired all four properties associated with this site, completely demolished all four of the well presented heritage homes which were located on these properties.....and cleared more than 90% of all of the trees and other vegetation associated with this proposed development site

The point I am attempting to highlight here, is that if we as a community are serious about attempting to save our much loved and irreplaceable large, mature trees from complete destruction by aggressive developers across this municipality, then we must surely need to start by being prepared to significantly reduce Council's response times in relation to tree nominations of this nature.

Importantly, prior to making any contact with any Council staff regarding this matter, I would be very grateful if you could provide me with your comments in relation to this email, in particular
1) your views on the arguments put forward here to have this assessment process brought forward, with the view to being completed by no later than end March-early April next year, and
2) your willingness to support my proposed request to the Mayor and the Director, City Planning & Amenities to approve this proposed action.

Your support and encouragement in relation to this matter is very much appreciated.

Kind Regards,

Rob Dagnall