

Objection to Grant a Planning Permit

Objection Enquiries:
Phone: (03) 5421 9699
Web: www.mrsc.vic.gov.au

This form is to assist in making an objection as outlined in the *Planning and Environment Act 1987*.

Privacy notice

Council is collecting the information on this form so that it may consider your objection in accordance with its legislative powers and functions. Council can only disclose any information collected in accordance with these powers and functions. Please be aware that Council may provide copies of this objection to interested parties. Visit Council's website to view our Privacy Policy.

Objector details

Provide details of the objector
The person you want Council to
communicate with about your
objection

Name:

Organisation:

Postal Address:

Postcode:

Contact phone:

Email:

Planning Application details

Provide the Planning
Application Number

PLN/

2021/100

The land

Address of the land

Street No: 35

Calthorpe St

Lot No:

Title details (CA, LP, PS, CP, TP) no.:

Township Gisborne

Postcode:3437

Reason for your Objection

Prior to lodging an objection please make sure you clearly understand what is proposed. You can inspect the application at the Macedon Ranges Shire Council's Office or on mrsc.vic.gov.au/Build-Plan/Planning-Permits-Approvals-Forms/Object-to-an-application. Under the *Planning and Environment Act 1987*, an objection can be dismissed if it is evident the objection has been made to secure or maintain a direct or indirect commercial advantage.

Attach additional page/s if there is insufficient room.

I wish to object to the Planning application on the following grounds..
1/. The Native trees at the rear of the property create a habitat for many birds. I object to the removal of this important vegetation as many trees have now been removed due to overdevelopment. I also believe that any measures to work around these trees will not be adhered to given other trees that have 'mysteriously' died.
2/. I object to this high level development in Calthorpe St, a street already highly impacted by medium density houses/units. The street cannot handle the extra increase this development calls for. The road is a one entrance/exit only, I haven't seen a traffic report done to support this development and wonder at the increase in volume that the road cannot handle.
3/. I object to the double storey buildings being put forward by this development. In keeping with the development surrounding this block, the buildings should be single storey only. It is in keeping with the neighborhood feel and I absolutely object to a double storey [REDACTED]. My privacy will be compromised, especially as the buildings will be [REDACTED]
4/. I object to this development as I am a [REDACTED] who has lived in my home for [REDACTED] years and do [REDACTED] for a boundary fence between [REDACTED] and this developer, who has total disregard for my style of living.
5/. This should not be such a high density of living...not walking distance to schools, shops or public transport. The Council has allowed the quiet township of Gisborne to lose its Village charm. The loss of History and overdevelopment has destroyed this town.

How will you be affected by the granting of a Planning Permit

Attach additional page/s if there is insufficient room.

I will be affected by those conditions as listed above. Loss of privacy, lifestyle, native vegetation, increase noise, safety affected.

Objectors Signature

This form must be signed

Signature: Signed by me, [REDACTED]
Date: 22/09/2021

Lodgement

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Lodge the completed and signed form by:

Mail:
Macedon Ranges Shire Council
PO Box 151
Kyneton Vic 3444

In Person:
Any Council Office

Email: mrsc@mrsc.vic.gov.au

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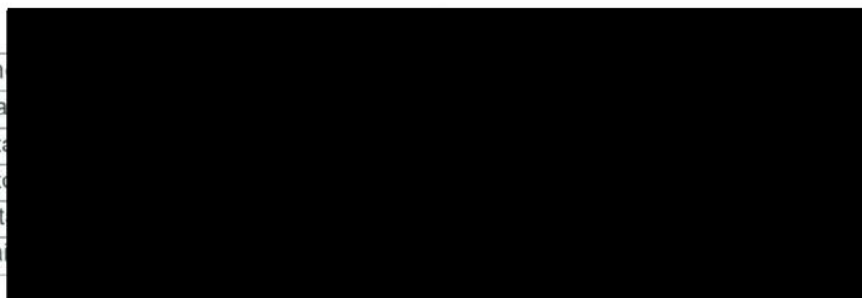
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Ema



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Provide the Planning Application Number

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MACEDON RANGES SC
RECEIVED

27 SEP 2021

The land

Address of the land

Street No: 35	Street Name: CALTHORPE ST
Lot No: -	Title details (CA, LP, PS, CP, TP) no.: 15
Township GISBORNE	Postcode: 3437

Reason for your Objection

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Attach additional page/s if there is insufficient room.

FOR PRIVACY REASONS. THE WINDOWS FACING SOUTH FROM THE PROPOSED LEVEL ONE UNITS WOULD OVERLOOK OUR PROPERTY WHICH IS [REDACTED] TO THE PLANNED UNITS. THIS WOULD HAVE IMPACT ON THE PRIVACY OF OUR [REDACTED]

Macedon Ranges Shire Council
Item received at Gisborne Office
On 23/9/21 Signed N:P

How will you be affected by the granting of a Planning Permit

Attach additional page/s if there is insufficient room.

ONE OF THE ESSENTIAL REASONS FOR US LIVING ON A [REDACTED] IS FOR PRIVACY REASONS. WE APPROVE OF GROUND LEVEL UNITS BEING BUILT NEXT DOOR BUT A HIGHER STORY WOULD BE DETRIMENTAL TO OUR PRIVACY

Objectors Signature

This form must be signed

Signature

Date:

23/9/2021

23/9/2021

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Objection to Grant a Planning Permit

D21-122126

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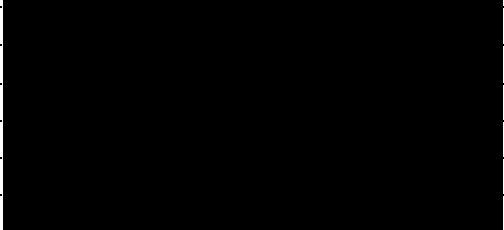
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Organisation:	
Postal Address:	
Postcode:	
Contact phone:	
Email:	

The person you want Council to communicate with about your objection

Myself.

Planning Application details

Provide the Planning
Application Number

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The land

Street No: 35	Street Name: Calthorpe Street
Lot No:	Title details (CA, LP, PS, CP, TP) no.:
Township: Gisborne Vic	Postcode: 3437

Address of the land

Reason for your Objection

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[Approvals-Forms/Object-to-an-application](#). Under the *Planning and Environment Act 1987*, an objection can be dismissed if it is evident the objection has been made to secure or maintain a direct or indirect commercial advantage.

Double stoey would be an intrusion of my privacy
Increased noise level as my [REDACTED] are on the [REDACTED] of our units
Backyards/deckings will be very close to boundary fence if Permit is granted
Street congestion due to 12 extra properties with Residents and visitors. The Street is already tight when cars are parked in the Street. Recently a 2
Storey/12 Town Houses build was completed at No. 27 Calthorpe Street which has resulted in increased traffic and residents and visitors parking on a vacant block opposite if no space in the street is available. One of the reasons I chose to move to Regional Victoria/Gisborne after living in Melbourne suburbs for most of my life until the age of [REDACTED] was that Gisborne isn't a suburban environment. The trees on the boundary fence provide a haven for wildlife which includes a family of possums and birdlife.

Attach additional page/s if there is insufficient room.


How will you be affected by the granting of a Planning Permit

Mainly because of the following reasons:
1. Intrusion on my privacy
2. Increased noise level
3. Street Parking and Traffic congestion as only one way in and one way out of Street. Calthorpe Street is very narrow.
4. Concerned Double Storey dwellings close to boundary fence will devalue my property should I wish to sell in the future

Attach additional page/s if there is insufficient room.

Objectors Signature

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Signature: 
Date: 22 September 2021

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Further important information:

For help or more information

Objection to Grant a Planning Permit

D21-121604

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The person you want Council to
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Postc	
Conta	
Email	

Planning Application details

Provide the Planning
Application Number

PLN/2021/100

The land

Address of the land

Street No: 35	Street Name: Calthorpe Street
Lot No:	Title details (CA, LP, PS, CP, TP) no.: 15 section TP 540484X
Township Gisborne	Postcode:3437

Reason for your Objection

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Attach additional page/s if there is insufficient room.

My [redacted] and myself [redacted]. We have lived here for [redacted] [redacted] an absolutely loved the peace, quiet and privacy. The [redacted] and I love sitting out the back on a nice day having a bbq and playing games. So, this is where my reason for objection comes in. 6 double story dwellings will definitely intrude on our privacy. The units will be looking [redacted] [redacted] The units also [redacted] [redacted] where we love to sit and relax. I think double story dwellings are a true invasion of my privacy and safety. I would really recommend council reassessing double story dwellings and grant single story to maintain privacy for all the surrounding properties.

How will you be affected by the granting of a Planning Permit

Attach additional page/s if there is insufficient room.

The granting of this permit will affect our way of living. Not only will we not be able to enjoy sitting outside without [redacted]. We can't even [redacted] people being able to [redacted] I will not feel safe that people will be able to see what my [redacted] are doing in their own home. To my [redacted] and myself this is a real scary thought that we are [redacted]. It is a privacy and safety issue that can only be resolved with single story dwellings.

Objectors Signature

This form must be signed

Signature:	[redacted]
Date:	22/09/2021

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437

WE WOULD OBJECT TO THE BUILDING OF
6: 2 STORY UNITS AT 35 CALTHORPE ST
GISBORNE BUT NOT SINGLE STORY ONES
AS 2 STORY UNITS WILL AFFECT OUR PRIVACY
AND MAY DEVALUE OUR UNIT IF WE HAVE
TO SELL BY PUTTING UP WITH MORE NOISE
FROM THEM FROM BEING SO CLOSE TO
OUR [REDACTED]

ALSO WE WOULD NOT LIKE TO SEE ANYMORE
TREES TO BE CUT DOWN AND LOSE ANY
MORE BIRDS AND OTHER WILDLIFE

AND TRAFFIC HAS ALREADY GOT A LOT
WORSE IN OUR STREET FROM OVER
DEVELOPMENT AND NOW WILL INCREASE
A T A LOT MORE

21ST SEPTEMBER 2021

[REDACTED]



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Address of the land

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Lot No:	Title details (CA, LP, PS, CP, TP) no.:
Township Gisborne	Postcode: 3437

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I do not believe the development is in accordance with the policy of MRSC to maintain the character of local townships. Towns like Gisborne should have houses more homogenous with the early houses, such as Maldon and towns and villages in U.K. + Europe.

How will you be affected by the granting of a Planning Permit

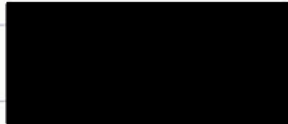
Attach additional page/s if there is insufficient room.

- I believe that local streetscapes are being destroyed by developments which are not homogenous with the original township.
- Two storey houses are already blocking the beautiful views we had [redacted] years ago - therefore destroying the enjoyment of the area.
- The development is in keeping with metropolitan suburbs, not rural townships
- Traffic and car parking interrupt pedestrian access

Objectors Signature

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Signature:



Date:

12.9.21

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Provide the Planning
Application Number

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The land

Address of the land

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Lot No:	Title details (CA, LP, PS, CP, TP) no.:
Township	Postcode: 3437

Reason for your Objection

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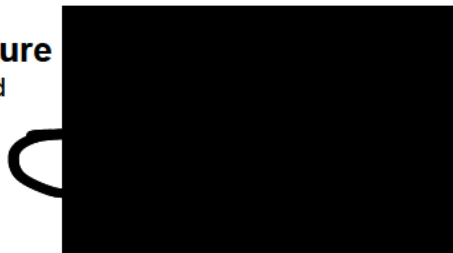
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OBJECTION - Proposed Planning Permit PLN2021/100 – 35 CALTHORPE ST, GISBORNE.

[REDACTED]

My objection has arisen from the following genuine concerns I have:

1. **VEGETATION:**
2. **GENERAL AMMENITY:**

1. **VEGETATION:**

I believe the tree [REDACTED], **tree no 10**, is to remain thank goodness. It brings so much joy aesthetically but also joy in the vast wildlife it houses.

However, I am concerned that any TPZ encroachments by both building and decking are high and thus produce a negative impact on this tree of high arboriculture value.

This tree I believe has been protected in previous VCAT rulings against development and so too must have every precaution taken now.

As too I believe was **tree no 8** on current plan. A mature Pin Oak of 20 years plus and of high arboriculture value was also listed by previous VCAT ruling not to be removed to make way for development.

It was in fact removed Dec 2020 without permit to make way for two double garages on plan. How will this tree be replaced? Surely it has to be?

Approximately the same time developers approached our owners here to remove co owned tree. We of course declined maintaining landscape quality and character setting of the area of extreme importance.

I am concerned however as a result of the developers' actions, that they have no real regard or understanding for the landscape quality nor the rural character of Gisborne itself.

It is a joy these trees bring. Not only in appearance but the wildlife they house. There is even a possum family I have become very fond of over the years.

This is the very reason one chooses to live in this rural or regional city, and it is therefore something we must be so very cautious not to lose with any new development.

Replanting a few shrubs here and there cannot and will not replace these trees nor the vast and thriving wildlife residing within them.

2. GENERAL AMMENITY:

Double Storey.

Does this mean there would be a loss of my current privacy? I believe so.

My [REDACTED] [REDACTED] would be directly exposed to the second storey.

The proposed decking is incredibly close to the [REDACTED]. This can only result in a remarkable increase in noise level. This now is a very quiet area to live in. This should not be lost or diminished in any way.

Each dwelling immediately surrounding and located each side of 35 Calthorpe street is in fact a single storey construction. Therefore, I believe, without question, it should stay that way for all future developments. Double storey not only invades privacy on existing fence lines but also in no way suits nor fits in to the character and nature of Calthorpe street.

Calthorpe street itself is very narrow with one way in and out due to a court or court bowl. The traffic we have now at times is an interesting challenge. The potential of an extra 12 cars coming from this development not to mention the visitor overflow (as there is only one proposed visitor space), can only be considered an overwhelmingly burden on the street and one I don't believe the street as it stands, will cope with.

In conclusion,

With the development of these townhouses there will be great loss to vegetation, wildlife and further issues arising with general amenities inclusive of loss of privacy and an unacceptable increase in noise.

They don't keep with the rural character of Gisborne itself, not forgetting the rural charm and the quiet charm of Calthorpe st itself.

I too live in and [REDACTED] So, I would not be opposed to further plans being submitted for new Units in Calthorpe St, but as a single storey Unit Development thus keeping with surrounding dwellings and character of the street as mentioned above.

Perhaps also to be considered is one less unit enabling further spacing between units further minimising overdevelopment.

I thank you for your time and trust my concerns will be taken into consideration.

Kind regards

[REDACTED]

[REDACTED]



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<p>I understand that development needs to occur and that there would be townhouses built at the [REDACTED] at some stage.</p> <p>However I must raise the strongest objection to the proposal on the following grounds:</p>
1. Overshadowing
2. out of character with the area
3. Overdevelopment
4. Overlooking/Loss of privacy
5. Loss of view/outlook
6. Visual bulk of building

1. The proposed development will overshadow my property and, in [REDACTED], and apparently only [REDACTED] is impacted by the shadowing.

Why is this occurring → because the developers are smashing huge two storey units into the development to maximise their value of the investment.

There should be NO SHADOWING onto my property, there should be NO IMPACTS on my property. All impacts of the new development must stay on the land of the development.

Besides the obvious impact that I will lose natural light, particularly in the afternoon it will exacerbate the current winter problem which causes mossing and fungal growth on [REDACTED] due to lack of sunlight,

The pictures below show that during winter when sunlight doesn't reach around the corners of the house, there is significant fungal growth and moss that occurs which makes the deck slippery and dangerous at times.



However, the deck at the back of the property has no moss nor green growth because it receives afternoon sun. the shadowing will make using [REDACTED] dangerous if there isn't any space which isn't affected by the moss and fungus.



2. The proposed development is out of character with the area and lacks diversity of housing choice with construction of all double storey units.

It doesn't **Fit** in the neighbourhood.

In the VCAT case *Grant v Boroondara CC* [2005] VCAT 356, the Tribunal Member stated: “The appellants correctly highlighted that the concept of neighbourhood character is not just about the streetscape. It also includes such elements as the siting and scale of buildings and the way in which buildings integrate with open space areas. It also includes the nature and “feel” of an area, including that experienced in the rear yards of neighbouring properties.”

And in a VCAT case *Perkins Architects v Stonnington CC* [2009] VCAT 279, the Tribunal Member commented on the issue of backyard yard character by stating: “I find Mr analysis somewhat simplistic. Neighbourhood character is not solely about streetscape, nor has visibility, nor simple compliance with the standards of clause 55 and this been emphasised by many decisions of the Tribunal over the years. As Member Read stated, specifically in relation to building bulk:

“It has frequently been held by the Tribunal that side and rear setbacks, including a “backyard-scape”, are relevant in terms of neighbourhood character and, in this case, the backyard setting of the review site includes low structures and plantings.”

We would like to see this tree saved and kept



3. Overdevelopment

I understand that council has commissioned many planning reviews and implemented controls to retain the fabric, feel and “Look” of Gisborne Township: from my brief readings of planning reports I note the following comments:

Front setbacks in this precinct vary generally between 4m and 10m. A median setback control is proposed to allow proposed setbacks to average with adjoining buildings.

Variations to site coverage, permeability and landscape will support the dominance of vegetation and the side and rear setbacks and walls on boundary variations support maintaining the rhythm of detached dwellings and reduces visual impact of development on the streetscape.

Considering infill development is encouraged in this precinct it is appropriate to reduce the ResCode standard for site coverage. A site coverage requirement of 50% is appropriate to allow for flexible and well-designed multi-unit infill development.

My concern is :

What is the proposed site coverage?

Does the design support the rhythm of detached dwellings and reduced visual impact of the development (I would say NO because the back 2-3 units are effectively squashed onto the site due to the maintaining clearances to mature trees.)

4. Overlooking/Loss of privacy

I believe there are windows that overlook [REDACTED] which is totally unsatisfactory.

I understand that ResCode sets out standards to be met in terms of providing privacy for neighbours. However if the last unit was not double storey there wouldn't be a problem

5. Loss of view /Outlook

Bulky development may impact on the outlook from a neighbouring property. While I understand there is no legal right to a view, a significant view can contribute to the amenity of a property.

And from my property there are some significant trees which I take pleasure to enjoy. I would insist that as much as possible trees existing on the development site are retained and in particular the tree at the [REDACTED], again to improve privacy. The tree at the other end of [REDACTED] appears to have a quite insufficient amount of clearance to it noting that it will continue to grow in the coming years (Ofcourse as long as the development works don't kill it.)

This tree must be safeguarded with appropriate clearance for root zone and drip lines



6. Visual bulk of building

Large bulky buildings can impact on the outlook of neighbours and dominate private open space. Bulk can be reduced through design techniques such as including single storey components, increasing setbacks, using a variety of materials and incorporating features such as verandas or windows.

I find it very interesting that the development plans circulated to nearby residents were:

- Of such a small scale that the plans were unreadable
- That no plan at all shows an elevation of what the development looks like from either side. Ofcourse this is done on purpose so that potential objectors cannot visualise how ugly the wall of two storey building will look like.

And finally

Why did the planning department permit this mis-information charade to occur?


How will you be affected by the granting of a Planning Permit

Attach additional page/s if there is insufficient room.

As stated above, granting the permit in its current form will impact my property by overshadowing , there will be a loss of privacy and I will be disappointed that a better planning outcome was not achieved.

Objectors Signature

This form must be signed

Signature: 
Date: 15/09/2021

Lodgement

To ensure Macedon Ranges Shire Council considers your objection, ensure the Council receives your objection by the due date on the notice. Council will send you an acknowledgement letter upon receipt of your objection.

Lodge the completed and signed form by:

Mail:
Macedon Ranges Shire Council
PO Box 151
Kyneton Vic 3444

In Person:
Any Council Office

Email: mrsc@mrsc.vic.gov.au

Further important information:

If you object prior to the Responsible Authority determining the application, the Responsible Authority will notify you of its decision.
If the application is to be determined at a Council Meeting, a copy of your objection will form part of the report which is available for public viewing.
If, despite your objection, the Responsible Authority decides to Grant a Permit, you can appeal against the decision. Details of appeal procedures are set out on the back of a Notice of Decision which you will receive provided you have lodged the objection prior to the determination of the application.
If the Responsible Authority refuses the application, the applicant can also appeal. The provisions are set out on the Refusal to Grant a Planning Permit which will be issued at that time.

For help or more information

Telephone: Planning (03) 54 21 9699
Website: www.mrsc.vic.gov.au
