

National Trust Outline of Submissions

Planning Scheme Amendment	C142: Burnham Beeches to the Yarra Ranges Planning Scheme
Permit Application	YR-2016/10
Planning Authority	Yarra Ranges Council
Submitter	National Trust of Australia (Victoria)

Introduction

1. The National Trust of Australia (Victoria) (the National Trust) is an independent not-for-profit organisation established in 1956. The mission of the National Trust is to “inspire the community to appreciate, conserve and celebrate its built, natural and cultural heritage”. The National Trust maintains a Heritage Register of Significant Places, including buildings, landscapes, gardens and trees. In the area affected by Amendment C142 and Planning Permit Application YR-2016/105 the National Trust has classified Burnham Beeches, including the main residence (including the various outbuildings), full extent of garden, multiple significant trees, as well as the Main Ridge, Dandenong Ranges landscape. This established significance of built and natural heritage has specifically informed our main concerns outlined in the submission below.
2. The National Trust in partnership with our Dandenong Ranges Branch, have been involved in the planning processes of numerous applications for works at Burnham Beeches over the last 15 years. Throughout these applications we have strongly supported the ongoing adaptive re-use and activation of the site necessary to make it open to the public and protect this place for future generations.
3. The National Trust is generally supportive of the current owner’s plans to reuse and re-activate the Burnham Beeches site. We would like to raise a number of concerns for the panel, and give an indication of concerns we expect to be mitigated through detailed design and through the Heritage Victoria permit requirements.

Outline of site on National Trust Register

Burnham Beeches House & Garden, 1 Sherbrooke Road, Sherbrooke. NTAV file no: B4929, (amalgamated with G13027 in 2012), Level of significance: State.

4. The Statement of Significance highlights the completeness and attention to detail present within the Burnham Beeches complex, comprising of extensive residential accommodation, large garden, sufficient rural land to enable self-sufficiency, and a complete range of complementary outbuildings. The property is described as being created by the vast wealth of its owner in a period of world economic depression... best exemplified by the residence and outbuildings’, demonstrating the continuity of a tradition of hill stations from the nineteenth century (with parallels to Alfred Nicholas’

brother George and his property Alton at Mount Macedon). The property in its entirety has social and historic significance for its connection to the original owners of the property, the Nicholas family, 'noted for their part in the Aspro empire'.

5. The Norris building in particular is characterised as one of the finest examples of an Art Deco mansion in Australia. Built in 1930-1933 and designed by renowned architect Harry Norris, the residence has aesthetic and architectural significance, sitting uniquely at the midpoint between decorative zig zag moderne of the 1920s; as a vast three-storey house built in reinforced concrete, comparable with works in Britain and the United States; and as a period exemplar of the up-to-date high style living and entertaining of the 1930s in Australia.
6. This main residence provides a dominant focus for the landscape and garden, an aspect heightened by the radical adoption of the moderne architectural style. The original extent of the gardens is now divided between private and public ownership, however the connection between the Alfred Nicholas Memorial Gardens and the Norris building is still evident. The Alfred Nicholas Memorial Gardens were donated to public ownership by the Norris family as a memorial in 1965. The gardens were designed by Hugh Linaker, constructed under guidance of head gardener Percy Trevaskis, along with the involvement of the local community. The National Trust Statement of Significance specifically mentions the continuity of major design themes throughout the property include stonework, terraced rockery, slate paths as well as native and exotic tree planting.
7. To summarise, the National Trust classification for Burnham Beeches highlights the significant vastness and completeness of the property, including the main residence, large gardens, rural land, and the range of complementary outbuildings.

Beech trees (*Fagus sylvatica*), 1 Sherbrooke Road, Sherbrooke. NTAV file no: T12208, Level of significance: Regional

8. These two rows and two stands of 33 beech trees (*Fagus sylvatica*) are significant for aesthetic and historic reasons at Regional level. After these Beeches were planted in 1935, by gardener Joseph Wilson, the trees rapidly became an integral part of the Burnham Beeches estate and provide a fundamental contribution to the landscape design of that grand property. The planting of Beech trees has become a landmark in the Dandenong Ranges and along Sherbrooke Road, which is a key tourist route for local and international visitors. This is the only known large planting of European Beech trees in Victoria and complements Beech planting in the adjacent Burnham Beeches and Alfred Nicholas Gardens. Only four other individual Beech specimens are classified in Victoria.

White Cedar (*Thuja occidentalis*), 1 Sherbrooke Road, Sherbrooke. NTAV file no: T11131, Level of significance: State

9. Rare in cultivation in Victoria, this White Cedar (*Thuja occidentalis*) makes a valuable contribution to the plantings in the historic garden of Burnham Beeches. The tree is located west of the Norris building between the driveway and Pittosporum hedge. The estimated age of the tree is over 70 years. The current condition of this tree is good.

Silver Linden (*Tilia tomentosa*), 1 Sherbrooke Road, Sherbrooke. NTAV file no: T11130, Level of significance: State

10. This Silver Linden (*Tilia tomentosa*) is rarely cultivated in Victoria, and occupies a prominent position in the landscape in its location to the south of the drive, west of the Norris building. The estimated age of the tree is over 70 years. The current condition of this tree is good.
11. We submit that the location of this Silver Linden and the above White Cedar, should be acknowledged on plans for works at the property, particularly any landscaping works to be undertaken. We would be happy to mark these trees on plans for the owner. These tree should be protected during works, in accordance with Australian Standard 4970-2009 *Protection of trees on development sites*.

Main Ridge, Dandenong Ranges Landscape, NTAV file no: L10106, Level of Significance: State

12. The Main Ridge, Dandenong Ranges is a unique hill landscape of high aesthetic and visual value. Its vegetation is a combination of original native species and the exotic character of many introduced species, which is representative of the Burnham Beeches site. The Dandenong Ranges has been one of Victoria's primary tourist attractions for over a century, and Burnham Beeches is located on Sherbrooke Road, a major tourist route. This area has historic significance as an area of early subdivision and development of weekend holiday house and 'hill stations' by the wealthy, exemplified by the continuity of the Burnham Beeches site. This landscape also contains private gardens and street plantings established prior to the Second World War, such as the Alfred Nicholas Memorial Gardens, established alongside the Norris building of the Burnham Beeches site circa 1929-1939.

Subdivision of site

13. Although not directly related to the current Planning Scheme amendment and Permit Application, the National Trust acknowledges the approval of subdivision of the site in October 2013 and that there have been community concerns regarding this. In our experience subdivision can have an impact on the how the cultural heritage significance of sites are read and managed as a whole, particularly with new developments. As such we support the requirement for a Section 173 Agreement under the Planning and Environment Act 1987 for a Management Plan that demonstrates how the site will continue to operate as a single entity.

Amendment C142

14. Given the special significance of the site to the local community, we would expect that review rights are retained within the new Schedule 2 to the Special Use Zone (SUZ2).
15. From a heritage point of view we have no objection in principle to the increase in patrons from that currently allowed under the SUZ, and therefore support Heritage Victoria's comments regarding this. We consider it important that the site is accessible by the

general public, and that this facilitates a greater engagement with the heritage values of the site for both local and visiting communities.

Permit Application YR-2016/105

16. Under Section 96I of the Planning and Environment Act 1987, concurrent with the proposed Planning Scheme Amendment C142, a planning permit is proposed to allow use and development of the land for a licensed residential hotel of 55 rooms (including ancillary bars, dining areas, function facility, and freestanding chapel), two licensed restaurants in the piggery building (existing café/bakery and a new restaurant), industry (brewery) and manufacturing sales (brewery) with associated licensed food and drink areas, a shop and licensed food and drink premises, staff accommodation (three buildings); intersection works at the Sherbrooke Road entrance, a reduction in the statutory car parking requirement, and the removal trees.
17. We support the use of Tree Protection Zones and a Tree Protection Plan as permit conditions. We submit that reference be given at permit condition 5 and 33 to the Australian Standard 4970-2009 *Protection of trees on development sites*.
18. The interpretation of this site is a key strategy for mitigating heritage impacts and as such an interpretation strategy and implementation plan could be usefully included as a permit condition. As well as enhancing the historical significance of the place, undertaking interpretation at Burnham Beeches has the potential to positively engage the community in the redevelopment process. This is particularly important at this site given the connection to this place that many in the community have expressed throughout the recent planning process. Interpretation could include the collection of oral histories of those that worked at the property in the last 70 years and could make a connection to current projects at the site regarding sustainability. Interpretation planning for the site should be done in accordance with the Australian ICOMOS Interpretation Practice Note (2013).
19. We note a high level of substantial changes and alterations are proposed for a number of the outbuildings. This includes changes to original fabric such as new doorways/windows, demolition of interior walls and incorporation of a new green roof structure. We support the submission made in May 2017 by Heritage Victoria that “modifications to the silos (surface openings) and the calfery building (grass roof) are significant and should be reduced in impact”. We will be making a detailed submission to Heritage Victoria to outline the extent of our concerns regarding the conservation and development proposed when these plans are exhibited.
20. We note that the gardens and landscaping of the site are an important feature of the property and should be regarded in connection to the Alfred Nicholas Memorial Gardens. In particular we note that there are significant stonework, terraces and slate paths as well as significant trees and plantings throughout the site and that these should be protected through any development work. As such we would expect that the gardens, landscaping features and trees surrounding the Norris Building in particular, will be subject to a heritage assessment as part of any landscaping plans undertaken for the site.

21. To date the National Trust has not seen a detailed Master Plan or schedule of works to be undertaken at the site, nor have we seen a Conservation Master Plan that outlines the significance of the buildings and gardens to determine acceptable level of alterations. We would expect that such work would be undertaken in the lead up to the Heritage Victoria permit. Providing a clear schedule of works in particular would provide greater transparency to the community who have a strong desire to see the Norris Building conserved and opened to the public once more.
22. We understand that the current owners have experience working with heritage properties with sensitive outcomes, and on balance, their proposal, as currently exhibited, presents an opportunity to celebrate the cultural heritage of the property in a form that will allow ongoing public access into the future. We are generally comfortable with the draft planning permit prepared post exhibition by the Yarra Ranges Council. We are generally comfortable with the heritage outcomes proposed for the place with any issues related to conservation and development works expected to be resolved in the detailed design process required as part of any Heritage Victoria permit.

Connection to the Alfred Nicholas Memorial Gardens

23. National Trust is supportive of re-establishing the connection between the Norris building and the Alfred Nicholas Memorial Gardens. We are also supportive of the reproduction and use of balustrades from the Norris building for use in the steps forming this connection. The National Trust classification for the Burnham Beeches site states that the main Norris building provides a 'dominant focus for the landscape and garden', therefore this would represent a positive heritage outcome for both the Burnham Beeches and Alfred Nicholas Memorial Garden sites. Re-establishing this connection would also provide a positive benefit to the public in being able to read this important connection between the Norris building and the surrounding landscaping.

Tree removal at entrance gate, Sherbrooke Road

24. We recognise the requirement for traffic engineering works to be undertaken to the Sherbrooke Road entry to facilitate access to the property and it is understood that tree removal at this entrance may be required in order to facilitate this work. We submit that tree removal should be kept to a minimum, and any removal be shown to be completely unavoidable.
25. In the Ryder Arboriculture Impact Assessment, dated 12 November 2017 we draw the Panel's attention to the trees included in this assessment that are on the National Trust Register of Significant Trees. Trees 52-70 are all included in our register as of Regional significance as file number T12208, Beech trees (*Fagus sylvatica*), 1 Sherbrooke Road, Sassafras. As per our statement of significance, these trees were planted in 1935 and are an integral part of the Burnham Beeches estate, providing a fundamental contribution to the landscape design of that grand property. Furthermore they are a landmark in the Dandenong Ranges and along Sherbrooke Road, which is a key tourist route for local and international visitors. As one of the only known large planting of European Beech trees in Victoria, and one of a handful of other specimens identified on our register across the

State, we submit that any loss of these trees would have a significant impact on the surrounding landscape and loss of historical connection to the property.

26. We note a number of these trees were considered 'third party trees' and as such were not given a retention value. We consider the significance of these trees to be 'Highly Significant', rather than 'Moderately Significant' as indicated in the Arboriculture Impact Assessment. These trees do not currently have any statutory protection, with the National Trust Register of Significant Trees the only form of assessment of their heritage values. The Yarra Ranges Council were made aware of these trees at the time of registration in 2014 and we asked the council to consider statutory protection for these trees at that time. We consider that these trees are of high retention value, and as such we strongly support detailed design that mitigates removal, retaining of as many of these Beech trees as possible in the intersection works.

Car parking

27. While the National Trust recognises the planning requirements of car parking to facilitate visitors to the Burnham Beeches site, we submit that careful consideration is given to how the car parking requirement is screened at the front boundary with Sherbrooke Road. We note on the Woods Bagot plans dated 21 July 2017 the location of staff parking allocated in car spaces 138-254, which is on the boundary of the property with Sherbrooke Road. Six trees are proposed for removal to facilitate this car park, which, when coupled with the tree removal to construct the new entrance intersection at Sherbrooke Road, will leave this section of the car park largely unscreened by vegetation. Sherbrooke Road is a major Dandenong Ranges tourist route known for its densely treed environment. We submit that a requirement to have this area screened by established vegetation be required by the Planning Permit, to ensure that car parking is appropriately screened in views from Sherbrooke Road. This is particularly important given that the car parks at this boundary are designated staff car parks and will therefore be in daily use and highly visible from Sherbrooke Road. We submit that the quality of Sherbrooke Road as major tourist route is maintained by ensuring appropriate screening of the car park with vegetation at this sensitive view point.
28. We support Cameron Ryder's expert evidence (Expert Evidence Statement for Tree Related Issues at Burnham Beeches, Sherbrooke, dated 24 November 2017), that a more detailed assessment of tree impacts for the Northern Overflow Car Park is undertaken (page 15). We note that there are a number of significant trees in both the immediate and nearby vicinity of this carpark that may be affected by changes in ground level, soil drainage and/or surface condition from such works.
29. We strongly support the use of landscaping requirements to mitigate the impact of the carpark on the surrounding landscape. We expect that views of the carpark within the property would be sufficiently screened by vegetation. Such landscaping work should be undertaken as soon as possible following staged completion of works, rather than at the completion of the project. This will allow time for such landscaping works to mature and create the desired screening affect.

Conclusion

30. The long history of failed and frustrated development plans at Burnham Beeches illustrates the challenges inherent in the management of complex historic sites, and the need to balance conservation outcomes with a viable commercial use. In this context, from a heritage perspective, we believe the current proposal strikes a balance between the need to raise capital for conservation, and providing for an ongoing use that will see the property restored with the introduction of relatively minimal new development, opening up parts of the site that have not been publicly accessible for decades. We recognise that heritage is just one of many issues to be resolved during the Planning Panel, including bushfire, traffic, and sewerage issues. The National Trust thanks the Panel for the opportunity to provide these submissions.

Dr Jessica Hood (Community Advocate—Environmental Heritage) and Caitlin Mitropoulos (Community Advocate—Built Heritage) for National Trust of Australia (Victoria).

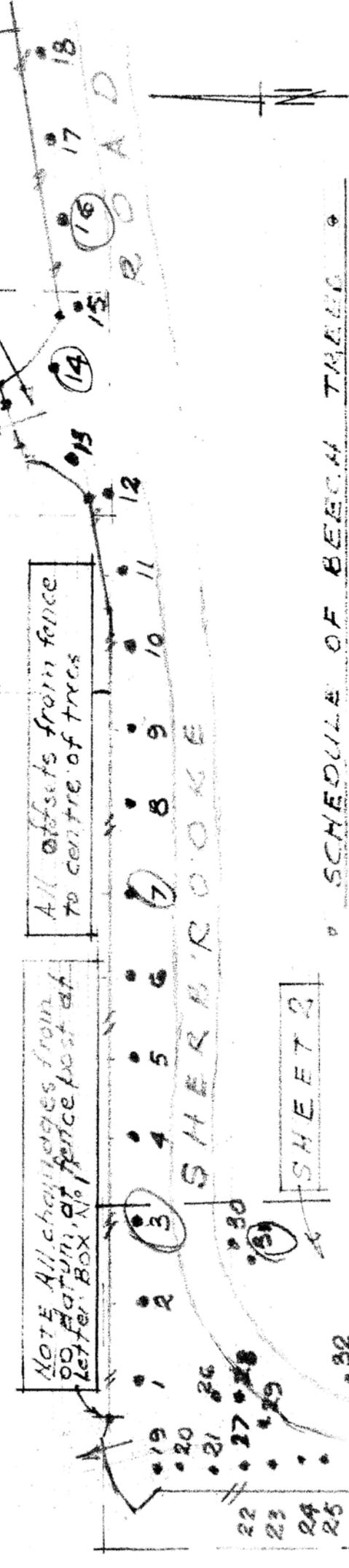
4 December 2017

ALFRED NICHOLAS
MEMORIAL GARDENS

"BURNHAM BEBCHES"

NOTE All chainages from
00 datum, at fence post at
Letter Box No. 1

All offsets from fence
to centre of trees



SCHEDULE OF BEECH TREES

NO	CHAINAGE	OFFSET	REMARKS	NO	CHAINAGE	OFFSET	REMARKS
1	5.3	4.6		19	7.3	2.2	SEE DETAIL SHEET 1
2	16.4	4.2		20	10.2	1.4	"
3	28.0	3.7	GIRTH 3.25M	21	15.0	1.9	"
4	40.6	3.3		22	19.0	2.1	"
5	51.7	3.1		23	22.9	2.4	"
6	63.7	3.0		24	26.7	2.8	"
7	74.9	2.8	GIRTH 2.2M	25	30.0	3.3	"
8	86.7	2.8		26			IN ISLAND
9	98.7	2.75		27			SEE DETAIL SHEET 1
10	109.8	2.8		28			
11	121.0	2.7		29			
12	133.0	2.4	ENTRANCE	30			ON FOREST
13	135.3	1.5		31			SIDE OF ROAD
14	153.0	1.5	GIRTH 2.2M	32			SEE DETAIL SHEET 1
15	159.4	2.1		33			
16	171.3	2.0	GIRTH 2.75M				
17	183.7	2.1					
18	195.4	2.4					

SHERBROOKE
FOREST

SHEET 1

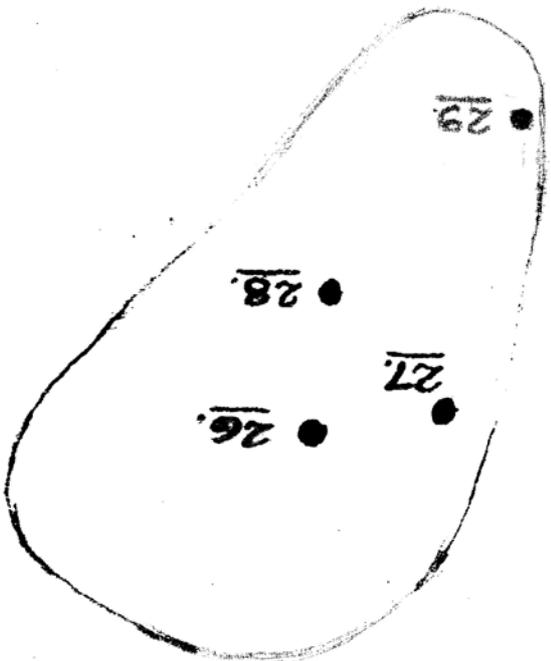
SCALE IN METRES

D. J. WILSON 1.9.13

PARKS VIC.

PARKS VIC.
TAN TRACK

- 25.
- 24.
- 23.
- 22.
- 21.
- 20.
- 19.



- 33.
- 32.

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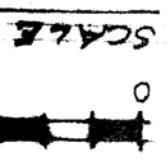
FOOT PATH

DATUM POST
LETTER BOX N°1

ENTRANCE

BURNHAM BECC

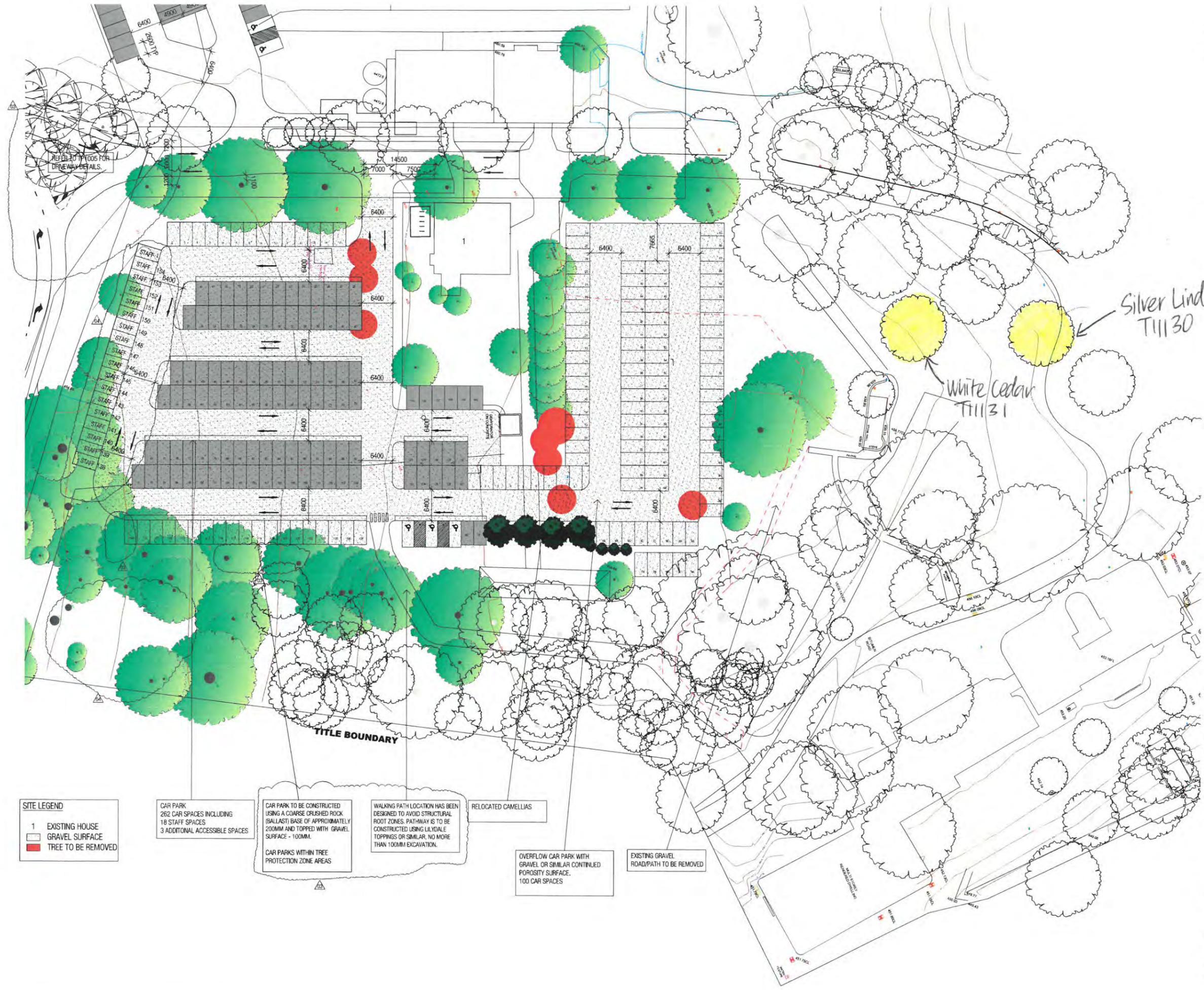
• LOCAT
BEECH
SHERA



Copyright

Notes
CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING
WORK OR PREPARING WORKSHOP DRAWINGS. DO NOT SCALE DRAWING.
FINAL LAYOUT OF CAR PARKING AND BUS
LAYOUT INCLUDING INTERNAL ACCESSWAYS
TO BE FINALISED PRIOR TO STAGE 2
CONSTRUCTION

Key plan



Silver Linden
T1130

White Cedar
T1131

04	AMENDMENT_STAFF BUILDING & CARS No.	21.07.17
03	AMENDMENT	02.06.17 LJ
02	AMENDMENT	07.03.16 EM
01	PLANNING PERMIT	22.12.15
Rev	Description	Date
App'd		

Client
BURNHAM BEECHES

Project
BURNHAM BEECHES

1 SHERBROOKE RD
SHERBROOKE

WOODS BAGOT.

Drawing title
PROPOSED SITE PLAN

Date generated 07.03.16
Checked IL
Approved NK

Scale 1:500
@ A2 sheet size 50mm on original

Project number 130097
Drawing number **TP1004**
Revision 04
Status
PLANNING PERMIT

SITE LEGEND

1 EXISTING HOUSE

GRAVEL SURFACE

TREE TO BE REMOVED

CAR PARK
262 CAR SPACES INCLUDING
18 STAFF SPACES
3 ADDITIONAL ACCESSIBLE SPACES

CAR PARK TO BE CONSTRUCTED
USING A COARSE CRUSHED ROCK
(BALLAST) BASE OF APPROXIMATELY
200MM AND TOPPED WITH GRAVEL
SURFACE - 100MM.

CAR PARKS WITH TREE
PROTECTION ZONE AREAS

WALKING PATH LOCATION HAS BEEN
DESIGNED TO AVOID STRUCTURAL
ROOT ZONES. PATHWAY IS TO BE
CONSTRUCTED USING LILYDALE
TOPPING OR SIMILAR, NO MORE
THAN 100MM EXCAVATION.

RELOCATED CAMELLIAS

OVERFLOW CAR PARK WITH
GRAVEL OR SIMILAR CONTINUED
POROSITY SURFACE.
100 CAR SPACES

EXISTING GRAVEL
ROAD/PATH TO BE REMOVED

TITLE BOUNDARY

REFER TO TP1005 FOR
DRIVEWAY DETAILS.

National Trust Additional Submission

Planning Scheme Amendment	C142: Burnham Beeches to the Yarra Ranges Planning Scheme
Permit Application	YR-2016/10
Planning Authority	Yarra Ranges Council
Submitter	National Trust of Australia (Victoria)

Response on Sherbrooke Road tree removal

1. The National Trust of Australia (Victoria) Expert Significant Tree Committee are a group of experts in the fields of arboriculture, botany, horticulture and heritage who provide expertise, information, opinion and advice in the specialist area of the conservation and advocacy of significant trees. In response to a question by the Planning Panel, the Expert Significant Tree Committee make the following submissions regarding the Beech trees (*Fagus sylvatica*) on Sherbrooke Road that are on the National Trust Register of Significant Trees (file number T12208). All references to trees are from the Ryder Arborist report dated 12 November 2017.
2. The most significant of the above Beech trees are the row lining the north side of Sherbrooke Road, being trees number 57, 56, 55, 54 and 53. We submit that all measures are undertaken to ensure that these trees are retained intact as a row in any intersection works.
3. In response to the Panel's question regarding the loss of trees on the south side of Sherbrooke Road, being trees number 75, 76 and 77. Should tree removal be shown to be completely unavoidable at this intersection, we submit that trees 75, 76 and 77 are of lower significance, and therefore we would be generally comfortable with the loss of these trees if the above row of trees (57, 56, 55, 54 and 53) were retained and protected throughout the works.
4. Following the above, in order of significance, we consider the Beech trees on the north side of the intersection, trees 62, 63, 64, 65, 66, 67, 68 to be the next priority to retain, followed by the 4 trees in the traffic island, trees 58, 59 60 and 61 and finally 69, 70, 75, 76 and 77 on the south side of the road. We submit that tree 61 is the best of the 4 in the current traffic island, and should there be an opportunity to retain one tree in the intersection design, this would be the preferred.

Dr Jessica Hood (Community Advocate—Environmental Heritage) and Expert Significant Tree Committee, National Trust of Australia (Victoria).

7 December 2017