

Requests to be Heard

11 June 2024

Planning and Amenity
Delegated Committee Meeting

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WRITTEN STATEMENTS

Item 4.4 2 James Avenue, Highett	Objector (O) Supporter (S) Applicant (A)
Written Statements	
1. Mrs Mamta Johal	(O)
<p>Regarding Planning Application Ref-5/2024/19/1 2 James Street Hightett</p> <p>I am writing to express my strong opposition to the proposed housing development in our backyard. While I understand the need for affordable housing in Highett, I believe this project would have a detrimental impact on our road and the enjoyment of our home. We already have the CSIRO site that will be offering affordable homes with a large number of townhouses. The issue in Highett is a lack of family homes with backyards.</p> <p><u>The proposed townhouses are large and bulky buildings</u> To sit 3 townhouses on a 671-meter block will set the standard for these blocks to be split in 3. Unit 3 has a backyard that is 27.7 meters and sits on the smallest block size of 169.8meters. Unit 3 will have very little daylight in the garden due to the building being pushed to the boundary.</p> <p>The building area will cover 49.9% of the site coverage. With unit one having the greatest area.</p> <p>The townhouses are out-of-scale in terms of appearance on that side of the street. The house will harm the character of our traditional home to its rear which has external paint and fence controls under the bayside planning scheme. We currently live in one of the few art deco homes in Highett which is excluded from the Victorian heritage register. It would not be beneficial to our community to set a standard that we can split our block into three.</p> <p><u>Loss of privacy in to 1 Clonmult street rear Garden</u> I request the number of windows be reduced and all windows to be frosted and fitted with privacy screens. The windows will look directly into our pool.</p> <p><u>Increased Traffic</u> First and foremost, the proposed development is simply too large for the corner block. The increase in population density would put a strain on our already overburdened infrastructure, especially as we have the CSIRO redevelopment happening at the other end of Clonmult Avenue. The street cannot accommodate even small increases in traffic.</p> <p><u>Inadequate parking and access</u> The townhouses only have room for 1 car to be parked in the garage. The 2nd car will need to use the carport, therefore making the garage unusable for a car. Highett is a family suburb and these units have 4 to 3 bedrooms and will be marketed to families with 2 cars. Where will these cars park?</p>	

Wildlife

Additionally, the construction of this project would result in significant environmental damage, destroying natural habitats. The established trees are being removed at the rear of the building. These valuable trees will be lost. Only the gumtree will remain. This will hugely impact our current outlook from our living room window.

Noise control

The council should use its powers to enforce controlled hours of operation and other restrictions that might make the duration of the work more bearable. Consideration be made about how and where construction vehicles use the road.

Conclusion

This area contains a variety of single-storey homes, and this proposal is not in line with the existing neighbourhood character. Especially as this is adjoining to our art deco home. First and foremost, the proposed development is simply too large for the corner block directly behind our home.

I strongly urge you to reconsider this proposed housing development. While I recognize the need for affordable housing, I believe that this project is too large with too many townhouses being built, and simply is not the right fit for our neighbourhood.

Thank you for your attention to this matter.

Mamta and Clint

Item 4.5 2B North Road, Brighton	Objector (O) Supporter (S) Applicant (A)
Written Statements	
1. Mr Peter and Mrs Linda Henley	(O)
<p>Whilst we have no issue with the proprietor trying to expend and earn additional income our objection is essentially regarding the liquor licensing hours requested.</p> <p>We all know what happens at and around venues serving liquor after 10pm !</p> <p>This cafe/reception venue is located in the 'heart' of residential rate payers which raises the known problems associated with serving alcohol after 10pm.</p> <p>Surely the committee will recognise all the potential issues that will occur with late evening trading in a normally quiet residential neighbourhood.</p> <p>We urge you to restrict the hours of serving alcohol in consideration of us residing rate payers please.</p> <p>Kind regards,</p> <p>Peter and Linda Henley</p>	

I submitted an objection from 2 signatories: myself and Sue Gross, from the residents of 2 North Road. Since that submission our Owners Corporation met comprising all 6 Owner occupiers of 2 North Road residences. It has been requested that I convey the message to Council on behalf of all 6 owners of our apartments.

Although nominally an objection, we are cautiously supportive of the proposal to extend hours. Our primary concern has been addressed by the recommendations in the planning meeting agenda document. All owners want to acknowledge the successful reduction in noise since the implementation of the double glazed windows lining the patio portion of the dining pavilion. That combined with the other noise control and liquor license conditions listed in clauses 3 - 16 inclusive as items the permit approval are subject to satisfy our concerns.

Thank you.

POINT CAFÉ APPLICATION AT 2B NORTH RD, BRIGHTON FOR EXTENDED TRADING HOURS WITH A LIQUOR LICENCE.

I have no qualms in supporting the managers of the Point café in their application for extended trading hours with a liquor licence.

REASONING:

1. The council has provided facilities and amenities at the end of North Rd.
2. These are:
 - Car parking
 - Boat ramp
 - Jetty for the boat ramp and for fishing
 - Parks on either side
 - Children's playground
 - Access to the foreshore bike path and walking path.
 - Public toilets
 - Café
3. The café has been recently renovated and modernised and is now attracting an increase in patronage of mainly what appears to be middle class clientele.
4. This end of North Rd is very busy especially in the warmer summer months. However, there is no rowdiness or drunkenness and I use the end of the road on nearly a daily basis.
5. If the café is allowed extended trading hours with a liquor licence it just means that the middle class patronage can enjoy a drink with their evening meals.
6. This patronage drives sedans and some of them are even silent EVs. Most of them will leave by 9 pm on weeknights with some leaving later on a Saturday night.
7. Currently I experience no noise pollution or disturbances from the existing traffic using the section of North Rd from St Kilda St to the end and the car park, and I reside in the front of an apartment block just up from the Point café, on North Rd.
8. I have read through the submission from the managers of the Point café, and they have followed the submission process carefully including obtaining noise studies which they have passed easily.
9. If the café managers broke the terms of the permit, they would lose their permit with all the time and costs involved in trying to obtain it and this can be easily monitored.
10. The main issue with this North Rd area is not the people who use the facilities there but the hooners that use St Kilda street and the beach road as a race track in the evening and during the night with their fast and loud cars and motorcycles, and drive down to the end of North Rd as well. This is not the clientele that is attracted to have a meal at the Point café. Rather they frequent pubs for loud music and smoking and drinking. The café doesn't offer this sort of entertainment and its not part of their permit application. The car park has ample evidence of being used for burnouts. I have taken photos of the rubber burnout marks in the car park.
11. I have been leaflet dropped and spoke to one of the people objecting to the extended hours and liquor licence proposal.
12. I find it odd that they do not live in North Rd itself but a street away on either side of North Rd and have no idea about the real cause of the noise pollution.
13. The claim that allowing extended trading hours will attract an unruly element who get drunk and make noise is not correct. This element is not attracted to a meal with a glass of wine at the café. They go to a pub venue and this is not being applied for at all.
14. Its also hard to envisage how the permit for extended trading hours with a liquor licence would also attract crime and vandalism to the area.

IN SUMMARY I HAVE NO OBJECTION TO THE PROPOSAL FOR EXTENDED TRADING HOURS WITH A LIQUOR LICENCE AND DO NOT THINK THAT THERE WILL BE ANY ISSUES FROM NOISE POLLUTION,

OBJECTIONAL BEHAVIOUR, AND THE GRANTING OF A PERMIT WILL NOT ATTRACT CRIME AND/VANDALISM TO THE AREA.

Thank you.

Regards.

Peter Snider.

As a resident of Chatsworth Avenue, Brighton, I am writing to express my full support of the North Point application to extend their hours of operation into the evening.

The current tenants are trustworthy, hard-working and most importantly respected. The refurbishment that they have completed is wonderful – for customers but also the community. It would be an incredible shame and travesty if this is not accepted, particularly for the community.

I and my fellow residents believe that the negative impact to residents will be minimal. Choosing to live along the beach, we are used to the busier streets and visitors over the summer months. Noise permeating from a dinner service will be minimal and not close enough to be detrimental to neighbours.

I and many of my fellow residents strongly support this application.

Item 4.8 228–230 Esplanade, Brighton	Objector (O) Supporter (S) Applicant (A)
Written Statements	
1. Mr Morry Silber	(A)
<p>To the Hon. Mayor and Hon. Councillors,</p> <p>Please accept my sincere apologies for my absence from the meeting of 11 June 2024. The meeting coincides with the Jewish observance of Shavuot (equivalent to Christian Pentecost) and I will not be able to attend.</p> <p>I have provided the background to my reasons for seeking the extension of this planning permit in the application form which you have before you. I expect that you will ask why the approved 4 apartments and 2 shops have not yet been built, given the original approval date of September 2018. To answer this question, I will provide a timeline of the process below. I appreciate your taking the time to read it.</p> <ul style="list-style-type: none"> - Project to build 4 apartments and 2 shops conceived in 2015 - Architect engaged to draw up plans in 2016, Commercial Builder commissioned - Planning permit issued 14 September 2018 - Initial architect ceased involvement in this project at this time, requiring a new architect - New architect engaged to address endorsement conditions - Plans redrawn and submitted to Council in February 2019 - Plans endorsed by Council on 10 December 2019 - Original builder ceased involvement in this project at this time, new builder sought - Second architect ceased involvement in this project at this time, new architect sought - New commercial builder engaged in January 2020 - New architect engaged in February 2020 (and continues to manage this project) - Prime Minister declares Covid pandemic in March 2020 - Despite lockdowns, document preparation for 2 building permits commenced - External Building Surveyor commissioned in June 2020 for 2 building permits: demolition of existing buildings and construction of new buildings - First Extension of Planning Permit granted by Council on 19 September 2020 - Invoices for both building permits (demolition and construction) paid in October 2020 - Despite lockdowns, preparation of documentation for building permit continued - Site utilities (electricity and gas) abolished and asbestos removed in early 2021 - Building Permit for demolition issued to my Commercial Builder in May 2021 - Building surveyor immediately issued a Cease Works notice until Protection Works for adjoining property completed - Negotiations on Protection Works with adjoining property commenced June 2021, continued until August 2022, when agreement was reached - Second Extension of Planning Permit granted by Council on 19 August 2022 - Appointed demolition contractor withdrew from project at this time - New demolition contractor engaged in December 2022 - Commercial Builder withdrew from project at this time, nominated alternate builder 	

- Building Permit for demolition transferred to new demolition contractor in February 2023
- Demolition of existing buildings commenced in April 2023
- Nominated alternate builder enters liquidation in late October 2023, new builder sought
- Demolition completed in April 2024

As indicated in my application, I have now secured the services of a new commercial builder and am working with my architect on preparation of documentation for the external building surveyor to issue the building permit for construction. I am grateful for the assistance of Council's Deputy Municipal Building Surveyor who has provided helpful advice as to how to proceed with the construction phase and we will be incorporating this into the documentation for the building permit. Negotiations with the external Building Surveyor for the construction permit will take several months and I do not expect issuance of that permit until later this year, past the expiry date of the current extension. However, I do have finance for this project and, should Council see fit to grant this extension, construction is expected to commence before year's end, to be completed by 2026.

Thank you once again for considering my application for extension.

Morry Silber

Owner, 228-230 Esplanade Brighton

Item 4.9 131–133 Carpenter Street, Brighton	Objector (O) Supporter (S) Applicant (A)
Written Statements	
1. Mr Kris Tanoyo and Ms Leonie Perry	(O)
<p>We, Kris Tanoyo and Leonie Perry, wish to object to the granting of a fourth extension of time to the planning permit for 131-133 Carpenter St, Brighton.</p> <p>We own the dwelling at 1 Durrant Street which is diagonally to the rear of 131-133 Carpenter St. It is currently tenanted but we intend to live in this property in older age.</p> <p>Our reasons for objecting to a fourth extension of time to the planning permit for 131-133 Carpenter St, Brighton:</p> <ol style="list-style-type: none"> 1. The original plans for this site were developed in 2016 and were refused a permit by Bayside City Council but were subsequently approved at VCAT. If plans were being developed now, 8 years later, we imagine that more sustainable design would be required. 2. A further extension of time means it could be 10 years since the planning permit was granted by VCAT before this development is completed. It seems unreasonable to expect affected neighbors to live with this uncertainty for so long. 3. It is our understanding that the Silky Oak tree in the property to the rear is a protected tree. The excavation for the basement parking being so close to the boundary will no doubt jeopardize the root system of this tree. 4. For some time we have been wanting to install solar panels to benefit our tenants but the unknown impact of overshadowing has caused us to delay these works. 5. Since the original planning permit was granted in early 2017, this property has been on the market 3 different times for a total of more than 395 days and sold twice: most recently on the 25th of May 2024. It appears the earlier applicants were not intending to develop the property but rather speculating on the land value. <p>Thank you for your consideration of our objection.</p> <p>Kris Tanoyo and Leonie Perry</p>	