

# **WRITTEN STATEMENTS**

**13 July 2021**

**Planning and Amenity Delegated  
Committee Meeting**

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3. Mr Hanzhen Xu (S)
4. Mrs Jie Lu (S)
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6. Ms Bing Qian Gu (S)
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1. Ms Kerry Hammer & Mr Ian Broadbent (O)
2. Mr Callum Bryant (A)

*Definitions*

*A= Applicant*

*S= Supporter*

*O= Objector*

**Item 4.1**

**58 Martin Street, Brighton**

## 1. Mrs Danielle & Mr Nicholas Santalucia (A)

*\* Additional documentation has been received with detailed personal information. The documentation has therefore not been published though will be made available for Councillors consideration.*

- Governance department.

Refusal to remove very large gum tree at 58 Martin Street Brighton

Dear Councillors,

Due to climate change we are experiencing more frequent major storms and stronger winds. These trees have very shallow root systems that makes them prone to falling and lose limbs not just leaves.

We are not cutting the tree to get a better view, we are not cutting the tree so that we can make a profit by building a big residential development. We need to cut the tree because it is severely affecting my son's health and it is not suitable for a small backyard. It is affecting my family's quality of life. We deserve and have a right to feel safe and well in our own home.

The council's policy limits medical conditions to allergies. What about medical evidence regarding 2 people's mental health and wellbeing? This is a very real and serious health issue. I have previously provided a letter from my doctor about the negative affect this tree is having on my health and my son's health.

The tree has been assessed as tolerable condition, but they cannot predict human nature

This is preventing my 3 children from playing outside in their own backyard. They are so scared that the tree is going to fall and hurt or kill them. On a windy day, it is so frightening to even be inside the house. My 11 year old son is suffering. Even though the council naively replied that the tree was not the underlying cause of my son's anxiety, it has caused him to need to regularly see a psychologist. He is too scared to sleep in his room because if the tree falls it will crash into his room. He has been sleeping on a trundle on the floor in his sibling's room. He has to have the radio on and wraps his whole head and face in a blanket to block out the noise of the tree. I am terrified that he will suffocate and I have to check on him several times a night. He has suffered 2 anxiety attacks on 2 nights of extreme winds. He wakes up many nights and comes to our room. His health is suffering and teachers have noticed it is affecting him at school because he is so tired. He did experience mild anxiety before, but it has now become unmanageable. On windy nights, people txt me to ask if we are ok. Last year a limb did fall down and cut my daughters arm. They are all so afraid to play outside and often run in screaming when a strong wind comes. Do we need to wait for a tragedy to occur??

I have now written in excess of 50 emails to council regarding this tree and the distress it is causing my family. I believe that the Ombudsman for Human Rights has suggested to council that they may need to extend their medical policy. The ombudsman did get this matter to proceed on appeal to this council meeting.

Last year we planted 8 *Waterhousia floribunda* trees along the back fence in line with the gum tree. These trees will grow to 12 metres with a width of 8-10. We will plant another 2 of these trees to replace the gum tree. We planted a Crimson Sentry tree in our front yard (replaced a yucca) about 5 years ago which is now about 5 meters with a large canopy as well. Also since living at this address we planted 9 Magnolia Trees (6 in the front and 3 in the back) which are now 3 metres high. We have a large Betchel Crabapple tree and a Japanese Mayple in the front yard too as well as another couple of trees. For a small block, we are positively contributing to the environment, the canopy and the street scape.

In the documentation attached to the agenda, it states that I did provide pictures of borer on the tree but when the council arborist came out he did not see evidence of this. We were shocked to read this, as he did say to us that they were visible on the tree and he even asked us if he could take one, which he did.

The independent arborist said to my husband that a tree can look healthy but it could possibly be dangerous because it could be holding on by one root. I wish I would have recorded some of these conversations. All other arborists we have had look at the tree all say that the tree has outgrown the space and does not belong in a small backyard. This does not help us to feel safe. Our neighbours also feel that the tree is dangerous, as it is very close <2m from their residence.

The same council arborist assessed my friends tree in Rusden Street Brighton as healthy and it came crashing down 2 weeks later on a day with slight wind. (Picture below). As I said, they cannot predict human nature.



We are so tired of fighting this but please we are trying to do the right thing. We have planted many trees and will plant more. Nothing is more important than my son's health especially during these even more difficult times with Covid. Xavier is 11 years old and he deserves to feel safe and secure in his home and needs the best chance at keeping mental illness at bay, as do our other children.

Please consider the human side of this.

Regards,

Danielle & Nicholas Santalucia

**Item 4.2**

**1-2/9 North Road Brighton**

**1. Mr HuiQin Fang (S)**

I have looked through the amended plan and it's totally friendly to environment around, this project definitely will make that area more beautiful.

**2. Mr Michael Chen (S)**

Design are reasonable and beautiful, Hope approval

**3. Mr Hanzhen Xu (S)**

It's great design. Amendment plan is very friendly to neighbourhood. Strongly recommend councillors to support this plan.

**4. Mrs Jie Lu (S)**

I'm in support of the application

**5. Mr John Phillips (S)**

I support this proposal. I believe the development, with recent changes to the original design, will do much to enhance the existing streetscape. The development has been carefully designed, is sympathetic to neighboring properties and will add much value to an already highly cherished street in Brighton.

**6. Ms Bing Qian Gu (S)**

The development is of high architectural and landscape quality which will make a positive contribution to the value character of North Rd and Brighton as a whole. Councillors' supports are great appreciated.



**7. Mr William Murray Rogers AM (S)**

Being a Brighton resident and concerned with inappropriate development in the Bayside Council area, I have reviewed all aspects of the proposed development at 1 - 2 9 North Road, Brighton, and I add wish to add my support to this application.

I am of a firm opinion that the development is in line with appropriate standards for the North Road area of Brighton.

I wish the applicant/s every success with their application.

The provision of high architectural new housing in an accessible area which is rich in services and infrastructure will support local business and will create for diverse communities.

## 8. Mr Simon Martin (A)

Dear Councillors,

Written Submission to Planning & Amenity Committee  
1-2/9 North Road, Brighton (Item 4.2)  
Planning Application No. 2020/224/1

Ratio Consultants acts on behalf of the permit applicant, Mrs C F X'Lingson & X'Lingson Family Trust in the above matter.

We would like to thank the planning department for their recommendation of support subject to conditions in this matter.

This is an application which was lodged with Council back in May 2020. Following advertisement of the original application, a total of 8 x objections were received. To respond to objector concerns, the application was amended via Section 57a of the Act on 16 April 2021. The amended plans sought to respond to objector concerns through a reduction in building envelope; reduction in site coverage (60% to 51.9%); increased front setbacks; and increase landscaping amongst other changes.

Significantly, the amended plans have:

- Facilitated planning officers support subject to conditions.
- Facilitated all internal referral departments 'signing off' on the application.
- Facilitated a total of **41** x letters of support that have been lodged with Council.
- Facilitated an agreed settlement of the application subject to further conditions between Ratio Consultants and Best Hooper Solicitors who act for Ms Nina Carlei, Mr Marco Carlei, Ms Megan Macaw, all original objectors to the application and properties directly abutting the subject site.
- As a consequence of the above, total objections have reduced from **8 x** to **5 x** with additional withdrawals expected prior to Tuesday evenings meeting.

With respect to planning merit of the amended application, we note:

- The development achieves general compliance with the relevant standards of Clause 55/ResCode;
- Full compliance with the 'Better Apartment Design Standards' is achieved;
- Full compliance with the Neighbourhood Residential Zone – Schedule 3 mandatory requirements;
- Full compliance with Clause 52.06 (car parking) requirements; and
- Full compliance with Design and Development Overlay – Schedule 1 requirements.

Significantly, the development ensures that a high level of internal amenity is provided to the future occupants and that there are no unreasonable external amenity impacts on the neighbouring properties.

In the event that Councillors seek to support this application, we respectfully request that the following additional permit conditions are added to any NOD to be granted. These conditions reflect agreement reached between Ratio Consultants and Best Hooper Solicitors:

### **Additional conditions to be added:**

#### *1. Condition 1 requirements are follows:*

- a. All first and second floor windows and balconies along the west and north to be screened with a 1.7m high screen from finished floor level with a maximum of 25% transparency except for balconies which are to be 1.7m from finished floor level with no transparency.*

- b. Deletion of the centre two gardener's gates along the western boundary and relocation of the rear gardener's gate to the most southern part of the open space along the western boundary associated with the rear ground floor apartment.*
  - c. A solid western boundary fence, to be painted on the western side, to match the colour of the building, to a height of 2m. The wall on boundary is also to be bagged and rendered in the same colour as the building.*
  - d. Erection of new gate at the entry of the driveway/easement which is to replicate the gate at No. 7 North Rd.*
2. *Landscape condition to include:*
- a. Star Jasmin to be planted along the eastern side of the easement.*
  - b. Screen ever green trees to be planted along the side and rear boundaries to be planted at a minimum of 1.5m in height and to be planted at least every 1m and to mature to a height of at least 3m.*

We further request that **Condition 1(b)** as written in Agenda report be deleted.

This condition requires a reduction in site coverage from 51.9% to 50%. We respectfully request that this condition be deleted from any approval granted on the basis of the prevailing site coverage of development in this part of North Road, Brighton demonstrates site coverage well in excess of 50%. This includes a number of recently approved developments proximity to the site.

To assist Councillors in considering this further request and deletion of condition, we have included an indicative 'site coverage calculation plan' for development surrounding the subject site which confirms this position.

Based on the development demonstrating a high level of compliance with the relevant provisions of the Bayside Planning Scheme and the variation of permit conditions per the above, we respectfully request that you support this quality application at meeting of 13 July 2021.

Thank you for the opportunity to address the Council and please do not hesitate to contact me on 0410 741 815 should you wish to discuss this matter further.

Yours sincerely,



Simon Martin

Director  
Ratio Consultants Pty Ltd

**Item 4.3**

**81 Ludstone Street, Hampton**

## **1. Mr John Lam & Dr Natalie Law (S)**

Dear Bayside Councillors,

### **RE: Medical & Dental Services at 81 Ludstone St Hampton**

We would like to take this opportunity to introduce ourselves and our family. My name is John and I will be one of the directors in our healthcare dream, alongside my wife (Dr Natalie Law) who is a doctor and my sister (Dr Jennifer Lam) who is dentist. I, myself operate and own a community style pharmacy and have been doing so for the past 8 years within the Malvern area.

My sister and I grew up not too far from Hampton, and attended Haileybury College Castlefield campus as juniors before moving onto Keysborough campus. Having grown up in this area, we have a sense of nostalgia in being able to give something back to the neighbourhood and surrounding areas that has supported our family as we were growing up.

Our collective dream is to create a small family healthcare service, where we will be able to provide our own personal touch with a family style ambiance. A place that we can be proud to build up and call our own. The project being in a local community setting as is, will make us an easily accessible service to seek advice for any health concerns or ailments. We believe that patients and locals will be reassured, knowing that they will be heard and cared for by a family of health professionals. This is in contrast to the larger corporate owned centres where we have all worked in and found it more difficult to implement change and sometimes have the inability to give more time for our patients.

We are young and enthusiastic professionals who have and will continue to invest a significant amount of time, energy & resources towards improving the health outcomes of our patients with the growing demand for primary healthcare due to inundated hospital emergencies, an ageing population and immigration. We have diligently saved financially in order to build our dream, and we hope with your support we are looking to commit ourselves to this community for generations to come.

There are a couple of issues with primary healthcare services that we will look to address in our business model which includes; adaptation of newest technologies to reduce waiting times and traffic, a synergistic platform between doctors and allied health (therefore less doubling up and a more streamlined consultation) and focusing on the reducing environmental impact via multitude of education and innovative practice styles.

We are working alongside a few different teams (town planner, traffic engineer, architect) to make this dream a reality and have taken your feedback into serious consideration. We have worked together to amend our plan according to your reservations in terms of reducing the number of practitioners, providing more car spaces within the building and waste management, to be in line with Bayside Council and community expectations.

We hope that you can see our genuine desire and support us in creating a lasting legacy in becoming ingrained members of the Hampton community and the wider Bayside municipality.

Yours Sincerely,

The image shows two handwritten signatures in black ink. The signature on the left is written over a horizontal line and appears to be 'John Lam'. The signature on the right is also written over a horizontal line and appears to be 'Natalie Law'. Both signatures are in a cursive, flowing style.

John Lam B.Pharm(Hons)

Dr Natalie Law MBBS (Hons)

## 2. Mr Melinda Ryan (A)

12 July 2021

Bayside City Council  
Attention: Cr Laurence Evens OAM (Mayor) and all Councillors

Dear Councillors,

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### PLANNING & AMENITY DELEGATED COMMITTEE MEETING

WRITTEN STATEMENT BY APPLICANT  
PLANNING APPLICATION 2020/633/1 – ITEM 4.3

THE LAND:	81 LUDSTONE ST HAMPTON
THE PROPOSAL:	BUILDINGS AND WORKS INC. SIGNAGE & VARITION TO CAR PARKING REQUIREMENTS

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We act as Permit Applicant in Planning Application 2020/633/1 listed to be heard at Item 4.3 of Councils agenda.

We have had the opportunity to review the officers delegate report and are agreeable with the recommendation contained within, including the proposed Conditions.

Our Client, the land owner, is invested in the community and most eager to establish a family legacy at 81 Ludstone St Hampton.

We trust that you have had the opportunity to review submitted material, including expert reports and detailed architectural plans.

Mindful that car parking is a key consideration in this application, the land owner has compromised significantly throughout the application assessment journey by offering a reduction in practitioner numbers (from 8, to 6, and most recently 4) with view to obtain support at officer level, support from Councils internal traffic engineering team, and support from you, trusted Councillors.

When considering the Application as presented, we submit that:

- The proposed use of land (Medical Centre) is 'as of right';
- The proposal makes most efficient use of an underutilised commercial Site;
- The proposed development maximised onsite car parking opportunities;
- The scale of use (4 practitioners with support staff) will not result in an unreasonable impact upon the surrounds environs when considering traffic and car parking;
- The proposal will contribute positively to the immediate and local surrounds, complementing neighbouring land uses and development;
- The signage as proposed is of a standard and quality expected of a new commercial development; and,
- The proposal is not expected to result in any unreasonable extent of detriment to the immediate or wider Hampton community.

On merit, we submit that the Application before Council is most worthy of support.

I invite you to get in touch should you have any questions or seek any further clarification.

Kind Regards,



Melinda Ryan  
Registered Planner  
RPIA MVPELA

T: 03 8765 2455 M: 0412 251 941

E: [melinda@townplanningco.com.au](mailto:melinda@townplanningco.com.au)



## **Item 4.4**

**Royal Melbourne Golf Club**  
**Cheltenham Road, Black Rock**

## 1. Mr Paul Little (A)

Dear Mayor and Councillors,

Thanks again for attending Royal Melbourne Golf Club ('the Club') to inspect the location of the proposed works.

Both prior to and since that meeting we have been working with the project arborist Glenn Waters and the Club architect Domain Partnership in relation to investigating alternative design options following the deferral of this matter from the Bayside Council meeting of 8th June 2021.

These investigations have focused primarily upon alternative designs to accommodate retention of the 'lemon scented gum' (Tree 3) and 'coastal tea-tree' (Tree Group 17). It should be noted that the final design solution for the project followed a detailed investigation of design options. In addition, the final design submitted as part of the planning application has been deemed the best and most efficient design in terms of managing the Club's land, providing efficiency and functionality for members and guests and future major tournaments, an opportunity for indigenous landscaping associated with the project and generally limiting impacts upon existing vegetation.

Options for effectively designing around the 'lemon scented gum' are not feasible for the Royal Melbourne Golf Club. Attempting to retain it would fundamentally alter the design and construction methodology for the proposed basement car park. Further arboriculture advice indicates that the 'lemon scented gum' has a tree protection zone of 11.5m radius. Allowing for this TPZ and modified construction methodology would require retention of an area of around 500m<sup>2</sup> in the centre of the area of proposed works. This is not feasible and on the basis of this assessment and the considered advice from Glenn Waters, the club is simply unable to accommodate this extent of change noting that the Lemon Scented gum' would potentially be put at risk in any event given its root system to the East is already self-evidently compromised.

The coastal tea-tree in question are regarded as having low arboricultural value by Glenn Waters and inspection of these trees indicates that they are immature and of limited significance. The opportunities presented for significant indigenous landscaping resulting from the proposed car park project will materially improve the quantum of indigenous planting including coastal tea-tree. Altering the alignment of the basement and egress ramp associated with the maintenance vehicles and golf carts is not feasible, and again on balance, the merits of retaining the current design of the basement are clear and the Club does not propose to make changes to accommodate the coastal tea-trees in group 17.

There are opportunities to materially offset the loss of native vegetation associated with this project. That said, the Club has provided extensive material in support of its recognition of the custodial role that it actively performs in relation to indigenous vegetation propagation, protection and habitat protection and management across its 113 hectare property.

The Club has considered the conditions that were put forward as part of the officers' recommendation for the planning application. We are also aware of some Councillors seeking to add further requirements associated with the opportunities for replanting and sourcing from the Bayside Community Nursery.

In this regard, the following is proposed by the Club as part of the permit application:

- A commitment for the planting of 6 indigenous canopy trees with the capacity to grow to 20m in

height.

- A commitment for the planting of 20 indigenous canopy trees with the capacity to grow to 8m in height.
- A commitment to sourcing these trees from the Bayside Community Nursery.
- A commitment to establishing a five year plan for the involvement of the Royal Melbourne Golf Club in sponsoring activities and initiatives associated with the Bayside Community Nursery.
- A commitment to 80 percent of proposed landscaping associated with the project to be indigenous.

The Club makes the above commitments clearly for the benefit of realising Council support for the project and also for the purpose of demonstrating its desire to maintain and foster what is a highly valued and strong working relationship with the Bayside City Council and the local community.

On behalf of the Royal Melbourne Golf Club, we request that Councillors support the application and resolve in favor of the grant of a planning permit as per the officers recommendation.

Yours faithfully,

Paul Little

## **Item 4.5**

### **26 William Street, Brighton**

**1. Ms Kerry Hammer & Mr Ian Broadbent (O)**

Dear Planning and Amenity Delegated Committee

**Re Application No. 5/2020/352/1**

**Address: 26 William Street Brighton (Florence Court)**

Please also refer to the *Statement of Significance Heritage Review* of the subject property, dated May 2021. This was produced by Heritage Consultant, David Helms, and was emailed to council last week.

We were gravely concerned to read the *Support of the Grant of a Permit* recommendation by the City of Bayside Statutory Planner. We were also concerned to read the recommendation of *Conditional approval of a Permit* by the City of Bayside Heritage Adviser. Further, some of the recommendations appear to be contradictory, and inconsistent in part, with the Heritage Conservation policy.

**Our response to the Internal Referral - Heritage Document:**

We support the Heritage Advisor's comment for a "1.25m in further (height) reduction [*beyond the 700mm proposed*]" of the addition. If implemented, this would "result in full concealment of the addition from both streets" and be more adherent to the Alterations and Additions strategy. This would also enable the chimney, if it were retained, to be still visible from both William and Carpenter streets, thereby being more adherent to the Alterations and Additions strategy.

We also support the Heritage Advisor's concerns that "3.7m ceilings are also not particularly compatible with contemporary interior design and environmental sustainability."

We have concern about the inconsistency of some of the Heritage Advisor's comments. In particular, that the Victorian chimney under threat of demolition is of low visibility (it can actually be seen from two streets. See photo below). He also commented that *its removal would not unreasonably impact on the heritage significance of the building*. This contradicts the Alterations and Additions strategies to "retain as much of the original fabric and layout as

*possible” and “retain the profile of visible sections of the roofline ... without altering them.”*

(Note: All the past owners/custodians of the subject property managed to retain all six original chimneys during previous renovations).

Further, there is a strong precedent in the same street as the subject property; comprising a highly comparable single-storey Victorian Heritage residence, whose chimney was demolished and then required to be rebuilt to *original specifications* by the City of Bayside Heritage Advisor. (Refer to Planning Permit 5/2013/587/4.)

### **Our response to the Statutory Planning Report:**

We have concerns about several comments in this report.

On page 228 of the Agenda the Statutory Planner concedes that *“the first floor addition will still be partly visible from both William Street and Carpenter Street”* whereas the Heritage Advisor states *“concealment is possible and this objective should therefore be sought”*

The Statutory Planner report states *“overshadowing of neighbouring windows and private open space falls outside the scope for consideration for this planning permit application”*. However, the Statutory Planner continued to give a comment and recommendation which we believe to be inaccurate. As described in our objection, our garden shed and designated clothesline area are not recreational private open space as defined by Building Regulations 2018. Therefore the unshadowed area is less than the minimum requirement under these regulations. (Also note, the Building Regulations 2018 refer to recreational private open space which is a subset of private open space.)

We agree with the Statutory Planner’s recommendation 1. g) which states *“the location of all plant and equipment, including hot water services, air conditioners, pool plant ... plant equipment is to be located away from habitable room windows and habitable rooms of adjoining properties.”*

Of particular concern is the pool equipment machinery which is currently shown to be 3 metres from our dining room window. We are also very concerned about several other noise pollution sources in the proposal which have been itemised for council in previous correspondence.

There are several other examples of non-adherence to the Heritage Conservation policy described in Clause 15.03-1L of the Bayside Planning Scheme. These include:

Under Demolition Strategies: *“Allowing the part-demolition of significant fabric”* (a 133-year-old Victorian chimney) and by allowing additions which will *“affect the heritage significance”* and permitting additions which are not *“sympathetic to its scale and form”*.

Under Restoration Strategies: by not *“conserving the external features of significant heritage buildings”* and does not *“retain original fabric”*.

Our understanding is that there are two questions the planning committee considers:

**A. Does the proposal have merit under the Bayside Planning Scheme?**

Strong community reaction against these plans suggests that they may not be *“good quality architecture”* as is required under the Planning Scheme. An architect’s response to the proposal states: *“while contemporary articulation is encouraged... the design, with its extremely common and basic cubism along with standard modern lightweight construction materials hardly qualifies to be considered along these grounds”*

The subject site arguably, was fully developed in 2002 with the additions and renovations incorporating subterranean carparking. The proposal diminishes *Florence Court’s* historic value by demolishing significant historic features, altering her symmetry and single storey form in exchange for a bulky first zinc-clad addition which *“detracts from the significance of the heritage place.”*

**B. Is this National Trust, Heritage Overlay Protected Residence worthy of full protection of the Heritage conservation policy?**

The City of Bayside Heritage Review: Building Citations describe *Florence Court* as having *“outstanding aesthetic and historical significance “*

The City of Bayside assessment has more recently been substantiated in another Heritage Review Report by David Helms, dated May 2021.

This meeting is an opportunity for Councillors to show local residents that Council does value our local history and does conscientiously adhere to and apply our heritage conservation policy to protect our historic buildings.

Owners move on; the Heritage residence remains.

Kind regards

Kerry Hammer & Ian Broadbent



View of 26 William Street from Carpenter Street



(\*)

Grounds for planning permit refusal are:

Clause 15.03-1L of the of the Bayside Planning Scheme has strategies to:

*“Retain the profile of visible sections of the roofline of significant and contributory heritage buildings without altering them.”*

and

*“Retain as much of the original fabric and layout as possible when designing alterations and additions to significant and contributory buildings.”*

It is possible to make small changes to the current demolition plan that avoids destruction of the visible west chimney and adjacent roofline (original fabric currently proposed for demolition). The proposal would then be more adherent to the above two Heritage strategies.

Another Heritage strategy of Clause 15.03-1L states:

*“Conceal alterations and additions to significant and contributory heritage buildings from adjoining streets, where possible.”*

Regarding the height of the additions, the Bayside Heritage Adviser commented that *“... by employing further reasonable reductions to the internal heights of the addition, ... the visual impact of the proposal can be reduced to meet the first [preferred] objective - that it be fully concealed. For the reasons explained below, concealment is possible and this objective should therefore be sought”*.

The Heritage Adviser goes on to state that combining both ground floor and first floor height reductions , *“... would total a maximum of 1.25m in further reduction [beyond the 700mm proposed] of the overall height which would result full concealment of the addition from both streets.”*

**By retaining the chimney and implementing the Heritage Adviser’s recommendation of a 1.25m further height reduction, the proposal is more adherent to the Heritage Conservation policy.**

**The proposal should be refused on the grounds that it is not adherent to the Heritage Conservation policy for the reasons outlined above.**

(\*) supplied by: Mr Ian Broadbent]

## 2. Mr Callum Bryant (A)

# SongBowdenPlanning

13 July 2021

Bayside City Council  
PO Box 27  
Sandringham VIC 3191

Dear Sir/Madam,

### **Council Meeting – 13 July 2021**

#### **Agenda Item 4.5**

#### **26 William Street, Brighton Support the Grant of a Permit Application 2020/352/1 Ward: Dendy**

We continue to act on behalf of Alicia & Terry Gavalakis, the permit applicant to the above matter, and the Applicant for Review in VCAT matter P817/2021.

We submit that the plans circulated under the PNPE9 provisions on 16 June 2021 comply with the relevant provisions in the Bayside Planning Scheme, and fully address the heritage comments received from Bayside on 198 February 2021.

The permit applicant has approached this application with appropriate regard towards the Council's planning policy and heritage comments.

The proposal is a good heritage outcome and one that is entirely worthy of Council's support.

Accordingly, the revised plans circulated on 16 June 2021 should be supported by the Council without the further additional permit condition that requests an additional 400mm height reduction.

Should you have any further queries, please do not hesitate to contact the below.

Yours faithfully,

**SongBowdenPlanning**

A handwritten signature in black ink, appearing to be 'Callum Bryant', written in a cursive style.

Callum Bryant

Town Planner