

# **WRITTEN STATEMENTS**

**28 January 2021**

**Planning and Amenity Delegated  
Committee Meeting**

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Written statements are not permitted to this item (see report)

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No Written Statements received

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Written statements are not permitted to this item (see report)

Definitions

A= Applicant

S= Supporter

O= Objector

**Item 4.1**  
**24 Fourth Street, Black Rock**

## 1. Mr Alan McIntyre (A)

### Application for the Removal of 3 Trees – 24<sup>th</sup> January 2021

In support of my application for the removal of 3 trees in my garden, I would like to reiterate the nature of my proposal.

I am applying to the Committee to remove 3 Australian native trees in my garden and replace them with 3 indigenous ones. I have discussed the proposal with the Council's statutory planner and arborist Ronan Hamill who supports the application following his visit. According to Mr. Hamill one of the trees is dead, one of them is nearly dead and the third one is in poor health. In the last 10 days the tree that is nearly dead lost a considerable number of branches in windy conditions due to its condition (please see picture). Pictures of all 3 trees were provided in my original application.

As stated above, my plan is to replace these 3 trees with 3 indigenous trees of similar size which will add to the neighbourhood character of the garden given the other indigenous trees growing there. This will also help to further support the local wildlife such as birds which are already well supported by the other indigenous trees in the garden. There will be no negative impact of the removal of these trees to my neighbours due to their relatively low height and as they are not near the edge of the property.

I would like to thank the Committee for their consideration of this proposal.



**Item 4.2**  
**5 Kirkwood Street, Beaumaris**

## 1. Mrs Caroline Lawton (O)

Good evening Mayor and Councillors,

I am writing to speak on Agenda item 4.2 where the applicant wishes to remove the large Eucalyptus Botryoides. This applicant applied to have this significant canopy tree removed via Vic Smart, the application was refused on December 23rd 2020.

This tree forms a significant part of Beaumaris's Wildlife Corridor with its position close to a large reserve. This tree is also prone to produce natural habitat hollows for birds and native animals, these hollows are declining at a rapid rate and our wildlife need us to speak up to protect these hollows for the future of their species. This is the largest tree on this applicants site, and 3 replacement trees will never reach the level of habitat and ecological value this tree currently does in our life time. Originally this applicant contacted Councillor Martin who suggested she speak with Beaumaris Conservation Society. We acted in good faith, and spent many hours visiting the site, taking photos, researching and discussing at our committee meeting, as well as numerous emails back and fourth to the applicant. After which time, we choose not to object, however we were not saying we were supporting the removal as that is a Council decision. After an email from Mr Mathew Cripps informing us that there was more to the story/application than we were aware of, the possibility that the applicant instructed the power company to remove large tree limbs of this tree. BCS, has reevaluated the application and does not support this trees removal and objects to its removal. The applicant was not honest with BCS, who acted in good faith. We feel we were deceived by her. In wrapping up, the applicant played to our emotions that the tree was highly likely to fall on her house, when in fact the Council Arborist has reported this tree has a "Broadly acceptable risk" which is the lowest threshold on the QTRA Advisory Risk Table.

Thank you for your time.

Caroline Lawton.

## 2. Mr Jason Barnfather (A)

27 January 2021

Item 4.2 Planning and Amenity Delegated Committee  
5 Kirkwood Avenue, Beaumaris  
Permit Application No. 2020/662/1

Dear Councillors,

On Thursday night, our application for the removal of a Southern Mahogany will be presented to the Council for a decision, despite a recommendation from the Planning Department to refuse the application.

As always, I value the opportunity to discuss applications with Councillors and present at the Committee Meetings which I understand is not possible at this time.

I request that Councillors vote to set aside the recommendation from the Planning Department and instead support the removal of the tree.

In support of the removal of the tree, I ask that you please take into consideration the following points:

- The Southern Mahogany is not a species specifically identified in the list of indigenous species outlined in the Statement of Nature and Significance of the Vegetation Protection Overlay – Schedule 3.
- The tree is contrived planting and not a remnant indigenous tree.
- The tree has an estimated safe useful life expectancy of only 2 – 3 years.
- Mr Patrick from Open Space Management has deemed this tree to be hazardous with an unpredictable immediate risk of personal injury and damage to property. This risk is enhanced by the canopy bias to the north and west which means that if the tree does fail, it will fall on the house, carport and / or in the garden.
- Mr Patrick is a very experienced and highly qualified arborist and we cannot ignore his advice and recommendations. For the benefit of Councillors, Mr Patrick holds a Diploma in Horticulture (Arboriculture), an Advanced Certificate in Horticulture from Melbourne University, a Certificate 4 in Workplace Training & Assessment, he worked for 15 years in Local Government, 10 years as a Specialist High Access Arboricultural Technician and for the last 20 years he has worked as a consulting arborist.
- The tree to be removed does not have a high retention value or amenity value. In fact, it is considered by Mr Patrick that it has a very low retention value following the recent pruning by United Energy to maintain clearance from power lines.
- The tree has a history of regular limb loss and is a known species for dropping limbs as documented by the owner. The details of this were submitted with the application.
- It is difficult to accept the Council Arborist's description of the tree as having a 'good structure'. The tree has been significantly impacted by pruning by United Energy, it has a significant bias to the north and west and it has a history of limb loss. It is therefore our opinion the tree has a poor structure. To qualify this, one simply needs to read the definitions of 'structure' provided by Arborists in the appendix to their reports and I have provided three examples from different Arborists (refer below – page 3). In each case, the definitions consider the overall structure of a tree, its crown, branches, trunk, defects and roots and quite clearly this tree falls into the poor category in each case, or at best a fair category.

- The above characterisation of the tree's structure by Council then places doubt in relation to the accuracy of the QTRA prepared by Council which considers the risk of harm from the tree failure and the 'target'. The 'target' in this particular case is the existing dwelling on the site and more concerningly the family who live in the dwelling and to conclude that nothing needs to be done about the tree is unacceptable to me.
- Furthermore, it is noted that a QTRA result takes into account the probability of failure of similar trees in a similar environment and must estimate how many would be likely to fail during the coming year. As no background information to the QTRA has been provided in the Agenda, it is hard to determine what examples were used in the assessment and whether or not the Council officer was aware of the partial failures of four Southern Mahogany trees nearby within the Sandringham Golf Course late last year which are outlined by Ms Vink in her submission to Councillors.
- This application seeks to remove only one of the trees located on the site. The loss of this tree will have a very minor impact on the flora and fauna in the area and is to be offset by the planting of three new indigenous trees which will ensure this site continues to make a long term contribution to the valued characteristics of the area. This is consistent with the objectives of the VPO which seek to promote the regeneration and replanting of indigenous species in Beaumaris.
- The planting of three new indigenous trees which are capable of growing to 15 metres in height, thereby exceeding the minimum requirements of the Bayside Landscape Guidelines which seek the provision of only one new indigenous tree that is capable of growing up to a 13.8 metres in height (based on 75 percent of the height of the tree to be removed).
- The Beaumaris Conservation Society have been consulted and they are not opposed to the removal of the tree.

In summary, this is a large tree on a small residential allotment that has a very poor structure, low safe useful life expectancy, a significant canopy bias due to pruning and a history of limb loss. The tree has been deemed to be hazardous and it is therefore unreasonable to retain the tree as it has a high risk of failure causing personal injury and damage to property and it will be replaced with suitable indigenous trees at a ratio of three to one.

The tree has also had a significant impact on the health of the owners of the land, in particular Ms Vink. She fears that this tree will ultimately fail and it has the potential to harm her family. The stress and anxiety that this tree has caused since the tree dropped a large limb in early 2019 is unreasonable and with the recent pruning of the tree by United Energy it has become intolerable with Ms Vink and her family choosing to leave their home during predicted storm events and her daughter not sleeping in her bedroom due to its close proximity to the tree.

I trust this submission will assist with your considerations on Thursday night and should you have any questions prior to the meeting, please call me on 9965 1930 or 0438 880 282.

Regards,



Jason Barnfather  
 Director  
**Squareback**  
**Definitions of Structure**

**STRUCTURE:**

Good	Good branch attachment and or no minor structural defects. Trunk and scaffold branches sound or only minor damage. Good trunk and scaffold branch taper. No branch over extension. No damage to structural roots and or good buttressing present. No obvious root pests or diseases.
Fair	Some minor structural defects and or minor damage to trunk. Bark missing. Cavities could be present. Minimal or no damage to structural-roots. Typical structure for species in the situation.
Poor	Major structural defects and or trunk damaged and or missing bark. Large cavities, and or girdling or damaged roots that are problematical.
Hazardous	Tree poses immediate hazard potential that should be rectified as soon as possible.

Structure is rated according to the following categories:

Category	Description
Good	The form of the tree is excurrent or decurrent and typical of the species characteristics and exhibits good symmetrical form. Major limbs are well formed with acceptable branch taper and unions appear to be strong with no signs of major defects. The tree has minimal defects or decay throughout the trunk and limbs. There is no signs of root plate heave or damage to the root system (mechanical or other). The tree is unlikely to suffer major branch or trunk failure under normal environmental (weather) conditions.
Fair	The form of the tree is excurrent or decurrent and typical of the species characteristics and has a fairly symmetrical form. Tree may exhibit minor structural defects that may be managed through formative/remedial/restorative or structural pruning. Only minor wounds and or areas of decay are present that do not affect the overall stability or structural integrity of any major parts of the tree. Minor root damage may have occurred in the past. Defects present are likely to cause only minor branch failure under normal environmental (weather) conditions.
Poor	Tree has a poorly formed crown that is not symmetrical. Branch and or trunk taper may be unacceptable and scaffold limbs may be overextended. Branch unions may exhibit significant defects that cannot be managed through formative pruning. There is likely to be decay in parts of the tree that may result in branch or trunk failure. Major root damage may have occurred and there may be evidence of root plate heave. Defects that are present may result in major failure of branches or trunk under normal environmental (weather) conditions.

**STRUCTURE**

\* Good

\* Fair

\* Poor

Good

The tree has a well-defined and balanced crown. Branch unions appear to be strong, with no defects evident in the trunk or the branches. Major limbs are well defined. The tree is considered a good example of the species.

Fair

The tree has some minor problems in the structure of the crown. The crown may be slightly out of balance, and some branch unions may be exhibiting minor structural faults. If the tree is single trunked, this may be on a slight lean or be exhibiting minor defects.

Poor

The tree may have a poorly structured crown. The crown may be unbalanced or exhibit large gaps. Major limbs may not be well defined. Branches may be rubbing or crossing over. Branch unions may be poor or faulty at the point of attachment. The tree may have suffered major root damage.

Key Photos



### 3. Mr Jo Vink (A)

27 January 2021

5 Kirkwood Street, Beaumaris  
Permit Application No. 2020/662/1

Dear Councillors,

Thank you for your consideration of my planning application for removal of a Southern Mahogany. As the homeowner of the planning application in question, I am grateful for the opportunity to share why I have lodged this application.

In December 2018 my husband and I, along with our two year old daughter Eva moved to 5 Kirkwood Street, Beaumaris. Excited that we had broken into the Beaumaris property market with a modest home that we planned to raise our young family in, whilst enjoying beautiful Bayside.

Through the work of Beaumaris Modern we were made aware of the significance and history of our architecturally designed "*Beauie Classic*" home. Our home was built based on the T2130 service plan, which took home first prize honours in the The Age RAlA Small Homes Service competition held in 1953 and shortly after moving we began enthusiastically planning a sympathetic renovation.

We turned our hands to gardening and landscaping, planting over 100 indigenous, native and exotic drought resistant shrubs and trees, seeking advice from the Bayside Community Nursery. Our objective was to enhance the lush garden feel created by the many existing native and exotic semi mature and mature trees dotted around our property that so appealed to us when we purchased the home. We also sought advice from arboricultural company Dawson's Tree Services, who in early March 2019, conducted an assessment of the Southern Mahogany and pruned it accordingly.

Our excitement turned to concern when on March 27<sup>th</sup> 2019 on a still evening a large limb fell onto our carport from the Southern Mahogany planted in our front garden just moments after my husband had returned home from Bunnings. We became concerned about the safety of the tree, especially given it had just been assessed and pruned. We began to document the regularity with which large branches would fall from the tree. A combination of deadwood and fresh wood with bundles of heavy green leaves falling during winds and on still days, all significant enough to cause major injury or death. I discovered these green falling branches are known as *epicormic growth* which are unstable and poorly attached large branches that fall easily and can result from a prior history of poor tree management. Furthermore, to add to my concern, it was brought to my attention that the maturity and species of the tree made it inherently predisposed to unpredictable and spontaneous large limb failure.

Evidence of the risk posed by mature variants of this species of tree has been proven in the spectacular failures of four mature Southern Mahogany's in November and December 2020 at Sandringham Golf Course (SGC). (*See appendix following this letter, for further details and images*).

Consulting arborist Andrew Patrick of Open Space Management visited the Sandringham Golf Course on 19<sup>th</sup> January 2021 and confirmed the trees to be Southern Mahogany's of the same maturity and height as the tree in my front yard. The major limb failure of these mature trees support the belief held by many that mature Southern Mahogany's are a tree inappropriate in the urban environment due to their inherent risk. This risk now appears to be increased due to the rapid growth currently occurring as a result of the higher than average rainfalls seen across Melbourne following a prolonged period of dryness and may explain why four trees failed within such a short period of time.

After conducting a Quantified Tree Risk Assessment (QTRA), a Bayside city council arborist has classified this tree as holding a *Broadly Acceptable* level of risk, which translates to a 1/1,000,000 probability of failure. The QTRA begins by valuing the Target first. My husband Stefan, four-year daughter Eva, the baby boy I'm currently pregnant with, myself and the home we inhabit are the "Target" should the tree fail. With myself and my family as the potential Target of this risk, I strongly disagree with the assessment that this tree has a *Broadly Acceptable* level of risk, especially when evidence of such recent and significant tree failure is so readily available. The level of risk is not acceptable to me.

It is my opinion that the QTRA is an overly simplistic and unsuitable tool to assess the tree in question. The QTRA works by valuing the Target first to enable the tree owner to *determine whether or not, and to what degree of rigour, a survey or inspection of the tree is required*. My family and our home are the Target and I place high value on our lives and home. As both the Target and tree owner, I feel a rigorous survey and inspection of the tree is required. Another objective of the QTRA is cost saving. The QTRA website states "*by taking a QTRA approach, tree owners commonly find they spend substantially less resources on assessing and managing tree risk than they did previously*". I cannot put a price on the lives of my family. The idea that the QTRA has been used to assess a tree which I feel places my family in danger in order to *spend substantially less resources* on management devalues my life and that of my husband, daughter and unborn son.

Source: <https://www.qtra.co.uk/cms/index.php?section=4>

The QTRA may be an appropriate tool for assessing the golf course Southern Mahogany's where a "Target" cannot be identified and a quick and cost effective tool is required, but in the urban environment, for a tree located within meters of a family home with 24 hour occupancy it is inappropriate. I live with a constant and genuine fear of this tree failing and the QTRA disregards this.

The pruning works which took place in October, 2020 by United Energy has further impacted the safe useful life expectancy and amenity value of the tree. Our concerns have since become so substantial that we feel we must vacate our home during storm events and have moved our daughter out of her bedroom into our master bedroom located in a room furthest from the tree.

If permitted to have the Southern Mahogany- not indigenous to Bayside, removed we will be replanting our front garden with three coastal Banksia's, trees indigenous to Bayside to complete the planting of our indigenous and native front garden to further enhance our home, already reflective of, and beaming with neighborhood character. This 3 for 1 replanting scheme was deemed appropriate for the approval of the removal of 36 Southern Mahogany's for development at the Sandringham Golf Course in 2020 and I hope you will deem this appropriate for the approval of the removal of this single hazardous tree.

In the two years that my family and I have resided in Beaumaris we have enjoyed everything this area has to offer. The amazing local kindergarten our daughter attends, playgrounds we frequent, green spaces and beaches. We wish to continue to live within this amazing community, whilst feeling secure in our home and knowing our family are safe.

If you have any further questions prior to the Planning and Amenity meeting on Thursday evening, please feel free to contact me on 0409 184 133.

Kind regards,



Jo Vink

## Appendix



Tree 1: Major limb failure observed on 18th November, 2020 Picture taken 18/11/20



*Tree 1: Major limb failure observed on 18th November, 2020, photo of failed limb taken on 31/12/20*



Tree 2: Second order stem failure of height, observed 20th November, 2020, photo taken 20/11/20



*Tree 2: Second order stem failure of height, observed 20th November, 2020, photo taken 20/11/20*

Trees 1 and 2 are located at the South end of Sandringham Gold Course adjacent to Cheltenham road. BOM records confirm thunderstorms and strong winds were recorded on both the 15<sup>th</sup> and 16<sup>th</sup> November, 2020. These trees failed within days of this storm activity.



*Tree 3: major limb failure observed 28th December, 2020, photo taken 31/12/20*



*Tree 3: major limb failure observed 28th December, 2020, photo taken 31/12/20*



*Tree 4: Catastrophic limb failure observed on 30th December, 2020, photo taken 31/12/20*



*Tree 4: Catastrophic limb failure observed on 30th December, 2020, photo taken 31/12/20*

Tree 3 is located on the North/west end of Sandringham golf course adjacent to Tulip street in close proximity to power lines. Tree 4 is located on the West boundary, close to a residential boundary. Both were observed to have failed within days of BOM confirmed strong winds on 27<sup>th</sup> December, 2020.

**Item 4.3**  
**1 Bartlett Street, Hampton East**

## 1. Mr Emmanuel Gelberidis (O)

Thursday 21<sup>st</sup> January, 2021

**Re: APPLICATION NO.:** 5/2020/413/1  
**ADDRESS:** 1 Bartlett Street HAMPTON EAST  
**PROPOSAL:** Construction of four dwellings on a lot

Request to be heard for your meeting on Thursday 28<sup>th</sup> January at 6:30 pm. I have previously lived in the immediate area (Charming Street) for close to 15 years and am the owner of 2/42 Keith Street, Hampton East, which immediately adjoins the proposed development site. As the VOVID-19 restrictions do not allow for my attendance, please consider the following as part of my objection:

This is obviously a test case to push the boundaries under the new planning laws and the development proposal for 1 Bartlett Street, Hampton East is attempting to squeeze every square inch possible out of the land. This is being done without any consideration of the neighbourhood, compromise to character and lay of the suburb or impact on the landscape which is all about open-planning, rear yards, greenery, and privacy. This proposal is high density akin to developments in the city of Melbourne(CBD), Port Melbourne and possibly to a lesser extent Prahran where single residences are much closer to apartments.

If this proposed development proceeds, it will impact on me as follows:

1. Significant shading will be caused by the double storey construction, both because of its height, as well as due to the proposed building's proximity to the boundary line, especially with the dwelling immediately next to my rear yard. Shading will impact the only private space of this dwelling, being the rear yard and will also directly impact light to the lounge and sitting area which adjoin the rear yard. Main impact will be of the morning light as the proposed development is due East of my property.
2. The double story proposed development will overlook the private space of my property in the lounge/dining area, the rear yard and one of the bedrooms which was built with its large window facing East to get good natural lighting and privacy. The lighting and privacy will be compromised with this proposal proceeding.
3. The multi-development site will create much additional traffic both from residents (presently one car and if this proposal proceeds, going to eight or more cars) as well as creating more on-street parking congestion and further restricting already narrow streets in Bartlett, and Keith streets, both from the new residents and of course their visitors for four new properties. (These will be in addition to the multiple other developments on the same street which became the more acceptable two-in-one block developments. Bartlett Street does have some flats but all other residences were 10 single homes as late as 5 or 6 years ago. Other than the flats, Bartlett Street has now 19 houses as almost all have converted to two and one has 3 on the block. If this proposal goes ahead that result in 10 houses becoming 22 in the same space!! (I DO understand and accept putting a second property up within what are sizeable blocks of land, either side by side or front and rear-with the rear a single level-but four on a block is totally a game changer, as is the full double storey proposal!))

All the above-mentioned concerns will detract from quiet and private enjoyment currently possible due to ALL other rear yards surrounding my property having single storey developments and/or plants along the boundary.

If this development succeeds in proceeding as proposed, it will both impact me directly but will also change the landscape of the suburb and not for the better!! If this succeeds, many others will follow and arguments to stop those will fall on deaf ears, given the setting of a precedent.

I would hope that as the planning committee setting acceptable building standards for the Bayside area, that you seriously consider my concerns and points raised and this proposal is rejected and a more appropriate development suggested; one which at the very least does not encroach, shade and overlook into neighbouring private space.

Sincerely

Emmanuel Gelberidis

## 2. Ms Izobel Cox (O)

APPLICATION NO. 5/2020/413/1  
1 Bartlett Street HAMPTON EAST

Written Statement – ICOX & AFOSS  
Hampton East VIC 3188

January 22<sup>nd</sup>, 2021

Dear Councillors,

As long-time rate paying residents of Bayside in Brighton and Hampton East for 8+ years, this is our **first objection** to **any development** in the Bayside area. We have summarised our concerns below as our written statement for the proposed redevelopment of 1 Bartlett Street, Hampton East.

### Summary of our Concerns

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#### Traffic & Parking Constraints



We consider that the traffic report has **not factored existing traffic flows** by Hampton East residents that **Bartlett Street is treated as a thoroughfare**. We are concerned that four dwellings will create further compounding **congestion** and **visibility issues** for entry and exiting our property; as no provisions for visitors parking have been made in the proposal. We anticipate a significant increase of parked cars in the front 1 Bartlett Street due to the density of four units proposed on the block. Additionally, the Traffic Assessment Report has **optimistically assumed** that residents vehicles will **only exit left** from 1 Bartlett Street. This marks a significant assumption of **human behaviour to comply** with this assumption; and does not seem to consider where amenities are located a short distance away via **exiting right** of the property. We firmly do not believe residents **will always exit left** from the property. We believe this casts doubt to the **credibility** and appropriate **due diligence** of Traffic Assessment Report submission and all planning factors have not been thoroughly or thoughtfully considered.

#### Building Density



We consider that the size of the block **is too small to adequately accommodate four units** in the available space and requires all units to be very limited in footprint to accommodate 3+ bedrooms units proposed on the block. Most of the other townhouses reside on a land footprint of 320 – 400sqm. The block is only 797 sqm divided by 4 units (i.e. less than 150sqm is allocated per unit accounting for common areas). The construction across the rear of the site is excessive resulting in a sense of **'undue visual bulk'** when viewed from nearby properties. This **is at odds with policy in Clause 22.06** that 'buildings should be sited to create the appearance of space between buildings and accommodate substantial vegetation' of minimal landscaping on the site.

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Violation of existing  
planning rules



The **precinct requirements in the ACZ1** seeks a minimum building setback of 6 metres from street frontages. The proposed development does not comply with this requirement and violates **Bayside Council's statutory planning** rules. This is further evidence that the proposal is an overdevelopment of the site in order to maximise the number of units and is a **poor response to the neighbourhood character of the area**. The developers' response that the zoning classification allows for 3 storey developments should be discounted since all previous developments have been limited to dual townhouses in line with the neighbourhood appeal.

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Impact to existing  
property values



The proposal also lists the intended build price as \$880K for four units. This equates to **approximately \$220K per unit (inclusive of landscaping, common areas, etc)** – with an estimated comparable median value of \$1.195M<sup>1</sup> once complete. Our concern is to keep costs at approx. \$200K-\$220K per unit, **sub-standard quality building materials** will be used to keep the development costs low – this will likely be in terms of the quality of fittings and fixtures. This is in contradiction to the area where there are a number of **high-end developers** who have sought to make the **Hampton East market on-par** with Hampton and Brighton East properties with high quality materials and standards in townhouse design. A sub-par build will **undervalue existing and established properties**; as the proposed dwellings **will not be a fair market comparison** when sold with the stately homes already in Bartlett Street. Potential buyers are well and truly savvy enough to view previous sales results and would not be **fairly comparing** existing high standard properties with the proposed development at 1 Bartlett Street. We would anticipate these units will sell below the median price for 3 bedrooms – this is evident by a number of overdeveloped sites in Hampton East taking >12 months (pre-COVID) to sell. We note that a number of properties have actually decreased<sup>2</sup> in recent sales and this is moreso evident in densely developed units.

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Look & Feel of  
Bartlett Street



Although the general design is in keeping with double storey dwellings in the remainder of the street, we are concerned with the use of **excessive industrial** materials in the **excessively dense design**. Most of the existing **dual townhouses** in Bartlett Street are rendered and narrow in length to **account for garden frontage** and **appropriate use of space** of the blocks. With regards to the developers' response of a block of 12 units in Bartlett Street, these are aged units of 1960s era and do not substantiate a dense development in a harsh and contrasting colour pallet proposed in the plans. We refute that this is a valid density comparison by the developer and we have the belief that the heightened density and material pallet selection will be substantially different to the more coastal materials and colour pallets used elsewhere in the street. We also consider the proposal is in design contrast to **all the other Duplex townhouses in the area**.

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<sup>1</sup> Source 'Median Property Price 3 Bedroom Unit Hampton East' - <https://www.realestate.com.au/neighbourhoods/hampton-east-3188-vic>  
<sup>2</sup> 1/113a Spring Road, Hampton East, Vic 3188. Sale price in Nov 2016 \$1.198M, Nov 2020 Sale price \$1.15M  
<https://www.realestate.com.au/sold/property-townhouse-vic-hampton+east-133844598>

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## Additional Supporting Evidence

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Traffic & Parking



- We note that report could not have factored normal traffic conditions; with the date of the report marked as 8<sup>th</sup> October 2020. **This report was completed when the Melbourne 5km restriction radius was still in effect<sup>3</sup>** and could therefore not be a true and accurate representation of normal traffic conditions in Bartlett Street.
- We already today experience difficulty on entry/exit of our driveway with 1 car parked in front of 1 Bartlett Street. This is due to the nature of the bend and the through-traffic speed at 50 km/hr. It is often the case that cars from the 12-Flat units are either illegally parked on the single line or in front of our residence and nature strip. **This creates a blindspot to exit our property on the bend as cars obscure the capacity to see what traffic is coming – creating an additional level of safety concern and risk.**



Figure 1. Traffic Assessment Report for 1 Bartlett St

- We also are concerned that the **Traffic Assessment report has only considered a possible one way exit** by the residents (see Figure 1 above). Amenities are located easily via driving to Keith Street and exiting right. **Logic dictates that natural human behaviour** would not drive 700 metres around a block to exit a property. We are concerned that there is a significant assumption that traffic will only route exiting left from the property.
- We are concerned that 4 dwellings will create a significant congestion and problem should cars be parked in and around 1 Bartlett Street to gain access to Units 2, 3 & 4. **No visitor parking has been accounted for in the plans.** We would also anticipate that due to the size of the dwellings being aimed at families, **it is highly probable that the dwellings will be two-car families.** This will create even less space for through-traffic and access to our property; with up to 4 additional cars parking in the street and further compounding existing parking issues from the resident's cars from the block of 12 flats in Bartlett Street. Flat residents are already regularly fined by Council parking inspectors for illegal parking today – and we believe the traffic assessment report has not factored parking requirements or existing conditions adequately in the assessment.

<sup>3</sup> Source – Revocation of Area Directions by the Chief Health Officer (No.9) <https://www.dhhs.vic.gov.au/victorias-restriction-levels-covid-19>

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Non-compliance to planning rules



- We propose that if the development was **contained to only two townhouses in keeping in line with the existing dwellings** in the street, more space would be able to be retained for access. We understand that this is a requirement of Bayside council to allow for 6 metres according to the Precinct requirements in ACZ1 and the plans show 5.36m to gate frontages. We are concerned by the proposal's front view plans shows that the dwellings will take up all possible available space with dual driveways on each side and will not create a 'seamless transition' that

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the developer advises in their response. The proposal looks to utilise maximum space of the block to over-develop the site with the only aim to return a maximum profit - at the expense of liveability. This is supported by the **location and number of the other objectors all around the block** – there are clearly concerns by existing residents of ‘undue visual bulk’ when viewed from nearby properties. This should be considered and queried by councillors before accepting the planner’s recommendation – noting that irrespective of the developers arguments contrary in their response – **the site has numerous public concerns and objections in terms of ‘excessive bulk’.**

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Impact to existing property values



- The proposal also lists the intended build price as \$880,000 for four units. This equates to approximately \$220,000 per unit by applying a simple division of four–excluding landscaping costs being factored. The concern is that this would require use of sub-standard quality building materials to keep the development costs low for a double storey dwelling; and well below the Australian average of \$327,638<sup>4</sup> for new builds. Our own building for two units in 2012 was approved by Bayside Council at \$495,000<sup>5</sup> – almost 10 years ago. If we assume CPI at 3% levels today, our permitted property build costs would be estimated at >\$600,000 for the same two units in 2021 – equating to approximately \$300,000 each. This demonstrates that the costs for the units seem **excessively low in direct comparison to the high-end** and double story developments previously built in the area.
- We believe by applying this example of a direct comparison this provides evidence that supports cost reductions via sub-par build; that will invariably impact property market valuations in Bartlett Street as a **cheap and sub-par build** to keep developments costs low **will adversely impact buyer and market perception** of the quality of existing properties developed at higher cost.
- This is evident by the more recent development at 23 Oswald Thomas Avenue and Berend Street<sup>6</sup> –higher dense units have taken a long time to sell (and still not all are sold 12 months post completion). The density of these developments are not in line with other duplex townhouses in the area and surrounds and is evidently not as appealing to potential buyers.

<sup>4</sup> Source – Housing Industry Association (HIA) – “Window into Housing” report – Average cost of building a new home in 2019  
<https://hia.com.au/-/media/HIA-Website/Files/IndustryBusiness/Economic/fact-sheet/window-into-housing.ashx?la=en&hash=984BFC3393B3F2F997E099A71545B151044C2B50>

<sup>5</sup> Source – Bayside City Council Planning Application Register – 4 Bartlett Street  
<https://ecouncil.bayside.vic.gov.au/eservice/daEnquiryDetails.do?index=0>

<sup>6</sup> Source – Realestate.com.au – ‘For Sale & Sold properties in Hampton East’ search  
4/23 Oswald Thomas Avenue, Hampton East – Sold \$1.25M in Dec 2019  
<https://www.realestate.com.au/sold/property-townhouse-vic-hampton+east-132640086>

3/23 Oswald Thomas Avenue, Hampton East – For Sale Jan 2021 for \$1.195M  
<https://www.realestate.com.au/property-townhouse-vic-hampton+east-134541946>

3 Berend Street, Hampton East – For Sale - \$1.15M – 1.19M price guide  
<https://www.realestate.com.au/property-townhouse-vic-hampton+east-132662558>

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### **3. Mrs Christine O'Hagan (O)**

Objection to:

Property Details 1 Bartlett Street HAMPTON EAST VIC 3188

Type of Work 4 New Dwellings Construction of four dwellings on a lot

Application No. 413/2020

Date Lodged 01/09/2020

Cost of Work \$880,000.00

Applicant 369 Building Design

From Christine O'Hagan Resident/owner of

Unit 2/20 Oswald Thomas Ave

Hampton East 3188

My husband and I have lived at our home for 20 years.

Our specific objection to this development is noise and acoustic privacy. Why: because of the density of 4 double storey houses on such a small site. There will be 2 small backyards backing onto our property with each of these houses having 3 bedrooms therefore a dense population bordering our bedroom master with ensuite which is the back window of our property shown on the plans.

The proposed Unit No 4 shows an opening garage door right outside our bedroom window. Why? Will this be marketed as the party house with the double garage intended for outdoor entertaining use. Also, there is a proposed Air Conditioner on the flat roof, again right outside our bedroom window.

In order for us to withdraw our objection to this development we would ask for the following,

For the developers to build approx 11 meters of cement block wall which would continue the already in situ cement block wall of approx 8 meters, to extend to the total length of the bordering fence line to afford relief from the outdoor use of the two (2) backyards of Unit 3 and 4. Height to be at least 2.60 meters or similar to garage wall height already on our site.

Move the air conditioner from the flat roof of Unit 4 to the valley between Units 3 and 4. There is already an Aircon situated there for Unit 3

Change the garage door opening at the rear of Unit 4 garage to a single room size door.

Completion of block wall before clearing of site and earthworks begins.

Yours sincerely  
Christine O'Hagan

#### 4. Mr Linton Neilson & Ms Holly Hockley (O)

Dear Councillors,

As residents that live next door to the proposed development, we are strongly objecting to proposal for 1 Bartlett Street, Hampton East. Our property directly abuts the subject property and is the most affected by the proposed development. We have no objection, in-principle, to the redevelopment of the land for the purposes of a multi-unit redevelopment given the Activity Centre Zone – Schedule 1 (ACZ1) in which the land is located. However, we raise significant concerns with the current proposal's overdevelopment of the site, impact on traffic and parking, and visual bulk impact on our property and the immediate surrounds.

We have summarised our concerns below in our written statement for the proposed development of 1 Bartlett Street, Hampton East.

##### **Building Design & Density**

The building footprint represents a clear overdevelopment of the site by virtue of the narrow dwellings (Unit 1 & 2); the garage of Unit 3 not complying with size requirements; and location of secluded private open space of Unit 2 along the common driveway; and reduced secluded private open space to Unit 3

- The garage to Unit 3 does not comply with the size requirements pursuant to Clause 52.06 (Car Parking) of the Bayside Planning Scheme. *Design standard 2 - Car parking spaces* requires that 'Car spaces in garages or carports must be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport'. The garage to Unit 3 has dimensions of 5.56 metres x 5.9 metres being short of the required length.

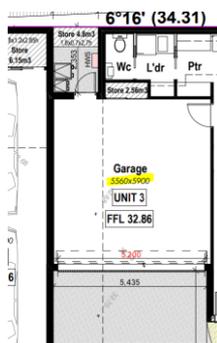


Figure 1: Unit 3 garage

- The secluded private open space of Unit 3 does not meet the recommended areas of 40 square metres of total private open space pursuant to Standard B28 (Private Open Space).

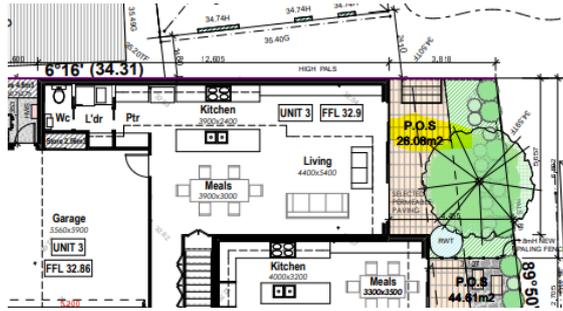


Figure 3: POS of Unit 3

We consider that the size of the block is too small to adequately accommodate four units in the available space resulting in very limited footprints of the 3+ bedroom units proposed. Surrounding properties have only 2 or 3 townhouses on each block and most other townhouses in the street reside on a land footprint of 330 – 400sqm. The block is only 797 sqm divided by 4 units which is less than 150sqm per unit accounting for common areas.

### **Building Bulk**

We acknowledge that the discretionary site coverage of 60% as recommended by Clause 55.03-3 (Site Coverage) is met however the extent of boundary to boundary development across the rear of the site is excessive resulting in a sense of undue visual bulk and uninterrupted mass when viewed from nearby interfaces, which is at odds with policy at **Clause 22.06** that seeks an outcome that *'buildings should be sited to create the appearance of space between buildings and accommodate substantial vegetation.'*

- This is particularly evident at the rear where the development provides no built form break at the upper level when viewed from the north and most important for us, from the west (Figure 1).

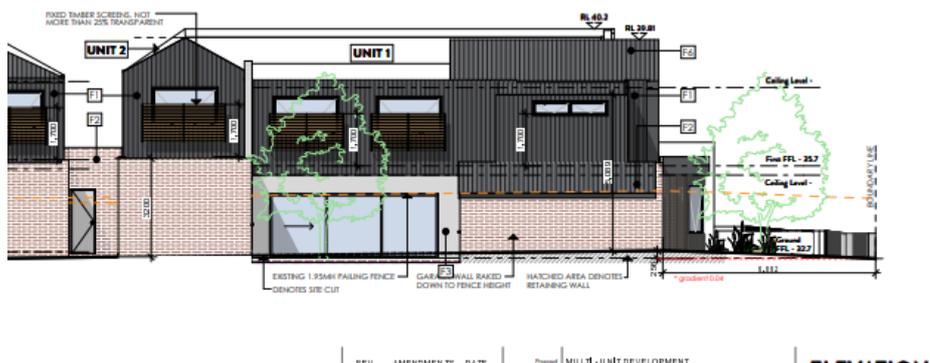


Figure 4: West elevation

- The height of the rear townhouses, in particular the east elevation of Unit 4, will result in unreasonable visual bulk which will be dominant and a large dark foreboding structure adjacent to our main living area. The material choice exacerbates the bulk and can be better designed to be lighter in colour as well as set back further from the common boundary.
- The development does not provide extensive vegetation including canopy trees particularly along the sensitive interfaces to the east and west to break up the visual bulk of the building. The ACZ1 at Clause 5.6-2 has objectives that seek to *'Retain and*

*preserve backyardscapes and strongly encourage the use of front and backyard landscaping.'*

### **Overshadowing**

We consider that the proposed dwellings will affect our amenity with direct impact to our west facing windows from Unit 4. Our property has a number of west facing habitable windows associated with the main living / dining / kitchen area. These windows are the primary source of daylight and outlook. The proposed development (especially the location and height of Unit 4) would be dominating and impact on daylight to our living areas. Both the 2pm & 3pm shadow diagram in the advertised plans clearly shows that the proposed dwelling will overshadow our living area windows and will affect the light that we get to this area that is critical to our internal amenity.

### **Impact to existing adjacent properties**

Schedule 1 to the Activity Centre Zone - the 'Precinct objectives' of the Schedule 1 to the Activity Centre Zone (ACZ1) seeks to:

*Provide a transition in residential densities from the core of the centre to the established areas outside the Structure Plan boundary.*

*Retain and preserve backyardscapes and strongly encourage the use of front and backyard landscaping.*

*Encourage modest residential infill with streetscape qualities and backyard aspect.*

We submit that a development for 4 dwellings cannot be considered to transition or be a 'modest residential infill' when the existing character of this area in *Precinct 6 – Residential Transition Precinct*, is one of detached single dwellings and dual occupancies.



Figure 5: Aerial of subject site and surrounds

Street setback – the Precinct requirements in the ACZ1 seeks a minimum building setback of 6 metres from street frontages. The proposed development does not comply with this requirement with setbacks to the front wall of Unit 1 & 2 of less than 6 metres.

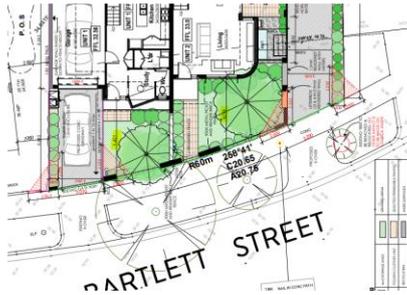
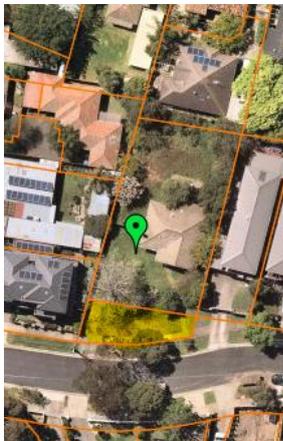


Figure 6: Street setback

*Incomplete application: Title TP645600 which incorporates the front portion of the subject site has not formed part of the planning permit application. Only title LP17626 has been identified and advertised which we submit is an incomplete application.*



### **Traffic & Parking**

We consider that the traffic report that was done has not factored in existing traffic flows by current Hampton East residents or that Bartlett Street is already treated as a throughfare.

We are very concerned that 4 more dwellings will create more traffic and parked cars in the street resulting in an additional level of safety concern and risk in an already congested area.

No provisions for visitors parking has been made in the proposal which will create even less space for through-traffic and further compound existing parking issues.

### **Summary**

The key concerns we have, relate to the rear townhouses and in particular Unit 4. We spend 80% of our time in our back room – it is where we eat, cook, entertain, play, relax and apart from sleeping, this is the most used part of the house. We are concerned that the location and bulk of Unit 4 will impact directly onto the main living area and our amenity.

*The officer recommendation and proposed conditions has focussed on Unit 3, with no changes required of Unit 4 which is adjacent to our dwelling. The officer recommendation does not consider the visual bulk to our property; overshadowing; street setback; and dwelling design.*

*The response to objections by the applicant has dismissed any concerns that were raised in the objection.*

## 5. Mr Luka Mrkonjic (S)

The proposed four dwelling development reflects a high-quality contemporary design that will positively add to the existing eclectic surrounding context. The designer has been careful to 'strike an appropriate balance' between having an innovative and interesting design whilst continuing to respect the surrounding context.

The inclusion of upper level roof forms and use of appropriate materials which includes face brick ground level walls will ensure a respectful design is achieved.

A very detailed town planning report has previously been submitted with this town planning application which justifies this proposal against every single relevant town planning requirement (pursuant to the Bayside Planning Scheme) that would apply to this particular site.

In response to the objections that were received, I submit the following:

1. The objection from Christine O'Hagan is unreasonable with respect to the proposed 3 metre high boundary wall.

If noise from air-conditioning units are a concern, a permit condition can be imposed to require the external units to be located at ground level. This would eliminate the need for a 3.0 metre high boundary fence.

2. The objection from Izobel Cox and Anthony Foss regarding building overdevelopment and amenity cannot be substantiated within an area where medium-density housing is a significant element of the surrounding character. The surrounding site context includes double storey walk-up flats, single storey villa-units as well as more recent two, three and four dwelling developments (as outlined in the neighbourhood and site description plan).

The concern that this proposed four dwelling development would reduce property values cannot be substantiated.

The statement that refers to 'stately properties' may apply to some of the properties within the surrounding context.

I would like to submit that a more accurate statement would be one that contains an eclectic mix of housing types that includes 'walk-up' flats, single level attached villa-units as well as modest single storey dwellings. It is submitted that the proposed four dwelling development at 1 Bartlett Street will positively add to the existing housing mix, which is what is intended by the planning scheme, including the purpose of the zone.

The Activity Centre Zone would imply that that increased residential densities are more appropriate in comparison to land within a General Residential or Neighbourhood Residential Zoning.

The concerns regarding car parking cannot be substantiated on the basis of an appropriate level of compliance with Clause 52.06 of the planning scheme.

The provision of two driveways at the street frontage is appropriate for a site that has a width that is substantially greater than 15 metres pursuant to the relevant planning controls relating to the number of vehicle access points. The subject site has a frontage width exceeding 20 metres. Clause 52.06 would allow the provision of two driveways/vehicle crossings on a site having a 15 metre wide

property frontage.

The front setbacks being proposed respond favourably to the unique curved frontage and alignment of Bartlett Street, as well as acknowledging the varying setbacks of adjacent properties. The design response plan satisfactorily shows that the proposed front setbacks reflect an appropriate transition between the neighbouring dwellings on either side, whilst addressing the curved (front) property alignment. Interestingly, the designer has even included a curved corner wall at the front facade Unit 2.

The front building lines of Unit's 1 and 2 have been extensively articulated to create visual interest.

To further mitigate the visual impact of the front dwelling's, the Unit 1 garage is well-recessed behind the front dwelling line, whilst the front corner of Unit 2 includes curved walls to soften the visual impact from the public realm.

The provision of two canopy trees at the street frontage, in addition to other vegetation will produce an attractive street-scape presentation as far as garden character is concerned.

The concern that the proposal will conflict with the 'look and feel of Bartlett Street' is unsubstantiated within the eclectic streetscape that currently exists.

As previously outlined, the existing housing (older flats/villa-units, modest dwellings, large dwellings and more recent medium density housing), provides a context where this proposal will positively add to the housing mix that currently exists within Bartlett Street.

The provision of pitched roofs, appropriate use of a variety of materials (including face brick), large windows and extensively articulated walls will ensure a respectful design response is proposed.

The concern that the proposal will reflect a 'sub-standard' development cannot be substantiated based on the details shown on the plans.

A careful examination of the submitted plans will reveal that the proposal will reflect a high-quality development.

3. The objection from Ian Dockery regarding the front section of the allotment has been appropriately integrated with this development and it is common for development sites to include more than one site that have separate titles.

To imply that this parcel of land should not be used as part of the proposed four dwelling development cannot be substantiated from a legal point of view just because another land owner has maintained this parcel of land for the past 18 months.

To suggest that the proposal does not accord with the recommendations of the Activity Centre Zone (Schedule 1 – Precinct 6) and reflects an overdevelopment, is unsubstantiated in a precinct that allows for building heights of 3 storeys.

Furthermore, landscaped areas have been included at the property frontage, facing both side boundaries and the rear boundary (which include canopy trees), to integrate the proposal within an appropriate garden setting, respecting the character of this area.

4. The objection from Linton Neilson and Holly Hockley is not substantiated. Title details were submitted to Council for the entire site and the proposal is consistent with the recommendations

of Schedule 1 to the Activity Centre Zone as previously outlined in both this submission and the written report that was submitted with the Council planning permit application.

The concerns regarding street setbacks have been discussed. The well-articulated built form and variations to materials, coupled with the physical 'break' at first floor between the front and rear dwellings as well as canopy trees facing all four boundaries of the subject site, ensures that the proposed building bulk is acceptable.

It should be noted that the planning controls within this particular precinct would allow buildings with a maximum of 3 storeys.

The concern regarding the locations of the secluded open spaces cannot be substantiated as these have been located to not only enable adequate solar access for future occupiers, but also within locations to effectively mitigate building bulk through appropriate locations of canopy trees.

Concerns such as inappropriate location of open spaces adjacent to driveways is an example of a concern that is without any substance. Also, all other concerns relating to secluded open space area, site coverage, daylight and overshadowing are in accordance with the ResCode requirements of Clause 55.

I thank you for taking the time to consider this submission.

This submission was completed by Mr. Luka Mrkonjic (Town Planning Consultant engaged by 3:6:9 Building Design)

**Item 4.4**  
**4 Sunlit Court, Hampton East**

## **1. Mr Jonathan & Mrs Andrena Tomlinson (O)**

**Statement by: Jonathan & Andrena Tomlinson**

Our property is 36 Spring Road, Hampton East, Victoria 3188 - the south elevation of the proposed development faces our back yard and living rooms of our property.

**We, Jonathan and Andrena Tomlinson object to the development of 9 double storey dwellings at 4 Sunlit Court Hampton East Victoria 3188.**

For your consideration:

**We request a 1.9m tinting of the windows on the top storey windows**

- The double storeys of the proposed development will result in intrusive outcomes over our property as all south elevation windows of the proposed will overlook in our main outdoor space and look into our living room and kitchen.

**We request 'No Parking' in Sunlit Court.**

**We request that 6 dwellings are constructed NOT 9.**

**We request 'No Parking'-both sides of the Spring Road between Sunlit Court and 'the Wickham Road and Spring Road roundabout'.**

- Increased traffic by at least 16 cars in a very small court will create
  - Overflow traffic in a small court with a small turning circle will create traffic congestion
  - Overflow parking onto Spring Road will add to the traffic congestion, please consider that: Spring Road is a bus route; Sunlit Court is only two house lengths to the Wickham Road roundabout and parking on Spring Road will block visibility when crossing either by car or on foot; Sunlit Court is in close proximity of a primary school that has high traffic movements at peak times along Spring Road; blocking visibility will endanger pedestrians, predominantly children crossing; there is only one visitor parking, most households have two cars, parking in Sunlit court or Spring road next to a round about will create traffic congestion, poor visibility for drivers and pedestrians cross the roundabout.

**We request that 6 dwellings are constructed NOT 9**

- 4 Sunlit Court frontage does not have the physical space for 9 and certainly not 18 garbage bins.

## How will Aboriginal cultural heritage be represented?

- 4 Sunlit Court is an Aboriginal heritage land, how is that represented?  
All or part of this property is an area of 'cultural heritage sensitivity'.

Under the Aboriginal Heritage Regulations 2018, 'areas of cultural heritage sensitivity' are one part of a two part trigger which require a 'cultural heritage management plan' be prepared where a listed 'high impact activity' is proposed.



**9 Dwellings is oversized construction for an NRZ3 area. We request that only 6 dwellings are constructed.**

- The area classification is for a lower scale residential development comprising a mix of single dwellings and dual occupancies with simple, pitched rooflines and articulated features as set out in **NRZ3**.

## 2. Mr Daniel Bowden (A)

### SongBowdenPlanning

A.B.N. 39 530 857 465

A.C.N. 154 695 011

Level 2, 700 High Street

Kew East VIC 3102

Tel: 9077 6115

admin@songbowden.com.au

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January 27, 2021

Bayside City Council,  
Planning and Amenity Delegated Committee

Via Email.

Dear Councillors.

4 SUNLIT COURT, HAMPTON EAST  
APPLICATION 2017/246/2

This office acts on behalf of Shangri La, the Permit Applicant in relation to the above matter.

This letter is prepared to address the Planning and Amenity Delegated Committee meeting, scheduled to be heard on 28 January, 2021.

We have had the opportunity to review the Planning officer's report at section 4.4 of the Agenda. We endorse this assessment and concur with these findings. Furthermore, I am pleased to advise that the conditions upon which the recommendation is made are satisfactory in their entirety.

In addition to commending the report which echoes our views on the suitability of the matter, we make the following brief comments for consideration by the committee.

### **1. The existing approval.**

The existing planning permit for 6 dwellings establishes a benchmark for a built form outcome that has been previously found to be acceptable. The amendment whilst increasing density has successfully managed to achieve this outcome without unreasonable impact to surrounding neighbours. We again concur with the assessment of the planning officers in relation to the issues raised by objectors.

Where increases in density can be achieved without unreasonable impact to surrounding properties, they should be seen as a positive aspect of the proposal that enjoys planning policy support for considerations of housing diversity and affordability.

### **2. Application background.**

A key aspect of this amended proposal is that at all times, the considerations of Councils planning department have been met by Shangri La, in addition we note that referrals have been sought from the following areas.

- Council's Traffic engineers
- Council's Drainage engineers
- Melbourne Water
- Cultural Heritage Management.
- Waste Management

Each of these departments are supportive of the proposal, subject to conditions that are again confirmed as satisfactory to the applicant.

### **3. Shangri La**

As a well established company that has undertaken a number of projects in the Bayside area, we would like to draw your attention to the quality of the previous schemes that in many cases have been approved by this committee. Shangri La is "shovel ready" on this application and seeks to provide another quality development for this section of Hampton East.

Yours faithfully,

**SONGBOWDEN PLANNING PTY LTD**



Daniel Bowden

Director.

**Item 4.5**  
**12A Hodder Street, Brighton East**

## 1. Mrs Shirley Gill (O)

The proposed medical centre is for use of a PSYCHIATRIST (psychiatry: a branch of medicine to diagnose, prevent and study MENTAL DISORDERS) and also a PSYCHOLOGIST ( a person who studies normal and ABNORMAL MENTAL STATES). This is of great concern in a residential area as to WHAT TYPE OF PATIENTS will be coming to our street. The notice of intent to open a medical centre did not specify it was for the use of these specialists. There have been numerous objections to this medical centre, but there could have been even more if the true nature of the centre was disclosed. PARKING is definitely VERY LIMITED on site with a very narrow entrance to the property, a narrow driveway width, restricted by the distance between the property and the fence. Any patient would take the EASIER OPTION and PARK ON THE ROAD. Inspection of the property would make this OBVIOUS. Hodder Street is a quiet, 100% residential street and area, this development is inappropriate and would immediately devalue all properties in the vicinity of the medical centre. We have only been in Bayside three years, wishing to live in a quiet, peaceful residential location. If we had known a medical centre was to be established nearby we would not have purchased our property. A sign at the front of the medical centre could attract the possibility of break-ins for drugs, office equipment, cash, etc, adding more stress to the permit being approved. Medical centres are usually located on major roads or existing shopping/commercial precincts, not quiet residential streets. There are already limitations on street parking in Hodder Street with quite a few properties consisting of two townhouses side by side, with a driveway to each property. This limits on road parking for each property to just one vehicle. As stated previously, patients attending the medical centre would definitely use the easier option of parking on the street, thus reducing the availability of parking for residents and their visitors.

## 2. Dr Justin Lewis (A)

27/1/21

APPLICATION NUMBER: 5/2020/288/1

ADDRESS: 12A Hodder Street BRIGHTON EAST

PROPOSAL: Use of land as a medical centre and reduction of car parking

To whom it may concern,

I am writing as the applicant to provide some context to the above application.

I wish to emphasise that this proposal for a medical centre is **extremely limited** in use.

The main conditions of this application can be summarised as follows

- The rooms are to be utilised by only one Psychologist / Relationship counsellor at any one time
- Hours of operation Monday – Friday 9am – 5pm
- The dwelling to be used for a single session in the morning and afternoon
- There are no supporting staff/administration
- There will be no advertising to indicate that this dwelling is a medical centre.
- There will be no drugs kept on the premises.
- The applicant has no future intention of developing the clinic beyond the extremely limited scope of the current application.
- The applicant is a resident in the street and is particularly sensitive about maintaining the character of the street and minimising the impact of this proposal. It is on that basis that the application is extremely limited in scope.

Sincerely

Dr Justin Lewis