

# **WRITTEN STATEMENTS**

**14 December 2021**

**Planning and Amenity Delegated  
Committee Meeting**

**Item 4.2     495 Highett Road, Highett**

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1. Mr Steve Mastrapas (O)

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3. Mr Darek Petryshyn (for Corona Homes/Agart Studio) (A)

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1. Mr Matt Smith (A)

*Definitions*

*A= Applicant*

*S= Supporter*

*O= Objector*

**Item 4.2**

**495 Highett Road, Highett**

## 1. Mr Steve Mastrapas (O)

I oppose the application as I own a property, 497 Highett Rd, which is currently leased in very close proximity to the proposed Doggie daycare at 495 Highett Road, & for the reasons stated below I strongly oppose the application.

Noise, barking dogs in close proximity to my building. It has been proven that dogs have 'reactivity' & 'leash aggression' when faced with other dogs, resulting in intense barking, growling, lunging or pulling towards them, and even snapping or biting. The applicant stated that at one particular time, up to 6 different dogs would be outside at the same time – yet was unable to provide a business plan as to how she was going to address the dog 'reactivity' issues & barking noise.

We currently have 2 dogs at my home residence, in two separate properties, who constantly bark which sets the other off. It is constant barking which interrupted my childrens home schooling, during Covid 19 lockdowns, their windows needed to be constantly closed & still the teachers could hear the barking through the zoom meetings. That is just with 2 dogs, I can only imagine the noise that 12 dogs at full capacity will make.

- I have real concerns regarding the hygiene, smells, urine & faeces which will come from the property. On doing a google search on other doggie daycares in other suburbs, most have ventilation measures in place to deal with these issues. On speaking to the applicant in our meeting, no business plan was provided in dealing with these real issues in a residential area. It was mentioned that the dog faeces would be composted on site. This for me raises Health issues regarding drifting smells, vermin & flies. Melbourne is known in Summer to have very hot days. That smell would be horrific & very unhygienic for neighbouring properties.
- Our property is currently leased, & on speaking to our real estate manager, she was concerned that a doggie daycare would deter current & future tenants. She believed as a real estate expert, that a doggie daycare was not appropriate for the area. We have future plans to develop our property into residential properties, based on council approval & are concerned that the noise, smells, urine, & faeces will deter future tenants.
- I feel it is better suited to an industrial or rural area rather than this high density residential, retail and railway station location.
- The lack of the applicant in producing a business plan to deal with the inevitable smells, noise, hygiene of the doggie daycare, does not give me confidence that the issues will be dealt with professionally & correctly.

Could you please forward my submission to other Councillors prior to the Bayside Planning meeting on 14/12/2021 for reading.

Yours Sincerely

Steve Mastrapas

**Item 4.3**

**98 Asling Street, Brighton**

## **1. Mrs Christina Rearick (O)**

This proposal is asking to fit seven units into a single home lot, which is much too high a density and does not fit into the existing community. Four stories is much higher than the neighbours in this block as well and the building goes to the edge of the lot , overshadowing neighbouring houses with their height and balconies . Parking in the street is already taxed to the limit, asking for less than one car space for two bedroom apartments means residents will park in street. Construction crews needed for such a large site and long length build will also park in the street leaving no spaces for residents or visitors to Martin street. Construction vehicles needed for such a large site will damage the historic blue stone lane way used to access the site and potentially the house /fence on the corners . Recently , construction crews for 100 asling street pulled down our front fence while reversing down the lane way . There are no provisions to protect the soil and foundations of neighbouring houses ( which are on sand ) whilst digging the basement. Additionally there is no space on the nature strip to place weekly bins for seven units.

## **2. Mr Leo Gagic (O)**

As per my objection letter, Since Planning Permit 2014/181/1 was issued on 2 March 2015, the proposed building is now larger than when it was originally approved by VCAT . There have been a few amendments to this proposed building since the approval. The applicant is gradually increasing the size of the building through the amendment process to the detriment of the adjoining neighbouring properties in terms of increased visually bulk, overshadowing and in keeping with the neighbourhood character. Not all notable objection criteria has been adequately addressed - for example lift access /disability access.

### **3. Mr Darek Petryshyn (for Corona Homes/Agart Studio) (A)**

Mr Darek Petryshyn ( Corona Homes/Agart Studio )

Dear Councillors,

98 Asling Street Brighton

Notice of Decision to Grant an Amendment to a Permit

Application : 2014/181/3 Ward: Dendy

Thank you for the opportunity to address the Planning & Amenity Committee Meeting in support of this application.

My name is Darek Petryshyn from Corona Homes/Agart Studio and we are the permit applicant.

Firstly, we would like to thank the planning department for their recommendation of support that an amended permit should be issued for the proposal and would like to accept proposed planning conditions.

The existing planning permit has been previously found to be acceptable and this amendment proposal ultimately considers the recent changes to the Bayside Planning Scheme.

Concerns have been raised by objectors, however most of their concerns were related to already approved/existing planning permit.

The proposed amendments do not result in any additional variation or further non-compliances to Clause 55 compared what was originally approved.

As noted in Officer's report the proposed amendments are considered to demonstrate an appropriate level of compliance and all alterations are considered relatively minor.

This is a development that is very clearly supported by the Bayside Planning Scheme. Per the Statutory Planning Departments recommendations , we hereby encourage your support that an amended permit be granted for the proposal.

Yours faithfully,

Darek Petryshyn

Corona Homes/Agart Studio

**Item 4.4**

**382–384 Hampton Street, Hampton**

## 1. Mr Matt Smith (A)

MGTS Holdings Pty Ltd  
Level 1 14 Spink Street  
Brighton VIC 3186

Dear Councilors,

Planning Application Number: 5/2000/6117/2  
Site Address: 382 – 384 Hampton Street, Hampton

I hope you would agree that the reopening of the Brown Cow has been a positive for the south end of Hampton Street as well as the broader area of Hampton within the municipality.

The Brown Cow is currently open for breakfast, lunch and dinner 7 days a week. I think it is important for the area to have a venue that is always accessible. As you are no doubt aware, the impact of Covid19 on the hospitality industry has been significant, in particular, with staff shortages (mainly chefs & kitchen staff) presenting a real challenge for businesses such as Brown Cow to be able to maintain the operations to 7 days a week with the kitchen operating with limited numbers.

Under the current planning permit and liquor license, the business does not have the ability to stay open if the kitchen is closed and if food is not provided.

Our planning application which involves an amendment to the existing planning permit, therefore requests that the existing restaurant and café liquor license be changed to an On Premises License to allow the Brown Cow to have the flexibility to continue to operate and remain open whilst the kitchen closes or if the kitchen is shut.

We want to highlight that our focus has always and continues to be to provide a meeting place for everyone in the neighborhood to come and enjoy coffee, food and drinks – in the same manner that our other Bayside hospitality business Sons of Mary in Brighton has set a high standard for service, ambience and value for locals to enjoy.

It is also worth mentioning that the venue had previously operated with an On Premises License and this was automatically converted to a restaurant café liquor license due to the tenant not nominating for the license to remain as a On Premises License with the Victorian

Commission for Gambling and Liquor Regulation at the time. As such, the type of license was a clerical adjustment by the VCGLR – not an operational change by the venue.

With regard to the proposed increase in patron numbers, the new Brown Cow building is a lot more spacious than the old building and allows for the ability to hold significantly more patrons in a safer, airy and more controlled environment.

We seek permission to increase the total number of patrons to 200 within the venue, which equates to an additional 100 patrons during the day and an increase of 50 patrons in the evening periods to always enjoy the local offering. I am sure that if you have visited the Brown Cow you would be aware that it can physically hold a lot more.

With the additional 50 patrons in the evening periods, this will allow the venue to accommodate more of the local school, sporting and community groups to have their functions as we are constantly turning away groups due to maintaining the patron numbers for our dining guest which leaves limited capacity to have additional group bookings in at the same time.

I hope you will appreciate that the changes requested by us will only be of a benefit to the local community and will give us the opportunity to operate a venue for all and one the area can be proud of to have in its neighborhood.

I would be more than happy to personally answer any questions or queries you might have in regard to our application.

Regards

A handwritten signature in black ink, appearing to be 'MS' with a long horizontal stroke extending to the right.

Matthew Smith  
Owner/Director