

Requests to be Heard

13 September 2022

Planning and Amenity
Delegated Committee Meeting



Bayside
CITY COUNCIL

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Item 4.2	Objector (O) Supporter (S) Applicant (A)
1 Herbert Street, Beaumaris	

1.	Mr Andrew Caris	(A)
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Formal objection for the non support of removal of tree at 1 Herbert St Beaumaris as listed in the proposed agenda for the Bayside Council Meeting of 13th September 2022

I object to the response listed in the agenda(for 13 September) that the tree on my property at 1 Herbert st is not supported for removal. Cedras Deodora , isnot a native Australian tree, with the only feature that supports its existent on my block is that its trunk measures over 155 cm in circ and is just beyond 2 m (2.5 m) from the house.

The report/responses listed in the agenda has replied to the list of reasons that I supplied in my tree removal application on the 6th July 2022 that I believe make the tree unsuitable for its location

*The front lawn, growing of grass is near impossible with pine needle coverage and turns into a dust bowl during summer. **Not a policy consideration.***

*• Pine needles prevent lawn growing in front yard. **Not a policy consideration.***

*• Pine needles fall on roof of house and settle and accumulate due to the dwelling having a minimal pitch roof. **Not a policy consideration,***

no verifiable evidence supplied with application. No evidence of regular maintenance and cost. •

*The buildup of pine needles then causes heavy rainfall on the roof to back up and leak into the overlaps of the roof sheeting. **Not a policy consideration,***

no verifiable evidence supplied with application.

The photos contained in the report listed in the agenda of the leak stains on both the inside and outside of the western wall of the living room is evidence of this, and can be verified. I did at one stage hang buckets from where the water was dripping on the internal rafters but didn't think to take photos.

No evidence of regular maintenance and cost. •

I do this maintenance myself for the time being, but accessing onto even the lowest point of the roof with a regular step ladder is not an easy task and still takes a certain amount of "climbing" and what I do would not be considered as safe practice by any OHS body. Cleaning the channels by hand is back breaking work. I have had to do some roof repairs on some sections of the roof myself as I was not able to find any tradesman that would actually touch the roof due to it being asbestos, so finding someone to regularly clean out the pine needles would also face the same issue.

Clearing of pine needles from roof needs to be done on a monthly basis and each corrugation on the roof has to be cleared by hand along the entire length of the roof, this is painstaking precarious work on a fragile asbestos roof.

Not a policy consideration.

- The weight of the buildup when it is wet is considerable and has caused deformation of the main beam in the living room that bridges to the chimney.

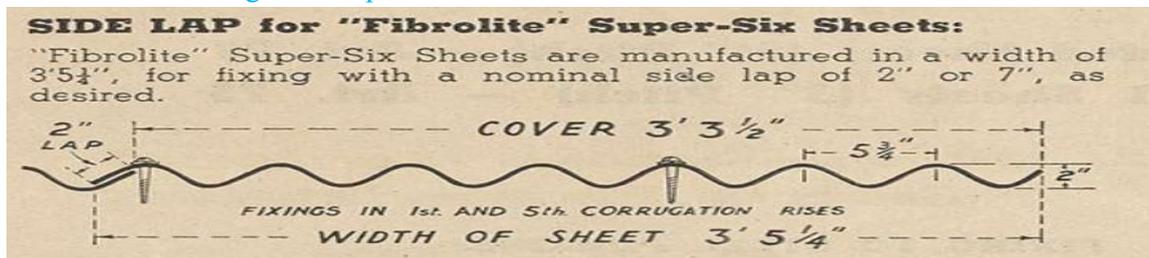
Water ingress into inside of home, walls and ceiling and damage to internal roof structure.

No verifiable evidence supplied with application. •

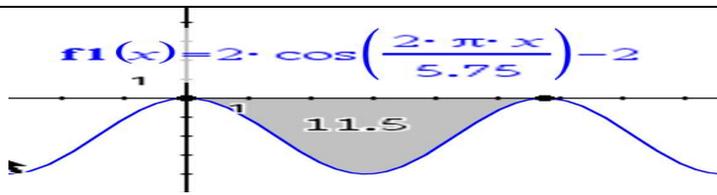
I did supply what I believe is “evidence”, complete with calculations and appears to have been not considered:



Cord at high tension pinned along length of main beam in living room shows beam has permanently sagged 4 cm at lowest point under the added weight of the pine needles/mud.



Super six corrugations, each corrugation when filled has a cross sectional area of 11.5 sq in(74 cm²).



Dimensions of total roof supported = 7.4 m x 4.7 m

Volume capacity of corrugations = $7.4 \times 0.0074 \times (4.7 / (5.75 \times 0.0254)) = 1.77 \text{ m}^3$

When full with pine needle/mud mix (density ~ 1.8 kg/L) this corresponds to an extra 3200 kg load on the roof, half of this 1600 kg being added to the main beam.

Whilst this could be attributed to normal deformation over time, I have visited two other dwellings of the same construction and age in Beaumaris, and there is no such sagging of the main beam.

Tree is laden with pinecones, many at top of tree, and these drop onto roof and front yard/driveway.

Not a policy consideration. •

Vehicles cannot be parked in the front yard or on the driveway beyond the carport.

Not a policy consideration. •

Obvious hazard to anyone that visits the property including myself, meter readers etc. QTRA risk assessment was conducted on the tree. The tree was in the ‘tolerable range’ of risk.

In season when the tree drops pine cones, their mass is typically ~0.5 kg and my best estimate is that ~100 are shed each season. Pine cones fall all over the front yard, roof and driveway. The roof so far has not been damaged possibly due to it being higher than the surrounding ground and cars are not parked there so they don’t get damaged. I don’t believe the risk is tolerable if one was going to make use of the yard for what it is there for, a human space to be.

The report also made no mention of the problem I listed of possum faeces immediately on the entrance to the house and driveway:



Possum faeces that present the whole length of the whole driveway/entrance and on the front lawn.

Disease issues are well known and potential for some very serious infections if any droppings are transported into the house, via humans or pets.

<https://pesta.com.au/the-danger-of-possum-poop/>

My objections all relate to how this tree affects living here, and the theme of the responses of “**not a policy consideration**” appear as though that being able to live comfortably/without nuisance/hardship and safely on one’s own property zoned for residential living runs second to the community amenity provided(subjective/unsupported in this case) by the tree.

It also has impact on how the street is used. I only park one vehicle on my property, under my carport, and although the driveway and front lawn can fit up to 5 vehicles, other vehicles get parked on the street due to the long term damage from pine needles in the drainage/plenum channels, pine sap on the paintwork, pine cone damage and possum faeces.

At the end of the day does this refusal of application to remove the tree pass the “**pub test**”?

A google maps aerial picture of my property shows that the whole of the front yard and the front section of the house is covered by a tree canopies, whereas looking at any other property in Herbert St or Victor st there are no properties with canopies **over the house** and/or front yards or indeed any significant trees in the front yards. Two google street view photos of I Herbert st shows dense coverage, and that is with the tree in question **not being visible/obscured** in **both** photos. As shown in the agenda, the 87 Brochure pic shows the tree in question was just a sapling at that time. It has not been an “amenity” feature of the neighbourhood since settlement and really was a poor choice of tree and placement made by the owner at that time and should not be endured based solely on that it was let to grow to a certain size.

Clearly 1 Herbert st is already providing significant amenity with the two other significant trees protected by local law at the front of the property, especially when compared to the surrounding properties which have no significant trees or plant growth.



Google street view: 1 Herbert st



16 Victor st, diagonally adjacent to rear of 1 herbert st.



Herbert St is indeed lined with significant trees on the nature strips and in the front yard of 1 herbert st, but there are no other properties supporting a treed amenity that is comparable with that at 1 Herbert st.

Andrew Caris

Item 4.4 33 Laburnum Street, Brighton	Objector (O) Supporter (S) Applicant (A)
1. Mrs Janice Cook	(O)
<p>Dear Committee members,</p> <p>My name is Mrs Janice Cook. I have been a resident of Bayside for over 43 years and currently reside at 35 Laburnum St, directly abutting the application site to the north. I also own the property at 37 Laburnum St which is directly behind my home and shares a boundary with the subject site. I have objected to this proposal because it is a significant overdevelopment and will have an adverse impact on the nature of Laburnum St and particularly on the amenity of my properties which share a boundary with the proposed development.</p> <p>In summary my major concerns are:</p> <ol style="list-style-type: none"> 1. The proposal is for a development that is significantly bulkier than is usual in this street and is also abnormally dense. 2. The development requires significant dispensations from the requirements of the Bayside Planning Scheme, in terms of the minimum setbacks, for each of the 3 proposed units. If allowed to go ahead this development would be overly intrusive and would subsequently impose significant negative impacts on the general amenity of the area and my properties in particular. 3. The high, solid front fence would be out of character with the area and in direct conflict with the preferred character. I wish to highlight that this is not just my contention, high solid front fences listed as a threat to the preferred neighbourhood character of the area in the Bayside Neighbourhood Character Review Precinct Brochures. 4. There is limited separation between the 3 units and very little opportunity for landscaping and canopy trees, both of which are important to the character of the area and the promotion of sustainable building designs. 5. The positioning of 3 swimming pools along almost the entire boundary of the property, directly adjacent to my home and investment property, will create an unreasonable level of noise, both from the pool filters and people using these facilities. I understand that in a suburban setting it is not unreasonable for a landowner to install an inground swimming pool, but 3 pools covering almost the entire extent of the site's northern boundary is not reasonable and must have been designed without considering the amenity impact on my properties. 6. The basement car park does not appear to allow the efficient movement of cars into or out of the site. This will negatively impact the amenity of the units themselves and will inevitably lead to increased demand for on street parking. 	

7. The design at the Basement level includes gym and theatre areas for each unit. These will receive minimal natural light and would more than likely be utilised as an additional bedroom and living area that is separate from the main part of the dwelling. The internal amenity of these rooms will be poor.

The preferred neighbourhood character of the area is established through the Bayside Planning Scheme and any development on this site should meet with the requirements of this scheme. This can only be achieved if the prescribed minimum setbacks, private open space, and garden areas are complied with. The site is quite large and does not have other constraints that would warrant concessions with regard to these controls. The design has not been able to meet these standards simply because what is being proposed would be an overdevelopment.

Landscaping and the provision of canopy trees are a major aspect of both the current and preferred neighbourhood character for Laburnum Street and the surrounding area. If this proposal goes ahead in its current form there will be very little opportunity for such vegetation to be introduced, let alone for it to thrive. This is not what was envisaged when the current planning controls were introduced. Nor was the high solid front fence which, along with the driveway entrance, would dominate the street scape.

The Bayside Planning Scheme is also succinct in its purpose to protect the amenity of neighbouring dwellings. The proposed buildings encroach into the minimum setbacks set out within the planning scheme, both between each other and in relation to the property boundary that is shared with my properties. The bulk of the proposed units will have an imposing presence over my and other neighbouring properties. The proposal to position 3 swimming pools, along almost the entire length of the lot, on the property boundary, is unreasonable and the impact of this on the amenity of my properties, and especially on my home, would be substantially negative.

The lack of consideration of amenity issues when designing the development extends to the proposed units themselves. The basement floor rooms will enjoy little natural light. Much of the garden areas shown will also receive little natural light or will be heavily shadowed. The proposed swimming pools will be shadowed for much of the day because of the close proximity to the fence line and the dwellings on my properties. The swimming pools align directly with bedrooms of my house. Further, the submitted plans indicate that entry and exit from the parking spaces associated with unit 1 will be very difficult if not impossible.

A reduction in the size of this development to 2 units, which is more in line with what should be encouraged in a Minimal Residential Growth area, would enable the design to meet the statutory requirements relating to setbacks. This would allow for improved amenity within the development itself by allowing all habitable rooms to benefit from better exposure to natural light, the car parking area could be redesigned for easier access, larger and more functional private open space areas would be possible, and any swimming pools could be positioned for better exposure to direct sunlight and reduced amenity impact on the neighbouring

properties. A reduction in the size of the proposed development to 2 units would also create opportunities for better landscaping and canopy trees and would alleviate the necessity for a high, solid front fence because this area would not be required for secluded private open space.

There is an opportunity for the property at 33 Laburnum Street to be developed in a manner that respects the preferred neighbourhood character for the area, while contributing to the incremental housing growth that is encouraged by the Bayside Planning Scheme. The proposal, in its current format, does not respect the identified preferred neighbourhood character, heritage, environmental or landscape characteristics. Further, it would have a significant detrimental impact on the amenity of neighbouring properties, especially my home and investment property.

I urge you to enforce the controls within the Bayside Planning Scheme and to subsequently reject this proposal as an overdevelopment of the site.

Yours sincerely,

A handwritten signature in black ink that reads "Janice Cook". The signature is written in a cursive, slightly slanted style.

Janice Cook

Item 4.5 52 Ebden Street, Brighton	Objector (O) Supporter (S) Applicant (A)
1. Miss Jann Townsend	(O)
<p>Councillors,</p> <p><u>Planning Application Permit No 5/2021/593/1 – 52 Ebden Street, Brighton</u></p> <p>I hereby express my concerns about the proposed works under the application stated above with particular relevance to amenity of existing residents at 3 Huntley Street, Brighton.</p> <p>In Council’s Plan 2021–25 concern is expressed that Strategic planning and controls protect and reflect the diverse environmental and heritage values of Bayside.</p> <p>The agenda (page 103) states that relevant strategies of the Council plan include:</p> <p><i>Encourage the planning of well-designed new development that is appropriately located and consistent with the preferred neighbourhood character and residential amenity.</i></p> <p>However, the amenity for the residents of 3 Huntley Street is compromised by the inclusion of a spa approximately 2.5 metres from the bed in the master bedroom of Mr and Mrs Scholer’s property. In spite of a fence and landscaping, unacceptable noise at night is likely to result. In previous objector correspondence it has been stated that noise will be a factor in affecting amenity. However, this is denied on page 109 of the Agenda as copied below:</p> <p><i>6.7. Objector issues not already addressed Objections have raised concerns about the noise produced from the proposed spa. The proposed ground floor plan includes the pool equipment to be located on the rear boundary adjacent to Huntley Street which is not adjoining any habitable room windows of adjoining properties. The use of spa will have noise impacts consistent with those normal to a residential zone. Speech, laughter, music etc. are noises associated with people living their lives and are all part of life in an urban area. It is important to note that ‘A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot’ is exempt from requiring a planning permit under Clause 62.02-2.</i></p> <p>I draw the attention of Councillors to my previous objection (19 January 2022) which states “a built-in spa...will create disturbance due to ongoing pump and filtering noises 24/7, with increased levels during usage of jets and blowers”.</p> <p>It is noted that the spa pumps and machinery will be located towards the rear of the property at 52 Ebden Street. General noise impacts such as people living their lives are part of life in urban Melbourne. However, the noise created by jets and blowers, particularly at night, is very loud. Those noises cannot be “moved” to where the pump is planned to be located. There is also the issue of filtration – when filtering begins (potentially twice a day for 4 hours each time), it sounds like a jet taking off but settles to a much quieter bubbling sound. Couple this with the clanging of the gate to allow entry/exit from the spa area, the noise created by locating the spa beneath the Scholer’s bedroom window becomes unreasonable. This is a serious impact to their amenity.</p> <p>It is not easy to see on the plans the nature of the fencing to be built around the spa. I have a spa at my home with glass fencing and gate. It is particularly noisy when the gate self-shuts, but fortunately I am not close to my neighbours. The clanking shut of an auto-close gate will be amplified at night. Spa fencing is required by law. Likewise, filtration, jets and blowers are also</p>	

very noisy. These noises are “on the spot”, right where the spa is; they cannot be relocated somewhere else.

Will Council please clarify the meaning of the statement above “A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot is exempt from requiring a planning permit under Clause 62.02-2.” (page 111 of the Agenda).

Does this in fact mean anyone can build a swimming pool or spa without gaining a permit from Council? How does this impact on the requirement for fencing? Is any care, sensitivity or thought given to how building spas and swimming pools impacts neighbours?

Thank you for your consideration and for addressing my concerns.

Yours sincerely,

Jann Townsend (Miss)

Councillors,

I refer to Planning Application Permit No 5/2021/593/1 – 52 Ebdon Street, Brighton 3186.

I hereby express my concerns about the proposed works under the application stated above and seek clarification on the following matters:

The provision, location, and details of a flue for what appears to be a fireplace in the proposed living area immediately adjacent to the atrium/courtyard at 3 Huntley Street, Brighton 3186.

- I ask that Council reject any such plan to install a flue that is visible from our atrium or living room.

The provision and location of any roof top air conditioning units/condensers – it is unclear whether there is any intention to locate this type of equipment on the roof space nearby the common boundary by our atrium/courtyard.

- I ask that Council reject any such plan to install units visible from our atrium and/or living room.
However, it is noted that Council has recommended (Recommendation 4. and 5.) the following permit conditions:
 - No plant, equipment, services, or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the written consent of the responsible authority, and
 - All pipes (excluding downpipes), fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the responsible authority.

Details of the glazing treatment for the proposed skylights - i.e., will there be clear glazing or opaque glazing? A clear glazing on all skylights opposite or nearby our atrium/courtyard has the potential to deflect light and adversely impact on our amenity and the experience and enjoyment of our private open space because of the combination of location and orientation on the pitched roof.

- I ask that Council includes a condition that the glazing is opaque.

The plans nominate the roof treatment will be 'Colourbond surf mist sheet roofing.

- I ask that Council includes a condition that the roofing material is non-reflective.

Thank you for your consideration.

Yours sincerely,

Heidi Scholer (Mrs)

Councillors,

I refer to Planning Application Permit No 5/2021/593/1 – 52 Ebdon Street, Brighton
I hereby express my concerns about the proposed works under the application stated above and draw attention to the following matters:

1. Addition of toilet, hand basin and shower to office/study area at rear of 52 Ebdon Street:

The application requests (page 99 of Agenda):

an extension to the rear of the existing dwelling containing a bathroom, WIR, ensuite, new kitchen, dining and living area, a space and conversion of the “studio and store” adjoining the carport to one “office/study” space.

- There is no mention of installing a hand basin, toilet and shower.
- These facilities do not currently exist in the office/study area.
- However, the bathroom facilities are clearly shown on the plans in the Agenda (page 113).

Council states in Bayside Planning Scheme, Clause 54 (page 104 of Agenda) that only “one dwelling on a lot” is permitted.

- Should the addition of the hand basin, toilet and shower be built in the office/study area, then the space becomes a **second dwelling**.
- with existing power points and the addition of a cupboard, a kettle and electric hot plate it turns into a comfortable “granny flat” or “bed-sit”.

Based on Clause 54 above,

- **the application to build bathroom facilities in the office/study area should be rejected and the plans for 52 Ebdon Street updated accordingly.**

2. Over-development of the block at 52 Ebdon Street.

Compounding the over-development of this site with conversion of a “granny flat” / “bed-sit” is an extension of the existing building with “hard” living space – that is,

- very small eaves, no verandas apart from at the front – to take up more than 75% of the block.

The block at 52 Ebdon Street is 288 sqm;

- development currently stands at 56% (page 105 of the Agenda).
- The proposed extension will provide 75.2% living space in an area where the norm is around 50%, according to the Agenda.

In Point 6.2 of the Agenda notes on page 105, Council states:

- *As demonstrated in Figure 1 below, there is a strong characteristic of high site coverages in the immediate area.*
- *In particular, 3 Huntley Street, which had an extension approved by Council in 2008, has a site coverage of approximately 73%.*
 - The dwelling area as per the approved plans for 3 Huntley Street in 2008 state coverage is 52.4% of the block,
 - It is allowing greater site permeability than the proposed plans for 52 Ebdon Street.
 - The 73% coverage for 3 Huntley Street stated above includes

- wide eaves and verandas which cover permeable decking, not internal living space or hard surfaces as proposed under the redevelopment plans for 52 Ebden Street.
-

Thus 75.2% developed space at 52 Ebden Street is not representative of properties in the area and constitutes over-development of the site.

I have the original plans with me at the meeting and can show them to you if you want.

Thank you for your time and consideration of the points above. I await your advice on both points itemised

Yours sincerely,

Albrecht Scholer

Councillors,

Planning Application Permit No 5/2021/593/1 – 52 Ebden Street, Brighton

I hereby express my concerns about the proposed works under the application stated above with particular relevance to amenity of the owner and existing residents at 5 Huntley Street, Brighton.

As an objector to the planning application and interested party as I share a boundary (5 Huntley) with the proposed site, I would like to raise the following issues:

Fence boundary between 5 Huntley rear garden & 52 Ebden

1. It is difficult to garner what the proposal is for the boundary line. Currently, there is a fence separating our properties at the rear of 5 Huntley. Is the applicant requesting to remove the fence?

If the fence is proposed to be removed ...

- What will it be replaced with?
- What preparations are they making to keep the rear garden of 5 Huntley safe, private and secure?
- Is there an expectation that the applicant will need access on to 5 Huntley land? If so, when and how long? Once this is provided, then I will consider if I will grant it, pending answers to the other questions pertaining to the matter of boundaries.
- My tenant has dogs. They have leased the property with a secure and enclosed rear garden. If the applicant is requesting to remove the fence, then this poses a great risk to the dog's safety. What preparations are being made to keep the rear garden of 5 Huntley safe, secure & private?
- There is also the risk that if the rear garden is not secure, and a dog were to escape and attack a member of the general public, then I expect the applicant to carry this liability?
- Liability of loss of rent or rent reduction. My tenant, if impacted by the removal of rear yard security, safety & privacy, they have every right to request a rent reduction, or worse, break the lease agreement, which will significantly impact me financially. If this application is approved, then I expect the applicant to be responsible for any financial burden resulting from the impacted lease. The lease is not due to expire until December 2024. If the tenant needs to break the lease due to safety, privacy and security reasons, then I expect the applicant to be responsible for the rental income for the full duration of the lease. If a rental reduction is sought by the tenant, due to safety, privacy & security issues, then I expect the shortfall in rent to be covered by the applicant for the duration of the period that the rear yard is not safe, private & secure.

Boundary near 5 Huntley Living room abutting 52 Ebden proposed courtyard & kitchen:

1. the living room wall of 5 Huntley is set 7cm away from the boundary. The plans suggest that the development will overstep the boundary and assume my living room wall is a boundary wall. If you look at the front of 5 Huntley where it joins the back of 52 Ebden, a double brick boundary wall has been erected next to the original side weatherboard facade of 5 Huntley. This is a boundary wall. A surveyor will see that the double brick living room wall at the rear of 5 Huntley is actually inset on 5 Huntley property, and compared to the double brick boundary wall at the front of 5 Huntley. The living room wall is a large wall made of Hawthorne and Red Brick. This wall is the property of 5 Huntley and I do not give permission for 52 Ebden to use this wall as a boundary wall. Nor allow them to affix any such structure to it, e.g. pergola, and I do not permit them to build their walls abutting it, as they will be building on my property and over the boundary line. I suggest the council appoint a surveyor or suggest an alternative solution and decline the existing plans, as there is a trespassing dispute if the plans were to be approved.
2. There is also mention that boundary walls will be “washed”. If they are referring to my living room wall, I do not permit this as it is my property. I worry that the method of washing could damage the materials the wall was built with.
3. I expect either a fence or a boundary wall to be erected on the correct boundary. I do not permit for my living room wall to be used as a boundary wall and I do not permit any fixtures to this. This issue has been raised legally in the past between the applicant & 5 Huntley, where the applicant attached a folding clothes line to 5 Huntley living room wall and was legally asked to remove it as it wasn't their property to erect & attach such apparatus to the wall.
4. I expect a surveyor to be appointed to assess the boundary issue and for the proposed plans to be refused until the matter is resolved.

Landscape plan:

1. Creeping fig along 5 Huntley living room wall in 52 Ebden courtyard. The landscape plan suggests that a creeping fig will be planted and will creep up my property wall. I do not permit this. A creeper will damage my wall and it is not 52 Ebden's property to attach anything to this wall. As aforementioned, I expect to see a fence or wall along the boundary to separate our 2 properties and to avoid a boundary dispute.
2. An additional tree has been added next to 5 Huntley living room in the courtyard near 52 Ebden proposed kitchen, since our last meeting. I object to this tree. It's a substantial tree, with roots that could impact my foundations, not to mention the unnecessary dropping of leaves in to my gutters. The additional tree adds no function, and can only cause long term problems and issues to my property's stability.
3. I am concerned for the existing established trees in my garden near the boundary. The arborist report suggests they will try not to damage my trees. I would like to understand the recourse if the applicant were to damage one of my trees or cause a significant safety risk to my property if a tree were to be compromised. Who would cover any associated longer term costs? These aren't small trees. I also

expect to be connected to the project arborist to insure ongoing safety, and have evidence that the insurance policy for the development has provisions for this.

Overall plan:

1. I am concerned to see that there is a bathroom and kitchenette in the garage on the proposed plans. This suggests a separate dwelling or granny annexe. I believe planning regulations suggest there should only be 1 dwelling on this plot. This suggests over-development of the plot.

There is still much ambiguity to this proposed planning application with potential significant impact to my property and my tenant. I am deeply concerned that this application could be approved with so little clarity on the impact to my property.

Thank you for your consideration and for addressing my concerns.

Kind regards,

Karen Davies

Item 4.6		Objector (O) Supporter (S) Applicant (A)
21–27 Holyrood Street, Hampton		
1.	Ms Bronya Love	(O)

Dear Councillors,

As the residents at 4 Hardie Street Hampton, we implore you to reject the Hampton RSL's planning permit reference 5/2019/279/3.

Objectors Names and Address: Bronya Love & Adrian Migliore, 4 Hardie Street, Hampton

Lighting objection

Our first objection is to the amendment to Condition 4 (amendment in bold): *External lighting must be designed, baffled with **Vertex MK-II Floodlight Anti-glare Shield and MK-II 650W 150 degrees Tilted shields solution** and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.*

- At no time has our residence been considered in the lighting design and plan presented by the applicant despite being a mere 30 metres from the installed lights and one of the most affected properties (see below evidence). The windows of our house are clearly visible from the RSL bowling green.
- We do not believe that the proposed light solution will protect us from the lights intruding into our house, particularly as our property has not been included in the lighting report provided in the application.
- We are not an 'adjoining' property however the lights shine directly into our living room making it unusable. As we are not on 'adjoining land' we do not believe we are adequately protected by the 'adverse effect' condition.

Sound amplification objection

Our second objection is to the amendment to Condition 5 (amendment in bold): *No external sound amplification equipment or loudspeakers are to be used **during the use of the overhead lighting associated with the lawn bowls area.***

The ambiguity of this amendment gives the RSL permission to use amplification equipment outside of the hours during which the overhead lighting is used. We request that this condition is amended to provide clarification on when and where sound amplification is permitted. The RSL is in a residential area and it is inappropriate for permission to be granted for use of sound amplification at any time.

Photo of the RSL lights at dusk from our living room:



Photos of the RSL lights at night from our living room (they are at direct eye level):





The glare on our walls facing the lights:



Our property's location and the direction of the lights shining into our house:

Upstairs Property floorplan and direction of the lights.

As you can see, we have use the most affected room to get to the kitchen, dining, lounge.

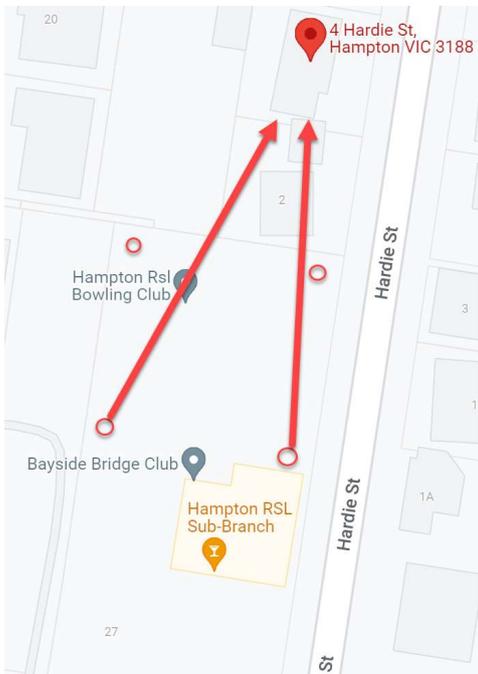


Photo from my desk (I work from home full time and frequently work nights, the lights would be shining directly into my eyes):

