



# MELBOURNE SOUTH YARRA RESIDENTS GROUP INC.

*Established by the residents of South Yarra in 1969*

## **Planning Application TP-2014-1084 157-159 Domain Road, South Yarra**

### **SUBMISSION BY MELBOURNE SOUTH YARRA RESIDENTS GROUP INC**

#### **Summary**

1. This second application by this developer shows no more regard for the appropriateness and impact of its proposal upon the existing amenity of the village and the local area than the previous one.
2. The Applicant has provided no relevant evidence to support its request to be exempted from providing any car parking for either the owners of the apartments or patrons of the restaurant.
3. The Applicant cannot rely upon the conclusions relating to parking reached by VCAT at the hearing of its previous application for the following reasons.
  - (a) The circumstances and demand for parking have changed completely with the reopening of the restaurant Entrecôte located on the corner of Domain Road and Millswyn Street.
  - (b) The Applicant's traffic and parking evidence is irrelevant as the circumstances have changed completely.
  - (c) The Applicant's traffic evidence at the conclusion of the previous VCAT hearing was incomplete and continues to be incomplete.
4. The waste removal arrangements are unsatisfactory and irresolvable as the four bulk resident bins and six bulk restaurant bins on the foot path will have an excessive and unreasonable impact on patrons and other nearby businesses.
5. The noise and interference to lives and the amenity of the residents on the other side of the wall on the south boundary of the proposed development will be excessive and have an unreasonable impact upon those people.

#### **Parking**

6. The demand for parking has increased significantly since the previous VCAT hearing with the opening of Entrecôte. It, like the other restaurants in the village, is busy, caters for some hundreds of patrons using the bar and informal eating area on the ground floor and front courtyard in addition to those using the first floor restaurant. The impact of these numbers upon parking in the nearby areas has been and is significant and is causing considerable difficulties for nearby residents in Millswyn Street as well as all other users of the village.

7. Parking spaces are at an all-time premium and it is inconceivable that a new business introducing 300-400 people into this crowded area can do so without complying with the regulatory requirement of providing 84 car parking spaces.
8. The Applicant's traffic survey is irrelevant because it was undertaken between 31 January and 9 February 2014 well prior to Entrecôte opening in January 2015 and should therefore be ignored.
9. As a consequence, all of the traffic evidence presented at the previous VCAT hearing is now irrelevant and the applicant can rely upon none of the conclusions reached by the member during that hearing.
10. The Applicant has produced no evidence to justify being exempted from providing 72 car parking spaces for the restaurant and 12 for the apartments and on the basis of existing demands will never be able to do so.
11. The Applicant gives the following reasons for being exempted from providing 12 car parking spaces for the residents of the apartments.
  - (a) There is a demand in this area for apartments without cars. However, no evidence is produced in support of that contention and with an asking price of about \$1.5 million for each apartment that is most unlikely to be the case.
  - (b) Excellent public transport is available.
  - (c) Incredibly enough "It is impractical to provide any car parking on-site" with which we wholeheartedly agree and is precisely the reason why this application should be rejected.

### **Waste removal**

12. The apartments have four 660 litre waste bins and the restaurant six. The restaurant bins are likely to be collected every day or two and the apartment bins once a week and on each occasion those bins will be lined up on the footpath in front of the building unlike all of the other businesses in the village whose waste is collected from a laneway at the rear. The placement of those bins in the front of the village and the noise, smell and disruption caused by both the placement and their collection will have a significant adverse impact upon the enjoyment and amenity of all other nearby users and in particular those occupying the chairs and tables on the footpath that extend along this area.
13. The introduction of such a waste system on the frontage of the village will diminish significantly the attraction and appeal of this very popular part of South Yarra. If this building is to be used for these purposes there appears to be no alternative and this provides another reason why this application should be refused.

### **Noise**

14. The noise created by the restaurant patrons using the basement courtyard and first floor balcony at the southern end of the property will of course have an adverse impact upon the residents on the other side of that wall which was clearly recognised by the VCAT member at the earlier hearing and specific acoustic evidence had to be supplied in order for the business to continue and the same applies on this occasion.
15. We have considered the objections lodged by residents adjoining the southern end of this property and in particular that lodged by Alison Dodds dated 4 February 2015 and strongly endorse her concerns about noise and the impact.

## **Conclusion**

This new application suffers from the same major defects as the previous one and should not be granted an exemption from providing appropriate parking for both the proposed restaurant and apartments and the application should be refused.

A handwritten signature in black ink, appearing to read 'Melbourne South Yarra Residents Group Inc'.

Melbourne South Yarra Residents Group Inc  
13 February 2015