



PORT PHILLIP CONSERVATION COUNCIL INC.

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3rd October 2002

Mr Ian Wilson
Chief Executive Officer
Bayside City Council

Dear Mr Wilson,

Objections to Planning Application 2002/1719, 19th September 2002, by Renato Poci: Extension of Restaurant

Port Phillip Conservation Council Inc., a federation of 14 conservation organizations around Port Phillip, objects to two aspects of the above planning application relating to the "Tea-house" at Ricketts Point, Beaumaris. These are the proposed extension laterally, to the south-east, of the existing second storey building volume and aspect, which would be built on to the upper storey vertical wall that has a horizontal roof line shown in the photograph below, and the proposed addition of a first floor balcony.



Lateral Extension of 2nd Storey Structure: In the planning application the structure, for which approval to extend is sought, is referred to as a "Restaurant". That description is noteworthy, as the present structure and the commercial operation conducted in it were originally permitted as a "Tea-house", to replace a former damaged single-storey building that was a *bona fide* tea-house, as noted in the minutes of Beaumaris Conservation Society Annual General Meetings of [1982](#), [1983](#), [1984](#). There are many examples to show that creeping expansion of both function and structure is a classic characteristic of commercial structures that have been permitted to be built on foreshores that have long been Permanent Public Recreation Reserves. [PPCC Inc. Policy Statement No. 7 "Proposed New or Expanded Commercial Operations on Foreshore Reserves"](#) states the general opposition of our organization to expansion of commercial uses, such as the Ricketts Point "Tea-house" on public foreshore reserves.

We note that the Department of Environment and Conservation will not allow any increases in the "footprint" of such structures, although that that is not the type of expansion sought in this instance. We consider that increases in visual bulk, surface aspect, shadowing and encroachment upon and denial of skyline, from both land and sea viewpoints, are also important and should be forbidden by the managers of our public land.

The lessees of the "Tea-house" now claim that the non-public areas of the building they lease are not large enough, although they did not raise those concerns when they entered into the lease, and it did not deter them from entering into it. The lessees should be required to adjust the ratio of non-public space to public space in their building to optimize their operations and allow adequate room for their operations rather than increase the size of the building. There is a definite danger that alternating assessments of inadequacy of public and then non-public space taken separately will lead to future claims for more expansion of the whole structure to successively redress perceived imbalance between the two types of space.

The claim made for more office space appears to be at odds with the marked practice of most modern businesses to reduce expensive office space by the efficient use of mobile telephones, laptop computers and the availability of the space-saving combination of printer, fax machine, scanner and copier in a single instrument. In view of space being taken at the expense of public amenity, more of the archives and older paper records of the business should be kept at another site, with scanned copies being kept on a laptop or Web site if needed.

The Proposed Balcony is surely an Ambit Claim: The proposal to build an unroofed balcony, on one of the colder, shaded, southerly sides of the building is for use of staff during their tea breaks, or when they wished to smoke cigarettes. It would be most unlikely to be used in inclement weather, or on winter afternoons. The balcony would appear to be a sacrificial component of the application, serving to distract from the main concern of the extra fully enclosed space being sought, although it would serve as a good starting point for a later application to gain yet even more space by enclosing it.

Staff seeking an outdoor respite can surely cope with sitting down at one of the outdoor tables provided in the Reserve. Most of the Reserve's users are content to do so. It is objectionable that such a frivolous, conspicuous accretion to the present two-storey structure, or to an enlarged structure, would be hardly ever used, and when it was used it would be used by an exclusive few surveying, not necessarily quietly, the excluded public from on high.

Our objections to the balcony are consistent with our support of Bayside Council's Planning Scheme Amendment C25, which seeks to prohibit "roof terraces" on private structures just inland of our coasts, which have related drawbacks.

Yours sincerely,

Geoffrey Goode
President
Port Phillip Conservation Council Inc.

cc. Hon. Sherryl Garbutt MLA, Hon. Mary Delahunty MLA
Hon. Christopher Strong MLC, Dr Hon. John Ross MLC, Mr Murray Thompson MLA
Bayside City Councillors