

DEVELOPMENT NO.:	21029363 - APPEAL MATTER
APPLICANT:	Somerton Surf Life Saving Club Incorporated
ADDRESS:	57 REPTON RD NORTH BRIGHTON SA 5048
NATURE OF DEVELOPMENT:	Change of use for the upstairs portion of the building to a Bistro and function centre in addition to the existing use as a sports club.
ZONING INFORMATION:	Zones: <ul style="list-style-type: none"> • Conservation • Open Space Overlays: <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Building Near Airfields • Coastal Areas • Coastal Flooding • Heritage Adjacency • Prescribed Wells Area • Regulated and Significant Tree Technical Numeric Variations (TNVs): <ul style="list-style-type: none"> • Finished Ground and Floor Levels • Concept Plan
LODGEMENT DATE:	14 Oct 2021
RELEVANT AUTHORITY:	Assessment panel at City of Holdfast Bay
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Michael Gates Development Services (Planning and Building) Lead

DETAILED DESCRIPTION OF PROPOSAL:

The Council Assessment Panel approved application 21029363 for the change of use of the Surf Club to a bistro and function centre at the meeting 6 May 2022. The application was approved with 7 conditions, of which condition 2 stated:

Use of the first floor of the clubrooms building for bistro dining and/or functions shall be limited to the following hours:

Wednesday	11.00 AM to 10.00 PM
Thursday	11.00 AM to 10.00 PM
Friday	11.00 AM to 12.00 Midnight
Saturday	11.00 AM to 12.00 Midnight
Sunday	11.00 AM to 10.00 PM

The applicant seeks that the condition is changed to:

Condition 2

Regular Trading Hours

Wednesday 11.00 AM to 10.00 PM

Thursday 11.00 AM to 10.00 PM

Friday 11.00 AM to 12.00 Midnight

Saturday 11.00 AM to 12.00 Midnight

Sunday 11.00 AM to 10.00 PM

Additional Trading Hours

On public holidays which fall on a Monday or Tuesday 11.00 AM to 10.00 PM

On days preceding a public holiday 11.00 AM to 12.00 Midnight

On New Year's Eve 8.00 AM to 2.00 AM the following day

The hours permitted for a specific function or event may be varied with the written approval of the City of Holdfast Bay.

The additional notes to the condition allow for trading on a public holiday and later trading on days prior to a public holiday. It also proposes later trading pm New Year's Eve.

The proposed amendments are considered to be reasonably consistent with the original approval and should not be a significant inconvenience to neighbouring properties given the other conditions imposed relating to noise impacts.

RECOMMENDATION

It is recommended that the Council Assessment Panel resolve that:

1. That the Environment, Resources and Development Court be advised that the Council Assessment Panel supports the amended plans as a compromise in the Appeal Matter of ERD22-88: Somerton Surf Life Saving Club Incorporated v City of Holdfast Bay Assessment Panel, with Condition 2 amended to include additional detail.

OFFICER MAKING RECOMMENDATION

Name: Michael Gates

Title: Development Services (Planning and Building) Lead

Date: 7 October 2022