

Minutes of the Development Assessment Panel of the City of Holdfast Bay held in the Kingston Room, Civic Centre, Jetty Road, Brighton, on Wednesday, 27 April 2016 at 7:00pm.

MEMBERS PRESENT

Presiding Member – J Newman
G Goss
D Bailey
P Dinning
R Clancy
A Bradshaw
L Yates

STAFF IN ATTENDANCE

Manager Development Services – A Marroncelli
Development Officers – D Spasic, E Kenchington and A Stamatopoulos

1. OPENING

J Newman welcomed the people in the gallery.

2. APOLOGIES

Apologies Received – Nil
Absent – Nil

3. DECLARATION OF INTEREST

Members were reminded to declare their interest before each item.

4. CONFIRMATION OF MINUTES

Motion

270415/0016

That the minutes of the Development Assessment Panel held on 23 March 2016 be taken as read and confirmed.

Moved by G Goss, Seconded by P Dinning

Carried

5. DEVELOPMENT ASSESSMENT MATTERS

5.1 Bikram Yoga Glenelg, 74 Brighton Road, Glenelg East (Report No 95/16)

DA NO.	:	<u>110/00020/16</u>
APPLICANT	:	<u>BIKRAM YOGA GLENELG</u>
LOCATION	:	<u>74 BRIGHTON ROAD, GLENELG EAST</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 26 NOVEMBER 2015</u>
ZONE AND POLICY AREA	:	<u>COMMERCIAL ZONE</u>
NATURE OF DEVELOPMENT:		<u>MERIT</u>
PROPOSAL	:	<u>VARIATION TO DA 110/00283/12 (CHANGE IN USE OF LAND FROM VIDEO RENTAL (SHOP) TO A YOGA STUDIO AND INTERNAL FIT-OUT) AND DA 110/00644/12 (VARIATION IN HOURS OF OPERATION) COMPRISING CHANGE IN HOURS OF OPERATION AND CAR PARKING CONDITIONS</u>
EXISTING USE	:	<u>YOGA STUDIO</u>
REFERRALS	:	<u>NIL</u>
CATEGORY	:	<u>THREE</u>
REPRESENTATIONS	:	<u>TWO</u>
RECOMMENDATION	:	<u>REFUSAL</u>

Speakers: M Brown on behalf of F Schoo and L Carofano

Motion

270415/0017

Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, the Development Assessment Panel considers that the development is not seriously at variance with the Development Plan and resolves to grant Development Plan Consent to Development Application 110/000206/16 subject to the following condition:

- 1. That the carpark shall remain closed prior to 6:15 am on Tuesday and Thursday.**

That the following conditions pertaining to previous Development Application 110/00644/12 remain unchanged and ongoing:

- 1. That the premises shall not be used outside the following hours, inclusive unless written approval to vary the times is given by council:**
 - **Monday 10:00 am to 9:30 pm**
 - **Tuesday 6:30 am to 9:30 pm**
 - **Wednesday 10:00 am to 9:30 pm**
 - **Thursday 6:30 am to 9:30 pm**
 - **Friday 10:00 am to 7:30 pm**
 - **Saturday 8:00 am to 7:30 pm**
 - **Sunday 8:00 am to 4:30 pm**

Moved D Bailey, Seconded L Yates

Carried

5.2 Name Suppressed, 21 Wilkinson Avenue, Somerton Park (Report No 96/16)

DA NO.	:	<u>110/01096/15</u>
APPLICANT	:	<u>NAME SUPPRESSED</u>
LOCATION	:	<u>21 WILKINSON AVENUE, SOMERTON PARK</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 26 NOVEMBER 2015</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL</u>
NATURE OF DEVELOPMENT:		<u>MERIT</u>
PROPOSAL	:	<u>UPPER STOREY DWELLING ADDITION ABOVE EXISTING GARAGE ADJOINING EASTERN BOUNDARY</u>
EXISTING USE	:	<u>RESIDENTIAL</u>
REFERRALS	:	<u>NIL</u>
CATEGORY	:	<u>TWO</u>
REPRESENTATIONS	:	<u>ONE</u>
RECOMMENDATION	:	<u>REFUSAL</u>

Speakers: A Petrilli and A Bosnich

Motion

270415/0018

That after considering the provisions of the Development Plan the application 110/001096/15 is refused Development Plan Consent as it is contrary to the City of Holdfast Bay Development Plan Principles of Development Control, 2(a), 5, 20 and 21. More specifically, the application does not meet the intent of the Development Plan in relation to:

- **Substantial loss of views and reduced amenity from neighbouring property;**
- **Visual impact of wall; and**
- **Upper storey setback to eastern boundary.**

Moved P Dinning, Seconded R Clancy

Carried

5.3 Sacred Heart College, 184-210 Brighton Road, Somerton Park (corner of Green Lane and Chopin Road) (Report No 97/16)

DA NO.	:	<u>110/01081/15</u>
APPLICANT	:	<u>SACRED HEART COLLEGE</u>
LOCATION	:	<u>184-210 BRIGHTON ROAD, SOMERTON PARK (CORNER OF GREEN LANE AND CHOPIN ROAD)</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 26 NOVEMBER 2016</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL ZONE INSTITUTION POLICY AREA 4</u>
NATURE OF DEVELOPMENT:		<u>MERIT</u>
PROPOSAL	:	<u>CONSTRUCTION OF EQUIPMENT SHED WITH ANCILLARY AMENITY AREAS AND MASONRY STORAGE BAYS LOCATED ON THE CORNER OF GREEN LANE AND CHOPIN ROAD</u>
REFERRALS	:	<u>NIL</u>
CATEGORY	:	<u>THREE</u>
REPRESENTATIONS	:	<u>ONE</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS</u>

Motion

270415/0019

Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, the Development Assessment Panel considers that the development is reasonably consistent with the Development Plan and resolves to grant Development Plan Consent to Development Applications 110/01081/15 subject to the following conditions:

- 1. That the design and siting of all buildings and structures and site works shall be as shown on the plans and as described in the Hames Sharley report dated 14/12/15 submitted to and approved by Council unless varied by any subsequent conditions imposed herein.**
- 2. That construction shall take place between 7am and 7pm Monday to Saturday and not on Sundays or public holidays. All such work shall be undertaken in such a manner so as not to, in the reasonable opinion of Council, cause any nuisance or annoyance to any of the occupiers of buildings within the locality. Any work outside of these hours requires the written approval of Council.**
- 3. That the outbuilding approved herein shall not conduct any activities that will create any appreciable noise, smoke, smell, dust or other nuisances.**
- 4. That adequate provision be made for the disposal of stormwater to the reasonable satisfaction of Council. Where possible, stormwater should be retained on site by the use of natural drainage methods.**
- 5. That the car park be used only by maintenance staff of Sacred Heart College.**

6. That temporary fencing be erected around the regulated Sugar Gum during construction.
7. That the development guidelines and recommendations of the arborist report be adhered to during the construction of the proposed development.
8. That landscaping shall be incorporated along the eastern edge of the proposed carpark and building to provide screening of the development when viewed from Green Lane. Details of the landscaping shall be provided to council for assessment prior being planted, with plantings to include mature species of no less than 1.5 metres in height, using local indigenous vegetation where possible, to be planted within the optimum growing season. Vegetation shall be maintained thereafter with dead or diseased plantings replaced as soon as practicable.

NOTE: It is strongly recommended that any landscaping proposal incorporate and retain the existing mature gum tree located in the south-eastern corner of the site, with best endeavours used to protect the tree during construction.

Moved R Clancy, Seconded G Goss

Carried

6. **REPORTS BY OFFICERS**

6.1 Nil.

7. **URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING - Nil**

8. **CLOSURE**

The meeting closed at 8:37 pm.

CONFIRMED **Wednesday, 26 May 2016**

PRESIDING MEMBER