



Minutes of the Special Planning Committee Meeting

held in the Council Chambers, Civic Centre
Boxshall Street, Brighton

on Tuesday 14 September 2010
at 7pm

PRESENT:

Cr Alex del Porto
Cr Clifford Hayes
Cr Louise Cooper-Shaw
Cr Felicity Frederico
Cr James Long
Cr Michael Norris

OFFICERS IN ATTENDANCE:

Michael Top	-	Director City Strategy
Angela Meinke	-	Planning Manager
Theodora Jenkin	-	Planning Coordinator
Janice Pouw	-	Governance Officer

APOLOGIES: An apology from Cr Russell was submitted to the meeting.

Moved: Cr Norris

Seconded: Cr Long

That the apology from Cr Russell be received and leave of absence be granted.

CARRIED

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DECLARATIONS OF INTEREST:

- Cr Cooper-Shaw declared a Direct Conflict of Interest as she owns a property on Bay Road near the proposed development.

REQUESTS TO BE HEARD:

In accordance with Council's Governance Local Law No.1 clause 68, individuals cannot speak for more than 3 minutes.

Requests to be heard were received from the following people:

Item 1.1 – 220 – 228 Bay Road, Sandringham

Mr Roger Hargreaves
Ms Ros Jordan
Mr David Wassell
Mr Dean Isles
Mr Stephen Gage
Mr Ian Celantano

Mr Ross Newton
Dr Andrew Holland
Ms Heather Duncan
Ms Sue Hardiman
Ms Trish Boase

Mr Chris Hunting
Mrs Carola Glatz
Mr Jamie Paterson
Ms Peggy Woods
Ms Shirley Joy

OFFICERS' REPORTS:

It is recorded Cr Cooper-Shaw declared a Direct Conflict of Interest as she owns a property on Bay Road near the proposed development.

It is recorded that Cr Cooper-Shaw vacated the Chamber at 7.04pm prior to the consideration of item 1.1.

1.1 220 – 228 BAY ROAD, SANDRINGHAM

It is recorded that Mr Roger Hargreaves, Mr Chris Hunting, Ms Ros Jordan, Mrs Carola Glatz, Mr David Wassell, Ms Heather Duncan, Mr Jamie Paterson, Mr Dean Isles, Ms Sue Hardiman, Ms Peggy Woods, Mr Stephen Gage, Ms Trish Boase and Ms Shirley Joy spoke in relation to this item.

*It is further recorded that Dr Andrew Holland spoke on behalf of Mr Ross Newton who was not present in the Chamber. Dr Andrew Holland did not pursue his right to speak.
It is recorded that Mr Ian Celantano was not present in the Chamber.*

Moved: Cr Norris

Seconded: Cr Hayes

Council indicates that had it been able to make a decision on Application 2010/0232/1, 220 – 228 Bay Road Sandringham, it would not support the application and would have refused to grant a permit having regard to the analysis contained in the officer report and in particular:

1. Melbourne Water has objected on drainage issues.
2. VicRoads is not satisfied with the level of information provided to date.
3. In any event:
 - a. The proposal represents an unsatisfactory urban design response to the site and its context;
 - b. The proposal does not accord with the height objectives of Clause 22-05 of the Bayside Planning Scheme;
 - c. The proposal is not consistent with state or local policies in relation to the location of higher density housing;
 - d. The proposal will have an unacceptable impact on the amenity of the area and impact on the future neighbourhood character sought by the policies;
 - e. The layout of the buildings on the site is a poor urban design outcome;
 - f. The proposal does not provide sufficient car parking;
 - g. The proposed access arrangements and road works are not satisfactory;
 - h. The removal of street trees will not be permitted;
 - i. The proposal will impact unreasonably upon the adjacent public open space (Heathland Sanctuary);
 - j. The proposal fails to meet the policy provisions concerning the mix of uses in the Mixed Use Zone generally and specifically for the precinct;
 - k. The proposal does not provide sufficient employment opportunities for the area (after the proposal is built);
 - l. The internal amenity of future residents is compromised by poor planning and poor design;
 - m. The proposal will not provide a sufficient range of dwelling sizes; and
 - n. The proposal does not make a sufficient contribution to Environmental Sustainability Design principles.

AMENDMENT:**Moved: Cr Long**

A: Council indicates that had it been able to make a decision on Application 2010/0232/1, 220 – 228 Bay Road Sandringham, it would not support the application and would have refused to grant a permit having regard to the analysis contained in the officer report and in particular:

1. Melbourne Water has objected on drainage issues.
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 - d. The proposal will have an unacceptable impact on the amenity of the area and impact on the future neighbourhood character sought by the policies;
 - e. The layout of the buildings on the site is a poor urban design outcome;
 - f. The proposal does not provide sufficient car parking;
 - g. The proposed access arrangements and road works are not satisfactory;
 - h. The removal of street trees will not be permitted;
 - i. The proposal will impact unreasonably upon the adjacent public open space (Heathland Sanctuary);
 - j. The proposal fails to meet the policy provisions concerning the mix of uses in the Mixed Use Zone generally and specifically for the precinct;
 - k. The proposal does not provide sufficient employment opportunities for the area (after the proposal is built);
 - l. The internal amenity of future residents is compromised by poor planning and poor design;
 - m. The proposal will not provide a sufficient range of dwelling sizes; and
 - n. The proposal does not make a sufficient contribution to Environmental Sustainability Design principles.

B: That appropriate senior legal counsel and expert witnesses be engaged to represent Council's position at the VCAT hearing.

The **AMENDMENT LAPSED** for want of a seconder

The Original Motion became the Motion before the Chair.

AMENDMENT**Moved: Cr Frederico****Seconded: Cr Long**

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1. Melbourne Water has objected on drainage issues.
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 - m. The proposal will not provide a sufficient range of dwelling sizes; and
 - n. The proposal does not make a sufficient contribution to Environmental Sustainability Design principles.

B: That appropriate senior legal counsel and expert witnesses be engaged to represent Council's position at the VCAT hearing.

The **AMENDMENT** was **PUT** and a **DIVISION** was called.

DIVISION: **FOR:** Crs Hayes, Frederico, Norris, Long and del Porto (5)

AGAINST: Nil (0)

AMENDMENT CARRIED

The **AMENDMENT** became the **MOTION** before the Chair.

The **MOTION** was **PUT** and a **DIVISION** was called.

DIVISION: **FOR:** Crs Hayes, Frederico, Norris, Long and del Porto (5)

AGAINST: Nil (0)

CARRIED

It is recorded that Cr Cooper-Shaw was absent from the Chamber whilst this item was considered and was not present in the Chamber whilst the vote was being taken on this matter.

The Chairperson declared the meeting closed at 8.28pm