

REPORT TO: **COUNCIL ASSESSMENT PANEL**

DATE: **23 OCTOBER 2019**

SUBJECT: **DEFERRED ITEM – 3 SKYE STREET, SEACLIFF PARK - DEVELOPMENT APPLICATION 110/00415/19**

TWO STOREY DETACHED DWELLING WITH INTEGRAL GARAGE LOCATED ON SOUTH EASTERN SIDE BOUNDARY (ALLOTMENT 101 – 1/28 OPHIR CRESCENT, SEACLIFF PARK)

WRITTEN BY: **DEAN SPASIC – DEVELOPMENT OFFICER - PLANNING**

ATTACHMENTS: **A. AMENDED PLANS**
B. ORIGINAL REPORT
C. SUPPLEMENTARY SUBMISSIONS FROM REPRESENTORS
1.0 LOCALITY MAP
2.0 ORIGINAL PLANS
3.0 ORIGINAL STATEMENT OF REPRESENTATION

1. Reasons for deferral

At the 28 August 2019 meeting, the Council Assessment Panel resolved:

‘That after considering the provisions of the Development Plan and any representations and responses received, Development Application 110/00415/19 be deferred to enable the applicant to present shadow diagrams and calculations in relation to General Section - Design and Appearance Principle 10 and Residential Development Principles 10, 11 & 12 of the Development Plan.’

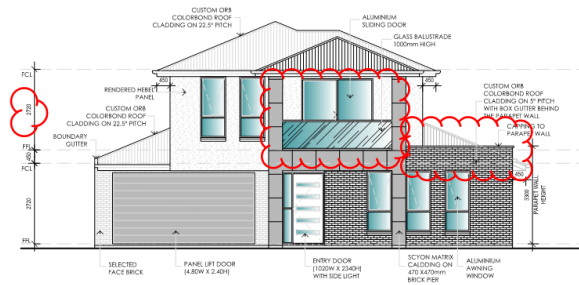
2. Amended Plans

Amended plans were submitted for the Council Assessment Panel’s consideration and are summarised as follows:

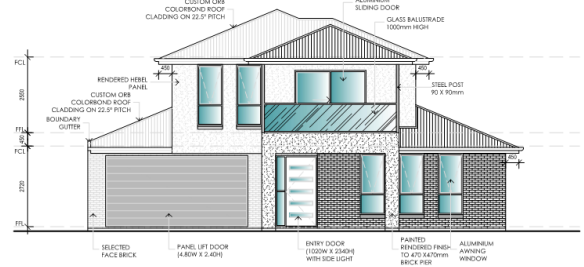
- The front balcony on the building façade has been redesigned to minimise the visual bulk and scale;
- The lower level roof form changed from parapet to hipped roof on the front elevation;
- The building height reduced by 170mm following a reduction in upper level ceiling height.

See plan comparison below:

original design

FRONT ELEVATION - RES 2
SCALE 1:100

revised design

FRONT ELEVATION - RES 2
SCALE 1:100

In addition, a set of detailed shadow diagrams were submitted, including a shadow diagram depicting the shadow cast by a single storey building for comparison, as well as a side elevation demonstrating the shadow cast in relation to adjacent solar panels.

Refer to Attachment A

3. Assessment

The additional information is considered to both sufficiently clarify the questions raised at the 28 August 2019 Council Assessment Panel meeting as well as result in notable improvements in the overall design.

The amended plan results in an improved building façade whilst reducing the bulk and scale of the two storey built form.

The shadow diagrams provide a detailed perspective of the shadows cast at 9am, 12pm and 3pm during the winter solstice and confirm the summary of the original report whereby it was determined that the proposal satisfied Solar Access principles associated with General Section - Design and Appearance Principle 10 and Residential Development Principles 10, 11 & 12.

4. Recommendation

1. **The proposed development is NOT seriously at variance with the policies in the Development Plan.**
2. **Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, the Development Assessment Panel resolves to grant Development Plan Consent to Development Application 110/00415/19 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 prepared by Residential Commercial Industrial Consulting Engineers, Job No. C25060, Sheets 1 and 2, Issue A, dated 22 June 2018 and plans prepared by ET Design, Job No. 384, revision PD-D, pages 2, 3, 6, 7 and 8 submitted to and approved by Council unless varied by any subsequent conditions imposed herein.**

2. That storm water from each dwelling shall be collected and connected to a 1000 litre (minimum) rainwater tank with a sealed system over flow connection to the street water table. Final details of the location and size of the tank(s) shall be submitted to Council for approval prior to the issue of full Development Approval. Furthermore, all storm water from the dwelling and the site shall be collected and disposed of in a manner that does not adversely affect any properties adjoining the site or the stability of any building on adjacent sites. **NOTE:** storm water shall not be disposed of over a vehicle crossing place and any connection to the street water table, including remedial works to footpaths, verges or other Council infrastructure, is subject to any necessary approvals from Council and will be at the applicant's cost.
3. The stormwater disposal system shall cater for a 5 year rainfall event with discharge to the street not to exceed 10 litres per second. Any excess above this flow is to be detained on site to the reasonable satisfaction of Council.
4. That landscaping shall comprise where practicable, trees and shrubs that are indigenous to the local area and are semi mature or of fast growing tubestock. All such landscaping shall be established within 3 months of substantial completion of the development and any such vegetation shall be replaced if and when it dies or becomes seriously diseased.
5. That all upstairs windows on the side and rear elevations shall have minimum window sill heights of 1.7 metres above finished floor level, or any glass below 1.7 metres shall be manufactured obscure glass and fixed shut or as otherwise approved by Council. Further details of this requirement shall be provided at Building Rules Assessment stage.
6. 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.
7. The dust emissions from the site shall be controlled by a dust suppressant or by watering (subject to any relevant water restrictions) regularly to the reasonable satisfaction of Council.
8. That the builder shall at all times provide and maintain a waste receptacle to the reasonable satisfaction of Council on the site in which and at all times all builder's waste shall be contained for the duration of the construction period and the receptacle shall be emptied as required.
9. That all hard building materials, waste and litter on site be stored in a manner that secures it on site during the construction works.
10. That no solid or liquid trade wastes be discharged to the stormwater system.