

TO: **COUNCIL ASSESSMENT PANEL**
 DATE: **28 OCTOBER 2020**
 SUBJECT: **COUNCIL ASSESSMENT REPORT**
 AUTHOR: **DEAN SPASIC**
DEVELOPMENT OFFICER - PLANNING

ATTACHMENTS: **1. LOCALITY PLAN**
2. PROPOSED PLANS
3. COMMISSIONER OF HIGHWAYS REPORT
4. STATEMENTS OF REPRESENTATIONS

HEARING OF REPRESENTORS: **YVETTE SMART OF 1/280 SEACOMBE ROAD, SEACLIFF PARK**
 HEARING OF APPLICANT: **MAURICE HOOD, WILCOT DRAFTING**

DA NO.	:	<u>110/00418/20</u>
APPLICANT	:	<u>WILCOT DRAFTING</u>
LOCATION	:	<u>282 SEACOMBE ROAD, SEACLIFF PARK</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 2 JUNE 2016</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL ZONE</u>
NATURE OF DEVELOPMENT:		<u>MERIT</u>
PROPOSAL	:	<u>CONSTRUCTION OF A TWO STOREY DETACHED DWELLING WITH GARAGE WALL ON EASTERN SIDE BOUNDARY AND SINGLE STOREY DETACHED DWELLING</u>
EXISTING USE	:	<u>RESIDENTIAL</u>
CATEGORY	:	<u>TWO</u>
REPRESENTATIONS	:	<u>TWO</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS</u>

1. Site and Locality

The subject site is located in the Residential Zone, extending between Seacombe Road and an unnamed public lane. The immediate locality contains a combination of detached and group dwellings, with two adjacent sites comprising a pair of dwellings on the same configuration as proposed.

2. Proposed Development

The proposal comprises the construction of a two storey detached dwelling facing Seacombe Road and single storey detached dwelling facing the rear laneway, over recently created allotments.

3. Public Consultation

The proposed development is a merit proposal, and assigned as a category 2 development for public notification purposes, as per the Development Plan *Public Notification parameter*, which refers to where a boundary wall has a height exceeding 2.75 metres above the natural ground level.

A total of three statements of representations were received, however one was withdrawn following the applicants commitment to ensuring visual privacy via appropriate treatment of upper level windows (and conditioned accordingly by Council, if approved).

The remaining statements of representation are summarised as follows:

Lyndall Thomas, of 2 Ophir Crescent, Seacliff Park:

- Another property facing the laneway will result in increased traffic (*representation not relevant for the assessment of new dwellings as new allotment already approved*);
- People who currently live in the lane way place rubbish bins in front of houses in Ophir Crescent (*representation not relevant for the assessment of new dwellings as new allotment already approved*).

Yvette Smart, of 1/280 Seacombe Road, Seacliff Park:

- Another property facing the laneway will result in increased traffic (*representation not relevant for the assessment of new dwellings as new allotment already approved*);
- People who currently live in the lane way place rubbish bins in front of houses in Ophir Crescent (*representation not relevant for the assessment of new dwellings as new allotment already approved*).

Applicant's reply to statements of representations

- Verbally indicated that the representations are not relevant for the assessment of new dwellings on existing allotments.

4. Commissioner of Highways Report

The Commissioner of Highways has reviewed the proposal and raises no objection. The Commissioner has directed that Council includes conditions of approval, as per Conditions 6 to 9.

5. Development Assessment

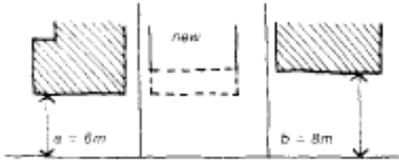
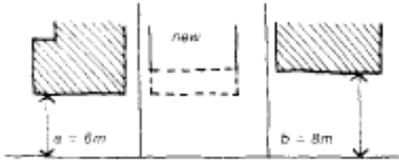
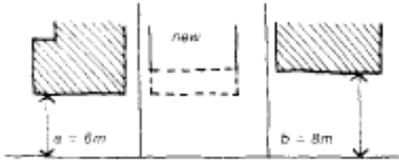
HOLDFAST BAY (CITY) DEVELOPMENT PLAN ASSESSMENT TABLE

Two storey dwelling	Development Plan	Proposed	Complies
Site coverage	50%	47%	Yes
Private open space	20%	26%	Yes
Primary street setback	Average of adjacent buildings (average 6m)	6.4m	Yes
Ground level side setback	Wall on boundary 3m high x 8m long 900mm	Wall on boundary not more than 3m high and 8m long 1.2m+	Yes
Upper level side setback	2.5m	3.4m+	Yes
Ground level rear setback	4m	5m	Yes
Upper level rear setback	6m	10.4m	Yes
Single storey dwelling	Development Plan	Proposed	Complies
Site coverage	50%	46%	Yes
Private open space	20%	28%	Yes
Primary street setback	Average of adjacent buildings (average 1m)	4m	Yes
Ground level side setback	Wall on boundary 3m high x 8m long 900mm	Carport on boundary 1m	Yes
Ground level rear setback	4m	4m	Yes

CONSOLIDATED 2 JUNE 2016

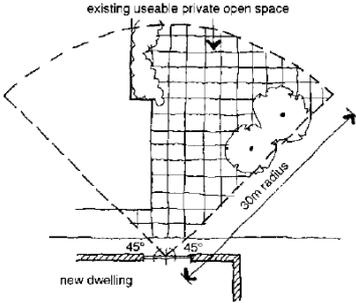
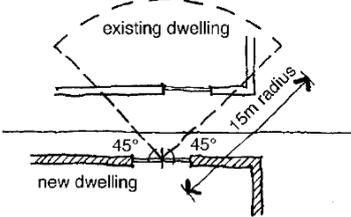
GENERAL SECTION – DESIGN AND APPEARANCE	
OBJECTIVES	Assessment
1 Development of a high design standard and appearance that responds to and reinforces positive aspects of the local environment and built form.	Complies
PRINCIPLES OF DEVELOPMENT CONTROL	Assessment
1 Buildings should reflect the desired character of the locality while incorporating contemporary designs that have regard to the following: <ul style="list-style-type: none"> (a) building height, mass and proportion (b) external materials, patterns, colours and decorative elements (c) roof form and pitch (d) façade articulation and detailing (e) verandahs, eaves, parapets and window screens. 	Complies
2 Where a building is sited on or close to a side boundary, the side boundary wall should be sited and limited in length and height to minimise: <ul style="list-style-type: none"> (a) the visual impact of the building as viewed from adjoining properties (b) overshadowing of adjoining properties and allow adequate sun light to neighbouring buildings. 	Complies

GENERAL SECTION – DESIGN AND APPEARANCE	
PRINCIPLES OF DEVELOPMENT CONTROL (Cont)	Assessment
3 The external walls and roofs of buildings should not incorporate highly reflective materials which will result in glare to neighbouring properties or drivers.	Complies
4 Structures located on the roofs of buildings to house plant and equipment should form an integral part of the building design in relation to external finishes, shaping and colours.	Complies
10 The design and location of buildings should enable direct winter sunlight into adjacent dwellings and private open space and minimise the overshadowing of: <ul style="list-style-type: none"> (a) windows of habitable rooms (b) upper-level private balconies that provide the primary open space area for a dwelling (c) solar collectors (such as solar hot water systems and photovoltaic cells). 	Complies
11 Development should minimise direct overlooking of habitable rooms and private open spaces of dwellings through measures such as: <ul style="list-style-type: none"> (a) off-setting the location of balconies and windows of habitable rooms with those of other buildings so that views are oblique rather than direct (b) building setbacks from boundaries (including building boundary to boundary where appropriate) that interrupt views or that provide a spatial separation between balconies or windows of habitable rooms (c) screening devices (including fencing, obscure glazing, screens, external ventilation blinds, window hoods and shutters) that are integrated into the building design and have minimal negative effect on residents' or neighbours' amenity. 	Complies
12 Development should ensure that ground-level open space of existing buildings receives direct sunlight for a minimum of two hours between 9 am and 3 pm on 21 June to at least the smaller of the following: <ul style="list-style-type: none"> (a) half of the existing ground-level open space (b) 35 square metres of the existing ground-level open space (with at least one of the area's dimensions measuring 2.5 metres). Development should not increase the overshadowed area by more than 20 per cent in cases where overshadowing already exceeds these requirements.	Complies
13 Buildings (other than ancillary buildings or group dwellings) should be designed so that their main façade faces the primary street frontage of the land on which they are situated.	Complies
GENERAL SECTION – RESIDENTIAL DEVELOPMENT	
OBJECTIVES	Assessment
1 Safe, convenient, pleasant and healthy-living environments that meet the full range of needs and preferences of the community.	Complies
2 A diverse range of dwelling types and sizes available to cater for changing demographics, particularly smaller household sizes and supported accommodation.	Complies
3 Medium and high density residential development in areas close to activity centres, public and community transport and public open spaces.	Complies
4 The revitalisation of residential areas to support the viability of community services and infrastructure.	Complies
PRINCIPLES OF DEVELOPMENT CONTROL	Assessment
1 Residential allotments and sites should maximise solar orientation and have the area and dimensions to accommodate: <ul style="list-style-type: none"> (a) the siting and construction of a dwelling and associated ancillary outbuildings (b) the provision of landscaping and private open space (c) convenient and safe vehicle, pedestrian and cycling access and parking (d) water sensitive design systems that enable the storage, treatment and reuse of stormwater. 	Complies
4 Dwellings and accommodation at ground floor level should contribute to the character of the locality and create active, safe streets by incorporating one or more of the following: <ul style="list-style-type: none"> (a) front landscaping or terraces that contribute to the spatial and visual structure of the street while maintaining adequate privacy for occupants (b) individual entries for ground floor accommodation (c) opportunities to overlook adjacent public space. 	Complies
5 Residential development should be designed to ensure living rooms have an external outlook.	Complies
6 Entries to dwellings should be clearly visible from the streets that they front to enable visitors to identify a specific dwelling easily.	Complies

GENERAL SECTION – RESIDENTIAL DEVELOPMENT										
PRINCIPLES OF DEVELOPMENT CONTROL (Cont)		Assessment								
<p>10 The design and location of buildings should ensure that direct winter sunlight is available to adjacent dwellings, with particular consideration given to:</p> <ul style="list-style-type: none"> (a) windows of habitable rooms (all rooms excluding bathrooms, laundries and hallways), particularly living areas (b) ground-level private open space (c) upper-level private balconies that provide the primary open space area for any dwelling (d) access to solar energy. 		Complies								
<p>11 Development should ensure that north-facing windows to habitable rooms (all rooms excluding bathrooms, laundries and hallways) of existing dwelling(s) on the same allotment, and on adjacent allotments, receive at least 3 hours of direct sunlight over a portion of their surface between 9am and 5pm on 21 June.</p>		Complies								
<p>12 Development should ensure that ground-level open space of existing buildings receives direct sunlight for a minimum of two hours between 9 am and 3 pm on 21 June to at least the smaller of the following:</p> <ul style="list-style-type: none"> (a) half of the existing ground-level open space (b) 35 square metres of the existing ground-level open space (with at least one of the areas dimensions measuring 2.5 metres). <p>Development should not increase the overshadowed area by more than 20 per cent in cases where overshadowing already exceeds these requirements.</p>		Complies								
<p>13 Garages, carports and outbuildings should have a roof form and pitch, building materials and detailing that complement the associated dwelling.</p>										
<p>14 Garages and carports facing the street should not dominate the streetscape and should be designed in accordance with the following:</p> <ul style="list-style-type: none"> (a) have a maximum total width of garage or carport openings of 6 metres or 50 per cent of the dwelling frontage width, whichever is the lesser (b) be located at least 0.5 metres behind the main face of the associated dwelling (c) where it is in the form of an enclosed double carport or garage, be setback at least 8 metres from the primary road frontage and incorporate one of the following: <ul style="list-style-type: none"> (i) two individual doors with a distance of not less than 300 millimetres between them (ii) double tilt-up doors with moulded door panels having a maximum width of no more than 5 metres (d) be constructed of materials that integrate with those of the associated dwelling, or pre-coloured treated metal. 		Complies								
<p>19 Except where specified in a particular zone, policy area or precinct or Residential High Density Zone, the main face of a building should be set back from the primary road frontage in accordance with the following table:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #cccccc;"> <th style="text-align: left; padding: 5px;">Setback difference between buildings on adjacent allotments with frontage to the same primary street</th> <th style="text-align: left; padding: 5px;">Setback of new building</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">Up to 2 metres</td> <td style="padding: 5px;">The same setback as one of the adjacent buildings, as illustrated below:</td> </tr> <tr> <td colspan="2" style="text-align: center; padding: 10px;">  <p style="text-align: center; font-size: small;">When $b > a$: 2, setback of new dwelling = a or b</p> </td> </tr> <tr> <td style="padding: 5px;">Greater than 2 metres</td> <td style="padding: 5px;">At least the average setback of the adjacent buildings.</td> </tr> </tbody> </table>	Setback difference between buildings on adjacent allotments with frontage to the same primary street	Setback of new building	Up to 2 metres	The same setback as one of the adjacent buildings, as illustrated below:	 <p style="text-align: center; font-size: small;">When $b > a$: 2, setback of new dwelling = a or b</p>		Greater than 2 metres	At least the average setback of the adjacent buildings.		Complies
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GENERAL SECTION – RESIDENTIAL DEVELOPMENT														
PRINCIPLES OF DEVELOPMENT CONTROL (Cont)		Assessment												
20 Dwelling setbacks from side and rear boundaries should be progressively increased as the height of the building increases to: (a) minimise the visual impact of buildings from adjoining properties (b) minimise the overshadowing of adjoining properties.		Complies												
21 Residential development (other than where located on a boundary) should be setback from side and rear boundaries in accordance with the following parameters:	<table border="1"> <thead> <tr> <th>Parameter</th> <th>Value</th> </tr> </thead> <tbody> <tr> <td>Side walls with a height up to (and including) 3 metres at any point above the natural ground level</td> <td>1 metre</td> </tr> <tr> <td>Side walls with a height exceeding 3 metres and up to (and including) 6 metres at any point above the natural ground</td> <td>1.5 metres plus an additional 500 millimetres for every metre in height above 4 metres</td> </tr> <tr> <td>Side walls greater than 6 metres at any point above the natural ground level</td> <td>2.5 metres plus the increase in wall height above 6 metres</td> </tr> <tr> <td>Rear boundary setback for single storey buildings with a wall height 3 metres or less above natural ground level</td> <td>4 metres</td> </tr> <tr> <td>Rear boundary setback for a building of two or more storeys with a wall height more than 3 metres above natural ground level</td> <td>6 metres</td> </tr> </tbody> </table>	Parameter	Value	Side walls with a height up to (and including) 3 metres at any point above the natural ground level	1 metre	Side walls with a height exceeding 3 metres and up to (and including) 6 metres at any point above the natural ground	1.5 metres plus an additional 500 millimetres for every metre in height above 4 metres	Side walls greater than 6 metres at any point above the natural ground level	2.5 metres plus the increase in wall height above 6 metres	Rear boundary setback for single storey buildings with a wall height 3 metres or less above natural ground level	4 metres	Rear boundary setback for a building of two or more storeys with a wall height more than 3 metres above natural ground level	6 metres	Complies
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23 Side boundary walls in residential areas should be limited in length and height to: (a) minimise their visual impact on adjoining properties (b) minimise the overshadowing of adjoining properties.		Complies												
24 Walls associated with a dwelling located on a side boundary should be designed in accordance with the following parameters: (a) a height not exceeding 3 metres above natural ground level (b) a length not exceeding 8 metres (c) the wall, when its length is added to the length of any other relevant walls or structures located on that boundary: (i) will not result in all such relevant walls and structures exceeding a length equal to 45 per cent of the length of the boundary (ii) will not be within 3 metres of any other relevant wall or structure located along the boundary, except where the side wall is located immediately abutting the wall of an existing or simultaneously constructed building on the adjoining site and is constructed to the same or to a lesser length and height.		Complies												
28 Site coverage (the proportion of a site covered by ground floor level buildings and structures including dwelling, garage, carport, verandas and outbuildings but excluding unroofed pergolas and unroofed balconies) should not exceed the following values: Site Coverage 28 Site coverage (the proportion of a site covered by ground floor level buildings and structures including dwelling, garage, carport, verandas and outbuildings but excluding unroofed pergolas and unroofed balconies) should not exceed the following values:	<table border="1"> <thead> <tr> <th>Parameter</th> <th>Value</th> </tr> </thead> <tbody> <tr> <td>Site with an area less than or equal to 300 square metres</td> <td>60 per cent</td> </tr> <tr> <td>Site with an area greater than 300 square metres</td> <td>50 per cent</td> </tr> </tbody> </table>	Parameter	Value	Site with an area less than or equal to 300 square metres	60 per cent	Site with an area greater than 300 square metres	50 per cent	Complies						
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29 Site coverage should ensure sufficient space is provided for: (a) pedestrian and vehicle access and vehicle parking (b) domestic storage (c) outdoor clothes drying (d) rainwater tanks (e) private open space and landscaping (f) convenient storage of household waste and recycling receptacles.		Complies												

GENERAL SECTION – RESIDENTIAL DEVELOPMENT									
PRINCIPLES OF DEVELOPMENT CONTROL (Cont)			Assessment						
<p>31 Private open space (land available for exclusive use by residents of each dwelling) should be provided for each dwelling (including a dwelling within a residential flat building) and should be sited and designed:</p> <ul style="list-style-type: none"> (a) to be accessed directly from the habitable rooms of the dwelling (b) to be generally at ground level (other than for residential flat buildings) and to the side or rear of a dwelling and screened for privacy (c) to take advantage of, but not adversely affect, natural features of the site (d) to minimise overlooking from adjacent buildings (e) to achieve separation from bedroom windows on adjoining sites (f) to have a northerly aspect to provide for comfortable year-round use (g) to not be significantly shaded during winter by the associated dwelling or adjacent development (h) to be shaded in summer (i) to minimise noise and air quality impacts that may arise from traffic, industry or other business activities within the locality (j) to have sufficient area and shape to be functional, taking into consideration the location of the dwelling, and the dimension and gradient of the site. 			Complies						
<p>32 Dwellings and residential flat buildings at ground level should include private open space that conforms to the requirements identified in the following table:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Site area of dwelling</th> <th style="text-align: left;">Minimum area of private open space</th> <th style="text-align: left;">Provisions</th> </tr> </thead> <tbody> <tr> <td style="vertical-align: top;">250 square metres or greater</td> <td style="vertical-align: top;">20 per cent of site area</td> <td style="vertical-align: top;"> <p>Balconies, roof patios, decks and the like, can comprise part of this area provided the area of each is 10 square metres or greater.</p> <p>One part of the space should be directly accessible from a kitchen, lounge room, dining room or living room (excluding a bedroom) and have an area equal to or greater than 10 per cent of the site area with a minimum dimension of 5 metres and a maximum gradient of 1-in-10.</p> </td> </tr> </tbody> </table>			Site area of dwelling	Minimum area of private open space	Provisions	250 square metres or greater	20 per cent of site area	<p>Balconies, roof patios, decks and the like, can comprise part of this area provided the area of each is 10 square metres or greater.</p> <p>One part of the space should be directly accessible from a kitchen, lounge room, dining room or living room (excluding a bedroom) and have an area equal to or greater than 10 per cent of the site area with a minimum dimension of 5 metres and a maximum gradient of 1-in-10.</p>	Complies
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<p>33 Private open space should not include driveways, front yards (except where it is a group dwelling that has no frontage to a public road and the private open space is screened from adjacent dwellings), effluent drainage areas, rubbish bin storage, sites for rainwater tanks and other utility areas and common areas such as parking areas and communal open space.</p>			Complies						
<p>34 Private open space at ground level should be designed to provide a consolidated area of deep soil (an area of natural ground which excludes areas where there is a structure underneath, pools and non-permeable paved areas) to:</p> <ul style="list-style-type: none"> (a) assist with ease of drainage (b) allow for effective deep planting (c) reduce urban heat loading and improve micro-climatic conditions around sites and buildings. 			Complies						
<p>40 Except for buildings of 3 or more storeys in the Minda Incorporated Brighton Campus, upper level windows, balconies, terraces and decks that overlook habitable room windows or private open space of dwellings should maximise visual privacy through the use of measures such as sill heights of not less than 1.7 metres or permanent screens having a height of 1.7 metres above finished floor level.</p>			Complies						

GENERAL SECTION – RESIDENTIAL DEVELOPMENT	
PRINCIPLES OF DEVELOPMENT CONTROL (Cont)	Assessment
<p>41 Where development is greater than single storey (excluding the Minda Incorporated Brighton Campus):</p> <p>(a) any upper storey window that directly overlooks the private open space of an adjoining residential property that is within 30 metres from the vertical centre line of the overlooking window and beyond a 45 degree angle from the plane of the wall containing the overlooking window (as illustrated by the figure below) should be glazed in fixed obscure glass or have window sills a minimum of 1.7 metres above the upper floor level:</p>  <p>(b) any upper storey window that directly overlooks habitable rooms (all rooms excluding bathrooms, laundries and hallways) of residential buildings that are within 15 metres from the vertical centre line of the overlooking window and beyond a 45 degree angle from the plane of the wall containing the overlooking window (as illustrated by the figure below) should be glazed in fixed obscure glass or have window sills a minimum of 1.7 metres above the upper floor level:</p>  <p>(c) any upper storey balcony should be located and/or designed to avoid directly overlooking the private open space of adjoining residential properties and into habitable rooms (all rooms excluding bathrooms, laundries and hallways) of other dwellings.</p>	Complies
1 Development that contributes to the desired character of the policy area.	
<p>DESIRED CHARACTER</p> <p>The policy area includes the area between Young Street and Pine Avenue, and extends from the allotments behind the Esplanade eastwards to Brighton Road. The railway line is a significant feature within the policy area, creating a significant north-south movement and landscape corridor but restricting east-west access and movement.</p> <p>The policy area has unique characteristics, having been subdivided and first settled earlier than the adjoining precincts. It is characterised by a sloping landform overlaid with a rectilinear 19th Century pattern of roads resulting in smaller allotment sizes, narrow streets, reduced setbacks, limited street trees and limited stormwater infrastructure. While there is a diversity of architectural eras and styles evident, the policy area is characterised by small to medium scale detached dwellings constructed in the 1880s to 1920s west of the railway line, and a similar development scale constructed during the later 1930s to 1960s east of the railway line. These dwelling forms typically vary between one and two storeys in height throughout the policy area.</p> <p>Development will reinforce the existing historic street pattern, urban form and have regard to the slope of the land. With respect to the sloping topography of the policy area, buildings will be designed and sited to limit extensive cut and fill and be sited (and of a form and scale) to protect significant views and vistas.</p> <p>Development will also include landscape buffers and noise attenuation features for development on sites that abut the railway line.</p>	Complies

ZONE SECTION – RESIDENTIAL ZONE	
OBJECTIVES	Assessment
<p>Further infill development will be limited in response to the constraints of the existing road and stormwater infrastructure, and the need to preserve public coastal views and open space.</p> <p>Development will incorporate side, front and rear building setbacks that provide landscaping opportunities, on-site stormwater retention/detention, complement the predominant setbacks within the locality and limit overlooking into neighbouring property. Notwithstanding, development may achieve coastal views through the utilisation of the sloping topography and may require horizontal views over (but not necessarily into) lower sites. Likewise, site topography may allow for overlooking into neighbouring properties more than normally tolerated in other zones and policy areas.</p>	Complies
ZONE SECTION – RESIDENTIAL ZONE	
PRINCIPLES OF DEVELOPMENT CONTROL	Assessment
<p>1 The following forms of development are envisaged in the policy area:</p> <ul style="list-style-type: none"> ▪ domestic outbuilding in association with a dwelling ▪ domestic structure ▪ dwelling ▪ dwelling addition ▪ residential flat building. 	Complies
<p>2 Development should not be undertaken unless it is consistent with the desired character for the policy area.</p>	Complies
<p>5 Development should be limited to single storey and in any case the vertical wall height at any point, excluding gables, should not exceed 3.5 metres above natural ground level.</p>	Does not comply for Dwelling facing Seacombe Road

6. Summary of Assessment

Zone and Land use

Being east of Brighton Road, and not within a prescribed area for the purpose of Schedule 4, Part 2B (Residential Code), the Development Plan anticipates single storey built form, however the significance of this provision has diminished significantly over the last 10 years, particularly as two storey development can occur, as of right, immediately north and south of Seacombe Road. It is not clear what the fundamental objective is regarding single storey built form east of Brighton Road, which further reduces its planning significance. It is reasonable to also have regard to the fact that following the implementation of the State Government's planning reform, two storey built form will be anticipated on the subject site.

Solar Access

The buildings are setback from allotment boundaries in such a way that solar access to adjacent properties will be achieved for a minimum of 3 hours between 9am and 3pm during the winter solstice.

Visual Privacy

The upper level windows of the two storey building on the side and rear elevations will be obscured up to 1.7 metres above the floor level so as to ensure the visual privacy of adjacent properties is not compromised.

Statements of Representations

The outstanding statements of representation have regard to the pattern of division (creation of a pair of allotments, with one facing the laneway, however the land division has already been approved. This application is for the construction of a pair of dwellings on existing allotments, therefore the issues raised in the representations are not relevant to the assessment of this proposal.

7. Conclusion

The proposed development satisfies all relevant provisions of the Development Plan and is therefore considered to warrant planning consent.

8. 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 Council Assessment Panel resolves to grant Development Plan Consent to Development Application 110/00418/20 comprising the construction of a two storey detached dwelling with garage wall located on the eastern side boundary and single storey detached dwelling at 282 Seacombe Road, Seacliff Park.**

PLANNING CONDITIONS

1. **The proposal shall be implemented as shown on the plans prepared by FMG Engineering, Civil Plan, Job No. S49741/270756, Drawing No. HC01 and plans prepared by Wilcot Drafting, Drawing Ref No. WD1767, Sheets 1, 2, 3, 5, 6, 7, and 8 unless varied by any subsequent conditions imposed herein.**
2. **Landscaping shall be established within the front and rear yards, and comprise trees, shrubs and grasses that are established prior to occupation and maintained to the reasonable satisfaction of Council.**
3. **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.**
4. **Balconies shall comprise fixed screens up to 1.7 metres in height, measured above the balcony floor level so as to ensure the visual privacy of adjacent residences is not compromised. Further details of this requirement shall be provided at Building Rules Assessment stage.**

5. That stormwater 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 stormwater 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: Stormwater 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.

6. 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.
7. All access to/from the development shall be gained in accordance with the site plan produced by Wilcot Drafting, Drawing No. WD1767, dated 3 April 2020.
8. All vehicles shall enter and exit the site in a forward direction.
9. The access and all on-site vehicle manoeuvring areas shall remain clear of any impediments.
10. Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.