

Minutes of the Council Assessment Panel of the City of Holdfast Bay held in the Kingston Room, Civic Centre, Jetty Road, Brighton, on Wednesday, 23 October 2019 at 7:00pm.

MEMBERS PRESENT

Presiding Member – J Newman
G Goss
D Bailey
R Clancy
J Gronthos

STAFF IN ATTENDANCE

Manager Development Services – A Marroncelli
Development Officers - Planning – A Stamatopolous and D Spasic
Team Leader Development Administration - A Elliott

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

231019/00038

That the minutes of the Council Assessment Panel held on 25 September 2019 be taken as read and confirmed.

Moved by R Clancy, Seconded by J Gronthos

Carried

5. COUNCIL ASSESSMENT MATTERS

5.1 Weeks Building Group, 16 Davey Avenue, Glenelg North (Report No 383/19)

DA NO.	:	<u>110/00612/19</u>
APPLICANT	:	<u>WEEKS BUILDING GROUP</u>
LOCATION	:	<u>16 DAVEY AVENUE, GLENELG NORTH</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 2 JUNE 2016</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL</u>
NATURE OF DEVELOPMENT	:	<u>MERIT</u>
PROPOSAL	:	<u>SINGLE STOREY DETACHED DWELLING WITH INTEGRAL GARAGE AND REAR VERANDAH AND WALLS LOCATED ON THE NORTH-EASTERN SIDE BOUNDARY (TO BE KNOWN AS 16A DAVEY AVENUE / LOT 31)</u>
EXISTING USE	:	<u>DETACHED DWELLING</u>
REFERRALS	:	<u>NIL</u>
CATEGORY	:	<u>TWO</u>
REPRESENTATIONS RECEIVED	:	<u>ONE</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS</u>

Speakers: M Fulton and Stuart Coles

Motion

231019/00039

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 110/00612/19 comprising the construction of a single storey detached dwelling with integral garage and rear verandah and walls located on the north-eastern side boundary (to be known as 16A Davey Avenue /Lot 31) at 16 Davey Avenue, Glenelg North**

PLANNING CONDITIONS

1. **That the design and siting of all buildings and structures and site works shall be as shown on the plans submitted to and approved by Council unless varied by any subsequent conditions imposed herein, including those prepared by:**
 - a. **Ginos Engineering Pty Ltd; Drawing No. 35615 SR2-1 dated August 2019;**
 - b. **Weeks Building Group, Job No. 63224, Drawing No. SP01, GFP01, EL-01 and EL-02, Revision A, dated 22 May 2019**
2. **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.

3. That landscaping shall be established in the front, side and rear yards comprising trees, shrubs and grasses of semi-mature or 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.
4. 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.
5. That 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.
6. 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.
7. That all hard building materials, waste and litter on site be stored in a manner that secures it on site during the construction works.
8. That no solid or liquid trade wastes be discharged to the stormwater system.
9. That all domestic mechanical plant and equipment, including air conditioners, should be selected, designed, and installed to comply with the following mandatory criteria:
 - (a) Noise level not to exceed 52dB(A) between the hours of 7am and 10pm when measured and adjusted at the nearest residential zone interface in accordance with the Environment Protection (Noise) Policy 2007*, and
 - (b) Noise level not to exceed 45dB(A) between the hours of 10pm and 7am when measured and adjusted at the nearest residential zone interface in accordance with the Environment Protection (Noise) Policy 2007*, and

- (c) Where marked with an * the above noise levels must include a penalty for each characteristic where tonal/modulating/impulsive/low frequency characteristics are present in accordance with the Environment Protection (Noise) Policy 2007.

NOTE: That no synthetic grass is installed on the Council verge in accordance with the City of Holdfast Bay Verge Policy.

Moved D Bailey, Seconded J Gronthos

Carried

5.2 Finesse Built, 6 Shoreham Road, South Brighton (Report No 384/19)

DA NO.	:	110/00493/19
APPLICANT	:	FINESSE BUILT
LOCATION	:	6 SHOREHAM ROAD, SOUTH BRIGHTON
DEVELOPMENT PLAN	:	CONSOLIDATED 2 JUNE 2016
ZONE AND POLICY AREA	:	RESIDENTIAL ZONE
NATURE OF DEVELOPMENT:		MERIT
PROPOSAL	:	SINGLE STOREY DWELLING ADDITION, SWIMMING POOL AND GARAGE LOCATED ON NORTHERN BOUNDARY
REFERRALS	:	NIL
CATEGORY	:	TWO
REPRESENTATIONS	:	ONE
RECOMMENDATION	:	DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS

Speakers: B Gogler and Alan Cooper

Motion

231019/00040

Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, the Development Assessment Panel considers that the proposed development is not seriously at variance with the Development Plan but Development Application 110/493/19 be refused Development Plan Consent for the reason that it is contrary to Council Wide Principles 17 and 25 and Residential Zone Desired Future Character. More specifically, the application does not meet the intent of the Development Plan in relation to:

- Excessive wall height
- Insufficient setback to secondary road boundary
- Materials and finishes that do not respond positively to the established character of the area.

Moved J Gronthos, Seconded D Bailey

Carried

5.3 Planit First, 12 Lamington Avenue, Seacliff Park (Report No 385/19)

DA NO.	:	<u>110/00535/19</u>
APPLICANT	:	<u>PLANIT FIRST</u>
LOCATION	:	<u>12 LAMINGTON AVENUE, SEACLIFF PARK</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 2 JUNE 2016</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL</u>
NATURE OF DEVELOPMENT	:	<u>MERIT</u>
PROPOSAL	:	<u>TWO STOREY DETACHED DWELLING WITH GARAGE WALL LOCATED ON THE SOUTH- WESTERN SIDE BOUNDARY</u>
EXISTING USE	:	<u>DETACHED DWELLING</u>
REFERRALS	:	<u>NIL</u>
CATEGORY	:	<u>TWO</u>
REPRESENTATIONS RECEIVED	:	<u>ONE</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS</u>

Speakers: Name Suppressed, J Vallelonga

Motion**231019/00041**

That after considering the provisions of the Development Plan and the representations and responses received, the application be deferred to enable the applicant to provide additional information describing how the upper level balcony can be designed to reduce direct overlooking to the private open space of the northern adjacent property whilst enabling distant view in accordance with Principle 41(c).

Moved D Bailey, Seconded J Gronthos

Carried

5.4 Guy Evennett, 6 Scarborough Street, Somerton Park (Report No 386/19)

DA NO.	:	110/00530/19
APPLICANT	:	GUY EVENNETT
LOCATION	:	6 SCARBOROUGH STREET, SOMERTON PARK
DEVELOPMENT PLAN	:	CONSOLIDATED 2 JUNE 2016
ZONE AND POLICY AREA	:	RESIDENTIAL ZONE
NATURE OF DEVELOPMENT:		MERIT
PROPOSAL	:	INTERNAL ALTERATIONS, SINGLE STOREY EXTENSION, DECKING AND VERANDAH AND A GARAGE TO THE REAR OF THE BOUNDARIES BUILT TO BOTH SIDE BOUNDARIES
REFERRALS	:	NIL
CATEGORY	:	TWO
REPRESENTATIONS	:	ONE
RECOMMENDATION	:	DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS

Speakers: S Herbert

Motion

231019/00042

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 110/00530/19 subject to the following conditions:

PLANNING CONDITIONS

1. That the design and siting of all buildings and structures and site works shall be as shown on the plans submitted to and approved by Council unless varied by any subsequent conditions imposed herein.
2. That all upstairs windows of the garage 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.
3. 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.
4. That the garage storage loft is not used for human habitation.

Moved J Gronthos, Seconded D Bailey

Carried

6. REPORTS BY OFFICERS**6.1 Nil.****G Goss departed the meeting at 8.43pm****6.2 Deferred Item – 3 Skye Street, Seacliff – 110/00415/19 (Report No: 387/19)**

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.’

Motion**2310419/00043**

- 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.
11. That all domestic mechanical plant and equipment, including air conditioners, should be selected, designed, and installed to comply with the following mandatory criteria:
 - (a) Noise level not to exceed 52dB(A) between the hours of 7am and 10pm when measured and adjusted at the nearest residential zone interface in accordance with the Environment Protection (Noise) Policy 2007*, and

- (b) Noise level not to exceed 45dB(A) between the hours of 10pm and 7am when measured and adjusted at the nearest residential zone interface in accordance with the Environment Protection (Noise) Policy 2007*, and**
- (c) Where marked with an * the above noise levels must include a penalty for each characteristic where tonal/modulating/ impulsive/low frequency characteristics are present in accordance with the Environment Protection (Noise) Policy 2007.**

Moved D Bailey, Seconded J Gronthos

Carried

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

8. CLOSURE

The meeting closed at 9.03 pm.

CONFIRMED Wednesday, 27 November 2019

PRESIDING MEMBER