

**Minutes of the Council Assessment Panel of the City of Holdfast Bay held in the Kingston Room, Civic Centre, Jetty Road, Brighton, on Wednesday, 27 May 2020 at 7:00 pm.**

**MEMBERS PRESENT**

Presiding Member – D Bailey  
G Goss  
J Gronthos  
Y Svensson  
M Bouchee

**STAFF IN ATTENDANCE**

Manager Development Services – A Marroncelli  
Team Leader Development Assessment – C Watson  
Development Officers Planning– A Stamatopolous, D Spasic  
Team Leader Development Administration - A Elliott

**1. OPENING**

D Bailey welcomed everyone.

**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**

**250520/00009**

**That the minutes of the Council Assessment Panel held on 25 March 2020 be taken as read and confirmed.**

Moved by J Gronthos, Seconded by G Goss

**Carried**

## 5. PROCEDURAL MATTERS

### 5.1 Amended to Council Assessment Panel Operating Procedures (Report No 115/20)

#### Leave of the Meeting (change of order)

M Bouchee sought leave of the meeting to move Item 5.1 in the Agenda to be considered after Item 6.5 at the end of the meeting.

Leave of the meeting was granted.

## 6. DEVELOPMENT ASSESSMENT MATTERS

### 6.1 Tim Simpson, 4 Young Street, Seacliff (Report No 116/20)

DA NO.	:	<u>110/00174/20</u>
APPLICANT	:	<u>TIM SIMPSON</u>
LOCATION	:	<u>4 YOUNG STREET, SEACLIFF</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>DEPENDENT ACCOMMODATION LOCATED UNDER EXISTING VERANDAH WITH WALL LOCATED ON EASTERN SIDE BOUNDARY</u>
REFERRALS	:	<u>NIL</u>
CATEGORY	:	<u>TWO</u>
REPRESENTATIONS	:	<u>TWO</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS</u>

Speakers: C Meier, M Mohammadian and T Simpson

#### Motion

**250520/00011**

- The proposed development is NOT seriously at variance with the policies in the Development Plan.**
- 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 110/00174/20 subject to the following conditions:**

#### **PLANNING CONDITIONS**

- 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.**

Moved M Bouchee, Seconded J Gronthos

**Carried**

**6.2 Heynen Planning Consultants, 3 St Johns Row, Glenelg  
(Report No 117/20)**

DA NO.	:	<u>110/00878/19</u>
APPLICANT	:	<u>HEYNEN PLANNING CONSULTANTS</u>
LOCATION	:	<u>3 ST JOHNS ROW, GLENELG</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 2 JUNE 2016</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL HIGH DENSITY ZONE - URBAN GLENELG POLICY AREA 15 - PRECINCT 5 TWELVE STOREY</u>
NATURE OF DEVELOPMENT:		<u>MERIT</u>
PROPOSAL	:	<u>TWO RESIDENTIAL FLAT BUILDINGS THREE STOREYS IN HEIGHT COMPRISING SIX DWELLINGS, FENCING AND ASSOCIATED ROOF TERRACES</u>
REFERRALS	:	<u>NIL</u>
CATEGORY	:	<u>TWO</u>
REPRESENTATIONS	:	<u>THREE</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS</u>

Speakers: D Fopp and G Heynen

**Motion**

**250520/00012**

- 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 110/00878/19 subject to the following conditions and Reserved Matters:**

**Reserved Matters**

- 1. That pursuant to Section 33(3) of the Development Act 1993, the City of Holdfast Bay reserves its decision on the adequacy of the following matters for further assessment prior to the granting of any Development Approval:**

**1.1 Fencing**

**To enable further assessment of these matters the Applicant shall provide the following:**

- Amended plans showing a lowering of the College Street fence height to be in line with, and in a style in keeping with (with render brick lower section) with heritage fencing as per Heritage Architect recommendation.**

**1.2 Landscaping.**

To enable further assessment of these matters the Applicant shall provide the following:

- A detailed landscaping plan showing spaces for deep soil planting locations for mature vegetation & trees of suitable species for the immediate locality for each dwelling including additional landscaping strip on the eastern side that exceeds the height of the boundary fence.

**1.3 Built Form**

To enable further assessment of these matters, the applicant shall provide the following:

- A detailed plan showing articulation and finishes for the eastern elevation.

2. The assessment of these matters may result in the imposition of further conditions of Development Plan Consent pursuant to Section 42(1) of the Development Act 1993.

**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 the tree protection measures recommended by the Council's arborist be implemented prior to construction of the dwellings.
3. That all upstairs windows on the eastern elevations of dwellings 3 and 6 with any glass below 1.7m from the finished floor level be treated to restrict outward views.
4. 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.
5. That landscaping as detailed in the application for development shall be planted prior to occupation and shall be maintained in good health and condition at all times. Any such vegetation shall be replaced if and when it dies or becomes seriously diseased.

Moved Y Svensson, Seconded J Gronthos

**Carried**

### 6.3 A Shanahan, 30 Quandong Street, North Brighton (Report No 118/20)

DA NO.	:	110/00051/20
APPLICANT	:	A SHANAHAN
LOCATION	:	30 QUANDONG STREET, NORTH BRIGHTON
DEVELOPMENT PLAN	:	CONSOLIDATED 2 JUNE 2016
ZONE AND POLICY AREA	:	RESIDENTIAL
NATURE OF DEVELOPMENT:		MERIT
PROPOSAL	:	TWO, TWO STOREY DWELLINGS WITH GARAGES ADJOINING SIDE BOUNDARIES AND SWIMMING POOL TO REAR OF DWELLING 1
EXISTING USE	:	DETACHED DWELLING
REFERRALS	:	NIL
CATEGORY	:	TWO
REPRESENTATIONS	:	ONE
RECOMMENDATION	:	CONSENT WITH CONDITIONS

Speakers: M Duncan and M Rolfe

#### Motion

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 considers that the proposed development is at variance with the Development Plan and that Development Application 110/00051/20 be refused Development Plan Consent for the reason that it is contrary to General Section, Design and Appearance Principle 1 (a) to (e), Residential Development Principle 2, Zone Section, and Residential Zone Objective 3 and Desired Character Statement. More specifically, the application does not meet the intent of the Development Plan in that:**
  - **The buildings do not reflect the desired character of the locality while incorporating contemporary designs that have regard to the following:**
    - (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.
  - **The buildings (being sited on hammerhead/battleaxe allotments) are not single storey.**
  - **The proposal does not provide a low scale dwelling at the rear of the allotment.**

- **The buildings compromise the suburban character in that they are neither unobtrusive nor small-scale, as they do not have a comparable height, mass, scale and setbacks to that of existing dwellings in the locality.**

Moved Y Svensson, Seconded M Bouchee

**Lost**

**Motion**

**250520/00013**

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 110/00051/20 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 amended plans dated 1/04/20 submitted to and approved by Council unless varied by any subsequent conditions imposed herein.**
2. **That the premises shall be maintained, kept tidy, free of graffiti and in good repair and condition to the reasonable satisfaction of Council at all times.**
3. **That the premises shall not be used, directly or indirectly, for the purpose now approved until all work has been completed in accordance with the plan approved and the conditions of consent have been complied with, except those conditions that continue to apply.**
4. **That the finished level of the crossover at the property boundary shall be a minimum of 75mm above the top of kerb in accordance with AS2890.1, and the maximum gradient of the driveway shall not be greater than 5% across the footpath, with the invert profile conforming to AS2876.**
5. **Furthermore, the footpaths on either side shall be graded to the driveway preventing tripping hazards at this junction, without any steep grades along the footpath.**
6. **The provision for vehicle crossovers and inverts, and reinstatements of existing crossovers not required by the development, be constructed at the owner's expense.**

7. That upstairs windows on the northern elevation of dwelling 1 and all elevations of dwelling 2 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.
8. 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.
9. 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.
10. 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.
11. That all domestic mechanical plant and equipment including refrigerated air conditioners, but excluding evaporative air conditioners, shall be mounted on the ground and fitted with an approved acoustic enclosure incorporating correctly designed ventilation, to minimize environmental harm, which includes nuisance from noise, to occupants on adjacent premises.
12. 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.

- 13. That the filter pump associated with the swimming pool be enclosed in such a way that noise levels do not exceed 54 dB(A) between the hours of 7am and 10pm and 45dB(A) between the hours of 10pm and 7am measured at adjoining property boundaries.**

Moved G Goss, Seconded J Gronthos

**Carried**

**6.4 City of Holdfast Bay, Chapel Street, Glenelg (Report No 119/20)**

M Bouchee declared a conflict of interest as a member of Council that considered the design concepts for the Chapel Street upgrade and departed the meeting at 9:29 pm

DA NO.	:	110/00916/19
APPLICANT	:	CITY OF HOLDFAST BAY
LOCATION	:	CHAPEL STREET GLENELG
DEVELOPMENT PLAN	:	CONSOLIDATED 2 JUNE 2016
ZONE AND POLICY AREA	:	DISTRICT CENTRE ZONE POLICY AREA 2 GLENELG
NATURE OF DEVELOPMENT:	:	MERIT
PROPOSAL	:	PERGOLA, SEATING PLATFORM, DIGITAL INTERACTION ADVERTISING DISPLAY, NEW FENCING TO CHURCH CAR PARK AND REFURBISHMENT OF CHURCH FRONT STEPS IN ASSOCIATION WITH THE ROAD CLOSURE OF CHAPEL STREET, GLENELG (BETWEEN JETTY ROAD AND MILTON STREET)
EXISTING USE	:	PUBLIC STREET
REFERRALS	:	NIL
CATEGORY	:	TWO
REPRESENTATIONS	:	THREE
RECOMMENDATION	:	DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS

**Motion**

**250520/00014**

- 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 110/00916/19 comprising a pergola, seating platform, digital interaction advertising display, new fencing to church car park and refurbishment of church front steps in association with the road closure of Chapel Street, Glenelg (between Jetty Road and Milton Street) at Chapel Street, Glenelg.**



**PLANNING CONDITIONS**

- 1. The proposal shall be implemented as shown on the plans submitted to Council and stamped 'Development Plan Consent dated 27 May 2020' unless varied by any subsequent conditions imposed herein.**

Moved J Gronthos, Seconded Y Svensson

**Carried**

M Bouchee returned to the meeting at 9:36 pm

**Leave of the Meeting (change of order)**

D Bailey sought leave of the meeting to move Item 5.1 in the Agenda to be considered after Item 6.4.

Leave of the meeting was granted.

**5. PROCEDURAL MATTERS**

- 5.1 Amended to Council Assessment Panel Operating Procedures (Report No 115/20)**

**Motion****250520/00010**

- 1. That the City of Holdfast Bay Council Assessment Panel adopt the revised Operating Procedures provided in Attachment 1 as a means to enable meetings to take place and to provide a reasonable opportunity for entitled parties to participate in circumstances where a physical meeting is not possible.**
- 2. That Council ensure that appropriate technology be available to support conducting a meeting in a technology format.**

Moved M Bouchee, Seconded Y Svensson

**Carried**

**Short Term Suspension of Meeting Procedures**

The Presiding Member with the approval of two-thirds of the members present suspended the meeting for a period of 15 minutes to allow for the attendance of interested parties for Item 6.5 of the meeting agenda.

Leave of the meeting was granted. The meeting was suspended at 9:49 pm.

The Presiding Member determined the suspension of the meeting conclude at 10: 01 pm.

**6.5 Soriano Homes, 6 Robert Street, Glenelg South (Report No 120/20)**

DA NO.	:	<u>110/00934/19</u>
APPLICANT	:	<u>SORIANO HOMES</u>
LOCATION	:	<u>6 ROBERT STREET, GLENELG SOUTH</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 2 JUNE 2016</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL CHARACTER ZONE NEW GLENELG POLICY AREA 11</u>
NATURE OF DEVELOPMENT:		<u>MERIT</u>
PROPOSAL	:	<u>TENNIS COURT LIGHTING</u>
EXISTING USE	:	<u>DETACHED DWELLING</u>
REFERRALS	:	<u>NIL</u>
CATEGORY	:	<u>THREE</u>
REPRESENTATIONS	:	<u>FOUR</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT</u>

**Motion****250520/00015**

- The proposed development is NOT seriously at variance with the policies in the Development Plan.**
- 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 110/00934/19 comprising the installation of tennis court lighting at 6 Robert Street, Glenelg South.**

**PLANNING CONDITIONS**

- The proposal shall be implemented as shown on the plans prepared by Rubidium Light, CME0019-E01-1, CME0019-E01-2, CME0019-E01-3 dated-12-19 documentation relating to GigaTera MAHA 400W LED Area Flood Lighting and site plan reference Q010-WD01 and submitted to Council, unless varied by any subsequent conditions imposed herein.**
- The lighting shall be implemented as per the documentation prepared by CME Lighting, and specifically that lighting is configured in such a way that does not result in light spill onto adjacent properties, in order to ensure that neighbouring residents are protected from unreasonable lighting nuisance.**
- That an inspection is undertaken to ensure no light spill to adjacent properties once lights have been installed.**

Moved M Bouchee, Seconded J Gronthos

**Carried****7. REPORTS BY OFFICERS****7.1 Nil****8. URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING - Nil**

**9. CLOSURE**

The meeting closed at 10:07 pm.

**CONFIRMED      Wednesday, 24 June 2020**

**PRESIDING MEMBER**