

Minutes of the Council Assessment Panel of the City of Holdfast Bay held in the Kingston Room, Civic Centre, Jetty Road, Brighton, on Wednesday, 18 April 2018 at 7:00 pm.

MEMBERS PRESENT

Presiding Member – J Newman
G Goss
D Bailey
A Vine
R Clancy

STAFF IN ATTENDANCE

Manager Development Services – A Marroncelli

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

180418/0017

That the minutes of the Council Assessment Panel held on 28 March 2018 be taken as read and confirmed.

Moved by G Goss, Seconded by R Clancy

Carried

5. COUNCIL ASSESSMENT MATTERS

5.1 Marys Memorial School, 16 Milton Street, Glenelg (Report No 116/18)

DA NO. :	<u>110/00002/18</u>
APPLICANT :	<u>ST MARYS MEMORIAL SCHOOL</u>
LOCATION :	<u>16 MILTON STREET, GLENELG</u>
DEVELOPMENT PLAN:	<u>2 JUNE 2016</u>
ZONE AND POLICY AREA :	<u>RESIDENTIAL ZONE</u>
NATURE OF DEVELOPMENT:	<u>MERIT</u>
PROPOSAL :	<u>THREE STOREY BUILDING AND PART DEMOLITION OF AND ALTERATIONS TO AN EXISTING TWO STOREY BUILDING ADJOINING MILTON STREET</u>
EXISTING USE :	<u>PRIVATE SCHOOL</u>
REFERRALS :	<u>NIL</u>
CATEGORY :	<u>THREE</u>
REPRESENTATIONS :	<u>SIX PLUS ONE LATE REPRESENTATION</u>
RECOMMENDATION :	<u>DEVELOPMENT PLAN CONSENT WITH CONDITIONS</u>

Speakers: P Moeck, J McCreed and D Ferretti

Motion

180418/0018

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 110/00002/18, subject to the following conditions:

PLANNING CONDITIONS

1. That the design and siting of all buildings and structures, site works and staging shall be as shown on the amended plans and information by Peter Moeck Architect dated 7 March 2018 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. Full details of the method of on-site storm water retention shall be provided prior to the issuing of Development Approval, to the reasonable satisfaction of Council.

4. **The storm water 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 the air conditioning unit adjacent the western boundary be acoustically screened to ensure compliance with relevant EPA policies.**
6. **That final colours and materials selected for the proposed north façade of the school be confirmed to the reasonable satisfaction of Council in consultation with the Department of Environment, Water and Natural Resources prior to Development Approval.**
7. **That a construction management plan be submitted to and approved by Council prior to construction.**
8. **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.**
9. **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.**
10. **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.**
11. **That all hard building materials, waste and litter on site be stored in a manner that secures it on site during the construction works.**
12. **That no solid or liquid trade wastes be discharged to the stormwater system.**

Moved A Vine, Seconded D Bailey

Carried

5.2 Michael Fogarty, 38 Shephard Street, Hove (Report No 117/18)

DA NO.	:	<u>110/01132/17</u>
APPLICANT	:	<u>MICHAEL FOGARTY</u>
LOCATION	:	<u>38 SHEPHARD STREET, HOVE</u>
DEVELOPMENT PLAN	:	<u>2 JUNE 2016</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL ZONE</u>
NATURE OF DEVELOPMENT:		<u>MERIT</u>
PROPOSAL	:	<u>CONSTRUCT TWO, TWO STOREY DETACHED DWELLINGS, BOTH WITH INTEGRATED GARAGES</u>
EXISTING USE	:	<u>RESIDENTIAL</u>
REFERRALS	:	<u>NIL</u>
CATEGORY	:	<u>TWO</u>
REPRESENTATIONS	:	<u>FOUR</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT BE GRANTED</u>

Speakers: M Squire, A Denney, G James and M Fogarty

Motion

180418/0019

1. That 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, and consideration of representations, the application is considered to be reasonably consistent with the relevant provisions of the Development Plan and that the Council Assessment Panel resolves to grant Development Plan Consent, to Development Application 110/01132/17 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 stormwater shall be collected and connected to a 1000 litre (minimum per dwelling) 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 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.
4. 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.
5. 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.
6. That all hard building materials, waste and litter on site be stored in a manner that secures it on site during the construction works.
7. That no solid or liquid trade wastes be discharged to the stormwater system.
8. That a landscape plan is provided to Council prior to the issue of Development Approval showing a mature tree of suitable species in the front yard of Dwelling 1. The tree shall be established within 3 months of substantial completion of the development and be replaced if and when it dies or becomes seriously diseased.
9. That landscaping shall comprise where practicable, trees and shrubs that are indigenous to the local area and are semi mature or of fast growing tube stock. 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.
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 new 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 minimise environmental harm, which includes nuisance from noise, to occupants on adjacent premises.

- 12. That all 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.**

- 13. That an amended site plan is provided showing suitably placed lighting along the driveway leading to Dwelling 2, of sufficient luminance to provide safety and security for residents and visitors.**

NOTE: Consideration be given to the placement of suitably designed crash bollards along the eastern boundary of the driveway leading to Dwelling 2, as a means to protect the neighbouring property from the incursion of vehicles.

Moved D Bailey, Seconded G Goss

Carried

**5.3 Jamie Christie and Kirsty De Poel, 16 Weewanda Street, Glenelg South
(Report No 118/18)**

DA NO.	:	<u>110/00023/18</u>
APPLICANT	:	<u>JAMIE CHRISTIE AND KIRSTY DE POEL</u>
LOCATION	:	<u>16 WEEWANDA STREET, GLENELG SOUTH</u>
DEVELOPMENT PLAN	:	<u>2 JUNE 2016</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL ZONE</u>
NATURE OF DEVELOPMENT:		<u>MERIT</u>
PROPOSAL	:	<u>CONSTRUCT A TWO STOREY DWELLING WITH DETACHED GARAGE AND SWIMMING POOL</u>
EXISTING USE	:	<u>RESIDENTIAL</u>
REFERRALS	:	<u>NIL</u>
CATEGORY	:	<u>TWO</u>
REPRESENTATIONS	:	<u>ONE</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT BE GRANTED</u>

Speakers: A Jameson and J Christie

Motion

180418/0020

- 1. That 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, and consideration of representations, the application is considered to be reasonably consistent with the relevant provisions of the Development Plan and that the Council Assessment Panel resolves to grant Development Plan Consent, to Development Application 110/00023/18 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 stormwater shall be collected and connected to a 3,000 litre (minimum per dwelling) 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 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.**
- 4. 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.**
- 5. 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.**
- 6. That all hard building materials, waste and litter on site be stored in a manner that secures it on site during the construction works.**
- 7. That no solid or liquid trade wastes be discharged to the stormwater system.**
- 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 tube stock. 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. 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.**
- 10. That the swimming pool filter pump be enclosed in such a way that noise levels do not exceed 45db(a) measured at adjoining property boundaries.**
- 11. That all new 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 minimise environmental harm, which includes nuisance from noise, to occupants on adjacent premises.**

- 12. That all 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 A Vine

Carried

6. REPORTS BY OFFICERS

6.1 Nil.

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

8. CLOSURE

The meeting closed at 8:22 pm.

CONFIRMED Wednesday, 23 May 2018

PRESIDING MEMBER