

Minutes of the Development Assessment Panel of the City of Holdfast Bay held in the Kingston Room, Civic Centre, Jetty Road, Brighton, on Wednesday, 23 September 2015 at 7:00pm.

MEMBERS PRESENT

Presiding Member – J Newman
G Goss
D Bailey
P Dinning
A Bradshaw
M Bouchee

STAFF IN ATTENDANCE

Acting Manager Development Services – A Elliott
Team Leader Development Assessment – C Watson
Development Officers – A Stamatopoulos and C Little

1. OPENING

J Newman welcomed the people in the gallery.

2. APOLOGIES

Apologies Received – R Clancy

Absent – Nil

3. DECLARATION OF INTEREST

Members were reminded to declare their interest before each item.

4. CONFIRMATION OF MINUTES

Motion

230915/0070

That the minutes of the Development Assessment Panel held on 26 August 2015 be taken as read and confirmed.

Moved by G Goss, Seconded by M Bouchee

Carried

5. DEVELOPMENT ASSESSMENT MATTERS

5.1 Medallion Homes, 38 Rossall Road, Somerton Park (Report No 275/15)

DA NO.	:	110/00573/15
APPLICANT	:	MEDALLION HOMES
LOCATION	:	38 ROSSALL ROAD, SOMERTON PARK
DEVELOPMENT PLAN	:	13 FEBRUARY 2015
ZONE AND POLICY AREA	:	RESIDENTIAL ZONE
NATURE OF DEVELOPMENT:		RESIDENTIAL
PROPOSAL	:	SINGLE STOREY DETACHED DWELLING WITH INTEGRATED GARAGE ON EASTERN SIDE BOUNDARY AND 1.2M PILLAR AND PIER MASONRY FRONT FENCE
EXISTING USE	:	RESIDENTIAL
REFERRALS	:	CITY ASSETS
CATEGORY	:	TWO
REPRESENTATIONS	:	ONE
RECOMMENDATION	:	DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS

Speakers: C & G Trowbridge and Mark Williams, Medallion Homes

Motion

230915/0071

Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, the Development Assessment Panel considers that the development is reasonably consistent with the Development Plan and resolves to **grant Development Plan Consent**, to Development Applications 110/00573/15 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 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 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 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. Any change in levels along external site boundaries of 200mm or more shall be retained to suitable engineering standards and any fencing shall be erected on top of such retaining walls. Construction of all retaining walls shall be undertaken and completed prior to the commencement of construction of the dwelling(s) herein approved.
10. 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.
11. 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.
12. 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.

- 13. 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.**
- 14 That the airconditioner be located on the northern most practical point of the eastern elevation.**

Moved D Bailey, Seconded P Dinning

Carried

5.2 Diamanti Designs, 47 Jetty Road, Brighton (Report No 276/15)

A Bradshaw declared a conflict of interest and departed the meeting at 7.28pm

DA NO.	:	110/00529/15
APPLICANT	:	DIAMANTI DESIGNS
LOCATION	:	47 JETTY ROAD, BRIGHTON
DEVELOPMENT PLAN	:	CONSOLIDATED 18 DECEMBER 2014
ZONE AND POLICY AREA	:	RESIDENTIAL ZONE MEDIUM DENSITY POLICY AREA 5
NATURE OF DEVELOPMENT:	:	CATEGORY TWO
PROPOSAL	:	TWO STOREY ADDITIONS TO REAR OF EXISTING SHOP TO COMPRISE A DWELLING
EXISTING USE	:	SHOP
REFERRALS	:	HERITAGE
CATEGORY	:	CATEGORY TWO
REPRESENTATIONS	:	TWO
RECOMMENDATION	:	DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS

Speakers: J Newberry & J Nash and Sean Philpot, Diamanti Designs

Motion

230915/0072

Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, and consideration of referrals advice and representations, the application is considered to be reasonably consistent with the relevant provisions of the Development Plan and that the Development Assessment Panel grants Development Plan Consent, to Development Application 110/00529/15, 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 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 applicants or other persons, for the time being, making use of the development now approved, shall cultivate, tend and nurture the trees or, shrubs or lawns intended to be established upon the subject land, replacing from time to time, any trees, shrubs or lawns which shall die or become diseased with others of the same respective varieties or of such varieties as the Council shall approve in writing.
5. That any front fencing shall either be a low front fence, or if higher than 1.2 metres, a grille type fence be provided along the front property boundary other than for driveway. Where the subject land is located on a corner allotment, fencing shall not exceed one metre in height within six (6) metres of the intersection of two boundaries of land where those boundaries both face a road.
6. Any change in levels along external site boundaries of 200mm or more shall be retained to suitable engineering standards and any fencing shall be erected on top of such retaining walls. Construction of all retaining walls shall be undertaken and completed prior to the commencement of construction of the dwelling(s) herein approved.
7. 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.

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.

The provision for vehicle crossovers and inverts, and reinstatements of existing crossovers not required by the development, be constructed at the owner's expense.

8. That stormwater from the 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.

9. 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.
10. 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.
11. 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.
12. That all hard building materials, waste and litter on site be stored in a manner that secures it on site during the construction works.
13. That no solid or liquid trade wastes be discharged to the stormwater system.
14. That a fixed, horizontal timber louvered screen which prevents direct views into the adjoining dwelling to the south shall be erected on the southern eastern and western elevation of the first floor balcony to a minimum height of 1.7 metres above finished floor level, to the reasonable satisfaction of the Council. Further details of the louvered screen shall be provided at the Building Rules Assessment stage.
15. Elements of the addition identified as hebel block are to be colour coated in a dark colour to compliment the existing local heritage place. Details of the colouring are to be provided to council prior to Development Approval.
16. All roof sheeting associated with the proposed development is to be colour coated in mid grey or similar to the reasonable satisfaction of council. Further all roof sheeting is to be deep profile sheeting rather than custom orb; Revolution Roofing "Tru-Oak" or equivalent Details of the colouring are to be provided to council prior to Development Approval.
17. The replacements posts identified on the approved plans associated with the existing verandah are to be 120 x 120 timber posts without fluting or moulds and a concealed fix post shoe. Details of these posts are to be provided prior.
18. Details of the proposed "wrought iron gate/fence" and "wrought iron fence" shall be provided prior to development approval.

- 19. **No meals or drinks are to be served or consumed within the area identified as “Courtyard for Shop” located on the ground floor, as shown on the plan identified as Proposed Ground Floor Plan and dated 16/06/15.**
- 20. **That all upstairs windows 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.**

Moved D Bailey, Seconded G Goss

Carried

A Bradshaw returned to the meeting at 7.49 pm

5.3 Gary and Julie Hatwell, 11 Esplanade, Somerton Park (Report No 277/15)

DA NO.	:	<u>110/00421/15</u>
APPLICANT	:	<u>GARY AND JULIE HATWELL</u>
LOCATION	:	<u>11 ESPLANADE, SOMERTON PARK</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 18 DECEMBER 2014</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL ZONE – CENTRAL WEST POLICY AREA 3</u>
NATURE OF DEVELOPMENT:		<u>MERIT</u>
PROPOSAL	:	<u>PARTIAL DEMOLITION OF EXISTING SEMI-DETACHED DWELLING AND CONSTRUCTION OF A DETACHED DWELLING COMPRISING THREE LEVELS INCLUDING UNDERCROFT GARAGING AND SWIMMING POOL</u>
REFERRALS	:	<u>NIL</u>
CATEGORY	:	<u>ONE</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS</u>

Motion

230915/0073

Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, the Development Assessment Panel considers that the development is seriously at variance with the Development Plan and resolves to refuse Development Application 110/00421/15 for the following reasons:

Residential Zone Central West Policy Area 3 Principles 5, 6, 8C and 10 and Council Wide Residential Development Principle 25. More specifically, the application does not meet the intent of the Development Plan in relation to:

- **Height, length and limited articulation of southern wall and visual amenity impact on adjoining property and streetscape.**

Moved M Bouchee, Seconded A Bradshaw

Carried

6. REPORTS BY OFFICERS

6.1 Nil.

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

7.1 Terms of Reference

Administration to seek clarification on the following:

- Time meetings must be concluded by;
- Can any unfinished agenda business be rescheduled to a meeting to be held the following week;
- Meetings containing large agendas to commence earlier.

7.2 Panel Members Payment Rates

G Goss requested that the Panel Members payment rates be reviewed at the same time the Audit Committee undertakes a review.

8. CLOSURE

The meeting closed at 8.27 pm.

CONFIRMED Wednesday, 28 October 2015

PRESIDING MEMBER