

Minutes of the Development Assessment Panel of the City of Holdfast Bay held in the Kingston Room, Civic Centre, Jetty Road, Brighton, on Wednesday, 25 May 2016 at 7:00 pm.

MEMBERS PRESENT

Presiding Member – J Newman
G Goss
D Bailey
P Dinning
R Clancy
L Yates

STAFF IN ATTENDANCE

Manager Development Services – A Marroncelli
Team Leader Development Assessment – C Watson
Development Officer - A Stamatopoulos

1. OPENING

J Newman welcomed the people in the gallery.

2. APOLOGIES

Apologies Received – A Bradshaw
Absent – Nil

3. DECLARATION OF INTEREST

Members were reminded to declare their interest before each item.

4. CONFIRMATION OF MINUTES

Motion

250516/0020

That the minutes of the Development Assessment Panel held on 27 April 2016 be taken as read and confirmed.

Moved by L Yates, Seconded by G Goss

Carried

5. DEVELOPMENT ASSESSMENT MATTERS

5.1 Platinum Fine Homes, 24 Wallace Street, Glenelg East (Report No 125/16)

DA NO.	:	<u>110/00091/16</u>
APPLICANT	:	<u>PLATINUM FINE HOMES</u>
LOCATION	:	<u>24 WALLACE STREET, GLENELG EAST</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 26 NOVEMBER 2015</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL STREETSCAPE CHARACTER (BRIGHTON AND GLENELG EAST) POLICY AREA 13</u>
NATURE OF DEVELOPMENT:		<u>MERIT</u>
PROPOSAL	:	<u>SINGLE STOREY DWELLING ADDITIONS AND ALFRESCO AT REAR OF DWELLING AND ALTERATIONS TO FAÇADE OF DWELLING INCLUDING AN INTEGRAL DOUBLE GARAGE ADJOINING WESTERN SIDE BOUNDARY</u>
EXISTING USE	:	<u>RESIDENTIAL (DETACHED DWELLING)</u>
REFERRALS	:	<u>TECHNICAL SERVICES</u>
CATEGORY	:	<u>CATEGORY TWO</u>
REPRESENTATIONS	:	<u>ONE</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT</u>

Speakers: B Dyer on behalf of D Vivian, and A Green

Motion

250516/0021

Reserved Matters

That pursuant to Section 33(3) of the Development Act 1993, the applicant shall submit detailed proposals for the following reserved matters requiring further assessment by the City of Holdfast Bay prior to Development Approval of the application:

- 1. Amended plans showing the proposed garage set back a further 500mm from the front property boundary so as to be sited well behind the main façade of the dwelling.**
- 2. Further plans with details of a low, visually permeable, and suitably designed front fence to be integrated as part of the development application.**

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 construction shall take place between 7:00 am and 7:00 pm 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.
3. That the external appearance and external materials and finishes of the new building shall match or blend with the existing building.
4. That the alfresco structure(s) herein approved shall not be further enclosed without the prior consent of Council.
5. That dust emissions from the site shall be controlled by a dust suppressant or by watering regularly (subject to water restrictions) 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 200 mm 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 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*:
 - (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.

11. That the entire face of western brick wall is rendered and painted in a colour chosen in consultation with the western adjoining property owner, with all work to be completed to the reasonable satisfaction of Council prior to the occupation of the approved development.
12. That stormwater from the dwelling addition 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 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.

Moved D Bailey, Seconded G Goss

Carried

5.2 Sterling Homes, 10 Seaview Avenue, Kingston Park (Report No 126/16)

DA NO.	:	110/00798/15
APPLICANT	:	STERLING HOMES
LOCATION	:	10 SEAVIEW AVENUE, KINGSTON PARK
DEVELOPMENT PLAN	:	CONSOLIDATED 26 NOVEMBER 2016
ZONE AND POLICY AREA	:	RESIDENTIAL ZONE
NATURE OF DEVELOPMENT:	:	MERIT
PROPOSAL	:	TWO STOREY DETACHED DWELLING WITH INTEGRATED GARAGE LOCATED ON WESTERN SIDE BOUNDARY WITH ASSOCIATED BALCONY LOCATED ON THE NORTHERN ELEVATION OF THE UPPER STOREY
REFERRALS	:	NIL
CATEGORY	:	TWO
REPRESENTATIONS	:	TWO
RECOMMENDATION	:	DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS

Speakers: M Franey, D Finan and L Fantasia

Motion**250516/0022**

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 110/00798/15 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 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. 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.
4. The upstairs window associated with the activity room on the eastern elevation 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.
5. 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.
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. 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.
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 a fixed blade louvered screen shall be erected on the northern end 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.

- 12. 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*:**
 - (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 R Clancy

Carried

5.3 F Bunnick, 43A and 43B Esplanade, Somerton Park (Report No 127/16)

DA NO.	:	110/00219/16
APPLICANT	:	F BUNNICK
LOCATION	:	43A AND 43B ESPLANADE, SOMERTON PARK
DEVELOPMENT PLAN	:	CONSOLIDATED 26 NOVEMBER 2015
ZONE AND POLICY AREA	:	RESIDENTIAL ZONE CENTRAL WEST POLICY AREA 3
NATURE OF DEVELOPMENT:		MERIT
PROPOSAL	:	UPPER STOREY ADDITIONS TO REAR OF DWELLINGS
EXISTING USE	:	TWO STOREY SEMI-DETACHED DWELLINGS
REFERRALS	:	NIL
CATEGORY	:	ONE
REPRESENTATIONS	:	NOT APPLICABLE
RECOMMENDATION	:	REFUSAL

Motion**250516/0023**

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 sufficiently at variance with the Development Plan to warrant refusal and that Development Application 110/00219/16 be refused Development Plan Consent for the reason that it is contrary to Council Wide Design and Appearance Principle 1 and 2(a), Residential Development Principle 21, and Residential Zone Central West Policy Area 3 Objective 4 and Principles 2, 5 and 10. More specifically, the application does not meet the intent of the Development Plan in relation to:

- Lack of design features to reduce visual scale;
- Inappropriate side boundary setbacks; and
- Visual impact on adjoining properties.

Moved R Clancy, Seconded L Yates

Lost**Motion****250516/0024**

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 110/00219/16 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 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.
3. 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.
4. 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.
5. That all hard building materials, waste and litter on site be stored in a manner that secures it on site during the construction works.
6. That the room additions 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.
7. 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.
8. 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*:
 - (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 G Goss, Seconded P Dinning

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 8:26 pm.

CONFIRMED Wednesday, 22 June 2016

PRESIDING MEMBER