

Minutes of the Development Assessment Panel of the City of Holdfast Bay held in the Kingston Room, Civic Centre, Jetty Road, Brighton, on Wednesday, 26 October 2016 at 7:00pm.

MEMBERS PRESENT

Presiding Member – J Newman
G Goss
D Bailey
R Clancy
A Bradshaw
L Yates

STAFF IN ATTENDANCE

Manager Development Services – A Marroncelli
Team Leader Development Assessment – C Watson
Development Officers – E Kenchington

1. OPENING

J Newman welcomed the people in the gallery.

2. APOLOGIES

Apologies Received – P Dinning
Absent – Nil

3. DECLARATION OF INTEREST

Members were reminded to declare their interest before each item.

4. CONFIRMATION OF MINUTES

Motion

261016/0045

That the minutes of the Development Assessment Panel held on 18 October 2016 be taken as read and confirmed.

Moved by G Goss, Seconded by L Yates

Carried

5. DEVELOPMENT ASSESSMENT MATTERS

5.1 Weeks Building Group, 52 Shephard Street, Hove (Report No 259/16)

DA NO.	:	<u>110/00514/16</u>
APPLICANT	:	<u>WEEKS BUILDING GROUP</u>
LOCATION	:	<u>52 SHEPHARD STREET, HOVE</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>SINGLE STOREY DETACHED DWELLING WITH INTEGRAL GARAGE ADJOINING EASTERN SIDE BOUNDARY</u>
REFERRALS	:	<u>NIL</u>
CATEGORY	:	<u>TWO</u>
REPRESENTATIONS	:	<u>ONE</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS</u>

Motion

261016/0046

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 110/00514/16 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 stormwater 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. 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 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.**
- 6. 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.**
- 7. 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.**
- 8. That all hard building materials, waste and litter on site be stored in a manner that secures it on site during the construction works.**
- 9. That no solid or liquid trade wastes be discharged to the stormwater system.**
- 10. 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.**
- 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 R Clancy, Seconded A Bradshaw

Carried

5.2 SA Quality Home Improvements, 17 Yacca Road, Seacliff (Report No 260/16)

DA NO.	:	110/00643/16
APPLICANT	:	SA QUALITY HOME IMPROVEMENTS
LOCATION	:	17 YACCA ROAD, SEACLIFF
DEVELOPMENT PLAN	:	CONSOLIDATED 2 JUNE 2016
ZONE AND POLICY AREA	:	RESIDENTIAL CHARACTER ZONE SEACLIFF POLICY AREA 12
NATURE OF DEVELOPMENT:	:	MERIT
PROPOSAL	:	A DETACHED RUMPUS ROOM (HABITABLE OUTBUILDING) ADJOINING THE NORTHERN SIDE BOUNDARY
EXISTING USE	:	RESIDENTIAL
REFERRALS	:	NIL
CATEGORY	:	TWO
REPRESENTATIONS	:	ONE
RECOMMENDATION	:	DEVELOPMENT PLAN CONSENT

Speakers: S Anleu, A Hutton and G Hutton

Motion

261016/0047

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 grant Development Plan Consent, to Development Application 110/00643/16, 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 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 (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 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.
11. That adequate provision shall 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.

Moved G Goss, Seconded A Bradshaw

Carried

5.3 Eljay Homes, 20 Wilkinson Avenue, Somerton Park (Report No 262/16)

DA NO.	:	110/00719/16
APPLICANT	:	ELJAY HOMES
LOCATION	:	20 WILKINSON AVENUE, SOMERTON PARK
DEVELOPMENT PLAN	:	CONSOLIDATED 2 JUNE 2016
ZONE AND POLICY AREA	:	RESIDENTIAL
NATURE OF DEVELOPMENT:		MERIT
PROPOSAL	:	TWO, TWO STOREY DWELLINGS PLUS UNDERCROFT GARAGES AND SWIMMING POOLS
EXISTING USE	:	TWO STOREY DETACHED DWELLING,
REFERRALS	:	NIL
CATEGORY	:	TWO
REPRESENTATIONS	:	TWO VALID
RECOMMENDATION	:	DEVELOPMENT PLAN CONSENT WITH CONDITIONS

Speakers: J Connelly and J Zagotsis

Motion**261016/0048**

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 grant Development Plan Consent, to Development Application 110/00719/16, 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 amended plans revision D dated 6/10/16 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. 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.
5. That all upstairs windows on the western and northern elevations of dwelling 1 and the eastern and northern 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.
6. 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.
7. 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.

8. 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.

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.
10. That the filter pump associated with the swimming pools be enclosed in such a way that noise levels do not exceed 45db(a) measured at adjoining property boundaries.
11. 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.
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 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.
14. 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.
15. That all hard building materials, waste and litter on site be stored in a manner that secures it on site during the construction works.
16. That no solid or liquid trade wastes be discharged to the stormwater system.

17. That there shall be a minimum clearance of 2120mm between floor and overhead obstruction on both driveways in accordance with AS2890.1:2004 5.3.1.
18. That a dilapidation report is prepared that includes a photographic and/or video record of the condition of the buildings located at 18 and 22 Wilkinson Avenue, Somerton Park. The dilapidation report shall be provided to Council for approval prior to the commencement of construction.

Moved R Clancy, Seconded D Bailey

Carried

5.4 Brighton Rugby Club, 411 Brighton Road, Brighton (Report No 261/16)

DA NO.	:	110/00300/16
APPLICANT	:	BRIGHTON RUGBY CLUB
LOCATION	:	411 BRIGHTON ROAD, BRIGHTON
DEVELOPMENT PLAN	:	CONSOLIDATED 2 JUNE 2016
ZONE AND POLICY AREA	:	COMMUNITY ZONE – RECREATION POLICY AREA 1
NATURE OF DEVELOPMENT	:	MERIT
PROPOSAL	:	FIVE ADVERTISING SIGNS – TWO SIGNS AT THE BRIGHTON ROAD ENTRANCE, ONE SIGN LOCATED ABOVE THE BRIGHTON RUGBY CLUBROOMS ATTACHED TO THE REAR OF THE GRANDSTAND, AND A TWO-SIDED SIGN ON THE WESTERN SIDE OF THE RUGBY FIELD (RETROSPECTIVE)
EXISTING USE	:	COMMUNITY RECREATION - BRIGHTON OVAL COMPLEX
REFERRALS	:	TWO
CATEGORY	:	ONE
REPRESENTATIONS	:	NOT APPLICABLE
RECOMMENDATION	:	DEVELOPMENT PLAN CONSENT

Motion

261016/0049

Following detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, and consideration of referrals advice and representations, it is recommended that the Development Assessment Panel approve development application 110/00300/16 subject to the following conditions:

1. That the design and siting of all signs and structures shall be as shown on the plans submitted to and approved by Council unless varied by any subsequent conditions imposed herein.
2. All messages displayed on the sign shall be self-contained messages that are simple, effective and easily assimilated by glance appreciation and do not imitate a traffic control device in any way.

3. **All messages displayed upon the sign shall be directly related to the activities undertaken upon the subject land.**
4. **That details of an alternative colour for the metal support posts are provided prior to the issue of Development Approval to meet Council's reasonable satisfaction, and that the approved colour shall be applied to the posts within three months of receiving Development Approval.**

Moved D Bailey, Seconded G Goss

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 8:06 pm.

CONFIRMED Wednesday, 23 November 2016

PRESIDING MEMBER