

**Minutes of the Development Assessment Panel of the City of Holdfast Bay held in the Kingston Room, Civic Centre, Jetty Road, Brighton, on Wednesday, 27 January 2016 at 7:00pm.**

**MEMBERS PRESENT**

Presiding Member – J Newman  
D Bailey  
P Dinning  
R Clancy  
A Bradshaw  
L Yates

**STAFF IN ATTENDANCE**

Manager Development Services – A Marroncelli  
Development Officers – D Spasic and A Stamatopoulos

**1. OPENING**

J Newman welcomed the people in the gallery.

**2. APOLOGIES**

Apologies Received – G Goss  
Absent – Nil

**3. DECLARATION OF INTEREST**

Members were reminded to declare their interest before each item.

**4. CONFIRMATION OF MINUTES**

**Motion**

**270116/0001**

**That the minutes of the Development Assessment Panel held on 9 December 2015 be taken as read and confirmed.**

Moved by A Bradshaw, Seconded by P Dinning

**Carried**

## 5. DEVELOPMENT ASSESSMENT MATTERS

### 5.1 Urban 3, 25 Esplanade, Somerton Park (Report No 01/16)

DA NO.	:	110/01039/15
APPLICANT	:	URBAN 3
LOCATION	:	25 ESPLANADE, SOMERTON PARK
DEVELOPMENT PLAN	:	CONSOLIDATED 30 JULY 2015
ZONE AND POLICY AREA	:	RESIDENTIAL ZONE CENTRAL WEST POLICY AREA 3
NATURE OF DEVELOPMENT:		MERIT
PROPOSAL	:	THE CONSTRUCTION OF A PAIR OF THREE STOREY RESIDENTIAL FLAT BUILDINGS WITH THE EASTERN-MOST CONTAINING TWO DWELLINGS AND THE WESTERN-MOST CONTAINING THREE DWELLINGS WITH ROOF TOP TERRACES AND ONE ACCOMMODATING AN UNDERCROFT GARAGE
EXISTING USE	:	RESIDENTIAL
REFERRALS	:	TECHNICAL SERVICES (INTERNAL COUNCIL DEPARTMENT)
CATEGORY	:	TWO
REPRESENTATIONS	:	TWO
RECOMMENDATION	:	DEVELOPMENT PLAN CONSENT

Speakers: C Maios, D Leister and S Marzullo

#### Motion

270116/0002

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 not seriously at variance with the Development Plan and resolves to grant Development Plan Consent to Development Application 110/01039/15 for the construction of a pair of three storey residential flat buildings with the eastern-most containing two dwellings and the western-most containing three dwellings with roof top terraces and one accommodating an under croft garage 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 storm water 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 storm water 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:**

Storm water 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. All upper level windows on the side and rear elevations, as well as the front western facing upper level windows associated with Dwellings 4 and 5, shall have minimum sill heights of 1.7 metres above the associated finished floor level or where windows have sill heights under 1.7 metres above the associated finished floor level, the window is fixed and manufactured obscured up to a minimum height of 1.7 metres above the associated finished floor level in such a way as to avoid unreasonable overlooking into adjacent properties to the reasonable satisfaction of Council.
4. All side and rear balconies, as well as the west facing balconies associated with Dwellings 4 and 5, shall comprise fixed screening to a minimum height of 1.7 metres above the associated finished floor level in such a way as to avoid unreasonable overlooking into adjacent properties to the reasonable satisfaction of Council.
5. That southern, northern and eastern facing screens, balustrades and windows associated with the roof top decks of all dwellings, as well as the front western facing screens, balustrades and windows associated with Dwellings 4 and 5, shall be fixed and manufactured obscured up to a minimum height of 1.7 metres above the associated finished floor level in such a way as to avoid unreasonable overlooking into adjacent properties to the reasonable satisfaction of Council.
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 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.
8. All roof mounted mechanical plant and equipment shall be aesthetically screened so as not to be viewed from surrounding land. Details of proposed screening shall be provided to Council for assessment prior to the issue of Development Approval.

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 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.
11. 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.
12. 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.
13. That all hard building materials, waste and litter on site be stored in a manner that secures it on site during the construction works.
14. That no solid or liquid trade wastes be discharged to the stormwater system.
15. A dilapidation report shall be prepared including photographs and video footage to document the pre-development structural condition of all buildings on adjoining land. The dilapidation report shall be prepared prior to the commencement of construction, with copies provided to affected adjoining landowners and Council.
16. All hard surfaced ground areas, including common driveway, shall be treated with permeable paving to reduce the amount of runoff and maximise recharge of the aquifer. Details of the paving selection shall be provided to Council prior to the issue of Development Approval.

**5.2 Ben White, 385 Brighton Road, Hove (Report No 02/16)**

DA NO.	:	<u>110/00548/15</u>
APPLICANT	:	<u>BEN WHITE</u>
LOCATION	:	<u>385 BRIGHTON ROAD, HOVE</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 18 DECEMBER 2014</u>
ZONE AND POLICY AREA	:	<u>NEIGHBOURHOOD CENTRE ZONE</u>
NATURE OF DEVELOPMENT:		<u>MERIT</u>
PROPOSAL	:	<u>THE ERECTION OF TWO NON-ILLUMINATED SIGNS AND BALCONY ALTERATIONS ON THE EASTERN ELEVATION AS WELL AS TWO SIGNS, ONE ILLUMINATED, LOCATED ON THE NORTHERN ELEVATION AND THE CHANGE OF LAND USE OF BOTTOM FLOOR FROM RESIDENTIAL LAND USE TO SHOP</u>
REFERRALS	:	<u>NOT APPLICABLE</u>
CATEGORY	:	<u>CATEGORY TWO</u>
REPRESENTATIONS	:	<u>ONE</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT</u>

Speakers: E Shaw and J Skinner

**Motion****270116/0003**

**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 Application 110/00548/15 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 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 the 'Mojo' sign located on the northern elevation shall not be of a light intensity to cause a light overspill which causes unreasonable nuisance to adjoining residential land and buildings.**
- 4. That at all times, the signage (including its structure and advertising material thereon) shall be maintained in good condition to the reasonable satisfaction of Council.**

5. That the illuminated 'Mojo' sign located on the northern elevation of the building shall not remain lit past 9pm.

Moved A Bradshaw, Seconded L Yates

**Carried**

**5.3 SA Quality Home Improvements, 11 Fisher Terrace, Glenelg North (Report No 03/16)**

DA NO.	:	110/00796/15
APPLICANT	:	SA QUALITY HOME IMPROVEMENTS
LOCATION	:	11 FISHER TERRACE, GLENELG NORTH
DEVELOPMENT PLAN	:	CONSOLIDATED 30 JULY 2015
ZONE AND POLICY AREA	:	RESIDENTIAL STREETSCAPE CHARACTER ZONE (GLENELG AND GLENELG NORTH) POLICY AREA 14
NATURE OF DEVELOPMENT:	:	MERIT
PROPOSAL	:	VERANDAH ATTACHED TO REAR ELEVATION OF ASSOCIATED DWELLING AND SHED LOCATED ON NORTH WESTERN CORNER OF SITE
EXISTING USE	:	RESIDENTIAL
REFERRALS	:	NIL
CATEGORY	:	TWO
REPRESENTATIONS	:	ONE
RECOMMENDATION	:	DEVELOPMENT PLAN CONSENT

**Motion**

**270116/0004**

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 not seriously at variance with the Development Plan and resolves to grant Development Plan Consent to Development Application 110/00796/15 for the construction of a verandah attached to rear elevation of associated dwelling and shed located on the north-western corner of site 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 adequate provision 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.
3. That the verandah herein approved shall not be enclosed without the prior consent of Council.
4. That the external appearance and external materials and finishes of the new building shall match or blend with the existing dwelling.

- 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.

Moved P Dinning, Seconded D Bailey

**Carried**

**5.4 Tom Hatley, 543 Anzac Highway, Glenelg North (Report No 04/16)**

DA NO.	:	<u>110/00027/16</u>
APPLICANT	:	<u>TOM HATELY</u>
LOCATION	:	<u>543 ANZAC HIGHWAY, GLENELG NORTH</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 30 JULY 2015</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL MEDIUM DENSITY POLICY AREA 5</u>
NATURE OF DEVELOPMENT:		<u>MERIT</u>
PROPOSAL	:	<u>COMMUNITY TITLED LAND DIVISION CREATING 4 ALLOTMENTS FROM ONE</u>
EXISTING USE	:	<u>DETACHED DWELLINGS</u>
CATEGORY	:	<u>ONE</u>
REPRESENTATIONS	:	<u>NOT APPLICABLE</u>
RECOMMENDATION	:	<u>REFUSAL</u>

**Motion**

**270116/0005**

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 seriously at variance with the Development Plan and that Development Application 110/00027/16 be refused Development Plan Consent for the reason that it is contrary to Council Wide Land Division Objectives 2 and 4 and Principles 2(a), (c), 6(c), (i), 7, 10(e), 11(a)(c), Transportation and Access Principles 27(d), 50(a) and Residential Zone Principle 3 and Medium Density Policy Area 5 Principles 4, 8, 9 and 11.

More specifically, the application does not meet the intent of the Development Plan in relation to:

- Site area densities; and
- Ability of the lots and common space to provide appropriate site coverage, boundary setbacks, size and function of private open space, extent and function of landscaping and efficiency and convenience of on-site parking.

Moved A Bradshaw, Seconded D Bailey

**Carried**

**5.5 Ithink Design Studio Pty Ltd, 543 Anzac Highway, Glenelg North  
(Report No 05/16)**

DA NO.	:	<u>110/00729/15</u>
APPLICANT	:	<u>ITHINK DESIGN STUDIO PTY LTD</u>
LOCATION	:	<u>543 ANZAC HIGHWAY, GLENELG NORTH</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 30 JULY 2015</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL ZONE MEDIUM DENSITY POLICY AREA 5</u>
NATURE OF DEVELOPMENT:		<u>MERIT</u>
PROPOSAL	:	<u>FOUR TWO STOREY DWELLINGS WITH ASSOCIATED GARAGES</u>
EXISTING USE	:	<u>DETACHED DWELLING</u>
REFERRALS	:	<u>DPTI – TRANSPORT SERVICES</u>
CATEGORY	:	<u>TWO</u>
REPRESENTATIONS	:	<u>NIL</u>
RECOMMENDATION	:	<u>REFUSAL</u>

**Motion**

**270116/0006**

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 seriously at variance with the Development Plan and that Development Application 110/00729/15 be refused Development Plan Consent for the reason that it is contrary to Council Wide Residential Development Principles 21, 28, 29, 31(j), 32, 34(b),(c), Transportation and Access Principles 27(d), 50(a) and Residential Zone Principle 3 and Medium Density Policy Area 5 Principles 4, 8, 9 and 11.

More specifically, the application does not meet the intent of the Development Plan in relation to:

- Site area densities;
- Site coverage;
- Boundary setbacks;
- Size and function of private open space;
- Extent and function of landscaping; and
- Efficiency and convenience of on-site parking.

Moved L Yates, Seconded R Clancy

**Carried**

**6. REPORTS BY OFFICERS**

**6.1 Panel Information Report**

J Newman invited discussion as to the content of the draft Panel Information Report.

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

**8. CLOSURE**

The meeting closed at 8:52 pm.

**CONFIRMED      Wednesday, 24 February 2016**

**PRESIDING MEMBER**