

Minutes of the Council Assessment Panel of the City of Holdfast Bay held in the Kingston Room, Civic Centre, Jetty Road, Brighton, on Wednesday, 25 March 2020 at 7.00 pm.

MEMBERS PRESENT

Presiding Member – D Bailey
G Goss
J Gronthos
M Bouchee

STAFF IN ATTENDANCE

Manager Development Services – A Marroncelli
Team Leader Development Assessment – C Watson
Development Officers Planning– A Stamatopolous, D Spasic
Team Leader Development Administration - A Elliott

1. OPENING

D Bailey 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

250320/00006

That the minutes of the Council Assessment Panel held on 22 January 2020 be taken as read and confirmed.

Moved by J Gronthos, Seconded by M Bouchee

Carried

5. COUNCIL ASSESSMENT MATTERS

5.1 Australian Red Cross - Hove, 362 Brighton Road, Hove (Report No 74/20)

DA NO.	:	110/00951/19
APPLICANT	:	AUSTRALIAN RED CROSS - HOVE
LOCATION	:	362 BRIGHTON ROAD, HOVE
DEVELOPMENT PLAN	:	CONSOLIDATED 2 JUNE 2016
ZONE AND POLICY AREA	:	NEIGHBOURHOOD CENTRE
NATURE OF DEVELOPMENT:		MERIT
PROPOSAL	:	SIGNAGE AT REAR OF BUILDING
EXISTING USE	:	SHOP
REFERRALS	:	NIL
CATEGORY	:	TWO
REPRESENTATIONS	:	ONE
RECOMMENDATION	:	REFUSAL

Speakers: V and R Hillman

Motion

250320/00007

Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, the Council Assessment Panel considers that the proposed development is not consistent with the Development Plan and that Development Application 110/00951/19 be refused Development Plan Consent for the reason that it is contrary to:

- **General Section, Advertisements Objectives 3, 4 and 5 and Principles 1, 2 and 7; and**
- **Centres and Retail Development Principle 2.**

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

- **Creating sign clutter;**
- **Inappropriate sign location; and**
- **Visual impact on an adjoining residential property.**

Moved J Gronthos, Seconded M Bouchee

Carried

5.2 Paul Clutterbuck - 10 Morley Street, Glenelg South, (Report No 75/20)

DA NO.	:	110/00093/20
APPLICANT	:	PAUL CLUTTERBUCK
LOCATION	:	10 MORLEY STREET, GLENELG SOUTH (CONTRIBUTORY ITEM)
DEVELOPMENT PLAN	:	2 JUNE 2016
ZONE AND POLICY AREA	:	RESIDENTIAL CHARACTER ZONE POLICY AREA 11 (HISTORIC CONSERVATION)
NATURE OF DEVELOPMENT:		MERIT
PROPOSAL	:	CARPORT LOCATED FORWARD OF ASSOCIATED DETACHED DWELLING
EXISTING USE	:	RESIDENTIAL
REFERRALS	:	NIL
CATEGORY	:	ONE
REPRESENTATIONS	:	NOT APPLICABLE
RECOMMENDATION	:	REFUSAL

Motion**250320/00008**

Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, the Council Assessment Panel considers that the proposed development is not consistent with the Development Plan and that Development Application 110/00093/20 be refused Development Plan Consent for the reason that it is contrary to:

- General Section, Residential Development Principles of Development Controls 14(b) and 27(d);
- Historic Conservation Area Objective 3 and Principles of Development Control 3,4,6,7,8 and 10; and
- Residential Character Zone Policy Area 11 Objective 1 and 4 and Principle of Development Control 5(a).

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

- Preservation of existing development patterns and built form in the policy area;
- The Desired Character of the Zone;
- Carport sited forward of dwelling;
- Setback from the street boundary; and
- Compatibility with setback character of locality.

Moved M Bouchee, Seconded J Gronthos

Carried**6. REPORTS BY OFFICERS****6.1 Nil.**

**6.2 Appeal Item - 29 Patawalonga Frontage, Glenelg North 250320/00009
110/00668/19**

On the 22 January 2020, the Council Assessment Panel refused DA 110/00668/19 for the reasons that the application was contrary to:

Development Application 110/00668/19 should be refused Development Plan Consent for the reason that it is contrary to General Section (Residential Development) Principles 19, 20(a), 21, 25 and 26, and the Desired Character Statement for the Residential Zone. More specifically, the application does not meet the intent of the Development Plan in relation to:

- ***The excessive length and insufficient setback of the second storey wall to the rear boundary;***
- ***The primary road setback being too close to Patawalonga Frontage;***
- ***The secondary road setback being too close to Lewis Street; and***
- ***The proposal being at variance with the Desired Character Statement in so far as the proposed dwelling is not considered an unobtrusive small scale development.***

The applicant has lodged an appeal with the Environment, Resources and Development Court. A compromise plan has been submitted for the Panel's consideration.

Motion

250320/00008

That the ERD Court be advised that Council accepts the amended plans as a compromise in the Environment, Resources and Development Court matter between Dechellis Homes v City of Holdfast Bay ERD 20-11 and recommends the following conditions be included:

PLANNING CONDITIONS

The proposed development is NOT seriously at variance with the policies in the Development Plan. 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 110/00668/19 for the construction of a two storey detached dwelling at 29 Patawalonga Frontage, Glenelg North, 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 prepared by Ginos Engineering Pty Ltd, Drawing No. 36041, SR2-1/A, Sep '19 and plans prepared by Dechellis Homes Pty Ltd, Job No. DH 1850, Sheets 1 to 5, dated 07 February 2020 submitted to and approved by Council unless varied by any subsequent conditions imposed herein.**

2. 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.

3. All upstairs windows on the side and rear elevations 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.
4. 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.
5. Landscaping shall be established in the front and rear yards and comprise trees, shrubs and grasses. 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.

Note: Further investigation, in consultation with the applicant, shall occur to identify an alternative location for the air conditioning unit to maintain an adequate distance between the noise source and adjoining neighbours.

Moved J Gronthos, Seconded G Goss

Carried

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

8. CLOSURE

The meeting closed at 7.23 pm.

CONFIRMED To be advised

PRESIDING MEMBER