

**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 August 2015 at 7:00pm.**

**MEMBERS PRESENT**

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

**STAFF IN ATTENDANCE**

Manager Development Services – A Marroncelli  
Development Officers – D Spasic, A Stamatopoulos and C Little

**1. OPENING**

J Newman 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**

**26082015/0059**

**That the minutes of the Development Assessment Panel held on 22 July 2015 be taken as read and confirmed.**

Moved by M Bouchee, Seconded by D Bailey

**Carried**

## 5. DEVELOPMENT ASSESSMENT MATTERS

### 5.1 M Hood, 3B Colton Avenue, Hove (Report No 243/15)

DA NO. :	110/00282/15
APPLICANT:	M HOOD
LOCATION :	3B COLTON AVENUE, HOVE
DEVELOPMENT PLAN:	CONSOLIDATED 18 DECEMBER 2015
ZONE AND POLICY AREA :	RESIDENTIAL ZONE MEDIUM DENSITY POLICY AREA 5
NATURE OF DEVELOPMENT:	COMPLYING / MERIT / NON-COMPLYING
PROPOSAL :	SINGLE STOREY DETACHED DWELLING WITH INTEGRAL GARAGE SITED ON THE SOUTHERN SIDE BOUNDARY ON HAMMERHEAD SITE
EXISTING USE :	VACANT ALLOTMENT
REFERRALS:	CITY ASSETS
CATEGORY :	TWO
REPRESENTATIONS :	ONE
RECOMMENDATION :	DEVELOPMENT PLAN CONSENT

#### Motion

**26082015/0061**

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 Applications 110/00282/15 for the construction of a single storey detached dwelling with integral garage sited on the southern side boundary on a hammerhead allotment 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 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. A detailed landscape plan and schedule including reference to 500mm wide landscaping along each side of the access driveway shall be submitted prior to Development Approval.
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 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.
7. 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.
8. 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.

9. 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.
10. That all hard building materials, waste and litter on site be stored in a manner that secures it on site during the construction works.
11. That no solid or liquid trade wastes be discharged to the stormwater system.

Moved D Bailey, Seconded G Goss

**Carried**

**5.2 John Dal Santo, 12 Kent Street, Glenelg (Report No 244/15)**

DA NO.	:	<u>110/00541/15</u>
APPLICANT	:	<u>JOHN DAL SANTO</u>
LOCATION	:	<u>12 KENT STREET, GLENELG</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 18 DECEMBER 2014</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL ZONE</u>
NATURE OF DEVELOPMENT:		<u>MERIT</u>
PROPOSAL	:	<u>VARIATION APPLICATION TO DA 110/00560/10 (TWO STOREY RESIDENTIAL FLAT BUILDING COMPRISING TWO DWELLINGS WITH ASSOCIATED DOUBLE GARAGING AND ROOF TOP DECKING WITH SATIR ENCLOSURE) COMPRISING OF A VARIATION TO THE HEIGHT OF THE ROOF DECK THROUGH THE CONSTRUCTION OF A PERGOLA</u>
REFERRALS	:	<u>NIL</u>
CATEGORY	:	<u>TWO</u>
REPRESENTATIONS	:	<u>SIX</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS</u>

Speakers: B Gaynor, M Kelton, C Kenyeres, V Fisher, R Tan and G Heynen

**Motion****26082015/0062**

That consideration of the matter is deferred pending the provision of further information from the applicant consisting of detailed plans drawn to scale showing:

- Accurate elevations with finishes and detailing, including all dimensions, of the proposed cladding, columns and beams associated with the proposed structures.
- Separate plans showing the extent of overshadowing caused by both the approved and proposed structures on adjoining properties during the time of the winter solstice on 21 June at the hours of 9am, 12noon, and 3pm.
- A series of photographs, taken from adjacent properties, of the partially constructed rooftop structure showing markers at a height of 2.8m on the vertical metal posts, for an indication of the final anticipated height of the proposed development when viewed from adjoining land.

Moved R Clancy, Seconded M Bouchee

**Carried**

**5.3 Artec Building Designers Pty Ltd, 54 Repton Road, Somerton Park  
(Report No 245/15)**

DA NO.	:	<u>110/00521/15</u>
APPLICANT	:	<u>ARTEC BUILDING DESIGNERS PTY LTD</u>
LOCATION	:	<u>54 REPTON ROAD, SOMERTON PARK</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 18 DECEMBER 2015</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL ZONE</u>
NATURE OF DEVELOPMENT:		<u>MERIT</u>
PROPOSAL	:	<u>DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF TWO STOREY DETACHED DWELLING WITH INTEGRAL GARAGE LOCATED ON THE EASTERN SIDE BOUNDARY</u>
EXISTING USE	:	<u>RESIDENTIAL</u>
REFERRALS	:	<u>CITY ASSETS</u>
CATEGORY	:	<u>TWO</u>
REPRESENTATIONS	:	<u>ONE</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT</u>
REPRESENTATIONS TO BE HEARD:		<u>JILLIAN BROMLEY OF UNIT 1,52 REPTON ROAD, SOMERTON PARK</u>
APPLICANT TO BE HEARD:		<u>LORETTA AND PAUL GABBANA (OWNER)</u>

Speakers: J Bromley and L Gabbana

**Motion****26082015/0063**

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. That all upstairs windows on the eastern side, western side and northern 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. 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.
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.**

Moved P Dinning, Seconded R Clancy

**Carried**

**5.4 Shahin Holdings Pty Ltd, 478-484 Brighton Road, Brighton (Report No 246/15)**

DA NO.	:	<u>110/00414/15</u>
APPLICANT	:	<u>SHAHIN HOLDINGS PTY LTD</u>
LOCATION	:	<u>478-484 BRIGHTON ROAD, BRIGHTON</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 18 DECEMBER 2015</u>
ZONE AND POLICY AREA	:	<u>DISTRICT CENTRE ZONE BRIGHTON AND HOVE POLICY ARE 16</u>
NATURE OF DEVELOPMENT:		<u>MERIT</u>
PROPOSAL	:	<u>DEMOLITION OF EXISTING CAR WASH STRUCTURE AND RECONFIGURATION OF EXISTING SERVICE STATION FACILITY COMPRISING NEW CAR WASH FACILITY LOCATED TO THE NORTH OF THE SITE INCLUDING A STRUCTURE ADJACENT TO THE BRIGHTON ROAD BOUNDARY, TWO SMALL STRUCTURES ADJACENT TO THE STURT ROAD BOUNDARY AND RECONFIGURATION OF ON-SITE CAR PARKING AND SITE ACCESS AND A PAIR OF ILLUMINATED SIGN PANELS ON THE NORTHERN ELEVATION</u>
EXISTING USE	:	<u>SERVICE STATION</u>
REFERRALS	:	<u>DEPARTMENT OF PLANNING, TRANSPORT AND INFRASTRUCTURE</u>
CATEGORY	:	<u>TWO</u>
REPRESENTATIONS	:	<u>THREE</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT</u>
REPRESENTATIONS TO BE HEARD:		<u>DAVID BADEN OF 4 ARUNDEL ROAD, BRIGHTON</u>
APPLICANT TO BE HEARD:		<u>ROBERT KING ON BEHALF OF THE PEREGRIN CORPORATION</u>

Speakers: D Baden and R King

**Motion****26082015/0064**

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 Applications 110/00414/15 for the demolition of existing car wash structure and reconfiguration of existing service station facility comprising new car wash facility located to the north of the site including a structure adjacent to the Brighton Road boundary, two small structures adjacent to the Sturt Road boundary and reconfiguration of on-site car parking and site access and a pair of illuminated sign panels on the northern elevation 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 and amended site plan (15/JN1240/Sk01f) and turn path (SK004) dated 5<sup>th</sup> August 2015 submitted to and approved by Council unless varied by any subsequent conditions imposed herein.
2. A detailed landscape plan and schedule shall be submitted for assessment prior to the issue Development Approval to meet the reasonable satisfaction of Council.
3. Landscaping shall be established upon completion of development to the reasonable satisfaction of Council.
4. That each car parking space shall conform to the applicable Australian Standard. Such car parking spaces shall be line marked with continuous white lines along the whole of each side of each car parking space prior to the use of the development herein approved and such line marking shall be maintained in good and substantial conditions at all times to the reasonable satisfaction of the Council.
5. That no sound shall be emitted from any machinery, equipment or device, or from any other source whatsoever on the subject land, in such a manner as to contravene the environment protection act and regulations.
6. That at all times, the sign (including its structure and advertising material thereon) shall be maintained in good condition to the reasonable satisfaction of Council.
7. That the sign shall not be of a light intensity to cause a light overspill which causes unreasonable nuisance to adjoining residential land and buildings.



8. 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.
9. 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.
10. 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.
11. That all hard building materials, waste and litter on site be stored in a manner that secures it on site during the construction works.
12. That no solid or liquid trade wastes be discharged to the stormwater system.

Moved A Bradshaw, Seconded R Clancy

Carried

## 6. REPORTS BY OFFICERS

6.1 Nil.

6.2 Appeal item – 12 Lamington Avenue, Seacliff Park (Report No: 248/15)

On the 27 May 2015, the Development Assessment Panel refused the following Development Application:

DA 110/00843/14 Two single storey dwellings with associated garage of house 1 located on southern boundary with a wall height of 2.75 metres

### Motion

26082015/0065

That the Development Assessment Panel (DAP) advises the Environment, Resources and Development (ERD) Court that it supports the compromise proposal as the proposed development is not considered to be seriously at variance with the Development Plan. Should the ERD Court resolve to approve the development, the DAP requests that the following conditions are added to any such Court Order:

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. That a landscape plan shall be provided to Council for assessment prior to the issue of Development Approval, and 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 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 G Goss, Seconded D Bailey

Lost

Motion

26082015/0066

That the Development Assessment Panel advises the Environment, Resources and Development Court that it does not support the compromise proposal as the proposed development remains inconsistent with General Objective 14, Residential Objectives 32, 35, Residential Principle of Development Control 44(a), Street Boundary Setbacks Principle of Development Control 92(a)(b)(c)(d), Other Setbacks 94(a)(b), Dwellings Located on Side Boundaries Principle of Development Control 95(a)(b)(c), Private Open Space Principle of Development Control 100, 102, 103(d), Residential Zone Objective 1, Residential Zone Desired Future Character Statement *Infill residential development that does not compromise the Zone's suburban character and Infill development should have a comparable height, mass, scale and setback to that of existing dwellings in the Zone*, Residential Zone Principle of Development Control 4.

The application (including amendments) does not meet the intent of the Development Plan in relation to:

- Densities;
- Setbacks; and
- Private open space.

Moved M Bouchee, Seconded A Bradshaw

Carried

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

G Goss declared a conflict of interest and vacated his seat at 10:22 pm

7.1 **Confidential Matter**

**Motion**

**26082015/0067**

1. That under provisions of Section 34(12)(a)(ix) of the Development Act 1993 an order be made that the public be excluded from attendance at this meeting with the exception of administrative staff in attendance in order to consider in confidence this item on the following grounds:

- (i) To consider information relating to actual litigation, or litigation that the panel believes on reasonable grounds will take place.

**Lost through lack of Mover**

7.1 323 Brighton Road, North Brighton (110/00575/12)

**Motion**

**26082015/0068**

That the Development Assessment Panel (DAP) advises the Environment, Resources and Development (ERD) Court that it does not support the compromise proposal as it would still constitute an intensification of a non-residential land use and would have significant amenity impacts by noise, contrary to Council Wide Objective 278 and Principle 12(a), and Residential Activity Node Zone Objective 1 and Desired Future Character Statement in the Holdfast Bay (City) Development Plan.

Moved M Bouchee, Seconded R Clancy

**Lost**

**Motion**

**26082015/0069**

That the Development Assessment Panel (DAP) advises the Environment, Resources and Development (ERD) Court that it supports the compromise proposal as the proposed development is not considered to be seriously at variance with the Development Plan. Should the ERD Court resolve to approve the development, the DAP requests that the following conditions are added to any such Court Order:

1. That the premises shall only be open, trade or operate between the hours of 5:00 am and midnight on any day.
2. 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.
3. That a detailed on-site stormwater management is submitted to Council and approved by Council's City Assets Department prior to Development Approval being granted.

4. That three courses of brickwork are added to the existing brick wall located on the northern and western property boundaries in accordance with the Sonus Acoustic Report.
5. That the mechanical plant located at the rear of the new building be designed so that the noise level is no greater than 40 dB(A) when measured from any of the adjacent residences. A noise barrier shall be established comprising a colorbond fence with insulated lining constructed to a height of 500mm above the height of the equipment.
6. That deliveries shall only occur between 7am and 10pm on Saturdays and Sundays, and between 6am and 10pm on weekdays.
7. 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.
8. 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.
9. That any illumination of the subject land shall be sited and designed so that no unreasonable annoyance to neighbouring occupiers is created.
10. That at all times, the signs (including its structure and advertising material thereon) shall be maintained in good condition to the reasonable satisfaction of Council.
11. The fuel/diesel/LPG pricing on the pylon sign shall be illuminated in white writing on a black background.
12. Illumination of signs shall be limited to a low level of illumination so as to not impair the safety of motorists.
13. That directional signs not exceeding 0.5sqm in face area shall be erected at vehicle access points to indicate the location of visitor parking.
14. That each car parking space shall conform to the applicable Australian Standard. Such car parking spaces shall be line marked with continuous white lines along the whole of each side of each car parking space prior to the use of the development herein approved and such line marking shall be maintained in good and substantial conditions at all times to the reasonable satisfaction of the Council.
15. That a 150mm kerb shall be constructed to separate car parking spaces and driveways from landscaped areas and other open portions of the subject land.
16. That landscaping shall be planted prior to occupation and shall be maintained in good health and condition at all times. Any such

**vegetation shall be replaced if and when it dies or becomes seriously diseased.**

- 17. 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.**
- 18. That no solid or liquid trade wastes be discharged to the stormwater system.**
- 19. 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.**
- 20. 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 D Bailey, Seconded P Dinning

**Carried**

G Goss resumed his seat at 11:05 pm

**8. CLOSURE**

The meeting closed at 11:07 pm.

**CONFIRMED      Wednesday, 23 September 2015**

**PRESIDING MEMBER**