

**Minutes of the Development Assessment Panel of the City of Holdfast Bay held in the Kingston Room, Civic Centre, Jetty Road, Brighton, on Wednesday, 9 December 2015 at 7:00pm.**

**MEMBERS PRESENT**

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

**STAFF IN ATTENDANCE**

Manager Development Services – A Marroncelli  
Team Leader Development Assessment – C Watson  
Development Officers – D Spasic 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**

**091215/0096**

**That the minutes of the Development Assessment Panel held on 25 November 2015 be taken as read and confirmed.**

Moved by G Goss, Seconded by P Dinning

**Carried**

## 5. DEVELOPMENT ASSESSMENT MATTERS

### 5.1 Damir Brgles, 1 Kingston Crescent, Kingston Park (Report No 360/15)

DA NO.	:	110/00603/15
APPLICANT	:	DAMIR BRGLES
LOCATION	:	1 KINGSTON CRESCENT, KINGSTON PARK
DEVELOPMENT PLAN	:	CONSOLIDATED 18 DECEMBER 2014
ZONE AND POLICY AREA	:	RESIDENTIAL ZONE
NATURE OF DEVELOPMENT:		MERIT
PROPOSAL	:	PARKING OF TWO VEHICLES EACH WITH A WEIGHT ABOVE 3 TONNE ON THE EASTERN PORTION OF A RESIDENTIAL PROPERTY AT 1 KINGSTON CRESCENT, KINGSTON PARK
EXISTING USE	:	RESIDENTIAL
REFERRALS	:	NIL
CATEGORY	:	THREE
REPRESENTATIONS	:	NOT APPLICABLE
RECOMMENDATION	:	DEVELOPMENT APPROVAL

Speakers: D Smith, A Nailey and D Brgles

#### Motion

091215/0097

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 110/00603/15 subject to the following conditions:

1. That the parking of a maximum of two vehicles with a weight exceeding 3 000 kilograms is restricted to the eastern side of the property in the locations designated on the site plan dated 9 November 2015, submitted to and approved by Council unless varied by any subsequent conditions imposed herein.
2. No vehicle movements, including loading and unloading to occur outside of the allotment boundaries of 1 Kingston Crescent, Kingston Park.
3. Vehicle movements to and from the site shall not occur on Sundays and Public Holidays, and shall only occur between the hours of 6:30 am and 7:00 pm on other days.
4. All ancillary equipment (including buckets, augers, extensions, trenchers, loading ramps and the like) to be stored neatly on the site at all times.

Moved D Bailey, Seconded G Goss

Carried

**5.2 Platinum Fine Homes, Units 2, 3 and 4 of 26 North Esplanade, Glenelg North (Report No 361/15)**

DA NO.	:	<u>110/00616/15</u>
APPLICANT	:	<u>PLATINUM FINE HOMES</u>
LOCATION	:	<u>UNITS 2, 3 AND 4 OF 26 NORTH ESPLANADE, GLENELG NORTH</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 18 DECEMBER 2014</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL ZONE, NORTH WEST POLICY AREA 6</u>
NATURE OF DEVELOPMENT: PROPOSAL	:	<u>MERIT</u> <u>ALTERATIONS AND ADDITIONS TO EXISTING UNITS (2, 3 AND 4) COMPRISING UPPER LEVEL ADDITIONS TO UNITS 2 AND 4 AND DEMOLITION OF EXISTING UPPER LEVEL ASSOCIATED WITH UNIT 3 AND CONSTRUCTION OF NEW UPPER LEVEL ADDITION</u>
EXISTING USE	:	<u>RESIDENTIAL</u>
REFERRALS	:	<u>NIL</u>
CATEGORY	:	<u>TWO</u>
REPRESENTATIONS	:	<u>ONE</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT</u>

**Motion**

**091215/0098**

**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 110/00616/15 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. That the following noise control features shall be incorporated or exceeded in the development:
  - a) ceiling insulation to have a density of at least  $40\text{kg/m}^3$  with a minimum OF 90MM thickness.
  - b) windows to be comprised of 6mm laminated glass.
  - c) all doors to be solid core doors with acoustic sills top and bottom.
  - d) any ventilation openings to be acoustically treated.
  - e) all gates to be of solid timber with a minimum density of  $15\text{kg/m}^2$ .
4. That all upstairs windows to the side and rear elevations of each Unit1 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 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 a dilapidation survey, including written, photographic and/or video filming of the interior and exterior of the building located at Unit 1/26 North Esplanade, Glenelg North be prepared by a qualified structural engineer and a copy provided to Council prior to the issuing of Development Approval. A copy of the survey shall be made available to the owner(s) of the above properties.

Moved R Clancy, Seconded G Goss

**Carried**

**5.3 AAA Building Group, 415 Brighton Road, Brighton (Report No 362/15)**

DA NO.	:	110/00727/15
APPLICANT	:	AAA BUILDING GROUP
LOCATION	:	415 BRIGHTON ROAD, BRIGHTON
DEVELOPMENT PLAN	:	CONSOLIDATED 30 JULY 2015
ZONE AND POLICY AREA	:	DISTRICT CENTRE ZONE BRIGHTON AND HOVE POLICY AREA 16
NATURE OF DEVELOPMENT: PROPOSAL	:	MERIT REDEVELOPMENT OF EXISTING CARWASH FACILITY COMPRISING CONSTRUCTION OF NEW BUILDING AND 4.2 METRE HIGH ACOUSTIC FENCE ALONG WESTERN BOUNDARY AND RELOCATION OF SERVICES TO ENCLOSED PORTION OF DRY AND DUST FREE BOOTH
EXISTING USE	:	CAR WASH
REFERRALS	:	NIL
CATEGORY	:	TWO
REPRESENTATIONS	:	ONE
RECOMMENDATION	:	DEVELOPMENT PLAN CONSENT WITH CONDITIONS

Speakers: R Edwards and G Vanco

**Motion**

**091215/0099**

Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, and consideration of representations, the application is considered to be reasonably consistent with the relevant provisions of the Development Plan and the Development Assessment Panel grant Development Plan Consent to Development Application 110/00727/15, 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 the structure's herein approved 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 boundary wall and office be rendered and coloured to the reasonable satisfaction of Council.
4. That the office 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.
5. 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.
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.

**NOTE:** It is the responsibility of the applicant to undertake a boundary survey to ensure the acoustic boundary wall/fence is erected on the property boundary.

Moved R Clancy, Seconded L Yates

**Carried**

**5.4 A H Robertson, 5 Edison Street, Glenelg North (Report No 363/15)**

DA NO.	:	110/00810/15
APPLICANT	:	A H ROBERTSON
LOCATION	:	5 EDISON STREET, GLENELG NORTH
DEVELOPMENT PLAN	:	CONSOLIDATED 30 JULY 2015
ZONE AND POLICY AREA	:	RESIDENTIAL CHARACTER ZONE STREETSCAPE CHARACTER (GLENELG AND GLENELG NORTH) POLICY AREA 14
NATURE OF DEVELOPMENT:		MERIT
PROPOSAL	:	SINGLE STOREY DWELLING ADDITION TO REAR OF DWELLING LOCATED ON NORTHERN SIDE BOUNDARY, EXTENSION OF CARPORT 700MM FROM SOUTHERN BOUNDARY, ROOF ALTERATIONS AND CONSTRUCTION OF IN ROOF STORAGE AREA
EXISTING USE	:	DETACHED DWELLING
REFERRALS	:	NIL
CATEGORY	:	TWO
REPRESENTATIONS	:	TWO
RECOMMENDATION	:	DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS

**Motion****091215/0100**

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 110/00810/15, 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 amended plans dated 24/11/15 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 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 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.

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 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.

Moved D Bailey, Seconded P Dinning

**Carried**



**5.5 Hennig & Co Pty Ltd, 12 Cliff Street, Glenelg East (Report No 364/15)**

DA NO.	:	<u>110/00401/15</u>
APPLICANT	:	<u>HENNIG &amp; CO PTY LTD</u>
LOCATION	:	<u>12 CLIFF STREET, GLENELG EAST</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 18 DECEMBER 2014</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL</u>
NATURE OF DEVELOPMENT:		<u>MERIT</u>
PROPOSAL	:	<u>LAND DIVISION (COMMUNITY TITLE) CREATING TWO ALLOTMENTS FROM ONE IN A HAMMERHEAD CONFIGURATION WITH RETENTION OF THE EXISTING SINGLE STOREY DETACHED DWELLING AT THE FRONT</u>
EXISTING USE	:	<u>SINGLE STOREY DETACHED DWELLING</u>
REFERRALS	:	<u>CITY ASSETS - INFRASTRUCTURE</u>
CATEGORY	:	<u>ONE</u>
REPRESENTATIONS	:	<u>NOT APPLICABLE</u>
RECOMMENDATION	:	<u>DEVELOPMENT REFUSAL</u>

**Motion****091215/0101**

**That after considering the provisions of the Development Plan the application 110/00401/15 be refused Development Plan Consent as it is contrary to the City of Holdfast Bay Development Plan, Council Wide Residential Principles, 1, 20, 24(b),(c)ii,(d)ii, 47, 48, 55 and Land Division Principles 2, 6 (a) & (c), 7, 10(a), (b) & (e), 11(e) and Residential Zone Desired Future Character Statement (b) and Objectives 3 and Principles of Development Control 3 and 6. More specifically, the application does not meet the intent of the Development Plan in relation to:**

- **The proposed land division is contrary to Zones desired character;**
- **Allotments layout, shape and size are not appropriate for the intended use;**
- **Undersized driveway width; and**
- **Division does not provide safe and convenient access from each allotment to an existing road.**

Moved D Bailey, Seconded P Dinning

**Carried**

**5.6 Peter John McMahon, 13 Orvieto Road, Seacliff Park (Report No 365/15)**

DA NO.	:	110/00908/15
APPLICANT	:	PETER JOHN MCMAHON
LOCATION	:	13 ORVIETO ROAD, SEACLIFF PARK
DEVELOPMENT PLAN	:	CONSOLIDATED 30 JULY 2015
ZONE AND POLICY AREA	:	RESIDENTIAL ZONE
NATURE OF DEVELOPMENT:		MERIT
PROPOSAL	:	ADDITION TO EXISTING CARPORT LOCATED FORWARD OF MAIN FACE OF ASSOCIATED DWELLING
EXISTING USE	:	DETACHED DWELLING
REFERRALS	:	NIL
CATEGORY	:	ONE
REPRESENTATIONS	:	NOT APPLICABLE
RECOMMENDATION	:	REFUSAL

**Motion****091215/0102**

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 not consistent with the Development Plan and that Development Application 110/00908/15 be **refused Development Plan Consent** for the reason that it is contrary to Council Wide Residential Development Principles 13, 14(a), (b), 27, 28, Siting and Visibility Principle 2, Residential Zone Objective 3 and desired character and principle 6. More specifically, the application does not meet the intent of the Development Plan in relation to:

- Carport siting forward of dwelling;
- Setback from Orvieto Road; and
- Visual impact on the streetscape.

Moved D Bailey, Seconded A Bradshaw

**Carried**

**5.7 Donaghey Surveyors Pty Ltd, 52 Seaforth Avenue, Somerton Park  
(Report No 378/15)**

DA NO.	:	<u>110/00687/15</u>
APPLICANT	:	<u>DONAGHEY SURVEYORS PTY LTD</u>
LOCATION	:	<u>52 SEAFORTH AVENUE, SOMERTON PARK</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 30 JULY 2015</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL ZONE</u>
NATURE OF DEVELOPMENT:		<u>MERIT</u>
PROPOSAL	:	<u>TORRENS TITLE LAND DIVISION CREATING TWO ALLOTMENTS FROM ONE ALLOTMENT IN A HAMMERHEAD CONFIGURATION</u>
EXISTING USE	:	<u>RESIDENTIAL</u>
REFERRALS	:	<u>NIL</u>
CATEGORY	:	<u>ONE</u>
REPRESENTATIONS	:	<u>NOT APPLICABLE</u>
RECOMMENDATION	:	<u>REFUSAL</u>

**Motion**

**091215/0103**

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 not consistent with the Development Plan and that Development Application 110/00687/15 be **refused Development Plan Consent** for the reason that it is contrary to:

- General Section, Carparking and Access, Principle of Development Control 23; and
- Residential Zone, Principle of Development Control 7.

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

- The proposed allotments fail to achieve a minimum site area of 400 square metres per dwelling;
- Driveway crossovers should be single width and appropriately separated, to preserve and enhance street character, and facilitate opportunities for landscaping, fencing and street tree planting;
- Driveway crossovers should be minimised in number so as to optimise the provision of on-street visitor parking; and
- Driveway crossovers should be a maximum of 30 per cent of the frontage of the site.

Moved P Dinning, Seconded L Yates

**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 8:37 pm

**CONFIRMED      Wednesday, 27 January 2016**

**PRESIDING MEMBER**