

Minutes of Planning Committee Meeting No. 456 held at 5.00pm Monday 22 February 2016 in the Council Chambers, Surf Coast Shire Offices, Torquay.

- 1. **OPENING OF MEETING**
5.20pm
- 2. **PRESENT**
Wayne Reid, Lesley Evans, Robert Troop, Wesley McClendon, Phil Rosevear
- 3. **APOLOGIES**
Nil
- 4. **CONFIRMATION OF MINUTES**
Minutes of the Planning Committee Meeting held on Monday 7 December 2015
MOVED: Lesley Evans SECONDED: Wesley McClendon
Corrections pages 77 & 78 – Item 2
- 5. **DISCLOSURE OF CONFLICTS OF INTEREST**
Nil
DISCLOSURE OF INTERESTS (AT DISCRETION OF COMMITTEE)
Nil
- 6. **PUBLIC PRESENTATIONS**

Item	Applicant	Objector
8.1	David Seeley	

- 7. **CONSIDERATION OF THE AGENDA**
As presented
- 8. **CONSIDERATION OF APPLICATIONS FOR A PERMIT**

Item 8.1 35A Harvey Street, Anglesea (15/0376).....Page 3
Construct a dwelling and outdoor swimming pool

9. RECENT VCAT DECISIONS

Application Number: 14/0519
VCAT Ref: P1239/2015
Address: 6 Fifth Avenue, Anglesea
Officer Recommendation: Permit Approved
VCAT Decision: Permit Varied
Proposal: Construction of alterations and additions to the existing dwelling

Application Number: 15/0231
VCAT Ref: P2273/2015
Address: 4 Spring Street, Torquay
Officer Recommendation: Permit Approved
VCAT Decision: Permit Approved
Proposal: Construction of four dwellings and subdivision of the land into four lots

Application Number: 14/0531
VCAT Ref: P1545/2015
Address: 62 Charles Street, Lorne
Officer Recommendation: Permit Approved

VCAT Decision: Permit Approved
Proposal: Construction of a dwelling

Application Number: 14/0267
VCAT Ref: P2190/2015
Address: 34 Lialeeta Road, Fairhaven
Officer Recommendation: Permit Approved
VCAT Decision: Permit Varied
Proposal: Construction of a dwelling and removal of native vegetation

10. POLICY ISSUES

11. OTHER MATTERS

12. CLOSE OF MEETING

5.55pm

NEXT MEETING – 7th March 2016

ITEM NO: 8.1
PLANNING REF: 15/0376
PROPOSAL: Construct a dwelling and outdoor swimming pool
APPLICANT: Seeley Architects Pty Ltd
DATE RECEIVED: 31-Aug-2015
SUBJECT LAND: 35A HARVEY STREET, ANGLESEA. (LOT: 2 LP: 86616)
ZONE: General Residential 1 Zone (Clause 32.08)
OVERLAYS: Significant Landscape Overlay - Schedule 3 (Clause 42.03)
Design and Development Overlay - Schedule 19 (Clause 43.02)
Neighbourhood Character Overlay - Schedule 3 (Clause 43.05)
PERMIT REQUIRED UNDER CLAUSES: 45.05-2
EXISTING USE: Residential
REPORTING OFFICER: Jennifer Davidson

REASON FOR REFERRAL TO PLANNING COMMITTEE:

- Planning Officer recommending refusal
 Objections received x seven (7), one of which has been withdrawn

MOVED: Robert Troop **SECONDED:** Wesley McClendon **FOR:** X4 **AGAINST:**

OFFICERS RECOMMENDATION **ALTERNATIVE RECOMMENDATION**

POINTS OF DISCUSSION:

The Committee assessed the amended photo montage plan produced by the applicant and received by Council on 29/01/2016. The Committee confirmed that the height poles had been verified by a qualified Land Surveyor and established that the finished building height would be approx. 7.6m above N.G.L. The Committee considered this to be an acceptable increase on the 7.5m maximum building height nominated in the decision to defer from the meeting on 7/12/2015 as the development proposed would achieve a view sharing outcome consistent with that which was previously approved.

ALTERATIONS TO PLANNING OFFICER RECOMMENDATION:

- Amend Condition 4 to read as follows:
The maximum building height, including but not limited to Ac condenser units, PV panels, solar hot water systems and the like, must not exceed RL 41.25 for the main roof area and RL 41.65 for the circular roof upstand in accordance with the endorsed plans and to the satisfaction of the responsible authority.
 - Delete Condition 5
 - Re-number the remaining conditions as required
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COMMITTEE RESOLUTION

That Council having caused notice of Planning Application No. 15/0376 to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Grant a Notice of Decision to Grant a Permit under the provisions of Clause 45.05-2 of the Surf Coast Planning Scheme in respect of the land known and described as 35A Harvey Street, Anglesea for the construction a dwelling and outdoor swimming pool subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three (3) copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a) The location of roof top plant and equipment, including but not limited to service units for heating, cooling and hot water, solar panels and air vents, which are to be located and designed to ensure that any views across the development from adjoining dwellings are not further impacted upon.
 - b) A schedule of external materials, finishes and colours incorporating colour samples to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. External colours should be neutral and muted to assist in visually blending the building with the surrounding natural landscape and roofing should be non-reflective and subdued in toning to minimise glare and reflectivity for the properties to the west.
 - c) Adequate manoeuvring area for vehicles to turn around on site and exit in a forward direction.
2. Before the release of the approved plan for the approved development:
 - a) A landscape plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - i) A survey (including botanical names) of all existing vegetation to be retained and/or removed;
 - ii) Consistency with the development plans.
 - iii) Details of surface finishes of pathways and driveways;
 - iv) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
 - v) Landscaping and planting within all open areas of the site;
 - vi) Only the use of plant species indigenous to the locality;All species selected must be to the satisfaction of the responsible authority.
 - b) A cash bond or bank guarantee to the value of \$1000 must be deposited with the responsible authority by the developer of the land as security against failure to protect existing native vegetation to be retained or to comply with the landscape plan endorsed under this permit.

The bond or bank guarantee will only be refunded or discharged by the responsible authority upon being satisfied that the requirements of the landscape plan and protection of native vegetation have been fulfilled to the satisfaction of the responsible authority.
3. Written statements from a licensed surveyor shall be submitted for approval to the responsible authority confirming:
 - a) That the buildings have been set out in accordance with the endorsed plan; and
 - b) That the roof levels will not exceed the roof levels specified on the endorsed plan.

The statements shall be submitted to the responsible authority at completion of the set out of the building and at completion of the frame of the building.

4. The maximum building height, including but not limited to AC condenser units, PV panels, solar hot water systems and the like, must not exceed RL41.25 for the main roof area and RL41.65 for the circular roof upstand in accordance with the endorsed plans and to the satisfaction of the responsible authority.
5. Before the use starts, the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - a) Constructed;
 - b) Properly formed to such levels that they can be used in accordance with the plans;
 - c) Surfaced with an all-weather-seal coat, gravel or crushed rock;
 - d) Drained;

to the satisfaction of the responsible authority.

Car spaces, access lanes and driveways must be kept available for these purposes at all times.

6. Within six (6) months of the date of completion of the development hereby permitted the site whether occupied or not, shall be landscaped in accordance with the endorsed landscape plan. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the responsible authority, including that any dead, diseased or damaged plants are to be replaced.
7. The development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.

Expiry of Permit

8. This permit will expire if one of the following circumstances applies:
 - a) The development is not started within two years of the date of this permit.
 - b) The development is not completed within four years of the date of this permit.

The Responsible Authority may extend the period for commencement of the development if a request is made in writing before the permit expires or within six months afterwards.

The Responsible Authority may extend the period in which the development must be completed if the request for an extension of time is made in writing within twelve months after the permit expires and the development or stage started lawfully before the permit expired.

<p><i>Note: Any plan approved under the Building Act and Regulations must not differ from the endorsed plan forming part of this Permit.</i></p>
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CARRIED