

Minutes of the Council Assessment Panel of the City of Holdfast Bay held in the Kingston Room, Civic Centre, Jetty Road, Brighton, on Wednesday, 22 July 2020 at 7:00 pm.

MEMBERS PRESENT

Presiding Member – D Bailey
J Gronthos
Y Svensson
S Reachill
M Bouchee

STAFF IN ATTENDANCE

Manager Development Services – A Marroncelli
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

220720/00016

That the minutes of the Council Assessment Panel held on 27 May 2020 be taken as read and confirmed.

Moved by M Bouchee, Seconded by Y Svensson

Carried

5. COUNCIL ASSESSMENT MATTERS

5.1 **Andrash Commercial North Brighton Pty Ltd, 336-338 Brighton Road, North Brighton (Report No 186/20)**

DA NO.	:	<u>110/00172/20</u>
APPLICANT	:	<u>ANDRASH COMMERCIAL NORTH BRIGHTON PTY LTD</u>
LOCATION	:	<u>336-338 BRIGHTON ROAD, NORTH BRIGHTON</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 2 JUNE 2016</u>
ZONE AND POLICY AREA	:	<u>NEIGHBOURHOOD CENTRE ZONE</u>
NATURE OF DEVELOPMENT:	:	<u>MERIT</u>
PROPOSAL	:	<u>CONSTRUCTION OF AN INTEGRATED FUEL SERVICE STATION COMPRISING A BUILDING USED AS A SHOP WITH FASCIA ADVERTISING DISPLAYS, A FREE STANDING CANOPY WITH FASCIA ADVERTISING DISPLAYS, 8 FUEL PUMPS, 2 X 100,000 LITRE FUEL TANKS, 1 PYLON ADVERTISING DISPLAY, ANCILLARY CAR PARKING AND LANDSCAPING</u>
EXISTING USE	:	<u>VACANT LAND</u>
REFERRALS	:	<u>DPTI AND EPA (NO OBJECTIONS RAISED)</u>
CATEGORY	:	<u>TWO</u>
REPRESENTATIONS	:	<u>FIVE</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT</u>

Speakers: J Petherick, K and M Rhodes and M Kwiatkowski

Motion

220720/00017

Reserved Matter

- That pursuant to Section 33(3) of the Development Act 1993, the City of Holdfast Bay reserves its decision on the adequacy of the following matters for further assessment prior to the granting of any Development Approval:**

1.1 Landscaping

To enable further assessment of these matters the Applicant shall provide the following:

- The provision of a landscape plan to include 2 medium (6 to 8 metres in height) native feature trees, one in each eastern garden bed and planting density to be increased by 50% relative to the current landscape plan.**
- The proposed development is NOT seriously at variance with the policies in the Development Plan.**

2. Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, the Council Assessment Panel resolves to grant Development Plan Consent to Development Application 110/00172/20 comprising a Construction of an integrated fuel service station comprising a building used as a shop with fascia advertising displays, a free standing canopy with fascia advertising displays, 8 fuel pumps, 2 x 100,000 litre fuel tanks, 1 pylon advertising display, ancillary car parking and landscaping at 336-338 Brighton Road, North Brighton, subject to the following conditions and Reserved Matters:

PLANNING CONDITIONS

1. The proposal shall be implemented as shown on the following plans, unless varied by subsequent conditions imposed herein:
 - a. Sagero. Project No SA190062, Drawing No.
 - i C01 Issue A
 - ii C02 Issue A and
 - iii C03 Issue A
 - b. Hodge Collard Preston, Drawing No 93.19
 - i SK07
 - ii SK08 REV F
 - iii SK10 REV E
 - iv SK11 REV D
 - v SK09 REV C
2. Stormwater shall be managed in accordance with Stormwater Management Plans (Project No. SA190062, CO1, CO2, CO3 Issue A) prepared by Sagero dated 13 February 2020.
3. Landscaping shall be established as per the plans and comprise trees, shrubs and grasses that are established prior to occupation and maintained to the reasonable satisfaction of Council.
4. Hours of operation shall be restricted from 5am to midnight, 7 days a week
5. Lighting shall be designed to comply with Australian Standards and restricted in such a way as to ensure that light spill does not occur into adjacent properties.
6. Plant equipment for air handling units, refrigeration and similar shall be located away from residential properties, sound attenuated so that it does not exceed 52 decibels when measured from the allotment boundary in accordance with the SA Environmental Noise Policy 2007, so as to not cause nuisance and visually screened to the reasonable satisfaction of Council. Details and report from an acoustic engineer to be provided to Council for consideration prior to development approval being granted.

7. Deliveries shall be limited to three times per week.
8. Refuse collection shall only occur between 9am and 7pm on Sundays and Public Holidays and 8am to 7pm any other day.
9. All bins within the waste enclosure area shall be fully enclosed at all times when not in use.
10. That the eastern and southern sides of the waste collection area shall be of a solid material with details to be provided prior to the issuing of Development Approval.
11. The access points to Brighton Road and Francis Street shall be constructed in general accordance with Hodge Collard Preston Site Plan, Drawing No. 93.19 SK03, Interim Issue dated 19 December 2019.
12. All vehicles shall enter and exit the site in a forward direction.
13. The separate entry and exit points from and to Brighton Road shall be angled 70 degrees to the road and respectively cater for left turn in and left turn out movements only. These access points shall be suitably signed and line-marked to reinforce the desired traffic flow. Chevron line-marking shall also be incorporated in the design to reduce the width of the access for passenger vehicles while still permitting access for delivery vehicles.
14. The street light shall be reinstalled/relocated to DPTI's satisfaction, with all costs being borne by the applicant.

Note: Prior to undertaking detailed design, the applicant shall contact Ms Teresa Xavier, Network Planning Engineer, on telephone (08) 8226 8389 or via email teresa.xavier@sa.gov.au to progress this work.

15. Any obsolete crossover/s (or any portion thereof) on Brighton Road shall be closed and reinstated to Council's kerb and gutter standards at the applicant's expense prior to operation of the development.
16. The largest vehicle permitted on-site shall be restricted to a 12.5-metre Heavy Rigid Vehicle with ingress and egress must be undertaken from Brighton Road
17. All off-street parking shall be designed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009. Additionally, clear sightlines, as shown in Figure 3.3 'Minimum Sight Lines for Pedestrian Safety' in AS/NZS 2890.1:2004, shall be provided at the property line to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpath
18. The internal manoeuvring areas for commercial vehicles shall be designed in accordance with AS2890.2:2018.

19. Signage shall not contain any element of LED or LCD display, except for the fuel prices on the pylon sign. The fuel prices shall be white characters on a black background.
20. Signage shall not flash, scroll, move or change, with the exception of the LED fuel price signs, which may change on an as-needs basis.
21. Signage shall not be permitted to operate in such a manner that could result in impairing the ability of a road user by means of high levels of illumination or glare. Accordingly, all illuminated signs visible from the arterial road network shall be limited to a low level of illumination (i.e. < 150Cd/m²), except in the case of electronic signage, which shall be limited to the following stepped luminance levels:

Ambient Conditions	Sign Illuminance Vertical Component (Lux)	Sign Luminance (Cd/m ²) Max
Sunny Day	40000	6300
Cloudy Day	4000	1100
Twilight	400	300
Dusk	40	200
Night	<4	150

22. Signage shall, in the case of electronic signage, incorporate an automatic error detection system which will turn the display off or to a blank, black screen should the screen or system malfunction.
23. Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of the adjacent roads. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's expense.
24. Prior to operation, all fuel storage tanks (apart from diesel and LPG) must be fitted with a Stage 1 vapour recovery system (which includes underground storage tank vent pipes being fitted with a pressure vacuum relief valve) that directs the displaced vapours back into the tank during filling.
25. Prior to operation, all fuel dispensers (apart from diesel and LPG) must be fitted with a Stage 2 vapour recovery system that directs vapours back into the tank during vehicle refuelling.
26. All underground fuel storage tanks must be double-walled and fitted with a leak detection system.
27. Prior to use, all fuel lines between the underground storage tanks and fuel dispensers must be double contained and fitted with a leak detection system.

28. Stormwater runoff from all hardstand areas (including the refuelling and fuel delivery areas) must be managed in accordance with the provided Stormwater Management Plans (Project No. SA190062, CO1, CO2, CO3 Issue A) prepared by Sagero dated 13 February 2020 and must be directed via grates and grade changes to a forecourt full retention oil/water separator (no bypass function) that:
- (a) has as a minimum spill capture capacity of 10,000 litres;
 - (b) reduces oil content in the outlet to less than 5 mg/L (as confirmed by independent third party scientific testing; and
 - (c) operates effectively in the event of a power failure.
 - (d) That the owner/operator undertakes regular maintenance of the oil separator system in accordance with the manufacturer's recommendation. And that the owner/operator keeps records of maintenance for Council to review as required.

29. Any sludge or oily residue collected within the Class 1 full retention oil/water separator must be removed by an EPA licensed waste transporter to a licensed waste depot.

30. That the applicant must submit a post construction noise compliance assessment report prepared by an acoustic engineer** to verify that the noise levels have not exceeded the recommended criterion in the Indicative Noise Factor prescribed in the South Australian Environmental Noise Policy 2007. This must be undertaken within 3 months of completion of the development.

**An acoustic engineer is defined as a person eligible for full Member status of both the Institution of Engineers Australia and the Australian Acoustical Society.

31. That the applicant provides on-site detention and retention sufficient to limit peak flow as a result of the development in a 100 year event (1% AEP) to not more than the 5 year (20% AEP) predevelopment flow rate and the volume of flow not exceed predevelopment volume.

The stormwater from the roofs should be diverted through their own system to the road, whilst the ground runoff stormwater (refer to Condition 25) be directed through the oil separator.

32. That an amended site plan shall be submitted prior to the issue of Development Approval showing suitable provision for bicycle parking facilities. The location, safety, and adequacy of the bicycle parking shall meet the reasonable satisfaction of Council's Traffic Engineer.
33. The 2.7 metres fence adjacent the eastern and southern boundaries shall taper or step to Francis Street and Brighton Road.

NOTES:**Traffic:**

- 1. The northern access from Brighton Road will require the relocation of a stobie pole and associated street light. The street lighting will require reassessment and/or reinstallation to the satisfaction of Department Planning Transport and Infrastructure with all costs borne by the applicant.**
- 2. Parking on Francis Street west of the proposed access is already prohibited by the use of a yellow edge line. Parking should also be prohibited for a minimum 6m east of the invert to improve sight lines of motorists exiting the site.**
- 3. That an analysis of traffic safety be undertaken following commencement of operation of the development to investigate the cumulative impact of traffic in the area.**

Moved J Gronthos, Seconded Y Svensson

Carried

5.2 Lynette Willoughby, 9/19 Pier Street, Glenelg (Report No 187/20)

DA NO.	:	<u>110/00110/20</u>
APPLICANT	:	<u>LYNETTE WILLOUGHBY</u>
LOCATION	:	<u>9/19 PIER STREET, GLENELG</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 2 JUNE 2016</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL</u>
NATURE OF DEVELOPMENT:		<u>MERIT</u>
PROPOSAL	:	<u>ROOF MOUNTED AIR-CONDITIONING UNIT</u>
EXISTING USE	:	<u>RESIDENTIAL FLAT DWELLING</u>
REFERRALS	:	<u>NIL</u>
CATEGORY	:	<u>THREE</u>
REPRESENTATIONS	:	<u>THREE</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT</u>

M Bouchee declared having attended the property on a number of occasions, most recently six years ago, in her role as an elected member in the event that there is a perceived conflict of interest.

Speakers: L Zagotsis and P Gooden

Motion

220720/00018

- 1. The proposed development is NOT seriously at variance with the policies in the Development Plan.**
- 2. Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, the Council Assessment Panel resolves to grant Development Plan Consent, to Development Application 110/00110/20 subject to the following conditions:**

1. That the design and siting of the air-conditioning unit shall be as shown on the amended plans (showing its location 11 metres from the southern boundary) submitted to and approved by Council unless varied by any subsequent conditions imposed herein.

Moved Y Svensson, Seconded J Gronthos

Carried

5.3 Bradford Homes, 29 Waratah Street, Seacliff (Report No 188/20)

DA NO.	:	110/00324/20
APPLICANT	:	BRADFORD HOMES
LOCATION	:	29 WARATAH STREET, SEACLIFF
DEVELOPMENT PLAN	:	CONSOLIDATED 2 JUNE 2016
ZONE AND POLICY AREA	:	RESIDENTIAL CHARACTER ZONE POLICY AREA 12
NATURE OF DEVELOPMENT:	:	MERIT
PROPOSAL	:	SINGLE STOREY DETACHED DWELLING
EXISTING USE	:	RESIDENTIAL
CATEGORY	:	TWO
REPRESENTATIONS	:	ONE
RECOMMENDATION	:	DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS

Motion

220720/00019

1. The proposed development is NOT seriously at variance with the policies in the Development Plan.
2. Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, the Council Assessment Panel resolves to grant Development Plan Consent to Development Application 110/00324/20 comprising a single storey detached dwelling at 29 Waratah Street, Seacliff.

PLANNING CONDITIONS

1. The proposal shall be implemented as shown on the plans prepared by Bradford Homes, Job No. 80180, Sheets 1 to 3, unless varied by any subsequent conditions imposed herein.
2. Stormwater shall be managed in accordance with Stormwater Management Plans (Project No. SA190062, CO1, CO2, CO3 Issue A) prepared by Sagero dated 13 February 2020.
3. Landscaping shall be established within the front and rear yards, and comprise trees, shrubs and grasses that are established prior to occupation and maintained to the reasonable satisfaction of Council.
4. 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.

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.

Moved Y Svensson, Seconded S Reachill

Carried

**5.4 Burbank Australia (SA) Pty Ltd, 1 Leane Avenue, Glenelg North
(Report No 189/20)**

DA NO.	:	<u>110/00310/20</u>
APPLICANT	:	<u>BURBANK AUSTRALIA (SA) PTY LTD</u>
LOCATION	:	<u>1 LEANE AVENUE, GLENELG NORTH</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 2 JUNE 2016</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL ZONE</u>
NATURE OF DEVELOPMENT:		<u>MERIT</u>
PROPOSAL	:	<u>A PAIR OF TWO STOREY DETACHED DWELLINGS ABUTTING ONE ANOTHER ON A SINGLE SITE (TO BE KNOWN AS 5A & 5B MCCANN AVENUE, GLENELG NORTH)</u>
EXISTING USE	:	<u>VACANT LAND</u>
CATEGORY	:	<u>TWO</u>
REPRESENTATIONS	:	<u>ONE</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS</u>

Motion

220720/00020

- 1. The proposed development is NOT seriously at variance with the policies in the Development Plan.**
- 2. Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, the Council Assessment Panel resolves to grant Development Plan Consent to Development Application 110/00310/20 comprising a pair of two storey detached dwellings abutting one another on a single site (to be known as 5A & 5B McCann Avenue, Glenelg North) at 1 Leane Avenue, Glenelg North.**

PLANNING CONDITIONS

- 1. The proposal shall be implemented as shown on the plans prepared by Burbank, Job No. 128846, A1 to A5 for Buildings for '5A and 5B McCann Ave') dated 16/04/2020 unless varied by any subsequent conditions imposed herein.**
- 2. Provision of a landscape plan containing a number of semi mature trees and other plantings be submitted to Council for assessment prior to the issue of Development Approval.**
- 2. Landscaping shall be established within the front and rear yards, and comprise trees, shrubs and grasses that are established prior to occupation and maintained to the reasonable satisfaction of Council.**
- 3. 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.

4. That 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.
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.

Moved D Bailey, Seconded J Gronthos

Carried

6. REPORTS BY OFFICERS

6.1 Nil.

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

7.1 Anthony gave a briefing on the changes to Development Assessment with the introduction of Stage 3.

8. CLOSURE

The meeting closed at 10.05 pm.

CONFIRMED Wednesday, 26 August 2020

PRESIDING MEMBER