

Minutes of the Council Assessment Panel of the City of Holdfast Bay held in the Kingston Room, Civic Centre, Jetty Road, Brighton, on Wednesday, 28 February 2018 at 7:00pm.

MEMBERS PRESENT

Presiding Member – J Newman

G Goss

D Bailey

A Vine

R Clancy

STAFF IN ATTENDANCE

Manager Development Services – A Marroncelli

Team Leader Development Assessment – C Watson

Development Officers – D Spasic, A Stamatopoulos

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

280218/004

That the minutes of the Council Assessment Panel held on 24 January 2018 be taken as read and confirmed.

Moved by G Goss, Seconded by R Clancy

Carried

5. COUNCIL ASSESSMENT MATTERS

5.1 David Clarke, 1 Warwick Court, North Brighton (Report No 40/18)

110/00923/17

DA NO.	:	_____
APPLICANT	:	DAVID CLARKE
LOCATION	:	1 WARWICK COURT, NORTH BRIGHTON
DEVELOPMENT PLAN	:	CONSOLIDATED 2 JUNE 2016
ZONE AND POLICY AREA	:	RESIDENTIAL ZONE
NATURE OF DEVELOPMENT	:	MERIT
PROPOSAL	:	TORRENS TITLE LAND DIVISION (110/D079/17) CREATING TWO ALLOTMENTS FROM ONE ALLOTMENT
EXISTING USE	:	RESIDENTIAL
REFERRALS	:	NOT APPLICABLE
CATEGORY	:	ONE
REPRESENTATIONS	:	NOT APPLICABLE
RECOMMENDATION	:	DEVELOPMENT APPROVAL

Motion

280218/005

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 Holdfast Bay (City) Development Plan, the Development Assessment Panel resolves to **grant Development Approval** to Development Application 110/00923/17 for a Torrens Title land division creating two allotments from one allotment at 1 Warwick Court, North Brighton subject to the following conditions:

PLANNING CONDITIONS

1. The proposal shall be implemented as shown on the plan of division prepared by Sawley Lock O'Callaghan, Drawing No. 17352-01, Revision 1, Sheet 1 of 1, dated 31/10/2017 unless varied by any subsequent conditions imposed herein.
2. That the applicant shall advise Council in writing of the demolition of all buildings, structures, footings, pipes and other deleterious materials have been removed from the site in order that Section 51 Clearance may be granted.
3. Payment of \$6830 into the Planning and Development Fund (1 allotment @ \$6830/allotment). Payment may be made by credit card via the internet www.edala.sa.gov.au <<http://www.edala.sa.gov.au>> or by phone (7109 7018), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815,

Adelaide, 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.

- 4. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services. The alteration of internal drains to the satisfaction of SA Water is required. An investigation will be carried out to determine if the connection/s to your development will be costed as standard or non-standard. On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.**

- 5. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.**

Moved G Goss, Seconded A Vine

Carried

5.2 Rossdale Homes Pty Ltd, 1 Warwick Court, North Brighton (Report No 41/18)

DA NO.	:	<u>110/00787/17</u>
APPLICANT	:	<u>ROSSDALE HOMES PTY LTD</u>
LOCATION	:	<u>1 WARWICK COURT, NORTH BRIGHTON</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 SEMI-DETACHED DWELLINGS WITH AN INTEGRAL GARAGE AND WALL LOCATED ON THE EASTERN AND WESTERN SIDE BOUNDARIES RESPECTIVELY</u>
EXISTING USE	:	<u>RESIDENTIAL</u>
REFERRALS	:	<u>NOT APPLICABLE</u>
CATEGORY	:	<u>TWO</u>
REPRESENTATIONS	:	<u>THREE</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS</u>

Speakers: B Lawton (on his own behalf and on behalf of K Baulderstone) and J Jordan (on behalf of A & M O’Grady).

Motion

280218/006

- 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 considers that the proposed development is sufficiently at variance with the Development Plan and that Development Application 110/00787/17**

be refused Development Plan Consent for the reason that it is contrary to General Section Design & Appearance Principles 8, 21, 24, 27, 28 and Residential Zone Objective 3, Desired Character Statement, and Principles 8 & 9.

More specifically, the application does not meet the intent of the Development Plan in that it displays:

- **Insufficient side wall setbacks**
- **Excessive height of side boundary walls**
- **Location of the garaging forward of the dwellings**
- **Excessive site coverage**
- **Inadequate upper storey setbacks**
- **Inadequate primary street setbacks**
- **Failure to reinforce the suburban character and form of the locality**
- **Failure to either contain the upper storey within the roof space or within 40 percent of the ground floor footprint**

Moved A Vine, Seconded R Clancy

Carried

5.3 HB & B Property, 100 Diagonal Road, Somerton Park (Report No 42/18)

DA NO.	:	<u>110/01037/17</u>
APPLICANT	:	<u>HB & B PROPERTY</u>
LOCATION	:	<u>100 DIAGONAL ROAD, SOMERTON PARK</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 2 JUNE 2016</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL</u>
NATURE OF DEVELOPMENT	:	<u>MERIT</u>
PROPOSAL	:	<u>63 PLACE LONG DAY CARE CHILD CARE CENTRE WITH ASSOCIATED PARKING, FENCING AND LANDSCAPING</u>
EXISTING USE	:	<u>DETACHED DWELLING</u>
REFERRALS	:	<u>DPTI</u>
CATEGORY	:	<u>THREE</u>
REPRESENTATIONS	:	<u>THREE</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT WITH CONDITIONS</u>

Speakers: A Lian and J Janson

Motion

280218/007

- 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 110/01037/17 subject to the following conditions:**

DEVELOPMENT PLAN CONSENT CONDITIONS

- 1. That the design and siting of all buildings and structures and site works shall be as shown on the plans dated 23/01/18 submitted to and approved by Council including the acoustic measures as described in the Sonus report dated November 2017 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 the finished level of the crossover at the property boundary shall be a minimum of 75mm above the top of kerb in accordance with AS2890.1, and the maximum gradient of the driveway shall not be greater than 5% across the footpath, with the invert profile conforming to AS2876.**

Furthermore, the footpaths on either side shall be graded to the driveway preventing tripping hazards at this junction, without any steep grades along the footpath.

The provision for vehicle crossovers and inverts, and reinstatements of existing crossovers not required by the development, be constructed at the owner's expense.

- 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 details of air-conditioning plant and appropriate acoustic screening be submitted to Council prior to Development Approval.**
- 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.
12. That provision is made for the secure parking of bicycles on the site, the details of which are to be provided to council for further assessment prior to the issue of Development Approval.

DPTI Conditions

13. Car parks 7 and 8 shall be designated as staff parking only.
14. The access point shall comply with Figure 3.3 'Minimum Sight Lines for Pedestrian Safety' as defined in AS/NZ 2890.1:2004.
15. The largest vehicle permitted on site shall be a 6.4 metre Small Rigid Vehicle (SRV).
16. All vehicles larger than a B99 vehicle shall access the site outside of business hours only.
17. All vehicles shall enter and exit the site in a forward direction.
18. Signage shall be finished in a low reflectivity to minimise the risk of sun and headlamp glare for motorists.
19. Signage associated with the development shall not contain any element that flashes, scrolls, moves or changes.
20. The utilisation of Trailer Mounted Variable Message Displays for advertising purposes shall not be permitted on or adjacent to the subject land.
21. Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of Diagonal Road. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

Notes:

- Council's City Asset's department advises that Council's floodplain map indicates that the road is affected by the 100 year Average Recurrence Interval to a depth of 0.3 metres. Therefore a ground FFL at 0.45 metres above the road water table will have a freeboard of 0.15 metres.

- Council’s Environmental Health Officer advises that the aspects of the development associated with the handling of food, must comply with the Food Safety Standard 3.2.3: Food Premises and Equipment.

Moved D Bailey, Seconded A Vine

Carried

5.4 Craig and Leah Hargraves, 75 Whyte Street Somerton Park (Report No 44/18)

DA NO.	:	<u>110/00017/18</u>
APPLICANT	:	<u>CRAIG AND LEAH HARGRAVES</u>
LOCATION	:	<u>75 WHYTE STREET SOMERTON PARK</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>REMOVAL OF SOUTHERN MOST NORFOLK ISLAND PINE</u>
REFERRALS	:	<u>ARBORIST</u>
CATEGORY	:	<u>ONE</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN REFUSAL</u>

Motion

280218/008

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 considers that the proposed development is sufficiently at variance with the Development Plan and that Development Application 110/00017/17 be refused Development Plan Consent for the reason that it is contrary to Significant Trees Objectives 1 and Principles 1 (a), (f) and 3 (a) (i), (ii), (iii), b, and c.

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

- Removal of a healthy and notable significant tree that will adversely impact the amenity and character of the locality.

Moved A Vine, Seconded D Bailey

Carried

6. REPORTS BY OFFICERS

6.1 Nil

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

7.1 Council Assessment Panel Annual Report to Council

General discussion took place regarding the content of the Annual Council Assessment Panel Report to Council, with specific mention of addressing the current Development Plan disparity between policies relating to the prescribed height for dwelling and garage walling.

8. CLOSURE

The meeting closed at 8:02pm.

CONFIRMED Wednesday, 28 March 2018

PRESIDING MEMBER