

Minutes of the Development Assessment Panel of the City of Holdfast Bay held in the Kingston Room, Civic Centre, Jetty Road, Brighton, on Tuesday, 18 October 2016 at 7:00pm.

MEMBERS PRESENT

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

STAFF IN ATTENDANCE

Manager Development Services – A Marroncelli
Team Leader Development Assessment – C Watson
Development Officers – E Kenchington

1. OPENING

J Newman welcomed the people in the gallery.

2. APOLOGIES

Apologies Received – P Dinning
Absent – Nil

3. DECLARATION OF INTEREST

Members were reminded to declare their interest before each item.

4. CONFIRMATION OF MINUTES

Motion

280916/0040

That the minutes of the Development Assessment Panel held on 24 August 2016 be taken as read and confirmed.

Moved by A Bradshaw, Seconded by D Bailey

Carried

5. DEVELOPMENT ASSESSMENT MATTERS

5.1 MRS Harmony Brighton Central Pty Ltd, 519 – 531 Brighton Road, 10 Edwards Street, 1 and 2 Rutland Avenue Brighton (Report No 237/16)

DA NO.	:	<u>110/00555/16</u>
APPLICANT	:	<u>MRS HARMONY BRIGHTON CENTRAL PTY LTD</u>
LOCATION	:	<u>519–531 BRIGHTON ROAD, 10 EDWARDS STREET, 1 AND 2 RUTLAND AVENUE BRIGHTON</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 2 JUNE 2016</u>
ZONE AND POLICY AREA	:	<u>DISTRICT CENTRE ZONE BRIGHTON AND HOVE POLICY AREA 16</u>
NATURE OF DEVELOPMENT :		<u>MERIT</u>
PROPOSAL	:	<u>PARTIAL DEMOLITION AND REDEVELOPMENT OF EXISTING SHOPPING CENTRE, EXTENSION OF CARPARK, LANDSCAPING, FENCING AND RELOCATION OF TWO PYLON SIGNS</u>
EXISTING USE	:	<u>SHOPS AND BANK</u>
REFERRALS	:	<u>DPTI</u>
CATEGORY	:	<u>TWO</u>
REPRESENTATIONS	:	<u>THIRTEEN</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT WITH CONDITIONS</u>

Speakers: S Mitchell, S O’Grady, G Smith, C Plummer and R Thomas

Motion

280916/0041

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 110/00555/16, 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 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 crossovers at the property boundaries 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. 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.
7. That details of air conditioning plant and appropriate acoustic screening be submitted to Council prior to Development Approval be issued.
8. That all waste collection be restricted to 9am-7pm Sunday and Public Holidays and 7am-7pm on other days.
9. That the retractable bollards in the western car park be raised at the close of business each day.
10. That the acoustic fence be extended along the eastern boundary of 1 Marlborough Street and be constructed in accordance with the recommendation of Sonus as detailed in their letter dated 2 August 2016.
11. 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.
12. 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.
13. 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.

14. That all hard building materials, waste and litter on site be stored in a manner that secures it on site during the construction works.
15. That no solid or liquid trade wastes be discharged to the stormwater system.
16. That the Brighton Road pedestrian crossing shall be upgraded to provide an additional signal lantern facing the Brighton Road access to the reasonable satisfaction of DPTI.
17. That the existing right turn lane into Edwards Street shall be modified to maximise vehicle storage within the Brighton Road median, envisaging the retention of the tree. This shall be to the standards and requirements of DPTI.
18. That any redundant portion of the right turn lane on Brighton Road shall be removed and the median reinstated to the reasonable satisfaction and requirements of DPTI.
19. That the Edwards Street/Brighton Road junction shall be upgraded to provide separate left and right turn lanes on the Edwards Street approach to the reasonable satisfaction of Council.
20. That a standard white on blue parking sign shall be installed on Brighton Road to the reasonable satisfaction of DPTI in order to provide advanced notice to south bound motorists of the Marlborough Street supermarket ingress.
21. That appropriate signage and line marking shall be installed to reinforce the desired traffic flow at the Brighton Road, Edwards Street and Marlborough Street access points.
22. That all road works deemed to be required to facilitate safe access shall be designed and constructed to comply with Austroads Guides and Australian Standards and to the satisfaction of DPTI, with all costs (including design, construction, project management and any changes to road drainage etc.) to be borne by the applicant. Prior to undertaking any detailed design, the applicant shall contact DPTI Traffic Operations, A/Project Liaison Engineer, Mrs Christina Canatselis on telephone (08) 8226 8262 or mobile 0401 120 490 (christina.canatselis@sa.gov.au) to obtain approval and discuss any technical issues regarding the required works.
23. That all traffic movements to/from the Brighton Road two-way access point shall be restricted to left turn in/left turn out only in order to maximise road safety and minimise the disruption to the free flow of traffic.
24. That the largest vehicle permitted on site shall be restricted to an 18.0 metre articulated vehicle.

25. All delivery vehicle movements by vehicles larger than a 6.4 metre Small Rigid Vehicle (SRV) shall occur outside of the peak travel times on Brighton Road and not coincide with peak business operations of the development.
26. All refuse collections shall occur outside of the peak travel times on Brighton Road and not coincide with peak business operations of the development.
27. That the first car parking space adjacent to the Brighton Road access point shall be dedicated to low turnover use (i.e. staff or disabled use) in order to minimise conflict adjacent the access point.
28. That the commercial parking areas shall conform to AS 2890.2-2002: Off-street commercial parking facilities.
29. That all car parking shall be designed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009.
30. That signage associated with the development shall not contain any element of LED or LCD display that is viewable from the adjacent/nearby roads.
31. That signage upon the site shall not contain any element that flashes, scrolls, moves or changes.
32. That the signage associated with the development 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. Subsequently, any illuminated sign shall be limited to a maximum luminance of $\leq 200\text{cd/m}^2$.
33. That signage associated with the development shall be finished in a material of low reflectivity to minimise the risk of sun/headlamp glare that may affect motorists' perception of the road.
34. That the utilisation of Trailer Mounted Variable Message Displays for advertising purposes shall not be permitted on or adjacent to the subject land.
35. That no stormwater from this development shall be permitted to discharge on-surface to Brighton Road, Edwards Street and Marlborough Street. In addition, any existing drainage of Brighton Road shall be accommodated by the development and any alterations to road drainage infrastructure as a result of this development are to be at the expense of the developer.

- 36. That negotiation shall occur between the applicant and Council's Asset Department to reach agreement on the design of a suitable barrier in the form of a concrete kerbside plinth or edging within the public roadway adjacent the eastern boundary with the property at 1 Marlborough Street. The barrier shall be designed to prevent vehicles causing damage to the proposed acoustic fence along the eastern boundary with 1 Marlborough Street, and be constructed in accordance with relevant Australian Standards for infrastructure on public roads. Agreed outcomes from the negotiations, including any detailed designs, shall be provided prior to the issue of Building Rules Consent, with all work to be completed prior to the occupation of the development, with the applicant responsible for all costs associated with construction.**
- 37. That security, external and outdoor lighting on the buildings, within car parking and pedestrian areas shall be designed and installed in accordance with relevant Australian Standards and shall be of an intensity and 'spread' so as not to cause a light over spill nuisance to adjacent residential occupiers, or cause a distraction to drivers on adjacent public roads.**

Moved R Clancy, Seconded G Goss

Carried

**5.2 Oaks Hotels & Resorts Pty Ltd, 25–29 Colley Terrace Glenelg
(Report No 238/16)**

DA NO.	:	<u>110/00564/16</u>
APPLICANT	:	<u>OAKS HOTELS & RESORTS PTY LTD</u>
LOCATION	:	<u>25 – 29 COLLEY TERRACE GLENELG</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 26 MAY 2016</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL HIGH DENSITY ZONE POLICY AREA 15 PRECINCT 5</u>
NATURE OF DEVELOPMENT :		<u>MERIT</u>
PROPOSAL	:	<u>VARIATION TO DEVELOPMENT APPLICATION 110/00842/08 (TO USE THE FOLLOWING 69 APARTMENTS IN LIBERTY TOWERS AS SERVICED APARTMENTS: LEVEL 1: APTS 102 AND 103; LEVEL 2 APTS 202, 204, 211, 212 AND 222; LEVEL 3: APTS 312, 321 AND 326; LEVEL 4: APTS 404, 411, 413, 415, 417 AND 420; LEVEL 5: APTS 501, 511, 513, 515, 516 AND 524; LEVEL 6: APTS 602, 604, 606, 611, 612, 613, 621 AND 626; LEVEL 7: APTS: 701, 704, 706, 707, 711, 713, 715, 724 AND 727; LEVEL 8: APTS 801, 805, 811, 814, 817, 818 AND 823; LEVEL 9: APT 906, 911, 913, 916, 917, 919, 922 AND 923; LEVEL 10: APTS 1007, 1018, 1019, 1022 AND 1023; LEVEL 11: APTS 1103, 1106, 1112, 1116, 1119, 1121, 1122, 1123, 1124 AND 1125; AND TO ENCLOSE TWO CAR PARKING SPACES LOCATED ON BASEMENT LEVEL THREE AND SUBSIDIARY TO APT 524 FOR THE PURPOSE OF STORING LINEN AND CLEANING EQUIPMENT) TO AMEND CONDITION 1 TO REMOVE THE RESTRICTION ON TOTAL NUMBER OF SERVICED APARTMENTS AND TO CAP THE TOTAL NUMBER AT 100</u>
EXISTING USE	:	<u>RESIDENTIAL FLAT BUILDING</u>
REFERRALS	:	<u>NO</u>
CATEGORY	:	<u>THREE</u>
REPRESENTATIONS	:	<u>14</u>
RECOMMENDATION	:	<u>DEVELOPMENT APPROVAL</u>

Speakers: G Maidment, E Bin, C Haines, J Psellos, P Jenzen, C Fiebig and
J Levinson

Motion**280916/0042**

Following detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, and consideration of representations, it is recommended that the Development Assessment Panel approve the development application (DA 110/00564/16) subject to the following conditions:

1. There is to be a maximum number of 100 apartments to be used as serviced apartments within the building
2. The serviced apartments are only to have linen supplied and are only to be cleaned between 8.00 am and 5.00 pm Monday to Friday and 9.00 am to 5.00 pm on Saturday and Sunday.
3. The linen and cleaning equipment storage area to be constructed on the two parking spaces both currently numbered "524" ("the Linen Storage Area") is to be constructed in accordance with the plan annexed to these conditions and marked "B".
4. Any service vehicle associated with the serviced apartments and the use of the Storage Area must not park or stand other than in a car park controlled by the appellant (or other person with the benefit of the approval).
5. The appellant (or other persons with the benefit of the approval) will at all times maintain a reception area in the area marked "Reception" on the plans annexed to these conditions and marked "C".
6. The reception area shall remain open for check in between 7.30 am and 8.00 pm daily.
7. The appellant (or other persons with the benefit of the approval) will not accept walk in bookings from members of the public.
8. The appellant (or other persons with the benefit of the approval) will ensure that at all times luggage is not stored in the area marked "foyer" on the plans annexed to these conditions and marked "C" or in the area behind the reception desk.
9. The appellant (or other persons with the benefit of the approval) must provide every guest using the car parking facilities with a map indicating the location of the car park/s to be used by that guest/s.
10. The appellant (or other persons with the benefit of the approval) will not provide any apartment guests with food and beverage services in the premises.

11. **The appellant (or other persons with the benefit of the approval) will not provide mini-bar facilities or fridges that are kept stocked by the appellant except for tea/coffee making facilities.**
12. **That Oaks Hotels and Resorts Pty Ltd shall provide written updates each month to Council's Rates Department advising of the current apartments under its management within Liberty Towers.**

Moved R Clancy, Seconded D Bailey

Carried

**5.3 Metro (SA) Housing Pty Ltd, 14 Kingston Crescent, Kingston PARK
(Report No 239/16)**

DA NO.	:	110/00550/16
APPLICANT	:	METRO (SA) HOUSING PTY LTD
LOCATION	:	14 KINGSTON CRESCENT, KINGSTON PARK
DEVELOPMENT PLAN	:	CONSOLIDATED 2 JUNE 2016
ZONE AND POLICY AREA	:	RESIDENTIAL ZONE
NATURE OF DEVELOPMENT	:	MERIT
PROPOSAL	:	SINGLE STOREY DETACHED DWELLING WITH INTEGRAL GARAGE SITED ON THE NORTH-WESTERN SIDE BOUNDARY AND VERANDAH AT REAR (ALLOTMENT 62)
EXISTING USE	:	RESIDENTIAL
REFERRALS	:	NOT APPLICABLE
CATEGORY	:	TWO
REPRESENTATIONS	:	ONE
RECOMMENDATION	:	DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS
HEARING OF REPRESENTORS	:	H K JAMES
HEARING OF APPLICANT	:	METRO (SA) HOUSING PTY LTD

Motion

280916/0043

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 110/00550/16 construction of a single storey detached dwelling with integral garage located on the north-western side boundary and verandah at rear (allotment 62), 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 prepared by FMG Engineering, Civil Plan, Job No. S3011-246718, dated 18 May 2016 and Metro Property Development Sheets 1 to 5, Job No. 11077, dated 11 July 2016 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. The proposed stormwater disposal system will be satisfactory if it caters for a 5 year rainfall event and the discharge to the street does not exceed 10 litres per second. Any excess above this flow is to be detained on site.
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. A detailed landscape plan and schedule shall be submitted prior to Development Approval showing plantings in the front and rear yards, including trees, to the reasonable satisfaction of Council. Landscaping shall be established within 3 months of occupation and maintained with any such vegetation being 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.
11. That amended plans shall be provided for the western elevation showing the inclusion of design measures that increase the amount of natural light into the rear alfresco area. The amended plans shall be submitted prior to the issue of Building Rules Consent and meet the reasonable satisfaction of Council.

Moved D Bailey, Seconded A Bradshaw

Carried

5.4 C L and D A Knight, 16 Seaview Avenue, Kingston Park (Report No 240/16)

DA NO.	:	110/00464/16
APPLICANT	:	C L AND D A KNIGHT
LOCATION	:	16 SEAVIEW AVENUE, KINGSTON PARK
DEVELOPMENT PLAN	:	CONSOLIDATED 2 JUNE 2016
ZONE AND POLICY AREA	:	RESIDENTIAL ZONE
NATURE OF DEVELOPMENT:		MERIT
PROPOSAL	:	TWO STOREY DETACHED DWELLING
EXISTING USE	:	VACANT LAND
REFERRALS	:	NIL
CATEGORY	:	TWO
REPRESENTATIONS	:	THREE
RECOMMENDATION	:	DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS

Motion

280916/0044

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 that the Development Assessment Panel grant Development Plan Consent, to Development Application , 110/00464/16, 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 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 the storm water disposal system shall cater for a 5 year rainfall event and the flow to the road shall not exceed 10 litres per second. Any excess above this flow is to be appropriately detained on site.**
- 6. That details of surface storm water disposal be submitted for Council approval prior to development Approval being issued.**
- 7. That storm water 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.

- 8. 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.**
- 9. 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.**
- 10. 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.**

11. 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.
12. That all hard building materials, waste and litter on site be stored in a manner that secures it on site during the construction works.
13. That no solid or liquid trade wastes be discharged to the stormwater system.
14. 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.
15. 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.

Moved D Bailey, Seconded G Goss

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 10:06 pm.

CONFIRMED Wednesday, 26 October 2016

PRESIDING MEMBER