

DEVELOPMENT NO.:	22005530
APPLICANT:	JOWETT MOTOR GROUP PTY LTD
ADDRESS:	UNIT 1-2 129-135 BRIGHTON RD GLENELG SOUTH SA 5045 127 BRIGHTON RD GLENELG SOUTH SA 5045 143 BRIGHTON RD GLENELG SOUTH SA 5045
NATURE OF DEVELOPMENT:	The proposal seeks to re-develop the existing dealership site to demolish the existing built form and reconstruct a new facility to cater for the current market requirements. Drainage and stormwater to be constructed to improve the site drainage.
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Employment • Established Neighbourhood <p>•Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Building Near Airfields • Heritage Adjacency • Hazards (Flooding - General) • Major Urban Transport Routes • Prescribed Wells Area • Regulated and Significant Tree • Traffic Generating Development • Airport Building Heights (Regulated) • Affordable Housing • Building Near Airfields • Hazards (Flooding) • Historic Area • Heritage Adjacency • Hazards (Flooding - General) • Major Urban Transport Routes • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Traffic Generating Development • Urban Tree Canopy • Airport Building Heights (Regulated) • Building Near Airfields • Major Urban Transport Routes • Prescribed Wells Area • Regulated and Significant Tree • Traffic Generating Development <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Maximum Building Height (Levels) • Maximum Building Height (Metres) • Minimum Site Area • Maximum Building Height (Levels)

	• Maximum Building Height (Levels)
LODGEMENT DATE:	24 Feb 2022
RELEVANT AUTHORITY:	Assessment Panel at City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	2022.3
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Michael Gates Development Services (Planning and Building) Lead
REFERRALS STATUTORY:	Commissioner of Highways
REFERRALS NON-STATUTORY:	Engineering Team

CONTENTS:

ATTACHMENT 1:	Application Documents
ATTACHMENT 2:	Representations
ATTACHMENT 3:	Response to Representations
ATTACHMENT 4:	Prescribed Body Responses

DETAILED DESCRIPTION OF PROPOSAL:

This application is for the construction of a new car dealership, replacing an existing car dealership on Brighton Road. Therefore, the proposal does not alter the existing use of the site. The development will comprise of used car display (open carpark) on the southern end of the site adjacent Bath Street, and customer parking at the northern end of the site. The main showroom will be located near the middle of the site, with a workshop area towards the northern end of the site. Both buildings are set off the rear boundary.

The primary access point from Brighton Road is in the middle of the site, which includes a feature roundabout. Access to the workshop is via the rear of the site, which ramps down from Bath Street, with a high retaining wall and masonry constructed on the western boundary. Underneath the workshop at a basement level is car storage for 39 vehicles.

The buildings will have a maximum height of 7 metres and will have a predominately glass frontage to Brighton Road. The rear of the building, and the wall on the boundary will mainly comprise of precast concrete panels. **See Attachment 1.**

SUBJECT LAND & LOCALITY:

Site Description:

Location reference: UNIT 1-2 129-135 BRIGHTON RD GLENELG SOUTH SA 5045

Title ref.: CT 5394/21 **Plan Parcel:** F12522 AL108 **Council:** CITY OF HOLDFAST BAY

Location reference: UNIT 1-2 129-135 BRIGHTON RD GLENELG SOUTH SA 5045

Title ref.: CT 5394/25 **Plan Parcel:** F12522 AL109 **Council:** CITY OF HOLDFAST BAY

Location reference: UNIT 1-2 129-135 BRIGHTON RD GLENELG SOUTH SA 5045

Title ref.: CT 5394/29 **Plan Parcel:** F12522 AL110 **Council:** CITY OF HOLDFAST BAY

Location reference: UNIT 1-2 129-135 BRIGHTON RD GLENELG SOUTH SA 5045

Title ref.: CT 5473/860 **Plan Parcel:** F12522 AL111 **Council:** CITY OF HOLDFAST BAY

Location reference: UNIT 1-2 129-135 BRIGHTON RD GLENELG SOUTH SA 5045

Title ref.: CT 5473/852 **Plan Parcel:** F12522 AL112 **Council:** CITY OF HOLDFAST BAY

Location reference: UNIT 1-2 129-135 BRIGHTON RD GLENELG SOUTH SA 5045

Title ref.: CT 5473/851 **Plan Parcel:** F12522 AL113 **Council:** CITY OF HOLDFAST BAY

Location reference: 127 BRIGHTON RD GLENELG SOUTH SA 5045

Title ref.: CT 5451/954 **Plan Parcel:** F12522 AL107 **Council:** CITY OF HOLDFAST BAY

Location reference: 143 BRIGHTON RD GLENELG SOUTH SA 5045

Title ref.: CT 5208/984 **Plan Parcel:** F12522 AL114 **Council:** CITY OF HOLDFAST BAY

The subject site is made up of multiple allotments that front onto Brighton Road. There is an existing single storey car dealership on the site, with a large masonry wall on the western boundary. The majority of the site is located in the Employment Zone, with the end car park on the northern end located in the Established Neighbourhood Zone.

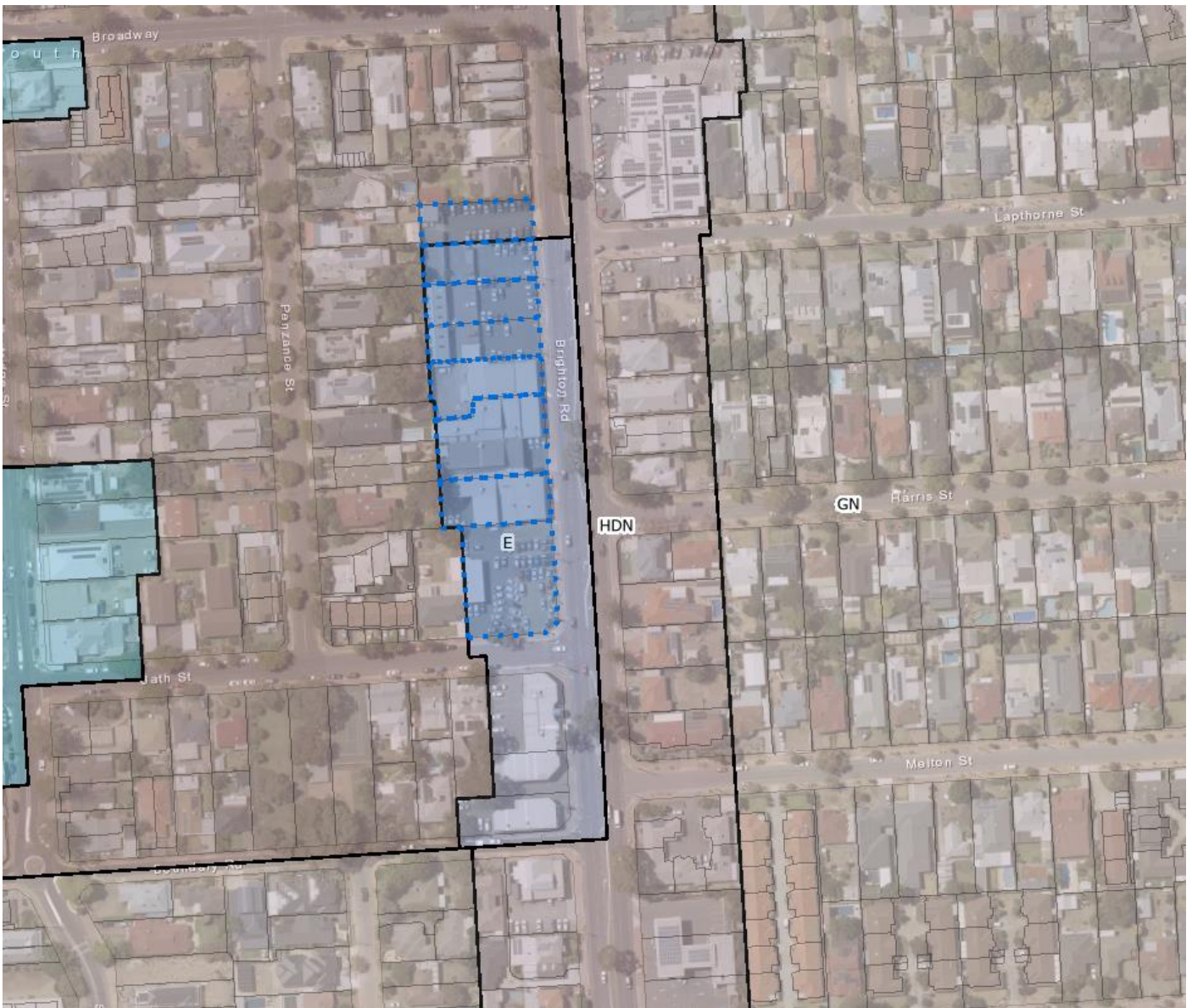
The site comprises multiple allotment, with most in the Employment Zone, however, the northern allotment is located in the Establish Neighbourhood Zone. The applicant also proposes to amalgamate the allotment, but this is exempt from being classified as development, and therefore does not form part of the proposal.

There is a noticeable depression in the north west corner of the site that drops approximately 2 metres from the street.

Locality

The locality is a mix of commercial and residential uses, with Brighton Road running through the middle of the locality, which impacts heavily on the amenity due to the large amount of vehicle traffic. The locality comprises four Zones, Employment, Housing Diversity Neighbourhood, General Neighbourhood, and Established Neighbourhood, which highlights the diversity of housing in the locality.

There is also car dealership on the eastern side of Brighton Road. There is one local heritage place located to the west, of the carpark on the northern end. Given the proposal is to the rear of the heritage place, and the zoning of the proposed site, the development is considered not to impact on the heritage character of that building.



CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:** Service trade premises: Code Assessed - Performance Assessed
 Motor repair station: Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:**
 Code Assessed - Performance Assessed
- **REASON**
 P&D Code

PUBLIC NOTIFICATION

- **REASON**

Height of fence on the western boundary, use adjacent residential

- **LIST OF REPRESENTATIONS – see Attachment 2**

Adam, Crabbe,	32, James Street, Plympton SA 5038
Felicity, Cunningham,	84 Penzance Street, Glenelg South SA 5045
Dmitry, Fedorov,	78 Penzance Street, Glenelg South SA 5045
Irene, Fedorov,	78 Penzance Street, Glenelg South SA 5045
Shereyn, Hunt,	74 Penzance Street, Glenelg South SA 5045
Tracey, Jones,	1/88 Penzance Street, Glenelg South SA 5045
Cate and Eddie, Lightfoot,	76 Penzance Street, Glenelg South SA 5045
Mark, Lock,	Post Office Box 745, Macclesfield SA 5153
David, Monck,	72 Bath Street, Glenelg south SA 5045
Lucy, Noblet,	86 Penzance Street, Glenelg South SA 5045
Geoffrey, Peterson	Unit 2 88 Penzance Street, Glenelg South SA 5045
Andrew, Seal,	74 Penzance Street, Glenelg South SA 5045
Looker, Tim,	129-135 Brighton Road, Glenelg South SA 5048
David, Wilsdon,	80 Penzance Street, Glenelg South SA 5045

- **SUMMARY**

- Wall at the rear needs to be maintained at the existing height, and of masonry construction
- Need to lock new carpark
- Stormwater issues – flooding
- Staff parking in the street
- Building height
- Oppose amalgamation of site (not development).
- Block tv antenna
- Overlooking during construction
- Lack of landscaping
- Smoking areas
- Car movements on site

It is noted that the applicant undertook their own consultation with the neighbours. Comments from this are contained in **Attachment 3**.

In response to the concerns raise the applicant has provided further detail about the wall on the western boundary, and also included security gates at the ends of the rear lane to ensure this is not accessed after hours.

AGENCY REFERRALS

- Commissioner of Highways

No objections, conditions including in recommendation. See Attachment 4.

INTERNAL REFERRALS

Stormwater and traffic

- No concerns relating to traffic as proposal considered acceptable
- The on-site stormwater retention does not appear to be large enough for our requirements. Please note our requirement that all new developments shall provide detention and / or retention with post development flows from the site in a 100 year ARI event to not exceed pre-development flows for a 5 year ARI event.

PLANNING ASSESSMENT

The application has been assessed against the relevant provisions of the Planning & Design Code, which are contained in Appendix One.

Quantitative Provisions

Land Use, Design & Appearance

The proposal does alter the existing use of the land as a service trade premise. Service Trade Premises are listed as a preferred use for the Employment, and is considered appropriate in this instance.

Given the nature of the site, hours of operation will be limited to standard business hours, and will not operate on Sundays.

The building will be a mix of showroom floor area, workshop, basement parking and a mezzanine office level. In total there is 4620 square metres of floor area

AREA ANALYSIS

SITE	7060.10 m ²
BASEMENT	1485.30 m ²
WORKSHOP	1122.80 m ²
SHOWROOM	1729.00 m ²
MEZZANINE	283.70 m ²
TOTAL	4620.80 m ²

The building is of a flat roof design, with glass facades presenting to the street to show the vehicles on display. The northern and western facades will be constructed of precast concrete panels. The overall design of the building and use of materials is considered to be well articulated and will add visual interest to the street. The signage is incorporated into the design of the building and will not appear as a proliferation of the site. Therefore, the proposal is considered to satisfy the Desired Outcome for the Employment Zone.

Desired Outcome	
DO 1	A diverse range of low-impact light industrial, commercial and business activities that complement the role of other zones accommodating significant industrial, shopping and business activities.
DO 2	Distinctive building, landscape and streetscape design to achieve high visual and environmental amenity particularly along arterial roads, zone boundaries and public open spaces.

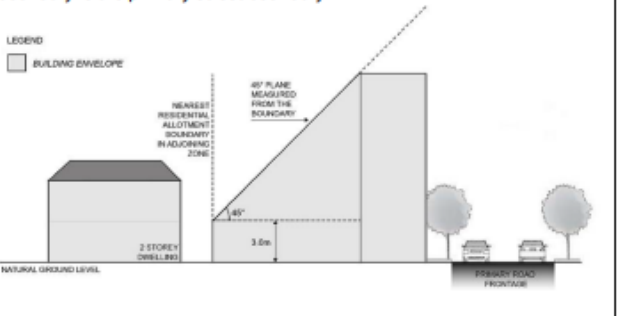
Screening is proposed at the rear of the site to minimise the visual impact to the adjacent residential properties to the west. This is considered to be a good solution, rather than having the mechanical plants visible.

Building Height

The proposed building will have a height of 7 metres above ground level. The site will be raised slightly above the existing level to give prominence to the streetscape. This is considered acceptable in this instance and will and visual interest to the site, rather than a bland flat commercial site. Zone PO 3.5 seeks buildings to be no more than 2 building levels, or 9 metres, which this proposal satisfies, with the exception of a small portion in the north eastern corner of the building. This is due to a depression in the site, and a small part of the building will be about 10 metres above existing ground level. Given the articulation of the building and setback of 10 metres to the boundary of that part of the building, the height is considered acceptable in this instance.

The rear setback to the Established Neighbourhood Zone varies, but is no closer than 5.4 metres. As such, the proposal meets the building setback envelope of PO 3.6.

<p>PO 3.5</p> <p>Building height is consistent with the form expressed in any relevant <i>Maximum Building Height (Levels) Technical and Numeric Variation layer</i>, and is otherwise generally low-rise to complement the established streetscape and local character.</p>	<p>DTS/DPF 3.5</p> <p>Building height is not greater than:</p> <p>(a) the following:</p> <table border="1" data-bbox="743 913 1364 976"> <tr> <th>Maximum Building Height (Levels)</th> </tr> <tr> <td>Maximum building height is 2 levels</td> </tr> </table> <p>(b) in all other cases (i.e. there are blank fields for both maximum building height (metres) and maximum building height (levels)) - 2 building levels up to a height of 9m.</p> <p>In relation to DTS/DPF 3.5, in instances where:</p> <p>(c) more than one value is returned in the same field for DTS/DPF 3.5(a) refer to the <i>Maximum Building Height (Levels) Technical and Numeric Variation layer</i> or <i>Maximum Building Height (Metres) Technical and Numeric Variation layer</i> in the SA planning database to determine the applicable value relevant to the site of the proposed development</p> <p>(d) only one value is returned for DTS/DPF 3.1(a) (i.e. there is one blank field), then the relevant height in metres or building levels applies with no criteria for the other.</p>	Maximum Building Height (Levels)	Maximum building height is 2 levels
Maximum Building Height (Levels)			
Maximum building height is 2 levels			

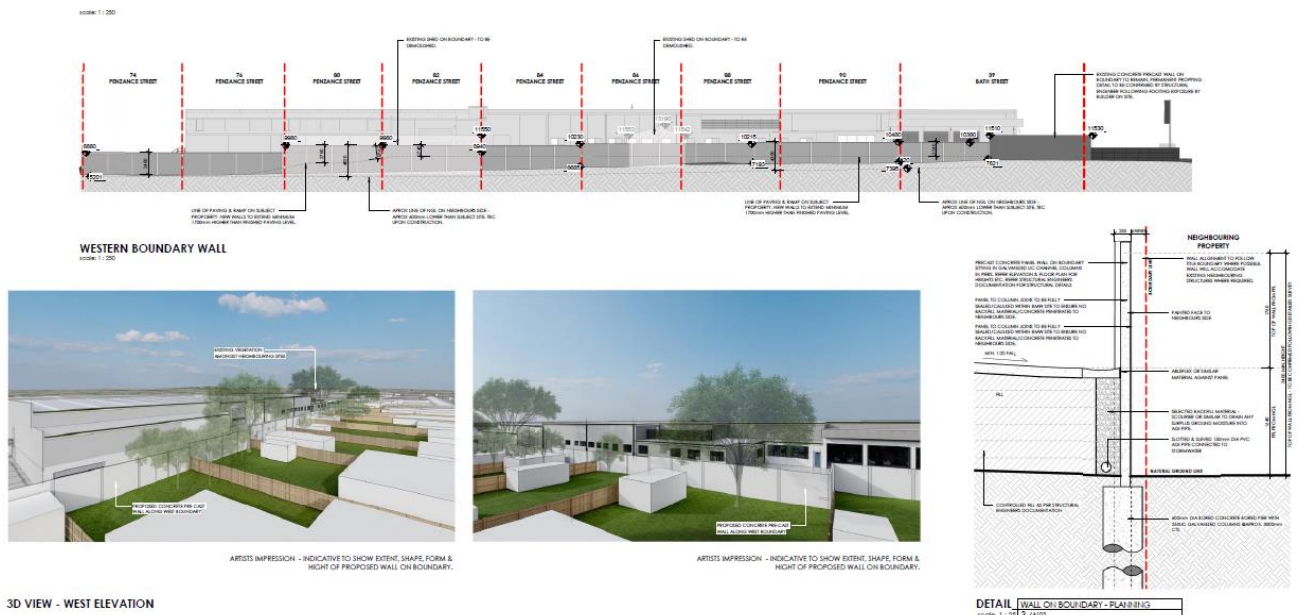
<p>PO 3.6</p> <p>Buildings mitigate visual impacts of building massing on residential development within a neighbourhood-type zone.</p>	<p>DTS/DPF 3.6</p> <p>Buildings are constructed within a building envelope provided by a 45 degree plane, measured from a height of 3m above natural ground level at the boundary of an allotment used for residential purposes in a neighbourhood-type zone as shown in the following diagram, except where the relevant boundary is a southern boundary or where this boundary is the primary street boundary.</p>  <p>LEGEND</p> <p>□ BUILDING ENVELOPE</p> <p>NEAREST RESIDENTIAL ALLOTMENT BOUNDARY IN ADJOINING ZONE</p> <p>45° PLANE MEASURED FROM THE BOUNDARY</p> <p>3.0m</p> <p>NATURAL GROUND LEVEL</p> <p>2 STOREY RESIDENTIAL BUILDING</p> <p>PRIMARY ROAD FRONTAGE</p>
---	--

Setbacks

The main setback of concern in this instance is to the western boundary. The setbacks to Bath Street, Brighton Road and to the north are all considered acceptable and will not negatively impact on the streetscape.

In regards to the western boundary, the setback varies between 14.4 metres and 5.4 metres at its closest point, with the setback mostly around 6 metres. A rear lane is proposed along the western boundary that will provide vehicle access to the workshop. There is currently a large masonry wall on the boundary and the major point of the representations was that the neighbouring will like a large masonry fence as to minimise the impact from the development.

The applicant has provided amended plans that show a masonry wall up to a height of 3.4 metres on the boundary. Given the comments received during the consultation this is considered to be an acceptable outcome in this instance and will minimise the visual and noise impacts of the development.



Heritage

As previously stated, the subject site is located to the rear of a local heritage place, and in a different Zone. Given the separation distance, the proposal is considered to not unreasonably impact on the heritage character of the property. It is noted that there is no built form directly behind the heritage listed property.

Traffic Impact, Access and Parking

According to the Planning and Design Code the proposal requires 115 parking spaces (2.5 spaces per 100sqm of floor area for a service trade premise) for the internal area. Development Plans used to have a parking rate requirement for car yards that were significantly lower than service trade premises. This has disappeared in the Planning and Design Code. It is noted that the proposal provides 10 parking spots at the front of the site. This is more than the amount of parking currently available on the site, 6 sites for visitors. It is also noted that there is onsite parking available from Bath Street, as well as the parking area at the northern end of the site. Given the amount of parking provided, above the existing amount, the amount of parking is considered to be acceptable in this instance.

The application was referred to both Council’s Engineering Team and the Department for Transport for the new access on Brighton Road. Both referral responses were in support of the proposal as the access from Brighton Road is considered acceptable and will allow for vehicles to enter and exit the site in an appropriate manner. The Department of Transport has provided a list of conditions to be included in any approval. These have been included in the recommendation.

The plans demonstrate that the delivery of vehicles will be unloaded on the site, and a condition has been recommended that this is only to occur on the site, not on Brighton Road.

Landscaping

Zone PO 5.1 seeks landscaping to enhance the visual appearance of the development when viewed from the street. The proposal provides 366sqm of landscaping across the site. Given the large site, this equates to 5% of the site. Given the use of the site as a car dealership and the large amount of space set aside, the proposal is considered to satisfy the Performance Outcome in this instance.

<p>PO 5.1</p> <p>Landscaping is provided to enhance the visual appearance of development when viewed from public roads and thoroughfares.</p>	<p>DTS/DPF 5.1</p> <p>Other than to accommodate a lawfully existing or authorised driveway or access point, or an access point for which consent has been granted as part of an application for the division of land, a landscaped area is provided within the development site:</p> <p>(a) where a building is set back less than 3m from the street boundary - 1m wide or the area remaining between the relevant building and the street boundary where the building is less than 1m from the street boundary or (b) in any other case - at least 1.5m wide.</p>
---	---

Noise

To assist in minimise noise impacts the proposal includes the construction of the masonry wall along the boundary, and the workshop area has minimal opening on the western façade. It is noted that the site is located in the Employment Zone, and as such the use is suitable and the design has addressed the issue of noise adequately and therefore is considered to be reasonable in this instance.

The applicant has provided the following response in regards to noise concerns raised.

The design has taken noise emission from the workshop in consideration from the outset by incorporating 180mm thick concrete panels as the wall structure to the workshop & basement. The physical offset of the workshop building to the neighbouring boundaries was implemented as part of the design to provide a distance buffer to the neighbours which assists in addressing the noise concerns.

The construction method using concrete wall panels provides a substantial noise attenuation in comparison to a typical Colourbond tin shed. This was considered in the design development phase.

To further alleviate concerns of noise from the workshop & basement we have proposed fast action minimal impact roller doors which ensure that when a car egresses or enters the workshop or basement the noise emission is kept to a minimum by maintaining an enclosed workshop at all times The air compressor housing has been located within the basement within a 200mm concrete panel room to ensure there is no noise emission externally from the compressor

These design and construction methods are considered to be sufficient to minimise the noise impacts to neighbouring properties.

Signage

The proposal includes signage on the façade of the building as well as a free standing sign fronting Brighton Road. The façade signage is considered appropriate for the Zone and is incorporated into the design of the building as to complement the streetscape.

The freestanding sign has a height less than 6m and therefore is considered to satisfy Zone PO 6.1.

Advertisements	
<p>PO 6.1</p> <p>Freestanding advertisements are not visually dominant within the locality.</p>	<p>DTS/DPF 6.1</p> <p>Freestanding advertisements:</p> <p>(a) do not exceed 6m in height above natural ground level</p> <p>(b) do not have a face that exceeds 8m².</p>

Stormwater

The stormwater referral response was only provided late in the assessment process and as such too late to request additional information. This is a matter that can be determined at a later date to the satisfaction of Council. As such a condition of approval is recommended that the applicant provide a stormwater management plan that satisfies Council's requirements, before the issuing of Development Approval.

CONCLUSION

On balance the proposal is considered to reasonably accord with the relevant Provisions of the Planning and Design Code. The height of the buildings is considered acceptable for the locality and the proposal is considered to provide measures that will minimise the impacts to the neighbouring properties.

The use of the site is considered acceptable for the Zone and reasonably minimises the impacts on the neighbouring properties. The design of the building is considered to add visual interest to streetscape and is of a high quality design.

Therefore, it is considered that the proposal warrants be granted Planning Consent subject to conditions.

RECOMMENDATION

Planning Consent be granted.

It is recommended that the Council Assessment Panel resolve that:

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
2. Development Application Number 22005530, by Jowett Motor Group Pty Ltd is granted Planning Consent subject to the following conditions:

CONDITIONS

Planning Consent

Conditions imposed by Commissioner of Highways under Section 122 of the Act

1. All access to Brighton Road and Bath Street shall be located as shown on Another Dimension Building Design, Site Design Response Plan, Project No. 21-034, Drawing No. P004, (Rev B) dated 25 October 2021 (uploaded 18 February 2022) and be undertaken in accordance with Traffic Impact Assessment, Revision A, dated 2 March 2022. The Bath Street access adjacent to the Brighton Road/Bath Street intersection shall be narrowed to 4m wide to maximise separation from the Brighton Road/Bath Street tangent point.
2. The design of the forecourt access shall ensure that sightlines for all movements achieve Safe Intersection Sight Distance as specified in DTS/DPF 5.1 of the Major Urban Transport Routes Overlay.

3. The largest vehicle permitted on-site shall be restricted to a 12.5 metre Heavy Rigid Vehicle and the management of all deliveries shall be undertaken as per the Traffic Impact Statement, Revision A, dated 2 March 2022. The northern access to Brighton Road shall be suitably designed to accommodate simultaneous two-way movements for a B99 vehicle with suitable flaring to the road to accommodate the left turn out movement of a Heavy Rigid Vehicle.
4. The access points and all internal manoeuvring areas shall be suitably signed and line marked to reinforce the desired traffic flow through the site.
5. Any infrastructure within the road reserve that is demolished, altered, removed or damaged during the construction of the project shall be reinstated to the satisfaction of the relevant asset owner, with all costs being borne by the applicant.
6. All off-street car parking shall be 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.
7. All redundant crossovers (or parts thereof) shall be closed and reinstated with Council standard kerb and gutter prior to the business becoming operational. All costs shall be borne by the applicant.
8. Stormwater run-off shall be collected on-site and discharged without impacting the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.
9. A stormwater management plan shall be provided to Council prior to the issue of Development Approval that shall provide detention and / or retention with post development flows from the site in a 100 year ARI event to not exceed pre-development flows for a 5 year ARI event.

ADVISORY NOTES

General Notes

1. No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
2. Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.
3. This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.
4. Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).
5. A decision of the Commission in respect of a development classified as restricted development in respect of which representations have been made under section 110 of the Act does not operate—
 - a. until the time within which any person who made any such representation may appeal against a decision to grant the development authorisation has expired; or

- b. if an appeal is commenced—
 - i. until the appeal is dismissed, struck out or withdrawn; or
 - ii. until the questions raised by the appeal have been finally determined (other than any question as to costs).

OFFICER MAKING RECOMMENDATION**Name:** Michael Gates**Title:** Development Services (Planning and Building) Lead**Date:** 5 May 2022