

DEVELOPMENT NO.:	22015568
APPLICANT:	Jarvis Property No 3 Pty Ltd
ADDRESS:	256-260 BRIGHTON ROAD, SOMERTON PARK SA 5044 268-270 BRIGHTON ROAD, SOMERTON PARK SA 5044 2 SEAFORTH AVENUE, SOMERTON PARK SA 5044
NATURE OF DEVELOPMENT:	Construction of a Service Trade Premises comprising a new Motor Vehicle Showroom (Motor Vehicle Sales) and parts storage building, conversion of existing building to accommodate ancillary and Subordinate Motor Repair Station (Motor Vehicle Servicing) and construction of associated Car Wash Facility together with ancillary on site car parking.
ZONING INFORMATION:	Zones: <ul style="list-style-type: none"> • Employment •Overlays: <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Building Near Airfields • Hazards (Flooding - General) • Major Urban Transport Routes • Prescribed Wells Area • Regulated and Significant Tree • Traffic Generating Development • Airport Building Heights (Regulated) • Building Near Airfields • Hazards (Flooding - General) • Major Urban Transport Routes • Prescribed Wells Area • Regulated and Significant Tree • Traffic Generating Development • Airport Building Heights (Regulated) • Building Near Airfields • Prescribed Wells Area • Regulated and Significant Tree • Traffic Generating Development
LODGEMENT DATE:	17 May 2022
RELEVANT AUTHORITY:	Assessment Panel at City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	2022.8
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Michael Gates Development Services (Planning and Building) Lead
REFERRALS STATUTORY:	Commissioner of Highways Environment Protection Authority
REFERRALS NON-STATUTORY:	Engineering

CONTENTS:

ATTACHMENT 1:	Relevant P&D Code Policies
ATTACHMENT 2:	Application Documents
ATTACHMENT 3:	Prescribed Body Responses
ATTACHMENT 4:	Internal Referral Advice

DETAILED DESCRIPTION OF PROPOSAL:

This application is for the construction of a new vehicle showroom building on the corner of Brighton Road and Wilton Avenue, the change of use for an existing building fronting Brighton Road to be a workshop area, and a site on Seaforth Avenue will have a car wash facility.

The showroom will have a floor area of 890 square metres, with a car display and offices on the ground floor, and a spare parts area on the upper level. The building will comprise of framed windows on the ground floor and prefinished aluminium cladding on the upper levels.

The workshop will have a floor area of 1000sqm inside the existing building, which will have new cladding to the exterior walls to match the adjacent building.

The car wash area will have a floor area of 260 square metres and also be finished in prefinished aluminium cladding.

The whole development site incorporates six different allotments and provides a consistent presentation to the street, as well as increasing the amount of landscaping on the site compared to the current situation.

BACKGROUND:

This application is for the construction of a car dealership with associated facilities such as car servicing, car wash and display yards and storage. The overall development comprises multiple stages, with two other applications for adjacent allotments already approved. Those applications did not require notification and were assessed and approved by the Assessment Manager. The applications are not reliant on each other and can operate individually if not all the applications are approved.

The applicant operates a car dealership on South Road, but is required to move from that site due to road widening to accommodate the South Road expansion.

SUBJECT LAND & LOCALITY:

Site Description:

Location reference: 256-260 BRIGHTON RD SOMERTON PARK SA 5044

Title ref.: CT 5971/146 **Plan Parcel:** D70592 AL62 **Council:** CITY OF HOLDFAST BAY

Location reference: 256-260 BRIGHTON RD SOMERTON PARK SA 5044

Title ref.: CT 5971/146 **Plan Parcel:** D70592 AL63 **Council:** CITY OF HOLDFAST BAY

Location reference: 256-260 BRIGHTON RD SOMERTON PARK SA 5044

Title ref.: CT 5971/146 **Plan Parcel:** D70592 AL64 **Council:** CITY OF HOLDFAST BAY

Location reference: 268-270 BRIGHTON RD SOMERTON PARK SA 5044

Title ref.: CT 5971/144 **Plan Parcel:** D70592 AL60 **Council:** CITY OF HOLDFAST BAY

Location reference: 268-270 BRIGHTON RD SOMERTON PARK SA 5044

Title ref.: CT 5718/136 **Plan Parcel:** F9994 AL605 **Council:** CITY OF HOLDFAST BAY

Location reference: 2 SEAFORTH AV SOMERTON PARK SA 5044

Title ref.: CT 5392/141 **Plan Parcel:** F9994 AL604 **Council:** CITY OF HOLDFAST BAY

Subject Site

The subject site is located on Brighton Road, between Wilton Avenue and Seaforth Avenue, comprising five allotments. The sites currently comprise some shops and warehouses. The site currently has crossovers onto all 3 roads. There are no regulated trees on the site, however there is one on the site immediately to the south of this proposal, which has been incorporated into the approved plans.

The site has a total area of 4,974 square metres, and a total of just under 11,500 square metres including the other sites already approved.



Aerial view of the subject site

The building below will be demolished to make way for the car display building



The building below is being retained, but changing to a service trade premise.

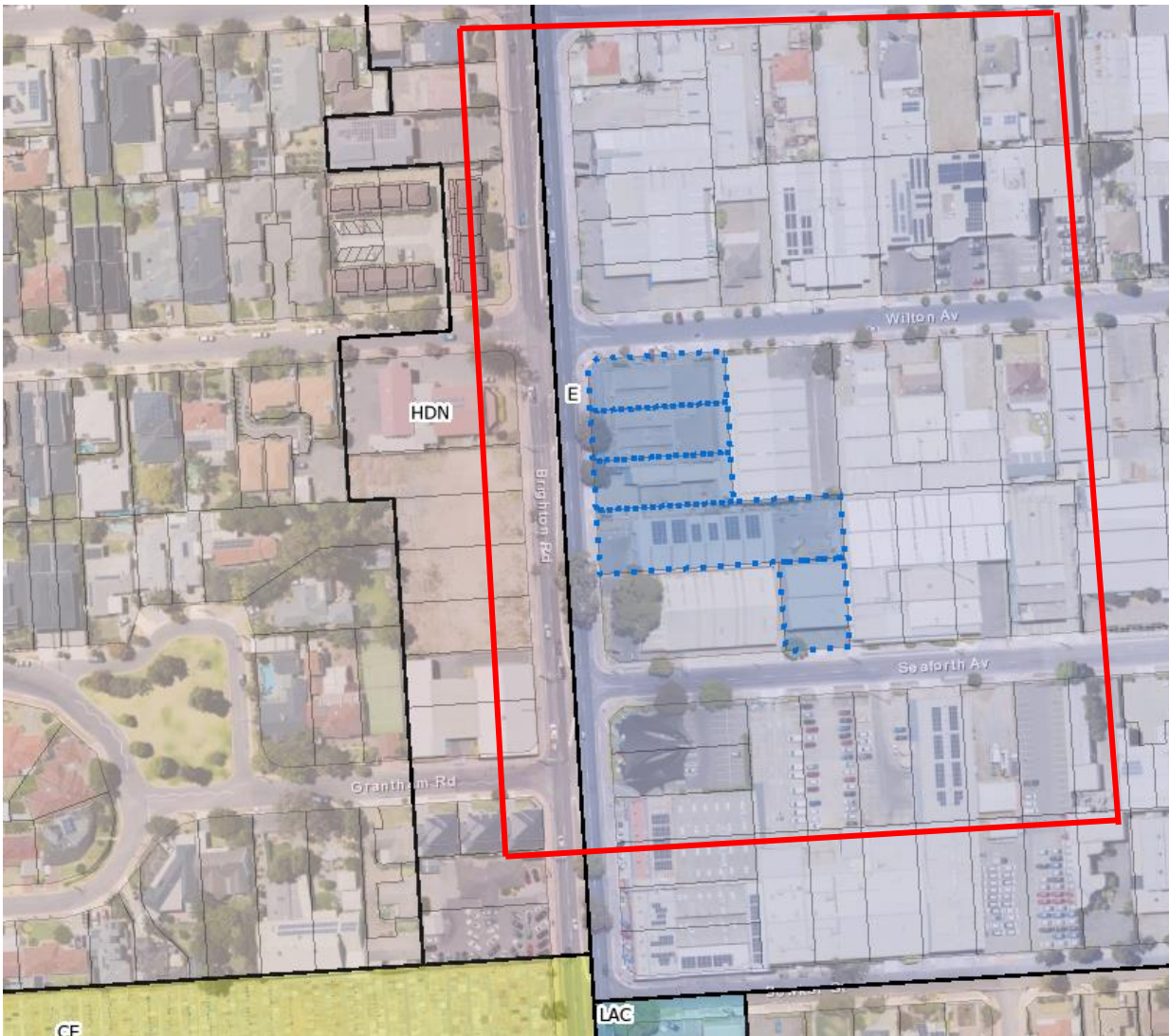


This building is to be demolished to make way for the car wash facility

**Locality**

The locality is defined in the aerial map on the following page. The locality comprises two distinct halves, the eastern side of Brighton Road is located in the Employment Zone which has a variety of uses consistent with those sought in this zone, such as small scale manufacturing, car dealership to the south and a range of shops fronting Brighton Road. On the western side of Brighton Road is the Housing Diversity Zone, which is predominately housing in the form of residential flat buildings, and the group dwelling development opposite the site which is approved, but yet to start construction. There is also the retail store for car parts on the corner of Grantham Road.

The amenity of the locality is heavily impacted by the volume of traffic along Brighton Road and the mix of uses located within the Employment Zone.



CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:** Change of use: Code Assessed - Performance Assessed
Service trade premises: Code Assessed - Performance Assessed
Motor repair station: Code Assessed - Performance Assessed
Internal building work: Code Assessed - Performance Assessed
Other - Commercial/Industrial - Ancillary Carwash: Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:**
Code Assessed - Performance Assessed
- **REASON**
P&D Code

PUBLIC NOTIFICATION

- REASON**

The application was notified as the proposed involved a development that was adjacent property used for residential purposes in a neighbourhood type zone.

No representations were received.

AGENCY REFERRALS

- Commissioner of Highways

The Commissioner supports the proposal subject to the inclusion of several conditions relating to the access points onto Brighton Road.

INTERNAL REFERRALS

- Engineering - Traffic and Stormwater

PLANNING ASSESSMENT

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

Quantitative Provisions

	Proposed	DPF Requirement	Achieved
Land use	Service Trade Premise	Service Trade Premise	Yes
Building Height	10.1m	9m	No
Front Setback	2.1m	n/a	yes
Side Setbacks	2m	2.1m	Yes
Landscaping	<i>Between 3% & 4%</i>	<i>10%</i>	<i>no</i>

Land Use

The land uses and change of use have been summarise in a table in the Planner's report from the applicant. The table summarises the existing uses, and what they are proposed to be changed to. Two of the allotments will change from a bulky goods outlet and light industry to service trade premises, and the third remains as a service trade premise.

ADDRESS	CERTIFICATE OF TITLE	EXISTING USE	PROPOSED USE
256 Brighton Road, Somerton Park	CT Volume 5971 Folio 146, Allotment 62 D70592, Hundred of Noarlunga CT Volume 5971 Folio 146, Allotment 63 D70592, Hundred of Noarlunga	Bulky Goods Outlet (The Outdoor Scene)	Service Trade Premises (Motor Vehicle Showroom and Spare Parts)
258-260 Brighton Road, Somerton Park	CT Volume 5971 Folio 146, Allotment 64 D70592, Hundred of Noarlunga Note: a portion of this site utilises the rear of Allotments 62 and 63 by lease agreement.	Light Industry (McMahon Metal Fabricators/Steel Plus)	Service Trade Premises (Motor Vehicle Showroom and Spare Parts)
268 Brighton Road, Somerton Park	CT Volume 5971 Folio 144, Allotment 60 F9994, Hundred of Noarlunga	Service Trade premises (Marion Tile Centre)	Light Industry (Motor Repair Station)

The hours of operation for the sale of motor vehicles will be:

- Monday - Friday 8:30 am - 5:30 pm (Thursday until 6:00 pm)
- Saturday 8:30 am - 5:00 pm
- Sunday Closed

The Motor Repair Station will operate Monday – Friday 7:30 am - 5:30 pm.

The use of the motor repair station is consistent with the preferred uses for the Employment Zone, and consistent with uses approved when the Zone was a Light Industry Zone. This is the same for the car wash area.

As the Employment Zone lists Service Trade Premises as a preferred use for the area, the change of use proposed in this application is considered to be acceptable.

Building Height

The showroom building on the corner of Brighton Road and Wilton Avenue has a maximum height of 10 metres. This is one metre above the height specific in the Employment Zone Policy. It is noted that the existing building to the south that will be used as the workshop area has a saw tooth roof with a height greater than 10 metres. Therefore the new building will not be the tallest in the locality. It is considered the new building will not have any negative impact on any adjacent properties given the separation distance to any neighbouring properties. The building is of a good design and sufficiently articulated to minimise impacts of the height on the locality. Therefore the building height is considered to be acceptable in this instance.

Design & Appearance

The design and appearance of the new car showroom is considered to be of a high quality design, and will improve the presentation of the site to Brighton Road that currently has a mix of shops and warehouses of different sizes, scale and appearance. The showroom is to be clad in material to match the corporate colours and design found on

other Toyota sites. This comprises large glass windows on the lower level, and aluminium cladding above. The other buildings have a more industrial look to them, as to match their intended purpose, but will still complement with the other buildings as to present a consistent character to the street. The design and appearance is considered to be appropriate for the Zone.

The retail showroom has large glass windows around the north, south and western sides that will let natural light into the building, as well allowing vehicles to be viewed from outside the building. This is considered to be a good design and provides good solar access for the building. The other buildings are more enclosed, but that is appropriate to minimise the visual impact and noise on the locality.

The carwash building is located on a secondary street, more central to the Employment Zone, and as such has more industrial appearance, which is consistent with the character of the streetscape.

Setbacks

The showroom building is proposed to be located 2.1 metres back from Brighton Road and 2.1 from Wilton Avenue. This is fairly consistent with the locality, as well as maintaining the existing setbacks of the buildings currently on the site. As parking is available elsewhere on the site rather than at the front of the site, the proposed setback are considered to be in accordance with the requirements of the Planning and Design Code.

Traffic Impact, Access and Parking

There are no new access points proposed as part of this development, with the existing crossovers being amended to suit the proposal. There is an amended cross over proposed on Brighton Road, and as such the proposal was referred to the Commissioner for Highways. The response supported the proposal, but included some conditions to be imposed on an approval. Given the support of the referral, the access arrangements are considered to be appropriate.

A car retail store and servicing is considered to be a use that will not have a significant impact on the traffic in the area. The proposal provides 41 on-site parking spaces, as well as sufficient area as to ensure that all new vehicles are unloaded for a delivery truck onsite, not on a side street or arterial road. The amount of parking has been demonstrated to be appropriate as documented in the attached traffic report. It is noted that the site of the retail show was previously used as a bulky goods outlet, has the same parking demand as a service trade premise, but given the use of a car sales display, the demand will be less. The area that is to be used as a car wash area has a lesser amount of floor area than the current use, and as such has a lowered demand. As the development is integrated across multiple allotments, the parking is considered to be sufficient for the development and will not impact on the locality which is noted for having on street deficiencies.

Landscaping

The proposal provides minimal amount of landscaping around the retail showroom, with 3% of the site set aside for landscaping, 4% of the workshop site, and 4% of the carwash site. Whilst this is less than the 10% required by the Development Plan, it should be noted that the amount of landscaping proposed is more than currently on the site and consistent with the pattern of landscaping in the area. Furthermore, it is consistent with the amount of landscaping provided at other car retail showroom across the Council.

PO 5.1 Landscaping is provided to enhance the visual appearance of development when viewed from public roads and thoroughfares.

PO 5.2 Development incorporates areas for landscaping to enhance the overall amenity of the site and locality.

Given that the Performance Outcome is to enhance the amenity of the locality, the proposal is considered to satisfy PO 5.3 and the amount of landscaping is considered acceptable in this instance.

Signage

There is no signage proposed as part of this application.

Site Contamination

The application was referred to the Environment Protection Authority as per Practice Direction 14 as the change of use proposed is to a more sensitive use. As outlined in Table 1 of the Practice Direction, the use is changing from level 7 to level 6 triggering the referral. At the time of the report being written a response had not been received. However, it is considered that any requirements from the EPA as a result of the referral could be included in a reserved matter, as they will result in remediation works, rather than any significant changes to the built form.

CONCLUSION

On balance the proposed uses are considered to be a good use of the site and consolidate several different uses and appearance to provide a consistent streetscape. The large scale use is appropriately located on the periphery of the Zone as sought by the Employment Zone policy. The use as a service trade premise aligns with the uses sought for the area.

The application was notified as it is adjacent a neighbourhood type zone on the opposite side of Brighton Road, but no representations were received. Whilst the site is adjacent a neighbourhood type zone, given the separation between the two zones by an arterial road the impacts of the development on the neighbourhood zone is considered to be minimal.

The height and scale of the buildings are compatible with the locality and will not unreasonably impact on the existing character. The proposal provides sufficient on-site parking to minimise any traffic problems. For those reasons the proposal is considered to warrant Planning Consent.

RECOMMENDATION

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 22015568, by Jarvis Property No 3 Pty Ltd is granted Planning Consent subject to the following conditions:

CONDITIONS**Planning Consent**

1. The development granted approval shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).
2. The stormwater disposal system shall cater for a 5 year rainfall event with discharge to the street not to exceed 10 litres per second. Any excess above this flow is to be detained on site.
3. That the development herein approved shall operate between the hours above below unless written approval to vary the times is given by council.

The hours of operation for the sale of motor vehicles will be:

- Monday – Friday 8:30 am - 5:30 pm (Thursday until 6:00 pm)
 - Saturday 8:30 am - 5:00 pm
 - Sunday Closed
 - The Motor Repair Station will operate Monday - Friday 7:30 am - 5:30 pm.
4. All vehicles delivered to the site by transport trucks must be unloaded on the site, and not on a public road
 5. Access to the site shall be gained as shown on Walter Brooke, Site Plan Option 5, Project No. 21-0310, Drawing No. SK-012A. The Brighton Road access points shall be modified to accommodate simultaneous two-way passenger vehicle movements as shown in Stantec Traffic Impact Assessment, Project/File 300303438, dated 6 May 2022, Figure 5 with additional flaring to the kerb to allow convenient left turn in and left turn out movements. The access points shall be suitably signed and line-marked to reinforce the desired traffic flow.
 6. The modified access to Seaforth Avenue shall provide for egress movements only and achieve 6 metres separation from the tangent point of the Brighton Road/Seaforth Avenue junction. The access shall be suitably signed and line marked to reinforce the desired traffic flow through the site.
 7. All off-street parking and vehicle manoeuvring areas shall be designed in accordance with AS/NZS 2890.1:2004, AS/NZS 2890.6:2009 and 2890.2:2018. 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. Accordingly the first parking space adjacent to the Brighton Road access points shall be removed. The remaining car parking spaces located within 6 metres of the Brighton Road access points shall be designated for 'staff only' (or long term) parking only in order to minimise conflicting vehicle movements as per Major Urban Transport Routes Overlay DPF 2.1, a). Suitable signage shall be installed to reinforce this outcome.
 8. Any obsolete crossover/s (or any portion thereof) on Brighton Road, Wilton Avenue and Seaforth Avenue shall be closed and reinstated to Council's kerb and gutter standards at the applicant's expense prior to operation of the development.
 9. Stormwater run-off shall be collected on-site and discharged without impacting the adjacent roads. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's expense.

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: 4 July 2022