

<b>DEVELOPMENT NO.:</b>	25001811
<b>APPLICANT:</b>	Ultimate Express Brighton
<b>ADDRESS:</b>	415 BRIGHTON RD BRIGHTON SA 5048
<b>NATURE OF DEVELOPMENT:</b>	Verandah, alterations to existing building, construction of garage and canopy and advertising displays
<b>ZONING INFORMATION:</b>	<p>Zones:</p> <ul style="list-style-type: none"> <li>• Suburban Activity Centre</li> </ul> <p>Overlays:</p> <ul style="list-style-type: none"> <li>• Airport Building Heights (Regulated)</li> <li>• Hazards (Flooding - General)</li> <li>• Key Railway Crossings</li> <li>• Major Urban Transport Routes</li> <li>• Noise and Air Emissions</li> <li>• Prescribed Wells Area</li> <li>• Regulated and Significant Tree</li> <li>• Traffic Generating Development</li> </ul> <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> <li>• Maximum Building Height (Levels) (Maximum building height is 4 levels)</li> <li>• Interface Height (Development should be constructed within a building envelope provided by a 30 or 45 degree plane, depending on orientation, measured 3m above natural ground at the boundary of an allotment)</li> </ul>
<b>LODGEMENT DATE:</b>	10 Feb 2025
<b>RELEVANT AUTHORITY:</b>	Assessment Panel at City of Holdfast Bay
<b>PLANNING &amp; DESIGN CODE VERSION:</b>	P&D Code (in effect) Version 2025.2 30/01/2025
<b>CATEGORY OF DEVELOPMENT:</b>	Code Assessed - Performance Assessed
<b>NOTIFICATION:</b>	Yes
<b>REFERRALS STATUTORY:</b>	Commissioner of Highways

**CONTENTS:**

**APPENDIX 1:** Relevant P&D Code Policies

**ATTACHMENT 1:** Application Documents

**ATTACHMENT 2:** Commissioner of Highways Referral Response

**DETAILED DESCRIPTION OF PROPOSAL:**

The proposal comprises the upgrade of an existing car wash facility by way of incorporating an enclosed garage in the centre of the site under the existing large open verandah space, an extension to the existing verandah space, along with a verandah and deck associated with the office along with advertising displays including a freestanding display on Brighton Road and roof fascia mounted displays on the western and southern street facing elevations.

**SUBJECT LAND & LOCALITY:**

**Site Description:**

The site is located on the northern corner of Brighton Road and Alfreda Street and has been used as a car wash facility for several years. It abuts a large residential property to the west and adjacent to non-residential land uses to the north, east and south.



**Locality Reference:** 415 Brighton Road, Brighton SA 5048

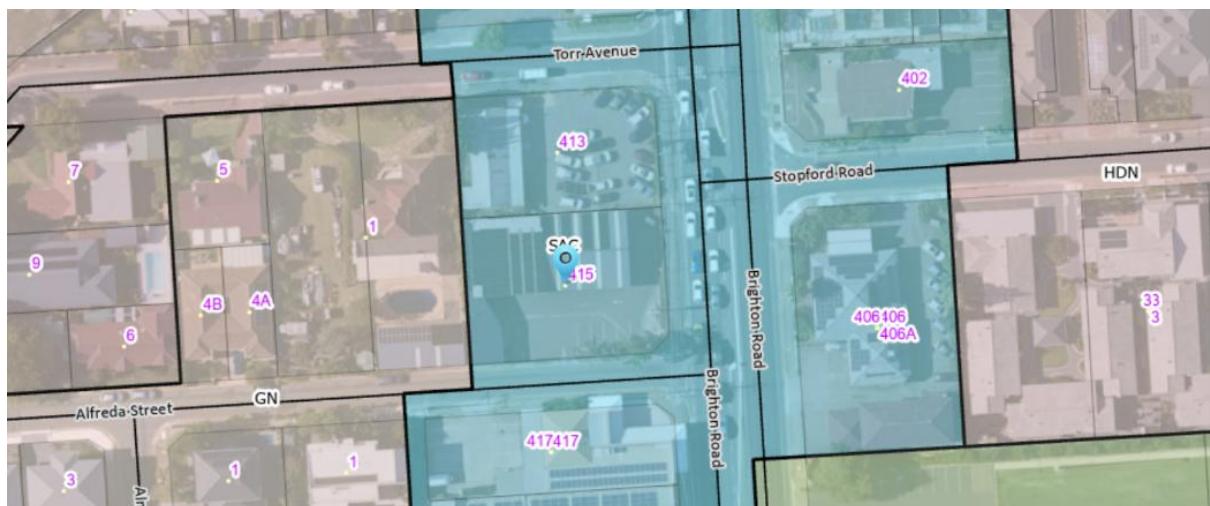
**Title Reference:** CT 5475/976

**Plan Parcel:** F145954 AL26

**Council:** City of Holdfast Bay

**Locality**

The locality is typical of an interface between the Suburban Activity Centre Zone and General Neighbourhood, along with the High Density Neighbourhood and Recreational Zone, abutting an arterial road. Many of the non-residential land uses are longstanding hence the general land use character is a mixed built form and varying levels of amenity, particularly due to noise generated from the arterial road.



**CONSENT TYPE REQUIRED:**

**Planning Consent**

**CATEGORY OF DEVELOPMENT:**

**PER ELEMENT:**

Other - Commercial/Industrial - Verandah, alterations to existing building, construction of garage, canopy and advertising display: Code Assessed - Performance Assessed

**OVERALL APPLICATION CATEGORY:**

Code Assessed - Performance Assessed

**REASON**

P&D Code

**PUBLIC NOTIFICATION**

**REASON**

Adjacent to a residential zone

**REPRESENTATIONS**

Nil

**AGENCY REFERRALS**

Commissioner of Highways

The Commissioner has indicated their consent to the proposal subject to conditions relating to vehicle access and movements, sight lines and stormwater.

**PLANNING ASSESSMENT**

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

**Question of Seriously at Variance**

The proposed development comprises a verandah, alterations to existing building, construction of garage and canopy and advertising displays. It is in the Suburban Activity Centre Zone. Development of this nature is appropriate within the site, locality or in the subject Zone for the following reasons.

The Zone specifically accommodates businesses of varying types, whereby the construction of structures such as verandahs, garaging and decking is therefore reasonably anticipated in support of the primary land use.

The Zone also specifically envisages advertising displays.

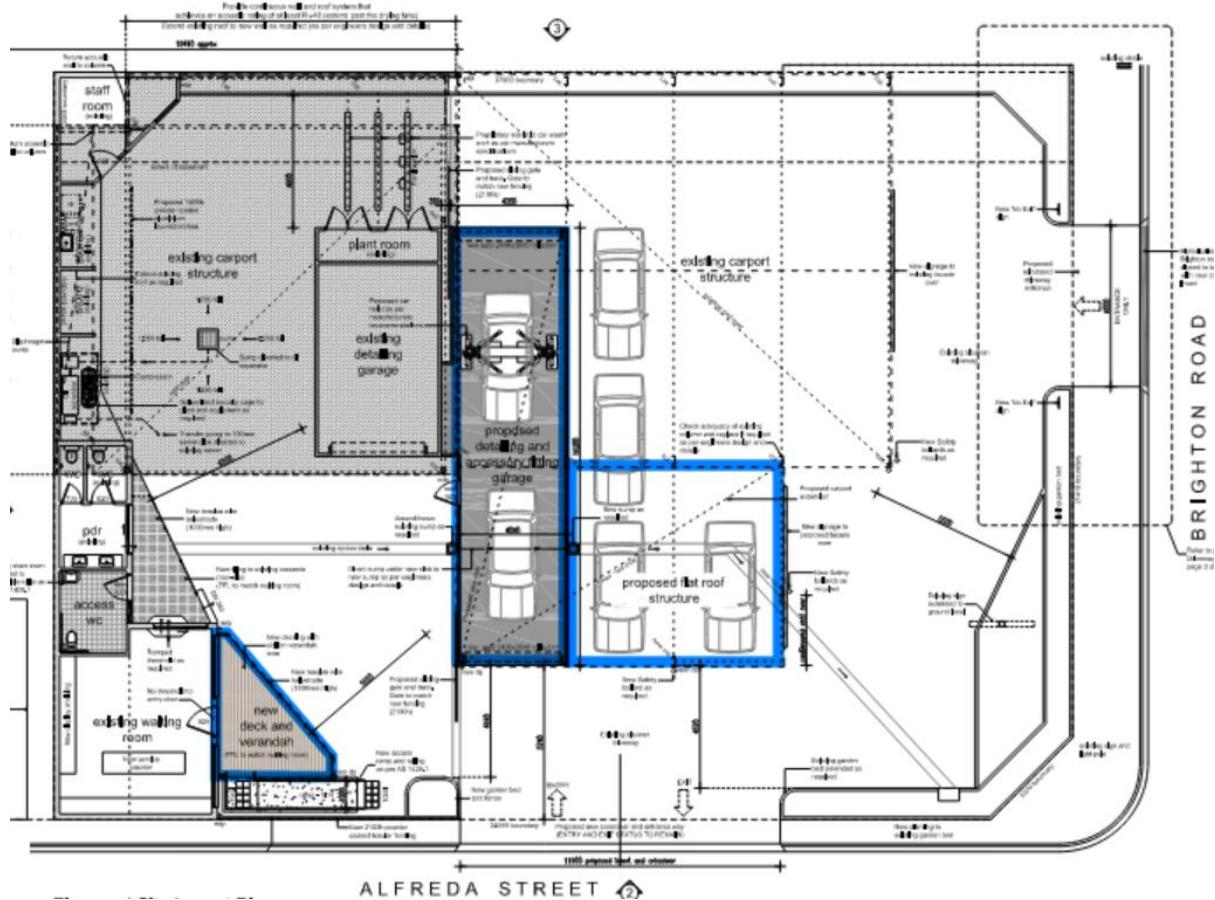
The proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*.

**Land Use**

When referencing the Zone's Desired Outcome 1, it seeks an active commercial precinct supporting neighbourhood-scale shopping, *business*, entertainment and recreation facilities to provide a focus for business and community life and most daily and weekly shopping needs of the community.

When referencing the Zone's Performance Outcome 1.1 - *Land Use and Intensity*, the Zone specifically anticipates shops, office, entertainment, health and recreation related uses and *other businesses*, as well as advertising displays, which suggests a mix of land use and forms of development.

The proposal does not comprise a change in use or land, as the works simply support the improvement of the existing car wash facility.



## Interface Between Land Uses

The proposal satisfies Desired Outcome 1 in that the development is located and designed to mitigate adverse effects on or from neighbouring and proximate land uses. All the proposed structures are located away from the western side boundary and visually obstructed by existing buildings on the site.

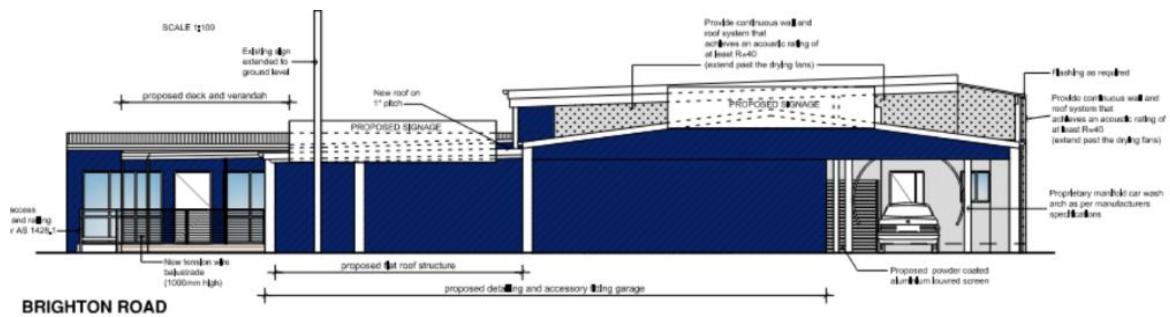
The proposal also satisfies Performance Outcome 1.2 in that the development is designed in a way that minimises adverse impacts on the western adjacent sensitive receiver (residential) by way of the new structures being located away from the property boundary and obstructed by existing buildings.

The proposed development does not result in any overshadowing of neighbouring properties by way of the overall siting of the buildings. Performance Outcomes 3.1 and 3.2 with respect to overshadowing into residential properties is therefore satisfactorily addressed.

## **Built Form and Character**

The proposed development, comprising an enclosed garage, verandahs and advertising displays is considered to satisfy Performance Outcome 2.1 in that the development is complementary to

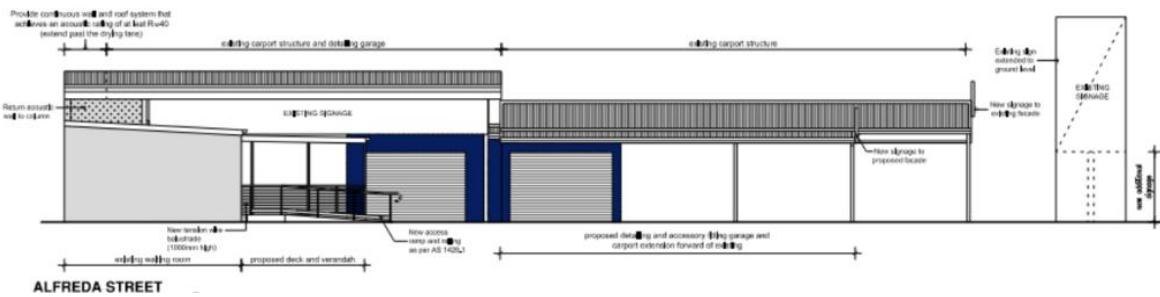
adjacent development in the Zone, which includes a used motor car dealership immediately to the north and a bike shop and Mitre 10 to the south. The proposed buildings are designed in a way that have no visual impacts on any nearby residences by way of the building siting, scale and design.



## Building Height and Setbacks

The proposed building height is consistent with the height of the existing buildings on the land (maximum height of 5.1 metres) which is well under the maximum building height (levels) expressed in Performance Outcome 3.1 which is 4 levels or 12 metres. The proposed building height is consistent with the single level building heights found in the immediate vicinity.

The proposed development satisfies Performance Outcome 3.2 in that the buildings do not result in visual impacts associated with building massing on residences within a neighbourhood type zone.



## Advertising Displays

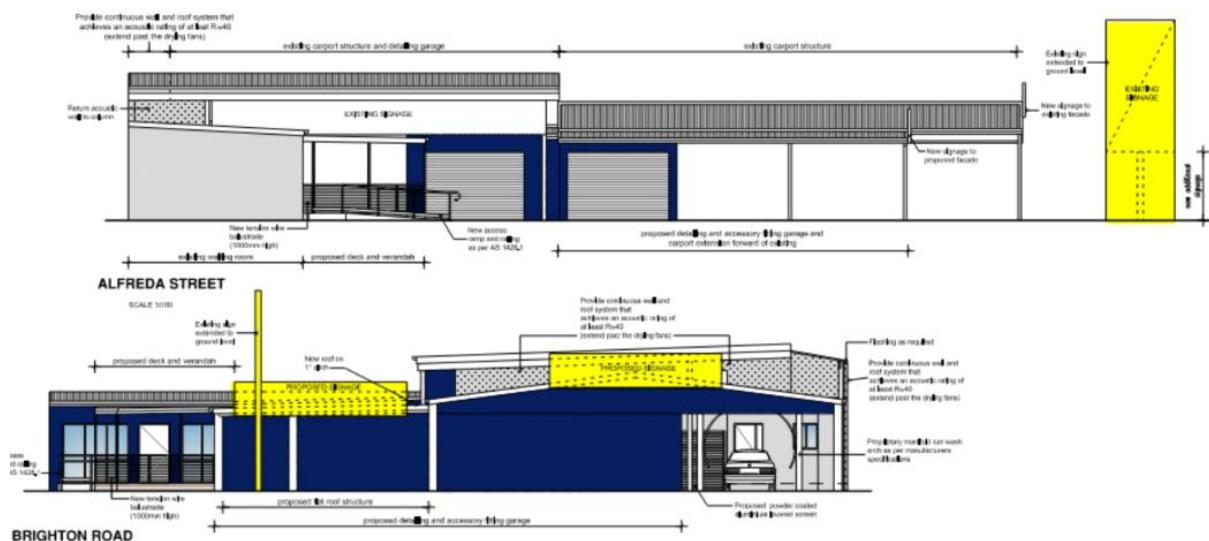
Performance Outcome 4.1 states that advertisements are sited and designed to achieve an overall consistency of appearance along individual street frontages.

The advertising displays are designed in a way that presents a consistent approach to size and siting throughout the site, whilst reasonably avoiding clutter and visual nuisance, particularly as they will not be visible from any adjacent residential properties.

Performance Outcome 4.2 states that freestanding advertisements should:

Identify the associated business, which is the case here.

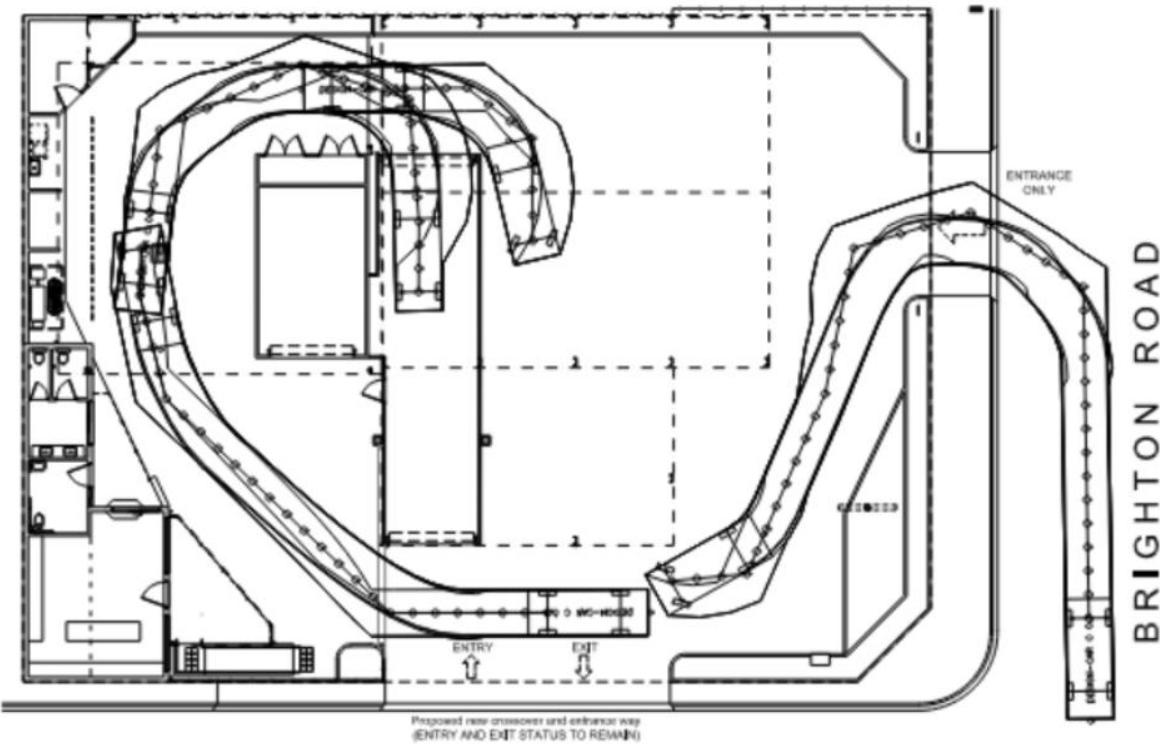
Be an area of a size that is commensurate with the scale of the centre and street frontage. The site is located on a corner, with the shortest street frontage being some 28 metres. The sign comprises a height of 7 metres, which is lower than the maximum anticipated height of 7 metres, although it is taller than the associated building, which has a height of 5.1 metres. The sign surface area is 16 square metres per side, whereas the maximum surface area should be in the range of 6 square metres. In context with the site and consideration to other signs in the locality, including the nearby Holdfast Bay Brighton Oval Sporting Complex freestanding sign which is of similar size, the proposed sign is not completely out of character with the locality.



## **Traffic and Car Parking**

The proposed development does not result in the increase in intensity of the existing land use, rather it is providing additional cover and protection for vehicles through the detailed wash process. As such, the proposed development is not considered to generate the need for any additional on-site car parking.

A referral was made to the Commissioner of Highways on the basis the development is located adjacent to Brighton Road (arterial road) whereby the access point on Alfreda Street is within 25 metres of the arterial road. The Commissioner has reviewed the proposal and determined that the development is appropriately designed whereby traffic movements and sight lines are appropriate and conditioned accordingly.



## ALFREDA STREET

### Vehicle (B85) Manoeuvring Plan

#### CONCLUSION

The proposed development comprises an upgrade to an existing car wash facility whereby all proposed elements are considered to suitably satisfy the Plan SA Design Code, as well as the Commissioner of Highways with respect to traffic movements.

The proposal is consistent with the Zone requirements and does not compromise the amenity of the western adjacent resident with respect to visual or noise impacts.

#### RECOMMENDATION

**It is recommended that the Council Assessment Panel resolve that:**

1. The proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*.

2. Development Application Number 25001811, by Ultimate Express Brighton 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).

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

1. All access to the development shall be gained in accordance with the Floor and Site Layout Plan produced by Artec Building Designers, Job no. 946823, dated 03/09/2025. The Alfreda Street access shall remain a two-way access. The Brighton Road access shall be an ingress only access and shall be provided with an internally facing 'No Exit' signage to restrict vehicles exiting the site on Brighton Road. The access points shall be suitably signed and line-marked to reinforce the desired traffic flow. All associated costs shall be borne by the applicant.
2. 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 adjacent to the access points to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpath. Accordingly, all fencing and vegetation/landscaping within these areas shall be open in nature or  $\leq 1m$  in height.
3. All vehicles shall enter and exit the site in forward direction only. All on-site vehicle manoeuvring areas shall remain clear of any impediments.
4. 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.
5. Stormwater run-off shall be collected on-site and discharged without impacting the safety and integrity of the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

## ADVISORY NOTES

### Planning Consent

#### Advisory Note 1

The applicant has a right of appeal against the conditions which have been imposed on this Planning Consent.

Such an appeal must be lodged at the Environment, Resources and Development Court within two months from the day of receiving this notice or such longer time as the Court may allow. The applicant is asked to contact the Court if wishing to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0289).

**Advisory Note 2**

The owner/applicant is advised that infrastructure located within Council road reserve (i.e. area between the kerb and allotment boundary) should be designed and constructed (including modified) in accordance with relevant / current Council standards. This includes, but is not limited to, driveway crossovers, alterations to kerbing and footpaths, stormwater easement connections and domestic stormwater connection to the street watertable.

**Advisory Note 3**

If you are a developer or owner-builder, there are important Commonwealth telecommunications rules you need to comply with. For more information visit [www.infrastructure.gov.au/tind](http://www.infrastructure.gov.au/tind)

**Advisory Note 4**

The owner/applicant is advised that consent from any relevant easement or encumbrance owner may be required prior to any construction.

Easements may include, but are not limited to: drainage, Council easements (i.e. stormwater, encroachments, access etc), power transmission (SA Power Networks), telecommunications, or other forms of access (such as vehicle) rights of way.

Easements and encumbrances would be registered on the relevant Certificate of Title. The location of easements on the land would be shown on the Deposited Plan. A copy of the Certificate of Title and Deposited Plan can be obtained from the South Australian Integrated Land Information System (SAILIS) at:

<https://sailis.lssa.com.au/home/auth/login>

**Advisory Note 5**

If excavating, it is recommended you contact Before You Dig Australia (BYDA) ([www.byda.com.au](http://www.byda.com.au)) to keep people safe and help protect underground infrastructure.