

ITEM NO: **5.1**  
 REPORT NUMBER: 74/20

TO: **COUNCIL ASSESSMENT PANEL**  
 DATE: **25 MARCH 2020**  
 SUBJECT: **COUNCIL ASSESSMENT REPORT**  
 AUTHOR: **CRAIG WATSON**  
 ATTACHMENTS: **1. LOCALITY PLAN**  
**2. SUBMITTED PLAN**  
**3. REPRESENTATIONS**  
**4. APPLICANT'S RESPONSE**

HEARING OF REPRESENTORS **VANESSA AND ROB HILLMAN**  
 HEARING OF APPLICANT **TO BE ADVISED**

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DA NO.	:	110/00951/19
APPLICANT	:	AUSTRALIAN RED CROSS - HOVE
LOCATION	:	362 BRIGHTON ROAD, HOVE
DEVELOPMENT PLAN	:	CONSOLIDATED 2 JUNE 2016
ZONE AND POLICY AREA	:	NEIGHBOURHOOD CENTRE
NATURE OF DEVELOPMENT:	:	MERIT
PROPOSAL	:	SIGNAGE AT REAR OF BUILDING
EXISTING USE	:	SHOP
REFERRALS	:	NIL
CATEGORY	:	TWO
REPRESENTATIONS	:	ONE
RECOMMENDATION	:	REFUSAL

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## 1. Site and Locality

The subject site is on the north eastern corner of Brighton Road and Dunrobin Road. The site is presently being used by the Red Cross as a shop. The building is orientated to Brighton Road with a rear carpark and vehicular access from Dunrobin Road.

Within the Neighbourhood Centre Zone are a mix of small scale offices, shops and other commercial uses. Immediately to the rear of the site and within the Residential Zone are predominantly single storey detached dwellings and the Griffith Hospital.

*Refer to Attachment 1*

## 2. Background and Development Assessment Process

The subject sign was erected without development approval. A Notice pursuant to Section 84 of the Development Regulations 2008 requires the signs removal. In response to that Notice the subject application has been submitted seeking retrospective approval.

### 3. Proposed Development

The subject sign measuring 6m x 1m is located on top of a verandah at the rear of the building. The sign is non-illuminated and inscribed with 'Red Cross Shop and symbol' comprising white lettering on a red background.

Other signage includes painted signs on the side and front of the building and a free standing illuminated sign adjacent Brighton Road

*Refer to Attachment 2*

### 4. Public Consultation

The application was subject to a category 2 public notification. One representations from 2 Dunrobin Road were received. The representation is summarised as follows:

- Was erected without permission;
- Unnecessary given other signage including A frame on Dunrobin Road;
- Large offensive sign facing residential property; and
- Possible reuse by future tenants for even more offensive information.

*Refer to Attachment 3*

#### HOLDFAST BAY (CITY) DEVELOPMENT PLAN – ASSESSMENT – COUNCIL WIDE – ADVERTISEMENTS – PRINCIPLES OF DEVELOPMENT CONTROL

Objectives	
1. Urban landscapes that are not disfigured by advertisements and/or advertising hoardings.	Complies.
2. Advertising and/or advertising hoardings that do not create a hazard	Complies.
3. Advertising and/or advertising hoardings designed to enhance the appearance of the building and locality	Does not comply.
4. Outdoor advertising displays that are designed to provide clearly visible property and business identification without dominating the appearance of the site upon which it is located or the streetscape.	Does not comply – Limited views from the street but dominates views from adjacent residential property.
5. Outdoor advertising displays that are specifically designed to have an overall co-ordinated appearance with all other advertisements associated with the building or site.	Does not comply – inappropriate location.
1. The location, siting, design, materials, size, and shape of advertisements and/or advertising hoardings should be: (a) consistent with the predominant character of the urban or rural landscape (b) in harmony with any buildings or sites of historic significance or heritage value in the area (c) co-ordinated with and complement the architectural form and design of the building they are to be located on.	Does not comply with (c).
2. The number of advertisements and/or advertising hoardings associated with a development should be minimised to avoid: (a) clutter (b) disorder (c) untidiness of buildings and their surrounds (d) driver distraction	Does not comply.
4. The content of advertisements should be limited to information relating to the legitimate use of the associated land.	Complies.



<b>Principles of Development Control (Cont)</b>	
5. Advertisements and/or advertising hoardings should: (a) be completely contained within the boundaries of the subject allotment (b) be sited to avoid damage to, or pruning or lopping of, on-site landscaping or street trees (c) not obscure views to vistas or objects of high amenity value.	Complies.
6. Advertisements and/or advertising hoardings should not be erected on: (a) a public footpath or veranda post (b) a road, median strip or traffic island (c) a vehicle adapted and exhibited primarily as an advertisement (d) residential land.	Complies.
7. Advertisements and/or advertising hoardings attached to buildings should not be sited on the roof or higher than the walls of a building, the advertisement or advertising hoarding is appropriately designed to form an integrated and complementary extension of the existing building.	Does not comply – higher than the verandah roof.
8. Advertisements and/or advertising hoardings erected on a verandah or that project from a building wall should: (a) have a minimum clearance of 2.5 metres over a footway to allow for safe and convenient pedestrian access (b) where erected on the side of a verandah, not exceed the width of the veranda or project from the verandah (c) where erected on the front of a verandah, not exceed the length of the veranda or project from the verandah (d) where projecting from a wall, have the edge of the advertisement or advertising hoarding abutting the surface of the wall.	Complies.
9. Advertisements should be designed to conceal their supporting advertising hoarding from view.	Some limited view of supports.
10. Advertisements should convey the owner/occupier and/or generic type of business, merchandise or services using simple, clear and concise language, symbols, print style and layout and a small number of colours.	Complies.
12. Advertisements and/or advertising hoardings should not create a hazard by: (a) being so highly illuminated as to cause discomfort to an approaching driver, or to create difficulty in the driver's perception of the road or persons or objects on the road (b) being liable to interpretation by drivers as an official traffic sign, or convey to drivers information that might be confused with instructions given by traffic signals or other control devices, or impair the conspicuous nature of traffic signs or signals (c) distracting drivers from the primary driving task at a location especially where the demands on driver concentration are high (d) obscuring a driver's view of other road or rail vehicles at/or approaching level crossings, or of pedestrians or of features of the road that are potentially hazardous (eg junctions, bends, changes in width, traffic control devices)	Complies.
<b>Centres and Retail Development Principles</b>	
2. Development within centres should be designed to be compatible with adjoining areas. This should be promoted through landscaping, screen walls, centre orientation, location of access ways, buffer strips and transitional areas.	Does not comply – No adequate landscaping, screen or buffer to minimise impact on adjoining residential property given its height.

## 5. Summary of Assessment

The sign is associated with an existing use of land and generally business identification signs are appropriate within the Neighbourhood Centre Zone. There are other Development Plan provisions however that seek to avoid sign clutter and minimise impacts on adjoining residential areas through appropriate sign locations and the establishment of landscaping, screens and buffer strips to provide compatibility with adjacent areas. The subject site provides no buffer or landscaping adjacent its rear boundary and given its height and location above the rear verandah the sign dominates views from outdoor entertainment areas and windows on the adjoining residential property. There is considerable signage on the site including signs on the side wall and fence adjoining Dunrobin Road, building signs on the front wall and free standing flags and illuminated signage facing Brighton Road, As an identification sign for east approaching traffic it has limited value being viewed only from a short distance to the east in Dunrobin Road. A portable A-framed sign on the footpath adjacent the car park entrance would be just as effective without impacting residential amenity.

While not seriously at variance with the Development Plan, the sign is considered to be sufficiently at variance with a number of Development Plan Objectives and Principles to warrant refusal.

## 6. RECOMMENDATION

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 not consistent with the Development Plan and that Development Application 110/00951/19 be **refused Development Plan Consent** for the reason that it is contrary to:
  - General Section, Advertisements Objectives 3, 4 and 5 and Principles 1, 2 and 7; and
  - Centres and Retail Development Principle 2;

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

- Creating sign clutter;
- Inappropriate sign location;
- Visual impact on an adjoining residential property.



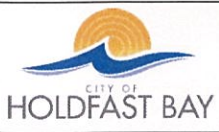
# ATTACHMENT 1



BRIGHTON ROAD

ALICE STREET

DUNROBIN ROAD



This map has been created for the purpose of showing basic locality information and is a representation of the data currently held by The City of Holdfast Bay. This information is provided for private use only. While every effort has been made to ensure the accuracy of the product, Council accepts no responsibility for any errors or omissions. Property Boundary line network data is supplied by State Government.

5/03/2020  
1:467





3mm Aluminium Composite Panel with full-colour vinyl graphic and UV protective gloss laminate  
-6000mmx 1000mm, QTY 1



Location of where sign has been installed



Location of where sign has been installed





Chief Executive Officer  
City of Holdfast Bay Civil Centre  
PO Box 19  
Brighton SA 5048

ATTACHMENT 3



Vanessa and Rob Hillman  
2 Dunrobin Rd  
Hove SA 5048

We wish to object to the Development 2 Application that has been lodged by Australian Red Cross (Development No 110/00951/19).

The basis for our objecting is:

- Was put up without permission in the first place – no consultation with invested parties/neighbours.
- Unnecessary and over the top - given they have signage on all 4 sides of the building. They also have an A frame that they place on Dunrobin rd.
- Very large signage facing residential area.
- Devaluing our property.
- Visually offensive from the outdoor entertaining area. Photo attached
- Visually offensive from the pool area. Photo attached
- Visually offensive from 2 bedrooms in the house. Photo's attached
- If the signage is approved future tenants have the right to use the signage once they move in. This has the potential to be devastating. Imagine an adult shop moving in and using this signage – not desirable to be staring at from your backyard or children's bedroom.

We strongly recommend that the Holdfast Bay Council reject the appeal from the Red Cross on the grounds that it goes against council rules/regulations and is unfair on the residential properties around it.

We wish to appear personally before the Development Assessment Panel in support of our submission.

Kind Regards

Vanessa Hillman

Rob Hillman

ATTACHMENT 3.1







ATTACHMENT 3.2



