

DEVELOPMENT NO.:	25009716
APPLICANT:	DIVERCITY CONSTRUCTION PTY LTD
ADDRESS:	598 BRIGHTON RD SOUTH BRIGHTON SA 5048
NATURE OF DEVELOPMENT:	Addition to the existing crash repair building with wall located on the eastern side boundary
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Housing Diversity Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Advertising Near Signalised Intersections • Affordable Housing • Hazards (Flooding - General) • Major Urban Transport Routes • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Traffic Generating Development • Urban Tree Canopy <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Maximum Building Height (Metres) (Maximum building height is 9m) • Minimum Frontage (Minimum frontage for a detached dwelling is 9m; semi-detached dwelling is 9m; row dwelling is 7m; group dwelling is 7m; residential flat building is 7m) • Minimum Site Area (Minimum site area for a detached dwelling is 250 sqm; semi-detached dwelling is 200 sqm; row dwelling is 200 sqm; group dwelling is 200 sqm; residential flat building is 200 sqm) • Maximum Building Height (Levels) (Maximum building height is 2 levels)
LODGEMENT DATE:	10 Apr 2025
RELEVANT AUTHORITY:	Assessment Panel at City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2025.6 27/3/2025
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Dean Spasic Development Officer - Planning

CONTENTS:

APPENDIX 1:	Relevant P&D Code Policies
ATTACHMENT 1:	Application Documents
ATTACHMENT 2:	Representation

DETAILED DESCRIPTION OF PROPOSAL:

The proposed development seeks an addition to the existing crash repair building with a wall located on the eastern side boundary. The addition is sought to enclose an area which is already used as storage in association with the crash repairs land use. The enclosure will contribute to screening these items from public view whilst adding security to the site.

SUBJECT LAND & LOCALITY:**Site Description:**

Location reference: 598 BRIGHTON RD SOUTH BRIGHTON SA 5048

Title ref.: CT 5584/548 **Plan Parcel:** D2330 AL19 **Council:** CITY OF HOLDFAST BAY

Location reference: 598 BRIGHTON RD SOUTH BRIGHTON SA 5048

Title ref.: CT 5584/547 **Plan Parcel:** D2330 AL20 **Council:** CITY OF HOLDFAST BAY

The subject site is on the north-eastern corner of the intersection of Brighton Road and Seacombe Road, which has been operating as a crash repair business for decades. The site contains a building on the eastern side of the site, adjacent to residential properties to the east and north. A large car park and vehicle manoeuvring space is located to the western half of the site, abutting Brighton Road.

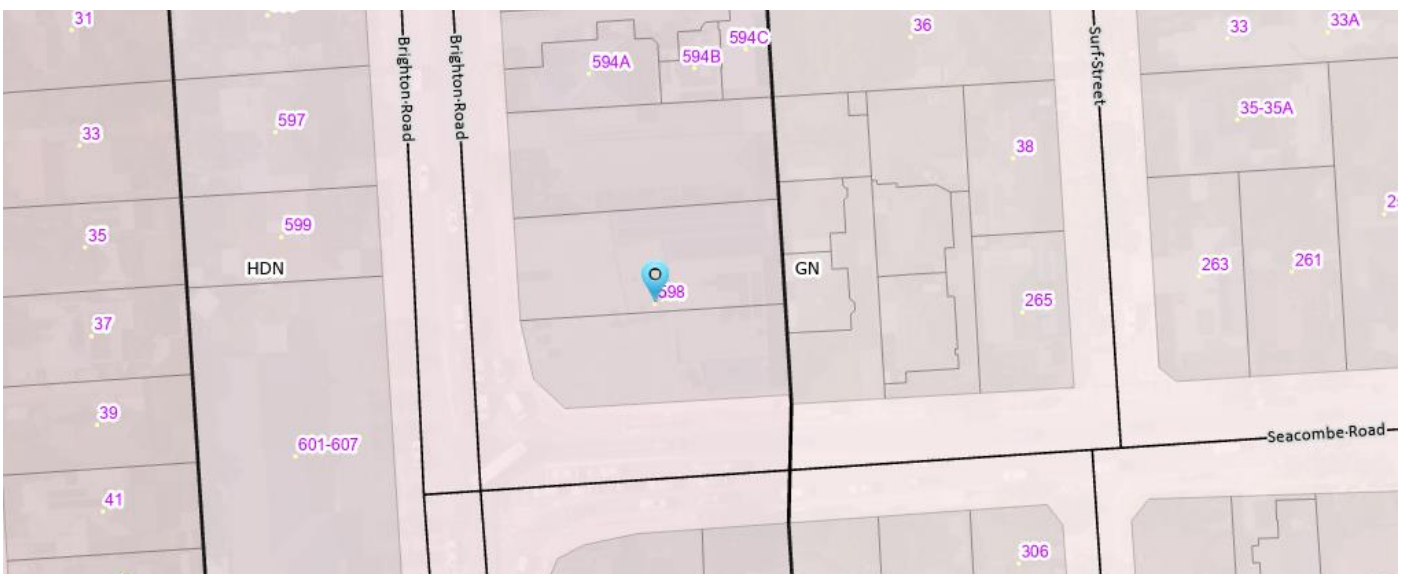
To the east of the existing building, a space of 4 metres between the building and the eastern boundary fence is currently used as an open storage area. The northern portion of this space includes a lean-to building.





Locality

The locality comprises one of the major intersections along Brighton Road and is characterised by a mix of residential and non-residential land uses including the crash repair, a childcare centre and offices. The locality is relatively well established with most of the land uses being long term. Although the locality is predominantly residential by way of a combination of the Housing Diversity Neighbourhood Zone and General Neighbourhood Zone immediately east of the site, non-residential land uses adjacent to the intersection form part of the neighbourhood character.



CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**
Other - Commercial/Industrial - Addition to existing building: Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:**
Code Assessed - Performance Assessed
- **REASON**
P&D Code

PUBLIC NOTIFICATION

- **REASON**
The class of development is not listed under Column A of Table 5 - Procedural Matters (PM) - Notification and therefore is not exempt from notification. Development not classified as minor.
- **LIST OF REPRESENTATIONS**
One representation was received, which was in support of the proposed development on the grounds of it being 'an excellent way of increasing storage area and reducing noise for neighbours. The roller door would improve security and improve the buildings appearance from the street'.

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

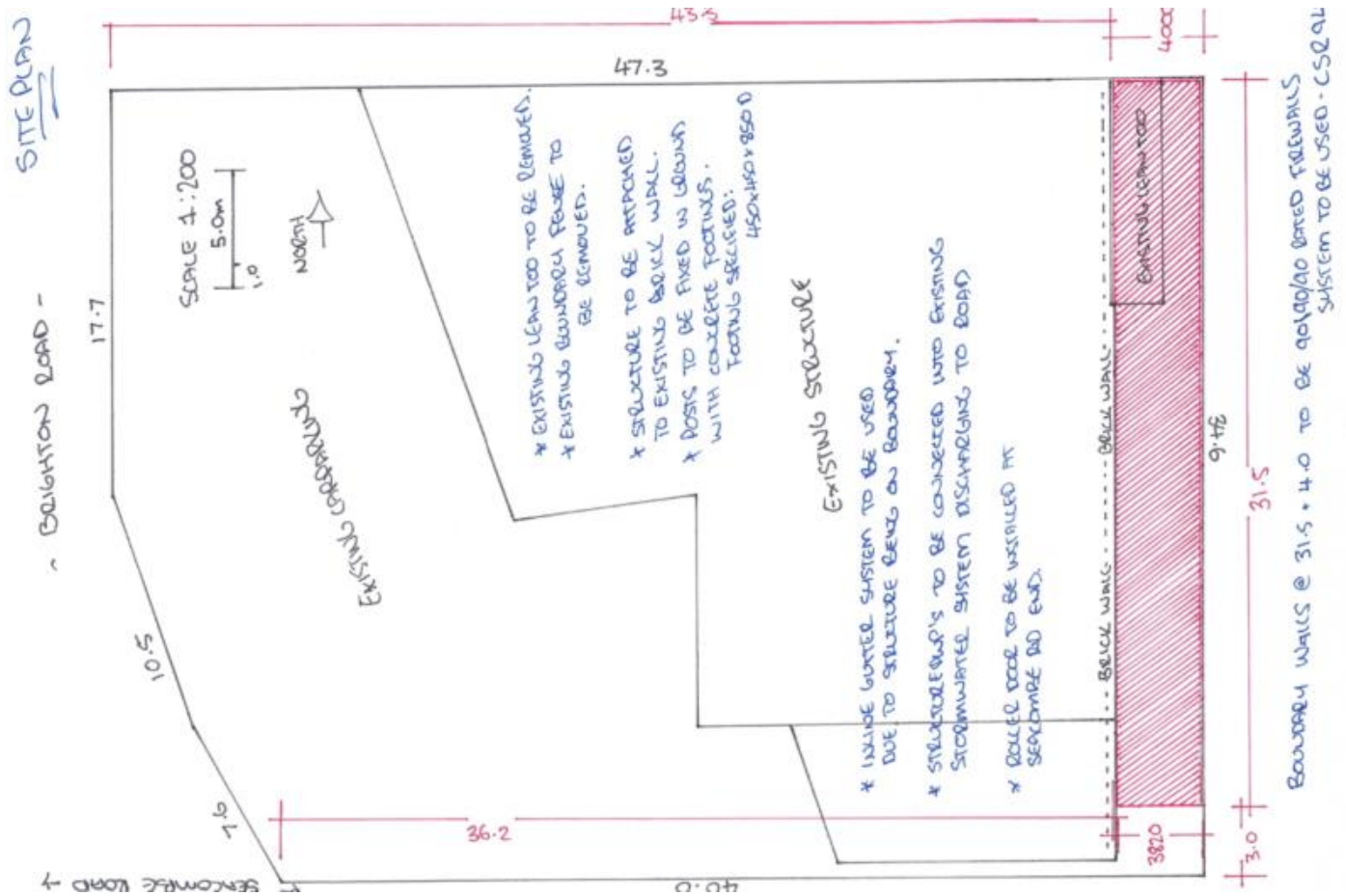
The proposed development comprises an addition to the existing crash repair building with a wall located on the eastern side boundary. It is located in the Housing Diversity Neighbourhood Zone. Development of this nature is appropriate within the site, locality and the subject Zone for the following reasons:

- The development is ancillary to an existing long standing land use.

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

The land use is existing, defined in Part 7 of the Code as 'automotive collision repair', which 'means repairs to motor vehicles involving structural repairs, panel beating, replacement of vehicle body parts or spray painting'. The proposed development comprises a building that will simply enclose an existing outdoor storage area. The proposed building will not result in an intensification of the existing land use, nor does it reflect any change in the existing use of the land or activities undertaken on the site.

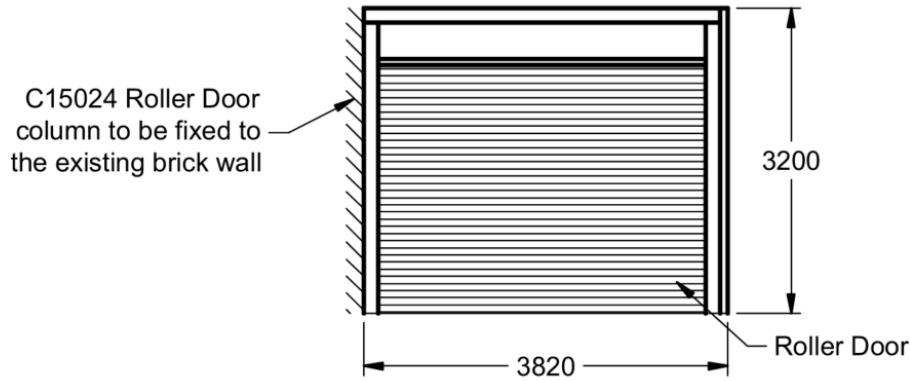


Building Appearance and Height

The proposed building has a boundary wall height of 3 to 3.3 metres above the existing site ground level, over a total length of 31.5 metres. The site has a topography whereby it slopes downwards toward the northern end of the site. The boundary wall therefore would have a total height of 4.1 metres at its highest point in the north-eastern most corner.

In the context of the Housing Diversity Neighbourhood Zone, boundary walls are anticipated to have a maximum height of 3 metres above the top of the footing over a total length of 11.5 metres. The proposed wall exceeds these parameters. However, in context with the fact the site is non-residential, it abuts 3 separate properties (thus the total wall length abuts multiple properties), as well as consideration to there being no representations objecting to the proposal, on balance, the boundary wall is considered reasonable.

Verandah Side Elevation - B

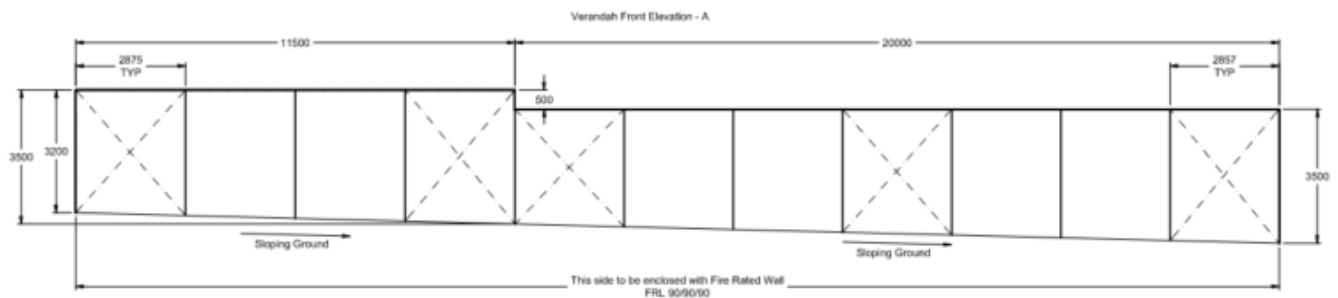


Interface

Consideration is given to how the addition would impact the neighbouring residential properties immediately north and east of the proposed building. In terms of overshadowing, the proposed wall will cast a shadow over the eastern adjacent residences during the afternoon of the winter solstice. However, on balance, sunlight is accessible until midday due to the orientation of those properties, and any additional overshadowing impacts are minimal in comparison to the current afternoon shadowing from the existing buildings that are higher than the proposed extension.

When considering the visual impact of the proposed wall, it is acknowledged that the wall is a continuous element adjacent to the rear yards of neighbouring group dwellings with small rear yards. However, the existing visual amenity is poor given the presence of the existing crash repair building. The walls will be clad in sheet metal surfmist colour, which is a light grey tone which will blend in with the existing crash repair wall colour. The existing boundary fencing appears to be a dark green colour, however the new wall would replace any existing fencing resulting in a consistent colour.

With respect to noise, privacy and security, the proposed addition will be a positive element for neighbouring properties. The enclosed space will contribute to containing noise associated with the crash repair land use. The building itself will result in additional privacy and security for residences, as opposed to the current open storage area which is only secured by a 1.8 metre high fence and gate, with limited passive surveillance beyond.



CONCLUSION

The proposed addition to the existing crash repair business is, on balance, a positive development for an existing non-residential land use which abuts residential properties. Neighbours have not objected to the enclosure, with support noted for the privacy, security and noise mitigation, which will contribute to improved amenity for neighbours.

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 25009716, by DIVERCITY CONSTRUCTION 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.

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 any alterations to infrastructure located within the road reserve (i.e. area between the kerb and allotment boundary) should be designed and constructed (including modified) in accordance with relevant / current Council/DIT 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

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) to keep people safe and help protect underground infrastructure.

OFFICER MAKING RECOMMENDATION

Name: Dean Spasic
Title: Development Officer - Planning
Date: 05/05/2025