

Minutes of the Council Assessment Panel of the City of Holdfast Bay held in the Kingston Room, Civic Centre, Jetty Road, Brighton, on Wednesday, 13 December 2017 at 7:00 pm.

MEMBERS PRESENT

Presiding Member – J Newman
G Goss
D Bailey
A Vine
R Clancy

STAFF IN ATTENDANCE

Manager Development Services – A Marroncelli
Team Leader Development Assessment – C Watson
Development Officer – D Spasic

1. OPENING

J Newman welcomed the people in the gallery.

2. APOLOGIES

Apologies Received – Nil
Absent – Nil

3. DECLARATION OF INTEREST

Members were reminded to declare their interest before each item.

4. CONFIRMATION OF MINUTES

Motion

131217/0179

That the minutes of the Council Assessment Panel held on 22 November 2017 be taken as read and confirmed.

Moved by A Vine, Seconded by G Goss

Carried

5. COUNCIL ASSESSMENT MATTERS

5.1 TEK Building Design, 1/11 & 2/11 Burnham Road, Kingston Park (Report No 438/17)

DA NO.	:	<u>110/00742/17</u>
APPLICANT	:	<u>TEK BUILDING DESIGN</u>
LOCATION	:	<u>1/11 & 2/11 BURNHAM ROAD, KINGSTON PARK</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 2 JUNE 2016</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL ZONE</u>
NATURE OF DEVELOPMENT	:	<u>MERIT</u>
PROPOSAL	:	<u>A PAIR OF TWO STOREY SEMI-DETACHED DWELLINGS WITH INTEGRAL GARAGES, BALCONIES AND PORCHES AND ASSOCIATED EXTERNAL STAIRS</u>
EXISTING USE	:	<u>RESIDENTIAL</u>
REFERRALS	:	<u>NOT APPLICABLE</u>
CATEGORY	:	<u>TWO</u>
REPRESENTATIONS RECEIVED	:	<u>FIVE</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT (SUBJECT TO CONDITIONS)</u>

Speakers: S McDonald, T Crabb, L Zammit, P McGrade, R Armour and P Psaltis

Motion

131217/0180

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 Development Assessment Panel resolves to grant Development Plan Consent to Development Application 110/00742/17 for the construction of a pair of two storey semi-detached dwellings with integral garages, balconies and porches and associated external stairs at 1/11 and 2/11 Burnham Road, Kingston Park subject to the following conditions:
 1. That the design and siting of all buildings and structures and site works shall be as shown on the following plans submitted to and approved by Council unless varied by any subsequent conditions imposed herein:
 - a. TEK Building & Design, Job No. 11BURNHAM Sheet 1 of 12 Revision C FEB 2017 LOCALITY PLAN;
 - b. TEK Building & Design, Job No. 11BURNHAM Sheet 2 of 12 Revision C FEB 2017 SITE PLAN;
 - c. TEK Building & Design, Job No. 11BURNHAM Sheet 3 of 12 Revision C FEB 2017 FIRST FLOOR PLAN;
 - d. TEK Building & Design, Job No. 11BURNHAM Sheet 4 of 12 Revision C FEB 2017 GROUND FLOOR PLAN;
 - e. TEK Building & Design, Job No. 11BURNHAM Sheet 5 of 12 Revision C FEB 2017 ELEVATIONS;

- f. TEK Building & Design, Job No. 11BURNHAM Sheet 6 of 12 Revision C FEB 2017 ELEVATIONS**
 - g. TEK Building & Design, Job No. 11BURNHAM Sheet 7 of 12 Revision C FEB 2017 ROOF PLAN;**
 - h. TEK Building & Design, Job No. 11BURNHAM Sheet 8 of 12 Revision C FEB 2017 SECTION A-A;**
 - i. TEK Building & Design, Job No. 11BURNHAM Sheet 9 of 12 Revision C FEB 2017 SECTION B-B;**
 - j. TEK Building & Design, Job No. 11BURNHAM Sheet 10 of 12 Revision C FEB 2017 SECTION DETAILS;**
 - k. TEK Building & Design, Job No. 11BURNHAM Sheet 11 of 12 Revision C FEB 2017 SHADOW DIAGRAM;**
 - l. TEK Building & Design, Job No. 11BURNHAM Sheet 11 of 12 Revision C FEB 2017 PERSPECTIVE VIEWS; and**
 - m. TEK Building & Design, Job No. 11BURNHAM Sheet 13 of 12 Revision C FEB 2017 LANDSCAPING PLAN**
- 2. That stormwater from each dwelling shall be collected and connected to a 1000 litre (minimum) rainwater tank with a sealed system over flow connection to the street water table. Final details of the location and size of the tank(s) shall be submitted to Council for approval prior to the issue of full Development Approval. Furthermore, all stormwater from the dwelling and the site shall be collected and disposed of in a manner that does not adversely affect any properties adjoining the site or the stability of any building on adjacent sites. NOTE: Stormwater shall not be disposed of over a vehicle crossing place and any connection to the street water table, including remedial works to footpaths, verges or other Council infrastructure, is subject to any necessary approvals from Council and will be at the applicant's cost.**
- 3. That landscaping shall comprise where practicable, trees and shrubs that are indigenous to the local area and are semi mature or of fast growing tubestock. All such landscaping shall be established within 3 months of substantial completion of the development and any such vegetation shall be replaced if and when it dies or becomes seriously diseased.**

- 4. That upstairs windows and openings on the north-eastern side elevation adjacent to the living room, staircase and front balcony shall comprise powder coated aluminium privacy screens, in the form of solid louvres that are fixed in such a way so as to prevent overlooking into the windows and private open space areas of 13 Burnham Road, Kingston Park. Upstairs windows and openings on the south-western side elevation adjacent the dining room and front balcony shall comprise powder coated aluminium privacy screens, in the form of solid louvres that are fixed in such a way so as to prevent overlooking into the windows and private open space areas of the dwellings at 15 Burnham Road, Kingston Park. Further details of this requirement shall be provided at Building Rules Assessment stage.**
- 5. That construction shall take place between 7am and 7pm Monday to Saturday and not on Sundays or public holidays. All such work shall be undertaken in such a manner so as not to, in the reasonable opinion of Council, cause any nuisance or annoyance to any of the occupiers of buildings within the locality. Any work outside of these hours requires the written approval of Council.**
- 6. That dust emissions from the site shall be controlled by a dust suppressant or by watering (subject to any relevant water restrictions) regularly to the reasonable satisfaction of Council.**
- 7. That the builder shall at all times provide and maintain a waste receptacle to the reasonable satisfaction of Council on the site in which and at all times all builder's waste shall be contained for the duration of the construction period and the receptacle shall be emptied as required.**
- 8. That all hard building materials, waste and litter on site be stored in a manner that secures it on site during the construction works.**
- 9. That no solid or liquid trade wastes be discharged to the stormwater system.**
- 10. That no machinery, plant or equipment shall be installed on the roof without the prior consent of Council.**
- 11. That the materials used for the roof surface shall have a non-reflective finish, with details of such materials to be provided to Council prior to the issue of Development Approval.**

12. That all domestic mechanical plant and equipment, including air conditioners, should be selected, designed, and installed to comply with the following mandatory criteria:

- (a) Noise level not to exceed 52dB(A) between the hours of 7am and 10pm when measured and adjusted at the nearest residential zone interface in accordance with the Environment Protection (Noise) Policy 2007*, and**
- (b) Noise level not to exceed 45dB(A) between the hours of 10pm and 7am when measured and adjusted at the nearest residential zone interface in accordance with the Environment Protection (Noise) Policy 2007*, and**
- (c) Where marked with an * the above noise levels must include a penalty for each characteristic where tonal/modulating/impulsive/low frequency characteristics are present in accordance with the Environment Protection (Noise) Policy 2007.**

Moved D Bailey, Seconded A Vine

Carried

5.2 Karl Bechtold, 75 Harrow Road, Somerton Park (Report No 439/17)

DA NO.	:	<u>110/00644/17</u>
APPLICANT	:	<u>KARL BECHTOLD</u>
LOCATION	:	<u>75 HARROW ROAD, SOMERTON PARK</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 2 JUNE 2016</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL</u>
NATURE OF DEVELOPMENT:		<u>MERIT</u>
PROPOSAL	:	<u>LAND DIVISION CREATING TWO LOTS FROM ONE</u>
EXISTING USE	:	<u>DETACHED DWELLING</u>
REFERRALS	:	<u>NIL</u>
CATEGORY	:	<u>ONE</u>
REPRESENTATIONS	:	<u>NOT APPLICABLE</u>
RECOMMENDATION	:	<u>DEVELOPMENT APPROVAL</u>

Motion

131217/0181

- 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 resolves to grant Development Approval to Development Application 110/00644/17 comprising a Torrens title land division (110/D054/17) creating two lots from one lot.**

PLANNING CONDITIONS

- 1. The proposal shall be implemented as shown on the plan of division prepared by Weber Frankiw and Associates, Reference 7352div dated 6.7.17 unless varied by any subsequent conditions imposed herein.**
- 2. That the applicant shall advise Council in writing of the demolition of all buildings, structures, footings, pipes and other deleterious materials have been removed from the site in order that Section 51 Clearance may be granted.**
- 3. The financial requirements of SA Water shall be met for the provision of water supply. The alteration of internal drains to the satisfaction of SA Water is required. On receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or nonstandard fees. On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.**
- 4. Payment of \$6830 into the Planning and Development Fund (1 allotment(s) @ \$6830/allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.**
- 5. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.**

Moved A Vine, Seconded R Clancy

Carried

5.3 Karl Bechtold, 75 Harrow Road, Somerton Park (Report No 440/17)

DA NO.	:	<u>110/00738/17</u>
APPLICANT	:	<u>KARL BECHTOLD</u>
LOCATION	:	<u>75 HARROW ROAD, SOMERTON PARK</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 2 JUNE 2016</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL</u>
NATURE OF DEVELOPMENT:		<u>MERIT</u>
PROPOSAL	:	<u>TWO, TWO STOREY DETACHED DWELLINGS WITH GARAGE ADJOINING EASTERN BOUNDARY AND SWIMMING POOLS TO THEIR REAR</u>
EXISTING USE	:	<u>DETACHED DWELLING</u>
REFERRALS	:	<u>NIL</u>
CATEGORY	:	<u>TWO</u>
REPRESENTATIONS	:	<u>FOUR</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT WITH CONDITIONS</u>

Speakers: T Atkinson, K Bechtold and T Dunning

Motion**131217/0182**

- 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 resolves to grant Development Approval to Development Application 110/00738/17 comprising construction of two, two storey detached dwellings and swimming pools.**

PLANNING CONDITIONS

- 1. That the design and siting of all buildings and structures and site works shall be as shown on the amended plans dated 20/11/17 and approved by Council unless varied by any subsequent conditions imposed herein:**
- 2. That the premises shall be maintained, kept tidy, free of graffiti and in good repair and condition to the reasonable satisfaction of Council at all times.**
- 3. That the premises shall not be used, directly or indirectly, for the purpose now approved until all work has been completed in accordance with the plan approved and the conditions of consent have been complied with, except those conditions that continue to apply.**
- 4. That the finished level of the crossover at the property boundary shall be a minimum of 75mm above the top of kerb in accordance with AS2890.1, and the maximum gradient of the driveway shall not be greater than 5% across the footpath, with the invert profile conforming to AS2876.**

5. Furthermore, the footpaths on either side shall be graded to the driveway preventing tripping hazards at this junction, without any steep grades along the footpath.
6. The provision for vehicle crossovers and inverts, and reinstatements of existing crossovers not required by the development, be constructed at the owner's expense.
7. That stormwater from each dwelling shall be collected and connected to a 1000 litre (minimum) rainwater tank with a sealed system over flow connection to the street water table. Final details of the location and size of the tank(s) shall be submitted to Council for approval prior to the issue of full Development Approval. Furthermore, all stormwater from the dwelling and the site shall be collected and disposed of in a manner that does not adversely affect any properties adjoining the site or the stability of any building on adjacent sites.

NOTE: Stormwater shall not be disposed of over a vehicle crossing place and any connection to the street water table, including remedial works to footpaths, verges or other Council infrastructure, is subject to any necessary approvals from Council and will be at the applicant's cost.

8. 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 to the reasonable satisfaction of Council.
9. That construction shall take place between 7am and 7pm Monday to Saturday and not on Sundays or public holidays. All such work shall be undertaken in such a manner so as not to, in the reasonable opinion of Council, cause any nuisance or annoyance to any of the occupiers of buildings within the locality. Any work outside of these hours requires the written approval of Council.
10. That dust emissions from the site shall be controlled by a dust suppressant or by watering (subject to any relevant water restrictions) regularly to the reasonable satisfaction of Council.
11. That the builder shall at all times provide and maintain a waste receptacle to the reasonable satisfaction of Council on the site in which and at all times all builder's waste shall be contained for the duration of the construction period and the receptacle shall be emptied as required.
12. That all hard building materials, waste and litter on site be stored in a manner that secures it on site during the construction works.
13. That no solid or liquid trade wastes be discharged to the stormwater system.
14. That all domestic mechanical plant and equipment including refrigerated air conditioners, but excluding evaporative air conditioners, shall be mounted on the ground and fitted with an approved acoustic enclosure incorporating correctly designed ventilation, to minimize environmental harm, which includes nuisance from noise, to occupants on adjacent premises.

15. That all domestic mechanical plant and equipment, including air conditioners, should be selected, designed, and installed to comply with the following mandatory criteria:
- (a) Noise level not to exceed 52dB(A) between the hours of 7am and 10pm when measured and adjusted at the nearest residential zone interface in accordance with the Environment Protection (Noise) Policy 2007*, and
 - (b) Noise level not to exceed 45dB(A) between the hours of 10pm and 7am when measured and adjusted at the nearest residential zone interface in accordance with the Environment Protection (Noise) Policy 2007*, and
 - (c) Where marked with an * the above noise levels must include a penalty for each characteristic where tonal/modulating/impulsive/low frequency characteristics are present in accordance with the Environment Protection (Noise) Policy 2007.
16. That the filter pumps associated with the swimming pools be enclosed in such a way that noise levels do not exceed 45db(a) measured at adjoining property boundaries.

Moved R Clancy, Seconded A Vine

Carried

6. REPORTS BY OFFICERS

6.1 Nil.

6.2 Non complying development application – decision to proceed
92 Partridge Street, Glenelg South (Report No 441/17)

131217/0183

Development Application 110/00984/17 was lodged with Council on 6 November 2017 as a non-complying form of development for the subject site at 92 Partridge Street, Glenelg South as listed in the Residential Character Zone, New Glenelg Policy Area 11 of the Holdfast Bay (City) Development Plan (Consolidated 2 June 2016). Pursuant to Section 39 (4)(d) of the Development Act 1993, the relevant authority may refuse an application that relates to a development of a kind that is described as a non-complying development under the relevant Development Plan without proceeding to make an assessment of the application. Accordingly, a decision is sought on whether to proceed with further processing of the Development Application.

Motion

131217/0184

That pursuant to Regulations 17 (3)(b) of the Development Regulations, 2008 the Development Assessment Panel resolves that the intended land use proposed by Development Application 110/00984/17 has merit and resolves to allow the Development Application to proceed to public notification and a formal assessment.

Moved D Bailey, Seconded A Vine

Carried

7. URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING - Nil

8. CLOSURE

The meeting closed at 8:24 pm.

CONFIRMED Wednesday, 24 January 2018

PRESIDING MEMBER