

Minutes of the Development Assessment Panel of the City of Holdfast Bay held in the Kingston Room, Civic Centre, Jetty Road, Brighton, on Wednesday, 22 January 2014 at 7:00pm.

MEMBERS PRESENT

Presiding Member – G Goss
J Newman
N Sim
I Winter
R Clancy
T Looker
J Huckstepp

STAFF IN ATTENDANCE

Manager Development Services – A Marroncelli
Team Leader Development Assessment – C Watson
Development Officer – E Kenchington

1. OPENING

G Goss 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. PRESIDING MEMBER'S REPORT

Nil

5. CONFIRMATION OF MINUTES

Motion

220114/0001

That the minutes of the Development Assessment Panel held on 18 December 2013 be taken as read and confirmed.

Moved by J Newman, Seconded by N Sim

Carried

6. DEVELOPMENT ASSESSMENT MATTERS

6.1 Salt Studio, 16 Gore Street, Glenelg North (Report No 13/14)

DA NO. :	110/00801/13
APPLICANT:	SALT STUDIO
LOCATION :	16 GORE STREET, GLENELG NORTH
DEVELOPMENT PLAN:	CONSOLIDATED 26 MARCH 2013
ZONE AND POLICY AREA :	RESIDENTIAL (CHARACTER AREA POLICY 8) ZONE
NATURE OF DEVELOPMENT :	MERIT
PROPOSAL :	VERANDAH TO REAR OF EXISTING DWELLING ADJACENT WESTERN AND NORTHERN BOUNDARY, INCORPORATING DECKING AND POOL STORE AND 4.2M TALL FIREPLACE ON REAR BOUNDARY AND GARAGE ON NORTHERN SIDE BOUNDARY 3.2M X 6.3M
EXISTING USE :	SINGLE STOREY DETACHED DWELLING – RESIDENTIAL
REFERRALS:	NIL
CATEGORY :	TWO
REPRESENTATIONS :	ONE
RECOMMENDATION :	DEVELOPMENT PLAN CONSENT, SUBJECT TO CONDITIONS

Motion

220114/0001

1. That the design and siting of all buildings and structures and site works shall be as shown on the plans submitted to and approved by Council unless varied by any subsequent conditions imposed herein.
2. That construction shall take place between 7:00 am and 7:00 pm 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.
3. That the external appearance and external materials and finishes of the new building shall match or blend with the existing building.
4. That adequate provision be made for the disposal of stormwater to the reasonable satisfaction of Council. Where possible, stormwater should be retained on site by the use of natural drainage methods.
5. That the filter pump associated with the swimming pool shall be located or enclosed in such a way that noise levels do not exceed 45db(a) measured at adjoining property boundaries.

NOTE:

The chimney is required to be high enough to ensure that smoke is directed away from where it might be harmful to your neighbours. The current Building Code of Australia states that chimney openings need to be at least 300mm higher than the highest part of any roof within 3.6 metres of the chimney.

There are also requirements under section 25 of the Environment Protection Act 1993, which states that a person must not undertake an activity that pollutes, or might pollute, the environment unless the person takes all reasonable and practicable measures to prevent or minimise any resulting environmental harm. It is therefore recommended that advice is sought from the South Australian Environment Protection Authority (EPA) regarding the appropriate design requirements for chimneys and flues prior to progression to Building Rules Consent stage.

Moved T Looker, Seconded J Huckstepp

Carried

6.2 Wallis Holdings (No 2), 117-123 Jetty Road, Glenelg (Report No 14/14)

DA NO.	:	<u>110/00712/13</u>
APPLICANT	:	<u>WALLIS HOLDINGS (NO 2)</u>
LOCATION	:	<u>117-123 JETTY ROAD, GLENELG</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 21 MARCH 2013</u>
ZONE AND POLICY AREA	:	<u>DISTRICT CENTRE</u>
NATURE OF DEVELOPMENT	:	<u>MERIT</u>
PROPOSAL	:	<u>VARIATION TO DA 110/00560/09 – TWO STOREY BUILDING COMPRISING RESTAURANT/CAFES OFFICE AND CONSULTING ROOM TENANCIES WITH CANOPY OVER JETTY ROAD AND ROSE STREET FOOTPATHS (CHANGE USE OF PORTION OF FIRST FLOOR FROM OFFICE TO GYMNASIUM)</u>
EXISTING USE	:	<u>COMMERCIAL BUILDING</u>
REFERRALS	:	<u>NIL</u>
CATEGORY	:	<u>TWO</u>
REPRESENTATIONS	:	<u>ONE</u>
RECOMMENDATION	:	<u>CONSENT SUBJECT TO CONDITIONS</u>

Motion**220114/0002**

- 1. That the development shall be as shown on the plans and supporting information submitted to and approved by Council, unless varied by any subsequent conditions imposed herein.**
- 2. 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.**
- 3. That the gymnasium shall not be used or occupied by staff and customers for use as a gymnasium until a Memorandum of Lease (in the form attached to the Agreement to Grant a Lease of Easement, which is attached as Annexure A to this approval) over the adjoining shopping centre land is registered on the Certificate of Title of the subject land so as to provide 24 hour vehicular access to the rooftop car park.**
- 4. That the gymnasium tenancy (being tenancy 1) may only be used as a gymnasium for so long as the Memorandum of Lease of Easement referred to herein remains registered on the Certificate of Title of the subject land.**

5. That if the Memorandum of Lease of Easement is removed from the Certificate of Title of the subject land or is varied in any material way that effects free and unrestricted 24 hour access to the rooftop car park the gymnasium use must immediately cease.
6. That no group exercise classes be conducted within the gymnasium tenancy.

NOTE:

That all relevant conditions for DA 110/00560/09 and subsequent variation approvals remain valid and must be complied with.

Moved T Looker, Seconded J Huckstepp

Carried

6.3 Glenelg Health Club Pty Ltd, 19-31 Brighton Road, Glenelg (Report No 15/14)

DA NO.	:	<u>110/00723/13</u>
APPLICANT	:	<u>GLENELG HEALTH CLUB PTY LTD</u>
LOCATION	:	<u>19-31 BRIGHTON ROAD, GLENELG</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 21 MARCH 2013</u>
ZONE AND POLICY AREA	:	<u>DISTRICT CENTRE (POLICY AREA 6)</u>
NATURE OF DEVELOPMENT	:	<u>MERIT</u>
PROPOSAL	:	<u>VARIATION TO OPENING HOURS TO FITNESS CENTRE TO OPERATE 24 HOURS 7 DAYS PER WEEK</u>
EXISTING USE	:	<u>FITNESS CENTRE</u>
REFERRALS	:	<u>NIL</u>
CATEGORY	:	<u>TWO</u>
REPRESENTATIONS	:	<u>ONE</u>
RECOMMENDATION	:	<u>DEVELOPMENT APPROVAL SUBJECT TO CONDITIONS</u>

Motion

220114/0003

1. That the development shall be as shown on the plans and supporting information submitted to and approved by Council, unless varied by any subsequent conditions imposed herein.
2. That no group exercise classes be conducted within the gymnasium tenancy outside of the existing operating hours of 6am to 10pm Monday to Friday, 8am to 4pm Saturday and 9am to 4pm Sunday.

3. **That no music shall be emitted from any amplifier or device, or from any other source whatsoever on the subject land, in such a manner as to contravene the Environment Protection Act and regulations.**

Moved R Clancy, Seconded J Newman

Carried

6.4 Brian Geue, 19 Marlborough Street, Brighton (Report No 16/14)

DA NO.	:	<u>110/00732/13</u>
APPLICANT	:	<u>BRIAN GEUE</u>
LOCATION	:	<u>19 MARLBOROUGH STREET, BRIGHTON</u>
DEVELOPMENT PLAN	:	<u>21 MARCH 2013</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL</u>
NATURE OF DEVELOPMENT	:	<u>MERIT</u>
PROPOSAL	:	<u>GARAGE (90 SQUARE METRE FLOOR AREA AND 3.6 TO 4.39M WALL HEIGHT) LOCATED IN THE SOUTH EASTERN REAR CORNER OF REAR YARD AND LOCATED ON THE EASTERN SIDE BOUNDARY OVER A LENGTH OF 9 METRES AND LOCATED ON THE SOUTHERN REAR BOUNDARY OVER A LENGTH OF 10 METRES</u>
EXISTING USE	:	<u>RESIDENTIAL</u>
REFERRALS	:	<u>NIL</u>
CATEGORY	:	<u>TWO</u>
REPRESENTATIONS	:	<u>ONE</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS</u>

Speakers: K Jackson and B Geue

Motion

220114/0004

1. **That the design and siting of all buildings and structures and site works shall be as shown on the plans submitted to and approved by Council unless varied by any subsequent conditions imposed herein.**
2. **That adequate provision be made for the disposal of stormwater to the reasonable satisfaction of Council. Where possible, stormwater should be retained on site by the use of natural drainage methods.**
3. **That the external appearance and external materials and finishes of the new building shall be clad with pre-coloured sheet metal and match or blend with the existing building.**

4. That the domestic outbuilding approved herein shall be used for domestic purposes only and the incidental parking of motor vehicles belonging to the owner of the land. No activities shall be undertaken that would create any appreciable noise, smoke, smell, dust or other nuisances.
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 the rear, external southern wall facing the adjoining property to the south, shall be clad in a factory colour-coated metal in a suitable shade of green, the details of which shall be provided to Council for its assessment prior to the issue of Development Approval.

Moved T Looker, Seconded J Huckstepp

Carried

6.5 Verrocchi Building Design, 19 Marlborough Street, Brighton (Report No 17/14)

DA NO.	:	<u>110/00641/13</u>
APPLICANT	:	<u>VERROCCHI BUILDING DESIGN</u>
LOCATION	:	<u>19 MARLBOROUGH STREET, BRIGHTON</u>
DEVELOPMENT PLAN	:	<u>21 MARCH 2013</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL</u>
NATURE OF DEVELOPMENT	:	<u>MERIT</u>
PROPOSAL	:	<u>TWO STOREY DETACHED DWELLING WITH ASSOCIATED GARAGE ADJACENT WESTERN BOUNDARY AND INGROUND SWIMMING POOL AT REAR OF DWELLING</u>
EXISTING USE	:	<u>VACANT</u>
REFERRALS	:	<u>CITY ASSETS</u>
CATEGORY	:	<u>TWO</u>
REPRESENTATIONS	:	<u>ONE</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT, SUBJECT TO CONDITIONS</u>

Speakers: S Holthouse and B Geue

Motion

220114/0005

1. That the design and siting of all buildings and structures and site works shall be as shown on the plans submitted to and approved by Council unless varied by any subsequent conditions imposed herein.

- 2. 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.**
- 3. 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.**
- 4. 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.**
- 5. Any change in levels along external site boundaries of 200mm or more shall be retained to suitable engineering standards and any fencing shall be erected on top of such retaining walls. Construction of all retaining walls shall be undertaken and completed prior to the commencement of construction of the dwelling(s) herein approved.**
- 6. That stormwater from the 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.**
- 7. 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.**
- 8. 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.**
- 9. That the provision for vehicle crossovers and inverts, and reinstatements of existing crossovers not required by the development, be constructed at the owner's expense. The proposed vehicle-crossing place shall be designed to comply with AS 2890.1 and to ensure sight lines are adequate. That is any driveway shall be a minimum of 1 metre from any infrastructure (ie street sign, electricity stobie pole, tree, Telstra infrastructure, side entry pit etc) on the verge.**

10. That the location, dimensions and technical specifications of the air-conditioning unit(s) be provided to Council prior to the issuing of Development Approval to be further assessed to meet the reasonable satisfaction of Council.
11. That upstairs windows on the eastern, western and southern elevation shall have minimum window sill heights of 1.7 metres above finished floor level, or any glass below 1.7 metres shall be manufactured obscure glass and fixed shut or as otherwise approved by Council. Further details of this requirement shall be provided at Building Rules Assessment stage.
12. That the landscaping shall comprise semi mature trees and shrubs indigenous to the local area (where practicable). The trees shall have a minimum height of 1500mm and the shrubs a minimum height and breadth of 300mm when planted. All such landscaping shall be planted prior to the occupation of the dwellings and any such vegetation shall be replaced if and when it dies or becomes seriously diseased.
13. That all plants shall be watered through the installation of an underground drip feed irrigation system.
14. That the associated filter pump for the swimming pool be enclosed in such a way that noise levels do not exceed 45db(a) measured at adjoining property boundaries.
15. That a fixed, vertical blade louvered screen (or fixed obscure glazing or similar) which prevents direct views into the adjoining dwelling to the immediate south and west shall be erected on the western elevation and southern elevation of the balcony attached to the laundry on the first floor with a minimum height of 1.7 metres above finished floor level, to the reasonable satisfaction of the Council. Further details of the louvered screen or similar shall be provided at the Building Rules Assessment stage.

Notice:

1. *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.*
2. *That all domestic mechanical plant and equipment including refrigerated air conditioners, but excluding evaporative air conditioners, should 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.*
 3. *Structural roots with a diameter greater than 25 millimetres, located outside the Tree Protection Zone (TPZ) should be retained. If such roots require removal during construction they shall be cleanly severed by saw cutting, sharp axe or secateurs and not with a Backhoe or any machinery or blunt instrument. Where structural roots are encountered within this zone, a suitably qualified Arboriculturist should determine the significance of any tree roots and treat accordingly.*
 4. *Should guidance be required with respect to making a selection of suitable indigenous native vegetation, please refer to <http://www.holdfast.sa.gov.au/site/page.cfm?u=867> located on City of Holdfast Bay website.*
 5. *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.*

Moved J Huckstepp, Seconded T Looker

Carried

6.6 Aspex Building Designers, 170 Esplanade, Brighton (Report No 18/14)

DA NO.	:	110/00558/13
APPLICANT	:	ASPEX BUILDING DESIGNERS
LOCATION	:	170 ESPLANADE, BRIGHTON
DEVELOPMENT PLAN	:	CONSOLIDATED 26 APRIL 2012
ZONE AND POLICY AREA	:	RESIDENTIAL (COASTAL)
NATURE OF DEVELOPMENT	:	MERIT
PROPOSAL	:	ALTERATIONS AND ADDITIONS TO THE FRONT OF THE EXISTING DWELLING INCLUDING A FIRST FLOOR DECK
EXISTING USE	:	TWO STOREY DETACHED DWELLING
REFERRALS	:	NIL
CATEGORY	:	TWO
REPRESENTATIONS	:	ONE
RECOMMENDATION	:	CONSENT WITH CONDITIONS

Motion**220114/0006**

1. That the design and siting of all buildings and structures and site works shall be as shown on the amended plans stamped by council dated 19/09/13 submitted to and approved by Council unless varied by any subsequent conditions imposed herein.
2. 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.
3. That dust emissions from the site shall be controlled by a dust suppressant or by watering regularly to the reasonable satisfaction of Council.
4. 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 builders waste shall be contained for the duration of the construction period and the receptacle shall be emptied as required.
5. That all hard building materials, waste and litter on site be stored in a manner that secures it on site during the construction works.
6. That no solid or liquid trade wastes be discharged to the stormwater system.
7. Any change in levels along external site boundaries of 200mm or more shall be retained to suitable engineering standards and any fencing shall be erected on top of such retaining walls. Construction of all retaining walls shall be undertaken and completed prior to the commencement of construction of the dwelling(s) herein approved.

8. That stormwater from the dwelling additions shall be collected and connected to a 1000 litre 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.

Disclaimers

1. *Based upon current knowledge and information the development and development site is at some risk of coastal erosion and inundation due to extreme tides notwithstanding any recommendations or advice herein, or may be at future risk. Neither erosion nor the effect of sea level change on this can be predicted with certainty. Also, mean sea level may rise by more than the 0.3 metres assumed in assessing this application.*

Accordingly neither the City of Holdfast Bay nor any of its servants, agents or officers accept any responsibility for any loss of life and property that may occur as a result of such circumstances.

2. *It is the responsibility of the developer and owners of the subject site to ensure that the site has valid access rights from Beach Road.*

Accordingly neither the City of Holdfast Bay nor any of its servants, agents or officers accept any responsibility should the current right of way be extinguished.

Moved T Looker, Seconded J Huckstepp

Carried

7. REPORTS BY OFFICERS

7.1 Nil.

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

9. CLOSURE

The meeting closed at 8:14 pm.

CONFIRMED Wednesday, 26 February 2014

PRESIDING MEMBER