

**Minutes of the Development Assessment Panel of the City of Holdfast Bay held in the Kingston Room, Civic Centre, Jetty Road, Brighton, on Wednesday, 24 May 2017 at 7:00 pm.**

**MEMBERS PRESENT**

Presiding Member – J Newman  
G Goss  
D Bailey  
B Patton  
L Yates  
A Vine

**STAFF IN ATTENDANCE**

Manager Development Services – A Marroncelli  
Development Officers – D Spasic and A Stamatopoulos

**1. OPENING**

J Newman welcomed the people in the gallery.

**2. APOLOGIES**

Apologies Received – R Clancy  
Absent – Nil

**3. DECLARATION OF INTEREST**

Members were reminded to declare their interest before each item.

**4. CONFIRMATION OF MINUTES**

**Motion**

**240517/0127**

**That the minutes of the Development Assessment Panel held on 26 April 2017 be taken as read and confirmed.**

Moved by D Bailey, Seconded by G Goss

**Carried**

## 5. DEVELOPMENT ASSESSMENT MATTERS

### 5.1 Item removed

### 5.2 Construction Services Australia Pty Ltd, 18 Brimble Street, North Brighton (Report No 157/17)

DA NO.	:	<u>110/00222/17</u>
APPLICANT	:	<u>CONSTRUCTION SERVICES AUSTRALIA PTY LTD</u>
LOCATION	:	<u>18 BRIMBLE STREET, NORTH BRIGHTON</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>SINGLE STOREY DETACHED DWELLING ON HAMMERHEAD ALLOTMENT WITH INTEGRAL VERANDAH AND GARAGE LOCATED ON THE SOUTHERN SIDE BOUNDARY</u>
EXISTING USE	:	<u>RESIDENTIAL</u>
REFERRALS	:	<u>NOT APPLICABLE</u>
CATEGORY	:	<u>TWO</u>
REPRESENTATIONS	:	<u>ONE</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS</u>
HEARING OF REPRESENTORS	:	<u>S M DIERCKS</u>
HEARING OF APPLICANT	:	<u>P GROOM</u>

Speakers: T Diercks and G Pozzebon

### Motion

**240517/0129**

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 110/00222/17 subject to the following conditions:

### PLANNING CONDITIONS

1. That the design and siting of all buildings and structures and site works shall be as shown on the plans prepared by Hickinbotham, Job No. 34504 File Ref. 2142 Sheet 1 of 2 and Sheet 2 of 2 and the plan prepared by Herriot Consulting File No. C1612-056 Sheet 1 of 1 submitted to and approved by Council unless varied by any subsequent conditions imposed herein.

2. **2A stormwater management plan shall be submitted prior to Development Approval. The stormwater management shall cater to 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.**
3. **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.**

**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.**

4. **A detailed landscape plan and schedule shall be submitted prior to Development Approval showing plantings along the driveway, in the front and rear yards, including trees, to the reasonable satisfaction of Council. Landscaping shall be established within 3 months of occupation and maintained with any such vegetation being replaced if and when it dies or becomes seriously diseased.**
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 the fence along the northern boundary, immediately north of the alfresco area, be visually permeable from a height on 1 metre measured from ground level. Details of the fencing shall be provided to council for assessment prior to the issue of Development Approval.

Moved D Bailey, Seconded A Vine

**Carried**

**5.3 Future Urban Group, 23 Cudmore Street, Somerton Park (Sacred Heart College) (Report No 158/17)**

DA NO.	:	110/00047/17
APPLICANT	:	FUTURE URBAN GROUP
LOCATION	:	23 CUDMORE STREET, SOMERTON PARK (SACRED HEART COLLEGE)
DEVELOPMENT PLAN	:	CONSOLIDATED 2 JUNE 2016
ZONE AND POLICY AREA	:	RESIDENTIAL (INSTITUTION) ZONE, POLICY AREA 4
NATURE OF DEVELOPMENT: PROPOSAL	:	MERIT LED SCOREBOARD LOCATED ADJACENT TO THE SLADE STREET BOUNDARY
EXISTING USE	:	EDUCATIONAL ESTABLISHMENT
REFERRALS	:	NIL
CATEGORY	:	THREE
REPRESENTATIONS	:	TWO
RECOMMENDATION	:	DEVELOPMENT PLAN CONSENT

Speakers: P Foley and M Nott

**Motion**

**240517/0130**

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 Holdfast Bay (City) Development Plan, the Development Assessment Panel resolves to grant Development Plan Consent to DA 110/00047/17 subject to the following conditions:

**PLANNING CONDITIONS**

1. That the design and siting of the scoreboard and site works shall be as shown on the plans prepared by Hames Sharley, Project No. 31668, Drawing No. A 101, Revision 12 and plans prepared by Newfab Solutions, Drawing No. 1636 A, Sheet 1 of 1 and Drawing No. 1636 B Sheet 1 of 1 submitted to and approved by Council unless varied by any subsequent conditions imposed herein.
2. The scoreboard shall be maintained and kept in good repair to the reasonable satisfaction of Council.

- 3. An auto brightness controller shall be installed so as to ensure no more than 80 percent brightness with daylight operation (in full sunlight) and substantially reduced on dull days and nights so as to present a matte finish on the screen to the reasonable satisfaction of Council.**
- 4. The scoreboard screen shall be used for the purpose of a scoreboard only and not comprise any advertising of any kind.**
- 5. A tree protection plan shall be implemented for the adjacent Significant Eucalyptus Cladocalyx (Sugar Gum) tree as identified in the Symatree report dated February 2017 for this development application in order to protect the critical root zone and ensure that the tree health and stability is maintained. The tree protection plan shall be undertaken in accordance with Appendix A of the report prepared by Symatree dated February 2017 prepared for this development application (attached in the Development Plan Consent documents).**
- 6. 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.**
- 7. The scoreboard and support posts shall be coated in a colour to match the dark treatment applied to sections of the recreation building alongside, to the reasonable satisfaction of council. Details of the colour shall be provided to council for assessment prior to the issue of Development Approval.**
- 8. That 4 semi-mature 'Tuckeroo' trees with a minimum height of 2 metres, shall be planted between the back of the approved scoreboard and the Slade Street boundary, to the reasonable satisfaction of council. The trees shall be established within 3 months of the approved scoreboard's installation and maintained thereafter, with any tree being replaced if and when it dies or becomes seriously diseased.**

Moved D Bailey, Seconded B Patton

**Carried**

**5.4 Robin Taylor, 2 Gordon Street, Somerton Park (Report No 159/17)**

DA NO.	:	<u>110/00255/17</u>
APPLICANT	:	<u>ROBIN TAYLOR</u>
LOCATION	:	<u>2 GORDON STREET, SOMERTON 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>SHED LOCATED TO REAR OF EXISTING DWELLING</u>
REFERRALS	:	<u>NIL</u>
CATEGORY	:	<u>ONE</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN REFUSAL</u>

**D Bailey left the Meeting at 7:55 pm having declared a conflict of interest with Item 5.4**

**Motion****240517/0131**

- 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 110/00255/17 subject to the following conditions:**

**PLANNING CONDITIONS**

- 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 stormwater from the structure shall be collected and connected to the street water table. Final details of the method of stormwater discharge shall be submitted to Council for approval prior to the issue of full Development Approval. Furthermore, all stormwater from the structure 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. The approved structure shall be used for domestic storage only and shall not be used in association with any commercial or industrial activity.**

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.

Moved G Goss, Seconded Nil

**Lost through lack of a Seconder**

**Motion**

**240517/0132**

1. The proposed development is NOT seriously at variance with the policies in the Development Plan.
2. That Development Application 110/00255/17 be **refused Development Approval** for the reason that it is contrary to general Section Design and Appearance Objective 1 and Principles 1 (a)(c) and 2 (a), Residential Development Principles 13 and 17 and Residential Zone Principle 1. More specifically the application does not meet the intent of the Development Plan in relation to:
  - The construction of domestic outbuildings;
  - Reducing visual impacts to adjoining properties;
  - Appropriate building height, mass and proportion;
  - Roof form and pitch of outbuildings that compliment the existing dwelling; and
  - Suitable wall heights of outbuildings.

Moved L Yates, Seconded B Patton

**Carried**

**D Bailey returned to the Meeting at 8:13 pm**

**5.5 Damian and Kirsty Worthy, 44 Wheatland Street, Seacliff (Report No 160/17)**

DA NO.	:	110/00173/17
APPLICANT	:	DAMIAN AND KIRSTY WORTHY
LOCATION	:	44 WHEATLAND STREET, SEACLIFF
DEVELOPMENT PLAN	:	CONSOLIDATED 2 JUNE 2016
ZONE AND POLICY AREA	:	RESIDENTIAL CHARACTER ZONE SEACLIFF POLICY AREA 12
NATURE OF DEVELOPMENT	:	MERIT
PROPOSAL	:	EXPANSION OF EXISTING SHOP INTO NON- RETAIL SECTION OF THE BUILDING TO ENABLE THE ESTABLISHMENT OF A CAFE
REFERRALS	:	NIL
CATEGORY	:	THREE
REPRESENTATIONS	:	FOUR
RECOMMENDATION	:	DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS

**G Goss left the Meeting at 8:14pm having declared a conflict of interest with Item 5.5**

**Motion****240517/0133**

- 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 110/00173/17 subject to the following conditions:**

**PLANNING CONDITIONS**

- 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 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 the café shall not contain more than 20 seats.**



4. That the premises shall not be used outside the hours of 7:30 am to 3:30 pm Tuesday to Sunday inclusive unless written approval to vary the times is given by council.

Moved L Yates, Seconded A Vine

**Carried**

**G Goss returned to the Meeting at 8:17 pm**

**6. REPORTS BY OFFICERS**

6.1 Nil.

6.2 Appeal Item – 10 Rowe Street, South Brighton (Report No 173/17)

**Motion**

**240517/0134**

1. The proposed development is NOT seriously at variance with the policies in the Development Plan.
2. That the Environment Resources and Development Court is advised that following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, the Development Assessment Panel resolves that Development Plan Consent is supported for Development Application 110/00440/16 subject to the following conditions:

**PLANNING CONDITIONS**

1. The balcony screens shall be constructed as shown on the compromise plans prepared by DesignTech, Sheets 1 to 3 dated 27/04/2017 submitted to and approved by Council unless varied by any subsequent conditions imposed herein.
2. That conditions 1 to 9 associated with Development Application 110/00846/13 still apply, as follows, except where superseded by the variation compromise plan:
  1. That the design and siting of all buildings and structures and site works shall be as shown on the amended plans dated 06/02/2014 and 12/02/2014 submitted to and approved by Council unless varied by any subsequent conditions imposed herein.
  2. That the alfresco and rear balcony herein approved shall not be enclosed without the prior consent of Council.

3. 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.

4. That no solid or liquid trade wastes be discharged to the stormwater system.
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 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.
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 construction shall take place between 7:00 am 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.
9. 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.

**Note:** 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.

Moved G Goss, Seconded D Bailey

**Carried**

**7. URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING**

**7.1 G Goss advised that he wishes to relinquish his role as Deputy Presiding Member of the Holdfast Bay Development Assessment Panel and MOVED that D Bailey is appointed to the position. The nomination was SECONDED by J Newman.**

**Carried**

**8. CLOSURE**

The meeting closed at 8:38 pm.

**CONFIRMED      Wednesday, 28 June 2017**

**PRESIDING MEMBER**