

Minutes of the Development Assessment Panel of the City of Holdfast Bay held in the Kingston Room, Civic Centre, Jetty Road, Brighton, on Wednesday, 27 May 2015 at 7:00pm.

MEMBERS PRESENT

Presiding Member – J Newman
G Goss
D Bailey
P Dinning
R Clancy
A Bradshaw
M Bouchee

STAFF IN ATTENDANCE

Development Officers – Craig Watson, A Stamatopoulos, Callum Little and Dean 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. PRESIDING MEMBER'S REPORT

Nil

5. CONFIRMATION OF MINUTES

Motion

270515/0035

That the minutes of the Development Assessment Panel held on 22 April 2015 and the amended minutes of the Development Assessment Panel meeting held on 25 March 2015 be taken as read and confirmed.

Moved by G Goss, Seconded by M Bouchee

Carried

6. DEVELOPMENT ASSESSMENT MATTERS

6.2 Zaina Stacey Development Consultants 5-6 Patawalonga Frontage Glenelg North (Report No 142/15)

DA NO.	:	<u>110/00745/14</u>
APPLICANT	:	<u>ZAINA STACEY DEVELOPMENT CONSULTANTS</u>
LOCATION	:	<u>5-6 PATAWALONGA FRONTAGE, GLENELG NORTH</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 13 FEBRUARY 2014</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL FORSHORE ZONE (POLICY AREA 2)</u>
NATURE OF DEVELOPMENT	:	<u>MERIT</u>
PROPOSAL	:	<u>COMMUNITY TITLE LAND DIVISION (CREATING 14 ALLOTMENTS FROM TWO ALLOTMENTS)</u>
EXISTING USE	:	<u>FOUR SEMI-DETACHED DWELLINGS</u>
REFERRALS	:	<u>NIL</u>
CATEGORY	:	<u>THREE</u>
REPRESENTATIONS	:	<u>FIVE</u>
RECOMMENDATION	:	<u>DEVELOPMENT APPROVAL WITH CONDITIONS</u>

Speakers: W O'Connor, D Aprizzese and G Heynen

Motion

270515/0037

Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, the Development Assessment Panel considers that the proposed development is sufficiently consistent with the Development Plan and that Development Application 110/00745/14 be granted Development Approval subject to the following conditions:

Council Requirements:

1. That all buildings be demolished and removed from the site.

Development Assessment Commission Requirements:

2. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services (SA Water H0024971).
3. Payment of \$77,856 into the Planning and Development Fund (12 allotment @ \$6488/allotment).
4. Payment may be made by credit card via the internet www.edala.sa.gov.au or by phone (8303 0724), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide, 5001 or in person, Level 5, 136 North Terrace, 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.

New Identifiers:**Common property – 5 Patawalonga Frontage, Glenelg North****Lot 1 – Unit 1/5 Patawalonga Frontage, Glenelg North****Lot 2 – 2/5 Patawalonga Frontage, Glenelg North****Lot 3 – 3/5 Patawalonga Frontage, Glenelg North****Lot 4 – 4/5 Patawalonga Frontage, Glenelg North****Lot 5 – 5/5 Patawalonga Frontage, Glenelg North****Lot 6 – 6/5 Patawalonga Frontage, Glenelg North****Lot 7 – 13/5 Patawalonga Frontage, Glenelg North****Lot 8 – 14/5 Patawalonga Frontage, Glenelg North****Lot 9 – 12/5 Patawalonga Frontage, Glenelg North****Lot 10 – 11/5 Patawalonga Frontage, Glenelg North****Lot 11 – 10/5 Patawalonga Frontage, Glenelg North****Lot 12 – 9/5 Patawalonga Frontage, Glenelg North****Lot 13 – 8/5 Patawalonga Frontage, Glenelg North****Lot 14 – 7/5 Patawalonga Frontage, Glenelg North**

Moved by D Bailey, Seconded by R Clancy

Carried**6.1 Tenant Ready C/O Abela Design & Drafting 5, 5A, 6, 6A and B Patawalonga Frontage, Glenelg North (Report No: 141/15)**

DA NO.	:	110/00362/14
APPLICANT	:	TENANT READY C/O ABELA DESIGN & DRAFTING
LOCATION	:	5, 5A, 6, 6A AND B PATAWALONGA FRONTAGE, GLENELG NORTH
DEVELOPMENT PLAN	:	CONSOLIDATED 13 FEBRUARY 2014
ZONE AND POLICY AREA	:	RESIDENTIAL FORESHORE ZONE POLICY AREA 2 (3 STOREY POLICY AREA)
NATURE OF DEVELOPMENT: PROPOSAL	:	MERIT DEMOLITION OF DWELLINGS AND CONSTRUCTION OF FOUR TWO STOREY RESIDENTIAL FLAT BUILDINGS COMPRISING A TOTAL OF 14 DWELLINGS WITH WALLS ADJOINING PORTIONS OF THE WESTERN, NORTHERN AND SOUTHERN BOUNDARIES
EXISTING USE	:	SINGLE STOREY SEMI-DETACHED DWELLINGS
REFERRALS	:	NIL
CATEGORY	:	ONE
REPRESENTATIONS	:	NOT APPLICABLE
RECOMMENDATION	:	DEVELOPMENT PLAN CONSENT WITH CONDITIONS

Motion**270515/0036**

Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, the Development Assessment Panel considers that the proposed development is sufficiently compliant with the Development Plan and that Development Application 110/00362/14 be granted Development Plan Consent 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 amended plans dated 22 April 2015 submitted to 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 an amended landscaping plan to improve driveway landscaping where possible to the reasonable satisfaction of Council be submitted to Council prior to Development Approval. 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.
8. 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.

9. That the upstairs window on the northern elevation of dwelling 6 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.
10. 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.
11. 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.
12. 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.
13. That all hard building materials, waste and litter on site be stored in a manner that secures it on site during the construction works.
14. That no solid or liquid trade wastes be discharged to the stormwater system.
15. 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.
16. 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 minimise environmental harm, which includes nuisance from noise, to occupants on adjacent premises.
17. That driveways, parking and manoeuvring areas and footpaths shall be lit during the hours of darkness that they may reasonably be expected to be used, and such lights shall be directed and screened so that unreasonable overspill of light into nearby premises is avoided and drivers are not distracted.
18. That a 1.7m obscure glass screen be fitted to the northern side of the balcony associated with dwelling 8.

6.3 Harry Vaezi, 8 Clifford Street, South Brighton (Report No 143/15)

DA NO.	:	<u>110/00687/14</u>
APPLICANT	:	<u>HARRY VAEZI</u>
LOCATION	:	<u>8 CLIFFORD STREET SOUTH BRIGHTON</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 13 FEBRUARY 2014</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL ZONE</u>
NATURE OF DEVELOPMENT	:	<u>MERIT</u>
PROPOSAL	:	<u>AMENDMENT TO DEVELOPMENT APPLICATION 110/00560/13 ALTERED FLOOR LEVELS AND THE CONSTRUCTION OF FENCES AND RETAINING WALLS WITH HEIGHTS OF UP TO 2.4 METRES</u>
EXISTING USE	:	<u>DWELLING</u>
REFERRALS	:	<u>NOT APPLICABLE</u>
CATEGORY	:	<u>CATEGORY 3</u>
REPRESENTATIONS	:	<u>FIVE</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS</u>

Speakers: S Parker, M Mignone, A Larkin, Joan Hargraves and
On behalf of Applicant Maurice Hood

Motion**270515/0038**

Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, and consideration of referrals advice and representations, the application is considered to be reasonably consistent with the relevant provisions of the Development Plan and that the Development Assessment Panel grants Development Plan Consent, to Development Application 110/00687/14, 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 plans submitted to and approved by Council unless varied by any subsequent conditions imposed herein.**
- 2. 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.**

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.

The provision for vehicle crossovers and inverts, and reinstatements of existing crossovers not required by the development, be constructed at the owner's expense.

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 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.
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 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.
7. That the applicants or other persons, for the time being, making use of the development now approved, shall cultivate, tend and nurture the trees or, shrubs or lawns intended to be established upon the subject land, replacing from time to time, any trees, shrubs or lawns which shall die or become diseased with others of the same respective varieties or of such varieties as the Council shall approve in writing.
8. That any front fencing shall either be a low front fence, or if higher than 1.2 metres, a grille type fence be provided along the front property boundary other than for driveway. Where the subject land is located on a corner allotment, fencing shall not exceed one metre in height within six (6) metres of the intersection of two boundaries of land where those boundaries both face a road.
9. 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.

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. All upper windows located on the north, eastern and western elevations of the dwellings shall have any glass below 1.7 metres as 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.
15. That a suitably qualified stormwater engineer confirms in writing that all drainage systems associated with the proposed dwellings have been installed in compliance both Development Application 110/00687/14 and the National Construction Code prior to the occupation of either dwelling to the satisfaction of Council.
16. That a suitably qualified structural engineer confirms in writing that all fences and retaining walls associated with the proposed dwellings have been installed in compliance both Development Application 110/00687/14 and the National Construction Code prior to the occupation of either dwelling to the satisfaction of Council.
17. That the trees specified on the landscaping plan prepared by Mr Maurice H Hood as cupressus sempervirens be planted as semi mature species with a minimum height of 1.5 metres, prior to the occupation of either dwelling.
18. That a further landscaping plan designed specifically to reduce the visual impact of each dwelling when viewed from Clifford Street is provided to Council prior to development approval. The landscaping shall include at least one 3m high tree in each of the rear yards. Landscaping shall take place prior to occupation of the dwellings.
19. That a 2.8m high fence/retaining wall be erected along the northern boundary prior to occupation of each dwelling.
20. That details of building finishes which comprise softer colours be submitted to Council prior to development approval.

Moved by R Clancy, Seconded by D Bailey

Carried

6.4 Drucon Developments Pty Ltd, 150 Esplanade, Brighton (Report No 144/15)

DA NO.	:	<u>110/0069/15</u>
APPLICANT	:	<u>DRUCON DEVELOPMENTS PTY LTD</u>
LOCATION	:	<u>150 ESPLANADE BRIGHTON</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 18 DECEMBER 2014</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL ZONE CENTRAL WEST POLICY AREA 3</u>
NATURE OF DEVELOPMENT:		<u>MERIT</u>
PROPOSAL	:	<u>VARIATION TO DA 110/00103/10 (THREE STOREY BUILDING COMPRISING THREE DWELLINGS WITH THREE GARAGES SITED ON SIDE BOUNDARIES AT REAR OF SITE WITH ACCESS VIA RIGHT OF WAY CONNECTED TO BEACH ROAD) COMPRISING THE ALTERATION TO CONDITION 9 OF DEVELOPMENT APPROVAL FOR FOUR WINDOWS ON THE NORTHERN SIDE ELEVATION TO BE CLEAR</u>
EXISTING USE	:	<u>THREE STOREY RESIDENTIAL FLAT BUILDING COMPRISING THREE DWELLINGS</u>
REFERRALS	:	<u>NOT APPLICABLE</u>
CATEGORY	:	<u>CATEGORY TWO</u>
REPRESENTATIONS	:	<u>ONE</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS</u>

Motion**270515/0039**

Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, and consideration of representations, the application is considered to be reasonably compliant with the relevant provisions of the Development Plan and that the Development Assessment Panel grants Development Plan Consent, to Development Application 110/0069/15, subject to the following conditions:

1. That all upstairs windows on the south elevation, all windows on the first floor northern elevation and the two eastern most windows on the second floor of the north elevation shall have minimum window sill heights of 1.7m above finished floor level, or any glass below 1.7m shall be manufactured obscure glass fixed shut or an otherwise approved by Council. The two middle windows on the second floor north elevation associated with dining and kitchen areas shall be obscured to 1.2 above floor and fixed shut or as otherwise approved by Council.
2. Conditions numbered 1-8 and 10-14 of Development Application 110/00103/10 as listed below remain valid and must be complied with:
 1. That the design and siting of all buildings and structures and site works shall be as shown on the amended plans dated 7/8/10 submitted to 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 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. That dust emissions from the site shall be controlled by a dust suppressant or by watering regularly to the reasonable satisfaction of Council.
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 builders waste shall be contained for the duration of the construction period and the receptacle shall be emptied as required.
7. That all hard building materials, waste and litter on site be stored in a manner that secures it on site during the construction works.
8. That no solid or liquid trade wastes be discharged to the stormwater system.
10. 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.
11. That stormwater from each dwelling 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.

12. That the paving provided for the driveway over the right of way from Beach Road shall be constructed with permeable paving in accordance with sound engineering practice prior to the occupation or use of the development herein approved.
13. 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 three 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.

14. 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*:
 - (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 by R Clancy, Seconded by A Bradshaw

Carried

**6.5 KR Property Developments Pty Ltd 322-324 Brighton Road, North Brighton
(Report No 145/15)**

DA NO.	:	<u>110/00220/15</u>
APPLICANT	:	<u>KR PROPERTY DEVELOPMENTS PTY LTD</u>
LOCATION	:	<u>322-324 BRIGHTON ROAD, NORTH BRIGHTON</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 18 DECEMBER 2014</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL MEDIUM DENSITY POLICY AREA 5</u>
NATURE OF DEVELOPMENT PROPOSAL	:	<u>MERIT</u> <u>CONSTRUCTION OF A FOUR TWO STOREY GROUP DWELLINGS FACING BRIGHTON ROAD AND FOUR SINGLE STOREY GROUP DWELLINGS ADJACENT THE EASTERN BOUNDARY</u>
EXISTING USE	:	<u>RESIDENTIAL</u>
REFERRALS	:	<u>DEPARTMENT OF PLANNING, TRANSPORT AND INFRASTRUCTURE</u>
CATEGORY	:	<u>TWO</u>
REPRESENTATIONS	:	<u>FOUR</u>
REPRESENTORS TO BE HEARD:	:	<u>NOT APPLICABLE</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS</u>

Speakers: S Sando, M Britza and G Heynen

Motion

270515/0040

Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, the Development Assessment Panel considers that the development is reasonably consistent with the Development Plan and resolves to grant Development Plan Consent, to Development Application 110/00220/15 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 amended plans dated 5/5/2015 submitted to 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.

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.

The provision for vehicle crossovers and inverts, and reinstatements of existing crossovers not required by the development, be constructed at the owner's expense.

5. 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.
6. 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.

7. 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.
8. 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.

9. 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.
10. 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.
11. 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.
12. 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.
13. That all hard building materials, waste and litter on site be stored in a manner that secures it on site during the construction works.
14. That no solid or liquid trade wastes be discharged to the stormwater system.
15. Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of Brighton Road. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's expense.
16. If the existing mature Gum tree in the south western corner is removed it be replaced by an advanced tree of suitable species at least 5m in height and to be planted within the following planting season.
17. That the sliding doors at ground level to dwellings 5 to 8 on the western elevation be doubled glazed.
18. That bicycle parking for visitors be provided and shown on plans submitted to Council prior to development approval.
19. That driveways, parking and manoeuvring areas and footpaths shall be lit during the hours of darkness that they may reasonably be expected to be used, and such lights shall be directed and screened so that unreasonable overspill of light into nearby premises is avoided and drivers are not distracted.

Moved by D Bailey, Seconded by P Dinning

Carried

6.6 Hamid Vaezi, 28 Benny Crescent, South Brighton (Report No 146/15)

DA NO.	:	<u>110/00325/15</u>
APPLICANT	:	<u>CAVALLO FOREST AND ASSOCIATES</u>
LOCATION	:	<u>28 BENNY CRESCENT, SOUTH BRIGHTON</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 18 DECEMBER 2014</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL ZONE</u>
NATURE OF DEVELOPMENT:		<u>MERIT</u>
PROPOSAL	:	<u>COMMUNITY TITLE LAND DIVISION CREATING TWO ALLOTMENTS FROM ONE ALLOTMENT IN A HAMMERHEAD CONFIGURATION</u>
EXISTING USE	:	<u>RESIDENTIAL</u>
REFERRALS	:	<u>NOT APPLICABLE</u>
CATEGORY	:	<u>ONE</u>
RECOMMENDATION		<u>DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS</u>

Motion**270515/0041**

Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, the Development Assessment Panel considers that the development is not seriously at variance with the Development Plan and resolves to grant Development Approval to Development Application 110/00325/15 subject to the following conditions:

- 1. That the site areas and dimensions shall be as shown on the plans submitted to and approved by Council 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 and sewerage services. The alteration of internal drains to the satisfaction of SA Water is required. 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 \$6488 into the Planning and Development Fund (1 allotment @ \$6488/allotment). Payment may be made by credit card via the internet www.edala.sa.gov.au <<http://www.edala.sa.gov.au>> or by phone (8303 0724), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide, 5001 or in person, Level 5, 136 North Terrace, 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 by G Goss, Seconded by A Bradshaw

Carried

6.7 Hamid Vaezi, 28 Benny Crescent, South Brighton (Report No 147/15)

DA NO.	:	<u>110/00812/14</u>
APPLICANT	:	<u>HAMID VAEZI</u>
LOCATION	:	<u>28 BENNY CRESCENT, SOUTH BRIGHTON</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 13 FEBRUARY 2014</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL ZONE</u>
NATURE OF DEVELOPMENT	:	<u>MERIT</u>
PROPOSAL	:	<u>CONSTRUCTION OF A PAIR OF SINGLE STOREY GROUP DWELLINGS WITH ASSOCIATED CARPORTS AND VERANDAHS</u>
EXISTING USE	:	<u>RESIDENTIAL</u>
REFERRALS	:	<u>NOT APPLICABLE</u>
CATEGORY	:	<u>ONE</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS</u>

Motion

270515/0042

Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, the Development Assessment Panel considers that the development is not seriously at variance with the Development Plan and resolves to grant Development Plan Consent, to Development Application 110/00812/14 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 amended plans dated 4 March 2015 submitted to and approved by Council unless varied by any subsequent conditions imposed herein.**
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. **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.

4. 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.
5. Driveways must be located a minimum distance of 1 metre from any street tree.
6. 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.
7. 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.
8. 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.
9. 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.
10. That all hard building materials, waste and litter on site be stored in a manner that secures it on site during the construction works.
11. That no solid or liquid trade wastes be discharged to the stormwater system.

Moved by G Goss, Seconded by M Bouchee

Carried

6.8 B & E Evans, 40 Gladstone Road, North Brighton (Report No 148/15)

DA NO.	:	110/00138/15
APPLICANT	:	B AND E EVANS
LOCATION	:	40 GLADSTONE ROAD, NORTH BRIGHTON
DEVELOPMENT PLAN	:	CONSOLIDATED 18 DECEMBER 2014
ZONE AND POLICY AREA	:	RESIDENTIAL ZONE
NATURE OF DEVELOPMENT:		MERIT
PROPOSAL	:	GARAGE ATTACHED TO THE EXISTING DWELLING WITH THE ASSOCIATED WALL LOCATED ON THE EASTERN SIDE BOUNDARY
REFERRALS	:	NIL
CATEGORY	:	TWO
REPRESENTATION	:	ONE
RECOMMENDATION	:	DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS

Motion**270515/0043**

Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, the Development Assessment Panel considers that the proposed development is relatively consistent with the Development Plan and resolves to grant Development Plan Consent to Development Application 110/00138/15 subject to the following conditions:

1. That the structure shall be finished in a colour to match the existing dwelling and the colour bonding or paintwork be maintained in good condition at all times.
2. 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.
3. 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.
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.

Note: That it is the responsibility of the applicant to remove and replace the water pipes and watering system attached to the existing fence.

Moved by R Clancy, Seconded by M Bouchee

Carried

6.9 Studio Nine 12 Lamington Avenue, Seacliff Park (Report No: 149/15)

DA NO.	:	110/00843/14
APPLICANT	:	STUDIO NINE
LOCATION	:	12 LAMINGTON AVENUE, SEACLIFF PARK
DEVELOPMENT PLAN	:	CONSOLIDATED 13 FEBRUARY 2014
ZONE AND POLICY AREA	:	RESIDENTIAL ZONE
NATURE OF DEVELOPMENT:		MERIT
PROPOSAL	:	TWO SINGLE STOREY DWELLINGS WITH ASSOCIATED GARAGE OF HOUSE 1 LOCATED ON SOUTHERN BOUNDARY WITH A WALL HEIGHT OF 2.75 METRES
EXISTING USE	:	SINGLE STOREY DETACHED DWELLING
REFERRALS	:	NOT APPLICABLE
CATEGORY	:	ONE
REPRESENTATIONS	:	NOT APPLICABLE
RECOMMENDATION	:	REFUSAL

Speakers: Claude Barone on behalf of the applicant answered Panel questions.

Motion

The application be deferred to enable applicant to consider amendments to:

- Internal /external relationships,
- Reconsider materials and colours,
- Provide more details regarding measurements,
- Design of fencing on Lamington Avenue to present softer feel to street and,
- Reducing size of one of the dwelling and increase open space.

Moved by David Bailey Seconded By G Goss

Lost

Motion

270515/0044

Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, the Development Assessment Panel considers that the proposed development consistent with the Development Plan and that Development Application 110/00843/14 be refused Development Plan Consent for the reason that it is contrary to General Objective 14, Residential Objectives 32, 35, Residential Principle of Development Control 44(a), Street Boundary Setbacks Principle of Development Control 92(a)(b)(c)(d), Other Setbacks 94(a)(b), Dwellings Located on Side Boundaries Principle of Development Control 95(a)(b)(c), Private Open Space Principle of Development Control 100, 102, 103(d), Residential Zone Objective 1, Residential Zone Desired Future Character Statement *Infill residential development that does not compromise the Zone’s suburban character and Infill development should have a comparable height, mass, scale and setback to that of existing dwellings in the Zone*, Residential Zone Principle of Development Control 4.

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

- **Densities;**
- **Setbacks; and**
- **Private open space.**

Moved by P Dinning, Seconded by R Clancy

Carried

G Goss declared a conflict interest and vacated his seat at 10.08pm

6.10 S W Gale and J A H Gale, 6 Gulf Parade, South Brighton (Report No: 150/15)

DA NO.	:	<u>110/00143/15</u>
APPLICANT	:	<u>S W GALE AND J A H GALE</u>
LOCATION	:	<u>6 GULF PARADE, SOUTH BRIGHTON</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 18 DECEMBER 2014</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL ZONE</u>
NATURE OF DEVELOPMENT	:	<u>MERIT</u>
PROPOSAL	:	<u>VARIATION TO DA 110/00131/13 AND 110/00065/14 (TWO STOREY DETACHED DWELLING WITH INTEGRAL GARAGE AND ALFRESCO AT REAR (STAGE ONE) AND 1.8M HIGH MASONRY FRONT FENCE WITH VERTICAL INFILLS - STAGE TWO: COMPRISING THE AMENDMENT TO CONDITION 4 OF DEVELOPMENT APPROVAL ASSOCIATED WITH BALCONY SCREENS) - TO REMOVE FIXED OBSCURED GLASS FROM WESTERN, SOUTHERN AND NORTHERN ELEVATIONS OF THE REAR BALCONY</u>
EXISTING USE	:	<u>RESIDENTIAL</u>
REFERRALS	:	<u>NOT APPLICABLE</u>
CATEGORY	:	<u>ONE</u>
RECOMMENDATION	:	<u>REFUSAL</u>

Motion

Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, the Development Assessment Panel considers that the development is seriously at variance with the Development Plan and resolves to refuse Development Application 110/00143/15 for the following reasons:

- 1. General Section, Visual Privacy, Principle of Development Control 40, which states:**

Development should protect privacy by minimising direct overlooking from upper level windows and external balconies, terraces and decks to habitable

room (all rooms excluding bathrooms, laundries and hallways) windows and useable private open spaces of other dwellings

- 2. General Section, Visual Privacy, Principle of Development Control 41(c), which states:**

Where development is greater than single storey, any upper storey balcony should be located and/or designed to avoid directly overlooking the private open space of adjoining residential properties and into habitable rooms (all rooms excluding bathrooms, laundries and hallways) of other dwellings.

Lost thru lack of Mover or Seconder

Lost

Motion

270515/0045

Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, the Development Assessment Panel considers that the development is reasonably consistent with the Development Plan and resolves to Approve Development Application 110/00143/15.

Moved by R Clancy Seconder by A Bradshaw

Carried

G Goss returned to his seat at 10:15pm

7. REPORTS BY OFFICERS

7.1 Nil

R Clancy declared a conflict of interest and vacated her seat, P Dinning and D Bailey vacated their seats as they were not part of the original discussion at 10:16pm

7.2 Appeal – 110/00874/14 (Torrens Title Land Division) & 110/00716/14 Land Use Application 14 Kingston Crescent, KINGSTON PARK Report No: 151/15

On the 25 March 2015, the Development Assessment Panel refused the following Development Applications:

DA 110/00874/14 comprising a Torrens title land division creating two allotments from one allotment; and

DA 110/00716/14 comprising the construction of a two storey detached dwelling with integral garage and alfresco (forward-most dwelling) and single storey detached dwelling with integral garage and alfresco (rear-most dwelling)

Motion

270515/0046

Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, the Development Assessment Panel resolves to advise the Environmental Resource and Development Court that it supports the amended plans for 110/00874/14 subject to the following conditions:

1. That the site areas and dimensions shall be as shown on the plans submitted to and approved by Council 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. Payment of \$6,488 into the Planning and Development Fund (1 allotment @ \$6488/allotment). Payment may be made by credit card via the internet www.edala.sa.gov.au <<http://www.edala.sa.gov.au>> or by phone (8303 0724), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide, 5001 or in person, Level 5, 136 North Terrace, Adelaide.
4. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services. The alteration of internal drains to the satisfaction of SA Water is required. 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.
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.

Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, the Development Assessment Panel resolves to advise the Environmental Resource and Development Court that Council supports the amended plans for 110/00716/14 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 amended plans dated 23 April 2015 submitted to and approved by Council unless varied by any subsequent conditions imposed herein.
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. 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.**
- 4. That all upstairs windows on the side and rear elevations shall have minimum window sill heights of 1.7 metres above finished floor level, or any glass below 1.7 metres shall comprise obscure glass and fixed shut, or as otherwise approved by Council. Where the finished floor level at the ground level results in unreasonable overlooking into adjacent properties, appropriate screening methods such as fencing and retaining walls shall be established, or as otherwise approved by Council. Further details of this requirement shall be provided at Building Rules Assessment stage.**
- 5. A detailed landscape plan and schedule including reference to 500mm wide landscaping along each side of the access driveway shall be submitted prior to Development Approval.**
- 6. 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.**
- 7. Driveways must be located a minimum distance of 1 metre from any street tree.**
- 8. 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.**
- 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.**

Moved by M Bouchee, Seconded by G Goss

Carried

R Clancy, P Dinning & D Bailey returned to their seats at 10:19pm

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

8.1 Meeting Procedures

Members were asked to consider whether any changes as to how the meetings are run are needed.

9. CLOSURE

The meeting closed at 10:25 pm.

CONFIRMED Wednesday, 24 June 2015

PRESIDING MEMBER