

**Minutes of the Development Assessment Panel of the City of Holdfast Bay held in the Kingston Room, Civic Centre, Jetty Road, Brighton, on Wednesday, 28 October 2015 at 6:30pm.**

**MEMBERS PRESENT**

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

**STAFF IN ATTENDANCE**

Acting Manager Development Services – A Elliott  
Team Leader Development Assessment - C Watson  
Development Officers – D Spasic, A Stamatopoulos and C Little

**1. OPENING**

J Newman welcomed the people in the gallery.

**2. APOLOGIES**

Apologies Received – A Bradshaw

Absent – Nil

**3. DECLARATION OF INTEREST**

Members were reminded to declare their interest before each item.

**4. CONFIRMATION OF MINUTES**

**Motion**

**281015/0074**

**That the minutes of the Development Assessment Panel held on 23 September 2015 be taken as read and confirmed.**

Moved by G Goss, Seconded by D Bailey

**Carried**

## 5. DEVELOPMENT ASSESSMENT MATTERS

### 5.1 Salvatore Marzullo, 36 Moseley Street, Glenelg (Report No 306/15)

DA NO.	:	<u>110/00485/15</u>
APPLICANT	:	<u>SALVATORE MARZULLO</u>
LOCATION	:	<u>36 MOSELEY STREET, GLENELG</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 18 DECEMBER 2015</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL ZONE</u>
NATURE OF DEVELOPMENT:		<u>MERIT</u>
PROPOSAL	:	<u>A PAIR OF TWO STOREY SEMI-DETACHED DWELLINGS AND INTEGRAL GARAGES</u>
EXISTING USE	:	<u>RESIDENTIAL</u>
REFERRALS	:	<u>CITY ASSETS</u>
CATEGORY	:	<u>TWO</u>
REPRESENTATIONS	:	<u>FOUR</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT</u>

Speakers: R Telfer, G Atkinson and S Marzullo

#### **Motion**

**281015/0075**

**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 not consistent with the Development Plan and that Development Application 110/00485/15 be refused Development Plan Consent for the reason that it is contrary to Council Wide Residential Development Principles 5, Principle 6, Principle 15, Principle 29, Residential Zone desired character statement. More specifically, the application does not meet the intent of the Development Plan in relation to:**

- **Scale, mass and design**
- **Compromises suburban character of locality**
- **Design and setback of garages and adverse impact of streetscape**

Moved D Bailey, Seconded M Bouchee

**Carried**

## 5.2 Brighton Crash Repairs, 2 Arundel Road, Brighton (Report No 307/15)

DA NO.	:	110/00695/13
APPLICANT	:	BRIGHTON CRASH REPAIRS
LOCATION	:	2 ARUNDEL ROAD, BRIGHTON
DEVELOPMENT PLAN	:	CONSOLIDATED 21 MARCH 2013
ZONE AND POLICY AREA	:	RESIDENTIAL ZONE
NATURE OF DEVELOPMENT:		MERIT
PROPOSAL	:	SINGLE STOREY DETACHED DWELLING FACING ARUNDEL ROAD AND CAR PARK AT REAR OF SITE ASSOCIATED WITH ADJACENT CRASH REPAIR PREMISES
EXISTING USE	:	VACANT
REFERRALS	:	CITY ASSETS
CATEGORY	:	THREE
REPRESENTATIONS	:	TWO
RECOMMENDATION		DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS

Speakers: John Fitzpatrick and F Barone

### Motion

281015/0076

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 110/00695/13 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 (drawing number 4616.13 pages 1 – 3) submitted to and approved by Council unless varied by any subsequent conditions imposed herein.
2. That landscaping as detailed in the application for development shall be planted prior to occupation and shall be maintained in good health and condition at all times. Any such vegetation shall be replaced if and when it dies or becomes seriously diseased.
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 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.

5. 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.
6. That all hard building materials, waste and litter on site be stored in a manner that secures it on site during the construction works.
7. That no solid or liquid trade wastes be discharged to the stormwater system.
8. 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.
9. That the carpark shall not be used, directly or indirectly, for the purpose now approved until all work associated with the car park has been completed in accordance with the plan approved and the footings of the dwelling have been constructed and relevant conditions of consent have been complied with, except those conditions that continue to apply.
10. That the dwelling shall not be occupied until all work associated with the dwelling has been completed in accordance with the plan approved and conditions of consent have been complied with, except for those conditions that continue to apply.
11. 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.
12. 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.
13. The provision for vehicle crossovers and inverts, and reinstatements of existing crossovers not required by the development, be constructed at the owner's expense.
14. 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.
15. That if the carpark is illuminated during hours of darkness such lights shall be directed and screened so that unreasonable overspill of light into nearby premises is avoided and drivers are not distracted.

16. That the car park access to Gregory Lane be locked and secured during hours of non-use.
17. That no vehicle that has been booked in to be repaired be stored on Arundel Road.
18. That no car parts, paints, oils or equipment associated with the crash repair business be stored on the subject site.

**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.

**NOTE:** Having regard to previous use and a statement provided by the owner, it is considered that there is no significant land contamination.

Moved G Goss, Seconded R Clancy

**Carried**

**5.3 Brian Nash, 2 Arundel Road, Brighton (Report No 308/15)**

DA NO.	:	110/00809/15
APPLICANT	:	BRIAN NASH
LOCATION	:	2 ARUNDEL ROAD, BRIGHTON
DEVELOPMENT PLAN	:	CONSOLIDATED 30 JULY 2015
ZONE AND POLICY AREA	:	RESIDENTIAL
NATURE OF DEVELOPMENT:	:	MERIT
PROPOSAL	:	LAND DIVISION (CREATING THREE ALLOTMENTS FROM TWO ALLOTMENTS)
EXISTING USE	:	VACANT
REFERRALS	:	DEVELOPMENT ASSESSMENT COMMISSION
CATEGORY	:	ONE
REPRESENTATIONS	:	NOT APPLICABLE
RECOMMENDATION	:	DEVELOPMENT APPROVAL

**Motion****281015/0077**

**Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, Development Application 110/00809/15 is considered to be reasonably consistent with the relevant provisions of the Development Plan and that following receipt of the report by the Development Assessment Commission Development Approval be granted by Manager Development Services or Team leader Development Assessment subject to appropriate requirements.**

Moved R Clancy, Seconded G Goss

**Carried**

**5.4 M and B Noble, 2/45-47 College Road, Somerton Park (Report No 309/15)**

DA NO.	:	110/00726/15
APPLICANT	:	M AND B NOBLE
LOCATION	:	2/45-47 COLLEGE ROAD, SOMERTON PARK
DEVELOPMENT PLAN	:	CONSOLIDATED 30 JULY 2015
ZONE AND POLICY AREA	:	RESIDENTIAL ZONE
NATURE OF DEVELOPMENT:		MERIT
PROPOSAL	:	CARPORT FORWARD OF ASSOCIATED DWELLING
EXISTING USE	:	SEMI-DETACHED DWELLING
REFERRALS	:	NIL
CATEGORY	:	ONE
REPRESENTATIONS	:	NOT APPLICABLE
RECOMMENDATION	:	REFUSAL

**Motion****281015/0078**

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 not consistent with the Development Plan and that Development Application 110/00726/15 be refused Development Plan Consent for the reason that it is contrary to Council Wide Residential Development Principles 13, 14(a), (b), 27, 28, Siting and Visibility Principle 2, Residential Zone Objective 3 and desired character and principle 6. More specifically, the application does not meet the intent of the Development Plan in relation to:

- Carport siting forward of dwelling;
- Setback from College Road;
- Site coverage;
- Compatibility with setback character of locality.

Moved R Clancy, Seconded D Bailey

**Carried**

**5.5 Sterling Homes Pty Ltd, 27C Balmoral Avenue, North Brighton  
(Report No 310/15)**

DA NO.	:	<u>110/00621/15</u>
APPLICANT	:	<u>STERLING HOMES PTY LTD</u>
LOCATION	:	<u>27C BALMORAL AVENUE, NORTH BRIGHTON</u>
DEVELOPMENT PLAN	:	<u>30 JULY 2015</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL ZONE</u>
NATURE OF DEVELOPMENT:		<u>RESIDENTIAL</u>
PROPOSAL	:	<u>SINGLE STOREY DETACHED DWELLING WITH INTEGRAL GARAGE LOCATED ON THE EASTERN SIDE BOUNDARY</u>
EXISTING USE	:	<u>VACANT LAND</u>
REFERRALS	:	<u>CITY ASSETS</u>
CATEGORY	:	<u>TWO</u>
REPRESENTATIONS	:	<u>ONE</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS</u>

**Motion**

**281015/0079**

**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 Applications 110/00621/15 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 plans 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 builder's 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.
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 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.
11. 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.

Moved D Bailey, Seconded M Bouchee

**Carried**

**5.6 Finesse Built, 175b Esplanade, South Brighton (Report No 311/15)**

DA NO.	:	110/00299/15
APPLICANT	:	FINESSE BUILT
LOCATION	:	175B ESPLANADE, SOUTH BRIGHTON
DEVELOPMENT PLAN	:	CONSOLIDATED 18 DECEMBER 2014
ZONE AND POLICY AREA	:	RESIDENTIAL ZONE CENTRAL WEST POLICY AREA 3
NATURE OF DEVELOPMENT: PROPOSAL	:	CONSENT CONSTRUCTION OF THREE STOREY DETACHED DWELLING WITH INTEGRAL UNDERCROFT GARAGE, VERANDAH, SWIMMING POOL, REAR FENCE, FRONT FENCE, SIDE FENCES AND RETAINING WALLS
EXISTING USE	:	VACANT LAND
REFERRALS	:	CITY ASSETS
CATEGORY	:	CATEGORY ONE
REPRESENTATIONS	:	NOT APPLICABLE
RECOMMENDATION	:	DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS

**Motion****281015/0080**

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 Applications 110/00299/15 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 plans 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 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.

5. 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.
6. 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.
7. 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.

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 construction shall take place between 7am and 7pm Monday to Saturday and not on Sundays or public holidays. All such work shall be undertaken in such a manner so as not to, in the reasonable opinion of Council, cause any nuisance or annoyance to any of the occupiers of buildings within the locality. Any work outside of these hours requires the written approval of Council.
10. That dust emissions from the site shall be controlled by a dust suppressant or by watering (subject to any relevant water restrictions) regularly to the reasonable satisfaction of Council.

11. That the builder shall at all times provide and maintain a waste receptacle to the reasonable satisfaction of Council on the site in which and at all times all builder's waste shall be contained for the duration of the construction period and the receptacle shall be emptied as required.
12. That all hard building materials, waste and litter on site be stored in a manner that secures it on site during the construction works.
13. That no solid or liquid trade wastes be discharged to the stormwater system.
14. That a dilapidation survey including written, photographic and/or video filming of the interior and exterior of the building/s located at 175A and 176 Esplanade South Brighton be prepared by a qualified structural engineer and a copy provided to Council prior to the issuing of Development Approval.
15. That all side and rear upstairs windows 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. Further the entire south facing ground floor meals area window is to be fitted with fixed obscure glass to a height of not less than 1.7 metres.
16. That the associated filter pump be enclosed in such a way that noise levels do not exceed 45db(a) measured at adjoining property boundaries.
17. The new invert/crossover is to be constructed to Council's specification.
18. The width of the driveway crossover is not to exceed 5400mm.

Moved G Goss, Seconded P Dinning

**Carried**

**6. REPORTS BY OFFICERS****6.1 Nil.****6.2 Deferred Item – 12 Kent Street, Glenelg (Report No 312/15)**

**M Bouchee left the meeting at 7.30pm due to a potential conflict of interest for the next two agenda items.**

On 26 August 2015, the Development Assessment Panel deferred Development Application:

- 110/00541/15 variation application to DA 110/00560/10 (two storey residential flat building comprising two dwellings with associated double garaging and roof top decking with stair enclosure) comprising of a variation to the height of the roof deck through the construction of a pergola.

**Motion****281015/0081**

**After reviewing the further information and following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, it is considered that the development is reasonably consistent with the Development Plan and resolves to grant Development Plan Consent to Development Application 110/00541/15 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 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 all upstairs windows located on the roof deck of both dwellings 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. Further details of this requirement shall be provided at Building Rules Assessment stage.**

**Existing conditions 1-17 as listed below associated with DA 110/00560/10 remain valid:**

- 1. That the design and siting of all buildings and structures and site works shall be as shown on the amended plans dated 6/12/10 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 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 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.
5. That the roof sheets be of a dark colour to reduce sun glare. Details shall be submitted for Council approval at the Building Rules assessment stage.
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.

**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.

7. That stormwater from each dwelling shall be collected and connected to a 1000 litre (minimum) rainwater tank with a sealed system over flow connection to the street water table. Final details of the location and size of the tank(s) shall be submitted to Council for approval prior to the issue of full Development Approval. Furthermore, all stormwater from the dwelling and the site shall be collected and disposed of in a manner that does not adversely affect any properties adjoining the site or the stability of any building on adjacent sites.

**NOTE:**

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

8. 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.
9. 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.
10. 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.
11. That all hard building materials, waste and litter on site be stored in a manner that secures it on site during the construction works.
12. That no solid or liquid trade wastes be discharged to the stormwater system.
13. 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.
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\*, 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.
15. 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.

- 16. 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.
- 17. That the finished floor level should be at least 220mm above the natural surface level. Finished floor levels shall be submitted for Council approval at the Building Rules Assessment stage.

Moved P Dinning, Seconded D Bailey

**Carried**

**6.3 Referral Item – Comfort Inn, Adelphi Terrace, Glenelg (Report No 313/15)**

J Newman declared a conflict of interest and left the meeting at 7.45pm

**Motion**

**281015/0082**

**Graham Goss to preside over the meeting.**

Moved R Clancy, Seconded D Bailey

**Carried**

DA NO.	:	2014/1854/01
APPLICANT	:	Q DEVELOPMENTS
LOCATION	:	6-10 ADELPHI TERRACE, GLENELG
DEVELOPMENT PLAN	:	CONSOLIDATED 18 DECEMBER 2014
ZONE AND POLICY AREA	:	RESIDENTIAL HIGH DENSITY ZONE PLYCY AREA 15 PRECINCT 3
NATURE OF DEVELOPMENT:		MAJOR DEVELOPMENT PROJECT DEVELOPMENT REPORT
PROPOSAL	:	PROPOSED MAJOR TOURIST HOTEL REDEVELOPMENT
EXISTING USE	:	MOTEL
RECOMMENDATION	:	PROVIDE THE GOVENER WITH COMMENTS ON THE PROPOSAL

**Motion**

**281015/0083**

**Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, the Development Assessment Panel inform the Development Assessment Commission that the proposal is challenged by the following provisions for the reasons mentioned:**



**General Section**  
**Design and Appearance**

**Principle 2**

**2 Where a building is sited on or close to a side boundary, the side boundary wall should be sited and limited in length and height to minimise:**

- (a) the visual impact of the building as viewed from adjoining properties**
- (b) overshadowing of adjoining properties and allow adequate sun light to neighbouring buildings.**

- In that the proposed development includes the construction of a wall in close proximity to 1 Canning Street with a height of 8.1 metres and length of 27 metres.

**Principle 11**

**Development should minimise direct overlooking of habitable rooms and private open spaces of dwellings through measures such as:**

- (a) off-setting the location of balconies and windows of habitable rooms with those of other buildings so that views are oblique rather than direct**
- (b) building setbacks from boundaries (including building boundary to boundary where appropriate) that interrupt views or that provide a spatial separation between balconies or windows of habitable rooms**
- (c) screening devices (including fencing, obscure glazing, screens, external ventilation blinds, window hoods and shutters) that are integrated into the building design and have minimal negative effect on residents' or neighbours' amenity.**

- In that direct views will be available into the rear yard of number 1 Canning Street. These views are requested to be limited by obscured screening of the balconies of the easternmost hotel units located on level 4 of the building.

**General Section**  
**Interface Between Land Uses**

**Principle 3**

**Development adjacent to a Residential Zone should be designed to minimise overlooking and overshadowing of nearby residential properties.**

**Principle 5**

**Sensitive uses likely to conflict with the continuation of lawfully existing developments and land uses considered appropriate for the zone should not be developed or should be designed to minimise negative impacts.**

- In that direct views will be available into the rear yard of number 1 Canning Street and the proposed development includes the construction of a wall in close proximity to 1 Canning Street with a height of 8.1 metres and length of 27 metres.

### **Residential High Density Zone**

#### **Objective 1**

***A residential zone comprising a range of high density dwellings, including a minimum of 15 per cent affordable housing, primarily in the form of row dwellings and residential flat buildings, designed to integrate with areas of open space, neighbouring centres or public transport nodes.***

#### **Principle 1**

***The following forms of development are envisaged in the zone:***

- ***affordable housing***
- ***residential flat building***
- ***row dwelling***
- ***small scale non-residential use that serves the local community, for example:***
  - ***child care facility***
  - ***open space***
  - ***recreation area***
  - ***shop, office or consulting room***
- ***supported accommodation.***

#### **Principle 17**

***Development comprising 20 or more dwellings should include a minimum of 15 percent affordable housing (as defined by Notice under the South Australian Housing Trust Regulations 2010 as amended).***

- ***In that the proposed development does not include the provision of any affordable housing.***

### **Urban Glenelg Policy Area 15**

#### **Principle 19**

***Development should not exceed an external wall height of 10.5 metres above natural ground level (excluding lift service levels and gables).***

- ***In that the proposed development exceeds 10.5 metres in height.***

**In general it is considered that:**

- **more detailed economic modelling of impacts on existing motels in Glenelg is required.**
- **further attention is required to interface issues with the adjoining Residential Character Zone to minimise visual, noise and privacy impacts.**

**Should the Governor choose to approve the proposed Major Development the Development Assessment Panel requests that the following form conditions of approval:**

- 1. Light spill associated with any element of the approved development shall not exceed the limits specified with the Australian standard regulating the effects of obtrusive visual light 4282**
- 2. Noise associated with any element of the proposed development shall not be audible from within any internal living area of any adjoining dwelling.**

3. That no sound shall be emitted from any machinery, equipment 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.
4. Computer modelling of any potential wind tunnelling effects is to be undertaken prior to the commencement of construction with any recommendations incorporated into the for construction drawings.
5. Recommendations from LBW regarding the removal and treatment of potential asbestos containing material are to be implemented.
6. Recommendations from LBW re disposal of spoil are to be implemented.
7. A Construction and Environmental Management Plan (CEMP) shall be prepared and implemented to manage site and construction works, and shall address - but not be limited to - the following:
  - a. Air quality controls: including management of dust.
  - b. Stormwater management: including erosion and sediment control to ensure water quality is maintained to minimise the transfer of contaminants from the site to receiving waters.
  - c. Temporary traffic controls - including the management of public parking on the site during construction
  - d. Noise: to minimise construction impacts to adjoining owners and occupiers
  - e. Occupational health and safety.
  - f. Water quality controls and monitoring.
  - g. Use of temporary lighting (and the minimisation of light overspill) - if required.
  - h. Hours of operation: to minimise amenity loss I level of disturbance to nearby residents.
  - i. Establishment and maintenance of temporary fencing and hoardings.
  - j. Waste minimisation, recovery and disposal.
  - k. Maintenance of existing public road surfaces (i.e. minimise drag-out).
  - l. Site servicing I amenities and security arrangements.
  - m. Complaints management procedure and record of events
  - n. Storage of chemicals and fuel.
  - o. Reinstatement of infrastructure.

A copy of the CEMP must be provided to the City of Holdfast Bay and the Development Assessment Commission prior to the commencement of site works.

8. That a dilapidation survey including written, photographic and/or video filming of the interior and exterior of the building/s located at:
  - Apt 1-4, 3 George Street, Glenelg North
  - Apt 5-8, 1 George Street, Glenelg North
  - Queen Street, Glenelg North
  - 1/7 Sturt Street, Glenelg North
  - 2/7 Sturt Street, Glenelg North
  - 3/7 Sturt Street, Glenelg North
  - 4/7 Sturt Street, Glenelg North
  - Unit 1/7 Canning Street, Glenelg North
  - Unit 2/7 Canning Street, Glenelg North
  - 1 Canning Street, Glenelg North

- 3 Canning Street, Glenelg North
- 5 Canning Street, Glenelg North

be prepared by a qualified structural engineer and a copy provided to the relevant authority prior to the issuing of Development Approval. A copy of the survey shall be made available to the owners of each of the above addresses.

9. Exhaust from the kitchen must be dispersed in accordance with Australian Standards AS/NZS 1668.1 and AS 1668.2.
10. Pedestrian walkways on the subject site shall be adequately lit in accordance with Australian / New Zealand Standard AS/NZS 1158.3.1:1999 "Road Lighting Part 3.1: Pedestrian area (Category P) lighting - Performance and installation design guidelines". Such lighting shall be maintained at all times, to the reasonable satisfaction of the relevant authority.
11. Lighting associated with the approved development shall be of an intensity that will not cause an unreasonable light overspill nuisance to adjacent occupiers, or be an undue distraction to motorists, to the reasonable satisfaction of the relevant authority.
12. Lighting to driveways, parking and manoeuvring areas shall be lit in accordance with the Australian Standard for Lighting for Roads and Public Spaces (AS1158.1 and AS1158.3) during the hours of darkness that they are in use and accessible by the general public. The necessary lights shall be directed and screened so that overspill of light into nearby premises is avoided and minimal impact on passing motorists occurs and to satisfy the Australian Standard for Obtrusive Effects of Outdoor Lighting (AS4282:1997).
13. That the proposed car parking layout, ramps, columns and vehicular entry points shall be designed and constructed to conform to the AS/NZS 2890.1:2004 for Off-Street Parking Facilities, AS/NZS 2890.6-2009 Disabled Parking and Australian Standard 2890.2:2002: commercial vehicles to MRV size.
14. That all Council, utility or state agency maintained infrastructure (i.e. roads, kerbs, drains, crossovers, footpaths etc) that is demolished, altered, removed or damaged during the construction of the development shall be reinstated to council, utility or state agency specifications. All costs associated with these works shall be met by the proponent.

Moved D Bailey, Seconded P Dinning

**Carried**

**J Newman returned to the meeting at 8.03pm**

**Motion**

**281015/0083**

**G Goss vacate the Chair and J Newman resume the role of Presiding Member.**

Moved R Clancy, Seconded P Dinning

**Carried**

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

**7.1 Aerial Photo Attachments**

M Bouchee requested Administration consider including new boundary lines, where relevant, be depicted on the locality maps used as attachments to reports.

**7.2 Meeting Closure**

J Newman advised that the suggested time to close meeting business at 11pm will be further reviewed by Administration.

**8. CLOSURE**

The meeting closed at 8.06pm.

**CONFIRMED      Wednesday, 25 November 2015**

**PRESIDING MEMBER**