



MINUTES

Committee Council Assessment Panel
Meeting Held 12 MARCH 2019 at 5:00pm
Location Council Chambers, 1 Bay Road, Victor Harbor

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1. PRESENT

Mr D Donaldson – Presiding Member
Ms J Urquhart – Independent Member
Mr P Smith – Independent Member
Mr S Hamnett – Independent Member
Cr Peter Charles – Elected Member

In Attendance:

Mr G Pathuis – Director of Planning and Regulatory Services
Mr B Coventry – Assessment Manager
Ms A Davis-Cash – Planner
Ms Deb Beaton – Acting Para-Planner/Minute Secretary

2. APOLOGIES

Nil

3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

3.1 Confirmation of the previous meeting minutes - 15 January 2019

CAP42019

That the minutes of the previous Council Assessment Panel meeting held on Tuesday 15 January 2019, as per copies supplied to members, be adopted as a true and correct record of the meeting.

CARRIED

4. DEVELOPMENT APPLICATIONS

4.1 Two Storey Detached Dwelling and Associated Retaining Walls at No. 24 (Lot 11) Heggerton Street, McCracken

CAP52019

That the Council Development Assessment Panel:

- 1) RESOLVE that the proposed development is NOT seriously at variance with the provisions in the Development Plan.
- 2) RESOLVE to grant Development Plan Consent to Bailey Homes Pty Ltd, Development Application No. 453/526/18 for the construction of a Two Storey Detached Dwelling and Associated Retaining Walls at No. 24 (Lot 11) Heggerton Street, McCracken subject to the following conditions:
 1. The development shall be in accordance with the plans and details submitted (including amended plans marked and dated 8/2/19) to and approved by Council as part of the application, except as varied by any subsequent conditions imposed herein.
 2. The stormwater disposal from the building and/or site shall be installed within seven (7) days from the installation of the roof covering by means of impervious pipes or other suitable materials to the street water table, ensuring that the drain under the footpath is either-
 - a) a single 100mm diameter concrete pipe;
 - b) an appropriate sized and corrosion protected steel pipe; or
 - c) a 90mm minimum sewer grade PVC pipe.

Alternatively, provide Council with proof of adequacy of a system that will ensure that there will be no adverse effects from site generated stormwater to people, property or buildings.

3. Proposed earthworks (excavation and/or fill) adjacent to a property boundary shall be protected using an engineer designed retaining wall and/or an appropriately battered slope or provide Council with details of an alternate protection measure. Such protection measures shall be installed during the construction phase of the building to the reasonable satisfaction of Council and completed prior to the occupation/use of the approved building

PLEASE NOTE: There may be a requirement to give the adjoining owner 28 days notification under the Building Rules, to check whether this is the case please contact your Builder, Private Certifier or Council as the case may be.

4. Proposed retaining walls shall be constructed as part of the construction phase of the building and completed prior to the occupation/use of the approved building.

PLEASE NOTE: There may be a requirement to give the adjoining owner 28 days notification under the Building Rules. To check whether this is the case please contact your Builder, Private Certifier or Council as the case may be

5. All material used in the construction of the approved development shall be of a low reflective nature.
6. The site shall be landscaped to achieve a high level of amenity to complement the locality and to the reasonable satisfaction of Council.
7. The privacy landscaping (as detailed on lower floor plan) shall be established prior to occupation of the development 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 with others of the same, or similar respective varieties.

CARRIED

4.2 Commercial Offices and Retail Tenancies with Associated Carpark and Signage at 236-244 Port Elliot Road, Hayborough

CAP62019

That the Council Development Assessment Panel:

- 1) RESOLVE that the proposed development is NOT seriously at variance with the provisions in the Development Plan; AND
- 2) RESOLVE to grant Development Plan Consent to Jelfs Building Design, Development Application number 453/520/18, for the construction of commercial building comprising a commercial office and two retail tenancies (existing shops to be retained and updated) with associated car parking and landscaping at 236 - 244 Port Elliot Road, Hayborough, subject to the following conditions:
 1. The development shall be in accordance with the plans and details submitted (including amended plans prepared by Jelfs Building Design dated 22 February 2019) to and approved by Council as part of the application, except as varied by any subsequent conditions imposed herein.
 2. Channelised right turn treatments shall be installed at the Rosetta Avenue and Elliot Avenue junctions with Port Elliot Road.
 3. The channelised right turn treatments shall be designed in accordance with the Austroads Guide to Road Design, Part 4A: 'Unsignalised and Signalised Intersections' and to the satisfaction of DPTI. All road works shall be implemented prior to the development becoming operational. All costs associated with these works (including design, construction, project management and any lighting I roadside drainage) shall be borne by the developer. The applicant shall seek endorsement of the concept design from DPTI's Asset Planning Manager, Road and Marine Assets Section, Mr Brian Gilbert, who can be contacted on telephone 7223 6030 or via email at brian.gilbert@sa.gov.au
 4. The obsolete Port Elliot Road crossover shall be closed and reinstated to Council's kerb and gutter standards at the applicant's expense.
 5. All car parking areas shall confirm to AS/NZS 2890.1:2004 and AS 2890.6:2009.
 6. The commercial parking areas shall conform to AS 2890.2-2002: Off-street commercial parking facilities.
 7. Illuminated signage shall be permitted to use LED lighting for internal illumination of a light box only
 8. All car parking spaces shall be line marked with continuous white lines along the whole of each side of each car parking space, prior to the use of the development herein approved, and such line marking shall be maintained in good and substantial condition at all times to the reasonable satisfaction of the Council.

9. All of the car parking, driveway and vehicle manoeuvring areas shall be constructed and finished in bitumen, brick paving or concrete, and appropriately drained in accordance with sound engineering practice prior to the occupation or use of the approved development.
10. Each car parking space or area abutting a walkway, footpath, landscaped area, and fence or shop frontage shall be provided with a vehicle wheel stop or 900mm high bollard prior to the occupation or use of the approved development.
11. The cross walk lines shall be extended across the aisle from the pedestrian walkway.
12. No element of LED or LCD display shall be included in the design of any sign visible from adjacent roads.
13. All signs associated with the site shall be limited to a low level of illumination so as to minimise distractions to motorists.
14. All signs associated with the site shall not contain any element that flashes, scrolls, moves or changes.
15. The utilisation of Trailer Mounted Variable Message Displays for advertising purposes shall not be permitted on the subject land.
16. The applicant shall submit to Council a landscaping plan showing all landscaping proposals in detail for the entire site, including the type and location of plantings to the reasonable satisfaction of Council and for consideration and approval by Council prior to or as part of the application for Building Rules Consent. The width of the garden bed along the Port Elliot Road frontage shall be consistent with the existing garden beds.
17. All landscaping shall be maintained and nurtured at all times, and any dead or diseased trees, plants, shrubs and/or groundcover shall be replaced with other trees, plants, shrubs and/or groundcover of the same, or similar, respective species.
18. No additional stormwater, which is generated by the approved development, shall be discharged from the site. Accordingly, the applicant shall provide a site-specific stormwater management plan, incorporating on-site storage facilities to accommodate the additional generated flows and pollutant treatment systems, for consideration and approval by Council as part of the application for Provisional Building Rules Consent.

Note: In the event that the applicant determines it appropriate, and as an alternative to the above condition, the applicant may provide a financial contribution to external stormwater provision as determined by hydraulic calculation. The amount of contribution will be determined as a ratio of stormwater capacity generated from the site compared to the total cost of construction of the stormwater provision.
19. All material used in the construction of the approved retail buildings shall be non-reflective in nature.
20. The obsolete crossover points shall be reinstated to standard Council footpath, kerb and gutter to the reasonable satisfaction of Council with all costs to be borne by the applicant. This shall be undertaken prior to the new buildings becoming operational.

21. The applicant shall extend the footpath along Rosette Avenue and Elliot Avenue to provide pedestrian accessibility and DDA access to the shop entrances to the reasonable satisfaction of Council and in accordance with the relevant standards.
22. The applicant shall provide bicycle parking facilities in accordance with AS2890.3.
23. Proposed retaining walls shall be constructed as part of the construction phase of the building and completed prior to the occupation/use of the approved building.

PLEASE NOTE: There may be a requirement to give the adjoining owner 28 days notification under the Building Rules, to check whether this is the case please contact your Builder, Private Certifier or Council as the case may be.
24. Directional signs not exceeding 0.5m² in face areal shall be erected at vehicle access points to the delivery driveway to indicate entry only (Rosetta Avenue) and exit only (Elliot Avenue).
25. Deliveries, pick ups and commercial waste collection using the rear service lane shall only be conducted between the hours of – 7.00am – 7.00pm Mondays to Saturdays; and 9.00am – 7.00pm on Sundays.
26. The 2.4 metre high colourbond fence along the rear, southern boundary shall be installed using a heavier grade colourbond material.
27. A garbage receptacle of sufficient capacity to accommodate all commercial waste bins required by the proposed development shall be installed on the eastern side of the existing building and the receptacle shall be screened from public view to the reasonable satisfaction of the Council.

Note: The applicant shall enter into a “developer agreement” with DPTI for all road works on Port Elliot Road.

CARRIED

4.3 Internal Alterations to Residential Flat Building (Additional Unit) and Carport

CAP72019

That the Council Development Assessment Panel:

- 1) RESOLVE that the proposed development is NOT seriously at variance with the provisions in the Development Plan; AND
- 2) RESOLVE to grant Development Plan Consent to Anne Butler, Development Application number 453/536/18, for Internal Alterations to a Residential Flat Building (Additional Unit) and Carport at 8-10 Shannon Street, subject to the following conditions:
 1. The development shall be in accordance with the plans and details submitted to and approved by Council as part of the application, except as varied by any subsequent conditions imposed herein.
 2. The stormwater disposal from the carport and/or site shall be installed within seven (7) days from the installation of the roof covering by means of impervious pipes or other suitable materials to the street water table, ensuring that the drain under the footpath is either-
 - a) a single 100mm diameter concrete pipe;
 - b) an appropriate sized and corrosion protected steel pipe; or
 - c) a 90mm minimum sewer grade PVC pipe.

Alternatively, provide Council with proof of adequacy of a system that will ensure that there will be no adverse effects from site generated stormwater to people, property or buildings.

3. The external appearance, materials and finishes of the carport shall match or blend with the existing building, and shall be of a low light-reflective nature.
4. Proposed earthworks (excavation and/or fill) adjacent to a property boundary shall be protected using an engineer designed retaining wall and/or an appropriately battered slope, or provide Council with details of an alternate protection measure. Such protection measures shall be installed during the construction phase of the building to the reasonable satisfaction of Council and completed prior to the occupation/use of the approved building.

PLEASE NOTE: There may be a requirement to give the adjoining owner 28 days notification under the Building Rules. To check whether this is the case please contact your Builder, Private Certifier or Council as the case may be.

CARRIED

4.4 Land Division - 18-20 Alexander Street, Hayborough

CAP82019

That the Council Development Assessment Panel:

- 1) RESOLVE that the proposed developments are NOT seriously at variance with the provisions in the Development Plan.
- 2) RESOLVE to grant Development Approval to Sarah Homes, Development Application No. 453/C028/18 for a land division at 18-20 (Lots 216 and 217) Alexander Street, Hayborough subject to the following conditions:

City of Victor Harbor - Development Plan Conditions

1. The land division shall be undertaken in accordance with the plans prepared by Sarah Homes (reference Page 2 of 2) that were submitted to, and approved by, Council as part of the subject application except as varied by any subsequent conditions imposed herein.
2. The existing structures shown on the plan of division shall be demolished prior to Council issuing the Section 51 clearance to the Development Assessment Commission.

Development Assessment Commission - Land Division Conditions

1. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.

The augmentation requirements of SA Water shall be met. The alteration of internal drains to the satisfaction of SA Water is required. An investigation will be carried out to determine if the connections to your development will be costed as standard or non standard. The developer must inform potential purchasers of the community lots of the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to owner/applicant.

2. Payment of \$14506 into the Planning and Development Fund (1 allotment(s) @ \$7253/allotment).

Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Department of Planning, Transport and Infrastructure marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.

3. 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 State Commission Assessment Panel (SCAP) for Land Division Certificate purposes.

CARRIED

4.5 Variation to DA 453/E004/16 being the conversion of the approved Allied Health facility to Retail and Cafe at Lot 5 Adelaide Road, Hayborough

CAP92019

Matters for consideration by DAC

1. Deliveries to the new loading dock bay need to be compatible with the hours of operation of the other developments on the site and in particular customer traffic movements given the wide vehicle sweep paths into the car parking area as shown in the GTA report.
2. The new and existing vehicle cross-over points on McCracken Drive should be suitable for the largest proposed delivery vehicles with tactiles to be added to the footpath (noting the wide and angular vehicle sweep path as shown on the GTA report.)
3. The full extent of McCracken Drive affected by additional delivery vehicle movements will require deep lift asphalt pavement to cater for the heavy vehicles and turning movements resulting from the new loading dock area.
4. A pedestrian access path should be provided between the existing shared path on Adelaide Road and the front entrance of the new retail outlet and café.
5. Has the effect of vehicle head lights shining into dwellings opposite, when exiting onto McCracken Drive, been appropriately considered and mitigated?

Suggested Conditions

1. McCracken Drive accesses shall be provided in accordance with AS 2890.2 – 2002 Off Street commercial facilities Figure 3.1
2. Adequate lighting to access points to be provided in accordance with Australian Standards.
3. Sight distance and clear visibility to all roads at all proposed access points needs to be assessed and compliant with Austroads guide to road design Part 4A.
4. McCracken Drive pavement and seal needs to be upgraded between Adelaide Road and the current site entry point to accommodate the additional truck and traffic movements.

CARRIED

4.6 Extension of Consent - Balcony Extension and Dwelling additions at 4 Olivebank Crescent, Encounter Bay

CAP102019

Pursuant to Section 40(3) of the Development Act 1993, the Council Assessment Panel agree to extend the period of consent applicable to Development Application 453/498/13 for a further period of twelve months (expiring on the 15 December 2019).

CARRIED

5. OTHER BUSINESS

B Coventry advised members that Ms K Walker had recently been successful in attaining the position of Governance Officer within the organisation.

J Urquhart requested that future agenda items include a map indicating which properties had been notified of the application and, of those, who had lodged a representation.

6. POLICY ISSUES

Nil

7. NEXT MEETING

The next meeting is scheduled to be held on Tuesday 9 April 2019.

8. CLOSURE

The meeting was declared closed at 6.20pm.

Signed: _____ Date: _____