

ALEXANDRINA COUNCIL

NOTICE OF MEETING

Notice is hereby given to Councillors and Members that the next meeting of Development Assessment Panel will be held in the Community Chambers "Wal Yuntu Warrin", on 29 September 2009 commencing at 10:30 am



Your attendance is requested.

10.30 am

Mr Don Donaldson
CHAIRPERSON

21 September 2009

**REPORT AND AGENDA
FOR DEVELOPMENT ASSESSMENT PANEL MEETING TO BE
HELD ON 29 SEPTEMBER 2009
IN THE
COMMUNITY CHAMBERS "WAL YUNTU WARRIN",
COMMENCING AT 10:30 AM**

PRESENT

APOLOGIES

Cr R Medlyn

IN ATTENDANCE

ITEM 1. CONFIRMATION OF MINUTES

Minutes of the Alexandrina Council Development Assessment Panel held on 18 August 2009.

RECOMMENDATION

That the minutes of the Alexandrina Council Development Assessment Panel held on 18 August 2009 as circulated to members be received as a true and accurate record.

ITEM 2. DEVELOPMENT APPLICATIONS

ITEM 3. DEVELOPMENT APPLICATIONS - NON COMPLYING

ITEM 4. **DEVELOPMENT APPLICATIONS - CATEGORY 3**

4.1 455/1422/08 - United Petroleum

SUMMARY TABLE

Date of Application	12 December 2009
Subject Land	18 South Terrace, Strathalbyn
Assessment No.	A 13253
Relevant Authority	Alexandrina Council
Planning Zone	Residential
Nature of Development	Change of use – Carwash with associated signage and vacuum cleaning station
Type of Development	Merit
Public Notice	Category 3
Referrals	Transport SA
Representations Received	1
Representations to be heard	Nil
Date last inspected	7 September 2009
Recommendation	Development Plan Consent
Originating Officer	David Zanker

THE PROPOSAL

Nature of Development

This application seeks to develop a carwash with associated signage over two existing allotments in the Residential (Strathalbyn) zone pursuant to Maps Alex/26 and 38 from the Alexandrina Development Plan (Consolidated – 20 March 2008). The proposed development is an ancillary use to an existing petrol station and therefore the development is considered to be a 'merit' form of development within this zone.

Detailed Description

The proposed carwash is to be erected in an existing store room that covers two allotments on the corner of 18 South Terrace, and Parker Avenue. Both allotments have been developed and has a operating petrol station located on site with associated retail showroom.

.../cont.

4.1 455/1422/08 – United Petroleum (Continued)

The existing store room is 4.8 metres in height, spans from approximately 14 metres in width and 14 metres in length having a total area of approximately 200 square metres. As such half of the existing store room will be utilised for the proposed car wash. The remainder of the store room will be used for storage purposes for the existing petrol station. The existing materials will remain as colorbond, however existing colorbond sliding doors, will be replaced with automatic glass doors to allow for the entry and exit of the proposed vehicles.

The operational hours of the proposed car wash and vacuum bay will be between the hours of 7am and 10pm only seven days a week.

An existing loading bay is proposed to be demolished, and forms part of the development application.

REFER ATTACHMENT 4.1(a) (page 1)

SUBJECT LAND & LOCALITY

The subject land consists of two irregular shaped allotments comprising an area of some 2600 square metres located on the southern edge of the Strathalbyn District centre. The subject site is located within the Residential (Strathalbyn) Zone, as depicted on Map Alex/26 and 38 of the Council's Development Plan, Consolidated 20 March 2008.

The subject site is adjacent to the Angus River and Soldiers Memorial Garden Historic (Conservation) Zone Policy Area 2. The locality is varied and is formed by Parker Avenue to the west of the site, and South Terrace to the north of the site. Directly adjacent to Parker Avenue is a number of detached 'cottage' styled dwellings, and a railway line on the north west portion of the site.

The subject land contains an existing petrol station with six petrol bowsers in the northern portion of the two allotments. Located in the centre of the two allotments is a retail show room that has approximately 135m² of floor area. The majority of the service station floor area is for retail purposes with the remainder being used for toilets and store room for employees.

Adjacent to the service station is an existing store room that covers approximately 200m², of the South-Eastern portion of the two allotments. Approximately half of the store room is to accommodate for the proposed carwash.

In the eastern portion of the allotment is an extension loading bay that adjoins the retail show room and the store room. A portion of the loading bay is proposed to be removed. The south eastern portion of the subject site is vacant and has previously been used for the storage of trailers.

.../cont.

4.1 455/1422/08 – United Petroleum (Continued)

Adjacent to the eastern boundary are two separate allotments that accommodate single storey detached dwellings. None of which have any heritage significance, however they abut a State Heritage place (being a dwelling – former Colonial Gas Company Strathalbyn Gas Works), and their built form and street presence reflects the heritage character of Strathalbyn.

The neighbouring property to the southern portion of the subject site has a number of residential flat buildings owned by the South Australian Housing Trust. The distance from the proposed development is approximately forty metres.

South Terrace is a Secondary Arterial road in accordance with Map Alex/1 Enlargement C of the Alexandrina Council Development Plan. Abutting this road and adjacent to the proposed is the National Trust of South Australia Museum.

PUBLIC NOTIFICATION

Pursuant to Section 38 (5) of the Development Act, the application was placed on Category 3 public notice and was advertised within the Argus on the 6th August 2009.

During the public notification period, one (1) representation was received in relation to the development. The representation was neither in support or have an objection in principle to the proposed development, rather there was an objection to the proposed signage.

The summary of representations that was received by Council was provided to the applicant, providing an opportunity to respond to the representations. The applicant responded to the representation by providing plans and details to Council on the 26 August 2009, indicating a reduction in the size of the signage, in order to address the concerns of the representation.

A copy of the representation is attached along with the response

REFER ATTACHMENT 4.1(b) (page 5)

REFERRALS

Pursuant to Section 37 of the Development Act and Schedule 8 (4) (a) of the Development Regulations, the Application was referred to the Department of Transport, Energy and Infrastructure (DTEI). As the subject development initially included illuminated lighting that was within 100 metres of a signalised intersection (Railway crossing). The response from DTEI was received by Council on 12 August 2009, indicating that they have no objection to the proposed development, however offer the following comments:

.../cont.

4.1 455/1422/08 – United Petroleum (Continued)

“DTEI indicated that the entry and exit points of the proposed car wash should be signed appropriately in order to facilitate the desired one-way traffic flow. Stormwater run-off should be collected on site and discharged without jeopardising the integrity and safety of the adjoining road.

Council should ensure that sufficient on-site parking, designed in accordance with AS/NZ 2890.1-2004, is provided for the proposed development and all vehicles can manoeuvre on site and exit in a forward direction”.

A copy of the DTEI response is attached.

REFER ATTACHMENT 4.1 (c) (page 15)

INTERNAL CONSULTATION

Consultation has been undertaken with Council's Environmental Health Department (EHO Angela Sorger) with regard to the disposal of the trade waste. Approval was granted for this application on 31 August 2009.

In addition, Councils Engineering Department (Engineer Stewart Ratcliff) was consulted with regard to vehicular movement and have indicated that there are no concerns with the access points or the site vehicle movement.

ALEXANDRINA COUNCIL DEVELOPMENT PLAN

The Application was lodged with the Council on 12 December 2008. As such, the Alexandrina Council's Development Plan, consolidated 20 March 2008 applies.

The following Objectives and Principles of Development Control (PDC's) are seen as especially relevant to this application.

Council Wide

Objectives: 1, 2, 3, 17, 18, 24, 25, 26, 38, 50, 51, 52, 53
PDC's: 1, 2, 106, 108, 111, 113, 142, 143, 144, 145, 147, 149, 150, 151, 152, 153, 154, 155, 156

Strathalbyn District

Objectives 1, 2, 4, 6, 7
PDC's: 1, 2, 4, 5, 23, 45, 48

.../cont.

4.1 455/1422/08 – United Petroleum (Continued)

Residential (Strathalbyn) Zone

PDC's 2, 17, 25, 26

Comments

A proposal to construct a car wash in the Residential (Strathalbyn) zone, is a merit form of development as it is not listed as a non-complying (nor a complying) form of development. The key considerations of this assessment relate to the appropriateness of the proposed land use, with regard to its impact on the general intent of the zone and any resulting impact on the adjoining residential uses.

Council Wide

Objectives: 1, 2, 3, 17, 18, 24, 25, 26, 38, 50, 51, 52, 53

PDC's: 1, 2, 106, 108, 111, 113, 142, 143, 144, 145, 147, 149, 150, 151, 152, 153, 154, 155, 156

OBJECTIVES

- 1 Orderly and economic development.
- 106 Development within the Strathalbyn District as identified on Map Alex/1 (Overlay 1) Enlargement A should have car parking spaces designed to the Australian Standard AS2890.1 (1986), located on the site, or on a suitable site nearby, at a rate not less than that prescribed in Table Alex/3.
- 108 Development and associated points of access and egress should not create conditions that cause interference with the free flow of traffic on adjoining roads.
- 111 Waste management facilities should be located, sited, designed and managed to minimise adverse impacts on both the site and surrounding areas due to generation of surface water and ground water pollution, traffic, noise, odours, dust, vermin, weeds, litter, gas and visual impact.
- 144 Advertisements should not detrimentally affect by way of their siting, size, shape, scale, glare, reflection, or colour, the amenity of areas, zones, or localities, in which they are situated.

.../cont.

4.1 455/1422/08 – United Petroleum (Continued)

PRINCIPLES OF DEVELOPMENT CONTROL

- 142 The appearance of land, buildings and objects should not impair the amenity or character of the locality in which they are situated.
- 147 The scale of advertisements should be compatible with the buildings on which they are situated and with nearby buildings and spaces.

COMMENTS

Given the fact that the proposal is an ancillary use to the existing petrol station, it is considered that the proposal is orderly and economic development.

In accordance with the 'Parking provisions for selected land uses' produced by the Department of Planning and Local Government, the existing petrol filling station requires 6 formal parks for service bays, and an 5 formal car spaces per 100m² of retail floor space.

Currently the existing petrol station and ancillary retail shop does not have any existing formal car parking spaces. However, the existing petrol station informally accommodates for five car parking spaces on the subject site and appears to be acceptable for this specific site.

The proposed car wash allows for a queuing area for approximately four cars back from the ordering point, with an additional two formal car parks for the vacuum bay area. As such the proposal addresses the car parking principles for the proposed car wash.

Access to the site is provided via three entry and exit points that are located on the subject site. Majority of the access points are gained via Parker Avenue, as this road has a lesser amount of traffic movement in comparison to South Terrace. It is anticipated that the access points will not be impacted by the proposed development.

Evidence by DTEI and Councils Engineering department provide support as the access points (that currently service the existing petrol station) are not altered by the proposal. As the proposal does not change or alter the existing access points, nor affect the free flow of traffic, it is considered that the proposal generally complies with PDC 108.

.../cont.

4.1 455/1422/08 – United Petroleum (Continued)

Initial plans for the proposed carwash illustrated illuminated signage, and therefore was referred to the Department of Transport, Energy, and Infrastructure (DTEI) for comment. Pending comments from DTEI, the plans for the proposed were amended to indicate corporate colours 'washup' and did not include any illuminated signage.

The noise from the use of the car wash, vacuum equipment, and associated vehicle movements have been considered. A 2.1 meter fence is proposed to be constructed along the eastern boundary, and associated 1.8 metre high colorbond fence along the southern boundary of the subject site. The carwash has incorporated glass doors on both the entry and exit points of the carwash that close during the washing procedure. In general noise concerns of the proposal have been addressed by utilising the above infrastructure.

REFER ATTCHMENT 4.1(d) (page 16)

The size of the proposed signage was then reduced to address the concerns of the representation of an applicant during the public notification period. Details of the corporate colours have been attached.

Three of the larger signs are 900mm in height and vary in length form 2.9 to 3.5 metres. In addition to the three larger signs, the proposal includes two smaller signs that indicate an entry point and a water logo that are not greater than 680mm in length and height.

The existing petrol station has existing illuminated signage on the service station and a larger sign on the north west portion of the site. It is considered that the existing signage is consistent with the use of petrol stations. As such it is considered that the signage of the proposed car wash is consistent with the existing. Therefore, due to the reduced size of the proposed signage, it is considered that the signage is compatible with nearby buildings and will not have a detrimental impact on the amenity of the locality.

STRATHALBYN DISTRICT

Objectives 1, 2, 4, 6, 7
PDC's: 1, 2, 4, 5, 23, 45, 48

OBJECTIVES

- 2 Development of the town of Strathalbyn as the main service and community centre within the Strathalbyn District.

.../cont.

4.1 455/1422/08 – United Petroleum (Continued)

- 4 Industrial, commercial, office and retail development satisfying the requirements of the population of the district.

PRINCIPLES OF DEVELOPMENT CONTROL

- 2 Development should not be undertaken if it is likely to affect adversely the health, safety and convenience of residents in the locality.
- 45 Development should not take place unless served by an adequate water supply and wastewater disposal system.

COMMENTS

The proposal is considered to satisfy the requirements of the Strathalbyn District by supplying a car wash (commercial use) to be an ancillary use to a petrol station. As the subject site is in close proximity to the District Centre Zone of Strathalbyn, the proposed is considered to be connected within the main service community centre of Strathalbyn.

The trade waste approval was subsequently approved by Councils Health Department due to the appropriate infrastructure that is proposed. All waste water will be diverted to a reclamation pit, where the waste water is to be treated, prior to discharging into the sewer.

RESIDENTIAL (STRATHALBYN) ZONE

PDC'S 17, 25, 26

PRINCIPLES OF DEVELOPMENT CONTROL

- 25 Buildings and structures should be designated with regard to scale, height and proportions, as well as external appearance, materials, colours, siting and landscaping to complement and enhance the positive characteristics of the locality.

The intent of the Residential (Strathalbyn) Zone is to accommodate for types of low density residential development. Given the nature of the proposal strictly speaking, the development is at variance with the intent of the zone. However, as the proposed development is ancillary to an existing use which does not conform with the zone principles, it is considered to be ancillary and appropriate for the locality.

.../cont.

4.1 455/1422/08 – United Petroleum (Continued)

CONCLUSION

The proposal is considered to be a 'merit' form of development, which complies with the relevant Objectives and Principles of Development Control for the Alexandrina Development Plan. The proposed development will have a minimal impact on the amenity of the locality and character of the area due to the existing use of the subject site.

Given the nature of the proposed development and general compliance with the relevant provisions from the Alexandrina Development Plan, the proposed development is not considered to be at variance with the Alexandrina Council's Development Plan and warrants approval.

RECOMMENDATION

That the Development Assessment Panel grant Development Plan Consent to Development Application 455/1422/08, for the change of use from a store room to a car wash, demolition of existing platform, and instillation of a vacuum bay at 18 South Terrace, Strathalbyn, subject to the following conditions:

Conditions

1. The Development shall proceed in strict accordance with the Plans and details submitted on 1 September 2009, and environmental noise assessment received by Council on 2 June 2009, subject to the following conditions and notes.
2. The proposed demolition shall be carried out in accordance with the following:
 - a. Access to and in the vicinity of the site by the public before, during and after demolition (until the site is cleared) is to be restricted and as such the are must be secured by an approved barrier.
 - b. Any dust or similar products arising from the demolition must be controlled and kept within the site as far as is reasonable;
 - c. All demolition materials are to be removed from the site, and the site is to be left in a clean and tidy condition;
 - d. The demolition, transport and disposal of asbestos products, is subject to legislative control and must be handled in accordance with those requirements. Contact the Department for Administration and Information Services, Industrial Affairs - Mineral Fibres Branch (asbestos enquiries) on 8303 0400 for further information and relevant approvals. Australian Standard AS2601 Demolition of Structures, should be referred to or demolition procedures.

Note: Disconnection of services and the undertaking of public liability insurance is the responsibility of the person supervising the works

3. All stormwater drainage shall discharge so that it does not flow or discharge onto land of adjoining owners or, in the opinion of Council, detrimentally effect structures on this site or any adjoining land.
4. External lighting and security lighting shall be directed in such a manner so as to not, in the opinion of Council, create unreasonable overspill onto any adjoining property or road way which may create a nuisance to any neighbour or road user.
5. On-site car parking for the proposed shall be designed in accordance with AS/NZ 2890.1-2004.
6. Design of car parking areas shall ensure that all vehicles can manoeuvre on site and exit in a forward direction.
7. The land use herein approved (car wash and vacuum bay) shall only be operated between the hours of 7am to 10pm unless written approval to vary these times is given by Council.
8. The use and any associated processes or activities carried on shall not detrimentally affect the amenity of the locality by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.
9. All mechanical plant installed as part of this development should meet requirements of the Environmental Protection Authority (EPA) and the acoustic report received by Council on 2 June 2009.

Department for Transport, Energy and Infrastructure conditions

1. The entry and exit points of the proposed car wash should be signed appropriately in order to facilitate the desired one-way traffic flow.

ITEM 5. DEVELOPMENT APPLICATIONS - LAND DIVISION / COMMUNITY TITLE

ITEM 6. MATTERS REFERED FOR FOLLOW-UP

ITEM 7. GENERAL ITEMS FOR DISCUSSIONS

ITEM 8. NEXT MEETING

Thursday 22nd October 2009, time to be advised.