

CITY OF WEST TORRENS



Notice of Panel Meeting

NOTICE IS HEREBY GIVEN in accordance with Section 56A(19) of the Development Act 1993, that a meeting of the

DEVELOPMENT ASSESSMENT PANEL

of the

CITY OF WEST TORRENS

will be held in the George Robertson Room, Civic Centre
165 Sir Donald Bradman Drive, Hilton

on

**TUESDAY, 11 OCTOBER 2016
at 5.00 PM**

**Terry Buss
Chief Executive Officer**

City of West Torrens Disclaimer

Development Assessment Panel

Please note that the contents of this Development Assessment Panel Agenda have yet to be considered and deliberated by the Development Assessment Panel and officer recommendations may be adjusted or changed by the Development Assessment Panel in the process of making the formal Development Assessment Panel decision.

Note: The plans contained in this agenda are subject to copyright and should not be copied without authorisation.

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1. MEETING OPENED

1.1 Evacuation Procedure

2. PRESENT

3. APOLOGIES

4. CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Panel held on 13 September 2016 be confirmed as a true and correct record.

5. DISCLOSURE STATEMENTS

The following information should be considered by Development Assessment Panel Members prior to a meeting:

Action to be taken prior to consideration of a matter

Sections 2(4)(5) of the Minister's Code of Conduct - Section 21A of the Development Act 1993 requires that:

"If you consider that you have, or might reasonably be perceived to have an interest in the matter before the panel, you must clearly state the nature of that interest in writing to the presiding member before the matter is considered.

If you consider that you have a personal interest which may be in conflict with your public duty to act impartially and in accordance with the principles of the Act, you must declare a conflict of interest as above."

Action to be taken after making a declaration of interest:

Section 2(6) of the Minister's Code of Conduct - Section 21A of the Development Act 1993 requires that:

"If you have an interest in a matter, you must not partake in any of the assessment processes involving the matter. You must leave the room at any time in which the matter is discussed by the panel including during the hearing of any representations or during any vote on the matter. You must not vote on the matter and you must not move or second any motion or participate in any discussion through the consensus process."

If an interest has been declared by any member of the panel, the presiding member must record the nature of the interest in the minutes of meeting.

6. REPORTS OF THE CHIEF EXECUTIVE OFFICER

6.1 1 Fenner Avenue, COWANDILLA

Application No. 211/478/2016 & 211/743/2016

Appearing before the Panel will be:

Representors: **Richard Olszowka** owner of 22 Brooker Terrace wishes to appear in support of the representation.

Applicant/s: **Bill Stefanopoulos** of Town Planning Advisors wishes to appear to respond to the representation.

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Construction of a two storey residential flat building containing two dwellings each with carports, retention of existing dwelling, construction of carport for existing dwelling, and pruning of a Significant Eucalyptus leucoxylon (SA Blue Gum) Land Division - Community Title; DAC No. 211/C094/16 (Unique ID 54675); Create two (2) additional allotments
APPLICANT	Yalmaz Kadir
APPLICATION NO	211/478/2016 & 211/743/2016
LODGEMENT DATE	5 May 2016 & 7 June 2016
ZONE	Residential
PRECINCT	NA
POLICY AREA	Low Density Policy Area 20
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 2
REFERRALS	Internal ▪ City Assets External Development Assessment Commission/SA Water
DEVELOPMENT PLAN VERSION	5 May 2016
MEETING DATE	11 October 2016
RECOMMENDATION	CONSENT

BACKGROUND

The development proposal is presented to the Development Assessment Panel (DAP) for the following reasons:

- All Category 2 or 3 applications where a representor has requested to be heard shall be assessed and determined by the DAP.

- With regard to residential development and land division applications, where all proposed allotments and or sites fail to meet, nor are within 5% of, the minimum frontage widths and site areas designated in respective zones and policy areas within the West Torrens Council Development Plan.

PREVIOUS OR RELATED APPLICATION(S)

DA 211/836/2009 Application for construction of two storey residential flat building, pruning of significant tree and construction of a carport for the existing dwelling was granted consent by the DAP at its meeting of 8 March 2011. An application was made to extend the operative date of the Development Plan Consent and consent was granted on 14 February 2012.

The current application is effectively a resubmission of the former approved development as the Development Plan Consent has lapsed.

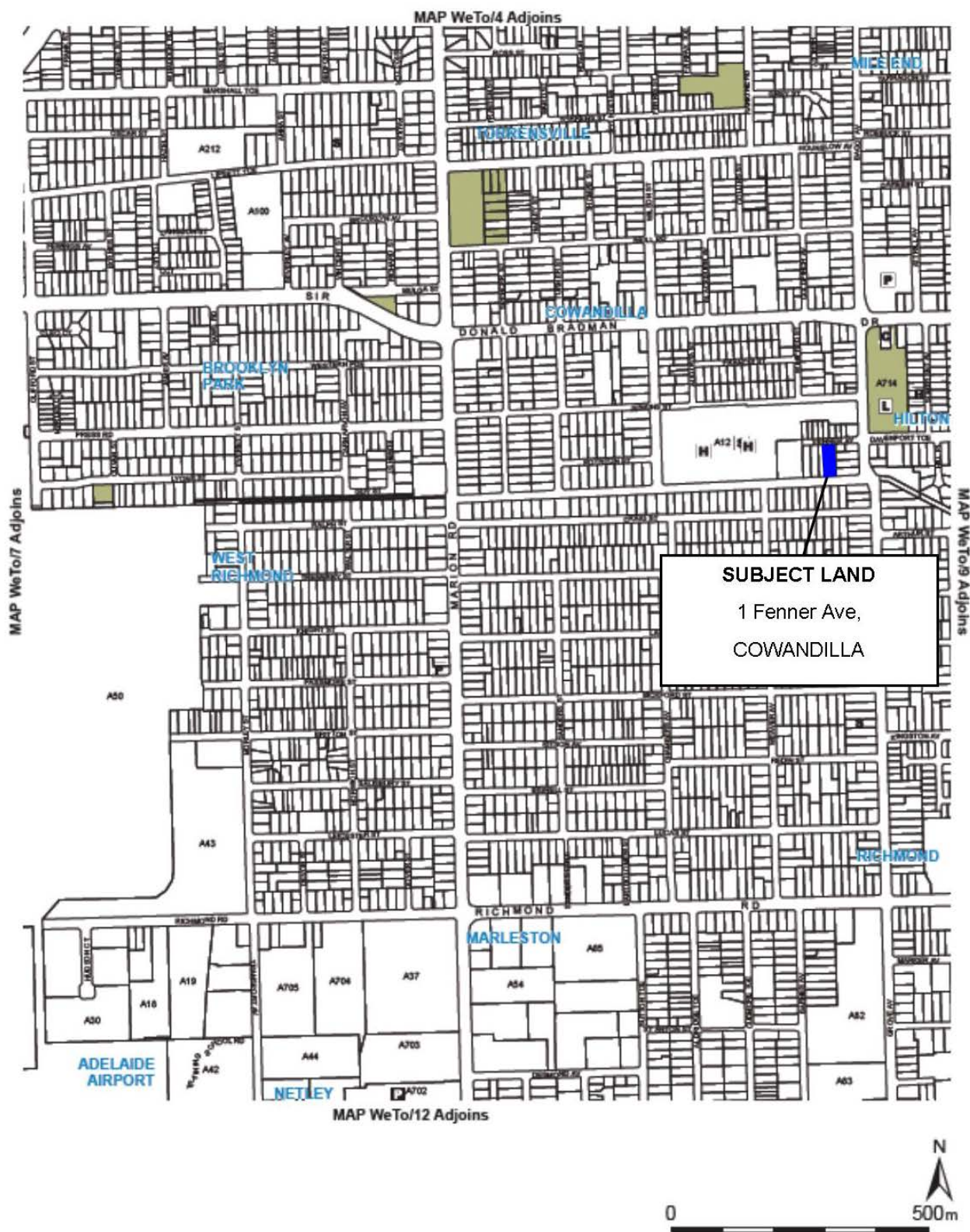
SITE AND LOCALITY

The site currently contains an existing single storey dwelling, attached carport and ancillary outbuildings. While there are no significant trees located on the subject site, the site is impacted by a regulated tree on the adjoining land.

Vehicle access to the site is currently provided via a single width crossover located at the eastern end of the site's Fenner Avenue frontage.

Fenner Avenue is characterised by predominately single-storey housing stock with the broader neighbourhood character comprising a variety of single storey dwellings including single and multi-dwellings, of predominantly brick construction, with pitched rooves. There are examples of two storey dwellings in the immediate locality.

The site and locality are shown on the following maps and site photos:



Location Map WeTo/8

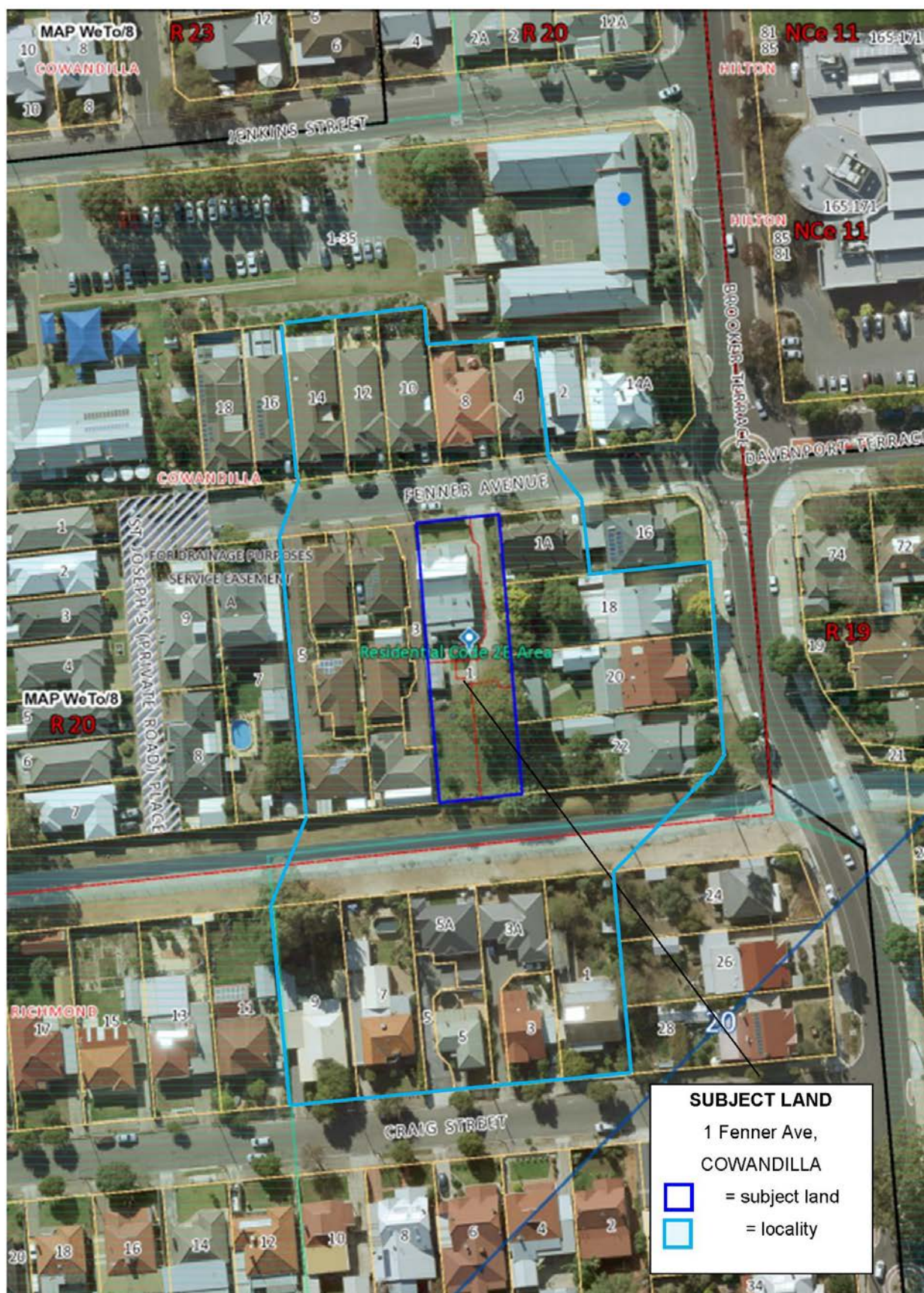


Figure 1: Subject Site



PROPOSAL

The proposed development involves the construction of a two storey residential flat building containing two dwellings each with carports, retention of the existing dwelling, construction of carport for the existing dwelling at 1 Fenner Avenue, pruning of a Significant Eucalyptus leucoxylon (SA Blue Gum) and land division via community title to create two (2) additional lots. A copy of the submitted plans is contained in **Attachment 1**.

PUBLIC NOTIFICATION

The application is a Category 2 form of development pursuant to Section 38 and Schedule 9 of the Development Act and Regulations and the Residential Zone, Procedural Matters Section of the West Torrens Council Development Plan.

Properties notified:	17 properties were notified during the public notification process.
Representations:	1 representation was received.
Persons wishing to be heard:	1 representor identified that they wish to address the Panel. <ul style="list-style-type: none">• Richard Olszowka
Summary of Representations:	Concerns were raised regarding the following matters; <ul style="list-style-type: none">• Overlooking• Overshadowing

The Applicant has provided a response to the representation, as summarised below:

- Propose to install fixed obscure glazing to all upper level windows to a height of 1.7m above the finished floor level
- Overshadowing diagrams have been prepared that demonstrate that no shadow will be cast over the neighbouring property before 12.00pm on either 22 December or 22 June. The proposed development complies with the Development Plan provisions.

A copy of the representors concerns and the applicant's response is contained in **Attachment 1**.

REFERRALS

Internal

City Assets

General Finished Floor Level (FFL) Consideration

- *Council seeks to ensure that the FFL of all new development is protected from Inundation when considering a 350mm stormwater flow depth in the adjacent street watertable. This is typically achieved through establishing the FFL of new development a minimum of 350mm above the highest adjacent street water table. In association with the above proposed development, no site or road verge level information has been provided and as such it is impossible to determine if the proposal will satisfy the above consideration. Simply conditioning that a development satisfy this consideration can have its complications with regards to the ultimately required level of the development in relation to neighbouring properties and the related planning considerations this brings about. It may also bring about the necessity for alterations to the design of the development which are outside of the expectations of the applicant (for example; requiring step(s) up from existing buildings to additions).*

Verge Interaction

- *Verge interaction has been assessed as acceptable in accordance with the site layout shown in 'Site Plan' (Building Design Studio drawing 1/9 received 05/06/16). It is also important to ensure that the functionality of this driveway entrance and passing area is not compromised by the ultimate installation of letterboxes, above ground service metres or similar.*
- *"No aboveground structure(s) such as letterboxes, service meters or similar are to be installing within the common driveway entrance and passing area."*

Traffic Comments

- *Traffic manoeuvrability has been assessed as acceptable in accordance with the site layout shown in 'Site Plan' (Building Design Studio drawing 1/9 received 05/06/16).*

Stormwater Detention (Recently Divided Residential)

- *As the subject allotment for this application is the result of a recent division of land (where the size of original allotment(s) totalled between 1000 and 4000 square metres), stormwater detention measures will be required to be undertaken for this development proposal to restrict the total discharge from the subject site to a maximum of 20 litres per second for the site critical 20 year ARI storm event.*

- *In calculating the stormwater detention requirements, runoff from any existing structures and buildings to be maintained must be taken into consideration. It is noted that the stormwater detention measures are in addition to the compulsory Building Code of Australia (BCA) stormwater re-use requirement that is necessary for the new dwellings. For clarity the BCA required rainwater re-use storage should also be indicated on the plans. To encourage improved Water Sensitive Urban Design measures within the proposed development, once the necessary extent and distribution of detention storage has been acceptably calculated, Council will permit this storage to be traded (on a one to one basis) and added to the compulsory BCA active stormwater re-use storage.*

Tree

- *As requested, a site inspection was carried out on June 5th 2016 to assess the neighboring Eucalyptus camaldulensis (River Red Gum), located adjacent the western boundary fence of 20 Brooker Terrace, Cowandilla, in relation to the proposed development to be undertaken at 1 Fenner Avenue, Cowandilla. Plans assessed include a site plan prepared by Building Design Studio and a tree report carried out by Mr. Annells in October 2010. I provide comments as follow:*
- *This tree is an excellent representative of its species due to its visual amenity, excellent overall health/ structure and long safe life expectancy. Eucalyptus camaldulensis are indigenous to the local area and form part of the over- storey vegetation within the surrounding environment. Mature indigenous species such as this are especially important for biological reasons as they provide conditions suitable for a wide range of animals, plants and invertebrates, many of which require the unique environment provided by an older tree. Pruning recommendations suggested by Mr. Annells are within the tolerable limits of the tree and in accordance with AS 4373Y07 "Pruning of Amenity Trees" however, calculations regarding the Tree Protection Zone (TPZ) and Structural Root Zone (SRZ) are incorrect and do not conform with the formula contained in AS 4970Y09 "Protecting trees on development sites".*
- *As per the site plan, the development proposal states that a two storey residential flat building containing two dwellings will be constructed. The foundation of this proposed dwelling will be 3.25 metres from the base of the subject tree. The Structural Root Zone (SRZ) calculated for the subject tree results in a 3.25m radius, in all directions from the centre of the trunk. The Tree Protection Zone (TPZ) calculated for the subject tree results in a 10.8m radius, in all directions from the centre of the trunk, which creates a TPZ area of 366.44m². As construction is to take place 2.77m from the centre of the tree base, the incursion area into the TPZ is 124.05m², which creates an encroachment of 33.85%. As demonstrated, the proposed construction will be taking place within the area prescribed as the SRZ and TPZ of the subject tree, and as such construction must be undertaken via non-destructive methods to prevent tree-damaging activities occurring.*
- *Footings for the dwelling must be constructed above grade using pier and beam or screwpile type footing designs and extreme caution must be used when excavating within the TPZ and SRZ. This must be undertaken using non-invasive methods such as an Air Spade or Hydravac system. These systems use high pressure air to excavate soil and expose possible roots without damage, and to allow excavations to be relocated if structural roots are discovered.*

- *As the dwelling will be constructed above-grade no changes to the existing organic soil levels will be required. This construction method will also continue to allow air and moisture to the root system beneath and therefore will not negatively impact tree health. Site plans also indicate a driveway located directly adjacent the eastern boundary between the proposed dwelling and subject tree. The proposed paving area must be constructed with pervious pavers laid on a profile specifically designed for use around trees. This profile allows the movement of air and moisture into the organic soil beneath assisting in the preservation of the root environment. As this work will be carried out within the SRZ it is essential to undertake by hand as construction machinery such as bobcats and excavators have the potential to cause significant soil compaction which can result in long-term damage to the trees root system.*
- *Having given consideration to the findings and observation made I conclude that the potential for impacts to the neighbouring tree is defined as low, only if the above design methodologies and recommendations are followed.*

The applicant has addressed the above requirements or alternatively conditions of consent are recommended. In particular it is noted that the applicant has agreed to undertake construction of the dwellings in accordance with the proposed tree protection measures. Specific conditions of consent are proposed to deal with this issue.

External

Development Assessment Commission/SA Water

- The Development Assessment Commission and SA Water have advised no objections to the proposed division subject to specific standard conditions being included on any consent issued.

ASSESSMENT

The subject land is located within the Residential and more particularly Low Density Policy Area 20 as described in the West Torrens Council Development Plan. The main provisions of the Development Plan which relate to the proposed development are as follows:

<u>General Section</u>		
Design and Appearance	Objectives	1
	Principles of Development Control	1, 2, 3, 9, 10, 11, 20, 21, 22
Energy Efficiency	Objectives	1
	Principles of Development Control	1, 2,
Interface between Land Uses	Objectives	1
	Principles of Development Control	1
Land Division	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 2, 5, 6, 7, 8
Landscaping, Fences and Walls	Objectives	1 & 2
	Principles of Development Control	1, 2, 3, 4
Regulated Trees	Objectives	1 & 2
	Principles of Development Control	1, 2 & 3
Residential Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 27, 30, 31

Significant Trees	Objectives	1 & 2
	Principles of Development Control	1, 2, 3, 4 & 5
Transportation and Access	Objectives	2
	Principles of Development Control	1,10, 11, 23, 24, 34, 35, 36, 44

Zone: Residential Zone	
<p><i>Desired Character Statement (Extract)</i></p> <p><i>This zone will contain predominantly residential development. There may also be some small-scale non-residential activities such as offices, shops, consulting rooms and educational establishments in certain locations. Non-residential activities will be complementary to surrounding dwellings.</i></p> <p><i>Allotments will be at very low, low and medium densities to provide a diversity of housing options in different parts of the zone. The range of allotment sizes will support the desired dwelling types anticipated in each policy area, and the minimum allotment sizes shall be treated as such in order to achieve the Desired Character for each policy area and, in turn, reinforce distinction between policy areas. Row dwellings and residential flat buildings will be common near centres and in policy areas where the desired density is higher, in contrast to the predominance of detached dwellings in policy areas where the distinct established character is identified for protection and enhancement. There will also be potential for semi-detached dwellings and group dwellings in other policy areas.</i></p> <p><i>Landscaping will be provided throughout the zone to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer.</i></p>	
Objectives	<ol style="list-style-type: none"> 1. A residential zone comprising a range of dwelling types, including a minimum of 15 per cent affordable housing. 2. Dwellings of various types at very low, low and medium densities. 3. Increased dwelling densities in close proximity to centres, public transport routes and public open spaces. 4. Development that contributes to the desired character of the zone.
Principles of Development Control	<ol style="list-style-type: none"> 1. The following forms of development are envisaged in the zone: <ul style="list-style-type: none"> ▪ affordable housing ▪ domestic outbuilding in association with a dwelling ▪ dwelling ▪ dwelling addition ▪ small scale non-residential use that serves the local community, for example: <ul style="list-style-type: none"> - child care facility - health and welfare service - open space - primary and secondary school - recreation area - shop measuring 250 square metres or less in gross leasable floor area ▪ supported accommodation.

	<p>2. Development listed as non-complying is generally inappropriate.</p> <p>5 Development should not be undertaken unless it is consistent with the desired character for the zone and policy area.</p>
<p><i>Policy Area: Low Density Policy Area 20</i></p> <p><i>Desired Character Statement:</i></p> <p><i>Allotments in the policy area will be at low density, accommodating predominantly detached dwellings and some other dwellings types such as semi-detached and group dwellings. There will be a denser allotment pattern close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones.</i></p> <p><u><i>Battleaxe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments developed with buildings that have a direct street frontage.</i></u></p> <p><i>Buildings will be up to 2 storeys in height. Garages and carports will be located behind the front façade of buildings.</i></p> <p><i>Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer. Low and open-style front fencing will contribute to a sense of space between buildings.</i></p>	
<i>Objectives</i>	<p>1. Development that contributes to the desired character of the policy area.</p>
<i>Principles of Development Control</i>	<p>1. The following forms of development are envisaged specifically in the policy area:</p> <ul style="list-style-type: none"> ▪ affordable housing ▪ detached dwelling ▪ domestic outbuilding in association with a dwelling ▪ domestic structure ▪ dwelling addition ▪ group dwelling ▪ semi-detached dwelling ▪ small scale non-residential use that serves the local community, for example: <ul style="list-style-type: none"> - child care facility - health and welfare service - open space - primary and secondary school - recreation area - shop measuring 250 square metres or less in gross leasable floor area ▪ supported accommodation. <p>5. Land division should create allotments with an area of greater than 340 square metres and a minimum frontage width of 10 metres, other than where the land division is combined with an application for dwellings or follows an approval for dwellings on the site.</p>

QUANTITATIVE ASSESSMENT

The proposal is assessed for consistency with the prescriptive requirements of the Development Plan as outlined in the table below:

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SITE AREA PA 20 PDC 5	No minimums for Residential Flat Buildings in Policy Area 20 <i>Land division should create allotments with an area of greater than 340 square metres and a minimum frontage width of 10 metres, other than where the land division is combined with an application for dwellings or follows an approval for dwellings on the site.</i>	Lot 1 (existing dwelling): 403m ² Satisfies Lot 2: 229m ² Lot 3: 271m ² Does Not Satisfy
SITE FRONTAGE PA 20 PDC 5	No minimums for Residential Flat Buildings in Policy Area 20 <i>Land division should create allotments with an area of greater than 340 square metres and a minimum frontage width of 10 metres, other than where the land division is combined with an application for dwellings or follows an approval for dwellings on the site.</i>	Lot 1 (existing dwelling): 11.99m Satisfies Lot 2 & Lot 3: 6.3m Does Not Satisfy
STREET SETBACK <i>Residential Zone</i> PDC 8	0-2m - the same as one of the adjacent buildings	Existing Dwelling: 5.5m Proposed Dwelling 1: 42m Proposed Dwelling 2: 42m Satisfies

<p>SIDE/REAR SETBACKS <i>Residential Development</i></p>	<p>Side 1m (vertical wall up to 3m) 2m (vertical wall 3 to 6m)</p> <p>Rear 3m</p>	<p>Ground Level Existing Dwelling: 1.5m & 1m Proposed Dwelling 1: 3m Proposed Dwelling 2: 3m</p> <p>Satisfies</p> <p>Upper Level Existing Dwelling: N/A Proposed Dwelling 1: 3m (dwelling wall) Proposed Dwelling 2: 3m (dwelling wall)</p> <p>Satisfies</p> <p>Existing Dwelling: 6m Proposed Dwelling 1: 8m Proposed Dwelling 2: 8m</p> <p>Satisfies</p>
<p>PRIVATE OPEN SPACE <i>Residential Development</i> <i>PDC 19</i></p>	<p>60m² min. (min. dimension 4m accessed from internal living area)</p>	<p>Existing Dwelling: 79m² Proposed Dwelling 1: 73m² Proposed Dwelling 2: 73m²</p> <p>Satisfies</p>
<p>CARPARKING SPACES <i>Transportation and Access</i> <i>WeTo/2</i></p>	<p>2 car parking spaces required, at least 1 of which is covered</p>	<p>Satisfies</p>
<p>MAXIMUM WALL HEIGHT Residential Zone PDC 6</p>	<p>6 metres</p>	<p>Satisfies</p>

QUALITATIVE ASSESSMENT

In assessing the merits or otherwise of the application, the following commentary is provided.

Land Use and Zoning

A Residential Flat Building is not an envisaged land use within the Low Density Policy Area 20 and as such there is no minimum lot size for Residential Flat Buildings within the policy area.

With a site area of 1141m² the 3 sites created will have sufficient site area to meet the private open space, car parking and majority of the boundary setback requirements contained within the Development Plan.

Siting

The proposed development is located at the rear of the allotment with a drainage reserve on the southern boundary of the subject land.

Overlooking and Overshadowing

The applicant has submitted overshadowing diagrams that demonstrate that the proposed development will not have a significant impact on adjoining properties.

The adjoining owner raised the potential for overlooking and overshadowing as part of their representation. The applicant responded with confirmation that the upper level windows will have obscure glazing to a height of 1.7m. The north facing balcony on proposed Dwellings 1 & 2 will also have a 1.7m high screen.

While the Development Plan does have provision for buildings on battle-axe without a frontage to a public road to be single storey and designed to maintain the privacy of adjoining properties, it is considered that the proposed development has been designed to respond to the privacy of adjoining owners despite being two storey in height.

Visual Impact on Streetscape

Fenner Avenue is a short east/west street which has a private road (St Joseph's Road) at its western edge. The dwellings fronting the street are predominately modern in design and compact in size and there are historical battle-axe allotments at 3 & 5 Fenner Avenue adjacent the proposed development. The built form is predominately single storey with a two storey dwelling located adjacent the proposed access way to Dwellings 1 & 2. It is considered that two dwellings located at the rear of the site and partially screened by the existing dwelling would not be out of character with the existing built form and will not have a significant detrimental impact on the existing streetscape.

Site Area and Frontage

The proposed development will involve the creation of 3 lots with site areas of 403m² (existing dwelling), 229m² and 271m².

The allotment to accommodate the existing dwelling meets the 340m² and 10m frontage requirements of the Development Plan. Proposed lots 2 & 3 do not meet the 340m² or 10m² frontage requirements.

It is noted that Low Density Policy Area 20 Principle of Development Control 6 relating is worded;

Land division should create allotments with an area of greater than 340 square metres and a minimum frontage width of 10 metres, other than where the land division is combined with an application for dwellings or follows an approval for dwellings on the site.

This has been interpreted that a lessor allotment size may be appropriate where the full impact of a proposed development can be assessed in a coordinated manner e.g. combined application.

Land Division

Where land is to be divided, the resultant allotments should be suitable for their intended purpose and should be capable of being provided with services and infrastructure. While the proposed community lots will not meet the minimum site area for the Low Density Policy Area 20, having assessed the proposed development as a combined land use and land division application the proposed site areas are considered suitable for their intended land use of residential development.

Stormwater

Council engineers have determined that stormwater detention measures will be required to be undertaken for this development proposal to restrict the total discharge from the subject site to a maximum of 20 litres per second for the site critical 20 year ARI storm event. A condition of consent to deal with this issue has been included.

Significant /Regulated Trees

The adjacent regulated tree has been assessed as an excellent representative of its species due to its visual amenity, excellent overall health/ structure and long safe life expectancy. Eucalyptus camaldulensis are indigenous to the local area and form part of the over- storey vegetation within the surrounding environment. Mature indigenous species such as this are especially important for biological reasons as they provide conditions suitable for a wide range of animals, plants and invertebrates, many of which require the unique environment provided by an older tree.

Council's independent arborist considers that the impact on the tree is low if the recommended design methodologies and recommendations are followed. The applicant has agreed to undertake construction of the dwellings in accordance with the proposed tree protection measures and conditions of consent are proposed to deal with this issue.

Land Division

Objective 2 Land division that creates allotments appropriate for the intended use.

PDC 7 Allotments in the form of a battleaxe configuration should:

- (a) have an area of at least the minimum site area specified by the zone, policy area or precinct (excluding the area of the 'handle' of such an allotment)*
- (b) provide for an access onto a public road, with the driveway 'handle' being not less than:*
 - (i) 4 metres in width to facilitate landscape planting along the driveway, and*
 - (ii) 5.5 metres for at least the first 5 metres of the driveway for an allotment accommodating two or more dwellings to allow vehicles to pass safely*
- (c) contain sufficient area on the allotment for a vehicle to turn around to enable it to egress the allotment in a forward direction*
- (d) not be created where it would lead to multiple access points onto a road which would dominate or adversely affect the amenity of the streetscape (for example through the loss of mature street trees, on-street parking or pedestrian safety)*
- (e) be avoided where their creation would be incompatible with the prevailing pattern of development.*

The proposed allotments to the rear of the existing dwelling will not meet the 340m² minimum from the Development Plan, however it is noted that PDC outlines that allotments should be 340m² except where a combined land division and land use application has been submitted.

The proposed handle of the battle-axe allotment will have a width at the property boundary of 6.3 metres for a length of 6 metres. The allotments also provide sufficient area for turning on site as confirmed by Councils engineering staff. There are two battle-axe style divisions at 3 & 5 Fenner Avenue and the proposed division is consistent with the land division pattern in the area.

SUMMARY

The construction of a two storey residential flat building containing two dwellings each with carports, retention of existing dwelling, construction of carport for existing dwelling, and pruning of a Significant Eucalyptus leucoxylon (SA Blue Gum) along with a Community Title land division to create two (2) additional lots follows the same form as was previously approved in DA 211/836/2009 by the DAP at its meeting of 8 March 2011 and then extended on 14 February 2012.

While a Residential Flat Building is not an envisaged land use within the Low Density Policy Area 20 the three (3) lots to be created will have sufficient site area to meet the private open space, car parking and majority of the boundary setback requirements for the existing dwelling and the two proposed dwellings.

Potential impacts on the regulated tree located on the adjacent allotments has been assessed as low if the recommended design methodologies and construction techniques are followed. The applicant has agreed to undertake construction of the dwellings in accordance with the proposed tree protection measures and conditions of consent are proposed to deal with this issue.

The two dwellings located at the rear of the site and partially screened by the existing dwelling would not be out of character with the existing built form and will not have a significant detrimental impact on the existing streetscape.

The applicant has addressed the concerns of the representor by confirming that the upper level windows and the north facing balconies will have obscure glass or 1.7m high screen. Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is considered to be not seriously at variance with the Development Plan.

On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 5 May 2016 and warrants Development Plan Consent and Land Division Consent subject to conditions.

RECOMMENDATION - 1

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/478/2016 by Zania Stacey Development Consultants to undertake construction of a two storey residential flat building containing two dwellings each with carports, retention of existing dwelling, construction of carport for existing dwelling, pruning of a Significant *Eucalyptus leucoxylon* (SA Blue Gum), at 1 Fenner Avenue Cowandilla (CT 5565/667) subject to the following conditions:

1. The development must be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
2. The construction of a drainage system and the position and manner of discharge of a stormwater drain must not at any time:-
 - a) Result in the entry of water into a building; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within the building; or
 - d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
2. All driveways, parking and manoeuvring areas must be formed, surfaced with concrete, bitumen or paving, and be properly drained. They must be maintained to the reasonable satisfaction of Council thereafter.
3. All planting and landscaping must be completed within 3 months of the commencement of the use of this development and must be maintained to the reasonable satisfaction of Council. Any plants that become diseased or die must be replaced with suitable species.
4. The upper level windows of the dwelling must be provided with fixed obscure glass to a minimum height of 1.7 metres above the upper floor level to minimise the potential for overlooking of adjoining properties, prior to occupation of the building. The glazing in these windows is to be maintained at all times to the reasonable satisfaction of Council.

5. Construction must be undertaken via non-destructive methods to prevent tree-damaging activities occurring.
6. Footings for the dwelling must be constructed above grade using pier and beam or screwpile type footing designs and extreme caution must be used when excavating within the Tree Protection Zone and Structural Root Zone. This must be undertaken using non-invasive methods such as an Air Spade or Hydravac system.
7. The proposed driveway paving area must be constructed with pervious pavers laid on a profile specifically designed for use around trees. As this work will be carried out within the Structural Root Zone it is essential to undertake by hand as construction machinery such as bobcats and excavators have the potential to cause significant soil compaction which can result in long-term damage to the trees root system.
8. Council requires one business day's notice of the following stages of building work:
 - o Commencement of building work on site;
 - o Commencement of placement of any structural concrete;
 - o Completion of wall and roof framing prior to the installation of linings;
 - o Completion of building work.

RECOMMENDATION - 2

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/743/2016 by Zania Stacey to undertake Land division - Torrens Title; DAC No. 211/C094/16 (Unique ID 54675); Create two (2) additional allotments at 1 Fenner Avenue Cowandilla (CT 5565/667) subject to the following conditions

DEVELOPMENT PLAN CONSENT

Council Conditions

3. Development is to take place in accordance with the plans prepared by Zania Stacey relating to Development Application No. 211/743/2016 (DAC 211/C094/16).

LAND DIVISION CONSENT

Council Conditions

4. That prior to the issue of clearance to the division approved herein, any existing structures shall be removed from the common property and proposed Allotments 2 & 3.

Development Assessment Commission Conditions

5. Payment of \$12,976 into the Planning and Development Fund (2 allotments @ \$6,499/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 Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
6. 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.

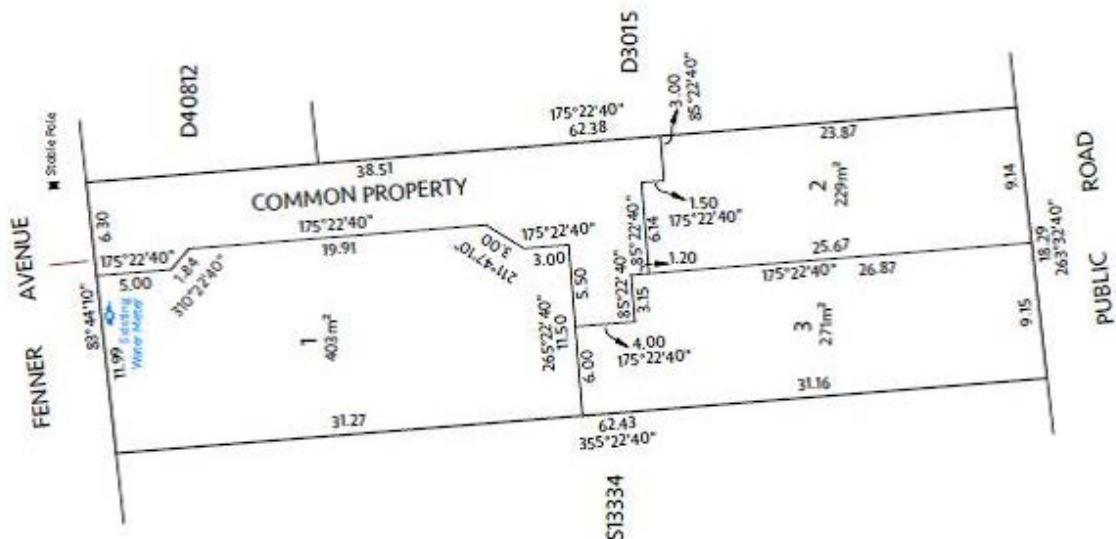
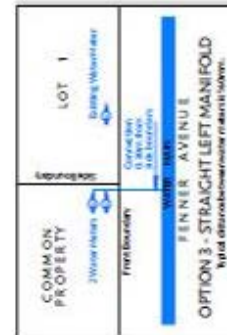
ATTACHMENT 1

Land division application	
211/C	/16/001
Council: CITY OF WEST TORBENS	
Total area of land to be subdivided	1141m ²
Total area of reserve provided	0m ²
No. existing allotments	1
No. proposed allotments	3
No. additional allotments	2
Subject land details:	
Allotment 5 in D3015	
Street address:	1 FENNER AVENUE
Town:	COMMANULLA
Harbour:	ADLEADE
Certificate(s) of title:	CT 5045 / 667

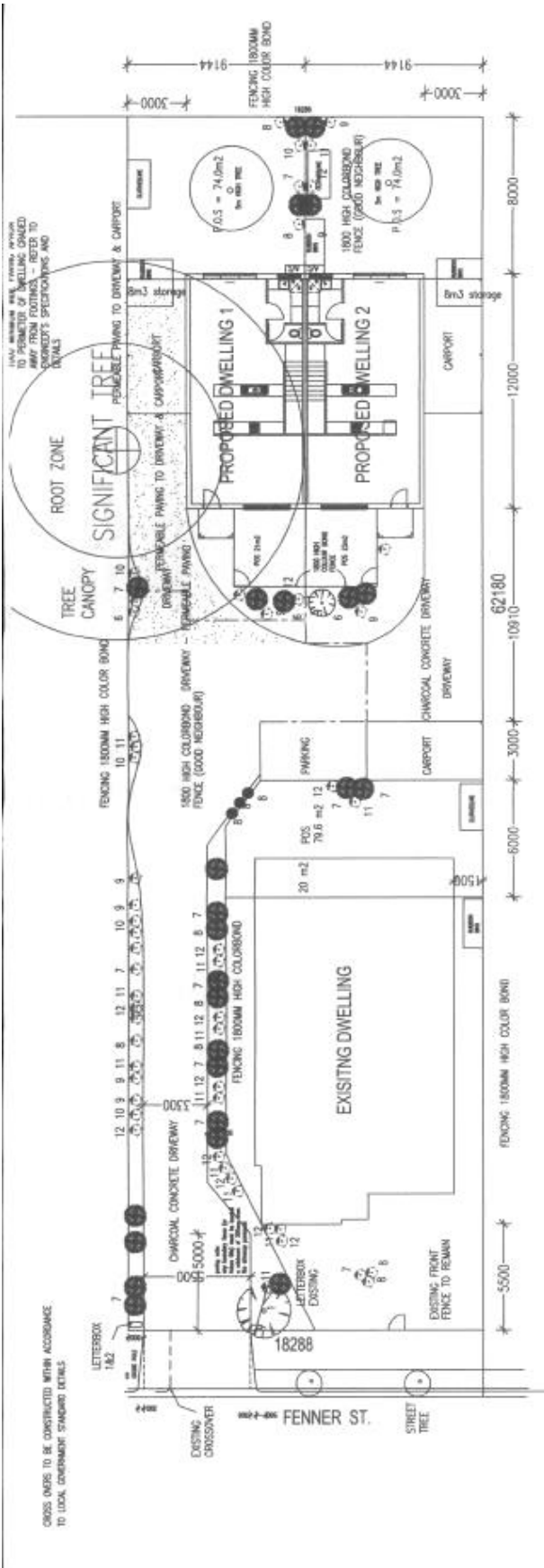
Annotations:
Refer to the building plans for the proposed dwelling(s).
Owner/developer or building designer to advise if the configuration of the dwelling(s) change in any form.
The existing dwelling is to be retained.
The purpose of the common property is for access and provision of services.

ZAINA STACEY
Development Consultant
13 Avenue Road, Freewilla
PO Box 1000, Torrens Park SA 5062
Tel: 08 8379 7979
Email: planning@zainastacey.com

Reference: 16118
Date of Issue: 29 April 2016







AREAS m2	
TOTAL SITE AREA	1137
EXISTING DWELLING	
SITE AREA	394
SITE COVERAGE	185
P.O.S	79.6
DWELLING 1	
SITE AREA	235
SITE COVERAGE	76
P.O.S	95
DWELLING 2	
SITE AREA	283
SITE COVERAGE	76
P.O.S	97
COMMON AREA	225

LANDSCAPING

TREE SPECIES	HEIGHT (FT)	SPEED (FT)
1. ELY AQUILIFORM - ENGLISH HULLY	15	10
2. FRAXINUS OXYCORYMBOS - FLORIDIAN ASH	20	5
3. CUPRESSUS STRICTA - GOLDEN PENCIL PINE	20	5
4. PITTOCOPIUM TENIFOLIUM - SILVER SONG	15	10
5. PISONIA ACUTIFOLIA	15	10
6. SIBYRINIA	15	10
7. ACICIA JAPONICA - JAPANESE GOLD DUST TREE	5	5
8. CESTRUM MEXICANUM - MEXICAN ORANGE	5	5
9. CESTRUM MEXICANUM	5	5
10. MYRTUS COMARANS - ENGLISH MYRTLE	10	5
11. FICUS STANLEYANA - ENGLISH MYRTLE	5	5
12. PTERODRUPAX TENAX - FLAT PLANT	5	5
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NOTE:
LANDSCAPING SPECIES AND LAYOUTS ARE
INDICATIVE ONLY. SUBJECT TO CHANGE

PROPOSED DEVELOPMENT

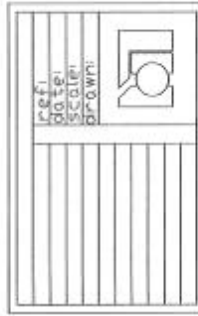
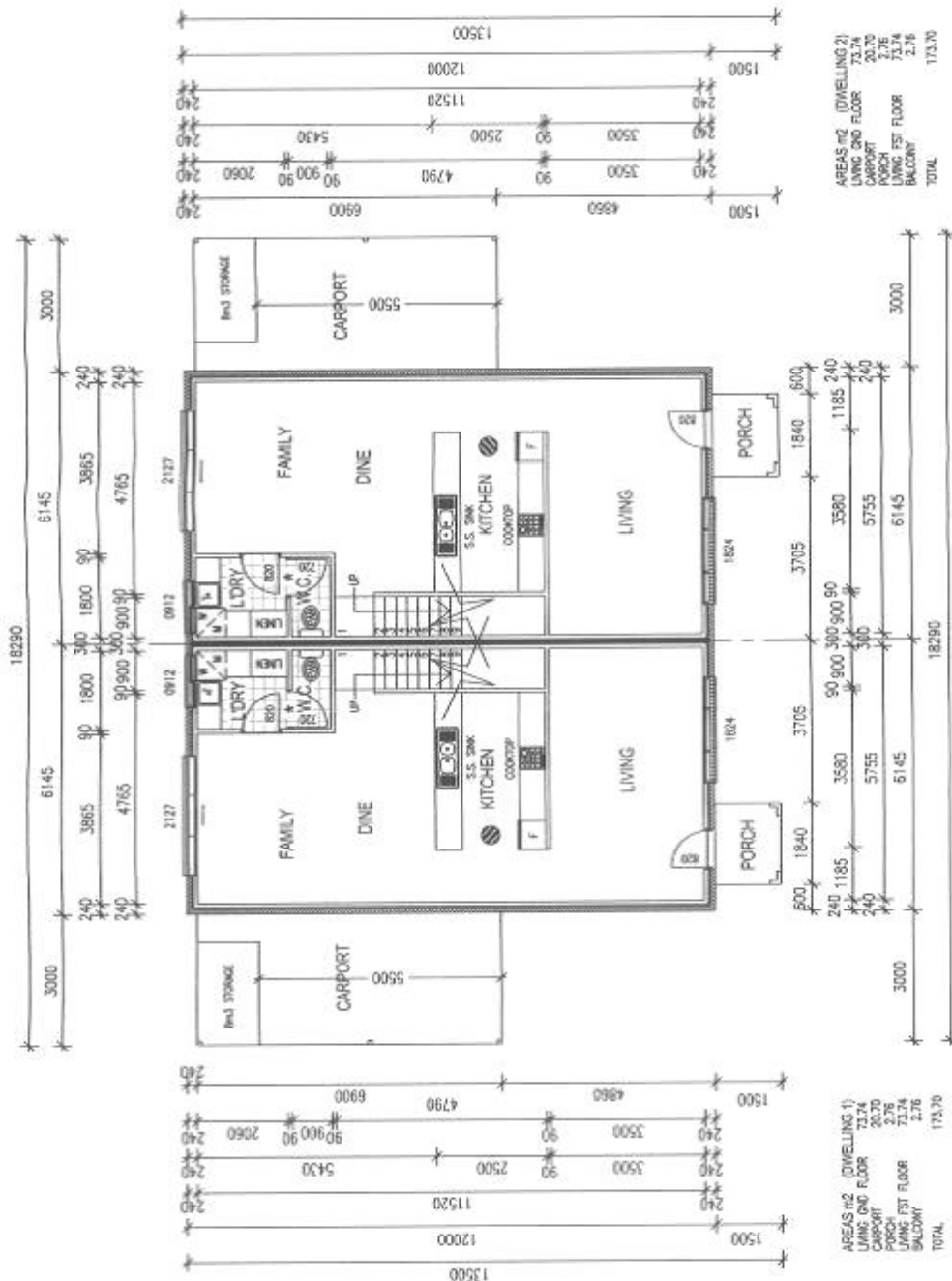
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EMAIL: navi@buildingdesignstudio.com

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Admission 10000



PROPOSED SITE PLAN 1:200



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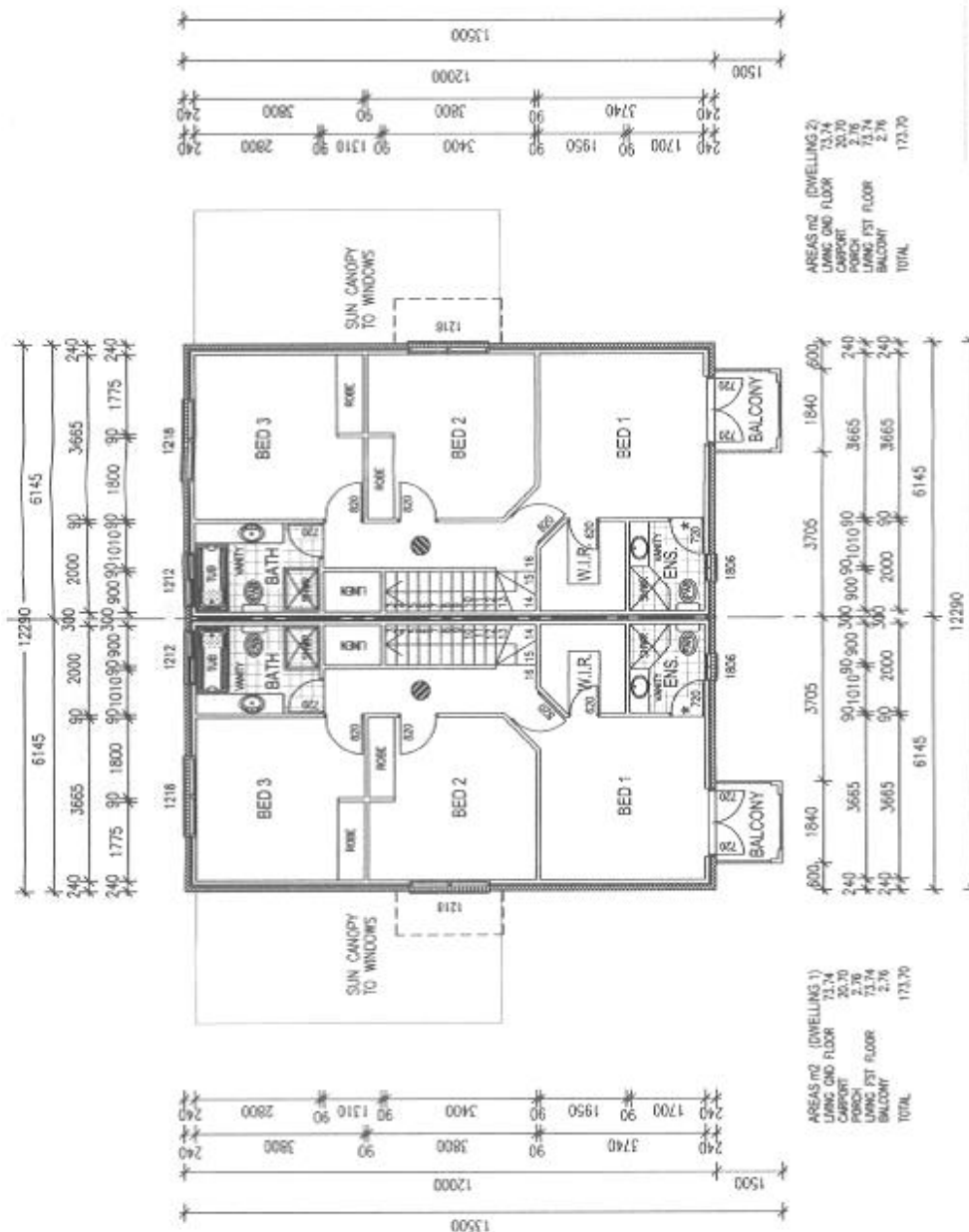
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05 July 2016
Submitted by: _____
Lithuanian: _____

BRICK VENEER CONSTRUCTION

WIND SPEED: 33M/S
WIND CATEGORY: CAT 2

SMOKE DETECTOR
DENOTES CONTROL JUNK LOCATIONS
COMPLY WITH FFL333, CLAUSE 33.3.4
FEATURE 33.3.3 BOX AND 33.3.4.1
EXHAUST FAN PROVIDING 25
LITRES/SEC CLEAN AIR CONNECTED
SIMULTANEOUSLY WITH LIGHT SWITCH
DENOTES LIFT OF DOOR
REFER TO DETAILS

2/9



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(10:00am - 4:00pm)

3 9

SMOKE DETECTOR
DENOTES CONTROL JOINT LOCATIONS
COMPLY WITH PL3.3.3, CLAUSE 3.3.3,
FIGURE 3.3.3.3 BOX AND 454/100, 454/125/400

**EXHAUST FAN PROVIDING 25
LITRES/SEC CLEAN AIR CONNECTED
SIMULTANEOUSLY WITH LIGHT SWITCH**
DENOTES LIFT OF DOOR
REFER TO DETAILS

BRICK VENER CONSTRUCTION

WIND SPEED: 33M/S
WIND CATEGORY: CAT 2

FIRST FLOOR PLAN 1:100



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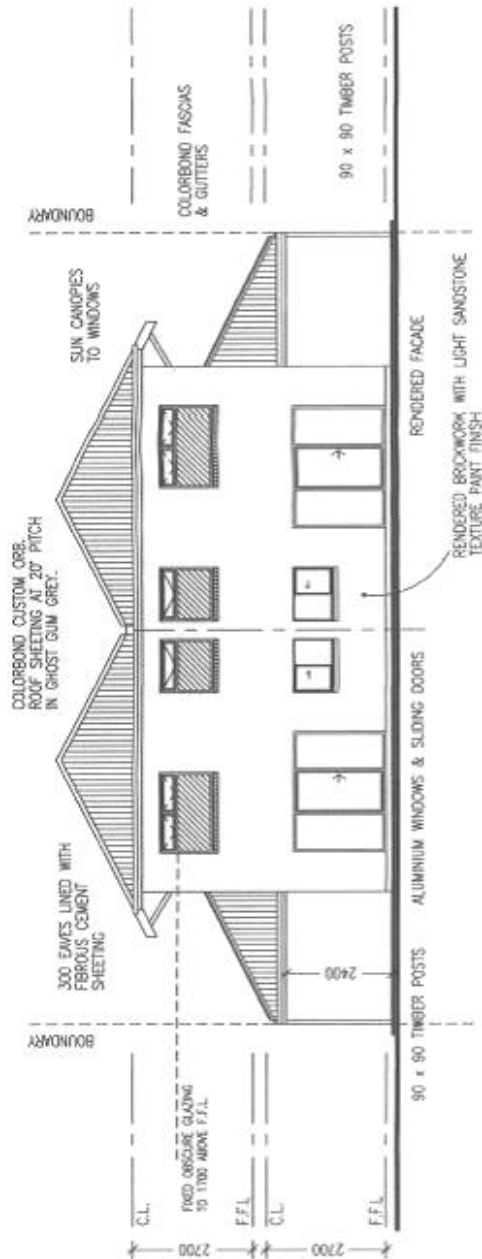
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MR. Y. KADIR

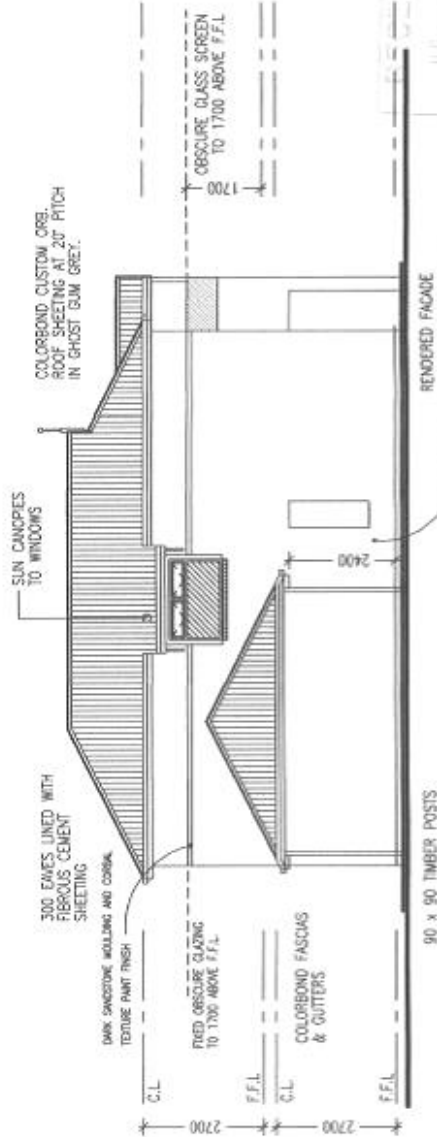
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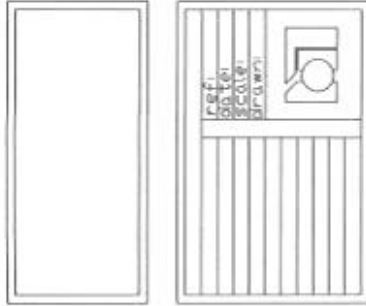


REAR ELEVATION 1:100



LHS SIDE ELEVATION 1:100

MATERIALS AND COLOURS SCHEDULE
ROOF: GHOST GUM GREY COLORBOND
WALLS: RENDERED BRICKWORK WITH LIGHT SANDSTONE TEXTURE PAINT FINISH
DARK SANDSTONE PORCH AND DETAILS
WINDOWS: NATURALLY ANODISED ALUMINIUM FRAME



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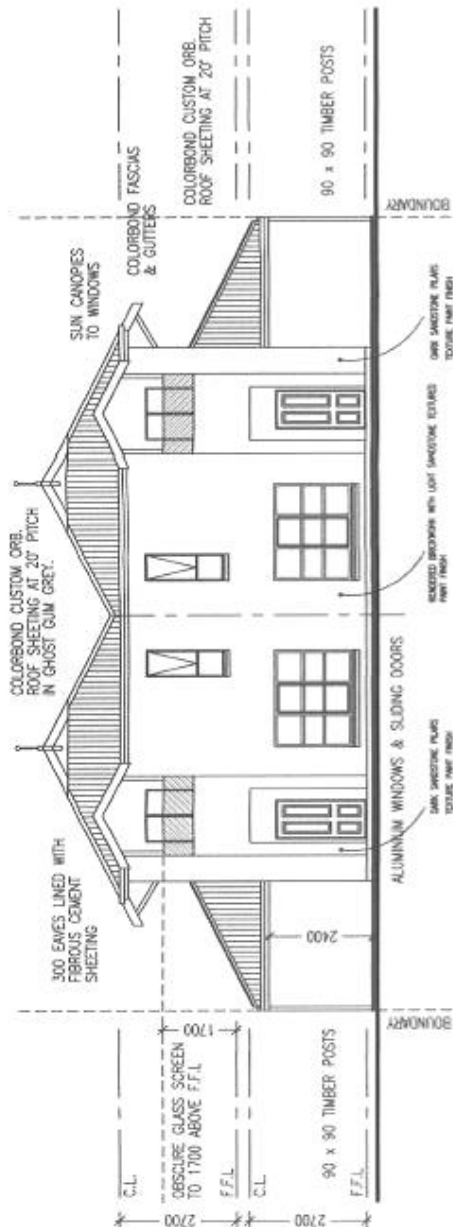
PROPOSED DEVELOPMENT

MR. Y. KADIR

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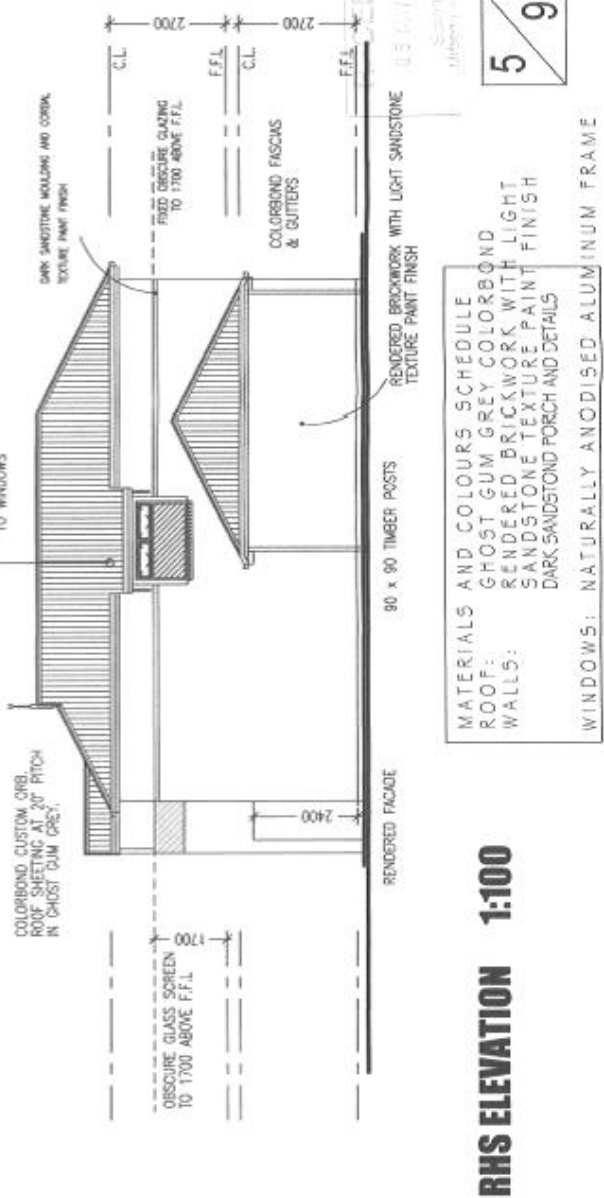
FRONT ELEVATION 1:100

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PROPOSED DEVELOPMENT

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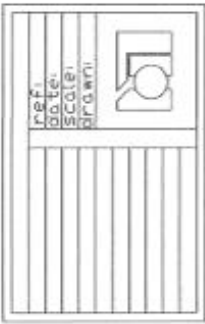
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RHS ELEVATION 1:100

MATERIALS AND COLOURS SCHEDULE
ROOF: GHOST GUM GREY COLORBOND
WALLS: RENDERED BRICKWORK WITH LIGHT SANDSTONE TEXTURE PAINT FINISH
DARK SANDSTONE PORCH AND DETAILS
WINDOWS: NATURALLY ANODISED ALUMINIUM FRAME





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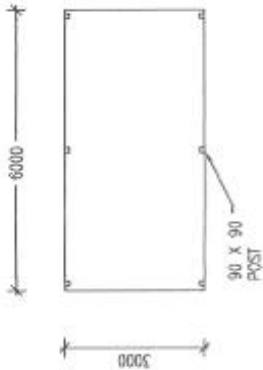
Signatures: _____

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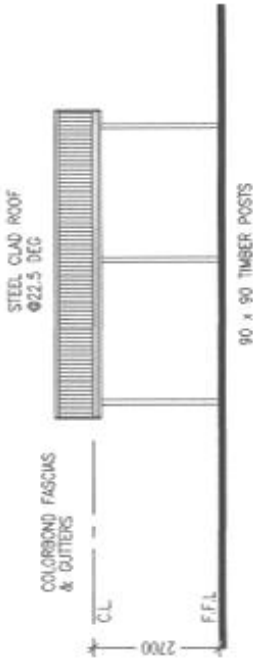
PROPOSED DEVELOPMENT

MR. Y. KADIR

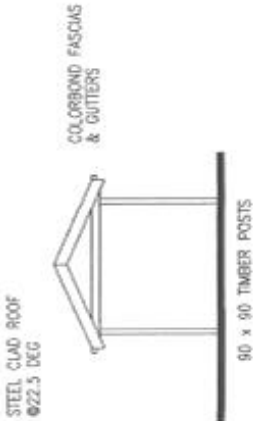
1 FENNER
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SOUTH AUSTRALIA



FLOOR PLAN 1:100



SIDE ELEVATION (TYP) 1:100



END ELEVATION (TYP) 1:100

PROPOSED CARPORT 1:100

RECEIVED
11 OCT 2016
DEVELOPMENT ASSESSMENT PANEL



6.2 50A Riverside Drive, FULHAM

Application No. 211/711/2016

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Construction of a two storey dwelling with garage under main roof
APPLICANT	Beechwood Homes
APPLICATION NO	211/711/2016
LODGEMENT DATE	22 June 2016
ZONE	Residential Zone
PRECINCT	N/A
POLICY AREA	Low Density Policy Area 21
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none">City Assets External <ul style="list-style-type: none">Nil
DEVELOPMENT PLAN VERSION	5 May 2016
MEETING DATE	11 October 2016
RECOMMENDATION	CONSENT

BACKGROUND

The development proposal is presented to the Development Assessment Panel (DAP) for the following reason:

- As the proposal is an amendment to a proposal previously considered by the Development Assessment Panel.

PREVIOUS or RELATED APPLICATION(S)

211/481/2015 and 211/1210/2015

Torrens Title land division (DAC No. 211/D149/15) to create one (1) additional allotment
Construction of two (2) two storey dwellings each including a double garage and alfresco under the main roof

At its meeting of 12 January 2016, the DAP considered and granted consent to the above applications to create one additional allotment and the construction of two, two-storey dwellings each including a double garage and alfresco under the main roof.

A key issue in the consideration of these applications was the proposed front setback of the dwelling to be constructed at 50A. An extract of the January 2016 DAP report is outlined below and this issue is discussed in more detail as part of this report.

Proposed Dwelling 1 will result in a setback of approximately 7 metres from the front property boundary, a shortfall of 3.7 metres from that sought by the Development Plan. Impacts on the existing streetscape character are considered suitably minimised by the fact that only a small portion of the dwelling is setback at this distance, namely the porch which is open sided and will not obstruct views along the street.

The main face of the dwelling and the garage will be setback approximately 8.8 metres from the front property boundary, which is still forward of the dwellings either side of the subject land. The land sits at the T-junction of Riverside Drive and Crispian Street at a curve in the road, which may soften its impact on the streetscape. The setback of the proposed dwelling will also be more consistent with the more recent development within the immediate locality, most notably 56 and 56A Riverside Drive which are setback approximately 6.2 metres and 18 and 20 Crispian Street which are setback approximately 3.2 metres.

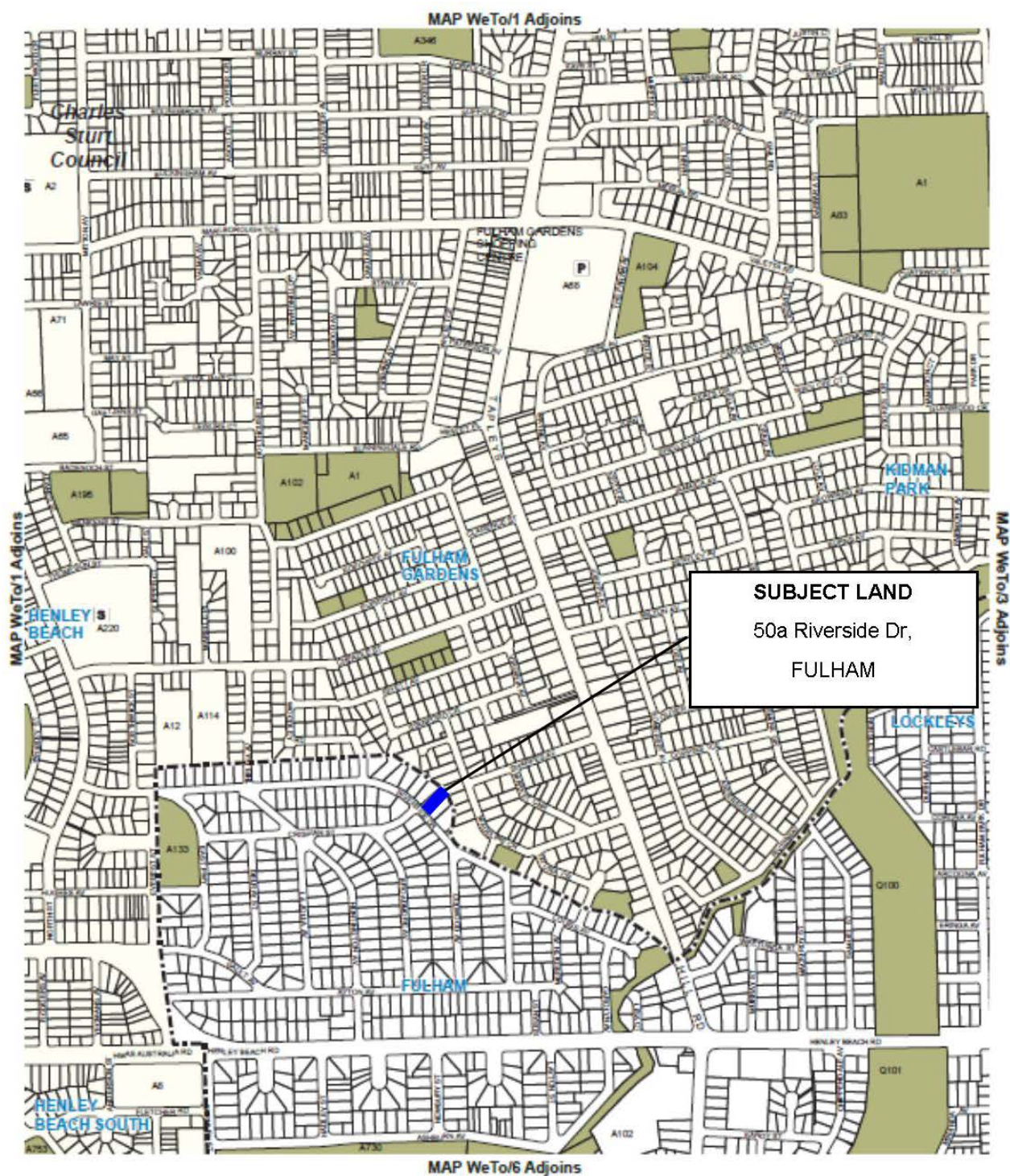
SITE AND LOCALITY

The subject site is located on the northern side of Riverside Drive, Fulham and has a frontage of 12.27 metres, a depth of 29.47 metres and a site area of 420m².

The site is vacant following approval of a land division (DA 211/481/2015) that created the allotment and an associated dwelling that was approved but is not being constructed.

Riverside Drive consists of residential allotments and dwellings that are generally set well back from the primary street frontage. There is evidence in the locality of dwellings that have a similar primary setback to that proposed in this application.

The site and locality are shown on the following maps and photos:



Location Map WeTo/2

- School
- Post Office
- Local Reserves
- Development Plan Boundary



Figure 1 Subject Site



Figure 2 Subject site and dwelling setbacks to the West along Riverside Drive



PROPOSAL

The proposed development involves the construction of a two (2) storey dwelling with garage under the main roof.

PUBLIC NOTIFICATION

The application is a Category 1 form of development pursuant to Section 38 of the Development Act and Regulations and the Residential Zone, Procedural Matters Section of the West Torrens Council Development Plan.

REFERRALS

Internal

- **City Assets**

Concerns were raised regarding the following matters;

Street Tree

A site investigation together with the information provided has revealed that the location of the proposed crossover for the proposed dwelling will impact an existing Lophostemon confertus (Queensland Box) street tree.

There is 6.0m from the eastern property boundary to the Lophostemon confertus street tree, with a reduced offset of 1.5m from the street tree to the proposed crossover this will leave a distance of 4.5m to accommodate the crossover.

It is noted however that there is a stobie pole on the eastern property boundary line and a suitable offset will need to be approved by City Assets.

City Works will support a reduced offset of 1.5m from the Lophostemon confertus (Queensland Box) street tree.

A full copy of the relevant report is attached, refer **Attachment 1**.

ASSESSMENT

The subject land is located within the Residential Zone and more particularly the Low Density Policy Area 21 as described in the West Torrens Council Development Plan.

The main provisions of the Development Plan which relate to the proposed development are as follows:

<u>General Section</u>		
Design and Appearance	Objectives	1
	Principles of Development Control	1, 2, 3, 9, 10, 11, 12, 13, 14, 15
Interface between Land Uses	Objectives	1
	Principles of Development Control	1, 2
Landscaping, Fences and Walls	Objectives	1 & 2
	Principles of Development Control	1, 2, 3, 4, 5 & 6
Orderly and Sustainable Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1

<i>Residential Development</i>	<i>Objectives</i>	<i>1, 2, 3, 4</i>
	<i>Principles of Development Control</i>	<i>1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33</i>
<i>Transportation and Access</i>	<i>Objectives</i>	<i>1, 2</i>
	<i>Principles of Development Control</i>	<i>1, 23, 24, 32, 34, 44</i>

<i>Zone: Residential Zone</i>	
<p><i>Desired Character Statement:</i></p> <p><i>This zone will contain predominantly residential development.</i></p> <p><i>Allotments will be at very low, low and medium densities to provide a diversity of housing options in different parts of the zone. The range of allotment sizes will support the desired dwelling types anticipated in each policy area, and the minimum allotment sizes shall be treated as such in order to achieve the Desired Character for each policy area and, in turn, reinforce distinction between policy areas.</i></p> <p><i>Row dwellings and residential flat buildings will be common near centres and in policy areas where the desired density is higher, in contrast to the predominance of detached dwellings in policy areas where the distinct established character is identified for protection and enhancement. There will also be potential for semi-detached dwellings and group dwellings in other policy areas.</i></p> <p><i>Landscaping will be provided throughout the zone to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer.</i></p>	
<i>Objectives</i>	<p><i>1 A residential zone comprising a range of dwelling types, including a minimum of 15 per cent affordable housing.</i></p> <p><i>2 Dwellings of various types at very low, low and medium densities.</i></p> <p><i>3 Increased dwelling densities in close proximity to centres, public transport routes and public open spaces.</i></p> <p><i>4 Development that contributes to the desired character of the zone.</i></p>

Principles of Development Control

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

- *affordable housing*
- *domestic outbuilding in association with a dwelling*
- *dwelling*
- *dwelling addition*
- *small scale non-residential use that serves the local community, for example: - child care facility - health and welfare service - open space - primary and secondary school - recreation area*
- *shop measuring 250 square metres or less in gross leasable floor area*
- *supported accommodation.*

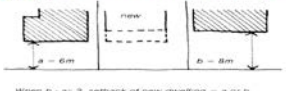
2 Development listed as non-complying is generally inappropriate.

5 Development should not be undertaken unless it is consistent with the desired character for the zone and policy area.

7 Dwellings should be set back from allotment or site boundaries to:

- (a) contribute to the desired character of the relevant policy area*
- (b) provide adequate visual privacy by separating habitable rooms from pedestrian and vehicle movement.*

8 Except where specified in Medium Density Policy Area 18 and Medium Density Policy Area 19, development (including any veranda, porch, etc.) should be set back from the primary road frontage in accordance with the following table:

Setback difference between buildings on adjacent allotments	Setback of new building
Up to 2 metres	The same setback as one of the adjacent buildings, as illustrated below:
	
Greater than 2 metres	At least the average setback of the adjacent buildings.

10 Dwelling setbacks from side and rear boundaries should be progressively increased as the height of the building, (with the total wall height of the building being measured from the existing ground level at the boundary of the adjacent property as shown by Figure 1), increases to: (a) minimise the visual impact of buildings from adjoining properties (b) minimise the overshadowing of adjoining properties.

18 Development should preserve and enhance streetscapes by: (a) the incorporation of fences and gates in keeping with the height, scale and type of fences in the locality (b) limiting the number of driveway crossovers.

	<p>20 Where a new dwelling is constructed alongside or within a group of older style residential buildings, the new dwelling should be of a similar height, scale and proportions and be constructed of materials that complement and reinforce the character and design elements of existing buildings.</p> <p>22 The division of land should occur only where it will be consistent with the existing pattern and scale of allotments.</p>
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<p>Policy Area: Low Density Policy Area 21</p> <p>Desired Character Statement: (extract)</p> <p><i>This policy area will have a low density character. In order to preserve this, development will predominantly involve the replacement of detached dwellings with the same (or buildings in the form of detached dwellings).</i></p> <p><i>There will be a denser allotment pattern and some alternative dwelling types, such as semi-detached and row dwellings, close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones.</i></p> <p><i>Battleaxe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments developed with buildings that have a direct street frontage. In the area bounded by Henley Beach Road, Torrens Avenue and the Linear Park, where the consistent allotment pattern is a significant positive feature of the locality, subdivision will reinforce the existing allotment pattern.</i></p> <p><i>Buildings will be up to 2 storeys in height.</i></p> <p><i>Garages and carports will be located behind the front façade of buildings. Buildings in the area bounded by Henley Beach Road, Torrens Avenue and the Linear Park will be complementary to existing dwellings through the incorporation of design features such as pitched roofs, eaves and variation in the texture of building materials.</i></p> <p><i>Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer. Low and open-style front fencing will contribute to a sense of space between buildings.</i></p>	
Objectives	<p>1 Development that contributes to the desired character of the policy area.</p>
Principles of Development Control	<p>1 The following forms of development are envisaged specifically in the policy area:</p> <ul style="list-style-type: none"> ▪ affordable housing ▪ domestic outbuilding in association with a dwelling ▪ domestic structure, such as a veranda, porch ▪ detached dwelling ▪ dwelling addition ▪ row dwelling within 400 metres of an existing centre zone ▪ semi detached dwelling within 400 metres of an existing centre zone ▪ small scale non-residential use that serves the local community, for example: <ul style="list-style-type: none"> - child care facility - health and welfare service - open space

	<ul style="list-style-type: none"> - primary and secondary school - recreation area - shop measuring 250 square metres or less in gross leasable floor area ▪ supported accommodation. <p>2 Development should not be undertaken unless it is consistent with the desired character for the policy area.</p>
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QUANTITATIVE ASSESSMENT

The proposal is assessed for consistency with the prescriptive requirements of the Development Plan as outlined in the table below:

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SITE AREA	420m ²	Existing
SITE FRONTAGE	12m	Existing
BUILDING HEIGHT	2 storeys	Satisfies
STREET SETBACK PDC 8 Residential Zone	Setback of new building The same setback as one of the adjacent buildings 52 Riverside Drive primary setback approximately 12.8m 48 Riverside Drive primary setback approximately 11.7m Therefore setback for 50A should be 11.7m	6 metres to front wall of dwelling 7.3 metres to garage Does Not Satisfy
SIDE/REAR SETBACKS	Side: Wall height from ground level up to 3m =1m Wall height 3-6m=2m Rear: 3m for single storey component 8m for two storey component	Eastern Boundary Ground Level: 1.3m Upper Level: 2.7m Satisfies Western Boundary Ground Level:1.2m Upper Level: 2.2m Satisfies Ground Level: 3m (to alfresco) Upper Level: 7.1m m Partly satisfies

PRIVATE OPEN SPACE	60m ² with minimum dimension of 4m.	Satisfies
CARPARKING SPACES <i>Table WeTo/2</i>	2 per dwelling one of which is covered	Satisfies
OVERLOOKING <i>Residential Development PDC 27</i>	Upper level, windows, balconies, terraces & decks that overlook habitable room windows or private open space require sill height or permanent screen minimum of 1.7m above floor level	Satisfies

QUALITATIVE ASSESSMENT

In assessing the merits or otherwise of the application, the proposed development generally satisfies the relevant Development Plan provisions with the following comments provided.

Land Use and Zoning

The desired character for the Low Density Policy Area 21 outlines that development will be at low density focused predominately around the replacement of detached dwellings with the same (or buildings in the form of detached dwellings). The proposed development being a detached dwelling is an appropriate land use.

Bulk and Scale

The building is 2 storeys which is consistent with the provision of the Residential Zone and Low Density Policy Area 21.

Setbacks

The proposed dwelling requires a primary frontage setback of 11.7 metres to be consistent with the adjoining dwelling. However it is noted that the depth of this newly created allotment at 50A Riverside Drive is 29.47m while the adjacent dwellings are located on allotments with a depth of around 52 metres as is outlined in Figure 3.

This makes it almost impossible for any development on the subject land to achieve primary setbacks that are consistent with the adjacent dwellings while providing a functional dwelling on the site.

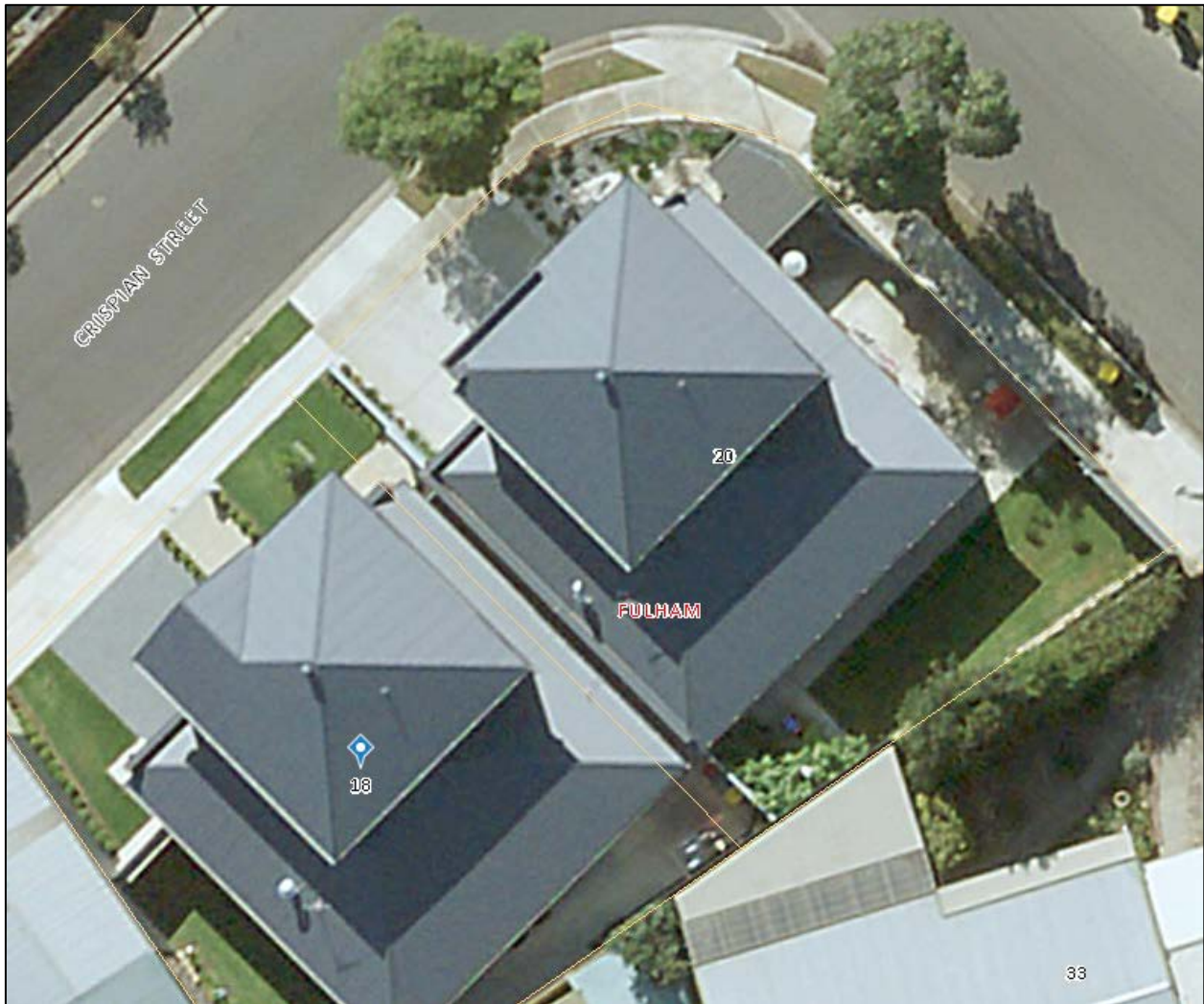
Figure 3: setback of adjacent dwellings Riverside Drive



This issue was considered by the DAP at its meeting of 12 January 2016 where it was determined that a primary setback of 7 metres to the portico and 8.8m to the garage was suitable given that setbacks were consistent with more recent development in the locality particularly at 56 and 56A Riverside Drive which are setback approximately 6.2 metres and 18 and 20 Crispian Street which are setback approximately 3.2 metres.

The dwelling approved in Development Application 211/481/2015 is not being built and the current application is from a different builder and the new property owners.

Figure 4: 18 & 20 Crispian Street



The proposed primary setbacks of this current development application are 6 metres from front wall of the dwelling and 7.3 metres to garage. It is noted that the front allotment boundary is not a straight line as it seeks to match the curve in Riverside Drive in this location.

It must be determined if these setbacks, which are less than supported by the DAP in January 2016, are suitable in this locality. While the primary setback is lower than the adjoining properties a key contributor to this setback is the depth of the allotment that has been created. The setback of 6 metres to the front wall of the dwelling and 7.3m to the garage reflect more recent development in this locality and recognise that over time this is likely to become the norm rather than the exception as dwellings are replaced.

Figure 5: 56 & 56A Riverside Drive



The applicant has engaged the services of an independent planning consultant to provide an opinion on the suitability of the proposed primary setback and the overall compliance with the West Torrens Development Plan. Mr Matthew King from URPS has provided his opinion which states in part:

The proposed dwelling siting is conventional, typical of contemporary building siting in inner/middle rim suburbs and offers an appropriate balance of manageable front and usable rear yard space. The dwelling is not overly large and is typical of new dwelling construction.

As repeated in the courts, the Development Plan is a practical code for practical application. While not strictly in accord with the setback guideline of the Development Plan, this is a standard which could only be met at some cost to the dwelling's ground floor space and/or rear yard area.

Importantly, setting the building back to accord with traditional, deep building setbacks on large, long sites is unreasonable and unnecessary given a number of dwellings are setback at less than 7 metres in the locality.

The proposal will not be out of place in the locality.

The dwelling's front setback is highly practical and acceptable in the circumstances.

A full copy of the relevant report is attached, refer **Attachment 2. Overlooking and Overshadowing**

Upper storey windows on the side and rear elevations have obscure glass or a minimum sill height of 1.7m as per Development Plan requirements.

Visual Impact on Streetscape

The proposed development will present a built form of two storeys in an area that has a mix of single storey and two storey dwellings. It is noted that the zone and policy area provision allow dwellings of two storey.

Given its location set forward of the adjacent dwellings the proposed development will be visually prominent but is not inconsistent with more recent development undertaken in the immediate locality. The primary façade uses a variety of materials and articulation in the built form to break up the building bulk when viewed from Riverside Drive.

SUMMARY

The proposed development of a two storey detached dwelling is an appropriate land use in Low Density Policy Area 21.

The depth of this newly created allotment at 50A Riverside Drive makes it impractical for new development to match the setbacks of the adjacent allotments and a lesser primary setback than desired in the Development Plan is the likely result no matter what style or configuration of dwelling is proposed on the subject site.

The DAP has previously considered the appropriateness of a reduced front setback for this allotment and determined that a setback of 7 metres to the portico and 8.8m to the garage was suitable given these setbacks were consistent with more recent development in the locality.

The proposed development will further reduce the primary setback to 6 metres to the front wall of the dwelling, 5.2m to the portico and 7.3m to the garage. While this is further forward than previously approved by the DAP, it is considered unlikely that this will result in a significant greater impact on the streetscape than that which was previously approved.

Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is considered to be not seriously at variance with the Development Plan.

On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 05 May 2016 and warrants Development Plan Consent and Land Division Consent.

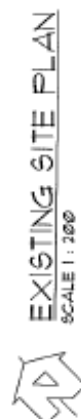
RECOMMENDATION

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and division of land pursuant to the provisions of the Development Act 1993 resolves to GRANT Development Plan Consent for Application 211/711/16 Steven Fakkas (Beechwood Homes) for construction of a two (2) storey dwelling with garage under main roof at 50A Riverside Drive, Fulham (CT 6175/12) subject to the following conditions:

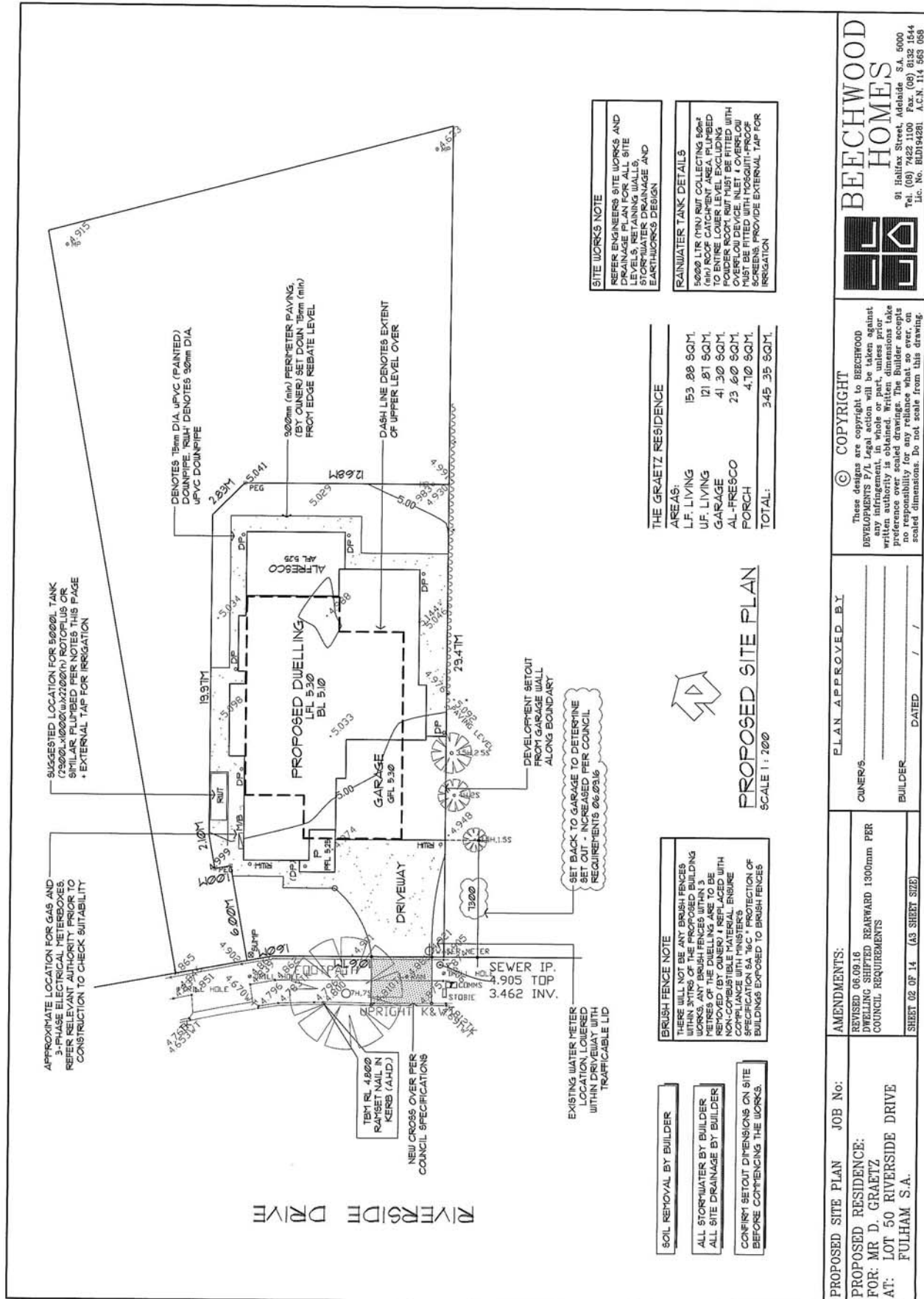
Conditions

1. The development must be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any conditions listed below.
2. The construction of a drainage system and the position and manner of discharge of a stormwater drain must not at any time:-
 - a) Result in the entry of water into a building; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within the building; or
 - d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
3. All driveways, parking and manoeuvring areas must be formed, surfaced with concrete, bitumen or paving, and be properly drained. They must be maintained to the reasonable satisfaction of Council thereafter.
4. All planting and landscaping must be completed within 3 months of the commencement of the use of this development and must be maintained to the reasonable satisfaction of Council. Any plants that become diseased or die must be replaced with suitable species.
5. The upper level side and rear facing windows of the dwelling must be provided with fixed obscure glass to a minimum height of 1.7 metres above the upper floor level to minimise the potential for overlooking of adjoining properties, prior to occupation of the building. The glazing in these windows is to be maintained at all times to the reasonable satisfaction of Council.
6. Council requires one business day's notice of the following stages of building work:
 - Commencement of building work on site;
 - Commencement of placement of any structural concrete;
 - Completion of wall and roof framing prior to the installation of linings;
 - Completion of building work.

ATTACHMENT 1

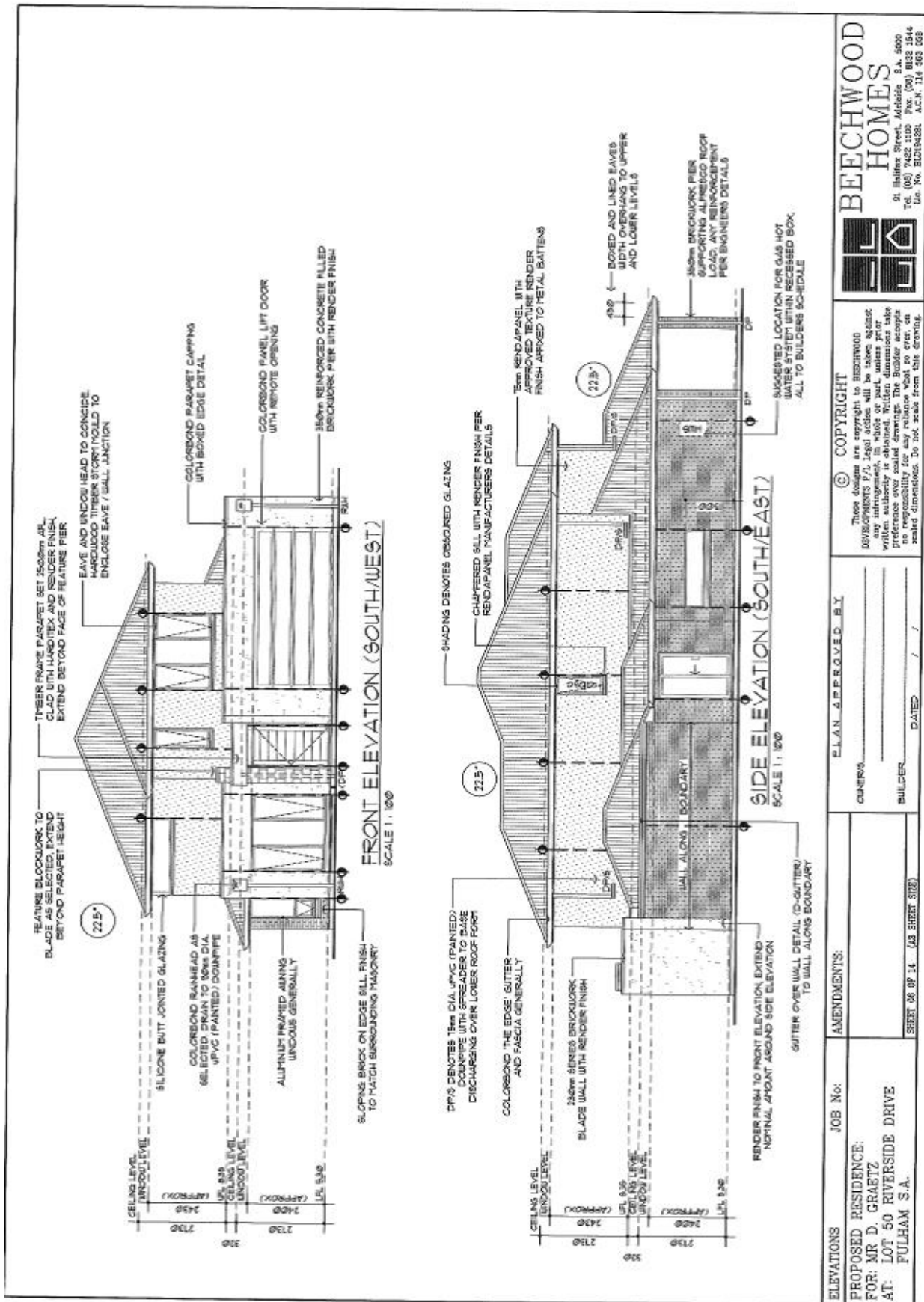


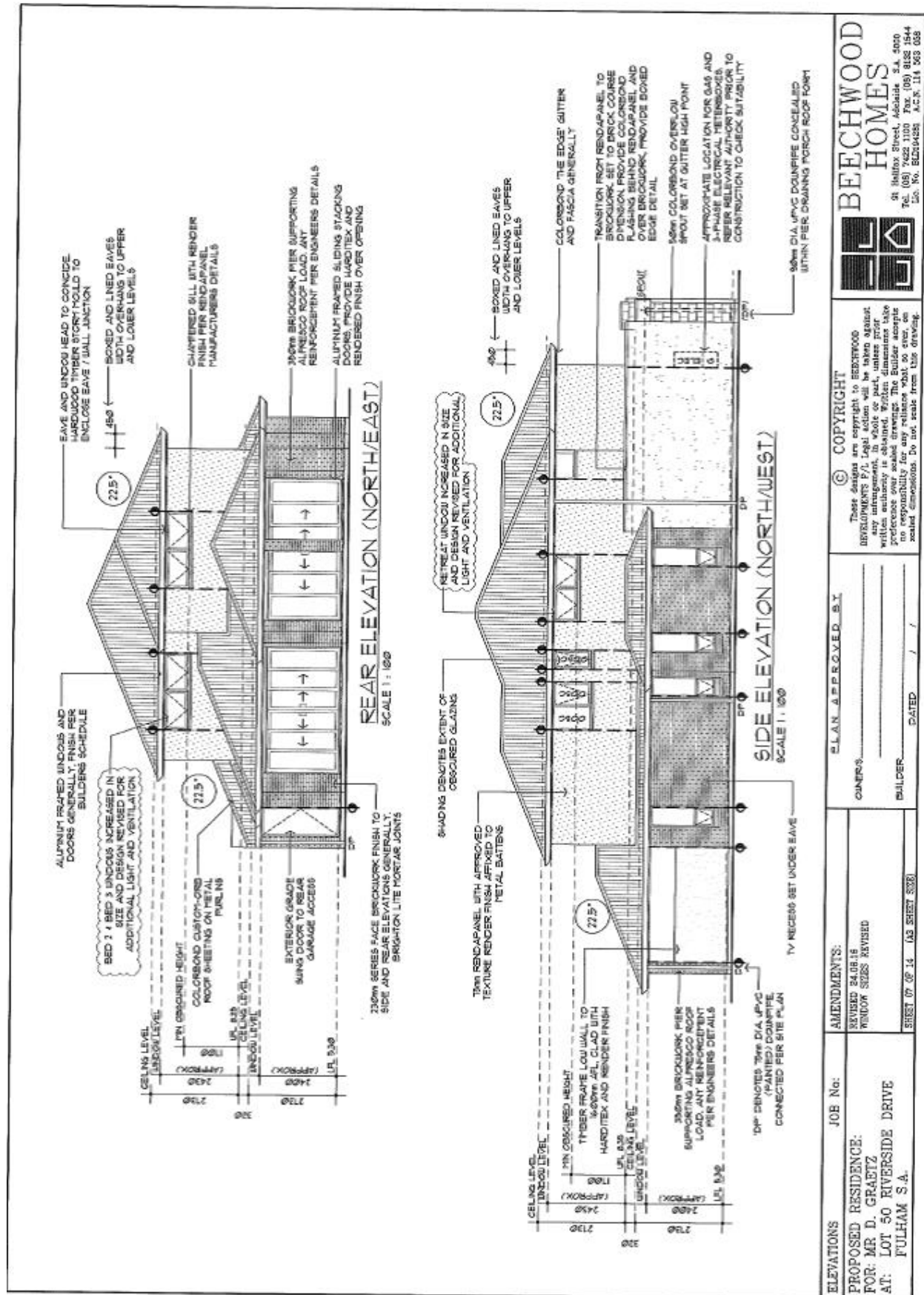
EXISTING SITE PLAN	JOB No:	AMENDMENTS:	PLAN APPROVED BY	© COPYRIGHT	BEECHWOOD HOMES
PROPOSED RESIDENCE: FOR: MR D. GRAETZ LOT: LOT 50 RIVERSIDE DRIVE FULHAM S.A.			OWNER'S _____ BUILDER _____	These designs are copyright to BEECHWOOD DEVELOPMENTS P/L. Legal action will be taken against any infringement. In whole or part, unless written authority is obtained. Written dimensions take preference over scaled drawings. The Builder accepts no responsibility for any reliance which so ever, on scaled dimensions. Do not scale from this drawing.	91 Halifax Street, Ashdale S.A. 5020 Tel. (08) 7423 1100 Fax. (08) 8132 1844 Lic. No. H42014200 A.C.B. 114 563 059
SHEET 01 OF 14 (A3 SHEET SIZE)			DATED / /		











ATTACHMENT 2

Arboricultural Assessment of Street Trees

Development Application No: 211/711/2016

REFERRAL DUE DATE:

Assessing Officer:	Darren Starr
Site Address:	50 Riverside Drive, FULHAM SA 5024
Certificate of Title:	CT-6175/12
Description of Development	Construction of a two(2) storey dwelling with garage

TO THE TECHNICAL OFFICER – CITY ASSETS

Please provide your comments in relation to:

☐ The removal of or impact upon the Street Tree

PLANNING OFFICER - D Starr

DATE 11 July 2016

FROM THE TECHNICAL OFFICER

I have examined the plans as requested and provide comments as follow.

As with all development applications it must be proven beyond reasonable doubt that all alternatives have been explored so not to hinder the progress and development of any street tree(s).

Any proposed development that does not consider "AS4970 Protection of Trees on Development Sites", is likely to require revision until all plans accurately correspond with the specific tree information detailed in this standard.

Verge interaction must consider all services across council land including stormwater outlets (and other) which will need to be maintained a minimum of 2.0m from any existing street tree (unless otherwise negotiated) and must be indicated/documented for approval by City Works.

A site investigation together with the information provided has revealed that the location of the proposed crossover for the proposed dwelling will impact an existing *Lophostemon confertus* (Queensland Box) street tree.

There is 6.0m from the eastern property boundary to the *Lophostemon confertus* street tree, with a reduced offset of 1.5m from the street tree to the proposed crossover this will leave a distance of 4.5m to accommodate the crossover.

It is noted however that there is a stobie pole on the eastern property boundary line and a suitable offset will need to be approved by City Assets.

City Works will support a reduced offset of 1.5m from the *Lophostemon confertus* (Queensland Box) street tree.

Please note, under no circumstances is any individuals other than council staff permitted to interfere with a street tree. If pruning etc. is required, council must be notified via the appropriate customer request, and council staff will perform all works associated with the community asset.

Final crossover locations will be confirmed once appropriate written correspondence has been received from the applicant and they have submitted "an application to construct a vehicle crossing place(s) across council land".

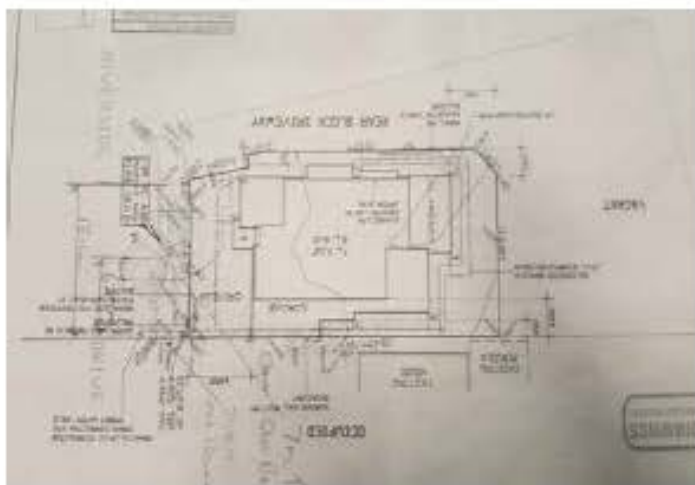
Rick Holmes
Arboriculture Assistant
165 Sir Donald Bradman Drive
Hilton SA 5033

Telephone: 8416 6333

Fax: 8443 5709

Email: rholmes@wtcc.sa.gov.au

DATE: 16/08/16







6.3 20 Bourlang Avenue, CAMDEN PARK

Application No. 211/577/2016

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Land Division - Torrens Title; DAC No. 211/D066/16 (Unique ID 54301); Create one (1) additional allotment
APPLICANT	Peter Harvey
APPLICATION NO	211/577/2016
LODGEMENT DATE	4 May 2016
ZONE	Residential
POLICY AREA	Low Density Policy Area 20
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none">▪ Civil Engineer (City Assets) - New Driveway & Crossover▪ Amenity Officer (City Works) - Street Tree Removal External <ul style="list-style-type: none">▪ Development Assessment Commission (DAC)▪ SA Water
DEVELOPMENT PLAN VERSION	5 November 2015
MEETING DATE	11 October 2016
RECOMMENDATION	CONSENT

BACKGROUND

The development proposal is presented to the Development Assessment Panel (DAP) for the following reason/s:

- With regard to residential development and land division applications, where all proposed allotments and or sites fail to meet, nor are within 5% of, the minimum frontage widths and site areas designated in respective zones and policy areas within the West Torrens Council Development Plan

PREVIOUS or RELATED APPLICATION(S)

Nil

SITE AND LOCALITY

The subject land is described as Allotment 46 Deposited Plan 3325 in the area named Camden Park, Hundred of Adelaide as contained in Certificate of Title Volume 5738, Folio 806. The land is more commonly known as 20 Bourlang Avenue, Camden Park.

The subject land is located on the southern corner of Bourlang Avenue and Cromer Street, and is rectangular in shape with a corner cut-off at the intersection of the public roads. The site has a frontage to Bourlang Avenue of 15.24 metres (excluding the corner cut-off) and a frontage to Cromer Street of 36.576 metres (excluding the corner cut-off). The total area of the subject land is approximately 719.997 square metres.

Development of the land includes a 1958 conventional hipped roof dwelling with an attached verandah, and a free-standing outbuilding with attached carport. The front yard of the subject land has a good coverage of vegetation but it does not contain any regulated tree or trees classified as significant, in addition there are no regulated or significant trees located in close proximity to the subject land. Vehicle access to the site is currently obtained via a single crossover to Cromer Street, which is situated just south of the centre of the public street boundary.

The street comprises primarily single storey, detached dwellings in the form of either 1950's conventional hipped or gable fronted dwellings but there are some examples of dwellings that have been renovated with modern facade or newly developed dwellings. Adjacent land to the west of the site is Cromer Street Reserve.

The land pattern within the locality remains fairly consistent with rectangular shaped allotments that have wide frontages in the order of 18m/19m to a public street. There is evidence of infill development where corner sites have been subdivided, still maintaining the wide street frontage but with a reduced site area due to the reduced depth.

The site and locality are shown on the following maps:





-  School
 Post Office
 Other Health Services
 Railways
 Local Reserves
 Development Plan Boundary

Location Map WeTo/15

PROPOSAL

The proposed land division is for a Torrens Title Land Division creating one additional allotment. The proposal is for a side by side land division which will result in both allotments having a direct frontage to a public street. Proposed Allotment 60 will have two street frontages, one to Bourlang Avenue measuring 15.24 metres and the other to Cromer Street measuring 20.17 metres (both excluding the corner cut-off). The total area of Allotment 60 is incorrectly shown on the plan as 402 square metres, and is in fact 420 square metres. Although the total area is incorrect the measurements of the boundaries correctly reflect the boundaries as depicted in the Certificate of Title. If granted consent an amended final plan can be uploaded to land division lodgement system to correct this grammatical error. The existing dwelling will remain on proposed Allotment 60, however several structures will need to be demolished to accommodate the proposed division.

Proposed Allotment 61 will have a frontage to Cromer Street of 16.4 metres, a depth of 18.29 metres and a total area of 300 square metres.

The Plan of Division is contained within **Attachment 1**.

PUBLIC NOTIFICATION

The application is a Category 1 form of development pursuant to Section 38 and Schedule 9 of the Development Act and Regulations and the Residential Zone, Procedural Matters Section of the West Torrens Council Development Plan.

REFERRALS

Internal

City Assets

- No concerns were raised.

City Works

- There may be a conflict with a street tree, but Council can support the removal of the tree, subject to a removal fee.

External

DAC and SA Water

- The Development Assessment Commission and SA Water have advised no objections to the proposed division subject to specific standard conditions being included on any consent issued.

Attachment 2 contains the formal response from these authorities.

ASSESSMENT

The subject land is located within the Residential Zone and more specifically within Low Density Policy Area 20 as described in the West Torrens Council Development Plan. The main provisions of the Development Plan which relate to the proposed development are as follows:

<u>General Section</u>		
Infrastructure	Objectives	3
	Principles of Development Control	1, 3, 5, 6, & 8
Land Division	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 2, 4, 5, 6, 8, 11, 12 & 16
Orderly and Sustainable Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1, 2, 3, 4, 5, 6, 7 & 8
Residential Development	Objectives	1, 2, & 4
	Principles of Development Control	1, 3,
Transportation and Access	Objectives	2
	Principles of Development Control	8, 9, 10, 11, 23, 24, 30 & 34,

Zone: Residential Zone	
<p><i>Desired Character Statement:</i></p> <p><i>This zone will contain predominantly residential development. There may also be some small-scale non-residential activities such as offices, shops, consulting rooms and educational establishments in certain locations. Non-residential activities will be complementary to surrounding dwellings.</i></p> <p><i>Allotments will be at very low, low and medium densities to provide a diversity of housing options in different parts of the zone. The range of allotment sizes will support the desired dwelling types anticipated in each policy area, and the minimum allotment sizes shall be treated as such in order to achieve the Desired Character for each policy area and, in turn, reinforce distinction between policy areas. Row dwellings and residential flat buildings will be common near centres and in policy areas where the desired density is higher, in contrast to the predominance of detached dwellings in policy areas where the distinct established character is identified for protection and enhancement. There will also be potential for semi-detached dwellings and group dwellings in other policy areas.</i></p> <p><i>Residential development in the form of a multiple dwelling, residential flat building or group dwelling will not be undertaken in a Historic Conservation Area.</i></p> <p><i>Landscaping will be provided throughout the zone to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer.</i></p>	
Objectives	2, 3 & 4
Principles of Development Control	1 & 5

Policy Area: Low Density Policy Area 20	
Desired Character Statement:	
<p><i>Allotments in the policy area will be at low density, accommodating predominantly detached dwellings and some other dwellings types such as semi-detached and group dwellings. There will be a denser allotment pattern close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones. Battleaxe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments developed with buildings that have a direct street frontage.</i></p> <p><i>Buildings will be up to 2 storeys in height. Garages and carports will be located behind the front façade of buildings.</i></p> <p><i>Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer. Low and open-style front fencing will contribute to a sense of space between buildings.</i></p>	
Objectives	1
Principles of Development Control	1, 2, 4 & 5

QUANTITATIVE ASSESSMENT

The proposal is assessed for consistency with the prescriptive requirements of the Development Plan as outlined in the table below:

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT	
		Allotment 60 (Existing Dwelling)	Allotment 61
SITE AREA <i>Low Density Policy Area 20</i> <i>PDC 5</i>	340sqm	420m ² Satisfies	300m ² Does not satisfy by 11%
SITE FRONTAGE <i>Low Density Policy Area 20</i> <i>PDC 5</i>	10m	15.24m Satisfies	16.40m Satisfies
PRIMARY STREET SETBACK <i>Residential Zone</i> <i>PDC 8</i>	- avg. of adjoining buildings	Existing 7m Satisfies	N/A

SIDE/REAR SETBACKS <i>Residential Zone</i> <i>PDC 11</i>	Side 0/1m (min.) Rear 3m (min.)	Existing 2m East 1m West Satisfies 0m Does Not Satisfy	N/A
PRIVATE OPEN SPACE <i>Residential Development</i> <i>PDC 19</i>	300-500m ² - 60m ² (min.), of which 10m ² may comprise balconies, roof patios and the like, provided they have a minimum dimension of 2m. -Minimum dimension 4m. - 16m ² (min.) at the rear of side of dwelling, directly accessible from a habitable room.	67.5m ² (total) 6m (min. dimension) 67.5m ² (accessed from habitable room) Satisfies	N/A
CARPARKING SPACES <i>Transportation and Access</i> <i>PDC 34</i>	- 2 car-parking spaces required, 1 of which is covered	Opportunity for 2 spaces Satisfies	N/A

QUALITATIVE ASSESSMENT

In assessing the merits or otherwise of the application, the proposed development satisfies the relevant Development Plan provisions with the exception of the following, as discussed under the following sub headings:

Allotment Area

As this land division proposal is not combined with a land use application, the minimum site area and frontage is stipulated in PDC 5 of the Low density Policy Area.

PDC 5 Land division should create allotments with an area of greater than 340 square metres and a minimum frontage width of 10 metres, other than where the land division is combined with an application for dwellings or follows an approval for dwellings on the site.

Proposed Allotment 61 presents a departure from the minimum site area required by 11%. This is not considered to be detrimental to the proposal, not only because it will not necessarily be discernible from the public street but because it does not disrupt the allotment pattern currently established within the locality.

In addition, it should be noted that whilst built form has not been applied for as a part of this proposal, the allotment areas will be consistent with the minimum site area and frontages for properties located within 400m of a Centre Zone. The subject site is located within this area and is therefore allowed to have a smaller site area and frontage as stipulated in PDC 4 of the policy area.

- 4 When a dwelling is located within 400 metres of a centre zone (other than the Neighbourhood Centre Zone on Marion Road), it should have a minimum site area and a frontage to a public road not less than that shown in the following table:

Dwelling type	Site area (square metres)	Minimum frontage (metres)
Detached	300 minimum	9
Semi-detached	300 minimum	9
Group dwelling	300 minimum	9

In this instance, the proposed allotments satisfy these minimum specifications.

Rear Setback

Dwellings are required to be setback three metres from the rear boundary as per Residential Zone PDC 11. Previously there was a large setback between the dwelling and the rear setback but the proposed division will result in rear setback being reduced. Although the proposal results in the rear setback provision not being satisfied the overall impact on the proposed Allotment 61 is not considered to be detrimental. In comparison the wall on the boundary will have a similar visual impact to that of a garage located on a side boundary. The extent of overshadowing on areas such as private open space cannot be determined as no dwelling on Allotment 61 is currently proposed. Nonetheless, given that the wall situated on the rear boundary is single storey it is not expected to cause any unreasonable impact of overshadowing. Any future proposal of a dwelling on Allotment 61 will need to take this wall into consideration.

Car Parking

Originally the off-street parking associated with the existing dwelling was provided at the rear of the property, one within the garage, another within the carport and opportunity for another uncovered space in front of these structures. The proposed land division will result in the removal of these spaces. The proposed plan of division does however indicate alternate off-street parking spaces to be associated with the existing dwelling. A carport is to be erected adjoining the rear of the dwelling. This will provide two covered off-street parking spaces, satisfying the requirements of *Transportation and Access PDC 34*. Council's City Assets Department have no objection to the alteration of the existing crossover to accommodate vehicle access to proposed Allotment 60.

SUMMARY

The proposal will result in an allotment with an area that does not satisfy the minimum for land division, however, regardless of the dwelling type (given that the requirement is the same for all envisaged dwelling types within Low Density Policy Area 20) the proposed allotments will satisfy both the minimum frontage and site area requirements for residential development within 400 metres of a Centre Zone.

This division will not be detrimental to the existing or desired character of the locality and it will result in the retention of an existing dwelling on a site which is considered to maintain a reasonable level of amenity and be functional for occupants.

Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is considered to be not seriously at variance with the Development Plan. On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 5 November 2015 and warrants Development Plan Consent.

RECOMMENDATION

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/577/2016 by Peter Harvey to undertake Land Division - Torrens Title; DAC No. 211/D066/16 (Unique ID 54301); Create one (1) additional allotment at 20 Bourlang Avenue, Camden Park (CT 5738/806) subject to the following conditions of consent (and any subsequent or amended condition that may be required as a result of the consideration of reserved matters under Section 33(3) of the Development Act)::

DEVELOPMENT PLAN CONSENT COUNCIL CONDITIONS:

1. Development is to take place in accordance with the plans prepared by Jeffrey Fudge & Associates Surveyors and Land Information Specialists, relating to Development Application No. 211/577/2016 (DAC 211/D066/16).

LAND DIVISION CONSENT COUNCIL CONDITIONS:

1. Prior to the issue of Section 51 Clearance to this division approved herein:
 - All existing buildings on proposed Allotment 61 and the attached verandah at the rear of the existing dwelling situated on proposed Allotment 60 must be removed (note that the demolition shall be subject to a separate development approval).
 - A carport to be associated with the use of the existing dwelling shall be constructed on proposed Allotment 60. For this purpose, a separate development application shall be submitted for the consideration and determination by Council.
 - A colorbond fence as depicted on the plan of division shall be constructed.
 - The existing Class 1a dwelling is required to be fire separated in accordance with Part 3.7.1 of the BCA.
 - Evidence must be submitted to Council to verify compliance with the above
 - If the fire separation does not exist, an application for Building Rules Consent under the Development Act 1993 shall be lodged with Council (or Private Certifier) and Development Approval shall be issued prior to the commencement of building work. A Schedule 19A – Statement of Compliance from the builder (building supervisor), shall be submitted to Council upon completion of the work.

Evidence that fire separation of the units is in place shall be submitted to Council prior to the issue of Section 51 Clearance.

DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS:

2. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.
Subject to our new process, on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or nonstandard fees.

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.

3. Payment of \$6,488 into the Planning and Development Fund (2 allotments @ \$6,488/allotment). Payment may be made by credit card via the internet at 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, at Level 5, 136 North Terrace, Adelaide.
4. 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.

Development No: 211/D066/16
City of West Torrens

PLAN OF DIVISION FOR DEVELOPMENT APPROVAL
HUNDRED OF ADELAIDE
ALLOTMENT 46 IN D3325

in the area named

CAMDEN PARK

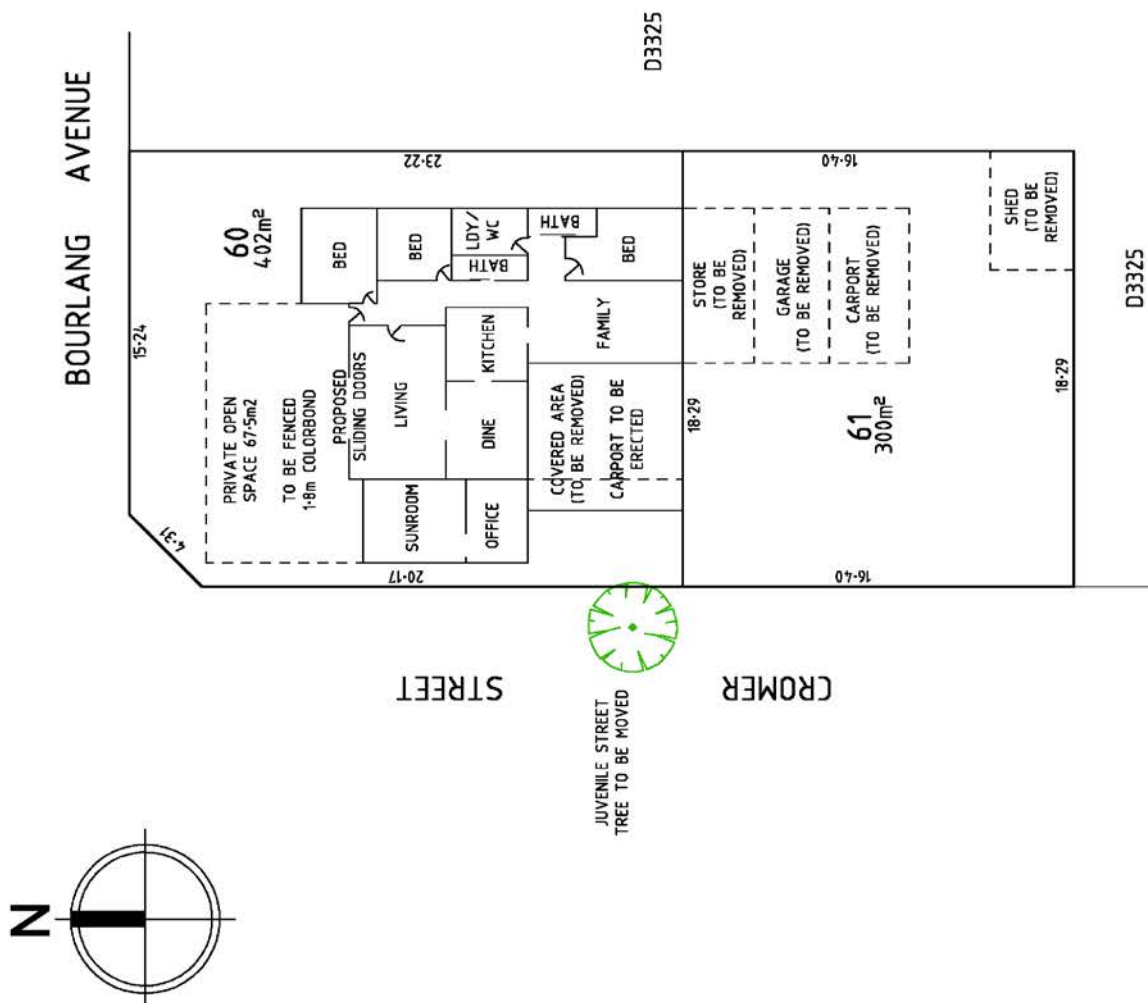


CT 5738/806

Existing structures to be removed
as shown - House to remain

Data subject to survey

FLOOR PLAN ADDED 26/9/16



Jeffrey Fudge & Associates
Surveyors & Land information specialists
55 Levistone Street, SEATON S.A. 5023
Phone: (08) 82444703 Mob: 0478623398
Email: jeff.fudge@inet.net.au
Date: 26/9/16 Reference: 152-1215-LD

ATTACHMENT 2

Contact LandsTitlesOffice
Telephone 7109 7016



16 May 2016

The Chief Executive Officer
City of West Torrens

Dear Sir/Madam

Re: Proposed Application No. 211/D066/16 (ID 54301)
for Land Division by Mr Peter Harvey

In accordance with Section 33 of the Development Act 1993 and Regulation 29 (1) of the Development Regulations 2008, and further to my advice dated 11 May 2016, I advise that the Development Assessment Commission has consulted with SA Water Corporation (only) regarding this land division application. A copy of their response has been uploaded in EDALA for your consideration. The Commission has no further comment to make on this application, however there may be local planning issues which Council should consider prior to making its decision.

I further advise that the Development Assessment Commission has the following requirements under Section 33(1)(c) of the Development Act 1993 which must be included as conditions of land division approval on Council's Decision Notification (should such approval be granted).

1. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.
Subject to our new process, on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non standard fees.
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.
2. Payment of \$6488 into the Planning and Development Fund (1 allotment(s) @ \$6488/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 Development Assessment Commission 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 Development Assessment Commission for Land Division Certificate purposes.

The SA Water Corporation will, in due course, correspond directly with the applicant/agent regarding this land division proposal.

PLEASE UPLOAD THE DECISION NOTIFICATION FORM (VIA EDALA) FOLLOWING COUNCIL'S DECISION.

A handwritten signature in black ink, appearing to read "P. Hodgson", with a long, sweeping underline.

Phil Hodgson
Unit Manager
Lands Titles Office
as delegate of



16 May 2016

Our Ref: H0045822

The Chairman
Development Assessment Commission
136 North Terrace
ADELAIDE SA 5000

Dear Sir/Madam

PROPOSED LAND DIVISION APPLICATION NO: 211/D066/16 AT CAMDEN PARK

In response to the abovementioned proposal, I advise that pursuant to Section 33 of the Development Act it is necessary for the developer to satisfy this Corporation's requirements, which are listed below. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.

Subject to our new process, on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non standard fees.

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.

Yours faithfully

James Ettridge

for MANAGER LAND DEVELOPMENT & CONNECTIONS

SA Water
Level 6, 250 Victoria Square
ADELAIDE SA 5000
Ph (08) 7424 1119
Inquiries James Ettridge
Telephone 74241119

6.4 58 Garfield Ave, KURRALTA PARK

Application No. 211/675/2016

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Combined Application Land division -Create two (2)Torrens Title allotments from one existing allotment (Unique ID 54510) and construction of two (2) singles storey detached dwellings;
APPLICANT	Five Star Homes
APPLICATION NO	211/679/2016 (DAC 211/D079/16)
LODGEMENT DATE	25 May 2016
ZONE	Residential Zone
POLICY AREA	Medium Density Policy Area 19
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Cat 1
REFERRALS	Internal <ul style="list-style-type: none">▪ City Assets External <ul style="list-style-type: none">▪ DAC▪ SA Water
DEVELOPMENT PLAN VERSION	5 May 2016
MEETING DATE	11 October 2016
RECOMMENDATION	CONSENT

BACKGROUND

The development proposal is presented to the Development Assessment Panel (DAP) for the following reason/s:

- With regard to residential development and land division applications, where all proposed allotments and or sites fail to meet, nor are within 5% of, the minimum frontage widths and site areas designated in respective zones and policy areas within the West Torrens Council Development Plan,

PREVIOUS or RELATED APPLICATION(S)

Nil

SITE AND LOCALITY

The land is irregular in shape and located on the southern side of Garfield Avenue in the suburb of Kurralta Park. With a frontage of 16.23m, a depth varying between 30.72m to 45.73m resulting in an overall area of 622m².

There is currently a single storey detached dwelling on the land, exhibiting a relatively conventional design. In addition to the dwelling a carport, verandah and outbuilding have been constructed on the site. The built form is erected from side boundary to side boundary and setback approximately 8.5m from the front boundary.

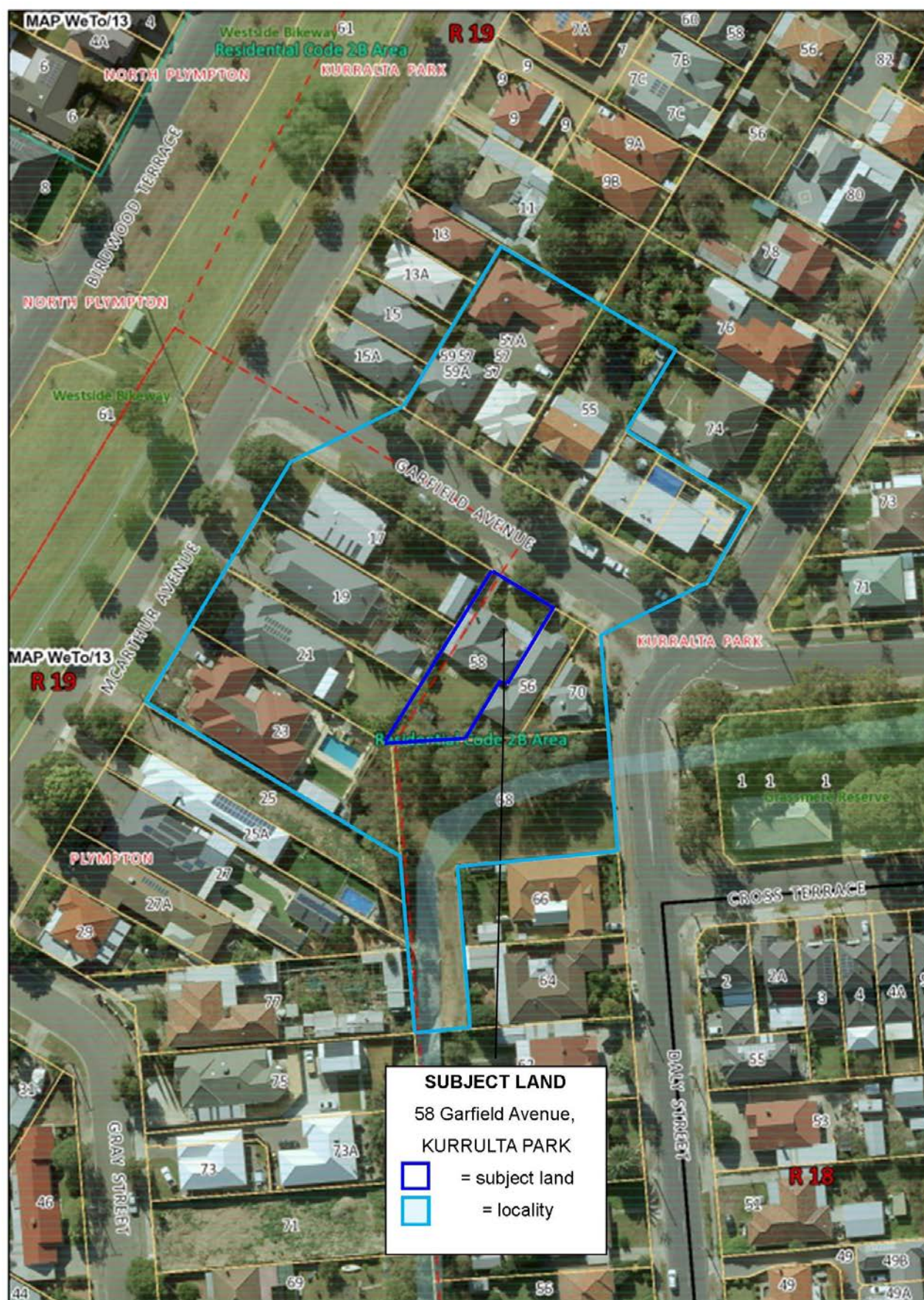
The allotment is flat and informally landscaped with grass and shrubs of varying height. There is a large street tree located centrally in front of the subject site and is not expected to be impacted as part of this proposal. The subject site shares a common boundary (rear) with Brown Hill Creek. The creek reserve harbours a number of mature and semi mature trees that overhang into the subject site.

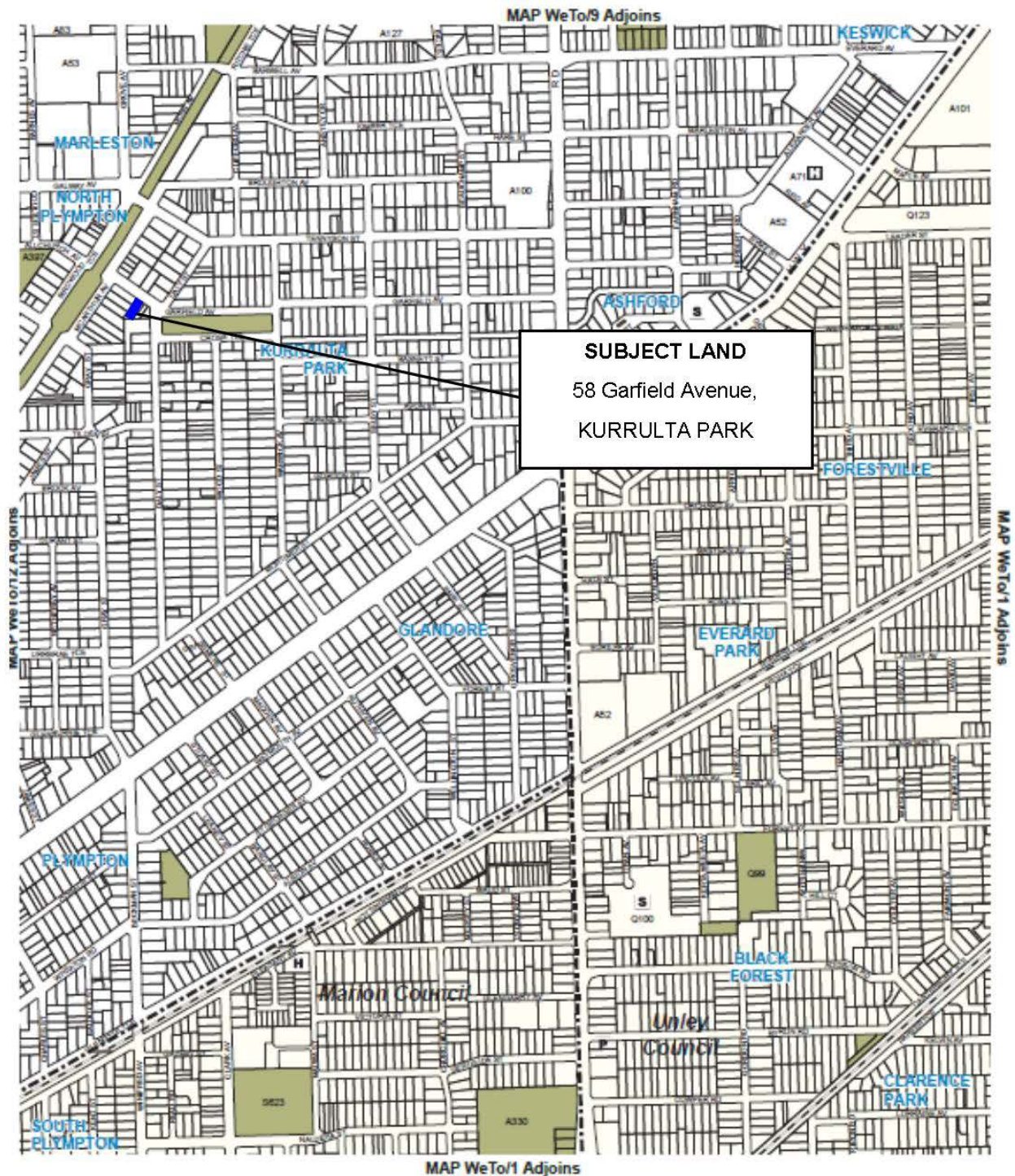
The locality contains low density residential development, predominantly in the form of single storey detached dwellings. However this is starting to change since the policy alteration seeking higher densities in this area. Infill development can be found in several locations within the greater locality.

There isn't a prevailing allotment pattern due to infill development and the path of Brown Hill Creek. With the exception of two dwellings, all other allotments have a frontage to a public road.

The locality is within the flood hazard zone with the anticipated flood level being between 0m and 0.5m in depth.

Overall, it is considered that the prevailing character of the locality provides a medium level of amenity for its residents.





- S** School
- P** Post Office
- H** Other Health Services
- H** Hospital
- Railways
- Local Reserves
- Development Plan Boundary

Location Map WeTo/13

WEST TORRENS COUNCIL
Consolidated - 5 May 2016

PROPOSAL

It is considered that the proposal is best described as follows:

"Combined Application Land division -Create two (2)Torrens Title allotments from one existing allotment (Unique ID 54510) and construction of two (2) singles storey semi-detached dwellings."

The proposal seeks to create two allotments from one. Lot 50 will have a frontage of 8.12m and a site area of 351m². Lot 51 will have a frontage of 8.11m and a site area of 271m².

In addition to this division, the application seeks approval for the built form. The built form is comprised of two single storey semi-detached dwellings joined together by a party wall. Each dwelling incorporates the following elements

- 3 bedrooms;
- 2 bathrooms;
- A single garage;
- Open plan kitchen dining and living area; and
- Alfresco.

REFERRALS

Internal

- **City Assets**

Concerns were raised regarding the following matters;

- Proximity of the built form to Brown Hill Creek;
- Finished floor level of the dwellings.

A survey of the property was undertaken and it was demonstrated that the proposed dwellings will be more than 10m from the centreline of the creek, which will satisfy the City Assets requirement.

The finished floor level requirement can be satisfied by the addition of a condition to the Development Plan Consent that requires that the FFL be 350mm above the natural site level within the footprint of the development.

External

Pursuant to Section 38 and Regulation 29 of the Development Act and Regulations, the application was referred to

- **DAC**

No concerns were raised and only the standard conditions imposed.

- **SA Water**

No concerns were raised and only the standard conditions imposed.

ASSESSMENT

The subject land is located within the Residential Zone and more specifically Medium Density Policy Area 19 as described in the West Torrens Council Development Plan. The main provisions of the Development Plan which relate to the proposed development are as follows:

<u>General Section</u>		
Design and Appearance	Objectives	1 & 2
	Principles of Development Control	1, 2, 3, 4, 12, 13, 14, 15, 16, 20, 21 & 22
Energy Efficiency	Objectives	1
	Principles of Development Control	1 & 2
Hazards	Objectives	1, 2, 3, 4, 5, 6 & 7
	Principles of Development Control	1, 2, 4, 7, 10, 11, 12, 13, 14 & 15
Land Division	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 2, 4, 5, 6, 8, 9, 10, 11 & 12
Orderly and Sustainable Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1, 3, 7 & 8
Residential Development	Objectives	1, 2 & 4
	Principles of Development Control	1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 28, 29 & 31
Transportation and Access	Objectives	2
	Principles of Development Control	1, 10, 23, 24, 25, 26, 30, 31, 44 & 45

Zone: Residential Zone	
<i>Desired Character Statement:</i>	
<p><i>This zone will contain predominantly residential development. There may also be some small-scale non-residential activities such as offices, shops, consulting rooms and educational establishments in certain locations. Non-residential activities will be complementary to surrounding dwellings.</i></p> <p>Allotments will be at very low, low and medium densities to provide a diversity of housing options in different parts of the zone. The range of allotment sizes will support the desired dwelling types anticipated in each policy area, and the minimum allotment sizes shall be treated as such in order to achieve the Desired Character for each policy area and, in turn, reinforce distinction between policy areas. Row dwellings and residential flat buildings will be common near centres and in policy areas where the desired density is higher, in contrast to the predominance of detached dwellings in policy areas where the distinct established character is identified for protection and enhancement. There will also be potential for semi-detached dwellings and group dwellings in other policy areas.</p> <p><i>Residential development in the form of a multiple dwelling, residential flat building or group dwelling will not be undertaken in a Historic Conservation Area.</i></p> <p><i>Landscaping will be provided throughout the zone to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer.</i></p>	
Objectives	1, 2, 3 & 4
Principles of Development Control	1, 5, 6, 7, 9, 10, 11, 12, 13 & 14

Policy Area: Medium Density Policy Area 19	
Desired Character Statement:	
<p><i>Allotments in this policy area will be at medium density, accommodating a range of dwelling types including semi-detached, row and group dwellings, as well as some residential flat buildings and some detached dwellings on small allotments. There will be a denser allotment pattern close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones.</i></p> <p><i>New buildings will contribute to a highly varied streetscape. Buildings will be up to 2 storeys, except for allotments fronting Brooker Terrace, Marion Road and Henley Beach Road, and overlooking the Westside Bikeway, where buildings will be up to 3 storeys in height and provide a strong presence to streets. Garages and carports will be located behind the front facade of buildings.</i></p> <p><i>Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer.</i></p>	
Objectives	1
Principles of Development Control	1, 2, 3 & 4

QUANTITATIVE ASSESSMENT

The proposal is assessed for consistency with the prescriptive requirements of the Development Plan as outlined in the table below:

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SITE AREA <i>Medium Density Policy Area 19</i> <i>PDC 4 or</i> <i>PDC 5 (within 400m of centre)</i>	Semi-detached Dwelling 270m ² (min.)	351m ² (Lot 50) 271m ² (Lot 51) Satisfies
SITE FRONTAGE <i>Medium Density Policy Area 19</i> <i>PDC 4 or</i> <i>PDC 5 (within 400m of centre)</i>	Semi-detached Dwelling 9m	8.12m (Lot 50) 8.11m (Lot 51) Does Not Satisfy by 9.8%
SITE COVERAGE <i>Medium Density Policy Area 19</i> <i>PDC 3</i>	60% (max.)	52% (Lot 50) 64% (Lot 51) Lot 51 Does Not Satisfy by 4%
PRIMARY STREET SETBACK <i>Medium Density Policy Area 19</i> <i>PDC 3</i>	3m (min.)	3m (Lot 50) 3m (Lot 51) Satisfies

<p>SIDE/REAR SETBACKS <i>Residential Zone</i> <i>PDC 11</i></p> <p><i>Medium Density Policy Area 19</i> <i>PDC 3</i></p>	<p>Side 0/1m</p> <p>Rear 6m (min.)</p>	<p>0m (Lot 50) 0m (Lot 51) Party wall on the shared boundary</p> <p>Satisfies</p> <p>8.61m (Lot 50) 4.98m (Lot 51)</p> <p>Satisfies</p>
<p>BUILDING HEIGHT <i>Medium Density Policy Area 19</i> <i>PDC 3</i></p>	<p>2 storeys</p>	<p>1 storey / 2.7m (Lot 50) 1 storey / 2.7m (Lot 51)</p> <p>Satisfies</p>
<p>INTERNAL FLOOR AREA <i>Residential Development</i> <i>PDC 9</i></p>	<p>- 3+ Bedroom, 100m² (min.)</p>	<p>150m² (Lot 50) 141m² (Lot 51)</p> <p>Satisfies</p>
<p>PRIVATE OPEN SPACE</p>	<p>Site area <300m² = 24m² 300-500m² = 60m²</p>	<p>113m² (Lot 50) 40m² (Lot 51)</p> <p>Satisfies</p>

QUALITATIVE ASSESSMENT

In assessing the merits or otherwise of the application, the proposed development satisfies the relevant Development Plan provisions with the exception of the following, as discussed under the following sub headings:

Site Coverage

The proposed dwelling on Lot 51 will exceed the maximum 60% site coverage provision stated in the Development Plan by 4%. 4% of the site area equates to 11.08m², which is approximately the same size as the alfresco area at the rear of the dwelling. It is considered that whilst the removal of this alfresco area would allow the proposal to meet the site coverage requirement, it would result in a less liveable and desirable outcome. The 4% variance is minor and will not result in a detrimental impact to adjoining properties or to the locality in general.

When looking at the project as a whole, the site coverage of both dwellings on the total amount of land is 56%, which is under the 60% site coverage requirement of the policy area.

Frontage

The frontage of both proposed allotments is under the 9m minimum stated in the Development Plan. Lot 50 has a deficiency of 88cm and Lot 51 has a deficiency of 89cm. These are considered minor and not fatal to the application. It should be noted that there is a similar example of a land division on McArthur St, which was approved in 2013 that has frontages of 8.38m and 8.39m. These allotments are located 20m south east of the subject site. There are also four allotments to the south east, on Cross Terrace that have 8.32m wide frontages.

The proximity of these examples makes them a relevant consideration when determining the appropriateness of the proposed development and its deficient frontage widths. The Desired Character of the policy area specifically states that highly varied streetscape is encouraged.

In consideration of the minor nature of the deficiency, other similar examples in the locality and the Desired Character of the area supporting varied streetscapes and denser residential development, it is concluded that the proposed frontages are not fatal to the application.

SUMMARY

This is a reasonable development within the policy area. Whilst it is acknowledged that the frontages are below the minimum stated in the Development Plan and one of the proposed dwellings will be slightly over the maximum site coverage, there are mitigating circumstances that alleviate the potential impact.

Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is considered to be not seriously at variance with the Development Plan.

On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 5 May 2016 and warrants Development Plan Consent.

RECOMMENDATION

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent and Land Division Consent for Application No. 211/675/2016 by Five Star Homes to undertake Combined Application Land division -Create two (2)Torrens Title allotments from one existing allotment (Unique ID 54510) and construction of two (2) singles storey detached dwellings at 58 Garfield Avenue, Kurralta Park (CT 5565/354) subject to the following conditions of consent;

DEVELOPMENT PLAN CONSENT Council Conditions

1. Development is to take place in accordance with the plans prepared by Five Star Homes and Western Surveying Services relating to Development Application No. 211/675/2016 (DAC 211/D079/16).
2. That the finished floor level shall be a minimum of 350mm above the highest point of the watertable adjacent to the subject site.
3. That all stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:-
 - a) Result in the entry of water into a building; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within the building; or
 - d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
4. That any retaining walls will be designed to accepted engineering standards, and not of timber construction if retaining a difference in ground level exceeding 200mm.

5. That all driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained, and shall be maintained in reasonable condition at all times.
6. That all planting and landscaping will be completed prior to occupation of this development and be maintained in reasonable condition at all times. Any plants that become diseased or die will be replaced with a suitable species.
7. Council requires one business day's notice of the following stages of building work:
 - Commencement of building work on site; and
 - Commencement of placement of any structural concrete; and
 - Completion of wall and roof framing prior to the installation of linings; and
 - Completion of building work.

LAND DIVISION CONSENT

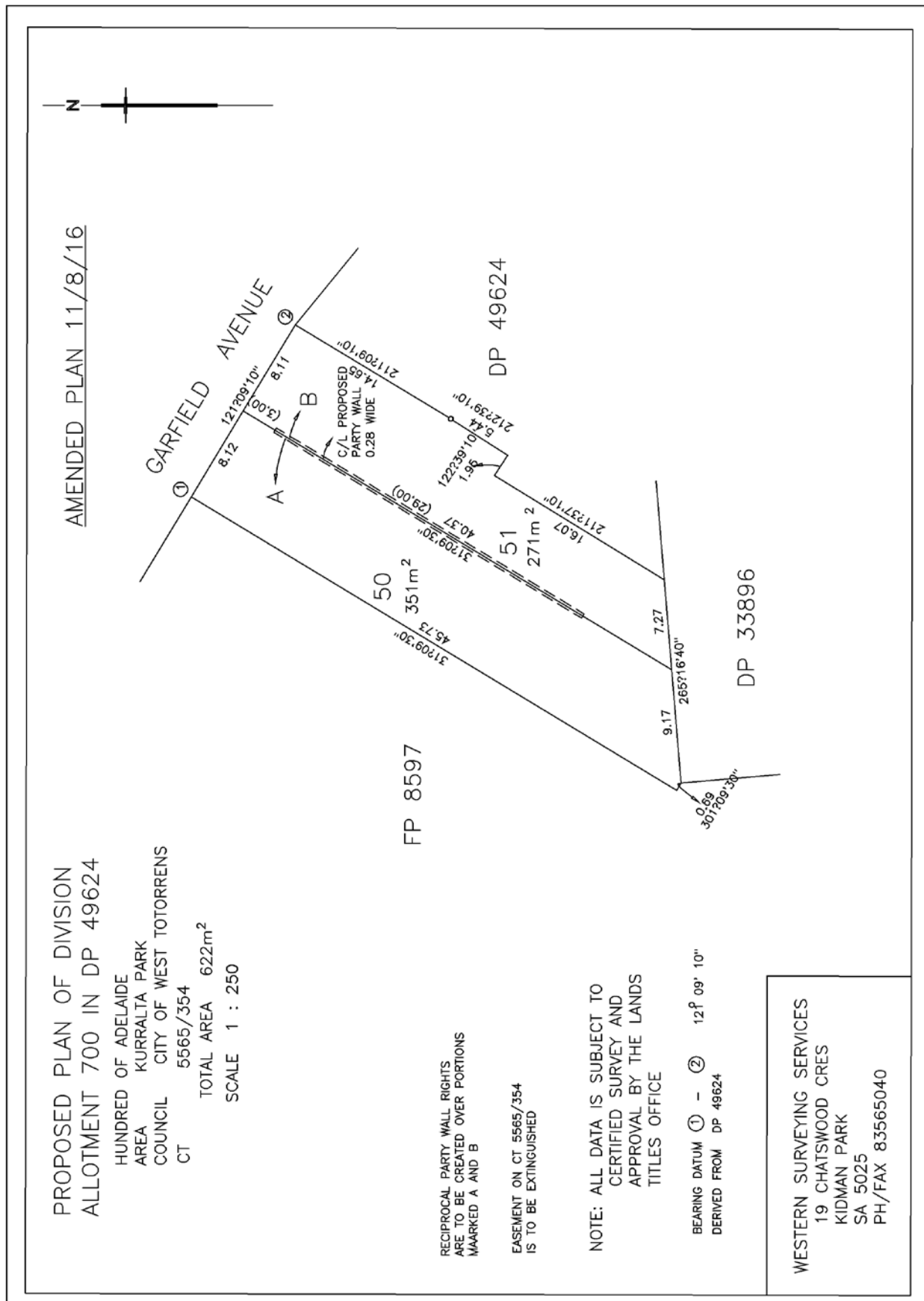
Council Conditions

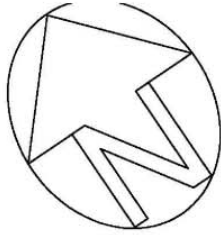
1. That prior to the issue of clearance to the division approved herein, the existing structures shall be removed from proposed Allotment/s.

Development Assessment Commission Conditions

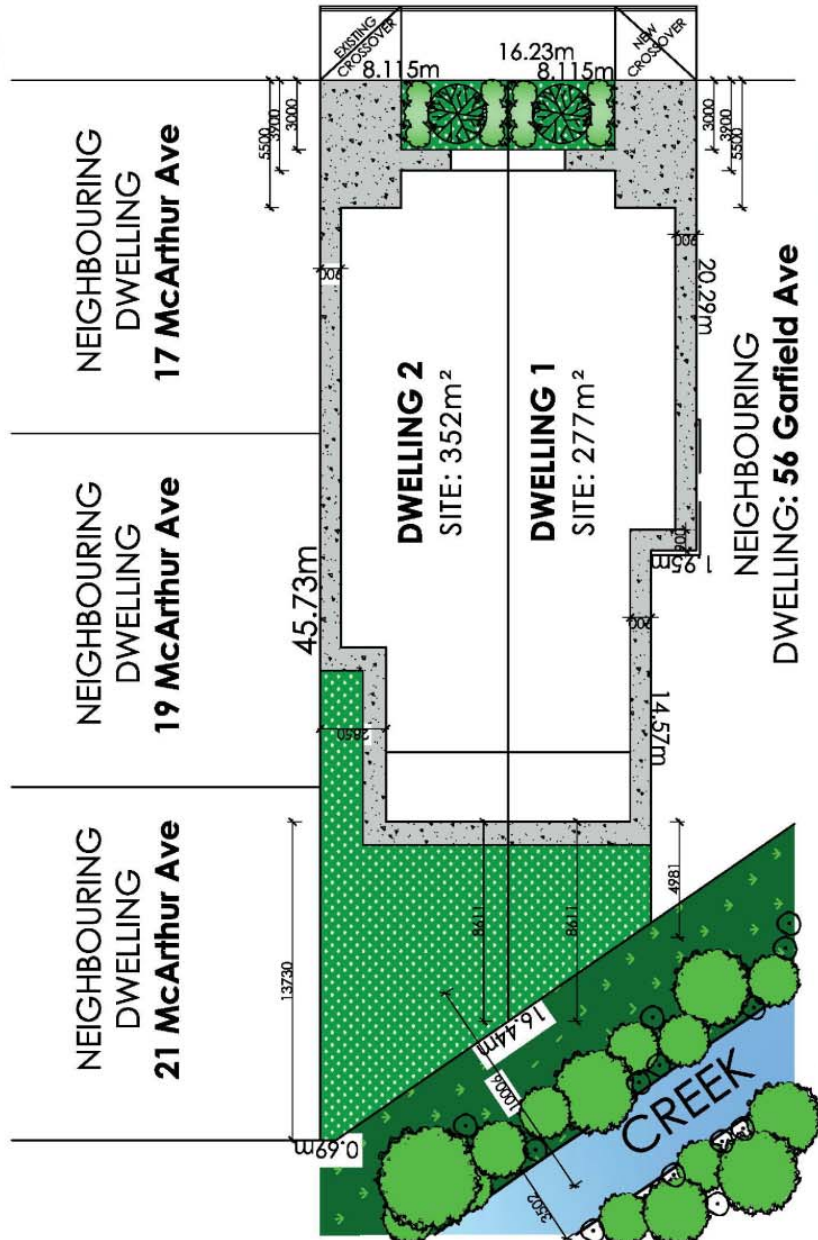
2. The financial requirements of the SA Water Corporation shall be met for the provision of water and sewerage services (SA Water H0046785).
An investigation will be carried out to determine if the connection/s to the development will be costed as standard or non standard.
The internal drains shall be altered to the satisfaction of the SA Water Corporation.
3. Payment of \$6488 into the Planning and Development fund (1 allotment @ \$6488/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 Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
4. 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.

ATTACHMENT 1





GARFIELD AVE



BRUSH FENCE NOTICE

THERE SHOULD NOT BE ANY BRUSH FENCES WITHIN 3 METRES OF THE PROPOSED BUILDING WORKS.
ANY BRUSH FENCES WITHIN 3 METRES OF THE DWELLING ARE TO BE REMOVED AND REPLACED WITH NON-COMBUSTIBLE MATERIALS.
ENSURE COMPLIANCE WITH MINISTER'S SPECIFICATION SA76C" PROTECTION OF BUILDINGS EXPOSED TO BRUSH FENCES.

BOUNDARY/SURVEY NOTES

- THIS DRAWING IS INTENDED FOR INDICATIVE BUILDING SET OUT PURPOSES ONLY.
- REFER TO CIVIL ENGINEERING OR SURVEYORS DRAWINGS FOR SITE LEVELS, CONTOURS, BENCH MARKS, SERVICE LOCATIONS & EARTHWORK DESIGN.
- FINAL BOUNDARY AND BUILDING SET SHOULD BE CONFIRMED & CERTIFIED BY LICENCED SURVEYOR PRIOR TO ANY CONSTRUCTION.
- MEASUREMENTS ARE ONLY INDICATIVE AND SHOULD BE CONFIRMED ON SITE.

STORMWATER NOTES

- STORMWATER PIPES SHOULD BE 90mm uPVC with 100mm MINIMUM COVER FOR NON-TRAFFICABLE AREAS.
- GRADE MINIMUM 1:200 IN DIRECTION OF THE FLOW.
- IN ACCORDANCE WITH AS3500.3 STORMWATER LINE SHALL BE CONNECTED TO BOUNDARY SUMP & DRAINED TO STREET WATER TABLE.

AREA OF DWELLING 1		AREA OF DWELLING 2	
LIVING	141m²	LIVING	150m²
PORCH	2m²	PORCH	2m²
ALFRESCO	16m²	ALFRESCO	16m²
GARAGE	19m²	GARAGE	19m²
TOTAL	178m²	TOTAL	187m²
SITE COVERAGE	(64%) 178m²	SITE COVERAGE	(52%) 187m²
SITE AREA	277m²	SITE AREA	353m²
POS	(14%) 40m²	POS	(32%) 113m²

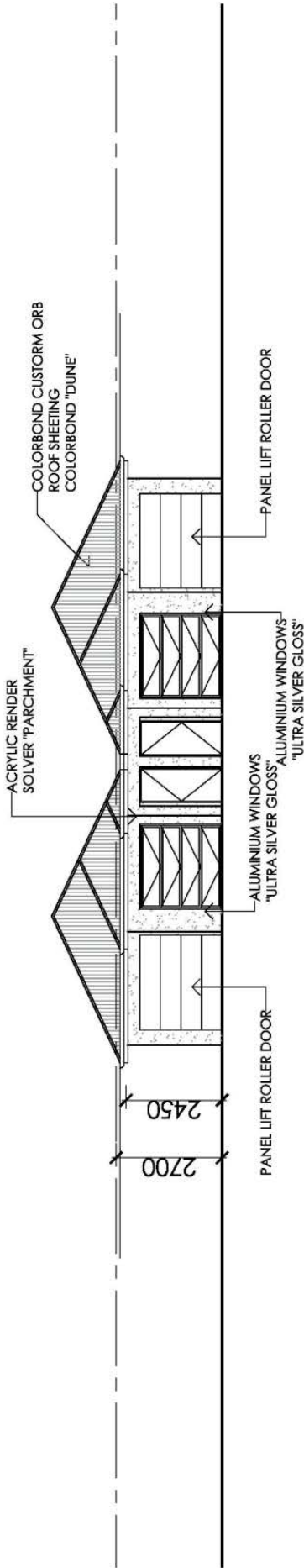
AMENDMENTS:		CLIENT DANIEL COVINO	DRAWING TITLE PROPOSED SITE PLAN	PROJECT NUMBER	PROJECT ADDRESS 58 GARFIELD AVENUE KURRALTA PARK SA 5037 LOT 700		PROJECT TYPE 2 x SINGLE STORY DETACHED DWELLINGS	FIVE STAR H O M E S PO BOX 218 FULHAM GARDENS 5024 info@fivestarhomes.com.au PHONE: 1300 791 739 FAX: 1300 791 639 MOBILE: 0413 952 429		PLAN & DESIGN APPROVAL OWNER: _____ BUILDER: _____ DATE: J J
					SCALE 1:200	DATE 9-Aug-16		ISSUE PLANNING CONSENT	ENGINEER TBC	

Floor Plan Details:

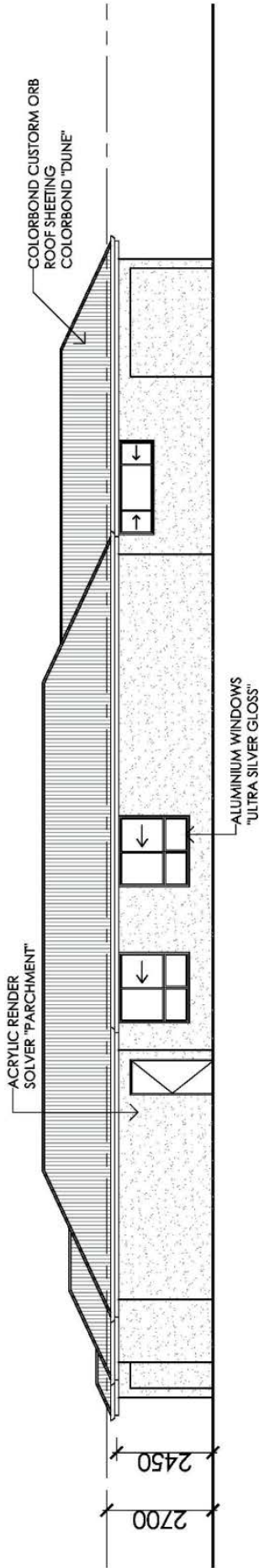
- Living Areas:** Two identical living rooms, each 4.52m x 4.93m, featuring a fireplace and large windows.
- Dining Areas:** Two dining rooms, one 5m x 4.03m and the other 3.7m x 3.2m, both with round tables and chairs.
- Kitchens:** Two identical kitchens, each 3.7m x 2.2m, equipped with a sink, stove, and refrigerator.
- Bedrooms:**
 - Master Bedroom: 3.98m x 3.05m, located at the rear of each unit.
 - Bed 2: 3.65m x 3.38m, located next to the master bedroom.
 - Bed 3: 3.4m x 3.38m, located at the front of each unit.
- Bathrooms:** Two identical bathrooms, each 1.61m x 1.61m, located between the bedrooms.
- Garage:** A single-car garage, 5.97m x 2.8m, located at the rear of the house.
- Other Features:**
 - Alfresco:** Two outdoor dining areas, each 3.0m x 3.26m, located at the front of the house.
 - Storage:** Multiple wardrobes (WIR), linen closets (LINEN), and storage areas throughout the plan.
 - Entrances:** Two main entrances, each with a small porch and a door leading into the living area.

GENERAL NOTES: SKYLIGHT AS SELECTED, NOTE: ALL SKYLIGHTS SHALL HAVE TUBES TAKE TO A POINT IN THE ROOF HIGH ENOUGH TO AVOID HEAT LOAD INTO HOUSE.	DRAWING TITLE PROPOSED FLOOR PLAN D1 & D2	PROJECT NUMBER		PROJECT ADDRESS 58 GARFIELD AVENUE KURRALTA PARK SA 5037 LOT 700	PROJECT TYPE 2 x SINGLE STORY DETACHED DWELLINGS	FIVE STAR H O M E S
		CLIENT DANIEL COVINO	SCALE 1:100			
OWNERS BUILDERS DATED: J J J						

NORTHERN ELEVATION
HEBEL POWER PANEL
CONSTRUCTION TO
ENTIRE DWELLING
SCALE 1:100

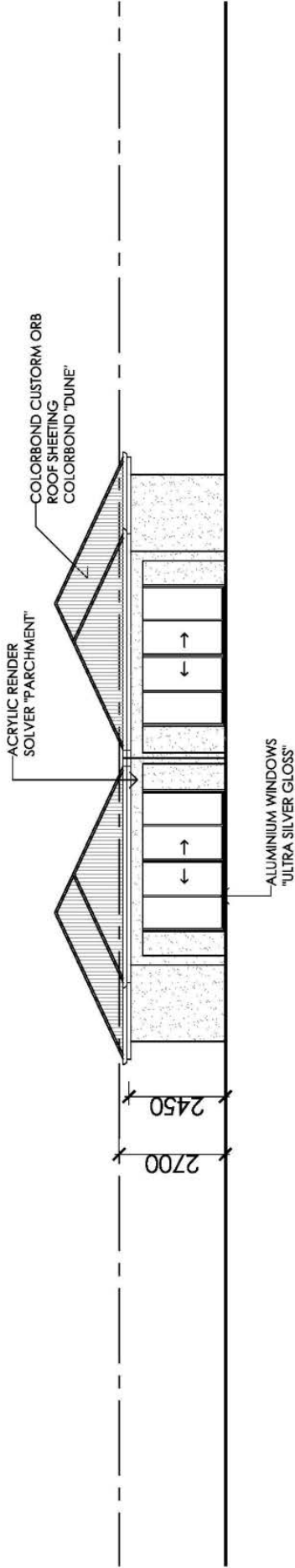


WESTERN ELEVATION
HEBEL POWER PANEL
CONSTRUCTION TO
ENTIRE DWELLING
SCALE 1:100

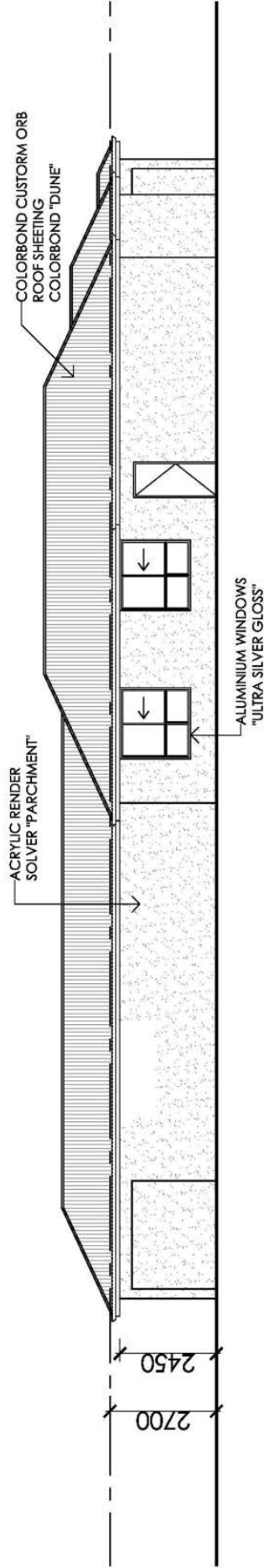


AMENDMENTS:		GENERAL NOTES:		DRAWING TITLE ELEVATIONS	CLIENT DANIEL COVINO	PROJECT NUMBER		PROJECT ADDRESS 58 GARFIELD AVENUE KURRALTA PARK SA 5037 LOT 700	PROJECT TYPE 2 x SINGLE STORY DETACHED DWELLINGS	FIVE STAR H O M E S	
						SCALE 1:100					
						DATE 9-Aug-18					
ISSUE PLANNING CONSENT		ENGINEER TBC		OWNER:		BUILDER:		DATED: J J		NOT APPLICABLE	
PO BOX 218 FULHAM GARDENS 5024 info@fivestarhomes.com.au		PHONE: 1300 791 739 FAX: 1300 791 839 MOBILE: 0413 952 429									

SOUTHERN ELEVATION
HEBEL POWER PANEL
CONSTRUCTION TO
ENTIRE DWELLING
SCALE 1:100



EASTERN ELEVATION
HEBEL POWER PANEL
CONSTRUCTION TO
ENTIRE DWELLING
SCALE 1:100



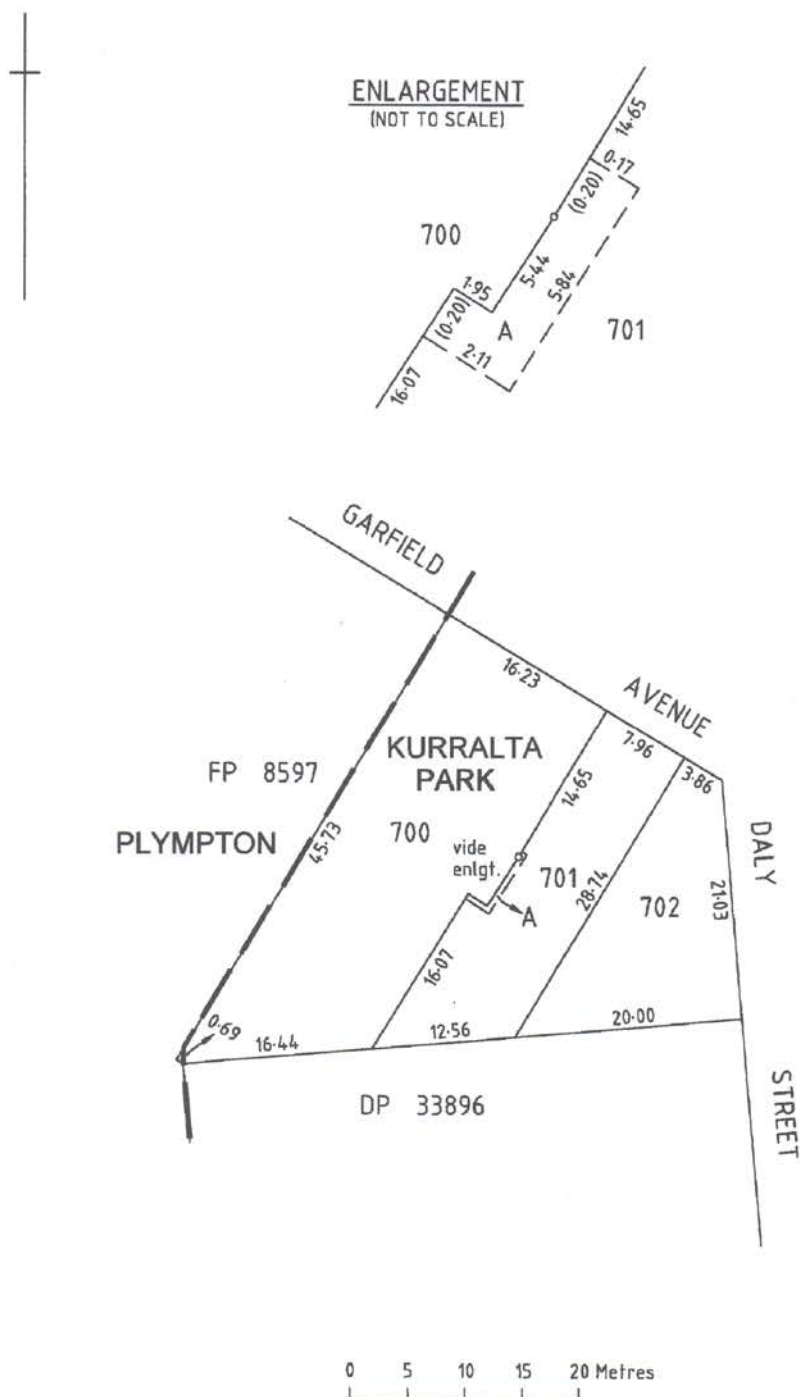
AMENDMENTS:	GENERAL NOTES:		DRAWING TITLE ELEVATIONS		PROJECT NUMBER		PROJECT ADDRESS 58 GARFIELD AVENUE KURRALTA PARK SA 5037 LOT 700		PROJECT TYPE 2 x SINGLE STORY DETACHED DWELLINGS		FIVE STAR HOMES PO BOX 218 FULHAM GARDENS 5024 info@fivestarhomes.com.au PHONE: 1300 791 739 FAX: 1300 791 639 MOBILE: 0413 992 429		PLAN & DESIGN APPROVAL OWNERS: BUILDERS: DATE: / /	
	CLIENT DANIEL COVINO		SCALE 1:100		DATE 9-Aug-16		ISSUE PLANNING CONSENT		ENGINEER TBC		NOT APPLICABLE			

ATTACHMENT 2



Government of South Australia
Department of Planning,
Transport and Infrastructure

Product	Register Search
Date/Time	26/04/2016 07:04AM
Customer Reference	513265
Order ID	20160426000099
Cost	\$27.25



6.5 20 Fulham Park Drive, LOCKLEYS

Application No. 211/985/2016

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Demolition of existing dwelling and outbuildings, construction of new two-storey dwelling with garage under main roof plus swimming pool and safety fence
APPLICANT	F & L Aloï
APPLICATION NO	211/985/2016
LODGEMENT DATE	25 August 2016
ZONE	Residential
POLICY AREA	Residential Policy Area 21
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal ▪ Amenity Officer External ▪ Nil
DEVELOPMENT PLAN VERSION	5 May 2016
MEETING DATE	11 October 2016
RECOMMENDATION	CONSENT

BACKGROUND

The development proposal is presented to the Development Assessment Panel (DAP) for the following reason:

- With regard to sites where the Development Assessment Panel has previously refused an application within the last five years, all similar applications on the site shall be assessed and determined by the Development Assessment Panel

This application relates to 20 Fulham Park Drive Lockleys, where a number of previous proposals for land division and two (2) two-storey dwellings were refused. Land division was approved to create one additional allotment, followed by a recent Development Consent (211/643/2016) in August for a two-storey dwelling on Lot 202. This proposal is for the second dwelling and associated outbuildings on the corner, Lot 201.

PREVIOUS or RELATED APPLICATIONS

211/643/2016, Construction of a two-storey dwelling with garage and alfresco under the main roof	Approved
211/1358/2014, Land division - torrens title, DAC No- 211/D169/14, Create one (1) additional allotment	Approved
211/1388/2014, Construction of two (2), two-storey dwellings with garages and terrace under the main roof, and boundary fencing; construction of an in-ground swimming pool associated with Dwelling 1; and demolition of existing dwelling and associated structures	Refused
211/954/2015, Construction of a two storey detached dwelling with garage & terrace under main roof & construction of a swimming pool	Withdrawn
211/1399/2015, Demolition of existing dwelling and associated structures plus the construction of two x two-storey dwellings	On Hold
211/1358/2014/A, Land division - torrens title, DAC No- 211/D169/14, Create one (1) additional allotment - Boundary Re-alignment	Refused

SITE AND LOCALITY

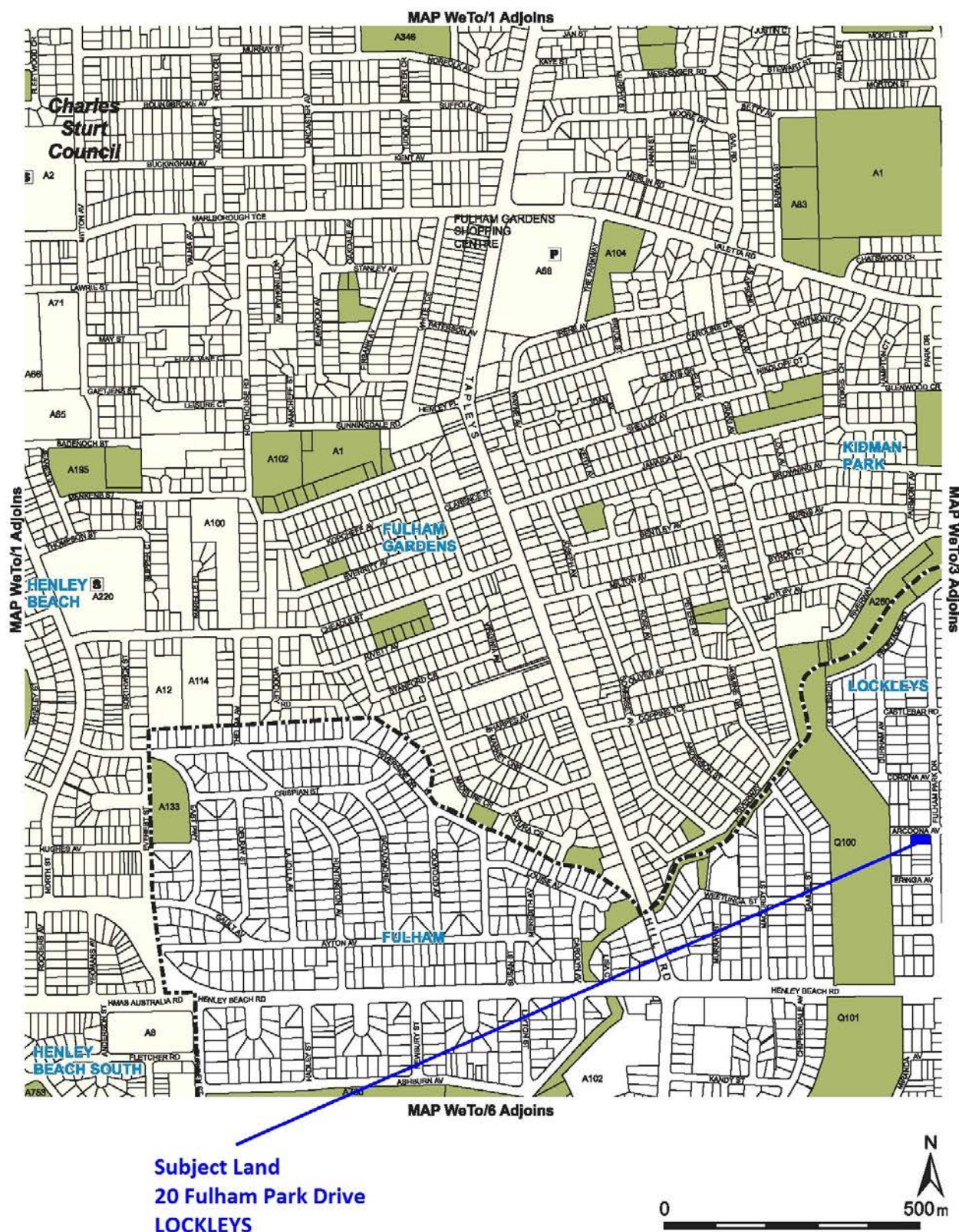
The subject site is described as Allotment 163 Deposited Plan 4749 in the area named Lockleys as contained in Certificate of Title Volume 5854 Folio 939. The land is more commonly known as 20 Fulham Park Drive, Lockleys.

The subject site is half of a corner allotment with a frontage of 16.91 metres to Arcoona Avenue and an area of 397sqm. The entire allotment currently accommodates a 1960's conventional yellow brick, hipped roof dwelling.

The subject site is located within the Residential Zone and more particularly Residential Policy Area 21. It is located approximately 40m east of the Linear Park which is within the Open Space Zone.

The locality is predominately characterised by detached single-storey and two-storey dwellings constructed in the 1950s on relatively large, rectilinear allotments with wide frontages. There are also examples of recent two-storey developments in the locality such as 10 Fulham Park Drive and 3 and 5 Arcoona Avenue, Lockleys.





Location Map WeTo/2

- School
- Post Office
- Local Reserves
- Development Plan Boundary

PROPOSAL

The development application seeks consent for the demolition of existing dwelling and outbuildings, construction of a new two-storey detached dwelling with a double garage under main roof plus swimming pool and safety fence. The application also includes landscaping and a side fence to be associated with the dwelling. The site will remove the existing crossover to Fulham Park Drive and form a new crossover to the western side of the Arcoona Avenue frontage to provide vehicle access.

A copy of the documentation provided with the application is contained in **Attachment 1**.

PUBLIC NOTIFICATION

The application is not listed in the Procedural Matters Table of the Residential Zone of the West Torrens Development Plan (Consolidated 5 May 2016) as being either a Category 1 or Category 2 development. Pursuant to Section 38 of the *Development Act 1993* and Schedule 9 (2) (f) of the *Development Regulations 2008* the proposed development is a Category 1 development.

REFERRALS

Amenity Officer

Concerns were raised regarding the following matters;

- The site plan indicates that the location of the proposed crossover on Arcoona Avenue for the proposed dwellings on Lot 201 will impact on an existing Acer street tree. As a result of the proposed crossover on Arcoona Avenue, City works has considered the health, structure, form, useful life expectancy, and age of the street tree and will support the removal.

ASSESSMENT

The subject land is located within Policy Area 21 of the Residential Zone as described in the West Torrens Council Development Plan. The main provisions of the Development Plan which relate to the proposed development are as follows:

<u>General Section</u>		
<i>Crime Prevention</i>	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7, 8, 9 & 10
<i>Design and Appearance</i>	<i>Objectives</i>	2
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 & 20
<i>Energy Efficiency</i>	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2, 3 & 4
<i>Landscaping, Fences and Walls</i>	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5 & 6
<i>Residential Development</i>	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55 & 56

Zone: Residential Zone	
Desired Character Statement:	
<p><i>This zone will contain predominantly residential development. There may also be some small-scale non-residential activities such as offices, shops, consulting rooms and educational establishments in certain locations. Non-residential activities will be complementary to surrounding dwellings.</i></p> <p><i>Allotments will be at very low, low and medium densities to provide a diversity of housing options in different parts of the zone. The range of allotment sizes will support the desired dwelling types anticipated in each policy area, and the minimum allotment sizes shall be treated as such in order to achieve the Desired Character for each policy area and, in turn, reinforce distinction between policy areas. Row dwellings and residential flat buildings will be common near centres and in policy areas where the desired density is higher, in contrast to the predominance of detached dwellings in policy areas where the distinct established character is identified for protection and enhancement. There will also be potential for semi-detached dwellings and group dwellings in other policy areas.</i></p> <p><i>Residential development in the form of a multiple dwelling, residential flat building or group dwelling will not be undertaken in a Historic Conservation Area.</i></p> <p><i>Landscaping will be provided throughout the zone to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer.</i></p>	
Objectives	1, 2, 3, 4
Principles of Development Control	1, 5, 6, 7, 8, 10, 11, 12, 13, 14

Policy Area: Low Density Policy Area 21	
Desired Character Statement:	
<p><i>This policy area will have a low density character. In order to preserve this, development will predominantly involve the replacement of detached dwellings with the same (or buildings in the form of detached dwellings).</i></p> <p><i>There will be a denser allotment pattern and some alternative dwelling types, such as semi-detached and row dwellings, close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones. Battleaxe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments developed with buildings that have a direct street frontage. In the area bounded by Henley Beach Road, Torrens Avenue and the Linear Park, where the consistent allotment pattern is a significant positive feature of the locality, subdivision will reinforce the existing allotment pattern.</i></p> <p><i>Buildings will be up to 2 storeys in height. Garages and carports will be located behind the front façade of buildings. Buildings in the area bounded by Henley Beach Road, Torrens Avenue and the Linear Park will be complementary to existing dwellings through the incorporation of design features such as pitched roofs, eaves and variation in the texture of building materials.</i></p> <p><i>Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer. Low and open-style front fencing will contribute to a sense of space between buildings.</i></p>	
Objectives	1
Principles of Development Control	1, 2

QUANTITATIVE ASSESSMENT

The proposal is assessed for consistency with the prescriptive requirements of the Development Plan as outlined in the table below:

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SITE AREA Residential Policy Area 21 PDC 2	420m ²	397.90m ² Existing (<i>Approved by DAP</i>)
SITE FRONTAGE Residential Policy Area 20 PDC 2	12m	16.91m Existing - Satisfies
STREET SETBACK <i>Residential Zone</i> PDC 8	At least the average setback of the adjacent buildings. 4.0m	4m Satisfies
SIDE/REAR SETBACKS <i>Residential Zone</i> PDC 11	<u>Side Setback</u> Lower level 1m and if sited on the boundary side boundary walls: (i) should have a maximum vertical wall height of 3 metres (ii) should have a maximum length of 8 metres (iii) should be constructed along one side of the allotment only and within 14 metres of the front boundary	1.5m - East Satisfies On boundary (6.6m long and 3m high) - West Satisfies
	Upper level 2m	3.68m - East Satisfies 2.25m - West Satisfies

	<u>Rear Setback</u> Lower level 3m Upper level 8m	4m Satisfies 8m Satisfies
PRIVATE OPEN SPACE <i>Residential Development PDC 19</i> LANDSCAPING <i>Landscaping, Fences & Walls PDC 4</i>	16m ² 10%	92.55m ² Satisfies 11% approximately Satisfies
CARPARKING SPACES <i>Transport and Access PDC 33</i>	2 car-parking spaces, 1 of which is covered	4 provided (2 covered) Satisfies

QUALITATIVE ASSESSMENT

In assessing the merits or otherwise of the application, the proposed development satisfies the relevant Development Plan provisions:

Bulk and Scale

The proposed style of two-storey dwelling is nearly identical to that of the neighbouring two-storey dwelling recently granted Development Plan Consent by the Development Assessment Panel at its meeting held 9th of August, 2016. Both dwellings are however, not of a style that already occurs in Arcoona Avenue. The existing two-storey dwellings have the second storey component set back further from the street than the first storey. Whilst this dwelling will be visually quite different in this street, it will match the adjacent dwelling, once constructed at Lot 202 and both dwellings meet the Desired Character Statement for the Policy Area, therefore the appearance is supportable.

SUMMARY

The proposal substantially meets the overall Objectives and Principles of Development Control in the Residential Zone, in that it will support the desired dwelling type for the policy area.

The proposed development is considered appropriate for the site as:

- The proposal creates a denser allotment pattern, as envisaged in the Policy Area, with a dwelling of two-storeys providing an alternative dwelling type to typical single storey dwellings on Arcoona Avenue;

- The design and siting of the proposed development is considered to be compatible with the surrounding area as it has significant open space, more than minimum side set-backs, pitched roof and building materials sympathetic to the neighbouring dwellings; and
- The proposal satisfies all of the qualitative and quantitative provisions of the West Torrens Council Development Plan.

Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is considered to be not seriously at variance with the West Torrens Council Development Plan. Subject to the inclusion of suitable conditions, it is considered that the proposed development generally accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 5 May 2016 and warrants Development Plan Consent.

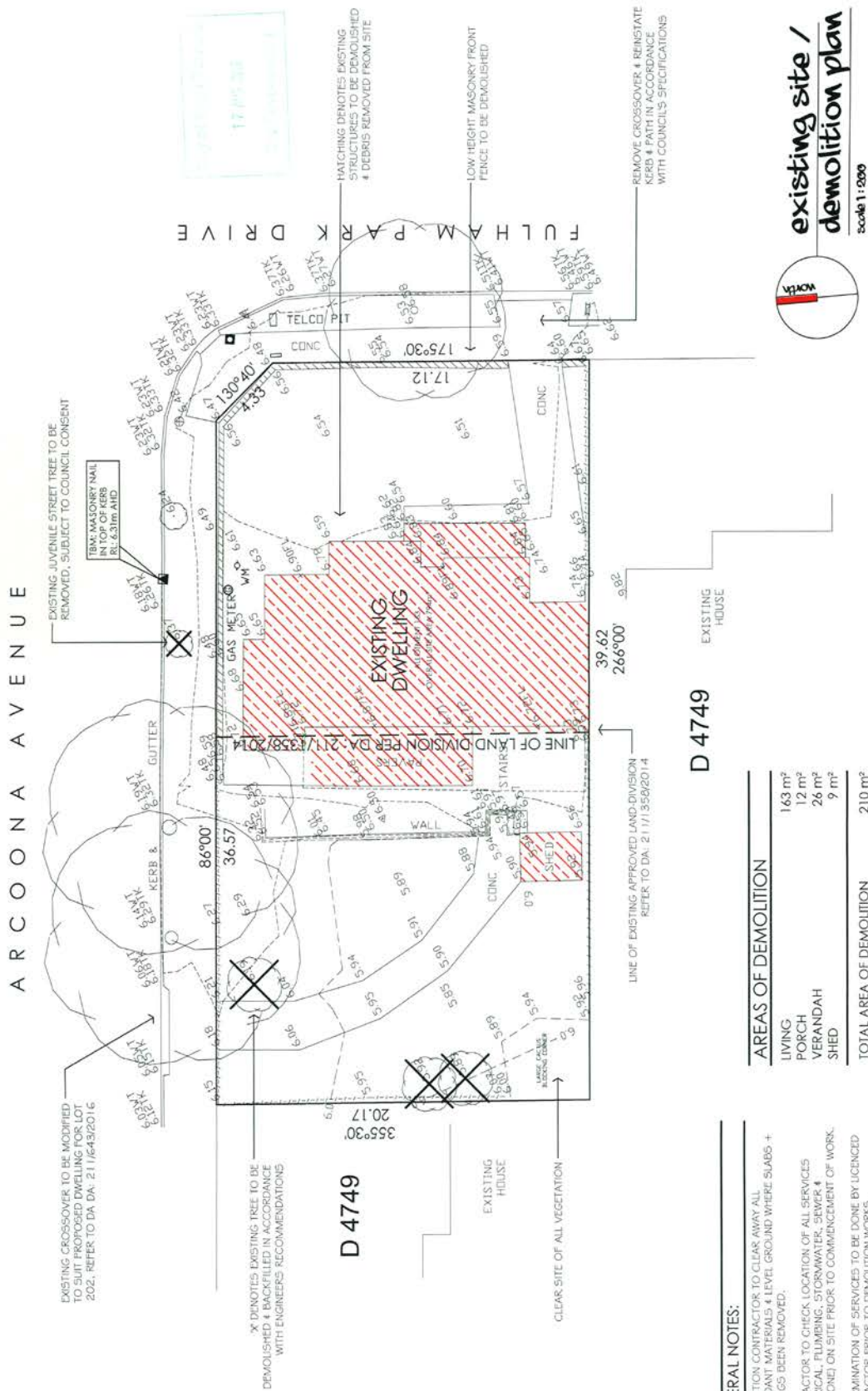
RECOMMENDATION

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/985/2016 by F & L Alois C/- Abela Design and Drafting to undertake demolition of the existing dwelling and outbuildings, construction of new two-storey dwelling with garage under main roof plus swimming pool and safety fence subject to the following conditions:

1. That the development shall be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
2. That the finished floor level shall be 6.60 in reference to the plan provided by Abela Design & Drafting (Job Number 1324-04-16 dated 12 August 2016).
3. That all stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:-
 - a) Result in the entry of water into a building; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within the building; or
 - d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
4. That any retaining walls will be designed to accepted engineering standards, and not of timber construction if retaining a difference in ground level exceeding 200mm.
5. That all driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained, and shall be maintained in reasonable condition at all times.
6. That all planting and landscaping will be completed within three (3) months of the commencement of the use of this development and be maintained in reasonable condition at all times. Any plants that become diseased or die will be replaced with a suitable species.
7. When excavations are carried out in the vicinity of the Regulated and Significant trees on Arcoona Avenue:
 - a) The Contractor shall use hand excavation to locate any tree roots; and

- b) Small roots of 50mm in diameter or less may be pruned, but pruning shall occur using a sharp pruning tool such as secateurs or a hand saw. The use of an axe to cut roots is not permitted.
 - c) Where roots are uncovered of a diameter greater than 20mm work shall stop immediately and Council's Arborist (8416 6333) shall be contacted to determine how work should proceed without causing tree damaging activity. Roots which need to be removed shall be removed before commencing machine excavation; and
 - d) Any damage to the upper portion of the trees through heat exposure, high pressure tool exposure or drift from caustic or corrosive chemicals (eg. cement/mortar dust) shall be avoided.
8. That the filter backwash water, water drained from the pool or overflow shall be disposed of via a direct and permanent connection to the sewer in accordance with AS 3500 Part 2. No wastewater from the pool shall be discharged to the street.
9. That for reasons of safety and amenity, all access to the swimming pool shall comply with Australian Standard AS1926.1-2007 Fencing for Swimming Pools, AS1926.2-1995 Swimming Pool Safety – Location of Fencing for Private Swimming Pools and the Building Code of Australia.
10. That the upper level east, west and south facing windows of the dwelling will be provided with fixed obscure glass to a minimum height of 1.7 metres above the upper floor level to minimise the potential for overlooking of adjoining properties, prior to occupation of the building. The glazing in these windows will be maintained in reasonable condition at all times.
11. Council requires one business day's notice of the following stages of building work:
- Commencement of building work on site; and
 - Commencement of placement of any structural concrete; and
 - Completion of wall and roof framing prior to the installation of linings; and
 - Completion of building work.

ATTACHMENT 1



GENERAL NOTES:

DEMOLITION CONTRACTOR TO CLEAR AWAY ALL
REDUNDANT MATERIALS & LEVEL GROUND WHERE SLABS +
FOOTINGS BEEN REMOVED.

CONTRACTOR TO CHECK LOCATION OF ALL SERVICES
(ELECTRICAL, PLUMBING, STORMWATER, SEWER &
TELEPHONE) ON SITE PRIOR TO COMMENCEMENT OF WORK.

ALL TERMINATION OF SERVICES TO BE DONE BY LICENCED
CONTRACTOR PRIOR TO DEMOLITION WORKS.

AREAS OF DEMOLITION	
LIVING	163 m ²
PORCH	12 m ²
VERANDAH	26 m ²
SHED	9 m ²
TOTAL AREA OF DEMOLITION	
	210 m ²

existing site /
demolition plan

PLANNING DRAWINGS (12.08.16)
EXISTING SITE / DEMOLITION PLAN

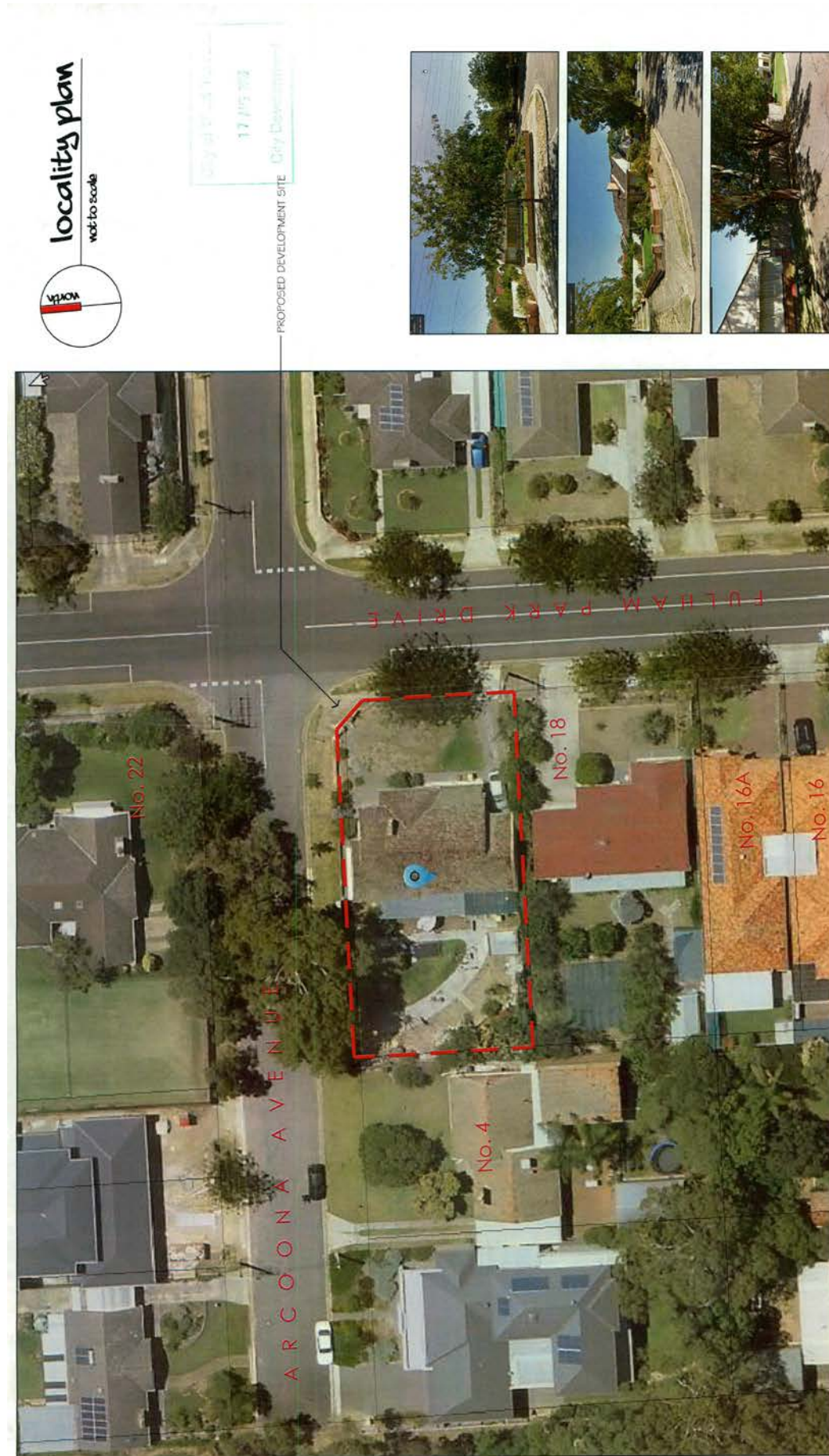
SCALE 1:200 @ A3

MR F. & MRS L. ALOI
PROPOSED TWO STOREY DETACHED RESIDENCE & SWIMMING POOL
LOT 201 FULHAM PARK DRIVE, LOCKEYS S.A.

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Project No. 1324 - 04 - 16



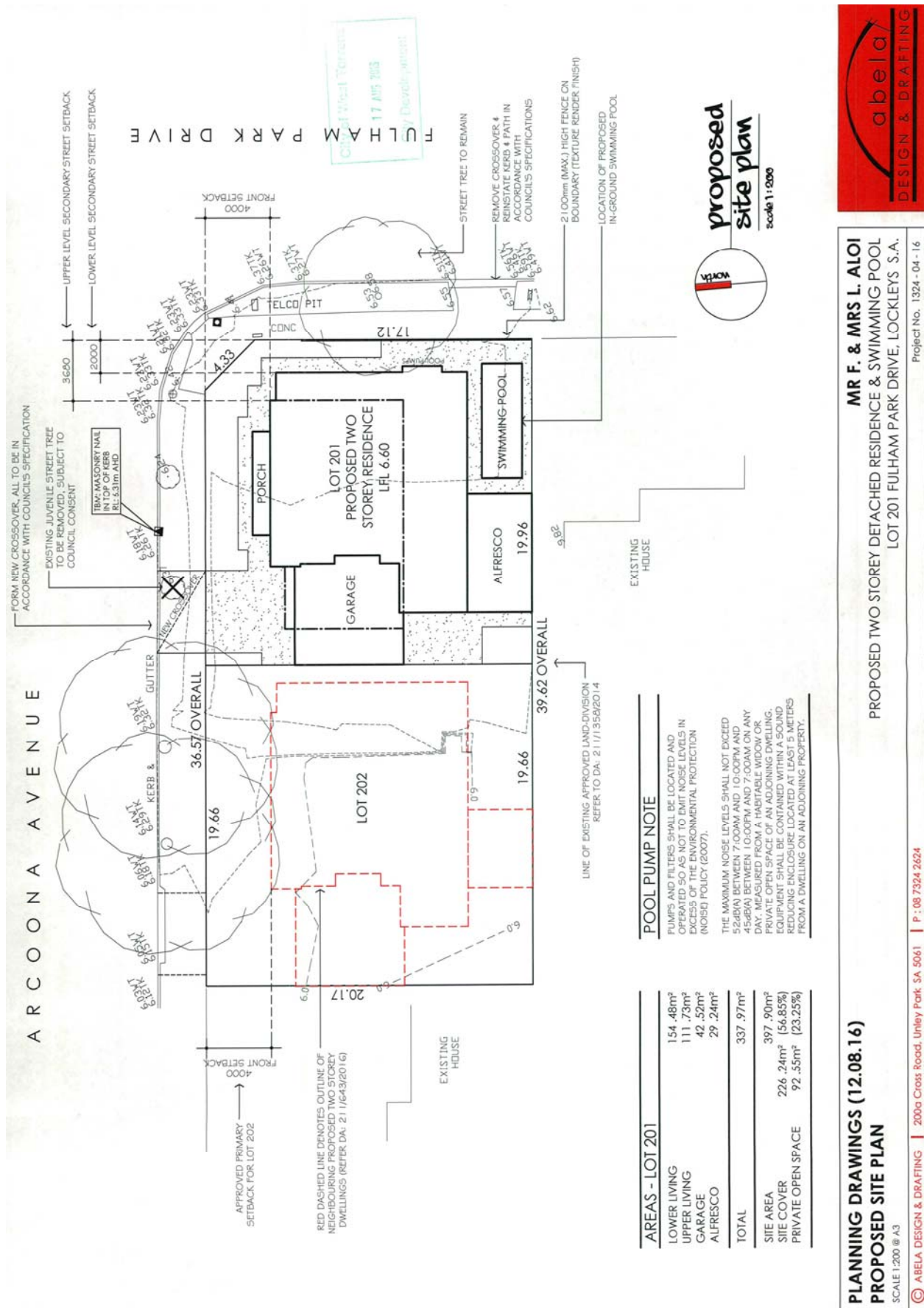


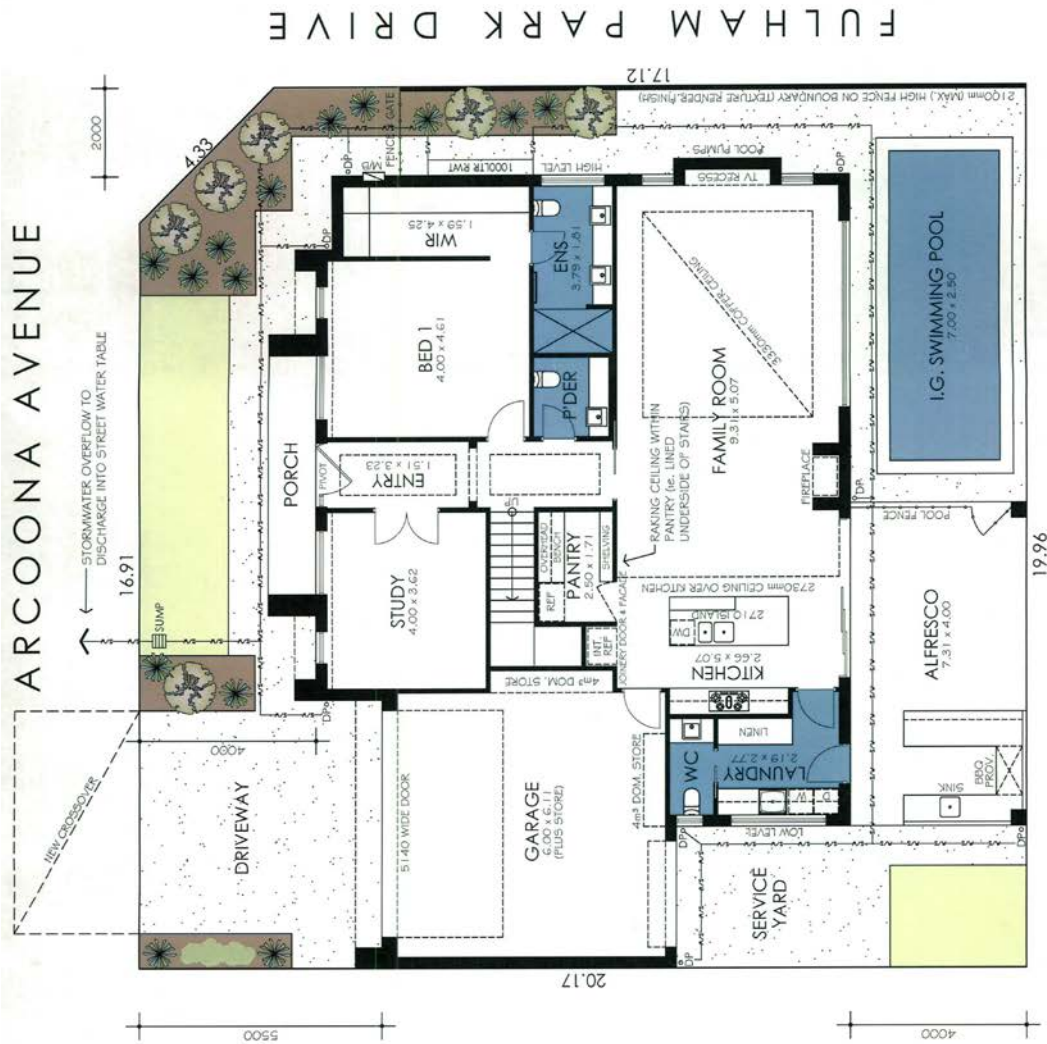
MR F. & MRS L. ALOI
PROPOSED TWO STOREY DETACHED RESIDENCE & SWIMMING POOL
LOT 201 FULHAM PARK DRIVE, LOCKLEYS S.A.

PLANNING DRAWINGS (12.08.16)
LOCALITY PLAN
NOT TO SCALE

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Project No. 1324 - 04 - 16





lower floor level
Scale 1:100

LANDSCAPING SCHEDULE

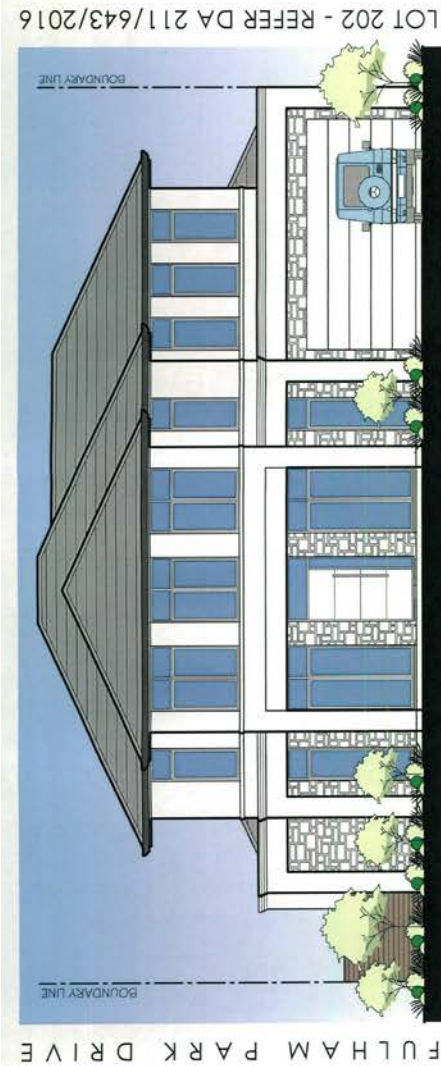
SPECIES	SYMBOL	SPECIES
TREES & SHRUBS		GRASSES & GROUND COVERS
1. Pinus		1. Labelea Trailing
2. Manichurian Pear		2. Ficus Pinnata
3. Weeping Mulberry		3. Ficus Pinnata
PLANTS & SHRUBS		4. Ficus Pinnata
1. Murrayas		4. Ficus Pinnata
2. Nandina		5. Dianella Twirl
3. Convolvulus		6. Dianella Twirl
4. Dieffenbachia		7. Lomandra Longifolia
		8. Lomandra Longifolia

ALL LANDSCAPING MUST BE UNDERTAKEN BY DEVELOPER PRIOR TO SALE OF DWELLINGS. LANDSCAPED AREAS TO BE SERVICED BY POLYPIPE SPRAYERS & DRIPPERS.

STORMWATER LEGEND:

- 90mm Ø u.P.V.C. STORMWATER DRAIN MINIMUM FALL 1:100
- 75mm Ø u.P.V.C. DOWNPIPE
- 75mm Ø u.P.V.C. SPREADER DOWNPIPE
- 300 x 300 JUNCTION BOX WITHIN PROPERTY BOY AS SHOWN, WITH SILT TRAP, 200mm DEEP BASE BELOW INVERT OF PIPE.
- DISCHARGE 50m² (MINIMUM) OF ROOF AREA TO 1000 LITRE ABOVE GROUND RAINWATER TANK PLUMBED TO WATER CLOSET IN ACCORDANCE WITH COUNCIL'S SPECIFICATIONS. DISCHARGE OVERFLOW TO STREET WATER TABLE.





LOT 202 - REFER DA 211/643/2016

SCHEDULE OF COLOURS & MATERIALS	
FLOORS:	
LOWER - CONCRETE RAFT FOOTING SYSTEM ON GROUND	
UPPER - TIMBER FLOOR FRAME WITH HEBEL SOUND FLOOR	
WALLS:	
LOWER - BRICK VENEER WALL CONSTRUCTION	
COMPRISING OF TIMBER STUD FRAME, CAVITY &	
BRICKWORK, TEXTURE RENDER FINISH TO ALL ELEVATIONS	
(COLOUR: EVENING HAZE)	
UPPER - RENDER PANEL VENEER WALL CONSTRUCTION	
COMPRISING OF TIMBER STUD FRAME, CAVITY & RENDER	
PANEL, TEXTURE RENDER FINISH TO ALL ELEVATIONS	
(COLOUR: EVENING HAZE)	
FEATURE SANDSTONE VENEER TO FRONT ELEVATION AS	
SHOWN	
CEDAR SOFFIT LINING TO PORCH SOFFIT.	
ROOF:	
TIMBER TRUSS ROOF FRAME AT 25° PITCH & 600mm WIDE	
EAVES OVERHANG TO UPPER LEVEL ROOF ONLY CLAD	
WITH CONCRETE SHINGLE STYLE ROOF TILES (COLOUR:	
CHARCOAL).	
COLORBOND MOSMAN GUTTERS & FASCIAS (COLOUR:	
MONUMENT)	
WINDOWS & DOORS:	
TIMBER WINDOW FRAMES TO ALL ELEVATIONS, (COLOUR:	
WHITE)	
UPPER LEVEL SIDE & REAR FACING WINDOWS SHALL HAVE	
OPACIFIED GLAZING TO 1700mm ABOVE FLOOR LEVEL -	
FIXED OR 120mm AWNING OPENING.	
PLEASE NOTE: ALL COLOURS & MATERIALS ARE TO BE	
CONSIDERED INDICATIVE ONLY & SHALL BE CONFIRMED	
BY OWNER PRIOR TO CONSTRUCTION.	



fulham park drive elevation - east

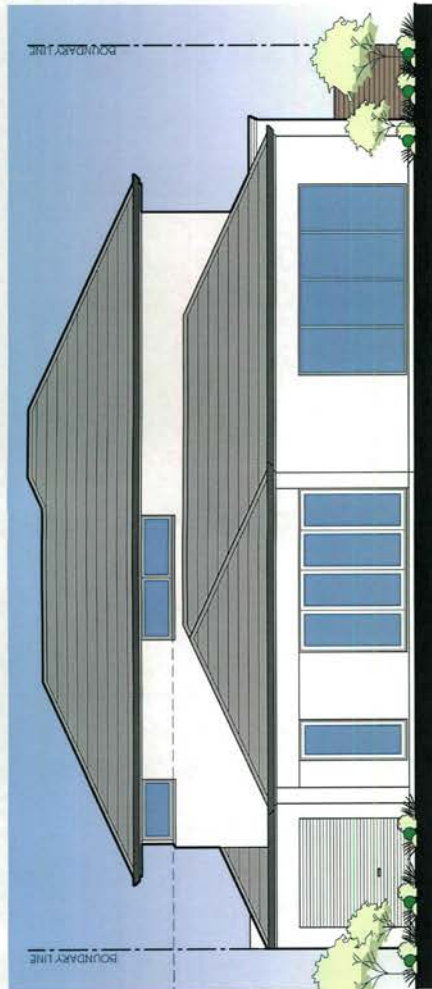
DOT HATCHING DENOTES EXTENT OF 2100mm HIGH
(MAX) BOUNDARY FENCE WITH ACRYLIC TEXTURE
RENDER FINISH (COLOUR: EVENING HAZE)

PLANNING DRAWINGS (12.08.16)
ELEVATIONS - NORTH & EAST
SCALE 1:100 @ A3

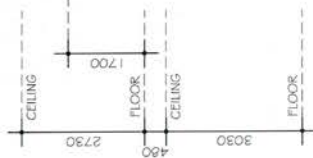
MR F. & MRS L. ALOI
PROPOSED TWO STOREY DETACHED RESIDENCE & SWIMMING POOL
LOT 201 FULHAM PARK DRIVE, LOCKLEYS S.A.
Project No. 1324 - 04 - 16



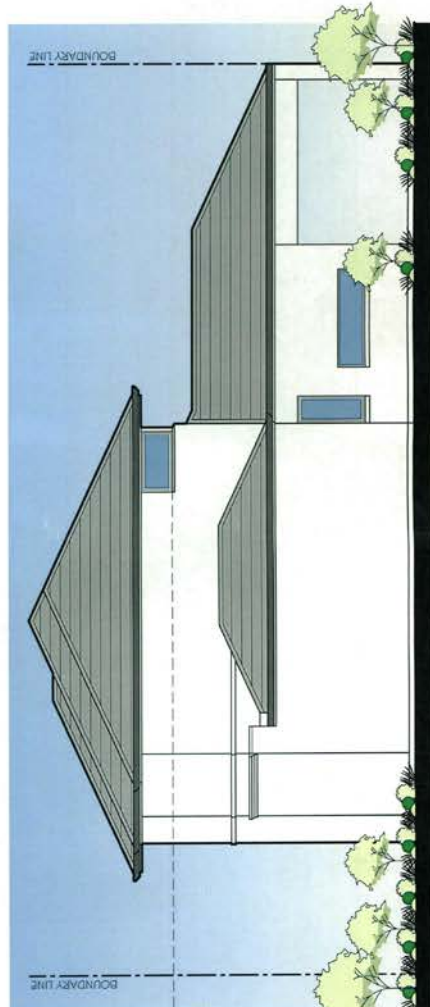
FULHAM PARK DRIVE



LOT 202 - REFER DA 211/643/2016



rear elevation - south



ARCONA AVENUE



side elevation - west

City of Adelaide
17 JUL 2012
City Development



MR F. & MRS L. ALOI
PROPOSED TWO STOREY DETACHED RESIDENCE & SWIMMING POOL
LOT 201 FULHAM PARK DRIVE, LOCKLEYS S.A.

Project No. 1324 - 04 - 16

PLANNING DRAWINGS (12.08.16)
ELEVATIONS - SOUTH & WEST

SCALE 1:100 @ A3

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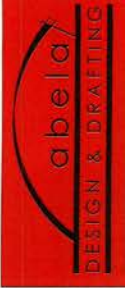


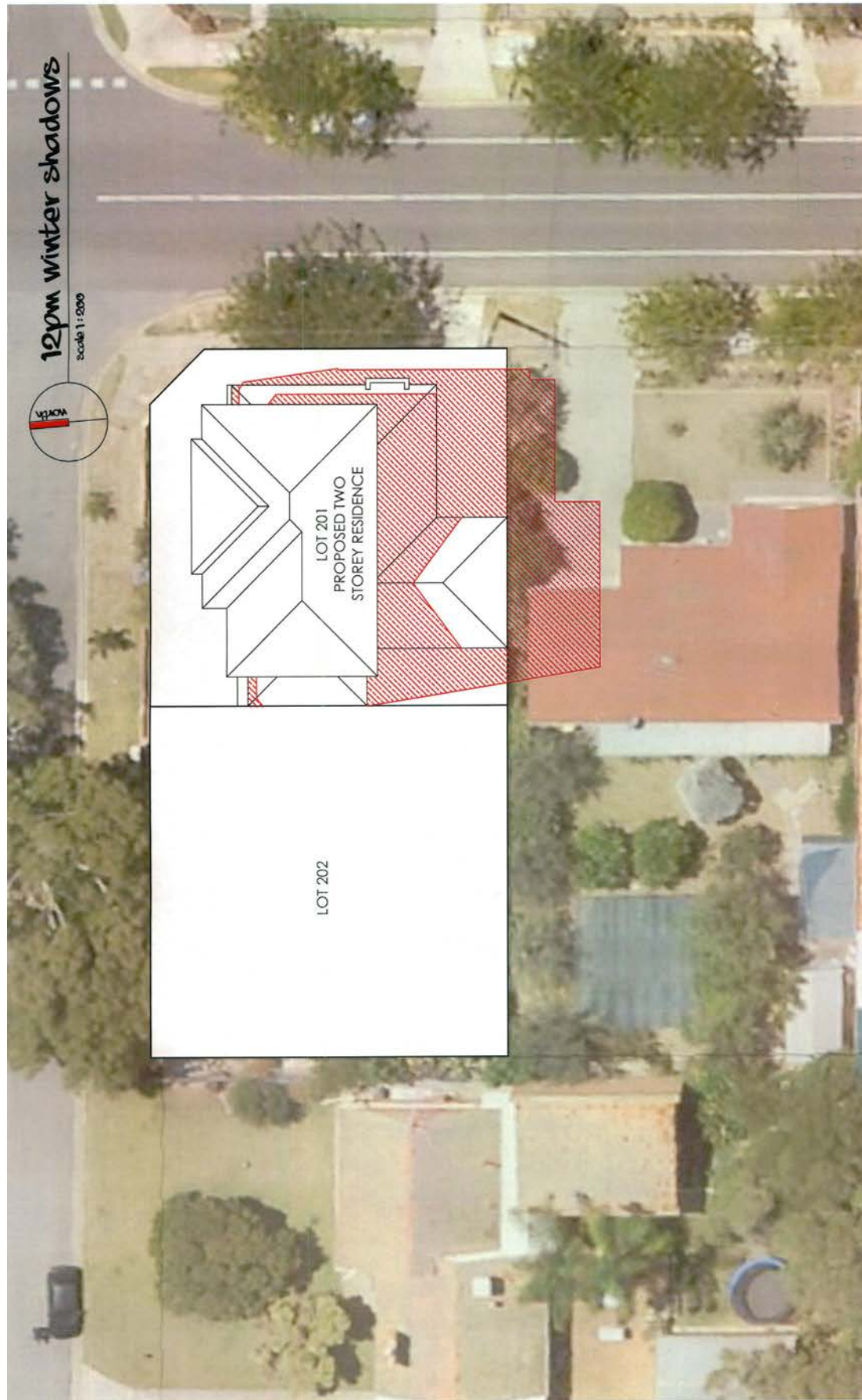
MR F. & MRS L. ALOI
PROPOSED TWO STOREY DETACHED RESIDENCE & SWIMMING POOL
LOT 201 FULHAM PARK DRIVE, LOCKLEYS S.A.

PLANNING DRAWINGS (12.08.16)
WINTER SHADOW - 9am 21st JUNE
SCALE 1:200 @ A3

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Project No. 1324 - 04 - 16





MR F. & MRS L. ALOI
PROPOSED TWO STOREY DETACHED RESIDENCE & SWIMMING POOL
LOT 201 FULHAM PARK DRIVE, LOCKLEYS S.A.

Project No. 1324 - 04 - 16

PLANNING DRAWINGS (12.08.16)
WINTER SHADOW - 12pm 21st JUNE

SCALE 1:200 @ A3

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MR F. & MRS L. ALOI
PROPOSED TWO STOREY DETACHED RESIDENCE & SWIMMING POOL
LOT 201 FULHAM PARK DRIVE, LOCKLEYS S.A.

Project No. 1324 - 04 - 16

PLANNING DRAWINGS (12.08.16)
WINTER SHADOW - 3pm 21st JUNE

SCALE 1:200 @ A3

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6.6 6 Williams Avenue, PLYMPTON

Application No. 211/157/2016

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Construction of a residential flat building containing 2 dwellings with rear garages under main roof
APPLICANT	D'ANDREA & ASSOCIATES
APPLICATION NO	211/157/2016
LODGEMENT DATE	18-Feb-2016
ZONE	Residential
PRECINCT	NA
POLICY AREA	Medium Density Policy Area 18
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 2
REFERRALS	Internal <ul style="list-style-type: none">City Assets External <ul style="list-style-type: none">Nil
DEVELOPMENT PLAN VERSION	5 November 2015
MEETING DATE	11 October 2016
RECOMMENDATION	CONSENT

BACKGROUND

The development proposal is presented to the Development Assessment Panel (DAP) for the following reasons:

- With regard to residential development and land division applications, where at least one proposed allotment and/or site does not meet the minimum frontage widths and site areas designated in respective zones and policy areas within the West Torrens Council Development Plan, the application shall be assessed and determined by the DAP

PREVIOUS or RELATED APPLICATION(S)

Nil

SITE AND LOCALITY

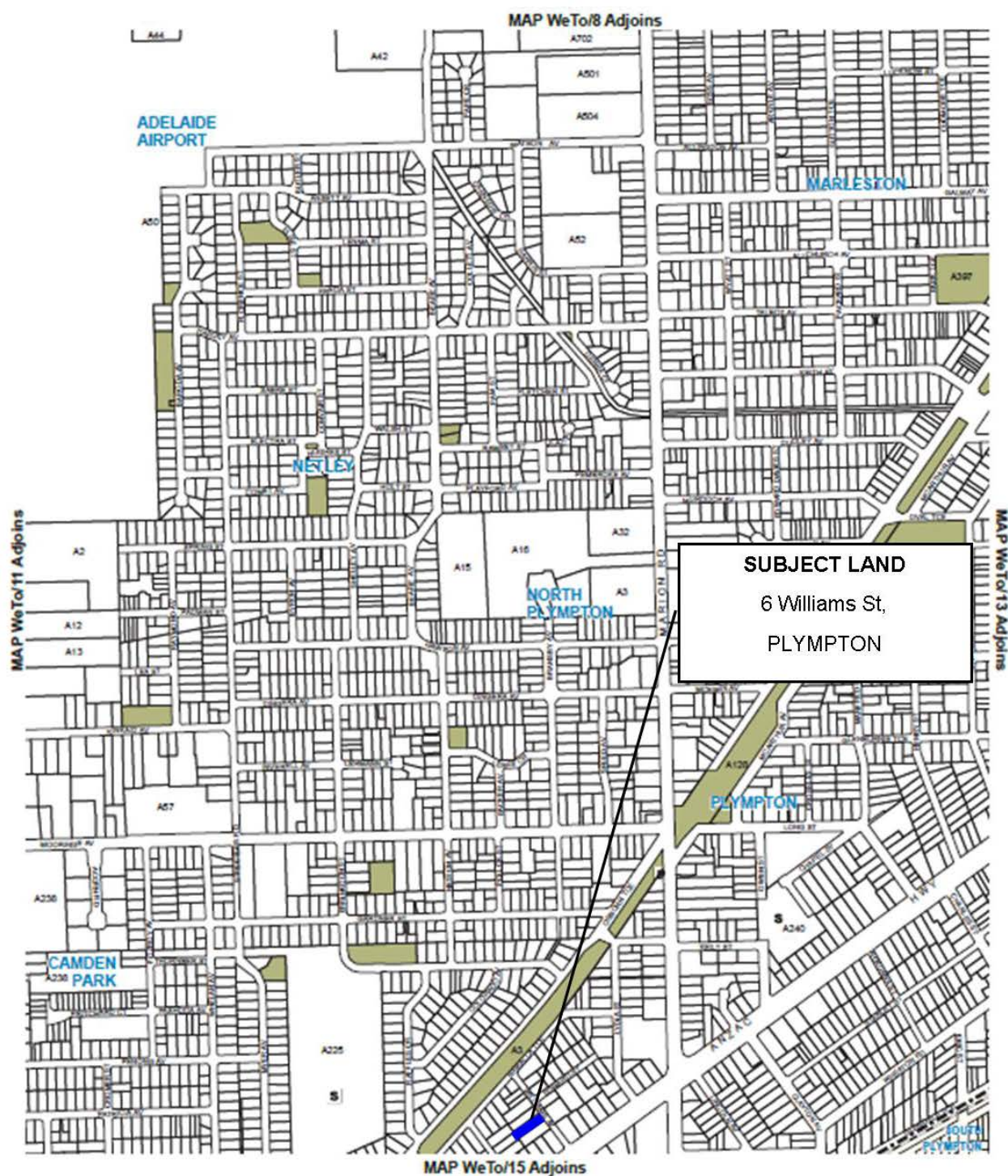
The subject site is located on the western side of Williams Street and has a frontage of 11.34m metres and a depth of 25.55m metres, with an irregular shape, for a site area of 316m². Two dwellings are located to the rear of the subject site at 6A & 6B. The locality has a variety of built forms and allotment sizes including single and two storey dwellings and residential flat buildings. To the south are a variety of residential land uses fronting Anzac Highway and contained within the Urban Corridor Zone. The subject site is shown in Figure 1 & 2 and the locality maps.

Figure 1 Subject Site



Figure 2 Subject Site and common driveway





- School
- Post Office
- Railways
- Local Reserves
- Development Plan Boundary

Location Map WeTo/12

WEST TORRENS COUNCIL
Consolidated - 5 May 2016



PROPOSAL

The proposed development is for the construction of a two-storey residential flat building (2 dwellings) with associated landscaping and garaging to the rear under the main roof.

The existing single-storey detached dwelling on the site (6 Williams Street) will be demolished and the existing driveway (common property) that provides access to the two dwellings at 6A & 6B will provide access to the proposed double-garages associated with each dwelling in the Residential Flat Building.

The proposed dwellings will incorporate three bedrooms located on the upper level, with a ground floor living area that connects to an undercover alfresco area and open area of private open space. Landscaping is proposed to the front of each dwelling and within the shared driveway.

Two undercover car parks are provided for each dwelling in the rear garage and one visitor car park is proposed at the front of Dwelling 2 and accessed via Williams Street. See **Attachment 1** for a copy of the submitted plans.

PUBLIC NOTIFICATION

The application is a Category 2 form of development pursuant to Section 38 and Schedule 9 of the Development Act and Regulations and Residential Zone, Procedural Matters.

Properties notified:	19 properties were notified during the public notification process.
Representations:	No representations were received.

REFERRALS

Internal

City Assets Department

Concerns were raised regarding the following matters;

FFL Consideration – Finished Floor Level (FFL) Requirement

- Based on the survey information provided on 'Site Ground/Floor Plan', (D'Andrea & Associates drawing received 14/02/16), a minimum FFL of 100.25 would be required. It is recommended that revised plans indicating the required minimum FFL be provided to Council.

Residential Parking Requirement

- It is understood that for group dwellings it is recommended that there should be a provision of on-site visitor car parking spaces at a rate of 0.25 spaces per dwelling. As there are 2 proposed dwellings there would be the expectation of one on site visitor car park. The current proposal does not allow for this. It is considered critical that this extra car park be provided due to the loss of off-street car parking as a result of the three proposed crossovers. It is recommended that revised plans showing the provision of this additional visitor parking space be provided to Council.

Traffic Comments

- 3.1 Traffic manoeuvrability has been assessed as acceptable in accordance with the site layout shown in 'Site Ground/Floor Plan', (D'Andrea & Associates drawing received 14/02/16). However, it should be noted that the assessment is based on vehicles using common driveway as indicated on the plans. It is recommended that right of access of using the common driveway needs to be checked.

The original plan of community division (211/C063/06) has been reviewed and it has been confirmed that the existing driveway was nominated as common property.

The plans currently before the DAP have been amended to satisfy the above requirements or alternatively conditions of consent are recommended.

External

Nil

ASSESSMENT

The subject land is located within the Residential Zone and more particularly Medium Density Policy Area 18, as described in the West Torrens Council Development Plan.

The main provisions of the Development Plan which relate to the proposed development are as follows:

<u>General Section</u>		
<i>Design and Appearance</i>	<i>Objectives</i>	2
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 & 20
<i>Energy Efficiency</i>	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2, 3 & 4
<i>Landscaping, Fences and Walls</i>	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5 & 6
<i>Orderly and Sustainable Development</i>	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7 & 8
<i>Residential Development</i>	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55 & 56
<i>Transportation and Access</i>	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40 & 41

Zone: Residential Zone

Desired Character Statement (extract);

This zone will contain predominantly residential development. There may also be some small-scale non-residential activities such as offices, shops, consulting rooms and educational establishments in certain locations. Non-residential activities will be complementary to surrounding dwellings.

Allotments will be at very low, low and medium densities to provide a diversity of housing options in different parts of the zone. The range of allotment sizes will support the desired dwelling types anticipated in each policy area, and the minimum allotment sizes shall be treated as such in order to achieve the Desired Character for each policy area and, in turn, reinforce distinction between policy areas. Row dwellings and residential flat buildings will be common near centres and in policy areas where the desired density is higher, in contrast to the predominance of detached dwellings in policy areas where the distinct established character is identified for protection and enhancement. There will also be potential for semi-detached dwellings and group dwellings in other policy areas.

Landscaping will be provided throughout the zone to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer.

Objectives

1. A residential zone comprising a range of dwelling types, including a minimum of 15 per cent affordable housing.
2. Dwellings of various types at very low, low and medium densities.
3. Increased dwelling densities in close proximity to centres, public transport routes and public open spaces.
4. Development that contributes to the desired character of the zone.

Principles of Development Control

1. *The following forms of development are envisaged in the zone:*
 - affordable housing
 - domestic outbuilding in association with a dwelling
 - dwelling
 - dwelling addition
 - small scale non-residential use that serves the local community, for example:
 - child care facility
 - health and welfare service
 - open space
 - primary and secondary school
 - recreation area
 - shop measuring 250 square metres or less in gross leasable floor area
 - supported accommodation.
5. Development should not be undertaken unless it is consistent with the desired character for the zone and policy area.

<p><i>Principles of Development Control</i></p>	<p>7. Dwellings should be set back from allotment or site boundaries to:</p> <ul style="list-style-type: none"> (a) contribute to the desired character of the relevant policy area (b) provide adequate visual privacy by separating habitable rooms from pedestrian and vehicle movement. <p>10. Dwelling setbacks from side and rear boundaries should be progressively increased as the height of the building, (with the total wall height of the building being measured from the existing ground level at the boundary of the adjacent property as shown by Figure 1), increases to:</p> <ul style="list-style-type: none"> (a) minimise the visual impact of buildings from adjoining properties (b) minimise the overshadowing of adjoining properties. <p>12. Side boundary walls in residential areas should be limited in length and height to:</p> <ul style="list-style-type: none"> (a) minimise their visual impact on adjoining properties (b) minimise the overshadowing of adjoining properties. <p>13. Except where otherwise specified by a policy area, side boundary walls comply with the following:</p> <ul style="list-style-type: none"> (a) side boundary walls should be located immediately abutting the wall of an existing or simultaneously constructed building on the adjoining site and constructed to the same or to a lesser length and height (b) side boundary walls: <ul style="list-style-type: none"> (i) should have a maximum vertical wall height of 3 metres (ii) should have a maximum length of 8 metres (iii) should be constructed along one side of the allotment only and no further than 14 metres from the front boundary (c) where there is an existing adjacent boundary wall which is setback greater than 1 metre from the front setback standard established for the rest of the street, side boundary walls should be located not more than 1 metre closer to the primary street frontage.
---	--

Policy Area: Medium Density 18	
<p><i>DESIRED CHARACTER (extract)</i></p> <p><i>Allotments in this policy area will be at medium density, accommodating a range of dwelling types including semi-detached, row and group dwellings, as well as some residential flat buildings and some detached dwellings on small allotments. There will be a denser allotment pattern close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones.</i></p>	
Objectives	<p>1. The following forms of development are envisaged in the policy area:</p> <ul style="list-style-type: none"> ▪ affordable housing ▪ detached dwelling ▪ domestic outbuilding in association with a dwelling ▪ domestic structure ▪ dwelling addition ▪ group dwelling ▪ residential flat building ▪ row dwelling ▪ semi-detached dwelling ▪ small scale non-residential use that serves the local community, for example: <ul style="list-style-type: none"> - child care facility - open space - recreation area - shop, office or consulting room ▪ supported accommodation.
Principles of Development Control	<p>1. Development should not be undertaken unless it is consistent with the desired character for the policy area.</p> <p>4. Medium density development that achieves gross densities of between 23 and 45 dwellings per hectare (which translates to net densities of between 40 and 67 dwellings per hectare, where net density can be calculated by dividing 10000 by the site area and multiplying that number by the number of proposed dwellings for the site) should be in the form of 2 to 4 storey buildings.</p>

QUANTITATIVE ASSESSMENT

The proposal is assessed for consistency with the prescriptive requirements of the Development Plan as outlined in the table below.

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SITE AREA PDC 6 Medium Density Policy Area	150m ² (Residential Flat Building)	316m ² / 2 158m ² average Satisfies
SITE FRONTAGE PDC 6 Medium Density Policy Area	15 m (Residential Flat Building)	11.34m (excluding common driveway) Does Not Satisfy
SITE COVERAGE PDC 5 Medium Density Policy Area	70%	Satisfies
STREET SETBACK PDC 5 Medium Density Policy Area	3 metres (Williams Street)	3m Satisfies
SIDE/REAR SETBACKS PDC 11 Residential Zone PDC 5 Medium Density Policy Area	Side 1.0 m ground level (up to 3m wall height) 2.0m upper level (up to 6m wall height) Rear 4m	Dwelling 1 0.8m (southern ground level common property boundary) 0.8m (southern upper level common property boundary) Not Satisfied Dwelling 2 1.0m (northern ground level boundary) 1.0m (northern upper level boundary) Partly Satisfies 3.4m (garages) Not Satisfied
PRIVATE OPEN SPACE Council Wide PDC 19 Council Wide PDC 20	24 m ² Minimum dimension of 3 metres	24m ² Satisfies

CARPARKING SPACES Council Wide PDC 34 (Transportation & Access) Table WeTo/2	2 car-parking spaces required per dwelling (1 covered) and 0.25 additional spaces per dwelling 5 spaces	5 spaces Satisfies
BUILDING HEIGHT PDC 5 Medium Density Policy Area	8.5m maximum	Satisfies

QUALITATIVE ASSESSMENT

In assessing the merits or otherwise of the application, the proposed development generally satisfies the relevant Development Plan provisions with the following comments provided:

Siting

The proposed development is consistent with front setbacks identified in the Development Plan. Side boundaries (other than the northern property boundary) setbacks are to common land shared within the community division as the subject land is Lot 3 in Primary Community Plan 23935.

When the common driveway is excluded from the site frontage the Residential Flat Building will not meet the minimum 15m site frontage requirements; however this is not considered a critical shortfall.

Bulk and Scale

The building design has attempted to break up wall areas fronting Williams Street through the use of different materials, finishes and articulation. It is noted that the subject site could have been developed for a 3 storey building up to a height of 12.5 metres. The height of the proposed development is lower than the Development Plan allows and overall it is considered that the bulk and scale of the proposed building is consistent with existing built form in this locality and is reasonable.

Overlooking and Overshadowing

The proposed development includes window sill heights of 1.7 metres on the upper level elevations to address the potential for overlooking,

The Development Plan calls for north-facing windows to habitable rooms of existing dwelling(s) on adjacent allotments, to receive at least 3 hours of direct sunlight over a portion of their surface between 9.00 am and 5.00 pm on the 21 June. With an east/west orientation the major impact of overshadowing of the proposed development will be the two dwellings to the west that form part of the community land division. However the north facing windows and/or open space will not be impacted by shadows cast by the proposed development.

Visual Impact on Neighbouring Developments & Streetscape

The proposed development is oriented towards its primary frontage of Williams Street. There are examples of higher density development in this locality, particularly at the Anzac Highway/Williams Street interface and sites fronting Anzac Highway.

The proposed development will complement the existing built form in this locality and the likely built form that will continue to emerge in time with the medium density provisions that are relevant to this location.

Figure 3: Development to the east of the subject site



SUMMARY

The proposed development is considered an appropriate land use in this locality and given the proximity to public transport, medium density development on this site is considered desirable.

The application underwent Category 2 notification with no representations being received.

The proposed development will meet the minimum site area average for a Residential Flat Building; however when the common property/driveway is excluded from the frontage the Residential Flat Building will not meet the minimum site frontage requirements.

The proposed development will meet minimum open space and car parking requirements. The Development Plan requires that private open space should not include bin storage or service areas and the application has not nominated an area for bin storage or the location of rainwater tanks. Accordingly it is recommend that a condition is included that rainwater tanks are not to be located in the area of private open space.

Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is not considered to be seriously at variance with the Development Plan.

On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens (City) Development Plan Consolidated 05 May 2016 and does warrant the granting of Development Plan Consent.

RECOMMENDATION

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/157/2016 by D'Andrea & Associates for the construction of a residential flat building containing 2 dwellings with rear garages under main roof at 6 Williams Avenue Plympton (CT 5983/727) subject to the following conditions:

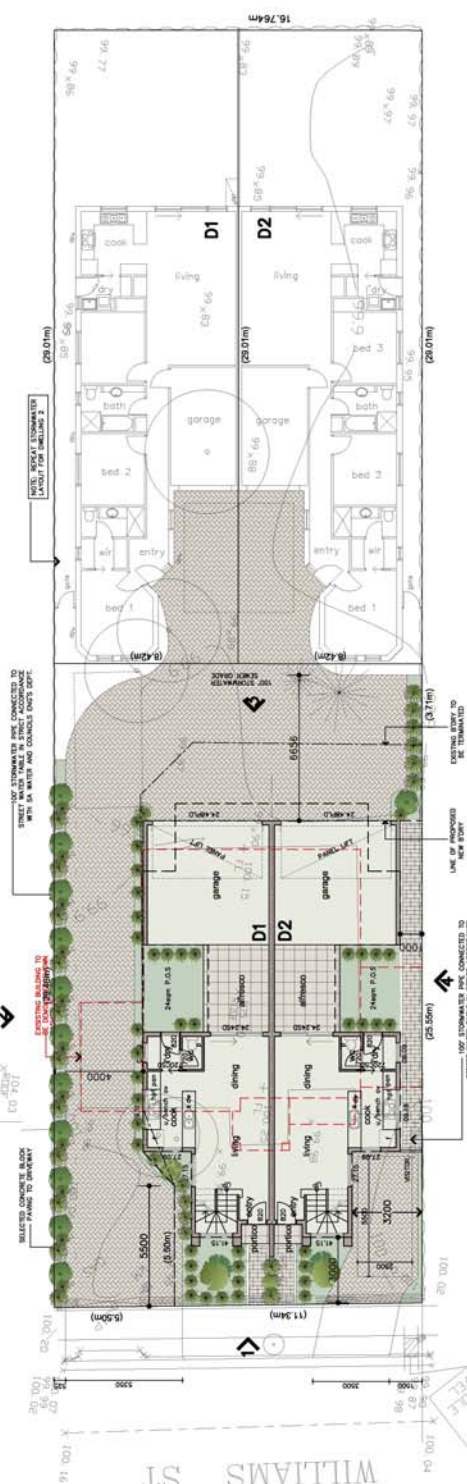
Conditions

1. The development must be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
2. The construction of a drainage system and the position and manner of discharge of a stormwater drain must not at any time:-
 - a) Result in the entry of water into a building; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within the building; or
 - d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
3. All driveways, parking and manoeuvring areas must be formed, surfaced with concrete, bitumen or paving, and be properly drained. They must be maintained to the reasonable satisfaction of Council thereafter.
4. All planting and landscaping must be completed within 3 months of the commencement of the use of this development and must be maintained to the reasonable satisfaction of Council. Any plants that become diseased or die must be replaced with suitable species.
5. The upper level windows of the dwelling must be provided with privacy screens to a minimum height of 1.7 metres above the upper floor level to minimise the potential for overlooking of adjoining properties, prior to occupation of the building. The privacy screens are to be maintained at all times to the reasonable satisfaction of Council.
6. Required rainwater tanks are not to be located in the area of private open space for Dwelling 1 or Dwelling 2.
7. Council requires one business day's notice of the following stages of building work:
 - Commencement of building work on site;
 - Commencement of placement of any structural concrete;
 - Completion of wall and roof framing prior to the installation of linings;
 - Completion of building work.

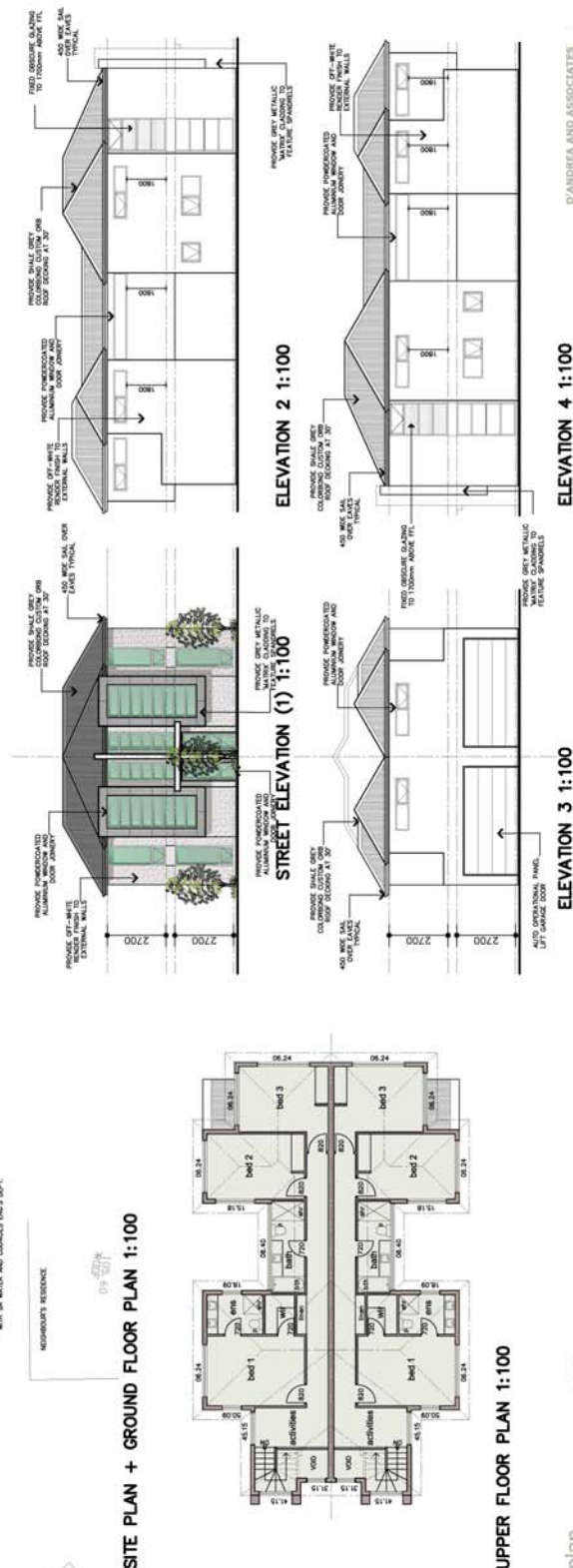
6 Williams Avenue, Plympton

sheet 01 of 01

Preliminary -
Additional Information REV A 18-05-16



SITE PLAN + GROUND FLOOR PLAN 1:100



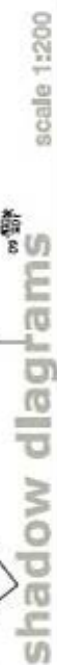
UPPER FLOOR PLAN 1:100

site ground/floor plan

proposed dwelling at: No. 6 Williams Ave, Plympton

D'ANDREA AND ASSOCIATES
ARCHITECTS
BUILDINGS DESIGN INC.

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winter solstice June 21st at 9:00am,
12:00 noon & 3:00pm

**PROPOSED: TWO, TWO STOREY
RESIDENCES
AT: No. 6a WILLIAMS AVE.,
PLYMPTON
FOR: MR. M. ALI**

[illegible]

AMENDMENTS:	REVISION	COMMENTS
<p>ARCHITECTURAL DRAWINGS TO BE READ IN CONJUNCTION WITH PLANNING APPLICATION</p> <p>PLANNING APPLICATION</p> <p>and other application</p> <p>PROJECT:</p> <p>DATE:</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>REVISION</p> <p>COMMENTS</p>

6.7 37 Ansett Avenue, NETLEY

Application No. 211/1323/2015

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Combined Application - Construction of a single storey group dwelling and associated garage and verandah and retention of the existing dwelling at the front of the site; and Land Division - Torrens Title; DAC No. 211/D078/16 (Unique ID 54493); Create one (1) additional allotment
APPLICANT	Dwayne Scales
APPLICATION NO	211/1323/2015
LODGEMENT DATE	09 November 2015
ZONE	Residential
PRECINCT	NA
POLICY AREA	20
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none">City Assets External Development Assessment Commission & SA Water
DEVELOPMENT PLAN VERSION	5 November 2015
MEETING DATE	11 October 2016
RECOMMENDATION	CONSENT

BACKGROUND

The development proposal is presented to the Development Assessment Panel (DAP) for the following reasons:

- With regard to residential development and land division applications, where at least one proposed allotment and or site does not meet the minimum frontage widths and site areas designated in respective zones and policy areas within the West Torrens Council Development Plan, the application shall be assessed and determined by the DAP.

RELATED APPLICATIONS

Nil

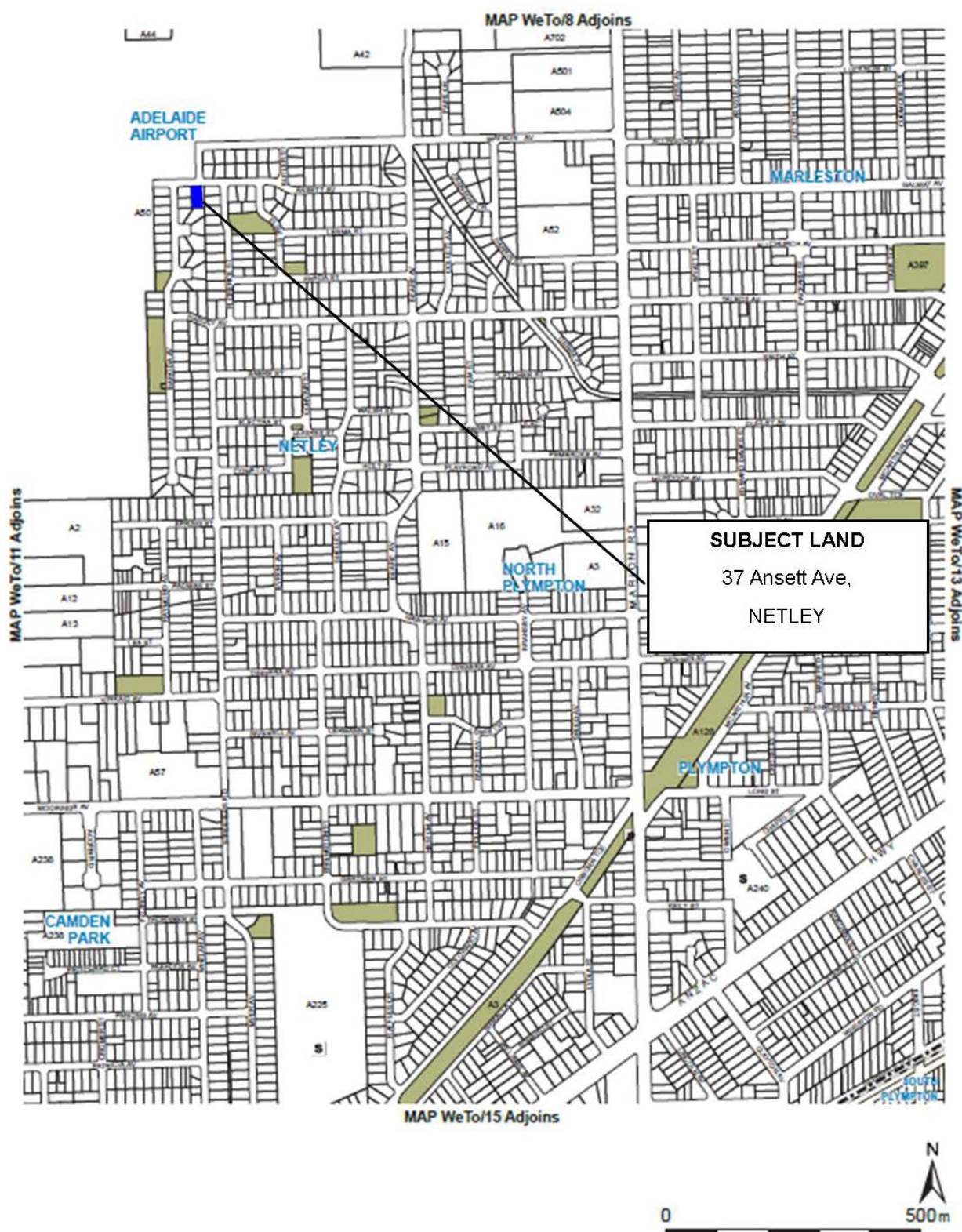
SITE AND LOCALITY

The subject site is rectangular in shape and is located on the southern side of Ansett Avenue Netley. It has a frontage width of 24.38 metres to Ansett Avenue and a depth of 42.67 metres with a site area of approximately 1040m².

The site is currently occupied by a single storey detached dwelling, ancillary outbuildings and established vegetation. A colour bond fence is constructed on the primary street frontage and vehicle access to the site is currently provided by way of a single width crossover.

The immediate locality predominantly comprises single and two-storey detached dwellings with pitched roofs which are generally constructed of brick and/or render and provided with wide, open frontages. The Florence Street Reserve is approximately 60 metres (by road) from the subject site and a reserve and the linear park is located immediately to the north. The Adelaide Airport is located at the end of Ansett Avenue to the west of the subject site.

The site and locality are shown on the following maps and site photos:



Location Map WeTo/12

- S School
- P Post Office
- Railways
- Local Reserves
- Development Plan Boundary



Figure 1: Subject Site & locality



Figure 2: Subject Site



PROPOSAL

It is proposed to construct a single storey group dwelling with garage under main roof; and to undertake a concurrent land division to create one additional lot.

The proposed dwelling will consist of three (3) bedrooms, a family/dining/kitchen area and bathroom/laundry. Two car parking spaces will be provided within a garage contained under the main roof. The proposed dwelling will be provided with a new crossover to the east of the existing crossover which will be retained for the existing dwelling.

The proposed land division will create an allotment to the rear of the existing dwelling (hammerhead style) with a driveway/access servicing the rear dwelling only.

Proposed Allotment 100 will be 558m² with a frontage of 19.81m to Ansett Avenue. Proposed Allotment 101 will have a site area of 350m² (excluding the driveway until it reaches the rear allotment) with a frontage of 4.57m to Ansett Avenue.

The proposed development is detailed in **Attachment 1**.

PUBLIC NOTIFICATION

The application is a Category 1 form of development pursuant to Section 38 and Schedule 9 Part 1 of the Development Act and Regulations and the Residential Zone, Procedural Matters Section of the West Torrens Council Development Plan.

REFERRALS

Internal

City Assets Department

General Finished Floor Level (FFL) Consideration

- 1.1 *Council seeks to ensure that the FFL of all new development is protected from Inundation when considering a 350mm stormwater flow depth in the adjacent street watertable.*

This is typically achieved through establishing the FFL of new development a minimum of 350mm above the highest adjacent street water table.

In association with the above proposed development, no site or road verge level information has been provided and as such it is impossible to determine if the proposal will satisfy the above consideration.

Simply conditioning that a development satisfy this consideration can have its complications with regards to the ultimately required level of the development in relation to neighbouring properties and the related planning considerations this brings about. It may also bring about the necessity for alterations to the design of the development which are outside of the expectations of the applicant (for example; requiring step(s) up from existing buildings to additions).

Verge Interaction

- 2.1 *In association with new development, driveways and stormwater connections through the road verge need to be located and shaped such that they appropriately interact with and accommodate existing verge features in front of the subject and adjacent properties.*

New driveways and stormwater connections are required to be located a minimum 1.0 metre offset from other existing or proposed driveways, stormwater connections, stobie poles, street lights, side entry pits and pram ramps, etc. (as measured at the front property boundary).

These new features are also desired to be located a minimum of 2.0 metres from existing street trees, although a lesser offset may be acceptable in some circumstances. If an offset less than the desired 2.0 metres is proposed or if it is requested for the street tree to be removed, then assessment for the suitability of such will be necessary from Council's Technical Officer (Arboriculture). It is recommended that revised plans indicating satisfaction to the above requirements be provided to Council.

2.2 *It should also be nominated for the stormwater connection through the road verge area to be constructed of shape and material to satisfy Council's standard requirements*

- *100 x 50 x 2mm RHS Galvanised Steel or*
- *125 x 75 x 2mm RHS Galvanised Steel or*
- *Multiples of the above.*

Traffic Comments

3.1 *Traffic manoeuvrability has been assessed as acceptable in accordance with the site layout shown in 'Site Plan' received on 03/11/15.*

It is noted that there are no existing street trees in front of this allotment. The plans currently before the DAP have been amended to satisfy the above requirements or alternatively conditions of consent are recommended.

External

Development Assessment Commission/SA Water

- The Development Assessment Commission and SA Water have advised no objections to the proposed division subject to specific standard conditions being included on any consent issued.

ASSESSMENT

The subject land is located within the Residential Zone and more specifically within the Low Density Policy Area 20 as described in the West Torrens Council Development Plan.

The primary provisions of the Development Plan which relate to the proposed development are outlined below:

<u>General Section</u>		
<i>Design and Appearance</i>	<i>Objectives</i>	<i>1</i>
	<i>Principles of Development Control</i>	<i>1, 2, 3, 4, 9, 10, 11, 12 13, 14, 15</i>
<i>Orderly and Sustainable Development</i>	<i>Objectives</i>	<i>1, 2, 3, 4 & 5</i>
	<i>Principles of Development Control</i>	<i>1, 3, 5 & 6</i>
<i>Residential Development</i>	<i>Objectives</i>	<i>1, 2, 3 & 4</i>
	<i>Principles of Development Control</i>	<i>1, 3, 4 5,6,7,8, 9, 10, 11,12,13, 27</i>
<i>Land Division</i>	<i>Objectives</i>	<i>1, 2, 3,4</i>
	<i>Principles of Development Control</i>	<i>1, 2, 5, 6, 7, 8</i>

<p><i>Zone: Residential Zone</i></p> <p><i>Desired Character Statement (extract)</i></p> <p><i>This zone will contain predominantly residential development.</i></p> <p><i>Allotments will be at very low, low and medium densities to provide a diversity of housing options in different parts of the zone. The range of allotment sizes will support the desired dwelling types anticipated in each policy area, and the minimum allotment sizes shall be treated as such in order to achieve the Desired Character for each policy area and, in turn, reinforce distinction between policy areas.</i></p> <p><i>Row dwellings and residential flat buildings will be common near centres and in policy areas where the desired density is higher, in contrast to the predominance of detached dwellings in policy areas where the distinct established character is identified for protection and enhancement. There will also be potential for semi-detached dwellings and group dwellings in other policy areas.</i></p>	
<p><i>Objectives</i></p>	<p><i>1 A residential zone comprising a range of dwelling types, including a minimum of 15 per cent affordable housing.</i></p> <p><i>2 Dwellings of various types at very low, low and medium densities.</i></p> <p><i>3 Increased dwelling densities in close proximity to centres, public transport routes and public open spaces.</i></p> <p><i>4 Development that contributes to the desired character of the zone.</i></p>
<p><i>Principles of Development Control</i></p>	<p><i>1 The following forms of development are envisaged in the zone:</i></p> <ul style="list-style-type: none"> <i>▪ affordable housing</i> <i>▪ domestic outbuilding in association with a dwelling</i> <i>▪ dwelling</i> <i>▪ dwelling addition</i> <i>▪ small scale non-residential use that serves the local community, for example:</i> <ul style="list-style-type: none"> <i>- child care facility</i> <i>- health and welfare service</i> <i>- open space</i> <i>- primary and secondary school - recreation area</i> <i>- shop measuring 250 square metres or less in gross leasable floor area</i> <i>▪ supported accommodation.</i> <p><i>2 Development listed as non-complying is generally inappropriate.</i></p> <p><i>5 Development should not be undertaken unless it is consistent with the desired character for the zone and policy area.</i></p> <p><i>7 Dwellings should be set back from allotment or site boundaries to:</i></p> <ul style="list-style-type: none"> <i>(a) contribute to the desired character of the relevant policy area</i> <i>(b) provide adequate visual privacy by separating habitable rooms from pedestrian and vehicle movement.</i>

<p><i>Principles of Development Control</i></p>	<p><i>10 Dwelling setbacks from side and rear boundaries should be progressively increased as the height of the building, (with the total wall height of the building being measured from the existing ground level at the boundary of the adjacent property as shown by Figure 1), increases to:</i></p> <ul style="list-style-type: none"> <i>(a) minimise the visual impact of buildings from adjoining properties</i> <i>(b) minimise the overshadowing of adjoining properties.</i> <p><i>18 Development should preserve and enhance streetscapes by:</i></p> <ul style="list-style-type: none"> <i>(a) the incorporation of fences and gates in keeping with the height, scale and type of fences in the locality</i> <i>(b) limiting the number of driveway crossovers.</i> <p><i>20 Where a new dwelling is constructed alongside or within a group of older style residential buildings, the new dwelling should be of a similar height, scale and proportions and be constructed of materials that complement and reinforce the character and design elements of existing buildings.</i></p>
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<p><i>Policy Area: Low Density Policy Area 20</i></p>	
<p><i>Desired Character Statement</i></p> <p><i>Allotments in the policy area will be at low density, accommodating predominantly detached dwellings and some other dwellings types such as semi-detached and group dwellings.</i></p> <p><i>There will be a denser allotment pattern close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones.</i></p> <p><i>Battleaxe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments developed with buildings that have a direct street frontage.</i></p> <p><i>Buildings will be up to 2 storeys in height. Garages and carports will be located behind the front façade of buildings.</i></p> <p><i>Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer. Low and open-style front fencing will contribute to a sense of space between buildings.</i></p>	
<p><i>Objectives</i></p>	<p><i>1 Development that contributes to the desired character of the policy area.</i></p>

<i>Principles of Development Control</i>	<p>1 The following forms of development are envisaged specifically in the policy area:</p> <ul style="list-style-type: none"> ▪ affordable housing ▪ detached dwelling ▪ domestic outbuilding in association with a dwelling ▪ domestic structure ▪ dwelling addition ▪ <u>group dwelling</u> ▪ semi-detached dwelling ▪ small scale non-residential use that serves the local community, for example: <ul style="list-style-type: none"> - child care facility - health and welfare service - open space - primary and secondary school - recreation area - shop measuring 250 square metres or less in gross leasable floor area ▪ supported accommodation. <p>5 Land division should create allotments with an area of greater than 340 square metres and a minimum <u>frontage width of 10 metres</u>, other than where the land division is combined with an application for dwellings or follows an approval for dwellings on the site.</p>
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QUANTITATIVE ASSESSMENT

The proposal is assessed for consistency with the prescriptive requirements of the Development Plan as outlined in the table below.

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
ALLOTMENT AREA	340m ² (site is not within 400m of a centre zone)	Allotment 100: 558m ² Allotment 101: 350m ² Satisfies
SITE FRONTAGE	10m (site is not within 400m of a centre zone)	Allotment 100: 19.81m Allotment 101: 4.57m Does Not Satisfy
STREET SETBACK	Primary Frontage	Existing Dwelling: 9.4m (existing) Proposed Dwelling 31.3m Satisfies

<p>SIDE/REAR SETBACKS Residential Zone PDC 11</p>	<p>Side Wall height less than 3m - 1m</p> <p>Rear 6m</p>	<p>Existing Dwelling: N/A</p> <p>Proposed Dwelling</p> <p>Southern Boundary 3m Northern Boundary 1.2m and 0m (garage on boundary) Eastern Boundary: 4.5m</p> <p>Satisfies</p> <p>Existing Dwelling: 3m</p> <p>Proposed Dwelling Western Boundary: 3m-4.65m</p> <p>Does Not Satisfy</p>
<p>PRIVATE OPEN SPACE Residential PDC 18</p>	<p>Site Area 300-500m², 60m², minimum dimension 4m, 16m² at side or rear accessible from a habitable room</p> <p>Site Area >500m², 80m², minimum dimension 4m, 24m² at side or rear accessible from a habitable room</p>	<p>Proposed Dwelling</p> <p>Satisfies</p> <p>Existing Dwelling</p> <p>Minimum open space area satisfies, side and rear open space not accessible from a habitable room in existing dwelling</p> <p>Partly Satisfies</p>
<p>MAXIMUM BUILDING HEIGHT</p>	<p>2 Storey</p>	<p>Satisfies</p>
<p>LANDSCAPING Landscaping, Fences & Walls PDC: 4</p>	<p>10%</p>	<p>Satisfies</p>
<p>CARPARKING SPACES Transportation and Access PDC 34 Table WeTo/2</p>	<p>For group dwelling and residential flat building to provide:</p> <p>2 car parking spaces per dwelling, one of which is covered + an additional 0.25 car parking spaces per dwelling.</p>	<p>Existing Dwelling: 2 spaces one undercover with sufficient length in driveway to accommodate an additional vehicle</p> <p>Proposed Dwelling: 2 spaces both undercover</p> <p>Satisfies</p>

QUALITATIVE ASSESSMENT

In assessing the merits or otherwise of the application, the following commentary is provided.

Land Use and Zoning

The desired character for the Low Density Policy Area 20 outlines that development will be at low density focused around predominantly replacement of detached dwellings with the same (or buildings in the form of detached dwellings) with denser development in proximity to centres with buildings up to 2 storey in height.

The Desired Character for the Low Density Policy Area 20 states that;

Battleaxe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments developed with buildings that have a direct street frontage.

However it also encourages group dwellings as a land use appropriate in the policy area;

1 The following forms of development are envisaged specifically in the policy area:

- group dwelling

While the proposed development will create a battle-axe allotment, the allotment is proposed to accommodate a group dwelling which is an envisaged land use in the Low Density Policy Area 20.

Surrounding Uses

The surrounding land uses are predominately singles storey dwellings on single allotments with limited examples of replacements dwellings or the division of land.

Land Division

Objective 2 Land division that creates allotments appropriate for the intended use.

PDC 7 Allotments in the form of a battleaxe configuration should:

- (a) have an area of at least the minimum site area specified by the zone, policy area or precinct (excluding the area of the 'handle' of such an allotment)*
- (b) provide for an access onto a public road, with the driveway 'handle' being not less than:
 - (i) 4 metres in width to facilitate landscape planting along the driveway, and*
 - (ii) 5.5 metres for at least the first 5 metres of the driveway for an allotment accommodating two or more dwellings to allow vehicles to pass safely**
- (c) contain sufficient area on the allotment for a vehicle to turn around to enable it to egress the allotment in a forward direction*
- (d) not be created where it would lead to multiple access points onto a road which would dominate or adversely affect the amenity of the streetscape (for example through the loss of mature street trees, on-street parking or pedestrian safety)*
- (e) be avoided where their creation would be incompatible with the prevailing pattern of development.*

The proposed development will provide an allotment that has a separate access to Ansett Avenue and meets the minimum allotment size (340m²) for the Low Density Policy Area 20. The proposed allotment will not meet the minimum frontage provision (10m) for the Low Density Policy Area 20 given it is proposed to divide the land in a 'battle-axe' style division.

The 'battle-axe' allotment will meet the minimum allotment size for Policy Area 20 with the 'handle' excluded and it will provide access onto Ansett Avenue with a driveway width of 4 metres to accommodate vehicle access and landscaping.

The proposed allotment also provides sufficient area for turning on site as confirmed by Councils engineering staff. While the proposed division is not consistent with the prevailing land division pattern in the area given the size of the allotment it is not considered that the proposed division is incompatible with the prevailing pattern of development.

Siting

The proposed development is generally consistent with setbacks identified in the Development Plan; however it does include boundary development on the common allotment boundary. The rear setback for the existing dwelling to the new boundary and the rear setback of the proposed dwelling (currently a side boundary) also do not meet the Development Plan requirements however these departures are unlikely to result in negative impacts.

Private Open Space

Both the proposed dwelling and existing dwelling meet the minimum area of private open space. The existing dwelling doesn't have an area of side or rear open space that is accessible from a habitable room, however this is a situation that currently exists given the layout of the dwelling. It is not proposed to make any change to the existing dwelling.

Visual Impact on Streetscape

The proposed development will introduce an additional vehicle crossover into the streetscape and an additional dwelling at the rear of the site that will have limited visibility from Ansett Avenue as it will be substantially screened by the existing dwelling. The proposed access way contains landscaping as does the area between the two vehicle crossovers which will minimise impact on the Ansett Avenue streetscape.

SUMMARY

The proposed development involves the construction of a group dwelling on a 'battle-axe' style allotment within the Low Density Policy Area 20.

While the Low Density Policy Area 20 outlines that battle-axe allotments should not occur, it also nominates group dwellings as an envisaged land use and that division of allotments should result in new allotments that have a minimum allotment size of 340m², the proposed development exceeds this minimum area.

The proposed allotment will not meet the minimum frontage provision (10m) for the Low Density Policy Area 20 given it is proposed to divide the land in a 'battle-axe' style division.

The proposed group dwelling will meet the private open space; car parking and building height provisions, however there will be some departure from rear setbacks that have been assessed as acceptable in this instance.

While there are no similar examples of 'battle-axe' land division in this locality it is considered that the proposed development will not have an unreasonable impact on the Ansett Avenue streetscape or the wider locality.

Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is considered to be not seriously at variance with the Development Plan.

On balance the proposed variation sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 05 November 2015 and warrants the granting of Development Plan Consent.

RECOMMENDATION

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent and Land Division Consent for Development Application 211/1323/2015 by Dwayne Scales for Combined Application - Construction of a single storey group dwelling, associated garage, verandah and retention of the existing dwelling at the front of the site; and Land Division - Torrens Title; DAC No. 211/D078/16 (Unique ID 54493); Create one (1) additional allotment, subject to conditions

DEVELOPMENT PLAN CONSENT

Council Conditions

1. Development is to take place in accordance with the plans prepared by Jeanes & Sommerville Surveyors relating to Development Application No. 211/323/2015 (DAC 211/D078/16), in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
2. The construction of a drainage system and the position and manner of discharge of a stormwater drain must not at any time:-
 - a) Result in the entry of water into a building; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within the building; or
 - d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
3. All driveways, parking and manoeuvring areas must be formed, surfaced with concrete, bitumen or paving, and be properly drained. They must be maintained to the reasonable satisfaction of Council thereafter.
4. All planting and landscaping must be completed within 3 months of the commencement of the use of this development and must be maintained to the reasonable satisfaction of Council. Any plants that become diseased or die must be replaced with suitable species.
5. The finished floor level must be a minimum of 350mm above the highest point of the watertable adjacent to the property
6. Council requires one business day's notice of the following stages of building work:
 - o Commencement of building work on site;
 - o Commencement of placement of any structural concrete;
 - o Completion of wall and roof framing prior to the installation of linings;
 - o Completion of building work.

LAND DIVISION CONSENT

Council Conditions

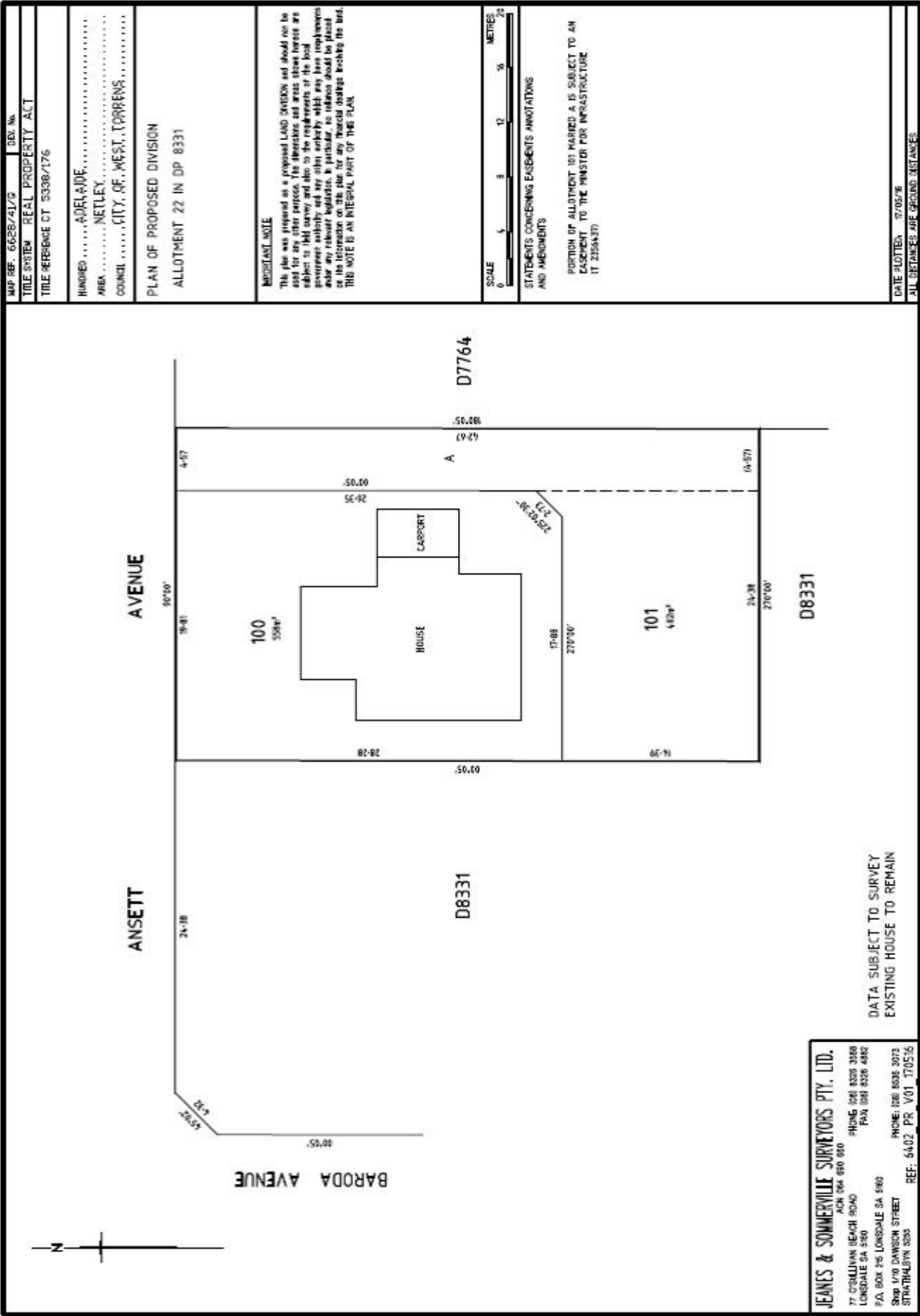
1. That prior to the issue of clearance to the division approved herein, the existing structures shall be removed from proposed Allotment(s).

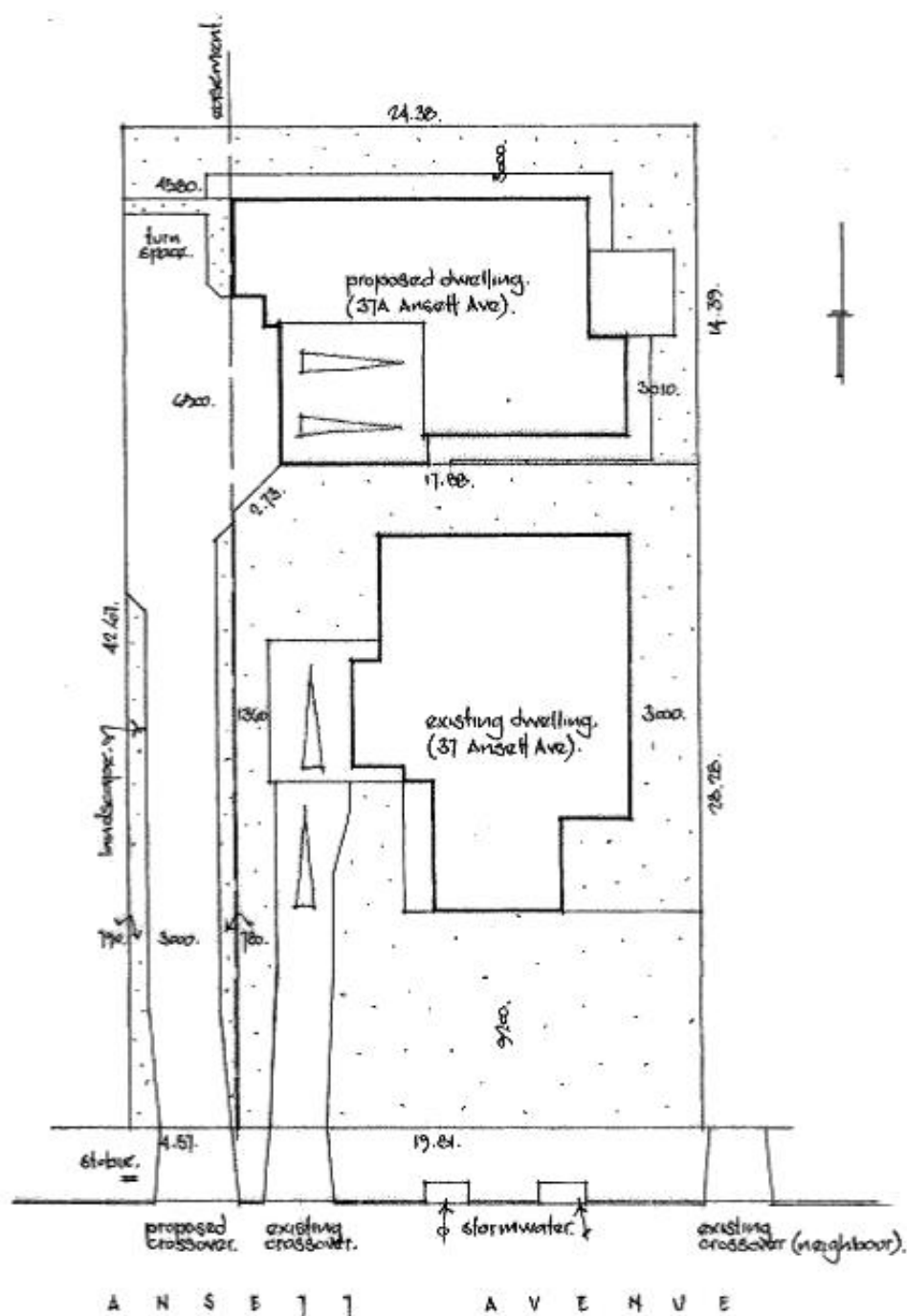
Development Assessment Commission Conditions

2. 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.
Subject to our new process, on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non-standard fees.
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.

3. Payment of \$6676 into the Planning and Development Fund (1 allotment(s) @ \$6676/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 Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
4. 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.

ATTACHMENT 1



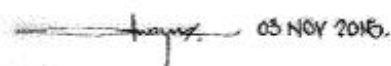


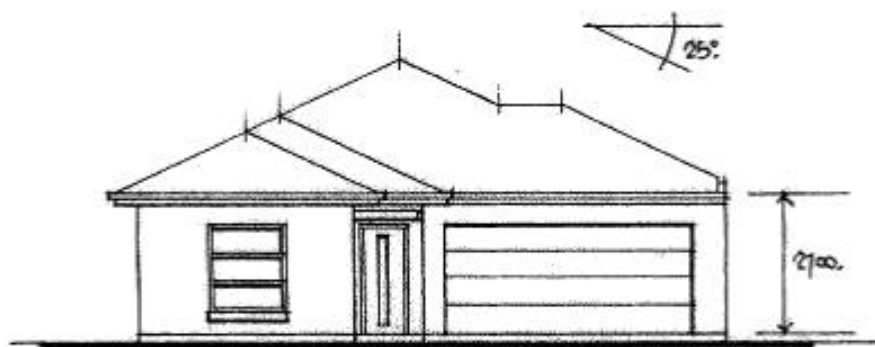
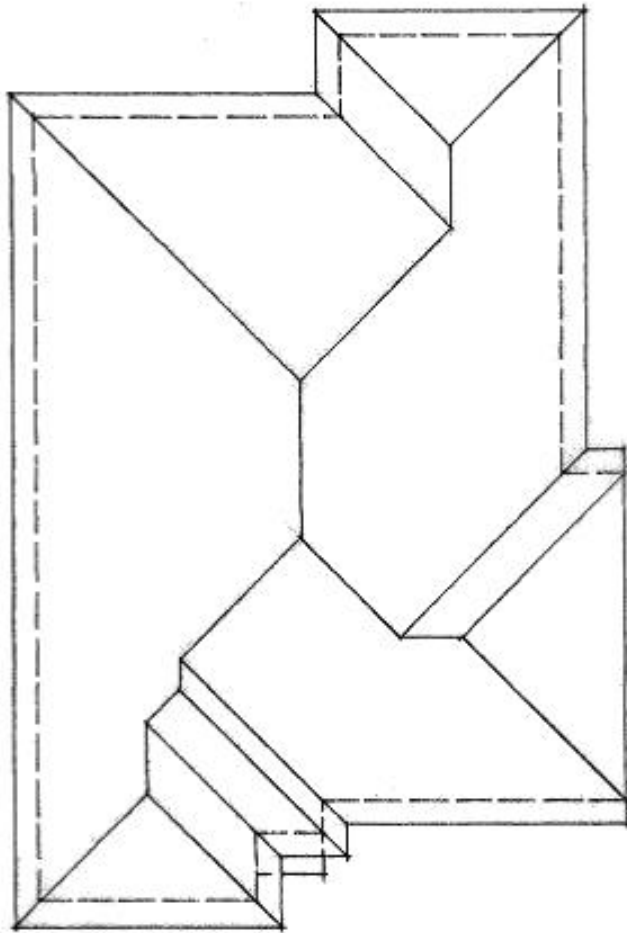
37 ANSETT AVENUE NETLEY.

CITY OF WEST TORONTO
29 NOV 2015
Development

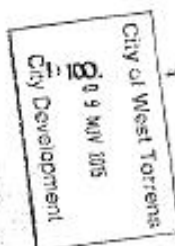
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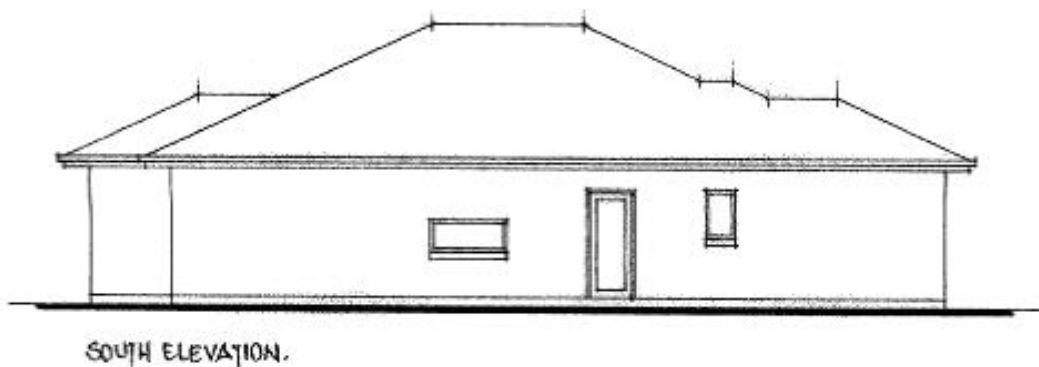
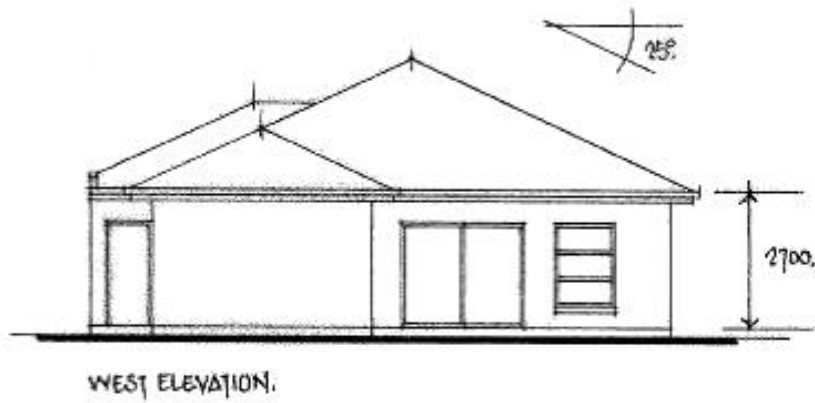




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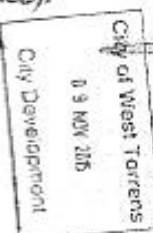
03 NOV 2015.



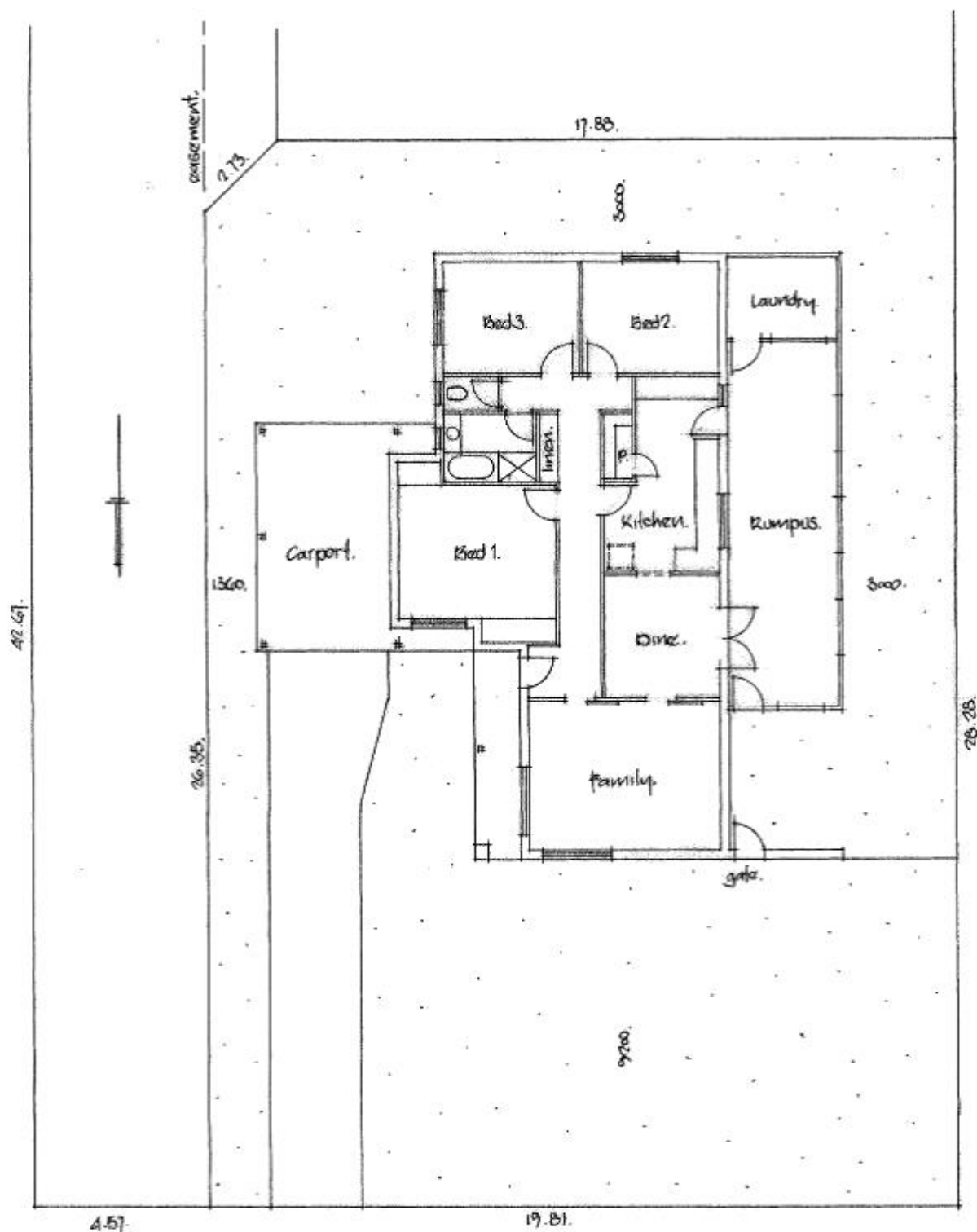
PROPOSED DWELLING (37A ANSETT AVENUE).

37 ANSETT AVENUE NETLEY.

1:100



03 NOV 2015



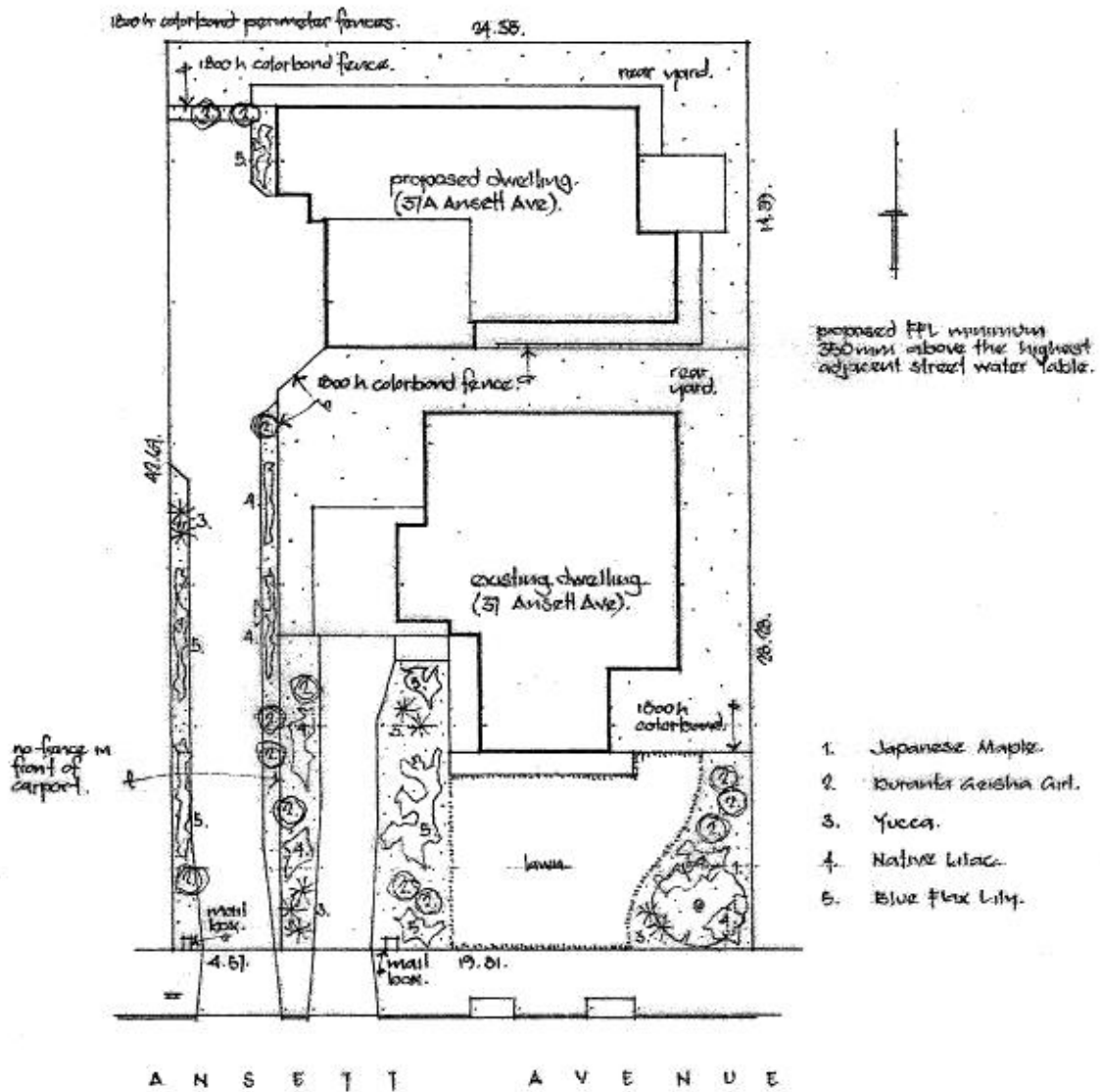
EXISTING DWELLING (NO ALTERATIONS PROPOSED).

37 ANSETT AVENUE NETLEY.

1:100.

City of West Torrens
09 NOV 2015
City Development

[Signature] 03 NOV 2015.



57 ANSETT AVENUE NEILEY.

P.200.

19 APR 2016.

City of West Toronto
City Development
26 APR 2016

AMENDED

6.8 68 Hawson Avenue, NORTH PLYMPTON

Application No. 211/968/2016

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Land division - Torrens Title; DAC No. 211/D126/16 (Unique ID 55081); Create one (1) additional allotment
APPLICANT	Mr Mathew Warren
APPLICATION NO	211/968/2016 (DAC 211/D126/16)
LODGEMENT DATE	08 August 2016
ZONE	Residential Zone
POLICY AREA	Low Density Policy Area 20
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Cat 1
REFERRALS	Internal <ul style="list-style-type: none">▪ Nil External <ul style="list-style-type: none">▪ DAC▪ SA Water
DEVELOPMENT PLAN VERSION	5 May 2016
MEETING DATE	11 October 2016
RECOMMENDATION	CONSENT

BACKGROUND

The development proposal is presented to the Development Assessment Panel (DAP) for the following reason/s:

- With regard to residential development and land division applications, where all proposed allotments and or sites fail to meet, nor are within 5% of, the minimum frontage widths and site areas designated in respective zones and policy areas within the West Torrens Council Development Plan,

PREVIOUS or RELATED APPLICATION(S)

Nil

SITE AND LOCALITY

The subject site is regular in shape and located on the northern side of Hawson Avenue in the suburb of North Plympton. With a frontage to Hawson Ave of 16.76m, a depth of 36.58m the overall land area is 614m².

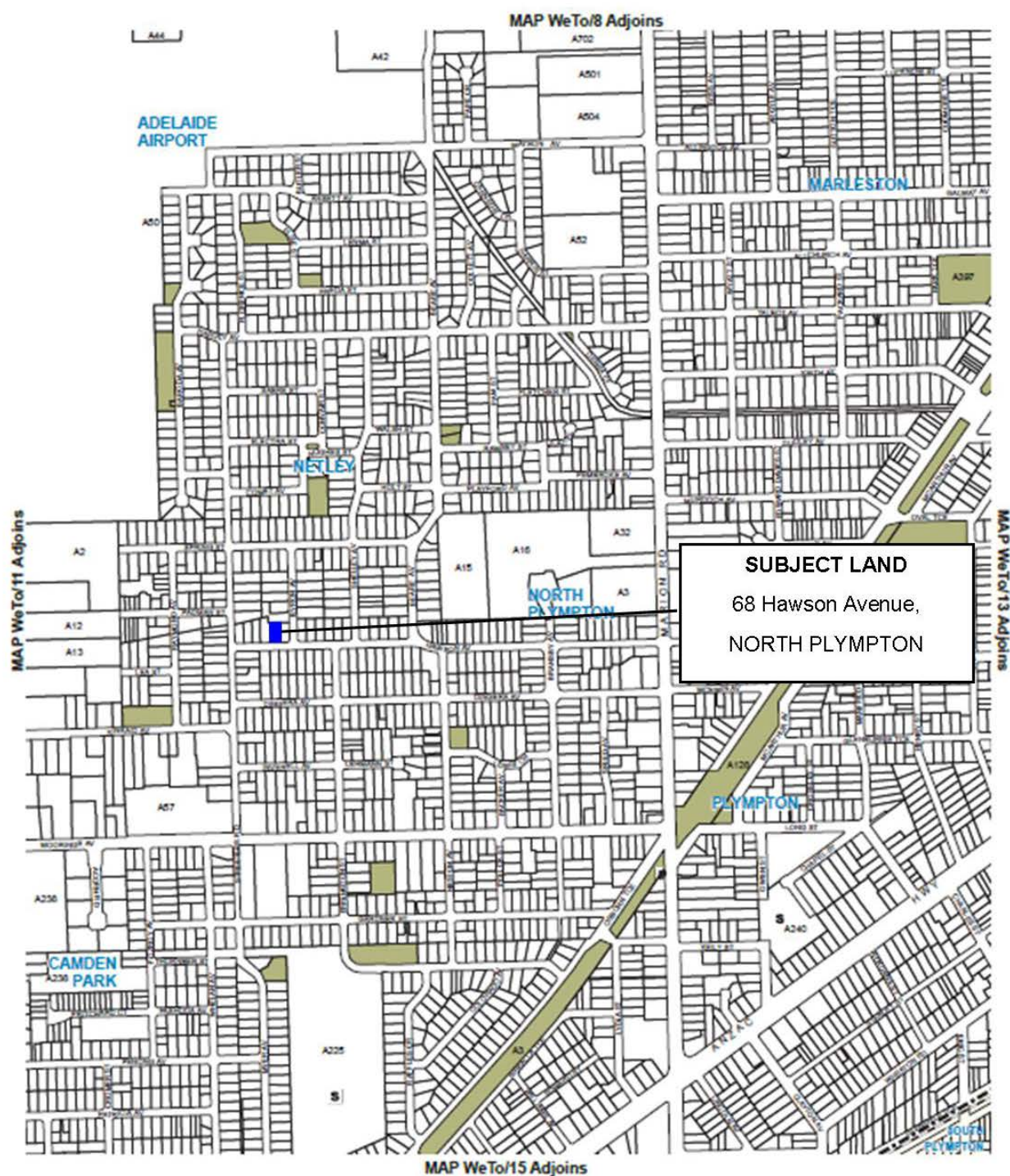
The site has been improved with a single storey detached dwelling, verandah, carport and domestic outbuilding. The dwelling itself has been setback from both side boundaries, however the carport fills the space on the eastern side of the dwelling and is built on the boundary for approximately 10m. All of these structures will need to be removed in order to facilitate the proposed land division. With the exception of grass, the site is devoid of vegetation.

The locality is residential in nature comprised of detached dwellings at low density. Some infill development can be found in the greater locality, mainly on corner allotments.

The predominant allotment pattern is characterised by rectangular shaped allotments with wide street frontages. All allotments in the locality have been improved with ancillary residential forms of development such as garages, carports and verandahs.

The subject site is located within airport building height restricted area. Any development taller than 14m will require a referral to the Airport Authority.

Overall it is considered that the prevailing character of the locality provides a medium to high level of amenity for its residents.



- School
- Post Office
- Railways
- Local Reserves
- Development Plan Boundary

Location Map WeTo/12

WEST TORRENS COUNCIL
Consolidated - 5 May 2016



PROPOSAL

It is considered that the proposal is best described as follows:

"Land division - Torrens Title; DAC No. 211/D126/16 (Unique ID 55081); Creating one (1) additional allotment."

The proposal seeks to create two allotments from one. Each of the proposed allotments will have an 8.38m frontage, 36.58m depth and an overall area of 307m².

REFERRALS

Internal

No internal referrals were required as there are two existing crossovers providing vehicular access to the existing and proposed allotments.

External

Pursuant to Section 38 and Regulation 29 of the Development Act and Regulations, the application was referred to:

- **DAC**

No concerns were raised and only the standard conditions requested.

- **SA Water**

No concerns were raised and only the standard conditions requested.

ASSESSMENT

The subject land is located within the Residential Zone and more specifically Low Density Policy Area 20 as described in the West Torrens Council Development Plan. The main provisions of the Development Plan which relate to the proposed development are as follows:

<u>General Section</u>		
Land Division	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 2, 4, 5, 6, 8, 11 & 12
Orderly and Sustainable Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1, 5, 6 & 7
Residential Development	Objectives	1, 2 & 4
	Principles of Development Control	1 & 3
Transportation and Access	Objectives	2
	Principles of Development Control	1, 8, 9, 10, 11, 23, 24, 25, 26, 27, 28, 30, 32, 33 & 34

Zone: Residential Zone	
<i>Desired Character Statement:</i>	
<p><i>This zone will contain predominantly residential development. There may also be some small-scale non-residential activities such as offices, shops, consulting rooms and educational establishments in certain locations. Non-residential activities will be complementary to surrounding dwellings.</i></p> <p><i>Allotments will be at very low, low and medium densities to provide a diversity of housing options in different parts of the zone. The range of allotment sizes will support the desired dwelling types anticipated in each policy area, and the minimum allotment sizes shall be treated as such in order to achieve the Desired Character for each policy area and, in turn, reinforce distinction between policy areas. Row dwellings and residential flat buildings will be common near centres and in policy areas where the desired density is higher, in contrast to the predominance of detached dwellings in policy areas where the distinct established character is identified for protection and enhancement. There will also be potential for semi-detached dwellings and group dwellings in other policy areas.</i></p> <p><i>Residential development in the form of a multiple dwelling, residential flat building or group dwelling will not be undertaken in a Historic Conservation Area.</i></p> <p><i>Landscaping will be provided throughout the zone to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer.</i></p>	
Objectives	1, 2, 3 & 4
Principles of Development Control	1 & 5

Policy Area: Low Density Policy Area 20	
<i>Desired Character Statement:</i>	
<p><i>Allotments in the policy area will be at low density, accommodating predominantly detached dwellings and some other dwellings types such as semi-detached and group dwellings. There will be a denser allotment pattern close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones. Battleaxe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments developed with buildings that have a direct street frontage.</i></p> <p><i>Buildings will be up to 2 storeys in height. Garages and carports will be located behind the front façade of buildings.</i></p> <p><i>Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer. Low and open-style front fencing will contribute to a sense of space between buildings.</i></p>	
Objectives	1
Principles of Development Control	1, 2, 4 & 5

QUANTITATIVE ASSESSMENT

The proposal is assessed for consistency with the prescriptive requirements of the Development Plan as outlined in the table below:

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SITE AREA <i>Low Density Policy Area 20</i> <i>PDC 3</i>	Detached Dwelling 340m ² (min.)	307m ² (Lot 331) 307m ² (Lot 332) Does Not Satisfy by 9.7%
SITE FRONTAGE <i>Low Density Policy Area 20</i> <i>PDC 3</i>	Detached Dwelling 10m	8.38m (Lot 331) 8.38m (Lot 332) Does Not Satisfy by 16.2%

QUALITATIVE ASSESSMENT

In assessing the merits or otherwise of the application, the proposed development satisfies the relevant Development Plan provisions with the exception of the following, as discussed under the following sub headings:

Site Area and Frontage

The proposed land division seeks consent to create two allotments that are below the minimum site area and frontage stipulated in the Policy Area. As the proposal is only for a land division and is not combined with any built form, the larger site areas and frontages are required despite it being located within 400m of a Centre Zone. It should be noted that the proposed frontages are still below the lesser minimum (9m) for dwellings with the 400m centre buffer area.

There are some aspects of the locality which mitigate the deficiencies of the frontage and site area requirements, such as:

- Proximity to a Local Centre Zone;
- Other examples of similar development;
- Proximity to public open space; and
- Proximity to the Industrial Zone.

The local centre is a viable facility providing everyday amenities to local residents. The following shops can be found in the local centre:

- Delicatessen;
- Bric-a-brac;
- Butcher;
- Bakery; and
- Hair salon.

As this Local Centre is only 150m away from the subject site, it is considered that it is easily within walking distance.

It is acknowledged there whilst there aren't any similar examples within the immediate locality, some can be found in the greater locality that shares the same zoning and policy area as the subject site. Their location, distance from the subject site and frontages can be described in the table below.

<u>Address</u>	<u>Frontage</u>	<u>Distance from Subject Site</u>
52 Dinger Ave	8.15m	92m
52a Dinger Ave	8.15m	97m
11 Shelley Ave	9.14m	153m
11a Shelley Ave	9.15m	157m
9 Padman St	7.65m	250m
9a Padman St	7.64m	257m
11 Padman St	7.65m	264m
11a Padman St	7.64m	271m
34 Hawson Ave	9.09m	286m
34b Hawson Ave	9.16m	295m
34c Hawson Ave	9.15m	304m

All of the above allotments are below the minimum 10m frontage requirement in this policy area and six are less than what is proposed for this application.

Although the proposed allotments are of a size that can accommodate a 3 bedroom home and still achieve the required Private Open Space requirement of 60m², it is also approximately 220m from the Sandringham Reserve. This is a large reserve accommodating open space and a playground.

The subject site is also located in close proximity to a large industrial zone and Adelaide Airport to the west. These areas provide a large number of jobs and may be a reason that a prospective home buyer would move to this area. By providing housing choice, prospective buyers that might otherwise be priced out of the market may be able to afford the proposed allotments because they are smaller and cheaper.

Density

The proposed division will be at a higher density than other parts of the locality, but it will still fall into the Low Density category.

The following table is an excerpt from the *Understanding Residential Densities: A Pictorial Handbook of Adelaide Examples*.

	Approx Net Density
Very Low Density	Less than 17 dw/ha
Low Density	17-33 dw/ha
Medium Density	34-67 dw/ha
High Density	Greater than 67 dw/ha

The net density was calculated by dividing a hectare by the average site area per dwelling. This resulted in a figure of 32.6 dwellings per hectare.

The proposed division will have a density that falls within the Low Density figures provided above. This is consistent with the Desired Character of the Policy Area that states:

Allotments in the policy area will be at low density, accommodating predominantly detached dwellings and some other dwellings types such as semi-detached and group dwellings. There will be a denser allotment pattern close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones.

SUMMARY

The proposed division is a reasonable development within the Residential Zone and Low Density Policy Area 20. The attributes and character of the area mitigate the shortfall in frontage widths and site areas stipulated in the Development Plan. It is not considered that the proposed development will be detrimental to the existing or desired character of the locality.

The proposed division will still retain the low density nature of the area and be consistent with the Desired Character of the locality. Its proximity to the Local Centre Zone, Open Space and Industrial Zone make it appropriate location for infill development.

Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is considered to be not seriously at variance with the Development Plan.

On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 5 May 2016 and warrants Development Plan Consent.

RECOMMENDATION

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/968/2016 by Mr Mathew Warren to undertake Land division - Torrens Title; DAC No. 211/D126/16 (Unique ID 55081); Create one (1) additional allotment at 68 Hawson Avenue, North Plympton (CT 5674/452) subject to the following conditions of consent

DEVELOPMENT PLAN CONSENT

Council Conditions

1. Development is to take place in accordance with the plans prepared by Mattsson & Martyn Surveying and planning consultants relating to Development Application No. 211/968/2016 (DAC 211/DD126/16).

LAND DIVISION CONSENT

Council Conditions

1. That prior to the issue of clearance to the division approved herein, the existing structures shall be removed from proposed Allotment(s).

Development Assessment Commission Conditions

2. 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.
Subject to our new process, on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non-standard fees.
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.

3. Payment of \$6676 into the Planning and Development Fund (1 allotment(s) @ \$6676/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 Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
4. 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.

PROPOSED DIVISION

DEVELOPMENT No: -
TITLE SYSTEM/REAL PROPERTY ACT
TITLE REFERENCE:
CT 5674/452
HUNDRED: ADELAIDE
AREA: NORTH PLYMPTON
COUNCIL: CITY OF WEST TORRENS
MAP REF: 6628/50/B

PLAN OF DIVISION

ALLOTMENT 33 IN F2416
68 HAWSON AVENUE

STATEMENTS CONCERNING EASEMENTS ANNOTATIONS AND AMENDMENTS

- ALL EXISTING STRUCTURES ARE TO BE REMOVED.

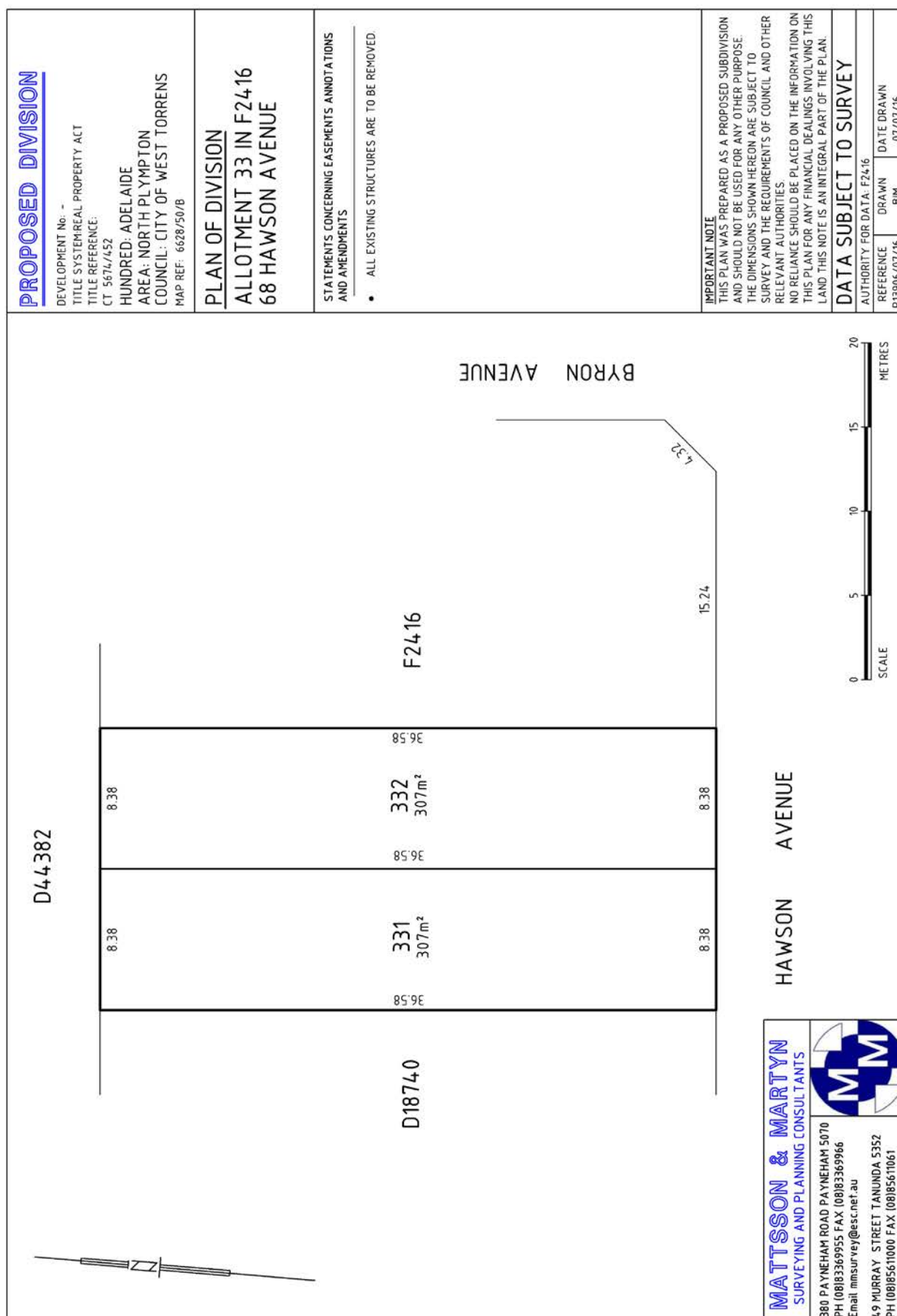
IMPORTANT NOTE

IMPORTANT NOTE
THIS PLAN WAS PREPARED AS A PROPOSED SUBDIVISION AND SHOULD NOT BE USED FOR ANY OTHER PURPOSE. THE DIMENSIONS SHOWN HEREON ARE SUBJECT TO SURVEY AND THE REQUIREMENTS OF COUNCIL AND OTHER RELEVANT AUTHORITIES.

DATA SUBJECT TO SURVEY

AUTHORITY FOR DATA: F2416

REFERENCE	DRAWN	DATE DRAWN
213906/07/16	BIM	07/07/16



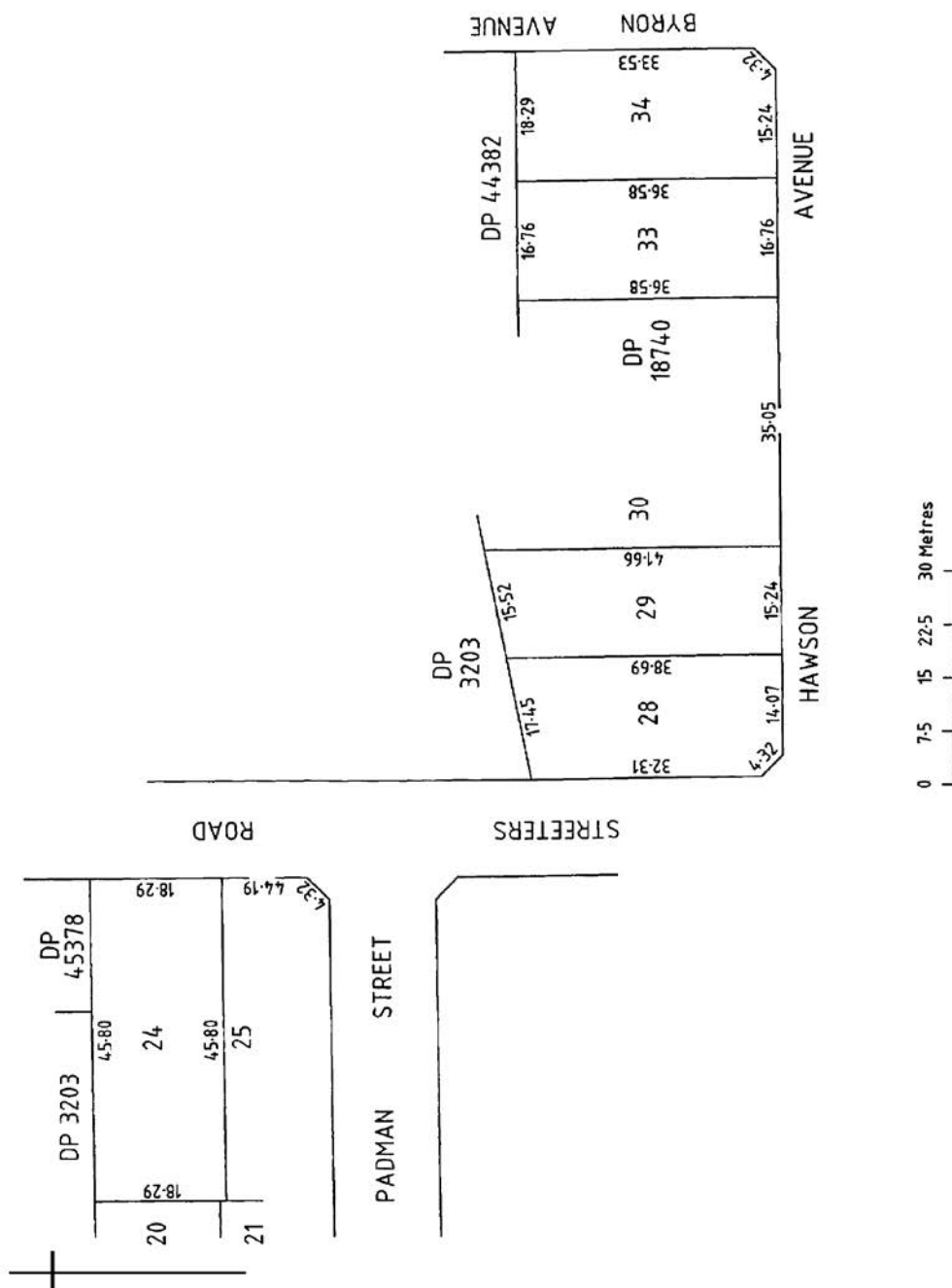
ATTACHMENT 2



Government of South Australia
Department of Planning,
Transport and Infrastructure

Product
Date/Time
Customer Reference
Order ID
Cost

Register Search
07/07/2016 12:02PM
P13906/07/16
20160707005141
\$27.75



6.9 274 Marion Road, NETLEY

Application No. 211/545/2016

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Land division - Torrens Title; DAC No. 211/D054/16 (Unique ID 54112); Create one(1) additional allotment
APPLICANT	Hussenet-Toh Pty Ltd
APPLICATION NO	211/545/2016 (DAC 211/D054/16)
LODGEMENT DATE	15 April 2016
ZONE	Residential Zone
POLICY AREA	Low Density Policy Area 20
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Cat 1
REFERRALS	Internal <ul style="list-style-type: none">▪ Amenity Officer External <ul style="list-style-type: none">▪ SA Water▪ DAC
DEVELOPMENT PLAN VERSION	5 May 2016
MEETING DATE	11 Oct 2016
RECOMMENDATION	CONSENT

BACKGROUND

The development proposal is presented to the Development Assessment Panel (DAP) for the following reason:

- With regard to residential development and land division applications, where all proposed allotments and or sites fail to meet, nor are within 5% of, the minimum frontage widths and site areas designated in respective zones and policy areas within the West Torrens Council Development Plan,

PREVIOUS or RELATED APPLICATION(S)

- 211/714/2010 - Construction of Two (2) x Two-storey Dwellings and Three (3) Single-Storey Group Dwellings and 2000mm high Masonry Front Fence (LAPSED)
- 211/1196/2011 - Demolition of Two (2) Dwellings (APPROVED)
- 211/916/2012 - Land Division - Community Title, DAC No - 211/C089/12, Create Three (3) Additional allotments (LAPSED)

SITE AND LOCALITY

The subject site is regular in shape and located on the western side of Marion Road in the suburb of Netley. With a frontage of 18.29m, a depth of 45.75m the overall area of the land is 836.77m².

There is currently a single storey detached dwelling and domestic outbuilding constructed on the land. The land is informally vegetated with two trees in the front yard. Vehicular access is available via two existing crossovers onto Marion Road. There is currently a crescent shaped driveway which connects the two and allows vehicles to enter and exit the property in a forward direction. Another portion of driveway is located adjacent the southern boundary and provides access to the detached outbuilding in the south western corner of the site.

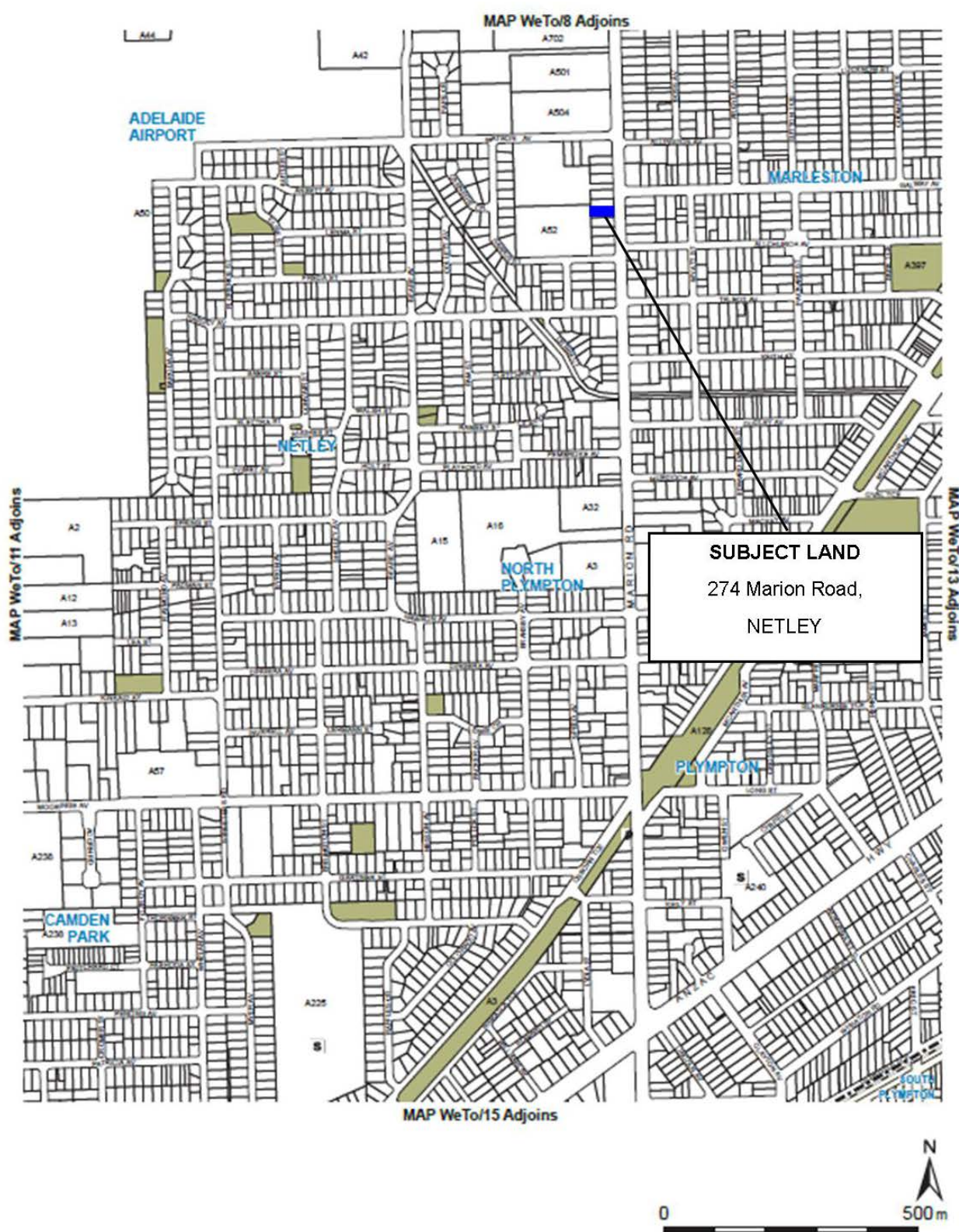
The locality contains a mix of residential development, predominantly in the form of single storey detached dwellings and group dwellings. The Pine Springs retirement living complex is located immediately behind the subject site.

There is no prevailing allotment pattern due to the Pine Springs development, but allotments on either side and across the road from the subject site are comparable to it in terms of size and shape.

Marion Road is an arterial road, therefore any new or alterations to existing crossovers require a mandatory referral to the Department of Planning transport and Infrastructure (DPTI).

The subject site is also within a flood zone with an expected depth of between 0 - 0.25m during a 1 in 100 year flood event.

Overall, it is considered that the prevailing character of the locality provides a medium level of amenity for its residents.



Location Map WeTo/12



PROPOSAL

It is considered that the proposal is best described as follows:

"Land division - Torrens Title; DAC No. 211/D054/16 (Unique ID 54112); Create one(1) additional allotment"

The proposal seeks to create two allotments from one. Each of the proposed allotments will have a 9.15m frontage to Marion Road and a depth of 45.75m resulting in a total area of 418.6m².

REFERRALS

Internal

- Amenity Officer**

There is an existing street tree which will be in conflict with the proposed double width crossover. Council's Amenity Officer has determined that it is appropriate to be removed subject to the Applicant paying a fee of \$1090.00.

External

Pursuant to Section 38 and Regulation 29 of the Development Act and Regulations, the application was referred to:

- DPTI**

DPTI were initially unsupportive with the setbacks of the indicative house plans, but the Applicant moved them back to demonstrate that vehicles could enter and exit the site in a forward direction and undertake all vehicular movements on site.

In support of the proposal, DPTI also suggested some conditions, which have been added to the staff recommendation.

- SA Water**

SA Water is in support of the application subject to the standard conditions.

- DAC**

The Development Assessment Commission is in support of the application subject to the standard conditions.

ASSESSMENT

The subject land is located within the Residential Zone and more specifically Low Density Policy Area 20, as described in the West Torrens Council Development Plan. The main provisions of the Development Plan which relate to the proposed development are as follows:

<u>General Section</u>		
Land Division	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 2, 4, 5, 6, 8, 11 & 12
Orderly and Sustainable Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1, 5, 6 & 7
Residential Development	Objectives	1, 2 & 4
	Principles of Development Control	1 & 3
Transportation and Access	Objectives	2
	Principles of Development Control	1, 8, 9, 10, 11, 23, 24, 25, 26, 27, 28, 30, 32, 33 & 34

Zone: Residential Zone	
<i>Desired Character Statement:</i>	
<p><i>This zone will contain predominantly residential development. There may also be some small-scale non-residential activities such as offices, shops, consulting rooms and educational establishments in certain locations. Non-residential activities will be complementary to surrounding dwellings.</i></p> <p><i>Allotments will be at very low, low and medium densities to provide a diversity of housing options in different parts of the zone. The range of allotment sizes will support the desired dwelling types anticipated in each policy area, and the minimum allotment sizes shall be treated as such in order to achieve the Desired Character for each policy area and, in turn, reinforce distinction between policy areas. Row dwellings and residential flat buildings will be common near centres and in policy areas where the desired density is higher, in contrast to the predominance of detached dwellings in policy areas where the distinct established character is identified for protection and enhancement. There will also be potential for semi-detached dwellings and group dwellings in other policy areas.</i></p> <p><i>Residential development in the form of a multiple dwelling, residential flat building or group dwelling will not be undertaken in a Historic Conservation Area.</i></p> <p><i>Landscaping will be provided throughout the zone to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer.</i></p>	
<i>Objectives</i>	1, 2, 3 & 4
<i>Principles of Development Control</i>	1 & 5

Policy Area: Low Density Policy Area 20	
<i>Desired Character Statement:</i>	
<p><i>Allotments in the policy area will be at low density, accommodating predominantly detached dwellings and some other dwellings types such as semi-detached and group dwellings. There will be a denser allotment pattern close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones. Battleaxe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments developed with buildings that have a direct street frontage.</i></p> <p><i>Buildings will be up to 2 storeys in height. Garages and carports will be located behind the front façade of buildings.</i></p> <p><i>Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer. Low and open-style front fencing will contribute to a sense of space between buildings.</i></p>	
<i>Objectives</i>	1
<i>Principles of Development Control</i>	1, 2, 4 & 5

QUANTITATIVE ASSESSMENT

The proposal is assessed for consistency with the prescriptive requirements of the Development Plan as outlined in the table below:

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SITE AREA <i>Low Density Policy Area 20</i> <i>PDC 3</i>	Detached Dwelling 340m ² (min.)	418m ² (Lot 50) 418m ² (Lot 51) Satisfies
SITE FRONTAGE <i>Low Density Policy Area 20</i> <i>PDC 3</i>	Detached Dwelling 10m	9.15m Does Not Satisfy by 8.5%

QUALITATIVE ASSESSMENT

In assessing the merits or otherwise of the application, the proposed development satisfies the relevant Development Plan provisions with the exception of the following, as discussed under the following sub headings:

Site Frontage

The proposed development seeks to create two allotments each with a frontage that is 750mm narrower than the minimum stipulated in the Development Plan for applications that involve just a land division. If the Applicant was also seeking consent for the built form, then each allotment would only need 9m frontage and therefore this application would satisfy. This is because the subject site is located within 400m of a Centre Zone.

The 750mm frontage width deficiency is not considered fatal to the application as it will not be readily perceptible from the public realm and will not have a detrimental impact on adjoining properties.

SUMMARY

This is a reasonable development within the Residential Zone and Low Density Policy Area 20 and will not be detrimental to the existing or desired character of the locality.

Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is considered to be not seriously at variance with the Development Plan.

On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 5 May 2016 and warrants Development Plan Consent.

RECOMMENDATION

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent and Land Division Consent for Application No. 211/545/2016 by Hussenet-Toh Pty Ltd to undertake Land division - Torrens Title; DAC No. 211/D054/16 (Unique ID 54112); Create one(1) additional allotment at 274 Marion Road, Netley (CT 5669/222) subject to the following conditions of consent:

DEVELOPMENT PLAN CONSENT

Council Conditions

1. Development is to take place in accordance with the plans prepared by Alexander Symonds Surveying Consultants relating to Development Application No. 211/545/2016 (DAC 211/D054/16).
2. No street trees are to be removed without prior approval from Council and shall be replaced at the applicant's expense to the satisfaction of Council. A fee of \$1090.00 will be required prior to the commencement of any work.

DPTI Conditions

3. All access to/from this site shall be gained via a single, shared access point. The access shall be a minimum of 6.0 metres inbound from the property boundary and appropriately flared to Marion Road.
4. All vehicles must enter and exit Marion Road in a forward direction.
5. The Shared access and all vehicle manoeuvring areas shall be kept clear of all obstructions to vehicle manoeuvring, including meters, vegetation, letterboxes fences or parked cars.
6. All obsolete crossovers to/from Marion Road shall be closed and reinstated to Council Standard kerb and gutter at the Applicant's expense.
7. All dwellings shall be setback a minimum of 14.0 metres from the Marion Road property boundary.
8. Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of Marion Road. Any alterations to the road drainage infrastructure required to facilitate this shall be at the Applicant's cost.

LAND DIVISION CONSENT

Council Conditions

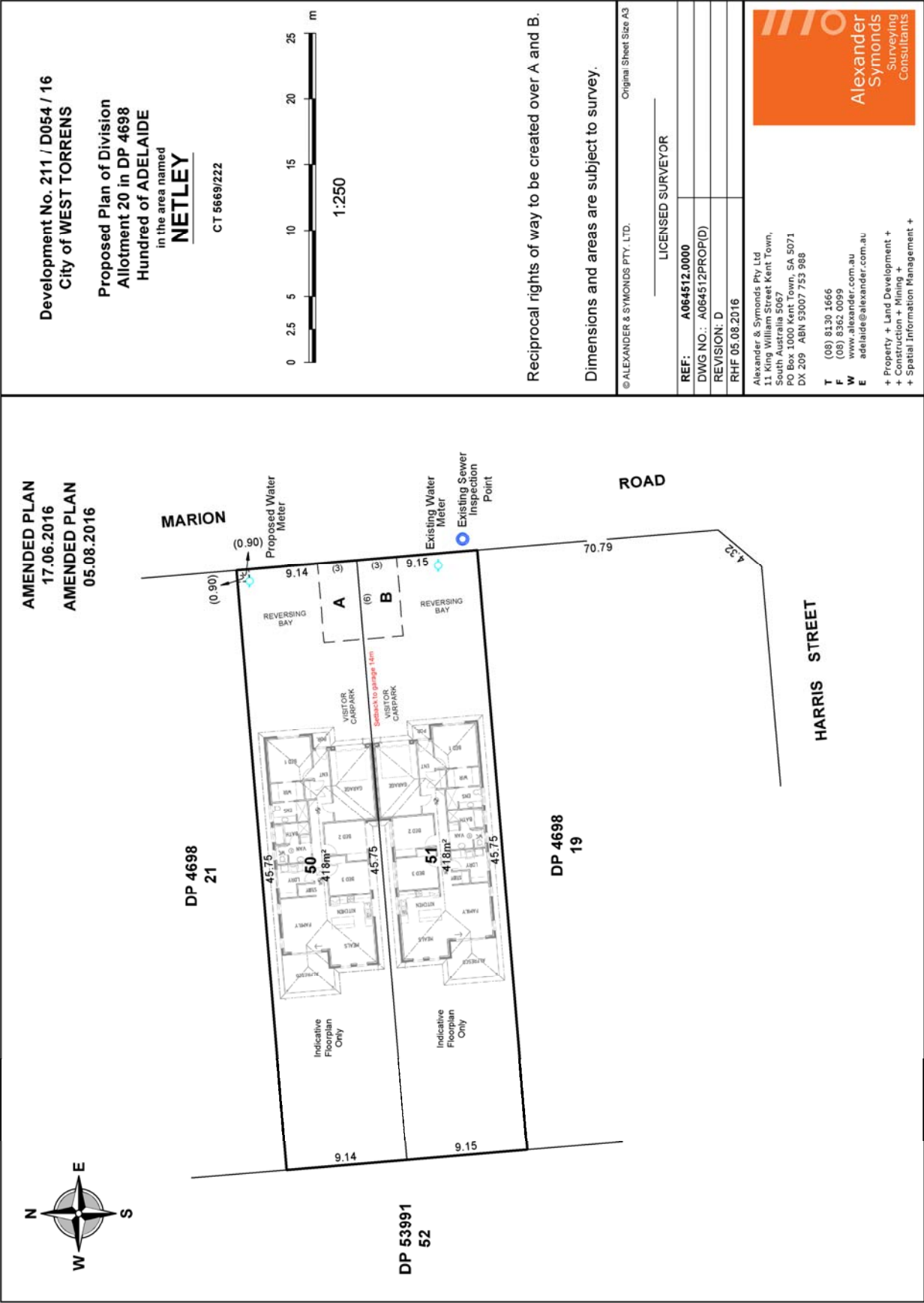
1. That prior to the issue of clearance to the division approved herein, all existing structures shall be removed from proposed Allotment(s).

Land Division Consent Conditions

2. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services (SA Water H0045737).
SA Water advises on receipt of the developer details and site specifications an investigation will be carried out to determine if the connection/s to the development will be costed as standard or non standard.

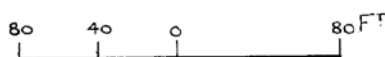
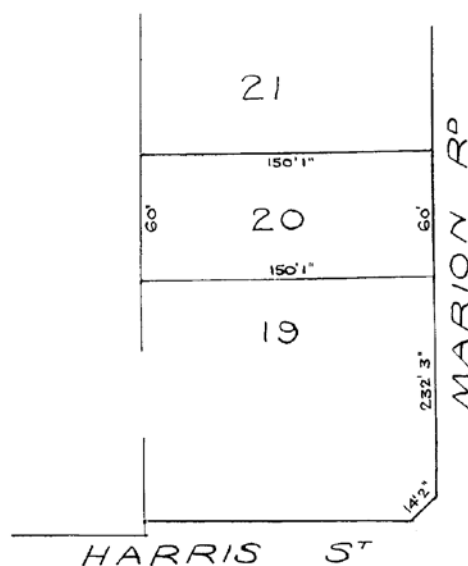
3. The internal drains shall be altered to the satisfaction of the SA Water Corporation.
Payment of \$6488 into the Planning and Development Fund (1 allotment @ \$6488 /allotment).
Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (8303 0724), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 136 North Terrace, Adelaide
4. 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.

ATTACHMENT 1



ATTACHMENT 2

LANDS TITLES OFFICE ADELAIDE SOUTH AUSTRALIA
DIAGRAM FOR CERTIFICATE OF TITLE VOLUME 5669 FOLIO 222
SEARCH DATE : 27/08/2012 TIME: 13:58:27



DISTANCES ARE IN FEET AND INCHES
FOR METRIC CONVERSION
1 FOOT = 0.3048 METRES
1 INCH = 0.0254 METRES

ATTACHMENT 3

In reply please quote 2016/00300/01, Process ID: 407625
Enquiries to Vittorio Varricchio
Telephone (08) 8226 8393
Facsimile (08) 8226 8330
E-mail dpti.luc@sa.gov.au



Government of South Australia
Department of Planning,
Transport and Infrastructure

SAFETY AND SERVICE –
Traffic Operations

GPO Box 1533
Adelaide SA 5001

Telephone: 61 8 8226 8222
Facsimile: 61 8 8226 8330

ABN 92 366 288 135

21/07/2016

The Presiding Member
Development Assessment Commission
GPO Box 1815
ADELAIDE SA 5001

Dear Sir,

SCHEDULE 8 - REFERRAL RESPONSE

Development No.	211/D054/16
Applicant	Hussenet-Toh Pty Ltd
Location	20 Marion Road, Netley
Proposal	Land Division (1 into 2)

I refer to the above development application (Unique ID 54112) forwarded to the Safety and Service Division of the Department of Planning, Transport and Infrastructure (DPTI) in accordance with Section 37 of the *Development Act 1993*. The proposed development involves development adjacent a main road as described above.

The following response is provided in accordance with Section 37(4)(b) of the *Development Act 1993* and Schedule 8 of the *Development Regulations 2008*.

THE PROPOSAL

This application proposes a complete redevelopment of the subject site into two new residential allotments. DPTI has previously provided comments regarding land division DA 211/C089/12 and land use application DA 211/714/2010 over the site.

CONSIDERATION

Marion Road is a Major Traffic Route, Primary Freight Route, Cycling Route, and High Frequency Public Transport Corridor under DPTI's '*A Functional Hierarchy for South Australia's Land Transport Network*'. The adjacent section of Marion Road has an AADT of 33,300 vehicles per day (6% commercial vehicles), with a posted speed limit of 60 km/h.

It is DPTI policy to minimise access points onto arterial roads in the interest of road safety. Therefore, all access to serve Allotments 50 and 51 via a single shared access to/from Marion Road is supported. Plans provided to DPTI show that the common driveway will be 6.0 metres in width at the property boundary and includes a clear area of 6.0 metres by 6.0 metres inbound from the property boundary to allow convenient simultaneous two-way movements of passenger vehicles. In order to enable unimpeded vehicle movements, it is recommended that no impediments to

10602196

2

vehicle manoeuvring (such as meters, fences and parked cars) are located within the common property area.

It is DPTI policy that vehicles should enter and exit arterial roads in a forward direction. However, turn paths produced by DPTI show that the proposed setback of the garages for Dwelling 1 and Dwelling 2 from Marion Road is not sufficient to allow vehicles exiting the garage and visitor vehicles to manoeuvre to exit the site in a forward direction between 70 and 90 degrees to Marion Road. Vehicles exiting in a forward direction from either allotment would be blocking the width of the access upon exiting and would prevent other vehicles from entering the site. Consequently, this would reduce the safety and efficiency of Marion Road and lead to vehicular conflict adjacent the access.

Accordingly, sufficient on-site manoeuvring areas should be provided to enable all vehicles to enter and exit Tapleys Hill Road in a forward direction. In order to achieve this, any future garages on the allotments will need to be setback a minimum of 14.0 metres.

ADVICE

The planning authority is /advised to attach the following conditions to any approval:

1. All access to/from this site shall be gained via a single, shared access point. The access shall be a minimum of 6.0 metres wide incorporating a clear area of 6.0 metres by 6.0 metres inbound from the property boundary and appropriately flared to Tapleys Hill Road.
2. All vehicles must enter and exit Marion Road in a forward direction.
3. The shared access and all vehicle manoeuvring areas shall be kept clear of all obstructions to vehicle manoeuvring, including meters, vegetation, letterboxes, fences or parked cars.
4. All obsolete crossovers to/from Marion Road shall be closed and reinstated to Council standard kerb and gutter at the applicant's expense.
5. All dwellings shall be setback a minimum of 14.0 metres from the Marion Road property boundary.
6. Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of Marion Road. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

Yours sincerely,



MANAGER, TRAFFIC OPERATIONS

For COMMISSIONER OF HIGHWAYS

6.10 16 Wentworth Street, LOCKLEYS

Application No. 211/745/2016

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Combined Land Division and Land Use - DAC No. 211/D093/2016 (Unique ID 54669); Create one (1) additional allotment and construct two, two-storey dwellings with associated garaging
APPLICANT	Ms Concepcion Shagar
APPLICATION NO	211/745/2016 (DAC 211/D093/16)
LODGEMENT DATE	07 June 2016
ZONE	Residential Zone
POLICY AREA	Low Density Policy Area 21
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Cat 1
REFERRALS	Internal <ul style="list-style-type: none">City AssetsAmenity Officer External <ul style="list-style-type: none">SA WaterDAC
DEVELOPMENT PLAN VERSION	5 May 2016
MEETING DATE	13 September 2016
RECOMMENDATION	CONSENT

BACKGROUND

The development proposal is presented to the Development Assessment Panel (DAP) for the following reason/s:

- With regard to residential development and land division applications, where all proposed allotments and or sites fail to meet, nor are within 5% of, the minimum frontage widths and site areas designated in respective zones and policy areas within the West Torrens Council Development Plan,

PREVIOUS or RELATED APPLICATION(S)

211/213/2016, Construction of two (2) two-storey dwellings each with garage under main roof (refused for lack of information)
211/1416/2014, Land division - Torrens Title, DAC No - 211/D179/14, Create one (1) additional allotment (withdrawn)

SITE AND LOCALITY

The subject site is irregular in shape and located on the southern side of Wentworth Street in the suburb of Lockleys. With a width of 19.91m and a depth of approximately 31m resulting in an overall land area of 847m².

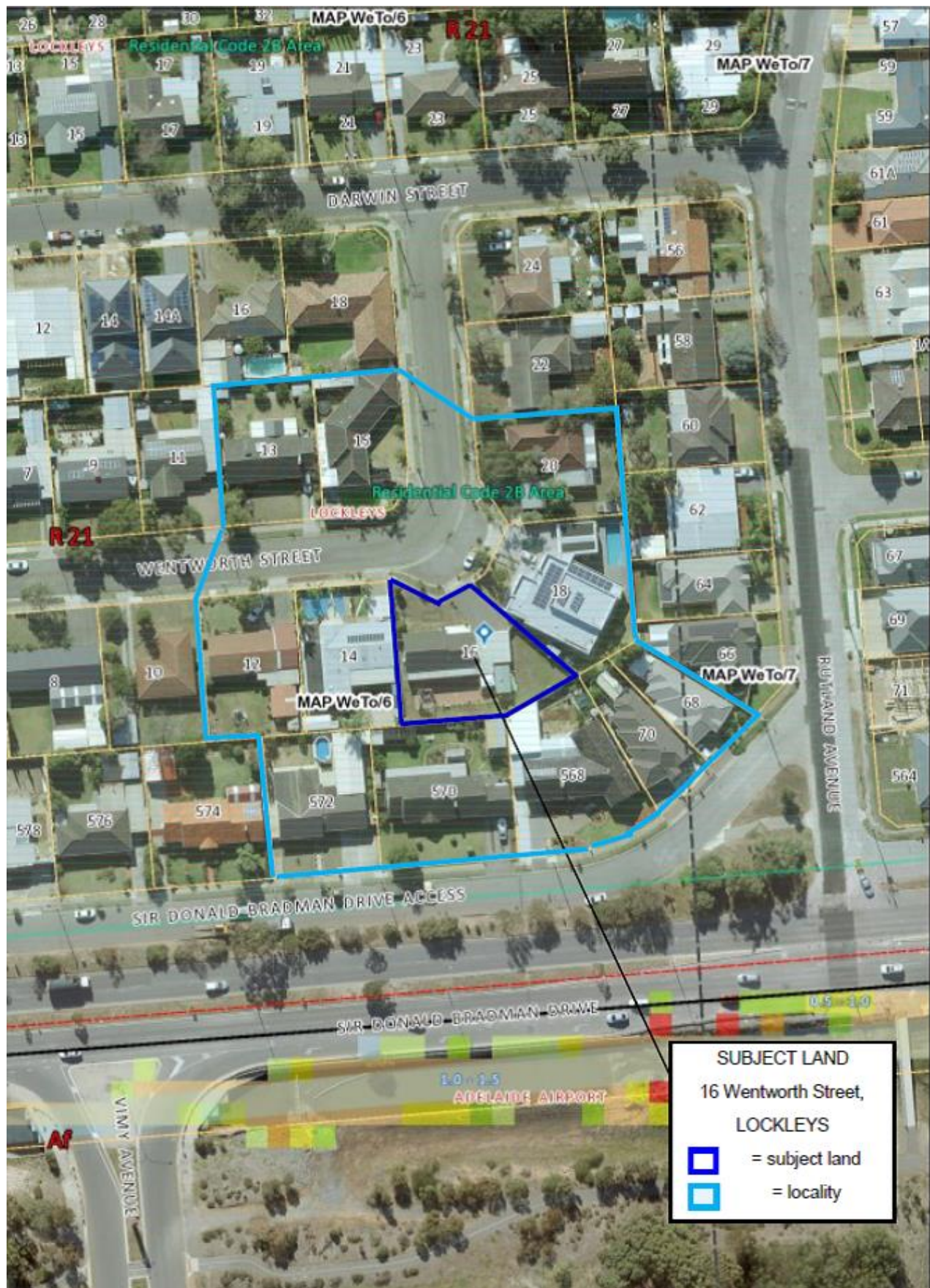
There is currently a single storey detached dwelling, verandah and domestic outbuilding constructed on the site. These structures will need to be demolished in order for the proposed land division to be achieved.

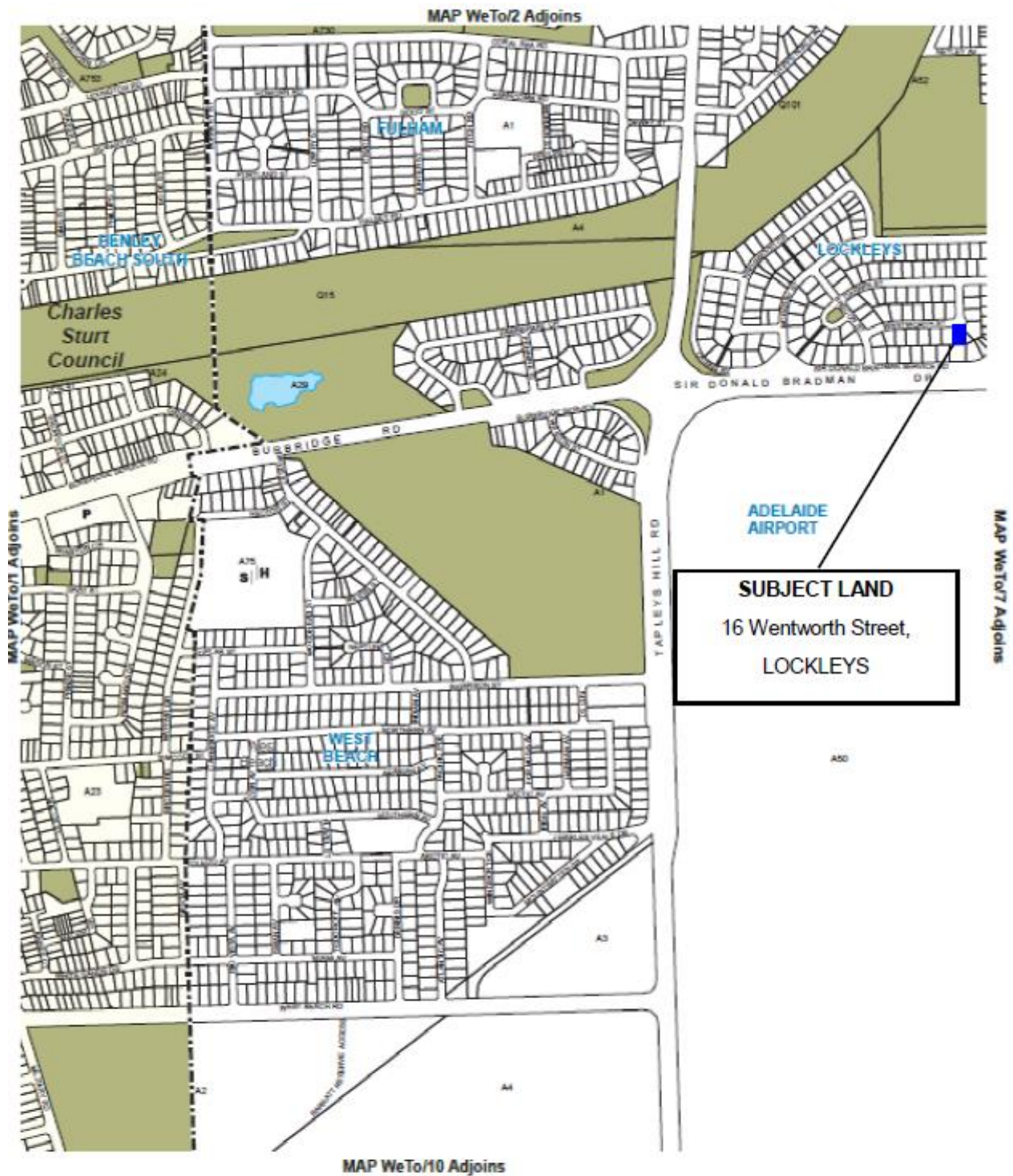
The allotment is flat and informally landscaped with grass and a few small shrubs. No easements are registered on the Certificate of Title, nor are there any Regulated or Significant trees on or about the land.

The locality is residential in nature comprised of detached dwellings at low density. There are some examples of infill development within the greater locality; however these allotments still accommodate detached dwellings.

Providing an example of a typical residential street, all properties within the locality have been improved with ancillary forms of development such as outbuildings and verandahs. In most cases these have been positioned behind the main face of the dwelling at the rear or side of the property. However 14 Wentworth St is an example of where a carport has been constructed in front of the dwelling.

Overall it is considered that the prevailing character of the locality provides a medium level of amenity for its residents.





- S School
- P Post Office
- H Other Health Services
- Local Reserves
- Waterbodies
- Development Plan Boundary

Location Map WeTo/6

WEST TORRENS COUNCIL
Consolidated - 5 May 2016

PROPOSAL

It is considered that the proposal is best described as follows:

"Combined Land Division and Land Use - DAC No. 211/D093/2016 (Unique ID 54669); Create one (1) additional allotment and construct two, two-storey dwellings with associated garaging".

The land division component will create 2 allotments each with a frontage to Wentworth Street. Lot 701 has a frontage of 12.29m and an area of 424m², Lot 702 has a frontage of 7.62m with a site area of 423m². They are irregular shaped allotments that get wider towards the rear of the property.

The proposed dwellings are each two storeys in height and contain three bedrooms. They have a modern architectural design exhibiting a square appearance with strong vertical and horizontal elements.

REFERRALS

Internal

- **City Assets**

No concerns were raised.

- **Amenity Officer**

There is a street tree in the in close proximity to the proposed driveway, however a reduced 1m offset has been deemed acceptable.

External

Pursuant to Section 38 and Regulation 29 of the Development Act and Regulations, the application was referred to

- **SA Water**

No concerns were raised.

- **DAC**

No concerns were raised, with only the standard conditions imposed.

ASSESSMENT

The subject land is located within the Residential Zone and more specifically Low Density Policy Area 21 as described in the West Torrens Council Development Plan. The main provisions of the Development Plan which relate to the proposed development are as follows:

<u>General Section</u>		
<i>Design and Appearance</i>	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 3, 5, 9, 10, 11, 13, 14, 15, 16, 17, 21, 22 & 23
<i>Land Division</i>	<i>Objectives</i>	1, 2, 3 & 4
	<i>Principles of Development Control</i>	1, 2, 4, 5, 6, 8, 12, 13 & 16
<i>Orderly and Sustainable Development</i>	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 3, 5, 7 & 8

Residential Development	Objectives	1 & 2
	Principles of Development Control	1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 18, 19, 20 & 21
Transportation and Access	Objectives	2
	Principles of Development Control	1, 8, 10, 11, 23, 24, 30, 34, 35, 36, 44 & 45

Zone: Residential Zone		
<i>Desired Character Statement:</i>		
<p><i>This zone will contain predominantly residential development. There may also be some small-scale non-residential activities such as offices, shops, consulting rooms and educational establishments in certain locations. Non-residential activities will be complementary to surrounding dwellings.</i></p> <p><i>Allotments will be at very low, low and medium densities to provide a diversity of housing options in different parts of the zone. The range of allotment sizes will support the desired dwelling types anticipated in each policy area, and the minimum allotment sizes shall be treated as such in order to achieve the Desired Character for each policy area and, in turn, reinforce distinction between policy areas. Row dwellings and residential flat buildings will be common near centres and in policy areas where the desired density is higher, in contrast to the predominance of detached dwellings in policy areas where the distinct established character is identified for protection and enhancement. There will also be potential for semi-detached dwellings and group dwellings in other policy areas.</i></p> <p><i>Residential development in the form of a multiple dwelling, residential flat building or group dwelling will not be undertaken in a Historic Conservation Area.</i></p> <p><i>Landscaping will be provided throughout the zone to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer.</i></p>		
Objectives	1, 2 & 4	
Principles of Development Control	1, 5, 6, 7, 8, 11, 12, 13 & 14	

Policy Area: Low Density Policy Area 21		
<i>Desired Character Statement:</i>		
<p><i>This policy area will have a low density character. In order to preserve this, development will predominantly involve the replacement of detached dwellings with the same (or buildings in the form of detached dwellings).</i></p> <p><i>There will be a denser allotment pattern and some alternative dwelling types, such as semi-detached and row dwellings, close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones. Battleaxe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments developed with buildings that have a direct street frontage. In the area bounded by Henley Beach Road, Torrens Avenue and the Linear Park, where the consistent allotment pattern is a significant positive feature of the locality, subdivision will reinforce the existing allotment pattern. Buildings will be up to 2 storeys in height. Garages and carports will be located behind the front façade of buildings. Buildings in the area bounded by Henley Beach Road, Torrens Avenue and the Linear Park will be complementary to existing dwellings through the incorporation of design features such as pitched roofs, eaves and variation in the texture of building materials.</i></p> <p><i>Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer. Low and open-style front fencing will contribute to a sense of space between buildings.</i></p>		
Objectives	1	
Principles of Development Control	1, 2 & 3	

QUANTITATIVE ASSESSMENT

The proposal is assessed for consistency with the prescriptive requirements of the Development Plan as outlined in the table below:

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SITE AREA <i>Low Density Policy Area 21</i> <i>PDC 3 or</i> <i>PDC 4 (within 400m of centre)</i>	Detached Dwelling 420m ² (min.)	424m ² (Lot 701) 423m ² (Lot 702) Satisfies
SITE FRONTAGE <i>Low Density Policy Area 21</i> <i>PDC 3 or</i> <i>PDC 4 (within 400m of centre)</i>	Detached Dwelling 12m	12.29m (Lot 701) 7.62m (Lot 702) Lot 702 Does Not Satisfy by 36%
PRIMARY STREET SETBACK <i>Residential Zone</i> <i>PDC 8</i>	>2m - avg. of adjoining buildings	6.95m (Lot 701) 8.86m (Lot 702) Satisfies
SIDE/REAR SETBACKS <i>Residential Zone</i> <i>PDC 11</i>	Side 0/1m (min.)(ground floor) 2m (min.)(upper floor) Rear 3m (min.)(ground floor) 8m (min.)(upper floor)	0m (Lot 701) (ground floor) 0.82m (Lot 701) (upper floor) 0m (Lot 702) (ground floor) 0.85m (Lot 702) (upper floor) Upper Level Side Setback Does Not Satisfy 4m (Lot 701) (ground floor) 9.5m (Lot 701) (upper floor) 5m (Lot 702) (ground floor) 10m (Lot 702) (upper floor) Satisfies
BUILDING HEIGHT <i>Residential Zone</i> <i>PDC 6</i>	2 storeys or 6m	2 storeys Satisfies
INTERNAL FLOOR AREA <i>Residential Development</i> <i>PDC 9</i>	- 3+ Bedroom, 100m ² (min.)	216m ² (Lot 701) 210m ² (Lot 702) Satisfies

<p>PRIVATE OPEN SPACE <i>Residential Development</i> PDC 19</p>	<p>300-500m² - 60m² (min.), of which 10m² may comprise balconies, roof patios and the like, provided they have a minimum dimension of 2m. - Minimum dimension 4m. - 16m² (min.) at the rear of side of dwelling, directly accessible from a habitable room.</p>	<p>Lot 701 99m² (total) 2.6m (min. dimension) 99m² (accessed from habitable room)</p> <p>Satisfies Lot 702 110m² (total) 5 m (min. dimension) 110m² (accessed from habitable room)</p> <p>Satisfies</p>
<p>CARPARKING SPACES <i>Transportation and Access</i> PDC 34</p>	<p>Detached, semi-detached, row and multiple dwellings - 2 car-parking spaces required, 1 of which is covered</p>	<p>Each dwelling has 4 spaces provided (2 undercover)</p> <p>Satisfies</p>

QUALITATIVE ASSESSMENT

In assessing the merits or otherwise of the application, the proposed development satisfies the relevant Development Plan provisions with the exception of the following, as discussed under the following sub headings:

Setbacks

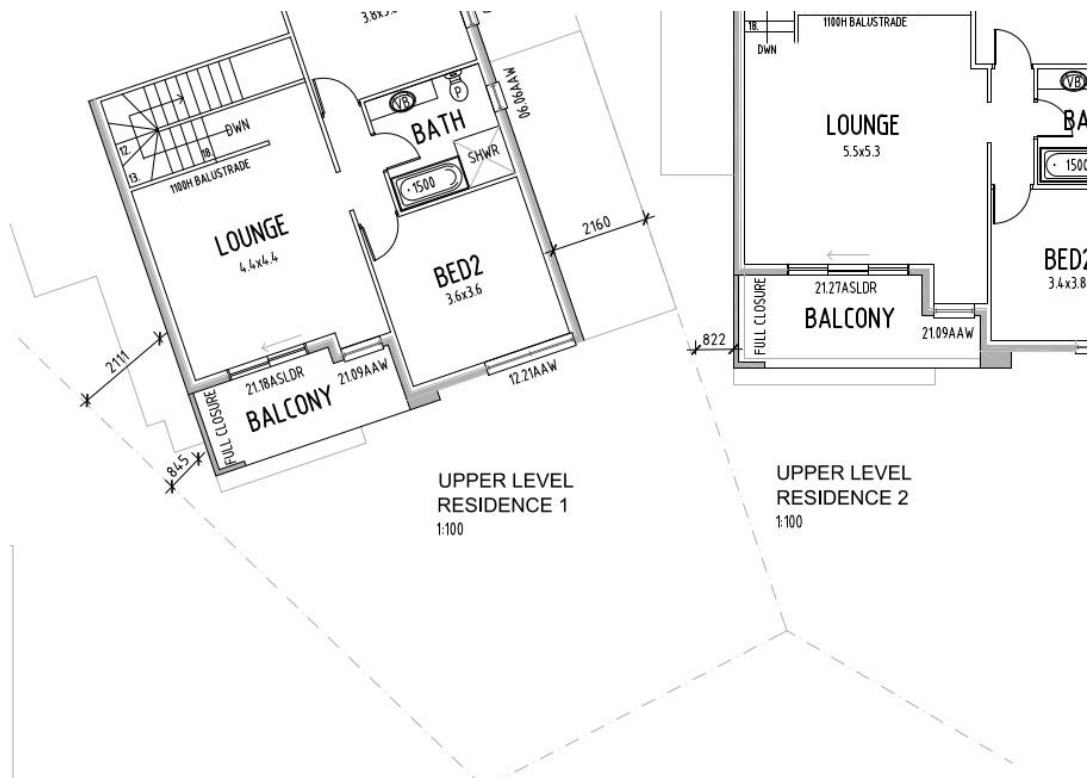
The upper level setbacks from the proposed dwellings do not meet the 2m minimum requirement as set out in PDC 11 of the Residential Development Section of the Development Plan.

This reduced setback is not envisaged to cause any overshadowing issues as the property to the east is further north than the proposed two storey dwellings and as such a shadow will not be cast on it. The upper level of proposed dwelling closest to the existing dwelling to the west, is compliant with the Development Plans 2m setback. Whilst there may be some overshadowing in the morning, there will be more than the minimum 3 hours of light being able to access habitable rooms and POS for the remainder of the day.

The proposed dwelling on allotment 701 has the upper level setback which is below the minimum of 2m, however as it is immediately adjoining the proposed dwelling on Lot 702, it is not considered to be detrimental on the amenity of existing dwellings.

The setbacks mentioned above are taken between the closet point of the dwelling and the property boundary. The closet point of these dwellings is the upper level balcony. As it is an open part of the structure, its visual bulk is reduced. This design element also aids in the articulation of built form providing better visual amenity.

Due to the shape of the allotment, the minimum setbacks stated above only occur at a single point. As the allotment widens the upper level setback increases. This can be seen in the image below. Please note that at the corner of the upper level wall, the setback from the side boundary is approximately 1.7m, which is only a minor deficiency from the 2m requirement.



Frontage Width

Low Density Policy Area 21 requires a minimum frontage width of 12m. Proposed Lot 702 does not achieve this and has a frontage width of 7.62m. Whilst this is a considerable deficiency in terms of numbers, on the ground the actual frontage width will not be readily perceptible due to the shape and layout of the allotments; the frontage being 11.8m when measured at the façade of the dwelling.

There is an extended, bitumen sealed elbow at the bend in the road in front of the subject land that facilitates vehicular access and provides for off street parking. Due to this additional area, the proposed dwellings will be setback an additional 10m from the road than other dwellings on Wentworth St. This additional setback reduces the visual impact of the proposed frontage.



SUMMARY

The proposed development seeks to subdivide the existing allotment into two and construct a 2 storey dwelling on each allotment. Dwellings are an envisaged form of development within the Zone and Policy Area.

Whilst one of the allotments does have a deficiency in terms of frontage width, due to the shape and location of the site, it is not considered fatal to the application. Nor is the reduced upper level setback, as it is only for a portion of the dwelling. Past this point, the setback widens and is compliant with the 2m requirement.

Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is considered to be not seriously at variance with the Development Plan.

On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 5/5/2016 and warrants Development Plan Consent.

RECOMMENDATION

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent and Land division Consent for Application No. 211/745/2016 by Ms Concepcion to undertake a combined Land Division and Land Use - DAC No. 211/D093/2016 (Unique ID 54669); Create one (1) additional allotment and construct two, two-storey dwellings with associated garaging at 16 Wentworth St, Lockleys (CT 5500/823) subject to the following conditions of consent:

DEVELOPMENT PLAN CONSENT Council Conditions

1. That the development shall be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
2. That all stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage shall not at any time:-
 - a) Result in the entry of water into a building; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within the building; or
 - d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
3. That the upper level windows of the dwelling, to the side and rear, shall be provided with fixed obscure glass to a minimum height of 1.7 metres above the upper floor level to minimise the potential for overlooking of adjoining properties, prior to occupation of the building. The glazing in these windows shall be maintained in a reasonable condition at all times.
4. The crossover for Lot 702 shall not exceed 4.5m in width and be setback from the street tree by a minimum of 1m.

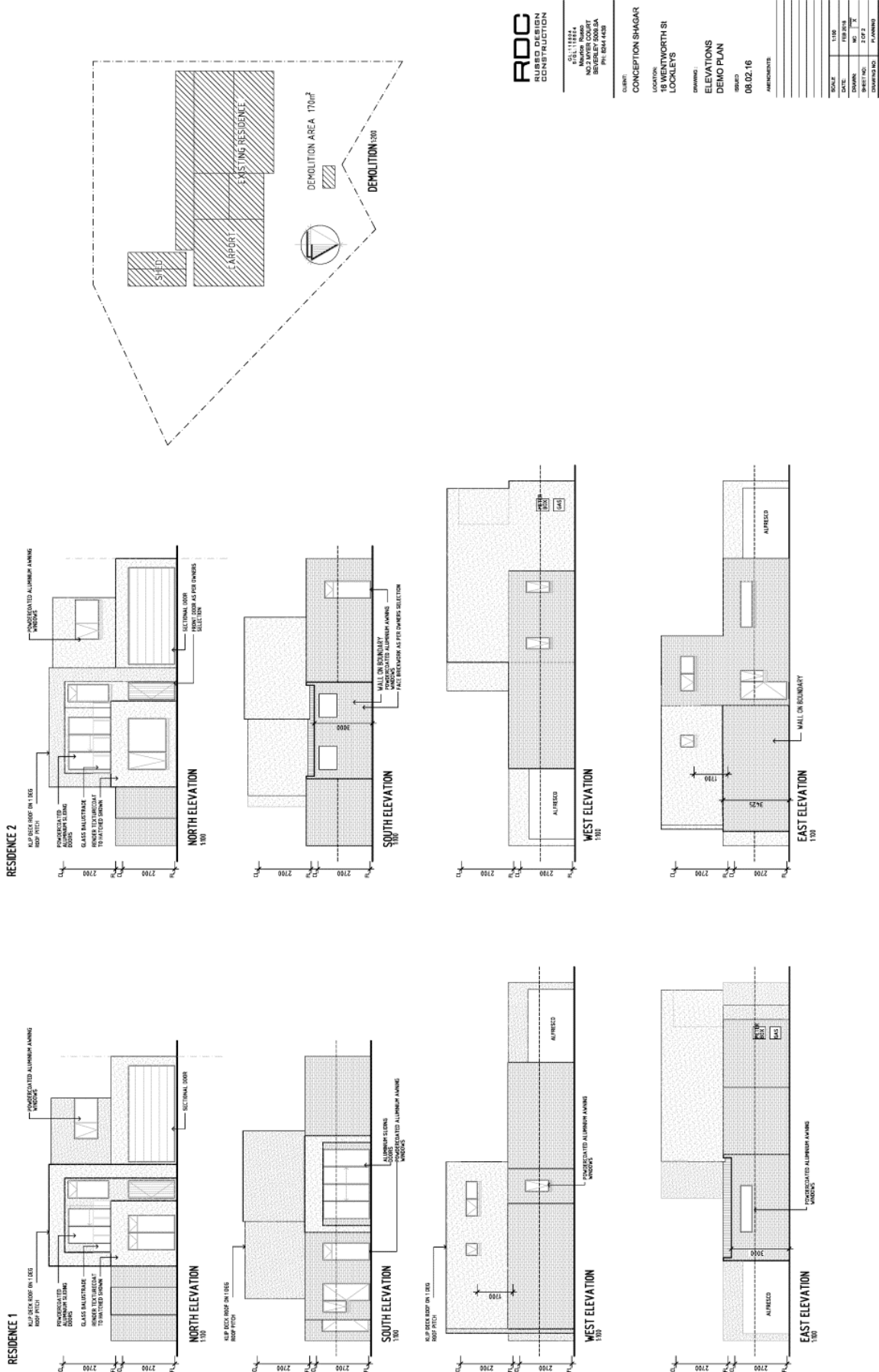
LAND DIVISION CONSENT Council Conditions

1. That prior to the issue of clearance to the division approved herein, all existing structures shall be removed from proposed Allotments.

Development Assessment Commission Conditions

2. 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. Subject to our new process, on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non standard fees. 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.
3. Payment of \$6488 into the Planning and Development Fund (1 allotment(s) @ \$6488/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 Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
4. 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.

ATTACHMENT 1



RDC
ARCHITECTS
CONSTRUCTION

CLIENT
CONCEPTION SHAGAR

LOCATION
18 WENTWORTH ST
LOCKEYS

DATE
08.02.16

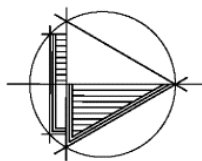
ISSUED
08.02.16

APPENDICES

SCALE	1:100
DATE	18.02.16
DRAWN BY	RDC
CHECKED BY	RDC
DATE	18.02.16
PROJECT NO.	18.02.16
CLIENT NO.	18.02.16
PROJECT NO.	18.02.16
CLIENT NO.	18.02.16

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RDC
RUSSO DESIGN
CONSTRUCTION

GL:118804
S/GL:118804
Maurice Russo
NO.2 MYER COURT
BEVERLEY 5009.SA
PH: 8244 4439

CLIENT:

CONCEPTION SHAGAR

LOCATION:

16 WENTWORTH ST
LOCKLEYS

DRAWING :

STORMWATER

ISSUED

29.02.16

AMENDMENTS:

SCALE	1:200
DATE:	JUNE 2015
DRAWN:	NC
SHEET NO:	STORMWATER
DRAWING NO:	STORMWATER

SITE STORMWATER DRAINAGE WILL BE CONSTRUCTED IN ACCORDANCE WITH AS/NZS 3500.5 SURFACE STORMWATER RUN OFF SHALL BE DIRECTED AWAY FROM THE BUILDING AND NEIGHBOURING PROPERTIES AND TOWARDS THE STREET WATER TABLE

300x300x300 PLASTIC
SUMP WITH SILT TRAP
200 BELOW INVERT
LEVEL OF SUMP
(TYPICAL)

1x2000L RW DETENTION TANKS WITH
OVERFLOX IO/FLAT TOP & 20mm SLOW
RELEASE OUTLET AT BOTTOM CONNECTED
TO THE U/G STORMWATER SYSTEM &
DISCHARGE TO THE STREET W/ PLUS
1x1000L RW RETENTION TANK WITH O/F AT
TOP (PROVIDE A SEALED SYSTEM BETWEEN
THE ROOF & THE WATER TANK)
(TYPICAL)

DP 75Ø DOWN PIPE

IP STORM WATER INSPECTION POINT

OVERFLOW TO COUNCILS WATER TABLE

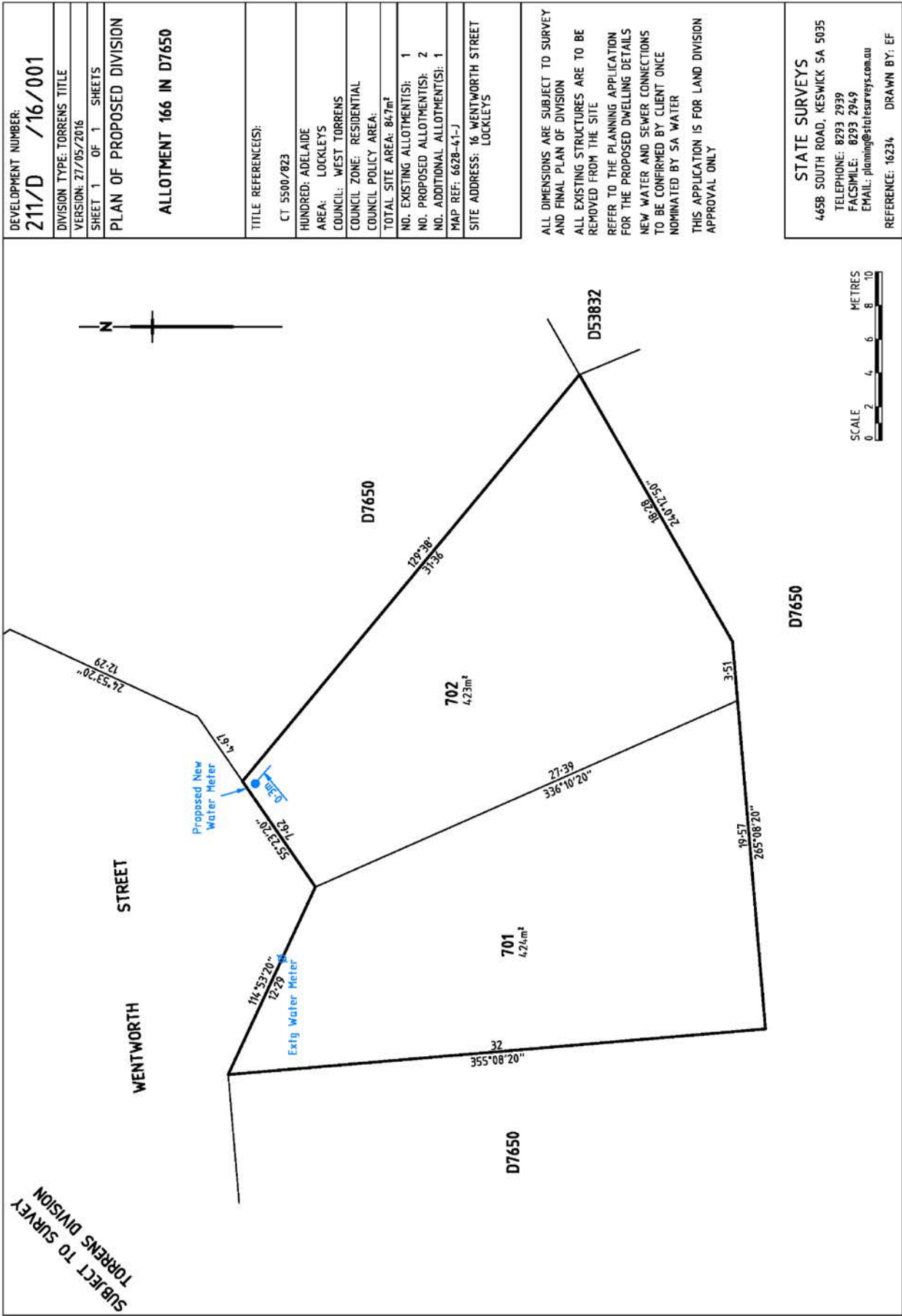
~~— OVERFLOW TO C
WATER TABLE~~

16 WENTWORTH ST LOCKS⁶⁶ X
LOWER LEVEL 1:200

LOWER LEVEL 1:200

LEVELS DONE
BY OTHER

ATTACHMENT 2



7. CONFIDENTIAL REPORTS OF THE CHIEF EXECUTIVE OFFICER

Nil

8. SUMMARY OF COURT APPEALS

8.1 Summary of Court Appeals

BACKGROUND

Monthly statistics are provided for the information of the Panel in relation to:

1. any matters being referred to the Development Assessment Commission (DAC); and
2. any planning appeals before the Environment, Resources and Development Court (ERDC) and their status.

The current status is listed as follows:

Matters pending determination by DAC

Reason for referral	DA number	Address	Description of development
Section 49	211/722/2016	Lot 2 West Beach Road, WEST BEACH	Change of use to function room
Concurrence	211/262/2016	437 Henley Beach Road, BROOKLYN PARK	Alterations and additions to existing restaurant
Schedule 10	211/136/2015	134-136 Anzac Highway, GLANDORE	On The Run redevelopment
Section 49	211/1155/2012/A	Lot 2 West Beach Road, WEST BEACH	Amendment to condition regarding lighting
Section 49	211/983/2016	Lot 52 Military Road, WEST BEACH	Additions to building for office and training room
Concurrence	211/483/2016	39 Gladstone Road, MILE END	Outdoor dining addition to restaurant

Development Application appeals before the ERDC

DA Number	Address	Reason for Appeal	Description of Development	Status
211/864/2015	247-247A South Road, MILE END	Applicant appealed DAP refusal	Change of use	Conciliation Conference 20 September 2016
211/875/2015	23 Wood Street, KURRALTA PARK	Appeal by third party against decision	Construct a residential flat building containing five dwellings	Hearing 22 September 2016
211/290/2016	6 Surrey Road, KESWICK	Applicant appealed DAP refusal	Change of use	Preliminary Conference 19 September 2016
211/391/2016	3 Castlebar Road, LOCKLEYS	Applicant appealed DAP refusal	carport forward of dwelling	Conciliation Conference 20 September 2016
211/114/2016	273 Marion Road, NORTH PLYMPTON	Applicant appealed DAP refusal	land division	Pending
211/476/2015/2	452 Henley Beach Road, LOCKLEYS	Applicant appealed DAP refusal	retirement village	Joinder Hearing 5 September 2016

SUMMARY

The information requested by the Panel has been provided for information purposes.

RECOMMENDATION

The Development Assessment Panel receive and note the information.

9. MEETING CLOSE