

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, 8 MARCH 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 9 February 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.

The following disclosures of interest have been made in relation to:

Item

Panel Member

## 6. REPORTS OF THE CHIEF EXECUTIVE OFFICER

### 6.1 23 Wood Street KURRALTA PARK

Application No. 211/875/2015

Appearing before the Panel will be:

Representors: **Jeff Smith** and **Ruth Beach** wish to appear in support of the representations from **Steve and Voula Haliabalias**, **U-Shih Hsiao** and **Nicole Laube** of 21, 28 and 30 Wood Street respectively.

**Ray and Nat Doolan** of 26 Wood Street, Kurralta Park wish to appear in support of their representation.

Applicants: **David Thompson of InProperty Design** wishes to appear to respond to representations.

## DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Construction of a two storey residential flat building comprising five (5) dwellings and associated driveway and landscaping
APPLICANT	InProperty Design
LODGEMENT DATE	3 August 2015
ZONE	Residential Zone
POLICY AREA	Policy Area 18
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 2
REFERRALS	Internal <ul style="list-style-type: none"><li>City Assets - Civil Engineer</li><li>City Works - Arboriculture Assistant</li></ul> External <ul style="list-style-type: none"><li>Nil</li></ul>
ASSESSING OFFICER	Adam Williams
DEVELOPMENT PLAN VERSION	25 June 2015
MEETING DATE	8 March 2016
RECOMMENDATION	<b>CONSENT</b>

## BACKGROUND

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

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

## **PREVIOUS or RELATED APPLICATIONS**

Nil

## **SITE AND LOCALITY**

The subject land is described as Allotment 34 Deposited Plan 1983 in the area named Kurralta Park, Hundred of Adelaide as contained in Certificate of Title Volume 5697, Folio 280. The land is more commonly known as 23 Wood Street, Kurralta Park.

The subject land is located on the eastern side of Wood Street and has a rectangle shape of 903 square metres. The site has a primary frontage of 18.288 metres and a depth of approximately 49.3 metres. The land has a gentle fall from the back of the allotment to the front property boundary.

Development of the land includes a single storey detached dwelling constructed in the 1950's and a single carport which is attached to the northern wall of the dwelling. To the rear of the dwelling are two free-standing outbuildings. The subject land has a good coverage of vegetation with a particularly large tree in the north-west corner of the land. No regulated trees are located on the site or adjoining the site and vehicle access to the land is available via a single crossover to Wood Street.

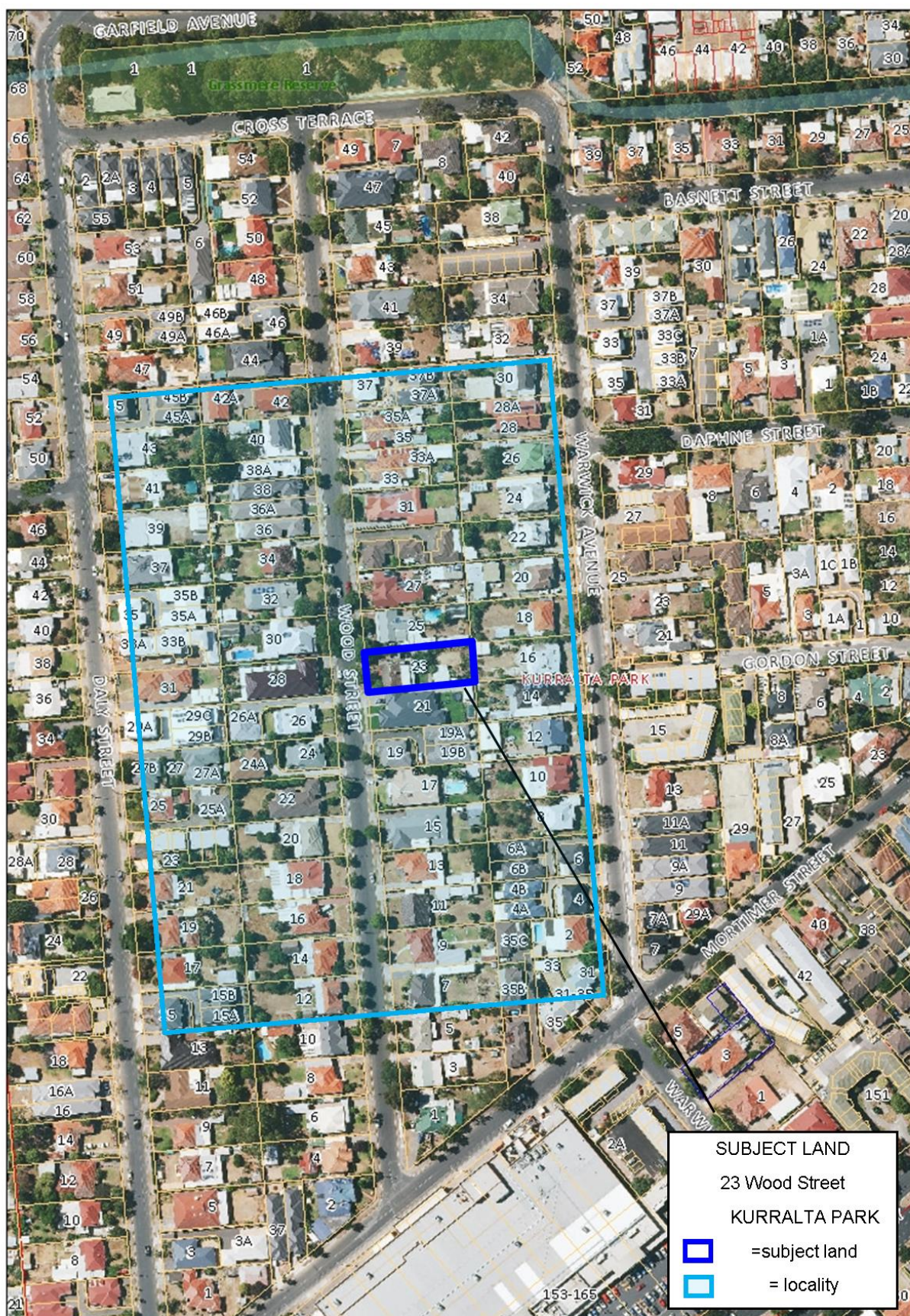
The street comprises primarily single storey, detached dwellings constructed during the 1930's and 1960's. There are also a number of newer buildings comprising detached dwellings and group dwellings from subsequent infill development. Although primarily single storey, the dwelling styles are reasonably diverse while the broader locality includes two-storey dwellings, some located at the rear of other dwellings and some within residential flat buildings.

Allotments within the street are primarily a rectangle shape and range from 437 square metres to almost 1,000 square metres and have frontages mostly in the order of 18 to 19 metres wide. There are also eight battle-axe allotments within the street which contain one and sometimes two dwellings without a building frontage presenting directly to the street.

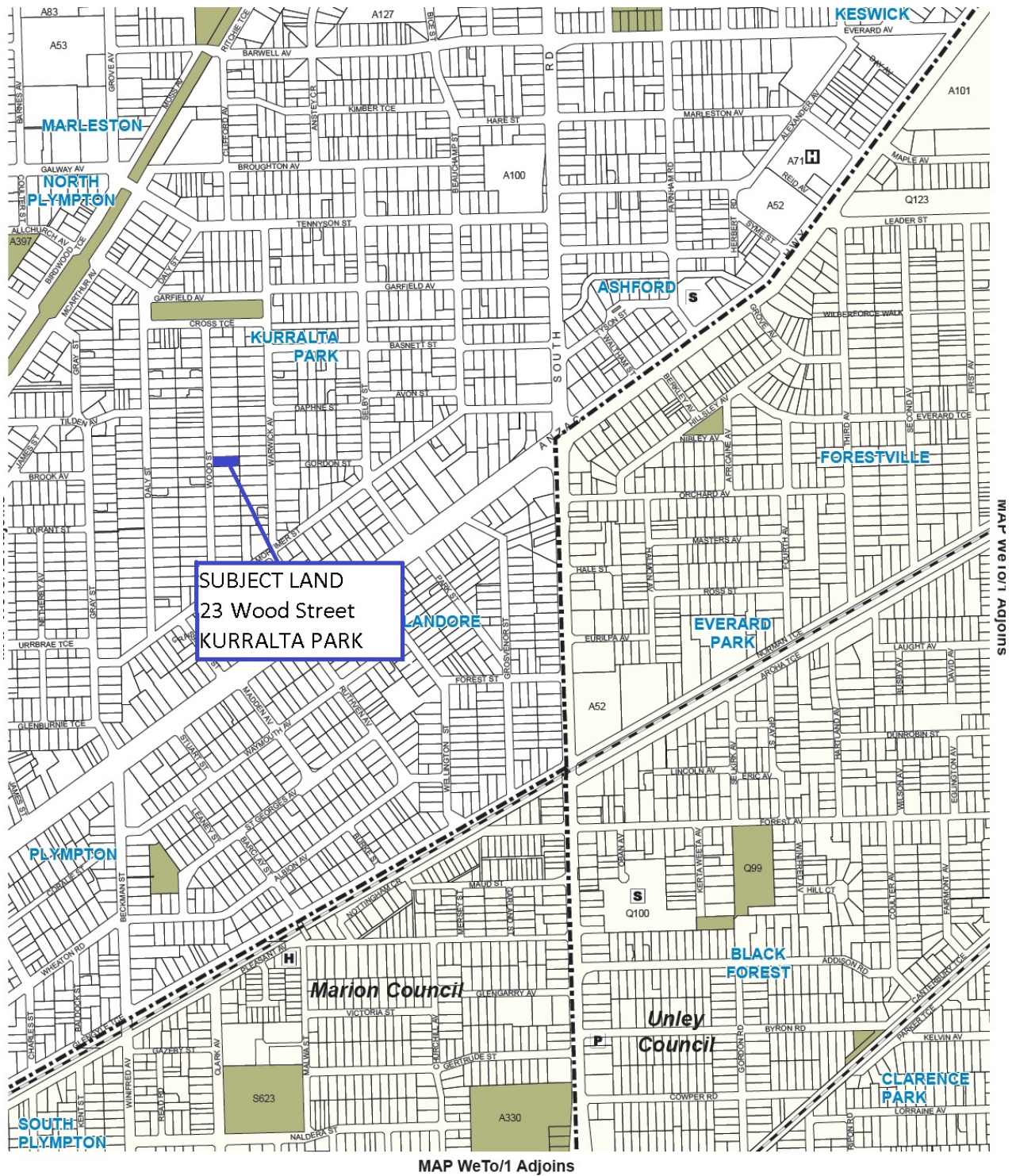
The Wood Street road verge has a number of street trees that line its edge. The trees are of various ages and size with one (1) street tree located directly in front of the site.

The site and locality are shown on the following maps









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

# Location Map WeTo/13

WEST TORRENS COUNCIL

## PROPOSAL

The proposed development seeks consent to construct a two storey residential flat building containing five (5) dwellings. Each dwelling will contain:

### Ground floor

- Living, kitchen and meals area;
- Laundry and water closet;
- Single carport; and
- Alfresco.

### Upper floor

- Three (3) bedrooms;
- Retreat;
- Bathroom;
- Ensuite; and
- Balcony (Residence 1 has two balconies).

Each dwelling is provided with exclusive private open spaces. The spaces are provided in two sections; ground floor private space is primarily located between the building and the northern property boundary while upper floor space is provided by balconies. Residence 1 will have a section of private open space in front of the building line but obscured from public views by a 1.8 metre high fence. All balconies with the exception of the front balcony of Residence 1 will be provided with screening to a height of 1.7 metres above the upper finished floor level.

Each dwelling is provided two exclusive car park spaces; one under a carport and another in front of their respective carport. Both spaces will be covered. An additional "shared" on-site visitor car park space will be sited adjacent the eastern property boundary.

The dwellings will be serviced by a common driveway that runs between the residential flat building and the southern property boundary. The driveway will be 4.5 metres wide at the narrowest point and 6.1 metres at the widest point. A 300mm landscape strip will separate the driveway from the southern property boundary while sections of landscaping will be located between the driveway and the southern walls of Residences 1-4.

A copy of the drawings submitted for the proposed development is contained in **Attachment 1**.

## PUBLIC NOTIFICATION

The land use application involves a building of 2 storeys comprising dwellings on a single site. The development is not listed as either a Category 1 or Category 2 form of development in the Procedural Matters Section of the Residential Zone of the West Torrens Council Development Plan (as consolidated 25 June 2015). The proposed development was processed as a Category 2 form of development in accordance with Section 38 of the *Development Act 1993* and Schedule 9 (18) (a) of the *Development Regulations 2008*

<b>Properties notified:</b>	A total of ten (10) notification letters were sent to owners and/or occupiers of adjoining properties during the public notification process.
<b>Representations:</b>	<p>Forty-one (41) responses were received however as a matter of law only four (4) responses were made in accordance with the requirements prescribed by the <i>Development Regulations 2008</i>.</p> <p>The remaining thirty-seven (37) responses were not made by an owner or occupier of each piece of adjacent land. For the purposes of Section 38 of the <i>Development Act 1993</i> those responses are not to be taken into account by Council and will not have effect for any relevant purpose under the Act.</p>
<b>Persons wishing to be heard:</b>	<p>The following representors requested the opportunity to address the Panel.</p> <ul style="list-style-type: none"> <li>• Steve and Voula Haliabalias</li> <li>• Ray and Nat Doolan</li> <li>• Yu-shih Hsiao (represented by Steve Haliabalias)</li> <li>• Nicole Laube (represented by Steve Haliabalias)</li> </ul>
<b>Summary of Representations:</b>	<p>Points raised in the representations are summarised as follows:</p> <ul style="list-style-type: none"> <li>• Too many dwellings, 3 is acceptable 6 is too many, over development of the site amounting to "cramming". The maximum site coverage has exceeded the allowable maximum;</li> <li>• Scale of development far exceeds the prediction of population growth for the area;</li> <li>• Development is out of character with the area, street and other subdivisions in the street. The street is predominantly single storey character homes (villas, bungalows etc). The development will ruin the façade of the street and change the culture. The street is currently family orientated with young families, such development would not attract the like, changing the demeanour of the street;</li> <li>• The development is a visual eyesore, unattractive, over bearing and out of scale in comparison with existing development of the street. Such high density will take away from the richness and character, the street is not suited to the proposed development;</li> <li>• The lot size, shape, topography, streetscape, architectural style, landscaping, building form, height, location and size of private open space, front setbacks, side and rear setbacks have not been taken into consideration. The proposed development is a direct contravention of Council policies.</li> <li>• Loss of vegetation will significantly impact on neighbourhood character and quality of the area. We take great enjoyment of the current views and taking that away will have an adverse impact of the residential amenity;</li> <li>• The proposal has not been designed to minimise overlooking of surrounding neighbours. All windows and balconies will overlook backyards and homes and is an invasion of privacy. This will have a major impact on the enjoyment of back yards and homes;</li> </ul>

	<ul style="list-style-type: none"><li>• Council, under the Human Rights Act, has a responsibility to ensure our right to peaceful enjoyment of our home and gardens;</li><li>• Such a large bulky building will impact on the outlook of our neighbours and will dominate open space;</li><li>• The development will result in overshadowing. Natural light into our living area will be greatly diminished, this is unacceptable and a contradiction of Council policy;</li><li>• It is our intention to put solar panels up on the northern side. Such a development will take away this option and will greatly disadvantage use, making it unfair and unjust;</li><li>• Blocking direct sunlight into living area of 21 Wood Street will create increased heating costs in winter;</li><li>• Stormwater issues already exist, the street always floods due to inadequate stormwater provision, is the Council going to upgrade the current stormwater facilities?</li><li>• There is no provision for an on-site stormwater detention system to reduce stormwater discharge. The development involves a total loss of garden land to be replaced with "concrete slabs";</li><li>• Traffic leaving the development will result in headlight glare into bedroom windows of adjoining properties. The single common driveway will result in excess traffic and congestion;</li><li>• Trying to get in and out of our own home will cause great stress and potential danger. This will be a major inconvenience for pedestrians and walking down the street will no longer be a form of relaxation "it will be like dodging a moving bullet";</li><li>• The traffic that this proposed development will generate cannot be safely and conveniently accommodated by the existing street network;</li><li>• The proposal has insufficient car parking spaces and increase on-street parking. The street is already congested with surplus cars;</li><li>• The parking spaces provided are small and inappropriate;</li><li>• The single driveway does not allow for any "back entry". As a result safety of surrounding homes is greatly compromised especially in the event of a fire and another emergency due to the restricted access;</li><li>• The current pick-up of our bins alone is horrendous nightmare, adding more cars into the street will exacerbate the current situation with less parking available during bin collection and potential for rubbish mess (up to 12 bins on the frontage of one block);</li><li>• The current public sewers are inadequate for such a development and no provisions have been made to amend to accommodate the proposed development;</li><li>• The proposed development will also have an impact to our water system due to the sheer number of residences being proposed;</li></ul>
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	<ul style="list-style-type: none"> <li>• Increased urbanisation of the natural environments will impact on existing shrubs and mature trees, destroying the environmental quality of the area, and will also pose a risk to adjoining properties due to a reduction in natural drainage, increasing run-off or seepage and potential structural issues;</li> <li>• Noise (traffic and general) will increase and be excessive. This will cause environmental harm. The noise from potentially 12 cars, 6 air conditioners, 6 rainwater tanks, televisions, radios, masses of people, animals, etc will take away the peace and serenity we currently enjoy and are entitled;</li> <li>• The rainwater tanks sit on the boundary which will also result in further noise;</li> <li>• Such a huge development in such a confined space will result in nothing but noise, we chose to live in a quiet street and suburb and now people are trying to take this choice away from us. If we wanted noise and commotion we would have chosen to live in the city;</li> <li>• We believe the noise generation do not comply with the standards set up by the Environmental Protection Authority in residential areas of accepted noise levels;</li> <li>• Emissions from so many vehicles in such a confined space (12 or more vehicles in a 900 square metre area) will result in a significant source of air pollution. This may affect the health and wellbeing of my children, family and surrounding neighbours;</li> <li>• Does not fit into Greater Adelaide's 30-year plan, developers simply maximising profit and only person who sees any benefits. It is a "quick cash grab, they do not care, they will pocket the money and move on to the next development";</li> <li>• This development goes against environmental sustainability;</li> <li>• We want our children to enjoy their home and their environment but such a development will take that option away, they will no longer be able to play outside or go for a bike ride in the street because it is no longer safe for them to do so;</li> <li>• Residents of Wood Street will be left to deal with the consequences for the rest of our lives because we do not have the option to move on;</li> <li>• We implore the proposed development not proceed.</li> </ul>
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Following the public notification period the applicant made amendments to the proposal. The amendments include:

- A reduction in the number of dwellings, from 6 dwellings to 5 dwellings;
- Increased setback to the front, side and rear property boundaries;
- Provision of a on-site visitor car parking space;
- Driveway width has increased;
- Increased level of private open space; and
- Added obscured windows to the south facing windows of bedroom 1 in all the dwelling units.

In addition the following response was prepared by the applicant, based upon the amended plans. The response is summarised as follows:

- The desired character of Policy Area 18 seeks medium density development accommodating a range of dwelling types including residential flat buildings up to 3 storeys;
- It is acknowledged that the locality is predominantly single storey and at lower densities than the proposed development. The older housing stock is being replaced with modern development and the Development Plan encourages greater densities to reflect the vision of the 30-year plan for greater Adelaide;
- The building height remains under 3 storey (7.2 metres to the highest point of the roof) and the mass of the building is reduced through stepping portions of the dwellings northern and southern elevations. Furthermore the main bedroom cantilevers the lower wall and each dwelling has its own independent roof form with decorative gable features to reduce the bulk and scale of the building. Combined with the varying external materials the built form shall be visually appealing;
- The proposed development will result in the loss of a street tree and the existing tree located in the north-western corner of the site. The proposal does include the planting of 7 semi-mature trees further planting of shrubs throughout the site. It is considered that the proposed landscaping will contribute to creating an attractive living environment;
- The proposed development has an average site area of 180 square metres. The development satisfies the minimum site area requirements (average 150 square metres) for residential flat buildings with five dwellings;
- The proposed development achieves compliance with the front, side and rear setback requirements;
- Each dwelling is provided with more than the minimum requirement of 24 square metres of private open space and with a minimum of 16 square metres directly to the rear of the dwellings;
- The Development Plan does not provided any policy for site coverage. Other quantitative requirements of the Development Plan guide the extent of site coverage;
- The proposed development provides 1 undercover and 1 visitor space per dwelling however it is acknowledged the visitor parking falls short by 0.25 spaces. The amended plan is an improvement to the previous plan;
- If, on average each dwelling had 3 vehicle movements per day, this would equate to 15 overall movements per day and this is not considered unreasonable. Council's traffic engineer has not raised concerns with the anticipated increase in number of vehicle movements and furthermore has not requested a second access/egress point for emergency access as this is not required under the Development Plan;
- It is acknowledged that there will be some additional light spill with vehicles exiting the site either in the evening or early morning, nevertheless the impact is not considered to be so unreasonable so as to warrant refusal of the application. One would assume that at night time the blinds are drawn which would significantly reduce the amount of light coming into the bedrooms;
- The site works and drainage plan has been amended. The finished floor levels on the previous site works and drainage plan were considered appropriate by the City Assets Department. The amended site works and drainage plan addresses the issues previously raised by City Assets;
- The noise generated by the proposal will be of a residential nature and considered reasonable. It is acknowledged that the location of air conditioners were not shown previously but these are now provided and sited away from the adjoining properties to ensure there is little impact on the amenity in terms of noise;
- The additional vehicles located in the confined space are unlikely to be turned on at the same time. This should add some level of comfort for the adjoining owners however the Development Plan does not provide any provisios with respect to air pollution resulting from vehicles;

- The windows on the upper level that face into the side and rear adjoining properties are all obscured to a minimum height of 1.7 metres. The proposed upper level balconies previously had no screening devices to prevent overlooking. This has been addressed in the amended plans with a timber slat screen up to 1.7 metres high to prevent overlooking into the adjoining properties;
- The proposed development has been deliberately designed with the common driveway adjacent to southern property boundary. This provides separation to the properties to the south to ensure they receive sufficient natural sunlight to northern facing windows and private open spaces;
- It should be noted that the distance between the upper level of the dwellings and the southern property boundary measures 5.8 metres and there is a further 3 metres beyond the property boundary before the main portion of the dwelling starts. It is considered that the proposed development will not unreasonably overshadow the neighbouring property;
- It is considered that the proposed development satisfies the relevant sections of the Development Plan, particularly the Desired Character of the zone and relevant qualitative and quantitative criteria and warrants approval from Council

A copy of the representations and the applicant's response is contained in **Attachment 2**.

## REFERRALS

Internal

- **City Works - Arboriculture Assistant**

City Works advised that the proposed development will adversely impact the Tree Protection Zone (TPZ) of a street tree making removal in this instance a necessary course of action. As a result of the proposed crossover on Wood Street, City Works has considered the health, structure, form, useful life expectancy, and age of the street tree and will support the removal of the street tree.

- **City Assets - Civil Engineer**

The application was referred to Council's City Assets to review finished floor level, stormwater management, driveway access design, verge interaction with a street tree; and traffic manoeuvrability within the development. The following comments were provided in response to the most recent amendment:

In accordance with the provided 'Site Plan' (CPR drwg no.C150384-C01 rev A received 04/02/16), the FFL of the proposed Res1 (19.24), Res2 (19.265), Res3 (19.35), Res4 (19.40) and Res5 (19.445) has been assessed as satisfying minimum requirements (19.100) in consideration of street and/or flood level information.

Traffic manoeuvrability has been assessed as acceptable in accordance with the site layout shown in 'Site Plan' (CPR drwg no.C150384-C01 rev A received 04/02/16).

It is requested that all new stormwater connection needs 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). It is recommended that the proposed new stormwater connection needs to be shifted to the northern side of the driveway crossover.

## 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 (as consolidated 25 June 2015). The main provisions of the Development Plan which relate to the proposed development are as follows:

<u>General Section</u>		
Crime Prevention	Objectives	1
	Principles of Development Control	1, 2, 3, 7 & 8
Design and Appearance	Objectives	1 & 2
	Principles of Development Control	1, 2, 3, 9, 10, 12, 13, 14, 15, 21 & 22
Energy Efficiency	Objectives	1 & 2
	Principles of Development Control	1, 2 & 3
Landscaping, Fences and Walls	Objectives	1 & 2
	Principles of Development Control	1, 2, 3, 4 & 6
Orderly and Sustainable Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1 & 3
Residential Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33
Transportation and Access	Objectives	2
	Principles of Development Control	1, 2, 8, 9, 10, 11, 23, 24, 30, 34, 35, 36, 37 & 44

Zone: Residential Zone	
<p><b>Desired Character Statement:</b>  <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, 10, 11, 12 & 13

<b>Policy Area: Medium Density Policy Area 18</b>	
<b>Desired Character Statement:</b>	
<p><i>'Allotments in this policy area will be at medium density, accommodating a range of dwelling types including residential flat buildings, row dwellings, group dwellings, semi-detached dwellings and some detached dwellings on small allotments. Allotment amalgamation to create larger development sites will occur to maximise the density of development while also achieving integrated design outcomes, particularly within a comfortable walking distance of centre zones. Vehicle access will occur from side streets and new rear public and private laneways wherever possible, also supporting the retention of existing street trees.</i></p> <p><i>New buildings will contribute to a highly varied streetscape. Buildings will be up to 3 storeys and provide a strong presence to streets, other than in the part of the policy area in Underdale, Ashford (other than allotments adjacent to Residential Character Ashford Policy Area 22) and allotments bounded by Anzac Highway, Morphett Road and Cromer Street in Camden Park where buildings will be up to 4 storeys. Parking areas and garages will be located behind the front facade of buildings.</i></p> <p><i>Buildings on the edge of the policy area which adjoin residential policy areas at lower densities will pay particular attention to managing the interface with adjoining dwellings, especially in terms of the appearance of building height and bulk, and overshadowing.</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>	
<b>Objectives</b>	1
<b>Principles of Development Control</b>	1, 4, 5, 7, 8

## QUANTITATIVE ASSESSMENT

The proposal is assessed for consistency with the relevant quantitative provisions of the Development Plan as outlined in the table below:

<b>DEVELOPMENT PLAN PROVISIONS</b>	<b>Quantitative guideline</b>	<b>Assessment</b>
<b>SITE AREA</b> <i>Medium Density Policy Area 18</i> <i>PDC 6</i>	Residential Flat Building 150m <sup>2</sup> (average)	180m <sup>2</sup> average  <b>Satisfies</b>
<b>SITE FRONTAGE</b> <i>Medium Density Policy Area 18</i> <i>PDC 6</i>	Residential Flat Building 15 m (for complete building)	18.28 m  <b>Satisfies</b>
<b>SITE COVERAGE</b> <i>Medium Density Policy Area 18</i> <i>PDC 5</i>	70% (max.)	Approx. 47%  <b>Satisfies</b>
<b>PRIMARY STREET SETBACK</b> <i>Medium Density Policy Area 18</i> <i>PDC 5</i>	3m (min.)	2.6m to front balcony, 3.5 m to front wall  <b>Almost Satisfies</b>

<p><b>SIDE/REAR SETBACKS</b> <i>Residential Zone</i> <i>PDC 11</i></p> <p><i>Medium Density Policy Area 18</i> <i>PDC 5</i></p>	<p>Side 0/1m (Ground Floor) 2m (Upper Floor)</p> <p>Rear  4m (min.)</p>	<p>Side 2.2m at the closest point for both ground and upper floor)</p> <p><b>Satisfies</b></p> <p>Rear  4.44m</p> <p><b>Satisfies</b></p>
<p><b>BUILDING HEIGHT</b> <i>Medium Density Policy Area 18</i> <i>PDC 5</i></p>	<p>3 storeys or 12.5m</p>	<p>2 storeys</p> <p><b>Satisfies</b></p>
<p><b>INTERNAL FLOOR AREA</b> <i>Residential Development</i> <i>PDC 9</i></p>	<p>3 Bedroom - 100m<sup>2</sup> (min.)</p>	<p>Dwellings 1-5 - 106m<sup>2</sup></p> <p><b>Satisfies</b></p>
<p><b>LANDSCAPING</b> Landscaping, fencing and walls <i>PDC 4</i></p>	<p>A minimum of 10 per cent of a development site</p>	<p>18%</p> <p><b>Satisfies</b></p>
<p><b>PRIVATE OPEN SPACE</b> <i>Medium Density Policy Area 18</i> <i>PDC 7</i></p>	<p>- 24m<sup>2</sup> (min.), of which 8m<sup>2</sup> may comprise balconies, roof patios and the like, provided they have a minimum dimension of 2m. -Minimum dimension 3m (excl. balconies).</p>	<p>Dwelling 1 - Ground 44 m<sup>2</sup> (Including space in front of dwelling wall and behind a 1.8 metre high fence) and balcony 6 m<sup>2</sup> Dwellings 2-4 - Ground 16m<sup>2</sup> and balcony 6 m<sup>2</sup> Dwelling 5 - Ground 49m<sup>2</sup> and balcony 6 m<sup>2</sup></p> <p>All ground level POS has a minimum dimension of 3 metres</p> <p><b>Almost satisfies</b></p>
<p><b>CARPARKING SPACES</b> <i>Transportation and Access</i> <i>PDC 34</i></p>	<p>2 spaces per dwelling (1 covered) plus</p> <p>0.25 independent visitor space per dwelling residential flat building</p>	<p>2 car parking spaces per dwelling</p> <p><b>Satisfies</b></p> <p>1 shared visitor car parking space provided</p> <p><b>Satisfies</b></p>

## QUALITATIVE ASSESSMENT

The proposed development, and in particular issues identified in the representations, were assessed against the relevant qualitative provisions of the Development Plan as discussed under the following sub headings:

### Dwelling density and local character

*“Allotments in this policy area will be at medium density, accommodating a range of dwelling types including residential flat buildings” – Desired Character Statement, Policy Area 18*

*“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”. – Desired Character Statement, Residential Zone*

*“Allotment amalgamation to create larger development sites will occur to maximise the density of development while also achieving integrated design outcomes, particularly within a comfortable walking distance of centre zones”. – Desired Character Statement, Policy Area 18*

*“the minimum allotment sizes shall be treated as such in order to achieve the Desired Character for each policy area” – Desired Character Statement, Residential Zone*

The Desired Character Statement (DCS) for the Residential Zone envisages residential flat buildings being common near centres and in policy areas where the desired density is higher. The proposed development has an average dwelling site area of 180 square metres; this exceeds the minimum site area provision for a residential flat building in Policy Area 18. The subject land is also approximately 250 metres from the Kurralta Park District Centre Zone which places it within a locality identified in the Development Plan as being appropriate for medium density development involving residential flat buildings.

The representations object to the density of the proposed development however these objections are not supported by the Development Plan. In actual fact the proposed development misses an opportunity to further maximise density because the site is not made larger through the amalgamation of allotments. The limitations of the allotment and the necessity for the development to satisfy other guidelines of the Development Plan prevent the proposal from achieving its full density potential. The proposal's inability to deliver a greater residential density is not viewed as a threat to the desired character of either Policy Area 18 or the Residential Zone.

### Car parking and safety

*“Development should provide safe and convenient access for all anticipated modes of transport.” – Principle of Development Control 8, Transportation and Access*

*“Driveway crossovers should be separated and the number minimised to optimise the provision of on-street visitor parking (where on-street parking is appropriate).” – Principle of Development Control 11, Transportation and Access*

*“Development should be provided with safe and convenient access which:*

- (a) avoids unreasonable interference with the flow of traffic on adjoining roads*
- (b) provides appropriate separation distances from existing roads or level crossings*
- (c) accommodates the type and volume of traffic likely to be generated by the development or land use and minimises induced traffic through over-provision*
- (d) is sited and designed to minimise any adverse impacts on the occupants of and visitors to neighbouring properties” – Principle of Development Control 24, Transportation and Access*

*“Driveways, access tracks and parking areas should be designed and constructed to:*

- (a) follow the natural contours of the land*
- (b) minimise excavation and/or fill*
- (c) minimise the potential for erosion from runoff*
- (d) avoid the removal of existing vegetation*
- (e) be consistent with Australian Standard AS 2890 Parking facilities” – Principle of Development Control 30, Transportation and Access*

*“On-site vehicle parking should be provided having regard to:*

- (a) the number, nature and size of proposed dwellings*
- (b) proximity to centre facilities, public and community transport within walking distance of the dwellings*
- (c) the anticipated mobility and transport requirements of the likely occupants, particularly groups such as aged persons” – Principle of Development Control 44, Transportation and Access*

*“Vehicle parking areas servicing more than one dwelling should be of a size and location to:*

- (a) serve users, including pedestrians, cyclists and motorists, efficiently, conveniently and safely*
- (b) provide adequate space for vehicles, including emergency service vehicles, to manoeuvre between the street and the parking area*
- (c) reinforce or contribute to attractive streetscapes” – Principle of Development Control 45, Transportation and Access*

A common driveway will facilitate all vehicle access to and from Wood Street. The width of the driveway will ensure all vehicles can enter and exit the subject land in a forward direction and at certain points can facilitate two-way vehicle movements within the subject land. The width can also provide access for emergency service vehicles.

The driveway has a slight deviation just prior to the Wood Street property boundary which creates a favourable separation from any structures that might otherwise hinder sightlines. This enables vehicles to have unobstructed views to the footpath.

The crossover will require the removal of a street tree, which is inconsistent with the Development Plan guidelines however, the location of the driveway has been influenced by other design considerations. These include orientating private open space to the northern side of the building to ensure adequate separation distances are provided between the building and adjoining dwellings. The removal of the tree can also be offset by a new tree being planted in front of the subject land.

Landscaping will be provided to either side of the driveway and there is scope within the common property to increase vegetation coverage through the inclusion of landscaped “choke points” in front of Residence 2 and 3 and again in front of Residence 4. This additional design work has the potential to slow down vehicle movements within the site and provide greater safety for pedestrians and is recommended as a condition of consent.

The driveway design is consistent with the *Australian/New Zealand Standard AS/NZ 2890.1 2004- Parking facilities* and therefore believed to be an efficient design to provide a balance between function, safety and aesthetics.

The representations raised concerns regarding the impact of the development on the existing supply of on-street parking and safety in general. The proposed development will remove an existing single crossover adjacent to the northern property boundary and replace it with a double crossover adjacent to the southern boundary. The change to the road verge will not result in the loss of any on-street car parking spaces immediately in front of the subject land.



It is agreed that demand for spaces will increase due to the development and the new crossover will cause a street tree to be removed. Nevertheless, the proposal itself will have minimal impact to existing on-street spaces and satisfies the Development Plan policies relating to on-site car parking.

### **Overshadowing**

*“Development should ensure that sunlight to solar panels of existing buildings is maintained for a minimum of 2 consecutive hours between 9.00am and 3.00pm on 22 June” – Principle of Development Control 14, Residential Zone*

*“The design and location of buildings should ensure that direct winter sunlight is available to adjacent dwellings, with particular consideration given to:*

- (a) windows of habitable rooms, particularly living areas*
- (b) ground -level private open space*
- (c) upper - level private balconies that provide the primary open space area for any dwelling*
- (d) access to solar energy.” – Principle of Development Control 10, Residential Development*

*“Development should ensure that ground-level open space of existing buildings receives direct sunlight for a minimum of two hours between 9.00 am and 3.00 pm on 21 June to at least the smaller of the following:*

- (a) half of the existing ground-level open space*
- (b) 35 square metres of the existing ground-level open space (with at least one of the area’s dimensions measuring 2.5 metres).” – Principle of Development Control 12, Residential Development*

The adjoining property owners at 21 Wood Street have expressed concerns that the proposed development will cast undesirable shadow over windows of the dwelling, private open space and future solar energy infrastructure they eventually wish to erect. This concern was not supported by shadow analysis conducted by Council staff or diagrams submitted by the Applicant.

The analysis determined that shadow cast over the adjoining property will have minimal impact to the overall amenity of the adjoining land or any part of a photovoltaic array constructed on the roof of the adjoining dwelling. The movement of the shadow over the adjoining property will ensure that no particular part of the dwelling or its surrounding curtilage is covered by shadow for unreasonable lengths of time. The impact and extent of shadow satisfies the specific overshadowing guidelines of the Development Plan.

### **Appearance of land and building (including bulk and scale)**

*“New buildings will contribute to a highly varied streetscape. Buildings will be up to 3 storeys and provide a strong presence to streets” – Desired Character Statement, Policy Area 18*

*“Parking areas and garages will be located behind the front facade of buildings.” – Desired Character Statement, Policy Area 18*

*“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.” – Desired Character Statement, Policy Area 18*

*“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.” – Principle of Development Control 7, Residential Zone*

*“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” - Principle of Development Control 10, Residential Zone*

*“Building appearance should be compatible with the desired character statement of the relevant zone, policy area or precinct, in terms of built form elements such as:*

- (a) building height*
- (b) building mass and proportion*
- (c) external materials, patterns, textures, colours and decorative elements*
- (d) ground floor height above natural ground level*
- (e) roof form and pitch*
- (f) facade articulation and detailing and window and door proportions*
- (g) verandas, eaves and parapets*
- (h) driveway crossovers, fence style and alignment” - Principle of Development Control 4, Residential Development*

*“Residential development should avoid undue repetition of style and external appearance.” - Principle of Development Control 5, Residential Development*

*“Dwellings and accommodation at ground floor level should contribute to the character of the locality and create active, safe streets by incorporating one or more of the following:*

- (a) front landscaping or terraces that contribute to the spatial and visual structure of the street while maintaining adequate privacy for occupants*
- (b) individual entries for ground floor accommodation*
- (c) opportunities to overlook adjacent public space.” - Principle of Development Control 6, Residential Development*

*“Residential development should be designed to ensure living rooms have an external outlook.” - Principle of Development Control 7, Residential Development*

*“Entries to dwellings or foyer areas should be clearly visible from the street, or access ways that they face to enable visitors to easily identify individual dwellings.” - Principle of Development Control 8, Residential Development*

The proposed building will be well within the maximum building heights that are expected within Policy Area 18 and the building's design avoids the use of extensive areas of uninterrupted walls. The upper wall setbacks exceed the quantitative guidelines of the Development Plan which will prevent the mass of the building dominating the adjoining dwellings. The design of the dwellings is repetitive, particularly the northern and southern elevations, however this will not be overly apparent from the street due to developments on adjoining properties obscuring parts of the building.

The front elevation of the building includes a front door, large windows and a balcony that allows the building to address the street in a manner similar to that of the surrounding dwellings. The front elevation will facilitate passive observation of public space from Residence 1, while the remaining dwellings will have ground floor windows that provide passive observation over the common driveway. The building mass and proportions are consistent with the guidelines of the Development Plan that relate to building design and appearance.

## Private Open Space

*“Private open space (available for exclusive use by residents of each dwelling) should be provided for each dwelling and should be sited and designed:*

- (a) to be accessed directly from the internal living areas of the dwelling*
- (b) to be generally at ground level (other than for residential flat buildings) and to the side or rear of a dwelling and screened for privacy*
- (c) to take advantage of, but not adversely affect, natural features of the site*
- (d) to minimise overlooking from adjacent buildings*
- (e) to achieve separation from bedroom windows on adjoining sites*
- (f) to have a northerly aspect to provide for comfortable year round use*
- (g) not to be significantly shaded during winter by the associated dwelling or adjacent development*
- (h) to be partly shaded in summer*
- (i) to minimise noise or air quality impacts that may arise from traffic, industry or other business activities within the locality*
- (j) to have sufficient area and shape to be functional, taking into consideration the location of the dwelling, and the dimension and gradient of the site” - Principle of Development Control 18, Residential Development*

*“Private open space should not include driveways, effluent drainage areas, rubbish bin storage areas, sites for rainwater tanks and other utility areas, sites for outbuildings, and common areas such as parking areas and communal open space.” - Principle of Development Control 20, Residential Development*

*“Private open space at ground level should be designed to provide a consolidated area of deep soil (an area of natural ground which excludes areas where there is a structure underneath, pools and non-permeable paved areas) to:*

- (a) assist with ease of drainage*
- (b) allow for effective deep planting*
- (c) reduce urban heat loading and improve micro-climatic conditions around sites and buildings” - Principle of Development Control 20, Residential Development*

*“Private open space located above ground level should have a minimum dimension of 2 metres and be directly accessible from a habitable room” - Principle of Development Control 20, Residential Development*

The dwellings will be provided with open space in two separate areas. The larger areas will be provided at ground level and include alfrescos that are accessible directly from the ground floor living areas. These spaces are mostly on the northern side of the building. A smaller area of open space will be provided by upper floor balconies that are accessible from bedroom 2 of each dwelling and also bedroom 1 of Residences 1 and 5.

The ground floor private open spaces for Residences 2, 3 and 4 are less spacious than those provided for Residences 1 and 5 and subsequently present less amenity and functionality. The addition of small ancillary outbuildings to the ground floor open spaces of Residences 2, 3 and 4 has the potential to lessen the functionality of the spaces. The balconies have an area of approximately 6 square metres and screened in a manner that will provide privacy to the occupants of the proposed dwelling.

The ground floor private open spaces for Residences 2, 3 and 4 could be improved with the provision of a little more area however overall the spaces fall marginally short of the private open space guidelines of the Development Plan. The shortfall is not considered sufficient to withhold consent.

## Privacy

*“Except for buildings of 3 or more storeys, upper level windows, balconies, terraces and decks that overlook habitable room windows or private open space of dwellings should maximise visual privacy through the use of measures such as sill heights of not less than 1.7metres or permanent screens having a height of 1.7 metres above finished floor level.” - Principle of Development Control 27, Residential Development*

The proposed development has upper level windows to all four of its elevations. The windows have sill heights at varying levels ranging from sills that are in line with the upper floor to 1.7 metres above the upper floor. Some will have fixed glazing, others with openings (either slide or wind out). Further design measures will need to be applied to the windows to ensure the visual privacy of adjoining properties is maintained and a condition requiring a re-design of the windows is included in the recommendations.

The balconies are located on the southern side of the building and accessible from sliding glass doors. The balconies include fixed aluminium slat screening and a solid hebel balustrade with a stainless steel handrail. These features will combine to create a screen to a height of 1.7 metres above the upper floor level and is considered adequate to satisfy privacy guidelines within the Development Plan.

## Amenity

*“Noise generated by fixed noise sources such as air conditioning units and pool pumps should be located, designed and attenuated to avoid nuisance to adjoining landowners and occupiers.” - Principle of Development Control 28, Residential Development*

*“External noise and artificial light intrusion into bedrooms should be minimised by separating or shielding these rooms from:*

- (a) active communal recreation areas, parking areas and vehicle access ways*
- (b) service equipment areas and fixed noise sources on the same or adjacent sites” - Principle of Development Control 29, Residential Development*

*“Site facilities for group dwellings, multiple dwellings and residential flat buildings should include:*

- (a) mail box facilities sited close to the major pedestrian entrance to the site*
- (b) bicycle parking for residents and visitors (for developments containing more than 6 dwellings)*
- (c) household waste and recyclable material storage areas away from dwellings.” - Principle of Development Control 30, Residential Development*

*“A dwelling should incorporate a minimum storage area of 8 cubic metres for goods and chattels, other than food and clothing, within at least one of the following:*

- (a) a non-habitable room of the dwelling*
- (b) a garage, carport or outbuilding*
- (c) an on-site communal facility” - Principle of Development Control 31, Residential Development*

Each dwelling is provided with dedicated storage of approximately 2 square metres beneath the stairs and there is capacity within the ground floor private open space of Residences 1 and 5 for additional storage opportunities. The private open spaces of Residences 2, 3 and 4 will be too small to accommodate any significant increase in storage opportunities.

A communal mailbox will be located at the front of the subject land and each dwelling has capacity to accommodate household waste and recyclable materials next to their respective water tanks. The Applicant has advised that air conditioning units will be located on the upper roof as far away from the neighbour's boundary as possible.

## SUMMARY

The size of the subject land inhibits the potential for greater density and it is apparent the development is attempting to maximise the use of the space that is available. While this has resulted in some minor inconsistencies with some general guidelines of the Development Plan, the proposal will substantially meet the overall objectives of the Residential Zone and Medium Density Policy Area 18.

The proposed development is considered appropriate for the site as:

- The design and siting of the proposed development is considered to be compatible with the relevant policies for the locality;
- The proposal is unlikely to have a detrimental impact on surrounding properties and should provide for a reasonable level of amenity for future residents; and
- The proposal generally satisfies 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 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 25 June, 2015 and warrants Development Plan Consent and Land Division Consent.

## RECOMMENDATION

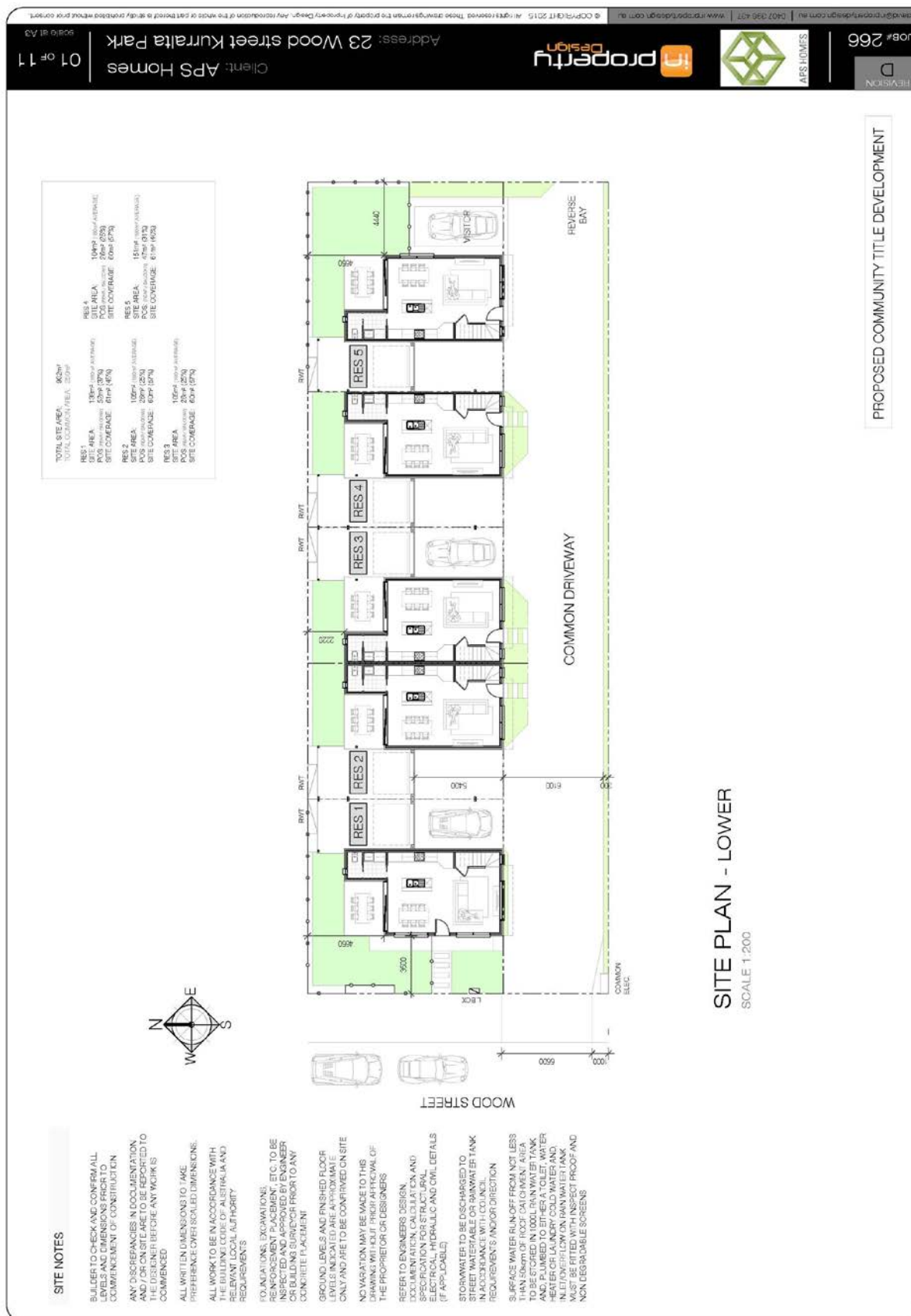
The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/875/2015 by InProperty Design to undertake Construction of a two storey residential flat building comprising five (5) dwellings and associated driveway and landscaping at 23 Wood Street, Kurralta Park (CT 5697/280) subject to the following conditions:

### Council Conditions

1. That the development shall be undertaken and maintained in accordance with the plans and information detailed in this application except where varied by any conditions listed below.
2. That all stormwater design and construction must 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 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. That any retaining walls must be designed to accepted engineering standards, and not of timber construction if retaining a difference in ground level exceeding 200mm.
4. That all driveways, parking and manoeuvring areas must be formed, surfaced with concrete, bitumen or paving prior to occupation of the dwelling, and be properly drained, and maintained in a reasonable condition at all times.

5. Prior to occupation of the dwellings, all planting and landscaping must be completed and be maintained in reasonable condition at all times. Any plants that become diseased or die must be replaced with a suitable species.
6. That all upper level windows visible from adjoining properties, with the exception of those on the front elevation, shall be, prior to occupation, installed with:
  - a) Fixed and obscured glass to a height of 1.7 metres (minimum) above upper floor level; or
  - b) Obscured glass to a height of 1.7 metres (minimum) above upper floor level, which is hinged at the top of the window panel and includes a wind-out mechanism restricted to no greater than 120mm.
7. The gaps between the balustrade, handrails and aluminum slats of all south facing balconies shall be no more than 10 millimeters.
8. Landscaped protrubances shall be added to the landscaping strip abutting the southern boundary to create "choke points of no less than three metres wide" within the common driveway. The protrubances should be sited in a manner that does not compromise reversing movements of vehicles parked on the subject land.
9. The shared visitor car park shall be marked as such by a small sign post in the adjacent landscaped verge.
10. 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



# SITE NOTES

BUILDER TO CHECK AND CONFIRM ALL LEVELS AND DIMENSIONS PRIOR TO COMMENCEMENT OF CONSTRUCTION.

ANY DISCREPANCIES IN DOCUMENTATION AND/OR ON SITE ARE TO BE REPORTED TO THE DESIGNER BEFORE ANY WORK IS COMMENCED.

ALL WRITTEN DIMENSIONS TO TAKE PREFERENCE OVER SCALED DIMENSIONS.

ALL WORK TO BE IN ACCORDANCE WITH THE RELEVANT LOCAL AND NATIONAL REQUIREMENTS.

FOUNDATIONS, EXCAVATIONS, REINFORCEMENT PLACEMENT, ETC. TO BE IN ACCORDANCE WITH THE RELEVANT LOCAL OR BUILDING SURVEYOR PRIOR TO ANY CONCRETE PLACEMENT.

GROUND LEVELS AND FINISHED FLOOR LEVELS TO BE CONFIRMED ON SITE ONLY AND ARE TO BE CONFIRMED ON SITE.

NO VARIATION MAY BE MADE TO THIS DRAWING WITHOUT PRIOR APPROVAL OF THE PROPRIETOR OR DESIGNERS.

REFER TO ENGINEERS' DESIGN, DOCUMENTATION, CALCULATION AND SPECIFICATION FOR STRUCTURAL, ELECTRICAL, HYDRAULIC AND CIVIL DETAILS (IF APPLICABLE).

STORMWATER TO BE DISCHARGED TO STREET WATERTABLE OR RAINWATER TANK IN ACCORDANCE WITH COUNCIL REQUIREMENTS AND DRAINAGE DIRECTION.

SURFACE WATER RUN-OFF FROM NOT LESS THAN 50sqm OF ROOF CATCHMENT AREA TO BE STORED IN 1000L RAIN WATER TANK. EITHER EITHER HOT WATER HEATER OR COLD WATER HEATER. INLET/OVERFLOW ON RAIN WATER TANK MUST BE FITTED WITH INSPECT PROOF AND NON DEGRADABLE SCREENS.

## SITE PLAN - UPPER

SCALE 1:200

The site plan shows a rectangular plot with a common driveway running along the right side. Five residential units (RES 1 to RES 5) are arranged in a row, each with its own entrance and parking space. A visitor unit is located at the bottom right, and a reverse bay is at the bottom left. The plan includes dimensions for the site area, common driveway, and individual units. A north arrow is present.

Unit	Site Area	POS (m <sup>2</sup> )	Site Coverage
RES 1	150m <sup>2</sup> (150m <sup>2</sup> average)	20m <sup>2</sup> (25%)	61m <sup>2</sup> (41%)
RES 2	150m <sup>2</sup> (150m <sup>2</sup> average)	20m <sup>2</sup> (25%)	61m <sup>2</sup> (41%)
RES 3	150m <sup>2</sup> (150m <sup>2</sup> average)	20m <sup>2</sup> (25%)	61m <sup>2</sup> (41%)
RES 4	150m <sup>2</sup> (150m <sup>2</sup> average)	20m <sup>2</sup> (25%)	61m <sup>2</sup> (41%)
RES 5	150m <sup>2</sup> (150m <sup>2</sup> average)	20m <sup>2</sup> (25%)	61m <sup>2</sup> (41%)

WOOD STREET

COMMON DRIVEWAY

REVERSE BAY

VISITOR

RES 1

RES 2

RES 3

RES 4

RES 5

WOOD STREET

COMMON DRIVEWAY

REVERSE BAY

VISITOR

RES 1

RES 2

RES 3

RES 4

RES 5

WOOD STREET

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RES 3

RES 4

RES 5

WOOD STREET

COMMON DRIVEWAY

REVERSE BAY

VISITOR

RES 1





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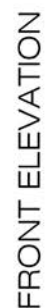


FLOOR PLAN - RES 1  
SCALE 1:100

PROPOSED RESIDENCE	
LWR LIVING:	43.13m <sup>2</sup>
CARPORT:	17.78m <sup>2</sup>
ALFRESCO:	8.06m <sup>2</sup>
UPR LIVING:	73.94m <sup>2</sup>
BALCONY:	6.05m <sup>2</sup>
BALCONY:	3.36m <sup>2</sup>
<b>TOTAL:</b>	<b>152.32m<sup>2</sup></b>



SCALE 1:100



SCALE 1:100



SCALE 1:100



SCALE 1:100

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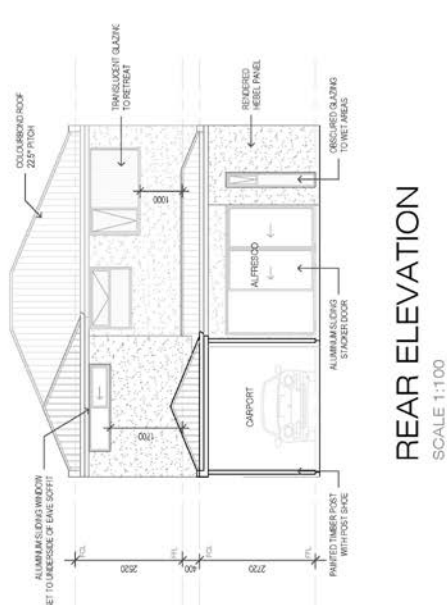
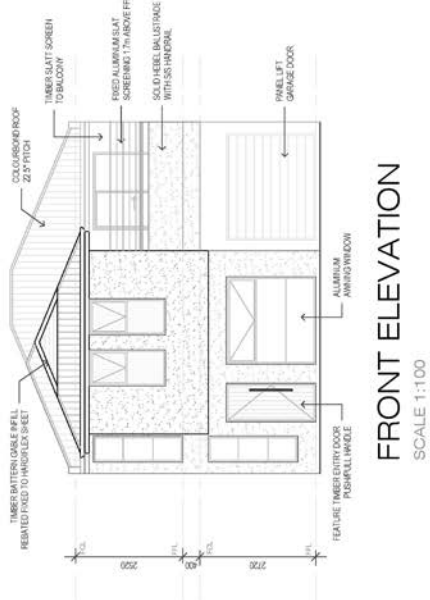
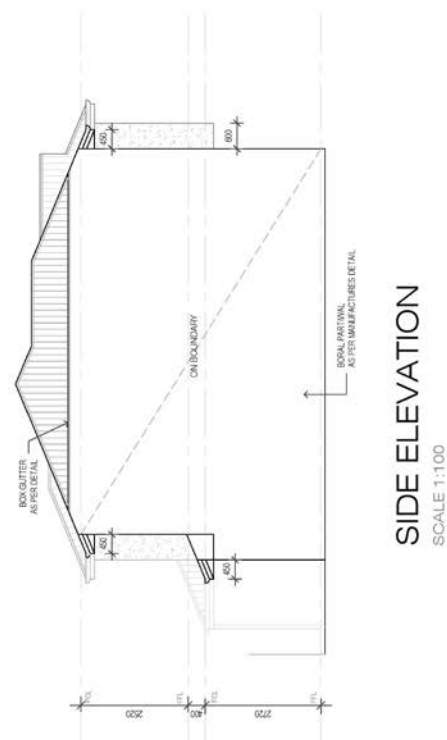
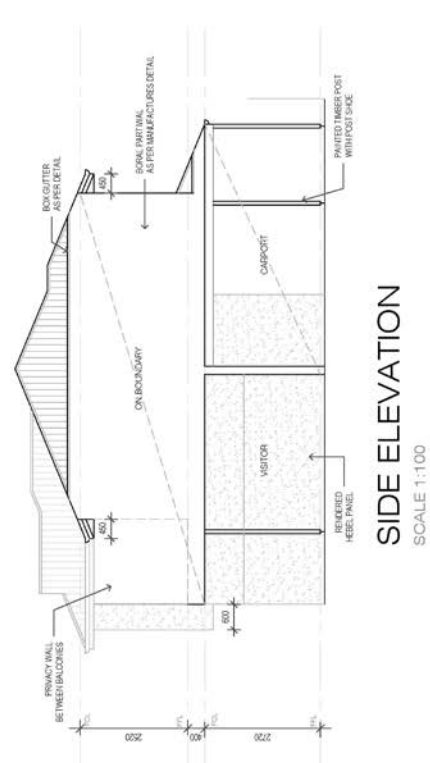
STORMWATER TO BE DISCHARGED TO STREET WATERTABLE OR RAINWATER TANK IN ACCORDANCE WITH COUNCIL REQUIREMENTS AND/OR DIRECTION

SURFACE WATER RUN-OFF FROM NOT LESS THAN 500-gm OF ROOF CATCHMENT AREA IS TO BE STORED IN 1000L RAIN WATER TANK AND, PLUMBED TO EITHER A TOILET, WATER HEATER OR LAUNDRY COLD WATER AND, INLET/OVERFLOW ON RAIN WATER TANK. IT MUST BE FITTED WITH INSPECT PROOF AND NON DEGRADABLE SCREENS.



PROPOSED RESIDENCE	42.50m <sup>2</sup>
LWR LIVING:	17.78m <sup>2</sup>
CARPOT:	8.06m <sup>2</sup>
AULFresco:	73.94m <sup>2</sup>
UPR LIVING:	6.05m <sup>2</sup>
BALCONY:	
TOTAL:	148.33m <sup>2</sup>

FLOOR PLAN - RES 2-4  
SCALE 1:100



BUILDER TO CHECK AND CONFIRM ALL LEVELS AND DIMENSIONS PRIOR TO COMMENCEMENT OF CONSTRUCTION

ALL WRITTEN DIMENSIONS TO TAKE PREFERENCE OVER SCALED DIMENSIONS.

ALL WORK TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA AND RELEVANT LOCAL AUTHORITY REQUIREMENTS

FOUNDATIONS, EXCAVATIONS,  
REINFORCEMENT PLACEMENT, ETC., TO BE  
INSPECTED AND APPROVED BY ENGINEER  
OR BUILDING SURVEYOR PRIOR TO ANY  
CONCRETE PLACEMENT

GROUND LEVELS AND FINISHED FLOOR LEVELS INDICATED ARE APPROXIMATE ONLY AND ARE TO BE CONFIRMED ON SITE

REFER TO ENGINEERS DESIGN,  
DOCUMENTATION, CALCULATION AND  
SPECIFICATION FOR STRUCTURAL,  
ELECTRICAL, HYDRAULIC AND CIVIL DETAILS  
(IF APPLICABLE)

STORMWATER TO BE DISCHARGED TO  
STREET WATERTABLE OR RAINWATER TANK  
IN ACCORDANCE WITH COUNCIL  
REQUIREMENTS AND/OR DIRECTION

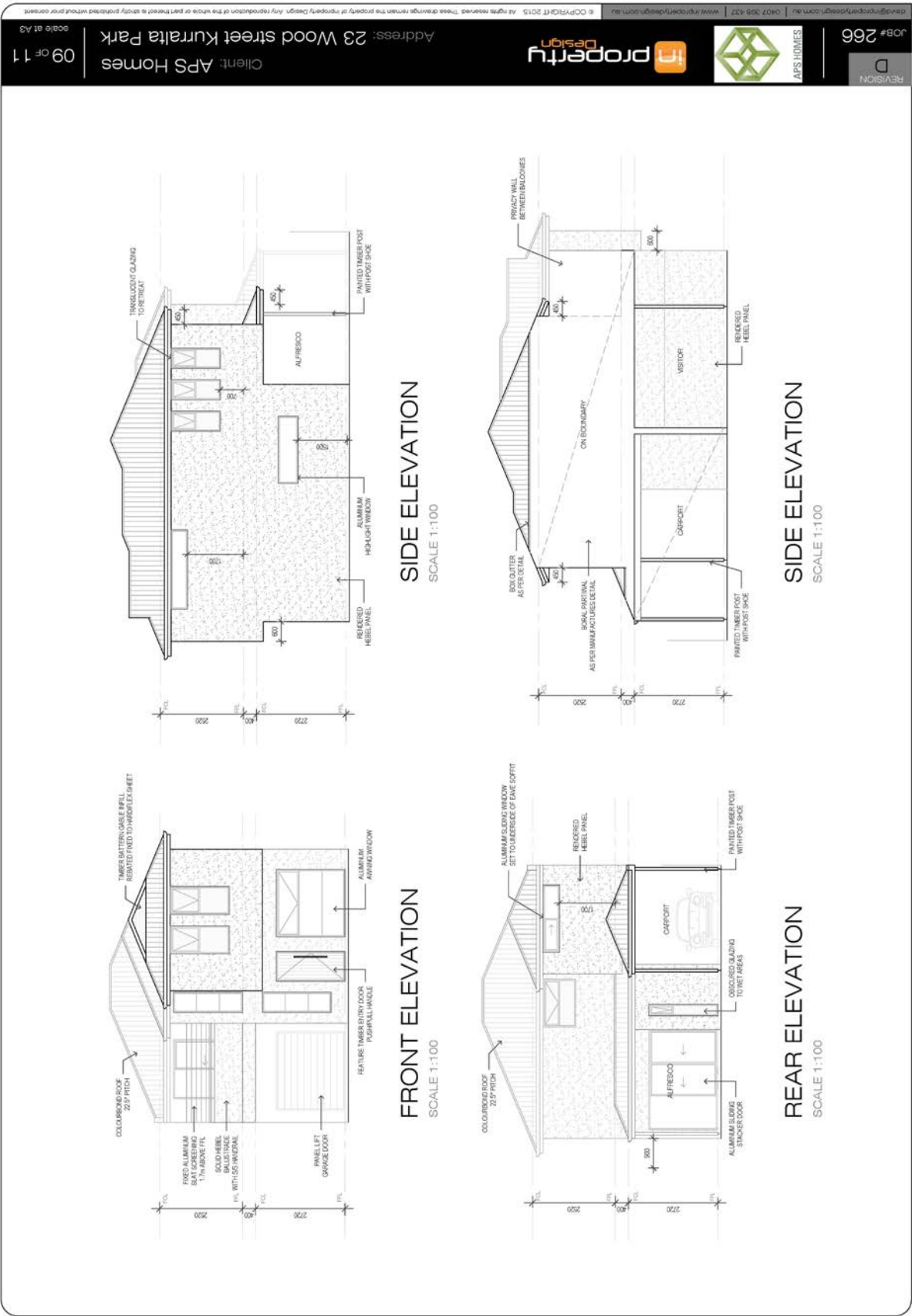
SURFACE WATER RUN-OFF FROM NOT LESS THAN 50sq.m OF ROOF CATCHMENT AREA TO BE STORED IN 1000L RAIN WATER TANK AND, PLUMBED TO EITHER A TOILET, WATER HEATER OR LAUNDRY COLD WATER AND, DRAINAGE PIPING TO OVERFLOW ON RAIN WATER TANK. TANK MUST BE FITTED WITH INSPECT PROOF AND NON DEGRADABLE SCREENS.

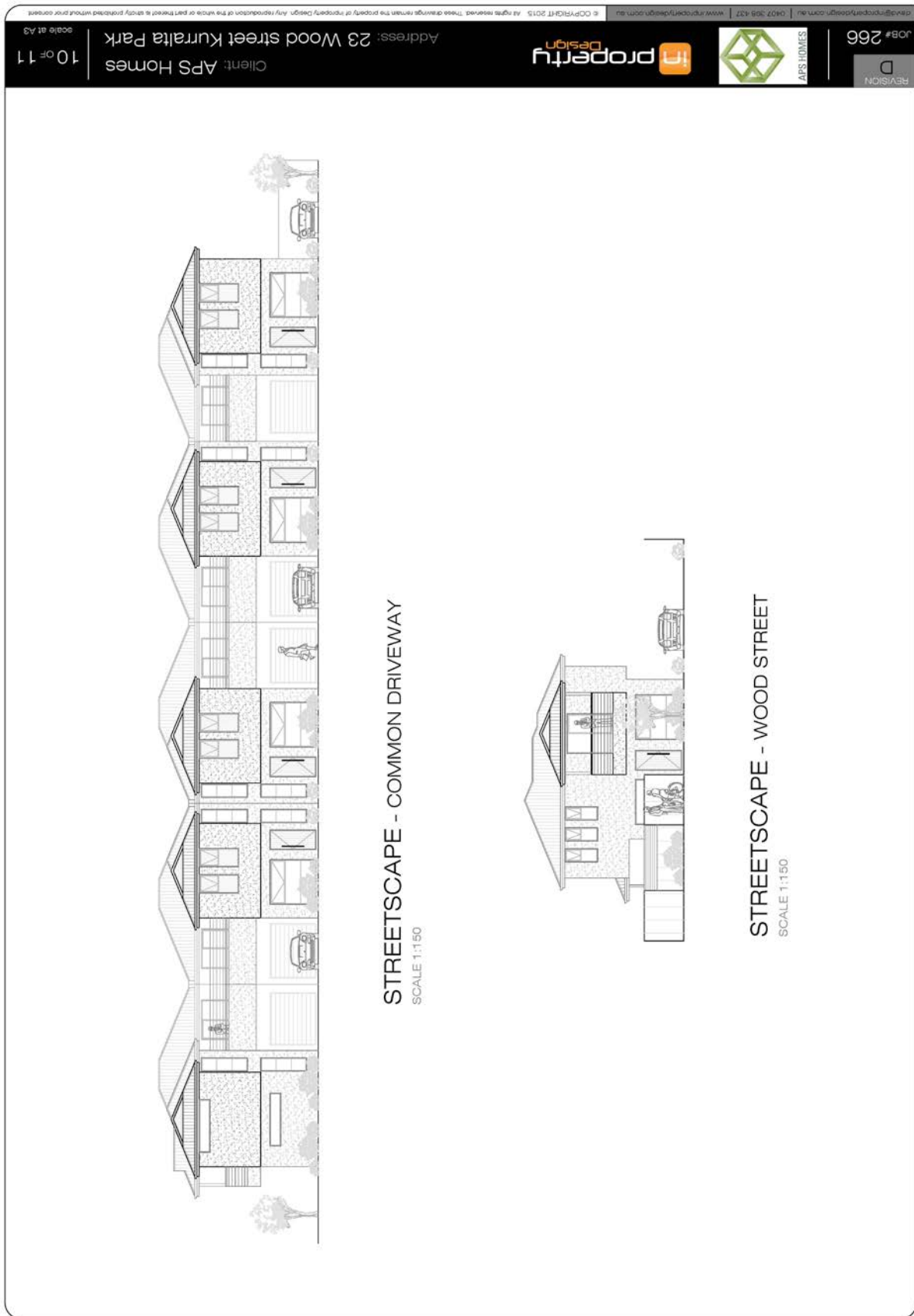


FLOOR PLAN - RES 5  
SCALE 1:100

PROPOSED RESIDENCE	42.97m <sup>2</sup>
LWR LIVING:	17.78m <sup>2</sup>
CARPORT:	8.22m <sup>2</sup>
ALFRESCO:	73.94m <sup>2</sup>
UPR LIVING:	6.05m <sup>2</sup>
BALCONY:	
TOTAL:	148.96m <sup>2</sup>



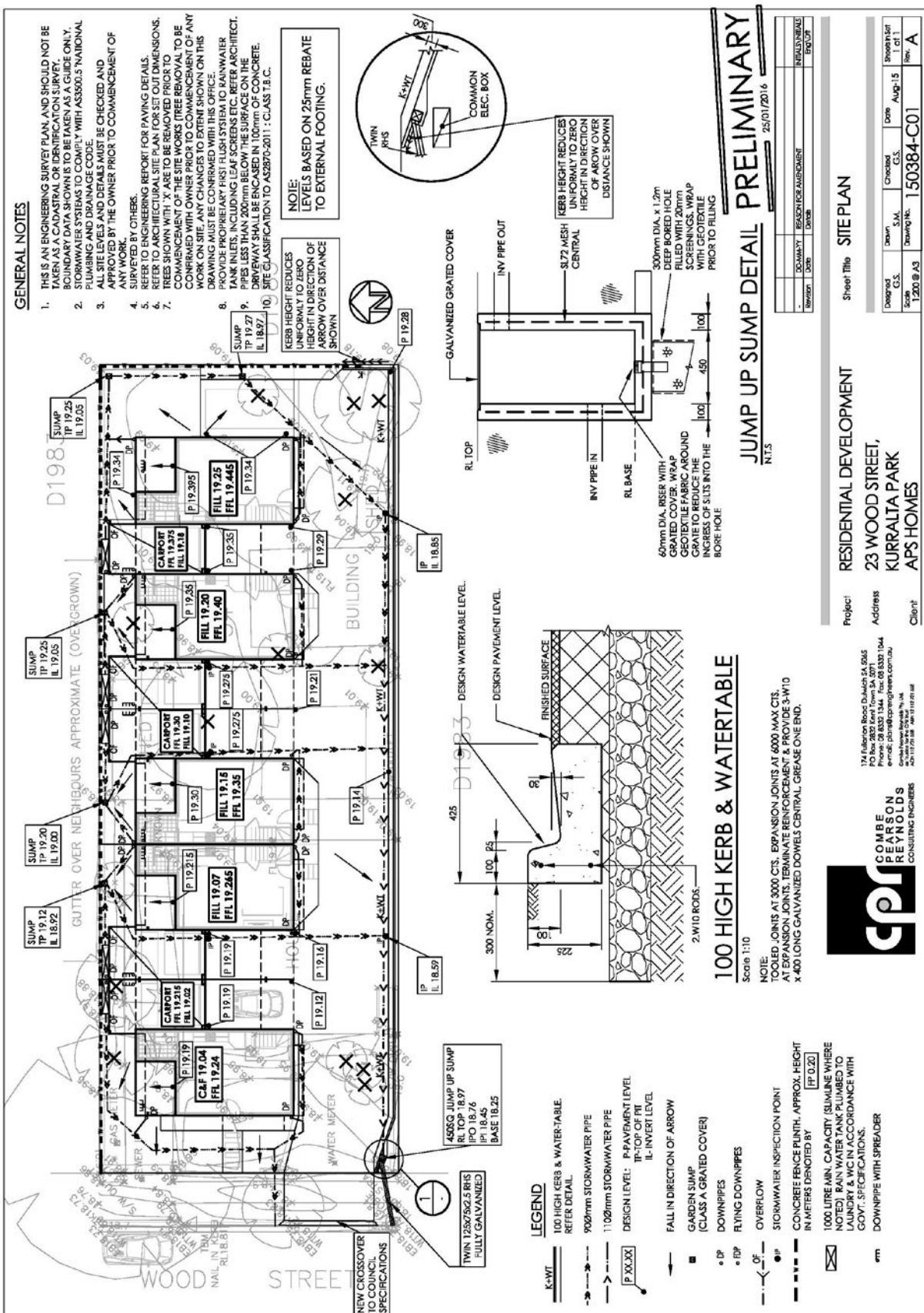






1. THIS IS AN ENGINEERING SURVEY PLAN, AND SHOULD NOT BE TAKEN AS A CONTRACT OR PERFORMANCE SURVEY.
2. THE SURVEY SHALL BE CONDUCTED IN ACCORDANCE WITH THE STANDARDIZED SYSTEMS TO BE TAKEN AS A GUIDE ONLY.
3. THE SURVEY SHALL BE CONDUCTED IN ACCORDANCE WITH THE STANDARDIZED SYSTEMS TO BE TAKEN AS A GUIDE ONLY.
4. THE SURVEY SHALL BE CONDUCTED IN ACCORDANCE WITH THE STANDARDIZED SYSTEMS TO BE TAKEN AS A GUIDE ONLY.
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9. THE SURVEY SHALL BE CONDUCTED IN ACCORDANCE WITH THE STANDARDIZED SYSTEMS TO BE TAKEN AS A GUIDE ONLY.
10. THE SURVEY SHALL BE CONDUCTED IN ACCORDANCE WITH THE STANDARDIZED SYSTEMS TO BE TAKEN AS A GUIDE ONLY.

**NOTE:**  
LEVELS BASED ON 25mm REBATE  
TO EXTERNAL FOOTING.



ATTACHMENT 2

STATEMENT OF REPRESENTATION  
Pursuant to Section 38 of the Development Act, 1993

TO Chief Executive Officer  
City of West Torrens  
165 Sir Donald Bradman Drive  
HILTON 5033

City of West Torrens  
09 NOV 2015  
City Development

8:30 DOT  
RECEIVED  
AM 7 8 9 10 11 12  
9 NOV 2015  
PM 1 2 3 4 5 6  
West Torrens CSU

DEVELOPMENT No. 211/875/2015  
PROPERTY ADDRESS: 23 Wood Street, KURRALTA PARK SA 5037

NAME OF PERSON(S) MAKING REPRESENTATION  
ADDRESS RAY + NAT DOOLAN  
26 WOOD ST, KURRALTA PARK

NATURE OF INTEREST \*  
AFFECTED BY DEVELOPMENT  
(eg adjoining resident, owner  
of land in vicinity, or on behalf  
of an organization or company) ADJOINING RESIDENT (ACROSS ROAD)

REASONS FOR \*  
REPRESENTATION \* FAR TOO MANY DWELLINGS IN ONE SMALL SPACE. MAX  
3 IS ACCEPTABLE - 6 IS FAR TOO MANY  
\* OUT OF CHARACTER WITH STREET, AND OTHER  
SUB DIVISIONS IN THE STREET  
\* CONSTANT HEADLIGHTS INTO OUR BEDROOMS FROM  
TRAFFIC LEAVING THE DEVELOPMENT.

MY REPRESENTATION \*  
WOULD BE OVERCOME BY \* SINGLE STORY - MAXIMUM 3 DWELLINGS  
(state action sought) \* OVERSHADOWING ISSUES FOR HOUSE NEXT DOOR  
TO DEVELOPMENT

Please indicate in the appropriate box below whether or not you wish to be heard by Council in respect to this submission: -

I DO NOT WISH TO BE HEARD 0  
I DESIRE TO BE HEARD PERSONALLY ✓ 0  
WILL BE REPRESENTED BY 0  
(PLEASE SPECIFY)

SIGNED [Signature] [Signature]

DATE 8/11/15 9/11/15

\* If space insufficient, please attach sheets

Received  
9 NOV 2015  
City of West Torrens  
Information Management

(FORM 3)  
Responsible Officer: Adam Williams  
Ends: Monday 9 November 2015

\* INCREASE IN TRAFFIC INCREASES THE RISK  
TO ALL THE YOUNG CHILDREN IN THE STREET BEING KNOCKED OVER

\* STORMWATER ISSUE ALREADY  
\* NOISE WILL INCREASE FROM CAR TRAFFIC, ALSO GENERAL NOISE

\* I DON'T BELIEVE THIS FITS INTO GREATER ADELAIDE'S 30 YR PLAN - 6 DWELLINGS  
AND 1 BLOCK IN THIS STREET IS SIMPLY DEVELOPERS MAXIMISING PROFIT. (PTO)

\* THIS AMOUNT OF DEVELOPMENT FAR EXCEEDS THE PREDICTION OF POPULATION GROWTH FOR THE AREA

\* MUCH LESS PARKING AVAILABLE DURING BIN COLLECTION AS THERE WILL BE UP TO 12 BINS ON THE FRONTAGE OF ONE BLOCK + POTENTIAL FOR RUBBISH MESS.

\* WE ARE AWARE THAT NO. 21 HAVE PLANNED TO INSTALL SOLAR PANELS ONTO THE NORTHERN ASPECT OF THEIR ROOF AND THEY WILL BE UNABLE TO DO THIS IF THE DEVELOPMENT BLOCKS THEIR SUN. THIS GOES AGAINST ENVIRONMENTAL SUSTAINABILITY THAT THE COUNCIL SHOULD BE PROMOTING AND SUPPORTING.

IT ALSO WILL BLOCK DIRECT SUNLIGHT INTO THEIR LIVING AREA CREATING INCREASED HEATING COSTS IN WINTER.

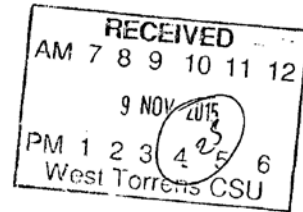
→ SHADOWING.

ORANGE CITY COUNCIL IN NSW - PLEASE REFER TO A CASE WHERE A DEVELOPMENT HAD TO BE DISMANTLED AS IT SHADOWED THE NEIGHBOURS LIVING AREA. (LORD'S PLACE, ORANGE NSW ORANGE CITY COUNCIL)

\* AFFECTS NEIGHBOURS PRIVACY.

STATEMENT OF REPRESENTATION  
Pursuant to Section 38 of the Development Act, 1993

TO Chief Executive Officer  
City of West Torrens  
165 Sir Donald Bradman Drive  
HILTON 5033



DEVELOPMENT No. 211/875/2015  
PROPERTY ADDRESS: 23 Wood Street, KURRALTA PARK SA 5037

NAME OF PERSON(S)  
MAKING REPRESENTATION  
ADDRESS

Nicole Lawbe  
30 Wood St Kurralta PK

NATURE OF INTEREST \*  
AFFECTED BY DEVELOPMENT  
(eg adjoining resident, owner  
of land in vicinity, or on behalf  
of an organization or company)

Owner of land in the vicinity  
Resident of a dwelling in  
Wood Street

REASONS FOR \*  
REPRESENTATION

- 1) Out of character of the area / street
- 2) Over development of the site
- 3) Increased traffic into the street
- 4) Excess Noise + Noise Pollution
- 5) No alternative provisions made for excess stormwater
- 6) Increased street parking

MY REPRESENTATION \*  
WOULD BE OVERCOME BY  
(state action sought)

The abolishment of the proposed development  
and one more suitable to the area made.

Please indicate in the appropriate box below whether or not you wish to be heard by Council in respect to this submission: -

I DO NOT WISH TO BE HEARD  
I DESIRE TO BE HEARD PERSONALLY  
WILL BE REPRESENTED BY

Steve Haliball  
(PLEASE SPECIFY)

City of West Torrens

10 NOV 2015

City Development

SIGNED

Nicole Lawbe

DATE

8/11/15

\* If space insufficient, please attach sheets

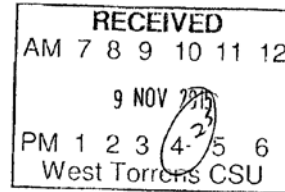
(FORM 3)

Responsible Officer: Adam Williams  
Ends: Monday 9 November 2015

- 7) Safety of surrounding homes compromised in the event of fire or other emergency due to restricted access
- 8) Invasion of privacy of surrounding homes due to proposed double storey development

STATEMENT OF REPRESENTATION  
Pursuant to Section 38 of the Development Act, 1993

TO Chief Executive Officer  
City of West Torrens  
165 Sir Donald Bradman Drive  
HILTON 5033



DEVELOPMENT No. 211/875/2015  
PROPERTY ADDRESS: 23 Wood Street, KURRALTA PARK SA 5037

NAME OF PERSON(S) YU-SHIH HSIAD  
MAKING REPRESENTATION  
ADDRESS 28 Wood ST, KURRALTA PK

NATURE OF INTEREST \*  
AFFECTED BY DEVELOPMENT  
(eg adjoining resident, owner  
of land in vicinity, or on behalf  
of an organization or company)  
Owner of land in the vicinity  
Resident of a dwelling in  
Wood Street

REASONS FOR \*  
REPRESENTATION  
1) Out of character of the area / street  
2) Over development of the site  
3) Increased traffic into the street  
4) Excess Noise & Noise Pollution  
5) No alternative provisions made for excess stormwater  
6) Increased street parking

MY REPRESENTATION \*  
WOULD BE OVERCOME BY  
(state action sought)  
The abolishment of the proposed development  
and one more suitable to the area made.

Please indicate in the appropriate box below whether or not you wish to be heard by Council in respect to this submission: -

I DO NOT WISH TO BE HEARD 0  
I DESIRE TO BE HEARD PERSONALLY 0  
WILL BE REPRESENTED BY STEVE H 1  
(PLEASE SPECIFY)

City of West Torrens  
10 NOV 2015  
City Development

SIGNED [Signature]

DATE 8-11-15

\* If space insufficient, please attach sheets

(FORM 3)  
Responsible Officer: Adam Williams  
Ends: Monday 9 November 2015

- 7) Safety of surrounding homes compromised in the event of fire or other emergency due to restricted access
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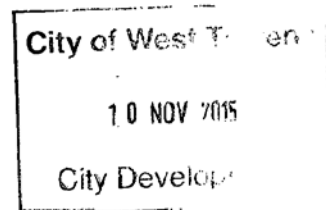
STATEMENT OF REPRESENTATION Pursuant to Section 38 of the Development Act, 1993	
TO	Chief Executive Officer City of West Torrens 165 Sir Donald Bradman Drive HILTON 5033
DEVELOPMENT No.	211/875/2015
PROPERTY ADDRESS:	23 Wood Street, KURRALTA PARK SA 5037
NAME OF PERSON(S) MAKING REPRESENTATION ADDRESS	Steve and Voula Haliabalas 21 Wood St, Kurralta Pk
NATURE OF INTEREST * AFFECTED BY DEVELOPMENT (eg adjoining resident, owner of land in vicinity, or on behalf of an organization or company)	Adjoining Resident
REASONS FOR * REPRESENTATION	Please see attached
MY REPRESENTATION * WOULD BE OVERCOME BY (state action sought)	A lesser development of the site. for example 3 single storey dwellings

Please indicate in the appropriate box below whether or not you wish to be heard by Council in respect to this submission: -

I DO NOT WISH TO BE HEARD  
We DESIRE TO BE HEARD PERSONALLY  
WILL BE REPRESENTED BY \_\_\_\_\_  
(PLEASE SPECIFY)

0  
✓  
✓

SIGNED \_\_\_\_\_  
DATE 9/11/15



\* If space insufficient, please attach sheets

(FORM 3)  
Responsible Officer: Adam Williams  
Ends: Monday 9 November 2015

## Reasons for Representation

1. The proposed development is totally out of character of the street. The street is predominantly single storey dwellings. A lot of these homes are beautiful character homes (villas, bungalows etc). A development the likes of which is being proposed will totally ruin the façade of the street and will change the culture and character of this wonderful street. The street is currently very much family orientated with many young families however such a development would not attract the like, further changing the demeanour of the street. This street is not suited to the proposed development. Visually this development is an eyesore taking away from the richness and character of this beautiful street.

The development is very unattractive over bearing, out of scale and out of character in comparison with the current existing development of the street. Such high density in this street is very much not suited. The current form, size and character of established homes in Wood Street has not been taken into account.

Loss of vegetation will significantly impact on neighbourhood character and the landscape and environmental quality of our area.

The current proposal does not respect nor reflect the neighbourhood character. No neighbourhood characteristic has been taken into consideration (ie lot size and shape, topography, streetscape, architectural style, landscaping, building form, height, location and size of private open space, front setbacks, side and rear setbacks etc)

We believe that the proposed development is a direct contravention of council policies. It does not respect local context and street pattern and in particular the scale and proportions would be entirely out of character of the area to the detriment of the local environment.

2. The proposed development will be overlooking into our home and also that of our surrounding neighbours. This will result in a total invasion of privacy. We will no longer be able to go into our yard without there being onlookers at every angle. What ever happened to private open air space. This will have a major impact on the use of our living accommodation and gardens. Such a large bulky building will impact on the outlook of our neighbours and us and will dominate private open space.

The proposed development has in no way been designed to minimise overlooking of our property and that of our surrounding neighbours. All windows and balconies of the proposed developments will be overlooking our back yard and home. We are entitled to the right to quiet and private enjoyment of these.

The council under the Human Rights Act has a responsibility to ensure that we have a right to peaceful enjoyment of all of our possessions which includes our home and gardens. The Human Rights Act states that a person has the substantive right to respect for their private and family life.

3. The height of the proposed development will result in overshadowing. The natural light into our living area will be greatly diminished. This loss of natural light is unacceptable. The overshadowing would be in contradiction of council policy. The close proximity and the height of the proposed development will result in substantial overshadowing of our property.

It is also our intention to put solar panels up on the northern side to take advantage of the full sun. The cavity required to allow these to be put up has been allowed for in our garage which is positioned on the northern side. Quotes have also been obtained but a lack of funds has prevented the installation at this stage. Such a development will take away this option and will greatly disadvantage us, making it unfair and unjust.

4. The proposed development is a gross overdevelopment on this site and amounts to serious "cramming" in such an area.. The proposed development not only will have an adverse impact on the character of the neighbourhood but also the residential amenity of the neighbours. The maximum site coverage we believe has exceeded the allowable maximum. The amount of site coverage is also a contributing factor to the character of the neighbourhood. The amount of hard surface also impacts on the amount of stormwater runoff. The proposed development involves a total loss of garden land to be replaced with "concrete slabs" The proposed development will also result in an excessive building bulk adjacent to existing residential properties, resulting in an un-neighbourly and overbearing impact detrimental to the visual outlook and amenities of us and our neighbours. Such a development is of no benefit to any of the current residents of Wood Street.
5. Our current view of beautiful green lush trees will be taken away if the proposed development is allowed. We currently take great enjoyment of the current views and taking it away will have an adverse impact of the residential amenity of the property. The loss of the current beautiful views will also have a wider impact on our neighbourhood.
6. The proposed development currently has insufficient carparking spaces. This will result in more and more cars being out on the street. The street is already congested with surplus cars. The current pick up of our bins alone is a horrendous nightmare. Adding more cars into the street will just exasperate the current situation. This also equates to another loss of a valuable residential amenity.

The parking spaces provided for in the proposed development are small and inappropriate. Residence 6 on the proposed plan only allows for one car parking space.

7. The current public sewers are inadequate for such a development and no provisions have been made to amend to accommodate the proposed development.
8. The proposed development will also have an impact to our water system due to the sheer number of residences being proposed.



9. Increased urbanisation of the natural environment will impact on existing shrubs and mature trees, destroying the environmental quality of the area, and will also pose a risk to our property and adjoining properties due to a reduction in natural drainage, increasing run-off or seepage and potential structural issues.
10. There is no mention of infrastructure or stormwater management. There is no provision for an onsite storm water detention system to reduce storm water discharge. As it is the street in front of our house is always flooded due to inadequate stormwater provisions. What will it be like with a proposed development of a further six residences in such a small area???? Is the council going to upgrade the current stormwater facilities? The amount of hard surface also impacts on the amount of stormwater runoff.
11. The proposed development will potentially see a further 12 or more vehicles in a 900sqm vicinity. Emissions from so many vehicles in such a confined space will result in a significant source of air pollution. This may adversely affect the health and wellbeing of my children and family and also that of our surrounding neighbours.
12. The proposed development of six two storey townhouses on such a small block will result in noise pollution. This will also cause environmental harm. The noise from potentially 12 cars, 6 airconditioners, 6 rainwater tanks, televisions, radios, masses of people, animals, etc will take away the peace and serenity that we currently enjoy and are entitled to. The proposed rainwater tanks sit on the boundary which will also result in further noise. Such a huge development in such a confined space will result in nothing but noise. We chose to live in a quiet street and suburb and now people are trying to take this choice away from us. If we wanted noise and commotion we would have chosen to live in the city.  
  
Noise generation the likes of this will result in a significant loss of amenity which we believe do not comply with the standards set up by The Environmental Protection Authority in residential areas of acceptable noise levels.
13. The proposed development allows for a single common driveway to accommodate twelve vehicles. This will result in excess traffic and congestion. Trying to get in and out of our own home would cause us great stress and potential danger. This will also be a major inconvenience for pedestrians and residents alike. Walking down the street will no longer be a form of relaxation. It will be like dodging a moving bullet !!!! The traffic that this proposed development will generate cannot be safely and conveniently accommodated by the existing street networks.
14. The proposed development only allows for a single driveway and does not allow for any "back entry". As a result the safety of our home and that of surrounding homes is greatly compromised especially in the event of a fire or another emergency due to the restricted access.

The proposed development would demonstrably harm the amenities enjoyed by local residents, in particular safe and available on-road parking, valuable green space, privacy and the right to enjoy a quiet and safe residential environment. We want our children to enjoy their home and their environment but such a development will take that option away from them. They will no longer be able to play outside or go for a bike ride in the street because it will no longer be safe for them to do so. The only person who sees any benefit to this proposed development is the owner who sees it as a "quick cash grab". They do not care, they will pocket their money and move on to their next development. We and the other residents of Wood Street, who are also very much opposed to this proposed development will be left to deal with the consequences of their actions for the rest of our lives because we do not have the option to move on.!!

We implore you to not allow the proposed development to proceed on the many reasons and issues as outlined above.



19 January 2016

City of West Torrens  
165 Sir Donald Bradman Drive  
HILTON SA 5033

Dear Adam Williams,

**RE: 23 Wood Street, KURRALTA PARK – 211/875/2015**

Reference is made to the representations provided in relation to the proposed development at 23 Wood Street, Kurralta Park. Council has provided a copy of the following representations;

1. V & S Haliabalias  
21 Wood Street, Kurralta Park (Against the application)
2. W Hsiao  
18 Wood Street, Kurralta Park (Against the application)
3. Ns N Laube  
30 Wood Street, Kurralta Park (Against the application)
4. N & R P Doolan  
26 Wood Street, Kurralta Park (Against the application)

I have provided a response to the representation provided by the above residents. The concerns raised by the representors relate to the impacts on character of the locality, loss of vegetation, density, car parking and traffic, impacts on existing infrastructure, noise and pollution as well as overlooking and overshadowing. A response to these concerns is provided below.

Following the receipt of the above representations and discussions with Council planning staff, the applicant has made some amendments to the plans. The amended plans include the followings changes;

1. A reduction in the number of dwellings, from 6 to 5;
2. Increased setback to the front, side and rear property boundaries;
3. Provision of a on site visitor car parking space;
4. The driveway width has increased;
5. Increased level of private open space;
6. 1.7 metre high slatted screening to balconies on southern elevation.
7. Obscured windows to bed 1 (south facing) on all dwellings.



A response to the representations has been prepared based on the amended plans.

***Impacts on the character of the locality***

The four representations have raised concerns with the proposal in relation to the impact on the character of the area. The proposed development is sited within the Residential Zone, Medium Density Policy Area 18. The desired character of the Policy Area seeks medium density development accommodating a range of dwelling types including residential flat buildings. Further, it is anticipated that buildings up to **3 storeys** will occur.

It is acknowledged that the locality is predominantly single storey and at lower densities than the proposed development. It is evident throughout the locality that older housing stock is being replaced with modern development. It should be noted however that the recent changes to the Development Plan now encourage greater densities throughout the policy area given the proximity to centres and public transport. The recent changes to the Development Plan reflect to vision of the 30-year plan for greater Adelaide.

All representations received have made comments regarding the design and appearance of the proposed development. Objective 1 of the General Section, Design and Appearance seeks, **'Development of a high design standard and appearance that responds to and reinforces positive aspects of the local environment and built form.'** Further to this, Principle 1 states, **'Buildings should reflect the desired character of the locality while incorporating contemporary designs that have regard to the following:**

- (a) building height, mass and proportion**
- (b) external materials, patterns, colours and decorative elements**
- (c) roof form and pitch**
- (d) façade articulation and detailing**
- (e) verandas, eaves, parapets and window screens.'**

As suggested above, the proposed development satisfies the Desired Character of the zone whereby the proposal provides a dwelling type that is sought at an appropriate density. In addition, is considered through the design of dwellings and the incorporation of a suitable mix of materials and finishes that both Objective 1 and Principle 1 of the General Section, Design and Appearance is satisfied.

The building height remains under 3 storeys and measures approximately 7.2 metres from the finished floor level to the highest point of the roof. Whilst the buildings are connected by party walls, the mass of the building is reduced through stepping portions of the dwellings northern and southern elevations. Further, the main bedroom cantilevers the lower wall to provide additional visual interest. Each of the dwellings has it's own independent roof form with a decorative gable feature. The independent roofs further reduce the bulk and scale of the building and combined with the varying external materials that feature rendered external walls, aluminium window frames, colourbond roof and facias, timber slatted screen and cable wire to balconies the built form shall be visually appealing.

***Loss of vegetation***

The proposed development will result in the loss of a street tree due to the proposed location and width of the common driveway. The existing tree located in the north-western corner of the site is also proposed to be removed. The proposed development does however include the planting of 7 semi-mature trees as



well as further planting of shrubs throughout the site. It is considered that the proposed landscaping will contribute to create an attractive living environment.

#### **Density**

The representations from S & V Haliabalas, W Hsiao and Ms N Laube suggest that the proposed development is an overdevelopment of the site whilst the representations from S & V Haliabalas and N & R P Doolan suggest 3 single storey dwellings would be more appropriate. S & V Haliabalas also raised concerns in relation to density, setbacks, private open space and site coverage. As detailed below, the proposed development satisfies the minimum site area requirements for residential flat buildings based on the proposal for 5 dwellings.

#### **Allotment sizes**

Principle 6 of the Zone Section, Residential Zone, *Medium Density Policy Area 18*, provides a table with required allotments sizes for the various types of residential development envisaged in the zone. The table suggests that residential flat buildings can be constructed on average site areas of 150 square metres. With the reduction of one dwelling, the average site area equates to approximately 180 square metres and thus achieving compliance with Principle 6.

#### **Setbacks**

Principle 5 of the Zone Section, Residential Zone, *Medium Density Policy Area 18*, provides setback requirements for front and rear property boundaries. It is suggested that a minimum front setback of 3 metres and a minimum rear setback of 4 metres is achieved. The proposed development achieves compliance with Principle 5 as the front setback is 3.5 metres and the rear setback is 4.4 metres. The rear setback has been amended as it was previously 2 metres and failed to comply with Principle 5.

Principle 11 of the Zone Section, Residential Development suggests that the appropriate side setback is 1 metre when the wall height does not exceed 3 metres from natural ground level. The closest side wall is sited 2.2 metres from the boundary and therefore Principle 11 is satisfied.

#### **Private Open Space**

Principle 19 of the General Section, Residential Development has been complied with as each dwelling provided with more than the minimum requirement of 24 square metres of private open space. Further, the open space sited directly to the rear of the dwellings provides a minimum of 16 square metres.

#### **Site Coverage**

The Development Plan does not provide any policy for site coverage. Generally, where there are no guidelines for site coverage, the other quantitative requirements of the Development Plan will be used to guide the extent of site coverage.





#### ***Car Parking and Traffic***

The representation by S & V Haliabalias raises a lack of car parking as a concern and along with the other representors have raised concerns over the traffic generated by the development.

Table WeTo/2-Off street car parking requirements requires that for residential flat buildings each dwelling should provide 2 car parking spaces per dwelling, one of which is to be covered. Further it seeks a space for visitors to be provided at a rate of 0.25 spaces per dwelling.

The proposed development provides 1 undercover and 1 visitor space pre dwelling in accordance with Table WeTo/2 however it is acknowledged the visitor parking falls short by 0.25 spaces. The **amended plan** is an improvement to the previous plan whereby 6 dwellings were proposed with no dedicated visitor space.

Each of the representations received have raised concerns in relation to the additional traffic generated by the proposed development and the negative impacts this will cause due to traffic congestion, access and safety. The proposed development consists of 5 residential properties. If, on average each dwelling had 3 vehicle movements per day, this would equate to 15 overall movements per day and this is not considered unreasonable. Council's traffic engineer has not raised concern with the anticipated increase in number of vehicle movements and furthermore has not requested a second access/egress point for emergency access as this is not required under the Development Plan.

The representation by N and R P Doolan has voiced a concern with respect to vehicle headlights shining into their bedrooms from cars exiting the development. Whilst it is acknowledged that there may be some additional light spill with vehicles exiting the site either in the evening or early morning, the impact is not considered to be so unreasonable so as to warrant refusal of the application. One would assume that at night time the blinds are drawn which would significantly reduce the amount of light coming into the bedrooms.

#### ***Impact on existing Infrastructure***

An amended site works and drainage plan prepared by Combe Pearson Reynolds Consulting Engineers has been completed for Council's consideration.

Council's City Assets Department had reviewed the previous site works and drainage plan and whilst the finished floor levels were considered appropriate, amendments were requested to address the driveway and stormwater connection, the construction of the stormwater connection and the location of driveway verge. There was no concern raised by the City Assets Department in relation to flooding due to inadequate stormwater provisions. The amended plan seeks to address the issues raised by the City Assets Department.



#### **Noise and Pollution**

The noise generated by the proposed development will be of a residential nature. Given the development is occurring within the Residential Zone they are considered reasonable. It is acknowledged however that the locations of the air-conditioning units were not shown and these are now provided. The air-conditioning units are sited away from the adjoining properties to ensure there is little impact on their amenity in terms of noise satisfying Principle 28 of the General Section –Residential Development.

V & S Haliabalias have raised concern with air pollution as result of the additional vehicles all located in such a confined space. The Development Plan does not provide any provisions with respect to air pollution resulting from vehicles. The only comment I can make with respect to this and to add some level of comfort for the adjoining owners is that it would be a very unlikely occurrence that all the cars in the development were turned on at the same time.

#### **Overlooking**

It has been suggested by the representors that the proposed development will result in a loss of privacy. The proposed development satisfies Principle 27 of the General Section, Residential Development whereby the windows on the upper level that face into the side an rear adjoining properties are all obscured to a minimum height of 1.7 metres. The proposed upper level balconies previously had no screening devices to prevent overlooking to the property at 21 Wood Street. This has been addressed in the amended plans with all balconies that orientate to the south having been designed with a timber slot screen up to 1.7 metres high to prevent overlooking into the adjoining properties. It is considered that this privacy screen also satisfies the intent of Principle 27 of the General Section, Residential Development.

#### **Overshadowing**

The proposed development has been **deliberately designed** with the common driveway **adjacent the southern property boundary**. Not only does this provide separation to the properties to the south to ensure they receive sufficient natural light but also so as to ensure the proposed development does not unreasonably overshadow their property and in particular their northern facing windows and private open space.

The representation from V & S Haliabalias raises a concern in relation to the overshadowing and the fact that they are considering placing solar panels on their roof in the future. It should be noted that the distance between the upper level of the dwellings and the southern property boundary measures 5.8 metres and there is a further 3 metres beyond the property boundary before the main portion of the dwelling starts. Principles 10 of the General Section, Residential Zone suggest that, direct winter sunlight should be available to adjacent dwellings with consideration given to the following;

- (a) windows of habitable rooms, particularly living areas;
- (b) ground-level private open space;
- (c) upper-level private balconies that provide the primary open space area for any dwelling;
- (d) access to solar energy.





Principles 11 and 12 of the General Section, Residential Zone further state that between 9.00 am. and 5.00 pm. on 21 June north facing windows of adjoining development, should access at least 3 hours of direct sunlight over portion of their surfaces and ground level open space should receive direct sunlight for at least 2 hours on at least half of the total open space or a minimum of 35 squares metres whichever is the lesser of the two. It is considered that the proposed development will not unreasonably overshadow the neighbouring property to the south and satisfies Principles 10, 11 and 12 of the General Section, Residential Zone.

#### **Conclusion**

Overall it is considered that the proposed Development satisfies the relevant sections of the Development Plan and warrants approval from Council. The proposal is consistent with the Desired Character of the Zone as well as other relevant qualitative and quantitative criteria of the Development Plan.

I trust that the above information will satisfy your request for a response to the representations and that application will be presented to the next available Development Assessment Panel meeting. If you require any additional information, please contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M. Falconer'.

**Matthew Falconer**

Bachelor of Urban and Regional Planning

## 6.2 8A Jervois Street, TORRENSVILLE

Application No. 211/1355/2015

Appearing before the Panel will be:

Representors: **Domenic Martino** of 8 Jervois Street wishes to appear in support of the representation.

Applicant/s: **Chris Vounasis** of Future Urban wishes to appear to respond to representations on behalf of the applicant.

### DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Conversion of existing community hall to a two storey residential flat building containing five (5) dwellings and carry out associated alterations and additions
APPLICANT	B Konstantinou
APPLICATION NO	211/1355/2015
LODGEMENT DATE	16 November 2015
ZONE	Residential Zone
POLICY AREA	Residential Policy Area 19
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 2
REFERRALS	Internal <ul style="list-style-type: none"><li>Flightpath Heritage Advisor - Local Heritage Place</li><li>City Assets - Traffic and Access</li></ul> External <ul style="list-style-type: none"><li>Nil</li></ul>
DEVELOPMENT PLAN VERSION	5 November 2015
MEETING DATE	8 March 2016
RECOMMENDATION	<b>CONSENT</b>

### BACKGROUND

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

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

DA 211/390/2015 - Change of use from a 'public hall' to an 'integrated consulting, health and fitness centre'; and, construction of front fence - Withdrawn

## **SITE AND LOCALITY**

The subject land is located on the eastern side of Jervois Street approximately midway between Carlton Parade and Henley Beach Road, has a frontage of 15.27 metres to Jervois Street, a depth of 45.72 metres and an area of 698.14 square metres. The former Druids Hall, now unoccupied, and associated outbuilding are existing on the land.

The locality has a mixed character.

Immediately adjoining the subject land to the north is a single storey colonial style cottage built in 1910. Immediately to the south is a bungalow built in 1925.

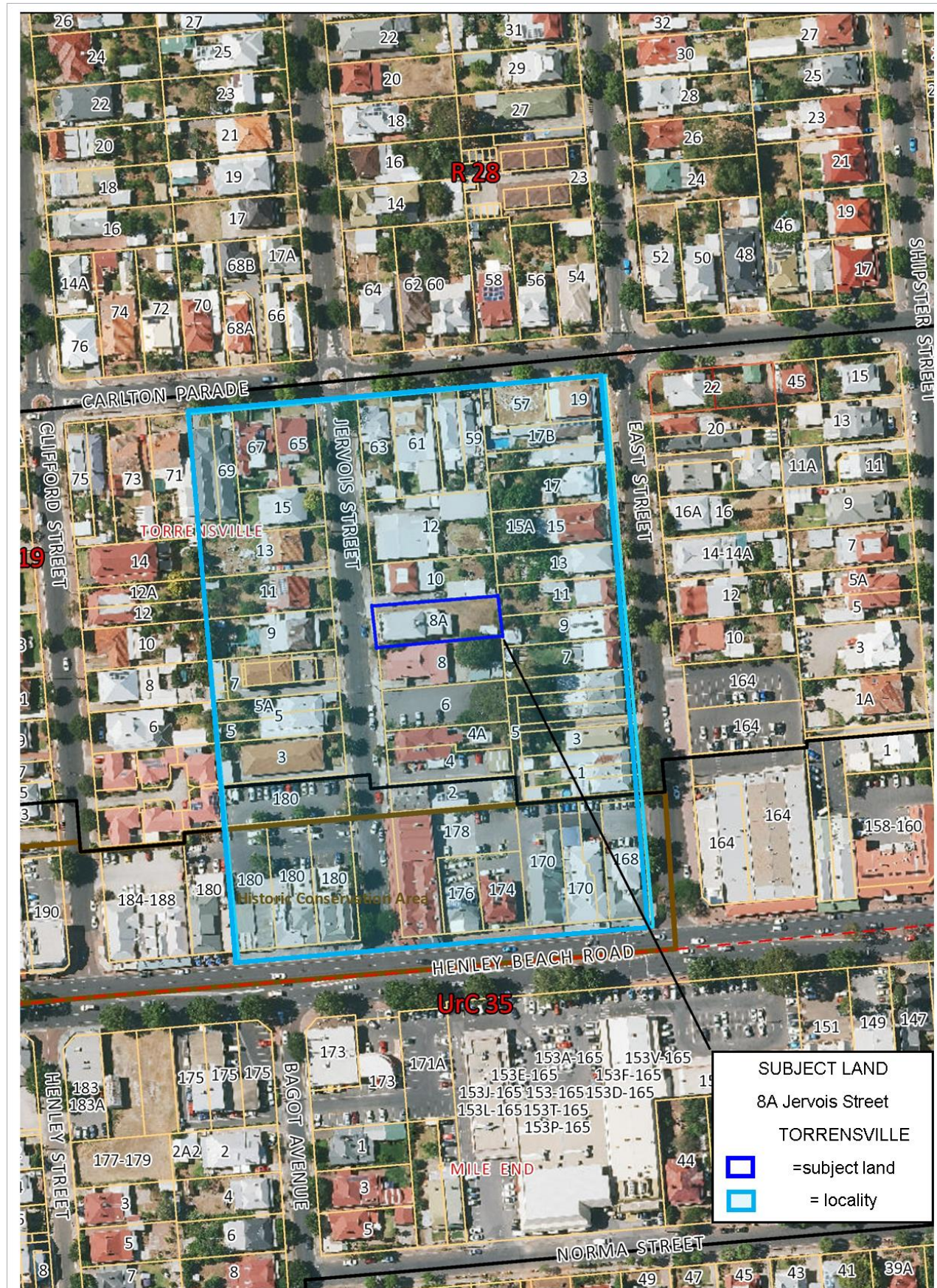
Directly opposite the subject land on the western side of Jervois Street is a symmetrical cottage built in 1910 and altered over ensuing years. Along this same side of Jervois Street in a southerly direction towards Henley Beach Road is a nondescript two storey residential flat building built in 1969, a single storey cottage built in 1900, with carport forward of the dwelling, a single storey residential flat building built in 1968, the Royal Hotel carport and the Royal Hotel building proper.

To the south of the subject land in the direction of Henley Beach Road is a bungalow as noted above, a carpark for the Royal Hotel, maisonettes built in 1915, Stallard and Potter Printers and a commercial building incorporating Career Link, Palmy Thai Massage, Campbell Page Employment Services, Monsoon Hairdressers and the Saray Café.

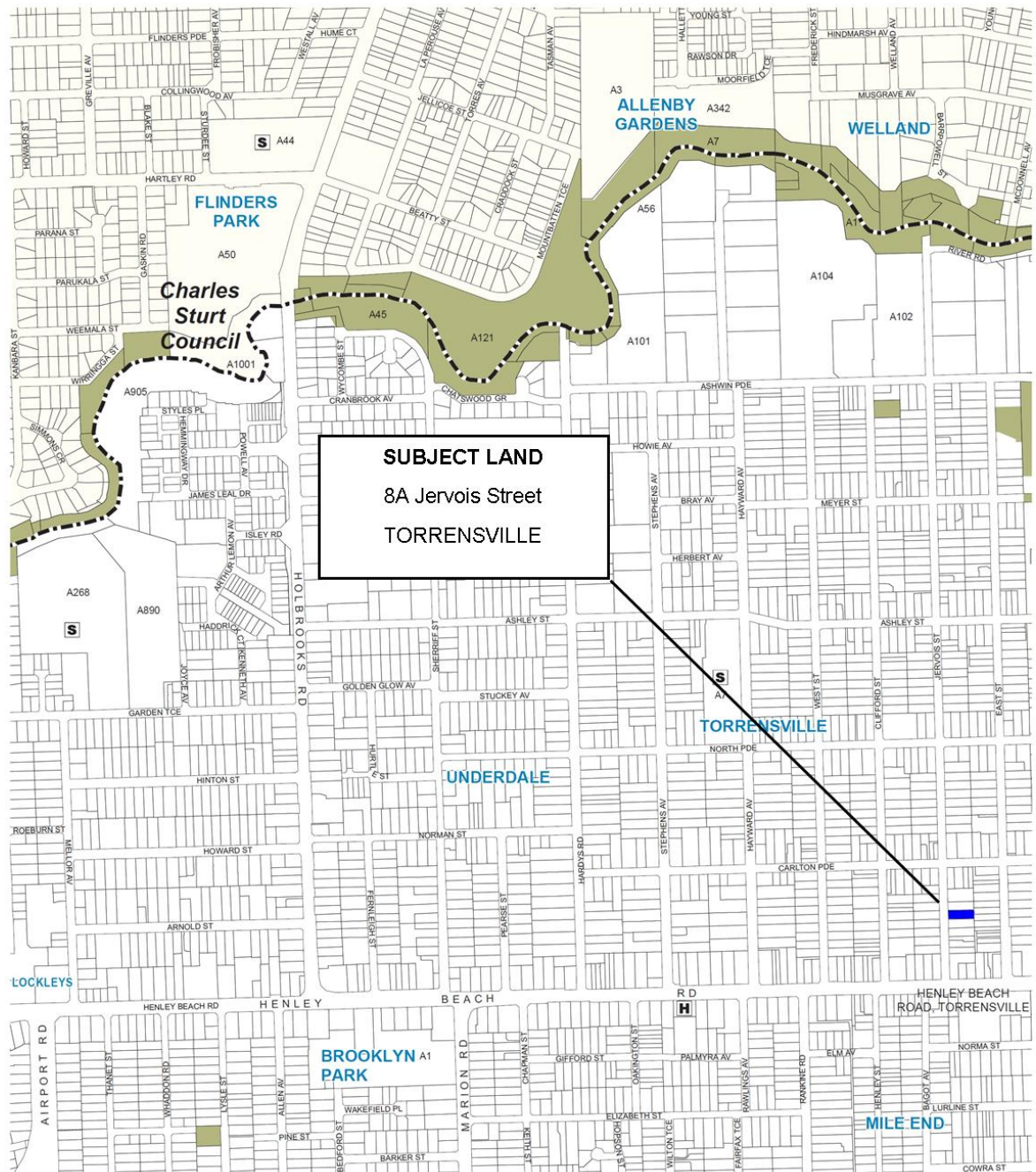
The lands to the north of the subject land are generally used for residential purposes, primarily single storey dwellings of various architectural styles with no consistent allotment pattern as such.

The site and locality are shown on the following maps.









MAP WeTo/8 Adjoins

- S School
- H Other Health Services
- Local Reserves
- Development Plan Boundary

## Location Map WeTo/4

WEST TORRENS COUNCIL  
Consolidated - 5 November 2015

## PROPOSAL

It is proposed to convert the existing Druids Hall into a two-storey residential flat building containing five dwellings and carry out associated alterations and additions. The proposal seeks to retain the front stone portion of the Hall and demolish and rebuild the red brick rear section. The extent of the demolition and alterations to the building are detailed in the attached plans and reports, see **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 Residential Zone, Procedural Matters.

<b>Properties notified:</b>	Sixteen (16) properties were notified during the public notification process.
<b>Representations:</b>	One (1) representation was received.
<b>Persons wishing to be heard:</b>	The representor identified that they wish to address the Panel. <ul style="list-style-type: none"><li>• Domenic Martino the owner of 8 Jervois Street, Torrensville</li></ul>
<b>Summary of Representations:</b>	Concerns were raised regarding the following matters; <ul style="list-style-type: none"><li>• Overshadowing</li><li>• Overlooking</li><li>• Overdevelopment</li><li>• Insufficient Car Parking</li><li>• Proposal not in style with other properties in the area</li><li>• Extensive Site Coverage</li></ul>

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

The shortfalls in the proposal are not detrimental to the proposal particularly in relation to the locational attributes of the site, the high quality and sustainable approach to the design and the proposal's consistency with the desired character statement for Residential Policy Area 19.

A copy of the representor's concerns and the applicant's response is contained in **Attachment 2**.

## REFERRALS

Internal

- **City Assets**

*Civil Engineering*

City Assets have no objections to the proposal, subject to conditions regarding the finished floor level and the car park layout being in accordance with AS/NSZ 2890.1-2004.

- **Flightpath Architects**

*Douglas Alexander*

Advice received from the Heritage advisor and a discussion regarding the proposal and the heritage value has been included within the Assessment section of this report.

A full copy of the relevant reports are attached, refer **Attachment 3**.

## ASSESSMENT

The subject land is located within the Residential Zone and more particularly within Residential 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>		
<i>Crime Prevention</i>	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 3, 6, 7 & 8
<i>Design and Appearance</i>	<i>Objectives</i>	2
	<i>Principles of Development Control</i>	1, 2, 4, 9, 10, 12, 13, 14 & 15
<i>Energy Efficiency</i>	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2 & 3
<i>Infrastructure</i>	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5 & 6
<i>Landscaping, Fences and Walls</i>	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2, 3, 4 & 6
<i>Orderly and Sustainable Development</i>	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 3 & 5
<i>Residential Development</i>	<i>Objectives</i>	1, 2, 3 & 4
	<i>Principles of Development Control</i>	1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 18, 19, 20, 21, 27, 28, 29, 30 & 31
<i>Siting and Visibility</i>	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7 & 8
<i>Transportation and Access</i>	<i>Objectives</i>	2
	<i>Principles of Development Control</i>	8, 10, 11, 32, 34, 35, 36, 37, 40, 41, 42, 43, 44



<b>Zone: Residential Zone</b>	
<i>Desired Character Statement:</i>	
<p>"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.</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>Residential development in the form of a multiple dwelling, residential flat building or group dwelling will not be undertaken in a <b>Historic Conservation Area</b>.</p> <p>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".</p>	
<i>Objectives</i>	1-4
<i>Principles of Development Control</i>	1, 2, 5, 6, 7, 11, 12 & 14

<b>Policy Area: Residential Policy Area 19</b>	
<i>Desired Character Statement:</i>	
<p>"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.</p> <p>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.</p> <p>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".</p>	
<i>Objectives</i>	1
<i>Principles of Development Control</i>	1-4

## 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</i>	1350m <sup>2</sup> For a Residential Flat Building containing five (5) dwellings  270m <sup>2</sup> (avg.)	698m <sup>2</sup>  <b>Does Not Satisfy by 50%</b>
SITE FRONTAGE <i>Medium Density Policy Area 19</i> <i>PDC 4</i>	Residential Flat Building 15m (complete building)	15.27m  <b>Satisfies</b>
SITE COVERAGE <i>Medium Density Policy Area 19</i> <i>PDC 3</i>	60% (max.)	53.6%  <b>Satisfies</b>
PRIMARY STREET SETBACK <i>Medium Density Policy Area 19</i> <i>PDC 3</i>	3m (min.)	Existing  <b>Satisfies</b>
SIDE/REAR SETBACKS <i>Residential Zone</i> <i>PDC 11</i>  <i>Medium Density Policy Area 19</i> <i>PDC 3</i>	Side 0/1m   Rear 6m (min.)	1.65m & 2m (ground floor)  2m & 2.65m (upper floor)  <b>Satisfies</b>  6m  <b>Satisfies</b>
BUILDING HEIGHT <i>Medium Density Policy Area 19</i> <i>PDC 3</i>	2 storeys or 8.5m (all other locations)	2 storeys <b>Satisfies</b>
PRIVATE OPEN SPACE <i>Residential Development</i> <i>PDC 19</i>	<300m <sup>2</sup> -24m <sup>2</sup> at ground floor 15m <sup>2</sup> at first floor	14m <sup>2</sup> and 13m <sup>2</sup> at ground floor  8m <sup>2</sup> and 10m <sup>2</sup> at first floor  <b>Does Not Satisfy</b>  See Assessment below
CARPARKING SPACES <i>Transportation and Access</i> <i>PDC 34</i>	2 car-parking spaces required, 1 of which is covered + an additional 0.25 spaces per dwelling Total of 11 spaces required	8 spaces provided  <b>Does Not Satisfy</b>  See Assessment below

## QUALITATIVE ASSESSMENT

The proposed development has been assessed against the following qualitative provisions of the Development Plan:

### Land Use and Zoning

The subject land is within the Residential Zone and more particularly Medium Density Policy Area 19 under the West Torrens Council Development Plan within which the proposal is neither complying nor non-complying and, accordingly, is for consideration on its merits.

Residential Flat Buildings are a form of development envisaged in the Zone and envisaged specifically within the Policy Area.

Residential Policy Area 19 calls for medium density development accommodating a range of dwelling types, including residential flat buildings. Buildings up to 2 storeys are sought; the proposal meets this requirement.

### Density

Objective 3, General Section, Residential Development, and Zone Section, Residential provide,

*"Medium and high density residential development in areas close to activity centres, public and community transport and public open spaces."*

The Desired Character statement for medium density Policy Area 19 states, in part:

*"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 focussed on Centre Zones".*

Principle of Development Control 4, Zone Section, Residential Zone, Medium Density Policy Area 19 provides that, except when located within 400 metres of a Centre Zone, a residential flat building should have an average site area per dwelling of 270m<sup>2</sup> and when located within 400 metres of a Centre Zone 150m<sup>2</sup>.

The present proposal provides for an average site area per dwelling of 139.63m<sup>2</sup>.

Whilst it is readily acknowledged that the subject land is not within 400metres of a Centre Zone, it is within 50 metres of what was until June 2015 a District Centre Zone and is now an Urban Corridor Zone and more particularly High Street Policy Area 35. As the policy area name suggests it performs similar functions to the former District Centre Zone in that it is an area that accommodates a range of retail, office, commercial, community, civic and medium density forms of development.

In these circumstances and in consideration of all of the above, it is considered that the density proposed is acceptable as it respects the overall intent and purposes of the Zone and Policy Area and will not detract from the attainment of the desired character.

### Heritage Places

Objectives 1-3 and Principles of Development Control 1-9, General Section, Heritage Places provide that,

Objective 1 - *"The conservation of State and local heritage places."*

Objective 2 - *"The continued use, or adaptive reuse of State and local heritage places that supports the conservation of their cultural significance."*

Objective 3 - *"Conservation of the setting of State and local heritage places."*

PDC 1- *"A heritage place shown on Overlay Maps - Heritage and more specifically identified in Table WeTo/4 - Local Heritage Places or in Table WeTo/5 - State Heritage Places should not be demolished, destroyed or removed, in total or in part, unless any of the following apply:*  
(a) *that portion of the place to be demolished, destroyed or removed is excluded from the extent of the places identified in the Table(s)*  
(b) *in the case of a State heritage place, the structural condition of the place is so seriously unsound as to be unsafe and irredeemable*  
(c) *in the case of a local heritage place, the structural condition of the place is seriously unsound and cannot reasonably be rehabilitated."*

PDC 2 - *"Development of a State or local heritage place should retain those elements contributing to its heritage value, which may include (but not be limited to):*

- (a) principal elevations*
- (b) important vistas and views to and from the place*
- (c) setting and setbacks*
- (d) building materials*
- (e) outbuildings and walls*
- (f) trees and other landscaping elements*
- (g) access conditions (driveway form/width/material)*
- (h) architectural treatments*
- (i) the use of the place.*

PDC 3 - *"Development of a State or local heritage place should be compatible with the heritage value of the place."*

PDC 4 - *"Original unpainted plaster, brickwork, stonework, or other masonry of existing State or local heritage places should be preserved, unpainted".*

PDC 5 - *"New buildings should not be placed or erected between the front street boundary and the façade of existing State or local heritage places".*

PDC 6 - *"Development that materially affects the context within which the heritage place is situated should be compatible with the heritage place. It is not necessary to replicate historic detailing, however design elements that should be compatible include, but are not limited to:*

- (a) scale and bulk*
- (b) width of frontage*
- (c) boundary setback patterns*
- (d) proportion and composition of design elements such as roof lines, openings, fencing and landscaping*
- (e) colour and texture of external materials".*

PDC 7 - *"Multi-storey additions to a State or local heritage place should be compatible with the heritage value of the place through a range of design solutions such as:*

- (a) extending into the existing roof space or to the rear of the building*
- (b) retaining the elements that contribute to the building's heritage value*
- (c) distinguishing between the existing and new portion of the building*
- (d) stepping in parts of the building that are taller than the front facade.*

PDC 8 - *"The introduction of advertisements and signage to a State or local heritage place should:*

- (a) be placed on discrete elements of its architecture such as parapets and wall panels, below the canopy, or within fascias and infill end panels and windows*

- (b) not conceal or obstruct historical detailing of the heritage place*
- (c) not project beyond the silhouette or skyline of the heritage place*
- (d) not form a dominant element of the place".*

*PDC 9 - "The division of land adjacent to or containing a State or local heritage place should occur only where it will:*

- (a) create an allotment pattern that maintains or reinforces the integrity of the heritage place and the character of the surrounding area*
- (b) create an allotment or allotments of a size and dimension that can accommodate new development that will reinforce and complement the heritage place and the zone or policy area generally*
- (c) be of a size and dimension that will enable the siting and setback of new buildings from allotment boundaries so that they do not overshadow, dominate, encroach on or otherwise impact on the setting of the heritage place*
- (d) provide an area for landscaping of a size and dimension that complements the landscape setting of the heritage place and the landscape character of the locality*
- (e) enable the State or local heritage place to have a curtilage of a size sufficient to protect its setting".*

Put simply the proposal seeks to retain and restore the front stone portion of the building and demolish and rebuild the side brick rear section reusing existing materials where possible. For this purpose it is noted that the relevant experts have all identified a certain ambiguity in the heritage listing.

Dash architects have detailed the reasoning for the part demolition and rebuild and there is no need to recount that here. Their position is also supported by a Structural Report prepared by Jim Pantzikas and Associates Pty Ltd, Consulting Civil Engineers.

Council's Building Officers have confirmed that the existing floor to ceiling space is not sufficient to accommodate two storey development. They have also endorsed the comments and advice provided in the Structural Report.

By its very nature the adaptive reuse of buildings may call for buildings and fabric to be considerably altered, which in the Administration's opinion is not necessarily the case here, in order to be suitable for their new use. If such works are not allowed to proceed then "decay by negligence" could become an issue.

By report dated 29 January 2016 Council's Heritage Advisor advised that:  
"Heritage support is given, albeit with some reservation due to the extent of demolition".

By report dated 15 February 2016 following review of the heritage impact statement and Structural Report Council's Heritage Advisor advised that:  
"Despite being a well-designed, new architectural proposal, heritage support cannot be given to the development proposed because the extent of demolition is considered excessive, setting a dangerous precedent for Local Heritage Places".

### **Transportation and Access**

The existing building enjoys existing use rights as a community centre.

Using Table WeTo/2 of the West Torrens Council Development Plan the existing building generates a parking demand for twenty-three spaces and the proposed use generates a demand for eleven spaces. It can be seen that the parking demand has been significantly reduced by twelve spaces. For this purpose, the Courts have accepted that a new development on land is not required to rectify any existing problems such as parking shortfalls on the understanding that the new development...*"does not exacerbate and existing problems"*.

In this instance the proposed development provides for a significant improvement in the off-street parking situation, and, accordingly, it is respectfully suggested that there is no proper ground to refuse the application on the basis of inadequate car parking.

Council's Traffic Consultant has advised that he is reasonably satisfied that the development would be supportable from a parking perspective, and whilst he has some concerns that a two way entrance is not provided, having regard to the particular site restrictions, its previous use as a hall, and the local heritage listing of the building, which precludes any widening of the driveway, the proposed single width access arrangement is not fatal to the application.

### **Private Open Space**

The positioning of the building, being a local heritage item, limits the capacity of the site to provide open space strictly in accordance with the recommendations of the Development Plan. Accepting these constraints it is considered that a serious attempt has been made to provide open space that respects the overall intent of the relevant provisions of the Plan.

### **SUMMARY**

Having regard to the nature of the site, its historical and factual context, and the relevant provisions of the West Torrens Council Development Plan it is considered that the proposal is not seriously at variance with the provisions of the Plan, and is an appropriate adaptive reuse of a local heritage item which has due regard to its neighbours, presents a development of a high design standard and appearance and will revitalise an otherwise neglected building.

The proposal demonstrates sufficient merit to warrant planning 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. 211/1355/2015 by B Konstantinou to undertake the conversion of existing community hall to a two storey residential flat building containing five (5) dwellings and carry out associated alterations and additions at 8A Jervois Street (CT 6157/474) subject to the following conditions:

#### **Council Conditions**

1. That the development shall be undertaken and completed in accordance with the plans and information stamped with Development Plan Consent on 08 March 2016 as detailed in this application except where varied by any condition(s) listed below.
2. That the finished floor level shall be 12.5 in reference to 'Proposed Site Plan' (BLT Project No. 0038 Drawing 06 dated 13 November 2015).
3. 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.

4. That any retaining walls shall 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 shall 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 carparking spaces shall be linemarked, in accordance with the approved plans and in accordance with Australian Standard 2890.1, 2004 Parking Facilities, Part 1, Off Street Carparking, prior to the occupation of the proposed development. Linemarking and directional arrows shall be clearly visible at all times.
7. That all planting and landscaping shall 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 shall be replaced with a suitable species.
8. That the upper level windows on the east, south and north elevations of the building 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 to be maintained in reasonable condition at all times.
9. Council requires one business day's notice of the following stages of building work:
  - Commencement of building work on site.
  - The commencement of placement of any structural concrete.
  - The completion of wall and roof framing prior to the installation of linings.
  - Completion of building work.



# DRUIDS HALL ALTERATION/

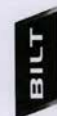
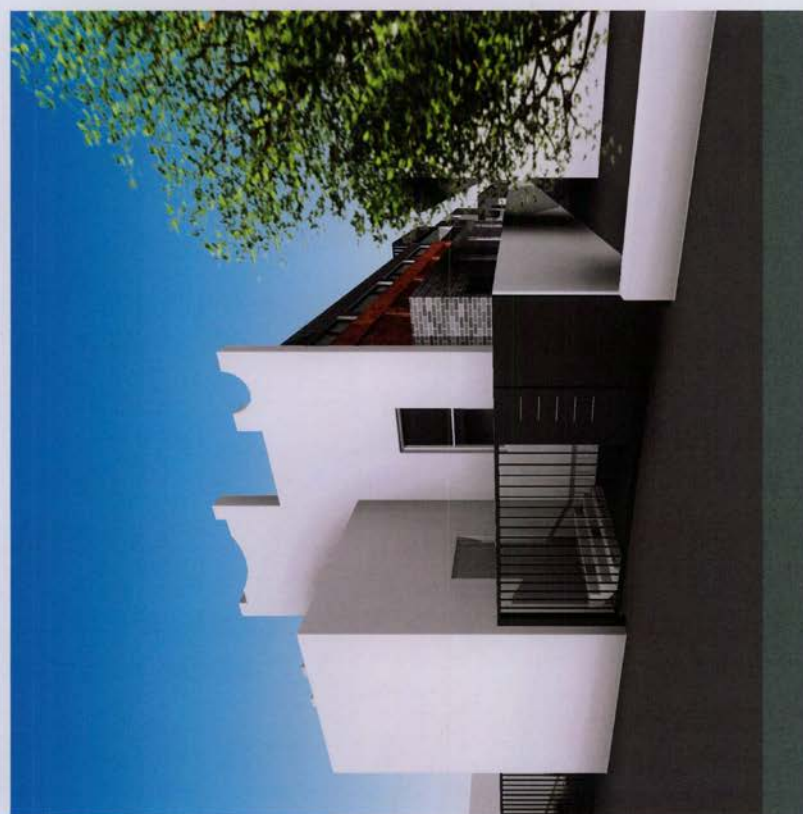
City of West Torrens  
16 NOV /2015  
City Development

00	TITLE SHEET
01	PERSPECTIVES
02	HERITAGE RESPONSE
03	CONCEPT ELEVATIONS
05	EXTENDED SITE PLAN
06	SITE PLAN
07	DEMOLITION PLAN
10	GROUND FLOOR PLANS
11	LEVEL 1 PLAN
15	SHADOWS 21 JUNE/ 9AM-12PM
16	SHADOWS 21 JUNE/ 1PM-3PM
40	ELEVATIONS/ NORTH
41	ELEVATIONS/ SOUTH & MATERIALS
42	ELEVATIONS/ EAST & WEST
50	SECTIONS
DS	DESIGN STATEMENT

**8A JERVOIS ST / DRUIDS HALL ALTERATION**  
TITLE SHEET

SCALE @ A3  
PROJECT NUMBER 0038  
PROJECT STATUS PLANNING  
REVISION  
DATE 13/11/2015

00PLY



**8A JERVOIS ST / DRUIDS HALL ALTERATION**  
PERSPECTIVES

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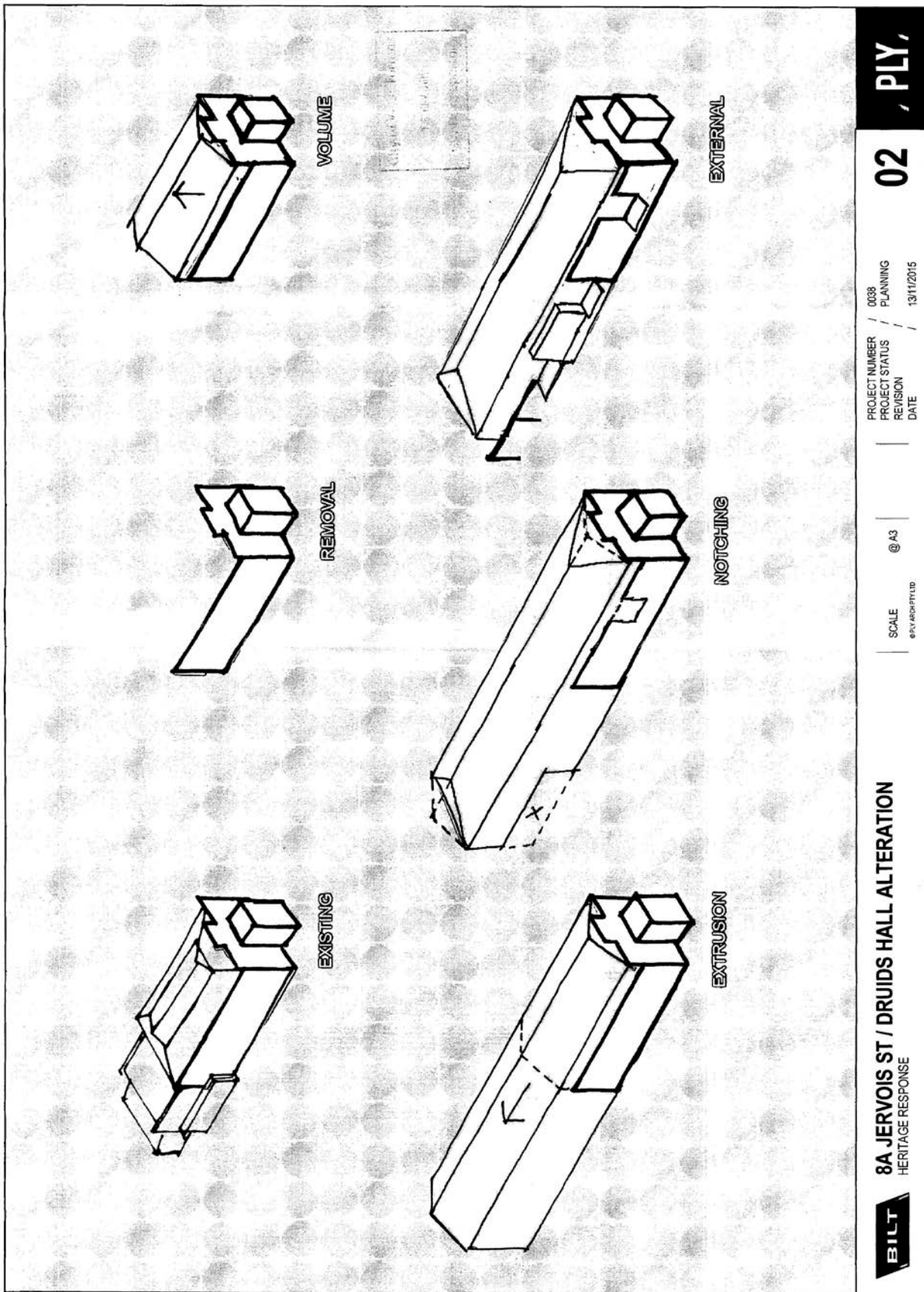
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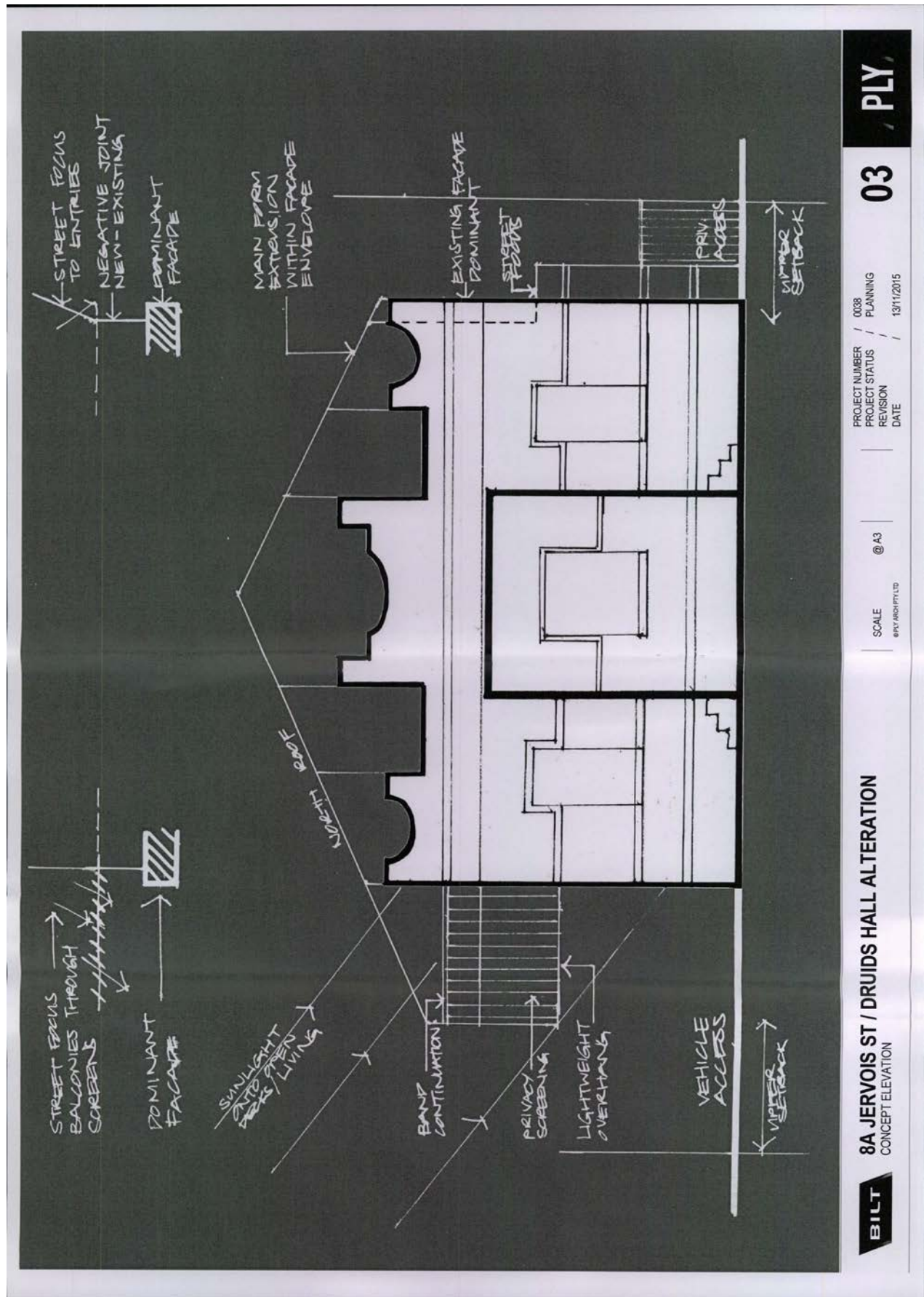
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**01**

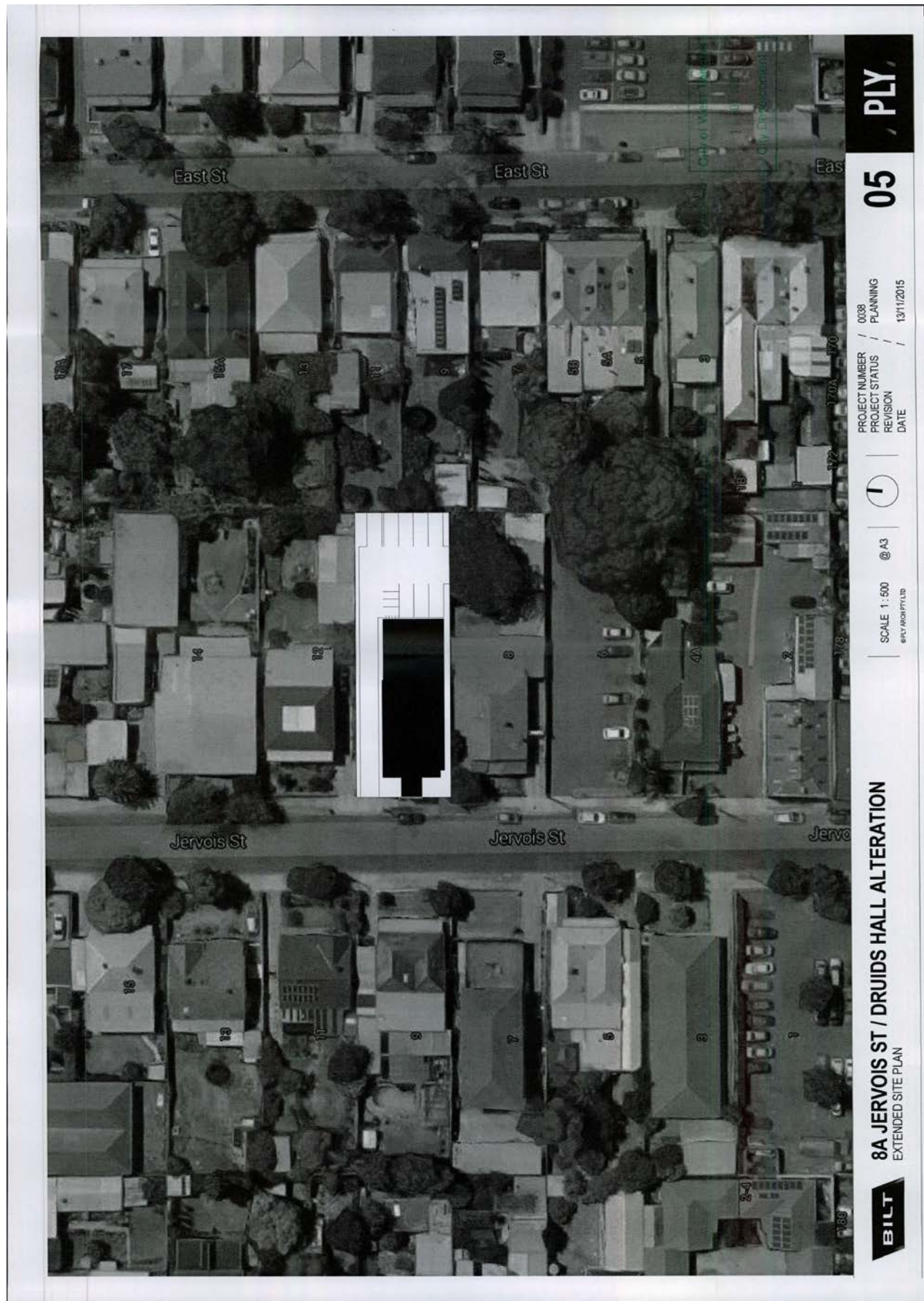
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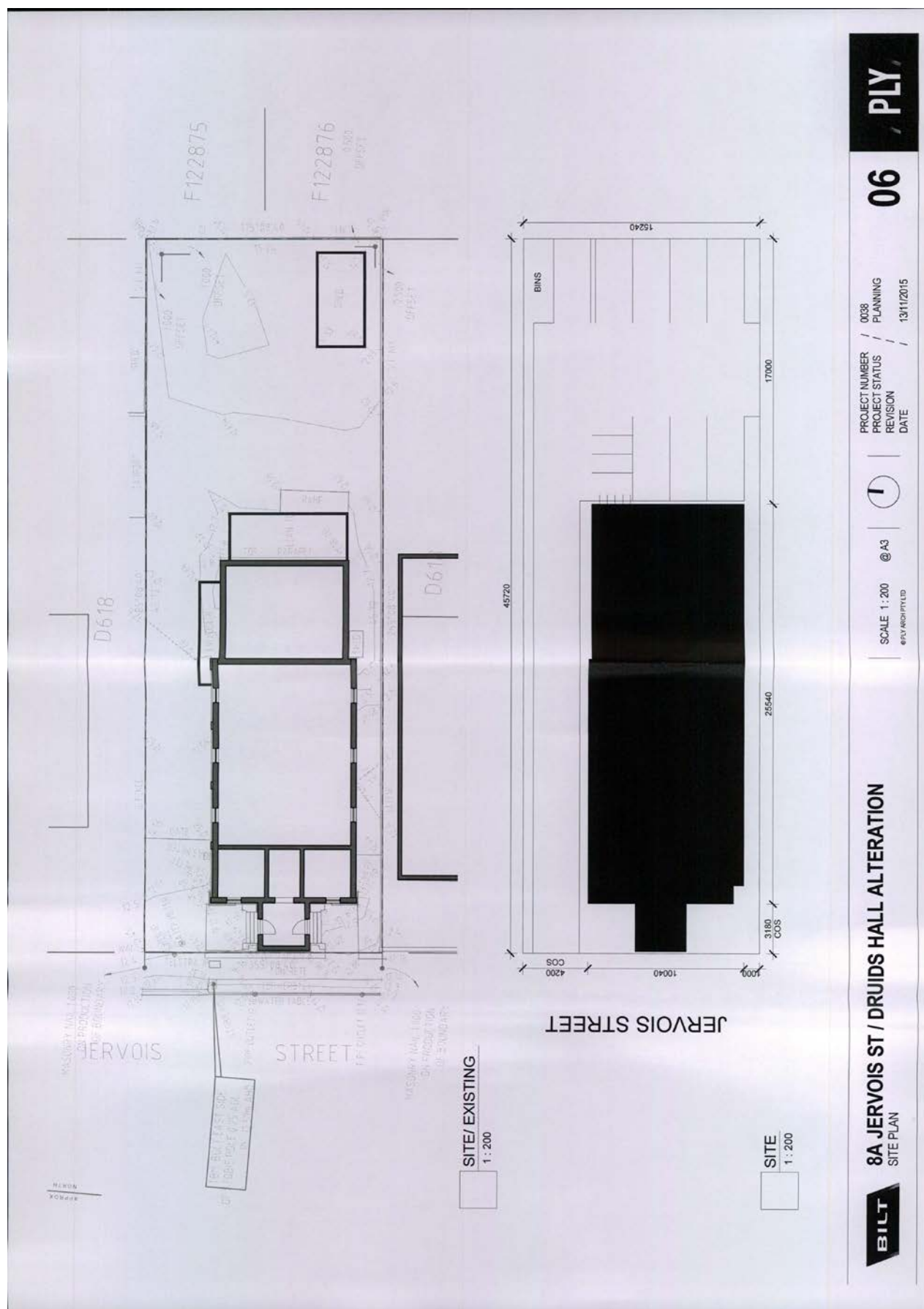


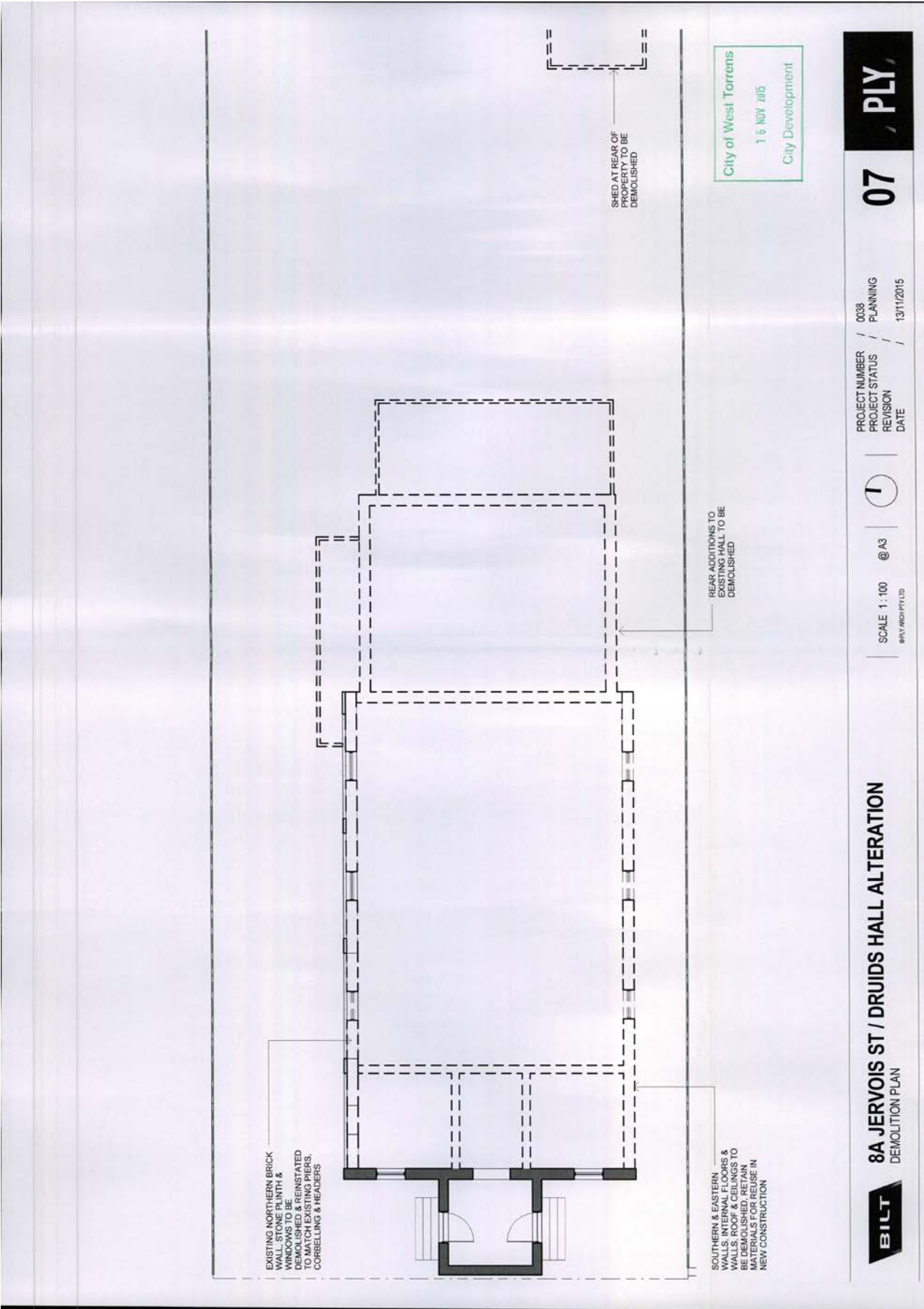




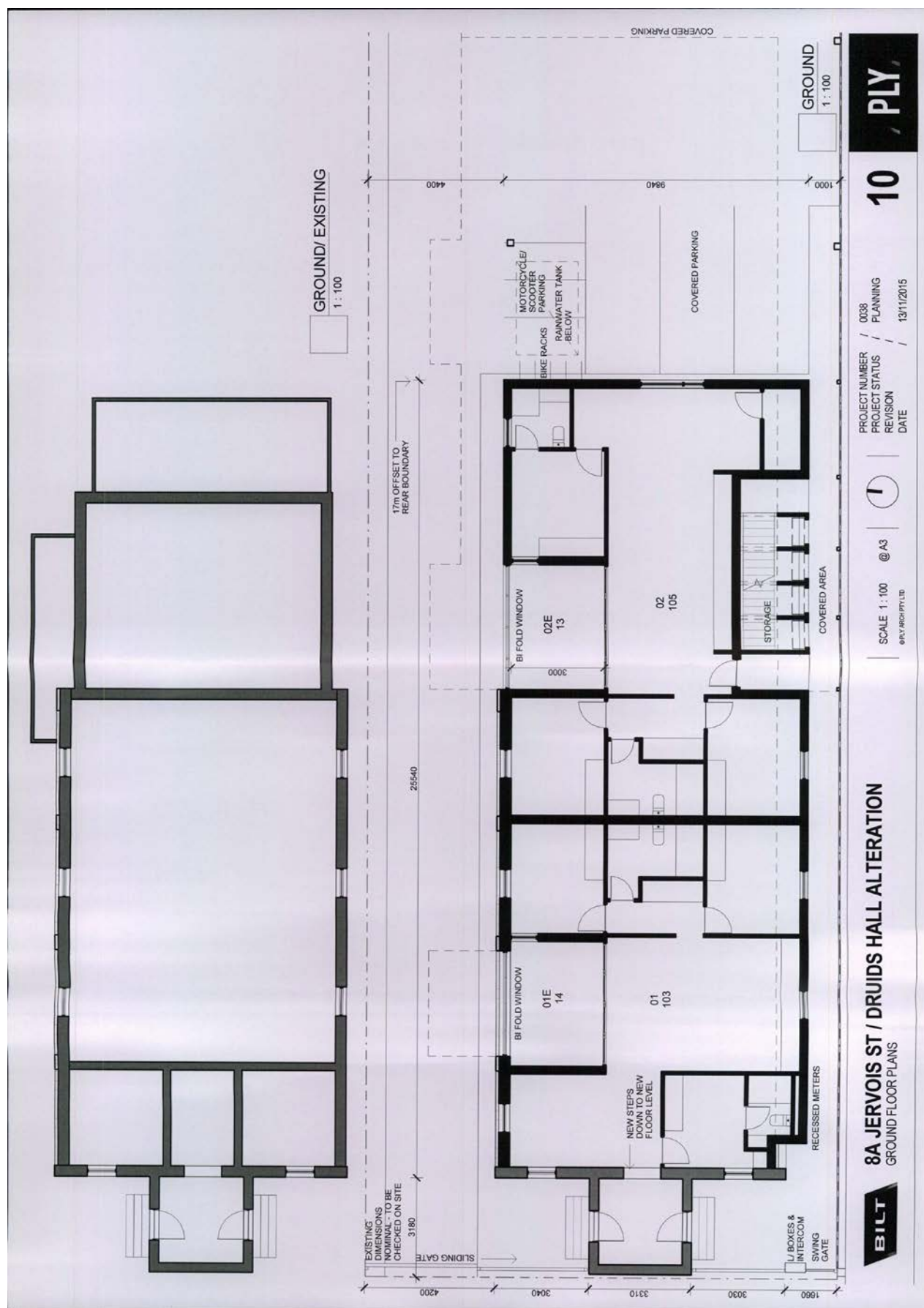


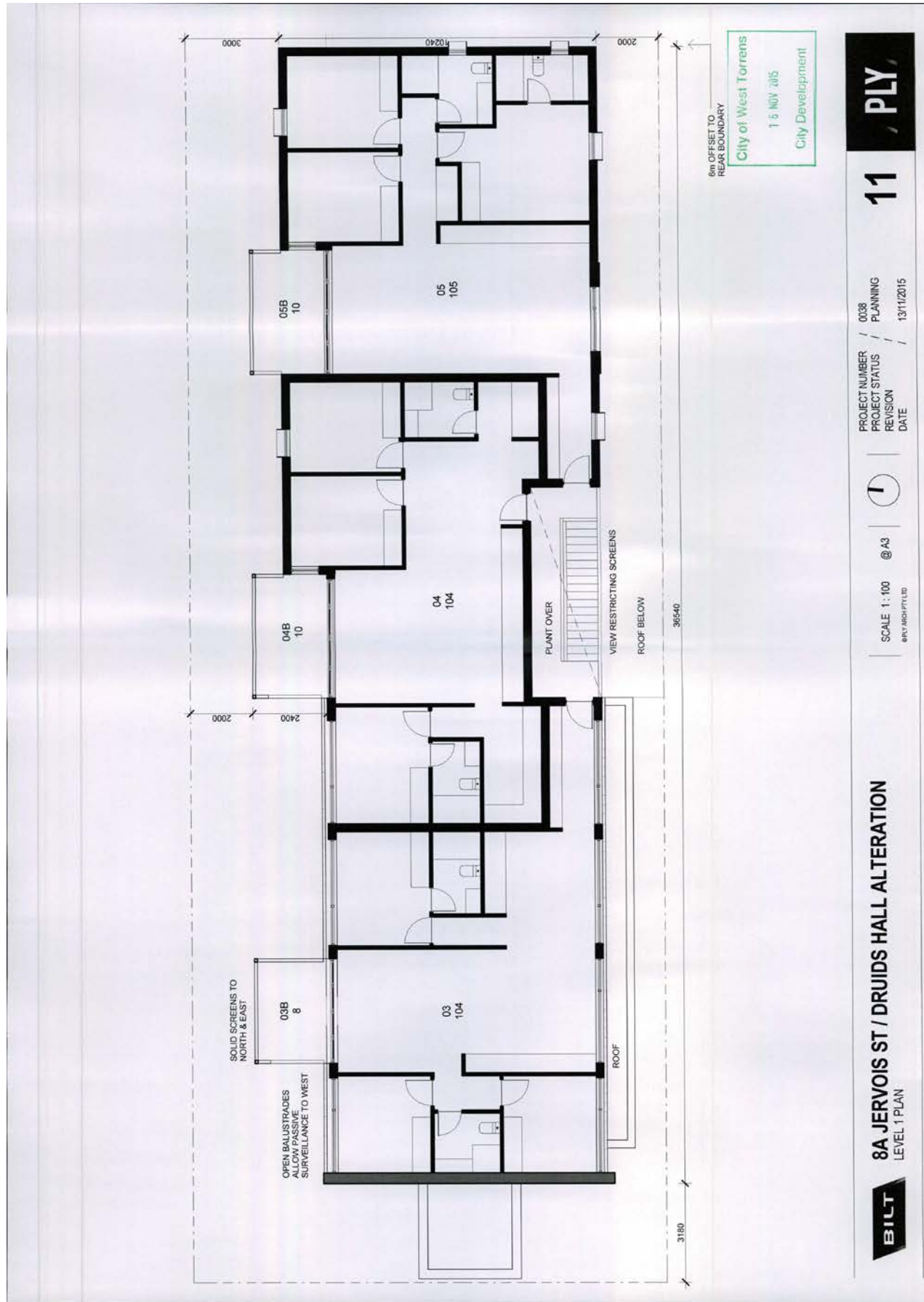


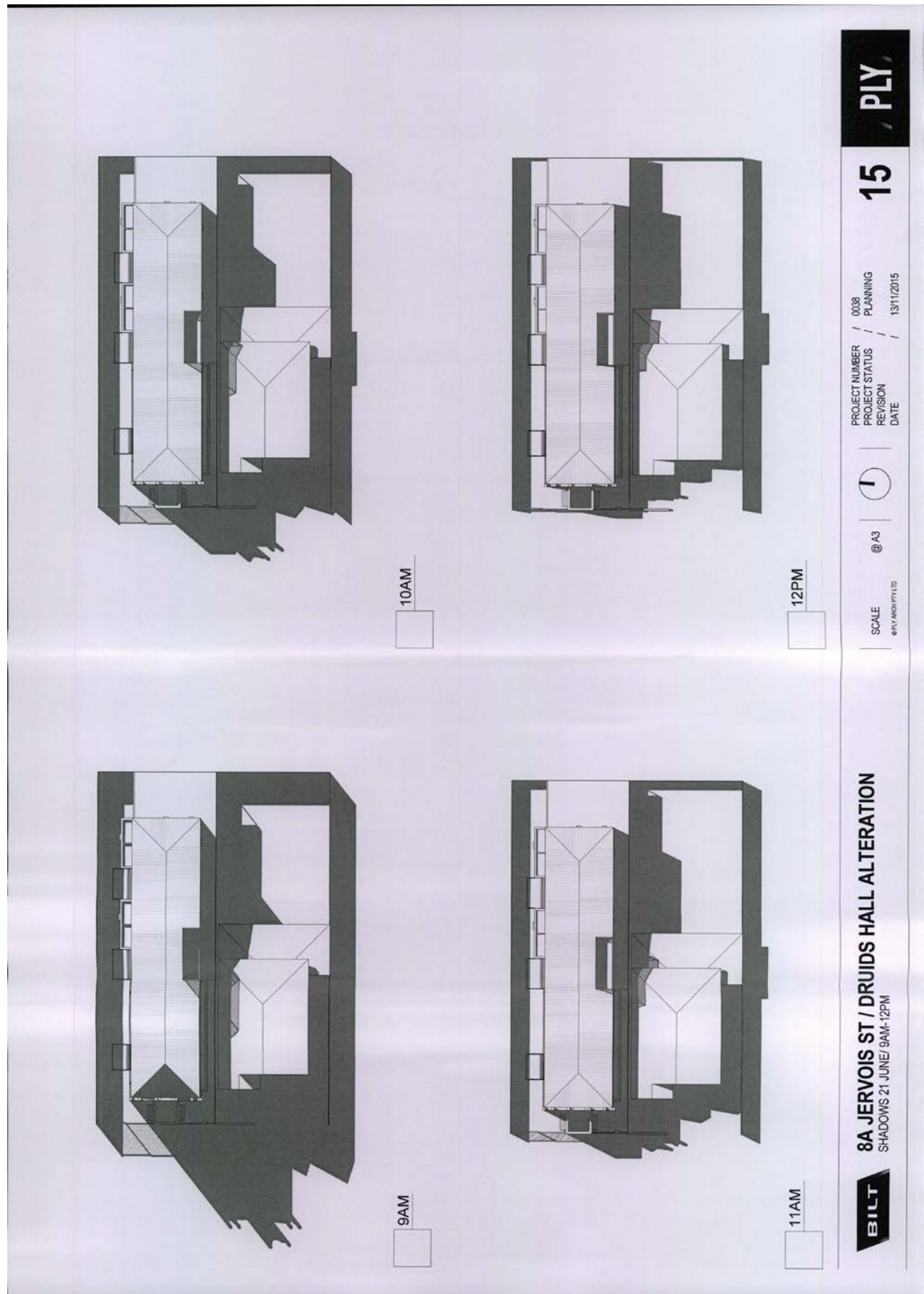


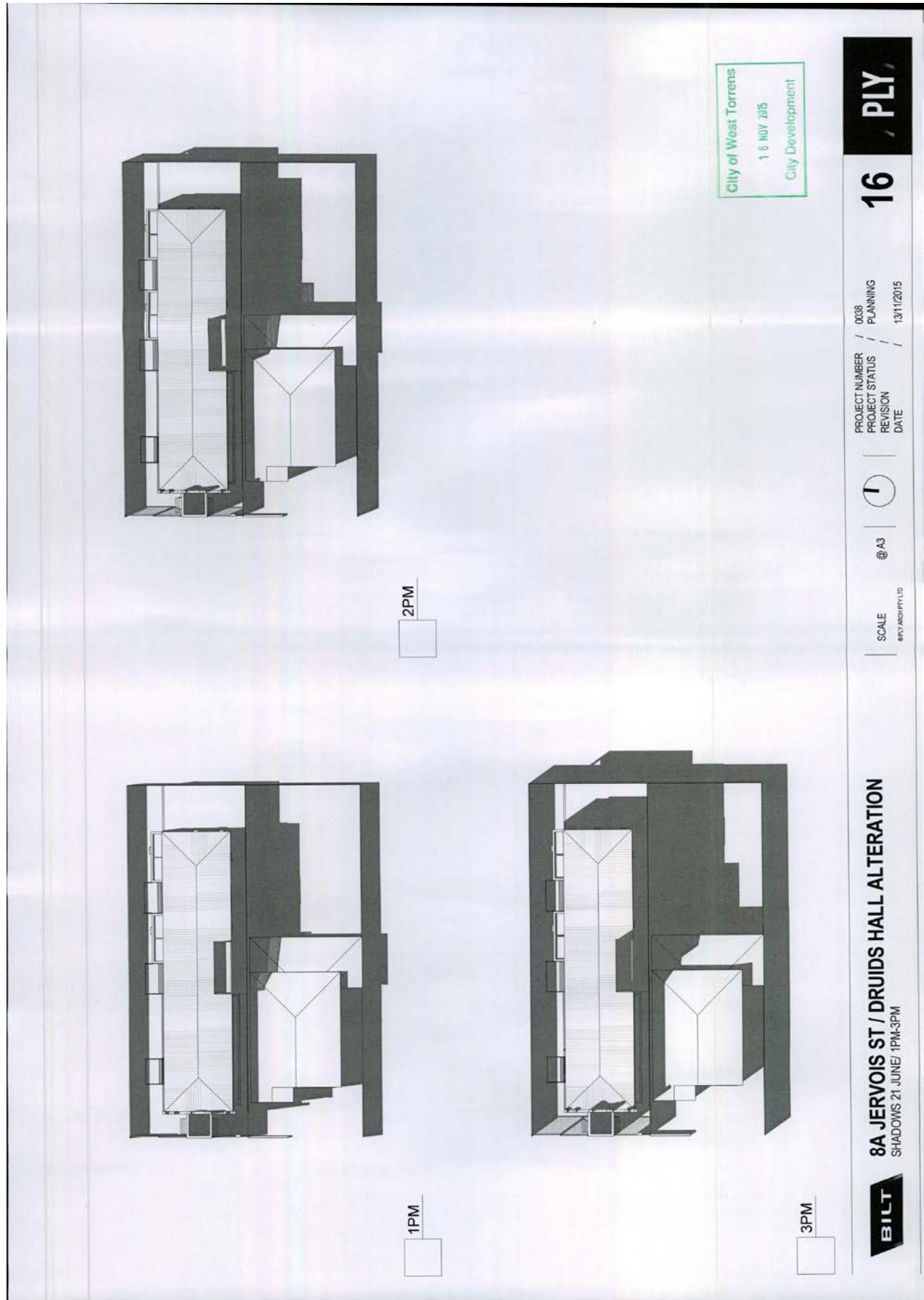




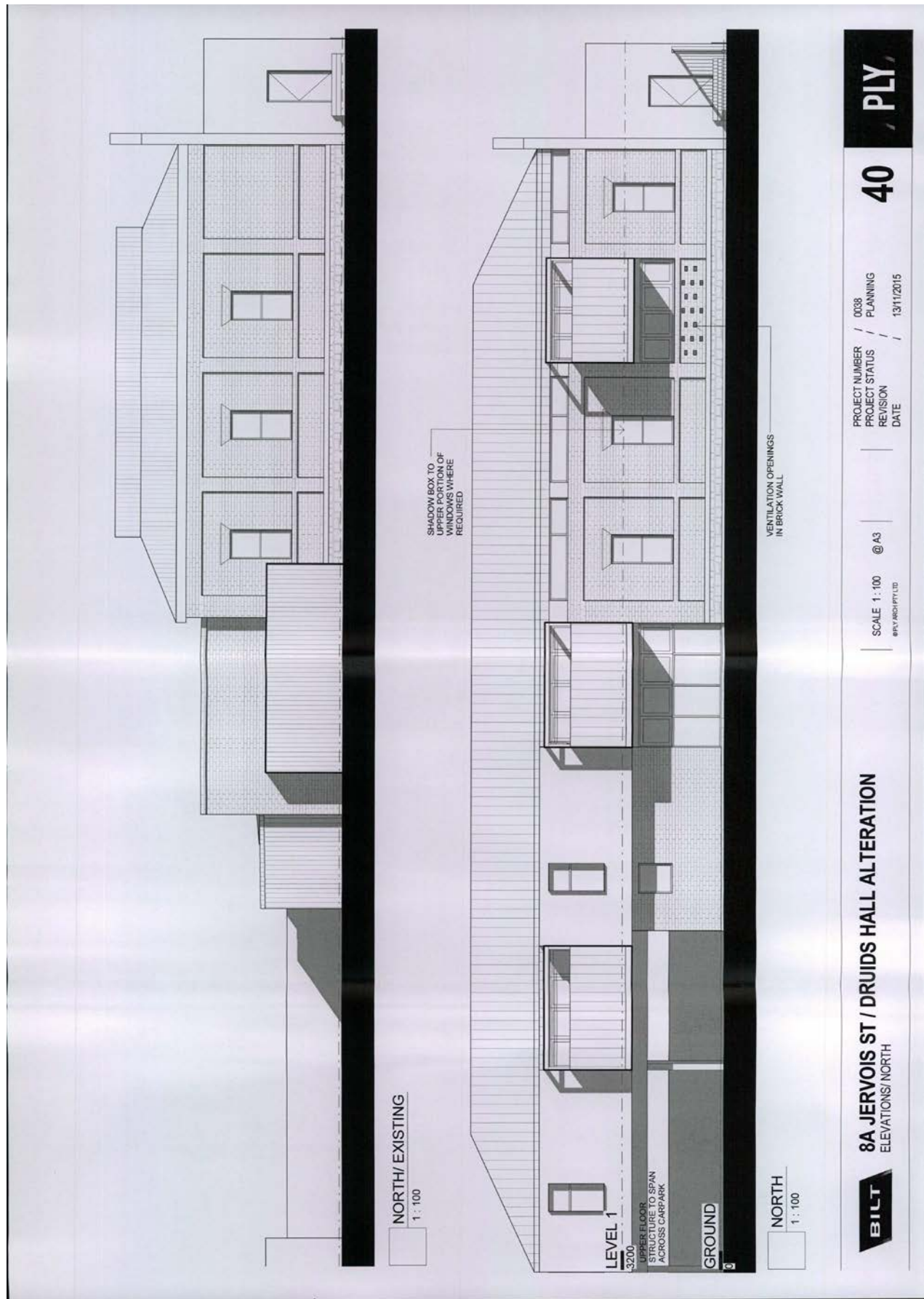


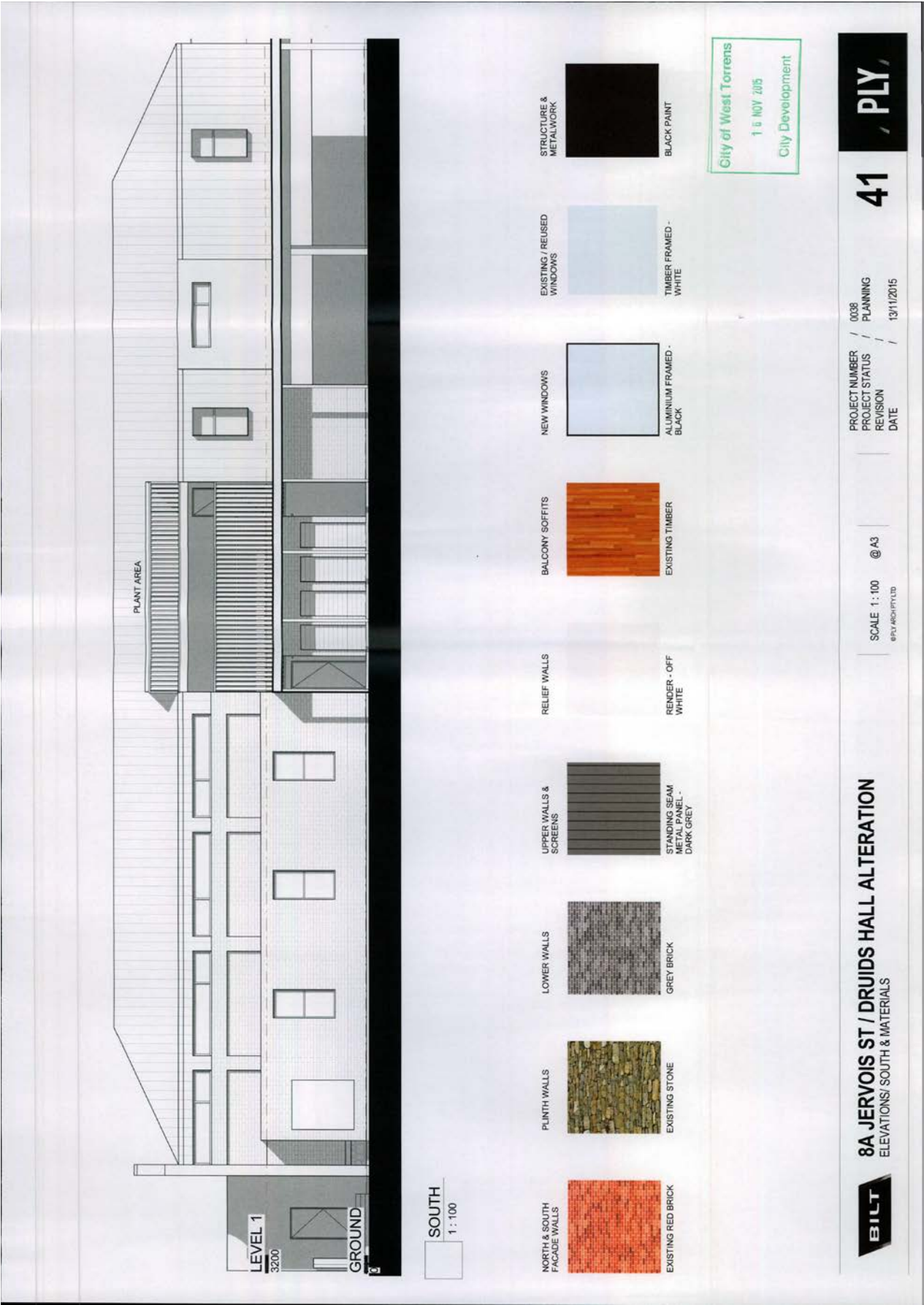




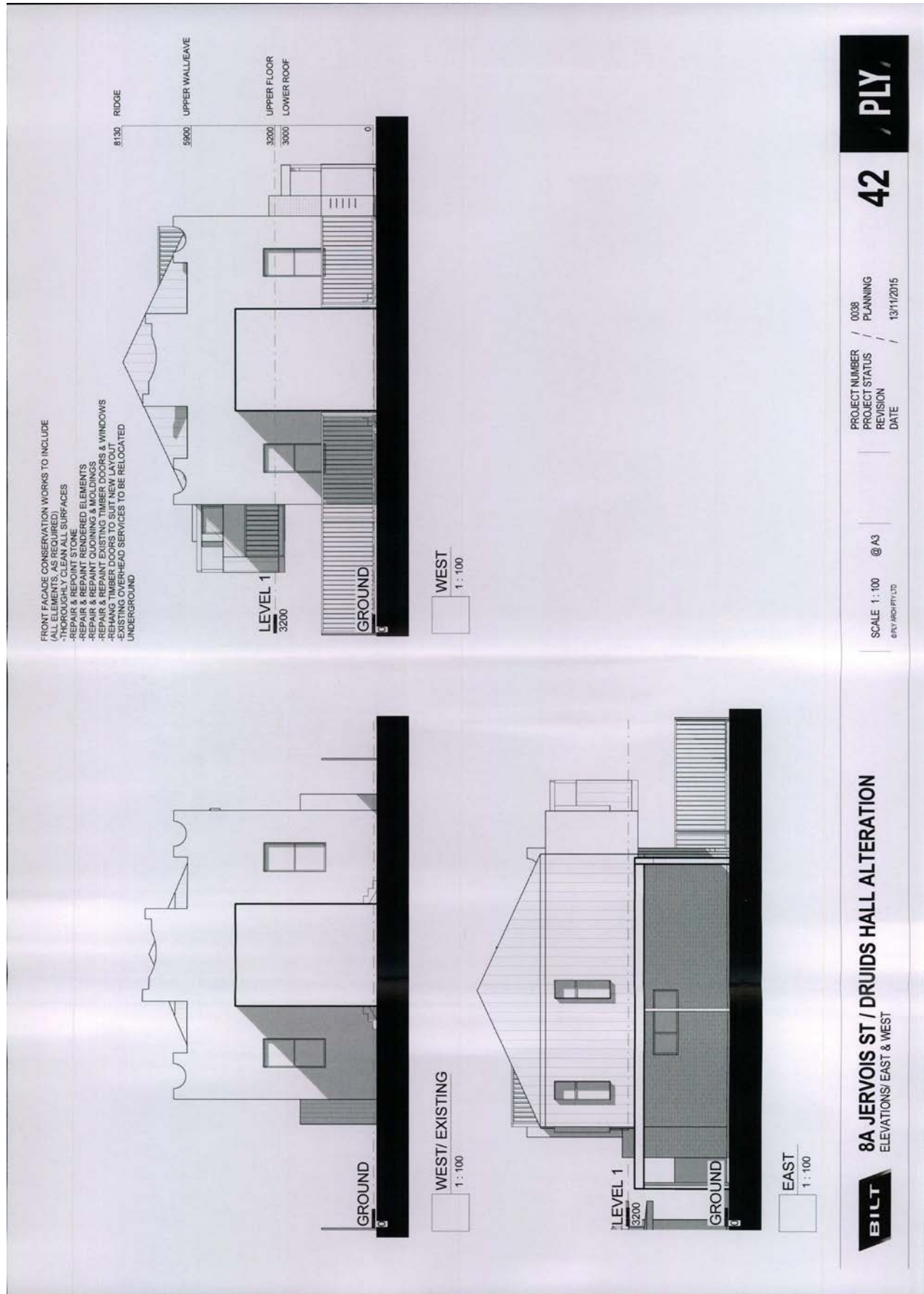


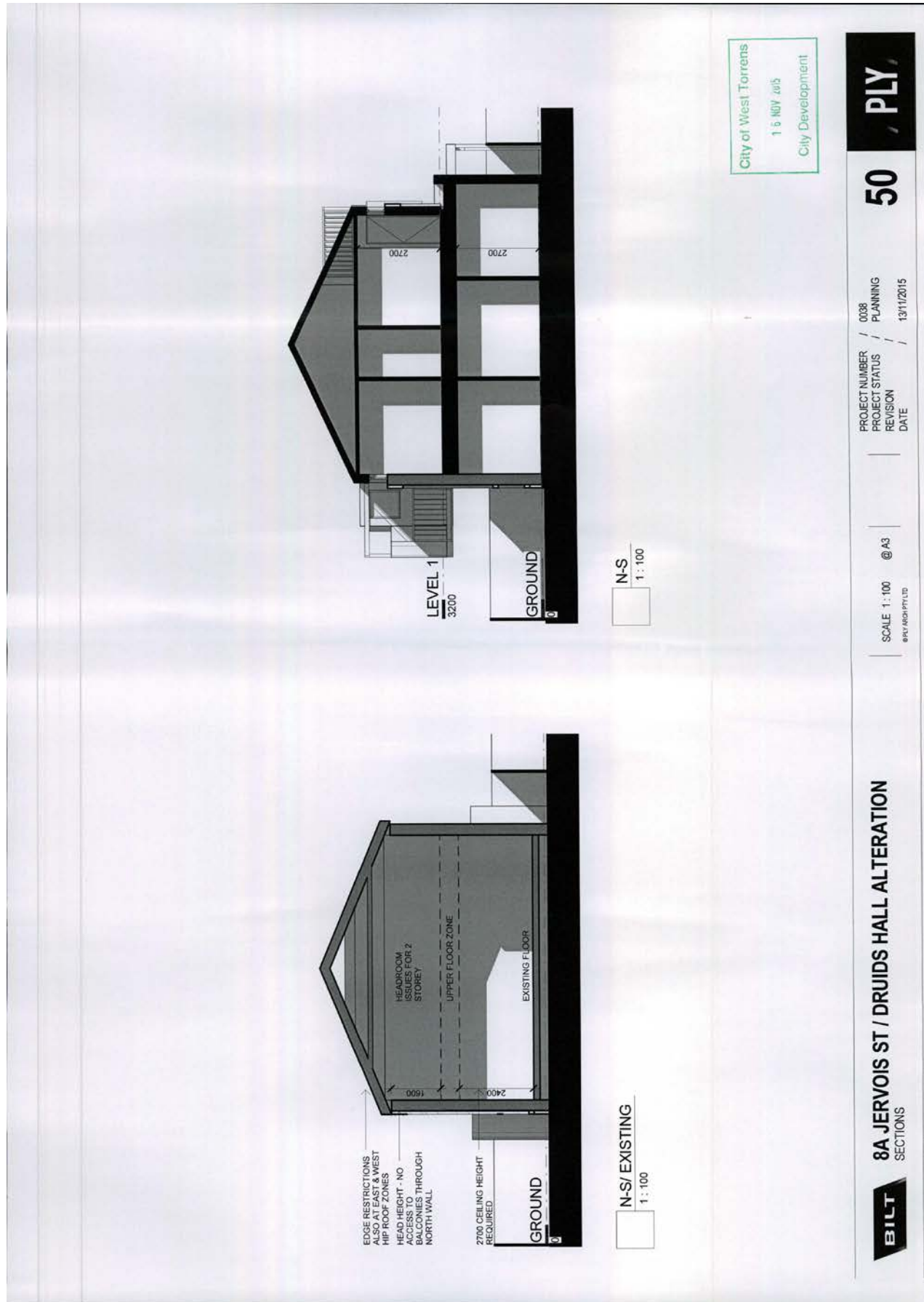












#### **MASSING/**

Built form massing has been designed in accordance with required setbacks, wall heights and consideration of overshadowing and overlooking of existing private open space to neighbouring dwellings. The general cross section of the proposed design closely references the existing hall, with minor addition to ceiling and roof height to suit the desired programming.

Low scale protruding elements on the dominant northern facade are used to minimise bulk, as well as referencing the existing height and mass of the existing southern facade.

#### **ADAPTIVE REUSE/**

Significant studies into utilising the existing built form of the hall have been undertaken in response to the client brief.

Due to the low pitching point of the existing hipped roof on all four sides of the hall and current height of the central flat ceiling, creating 2 storeys of useable residential space with reasonable ceiling heights and access to northern balconies is not feasible within the existing structural constraints. Refer to the existing section on sheet 50, which demonstrates the ceiling height and access restrictions on all four sides of the main hall.

#### **HERITAGE/**

It is proposed that the important street facade is completely maintained & restored, as well as reconstruction of most of the northern and southern brick facades. Significant reuse of existing materials in the new works is being proposed, including stone, brick, timbers & windows.

Expression of the existing street facade & brick detailing is created by clearly contrasting with openings and setbacks of new works. Strong contrast between existing and new elements is achieved through modern materials & form modulation, as well as offsetting lightweight framed overhangs against heavier masonry elements.

Whilst creating clear definition and contrast, the new works also make reference to the existing design elements, ie hipped roof, rectilinear projections, window proportions & geometry.

#### **SUSTAINABILITY/**

The proposed design makes use of the favourable east-west site orientation, allowing for sunlight penetration to northern open spaces and living areas, whilst minimising western and eastern heat load into interior spaces.

Expansive north facing roof area is provided for photovoltaic installations and apartments have significant access to cross ventilation. Highly insulated built fabric and reuse of existing materials and construction reduces both energy demand and embodied energy. Onsite rainwater harvesting and reuse is also being utilised for water conservation.



### **8A JERVOIS ST / DRUIDS HALL ALTERATION**

DESIGN STATEMENT

SCALE  
@ A3  
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PROJECT NUMBER / 0038  
PROJECT STATUS / PLANNING  
REVISION /  
DATE / 13/11/2015

**DS**

**PLY**



3 December 2015

Chris Vounasis  
Future Urban Group  
GPO Box 2403  
Adelaide SA 5000

DA153216  
Druid's Hall, 8A Jervois Street, Torrensville  
Local Heritage Impact Assessment

Dear Chris,

We confirm with you that you seek our advice on the development proposed at 8A Jervois Street, Torrensville (The Subject Site) with regard to the manner by which it addresses the relevant heritage provisions of the City of West Torrens Development Plan.

Our assessment has been based on the following documentation:

- PLY architectural drawings 00, 01, 02, 02, 05, 06, 07, 10, 11, 15, 16, 40, 41, 42, 50, DS, dated 13.11.2015; and
- Jim Pantzikas & Associates Consulting Engineers Structural Report, dated 26.11.2015.

8A Jervois Street is listed as Druid's Hall, a Local Heritage Place in Table WeTo/4 of the Development Plan, and the site is located within Medium Density Policy Area 19.

The proposal seeks approval to retain the front stone portion of Druid's Hall, and demolish and part rebuild the red brick rear section. In the words of the Project Architect:

*"Adaptive Reuse: Significant studies into utilising the existing built form of the hall have been undertaken in response to the client brief.*

*Due to the low pitching point of the existing hipped roof on all four sides of the hall and current height of the central flat ceiling, creating 2 storeys of useable residential space with reasonable ceiling heights and access to northern balconies is not feasible within the existing structural constraints. Refer to the existing section on sheet 50, which demonstrates the ceiling height and access restrictions on all four sides of the main hall.*

*Heritage: It is proposed that the important street façade is completely maintained & restored, as well as reconstruction of most of the northern and brick facades. Significant reuse of existing materials in the new works is being proposed, including stone, brick, timber & windows.*

*Expression of the existing street façade & brick detailing is created by clearly contrasting with openings and setbacks of new works. Strong contrast between existing and new elements is achieved through modern materials & form modulation, as well as offsetting lightweight framed overhangs against heavier masonry elements. Whilst creating clear definition and contrast, the new works also make reference to the existing design elements, ie. hipped roof, rectilinear projections, window proportions & geometry".*

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We note the structural engineer's report recommends that the existing bluestone footings are not adequate to provide support to a new 2-storey structure, and that in particular:

*"on this narrow site, construction of a secondary structure and footings (independent of existing bluestone footings) to support the proposed upper level, would disturb the foundation soils adjacent to the existing bluestone footings and therefore would be likely to affect the structural stability of the existing bluestone footings and cause unacceptable damage to existing walls".*

Outlined below is our review of the application against the relevant heritage provisions of Council's Development Plan:

#### Extent of Heritage Listing

- The extent of heritage listing for the site is somewhat ambiguous.
- Table WeTo/4 of the City of West Torrens Development Plan notes the extent of listing as 'External form, details and materials of stone frontage to Jervois Street'. This wording appears to refer only to the front stone section;
- Table WeTo/4 also references the McDougall & Vines Thebarton Heritage Review 1996 which, after sourcing separately, describes the extent of listing as the 'overall form of the building and particularly the unpainted stonework of the Jervois Street elevation' (my emphasis);
- It is unusual for a Development Plan to refer to an external document, and so it is not clear how much weight the Heritage Survey sheet carries. Typically the Heritage Survey is only considered as a recommendation, with Council's adopted position being formalised in the Development Plan tables. The survey sheet implies that the overall form of the hall is of value (not just the front stone section as cited by Table WeTo/4);
- WeTo/4 cites the basis of heritage listing under Section 23(4) criteria a), c) and d). That is to say, the building is considered to be of heritage value not only for its aesthetic merit (criterion d) but also for historical and social themes (criterion a).

#### Proposed Development to Rear of the Stone Facade

- The Subject Site is located within the City of West Torrens Medium Density Policy Area 19, which seeks a range of medium-density dwelling types up to 2-storeys. The nature of the proposed development is generally consistent with this;
- The objectives for Heritage Places under the Development Plan seek:
  - Obj 1: The conservation of State and local heritage places;*
  - Obj 2: The continued use, or adaptive reuse of State and local heritage places that supports the conservation of their cultural significance;*
  - Obj 3: Conservation of the setting of State and local heritage places;*
- The proposal appears to generally satisfy the intent of Objectives 2 and 3. The proposal is a well considered design response that both retains the legibility of the original hall form and setting to the street, while adapting the heritage place to accommodate a new use that is consistent with the Policy Area;

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- Heritage Places PDC 2 and 3 notes:
  - PDC 2: Development of a State or local heritage place should retain those elements contributing to its heritage value...*
  - PDC 3: Development of a State or local heritage place should be compatible with the heritage value of the place.*
- The extent to which these provisions (and Obj 1) are met needs to be considered in the context of the Extent of Listed Place under Table WeTo/4. As noted, however, there is some ambiguity with regards to this extent of listing. That is to say, are the rear portions of the hall proposed for demolition considered to be of heritage value?
- In the absence of clarity from the Development Plan it appears reasonable to assume that priority should be given to the specific wording in Table WeTo/4, and that reference to the Heritage Survey is provided for background information only. On this basis, the proposal is generally consistent with the above provision.
- We understand that the applicant has also obtained feedback from their structural engineer with regards to the condition and suitability of the rear portions of the existing structure to be reused. We will defer to the structural engineer for any consideration of demolition under PDC 1 on these grounds;
- As outlined above in the structural engineer's findings, it is proposed that the red brick section be reconstructed for structural and constructability reasons. The proposal seeks to:
  - Reinstate brick piers and beam detailing to original location;
  - Reinstate bluestone plinth in original location on top of new footings;
  - Reinstate timber sash windows in original location and maintain brick header detailing; and
  - Reuse existing red bricks and bluestone fabric;
- This approach is generally consistent with Heritage Places PDC 4. The proposal seeks to undertake repointing and other conservation works to the front stone part of the building as part of the application;
- PDC 6 and 7 generally seek development to be *compatible* with the context and heritage values of the heritage place. The proposal achieves this through:
  - Retaining and adaptively reusing the front stone portion of the building;
  - Maintaining the setting to the front and sides of the building;
  - Providing a new contemporary form of which the bulk and scale is still within proportion to the original front section;
  - Expressing the original front parapet by offsetting the new roof behind;
  - Highlighting new elements in a consistent manner through choice of modern materials and pop-out forms, contrasting with original fabric; and
  - Maintaining a reference to the original hall form through the reconstruction of the red brick walls.

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Summary

The proposal seeks to demolish and reconstruct the rear portion of the hall to accommodate the continuing adaptive reuse of the local heritage place. The concept retains the interpretability of the original form of the hall and provides suitable context and setting to the primary facade, entry lobby and side wall returns being reused. In doing so, the proposal fulfills the second and third Heritage Places Objectives.

In the context of the ambiguous extent of listing, this approach has merit. Such merit will need to be considered and balanced by the assessing authority against other relevant provisions of the Development Plan.

We believe that the design has been thoughtfully considered and demonstrates a clear appreciation of the heritage issues of the site.

Yours sincerely



Nicole Dent  
Associate  
DASH Architects  
Registered Architect APBSA Reg No. 2771

REF: 0048-1-Druids Hall

7 December 2015

Mr Tony Kelly  
Coordinator City Development  
City of West Torrens  
165 Sir Donald Bradman Drive  
HILTON SA 5033



Level 1, 89 King William St  
GPO Box 2403  
Adelaide SA 5001  
PH: 0447 029 088  
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ABN: 34 452 110 398

Dear Tony,

**DRUIDS HALL RESIDENTIAL CONVERSION  
AT 8A JERVOIS STREET, TORRENSVILLE**

We have been requested by Bill Konstantinou to provide an opinion in relation to the appropriateness or otherwise of altering an existing meeting hall known as Druids Hall (local heritage place) to accommodate a residential flat building comprising five dwellings at 8A Jervois Street, Torrensville.

This planning opinion is also accompanied by a:

- Heritage Impact Assessment prepared by Dash Architects dated 3 December 2015; and
- Structural Report prepared by Jim Pantzikas & Associates P/L dated 26 November 2015.

We understand that the proposal plans have been lodged with the City of West Torrens and this information will be used to progress the assessment of the application including public notification.

Following we provide an overview of the proposal, a description of the site and locality and an assessment of the proposal against the relevant provisions of the City of West Torrens Development Plan (consolidated 5 November 2015).

**Proposal**

The proposed development seeks to alter an existing meeting hall known as Druids Hall (local heritage place) to accommodate a residential flat building comprising five dwellings including associated car parking and front fencing.

REF: 0048-1-Druids Hall | 7 December 2015





The proposal seeks to retain only the front stone portion of Druids Hall and demolish and part rebuild the red brick rear section.

The extent of demolition and reinstatement is identified on Drawing Number 07 prepared by PLY Architecture dated 13 November 2015.

The ground level plan will contain two, three bedroom dwellings with ground level private open space provided in the form of north facing courtyards with areas of 13sqm and 14sqm with each having bi-fold windows adjacent to a common driveway. The ground level will be set back between 4.2m and 4.4m from the northern boundary (existing setback and driveway side) and 1m from the southern boundary. A covered pedestrian path will be sited on the southern boundary to provide sheltered access from the car parking area to the rear ground level dwelling, storage units and stair access to the upper level.

To the rear of the site a total of 8 car spaces, 4 motor cycle/scooter parks and 5 bike racks (able to support the parking of up to 9 bicycles) will be provided.

A rainwater tank will be provided underground below the motorcycle/scooter parking area.

The upper level will contain a further three, three bedroom dwellings. The upper level will result in only a minor increase in overall height when compared to the existing height of the hall and will extend over a portion of the rear car parking area. The upper level will be setback between 3m and 4.4m from the northern boundary. The north facing upper level balconies will have areas ranging from 8sqm to 10sqm, all with a minimum dimension of 2.4m. The balconies will overhang the driveway and will be setback 2m from the northern boundary. The upper level will be setback 6m from the rear (eastern) boundary.

All upper level balconies including stair access will be screened with dark grey standing seam metal panels to a height of 1.7m above floor level.

The proposal will include the construction of a new black metal front fence with controlled automatic gate and pedestrian entry gate with intercom.

Conservation works to the façade will include:

- thorough cleaning of all surfaces;
- repair and re-pointing of stone;
- repair and re-painting of rendered elements, quoins, mouldings and existing timber windows and doors;



- re-hanging of timber doors to suit new layout; and
- re-location of existing services underground.

A schedule of the materials and colours that will be used throughout the development (including existing) is identified on Drawing Number 41 prepared by PLY Architecture dated 13 November 2015.

With reference to Schedule 9 of the Development Regulations, 2008 we have formed the opinion that the proposal represents a category 2 form of development.

### Site and Locality

The subject site is located on the eastern side of Jervois Street between Carlton Parade to the north and Henley Beach Road to the south. The site has a frontage to Jervois Street of 15.24m, a depth of 45.72m and a site area of approximately 696 square metres.

The site is legally described as Allotment 60 in Certificate of Title Volume 5810 Folio 94 or otherwise 8A Jervois Street, Torrensville.

The site contains a local heritage place known as Druids Hall. Table WeTo/4 of the City of West Torrens Development Plan notes the extent of listing as *'External form, details and materials of stone frontage to Jervois Street'*.

According to Council's 1996 Heritage Survey, the external form, details and materials of the stone frontage to Jervois Street comprises the identified extent of the listing.

Access to the site and informal rear car parking area is via an existing single width access way located adjacent to the northern boundary. The informal car park is not surfaced and contains a single garage in the south west corner of the site.

1.8m galvanised fencing exists around the perimeter of the site with the exception of the front boundary which does not contain any fencing.

The location of the subject in relation to its surrounds is depicted in the following figure.



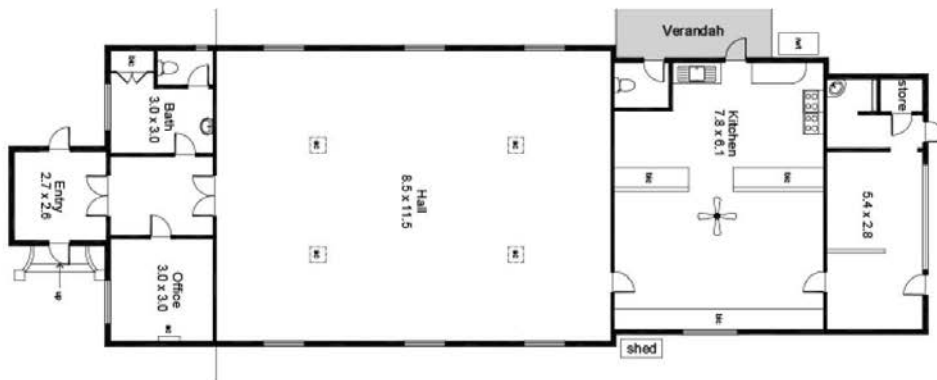


Figure 1: Subject site



The floor plan of the existing Hall is identified below.

Figure 2: Existing floor plan



Within the meeting hall there were pews located along the walls which have since been removed. We have estimated that these pews could have seated around 50 people.



The subject site is located in the Residential Zone and specifically within Medium Density Policy Area 19 of the City of West Torrens Development Plan (consolidated 5 November 2015).

The locality is characterised by single storey residential dwellings of varying styles to the north of the subject site. To the south, Jervois Street is more diverse containing single storey detached dwellings, a two storey residential flat building and commercial land uses including the prominent Hotel Royal and associated car parking areas. The Hotel Royal also contains an ancillary car park (physically not connected to the Hotel) at 6 Jervois Street.

With respect to adjacent development we note that the dwelling to the north has a driveway running along the common boundary with a garage and shedding sited on the common boundary. We note that these outbuildings fully occupy that portion of the boundary which is adjacent to the existing informal rear car park of Druids Hall. Dwellings to the east (fronting East Terrace) are setback between 20m to 30m from the common boundary. The adjacent southern dwelling is setback within 1m of the common boundary and extends a similar distance to the east as Druids Hall. The rear yard of the adjacent southern property adjoins the existing informal rear car park and single garage of Druids Hall. Dwellings directly opposite Druids Hall on the western side of Jervois Street comprise of two single storey detached dwellings (an altered symmetrical villa and a bungalow).

One hour on-street car parking (8am – 5.30pm, Monday to Friday and 8am – 12noon on Saturday) exists along the western side of Jervois Street. There is no restricted car parking along the eastern side of Jervois Street adjoining the site.

**Development Assessment**

The following table has been prepared to assess the proposal against the key quantitative provisions of the City of West Torrens Development Plan (consolidated 5 November 2015).





Table 1 Quantitative assessment

Characteristic	Proposed	Development Plan	Compliance
Site Area	Average of 139.2sqm	Average of 150sqm where located within 400m of a centre zone	N
Frontage	15.24	15m	Y
Building Height	Two storey (8.13m)	Two storeys or 8.5m	Y
Site Coverage	370sqm (53.2%)	60%	Y
Front Setback	Existing	N/A	Y
Side Setbacks	North - 4.2m ground & 3m upper (balconies 2m) South - 1m ground & 2m upper)	1m ground 2m upper	Y
Rear Setback	6m	6m	Y
Apartment Size	103sqm - 105sqm	100sqm for 3 Bedroom	Y
Private Open Space	Ground - 13sqm & 14sqm Upper - 8sqm & 2 x 10sqm	24sqm for ground level & 3m min. dimension 15sqm for upper level & 2m min. dimension	N (area) Y (dimensions)
Resident Car Parking	8 car spaces	2 car spaces per dwelling (one covered) Total required 10 car spaces	N
Visitor Car Parking	Nil	0.25 car spaces per dwelling Total required 1.25 spaces	N
Storage	>8 cubic metres	8 cubic metres	Y
Visual Privacy	1.7m upper level sill heights/obscure glazing/screens	1.7m sill heights/screens	Y
Overshadowing (adjacent properties)	Refer overshadowing diagrams	POS - 2 hours 9am-3pm on 21 June North facing windows – 3 hours over portion of surface 9am-3pm on 21 June	Y

The proposed development satisfies the majority of the quantitative provisions of the Development with the exception of:

- Site area;
- Private open space; and
- Car parking.

Following we provide a comment in relation to each of the non-compliances of the proposal.



*Site Area*

The proposed development provides an average site area of 139.2 square metres which is less than the average 150 square metres recommended by Policy Area PDC 5. We have formed the opinion that PDC 5 applies to the proposal in this instance given the characteristics of the nearby Urban Corridor Zone and specifically the High Street Policy Area along Henley Beach Road (previously District Centre Zone). This is reinforced through the general structure of the Urban Corridor Zone itself and the adjacent zones. The High Street Policy Area is a significant activity centre within the context of the City of West Torrens. Medium Density Policy Area 19 adjoins the Urban Corridor Zone and specifically the High Street Policy Area. This structure is also supported by the 30 Year Plan for Greater Adelaide which seeks to provide a significant amount of dwelling growth within 400m of such corridors. The directions set out by the 30 Year Plan for Greater Adelaide become policy at the Council level when they are incorporated within the Development Plan. In our opinion, if PDC 5 did not apply to a proposal within 400m of the primary activity centre along an urban corridor such as Henley Beach Road, then it makes a mockery of the general structure of, and premise upon which, the Urban Corridor Zone was constructed and the adjacency of Medium Density Policy Area 19.

In our opinion, the shortfall of 10.8 square metres is not fatal when considering the following matters:

- the proposal is well designed to maintain a low scale built form character along Jervois Street;
- the overall form of the building respects the existing scale and form of the existing local heritage place;
- the proposed building does not exceed two storeys in height (the maximum height contemplated in the Policy Area);
- the development comprises a form of medium density residential which is contemplated in Policy Area 19;
- the building is setback in line with or greater than the minimum prescribed distances from the side and rear boundaries;
- the building has been designed to ensure minimal visual intrusion and overshadowing upon all adjacent residential properties;
- the proposed development results in a site coverage substantially less than 60%; and
- the proposal maintains and improves the contribution of the local heritage place within the streetscape.



In addition to the above, we also note that the subject site is located with 400m from a bus stop on Henley Beach Road (a transit corridor) with direct bus services to key services and facilities within the City of West Torrens, Adelaide City and the wider metropolitan area. The 30 Year Plan for Greater Adelaide seeks to provide a significant amount of dwelling growth within 400m of such corridors. The proposed development will clearly accommodate population growth and a form of residential development that is clearly contemplated within the Policy Area and Residential Zone.

The type of housing proposed also ensures that the Council area will have a greater diversity of smaller housing products that are more affordable than traditional housing forms. This provides an opportunity for the high proportion of elderly people in the Council area to downsize from larger dwellings/allotments to remain living within their existing community (ageing in place); or, those seeking more affordable housing options the opportunity to enter the housing market.

At this broader level we note that the proposal accords with the following objectives of the Residential Zone and General Section Residential Development provisions:

***Residential Zone***

- 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.*

***Residential Development***

- 2 *An increased mix in the range and number of dwelling types available within urban boundaries to cater for changing demographics, particularly smaller household sizes and supported accommodation.*
- 3 *Medium and high density residential development in areas close to activity centres, public and community transport and public open spaces.*
- 4 *The revitalisation of residential areas to support the viability of community services and infrastructure.*

For all the above reasons, we have formed the opinion that the density of the proposal is highly appropriate for the site and locality and the desired character sought for Policy Area 19. We also believe that the above reasons demonstrate that the number and size of the dwellings are appropriate and that the proposal is not an over-development of the site.



### *Private Open Space*

The proposed development provides north facing courtyards for the two ground level dwellings with areas of 14sqm (Dwelling 1) and 13 square metres (Dwelling 2) with a minimum dimension of 3m. The upper level balconies have an area of 8 square metres (Dwelling 3) and 10 square metres (Dwelling 4 and 5) with a minimum dimension of 2.4m.

Residential Development PDC 19 recommends a ground level private open space area of 24 square metres and a minimum dimension of 3m for dwellings with a site area less than 300 square metres. Residential Development PDC 22 recommends that the upper level three bedroom dwellings should be provided with 15 square metre balconies with a minimum dimension of 2m.

We acknowledge that the private open spaces for each dwelling are less than that recommended by the relevant provisions of the Development Plan however it is important to note that all minimum dimensions are achieved, all areas have a northern orientation and all areas will be accessed directly from the internal living areas of each dwelling.

These factors are important in the context of Residential Development PDC 18 which encourages the provision of private open space for the exclusive use by residents of each dwelling. The criteria associated with PDC 18 also encourage private open space to be screened for privacy; to minimise overlooking from adjacent buildings; to achieve separation from bedroom windows on adjoining sites; not to be significantly shaded during winter by the associated building or adjacent development; to be partly shaded in summer; and, to have sufficient area and shape to be functional, taking into consideration the location of the dwellings.

In our opinion, the private open spaces for all dwellings have been designed to accord with all relevant criteria of PDC 18 and importantly are sufficient in area and shape to be functional taking into account the needs of likely occupiers and the location of the development in close proximity to the Urban Corridor Zone (i.e. within 50m).

### *Car Parking and Access*

*Table WeTo/2 - Off Street Vehicle Parking Requirements* requires 2 car spaces per dwelling one of which is covered and an additional 0.25 car spaces per dwelling for visitor car parking. This means that the proposal should provide a total of 10 resident car spaces and 1.25 visitor car spaces. The proposal provides a total of 8 on-site car spaces.





We acknowledge that a plain reading of *Table WeTo/2* suggests that the proposal results in a car parking shortfall however we believe that the level of on-site car parking must be assessed in the context of the existing and lawful use.

Transportation and Access PDC 34 and *Table WeTo/2 - Off Street Vehicle Parking Requirements* requires one car space for every 5 seats in a meeting hall. If the pews could have seated around 50 people then this would have generated a demand for 10 car spaces. However, it is not known whether people attending particular events in the hall could also stand or whether additional chairs (which could have been stored/stacked) were also used to provide additional seating and thus result in further demands for on-site, and more likely, on-street car parking. What is known is that the rear yard space of the hall was used for car parking. However, without any defined line marking it is difficult to determine how many cars could be parked in accordance with the relevant Australian Standards and whether such car parking would have been sufficient to meet demand (if the hall was occupied by more than 50 people).

Recognising that the proposal also provides 4 motor cycle/scooter parks and 5 bike racks (able to support the parking of up to 9 bicycles) and is in close proximity to public transport (bus) on Henley Beach Road we strongly believe that the number of on-site car spaces is considered sufficient as it will satisfy the demands of a diverse number of users.

We note that promoting alternative transport modes is encouraged by PDC's 44 and 45 of the Transport and Access provisions which state:

*PDC 44 On-site vehicle parking should be provided having regard to:*

- (a) the number, nature and size of proposed dwellings*
- (b) proximity to centre facilities, public and community transport within walking distance of the dwellings*
- (c) the anticipated mobility and transport requirements of the likely occupants, particularly groups such as aged persons.*

*PDC 45 Vehicle parking areas servicing more than one dwelling should be of a size and location to:*

- (a) serve users, including pedestrians, cyclists and motorists, efficiently, conveniently and safely*
- (b) provide adequate space for vehicles, including emergency service vehicles, to manoeuvre between the street and the parking area*
- (c) reinforce or contribute to attractive streetscapes.*





In our opinion, the provision of on-site car parking, motorbike/scooter parking and bicycle parking in addition to the proximity of public transport (bus) on Henley Beach Road and a full range of facilities and services (also along Henley Beach Road) will ensure that the provision of on-site car parking will *'meet anticipated demand'* as envisaged by PDC 34.

One hour on-street car parking (8am – 5.30pm, Monday to Friday and 8am – 12noon on Saturday) exists along the western side of Jervois Street. There is no restricted car parking along the eastern side of Jervois Street adjoining the site which could also be utilised by visitors to the site.

With respect to access, the proposal will not alter the existing situation where the car park is accessed via an existing single width access way located adjacent to the northern boundary.

In our opinion, the proposal improves the overall car parking and access arrangement when compared to the existing situation which fails to provide any form of line marking, controlled access and landscaping opportunity.

In consideration of all the above, we have formed the opinion that while the proposal does not conform to some of the quantitative provisions of the Development Plan it has leveraged its locational attributes positively and demonstrated through high quality and sustainable design that such quantitative deficiencies are not fatal to the overall merit of the proposal.

Following we provide an assessment of the proposal against the key qualitative provisions of the Development Plan, namely heritage, design and appearance, and desired character.

### ***Heritage***

The Heritage Impact Statement prepared by Dash Architects addresses the key heritage provisions of the Development Plan and need not be repeated here.

In summary, Dash Architects have formed the opinion that the proposal retains the interpretability of the original form of the hall and provides suitable context and setting to the primary facade, entry lobby and side wall returns being reused. In doing so, the proposal fulfills the second and third Heritage Places Objectives.

A key provision relating to heritage is PDC 1 which states:

***PDC 1*** A heritage place shown on Overlay Maps - Heritage and more specifically identified in Table WeTo/4 - Local Heritage Places or in Table WeTo/5 - State Heritage Places should



not be demolished, destroyed or removed, in total or in part, unless any of the following apply:

(a) that portion of the place to be demolished, destroyed or removed is excluded from the extent of the places identified in the Table(s)

(b) in the case of a State heritage place, the structural condition of the place is so seriously unsound as to be unsafe and irredeemable

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Table WeTo/4 of the City of West Torrens Development Plan notes the extent of listing as 'External form, details and materials of stone frontage to Jervois Street'. This wording appears to refer only to the front stone section of the building. Table WeTo/4 also references the *McDougall & Vines Thebarton Heritage Review 1996* which describes the extent of listing as the 'overall form of the building and particularly the unpainted stonework of the Jervois Street elevation'.

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Given the ambiguity surrounding the extent of listing, in our opinion and that of Dash Architects, it appears reasonable to assume that priority should be given to the specific wording in Table WeTo/4, and that the Heritage Survey be referred to for background information only.

Respecting the above and the enclosed Structural Report prepared by Jim Pantzikas & Associates P/L we strongly believe that the extent of conservation, demolition and rebuild satisfies the intent of PDC 1.

### ***Design and Appearance***

Design and Appearance PDC 4 of the General Section provisions encourages an overall building appearance and design that is compatible with the desired character statement of the relevant zone and policy area in terms of built form elements such as:

- building height;
- building mass and proportion;
- external materials, patterns, textures, colours and decorative elements;
- ground floor height above natural ground level;



- roof form and pitch;
- facade articulation and detailing and window and door proportions;
- verandas, eaves and parapets; and
- driveway crossovers, fence style and alignment.

PDC 5 also encourages new residential development to avoid undue repetition of style and external appearance.

Respecting the above and the comments made by Dash Architects, the proposal achieves these relevant provisions for the following reasons:

- the façade and streetscape presentation of the building will be maintained and actually enhanced by the proposed design approach and conservation works;
- the height of the proposal is sympathetic to the locality and is only marginally higher than the existing building height;
- the mass and proportion of the overall building form will not present any unreasonable visual or overshadowing impacts upon the locality;
- the design re-uses existing external materials and incorporates new textures, colours and elements that will complement and avoid undue repetition of the heritage fabric;
- the proposed works reference the ground floor height and roof form and pitch of the existing hall;
- the proposed elevations (and front fencing) are articulated through a variety of traditional and contemporary materials, colours and window treatments;

Overall, we believe the design and appearance of the proposal has responded positively to the key heritage matters. The new built form also respects and importantly does not repeat the style and external appearance of the rear hall section it seeks to replace.

#### ***Desired Character***

The desired character of Medium Density Policy Area 19 envisages:

- medium density residential development;
- a range of dwelling types including some residential flat buildings;
- 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;



- a highly varied streetscape;
- buildings up to 2 storeys on the subject site;
- carports to be located behind the front facade of buildings; and
- development that will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street.

The proposal is consistent with all of these directions with the exception of displaying no proposed landscaping scheme.

We do note however that there opportunities in front of the site and along the northern and southern boundaries to provide landscaping that would achieve full compliance with the desired character statement.

In our opinion, we consider this issue to be fairly minor in the overall context of the application with such a matter able to be addressed as a condition of Development Plan Consent.

## Conclusion

Upon our inspection of the site and locality, review of the proposal plans and specialist reports and assessment of the proposal against the relevant provisions of the Development Plan we have formed the opinion that the proposal has planning merit.

We do not consider the quantitative shortfalls in average site area, car parking and private space detrimental to the proposal particularly in relation to the locational attributes of the site, the high quality and sustainable approach to the design and the proposal's consistency with the desired character statement of Policy Area 19. The proposal also has the support of a respected heritage architectural firm that has addressed the key heritage issues.

Accordingly, we believe the proposal warrants Development Plan Consent.

If you require any further information or clarification in regard to any of the matters raised above please do not hesitate to contact the undersigned on 0447 029 088.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Chris Vounasis'.

Chris Vounasis  
Director



REF: 0048-1-Druids Hall

7 December 2015

Mr Tony Kelly  
Coordinator City Development  
City of West Torrens  
165 Sir Donald Bradman Drive  
HILTON SA 5033



GPO Box 2403  
Adelaide SA 5001  
PH: 0447 029 088  
info@futureurbangroup.com  
ABN: 34 452 110 398

Dear Tony,

**DRUIDS HALL RESIDENTIAL CONVERSION  
AT 8A JERVOIS STREET, TORRENSVILLE**

We have been requested by Bill Konstantinou to provide an opinion in relation to the appropriateness or otherwise of altering an existing meeting hall known as Druids Hall (local heritage place) to accommodate a residential flat building comprising five dwellings at 8A Jervois Street, Torrensville.

This planning opinion is also accompanied by a:

- Heritage Impact Assessment prepared by Dash Architects dated 3 December 2015; and
- Structural Report prepared by Jim Pantzikas & Associates P/L dated 26 November 2015.

We understand that the proposal plans have been lodged with the City of West Torrens and this information will be used to progress the assessment of the application including public notification.

Following we provide an overview of the proposal, a description of the site and locality and an assessment of the proposal against the relevant provisions of the City of West Torrens Development Plan (consolidated 5 November 2015).

**Proposal**

The proposed development seeks to alter an existing meeting hall known as Druids Hall (local heritage place) to accommodate a residential flat building comprising five dwellings including associated car parking and front fencing.





The proposal seeks to retain only the front stone portion of Druids Hall and demolish and part rebuild the red brick rear section.

The extent of demolition and reinstatement is identified on Drawing Number 07 prepared by PLY Architecture dated 13 November 2015.

The ground level plan will contain two, three bedroom dwellings with ground level private open space provided in the form of north facing courtyards with areas of 13sqm and 14sqm with each having bi-fold windows adjacent to a common driveway. The ground level will be set back between 4.2m and 4.4m from the northern boundary (existing setback and driveway side) and 1m from the southern boundary. A covered pedestrian path will be sited on the southern boundary to provide sheltered access from the car parking area to the rear ground level dwelling, storage units and stair access to the upper level.

To the rear of the site a total of 8 car spaces, 4 motor cycle/scooter parks and 5 bike racks (able to support the parking of up to 9 bicycles) will be provided.

A rainwater tank will be provided underground below the motorcycle/scooter parking area.

The upper level will contain a further three, three bedroom dwellings. The upper level will result in only a minor increase in overall height when compared to the existing height of the hall and will extend over a portion of the rear car parking area. The upper level will be setback between 3m and 4.4m from the northern boundary. The north facing upper level balconies will have areas ranging from 8sqm to 10sqm, all with a minimum dimension of 2.4m. The balconies will overhang the driveway and will be setback 2m from the northern boundary. The upper level will be setback 6m from the rear (eastern) boundary.

All upper level balconies including stair access will be screened with dark grey standing seam metal panels to a height of 1.7m above floor level.

The proposal will include the construction of a new black metal front fence with controlled automatic gate and pedestrian entry gate with intercom.

Conservation works to the façade will include:

- thorough cleaning of all surfaces;
- repair and re-pointing of stone;
- repair and re-painting of rendered elements, quoins, mouldings and existing timber windows and doors;



- re-hanging of timber doors to suit new layout; and
- re-location of existing services underground.

A schedule of the materials and colours that will be used throughout the development (including existing) is identified on Drawing Number 41 prepared by PLY Architecture dated 13 November 2015.

With reference to Schedule 9 of the Development Regulations, 2008 we have formed the opinion that the proposal represents a category 2 form of development.

### Site and Locality

The subject site is located on the eastern side of Jervois Street between Carlton Parade to the north and Henley Beach Road to the south. The site has a frontage to Jervois Street of 15.24m, a depth of 45.72m and a site area of approximately 696 square metres.

The site is legally described as Allotment 60 in Certificate of Title Volume 5810 Folio 94 or otherwise 8A Jervois Street, Torrensville.

The site contains a local heritage place known as Druids Hall. Table WeTo/4 of the City of West Torrens Development Plan notes the extent of listing as *'External form, details and materials of stone frontage to Jervois Street'*.

According to Council's 1996 Heritage Survey, the external form, details and materials of the stone frontage to Jervois Street comprises the identified extent of the listing.

Access to the site and informal rear car parking area is via an existing single width access way located adjacent to the northern boundary. The informal car park is not surfaced and contains a single garage in the south west corner of the site.

1.8m galvanised fencing exists around the perimeter of the site with the exception of the front boundary which does not contain any fencing.

The location of the subject in relation to its surrounds is depicted in the following figure.

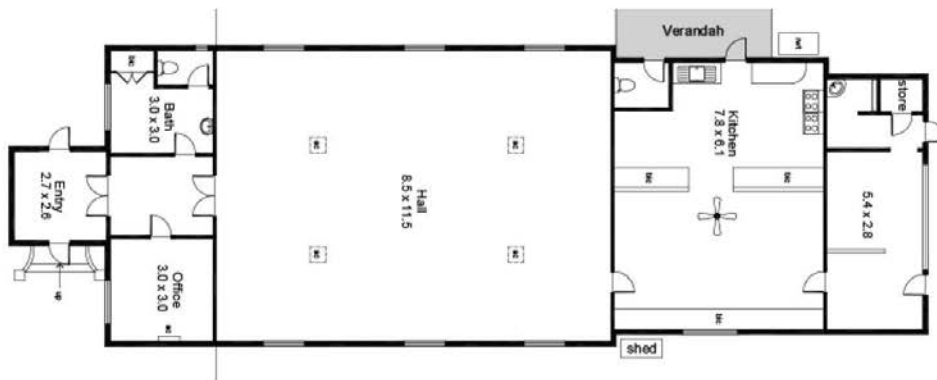


Figure 1: Subject site



The floor plan of the existing Hall is identified below.

Figure 2: Existing floor plan



Within the meeting hall there were pews located along the walls which have since been removed. We have estimated that these pews could have seated around 50 people.





The subject site is located in the Residential Zone and specifically within Medium Density Policy Area 19 of the City of West Torrens Development Plan (consolidated 5 November 2015).

The locality is characterised by single storey residential dwellings of varying styles to the north of the subject site. To the south, Jervois Street is more diverse containing single storey detached dwellings, a two storey residential flat building and commercial land uses including the prominent Hotel Royal and associated car parking areas. The Hotel Royal also contains an ancillary car park (physically not connected to the Hotel) at 6 Jervois Street.

With respect to adjacent development we note that the dwelling to the north has a driveway running along the common boundary with a garage and shedding sited on the common boundary. We note that these outbuildings fully occupy that portion of the boundary which is adjacent to the existing informal rear car park of Druids Hall. Dwellings to the east (fronting East Terrace) are setback between 20m to 30m from the common boundary. The adjacent southern dwelling is setback within 1m of the common boundary and extends a similar distance to the east as Druids Hall. The rear yard of the adjacent southern property adjoins the existing informal rear car park and single garage of Druids Hall. Dwellings directly opposite Druids Hall on the western side of Jervois Street comprise of two single storey detached dwellings (an altered symmetrical villa and a bungalow).

One hour on-street car parking (8am – 5.30pm, Monday to Friday and 8am – 12noon on Saturday) exists along the western side of Jervois Street. There is no restricted car parking along the eastern side of Jervois Street adjoining the site.

### Development Assessment

The following table has been prepared to assess the proposal against the key quantitative provisions of the City of West Torrens Development Plan (consolidated 5 November 2015).



Table 1 Quantitative assessment

Characteristic	Proposed	Development Plan	Compliance
Site Area	Average of 139.2sqm	Average of 150sqm where located within 400m of a centre zone	N
Frontage	15.24	15m	Y
Building Height	Two storey (8.13m)	Two storeys or 8.5m	Y
Site Coverage	370sqm (53.2%)	60%	Y
Front Setback	Existing	N/A	Y
Side Setbacks	North - 4.2m ground & 3m upper (balconies 2m) South - 1m ground & 2m upper)	1m ground 2m upper	Y
Rear Setback	6m	6m	Y
Apartment Size	103sqm - 105sqm	100sqm for 3 Bedroom	Y
Private Open Space	Ground - 13sqm & 14sqm Upper - 8sqm & 2 x 10sqm	24sqm for ground level & 3m min. dimension 15sqm for upper level & 2m min. dimension	N (area) Y (dimensions)
Resident Car Parking	8 car spaces	2 car spaces per dwelling (one covered) Total required 10 car spaces	N
Visitor Car Parking	Nil	0.25 car spaces per dwelling Total required 1.25 spaces	N
Storage	>8 cubic metres	8 cubic metres	Y
Visual Privacy	1.7m upper level sill heights/obscure glazing/screens	1.7m sill heights/screens	Y
Overshadowing (adjacent properties)	Refer overshadowing diagrams	POS - 2 hours 9am-3pm on 21 June North facing windows – 3 hours over portion of surface 9am-3pm on 21 June	Y

The proposed development satisfies the majority of the quantitative provisions of the Development with the exception of:

- Site area;
- Private open space; and
- Car parking.

Following we provide a comment in relation to each of the non-compliances of the proposal.





*Site Area*

The proposed development provides an average site area of 139.2 square metres which is less than the average 150 square metres recommended by Policy Area PDC 5.

In our opinion, the shortfall of 10.8 square metres is not fatal when considering the following matters:

- the proposal is well designed to maintain a low scale built form character along Jervois Street;
- the overall form of the building respects the existing scale and form of the existing local heritage place;
- the proposed building does not exceed two storeys in height (the maximum height contemplated in the Policy Area);
- the development comprises a form of medium density residential which is contemplated in Policy Area 19;
- the building is setback in line with or greater than the minimum prescribed distances from the side and rear boundaries;
- the building has been designed to ensure minimal visual intrusion and overshadowing upon all adjacent residential properties.;
- the proposed development results in a site coverage substantially less than 60%; and
- the proposal maintains and improves the contribution of the local heritage place within the streetscape.

In addition to the above, we also note that the subject site is located with 400m from a bus stop on Henley Beach Road (a transit corridor) with direct bus services to key services and facilities within the City of West Torrens, Adelaide City and the wider metropolitan area. The 30 Year Plan for Greater Adelaide seeks to provide a significant amount of dwelling growth within 400m of such corridors. The proposed development will clearly accommodate population growth and a form of residential development that is clearly contemplated within the Policy Area and Residential Zone.

The type of housing proposed also ensures that the Council area will have a greater diversity of smaller housing products that are more affordable than traditional housing forms. This provides an opportunity for the high proportion of elderly people in the Council area to downsize from larger dwellings/allotments to remain living within their existing community (ageing in place); or, those seeking more affordable housing options the opportunity to enter the housing market.



At this broader level we note that the proposal accords with the following objectives of the Residential Zone and General Section Residential Development provisions:

***Residential Zone***

- 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.*

***Residential Development***

- 2 *An increased mix in the range and number of dwelling types available within urban boundaries to cater for changing demographics, particularly smaller household sizes and supported accommodation.*
- 3 *Medium and high density residential development in areas close to activity centres, public and community transport and public open spaces.*
- 4 *The revitalisation of residential areas to support the viability of community services and infrastructure.*

For all the above reasons, we have formed the opinion that the density of the proposal is highly appropriate for the site and locality and the desired character sought for Policy Area 19. We also believe that the above reasons demonstrate that the number and size of the dwellings are appropriate and that the proposal is not an over-development of the site.

***Private Open Space***

The proposed development provides north facing courtyards for the two ground level dwellings with areas of 14sqm (Dwelling 1) and 13 square metres (Dwelling 2) with a minimum dimension of 3m. The upper level balconies have an area of 8 square metres (Dwelling 3) and 10 square metres (Dwelling 4 and 5) with a minimum dimension of 2.4m.

Residential Development PDC 19 recommends a ground level private open space area of 24 square metres and a minimum dimension of 3m for dwellings with a site area less than 300 square metres. Residential Development PDC 22 recommends that the upper level three bedroom dwellings should be provided with 15 square metre balconies with a minimum dimension of 2m.

We acknowledge that the private open spaces for each dwelling are less than that recommended by the relevant provisions of the Development Plan however it is important to note that all minimum dimensions are achieved, all areas have a northern orientation and all areas will be accessed directly from the internal living areas of each dwelling.



These factors are important in the context of Residential Development PDC 18 which encourages the provision of private open space for the exclusive use by residents of each dwelling. The criteria associated with PDC 18 also encourage private open space to be screened for privacy; to minimise overlooking from adjacent buildings; to achieve separation from bedroom windows on adjoining sites; not to be significantly shaded during winter by the associated building or adjacent development; to be partly shaded in summer; and, to have sufficient area and shape to be functional, taking into consideration the location of the dwellings.

In our opinion, the private open spaces for all dwellings have been designed to accord with all relevant criteria of PDC 18 and importantly are sufficient in area and shape to be functional taking into account the needs of likely occupiers and the location of the development in close proximity to the Urban Corridor Zone (i.e. within 50m).

#### *Car Parking and Access*

*Table WeTo/2 - Off Street Vehicle Parking Requirements* requires 2 car spaces per dwelling one of which is covered and an additional 0.25 car spaces per dwelling for visitor car parking. This means that the proposal should provide a total of 10 resident car spaces and 1.25 visitor car spaces. The proposal provides a total of 8 on-site car spaces.

We acknowledge that a plain reading of *Table WeTo/2* suggests that the proposal results in a car parking shortfall however we believe that the level of on-site car parking must be assessed in the context of the existing and lawful use.

Transportation and Access PDC 34 and *Table WeTo/2 - Off Street Vehicle Parking Requirements* requires one car space for every 5 seats in a meeting hall. If the pews could have seated around 50 people then this would have generated a demand for 10 car spaces. However, it is not known whether people attending particular events in the hall could also stand or whether additional chairs (which could have been stored/stacked) were also used to provide additional seating and thus result in further demands for on-site, and more likely, on-street car parking. What is known is that the rear yard space of the hall was used for car parking. However, without any defined line marking it is difficult to determine how many cars could be parked in accordance with the relevant Australian Standards and whether such car parking would have been sufficient to meet demand (if the hall was occupied by more than 50 people).

Recognising that the proposal also provides 4 motor cycle/scooter parks and 5 bike racks (able to support the parking of up to 9 bicycles) and is in close proximity to public transport (bus) on Henley Beach Road we strongly believe that the number of on-site car spaces is considered sufficient as it will satisfy the demands of a diverse number of users.



We note that promoting alternative transport modes is encouraged by PDC's 44 and 45 of the Transport and Access provisions which state:

*PDC 44 On-site vehicle parking should be provided having regard to:*

- (a) the number, nature and size of proposed dwellings*
- (b) proximity to centre facilities, public and community transport within walking distance of the dwellings*
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One hour on-street car parking (8am – 5.30pm, Monday to Friday and 8am – 12noon on Saturday) exists along the western side of Jervois Street. There is no restricted car parking along the eastern side of Jervois Street adjoining the site which could also be utilised by visitors to the site.

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In our opinion, the proposal improves the overall car parking and access arrangement when compared to the existing situation which fails to provide any form of line marking, controlled access and landscaping opportunity.

In consideration of all the above, we have formed the opinion that while the proposal does not conform to some of the quantitative provisions of the Development Plan it has leveraged its locational attributes positively and demonstrated through high quality and sustainable design that such quantitative deficiencies are not fatal to the overall merit of the proposal.





Following we provide an assessment of the proposal against the key qualitative provisions of the Development Plan, namely heritage, design and appearance, and desired character.

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In summary, Dash Architects have formed the opinion that the proposal retains the interpretability of the original form of the hall and provides suitable context and setting to the primary facade, entry lobby and side wall returns being reused. In doing so, the proposal fulfills the second and third Heritage Places Objectives.

A key provision relating to heritage is PDC 1 which states:

**PDC 1** *A heritage place shown on Overlay Maps - Heritage and more specifically identified in Table WeTo/4 - Local Heritage Places or in Table WeTo/5 - State Heritage Places should not be demolished, destroyed or removed, in total or in part, unless any of the following apply:*  
*(a) that portion of the place to be demolished, destroyed or removed is excluded from the extent of the places identified in the Table(s)*  
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Given the ambiguity surrounding the extent of listing, in our opinion and that of Dash Architects, it appears reasonable to assume that priority should be given to the specific wording in Table WeTo/4, and that the Heritage Survey be referred to for background information only.





Respecting the above and the enclosed Structural Report prepared by Jim Pantzikas & Associates P/L we strongly believe that the extent of conservation, demolition and rebuild satisfies the intent of PDC 1.

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Design and Appearance PDC 4 of the General Section provisions encourages an overall building appearance and design that is compatible with the desired character statement of the relevant zone and policy area in terms of built form elements such as:

- building height;
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- roof form and pitch;
- facade articulation and detailing and window and door proportions;
- verandas, eaves and parapets; and
- driveway crossovers, fence style and alignment.

PDC 5 also encourages new residential development to avoid undue repetition of style and external appearance.

Respecting the above and the comments made by Dash Architects, the proposal achieves these relevant provisions for the following reasons:

- the façade and streetscape presentation of the building will be maintained and actually enhanced by the proposed design approach and conservation works;
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- the mass and proportion of the overall building form will not present any unreasonable visual or overshadowing impacts upon the locality;
- the design re-uses existing external materials and incorporates new textures, colours and elements that will complement and avoid undue repetition of the heritage fabric;
- the proposed works reference the ground floor height and roof form and pitch of the existing hall;



- the proposed elevations (and front fencing) are articulated through a variety of traditional and contemporary materials, colours and window treatments;

Overall, we believe the design and appearance of the proposal has responded positively to the key heritage matters. The new built form also respects and importantly does not repeat the style and external appearance of the rear hall section it seeks to replace.

#### *Desired Character*

The desired character of Medium Density Policy Area 19 envisages:

- medium density residential development;
- a range of dwelling types including some residential flat buildings;
- 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;
- a highly varied streetscape;
- buildings up to 2 storeys on the subject site;
- carports to be located behind the front facade of buildings; and
- development that will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street.

The proposal is consistent with all of these directions with the exception of displaying no proposed landscaping scheme.

We do note however that there opportunities in front of the site and along the northern and southern boundaries to provide landscaping that would achieve full compliance with the desired character statement.

In our opinion, we consider this issue to be fairly minor in the overall context of the application with such a matter able to be addressed as a condition of Development Plan Consent.

#### **Conclusion**

Upon our inspection of the site and locality, review of the proposal plans and specialist reports and assessment of the proposal against the relevant provisions of the Development Plan we have formed the opinion that the proposal has planning merit.



We do not consider the quantitative shortfalls in average site area, car parking and private space detrimental to the proposal particularly in relation to the locational attributes of the site, the high quality and sustainable approach to the design and the proposal's consistency with the desired character statement of Policy Area 19. The proposal also has the support of a respected heritage architectural firm that has addressed the key heritage issues.

Accordingly, we believe the proposal warrants Development Plan Consent.

If you require any further information or clarification in regard to any of the matters raised above please do not hesitate to contact the undersigned on 0447 029 088.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Chris Vounasis'.

Chris Vounasis  
Director



**JIM PANTZIKAS & ASSOCIATES PTY LTD**  
CONSULTING CIVIL ENGINEERS

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## STRUCTURAL REPORT

### MODIFICATIONS & ADDITIONS TO BUILDING

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<b>SITE:</b>	DRUIDS HALL, TORRENSVILLE
<b>PROJECT NO:</b>	8551
<b>SUPERSTRUCTURE:</b>	EXISTING SINGLE STOREY MASONRY BUILDING
<b>DATE:</b>	26/11/2015

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#### 1.0 INTRODUCTION

The existing building was inspected in order to assess the feasibility of undertaking modifications and additions to the structure. It is proposed to convert the existing single storey masonry building into a two storey residential building. The proposal will involve the modification of the ground floor and the construction of an upper floor level.

#### 2.0 SITE INSPECTION

The existing structure is a single storey building with solid masonry walls and a steel sheet roof covering. The floor is timber framed. The walls are constructed on bluestone footings.

#### 3.0 RECOMMENDATIONS

The existing structure is constructed upon bluestone footings. The system of masonry walls and bluestone footings is considered to be structurally not adequate to accommodate any additional loadings in accordance with current engineering design principles.

Bluestone footings are necessarily constructed with discontinuous bluestone units and are therefore highly susceptible to differential stresses and movements which may be imposed upon the footings. Stresses may be imposed both from the superstructure above the footings, and from the foundation soils.

Amongst many other causes of foundation movements, stresses occur with changes in volume of the soils due to seasonal changes in their moisture content. Changes in moisture content in the foundation soils, and resulting volume change, may also occur due to drying out effects of nearby trees.

Additional stresses and differential movements in bluestone footings may also be caused by any additional loads which may be placed upon them from the superstructure.

Any movement in bluestone footings will most likely result in subsequent damage to supported walls, floors and other superstructure.

Australian Standard, "AS2870 – Residential Slabs and Footings" is referenced in the "National Construction Code – Building Code of Australia, 2015" as an "Acceptable Construction Manual" with required "Acceptable Construction Practice" and "Performance Requirements".



Rule 1.3.1 of AS2870 gives acceptable incidences of various categories of damage with respect to walls and concrete floors. Appendix C of this standard defines categories of damage.

It is our considered opinion that any additional superstructure loads placed upon existing floors and walls, combined with inevitable moisture content changes in the foundation soils, will cause the existing bluestone footings to move excessively and thus result in unacceptable damage (in accordance with AS2870) to the superstructure.

The construction of the upper level will require support on the ground level walls and/or structural frame. The existing building has a paucity of ground floor walls. It will be required to construct an extensive support wall framework to accommodate the upper level.

The upper level walls, floor and roof will require support on a new system of reinforced concrete footings designed to the current Australian Standards.

On this narrow site, construction of a secondary structure and footings (independent of existing bluestone footings) to support the proposed upper level, would disturb the foundation soils adjacent to the existing bluestone footings and therefore would be likely to affect the structural stability of the existing bluestone footings and cause unacceptable damage to existing walls.

The effect of such extensive support will require the removal of existing footings and walls. Where walls are proposed to be rebuilt, footings designed to current Australian Standards will be required to support the load. This is considered to be the most economic and reasonable solution to rehabilitate the building for two storey residential purposes.

### 3.0 CONCLUSION

It is our considered opinion that any additional superstructure loads placed upon existing floors and walls, combined with inevitable moisture content changes in the foundation soils, will cause the existing bluestone footings to move excessively and thus result in unacceptable damage (in accordance with AS2870) to the superstructure.

The proposed two storey building will require a new footing system and the construction of a system of walls and framing to support the upper level in accordance with the current Australian Standards. The existing wall and footing system of the building is considered to be not suitable for the conversion of the building from a single storey into a two storey building.

The proposed design of the building can be tailored to incorporate the relatively small section of the front wall of the building, if it is required to be retained.



J. Pantzikas M.I.E. Aust



ATTACHMENT 2

**Received**  
29 JAN 2016  
City of West Torrens  
Information Management Unit

**STATEMENT OF REPRESENTATION**  
Pursuant to Section 38 of the Development Act, 1993

TO Chief Executive Officer  
City of West Torrens  
165 Sir Donald Bradman Drive  
HILTON 5033

**RECEIVED**  
AM 7 8 9 10 11 12  
28 JAN 2016  
PM 1 2 3 4 5 6  
West Torrens CSU

DEVELOPMENT No. 211/1355/2015  
PROPERTY ADDRESS: 8A Jervois Street, TORRENSVILLE SA 5031

NAME & ADDRESS OF PERSON(S) MAKING REPRESENTATION (mandatory requirement \*)  
DOMENIC MARTINO N.A. MARTINO  
8 JERVOIS ST,  
TORRENSVILLE SA 5031

NATURE OF INTEREST \*  
AFFECTED BY DEVELOPMENT  
(eg adjoining resident, owner of land in vicinity, or on behalf of an organization or company)  
LANDLORD OF ABOVE

REASONS FOR REPRESENTATION  
PLEASE SEE ATTACHED SHEETS

MY REPRESENTATION \*  
WOULD BE OVERCOME BY  
(state action sought)  
REDUCE NUMBER OF DWELLINGS.  
ADDITION TO BE SINGLE STOREY.

Please indicate in the appropriate box below whether or not you wish to be heard by Council in respect to this submission: -

I DO NOT WISH TO BE HEARD ☐  
I DESIRE TO BE HEARD PERSONALLY ☒  
WILL BE REPRESENTED BY DOMENIC MARTINO ☒  
(PLEASE SPECIFY)

City of West Torrens  
29 JAN 2016  
City Development

SIGNED [Signature]  
DATE 28/01/16

\* If space insufficient, please attach sheets

(FORM 3)  
Responsible Officer: Tony Kelly  
Ends: Monday 1 February 2016

- ① SOUTH WALL TOO HIGH + BLOCKS OUT NORTH FACING SUN.
- ② WINDOWS IN SOUTH WALL INVADE ADJACENT PROPERTY. PRIVACY.
- ③ BALCONIES ON NORTH SIDE INVADE PRIVACY OF ADJACENT PROPERTY.
- ④ CARPARKING FOR DEVELOPMENT NOT SUFFICIENT + OVERFLOW WILL CONGEST JERVOIS ST.
- ⑤ LANDSIZE NOT LARGE ENOUGH FOR 5 DWELLINGS. - Infrastructure
- ⑥ DEVELOPMENT NOT IN STYLE WITH OTHER PROPERTIES IN THE AREA.
- ⑦ BUILDING IS HERITAGE LISTED, ARE RULES ADHERED TOO.

REF: 0048-2-Druids Hall

16 February 2016

Mr Tony Kelly  
Coordinator City Development  
City of West Torrens  
165 Sir Donald Bradman Drive  
HILTON SA 5033



GPO Box 2403  
Adelaide SA 5001  
PH: 0447 029 088  
info@futureurbangroup.com  
ABN: 34 452 110 398

Dear Tony,

**RESPONSE TO REPRESENTATION AND HERITAGE COMMENTS  
FOR DA/211/1355/2015 AT 8A JERVOIS STREET, TORRENSVILLE ('DRUIDS HALL')**

We write in response to one valid representation received by Council during public notification of the abovementioned development application and comments made by Council's Heritage Consultant, Mr Douglas Alexander of Flightpath Architects.

One valid representation was received by Council. The representation was made by Mr Domenic Martino of 8 Jervois Street, Torrensville. Mr Martino is the owner (not occupier) of 8 Jervois Street which is located to the south of the proposed development. Mr Martino has raised the following concerns in relation to the proposed development:

- Density of the development;
- Height of south wall and associated overshadowing;
- Overlooking to the north and south;
- Insufficient on-site car parking and traffic impacts in Jervois Street;
- Design is not in keeping with surrounding dwellings;
- Whether the proposal satisfies heritage related provisions of the Development Plan.

The applicant arranged a meeting with Mr Martino on 9 February 2016 in an attempt to address his concerns however Mr Martino made it very clear that he did not want to cooperate.

**Density**

The proposed development provides an average site area of 139.2 square metres which is less than the average 150 square metres recommended by Policy Area PDC 5.

REF: 0048-2-Druids Hall | 16 February 2016





In our opinion, the shortfall of 10.8 square metres is not fatal when considering the following matters:

- the proposal is well designed to maintain a low scale built form character along Jervois Street;
- the overall form of the building respects the existing scale and form of the existing local heritage place;
- the proposed building does not exceed two storeys in height (the maximum height contemplated in the Policy Area);
- the development comprises a form of medium density residential which is contemplated in Policy Area 19;
- the building is setback in line with or greater than the minimum prescribed distances from the side and rear boundaries;
- the building has been designed to ensure minimal visual intrusion and overshadowing upon all adjacent residential properties.;
- the proposed development results in a site coverage substantially less than 60%; and
- the proposal maintains and improves the contribution of the local heritage place within the streetscape.

In addition to the above, we also note that the subject site is located with 400m from a bus stop on Henley Beach Road (a transit corridor) with direct bus services to key services and facilities within the City of West Torrens, Adelaide City and the wider metropolitan area. The 30 Year Plan for Greater Adelaide seeks to provide a significant amount of dwelling growth within 400m of such corridors. The proposed development will clearly accommodate population growth and a form of residential development that is clearly contemplated within the Policy Area and Residential Zone.

The type of housing proposed also ensures that the Council area will have a greater diversity of smaller housing products that are more affordable than traditional housing forms. This provides an opportunity for the high proportion of elderly people in the Council area to downsize from larger dwellings/allotments to remain living within their existing community (ageing in place); or, those seeking more affordable housing options the opportunity to enter the housing market.

At this broader level we note that the proposal accords with the following objectives of the Residential Zone and General Section Residential Development provisions:



#### Residential Zone

- 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.

#### Residential Development

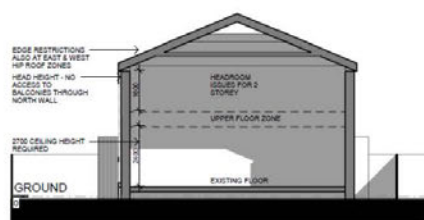
- 2 An increased mix in the range and number of dwelling types available within urban boundaries to cater for changing demographics, particularly smaller household sizes and supported accommodation.
- 3 Medium and high density residential development in areas close to activity centres, public and community transport and public open spaces.
- 4 The revitalisation of residential areas to support the viability of community services and infrastructure.

For all the above reasons, we have formed the opinion that the density of the proposal is highly appropriate for the site and locality and the desired character sought for Policy Area 19. We also believe that the above reasons demonstrate that the number and size of the dwellings are appropriate and that the proposal is not an over-development of the site.

#### Height of south wall and associated overshadowing

Mr Martino has formed the opinion that the south wall adjacent to his property is too high and will cause unreasonable overshadowing.

We disagree with Mr Martino's suggestion that the proposal will cause unreasonable overshadowing due to the height of the southern wall. As depicted in the PLY Section drawings below, it is very clear that the difference between the existing and proposed building heights is negligible. This means the extent of additional overshadowing presented upon the north facing wall of Mr Martino's dwelling would only increase by a very small extent.







We acknowledge that the proposal will result in a built form that will extend further east than the existing building however the overshadowing diagrams submitted as part of the application clearly demonstrate that the Mr Martino's private open space will receive a sufficient amount of direct natural light during the course of the day in accordance with the relevant provisions of the Development Plan.

#### **Overlooking to the north and south**

Mr Martino has formed the view that the proposal will result in overlooking to the north and south. As depicted in the proposal plans all upper level balconies including stair access will be screened with dark grey standing seam metal panels to a height of 1.7m above floor level. In addition, upper level windows either have a sill height of 1.7m above floor level or are treated with fixed obscure glass to a height of 1.7m. The manner in which the balconies, stair access and upper level windows have been designed will ensure that there will be no detrimental overlooking concerns.

#### **Insufficient on-site car parking and traffic impacts in Jervois Street**

*Table WeTo/2 - Off Street Vehicle Parking Requirements* requires 2 car spaces per dwelling one of which is covered and an additional 0.25 car spaces per dwelling for visitor car parking. This means that the proposal should provide a total of 10 resident car spaces and 1.25 visitor car spaces. The proposal provides a total of 8 on-site car spaces.

We acknowledge that a plain reading of *Table WeTo/2* suggests that the proposal results in a car parking shortfall as suggested by Mr Martino however we believe that the level of on-site car parking must be assessed in the context of the existing and lawful use. *Transportation and Access PDC 34* and *Table WeTo/2 - Off Street Vehicle Parking Requirements* requires one car space for every 5 seats in a meeting hall.

If the pews within the hall could have seated around 50 people (refer page 4 of Planning Statement submitted as part of application) then this would have generated a demand for 10 car spaces. However, it is not known whether people attending particular events in the hall could also stand or whether additional chairs (which could have been stored/stacked) were also used to provide additional seating and thus result in further demands for on-site, and more likely, on-street car parking. What is known is that the rear yard space of the hall was used for car parking. However, without any defined line marking it is difficult to determine how many cars could be parked in accordance with the relevant Australian Standards and whether such car parking would have been sufficient to meet the demand (if the hall was occupied by more than 50 people).



Recognising that the proposal also provides 4 motor cycle/scooter parks and 5 bike racks (able to support the parking of up to 9 bicycles) and is in close proximity to public transport (bus) on Henley Beach Road we strongly believe that the number of on-site car spaces is considered sufficient as it will satisfy the demands of a diverse number of users.

We note that promoting alternative transport modes is encouraged by PDC's 44 and 45 of the Transport and Access provisions which state:

*PDC 44 On-site vehicle parking should be provided having regard to:*

- (a) the number, nature and size of proposed dwellings*
- (b) proximity to centre facilities, public and community transport within walking distance of the dwellings*
- (c) the anticipated mobility and transport requirements of the likely occupants, particularly groups such as aged persons.*

*PDC 45 Vehicle parking areas servicing more than one dwelling should be of a size and location to:*

- (a) serve users, including pedestrians, cyclists and motorists, efficiently, conveniently and safely*
- (b) provide adequate space for vehicles, including emergency service vehicles, to manoeuvre between the street and the parking area*
- (c) reinforce or contribute to attractive streetscapes.*

In our opinion, the provision of on-site car parking, motorbike/scooter parking and bicycle parking in addition to the proximity of public transport (bus) on Henley Beach Road and a full range of facilities and services (also along Henley Beach Road) will ensure that the provision of on-site car parking will '*meet anticipated demand*' as envisaged by PDC 34.

We also note that one hour on-street car parking (8am – 5.30pm, Monday to Friday and 8am – 12noon on Saturday) exists along the western side of Jervois Street. There is no restricted car parking along the eastern side of Jervois Street adjoining the site which could also be utilised by visitors to the site. Therefore, we do not consider that the proposal will result in traffic congestion as implied by Mr Martino.

In our opinion, the proposal improves the overall car parking and access arrangement when compared to the existing situation which fails to provide any form of line marking and controlled access.



#### **Design is not in keeping with surrounding dwellings**

The locality is characterised by single storey residential dwellings of varying styles to the north of the subject site. To the south, Jervois Street is more diverse containing single storey detached dwellings, a two storey residential flat building and commercial land uses including the prominent Hotel Royal and associated car parking areas. The Hotel Royal also contains an ancillary car park (physically not connected to the Hotel) at 6 Jervois Street.

In our opinion, the proposal contributes to the diversity of built form clearly evident in the locality. Whilst sections of the more contemporary addition will be seen from Jervois Street, the retention of the façade of Druids Hall will ensure the appearance of the streetscape will remain largely unchanged.

Design and Appearance PDC 4 of the General Section provisions encourages an overall building appearance and design that is compatible with the desired character statement of the relevant zone and policy area. Respecting this, we note that:

- the façade and streetscape presentation of the building will be maintained and actually enhanced by the proposed design approach and conservation works;
- the height of the proposal is sympathetic to the locality and is only marginally higher than the existing building height;
- the mass and proportion of the overall building form will not present any unreasonable visual or overshadowing impacts upon the locality;
- the design re-uses existing external materials and incorporates new textures, colours and elements that will complement and avoid undue repetition of the heritage fabric;
- the proposed works reference the ground floor height and roof form and pitch of the existing hall;
- the proposed elevations (and front fencing) are articulated through a variety of traditional and contemporary materials, colours and window treatments.

Overall, we believe the design and appearance of the proposal has responded positively to the locality and key heritage matters. The new built form also respects and importantly does not repeat the style and external appearance of the rear hall section it seeks to replace.

#### **Whether the proposal satisfies heritage related provisions of the Development Plan**

The Heritage Impact Statement prepared by Dash Architects addresses the key heritage provisions of the Development Plan and need not be repeated here.





In summary, Dash Architects have formed the opinion that the proposal retains the interpretability of the original form of the hall and provides suitable context and setting to the primary facade, entry lobby and side wall returns being reused.

A key provision relating to heritage is PDC 1 which states:

***PDC 1** A heritage place shown on Overlay Maps - Heritage and more specifically identified in Table WeTo/4 - Local Heritage Places or in Table WeTo/5 - State Heritage Places should not be demolished, destroyed or removed, in total or in part, unless any of the following apply:*

*(a) that portion of the place to be demolished, destroyed or removed is excluded from the extent of the places identified in the Table(s)*

*(b) in the case of a State heritage place, the structural condition of the place is so seriously unsound as to be unsafe and irredeemable*

*(c) in the case of a local heritage place, the structural condition of the place is seriously unsound and cannot reasonably be rehabilitated.*

Table WeTo/4 of the City of West Torrens Development Plan notes the extent of listing as 'External form, details and materials of stone frontage to Jervois Street'. This wording appears to refer only to the front stone section of the building. Table WeTo/4 also references the *McDougall & Vines Thebarton Heritage Review 1996* which describes the extent of listing as the 'overall form of the building and particularly the unpainted stonework of the Jervois Street elevation'.

Typically, Heritage Surveys are only considered as recommendations, with Council's adopted position being formalised in the Development Plan tables. The survey sheet implies that the overall form of the hall is of value (not just the front stone section as cited by Table WeTo/4). Nonetheless it does emphasise the 'the unpainted stonework of the Jervois Street elevation'.

Given the ambiguity surrounding the extent of listing, in our opinion and that of Dash Architects, it appears reasonable to assume that priority should be given to the specific wording in Table WeTo/4, and that the Heritage Survey be referred to for background information only.

Respecting the above and the enclosed Structural Report prepared by Jim Pantzikas & Associates P/L we strongly believe that the extent of conservation, demolition and rebuild satisfies the intent of PDC 1. We also note that Council's Heritage Consultant supports the proposed development.



#### Heritage Comments

We note that Council's Heritage Consultant, Mr Douglas Alexander, supports the proposal with some reservation due to the extent of demolition. It is not clear whether Mr Alexander had been furnished with a copy of the structural report at the time of writing his comments which justifies the redevelopment approach. If not, we believe this may go some way to addressing his reservation. Notwithstanding, we believe we have addressed his other concluding comments in relation to density. We will also change the roof and wrap down wall cladding to corrugated profile as recommended and believe that such a change can be dealt with as a condition of consent.

We trust the above satisfactorily responds to the representors concerns and the comments made by Mr Alexander.

We do not consider the quantitative shortfalls in average site area or car parking detrimental to the proposal particularly in relation to the locational attributes of the site, the high quality and sustainable approach to the design and the proposal's consistency with the desired character statement of Policy Area 19. The proposal also has the support of two respected heritage consultants. Accordingly, we believe the proposal warrants Development Plan Consent.

We confirm our attendance at the March Development Assessment Panel meeting to respond to any comments that may be made by Mr Martino.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Chris Vounasis'.

Chris Vounasis  
Director



ATTACHMENT 3

City of West Torrens  
Heritage Advisor Comment

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Planning Application No.:	DA 211/1355/2015
Applicant:	B Konstantinou
Location:	8A Jervois Street, Torrensville SA 5031
Zone:	Residential
Policy Area:	Medium Density Policy Area 19
Heritage Status:	Local Heritage Place
Proposal:	Alterations and additions to and conversion of hall into a two-storey residential flat building containing five (5) dwellings
To:	Tony Kelly
Date:	Amended 15 February 2016

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View from North West January 2016



View from West January 2016

**Heritage:**

The proposal affects a Local Heritage Place, listed in Table WeTo/4 as:

"Druids Hall; External form, details and materials of stone frontage to Jervois Street." The Table, which refers to the 1996 Heritage Survey Ref. Pages 121-122 lists Section 23(4) Criteria (a), (c) and (d) as the basis for the listing because:

- (a) The Druids Hall displays historical and social themes important to Thebarton in the provision of community facilities for groups and organisations such as the Druids Lodge;
- (c) The Druids Hall has played an important part in the lives of local residents as the home of the new Thebarton Lodge since 1910. It also serves as a war memorial for soldiers of the First World War;
- (d) The Druids Hall displays aesthetic merit and design characteristics of significance to the local area in that it is a simple but elegant exposition in the Edwardian free Classical style which was appropriate for secular buildings at this time.

The heritage survey recommended "extent of listing is the overall form of the hall and particularly the unpainted stonework of the Jervois Street elevation.

The survey recommends the hall "should continue to be maintained and conserved and no painting should be undertaken to any face stonework or brickwork on the exterior walls of the hall."

## City of West Torrens Heritage Advisor Comment

### **Description:**

The following drawings have been used in this report:

Ply Architects Project Number 0038 Druids Hall Alteration:

00	Title Sheet	13 November 15
01	Perspectives	13 November 15
02	Heritage Response Diagrams	13 November 15
03	Concept Elevation	13 November 15
05	Extended Site Plan	13 November 15
06	Site Plan	13 November 15
07	Demolition Plan	13 November 15
10	Ground Floor Plans	13 November 15
11	Level 1 Plan	13 November 15
15	Shadows	13 November 15
16	Shadows	13 November 15
40	Elevations North	13 November 15
41	Elevations South	13 November 15
42	Elevations East and West	13 November 15
50	Sections	13 November 15
DS	Design Statement	13 November 15

Drawing 00 provides a useful overview to the proposal by indicating the retention of the stone façade and porch and the assumed partial reconstruction of re brick side walls with stone plinth, with the insertion of new projecting balconies. To the rear is a modern portion over a carpark. Drawing 01 confirms this approach.

Drawing 02 provides a useful diagrammatic explanation by comparing the existing with the extent of demolition, which shows the removal of all but the north wall and stone porch, the lifting of the roof line and its reconfiguration deleting the hipped section facing the street. The diagram titled 'notching' indicates the design principle behind the alterations to the north wall and the introduction of a hipped roof without the Dutch Gable.. Further explanation of the geometrics is provided on Drawing 03, which indicates the desired addition to the roof form, without showing a comparison of existing roofline.

Drawing 06 Site Plan, notes the overall site dimensions as being 45.72m x 15.24m or 697m<sup>2</sup>. The proposed Site Plan indicates carparking perpendicular to the east boundary and three carparks perpendicular to the rear wall of the building, with bike racks and scooter parking.

The proposed Floor Plan does not show the extent of the first floor over the carparks and the location of the support columns are not indicated.

Drawing 07 shows the extent of demolition being all but the stone façade, in contrast to the diagrams on 02, which show the North Wall retained and altered. The demolition plan would suggest that all flooring is to be removed, because the new floor is proposed at a lower level.

Drawing 10 indicates two apartment style dwellings at Ground floor, each with a recessed courtyard area contained within the former building envelope.

The proposed Ground Plan also shows the north wall constructed to match the pattern of the removed north wall. It is also assumed that the timber flooring of the Hall will be removed. The proposed floor level will be lower than the former level. The floor plan show the second Ground

## City of West Torrens Heritage Advisor Comment

floor apartment being partially incorporated into the former front hall portion and the rear portion being new build construction with the north wall in line with the reconstructed portion.

Notably the south wall is proposed closer to the boundary, with a negative junction proposed at the rear of the stone wall. Stairs to the three upper level apartments will be located on the south side. The upper walls to Apartment 3 at upper level are drawn in line with the façade to be retained, with only the balconies projecting. Apartment 4 and 5 north wall is drawn further to the north. The balconies coincide with the courtyard incisions below.

Sheet 40 compares the existing north elevation with the proposed and indicates a reasonably accurate reconstruction of the existing piers and articulation of the north wall, with modern notching and also the introduction of a window to the first bay. The roofline indicates there will be no Dutch Gable, the materials are different and the ridge height greater. The eaves height will be similar to existing. Horizontal format windows occur above the rebuilt north wall.

The south wall indicates a similar reflection of the existing pattern of brickwork above the projecting Ground Floor, with horizontal format windows above the brickwork and the roof cladding wrapping down the façade, particularly over the eastern section, separated by the stair and plant area.

The materials proposed suggest reuse of the stone plinth and also the bricks.

The roof and wall material is proposed as metal decking with a panel profile. Drawing 42 indicates the retention of the stone façade and returns on the west elevation, and also the increased height (approximately 800mm higher). The Section Comparison drawings indicate the existing volume, with the floor not lowered and not the ceiling height not altered. Proposed ceiling heights of 2700mm per floor appear to be dictating this requirement.

There are no references to the proposed form of titling to the buildings; it is assumed some form of land division is proposed.

The proposed development will involve the demolition of a Local Heritage Place and new replacement development adjacent the remaining portion.

I have considered:

- Letter from Future Urban Group dated 7 December 2015;
- Dash Architects heritage impact assessment letter dated 3 December 2015;
- Structural Report by Jim Pantzikas and Associates dated 26 November 2015.

The proposal will affect the setting and external appearance of the Local Heritage Place and therefore I have considered the following Development Plan provisions, adopting the DP Dated 5 November 2015

### Heritage Places

#### OBJECTIVES

- 1 The conservation of local heritage places.
- 2 The continued use, or adaptive reuse of local heritage places that supports the conservation of their cultural significance.
- 3 Conservation of the setting of local heritage places.

#### PRINCIPLES OF DEVELOPMENT CONTROL

- 1 A Local Heritage Places should not be demolished, destroyed or removed, in total or in part, unless any of the following apply:
  - (a) that portion of the place to be demolished, destroyed or removed is excluded from the extent of the places identified in the Table(s)
  - (c) in the case of a local heritage place, the structural condition of the place is seriously

## City of West Torrens Heritage Advisor Comment

- 
- unsound and cannot reasonably be rehabilitated.
- 2 Development of a local heritage place should retain those elements contributing to its heritage value, which may include (but not be limited to):
    - (a) principal elevations
    - (b) important vistas and views to and from the place
    - (c) setting and setbacks
    - (d) building materials
    - (e) outbuildings and walls
    - (f) trees and other landscaping elements
    - (g) access conditions (driveway form/width/material)
    - (h) architectural treatments
    - (i) the use of the place.
  - 3 Development of a local heritage place should be compatible with the heritage value of the place.
  - 4 Original unpainted plaster, brickwork, stonework, or other masonry of existing local heritage places should be preserved, unpainted.
  - 5 New buildings should not be placed or erected between the front street boundary and the façade of existing local heritage places.
  - 6 Development that materially affects the context within which the heritage place is situated should be compatible with the heritage place. It is not necessary to replicate historic detailing, however design elements that should be compatible include, but are not limited to:
    - (a) scale and bulk
    - (b) width of frontage
    - (c) boundary setback patterns
    - (d) proportion and composition of design elements such as roof lines, openings, fencing and landscaping
    - (e) colour and texture of external materials.
  - 7 Multi-storey additions to a State or local heritage place should be compatible with the heritage value of the place through a range of design solutions such as:
    - (a) extending into the existing roof space or to the rear of the building
    - (b) retaining the elements that contribute to the building's heritage value
    - (c) distinguishing between the existing and new portion of the building
    - (d) stepping in parts of the building that are taller than the front facade.
  - 9 The division of land adjacent to or containing a local heritage place should occur only where it will:
    - (a) create an allotment pattern that maintains or reinforces the integrity of the heritage place and the character of the surrounding area
    - (b) create an allotment or allotments of a size and dimension that can accommodate new development that will reinforce and complement the heritage place and the zone or policy area generally
    - (c) be of a size and dimension that will enable the siting and setback of new buildings from allotment boundaries so that they do not overshadow, dominate, encroach on or otherwise impact on the setting of the heritage place
    - (d) provide an area for landscaping of a size and dimension that complements the landscape setting of the heritage place and the landscape character of the locality
    - (e) enable the State or local heritage place to have a curtilage of a size sufficient to protect its setting.

### Design and Appearance

#### Development Adjacent Heritage Places

- 7 The design of multi-storey buildings should not detract from the form and materials of adjacent local heritage places listed in Table WeTo/4 – Local Heritage Places.
- 8 Development on land adjacent to a local heritage place, should be sited and designed to reinforce the historic character of the place and maintain its visual prominence

## City of West Torrens Heritage Advisor Comment

### Medium Density Policy Area 19

#### OBJECTIVES

- 1 Development that contributes to the desired character of the policy area.

#### DESIRED CHARACTER

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.

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.

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.

#### PRINCIPLES OF DEVELOPMENT CONTROL

##### Form and Character

- 2 Development should not be undertaken unless it is consistent with the desired character for the policy area.
- 3 Dwellings should be designed within the following parameters:

Parameter	Value
Minimum setback from primary road frontage	3 metres
Minimum setback from secondary road frontage	2 metres
Minimum setback from back boundary	6 metres
Maximum site coverage (the area of a site covered by the ground floor level of a building, including the dwelling, garage, carport and outbuilding, but excluding unroofed balconies, verandas and pergolas)	60 per cent
Maximum building height (from natural ground level)	Allotments fronting Brooker Terrace, Marion Road and Henley Beach Road, and overlooking the Westside Bikeway: three storeys or 12.5 metres All other locations: two storeys or 8.5 metres

- 4 Except when located within 400 metres of a centre zone, a dwelling should have a minimum site area (and in the case of residential flat buildings, an average site area per dwelling) and a frontage to a public road not less than that shown in the following table:



### City of West Torrens Heritage Advisor Comment

Dwelling type	Site area (square metres)	Minimum frontage (metres)
Detached	270 minimum	9
Semi-detached	270 minimum	9
Group dwelling	270 minimum	9
Residential flat building	270 average	15 (for complete building)
Row dwelling	270 minimum	9

- 5 When a dwelling is located within 400 metres of a centre zone, it should have a minimum site area (and in the case of residential flat buildings, an average site area per dwelling) 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	250 minimum	9
Semi-detached	200 minimum	9
Group dwelling	170 minimum	9
Residential flat building	150 average	15 (for complete building)
Row dwelling	150 minimum	5

#### Land Division

- 7 Land division should create allotments with an area of greater than 270 square metres and a minimum frontage width of 9 metres, other than where the land division is combined with an application for dwellings or follows an approval for dwellings on the site.

#### Residential Zone

##### OBJECTIVES

- Dwellings of various types at very low, low and medium densities.
- Increased dwelling densities in close proximity to centres, public transport routes and public open spaces.
- Development that contributes to the desired character of the zone.

##### DESIRED CHARACTER

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.

Residential development in the form of a multiple dwelling, residential flat building or group dwelling will not be undertaken in a **Historic Conservation Area**.

## City of West Torrens Heritage Advisor Comment

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.

### PRINCIPLES OF DEVELOPMENT CONTROL

#### Form and Character

- 5 Development should not be undertaken unless it is consistent with the desired character for the zone and policy area.
- 6 Except where otherwise specified by a policy area, dwellings and buildings containing dwellings should be designed within the following parameters:

Parameter	Value
Maximum number of storeys	two storeys (above natural ground level)
Maximum vertical side wall height	6 metres (measured from the natural ground level)

- 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.
- 11 Except where otherwise specified by a policy area, and for party walls, dwellings and buildings containing dwellings should be set back from the side and rear boundaries in accordance with the following table:

Parameter	Minimum value (metres)
Side boundary setback where the vertical side wall is 3 metres or less in height (measured from the existing ground level at the boundary of the adjacent property as per <i>Figure 1</i> )	1
Side boundary setback where vertical side wall measures between 3 to 6 metres in height (measured from the existing ground level at the boundary of the adjacent property as per <i>Figure 1</i> )	2
Side boundary setback where the vertical side wall is greater than 6 metres in height (measured from the existing ground level at the boundary of the adjacent property as per <i>Figure 1</i> )	2 metres plus an additional setback which is equal to the increase in wall height above 6 metres.
Rear boundary setback for single storey components of a building	3
Rear boundary setback for two or more storey components of a building	8

#### Assessment:

The description of the development as "alterations and additions to and conversion of hall" does not fully describe or validate the extent of demolition, which is the total removal of the former hall portion, with only the stone façade and porch retained.

The use will be changed from hall to residential flat buildings, which will essentially be a new building, constructed with some regard to the height, pattern and materials of the walls and roof form being removed.

## City of West Torrens Heritage Advisor Comment

The limitations of the spatial qualities of the hall to take the proposed development and the inability of the hall walls to support additional loads are provided as the main reasons for demolition. The imposition of the new development and the satisfaction of its spatial requirements and structural performance are the reasons for demolition. This reasoning is questionable and not sufficient to support the extent of demolition.

In terms of Heritage Places Objective 1, which seeks conservation of Local Heritage Places, only the stone façade and porch structure will be retained. The Future Urban report wrongly describes the 1996 Heritage Survey Description (page 3), and later discusses the "ambiguity surrounding the extent of listing" (page 11).

The report also states the "survey sheet implies that the overall form is of value" (page 11). However, Table WeTo/4 references the Heritage Survey, which includes references to the importance of the hall in the Section 23(4) Criteria, the description and also the recommendations (refer to above Heritage section). Therefore Objective 1 is not satisfied.

The proposal is not a continuation of the original use; nor is it considered a form of adaptive reuse. It is a modern addition to remnant stone frontage. The detailing and materials from the original construction adopted, failing to fully satisfy the intent of Objective 2. The question is whether the retention of the stone façade is sufficient to support the conservation of cultural significance. Even with the interpretation of the north and part south walls, the level of intervention is considered too severe and the loss of heritage value too great.

The conservation of setting (Objective 3) is somewhat recovered through the retention of the stone façade, its visual prominence and the location and matching detail and materials of the north and south wall.

PDC 1(a) contemplates the demolition of a portion of a Local Heritage Place, excluded from the extent of the place. Table WeTo/4 description of "Druids Hall; External form, details and materials of stone frontage to Jervois Street", contains no exclusions. While the listing may be open to interpretation and ambiguity as suggested by the planning and heritage reports submitted, the Section 23(4) Criteria, adopted in Table WeTo/4 clearly include the hall itself as being of importance.

PDC 1(c) invites a structural opinion on the soundness of the structure; the opinion provided by Jim Pantzikas Engineer does not comment upon the structural soundness of the place; rather it observes that "any additional superstructure loads placed upon existing floors and walls, combined with inevitable moisture content changes in the foundation soils, will cause the existing bluestone footings to move excessively and thus result in unacceptable damage". This is not the intended interpretation of this provision. The expectation is that new work, in particular an upper level would be supported separately and not cause damage to the Local Heritage Place.

The report is silent on the structural condition of the existing building, for which condition and potential for rehabilitation is the intended purpose.

Instead the reasons provided for the demolition unconvincingly submit that the floor to ceiling height within the existing hall is insufficient to accommodate two levels. The spatial requirements indicate that 2700 ceiling heights are required, requiring both a dropping of floor level (ie removal of floor) and the raising of the roof (ie removal of the ceiling, roof framing and sheeting). The sectional study of the existing hall demonstrates that adaptation of the hall, with some loss of fabric, is achievable.

Rather than identifying compatible new uses and working within the existing qualities and constraints, the proposal imposes unrealistic spatial and structural requirements on a Local Heritage Place that cannot be met. This is not a justification for demolition and the wording in Table WeTo/4 is somewhat exploited.

## City of West Torrens Heritage Advisor Comment

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The detail provided in the rebuilding of the north wall with salvage brick and stone using similar spacing of expressed piers and central windows is of a high standard and provides some satisfaction to PDC2 by retaining in the principal elevation and important vistas from Jervois Street and rebuilding a portion of the north wall in salvage materials (PDC 2(d) and 2(g)). The north wall will be located in the same position as the demolished wall, retaining the access conditions and rebuilding, but not retaining the side view of the former hall.

The use of the place as a hall (PDC 2(i)) will not be retained, although the external expression of the former hall is somewhat of a modern interpretation, designed to a high standard.

The significant loss of original fabric that will occur through demolition will significantly diminish the heritage value of the place (PDC 3). The replacement design, by retaining the façade and Porch of three metres depth, incorporating salvage materials in the north wall, rebuilding the north wall and upper level of the south wall using salvage materials provides a well designed concession, without being an adequate concession for the loss of fabric.

The preservation of the unpainted stone façade and the reuse of salvage brickwork from demolition provides some satisfaction to PDC 4 and PDC 5 is easily satisfied by not placing buildings between the front street boundary and the façade of existing local heritage places.

PDC 6 is also of relevance because the proposal materially affects the context within which the heritage place is situated. The design demonstrates compatibility with the heritage place, without replicating historic detailing through providing a new building that is of a similar width and wall height. The proposal also retains an important front set back and set back from the north boundary. Proportions and composition have been carefully considered. Proposed wall material and patterning incorporates salvage material. The roof cladding is probably not as normally anticipated (should be corrugated). However PDC 6 has been generally satisfied.

PDC 7 in considering multi-level additions to a local heritage place seeks compatibility through extending into the existing roof space or to the rear of the building and retaining the elements that contribute to the building's heritage value. The possibilities offered by this provision have not been demonstrated in this proposal.

In terms of PDC 9 the essentially new two level residential flat building of presumably community titles has removed a significant portion of the heritage place, reducing its integrity and created multiple allotments accommodating new development, that do little to reinforce and complement the heritage place, other than providing a new building, located behind the important remaining façade. The proposed development, while located within a new building sits behind the remaining portion, respects the width of that façade and delivers an impression of a former setting and in that sense provides a curtilage to the new building, that is based upon the former hall.

Considering the provisions for Design and Appearance of Development Adjacent Heritage Places the proposed new development, by adopting complementary width, height and form will not detract from the remaining portion of the Local Heritage Place as sought by PDC7. The proposal, located on land behind the remaining portion of the local heritage place has been sited and designed to reinforce the remaining portion of historic character of the place and by locating the new construction to the rear has maintained the visual prominence of the remaining portion as guided by PDC 8.

The main question with respect to Heritage Places provision is whether the remaining portion of the Local Heritage Place is sufficient to retain its heritage values.

While the external form, details and materials of the stone frontage and porch to Jervois Street will be retained and the proposed new construction incorporates materials and patterns of the north and south walls, is contained within the plan width of the existing hall, the completed development

## City of West Torrens Heritage Advisor Comment

will no longer fully display historical and social themes important to Thebarton in the provision of community facilities for groups and organisations such as the Druids Lodge.

The emphasis of the description in the Development Plan is placed on the stone facade. There appears to have been a reduction in emphasis on the external form of the hall from the heritage survey to the Development Plan, through the abbreviation of the description. The Section 23(4) Criteria referred to in Table WeTo/4 and further interrogation supports greater emphasis being placed upon the value of the former hall.

The design proposed has not totally ignored the demolished portion, by proposing to rebuild the red brick north wall in salvage materials, respecting the plan width and height of the hall walls and adopting a similar, slightly taller roof form.

The remaining stone frontage and porch will continue to be an important but significantly reduced reminder that the Hall played an important part in the lives of local residents as the home of the new Thebarton Lodge since 1910 and that it served as a war memorial for soldiers of the First World War.

The stone portion retains a wall and a small three-metre depth porch between the main porch wall and the main hall facade. The most prominent portion of the hall will be retained but the remainder of the function and memorial will be removed.

The remaining stone frontage will continue to display aesthetic merit and design characteristics of significance to the local area as a simple but elegant exposition in the Edwardian free Classical style which was appropriate for secular buildings at this time.

The retained stone portion is of sufficient depth to display the most important characteristics and arguably the ambiguous description of extent of the Development Plan listing. The intact porch and wall display a high level of integrity and the visible rebuilt sidewall will incorporate and interpret features of the original walling to be rebuilt.

In relation to Medium Density Policy Area 19 the proposal will accommodate a residential flat building, behind the historic facade and porch. The new building will be located to the rear of the local heritage listed former hall facade contributing to a highly varied streetscape with garaging located to the rear, satisfying Objective 1 and PDC 2. PDC is not affected because the building will be located to the rear of an existing facade and porch. The Site Area for five residential flats averages at 139.4m<sup>2</sup>, well below the minimum Site Area for Residential Flats within 400 metres of a centre zone (150m<sup>2</sup> PDC 5) and well below the minimum allotment size of 270m<sup>2</sup> for land division (PDC7).

In terms of the Residential Zone the proposed change of use will deliver increased residential densities (Objective 3) and generally achieve the Desired Character for the Policy Area (Objective 4 and PDC 5). Notably the proposal is not within a Historic Conservation Area.

The number of storeys proposed is as guided by PDC 6 and the wall height proposed matches the existing height of masonry with an upper section of high level glazing to accommodate the increased height. The proposed setbacks from side boundaries will be similar to the existing (PDC7), apart from a small section of Ground Floor to the south side, separated from the rear face of the main facade by an approximate one metre negative junction. The set back from the rear boundary to the rear wall of first floor will be 6500mm approx. This information should be shown on the drawings. PDC 11 is generally satisfied by this design.

### **Conclusion:**

The proposal is to:



## City of West Torrens Heritage Advisor Comment

- 
- demolish the entire former hall portion, with only the stone façade and porch retained;
  - change the use from hall to residential flat buildings;
  - construct a new residential flat building to the rear of the remaining stone façade and porch.

While the design of the new building is conceptually innovative, clever and designed to a high standard the reasons provided for the demolition are unconvincing. The structural opinion provided places emphasis on the performance of the existing structure after the addition of the new loads; the Development Plan places its emphasis on the existing condition and the potential for rehabilitation.

It is considered that a better approach would be one that retains and adapts the main hall in addition to the stone façade. The hall is included in the Section 23(4) Criteria, adopted in Table WeTo/4.

The description of listing in the development plan has been read as being limited to the stone façade and porch, contrary to the advice of the Heritage Survey. The criteria adopted in Table WeTo/4 place, however, include emphasis on the hall portion.

While the design proposal cleverly interprets the plan form, wall configuration, heights and roof form of the former hall it does not entirely warrant support offered through PDC2 and PDC 3, due to the minimum depth of the front portion retained and the loss of Heritage Value. Heritage Places provisions (PDC4, PDC5 and PDC6) are generally satisfied, while PDC 7 is not. The provisions for Design and Appearance of Development Adjacent Heritage Places PDC7 and PDC8 are reasonably satisfied, provided the loss of heritage fabric is accepted.

Therefore, in terms of the main question posed with respect to Heritage Places it is concluded the remaining portion of the Local Heritage Place is not sufficient to retain its intended heritage values.

In relation to Medium Density Policy Area 19 the proposal satisfies Objective 1 and PDC 2. The Site Area for five residential flats averages at 139.4m<sup>2</sup>.

This is below the minimum Site Area for Residential Flats within 400 metres of a centre zone (150m<sup>2</sup> PDC 5) is of concern and possibly a heritage question, because if the number of residential flat buildings were to be reduced to 4, the heritage impacts could be significantly reduced through the retention of the main former Hall. This would deliver a better heritage outcome.

In terms of the Residential Zone the proposed change of use will satisfy Objective 3 and generally achieve the Desired Character for the Policy Area (Objective 4 and PDC 5). Notably the proposal is not within a Historic Conservation Area.

Residential Zone PDC 6, PDC7 and PDC 11 are also generally satisfied by this design.

Despite being a well designed, new architectural proposal, heritage support cannot be given to the development proposed because the extent of demolition is considered excessive, setting a dangerous precedent for Local Heritage Places.

The explanation of the extent of demolition, based on spatial and height requirements is not a sufficient reason. The structural report does not report on the condition of the existing building, which appears reasonably sound. Rather it comments on the future capacity, which is not the intent of PDC 1.

Further:

- Clarification of the carpark layout is required once the location of proposed supporting columns to the ground floor are shown;

### **City of West Torrens Heritage Advisor Comment**

- 
- Change of the roof and wrap down wall cladding should be corrugated profile, being a more traditional profile located adjacent a Local Heritage Place;
  - Consideration of a reduced number of residential flats is encouraged to lessen the heritage impacts.

While the conceptual design proposed is considered to be innovative and clever, on balance the development application cannot be supported on the basis of the extent of demolition proposed and the resulting loss of heritage value, thereby failing to satisfy Objectives 1 and 2 and PDC 1 of Heritage Places.

An alternative proposal that retains more of the hall portion is encouraged.

**Douglas Alexander**

## City of West Torrens Heritage Advisor Comment

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Planning Application No.:	DA 211/1355/2015
Applicant:	B Konstantinou
Location:	8A Jervois Street, Torrensville SA 5031
Zone:	Residential
Policy Area:	Medium Density Policy Area 19
Heritage Status:	Local Heritage Place
Proposal:	Alterations and additions to and conversion of hall into a two-storey residential flat building containing five (5) dwellings
To:	Tony Kelly
Date:	29 January 2016

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View from North West January 2016

View from West January 2016

### **Heritage:**

The proposal affects a Local Heritage Place, listed in Table WeTo/4 as:

"Druids Hall; External form, details and materials of stone frontage to Jervois Street." The Table lists Section 23(4) Criteria (a), (c) and (d) as the basis for the listing because:

- (a) The Druids Hall displays historical and social themes important to Thebarton in the provision of community facilities for groups and organisations such as the Druids Lodge;
- (c) The Druids Hall has played an important part in the lives of local residents as the home of the new Thebarton Lodge since 1910. It also serves as a war memorial for soldiers of the First World War;
- (d) The Druids Hall displays aesthetic merit and design characteristics of significance to the local area in that it is a simple but elegant exposition in the Edwardian free Classical style which was appropriate for secular buildings at this time.

The heritage survey recommended "extent of listing is the overall form of the hall and particularly the unpainted stonework of the Jervois Street elevation.

The survey recommends the hall "should continue to be maintained and conserved and no painting should be undertaken to any face stonework or brickwork on the exterior walls of the hall."

## City of West Torrens Heritage Advisor Comment

### **Description:**

The following drawings have been used in this report:

Ply Architects Project Number 0038 Druids Hall Alteration:

00	Title Sheet	13 November 15
01	Perspectives	13 November 15
02	Heritage Response Diagrams	13 November 15
03	Concept Elevation	13 November 15
05	Extended Site Plan	13 November 15
06	Site Plan	13 November 15
07	Demolition Plan	13 November 15
10	Ground Floor Plans	13 November 15
11	Level 1 Plan	13 November 15
15	Shadows	13 November 15
16	Shadows	13 November 15
40	Elevations North	13 November 15
41	Elevations South	13 November 15
42	Elevations East and West	13 November 15
50	Sections	13 November 15
DS	Design Statement	13 November 15

Drawing 00 provides a useful overview to the proposal by indicating the retention of the stone façade and porch and the assumed partial reconstruction of re brick side walls with stone plinth, with the insertion of new projecting balconies. To the rear is a modern portion over a carpark. Drawing 01 confirms this approach.

Drawing 02 provides a useful diagrammatic explanation by comparing the existing with the extent of demolition, which shows the removal of all but the north wall and stone porch, the lifting of the roof line and its reconfiguration deleting the hipped section facing the street. The diagram titled 'notching' indicates the design principle behind the alterations to the north wall and the introduction of a hipped roof without the Dutch Gable.. Further explanation of the geometrics is provided on Drawing 03, which indicates the desired addition to the roof form, without showing a comparison of existing roofline.

Drawing 06 Site Plan, notes the overall site dimensions as being 45.72m x 15.24m or 697m<sup>2</sup>. The proposed Site Plan indicates carparking perpendicular to the east boundary and three carparks perpendicular to the rear wall of the building, with bike racks and scooter parking.

The proposed Floor Plan does not show the extent of the first floor over the carparks and the location of the support columns are not indicated.

Drawing 07 shows the extent of demolition being all but the stone façade, in contrast to the diagrams on 02, which show the North Wall retained and altered. The demolition plan would suggest that all flooring is to be removed, because the new floor is proposed at a lower level.

Drawing 10 indicates two apartment style dwellings at Ground floor, each with a recessed courtyard area contained within the former building envelope.

The proposed Ground Plan also shows the north wall constructed to match the pattern of the removed north wall. It is also assumed that the timber flooring of the Hall will be removed. The proposed floor level will be lower than the former level. The floor plan show the second Ground

## City of West Torrens Heritage Advisor Comment

floor apartment being partially incorporated into the former front hall portion and the rear portion being new build construction with the north wall in line with the reconstructed portion.

Notably the south wall is proposed closer to the boundary, with a negative junction proposed at the rear of the stone wall. Stairs to the three upper level apartments will be located on the south side. The upper walls to Apartment 3 at upper level are drawn in line with the façade to be retained, with only the balconies projecting. Apartment 4 and 5 north wall is drawn further to the north. The balconies coincide with the courtyard incisions below.

Sheet 40 compares the existing north elevation with the proposed and indicates a reasonably accurate reconstruction of the existing piers and articulation of the north wall, with modern notching and also the introduction of a window to the first bay. The roofline indicates there will be no Dutch Gable, the materials are different and the ridge height greater. The eaves height will be similar to existing. Horizontal format windows occur above the rebuilt north wall.

The south wall indicates a similar reflection of the existing pattern of brickwork above the projecting Ground Floor, with horizontal format windows above the brickwork and the roof cladding wrapping down the façade, particularly over the eastern section, separated by the stair and plant area.

The materials proposed suggest reuse of the stone plinth and also the bricks.

The roof and wall material is proposed as metal decking with a panel profile. Drawing 42 indicates the retention of the stone façade and returns on the west elevation, and also the increased height (approximately 800mm higher). The Section Comparison drawings indicate the existing volume, with the floor not lowered and not the ceiling height not altered. Proposed ceiling heights of 2700mm per floor appear to be dictating this requirement.

There are no references to the proposed form of titling to the buildings; it is assumed some form of land division is proposed.

The proposed development will involve the demolition of a Local Heritage Place and new replacement development adjacent the remaining portion.

The proposal will affect the setting and external appearance of the Local Heritage Place and therefore I have considered the following Development Plan provisions, adopting the DP *Dated 5 November 2015*

### Heritage Places OBJECTIVES

- 1 The conservation of local heritage places.
- 2 The continued use, or adaptive reuse of local heritage places that supports the conservation of their cultural significance.
- 3 Conservation of the setting of local heritage places.

### PRINCIPLES OF DEVELOPMENT CONTROL

- 1 A Local Heritage Places should not be demolished, destroyed or removed, in total or in part, unless any of the following apply:
  - (a) that portion of the place to be demolished, destroyed or removed is excluded from the extent of the places identified in the Table(s)
  - (c) in the case of a local heritage place, the structural condition of the place is seriously unsound and cannot reasonably be rehabilitated.
- 2 Development of a local heritage place should retain those elements contributing to its heritage value, which may include (but not be limited to):
  - (a) principal elevations
  - (b) important vistas and views to and from the place
  - (c) setting and setbacks



## City of West Torrens Heritage Advisor Comment

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- (d) building materials
  - (e) outbuildings and walls
  - (f) trees and other landscaping elements
  - (g) access conditions (driveway form/width/material)
  - (h) architectural treatments
  - (i) the use of the place.
- 3 Development of a local heritage place should be compatible with the heritage value of the place.
- 4 Original unpainted plaster, brickwork, stonework, or other masonry of existing local heritage places should be preserved, unpainted.
- 5 New buildings should not be placed or erected between the front street boundary and the façade of existing local heritage places.
- 6 Development that materially affects the context within which the heritage place is situated should be compatible with the heritage place. It is not necessary to replicate historic detailing, however design elements that should be compatible include, but are not limited to:
- (a) scale and bulk
  - (b) width of frontage
  - (c) boundary setback patterns
  - (d) proportion and composition of design elements such as roof lines, openings, fencing and landscaping
  - (e) colour and texture of external materials.
- 9 The division of land adjacent to or containing a local heritage place should occur only where it will:
- (a) create an allotment pattern that maintains or reinforces the integrity of the heritage place and the character of the surrounding area
  - (b) create an allotment or allotments of a size and dimension that can accommodate new development that will reinforce and complement the heritage place and the zone or policy area generally
  - (c) be of a size and dimension that will enable the siting and setback of new buildings from allotment boundaries so that they do not overshadow, dominate, encroach on or otherwise impact on the setting of the heritage place
  - (d) provide an area for landscaping of a size and dimension that complements the landscape setting of the heritage place and the landscape character of the locality
  - (e) enable the State or local heritage place to have a curtilage of a size sufficient to protect its setting.

### Design and Appearance

#### Development Adjacent Heritage Places

- 7 The design of multi-storey buildings should not detract from the form and materials of adjacent local heritage places listed in Table WeTo/4 – Local Heritage Places.
- 8 Development on land adjacent to a local heritage place, should be sited and designed to reinforce the historic character of the place and maintain its visual prominence

### Medium Density Policy Area 19

#### OBJECTIVES

- 1 Development that contributes to the desired character of the policy area.

#### DESIRED CHARACTER

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.

## City of West Torrens Heritage Advisor Comment

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.

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.

### PRINCIPLES OF DEVELOPMENT CONTROL

#### Form and Character

- 2 Development should not be undertaken unless it is consistent with the desired character for the policy area.
- 3 Dwellings should be designed within the following parameters:

Parameter	Value
Minimum setback from primary road frontage	3 metres
Minimum setback from secondary road frontage	2 metres
Minimum setback from back boundary	6 metres
Maximum site coverage (the area of a site covered by the ground floor level of a building, including the dwelling, garage, carport and outbuilding, but excluding unroofed balconies, verandas and pergolas)	60 per cent
Maximum building height (from natural ground level)	Allotments fronting Brooker Terrace, Marion Road and Henley Beach Road, and overlooking the Westside Bikeway: three storeys or 12.5 metres All other locations: two storeys or 8.5 metres

- 4 Except when located within 400 metres of a centre zone, a dwelling should have a minimum site area (and in the case of residential flat buildings, an average site area per dwelling) 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	270 minimum	9
Semi-detached	270 minimum	9
Group dwelling	270 minimum	9
Residential flat building	270 average	15 (for complete building)
Row dwelling	270 minimum	9

- 5 When a dwelling is located within 400 metres of a centre zone, it should have a minimum site area (and in the case of residential flat buildings, an average site area per dwelling) and a frontage to a public road not less than that shown in the following table:

### City of West Torrens Heritage Advisor Comment

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Row dwelling	150 minimum	5

#### Land Division

- Land division should create allotments with an area of greater than 270 square metres and a minimum frontage width of 9 metres, other than where the land division is combined with an application for dwellings or follows an approval for dwellings on the site.

#### Residential Zone

##### OBJECTIVES

- Dwellings of various types at very low, low and medium densities.
- Increased dwelling densities in close proximity to centres, public transport routes and public open spaces.
- Development that contributes to the desired character of the zone.

##### DESIRED CHARACTER

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.

Residential development in the form of a multiple dwelling, residential flat building or group dwelling will not be undertaken in a **Historic Conservation Area**.

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.

##### PRINCIPLES OF DEVELOPMENT CONTROL

##### Form and Character

- Development should not be undertaken unless it is consistent with the desired character for the zone and policy area.
- Except where otherwise specified by a policy area, dwellings and buildings containing dwellings should be designed within the following parameters:

Parameter	Value
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### City of West Torrens Heritage Advisor Comment

Maximum number of storeys	two storeys (above natural ground level)
Maximum vertical side wall height	6 metres (measured from the natural ground level)

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.
11	Except where otherwise specified by a policy area, and for party walls, dwellings and buildings containing dwellings should be set back from the side and rear boundaries in accordance with the following table:

Parameter	Minimum value (metres)
Side boundary setback where the vertical side wall is 3 metres or less in height (measured from the existing ground level at the boundary of the adjacent property as per <i>Figure 1</i> )	1
Side boundary setback where vertical side wall measures between 3 to 6 metres in height (measured from the existing ground level at the boundary of the adjacent property as per <i>Figure 1</i> )	2
Side boundary setback where the vertical side wall is greater than 6 metres in height (measured from the existing ground level at the boundary of the adjacent property as per <i>Figure 1</i> )	2 metres plus an additional setback which is equal to the increase in wall height above 6 metres.
Rear boundary setback for single storey components of a building	3
Rear boundary setback for two or more storey components of a building	8

#### Assessment:

The description of the development as "alterations and additions to and conversion of hall" does not fully describe or validate the extent of demolition, which is the total removal of the former hall portion, with only the stone façade and porch retained. The use will be changed from hall to residential flat buildings, which will essentially be a new building, constructed with some regard to the height, pattern and materials of the walls being removed.

In terms of Heritage Places Objective 1, only the stone façade and porch structure will be retained. While not a continuation of the original use, the proposal is a form of adaptive reuse, albeit a modern addition to the stone frontage, with detailing and materials from the original construction adopted (Objective 2). The question is whether the retention of the stone façade is sufficient to support the conservation of cultural significance. The conservation of setting (Objective 3) is reasonably well satisfied through the retention of the stone façade, its visual prominence and the location of the north wall.

PDC 1(a) contemplates the demolition of a portion of a Local Heritage Place, excluded from the extent of the place. Table WeTo/4 description of "Druids Hall; External form, details and materials of stone frontage to Jervois Street", contains no exclusions. While the listing may be ambiguous the Section 23(4) Criteria more fully described in the Heritage Survey note the hall as being of importance.

PDC(C) invites a structural opinion on the soundness of the structure; this opinion is lacking from the application.

## City of West Torrens Heritage Advisor Comment

Instead the reasons provided for the demolition are confined to Sheet 50, which unconvincingly submit that the floor to ceiling height within the existing hall is insufficient to accommodate two levels. The spatial requirements indicate that 2700 ceiling heights are required, requiring both a dropping of floor level (ie removal of floor) and the raising of the roof (ie removal of the ceiling, roof framing and sheeting).

The detail provided in the rebuilding of the north wall with salvage brick and stone using similar spacing of expressed piers and central windows is of a high standard and provides some satisfaction to PDC2 by retaining in the principal elevation and important vistas from Jervois Street and rebuilding a portion of the north wall in salvage materials (PDC 2(f)). The north wall will be located in the same position as the demolished wall, retaining the access conditions and rebuilding the side view of the former hall.

The use of the place as a hall will not be retained, although the external expression of the former hall is somewhat of a modern interpretation, but undoubtedly designed to a high standard.

The loss of original fabric that will occur through demolition diminishes the heritage value of the place (PDC 3). However the replacement design, by retaining the façade and Porch of three metres depth, incorporating salvage materials in the north wall, rebuilding the north wall and upper level of the south wall using salvage materials provides reasonable compatibility.

The preservation of the unpainted stone façade and the reuse of salvage brickwork from demolition provides some satisfaction to PDC 4 and PDC 5 is easily satisfied by not placing buildings between the front street boundary and the façade of existing local heritage places.

PDC 6 is also of relevance because the proposal materially affects the context within which the heritage place is situated. The design demonstrates compatibility with the heritage place, without replicating historic detailing through providing a new building that is of a similar width and wall height. The proposal also retains an important front set back and set back from the north boundary. Proportions and composition have been carefully considered. Proposed wall material and patterning incorporates salvage material. The roof cladding is probably not as normally anticipated (should be corrugated). However PDC 6 has been generally satisfied.

In terms of PDC 9 the essentially new two level residential flat building of presumably community titles has removed a significant portion of the heritage place, reducing its integrity and created multiple allotments accommodating new development, that do little to reinforce and complement the heritage place, other than providing a new building, located behind the important remaining façade. The proposed development, while located within a new building sits behind the remaining portion, respects the width of that façade and delivers an impression of a former setting and in that sense provides a curtilage to the new building, that is based upon the former hall.

Considering the provisions for Design and Appearance of Development Adjacent Heritage Places the proposed new development, by adopting complementary width, height and form will not detract from the remaining portion of the Local Heritage Place as sought by PDC7. Similarly the proposal will be located on land behind the remaining portion of the local heritage place has been sited and designed to reinforce the remaining portion of historic character of the place and by locating the new construction to the rear has maintained the visual prominence as guided by PDC 8.

The main question with respect to Heritage Places provision is whether the remaining portion of the Local Heritage Place is sufficient to retain its heritage values.

While the external form, details and materials of the stone frontage to Jervois Street will be retained and the proposed new construction incorporates materials and patterns of the north and south walls, is contained within the plan width of the existing hall, will the completed development continue to display historical and social themes important to Thebarton in the provision of



## City of West Torrens Heritage Advisor Comment

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community facilities for groups and organisations such as the Druids Lodge?

The emphasis of the description in the Development Plan is placed on the stone facade. There appears to have been a reduction in emphasis on the external form of the hall from the heritage survey to the Development Plan, through the abbreviation of the description. Yet the design proposed has not ignored the demolished portion, by respectfully rebuilding the red brick north wall in salvage materials, respecting the plan width and height of the hall walls and adopting a similar, slightly taller roof form.

Will the remaining stone frontage serve as an important reminder that the Hall played an important part in the lives of local residents as the home of the new Thebarton Lodge since 1910 and that it served as a war memorial for soldiers of the First World War?

The stone portion retains a three-metre depth between the main porch wall and the main hall wall. The most prominent portion of the hall will be retained and therefore the reminder of the function and memorial will remain.

Will the remaining stone frontage continue to display aesthetic merit and design characteristics of significance to the local area as a simple but elegant exposition in the Edwardian free Classical style which was appropriate for secular buildings at this time?

The retained stone portion is of sufficient depth to display the most important characteristics and arguably the extent of the Development Plan listing. The intact porch and wall display a high level of integrity and the visible rebuilt sidewall will incorporate features of the original walling to be rebuilt.

In relation to Medium Density Policy Area 19 the proposal will accommodate a residential flat building, behind the historic facade and porch. The new building will be located to the rear of the local heritage listed former hall facade contributing to a highly varied streetscape with garaging located to the rear, satisfying Objective 1 and PDC 2. PDC is not affected because the building will be located to the rear of an existing facade and porch. The Site Area for five residential flats averages at 139.4m<sup>2</sup>, below the minimum Site Area for Residential Flats within 400 metres of a centre zone (150m<sup>2</sup> PDC 5) and well below the minimum allotment size of 270m<sup>2</sup> for land division (PDC7).

In terms of the Residential Zone the proposed change of use will deliver increased residential densities (Objective 3) and generally achieve the Desired Character for the Policy Area (Objective 4 and PDC 5). Notably the proposal is not within a Historic Conservation Area.

The number of storeys proposed is as guided by PDC 6 and the wall height proposed matches the existing height of masonry with an upper section of high level glazing to accommodate the increased height.

The proposed setbacks from side boundaries will be similar to the existing (PDC7), apart from a small section of Ground Floor to the south side, separated from the rear face of the main facade by an approximate one metre negative junction. The set back from the rear boundary to the rear wall of first floor will be 6500mm approx. This information should be shown on the drawings. PDC 11 is generally satisfied by this design.

## City of West Torrens Heritage Advisor Comment

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### Conclusion:

The proposal is to:

- demolish the former hall portion, with only the stone façade and porch retained;
- change the use from hall to residential flat buildings;
- construct a new residential flat building to the rear of the remaining stone façade and porch.

While the design of the new building is innovative, clever and designed to a high standard the reasons provided for the demolition are unconvincing and require better explanation. The Development Plan invites a structural opinion.

The description of listing in the development plan is unfortunately ambiguous and could be misread as being limited to the stone façade and porch, contradicting the advice of the Heritage Survey.

In this regard the design proposal is sufficiently respectful of the plan form, wall configuration, heights and roof form with the replacement building to warrant support offered through PDC2, satisfying PDC 3, considering the depth of the front portion retained. Heritage Places provisions (PDC4, PDC5 and PDC6) are generally satisfied as are the provisions for Design and Appearance of Development Adjacent Heritage Places PDC7 and PDC8.

In terms of the main question posed with respect to Heritage Places it is concluded the remaining portion of the Local Heritage Place is sufficient to retain its heritage values, described under the Development Plan.

In relation to Medium Density Policy Area 19 the proposal satisfies Objective 1 and PDC 2. The Site Area for five residential flats averages at 139.4m<sup>2</sup>, below the minimum Site Area for Residential Flats within 400 metres of a centre zone (150m<sup>2</sup> PDC 5) is of concern, but not a heritage question. However, if the number of residential flat buildings were to be reduced to 4, the heritage impacts would be reduced and potentially at least one bay of the main former Hall could be retained. This would increase the retention depth and deliver a better heritage outcome.

In terms of the Residential Zone the proposed change of use will satisfy Objective 3 and generally achieve the Desired Character for the Policy Area (Objective 4 and PDC 5). Notably the proposal is not within a Historic Conservation Area.

Residential Zone PDC 6, PDC7 and PDC 11 are also generally satisfied by this design.

Heritage support is given, albeit with some reservation due to the extent of demolition and subject to:

- A brief Heritage Impact Statement being supplied, given the extent of demolition;
- A structural Report;
- Clarification of the carpark layout once the location of proposed supporting columns to the ground floor are shown;
- Change of the roof and wrap down wall cladding to corrugated profile, being a more traditional profile located adjacent a Local Heritage Place.

Also consideration of a reduced number of residential flats is encouraged, especially if leads to the retention of one bay of the hall and a portion of the existing roof form.

**Douglas Alexander**

## City of West Torrens Heritage Advisor Comment

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Planning Application No.:	DA 211/1355/2015
Applicant:	B Konstantinou
Location:	8A Jervois Street, Torrensville SA 5031
Zone:	Residential
Policy Area:	Medium Density Policy Area 19
Heritage Status:	Local Heritage Place
Proposal:	Alterations and additions to and conversion of hall into a two-storey residential flat building containing five (5) dwellings
To:	Tony Kelly
Date:	Amended 15 February 2016

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View from North West January 2016

View from West January 2016

### **Heritage:**

The proposal affects a Local Heritage Place, listed in Table WeTo/4 as:

“Druids Hall; External form, details and materials of stone frontage to Jervois Street.” The Table, which refers to the 1996 Heritage Survey Ref. Pages 121-122 lists Section 23(4) Criteria (a), (c) and (d) as the basis for the listing because:

- (a) The Druids Hall displays historical and social themes important to Thebarton in the provision of community facilities for groups and organisations such as the Druids Lodge;
- (c) The Druids Hall has played an important part in the lives of local residents as the home of the new Thebarton Lodge since 1910. It also serves as a war memorial for soldiers of the First World War;
- (d) The Druids Hall displays aesthetic merit and design characteristics of significance to the local area in that it is a simple but elegant exposition in the Edwardian free Classical style which was appropriate for secular buildings at this time.

The heritage survey recommended “extent of listing is the overall form of the hall and particularly the unpainted stonework of the Jervois Street elevation.

The survey recommends the hall “should continue to be maintained and conserved and no painting should be undertaken to any face stonework or brickwork on the exterior walls of the hall.”

## City of West Torrens Heritage Advisor Comment

### **Description:**

The following drawings have been used in this report:

Ply Architects Project Number 0038 Druids Hall Alteration:

00	Title Sheet	13 November 15
01	Perspectives	13 November 15
02	Heritage Response Diagrams	13 November 15
03	Concept Elevation	13 November 15
05	Extended Site Plan	13 November 15
06	Site Plan	13 November 15
07	Demolition Plan	13 November 15
10	Ground Floor Plans	13 November 15
11	Level 1 Plan	13 November 15
15	Shadows	13 November 15
16	Shadows	13 November 15
40	Elevations North	13 November 15
41	Elevations South	13 November 15
42	Elevations East and West	13 November 15
50	Sections	13 November 15
DS	Design Statement	13 November 15

Drawing 00 provides a useful overview to the proposal by indicating the retention of the stone façade and porch and the assumed partial reconstruction of re brick side walls with stone plinth, with the insertion of new projecting balconies. To the rear is a modern portion over a carpark. Drawing 01 confirms this approach.

Drawing 02 provides a useful diagrammatic explanation by comparing the existing with the extent of demolition, which shows the removal of all but the north wall and stone porch, the lifting of the roof line and its reconfiguration deleting the hipped section facing the street. The diagram titled 'notching' indicates the design principle behind the alterations to the north wall and the introduction of a hipped roof without the Dutch Gable.. Further explanation of the geometrics is provided on Drawing 03, which indicates the desired addition to the roof form, without showing a comparison of existing roofline.

Drawing 06 Site Plan, notes the overall site dimensions as being 45.72m x 15.24m or 697m<sup>2</sup>. The proposed Site Plan indicates carparking perpendicular to the east boundary and three carparks perpendicular to the rear wall of the building, with bike racks and scooter parking.

The proposed Floor Plan does not show the extent of the first floor over the carparks and the location of the support columns are not indicated.

Drawing 07 shows the extent of demolition being all but the stone façade, in contrast to the diagrams on 02, which show the North Wall retained and altered. The demolition plan would suggest that all flooring is to be removed, because the new floor is proposed at a lower level.

Drawing 10 indicates two apartment style dwellings at Ground floor, each with a recessed courtyard area contained within the former building envelope.

The proposed Ground Plan also shows the north wall constructed to match the pattern of the removed north wall. It is also assumed that the timber flooring of the Hall will be removed. The proposed floor level will be lower than the former level. The floor plan show the second Ground

## City of West Torrens Heritage Advisor Comment

floor apartment being partially incorporated into the former front hall portion and the rear portion being new build construction with the north wall in line with the reconstructed portion.

Notably the south wall is proposed closer to the boundary, with a negative junction proposed at the rear of the stone wall. Stairs to the three upper level apartments will be located on the south side. The upper walls to Apartment 3 at upper level are drawn in line with the façade to be retained, with only the balconies projecting. Apartment 4 and 5 north wall is drawn further to the north. The balconies coincide with the courtyard incisions below.

Sheet 40 compares the existing north elevation with the proposed and indicates a reasonably accurate reconstruction of the existing piers and articulation of the north wall, with modern notching and also the introduction of a window to the first bay. The roofline indicates there will be no Dutch Gable, the materials are different and the ridge height greater. The eaves height will be similar to existing. Horizontal format windows occur above the rebuilt north wall.

The south wall indicates a similar reflection of the existing pattern of brickwork above the projecting Ground Floor, with horizontal format windows above the brickwork and the roof cladding wrapping down the façade, particularly over the eastern section, separated by the stair and plant area.

The materials proposed suggest reuse of the stone plinth and also the bricks.

The roof and wall material is proposed as metal decking with a panel profile. Drawing 42 indicates the retention of the stone façade and returns on the west elevation, and also the increased height (approximately 800mm higher). The Section Comparison drawings indicate the existing volume, with the floor not lowered and not the ceiling height not altered. Proposed ceiling heights of 2700mm per floor appear to be dictating this requirement.

There are no references to the proposed form of titling to the buildings; it is assumed some form of land division is proposed.

The proposed development will involve the demolition of a Local Heritage Place and new replacement development adjacent the remaining portion.

I have considered:

- Letter from Future Urban Group dated 7 December 2015;
- Dash Architects heritage impact assessment letter dated 3 December 2015;
- Structural Report by Jim Pantzikas and Associates dated 26 November 2015.

The proposal will affect the setting and external appearance of the Local Heritage Place and therefore I have considered the following Development Plan provisions, adopting the DP *Dated 5 November 2015*

### Heritage Places

#### OBJECTIVES

- 1 The conservation of local heritage places.
- 2 The continued use, or adaptive reuse of local heritage places that supports the conservation of their cultural significance.
- 3 Conservation of the setting of local heritage places.

#### PRINCIPLES OF DEVELOPMENT CONTROL

- 1 A Local Heritage Places should not be demolished, destroyed or removed, in total or in part, unless any of the following apply:
  - (a) that portion of the place to be demolished, destroyed or removed is excluded from the extent of the places identified in the Table(s)
  - (c) in the case of a local heritage place, the structural condition of the place is seriously



## City of West Torrens Heritage Advisor Comment

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- unsound and cannot reasonably be rehabilitated.
- 2 Development of a local heritage place should retain those elements contributing to its heritage value, which may include (but not be limited to):
    - (a) principal elevations
    - (b) important vistas and views to and from the place
    - (c) setting and setbacks
    - (d) building materials
    - (e) outbuildings and walls
    - (f) trees and other landscaping elements
    - (g) access conditions (driveway form/width/material)
    - (h) architectural treatments
    - (i) the use of the place.
  - 3 Development of a local heritage place should be compatible with the heritage value of the place.
  - 4 Original unpainted plaster, brickwork, stonework, or other masonry of existing local heritage places should be preserved, unpainted.
  - 5 New buildings should not be placed or erected between the front street boundary and the façade of existing local heritage places.
  - 6 Development that materially affects the context within which the heritage place is situated should be compatible with the heritage place. It is not necessary to replicate historic detailing, however design elements that should be compatible include, but are not limited to:
    - (a) scale and bulk
    - (b) width of frontage
    - (c) boundary setback patterns
    - (d) proportion and composition of design elements such as roof lines, openings, fencing and landscaping
    - (e) colour and texture of external materials.
  - 7 Multi-storey additions to a State or local heritage place should be compatible with the heritage value of the place through a range of design solutions such as:
    - (a) extending into the existing roof space or to the rear of the building
    - (b) retaining the elements that contribute to the building's heritage value
    - (c) distinguishing between the existing and new portion of the building
    - (d) stepping in parts of the building that are taller than the front facade.
  - 9 The division of land adjacent to or containing a local heritage place should occur only where it will:
    - (a) create an allotment pattern that maintains or reinforces the integrity of the heritage place and the character of the surrounding area
    - (b) create an allotment or allotments of a size and dimension that can accommodate new development that will reinforce and complement the heritage place and the zone or policy area generally
    - (c) be of a size and dimension that will enable the siting and setback of new buildings from allotment boundaries so that they do not overshadow, dominate, encroach on or otherwise impact on the setting of the heritage place
    - (d) provide an area for landscaping of a size and dimension that complements the landscape setting of the heritage place and the landscape character of the locality
    - (e) enable the State or local heritage place to have a curtilage of a size sufficient to protect its setting.

### Design and Appearance

#### Development Adjacent Heritage Places

- 7 The design of multi-storey buildings should not detract from the form and materials of adjacent local heritage places listed in Table WeTo/4 – Local Heritage Places.
- 8 Development on land adjacent to a local heritage place, should be sited and designed to reinforce the historic character of the place and maintain its visual prominence

## City of West Torrens Heritage Advisor Comment

### Medium Density Policy Area 19

#### OBJECTIVES

- 1 Development that contributes to the desired character of the policy area.

#### DESIRED CHARACTER

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.

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.

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.

#### PRINCIPLES OF DEVELOPMENT CONTROL

##### Form and Character

- 2 Development should not be undertaken unless it is consistent with the desired character for the policy area.
- 3 Dwellings should be designed within the following parameters:

Parameter	Value
Minimum setback from primary road frontage	3 metres
Minimum setback from secondary road frontage	2 metres
Minimum setback from back boundary	6 metres
Maximum site coverage (the area of a site covered by the ground floor level of a building, including the dwelling, garage, carport and outbuilding, but excluding unroofed balconies, verandas and pergolas)	60 per cent
Maximum building height (from natural ground level)	Allotments fronting Brooker Terrace, Marion Road and Henley Beach Road, and overlooking the Westside Bikeway: three storeys or 12.5 metres All other locations: two storeys or 8.5 metres

- 4 Except when located within 400 metres of a centre zone, a dwelling should have a minimum site area (and in the case of residential flat buildings, an average site area per dwelling) and a frontage to a public road not less than that shown in the following table:

### City of West Torrens Heritage Advisor Comment

Dwelling type	Site area (square metres)	Minimum frontage (metres)
Detached	270 minimum	9
Semi-detached	270 minimum	9
Group dwelling	270 minimum	9
Residential flat building	270 average	15 (for complete building)
Row dwelling	270 minimum	9

- 5 When a dwelling is located within 400 metres of a centre zone, it should have a minimum site area (and in the case of residential flat buildings, an average site area per dwelling) 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	250 minimum	9
Semi-detached	200 minimum	9
Group dwelling	170 minimum	9
Residential flat building	150 average	15 (for complete building)
Row dwelling	150 minimum	5

#### Land Division

- 7 Land division should create allotments with an area of greater than 270 square metres and a minimum frontage width of 9 metres, other than where the land division is combined with an application for dwellings or follows an approval for dwellings on the site.

#### Residential Zone

##### OBJECTIVES

- Dwellings of various types at very low, low and medium densities.
- Increased dwelling densities in close proximity to centres, public transport routes and public open spaces.
- Development that contributes to the desired character of the zone.

##### DESIRED CHARACTER

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.

Residential development in the form of a multiple dwelling, residential flat building or group dwelling will not be undertaken in a **Historic Conservation Area**.

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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.

### PRINCIPLES OF DEVELOPMENT CONTROL

#### Form and Character

- 5 Development should not be undertaken unless it is consistent with the desired character for the zone and policy area.
- 6 Except where otherwise specified by a policy area, dwellings and buildings containing dwellings should be designed within the following parameters:

Parameter	Value
Maximum number of storeys	two storeys (above natural ground level)
Maximum vertical side wall height	6 metres (measured from the natural ground level)

- 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.
- 11 Except where otherwise specified by a policy area, and for party walls, dwellings and buildings containing dwellings should be set back from the side and rear boundaries in accordance with the following table:

Parameter	Minimum value (metres)
Side boundary setback where the vertical side wall is 3 metres or less in height (measured from the existing ground level at the boundary of the adjacent property as per <i>Figure 1</i> )	1
Side boundary setback where vertical side wall measures between 3 to 6 metres in height (measured from the existing ground level at the boundary of the adjacent property as per <i>Figure 1</i> )	2
Side boundary setback where the vertical side wall is greater than 6 metres in height (measured from the existing ground level at the boundary of the adjacent property as per <i>Figure 1</i> )	2 metres plus an additional setback which is equal to the increase in wall height above 6 metres.
Rear boundary setback for single storey components of a building	3
Rear boundary setback for two or more storey components of a building	8

#### Assessment:

The description of the development as "alterations and additions to and conversion of hall" does not fully describe or validate the extent of demolition, which is the total removal of the former hall portion, with only the stone façade and porch retained.

The use will be changed from hall to residential flat buildings, which will essentially be a new building, constructed with some regard to the height, pattern and materials of the walls and roof form being removed.

## City of West Torrens Heritage Advisor Comment

The limitations of the spatial qualities of the hall to take the proposed development and the inability of the hall walls to support additional loads are provided as the main reasons for demolition. The imposition of the new development and the satisfaction of its spatial requirements and structural performance are the reasons for demolition. This reasoning is questionable and not sufficient to support the extent of demolition.

In terms of Heritage Places Objective 1, which seeks conservation of Local Heritage Places, only the stone façade and porch structure will be retained. The Future Urban report wrongly describes the 1996 Heritage Survey Description (page 3), and later discusses the "ambiguity surrounding the extent of listing" (page 11).

The report also states the "survey sheet implies that the overall form is of value" (page 11). However, Table WeTo/4 references the Heritage Survey, which includes references to the importance of the hall in the Section 23(4) Criteria, the description and also the recommendations (refer to above Heritage section). Therefore Objective 1 is not satisfied.

The proposal is not a continuation of the original use; nor is it considered a form of adaptive reuse. It is a modern addition to remnant stone frontage. The detailing and materials from the original construction adopted, failing to fully satisfy the intent of Objective 2. The question is whether the retention of the stone façade is sufficient to support the conservation of cultural significance. Even with the interpretation of the north and part south walls, the level of intervention is considered too severe and the loss of heritage value too great.

The conservation of setting (Objective 3) is somewhat recovered through the retention of the stone façade, its visual prominence and the location and matching detail and materials of the north and south wall.

PDC 1(a) contemplates the demolition of a portion of a Local Heritage Place, excluded from the extent of the place. Table WeTo/4 description of "Druids Hall; External form, details and materials of stone frontage to Jervois Street", contains no exclusions. While the listing may be open to interpretation and ambiguity as suggested by the planning and heritage reports submitted, the Section 23(4) Criteria, adopted in Table WeTo/4 clearly include the hall itself as being of importance.

PDC 1(c) invites a structural opinion on the soundness of the structure; the opinion provided by Jim Pantzikas Engineer does not comment upon the structural soundness of the place; rather it observes that "any additional superstructure loads placed upon existing floors and walls, combined with inevitable moisture content changes in the foundation soils, will cause the existing bluestone footings to move excessively and thus result in unacceptable damage". This is not the intended interpretation of this provision. The expectation is that new work, in particular an upper level would be supported separately and not cause damage to the Local Heritage Place.

The report is silent on the structural condition of the existing building, for which condition and potential for rehabilitation is the intended purpose.

Instead the reasons provided for the demolition unconvincingly submit that the floor to ceiling height within the existing hall is insufficient to accommodate two levels. The spatial requirements indicate that 2700 ceiling heights are required, requiring both a dropping of floor level (ie removal of floor) and the raising of the roof (ie removal of the ceiling, roof framing and sheeting). The sectional study of the existing hall demonstrates that adaptation of the hall, with some loss of fabric, is achievable.

Rather than identifying compatible new uses and working within the existing qualities and constraints, the proposal imposes unrealistic spatial and structural requirements on a Local Heritage Place that cannot be met. This is not a justification for demolition and the wording in Table WeTo/4 is somewhat exploited.



## City of West Torrens Heritage Advisor Comment

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The detail provided in the rebuilding of the north wall with salvage brick and stone using similar spacing of expressed piers and central windows is of a high standard and provides some satisfaction to PDC2 by retaining in the principal elevation and important vistas from Jervois Street and rebuilding a portion of the north wall in salvage materials (PDC 2(d) and 2(g)). The north wall will be located in the same position as the demolished wall, retaining the access conditions and rebuilding, but not retaining the side view of the former hall.

The use of the place as a hall (PDC 2(i)) will not be retained, although the external expression of the former hall is somewhat of a modern interpretation, designed to a high standard.

The significant loss of original fabric that will occur through demolition will significantly diminish the heritage value of the place (PDC 3). The replacement design, by retaining the façade and Porch of three metres depth, incorporating salvage materials in the north wall, rebuilding the north wall and upper level of the south wall using salvage materials provides a well designed concession, without being an adequate concession for the loss of fabric.

The preservation of the unpainted stone façade and the reuse of salvage brickwork from demolition provides some satisfaction to PDC 4 and PDC 5 is easily satisfied by not placing buildings between the front street boundary and the façade of existing local heritage places.

PDC 6 is also of relevance because the proposal materially affects the context within which the heritage place is situated. The design demonstrates compatibility with the heritage place, without replicating historic detailing through providing a new building that is of a similar width and wall height. The proposal also retains an important front set back and set back from the north boundary. Proportions and composition have been carefully considered. Proposed wall material and patterning incorporates salvage material. The roof cladding is probably not as normally anticipated (should be corrugated). However PDC 6 has been generally satisfied.

PDC 7 in considering multi-level additions to a local heritage place seeks compatibility through extending into the existing roof space or to the rear of the building and retaining the elements that contribute to the building's heritage value. The possibilities offered by this provision have not been demonstrated in this proposal.

In terms of PDC 9 the essentially new two level residential flat building of presumably community titles has removed a significant portion of the heritage place, reducing its integrity and created multiple allotments accommodating new development, that do little to reinforce and complement the heritage place, other than providing a new building, located behind the important remaining façade. The proposed development, while located within a new building sits behind the remaining portion, respects the width of that façade and delivers an impression of a former setting and in that sense provides a curtilage to the new building, that is based upon the former hall.

Considering the provisions for Design and Appearance of Development Adjacent Heritage Places the proposed new development, by adopting complementary width, height and form will not detract from the remaining portion of the Local Heritage Place as sought by PDC7. The proposal, located on land behind the remaining portion of the local heritage place has been sited and designed to reinforce the remaining portion of historic character of the place and by locating the new construction to the rear has maintained the visual prominence of the remaining portion as guided by PDC 8.

The main question with respect to Heritage Places provision is whether the remaining portion of the Local Heritage Place is sufficient to retain its heritage values.

While the external form, details and materials of the stone frontage and porch to Jervois Street will be retained and the proposed new construction incorporates materials and patterns of the north and south walls, is contained within the plan width of the existing hall, the completed development

## City of West Torrens Heritage Advisor Comment

will no longer fully display historical and social themes important to Thebarton in the provision of community facilities for groups and organisations such as the Druids Lodge.

The emphasis of the description in the Development Plan is placed on the stone facade. There appears to have been a reduction in emphasis on the external form of the hall from the heritage survey to the Development Plan, through the abbreviation of the description. The Section 23(4) Criteria referred to in Table WeTo/4 and further interrogation supports greater emphasis being placed upon the value of the former hall.

The design proposed has not totally ignored the demolished portion, by proposing to rebuild the red brick north wall in salvage materials, respecting the plan width and height of the hall walls and adopting a similar, slightly taller roof form.

The remaining stone frontage and porch will continue to be an important but significantly reduced reminder that the Hall played an important part in the lives of local residents as the home of the new Thebarton Lodge since 1910 and that it served as a war memorial for soldiers of the First World War.

The stone portion retains a wall and a small three-metre depth porch between the main porch wall and the main hall facade. The most prominent portion of the hall will be retained but the remainder of the function and memorial will be removed.

The remaining stone frontage will continue to display aesthetic merit and design characteristics of significance to the local area as a simple but elegant exposition in the Edwardian free Classical style which was appropriate for secular buildings at this time.

The retained stone portion is of sufficient depth to display the most important characteristics and arguably the ambiguous description of extent of the Development Plan listing. The intact porch and wall display a high level of integrity and the visible rebuilt sidewall will incorporate and interpret features of the original walling to be rebuilt.

In relation to Medium Density Policy Area 19 the proposal will accommodate a residential flat building, behind the historic facade and porch. The new building will be located to the rear of the local heritage listed former hall facade contributing to a highly varied streetscape with garaging located to the rear, satisfying Objective 1 and PDC 2. PDC is not affected because the building will be located to the rear of an existing facade and porch. The Site Area for five residential flats averages at 139.4m<sup>2</sup>, well below the minimum Site Area for Residential Flats within 400 metres of a centre zone (150m<sup>2</sup> PDC 5) and well below the minimum allotment size of 270m<sup>2</sup> for land division (PDC7).

In terms of the Residential Zone the proposed change of use will deliver increased residential densities (Objective 3) and generally achieve the Desired Character for the Policy Area (Objective 4 and PDC 5). Notably the proposal is not within a Historic Conservation Area.

The number of storeys proposed is as guided by PDC 6 and the wall height proposed matches the existing height of masonry with an upper section of high level glazing to accommodate the increased height. The proposed setbacks from side boundaries will be similar to the existing (PDC7), apart from a small section of Ground Floor to the south side, separated from the rear face of the main facade by an approximate one metre negative junction. The set back from the rear boundary to the rear wall of first floor will be 6500mm approx. This information should be shown on the drawings. PDC 11 is generally satisfied by this design.

### **Conclusion:**

The proposal is to:

## City of West Torrens Heritage Advisor Comment

- 
- demolish the entire former hall portion, with only the stone façade and porch retained;
  - change the use from hall to residential flat buildings;
  - construct a new residential flat building to the rear of the remaining stone façade and porch.

While the design of the new building is conceptually innovative, clever and designed to a high standard the reasons provided for the demolition are unconvincing. The structural opinion provided places emphasis on the performance of the existing structure after the addition of the new loads; the Development Plan places its emphasis on the existing condition and the potential for rehabilitation.

It is considered that a better approach would be one that retains and adapts the main hall in addition to the stone façade. The hall is included in the Section 23(4) Criteria, adopted in Table WeTo/4.

The description of listing in the development plan has been read as being limited to the stone façade and porch, contrary to the advice of the Heritage Survey. The criteria adopted in Table WeTo/4 place, however, include emphasis on the hall portion.

While the design proposal cleverly interprets the plan form, wall configuration, heights and roof form of the former hall it does not entirely warrant support offered through PDC2 and PDC 3, due to the minimum depth of the front portion retained and the loss of Heritage Value. Heritage Places provisions (PDC4, PDC5 and PDC6) are generally satisfied, while PDC 7 is not. The provisions for Design and Appearance of Development Adjacent Heritage Places PDC7 and PDC8 are reasonably satisfied, provided the loss of heritage fabric is accepted.

Therefore, in terms of the main question posed with respect to Heritage Places it is concluded the remaining portion of the Local Heritage Place is not sufficient to retain its intended heritage values.

In relation to Medium Density Policy Area 19 the proposal satisfies Objective 1 and PDC 2. The Site Area for five residential flats averages at 139.4m<sup>2</sup>.

This is below the minimum Site Area for Residential Flats within 400 metres of a centre zone (150m<sup>2</sup> PDC 5) is of concern and possibly a heritage question, because if the number of residential flat buildings were to be reduced to 4, the heritage impacts could be significantly reduced through the retention of the main former Hall. This would deliver a better heritage outcome.

In terms of the Residential Zone the proposed change of use will satisfy Objective 3 and generally achieve the Desired Character for the Policy Area (Objective 4 and PDC 5). Notably the proposal is not within a Historic Conservation Area.

Residential Zone PDC 6, PDC7 and PDC 11 are also generally satisfied by this design.

Despite being a well designed, new architectural proposal, heritage support cannot be given to the development proposed because the extent of demolition is considered excessive, setting a dangerous precedent for Local Heritage Places.

The explanation of the extent of demolition, based on spatial and height requirements is not a sufficient reason. The structural report does not report on the condition of the existing building, which appears reasonably sound. Rather it comments on the future capacity, which is not the intent of PDC 1.

Further:

- Clarification of the carpark layout is required once the location of proposed supporting columns to the ground floor are shown;

### **City of West Torrens Heritage Advisor Comment**

- 
- Change of the roof and wrap down wall cladding should be corrugated profile, being a more traditional profile located adjacent a Local Heritage Place;
  - Consideration of a reduced number of residential flats is encouraged to lessen the heritage impacts.

While the conceptual design proposed is considered to be innovative and clever, on balance the development application cannot be supported on the basis of the extent of demolition proposed and the resulting loss of heritage value, thereby failing to satisfy Objectives 1 and 2 and PDC 1 of Heritage Places.

An alternative proposal that retains more of the hall portion is encouraged.

**Douglas Alexander**

### 6.3 11 Byrnes Street, BROOKLYN PARK

Application No. 211/1099/2015 & 211/1085/2015

#### DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Land division - torrens title DAC No - 211/D138/15 Create one (1) additional allotment	Demolition of existing dwelling and the construction of two (2) single storey dwellings each with garage under main roof
APPLICANT	Pennino & Associates	Elias Khoury
APPLICATION NO	211/1099/2015	211/1085/2015
LODGEMENT DATE	22 September 2015	17 September 2015
ZONE	Residential Zone	Residential Zone
POLICY AREA	Residential Policy Area 20	Residential Policy Area 20
APPLICATION TYPE	Merit	Merit
PUBLIC NOTIFICATION	Category 1	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> <li>Nil (City Assets referral conducted for land use application)</li> </ul> External <ul style="list-style-type: none"> <li>Development Assessment Commission (DAC)</li> <li>SA Water</li> </ul>	Internal <ul style="list-style-type: none"> <li>Civil Engineer (City Assets) - traffic, parking, stormwater &amp; drainage.</li> <li>Amenity Officer (City Works) - Street Tree Assessment.</li> </ul> External Nil
DEVELOPMENT PLAN VERSION	25 June 2015	25 June 2015
MEETING DATE	8 March 2016	8 March 2016
RECOMMENDATION	<b>CONSENT</b>	<b>CONSENT</b>

#### 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 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 land is described as Allotment 96 Filed Plan 144424 in the area named Brooklyn Park Hundred of Adelaide, but is more commonly known as 11 Byrnes Street, Brooklyn Park. It is a rectangular shaped allotment with a frontage width to Byrnes Street of 17.37 metres and a depth of 45.72 metres. The total site area is approximately 794.16 square metres. The site currently contains a 1960's conventional hipped roof dwelling with a dwelling addition and other associated structures such as a verandah, carport and outbuilding.

The subject land is located on the western side of Byrnes Street and is just south of the Fewings Avenue and Byrnes Street intersection and is also approximately 45 metres north of Sir Donald Bradman Drive. The site is located within 400m of a Centre Zone. Vehicle access to the subject land is currently provided via an existing crossover located to the northern boundary frontage.

The locality is comprised of residential development however the dwelling type is eclectic. To the east of the subject land residential development is generally in the form of one or two-storey detached dwellings that have consistent setbacks from the front boundary and are situated on similar sized rectangular shaped allotments. All of these dwellings were built within the early 2000's.

Dwellings facing Byrnes Street do not have the same uniformity as those developed east of the subject land. The dwelling form is diverse and they are situated on allotments of various sizes and shapes. There are examples of 1920's and 1950's detached dwellings situated on large allotments with wide frontages, a 1960's residential flat building and two semi-detached dwellings occupying smaller square shaped allotments, and detached dwellings on small rectangle allotments with wide frontages that have been a result of the subdivision of corner blocks. Fewings Avenue is primarily made up 1950's maisonette dwellings on narrow but deep allotments. There are two examples of battle axe development within the locality one at 352 Sir Donald Bradman Drive and the other at 68 Lipsett Terrace. Several other residential flat buildings, namely established in the 1970's and 1980's are existent in the wider locality.

The site and locality are shown on the following maps.









## Location Map WeTo/8

WEST TORRENS COUNCIL  
Consolidated - 5 November 2015

## PROPOSAL

It is proposed to construct two, single-storey dwellings each with an associated garage built under the main roof. The development is in a battle-axe formation with one dwelling having a direct frontage to the public road with the other being situated behind and with an extended driveway to provide access to the site. In accordance with case law land division should come first and until this has been undertaken the proposed dwellings cannot yet technically be defined as detached dwellings, as this means *a detached building comprising 1 dwelling on a site that is held exclusively with that dwelling and has a frontage to a public road, or to a road proposed in a plan of land division that is the subject of a current development authorisation.*

Each proposed dwelling comprises an open plan living/dining/kitchen area, three wet areas, a separate laundry and three bedrooms.

All car parking facilities associated with the proposed dwellings are accessed by separate driveways and crossovers.

Landscaping has also been included which indicates that for Residence A landscaping will mainly be provided within the front setback area and a portion of the rear yard. For Residence B landscaping will be provided along the driveway and in a portion of the rear yard.

The proposed land division is for a Torrens Title Land Division creating one additional allotment. The boundaries of the land division application are consistent with the land use application (DA 211/1099/2015). The proposal has been lodged to formalise titling arrangements in accordance with the associated land use development application being concurrently considered in this report (DA211/1085/2015).

The proposed land use and land division development applications are included in **Attachment 1**.

## PUBLIC NOTIFICATION

The land division applications are a Category 1 form of development pursuant to Section 38 and Schedule 9 of the Development Act and Regulations and the Procedural Matters in the Residential Zone of the West Torrens Development Plan.

## REFERRALS

Internal

- **Civil Engineer (City Assets)**

The land use application (DA 211/1085/2015) was referred to Council's City Assets Engineer who raised concerns regarding verge interaction and driveway access associated with Residence B.

These concerns have been adequately addressed in the plans being considered by the DAP. Given that feedback was provided for the land use and the site boundaries are replicated within the land division drawings, no referral was made for the land division application.

- **Amenity Officer (City Works)**

The proposed development does not conflict with any street trees or regulated trees.

## External

The land division application (DA 211/1099/2015) was referred to SA Water by the Development Assessment Commission (DAC) who advised of no objection subject to specified standard conditions being included on any consent to be issued.

A copy of the relevant referral responses are included in **Attachment 2**.

## ASSESSMENT

The subject land is located within the Residential Zone and more specifically within Residential 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>		
<i>Crime Prevention</i>	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2 & 8
<i>Design and Appearance</i>	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 3, 4, 9, 12, 13, 14, 15, 21 & 22
<i>Energy Efficiency</i>	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, & 3
<i>Infrastructure</i>	<i>Objectives</i>	1, 2 & 3
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6 & 8
<i>Land Division</i>	<i>Objectives</i>	1, 2, 3 & 4
	<i>Principles of Development Control</i>	1, 2, 4, 5, 6, 7, 8, 12 & 16
<i>Landscaping, Fences and Walls</i>	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 3 & 4
<i>Orderly and Sustainable Development</i>	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 3 & 7
<i>Residential Development</i>	<i>Objectives</i>	1, 2, 3 & 4
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23 & 31
<i>Transportation and Access</i>	<i>Objectives</i>	2
	<i>Principles of Development Control</i>	1, 8, 10, 11, 23, 24, 25, 26, 34, 35 & 44

Zone: Residential Zone



*Desired Character Statement:*

*"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.*

*Residential development in the form of a multiple dwelling, residential flat building or group dwelling will not be undertaken in a **Historic Conservation Area**.*

*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>Objectives</i>	1, 2, 3, & 4
<i>Principles of Development Control</i>	1, 2, 4, 5, 6, 7, 8, 10, 11, 12 & 13

*Policy Area: Residential Policy Area 20*

*Desired Character Statement:*

*"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. Buildings will be up to 2 storeys in height. Garages and carports will be located behind the front façade of buildings.*

*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>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	
		Allotment 800 (A)	Allotment 801 (B)
<b>SITE AREA</b> <i>Low Density Policy Area 20</i> <i>PDC 4 (within 400m of centre)</i>  <i>PDC 5</i>	Detached Dwelling 300m <sup>2</sup> (min.) Semi-detached Dwelling 300m <sup>2</sup> (min.) Group Dwelling 300m <sup>2</sup> (min.)  340m <sup>2</sup> (min.)	344m <sup>2</sup> (min.)  <b>Satisfies</b>	345m <sup>2</sup> (min.) (excluding driveway handle)  <b>Satisfies</b>
<b>SITE FRONTAGE</b> <i>Low Density Policy Area 20</i> <i>PDC 4 (within 400m of centre)</i>  <i>PDC 5</i>	Detached Dwelling 9m Semi-detached Dwelling 9m Group Dwelling 9m  10m(min.)	13.37m  <b>Satisfies</b>	4m (driveway width)  <b>Does Not Satisfy</b>
<b>PRIMARY STREET SETBACK</b> <i>Residential Zone</i> <i>PDC 8</i>	avg. of adjoining buildings approx. 6m	5.5m  <b>Does Not Satisfy</b>	25.86m  <b>Satisfies</b>
<b>SIDE</b> <i>Residential Zone</i> <i>PDC 11</i>	0/1m (min.)	<u>North</u> 1m and garage on boundary  <u>South</u> 1.4m  <b>Satisfies</b>	<u>North</u> 2m  <u>South</u> 1.0m  <b>Satisfies</b>
<b>REAR SETBACKS</b> <i>Residential Zone</i> <i>PDC 11</i>	3m (min.)	3m  <b>Satisfies</b>	3m  <b>Satisfies</b>
<b>BUILDING HEIGHT</b> <i>Residential Zone</i> <i>PDC 6</i>	2 storeys or 6m	1 Storey  <b>Satisfies</b>	1 Storey  <b>Satisfies</b>
<b>INTERNAL FLOOR AREA</b> <i>Residential Development</i> <i>PDC 9</i>	3+ Bedroom, 100m <sup>2</sup> (min.)	133m <sup>2</sup>  <b>Satisfies</b>	142m <sup>2</sup>  <b>Satisfies</b>

PRIVATE OPEN SPACE <i>Residential Development</i> PDC 19	-60m <sup>2</sup> (min.), of which 10m <sup>2</sup> may comprise balconies, roof patios and the like, provided they have a minimum dimension of 2m. -Minimum dimension 4m. - 16m <sup>2</sup> (min.) at the rear of side of dwelling, directly accessible from a habitable room.	55m <sup>2</sup> (total) 3m (min. dimension) 55m <sup>2</sup> (accessed from habitable room) <b>Does Not Satisfy</b>	76m <sup>2</sup> (total) 3m (min. dimension) 76m <sup>2</sup> (accessed from habitable room) <b>Does Not Satisfy</b>
CARPARKING SPACES <i>Transportation and Access</i> PDC 34	2 car-parking spaces required, 1 of which is covered	4 spaces provided (2covered) <b>Satisfies</b>	2 spaces provided (1 covered) <b>Satisfies</b>

## 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 Frontage

Regardless of whether the application for land division is combined with the application for the land use the minimum frontage width for Lot 801 or Dwelling 2 will not be met as it is essentially the width of the driveway. The frontage is required to be either 9 metres, in accordance with Residential Policy Area 20 Principle of Development Control (PDC) 4, or 10 metres in accordance Residential Policy Area 20 PDC 5. The appropriateness of the battleaxe allotment is discussed under the following subheading.

### Existing Allotment Pattern and Character

From a review of the allotment pattern within the locality and also the broader locality, it is evident that it is not consistent but rather diverse and offers several different housing options.

The Desired Character of Residential 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*". The proposed development will result in a battleaxe development, however the allotment pattern in the locality is not 'intact' and comprised of only dwellings with a direct street frontage, therefore it cannot be said that allotments with a direct street frontage is a pattern of the locality. There are eleven (11) examples of dwellings within the immediate locality with no direct frontage to the public street. Furthermore, in this instance a battleaxe allotment may be more suitable so to maintain the characteristic of allotments with wider street frontages to Byrnes Avenue.

Desired Character also includes the following statement, *"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"*. The policy encourages a denser allotment pattern in areas that are close to centre zones. Apart from allotments 46, 48 and 50 Tolley Crescent all properties within the locality (including the subject land) are situated within 400 metres of a centre zone. The subject land is also located within walking distance to a public transport stop on Sir Donald Bradman Drive and College Grove Park. Increased housing types and densities in close proximity to centres, public transport routes and public open spaces are further encouraged through Residential Zone Objective 3 and General Residential PDC 3.

### **Front Setback**

Proposed Dwelling 1 will result in a setback of approximately 5.5 metres from the front property boundary, a shortfall of 0.5 metres from that sought by the Development Plan.

Impacts on the existing streetscape character are considered suitably minimised by the fact that proposed Dwelling 1 will have a staggered façade which will conform to the street setbacks on the buildings either side of the subject land. Only a small portion of the dwelling is setback at this distance, with this portion being situated closest to 13 Byrnes Street which has a street setback of approximately 2 metres. The larger portion of the dwelling façade maintains a front setback of 6.2 metres. This portion is situated closest to 7-9 Byrnes Street with the dwelling which has a larger front setback of approximately 10 metres.

### **Private Open Space**

The private open space associated with each proposed dwelling does not entirely satisfy Residential Development PDC 19.

Proposed Dwelling 1 provides a total area of 55 square metres which is deficient by 5 square metres. In addition, the minimum dimension of the private open space area located behind Bedroom 2 is 3 metres instead of 4 metres as specified within Residential Development PDC 19. These deficiencies are considered to be relatively minor and will not have a detrimental impact on the amenity of future occupants. Although the minimum dimension is 3 metres, given that the private open space is located in one open area, the space is still considered to be useable. Overall the deficiency of 5 square metres is not considered to be a large departure from the Development Plan policy, especially given that there are additional areas of open space nearby (College Grove Park) and the space provided is exclusive of the space used for service facilities such as the bin storage, rainwater tank, and clothes line.

Proposed Dwelling 2 does not satisfy Residential Development PDC 19 only with regard to the minimum dimension. Similar to Dwelling 1 the portions of private open space behind Bedrooms 1 & 2 have a minimum dimension of 3 metres. Again this is not considered to be a detrimental factor to the useability of the site as the private open space is still of a size and shape that is functional, is all connected in one open area, open to the sky, accessible from a main living area and is also exclusive of the space used for service facilities such as the bin storage, rainwater tank, and clothes line.

## SUMMARY

The proposed development does present some inconsistencies with the Development Plan policy, some of which are marginal, the foremost being the inconsistency with the statement of the Desired Character which discourages battleaxe allotments. The Desired Character discourages battleaxe allotments so to preserve the pattern of allotments with frontages to the public street but in this instance the locality lends itself to a mixture of dwelling types, and as a result does not currently present a pattern of allotments with only direct street frontages. Overall the development is an orderly and functional development that satisfies other aspects of the Desired Character, namely increasing density in areas of close proximity to centre zones and is done so in a manner that maintains the characteristic of wide allotments as viewed from Byrnes Street.

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 1 - LAND DIVISION

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. 211/1298/2015 by Pennino & Associates to undertake Land division - Torrens Title DAC No- 211/D138/15 Create one (1) additional allotment at 11 Byrnes Street (CT 5453/100) subject to the following conditions:

### Council Conditions

#### **DEVELOPMENT PLAN CONSENT**

##### **COUNCIL CONDITIONS:**

1. Development is to take place in accordance with the plans prepared by Pennino & Associates, Reference C1006 Rev A, relating to Development Application No. 211/1099/2015 (DAC 211/D138/15).

#### **LAND DIVISION CONSENT**

##### **COUNCIL CONDITIONS:**

1. That prior to the issue of Section 51 Clearance to this division approved herein, all existing structures shall be removed from all of the 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.

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 \$6,488.00 into the Planning and Development Fund (1 allotment @ \$6,488.00/allotment). Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (8303 0724), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, 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.

## RECOMMENDATION 2 - DWELLINGS

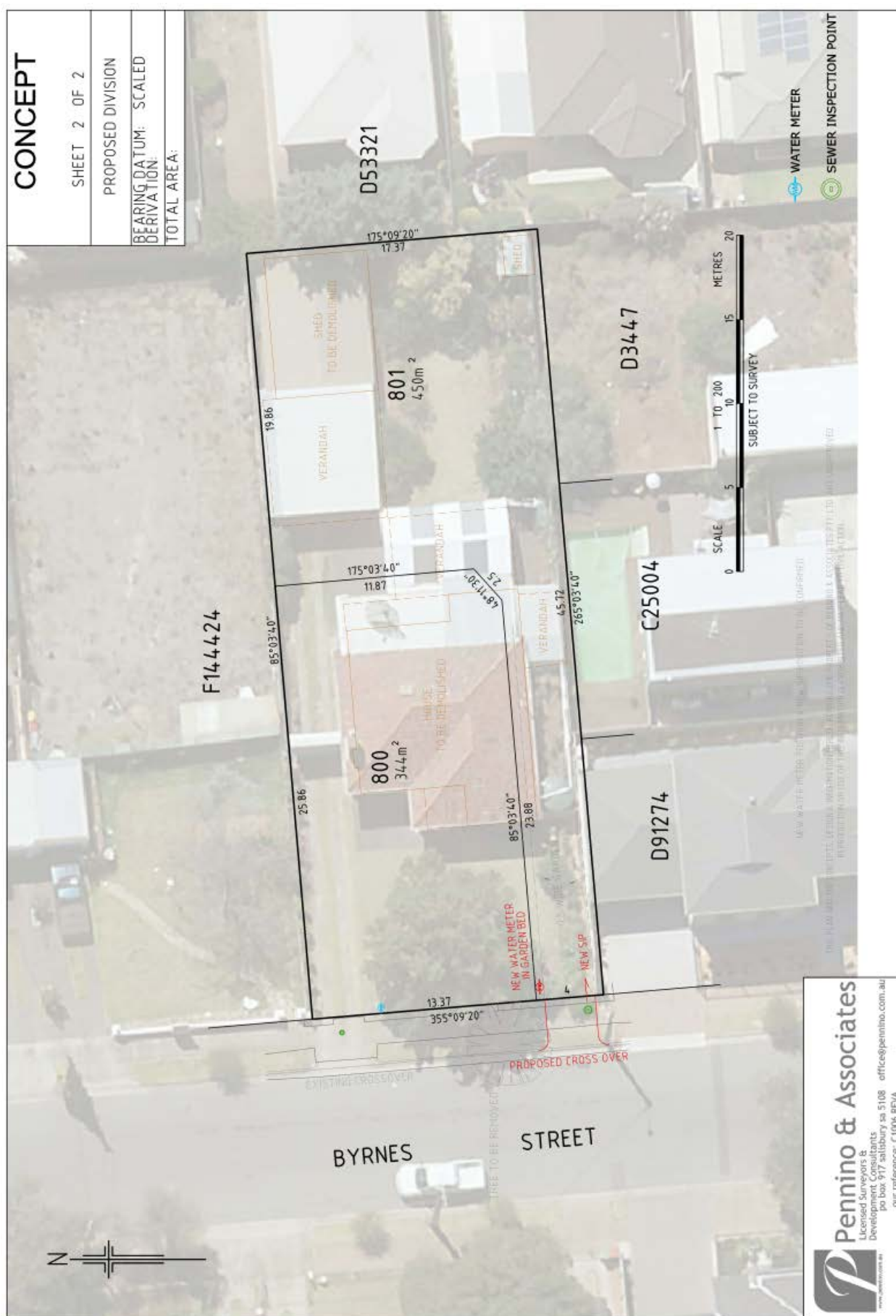
The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/1085/2015 by Elias Khoury to undertake demolition of existing dwelling and the construction of two (2) single storey dwellings each with garage under main roof at 11 Byrnes Street, Brooklyn Park (CT 5453/100) subject to the following conditions:

### Council Conditions

1. That the development shall be undertaken and completed in accordance with the plans and information stamped with Development Plan Consent on 8 March 2016 as 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 any retaining walls shall be designed to accepted engineering standards, and not of timber construction if retaining a difference in ground level exceeding 200mm.
4. That all driveways, parking and manoeuvring areas shall be formed, surfaced with concrete, bitumen or paving, and be properly drained, and shall be maintained in reasonable condition at all times.
5. That all planting and landscaping shall be completed prior to occupation of this development and be maintained in reasonable condition at all times. Any plants that become diseased or die shall be replaced with a suitable species.
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

PURPOSE:	DIVISION	AREA NAME:	BROOKLYN PARK	APPROVED:	<b>CONCEPT</b>  <b>TORRENS DIVISION</b>  SHEET 1 OF 2  V01
MAP REF:	6628.41K	COUNCIL:	CITY OF WEST TORRENS	DEPOSITED/FILED:	
LAST PLAN:		DEVELOPMENT NO:			
AGENT DETAILS: <b>PENNINO &amp; ASSOCIATES PTY LTD</b> ABN 96 357 347 475 PO BOX 917 SALISBURY SA 5108 P 08 8362 4444 E office@pennino.com.au					
AGENT CODE: PENN REFERENCE: C1006 REVA					
SUBJECT TITLE DETAILS:					
PREFIX	VOLUME	FOLIO	OTHER	PARCEL	REFERENCE NUMBER
CT	5453	148		ALLOTMENT(S)	
				NUMBER	
				PLAN	
				F	
				NUMBER HUNDRED / 1A / DIVISION	TOWN
				144424	ADELAIDE
OTHER TITLES AFFECTED:					
EASEMENT DETAILS:					
STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE
					IN FAVOUR OF
					CREATION
ANNOTATIONS:					
SUBJECT TO SURVEY					

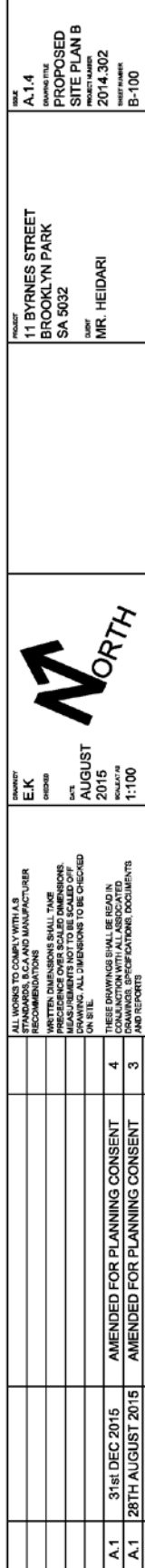




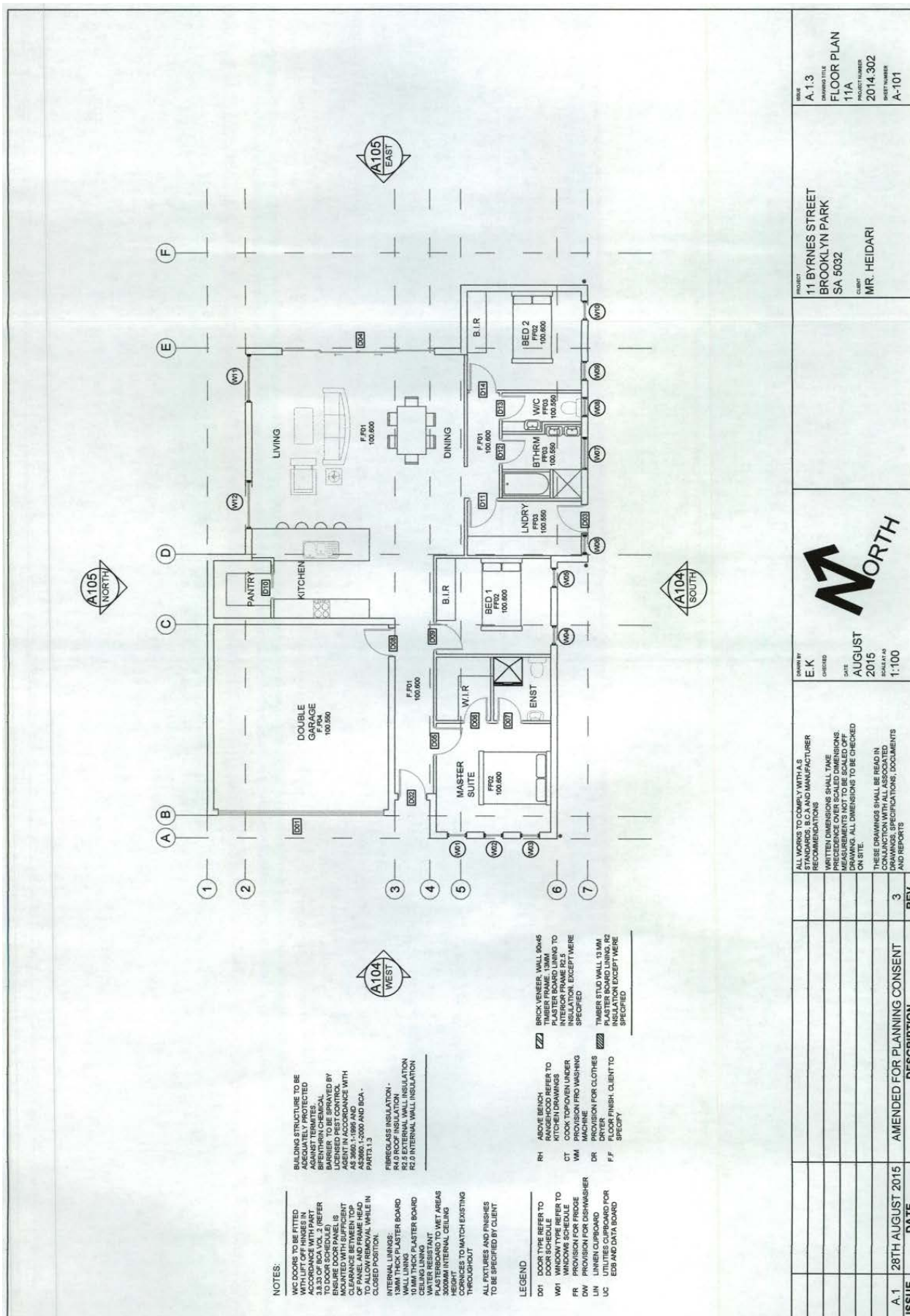








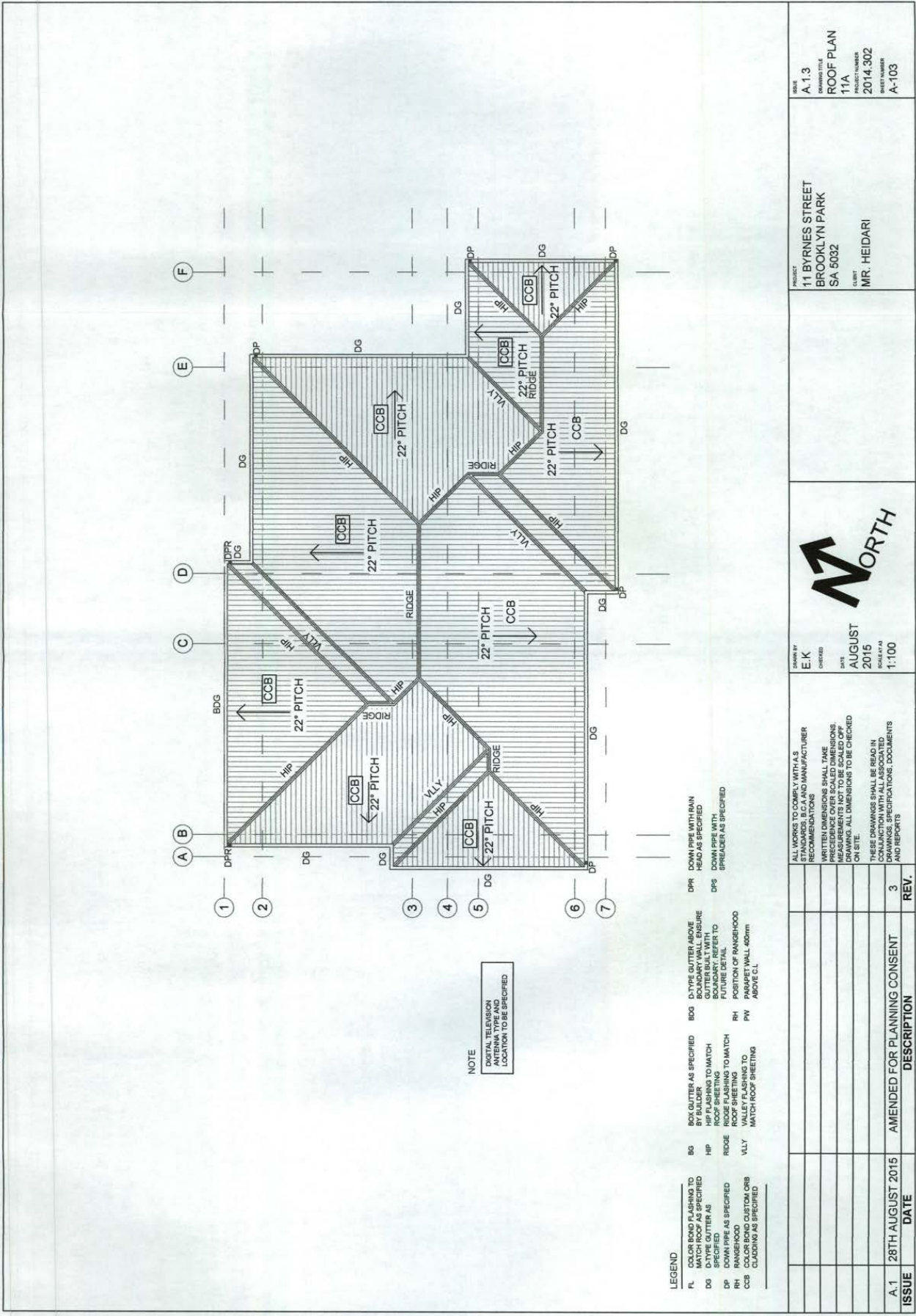


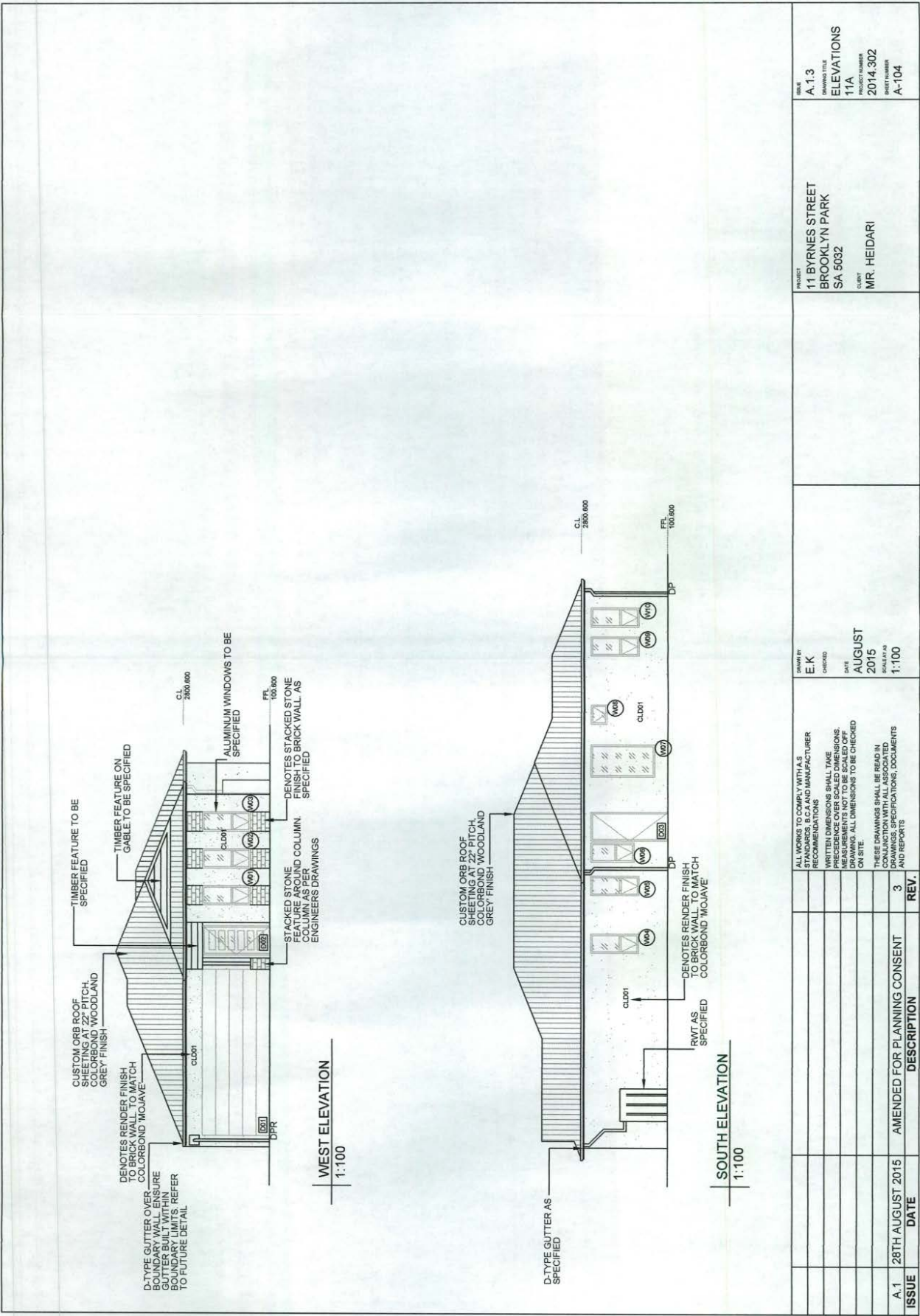




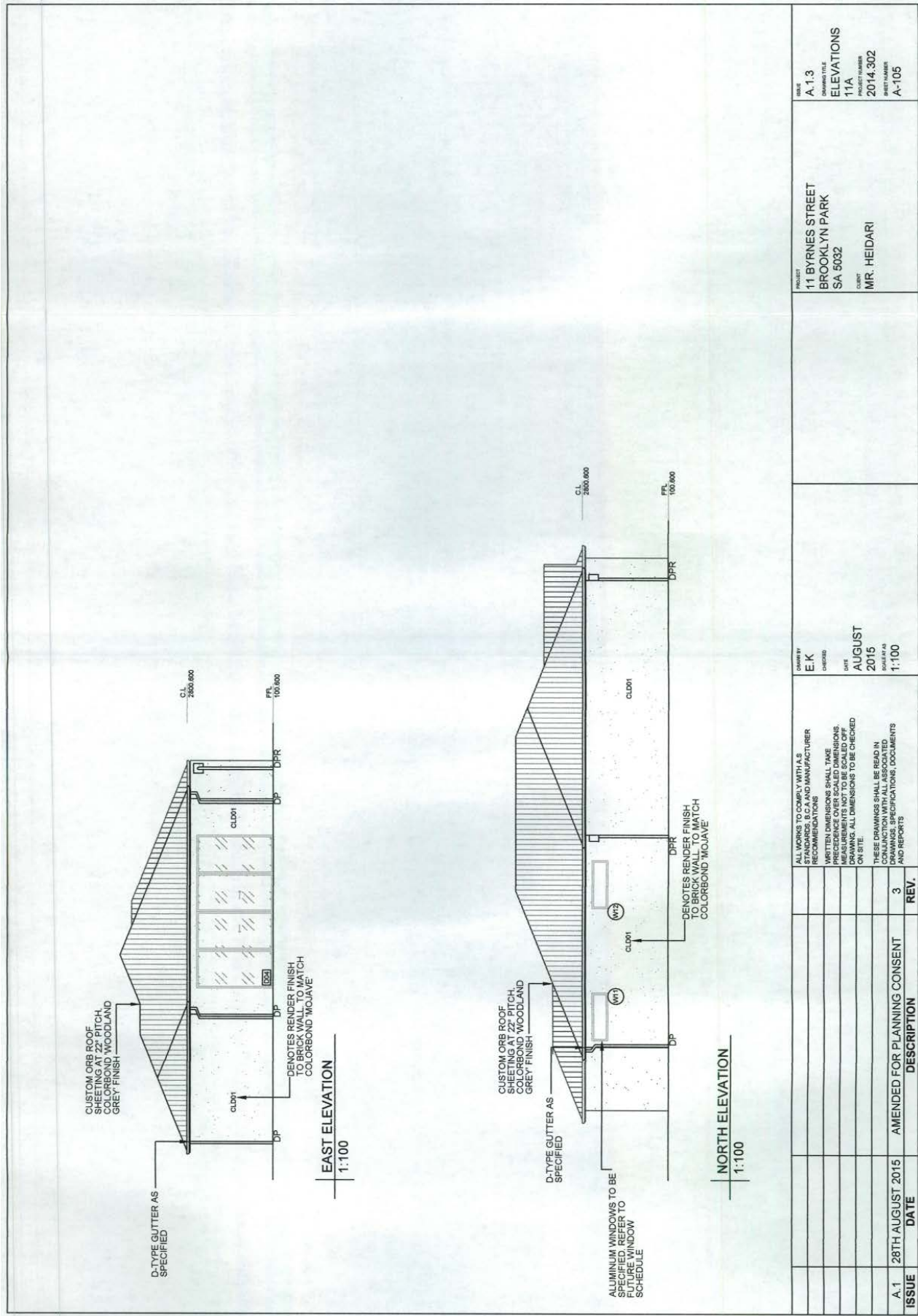


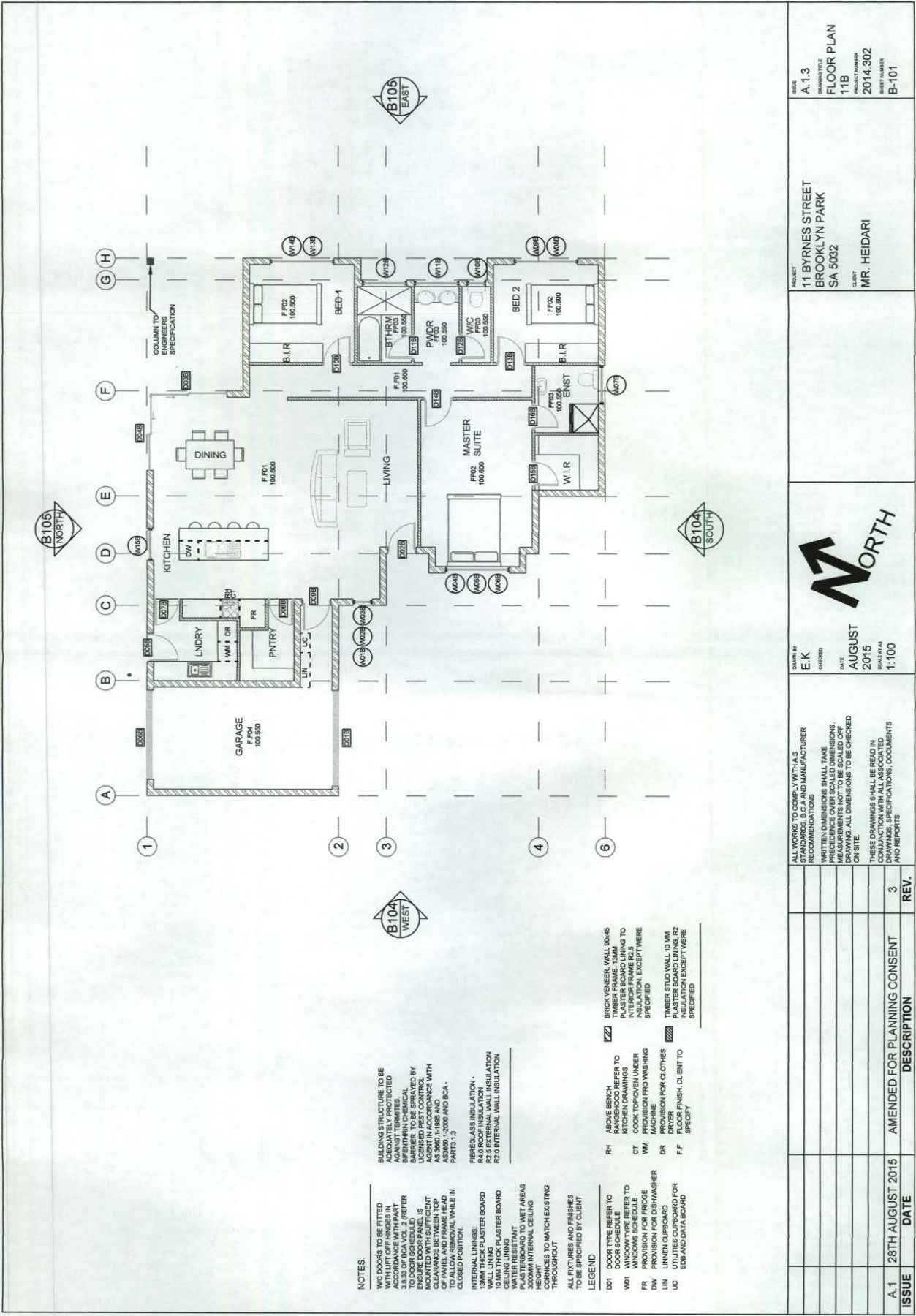




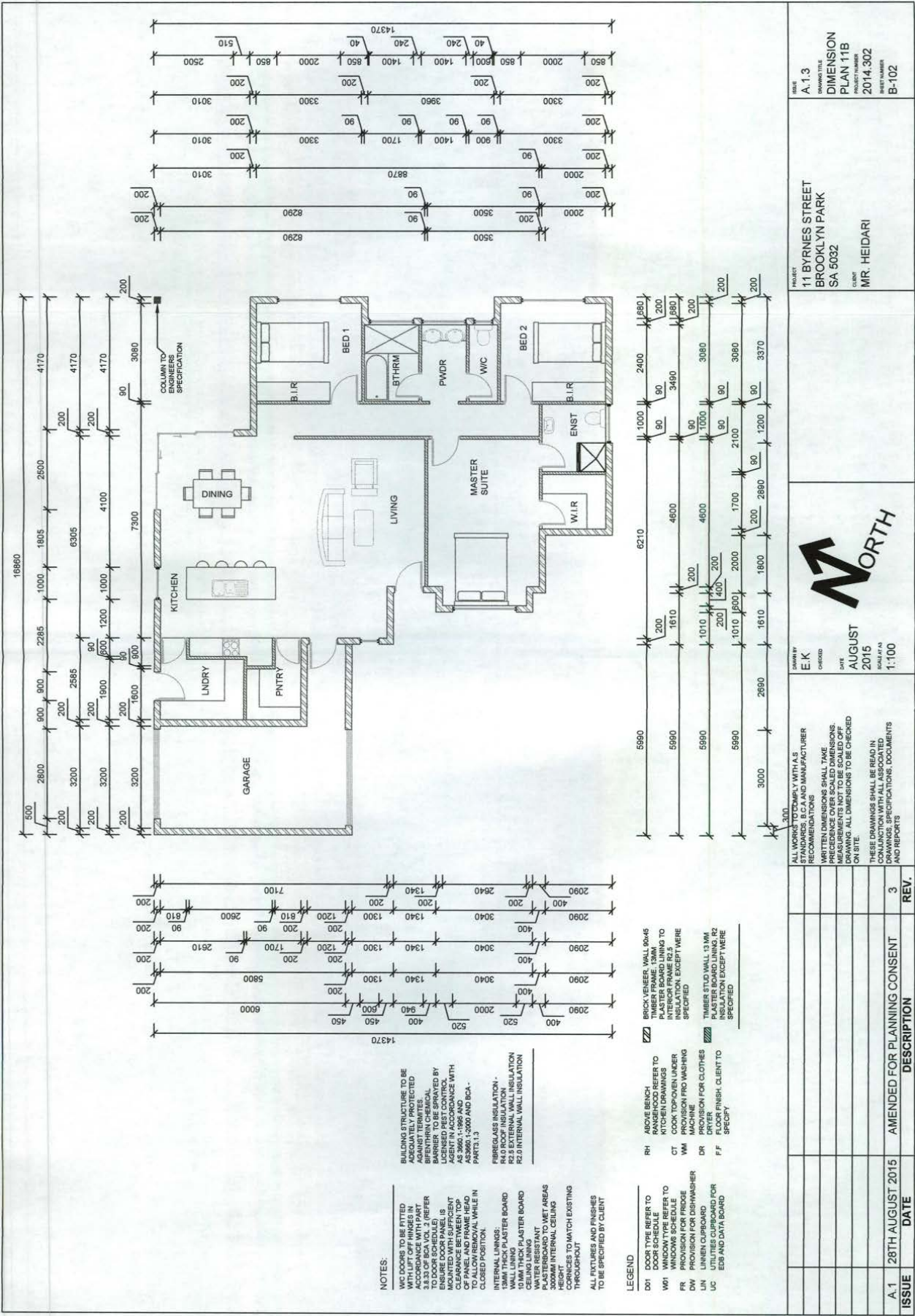




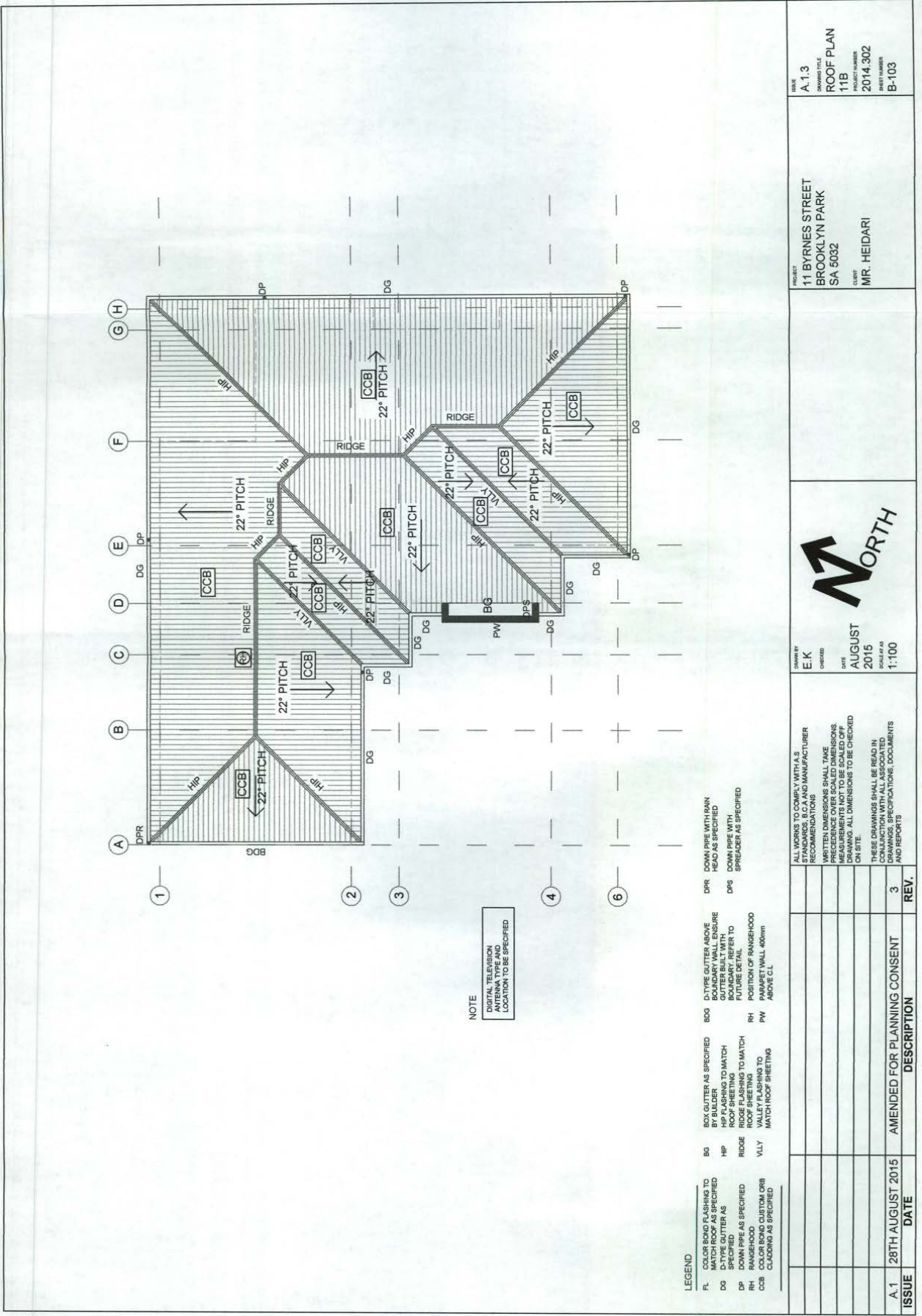


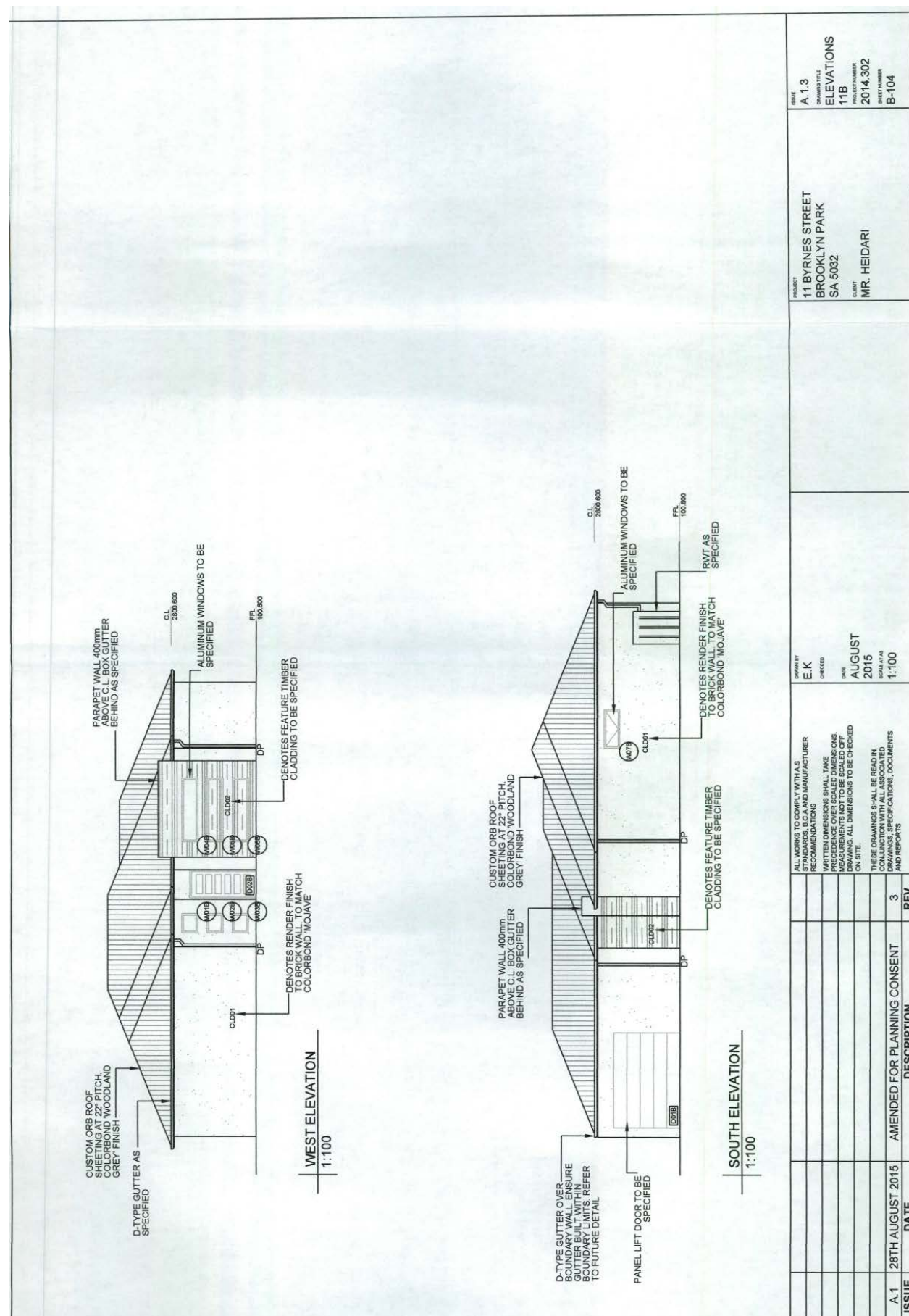






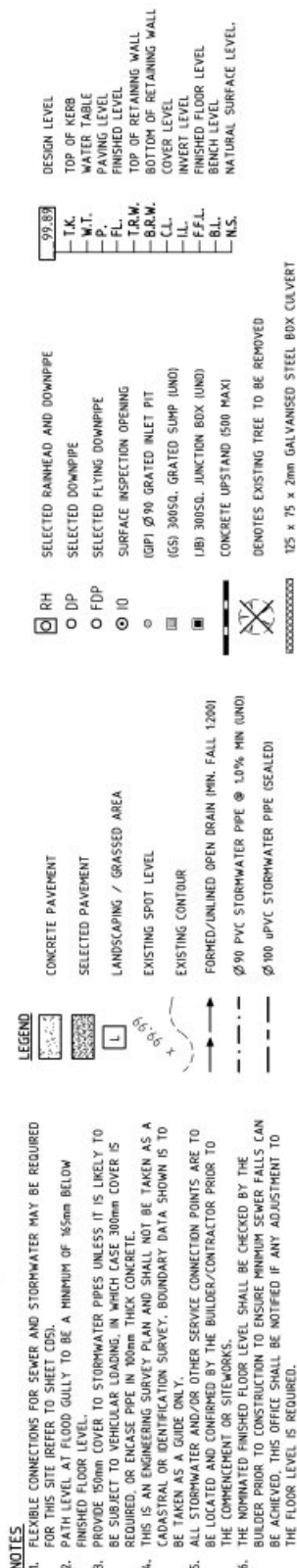












SURVEYED: BY OTHERS

PC	AS CLOURED (PLANNING APPROVAL)	CTL	DA	18.01.16
PB	FOR PLANNING APPROVAL ONLY	CTL	DA	21.05.15
PA	FOR PLANNING APPROVAL ONLY	MY	CTL	19.11.14
SECTION		DRAWN	CHECKED	


**SITE**

**PROPOSED RESIDENCES**

**AT: 11 BYRNES STREET**

**BROOKLYN PARK**

**FOR: MR. HEIDARI**



Civil - Environmental  
Structural - Geotechnical  
Mechanical - Electrical  
Fire - Security  
Lifts - Hydraulics

105 Warracott Street  
Adeleide SA 5000  
Telephones 08 8238 4100  
Facsimile 08 8410 1405  
A/CN 852 955 988 / 08 800 546

**TITLE**

**DRAINAGE PLAN**

JOB No.

14 1104-8

DWG. No.

CRD/PC

SCALES	1:200
DRAWN	MY
DATE	NOV '14
ENGINEER	CTL



ATTACHMENT 2

Contact Planning Services  
Telephone 7109 7016  
Facsimile 8303 0604



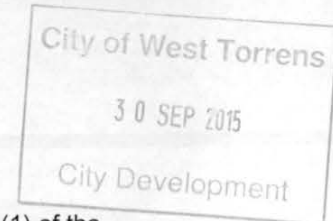
Development  
Assessment Commission

29 September 2015

The Chief Executive Officer  
City of West Torrens

Dear Sir/Madam

**Re: Proposed Application No.** 211/D138/15 (ID 52128)  
**for Land Division by** Pennino & Associates



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 18 September 2015, 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.  
The alteration of internal drains to the satisfaction of SA Water is required.  
An extension of sewer main may be required. An investigation will be carried out to determine if the water and/or sewer connection/s to your development will be costed as standard or non standard.  
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](http://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.**

Yours faithfully

Steve Gale





29 September 2015

Our Ref: H0037276

The Chairman  
Development Assessment Commission  
136 North Terrace  
ADELAIDE SA 5000

Dear Sir/Madam

SA Water  
Level 6, 250 Victoria Square  
ADELAIDE SA 5000  
Ph (08) 7424 1119  
Inquiries Peter Wood  
Telephone 7424 1119

City of West Torrens  
30 SEP 2015  
City Development

**PROPOSED LAND DIVISION APPLICATION NO: 211/D138/15 AT BROOKLYN 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.

The alteration of internal drains to the satisfaction of SA Water is required.

An extension of sewer main may be required. An investigation will be carried out to determine if the water and/or sewer connection/s to your development will be costed as standard or non standard.

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

Peter Wood

**for MANAGER LAND DEVELOPMENT & CONNECTIONS**

## 6.4 43 Shierlaw Avenue, RICHMOND

Application No. 211/1367/2015

### DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Torrens Title land division creating one (1) additional allotment from one existing allotment.
APPLICANT	Michael Gage
LODGEMENT DATE	9 November 2015
ZONE	Residential Zone
POLICY AREA	Policy Area 20
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none"><li>City Works – Technical Officer - Arboriculture</li></ul> External <ul style="list-style-type: none"><li>Development Assessment Commission (DAC)</li><li>SA Water</li></ul>
DEVELOPMENT PLAN VERSION	5 November 2015
MEETING DATE	8 March 2016
RECOMMENDATION	<b>CONSENT</b>

### 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 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 APPLICATIONS

211/1232/2015, Construction of a carport, verandah and addition to existing dwelling-  
Development Plan Consent Granted 7/12/2015

## **SITE AND LOCALITY**

The subject land is described as Allotment 14 Filed Plan 145042 in the area named Richmond Hundred of Adelaide as contained in Certificate of Title Volume 5680, Folio 274. The land is more commonly known as 43 Shierlaw Street, Richmond.

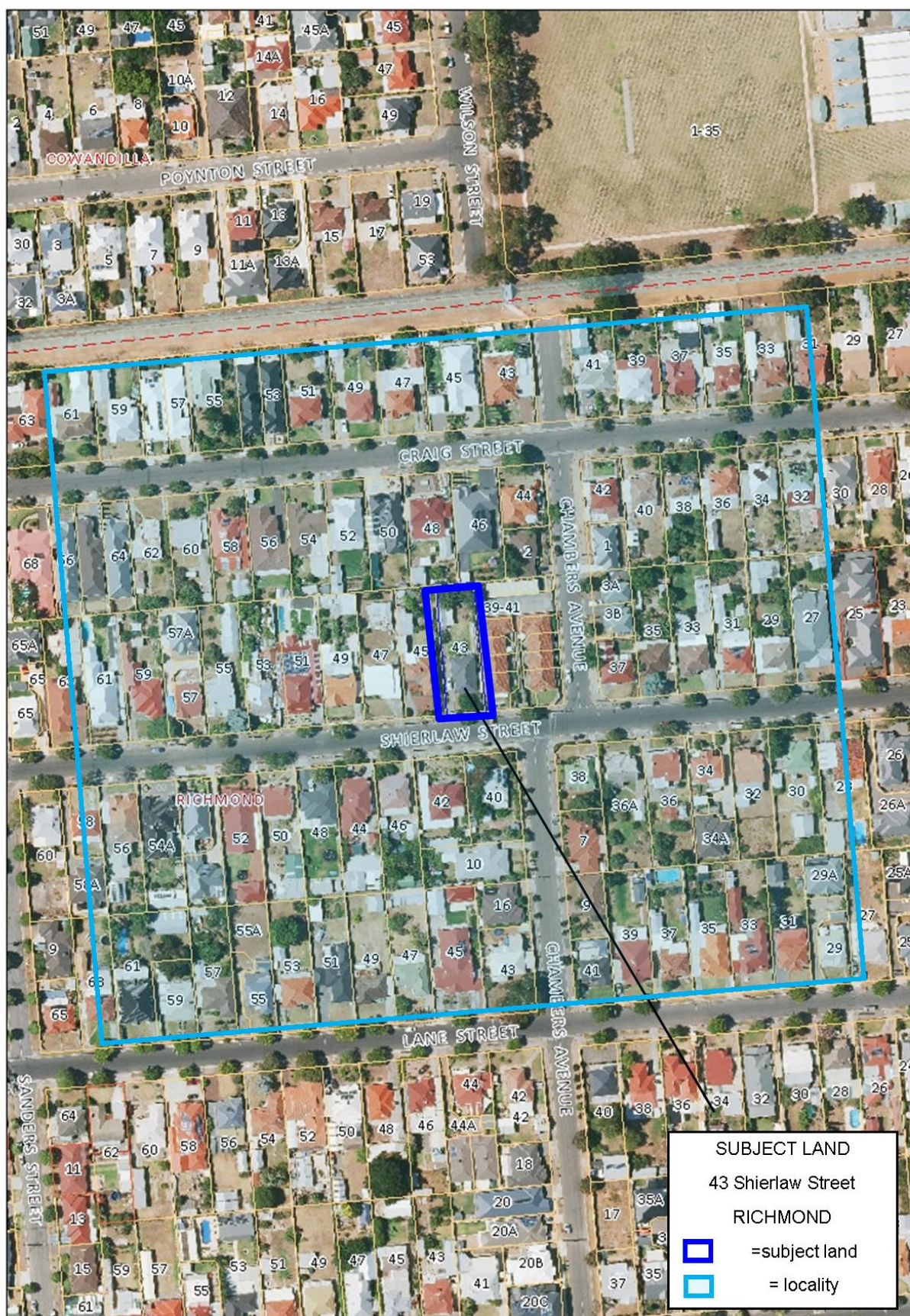
The subject land is a rectangle shaped allotment of 754 square metres with a frontage to Shierlaw Street of approximately 15.24 metres and depth of 49.5 metres. The land is relatively flat. Development of the land includes a single storey detached dwelling constructed in the 1950's, and a free-standing ancillary outbuilding. A single width driveway runs along the western side of the dwelling. Two large trees are located adjacent to the rear property boundary but there are no regulated trees on the subject land.

The immediate locality contains only residential development with dwellings being mostly single storey detached dwellings. There are however a number of examples of group dwellings within the locality and an occasional residential flat building. The dwellings are mostly of mid-20<sup>th</sup> century construction however there are many examples of more contemporary in-fill developments. Dwellings have street setbacks of approximately 7-8 metres and most driveways are mostly single width and lead to attached carports/garages constructed at the side of their respective dwellings.

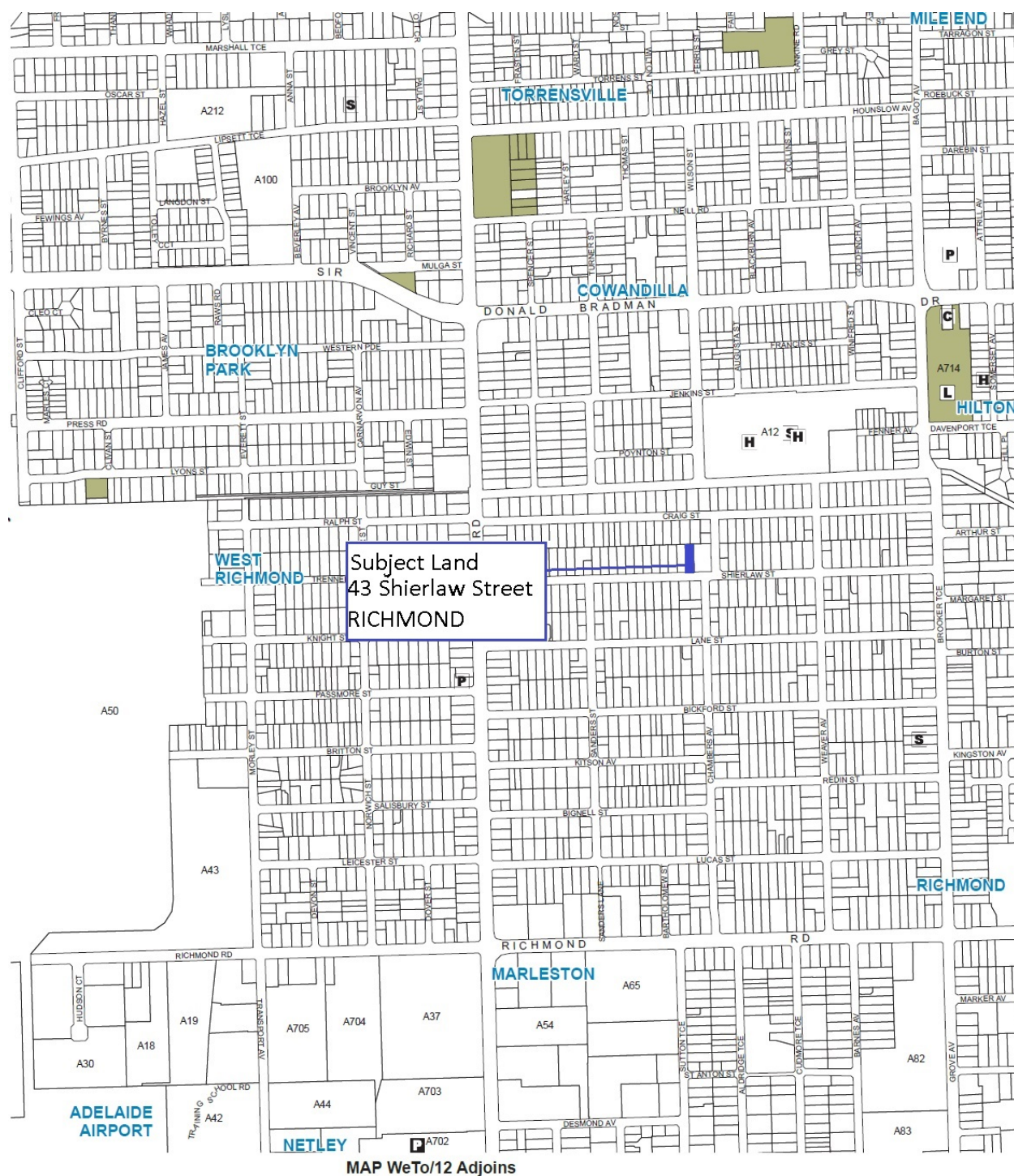
Existing allotments are a mixture of rectangle, square and battle-axe shape and range between 200 square metres and 870 square metres in size. There are fourteen existing battle-axe shaped allotments along the length of Shierlaw Street and many more within the general locality.

The subject land and the immediately locality are shown on the following aerial and location maps.









- S** School
- L** Public Library
- C** Council Office
- P** Post Office
- H** Other Health Services
- P** Police Station
- Local Reserves**

## Location Map WeTo/8

WEST TORRENS COUNCIL



## PROPOSAL

The proposal is for a Torrens Title land division creating one additional allotment from one existing allotment. Proposed Allotment 83 will retain the existing dwelling on the land and have an almost rectangle like shape while proposed Allotment 82 has a battle-axe configuration.

Allotment 83 will have a depth of 28.05 metres and a frontage width of 10.64 metres. The allotment will be 325 square metres in area. Allotment 82 will have a core area of 327 square metres with dimensions of 21.45 metres and a width of 15.24 metres. The 'handle' will be 25.7 metres long and 3.6 metres wide.

The existing outbuildings on the land will be demolished and the existing dwelling will require a new driveway and carport. These works have been granted Development Plan Consent.

The Indicative floor plan shown on proposed Allotment 82 is not part of the application

The proposal is contained within **Attachment 1**.

## PUBLIC NOTIFICATION

The proposed land division is not listed as either a Category 1 or Category 2 form of development in the Procedural Matters Section of the Residential Zone of the West Torrens Council Development Plan (as consolidated 5 November 2015). The proposed development was processed as a Category 1 form of development in accordance with Section 38 of the *Development Act 1993* and Schedule 9(2)(f) of the *Development Regulations 2008*

## REFERRALS

Internal

- **City Works**

The application was referred to Council's Technical Officer-Arbiculture as the construction of a new driveway for the existing dwelling will be in close proximity to an existing street tree. The health, structure, form, useful life expectancy and age of the tree were considered and removal of the tree is supported if it is necessary. A contribution to Council's annual Greening Program will be required prior to the commencement of any work.

External

- **Development Assessment Commission (DAC) and SA Water**

Pursuant to Section 33 and Schedule 29(1) of the Development Act and Development Regulations, the application was referred to SA Water by the DAC.

Neither the DAC nor SA Water had any objections to the proposal subject to several conditions being added to any consent of notice.

A copy of the relevant referral responses are included in **Attachment 2**.

## ASSESSMENT

The subject land is located within the Residential Zone and more specifically within the Residential Zone Policy Area 20 as described in the West Torrens Council Development Plan (as consolidated on 5 November 2015). 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, 4, 5, 6 & 9
Land Division	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 2, 4, 5, 6, 7, 8 & 12
Orderly and Sustainable Development	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 3, 5 & 7
Residential Development	Objectives	1, 3 & 4
	Principles of Development Control	1, 3, 18, 19, 20, 21
Transportation and Access	Objectives	2
	Principles of Development Control	2, 8, 10, 11, 18, 23, 24, 30, 32, 34, 35, 36, 37, 40, 41, 43, 44 & 45
Zone: Residential		
Desired Character Statement:		
<p>"This zone will accommodate a range of dwelling types.</p> <p>Residential development will reflect a variety of building styles, yet where a consistent character exists, new buildings will be designed to harmonise with that which is existing in terms of form, mass, scale, colours and textures of materials and setback distances.</p> <p>The streetscape will reflect the functions and characteristics of the street type in the traffic movement network and be designed to encourage pedestrian access and to support or establish a sense of place and street identity.</p> <p>The scale, bulk and design of non-residential development will be sensitive to the desired character of the residential environment. Landscaping will be of a high standard and provide continuity with residential streetscapes.</p> <p>Residential development in the form of a multiple dwelling, residential flat building or group dwelling should not be undertaken in a Historic Conservation Area other than such development associated with an existing use".</p>		
Objectives		1 - 4
Principles of Development Control		1, 5, 7, 10 & 11
Policy Area: Policy Area: Residential Policy Area 20		
Desired Character Statement:		
<p>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.</p> <p>Buildings will be up to 2 storeys in height. Garages and carports will be located behind the front façade of buildings.</p>		

*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.*

Objectives	1
Principles of Development Control	1, 2, 3 & 5

## QUANTITATIVE ASSESSMENT

The proposal is assessed for consistency with the relevant quantitative provisions of the Development Plan as outlined in the table below:

DEVELOPMENT PLAN PROVISIONS	Quantitative measure	ASSESSMENT	
		Allotment 83 (Existing Dwelling)	Allotment 82
SITE AREA Residential Zone - Policy Area 20 PDC's 3 & 7	340m <sup>2</sup>	325m <sup>2</sup>  <b>Does not satisfy by 4%</b>	327m <sup>2</sup> (excluding handle)  <b>Does not satisfy by 4%</b>
SITE FRONTAGE Residential Zone - Policy Area 20 PDC 3	Min 10m	10.64m  <b>Satisfies</b>	4.6m  <b>Does not satisfy 54%</b>
SIDE/REAR SETBACKS General Section - Residential Development PDC 23	Side  1m from at least one side boundary  Rear  3m	There are no changes to the position of the existing dwelling however the division of land will result in existing building's side setback to the western property boundary decreasing from approximately 5.8 metres to 1.8 metre and the rear setback decreasing from approximately 25 metres to approximately 4 metres  <b>Satisfies</b>	Not Applicable
PRIVATE OPEN SPACE General Section - Residential Development PDC 19	60 sqm of the subject land with minimum dimension of 4 metres and an area directly accessible from a living area of 16 sqm	60 square metres with no dimension less than 4 metres and with a (Approximately 20%) and with an area of approximately 34 accessible directly from a living area  <b>Satisfies</b>	Not Applicable

DRIVEWAY HANDLE WIDTH General Section - Land Division PDC 7	Not less than 4 metres in width	Not Applicable	3.6 metres  <b>Does not satisfy by 10%</b>
CARPARKING SPACES Table WeTo/2 - Off Street Vehicle Parking Requirements	2 car-parking spaces required (1 of which is undercover)	2 spaces with one under a carport, the other in a driveway  <b>Satisfies</b>	No Applicable

## QUALITATIVE ASSESSMENT

The proposed development was assessed against the relevant qualitative provisions of the Development Plan as discussed under the following sub headings

### Existing Allotment Pattern and Character

The Desired Character Statement for Policy Area 20 states that:

*"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"*

and

*"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".*

The character statement reference to battle-axe allotments at first appears to prevent their establishment within the Policy Area however when considered in conjunction with other sections of the statement and other principles of the Policy Area it appears the intent is to limit their establishment to particular localities within the Policy Area.

The character statement anticipates *"some other dwellings types such as semi-detached and group dwellings"*. The expectation of group dwellings is also reinforced by Principles 1, 3 and 4 of the Policy Area. It is common for a group dwelling to be accommodated on a battle-axe shaped allotment, albeit more frequently as part of a community title arrangement. Although the proposed development involves a Torrens Title division of land the land configuration will be similar to a proposal that would otherwise establish a group dwelling.

The locality has many examples of battle-axe allotments and its historic rectangular allotment pattern has not been preserved due to the influence of infill development. This has had an extensive impact on the allotment character of the locality. The proposed development will be consistent in shape and area with existing allotments and on these grounds the subdivision is considered to adequately satisfy the desired character outcome envisaged within the Policy Area.

### Density

As noted in the early quantitative table the proposed development falls short of the minimum frontage and site area provisions of the Policy Area. Nevertheless a review of other allotments within the locality shows the proposed allotments will be compatible, in terms of scale, with existing allotments particularly those with a battle-axe configuration.

In addition the Desired Character Statement expects *"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"*. The subject land is little more than 300 metres east of the Richmond Neighbourhood Centre Zone and in other instances the minimum site area expectations would be 300 square metres.

It is known that the exclusion of the Richmond Neighbourhood Centre Zone as a trigger for lesser site areas was to mitigate the establishment of denser allotments directly under or in close proximity to the Adelaide Airport flight path. Given current construction standards in relation to noise attenuation the impacts of aircraft activity upon the subject land will be marginal. The close proximity of a neighbourhood centre zone supports development of denser allotment patterns.

### **Amenity**

The plan of division submitted for assessment included information depicting the location of the current dwelling on the land and a possible additional future dwelling. The detail confirms the existing dwelling, albeit significantly modified, will provide a level of amenity that would satisfy the relevant policies of the Development Plan had the dwelling been otherwise assessed as a new building. This was particularly the case in terms of on-site parking, privacy, private open space and separation to other buildings and driveways.

The indicative plan for a future additional dwelling also exhibited the same capabilities as the existing dwelling. The land is relatively flat and any increase to site levels to facilitate stormwater drainage from the new dwelling is likely to have minimal impact to the privacy of adjoining dwellings. Although a future dwelling on proposed allotment 82 would need to be the subject of a separate assessment, the allotments nevertheless exhibit adequate capabilities of being utilised in a manner consistent with the policies of the Development Plan.

### **SUMMARY**

While exhibiting inconsistencies on some basis, the proposed allotment areas and their configuration are not sufficiently in conflict with the provisions of the Development Plan to warrant refusal.

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. 211/1367/2015 by Michael Gage to undertake a Torrens Title land division creating one (1) additional allotment from one existing allotment at 43 Shierlaw street, Richmond (CT 5680/274) subject to the following conditions:



## **DEVELOPMENT PLAN CONSENT**

### **COUNCIL CONDITIONS:**

1. Development is to take place in accordance with the plans prepared by Henning & Co Pty Ltd relating to Development Application No. 211/1367/2015 (DAC 211/D165/15).
2. The carport space for the existing dwelling shall be 3.0 metres wide.

## **LAND DIVISION CONSENT**

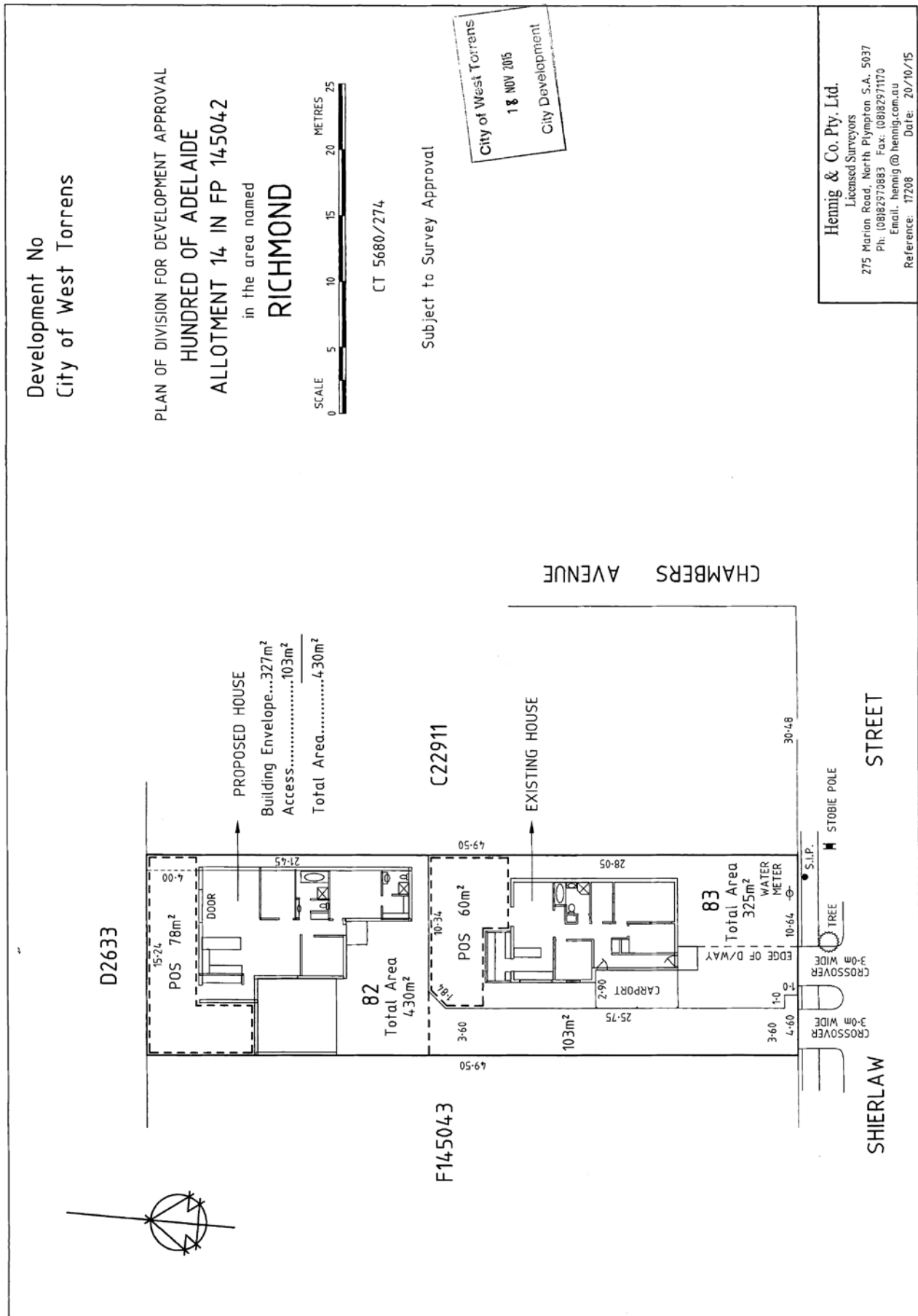
### **COUNCIL CONDITIONS:**

1. That prior to the issue of Section 51 Clearance to this division approved herein, all outbuildings shall be removed from the proposed allotments. For this purpose, a separate application for demolition shall be submitted to and approved by Council.

### **DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS:**

2. That the financial requirements of SA Water shall be met for the provision of water supply and sewerage services.  
An investigation will be carried out to determine if the connection/s to the development will be costed as standard or non standard.  
On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners costs to ensure that the pipework relating to each allotment is contained within its boundaries.
3. Payment of \$6,488.00 into the Planning and Development Fund (1 allotment(s) @ \$6,488.00/allotment). Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (8303 0724), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, 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

Contact Lands Titles Office  
Telephone 7109 7016



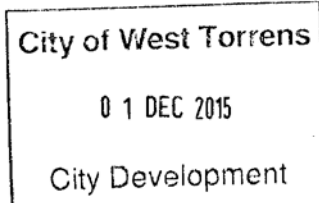
*Development  
Assessment Commission*

27 November 2015

The Chief Executive Officer  
City of West Torrens

Dear Sir/Madam

**Re: Proposed Application No.** 211/D165/15 (ID 52619)  
**for Land Division by** Mr Michael Gage



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 17 November 2015, 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.  
An investigation will be carried out to determine if the connection/s to your development will be costed as standard or nonstandard  
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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.**

Phil Hodgson  
**Unit Manager**  
**Lands Titles Office**  
as delegate of  
**DEVELOPMENT ASSESSMENT COMMISSION**

## 6.5 5 Avon Street, KURRALTA PARK

Application No. 211/1518/2015

### DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Division of land to create four (4) Community Title allotments from one existing Torrens Title allotment
APPLICANT	John Halejko
LODGEMENT DATE	9 December 2015
ZONE	Residential
POLICY AREA	Low Density Policy Area 18
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal ▪ Nil External ▪ Development Assessment Commission and SA Water
DEVELOPMENT PLAN VERSION	5 November 2015
MEETING DATE	8 March 2016
RECOMMENDATION	<b>CONSENT</b>

### 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 APPLICATIONS

211/1260/2015 - Demolition of existing structures with the construction of a two storey residential flat building containing four dwellings - undergoing assessment.

### SITE AND LOCALITY

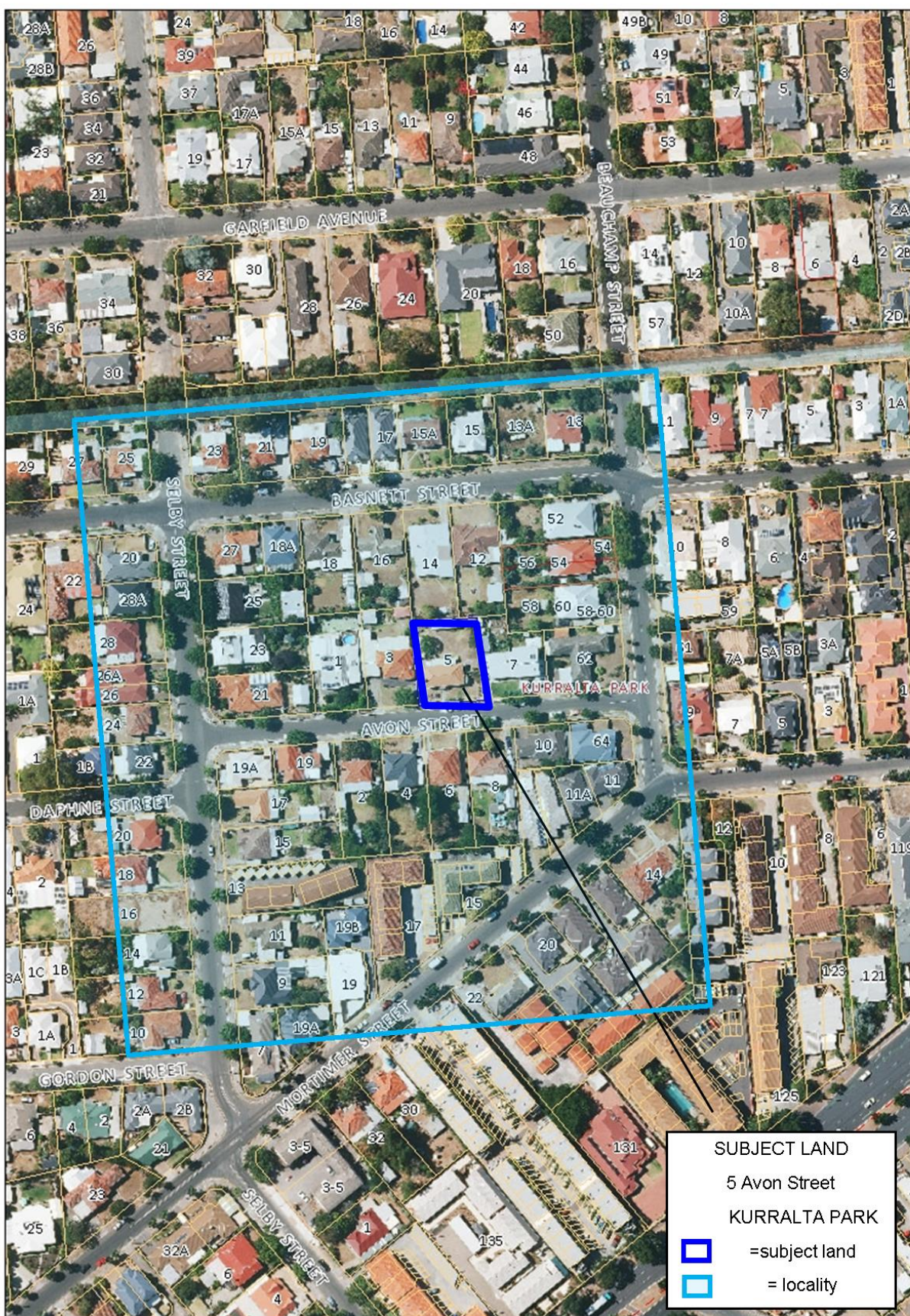
The subject land is formally described as Allotment 46 Filed Plan 7199 in the area named North Kurralta Park Hundred of Adelaide as contained in Certificate of Title Volume 5664 Folio 371. The land is more commonly known as 5 Avon Street, Kurralta Park.

The subject land is a rectangular shaped allotment of approximately 800 square metres with a frontage of 24.99 metres to Avon Street and a site depth of 32.01 metres. The site contains a single storey detached dwelling constructed in the 1950's and two outbuildings in the rear yard. A single width driveway runs along the western side of the dwelling to one of the outbuildings and access to the land is only available from Avon Street.

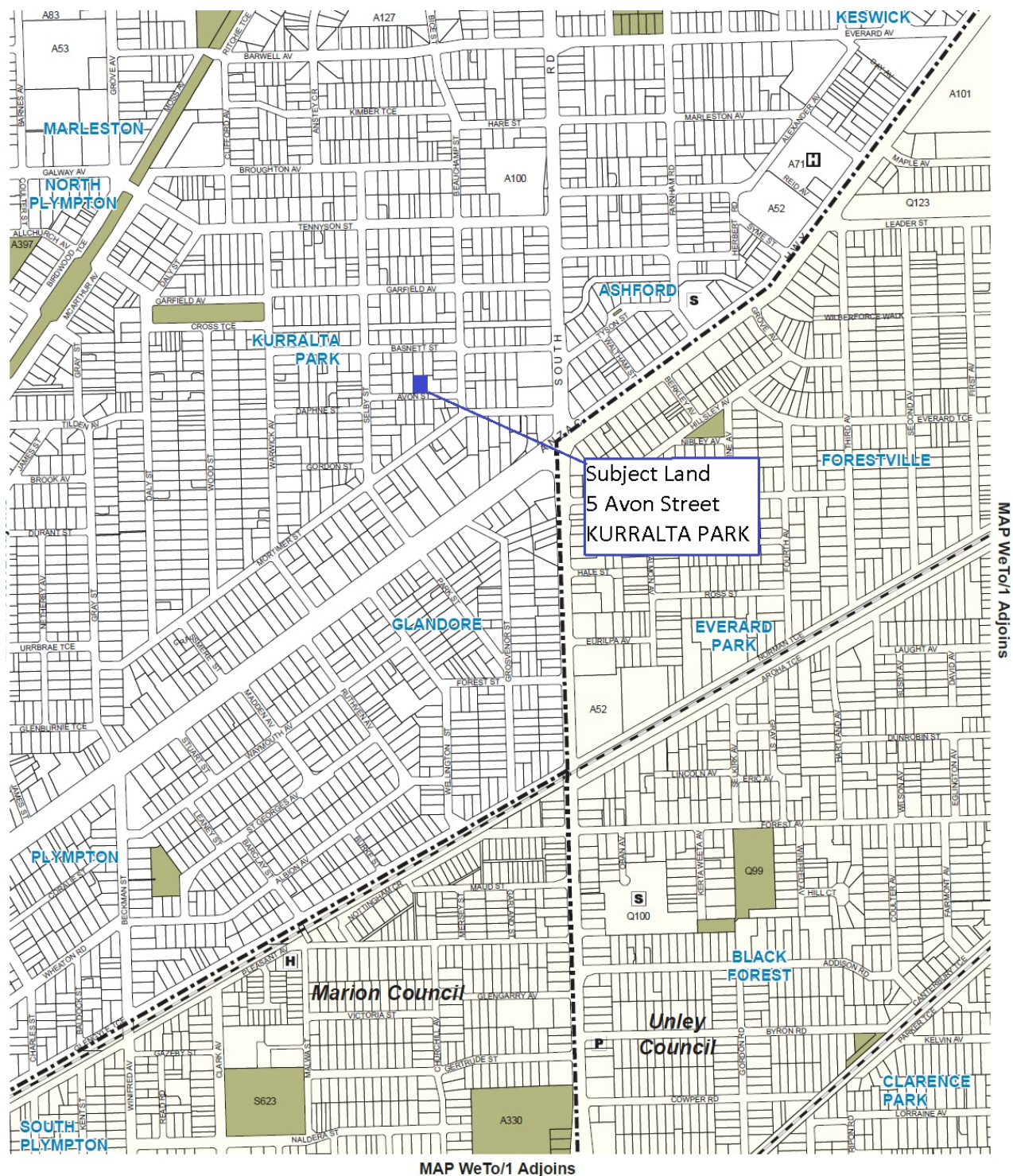
The locality consists mostly of low to medium density residential development comprising dwellings of up to two storeys in height. The dwellings are mostly 1950's era however there are many examples of recent infill development scattered across the locality.

The site and locality are shown on the following maps.









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

## Location Map WeTo/13

WEST TORRENS COUNCIL

## PROPOSAL

The applicant is seeking Development Approval for a Community Title land division to create four community development lots from one (1) existing Torrens Title allotment. The development lots will be accompanied by two small parcels of common property which will specifically accommodate water metres and an electrical meter board.

Allotments 1 and 4 are equal in size with site areas of 215 square metres however their frontage widths will be 6.23 metres and 6.13 metres respectively. Allotments 2 and 3 are also equal in size with site areas of 185 square metres however Lot 2 will have a frontage of 5.27 metres and Lot 3 a frontage of 5.77 metres. All the allotments are primarily rectangular in shape however the common properties, situated at the front of the site, will take small portions of land away from Lots 1, 2 and 4.

The land division application was lodged with Council after a land use application was submitted for the land. The Applicant wishes to have the land use application processed as a Row Dwelling and has requested the land use application be placed on hold until such time that the proposed titles can be established. A copy of the land use site plan has been included with this report.

The plan of division and the land use site plan are included 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 November 2015) 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

### *External*

- **Development Assessment Commission (DAC) and SA Water**

Pursuant to Section 33 and Schedule 29(1) of the Development Act and Regulations, the application was referred to SA Water by the Development Assessment Commission.

Neither DAC nor SA Water had any objections to the proposal subject to several conditions being added to any consent notice.

Full copies of the relevant reports are contained in **Attachment 2**.

## 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 (as consolidated 5 November 2015). The main provisions of the Development Plan which relate to the proposed development are as follows:

General Section		
Energy Efficiency	Objectives	1 & 2
	Principles of Development Control	1
Infrastructure	Objectives	1, 2 & 3
	Principles of Development Control	1, 2, 4, 5, 6, 8, 9 & 16
Land Division	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 2, 5, 6, 7, 8 and 12,
Orderly and Sustainable Development	Objectives	1, 2, 3 & 5
	Principles of Development Control	1, 3, 5 & 7
Residential Development	Objectives	1, 2, 3 & 5
	Principles of Development Control	1, 2, 3, 10, 11, 12, 13, 18, 19, 20, 21, 22, 23 & 24,
Transportation and Access	Objectives	2
	Principles of Development Control	2, 8, 10, 11, 18, 23, 24, 30, 32, 34, 35, 36, 37, 40, 41, 43, 44 & 45

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	1, 2, 3 & 4
Principles of Development Control	1, 5, 6, 7, 10, 11, 12 & 13

Policy Area: Policy Area 18	
<p><i>Desired Character Statement:</i></p> <p><i>'Allotments in this policy area will be at medium density, accommodating a range of dwelling types including residential flat buildings, row dwellings, group dwellings, semi-detached dwellings and some detached dwellings on small allotments. Allotment amalgamation to create larger development sites will occur to maximise the density of development while also achieving integrated design outcomes, particularly within a comfortable walking distance of centre zones. Vehicle access will occur from side streets and new rear public and private laneways wherever possible, also supporting the retention of existing street trees.</i></p>	

*New buildings will contribute to a highly varied streetscape. Buildings will be up to 3 storeys and provide a strong presence to streets, other than in the part of the policy area in Underdale, Ashford (other than allotments adjacent to Residential Character Ashford Policy Area 22) and allotments bounded by Anzac Highway, Morphett Road and Cromer Street in Camden Park where buildings will be up to 4 storeys. Parking areas and garages will be located behind the front facade of buildings.*

*Buildings on the edge of the policy area which adjoin residential policy areas at lower densities will pay particular attention to managing the interface with adjoining dwellings, especially in terms of the appearance of building height and bulk, and overshadowing.*

*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.'*

Objectives	1
Principles of Development Control	1, 4, 5, 7, 8

## QUANTITATIVE ASSESSMENT

The proposal is assessed for consistency with the relevant quantitative provisions of the Development Plan as outlined in the table below:

DEVELOPMENT PLAN PROVISIONS	Quantitative guideline	Assessment			
		Lot 1	Lot 2	Lot 3	Lot 4
SITE AREA <i>Medium Density Policy Area 18 PDC 6</i>	Row Dwelling 150m <sup>2</sup>	215m <sup>2</sup> <b>Satisfies</b>	185 m <sup>2</sup> <b>Satisfies</b>	185 m <sup>2</sup> <b>Satisfies</b>	215 m <sup>2</sup> <b>Satisfies</b>
<i>Medium Density Policy Area 18 PDC 8</i>	250m <sup>2</sup> for land division (not as a combined application)	215m <sup>2</sup> <b>Does Not Satisfy</b>	185 m <sup>2</sup> <b>Does Not Satisfy</b>	185 m <sup>2</sup> <b>Does Not Satisfy</b>	185 m <sup>2</sup> <b>Does Not Satisfy</b>
SITE FRONTAGE <i>Medium Density Policy Area 18 PDC 6</i>	Row Dwelling 5 metres	6.23 metres <b>Satisfies</b>	5.27 metres <b>Satisfies</b>	5.77 metres <b>Satisfies</b>	6.13 metres <b>Satisfies</b>
<i>Medium Density Policy Area 18 PDC 8</i>	9 m for land division (not as a combined application)	6.23 metres <b>Does Not Satisfy</b>	6.23 metres <b>Does Not Satisfy</b>	6.23 metres <b>Does Not Satisfy</b>	6.23 metres <b>Does Not Satisfy</b>

## QUALITATIVE ASSESSMENT

The proposal is assessed for consistency with the qualitative provisions of the Development Plan as outlined under the sub-headings below:



## Site Areas

The Development Plan specifies two different site area requirements for residential development within Residential Policy Area 18. Residential Policy Area 18, Principle of Development Control (PDC) 8 reads,

*"Land division should create allotments with an area of greater than 250 square metres and a minimum frontage width of 9 metres, other than where the land division is combined with an application for dwellings, or follows an approval for dwellings on the site".*

Although the development was not technically submitted as a combined application, the land use application has been submitted separately but in conjunction with the land division. Therefore, as the dwelling type can still be reasonably determined, which in this case are row dwellings, it is practical to apply Residential Policy Area 18, PDC 6, where the minimum site area for a row dwelling is 150 square metres. Each dwelling site in this instance satisfies the Development Plan.

## Frontage Width

Like site areas, the Development Plan specifies two different frontage widths requirements for residential development within Residential Policy Area 18. Residential Policy Area 18, PDC 8 states a requirement of 9 metres while PDC 6 states a requirement of 5 metres.

For the same reasons outlined above it is practical to apply Residential Policy Area 18, PDC 6, where the minimum frontage width for a row dwelling is 5 metres. Each allotment frontage in this instance satisfies the Development Plan.

## Allotment Character

The Desired Character Statement states:

*"Allotments in this policy area will be at medium density, accommodating a range of dwelling types including residential flat buildings, row dwellings, group dwellings, semi-detached dwellings and some detached dwellings on small allotments.*

Despite the differing site area requirement, overall, the proposed division will satisfy the level of density the Desired Character Statement has envisioned for the policy area. The proposal will result in rectangular allotments that are capable of supporting medium density development of different dwelling types.

## SUMMARY

The proposed development satisfies the relevant Principles of Development Control and more importantly contributes to the Desired Character of Residential Policy Area 18. The proposed allotments will support medium density development in the form of dwellings that are specifically envisaged within the policy area.

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. 211/1518/2015 by John Halejko to undertake a division of land to create four (4) Community Title allotments from one existing Torrens Title allotment at 5 Avon Street, Kurralta Park (CT 5664/371) subject to the following conditions:

### Council Conditions

## ***DEVELOPMENT PLAN CONSENT***

### COUNCIL CONDITIONS:

1. Development is to take place in accordance with the plans prepared by Cavallo Forest & Associates, Reference 15-310 dated 4 December 2015, relating to Development Application No. 211/1518/2015 (DAC 211/C190/15).

## ***LAND DIVISION CONSENT***

### COUNCIL CONDITIONS:

1. That prior to the issue of Section 51 Clearance to this division approved herein, all existing structures shall be removed from all of the proposed Allotments, and the concrete foundation and footings for associated development 211/1260/2015 shall have been poured.

### DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS:

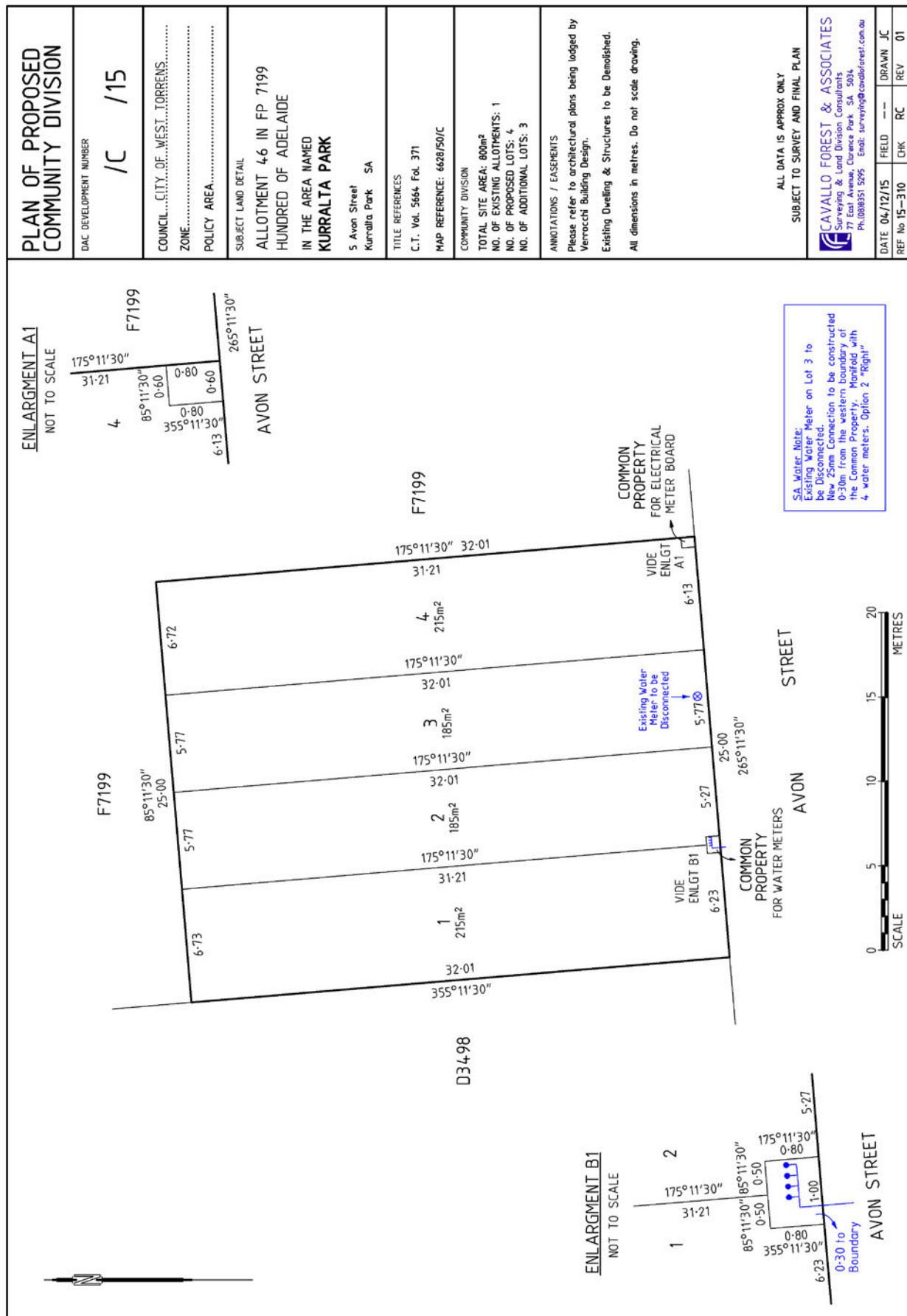
2. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.

An investigation will be carried out to determine if the connections to the development will be costed as standard or nonstandard.

The developer must inform potential purchasers of the community lots of the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to the woner/applicant.

3. Payment of \$19464.00 into the Planning and Development Fund (3 allotments @ \$6488.00/allotment). Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (8303 0724), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, 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



**RWT NOTE:**

1000 LTS (MIN) RWT COLLECTING 50M<sup>2</sup> ROOF CATCHMENT AREA, PLUMBED TO EITHER TOILET, HOT WATER SYSTEM OR ALL LAUNDRY COLD WATER OUTLETS. RWT MUST BE FITTED WITH OVERFLOW DEVICE. INLET & OVERFLOW MUST BE FITTED WITH MOSQUITO-PROOF SCREENS. MUST COMPLY WITH BCA REQUIREMENTS.

**BOUNDARY/SURVEY NOTE:**

THIS DRAWING IS INTENDED FOR INDICATIVE BUILDING SETOUT PURPOSES ONLY. REFER TO CIVIL ENGINEER / SURVEYOR DRAWINGS FOR SITE LEVELS, CONTOURS, BENCH MARKS, SERVICE LOCATIONS, & EARTHWORK DESIGN. FINAL BOUNDARY & BUILDING SETOUT SHALL BE CONFIRMED & CERTIFIED BY LICENSED SURVEYOR PRIOR TO ANY CONSTRUCTION.

**BRUSH FENCE NOTE:**

THERE WILL NOT BE ANY BRUSH FENCES WITHIN 3MTRS OF THE PROPOSED BUILDING WORKS. ANY BRUSH FENCES WITHIN 3 METRES OF THE DWELLING ARE TO BE REMOVED (BY OWNER) & REPLACED WITH NON-COMBUSTIBLE MATERIAL. MUST COMPLY WITH BCA REQUIREMENTS.

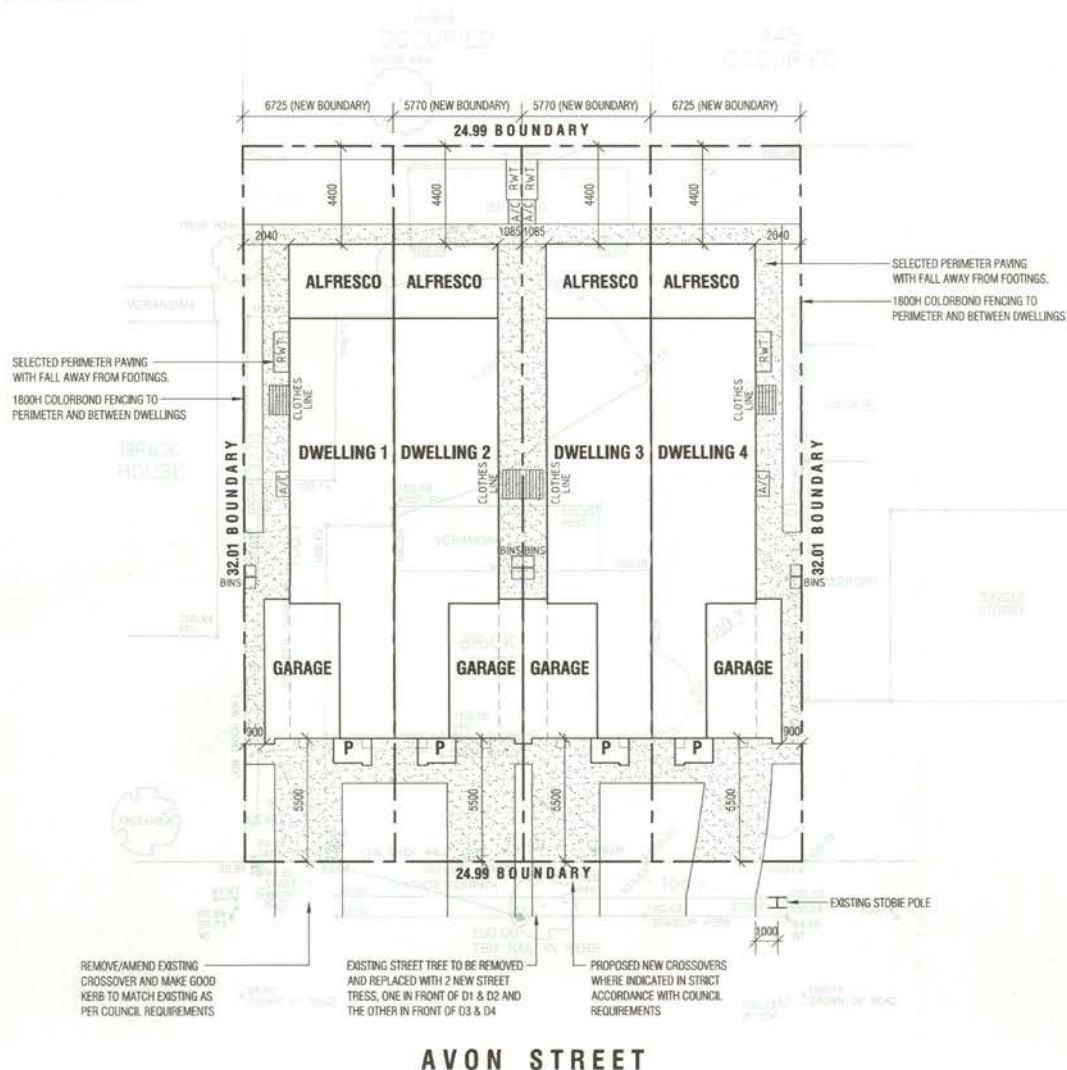
**STORMWATER NOTE:**

REFER TO ENGINEER'S DRAINAGE PLAN FOR ALL LEVEL, RETAINING WALLS & STORMWATER DRAINAGE DESIGN.

**PARTY WALL NOTE:**

COMMON STRUCTURAL PARTY WALL BETWEEN ALL DWELLINGS. PARTY WALL IS A SHARED WALL WITH RECIPROCAL RIGHTS.

**COMMUNITY TITLE DEVELOPMENT**



**SITE PLAN**

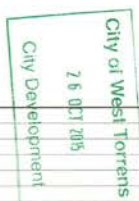
SCALE 1:200



AREAS (D1&D4)		sq.m	AREAS (D2&D3)		sq.m
LIVING	74.55		LIVING	74.55	
U/LIVING	88.43		U/LIVING	88.43	
GARAGE	20.74		GARAGE	20.38	
ALFRESCO	15.51		ALFRESCO	15.51	
PORTRICO	1.91		PORTRICO	1.91	
TOTAL	201.14		TOTAL	200.78	
SITE:	215.27		SITE:	184.70	
P.O.S.	51.85		P.O.S.	44.49	
SITE COVERAGE:	52.36%		SITE COVERAGE:	60.83%	

REV	date	description
A	21/10	PLANNING DRAWINGS

**PLANNING DRAWINGS**



**verrocchi**buildingdesign

128a Moorarie Ave North Plympton 5037  
m: 0407 820 946 e: dino.verocchi@gmail.com

project:	AVON STREET DEVELOPMENT	date:	JULY 2015	drawn by:	LD
at:	5 AVON STREET KURRALTA PARK SA 5037	scale:	1:200	drawing no:	02
client:	ZYBEX CONSULTING	project no:	ZYB.031	sheet size:	A3

## LANDSCAPING SCHEDULE

### GROUND COVERS



**DIANELLA PRURIENS 'RAINBOW TWIST'**  
A strappy leaved plant with reddish purple leaf edges that held to expose both sides of the leaf. Very clean foliage with blue flowers followed by a blue berry.



**FICUS PUMILA 'CREEPING FIG'**  
A vigorous, climbing fig attaches to surfaces by means of aerial roots. Has ovate, heart-shaped juvenile leaves on a tawny or fine stems which adhere closely to its support. When the plant matures it starts to produce large, leathery adult foliage on horizontal, woody branches. Mature plants also produce yellowish-green, inedible figs.



**LONICERA FRANKSII 'LOBELIA TRAILING'**  
Abundant intense blue or purple flowers, they grow habit and graceful cascading stems.



**LOMANDRA LIME 'JET'**  
Lime Jet is a lime green variegated selection of Lomandra longifolia. It provides an exceptional fine contrast when planted in front of dark green backgrounds. It is especially useful to brighten dark or shaded sites.



**MYOPORUM LAETIFOLIUM 'MYOPORUM'**  
Myoporum is very drought and frost tolerant, and has been very successful in a wide variety of soils. It is a large leafed fern with clasp clean foliage. Its thick and woody stems help it to survive longer. These stems are covered by beautiful cream foliage and white flowers.



**THYMUS LONGICAULIS 'MEDITERRANEAN CREEPING THYME'**  
This is a low mat-forming species, with dark green needle-like leaves and clusters of bright-pink flowers during summer. A good choice for hot and sunny sites. Drought tolerant once established. Evergreen.

### SHRUBS



**CONVOLVULUS MAURITANICUS 'CONVOLVULUS'**  
A small, bushy plant which provides year round interest with its silver foliage. During the warm summer months there is the added bonus of a profusion of large white, funnel-shaped flowers typical of this plant group.



**DIETES IRIDIFOLIA 'DIETES'**  
A clump-forming, rhizomatous perennial from South Africa. It has dark green, strappy foliage, which grows in fan-like rosettes. In spring it produces white, yellow and orange, bell-like flowers on tall stems. The flowers are followed by 3-called capsules containing numerous seeds.



**MURRAYA PANICULATA 'MURRAYA HEDGE'**  
These plants are shrubs or trees. The leaves are pinnate, divided into several leaflets, and alternately arranged on the branches. The leaves are glaucous, aromatic, and leathery to membranous in texture.



**NANDINA DOMESTICA 'NANDINA'**  
Medium sized dwarf Nandina that produces red new growth in spring and autumn. In winter rosettes, blue™ Nandina forms and red all over. It is 20% smaller than Nandina domestica 'Nandina', a perfect height for hedges, borders or hedging.

### TREES



**PTERIS CAESPITOSA 'PTERIS'**  
A small, ornamental flowering plant with very dark purple summer foliage carried on dark branches. Single pink flowers in spring make a spectacular display. Often used as a striking small foliage contrast tree for smaller gardens or as a street tree.



**PTERIS CAESPITOSA 'MANCHURIAN PEAR'**  
A well known medium-sized tree that flowers very early in spring and has bright autumn leaf colour that is held well on the branches. Pteris caespitosa is suitable for many landscapes, including parks and large gardens.

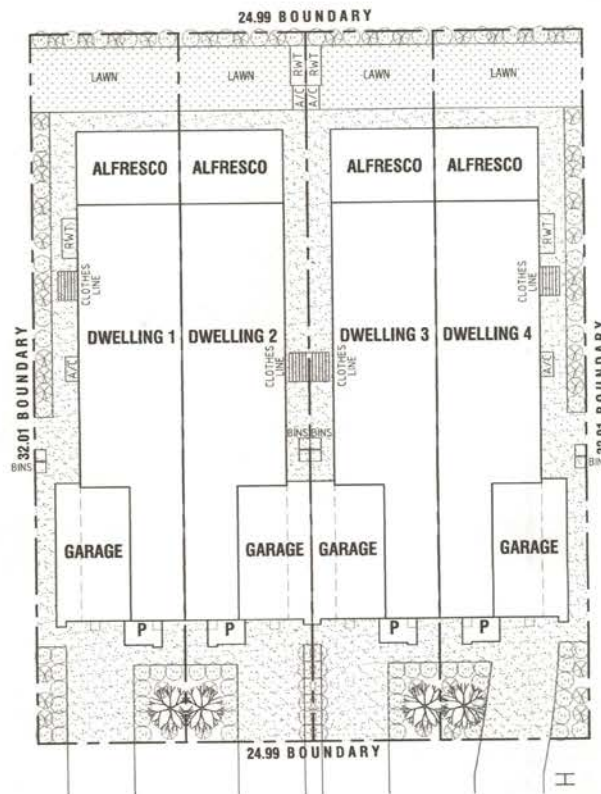


**MORUS NIGRA 'WEEPING MULBERRY'**  
A weeping mulberry with long pendulous branches sweeping to the ground that are covered with large, glossy leaves. This is a tough small 'potted effect' tree suited to park and garden planting and used with good result in shopping malls and avenue plantings.

## LANDSCAPING LEGEND:

GROUND COVERS		PLANTS		MATURE HEIGHT (m)	MATURE SPREAD (m)	PLANTED HEIGHT (m)
	RAINBOW TWIST <i>Dianella Pruriens</i>		CONVOLVULUS <i>Convolvulus Mauritanicus</i>	0.4	0.6	0.2
	CREEPING FIG <i>Ficus Pumila</i>		DIETES <i>Dietes Iridifolia</i>	0.5-0.7	0.5-0.7	0.2-0.3
	LOBELIA TRAILING <i>Lobelia Frits</i>		MURRAYA HEDGE <i>Muraya Paniculata</i>	1.0-2.5	0.8-1.2	0.2-0.5
	LIME JET <i>Lomandra</i>		NANDINA <i>Nandina Domestica</i>	0.6-0.7	0.6-0.7	0.2-0.3
	MYOPORUM <i>Myoporum Parvifolium</i>		NIGRA <i>Prunus Cerasifera</i>	5.0	4.0	1.2
	MEDITERRANEAN CREEPING THYME <i>Thymus Longicaulis</i>		MANCHURIAN PEAR <i>Pyrus Davidsonii</i>	9.0	7.0	1.8
			WEEPING MULBERRY <i>Morus Nigra</i>	3.0	4.0	0.9

ALL SPECIES ARE TO BE CONFIRMED BY OWNER PRIOR TO COMMENCEMENT OF LANDSCAPING. ALL NEW LANDSCAPED AREAS TO BE SURVEYED BY POLYTYPE SPRINKLERS & DRIPPERS



AVON STREET

## LANDSCAPE PLAN

SCALE 1:200



AREAS (D1&D4)		sq.m	AREAS (D2&D3)		sq.m
LIVING		74.55	LIVING		74.55
DINING		88.43	DINING		88.43
KITCHEN		20.74	KITCHEN		20.38
ALFRESCO		15.51	ALFRESCO		15.51
PORCH		1.91	PORCH		1.91
TOTAL		201.14	TOTAL		200.78
SITE		215.27	SITE		184.70
P.D.S.		51.85	P.D.S.		44.49
SITE COVERAGE		52.36%	SITE COVERAGE		60.83%

CONTRACTORS TO VERIFY ALL DIMENSIONS PRIOR TO COMMENCEMENT OF ANY BUILDING WORK. FIGURED DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS AND ANY DISCREPANCY SHALL BE REPORTED TO THE DESIGNER IMMEDIATELY. THESE DRAWINGS ARE THE EXCLUSIVE PROPERTY OF VERRACCHI BUILDING DESIGN. ANY REPRODUCTION WITHOUT WRITTEN AUTHORITY IS PROHIBITED. Copyright ©	REV	DATE	DESCRIPTION
	A	21/10	PLANNING DRAWINGS

### PLANNING DRAWINGS

City of West Torrens  
26 OCT 2015

verracchi building design

128a Moorke Ave North Plympton 5037  
m: 0407 820 945 e: dino.verracchi@gmail.com

project:  
AVON STREET DEVELOPMENT

at: 5 AVON STREET  
KURRALTA PARK SA 5037

client: ZYBEK CONSULTING

date: JULY 2015 drawn by: LD

scale: 1:200 drawing no: 03

project no: ZYB.031 sheet size: A3



ATTACHMENT 2

Contact Lands Titles Office  
Telephone 7109 7016



22 December 2015  
The Chief Executive Officer  
City of West Torrens  
Dear Sir/Madam

**Re: Proposed Application No. 211/C190/15 (ID 52931)  
for Land Division  
(Community Title Plan) by Mr John Halejko**

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 16 December 2015, 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.  
For SA Water to further assess this application, the developer must advise SA Water their preferred servicing option. Information can be found at:  
<http://www.sawater.com.au/developers-and-builders/building,-developing-and-renovating-your-property/subdividing/community-title-development-factsheets-and-information> For queries call SA Water Land Developments on 7424 1119. An investigation will be carried out to determine if the connections to the development will be costed as standard or nonstandard. The developer must inform potential purchasers of the community lots of the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to the owner/applicant.
2. Payment of \$19464 into the Planning and Development Fund (3 allotment(s) @ \$6488/allotment).  
Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://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.

**PURSUANT TO REGULATION 60(4)(b)(ii), SHOULD THIS APPLICATION BE APPROVED, COUNCIL MUST PROVIDE THE DEVELOPMENT ASSESSMENT COMMISSION WITH:**

- (a) the date on which any existing building(s) on the site were erected (if known),
- (b) the postal address of the site

It is recommended that this information be incorporated into the Decision Notification Form.

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'P. Hodgson', with a long, sweeping horizontal stroke extending to the right.

Phil Hodgson  
**Unit Manager**  
Lands Titles Office  
as delegate of  
**DEVELOPMENT ASSESSMENT COMMISSION**

## 6.6 17 Coralie Street, PLYMPTON

Application No. DA 211/1400/2015 & DA 211/1401/2015

### DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Land division - Community title DAC No - 211/C160/15 Create one (1) additional allotment	Land division - Torrens title DAC No - 211/D161/15 Create one (1) additional allotment
APPLICANT	Guidered Nuriootpa Pty Ltd	Guidered Nuriootpa Pty Ltd
APPLICATION NO	DA 211/1400/2015	DA 211/1401/2015
LODGEMENT DATE	26 November 2015	26 November 2015
ZONE	Urban Corridor Zone	Urban Corridor Zone
POLICY AREA	Boulevard Policy Area 34	Boulevard Policy Area 34
APPLICATION TYPE	Merit	Merit
PUBLIC NOTIFICATION	Category 1	Category 1
REFERRALS	Internal <ul style="list-style-type: none"><li>City Assets - Traffic and Access</li></ul> External <ul style="list-style-type: none"><li>Development Assessment Commission (DAC)</li><li>SA Water</li></ul>	Internal <ul style="list-style-type: none"><li>City Assets - Traffic and Access</li></ul> External <ul style="list-style-type: none"><li>Development Assessment Commission (DAC)</li><li>SA Water</li></ul>
DEVELOPMENT PLAN VERSION	5 November 2015	5 November 2015
MEETING DATE	8 March 2016	8 March 2016
RECOMMENDATION	<b>CONSENT</b>	<b>CONSENT</b>

### BACKGROUND AND DISCUSSION

This matter was originally referred to the Development Assessment Panel (DAP) undercover of five separate applications on 11 August 2015 (See **Attachment 1**).

All five applications were refused primarily on the basis that...

*"The unsatisfactory width of the driveway access is a serious concern with the proposal as it will undermine safe and convenient vehicle access to the proposed allotments and dwellings to the rear".*

The Development Plan recommends that the width of the access driveway be 5.5 metres for the first 5.0 metres. The applications proposed a driveway width of 5.5 metres for the first 4.5 metres only.

The applicant being aggrieved by the decisions appealed to the Environment, Resources and Development Court.

A conciliation conference was held on 19 October 2015. The Court noted that the matter was somewhat confusing and recommended that in the first instance, separate land division applications addressing the driveway issue be submitted for the consideration of and determination by Council. Otherwise five separate appeals would need to be lodged which would be costly to all parties and draining on the system.

The applicant has accepted the Court's advice and lodged new land division applications namely a Torrens Title application creating one additional allotment and a Community Title creating two community allotments to the rear. The current proposals are included in **Attachment 2**.

The access driveway has been amended to satisfy the Development Plan and City Assets has advised that the amended plans have been assessed as acceptable

It is noted that the subject land is now located in the Urban Corridor Zone and more particularly the Boulevard Policy Area 34, which calls for increased densities and minimum building heights of 3 storeys. However, in the particular circumstances of this case and in consideration of dealings to date, noting that the original applications were lodged in April 2015 prior to the zoning change, it is considered that it would not be fair and reasonable to refuse the application on such basis.

## **PUBLIC NOTIFICATION**

The land division applications are a Category 1 form of development pursuant to Section 38 and Schedule 9 of the Development Act and Regulations and the Procedural Matters in the Residential Zone of the West Torrens Development Plan.

## **REFERRALS**

External

Both land division applications were referred to SA Water by the Development Assessment Commission (DAC) who advised of no objection subject to specified standard conditions being included on any consent to be issued.

A copy of the relevant referral responses are included in **Attachment 3**.

## **SUMMARY**

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 accords with the relevant provisions contained within the City of West Torrens Development Plan Consolidated 5 November 2015 and warrants Development Plan Consent.

## **RECOMMENDATION 1 - LAND DIVISION COMMUNITY TITLE**

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. 211/1400/2015 by Guidered Nuriootpa Pty Ltd to undertake Land division - Community title DAC No - 211/C160/15 Create one (1) additional allotment at 17 Coralie Street (CT 5736/234) subject to the following conditions:

### **Council Conditions**

#### ***DEVELOPMENT PLAN CONSENT*** **COUNCIL CONDITIONS:**

1. Development is to take place in accordance with the plans prepared by State Surveys, Reference 14469 dated 26 October 2015 relating to Development Application No. 211/1400/2015 (DAC 211/C160/15).

#### ***LAND DIVISION CONSENT*** **COUNCIL CONDITIONS:**

1. That prior to the issue of Section 51 Clearance to this division approved herein, all existing structures shall be removed from all proposed Allotments. For this purpose a separate application for demolition shall be submitted for the determination and consideration by Council.

#### **DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS:**

2. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services (SA Water H0039865).
3. Payment of \$6,488.00 into the Planning and Development Fund (1 allotment @ \$6,488.00/allotment). Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (8303 0724), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, 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.



## **RECOMMENDATION 2 - LAND DIVISION TORRENS TITLE**

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. 211/1401/2015 by Guidered Nuriootpa Pty Ltd to undertake Land division - Torrens title DAC No - 211/D161/15 Create one (1) additional allotment at 17 Coralie Street (CT 5736/234) subject to the following conditions:

### **Council Conditions**

#### ***DEVELOPMENT PLAN CONSENT*** **COUNCIL CONDITIONS:**

1. Development is to take place in accordance with the plans prepared by State Surveys, Reference 14469 dated 26 October 2015, relating to Development Application No. 211/1041/2015 (DAC 211/D161/15).

#### ***LAND DIVISION CONSENT*** **COUNCIL CONDITIONS:**

1. That prior to the issue of Section 51 Clearance to this division approved herein, all existing structures shall be removed from all proposed Allotments. For this purpose a separate application for demolition shall be submitted for the determination and consideration by Council.

#### **DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS:**

2. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services (SA Water H0039867).

An investigation will be carried out to determine if the connection/s to the development will be costed as standard or non standard. The alteration of internal drains to the satisfaction of SA Water is required.

The internal drains shall be altered to the satisfaction of SA Water Corporation.

3. Payment of \$6,488.00 into the Planning and Development Fund (1 allotment @ \$6,488.00/allotment). Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (8303 0724), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, 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

### 6.7 17 Coralie Street, PLYMPTON

Application No. 211/1324/2014, 211/1325/2014, 211/406/2015, 211/407/2015 &  
211/408/2015

#### DEVELOPMENT APPLICATION DETAILS

LAND DIVISION PROPOSALS	211/1324/2014 Land Division Torrens Title (DAC - 211/D167/14) Create One (1) One Additional Allotment 211/1325/2014 Land Division - Community Title DAC - (211/C168/14) Create One (1) One Additional Allotment
APPLICANT	Tony Guidera
LODGEMENT DATE	28 November 2014

LAND USE PROPOSALS	211/406/2015 Construction of a single storey dwelling with garage under main roof (Unit 1) 211/407/2015 Construction a single storey dwelling with garage under main roof (Unit 2) 211/408/2015 Construction a single storey dwelling with garage under main roof (Unit 3)
APPLICANT	Weeks and Macklin Homes
LODGEMENT DATE	16 April 2015

ZONE	Residential Zone
POLICY AREA	Residential Policy Area 22
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> <li>All Applications were referred to City Assets</li> </ul> External <ul style="list-style-type: none"> <li>Land Division Applications were referred to <ul style="list-style-type: none"> <li>Development Assessment Commission</li> <li>SA Water</li> </ul> </li> </ul>
DEVELOPMENT PLAN VERSION	25 September 2014
MEETING DATE	11 August 2015
RECOMMENDATION	211/1324/2014 - <b>REFUSE</b> 211/1325/2014 - <b>REFUSE</b> 211/406/2015 - <b>CONSENT</b> 211/407/2015 - <b>REFUSE</b> 211/408/2015 - <b>REFUSE</b>

## 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.
- All applications where the assessing officer recommends refusal, shall be assessed and determined by the DAP.

## SITE AND LOCALITY

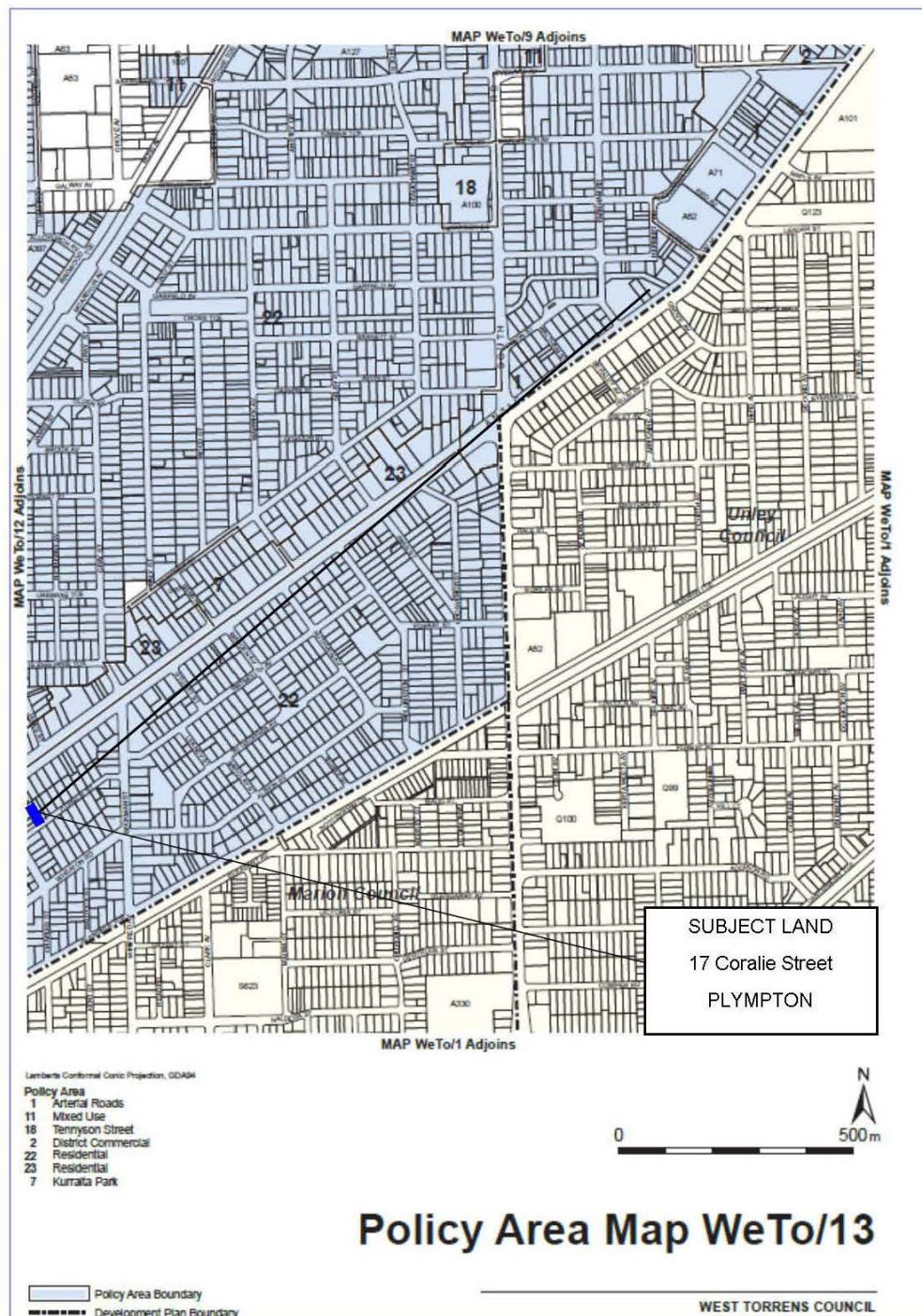
The subject site is described as Allotment 71 Filed Plan 8115 in the area named Plympton Hundred of Adelaide as contained in Certificate of Title Volume 5736 Folio 234. The land is more commonly known as 17 Coralie Street, Plympton.

The subject site is a rectangular shaped allotment of 920.37 square metres with a frontage of 19.81 metres to Coralie Street.

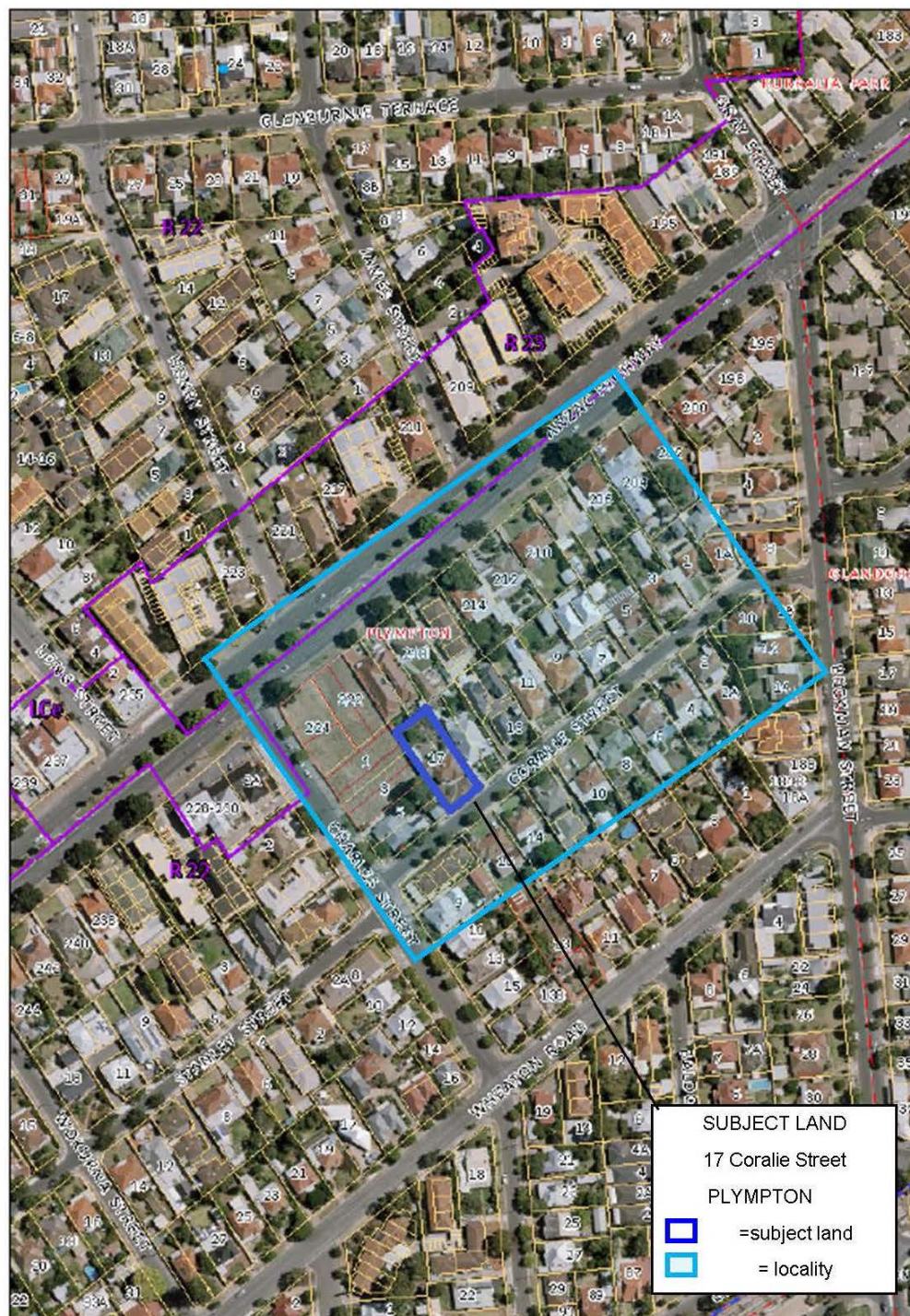
Coralie Street is an eclectic mix of dwellings constructed between the 1950's and 1960's and more recent subdivisions where one allotment has been divided into three.

Under the Development Plan Consolidated on 25 September 2014, which was the Development Plan relevant on the day the application was lodged, the subject site is located within the Residential Zone and more particularly Residential Policy Area 22.

The site and locality are shown on the following maps:









## PROPOSAL

The Applicant is seeking Development Plan Consent for construction of a single storey detached dwelling and two single storey group dwellings.

The Applicant is also seeking a Torrens Title Land Division to create one additional allotment and a Community Title Land Division creating one additional allotment.

Refer **Attachment 1** for plans and details.

## REFERRALS

### Internal

The Application was referred to Council's City Assets Department who advised that whilst the proposed finished floor levels are satisfactory, there are concerns regarding the proposed driveway corridor to access the proposed group dwellings:

*As the access driveway will service more than one property at the rear, the driveway corridor to the site will require widening to a minimum of 5.5m wide pavement width (+ 300mm offset from fences/walls/boundary) for the first 5.0m into the site to permit the passing of entering and exiting traffic. The proposed driveway falls short of this requirement.*

*It is noted that there are no existing site restrictions; as such there is no reason why access arrangements to appropriate standards are not met.*

*The proposed arrangement does not provide for an appropriate transition from the passing area entrance to the driveway and the narrowed neck of the common driveway for the rear dwellings. Further to this, the passing area is short of the standard length required. Council commonly experiences that with abrupt and poorly transitioned driveways, such as currently proposed, the passing space ultimately gets used as an additional parking space and consequently hinders appropriate orderly access.*

### External

- **Development Assessment Commission**

No objections were raised subject to the specified standard conditions being included on any consent issued.

- **SA Water**

No objections were raised subject to the specified standard conditions being included on any consent issued.

A full copy of the reports from the Development Assessment Commission and SA Water are attached, refer **Attachment 2**.

## ASSESSMENT

The subject land is located within the Residential Zone and more particularly Residential Policy Area 22 as described in the West Torrens (City) 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, 4, 5, 7, 9 & 10
Land Division	Objectives	1 & 2
	Principles of Development Control	1, 2, 3, 4, 5, 7, 8, 11, 16 & 20
Landscaping, Fences and Walls	Objectives	1 & 2
	Principles of Development Control	1, 2, 4 & 6
Orderly and Sustainable Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1, 5 & 7
Residential Development	Objectives	1, 2, 3, 4
	Principles of Development Control	1, 2, 3, 7, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 29, 30, 31, 32, 33, 34, 38, 46, 47, 48, 49 & 51
Transportation and Access	Objectives	2
	Principles of Development Control	1, 23, 24, 28, 29, 33, 34, 35 & 36

Zone: Residential Zone	
<p><i>Desired Character Statement:</i></p> <p><i>"This zone will accommodate a range of dwelling types.</i></p> <p><i>Residential development will reflect a variety of building styles, yet where a consistent character exists, new buildings will be designed to harmonise with that which is existing in terms of form, mass, scale, colours and textures of materials and setback distances.</i></p> <p><i>The streetscape will reflect the functions and characteristics of the street type in the traffic movement network and be designed to encourage pedestrian access and to support or establish a sense of place and street identity.</i></p> <p><i>The scale, bulk and design of non-residential development will be sensitive to the desired character of the residential environment. Landscaping will be of a high standard and provide continuity with residential streetscapes.</i></p> <p><i>Residential development in the form of a multiple dwelling, residential flat building or group dwelling should not be undertaken in a Historic Conservation Area other than such development associated with an existing use".</i></p>	
Objectives	1, 2, 3 & 4
Principles of Development Control	1, 3 & 6

<b>Policy Area: Residential Policy Area 22</b>	
<i>This policy area has the greatest potential for redevelopment and increased housing densities due to the close proximity of the majority of housing to centre and public transport, and the range of larger allotments which will be suitable for future subdivision and redevelopment. New development will enhance the existing character of area which is characterized by a variety of housing types ranging from the 1920s to the 1970s.</i>	
<i>Interface issues between residential and commercial, industrial and arterial roads will be managed sensitively, and will not compromise the historical character of the area".</i>	
<b>Objectives</b>	1
<b>Principles of Development Control</b>	1, 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		
		Dwelling 1 Allotment 701	Dwelling 2 Allotment 801	Dwelling 3 Allotment 802
SITE AREA Residential Policy Area 22 PDC 2	270m <sup>2</sup>	272m <sup>2</sup> <b>Satisfies</b>	285.47m <sup>2</sup> <b>Satisfies</b>	285.47m <sup>2</sup> <b>Satisfies</b>
SITE FRONTAGE Residential Policy Area 22 PDC 2	9m	13.7m <b>Satisfies</b>	n/a	n/a
SITE COVERAGE General Section - Residential PDC 30	55%	42.2% <b>Satisfies</b>	43% <b>Satisfies</b>	43% <b>Satisfies</b>
STREET SETBACK General Section - Residential PDC18	5.75m At least the average setback of the adjacent buildings	4.5m <b>Does not satisfy</b>	n/a	n/a
SIDE/REAR SETBACKS General Section - Residential PDCs 21 & 23	Side 1m or 0m	0m - west side 0m - east side <b>Satisfies</b>	0.9m - west side 0m - east side <b>Does not satisfy</b>	0.9m - west side 0m - east side <b>Does not satisfy</b>
	Rear 3m	1.8m <b>Does not satisfy</b>	4.9m <b>Satisfies</b>	5.05m <b>Satisfies</b>
PRIVATE OPEN SPACE General Section - Residential PDC 33	20%	22.79% <b>Satisfies</b>	20% <b>Satisfies</b>	20% <b>Satisfies</b>
CARPARKING SPACES Module: PDC 33	2 car-parking spaces required	2 provided <b>Satisfies</b>	2 provided <b>Satisfies</b>	2 provided

## QUALITATIVE ASSESSMENT

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

### General Section - Residential Development

The proposed development is consistent with the relevant General Section - Residential Development Objectives and Principles of Development Control with the exception of:

Principle of Development Control 18 - which refers to quantitative measures for the assessment of front setbacks; and

Principle of Development Control 23 - which refers to quantitative measures for the assessment of side and rear setbacks.

It is noted that Dwellings 2 and 3 will have a western side setback of 0.9 metres instead of 1 metre recommended by Principle of Development Control 23.

It is also noted that Dwelling 1 will have a rear setback of 1.8 metres instead of 3 metres Principle of Development Control 23

In determining the significance of these shortfalls, the relevant qualitative Principles of Development Control are also required to be considered. Of particular relevance to side setbacks is Principle of Development Control 22 which states:

*Dwelling setback from side and rear boundaries should be progressively increased as the height of the building (with the vertical wall height of a building being measured from the existing ground level at the boundary of the adjacent property) increases to:*

- a) *minimise the visual impact of buildings from adjoining properties*
- b) *minimise the overshadowing of adjoining properties.*

Given that the side setbacks are only deficient by 0.1 metre there will be no discernible visual impact from these deficiencies.

Given that the side and rear setbacks are only deficient by 0.1 metre and 1.2 metres respectively there will be no discernible visual impact from these deficiencies.

Further, as the wall heights of the dwelling are limited to 2.2 metres, the 0.1m deficiency in side setback and 1.2 metres deficiency in rear setback will have no discernible impact on overshadowing of adjacent dwellings.

Given that the relevant qualitative criteria relating to side setbacks have been adequately addressed, the departure from the quantitative requirement is not a concern with the proposal.

In relation to the proposed front setback, Principle of Development Control 18 states that dwellings should be setback at the least the average of the adjacent dwellings. In this case, the adjacent dwelling to the west has a secondary street setback of 1.5 metres and the adjacent dwelling to east has a front setback of 10 metres which is an average of 5.75 metres.

In determining the significance of this shortfall, the relevant qualitative Principles of Development Control are also required to be considered. Of particular relevance to front setbacks is Principle of Development Control 20 which recommends that:

*Dwellings should be setback from allotment or site boundaries to*

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

An excerpt from the Desired Character Statement advises that:

*Development will maintain and complement the character and built form of the existing streetscape.*

Given that the setbacks of dwelling to the street in the locality are inconsistent, the front setbacks of the proposed dwellings will not detract from the existing character of the locality.

Further, the floor plans (refer Attachment 1) demonstrate that the habitable rooms will be separated from pedestrian and vehicle movement.

As the relevant qualitative criteria relating to front setbacks have been adequately addressed, the departure from the quantitative requirement is not a concern with the proposal.

#### Land Division

In relation to the proposed allotment sizes, it is noted that General Section - Land Division - Principle of Development Control 7 states in part that:

*Allotments in the form of a battle-axe configuration should:*

- (a) have an area measuring at least the area specified by the zone, policy area or precinct (excluding the area of the 'handle' of such an allotment*

Residential Zone - Residential Policy Area 22 - Principle of Development Control 2 specifically refers to "site areas" - not allotment areas. As such, there is no specific guidance regarding allotment size. Whilst proposed allotments 801 and 802 are both 231m<sup>2</sup> in allotment area, the proposed site areas are both 285.47m<sup>2</sup> which exceeds Residential Zone - Residential Policy Area 22 - Principle of Development Control 2 requirement that dwellings should have a minimum site area of 270m<sup>2</sup>.

Whilst the area of the allotments is not a concern with the proposal, the configuration of the driveway access to the proposed group dwellings is problematic.

It is noted that General Section - Land Division - Principle of Development Control 7 states in part that allotments in the form of battleaxe configuration should:

- (b) provide an access onto a public road, with the driveway 'handle' being not less:*
  - (i) 3 metres in width for an allotment accommodating two or more dwellings*
  - (ii) 5.5 metres for at least the first 5 metres of the driveway for an allotment accommodating two or more dwellings.*

In addition, General Section - Transportation and Access - Principle of Development Control 29 and 34 advise that development should be consistent with *Australian Standard AS 2890 Parking facilities*. This Australian standard seeks an access width of 5.5 metres for the first 5 metres so that a vehicle can stow (clear of the Council footpath) whilst waiting for a second vehicle to pass.

The proposed driveway 'handle' will be 5.5 metres wide for approximately 4.5 metres in length after which it narrows to 3 metres. There will be 0.3 metres land scaping on either side. As such, the proposed arrangement is inconsistent with Council's Development Plan.



There is concern that the proposed arrangement does not provide for an appropriate transition from the passing area to the narrower portion of the driveway handle, as such, vehicles waiting for a second vehicle to pass, will overhang Council's footpath.

In addition, it is noted that Council's City Assets Department expressed concern that with abrupt and poorly transitioned driveways, such as the proposed development, the passing space ultimately gets used as an additional parking space further hindering appropriate orderly access. The Development Plan seeks car parking spaces are at least 5.5 metres in length. As the passing space is limited to 4.5 metres long, cars using this area as a car parking space may overhang Council's footpath.

The unsatisfactory width of the driveway access is a serious concern with the proposal as it will undermine safe and convenient vehicle access to the proposed allotments and dwellings to the rear.

### SUMMARY

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.

However, the unsatisfactory width of the driveway access is a serious concern with the proposal as it will undermine safe and convenient vehicle access to the proposed allotments and dwellings to the rear.

It is noted that Development Application 211/1324/2014 Land Division Torrens Title (DAC - 211/D167/14) Create One (1) One Additional Allotment and could arguably have been Granted Development Plan Consent. However, given the other development applications being considered concurrently, it is clear that the intended use of the subdivision is to accommodate the subsequent subdivision of proposed allotment 702 into two community title allotments. As such, the proposed subdivision is not considered suitable for the intended use and refusal is recommended.

In the case of Development Application 211/406/2015 Construction of a single storey dwelling with garage under main roof (Unit 1), this development is not contingent on the other four applications being considered on the subject site. As a "stand alone" development application, there is insufficient justification to warrant refusal. It is noted that should the applicant proceed with Dwelling 1, the south east corner of the dwelling will restrict widening of the driveway access to meet the configuration recommended by the Development Plan so further subdivision of the site may be restricted. However, this is a matter for the Applicant to consider and does not warrant refusal of the proposed development by the Development Assessment Panel.

On balance the proposed land divisions and group dwellings do not accord with the relevant provisions contained within the West Torrens (City) Development Plan Consolidated 25 September 2014 and does not warrant Development Plan Consent.

#### RECOMMENDATION 1 - 211/1324/2014

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 REFUSE Development Approval for Application No. 211/1324/2014 by Tony Guidera to Create One (1) One Additional Allotment at 17 Coralie Street, Plympton (CT 1558/170) for the following reasons:

The proposed development is contrary to

- General Section - Land Division - Objective 2  
Reason: The proposed allotment design is not suitable for the intended use.
- General Section - Land Division - Principles of Development Control 2 & 5  
Reason: The proposed allotment design is not suitable for the intended use.
- General Section - Land Division - Principle of Development Control 4  
Reason: The proposed allotment design does not provide for safe and convenient access from each allotment to the existing road.
- General Section - Land Division - Principle of Development Control 7  
Reason: The proposed driveway and driveway "handle" do not satisfy the recommended configuration.
- General Section - Residential - Principles of Development Control 1 and 48  
Reason: The proposed allotments will not provide for convenient and safe vehicle access and car parking.
- General Section - Transportation and Access - Objective 1  
Reason: The proposed development does not provide for safe vehicle and efficient movement for cars.
- General Section - Transportation and Access - Principle of Development Control 8 & 24  
Reason: The proposed development will not provide for safe vehicle and efficient movement for cars.
- General Section - Transportation and Access - Principle of Development Control 29 & 34  
Reason: The proposed development is inconsistent with *Australian Standard AS 2890 Parking facilities*.

## RECOMMENDATION 2 - 211/1325/2014

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 REFUSE Development Approval for Application No. 211/1325/2014 by Tony Guidera to Create One (1) One Additional Allotment at 17 Coralie Street, Plympton (CT 1558/170) for the following reasons:

The proposed development is contrary to

- General Section - Land Division - Objective 2  
Reason: The proposed allotment design is not suitable for the intended use.
- General Section - Land Division - Principles of Development Control 2 & 5  
Reason: The proposed allotment design is not suitable for the intended use.
- General Section - Land Division - Principle of Development Control 4  
Reason: The proposed allotment design does not provide for safe and convenient access from each allotment to the existing road.
- General Section - Land Division - Principle of Development Control 7  
Reason: The proposed driveway and driveway "handle" do not satisfy the recommended configuration.
- General Section - Residential - Principles of Development Control 1 and 48  
Reason: The proposed allotments will not provide for convenient and safe vehicle access and car parking.
- General Section - Transportation and Access - Objective 1  
Reason: The proposed development does not provide for safe vehicle and efficient movement for cars.
- General Section - Transportation and Access - Principle of Development Control 8 & 24  
Reason: The proposed development will not provide for safe vehicle and efficient movement for cars.
- General Section - Transportation and Access - Principle of Development Control 29 & 34  
Reason: The proposed development is inconsistent with *Australian Standard AS 2890 Parking facilities*.

### RECOMMENDATION 3 - 211/406/2015

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. 211/406/2015 by Weeks and Macklin Homes for construction of a single storey dwelling with garage under main roof (Unit 1) at 17 Coralie Street, Plympton (1558/170) subject to the following conditions:

1. That the development shall be undertaken and completed in accordance with the plans and information stamped with Development Plan Consent on 11 August 2015 as detailed in this application except where varied by any condition(s) listed below.
2. That the finished floor level shall be 100.30 in reference to the plan provided by Ginos Engineers (Drawing Number 27744 SR-1/B dated March 2015).
3. 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.
4. That any retaining walls shall 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 shall 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 shall 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 shall be replaced with a suitable species.

#### RECOMMENDATION 4 - 211/407/2015

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 REFUSE Development Approval for Application No. 211/407/2015 by Weeks and Macklin Homes for construction of a single storey dwelling with garage under main roof (Unit 2) at 17 Coralie Street, Plympton (CT 1558/170) for the following reasons:

The proposed development is contrary to

- General Section - Land Division - Objective 2  
Reason: The proposed allotment design is not suitable for the intended use.
- General Section - Land Division - Principles of Development Control 2 & 5  
Reason: The proposed allotment design is not suitable for the intended use.
- General Section - Land Division - Principle of Development Control 4  
Reason: The proposed allotment design does not provide for safe and convenient access from each allotment to the existing road.
- General Section - Land Division - Principle of Development Control 7  
Reason: The proposed driveway and driveway "handle" do not satisfy the recommended configuration.
- General Section - Residential - Principles of Development Control 1 and 48  
Reason: The proposed allotments will not provide for convenient and safe vehicle access and car parking.
- General Section - Transportation and Access - Objective 1  
Reason: The proposed development does not provide for safe vehicle and efficient movement for cars.
- General Section - Transportation and Access - Principle of Development Control 8 & 24  
Reason: The proposed development will not provide for safe vehicle and efficient movement for cars.

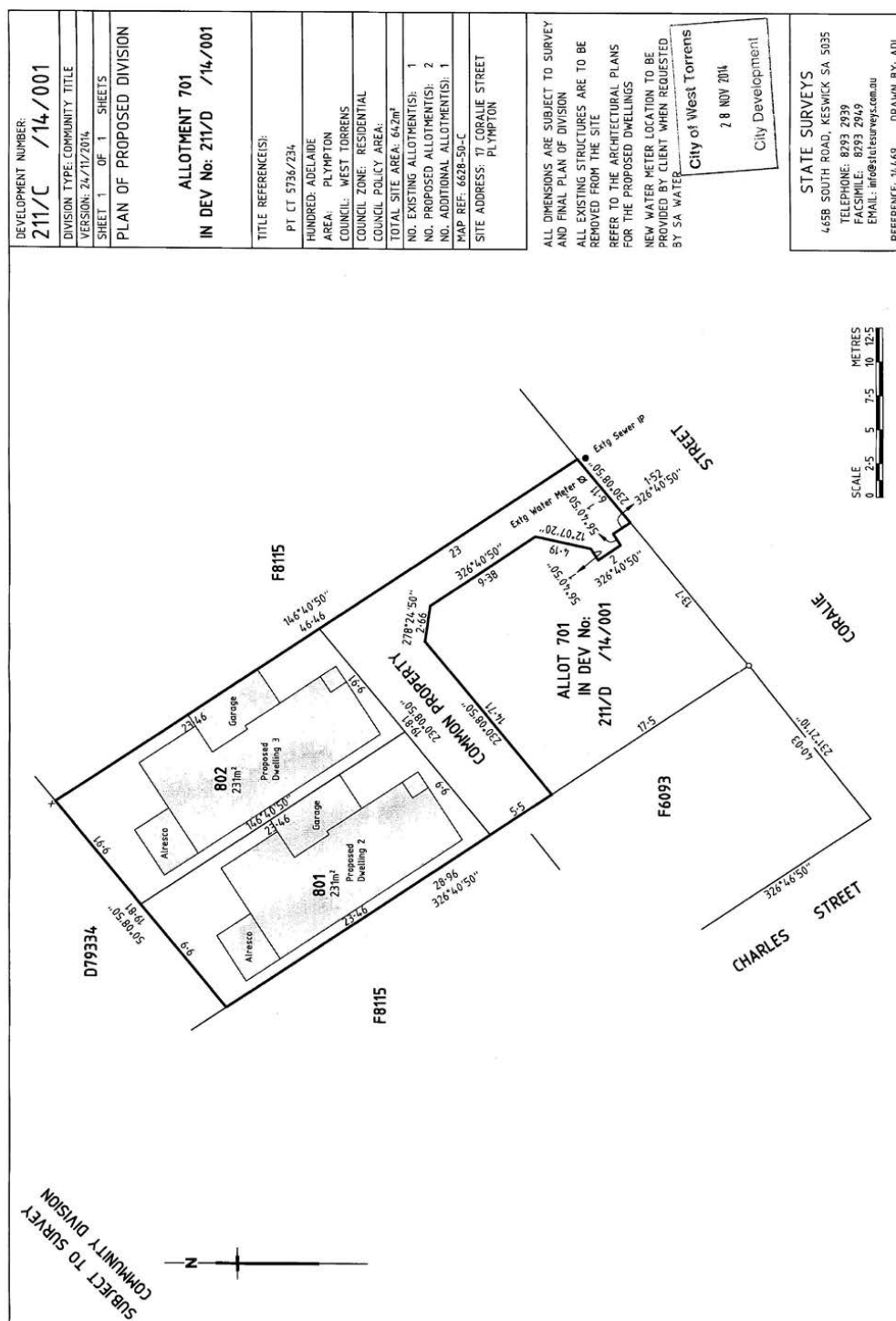


#### RECOMMENDATION 5 - 211/407/2015

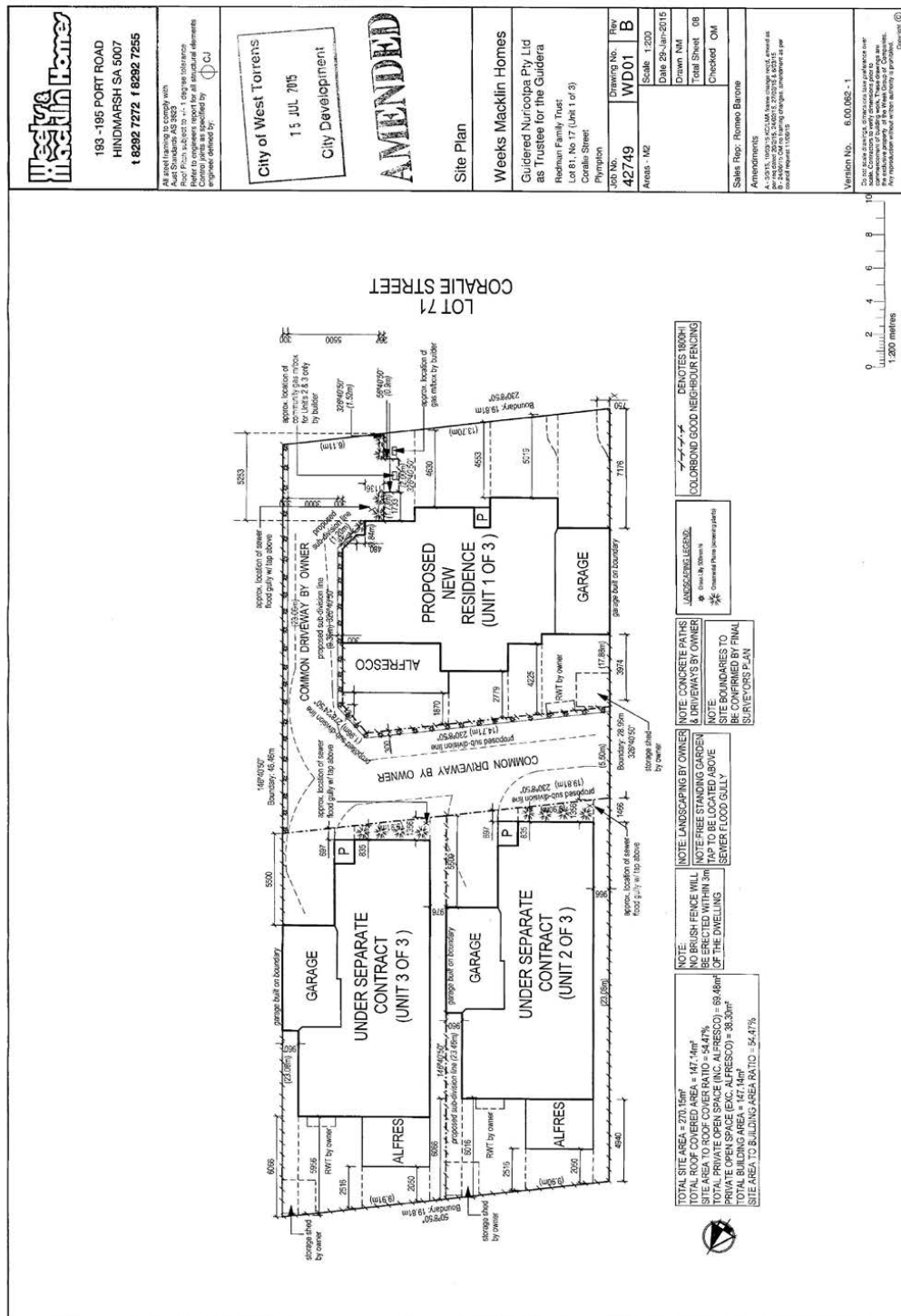
The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to REFUSE Development Approval for Application No. 211/407/2015 by Weeks and Macklin Homes for construction of a single storey dwelling with garage under main roof (Unit 3) at 17 Coralie Street, Plympton (CT 1558/170) for the following reasons:

- General Section - Land Division - Objective 2  
Reason: The proposed allotment design is not suitable for the intended use.
- General Section - Land Division - Principles of Development Control 2 & 5  
Reason: The proposed allotment design is not suitable for the intended use.
- General Section - Land Division - Principle of Development Control 4  
Reason: The proposed allotment design does not provide for safe and convenient access from each allotment to the existing road.
- General Section - Land Division - Principle of Development Control 7  
Reason: The proposed driveway and driveway "handle" do not satisfy the recommended configuration.
- General Section - Residential - Principles of Development Control 1 and 48  
Reason: The proposed allotments will not provide for convenient and safe vehicle access and car parking.
- General Section - Transportation and Access - Objective 1  
Reason: The proposed development does not provide for safe vehicle and efficient movement for cars.
- General Section - Transportation and Access - Principle of Development Control 8 & 24  
Reason: The proposed development will not provide for safe vehicle and efficient movement for cars.

[illegible]

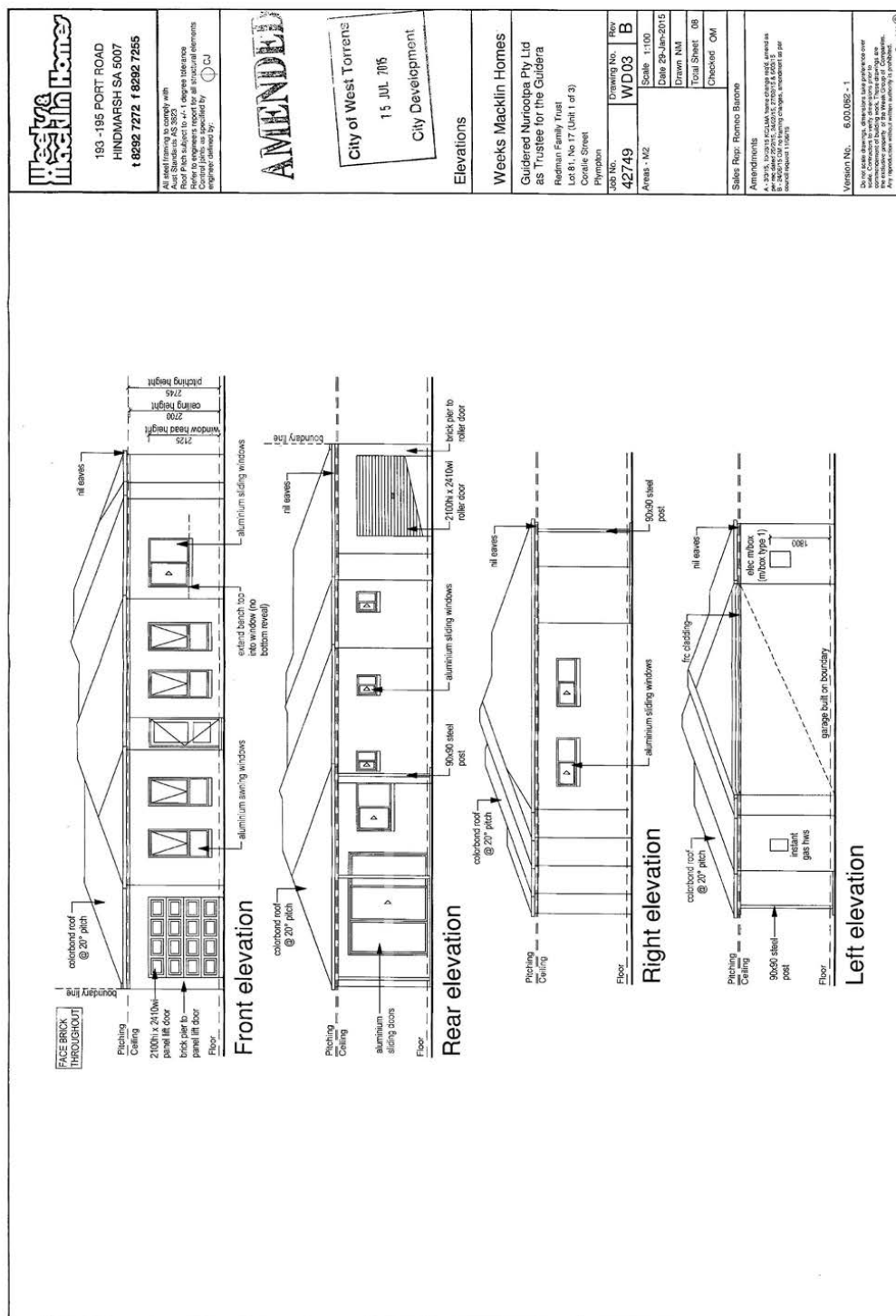












## External Colour Selections



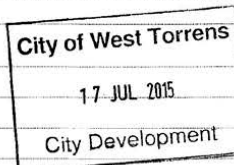
Consultant:	Mardi	Date:	30/03/2015
Client Name:	Guidered Nuriootpa Pty Ltd as Trustee for the Guidera	Phone:	0401 000 101
Job Number:	42749	Email:	
Building Address:	Redman Family Trust Lot 81 No.17 Unit 1 of 3 Coralie Street Plympton		

### BRICK / RENDER SELECTION:

Main Brick:	Nougat
Joint Type:	Raked
Mortar Colour:	Natural

### ROOF, GUTTERS and WINDOWS:

Roofing Material Colorbond / Tiled:	C/Bond
Colour:	Surfmist
Gutter Colour:	Basalt
Fascia Colour:	Basalt
Window / Sliding Doors Colour:	White



### EXTERNAL PAINT SELECTION:

Front Door:	<i>To be confirmed @ Final Builders Interview</i>
Downpipes on Steel Posts to Alfresco only:	Basalt
Remaining Downpipes:	Surfmist
M/Box:	Surfmist
Steel Posts to Alfresco:	Basalt
Porch/Alfresco Linings:	Colourbond Surfmist 80.20

### GARAGE AND CARPORT DOORS:

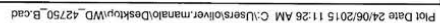
Front Panel Lift Colour :	Surfmist
Rear Roller Door Colour:	Surfmist

The bricks on display are sold as a blend. Clay bricks are a natural kiln fired product and as such are subject to variation and chipping. All endeavours are made to match the colour of the clay products on display and minimize chipping, but some variance may occur.

#### Important Client Information

Please be aware of the below items, if you have any questions regarding the below, please direct your query to the Weeks Group Selections Administration Assistant on 8282 7272.

1. For product items that are upgraded above "Standard", pricing will need to be discussed with your builder.
2. Some External paint colours may not cover in two coats, if a third coat is required there will be an additional charge. This will be discussed with you at the Final Selection Consultation with your builder.
3. Dark coloured bricks will require a brick wash if Natural or Brighton Lite Mortar is used. There will be an additional charge for this only if the bricks or mortar have been upgraded.
4. Brighton Lite Mortar will incur an additional charge (white sand will cost more than yellow sand). This cost will be advised by your builder.
5. Please be aware there is a \$550 per amendment fee from your builder for any changes made to Austral Bricks selections 24 hours or more after your selection appointment with Austral Bricks.
6. Please note *Natural Mortar* is subject to colour variation as it is a natural product made with sand.









## External Colour Selections

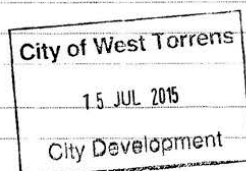
Consultant:	Mardi	Date:	30/03/2015
Client Name:	Guidered Nuriootpa Pty Ltd as Trustee for the Guidera	Phone:	0401 000 101
Job Number:	42750	Email:	
Building Address:	Redman Family Trust Lot 81 No.17 Unit 2 of 3 Coralie Street Plympton		

### BRICK / RENDER SELECTION:

Main Brick:	Nougat
Joint Type:	Raked
Mortar Colour:	Natural

### ROOF, GUTTERS and WINDOWS:

Roofing Material Colorbond / Tiled:	C/Bond
Colour:	Surfmist
Gutter Colour:	Basalt
Fascia Colour:	Basalt
Window / Sliding Doors Colour:	White



### EXTERNAL PAINT SELECTION:

Front Door:	To be confirmed @ Final Builders Interview
Laundry Door:	To be confirmed @ Final Builders Interview
Downpipes on Steel Posts to Porch & Alfresco only:	Basalt
Remaining Downpipes:	Surfmist
M/Box:	Surfmist
Steel Posts to Porch & Alfresco:	Basalt
Eaves/Porch/Alfresco Linings:	Colourbond Surfmist 80.20

### GARAGE AND CARPORT DOORS:

Front Panel Lift Colour:	Surfmist
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The bricks on display are sold as a blend. Clay bricks are a natural kiln fired product and as such are subject to variation and chipping. All endeavours are made to match the colour of the clay products on display and minimize chipping, but some variance may occur.

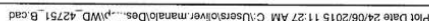
#### Important Client Information

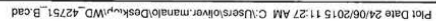
Please be aware of the below items, if you have any questions regarding the below, please direct your query to the Weeks Group Selections Administration Assistant on 8282 7272.

1. For product items that are upgraded above "Standard", pricing will need to be discussed with your builder.
2. Some External paint colours may not cover in two coats, if a third coat is required there will be an additional charge. This will be discussed with you at the Final Selection Consultation with your builder.
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4. Brighton Lite Mortar will incur an additional charge (white sand will cost more than yellow sand). This cost will be advised by your builder.
5. Please be aware there is a \$550 per amendment fee from your builder for any changes made to Austral Bricks selections 24 hours or more after your selection appointment with Austral Bricks.
6. Please note Natural Mortar is subject to colour variation as it is a natural product made with sand.

Austral Bricks™ Design Centre 392 South Road, Richmond SA 5033  
Phone: 08 8152 0302 / Fax: 08 8152 0465









## External Colour Selections

Consultant:	Mardi	Date:	30/03/2015
Client Name:	Guidered Nuriootpa Pty Ltd as Trustee for the Guidera	Phone:	0401 000 101
Job Number:	42751	Email:	
Building Address:	Redman Family Trust Lot 81 No.17 Unit 3 of 3 Coralie Street Plympton		

### BRICK / RENDER SELECTION:

Main Brick:	Nougat
Joint Type:	Raked
Mortar Colour:	Natural

### ROOF, GUTTERS and WINDOWS:

Roofing Material Colorbond / Tiled:	C/Bond
Colour:	Surfmist
Gutter Colour:	Basalt
Fascia Colour:	Basalt
Window / Sliding Doors Colour:	White



### EXTERNAL PAINT SELECTION:

Front Door:	To be confirmed @ Final Builders Interview
Laundry Door:	To be confirmed @ Final Builders Interview
Downpipes on Steel Posts to Porch & Alfresco only:	Basalt
Remaining Downpipes:	Surfmist
M/Box:	Surfmist
Steel Posts to Porch & Alfresco:	Basalt
Eaves/Porch/Alfresco Linings:	Colourbond Surfmist 80.20

### GARAGE AND CARPORT DOORS:

Front Panel Lift Colour :	Surfmist
---------------------------	----------

The bricks on display are sold as a blend. Clay bricks are a natural kiln fired product and as such are subject to variation and chipping. All endeavours are made to match the colour of the clay products on display and minimize chipping, but some variance may occur.

#### Important Client Information

Please be aware of the below items, if you have any questions regarding the below, please direct your query to the Weeks Group Selections Administration Assistant on 8282 7272.

1. For product items that are upgraded above "Standard", pricing will need to be discussed with your builder.
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6. Please note Natural Mortar is subject to colour variation as it is a natural product made with sand.

Austral Bricks™ Design Centre 392 South Road, Richmond SA 5033  
Phone: 08 8152 0302 / Fax: 08 8152 0465



DEVELOPMENT ASSESSMENT PANEL  
11 August 2015

Page 230

ATTACHMENT 2

Contact Planning Services  
Telephone 8303 0601  
Facsimile 8303 0604

09 December 2014  
The Chief Executive Officer  
City of West Torrens

Dear Sir/Madam

**Re: Proposed Application No.** 211/C168/14 (ID 49149)  
**for Land Division (Community Title Plan) by Mr Tony Guidara**

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 27 November 2014, 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.  
For further processing of this application by SA Water to establish the full requirements and costs of this development the developer will need to advise SA Water of their preferred servicing option. Information of our servicing options can be found at:  
<http://www.sawater.com.au/SAWater/DevelopersBuilders/ServicesForDevelopers/Customer+Connections+Centre.htm>. For further information or queries please contact SA Water Land Developments on 7424 1119.  
The developer must inform potential purchasers of the community lots of the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to the owner/applciant.
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](http://www.edala.sa.gov.au) or by phone (8303 0724), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 136 North Terrace, 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.

**PURSUANT TO REGULATION 60(4)(b)(ii), SHOULD THIS APPLICATION BE APPROVED, COUNCIL MUST PROVIDE THE DEVELOPMENT ASSESSMENT COMMISSION WITH:**

- (a) the date on which any existing building(s) on the site were erected (if known),
- (b) the postal address of the site

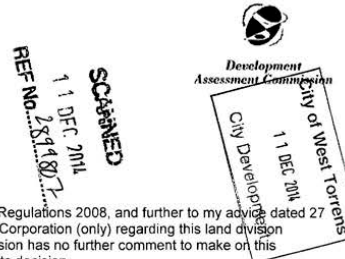
It is recommended that this information be incorporated into the Decision Notification Form.

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

Yours faithfully



Steve Gale  
Land Division Supervisor, Planning Services  
as delegate of  
DEVELOPMENT ASSESSMENT COMMISSION







SA Water  
Level 6, 250 Victoria Square  
ADELAIDE SA 5000  
Ph (08) 7424 1119  
Inquiries CAROL CARY  
Telephone 7424 1119

09 December 2014

Our Ref: H0027005

The Chairman  
Development Assessment Commission  
136 North Terrace  
ADELAIDE SA 5000

Dear Sir/Madam

**PROPOSED LAND DIVISION APPLICATION NO: 211/C168/14 AT PLYMPTON**

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.

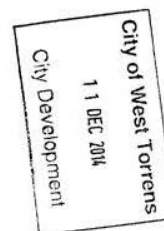
For further processing of this application by SA Water to establish the full requirements and costs of this development the developer will need to advise SA Water of their preferred servicing option. Information of our servicing options can be found at:

<http://www.sawater.com.au/SAWater/DevelopersBuilders/ServicesForDevelopers/Customer+Connections+Centre.htm>. For further information or queries please contact SA Water Land Developments on 7424 1119.

The developer must inform potential purchasers of the community lots of the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to the owner/applicant.

Yours faithfully

CAROL CARY  
for **MANAGER LAND DEVELOPMENT & CONNECTIONS**



SCANNED  
11 DEC 2014  
REF NO: 2879806

DEVELOPMENT ASSESSMENT PANEL  
11 August 2015

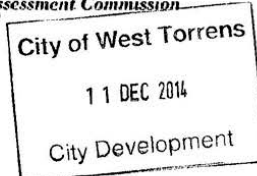
Page 232

Contact Planning Services  
Telephone 8303 0601  
Facsimile 8303 0604

SCANNED

11 DEC 2014

REF No. 2819825 Development Assessment Commission



09 December 2014

The Chief Executive Officer  
City of West Torrens

Dear Sir/Madam

**Re: Proposed Application No.** 211/D167/14 (ID 49148)  
**for Land Division by** Mr Tony Guidera

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 27 November 2014, 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.  
The alteration of internal drains to the satisfaction of SA Water is required.  
On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.
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](http://www.edala.sa.gov.au) or by phone (8303 0724), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 136 North Terrace, 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.**

Yours faithfully

Steve Gale  
Land Division Supervisor, Planning Services  
as delegate of  
DEVELOPMENT ASSESSMENT COMMISSION



09 December 2014

Our Ref: H0027004

The Chairman  
Development Assessment Commission  
136 North Terrace  
ADELAIDE SA 5000

Dear Sir/Madam

**PROPOSED LAND DIVISION APPLICATION NO: 211/D167/14 AT PLYMPTON**

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.

The alteration of internal drains to the satisfaction of SA Water is required.

On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.

Yours faithfully

CAROL CARY

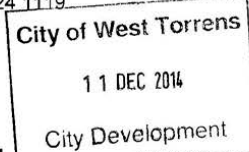
**for MANAGER LAND DEVELOPMENT & CONNECTIONS**

SCANNED

11 DEC 2014

REF No. 2899824

SA Water  
Level 6, 250 Victoria Square  
ADELAIDE SA 5000  
Ph (08) 7424 1119  
Inquiries CAROL CARY  
Telephone 7424 1119



## AMENDED

**SUBJECT TO SURVEY  
COMMUNITY DIVISION**

AMENDED PLAN 11/01/2016  
Proposed Boundary Adjusted  
To Correlate With Revised Land Use  
Application

**DEVELOPMENT NUMBER:  
211/C160/15/001**

DIVISION TYPE: COMMUNITY TITLE  
VERSION: 11/01/2016  
SHEET 1 OF 1 SHEETS  
**PLAN OF PROPOSED DIVISION**

**ALLOTMENT 71 IN F8115**

TITLE REFERENCE(S):  
PT CT 5736/234.  
HUNDRED: ADELAIDE  
AREA: PLYMPTON  
COUNCIL: WEST TORRENS  
COUNCIL ZONE: RESIDENTIAL  
COUNCIL POLICY AREA:  
TOTAL SITE AREA: 644m<sup>2</sup>  
NO. EXISTING ALLOTMENT(S): 1  
NO. PROPOSED ALLOTMENT(S): 2  
NO. ADDITIONAL ALLOTMENT(S): 1  
MAP REF: 6628-50-C  
SITE ADDRESS: 17 CORALIE STREET  
PLYMPTON

ALL DIMENSIONS ARE SUBJECT TO SURVEY  
AND FINAL PLAN OF DIVISION  
ALL EXISTING STRUCTURES ARE TO BE  
REMOVED FROM THE SITE  
REFER TO THE ARCHITECTURAL PLANS  
FOR THE PROPOSED DWELLINGS  
NEW WATER METER LOCATION TO BE  
PROVIDED BY CLIENT WHEN REQUESTED  
BY SA WATER

**STATE SURVEYS**  
46SB SOUTH ROAD, KESWICK SA 5035  
TELEPHONE: 8293 2939  
FACSIMILE: 8293 2949  
EMAIL: planning@statesurveys.com.au  
REFERENCE: 14469 DRAWN BY: ADL

**AMENDED**

**F8115**

**AMENDED**

**AMENDED**

**CORALIE STREET**

**CHARLES STREET**

**ALLOT 701  
IN DEV No:  
211/D161/15/001**

**COMMON PROPERTY**

**801 227m<sup>2</sup>**

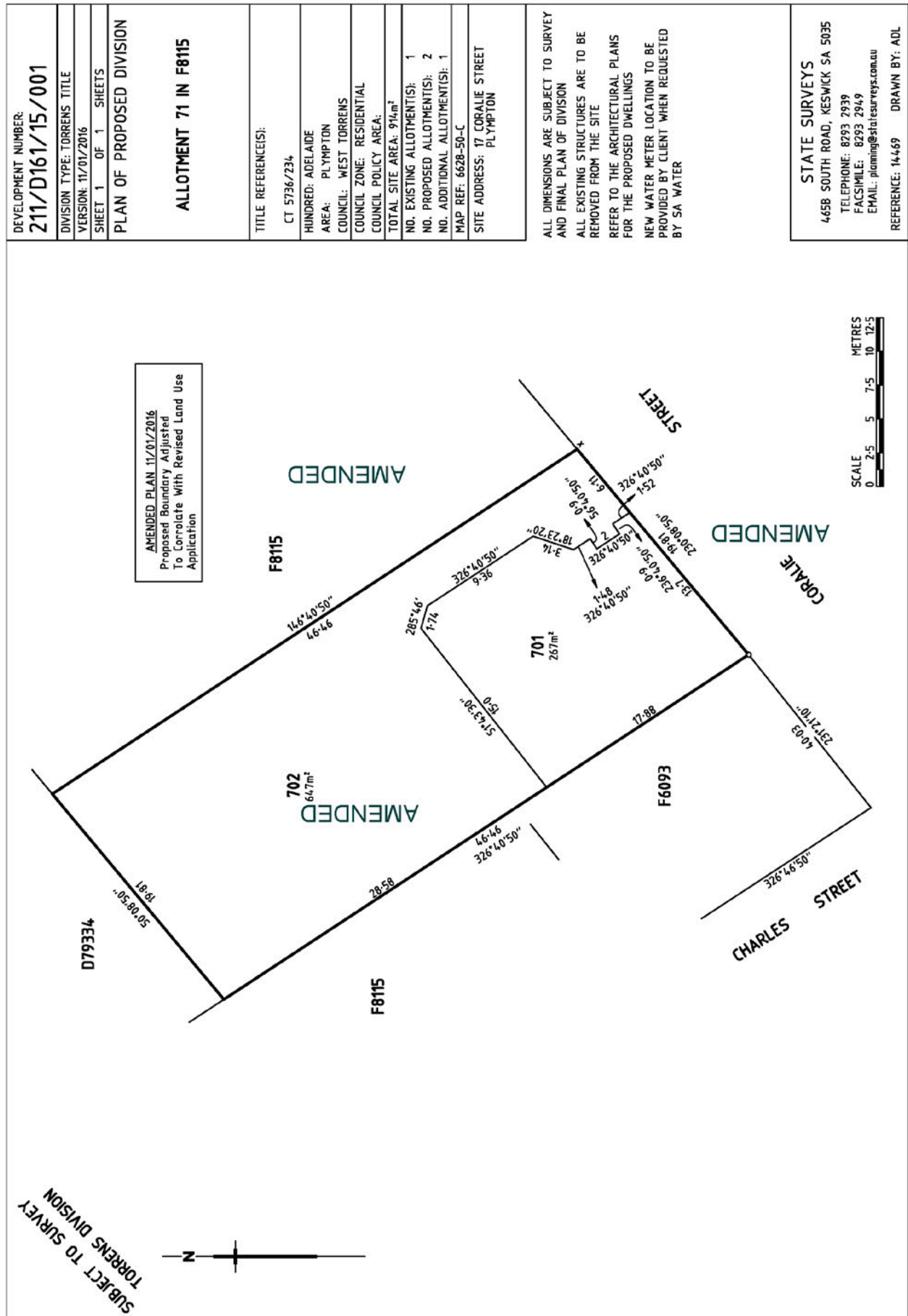
**802 227m<sup>2</sup>**

**F6093**

**D79334**

Scale: 0 2.5 5 7.5 10 12.5 METRES

N





ATTACHMENT 3

Contact                      Customer Services  
Telephone                  (08) 71097016  
Facsimile                  (08) 83030604



27 January 2016

Mr Terry Buss  
City Manager  
City of West Torrens  
165 Sir Donald Bradman Drive  
HILTON SA 5033

Dear Sir

**Re:        Proposed Application No. 211/D161/15 (52547) Amended Plan 20/1/16  
             for Land Division by Guidered Nuriootpa Pty Ltd Atf the Guidera Rodman Fami**

I refer to the enclosed application received at this office and advise that the Development Assessment Commission has no report to make to Council in accordance with Regulation 29 of the Development Regulations.

The Commission is of the view that there are no planning impacts of State significance associated with the application, and accordingly have only consulted with the SA Water Corporation pursuant to Regulation 29 (3).

While the Commission is making no report on the application, there may be local planning issues which Council should consider prior to making its decision on the application.

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

1.        The financial requirements of the SA Water Corporation shall be met for the provision of water and sewerage services (SA Water H0039867).  
             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.
2.        Payment of \$ into the Planning and Development fund ( allotment @ \$/allotment). Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://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.

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.

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

Yours faithfully

A handwritten signature in black ink, appearing to read "P. Hodgson".

Phil Hodgson  
Unit Manager  
Land titles Office  
As delegate of the  
**DEVELOPMENT ASSESSMENT COMMISSION**



28 January 2016

Our Ref: H0039867

The Chairman  
Development Assessment Commission  
136 North Terrace  
ADELAIDE SA 5000

Dear Sir/Madam

**PROPOSED LAND DIVISION APPLICATION NO: 211/D161/15 AT PLYMPTON**

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.

The alteration of internal drains to the satisfaction of SA Water is required.

An investigation will be carried out to determine if the connection/s to the development will be costed as standard or non-standard.

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

CAROL CARY  
for **MANAGER LAND DEVELOPMENT & CONNECTIONS**

SA Water  
Level 6, 250 Victoria Square  
ADELAIDE SA 5000  
Ph (08) 7424 1119  
Inquiries CAROL CARY  
Telephone 7424 1119

Contact  
Telephone  
Facsimile

Customer Services  
(08) 71097016  
(08) 83030604



27 January 2016

Mr Terry Buss  
City Manager  
City of West Torrens  
165 Sir Donald Bradman Drive  
HILTON SA 5033

Dear Sir

**Re: Proposed Application No. 211/C160/15 (52549) Amended Plan 20/1/16  
for Land Division (Community Title Plan) by Guidered Nuriotpa Pty Ltd ATF the Guidera Redman Fami**

I refer to the enclosed application received at this office and advise that the Development Assessment Commission has no report to make to Council in accordance with Regulation 29 of the Development Regulations.

The Commission is of the view that there are no planning impacts of State significance associated with the application, and accordingly have only consulted with the SA Water Corporation pursuant to Regulation 29 (3).

While the Commission is making no report on the application, there may be local planning issues which Council should consider prior to making its decision on the application.

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

1. The financial requirements of the SA Water Corporation shall be met for the provision of water and sewerage services (SA Water H0039865).
2. Payment of \$6488 into the Planning and Development fund (1 lots(s) @ \$6488 /lot). Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://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 developer must inform potential purchasers of the community lots of the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to the owner/applicant.

SA Water also advise that for further processing of this application by SA Water, to establish the full requirements and costs of this development, the developer will need to advise SA of their preferred servicing option. Information of our servicing options can be found at: <http://www.sawater.com.au/SAWater/DevelopersBuilders/ServicesForDevelopers/Custom+Connections+Centre.htm>. For further information or queries please contact SA Water Land Developments on 7424 1119.

**IT IS ALSO REQUIRED THAT COUNCIL PROVIDE THE DEVELOPMENT ASSESSMENT COMMISSION WITH:**

- a) the date on which any existing building(s) on the site were erected (if known);
- b) the postal address of the site; pursuant to Regulation 60 (4) (b) (ii).

**IT IS RECOMMENDED THAT THIS INFORMATION BE INCORPORATED INTO COUNCIL'S ADVICE WHEN REPORTING THAT THEIR REQUIREMENTS (IF ANY) HAVE BEEN FULLY SATISFIED.**

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

Yours faithfully

A handwritten signature in black ink, appearing to read "P. Hodgson".

Phil Hodgson  
Unit Manager  
Land titles Office  
As delegate of the  
**DEVELOPMENT ASSESSMENT COMMISSION**



28 January 2016

Our Ref: H0039865

The Chairman  
Development Assessment Commission  
136 North Terrace  
ADELAIDE SA 5000

Dear Sir/Madam

**PROPOSED LAND DIVISION APPLICATION NO: 211/C160/15 AT PLYMPTON**

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.

For SA Water to assess this application, the developer must advise SA Water the preferred servicing option. Information can be found at: <http://www.sawater.com.au/developers-and-builders/building,-developing-and-renovating-your-property/subdividing/community-title-development-factsheets-and-information> For queries call SAW Land Developments on 74241119. An investigation will be carried out to determine if connections to the development will be standard or nonstandard.

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

CAROL CARY  
for **MANAGER LAND DEVELOPMENT & CONNECTIONS**

SA Water  
Level 6, 250 Victoria Square  
ADELAIDE SA 5000  
Ph (08) 7424 1119  
Inquiries CAROL CARY  
Telephone 7424 1119

## **7. CONFIDENTIAL REPORTS OF THE CHIEF EXECUTIVE OFFICER**

### **7.1 38 Morley Street, WEST RICHMOND - CONFIDENTIAL**

Application No. 211/381/2015

#### **Reason for Confidentiality**

It is recommended that this Report be considered in CONFIDENCE in accordance with Section 56A (12) (a) of the *Development Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (vii) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;
- (viii) legal advice

as this matter is before the Environment Resources and Development Court and it is a requirement of the Court that matters are kept confidential until such time as a compromise is reached or the matter proceeds to a hearing.

#### **RECOMMENDATION**

That:

1. On the basis that this matter is before the Environment Resources and Development Court so any disclosure would prejudice the position of Council, the Development Assessment Panel orders pursuant to Section 56A(12)(a) of the *Development Act 1993*, that the public, with the exception of the General Manager Urban Services, Manager City Development, Co-ordinator Development, Development Officer - Planning, Administrative Assistants, and other staff so determined, be excluded from attendance at so much of the meeting as is necessary to receive, discuss and consider in confidence, information contained within the confidential reports submitted by the Chief Executive Officer.
2. At completion of the confidential session the meeting be re-opened to the public.



## 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	211/1155/2012/A	West Beach Road, West Beach	Additional playing fields & associated facilities - Variation to an authorisation previously granted - Change to condition #10
Section 49	211/1155/2012/B	West Beach Road, West Beach	Additional playing fields & associated facilities - Variation to an authorisation previously granted - Amend carpark layout
Schedule 10	211/136/2015	134-136 Anzac Highway, Glandore	On The Run redevelopment
Section 49	211/1538/2015	West Beach Road, West Beach	Gate widening and removal of regulated tree
Schedule 10	211/146/2016	Lot 12 Holbrooks Road, Underdale	Installation of a prefabricated toilet

#### Development Application appeals before the ERDC

DA Number	Address	Reason for Appeal	Description of Development	Status
211/828/2015	22 Press Road, BROOKLYN PARK	Applicant appealed DAP refusal	create one additional allotment	Conciliation Conference After 12 April 2016
211/407/2015	17 Coralie Street, PLYMPTON	Applicant appealed DAP refusal	construction of a single-storey detached dwelling	Conciliation Conference 30 March 2016
211/437/2014	1 Hinton Street, UNDERDALE	Applicant appealed DAP refusal	create one additional allotment	Hearing 1 March 2016

211/381/2015	38 Morley Street, WEST RICHMOND	Applicant appealed DAP refusal	create one additional allotment	Conciliation Conference 23 March 2016
211/668/2015	9 Press Road, BROOKLYN PARK	Applicant appealed DAP refusal	create one additional allotment	Conciliation Conference After 12 April 2016
211/806/2013 & 211/496/2015	115 George Street, THEBARTON	Applicant appealed DAP refusal	construction of one additional dwelling & create one additional allotment	Conciliation Conference 8 March 2016
211/1311/2015 & 211/1427/2015	51 Watson Avenue, Netley	Applicant appealed Nature & DAP refusal	construction of two dwellings & create one additional allotment	Preliminary Conference 21 March 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