

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, 9 FEBRUARY 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 12 January 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 5 Lindsay Street, CAMDEN PARK

Application No. 211/836/2015 & 211/855/2015

Appearing before the Panel will be:

Representors: **Helen Flett** of No. 7 Lindsay Street, Camden Park wishes to appear in support of the representation

Luke Bashford of 3 Lindsay Street, Camden Park wishes to appear in support of the representation

Christopher & Jennifer Bashford of 3A Lindsay Street, Camden Park wish to appear in support of their representation

Applicant/s: **Michael Morris & Cam Hoang** of Rivergum Homes wish to appear to respond to representations.

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Land division - Community title DAC No- 211/C107/15 Create Four (4) additional allotments	Construction of affordable housing comprising a residential flat building containing five (5) two-storey dwellings and associated carport
APPLICANT	CAMTHI Investments Pty Ltd C/- Pinksterboer Development Consultants	M J Morris
APPLICATION NO	211/855/2015	211/836/2015
LODGEMENT DATE	29 July 2015	24 July 2015
PUBLIC NOTIFICATION	Category 1	Category 2
REFERRALS	Internal <ul style="list-style-type: none">▪ Nil External <ul style="list-style-type: none">▪ DAC / SA Water	Internal <ul style="list-style-type: none">▪ City Assets External <ul style="list-style-type: none">▪ Nil
ZONE	Residential Zone	
POLICY AREA	Medium Density Policy Area 18	
DEVELOPMENT PLAN VERSION	25 June 2015	
MEETING DATE	9 February 2016	
RECOMMENDATION	SUPPORT	

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

PREVIOUS or RELATED APPLICATION(S)

- 211/837/2013 - Construction of additions & alterations to existing dwelling and construction of a garage (Withdrawn 4 April, 2014)
- 211/387/2014 - Demolition of existing dwelling plus construction of a single storey detached dwelling with double garage and verandah to rear (Development Approval 9 Sep 09, 2014)
- 211/213/2015 - Construction of a residential flat building containing five (5) two-storey dwellings and associated garages (DPC refused 39(3)(b) 29 June, 2015)
- 211/140/2015 - Demolition of existing dwelling & associated structures (Development Approval 18 Feb 2015)

SITE AND LOCALITY

The subject site is rectangular in shape and is located on the north-western side of Lindsay Street, Camden Park, between Jeanie Street & Padget Street and within close proximity (within 50 metres) to Anzac Highway and the Glenelg to Adelaide Tram Line which are major transport corridors. It has a frontage width of 15.54 metres to Lindsay Street and a depth of 45.72 metres, resulting in an overall site area of approximately 711m².

The site is currently vacant.

Topographically the site is relatively flat.

No regulated trees are located on the site or adjoining the site that may be affected as part of the proposed development. There is one (1) juvenile street tree located on the verge directly in front of the site that will be impacted upon as a result of the proposed development.

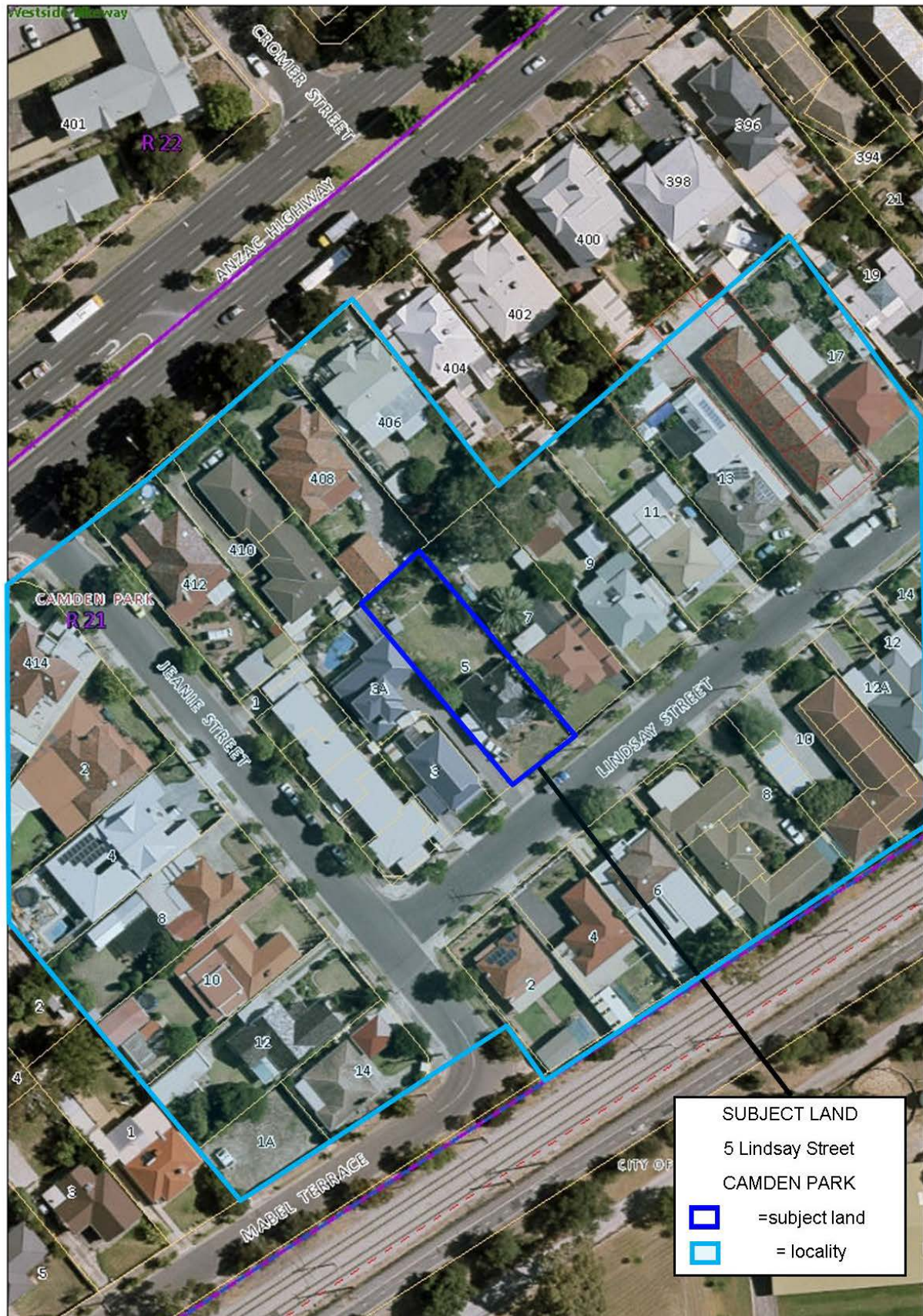
Vehicle access to the site is currently provided via an existing single width crossover located near the site's south-western boundary.

The existing neighbourhood comprises primarily detached dwellings (circa 1950's) constructed of brick, stone or render with pitched roofs and some newer infill development comprising detached dwellings, residential flat buildings and group dwellings with an existing two-storey group dwelling located at the rear of its site, directly to the south-east of the subject site.

All surrounding land uses are residential.

Areas of allotments within the locality range from 74m² (excluding the common property area) to 380m² (excluding the driveway handle) for the more recent dwellings at 3A Lindsay Street, to 789m² for undeveloped allotments similar to the subject site.

The site and locality are shown on the following maps.





PROPOSAL

It is proposed to construct a two-storey residential flat building containing five dwellings. The applicant has nominated that the dwellings will be provided as affordable housing (as defined by the South Australian Housing Trust Regulations as amended).

All dwellings comprise an open plan kitchen / meals / living area, storage and amenities at ground floor level and two bedrooms, amenities and a balcony at first floor level.

Each dwelling is provided with one car parking space located within a shared carport located at the rear of the site.

The carport is accessed by a common driveway from the existing crossover which is proposed to be widened.

The dwellings are proposed to be constructed of 'surfmist' render and 'basalt' Hardies Axon cladding with 'basalt' colorbond screens surrounding the proposed balconies and 'surfmist' colorbond roofs. Similarly, the proposed carport will be constructed of 'surfmist' steel posts with a trimdeck roof.

A landscaping plan has been submitted which indicates that landscaping will be provided within the front setback area, adjacent to the common driveway, the rear of Dwelling 5 and the rear private open space areas and adjacent to proposed bin and car parking areas.

The proposed land division application (211/855/2015) is for a Torrens title to create five (5) allotments from one Torrens titled allotment. The proposal has been lodged to formalise titling arrangements in accordance with the associated land use development application being concurrently considered in this report (211/836/2015).

The proposed land use and land division development applications are included in **Attachment 1**.

PUBLIC NOTIFICATION

The land division application is 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.

The land use application is a Category 2 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.

Properties notified:	Six (6) properties were notified during the public notification process.
Representations:	Three (3) representations were received.
Persons wishing to be heard:	Three (3) representors identified that they wish to address the Panel. <ul style="list-style-type: none">• Helen Flett of 7 Lindsay Street, Camden Park• Luke Bashford of 3 Lindsay Street, Camden Park• Christopher & Jennifer Bashford of 3A Lindsay Street, Camden Park
Summary of Representations:	Concerns were raised regarding the following matters; <ul style="list-style-type: none">• Insufficient site area• Lack of car parking based upon five, 3 bedroom dwellings• Close proximity of development to boundary with 7 Lindsay Street• Overlooking & resultant privacy concerns• Heritage of area depleted• Increased pressure on existing older water / sewerages / drainage infrastructure• Safety compromised due to increased traffic• Western boundary landscaping bed too narrow to accommodate proposed landscaping

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

- The allotment size meets the Development Plan requirements of 100m² for affordable housing.
- The proposed development meets car parking requirements for affordable housing with one car parking space being provided per dwelling and on-street parking available.
- The dwellings will not overlook or cast shadows over the habitable room windows or private open space areas of adjoining dwellings. Two to three storey dwellings are contemplated in this part of the Residential Zone. The development is set back greater than the 2 metres required to the side boundary.
- A preliminary site engineering concept plan has been prepared which confirms that stormwater disposed from the site will not exceed pre-development levels.
- The landscaping plan has been amended to accommodate suitable landscaping

In response to the representor's concerns and some concerns raised by the Administration, the applicant has submitted amended plans (received by Council on the 22 December 2015) since those publically notified. The amendments include the following:

- Amendment of all five dwellings to affordable housing in lieu of one proposed affordable dwelling previously;
- Car parking removed from under the main roof line of each dwelling and provided in a carport located at the rear of the site accommodating five car parking spaces for use by the proposed dwellings;
- An increase in the rear setback of the two-storey building from 4 metres to 12.91 metres;
- An increase in the front setback of the two-storey building from 3.05 metres to 3.46 metres;
- An increase in the setback to site's north-eastern (side) boundary with 7 Lindsay Street from 2.38 metres to 3 metres and improved articulation of this elevation;
- The provision of windows and detailing to improve the presentation of the dwelling to its Lindsay Street frontage;
- The provision of external screens and solid rendered walls to proposed balconies and fixed obscure glazing to all north-east and south-west facing windows to ensure visual privacy is provided to all existing habitable room windows and private open space areas of existing dwellings, and within the proposed development;
- The landscaped areas and species modified to soften the development to adjoining properties and the street and ensure the long term sustainability of proposed landscaping;
- The private open space area of all dwellings increased to meet the minimum areas specified in the Development Plan;
- An area nominated for bin storage areas given that the configuration of the dwellings would not allow for bins to be stored within the rear yards of each dwelling;
- Driveway access and car parking access amended to be fully workable; and
- Finished floor levels and stormwater drainage details included on the submitted plans in lieu of the original site engineering concept plan.

Given that the amendments made to the plans do not decrease setbacks to boundaries, increase heights or exacerbate any issues raised by the original representations or initially submitted plans, the amended plans were not required to be publically notified. The representations submitted with the application are still to be considered as part of the assessment of the application by the Administration, and determination of the application by the Development Assessment Panel (DAP).

Although the applicant has attempted to address the concerns raised by the representor's in their written response, not all of the concerns raised have been addressed by the applicant. As such the following concerns are discussed further by the Administration:

Heritage of area depleted

Despite the building era of some of the dwellings within the locality and broader surrounding area, the subject site is not located within a Historic Conservation Area or identified as having heritage significance in the Development Plan, nor are any existing heritage properties within close proximity to the site.

The development has been designed and provided with front, side and rear setbacks in excess of the minimum setbacks required in the Development Plan. It is considered to meet the desired character of Medium Density Policy Area 18 by contributing towards a highly varied streetscape whilst providing medium density housing in accordance with the allotment areas sought for affordable housing.

Safety compromised due to increased traffic

Council's City Assets department have raised no concerns with the application with respect to the increase in vehicle movements associated with the site. The additional vehicle movements associated with the five on-site car parking spaces and dwellings is not likely to compromise the safety of the local street network.

Increased pressure on existing older water / sewerages / drainage infrastructure

The proposed development will be provided with rain water tanks, with some reuse on site. Although the applicant has not provided a revised more detailed site engineering concept plan, stormwater details have been provided on the plans being considered by the DAP.

Any future upgrades to existing infrastructure within the established metropolitan area are considered as part of the long term strategy of infrastructure utilities, based upon population projections.

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

REFERRALS

Internal

The land use application (211/836/2015) was referred to Council's City Assets Engineer who initially raised concerns regarding insufficient residential parking provision; inadequate driveway access design, verge interaction with a street tree; and inadequate traffic manoeuvrability within the development.

These concerns have been addressed in the amended plans (received by Council on the 22 December 2015) being considered by the DAP with the exception of independent visitor parking which is discussed in more detail later in this report.

External

The land division application (211/855/2015) 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 3**.

ASSESSMENT

The subject land is located within the Residential Zone and more particularly Medium Density Policy Area 18 as described in the West Torrens Council Development Plan. The main provisions of the Development Plan which relate to the proposed development are as follows:

<u>General Section</u>		
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
Land Division	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 2, 4, 5, 6, 8, 12, 16
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>Desired Character Statement: <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: Medium Density Policy Area 18	

Desired Character Statement:

'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.

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 prescriptive requirements of the Development Plan as outlined in the table below:

DEVELOPMENT PLAN PROVISIONS	STANDARD	PROPOSED
SITE AREA <i>Medium Density Policy Area 18 PDC 7</i>	Residential Flat Building 100m ² (average)	142m ² average Satisfies
SITE COVERAGE <i>Medium Density Policy Area 18 PDC 5</i>	70% (max.)	35% Satisfies
PRIMARY STREET SETBACK <i>Medium Density Policy Area 18 PDC 5</i>	3m (min.)	3.46m Satisfies

<p>SIDE/REAR SETBACKS <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 3m (Ground Floor) 3m (First Floor) Satisfies</p> <p>Rear 12.91m Satisfies</p>
<p>BUILDING HEIGHT <i>Medium Density Policy Area 18</i> <i>PDC 5</i></p>	<p>3 storeys or 12.5m</p>	<p>2 storeys Satisfies</p>
<p>INTERNAL FLOOR AREA <i>Residential Development</i> <i>PDC 9</i></p>	<p>2 Bedroom - 75m² (min.)</p>	<p>Dwellings 1-5 - 78m² Satisfies</p>
<p>PRIVATE OPEN SPACE <i>Medium Density Policy Area 18</i> <i>PDC 7</i></p>	<p>- 24m² (min.), of which 8m² 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 - 29m² Dwelling 2-5 - 26m² Minimum dimension of 3 metres at ground level Minimum dimension of 2.4 metres balcony Satisfies</p>
<p>CARPARKING SPACES <i>Medium Density Policy Area 18</i> <i>PDC 7</i> <i>Transportation and Access</i> <i>PDC 34</i></p>	<p>1 covered space per dwelling = 5 car parking spaces</p> <p>0.25 independent visitor space per dwelling residential flat building</p>	<p>5 car parking spaces Satisfies</p> <p>No independent visitor car parking space provided Does Not Satisfy</p>

QUALITATIVE ASSESSMENT

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

Car Parking

The applicant has provided a copy of planning advice that they have sought in relation to the independent visitor parking provisions of the Development Plan in which it is concluded that the Off Street Vehicle Parking Requirements in Table WeTo/2 do not apply in this instance as affordable housing is proposed and the car parking requirements specified for affordable housing is listed in the table in Residential Zone, Medium Density Housing Policy Area 18.

Table Section, Table WeTo/2 - Off Street Vehicle Parking Requirements states that residential flat buildings should be provided with '... an additional 0.25 car parking spaces per dwelling' seeking the provision of one independent visitor car parking space.

Council has sought clarification of this opinion through its legal counsel, who responded as follows:

'In response to your query from this morning, where Policy Area specific provisions do not deal with the requirements for visitor car parking (although they do deal specifically with per-dwelling car parking requirements), then you should have regard to the general provisions of the Development Plan which deal specifically with visitor car parking requirements.

If it were the case that the Policy Area provisions dealt specifically with visitor car parking, then that would 'override' the general provisions relating to visitor car parking. However, I understand that is not the case here.

The fact that the Policy Area provisions deal with car parking (although not visitor car parking) may affect the weight which is to be applied to the general car parking provisions (and as a result any deficiency measured against the visitor car parking requirements in the general provisions may not be fatal to the application). However, you should give reasons for having considered both the policy specific and the general provisions (where relevant) and the weight which has been applied to each.'

As such it is considered that in accordance with Table WeTo/2 that the development should be provided with one independent visitor space.

In this instance the proposed development provides one car parking space for each dwelling in accordance with the table for affordable housing in Residential Zone, Medium Density Housing Policy Area 18 PDC 7, retains some on-street car parking, and is located in an area where the demand for parking in the immediate street network is low and not to capacity.

Additionally, in consideration of General Transportation and Access 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.'*

Although, it is not considered likely that aged persons will occupy the proposed dwellings, the proposed dwellings accommodate two bedrooms (in lieu of three bedrooms as initially proposed) and the subject site is conveniently located within walking distance (290m² & 310m² respectively) to bus stop 14 located on Anzac Highway and Tram Stop Adelaide-Brighton 02. As such, the reliance of occupants / visitors to the site on private vehicles may be reduced.

As such, it is considered that the provision of on-site parking is acceptable for the proposed development in this instance. The development should not unreasonably affect the local street network by the overflow of on-street parking as a result of the proposed development.

For the above reasons, the failure of the proposal to provide one (1) on site independent visitor car parking space for use by all dwellings does not negatively impact the overall proposal to the extent that refusal is recommended.

Affordable Housing

Generally, for dwellings to be considered to constitute Affordable Housing, and therefore obtain the dispensations listed in the table under Residential Zone, Medium Density Policy Area 18 PDC 7, the owner / applicant should have entered in to a Land Management Agreement with Renewal SA to ensure that each of the dwellings are not sold above the maximum price point specified for the type of dwellings proposed at the time of sale.

In this instance, the applicant has agreed in writing to enter into the Land Management Agreement and has requested that this be made a condition of any consent issued. This has been made a condition of consent for both the land division application and land use application to ensure that titles cannot be issued or construction commenced prior to the Land Management Agreement for Affordable Housing being registered on the title.

Land Division

The proposed land division application (211/855/2015) has been lodged to formalise titles for the land use development proposal (Development Application No. 211/836/2015). A review of the proposed land divisions confirms that the dimensions are consistent with the details contained in the land use application.

SUMMARY

The proposal substantially meets the overall objectives of the Residential Zone and Medium Density Policy Area 18 in that it will contribute to a highly varied streetscape which results in medium density housing close to public transport.

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 surrounding area;
- 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 with the exception of one independent visitor car parking space.

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 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 and Land Division Consent for Application No. 211/855/2015 by CAMTHI Investments Pty Ltd C/- Pinksterboer Development Consultants to undertake a Land division - Community title DAC No- 211/C107/15 Create Four (4) additional allotments at No. 5 Lindsay Street, Camden Park (CT 5719/409) subject to the following conditions:

DEVELOPMENT PLAN CONSENT COUNCIL CONDITIONS:

1. Development is to take place in accordance with the plans prepared by Pinksterboer Development Consultants, Reference JCB-17873 (received by Council on the 26 November, 2015, relating to Development Application No. 211/855/2015 (DAC 211/C107/15).

LAND DIVISION CONSENT COUNCIL CONDITIONS:

1. Prior to the issue of Section 51 Clearance to this division approved herein and at the applicant / owner's cost;
 - a) The applicant / owner must enter in to a Land Management Agreement with Renewal SA in which the applicant / owner agrees that all dwellings approved herein will be constructed as Affordable Housing (as defined by the South Australian Housing Trust Regulations as amended); and
 - b) The Land Management Agreement must be executed and registered on title (Volume 5719 Folio 409) with any such evidence of this submitted to Council's satisfaction.

DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS:

2. The financial requirements of the SA Water Corporation shall be met for the provision of water and sewerage services (SA Water H0035254).
3. Payment of \$25,952 into the Planning and Development Fund (4 allotments @ \$6488.00/allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (8303 0724), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 136 North Terrace, Adelaide.
4. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate Purposes.

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. 211/836/2015 by M J Morris to undertake the construction of affordable housing comprising a residential flat building containing five (5) two-storey dwellings and associated carport at No. 5 Lindsay Street, Camden Park (CT 5719/409) subject to the following conditions:

1. That the development must be undertaken and maintained in accordance with the plans and information detailed in this application except where varied by any conditions listed below.
2. At the applicant / owner's cost, prior to the issue of Development Approval;
 - a) The applicant / owner must enter in to a Land Management Agreement with Renewal SA in which the applicant / owner agrees that all dwellings approved herein will be constructed as Affordable Housing (as defined by the South Australian Housing Trust Regulations as amended); and
 - b) The Land Management Agreement must be executed and registered on title (Volume 5719 Folio 409) with any such evidence of this submitted to Council's satisfaction.
3. That all stormwater design and construction must be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not

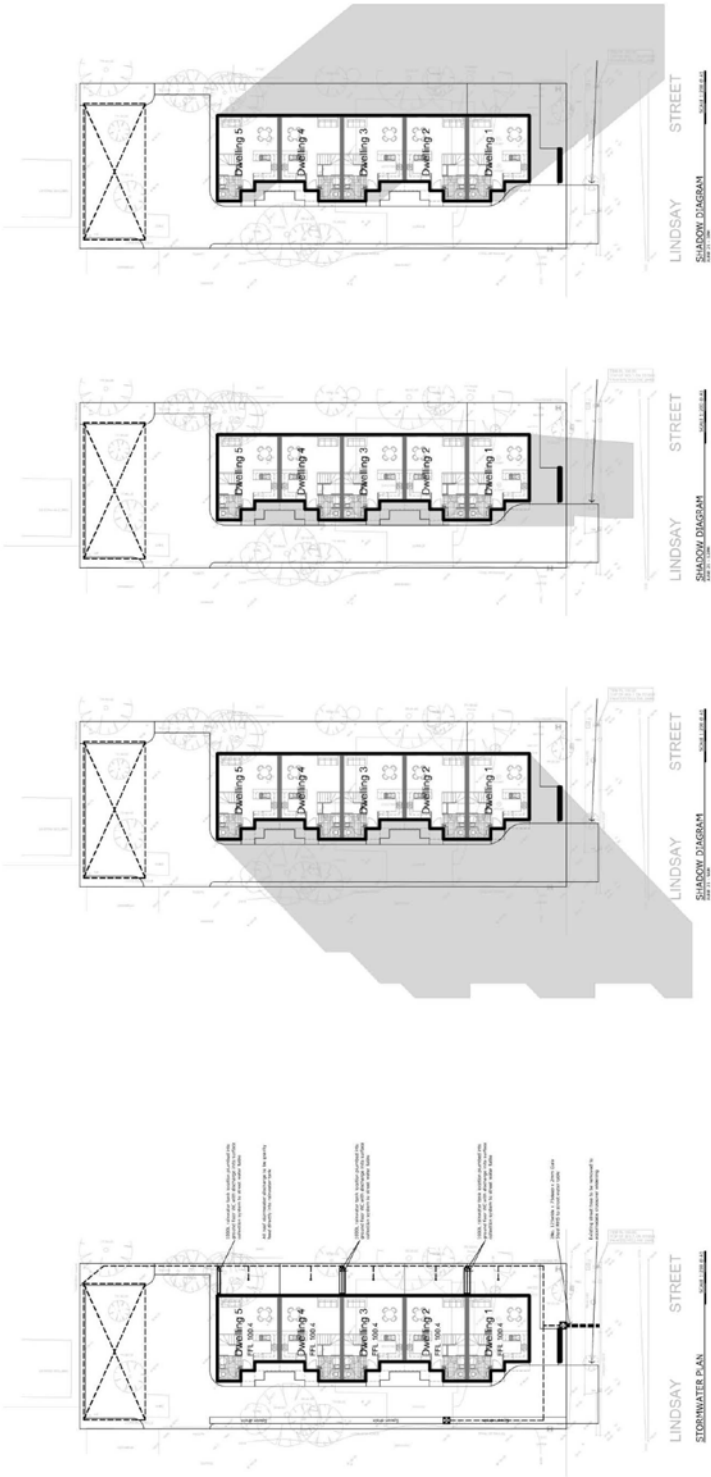
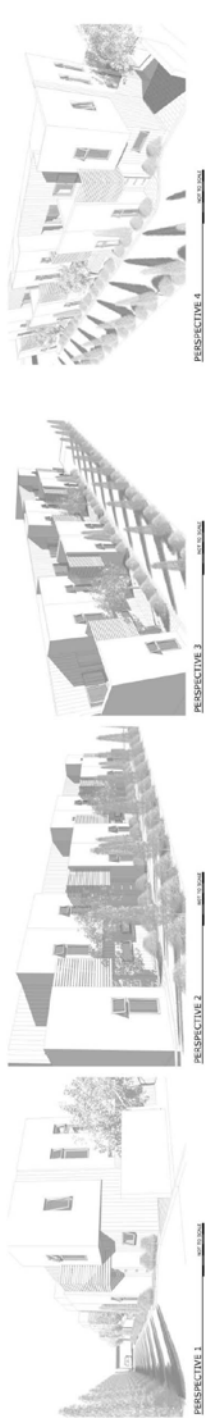
adversely affect any adjoining property or public road and for this purpose stormwater drainage must not at any time:-

- 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.
4. 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.
 5. 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.
 6. 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.
 7. The windows provided with fixed obscure glazing and the external screens enclosing the respective balconies as nominated on the approved plans must be fitted prior to occupation of the building. The glazing in these windows and balcony screens must be maintained in reasonable condition at all times.
 8. 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.

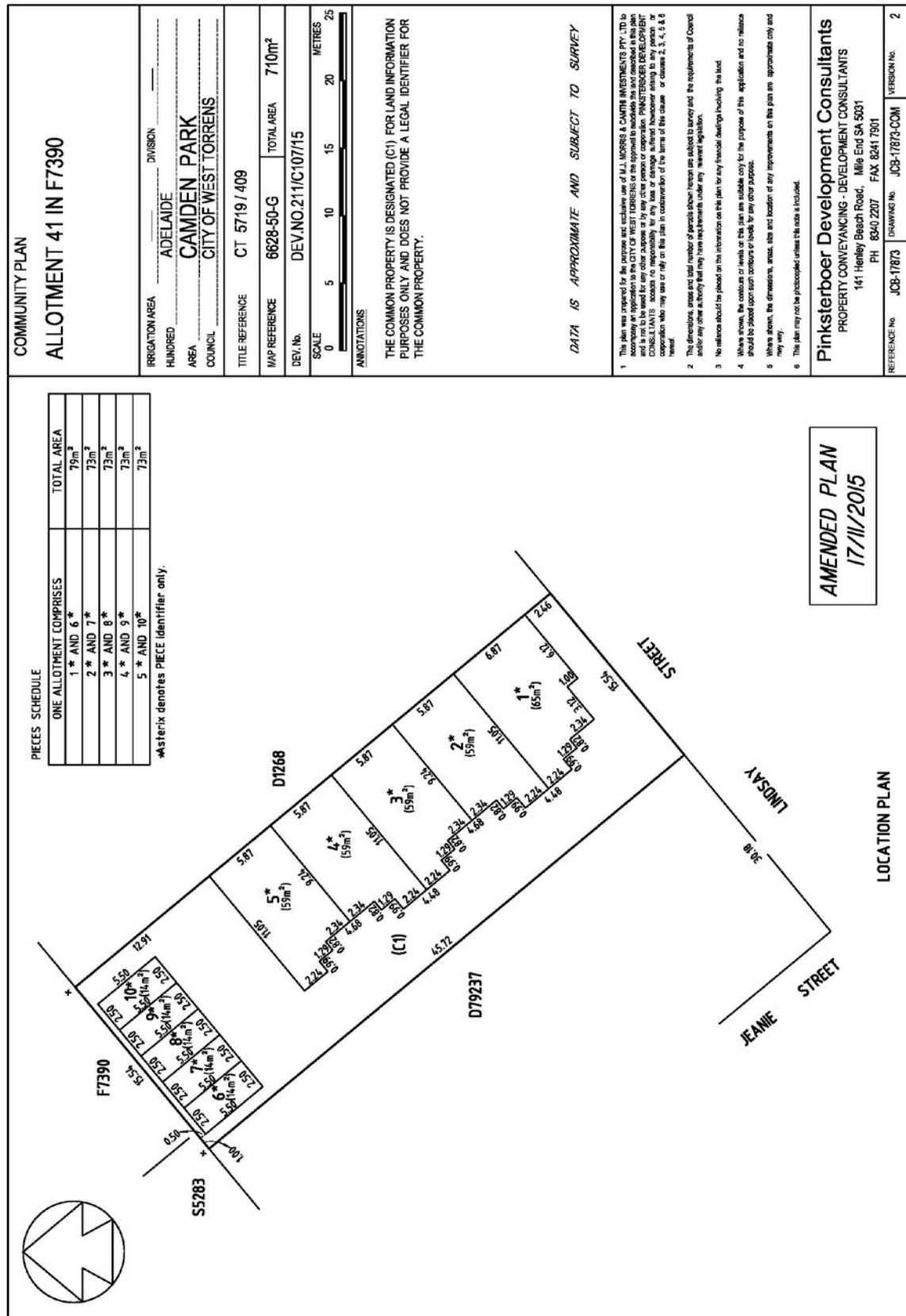
ATTACHMENT 1



PROPOSED DEVELOPMENT AT 5 LINDSAY STREET CAMDEN PARK



PROPOSED DEVELOPMENT AT 5 LINDSAY STREET CAMDEN PARK





21 December 2015

Mr Cam Hoang
5 Lindsay Street
CAMDEN PARK SA 5038

Dear Mr Hoang

**Re: Development Application 2211/836/2015
5 Lindsay Street, Camden Park**

We refer to your instructions regarding the above-mentioned development application, specifically the requirement in the Development Plan for the provision of car parking to service the proposed development.

In addition to reviewing the proposal plans you have provided, we have had regard to the email from Zoe Delmenico of the City of West Torrens to Michael Morris dated 17 November 2015 and also the Memo from Baskar Kannappan to Zoe Delmenico dated 18 November 2015.

We note that Council has made a number of requests in respect of the proposal, however, we have specifically considered the required provision of car parking.

The proposal is for five dwellings. These would either be in the form of group dwellings, if they are structurally separate, or in the form of a single residential flat building containing the five dwellings if they are structurally attached.

We note that the proposal is for affordable housing and will be the subject of a Land Management Agreement with Renewal SA to support this. All five dwellings will meet the price criteria to be defined as affordable. You have advised us that you are accepting of this approach and we have therefore considered that for the purposes of an assessment of the proposal, any provisions related to affordable housing are applicable to the whole of the proposal.

The relevant Development Plan for the assessment of the application is the West Torrens Council Development Plan – Consolidated 25 June 2015. The subject site is located in the Residential Zone and within that Zone, in Medium Density Policy Area 18. The subject site is also covered by the Affordable Housing Designated Area Overlay.

SOUTH AUSTRALIA
33 Carrington Street
Adelaide, 5000
P (08) 8193 5600
masterplan.com.au

NORTHERN TERRITORY
Unit 33, 16 Charlton Court
Woolner, 0820
P (08) 8942 2600
ISO 9001:2008 Certified

ABN 30 007 755 277



Dwellings and Affordable Housing are envisaged uses within the Residential Zone.

The proposal is consistent with Residential Zone Principles of Development Control 15 and 16 in that it:

- provides more than 15 percent of the development as affordable housing; and
- is not in a locality where there would appear to be an over-concentration of affordable housing in existence.

Medium Density Policy Area 18 envisages a broad range of dwelling types and affordable housing. Affordable group dwellings and residential flat buildings should have a minimum site area of 100 square metres. The proposed dwellings have an average site area of 142.1 square metres which comfortably exceeds this requirement.

In considering whether the proposal is appropriate, consideration of issues including site coverage, setbacks and private open space is pertinent.

Policy Area Principle of Development Control (PDC) 5 permits site coverage of up to 70 percent. The site coverage of the proposal (inclusive of the carport structure) is less than 40 percent. The proposal exceeds setback requirements, with the exception of the rear carport, which is an open sided structure.

Policy Area Principle of Development Control 7 seeks that dwellings have a minimum area of private open space of 24 square metres with a minimum dimension of 3.0 metres. All of the dwellings in the proposed development satisfy this requirement.

In our view, the dwellings provide for a high level of amenity for their prospective occupants, notwithstanding their affordable status. Further, the design and siting the building sits comfortably on the site, with a very moderate site coverage and generous setbacks.

Council has indicated that additional on-site car parking is required to meet a 0.25 visitor spaces per dwelling requirement in Table WeTo/2. We disagree with this view.

Vehicle parking requirements are set out in a number of places in the Development Plan.

In the General Section, Transportation and Access sub-section Principle of Development Control 34 provides the generic link to Table WeTo/2 and states:

- 34 Development should provide off-street vehicle parking and specifically marked disabled car parking places to meet anticipated demand in accordance with Table WeTo/2 - Off Street Vehicle Parking Requirements.**



Principle of Development Control 44 is also pertinent and states:

- 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.**

Medium Density Policy Area 18 Principle of Development Control 7 which relates to affordable housing also provides for a minimum number of car parking spaces and sets out that one car parking space (which should be covered) is required for both group dwellings and residential flat buildings.

When we look at the car parking provision requirements in table WeTo/2 as they relate to group dwellings and residential flat buildings, they require for such dwellings to provide two car parking spaces per dwelling, one of which is covered, plus an additional 0.25 car parking spaces per dwelling.

Reading this provision, it is noted that the provision for group dwellings and residential flat buildings is higher than that for detached, semi-detached, row and multiple dwellings and that the additional 0.25 spaces per dwelling requirement is not specifically assigned to being for visitor parking.

Applied to this proposal, this would require an improbably high 12 car parking spaces. We consider that the correct interpretation of the plan is that the Policy Area specific provisions take clear precedence over equivalent provisions in a table which are called-on by a provision in the General Section. Further, the construction of the table is not that there is a parking requirement for a residential flat building or a group dwelling and then a separately listed requirement for visitor parking, but a single requirement for two spaces per dwelling plus an additional 0.25 spaces per dwelling.

Our reading of General Section, Transportation and Access sub-section Principle of Development Control 44(a) is that it clearly indicates that the required parking must have reference to the number, nature and size of dwellings.

This leads clearly to the understanding, supported by Policy Area 18 Medium Density Principle of Development Control 7 that affordable housing will be treated differently to other dwellings. This concept of affordable housing having a lower car parking requirement is logical as it provides a mechanism for the land cost per dwelling to be reduced, in the same way that the Policy Area provides a discount of 50 percent on the minimum site area when compared to a non-affordable dwelling in the same policy area.



Accordingly, in our view, Table WeTo/2 has no application in an assessment of the proposal, with car parking requirements set out, in their entirety, in Policy Area 18 Principle of Development Control 7. The proposal is consistent with the provision in that it provides one car parking space per dwelling.

We trust this satisfies your requirements and would be happy to advise further in respect of the proposal if required.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Michael Richardson'.

Michael Richardson
MasterPlan SA Pty Ltd

City of West Torrens

11 NOV 2015

City Development

PLANNING REPORT

Two Storey Residential Flat Building

AT: 5 Lindsay Street, Camden Park 5038

1.0 INTRODUCTION

This planning report has been prepared to accompany an application for Development Plan Consent to construct a single two storey residential flat building, which will contain 5 dwellings, at 5 Lindsay Street, Camden Park.

In preparing this planning report we have:

- Inspected the subject land and its locality
- Identified the relevant version of Council's Development Plan for procedural and assessment purposes;
- Identified and subsequently reviewed what I consider to be the relevant provisions of Council's Development Plan;
- Examined the Certificate of Title at Appendix A;
- Had regard to the locality plan at Appendix B;
- Examined the plans and elevations at Appendix C;
- Examined the stormwater management plan at Appendix D; and
- Had regard to the *Development Act 1993* and the *Development Regulations 2008*.

This planning report provides Council's administration with a detailed description of the subject land, its locality and the proposed development. It also contains an assessment of the proposal against the current Development Plan.

The applicant has chosen to enter into a 'Voluntary Listing Agreement' with the State Governments Renewal SA for the provision of all of the development to comply with the affordable housing requirements of State Government.

It is intended that this voluntary listing and the design of the dwellings will satisfy the requirements as defined by the South Australian Housing Trust / Renewal SA for dwellings constituting affordable housing.

2.0 THE SUBJECT LAND

The subject land, referred to herein simply as 'the land', is located on the northern side of Lindsay Street and currently consists of a single dwelling.

The Allotment is a rectangular holding which has a frontage of 15.54m to Lindsay Street and a depth of 45.72m and an area of some 710 square metres. Lindsay Street is a local road under the care and control of the City of West Torrens (Council).

The land is currently clear and unencumbered from any structures or vegetation as per the following photo viewed from Lindsay Street.



The Certificate of Title at Appendix A indicates that there are no registered easements, encumbrances or land management agreements which could potentially impede or avert the proposed development.

3.0 THE LOCALITY

I have, for the purposes of preparing this planning report defined a locality. It is shown on the locality plan at Appendix B.

Having considered the nature and extent of the proposed development, the land's physical features and those of its surroundings and the land's visibility from various vantage points, we are of the view that the locality should include those properties with frontage to Lindsay Street extending in both directions from the subject land, to a distance of approximately 125m in each direction from the eastern and western boundaries of the subject site. In addition, those properties opposite the site on Lindsay Street are also considered to be located within the locality on the basis of their visual connection with the subject land.

Whilst inspecting the locality, we found, amongst other things that:

- It features a mix of low to medium density residential development, with a predominance of single storey dwellings a number of multiple unit sites / residential flat buildings.

- These residential flat buildings or multi dwelling sites include those within the locality (defined above) include numbers 1, 8, 10, 15, 18 and 20 Lindsay Street.
- The Plympton Sports and Recreation Centre lies approximately 350m to the South of the subject site and contains a large football / cricket oval and clubrooms and associated facilities.

There appears to be no distinctive dominant build form in the locality with a mixture of dwelling types dating from the 1960's onwards interspersed with various forms of residential flat buildings and groupd dwelling sites.

Overall the level of amenity in the locality could be described as attractive, being minorly affected by the traffic noise of Anzac Highway and the tram but with a higher level of amenity with low traffic volumens along Lindsa Street.

4.0 THE PROPOSED DEVELOPMENT

Michael Morris & Camthi Investments Pty Ltd proposes to construct a single two storey residential flat building, which will contain 5 dwellings. Each dwelling will contain two bedrooms, 1.5 bathrooms, open plan kitchen, sep. laundry, meals and living and associated private open space. A communal undercover carport will be located to the rear of the site to fulfil the requirements of 1 car park per dwelling as per PDC 7.

The particulars of the proposed development are discussed below. They are illustrated on the plans and elevations at **Appendix C**.

4.1 Building Footprints

4.1.1 Setbacks

The ground floor and upper floor setbacks forming part of the residential flat building on the eastern side of the driveway will be set back between:

- 4.49 metres from the western boundary;
- 3.0 metres from the eastern boundary;
- 12.91 metres from the northern boundary (rear); and
- 3.46 metres from the southern (front) boundary

4.1.2 Site Coverage

According to the site plan at Appendix C, the residential flat building footprint will occupy 207.42 square metres or 29% percent of the overall area of the subject land. Including the car park to the rear, the footprint increases to 276.17 square metres or 38.9% percent of the overall area of the subject land

4.2 Site Areas

The applicant proposes to erect 5 dwellings on 710 square metres of land. The average site area per dwelling therefore equates to 142 square metres respectively.

As outlined above the applicant has voluntarily entered in a 'Voluntary Listing Agreement' with the State Governments Renewal SA for the provision of all of the development to be sold as mandated affordable housing.

It is intended that this voluntary listing will satisfy the requirements as defined by the South Australian Housing Trust / Renewal SA for dwellings constituting affordable housing and that the Principles of Development Control 7 of Medium Density Policy Area 18 apply.

PDC 7 requires a minimum average site area of 100m² for a residential flat building. The average site area of 142m² therefore exceeds the requirements of PDC 7 where affordable housing is provided.

4.3 Footprint (Ground Floor)

According to the site plan at Appendix C, the dwellings will each have a footprint of 41.48 square metres respectively.

4.4 Private Open Spaces

The prospective occupants of each dwelling will be provided with 25.35 square metres (dwellings 2,3,4,5) and 28.34 square metres (dwellings 1) in total (including balcony) of private open space respectively.

The Development Plan Amendment and in particular its Residential Medium Density Policy Area 18 requires a minimum private open space of 24m² at ground level with a minimum dimension of 3m. Through ongoing discussions with council we have provided a minimum of 16m² at ground level with a minimum dimension of 3m with the shortfall of 24m² achieved with the use of the balcony. It is our assumption that the proposed development will be accepted acknowledging that the majority ground level private open space will be predominately free of any major services by:

- installing a slim line rainwater tank
- utilising a pull out clothes line that sufficiently services the small nature of these dwellings
- install roof or high mounted external A/C unit if installed
- provide sufficient internal storage without the need for an external shed

4.5 Building Heights

The buildings will contain two storeys only and, if measured from the top of the pitched roof to the ground level immediately beneath them will not exceed 6.4 metres in height.

4.6 External Materials and Finishes

Michael Morris & Camthi Investments Pty Ltd has assembled a contemporary and robust palette of external materials and finishes which includes;

- Rendered cement sheets;
- Timber doors and battens;
- Powder-coated aluminium window frames and stacker doors;
- Clear and, where necessary to avoid overlooking, obscure glazing; and
- Pre-coloured steel fascia's and roofing.

The dwellings hot water service, clothesline, rainwater tank and Air-conditioning units will be located at the rear of the dwellings within the service area of the rear yard.

4.7 Vehicular Access

All expected vehicles will be able to enter and exit the land simultaneously via a new 5.5 metre wide driveway crossover to Lindsay Street.

There is currently an existing driveway crossover of approximately 3.0 metre which will, as a consequence of the new crossover be made redundant. The applicant will enlarge this existing crossover and reinstate the kerb and road verge in accordance with Council requirements.

Preliminary discussions with council have raised some concerns that we feel we have now met as summarised as follows:

- Driveway corridor has been widened to 5.5m for the first 5m with 500mm and 490mm landscaping buffers to the sides which is now exceeding the minimum 300mm required.
- Verge interaction to the front tree will be resolved by removal of this tree and reinstatement of a new tree as per the City Assets assessment letter dated 6 October, 2015.
- Although a 1m separation is required to adjoining driveways, we feel as though the current proposal with 500mm separation is sufficient when considering line of sight access and efficient access/egress to the development along with the fact that the adjoining residence driveway was built to the boundary which would seem to be in contradiction to the council requirements.
- Traffic flow has been tested through automated software (AutoTURN) and is fully complying
- Minimum aisle widths and car parking spaces have been satisfied and in some cases exceeded as per the Australian Standard 2890.1 2004

4.8 On-Site Car Parking

The prospective occupants of each dwelling will be provided with a single on-site car parking space. Each dwellings car space will be covered and located to the rear of the common driveway.

PDC 7 of Residential Medium Density Policy Area 18 requires the provision of a minimum of 1 on-site car parking spaces for each dwelling. The proposal therefore meets the requirement.

The development of the site via an internal driveway will retain the ability to maintain approximately 2 on-street car parking spaces in front of the property.

The subject site also sits within close proximity to multiple public transport options including 15 minute GO Zones on Anzac Highway (280m) and to the Tram Station to the south (350m).

4.9 Visual Bulk & Presentation to the Street

The front elevation (to the street) for Dwelling 1 has been amended to include windows and articulation in materials to ensure an aesthetically pleasing appearance. We feel as the current proposal will enhance the streetscape and would be accepting in its current form.

4.10 Visual Privacy

As per the General Residential Development PDC 27, all upper storey windows will be treated with sill heights no less than 1.7m or have fixed obscure glazing to 1.7m high above floor level. The proposed balcony will have timber screening to 1.7m high that fulfils this requirement as well as enhancing streetscape and providing a useful vented balcony space.

4.11 Storage

In accordance with General Residential PDC 31, 8m³ of storage should be provided for each dwelling. Our proposal provides storage under the stairs and in the laundry to a total of 6m³ and we feel this is sufficient considering the size of the dwelling.

4.12 Landscaping

The common property and each community title allotment will be neatly landscaped with a suitable selection of trees, shrubs and grasses.

Whilst the type and extent of landscaping proposed is clearly shown on the site plan at Appendix C, it is important nonetheless for Councils' administration to note from the outset that the applicant has carefully considered each species' suitability to local conditions, sustainability with minimal or no supplementary irrigation, growth and spread characteristics, potential to create leaf litter and aesthetic qualities.

5.0 THE RELEVANT DEVELOPMENT PLAN

The relevant version of Council's Development Plan for procedural and assessment purposes was consolidated on 25 June 2015. The land, under the current version of Council's Development Plan, is situated in Residential Policy Area 18.

As discussed within the introduction, the applicant has chosen to enter into a 'Voluntary Listing Agreement' with the State Governments Renewal SA for the provision of all of the development to be sold as mandated affordable housing.

It is intended that this voluntary listing and the design of the dwellings will satisfy the requirements as defined by the South Australian Housing Trust / Renewal SA for dwellings constituting affordable housing thereby activating the provisions of PDC 7 of Policy Area 18.

6.0 THE MERITS OF THE PROPOSED DEVELOPMENT

The applicant believes that the proposed development warrants Development Plan Consent, it is necessary to establish, above all, whether:

- The continued use of the land for residential purposes is appropriate
- Medium density residential development can be accommodated within the confines of the land and is consistent with the surrounding locality which includes multiple examples of residential flat buildings and multi dwelling group sites.
- Medium density development is contemplated within the Policy Area
- The applicant has chosen to voluntarily deliver Affordable Housing within the proposal
- The height, siting and design of each residential flat building is acceptable;
- The prospective occupants of each dwelling will be afforded sufficient private open space;
- The level of amenity presently experienced by the occupants of the neighbouring dwellings to the north, south and west will not be adversely affected;
- All expected vehicles will be able to enter and exit the land simultaneously and in a forward direction via the new driveway crossover to Lindsay Street;
- Enough on-site car parking will be provided for the prospective occupants of each dwelling and their respective visitors to utilise;
- The methods proposed for discharge of stormwater are satisfactory; and
- The methods proposed to store and dispose of waste are environmentally sound

7.0 Stormwater Management

Principles 5, 7, 8, 9 and 10 of the 'Natural Resources' subsection offer qualitative guidance with respect to stormwater management. They recommend that:

5. Development should be designed to maximise conservation, minimise consumption and encourage re-use of water resources
7. Development should be sited and designed to:
 - (a) Capture and re-use stormwater, where practical
 - (b) Minimise surface water runoff
 - (c) Prevent soil erosion and water pollution
 - (d) Protect and enhance natural water flows
 - (e) Protect water quality by providing adequate separation distances from watercourses and other water bodies
 - (f) Not contribute to an increase in salinity levels
 - (g) Avoid the water logging of soil or the release of toxic elements
 - (h) Maintain natural hydrological systems and not adversely affect'
 - i. The quantity and quality of groundwater
 - ii. The depth and directional flow of groundwater
 - iii. The quality and function of natural springs
8. Water discharged from a development should;
9. Development should have adequate provision to control any stormwater over-flow runoff from the site and should be sited and designed to improve the quality of stormwater and minimise pollutant transfer to receiving waters.

- 10. Development should include stormwater management systems to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure the carrying capabilities of downstream systems are not overloaded.**

Council policy seeks to limit the post development 100-year ARI stormwater discharge to, the equivalent 5-year ARI pre development discharge. The development will be designed to address these requirements.

In accordance with the previously mentioned Principles, the applicant proposes to:

- Capture and retention of 1kL per dwelling in tank for in rear yard of each dwelling
- Remaining discharge of stormwater collected from the roof of each building to Lindsay Street in a clean state and at an appropriate rate via a series of downpipes and the grading of the driveway in a manner which will enable stormwater to be directed towards a collection of grated sumps before being discharged to Lindsay Street.

8.0 Waste Management

Principles 1 and 6 of the 'waste' subsection offer qualitative guidance with respect to the storage and disposal of waste from residential premises. They recommend that:

- 1. Development should be sited and designed to prevent or minimise the generation of waste (including wastewater) by applying the following waste management hierarchy in order of priority as shown below:**
 - (a) avoiding the production of waste
 - (b) minimising waste production
 - (c) reusing waste
 - (d) recycling waste
 - (e) recovering part of the waste for re-use
 - (f) treating waste to reduce the potentially degrading impacts
 - (g) disposing of waste in an environmentally sound manner
- 6. Development that involves the production and/or collection of waste and/or recyclable material should include designated collection and storage area(s) that are:**
 - (a) screened and separated from adjoining areas
 - (b) located to avoid impacting on adjoining sensitive environments or land uses
 - (c) designed to ensure that wastes do not contaminate stormwater or enter the stormwater collection system
 - (d) located on an impervious sealed area graded to a collection point in order to minimise the movement of any solids or contamination of water
 - (e) protected from wind and stormwater and sealed to prevent leakage and minimise the emission of odours
 - (f) stored in such a manner that ensures that all waste is contained within the boundaries of the site until disposed of in an appropriate manner.

Waste generated on-site by the prospective occupants of each dwelling will be separated and subsequently deposited into individual bins for general waste, recyclable materials and organic matter. The bins will be kept within the dwelling garage and wheeled to the kerb for collection by Council.

9.0 CONCLUSIONS

The applicant believes that the proposed development displays a considerable degree of merit and warrants Development Plan Consent. In particular it is noted that:

- The use of the land for residential purposes is appropriated
- Medium density residential development can be accommodated within the confines of the land and is consistent with the locality and adjacent residential flat buildings and multiple dwelling sites
- The height, siting and design of the residential flat building is acceptable
- The amenity presently experienced by the occupants of the neighbouring dwellings to the north, south and west will not be adversely affected;
- The prospective occupants of each dwelling will be afforded an appropriate area of private open space;
- All expected vehicles will be able to enter and exit the land simultaneously and in a forward direction via a new crossover to Lindsay Street
- Enough on-site car parking will be provided for the prospective occupants of each dwelling and their respective visitors; and
- The methods proposed to discharge stormwater are satisfactory.
- The applicant has chosen to enter into a 'Voluntary Listing Agreement' with the State Governments Renewal SA for the provision of all of the development to comply with the affordable housing requirements of State Government.

APPENDIX B

High level aerial shot showing significant point of interest within a 1-2 km radius



Detailed aerial shot of immediate surrounding area to Subject Land (i.e. within 200m) showing proximity of neighbouring row and multi dwelling sites.



- Residential flat dwellings (10 of)
- Residential multi dwelling site (3 of)

From: Davy, Jodi (Renewal SA) [mailto:Jodi.Davy@sa.gov.au]
Sent: Thursday, 10 December 2015 12:21 PM
To: Cam Hoang
Subject: Affordable Housing - Camden Park

Hi Cam

Thanks for your patience in getting back to you.

As discussed, for affordable housing to go through the Planning System and be used for assessment by Council, you need to commit to including affordable housing by signing a land management agreement.

I've attached some fact sheets. These are available at www.sa.gov.au
As well as a draft land management agreement.

Please feel free to ring me with any questions.

When ready, I need the following to create an executable version of the Agreement:

1. Whether you / your business is signing the Agreement as the land owner for the parcel of land for this development
2. The Registered business name of your business with whom the Agreement is being made
3. Plus relevant registered business address and ACN/ABN for your business
4. The details for the Certificates of Title (you can email them through to me if you like)
5. If there is a mortgage over the land, and if so the name of the institution and the mortgage number
6. If you are NOT the land owner, then we will need to coordinate consents from them (included on the template attached – second to last page).

Regarding the LMA, this is our standard contract used with all land owners. The details are put into the schedule on the last page.

If you are not the land owner we have a developer version – just let me know and I'll send this to you.

Please call me with any questions.

Jodi Davy
Affordable Housing Planning Specialist
Strategy and Innovation
P: 08 8207 0223
F: 08 8207 1301
jodi.davy@sa.gov.au
www.renewalsa.sa.gov.au



Urban Renewal Authority trading as Renewal SA.
Level 9 (West), Riverside Centre, North Terrace,
Adelaide, South Australia 5000
GPO Box 698, Adelaide 5001

17. Aug. 2015 18:17

ATTACHMENT 2
No. 1764 P. 1

Ms Helen Flett
Mob: 0419 189 146

Chief Executive Officer
City of West Torrens
165 Sir Donald Bradman Drive
Hilton S.A. 5033

Development No. 211/836/2015
Property Address: 5 Lindsay Street, CAMDEN PARK SA 5038

For Review-

I am putting this in a more legible manner for review, along with attached form received from your office.

Reasons for Representation- Part Owner of Adjoining Property:-

- Close Proximity of planned Building to Back Fence Line (No.7)
- Limited Supported Car parking in Residential Street for 5x 3BRM Dwellings on ONE Block
- Privacy to adjoin properties would be diminished
- Heritage of area Depleted
- Water/ Sewerage volume Increase – Increased pressure on older facilities.
- Increased Compromise to Safety with Increasing Traffic Flow etc.

Recommendations Safety and still permitting Development would be –

- 1) Single Storey Development of home Units with Design to blend with Area.
- 2) Maximum 3 UNITS (Single x 1 + ? Double x 2) MAXIMUM
(NOT ideal choice)

Yours Sincerely



H. J. Flett
17/8/15

17. AUG. 2015 18:18

No. 1764 P. 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

DEVELOPMENT No. 211/836/2015
PROPERTY ADDRESS: 5 Lindsay Street, CAMDEN PARK SA 5038

NAME OF PERSON(S) Helen Felt
MAKING REPRESENTATION 7 Lindsay St
ADDRESS Camden Park SA 5038

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

REASONS FOR *
REPRESENTATION
- Proximity to fence line.
- Limited supported car parking
in Residential Street to support
5 x 3BRm dwellings on one House Block.

MY REPRESENTATION *
WOULD BE OVERCOME BY
(state action sought)
- Privacy Diminished
- Heritage of Area depleted
- min 3 x 3BRm dwellings
- Preferred 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 0
I DESIRE TO BE HEARD PERSONALLY ☒
WILL BE REPRESENTED BY 0
(PLEASE SPECIFY)

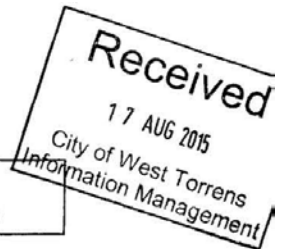
SIGNED [Signature]

DATE 15-8-15

* If space insufficient, please attach sheets

(FORM 3)
Responsible Officer: Zoe Delmenico
Ends: Monday 17 August 2015

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. 211/836/2015
PROPERTY ADDRESS: 5 Lindsay Street, CAMDEN PARK SA 5038

122 DOT

NAME OF PERSON(S)
MAKING REPRESENTATION
ADDRESS

LUKE BASHFORD
3 LINDSAY STREET
CAMDEN PARK S.A. 5038

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

ADJOINING RESIDENT

City of West Torrens

18 AUG 2015

City Development

REASONS FOR *
REPRESENTATION

SEE FORM ATTACHED

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

SEE FORM ATTACHED

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

☐

(PLEASE SPECIFY)

SIGNED

DATE

* If space insufficient, please attach sheets

(FORM 3)

Responsible Officer: Zoe Delmenico

Ends: Monday 17 August 2015

Objections to Proposed Development: 211/836/2015 5 Lindsay St, CAMDEN PARK

Objection 1 - Car Parking Spaces

Off-street Vehicle Parking Requirement page 266

Requirement: 2 car parks per dwelling + 0.25 per dwelling

Proposed: 1 per dwelling

Shortfall: 55% shortfall ; deficient 6.25 parks

Possible remedies:

- reduction to 4 dwellings requires 9 parking spaces – not achievable. No solution.
- reduction to 3 dwellings requires 7.75 parking spaces. Could be achieved by deleting dwellings 2 and 3 and required additional parking being placed in between.

Objection 2 - Site size

Medium Density Policy Area 18

Requirement: Policy requirement for a minimum average size of 150 sqm

Proposed: 142 sqm average

Possible remedies:

- achieved by reducing number of dwellings in the site.

Objection 3 - Visual Privacy

General Section for Residential Development

Requirement: overlook of private open space should maximise visual privacy

Proposed: There is nothing to indicate this has been attempted and the provision of balconies only accentuates the loss of privacy.

Possible remedies:

- by maintaining position of dwelling 1, 4 and 5 and removing 2 and 3 the overlooking effect is minimised.
- In addition, frosted glass to all upstairs second story windows minimises overlooking effect.

Objections to Proposed Development: 211/836/2015 5 Lindsay St, CAMDEN PARK

Objection 4 - West boundary landscaping

Proposed: Trees planned to be along the boundary and encroaching over the boundary. Proposed trees can grow to 3m wide. Therefore western-side boundary should be at least 1.2m wide.

Possible remedies:

- Increase width of western boundary garden to at least 1200mm wide.

Objection 5 - Infrastructure

Page 48, Principles of Development Control

Requirement: It is a requirement that development should only occur where it has access to adequate utilities and services.

Proposed: Increased stormwater collection and runoff will put further stress on the inadequate drainage of Lindsay St into Jeanie Street. At this intersection water regularly pools due to poor/non-existent gutter flow.

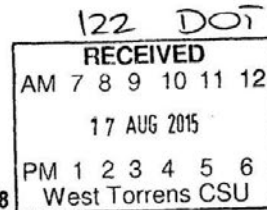
Possible remedies:

- More garden space and less hard surface leading to rainwater run-off. This would be achieved by reducing the number of dwellings.
- West Torrens Council to again re-sculpture guttering to improve drainage from Lindsay Street into Jeanie Street.



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. 211/836/2015
PROPERTY ADDRESS: 5 Lindsay Street, CAMDEN PARK SA 5038

NAME OF PERSON(S)
MAKING REPRESENTATION
ADDRESS

CHRISTOPHER BASHFORD

JEVNIAR BASHFORD

3A LINDSAY STREET

CAMDEN PARK S.A. 5038

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

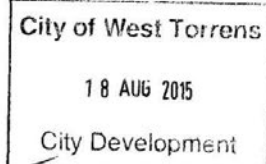
SEE ATTACHED SHEETS

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

SEE ATTACHED SHEETS

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 _____ ☐
(PLEASE SPECIFY)



SIGNED

DATE

* If space insufficient, please attach sheets

(FORM 3)
Responsible Officer: Zoe Delmenico
Ends: Monday 17 August 2015

Objections to Proposed Development: 211/836/2015 5 Lindsay St, CAMDEN PARK

Objection 1 - Car Parking Spaces

Off-street Vehicle Parking Requirement page 266

Requirement: 2 car parks per dwelling + 0.25 per dwelling

Proposed: 1 per dwelling

Shortfall: 55% shortfall ; deficient 6.25 parks

Possible remedies:

- reduction to 4 dwellings requires 9 parking spaces – not achievable. No solution.
- reduction to 3 dwellings requires 7.75 parking spaces. Could be achieved by deleting dwellings 2 and 3 and required additional parking being placed in between.

Objection 2 - Site size

Medium Density Policy Area 18

Requirement: Policy requirement for a minimum average size of 150 sqm

Proposed: 142 sqm average

Possible remedies:

- achieved by reducing number of dwellings in the site.

Objection 3 - Visual Privacy

General Section for Residential Development

Requirement: overlook of private open space should maximise visual privacy

Proposed: There is nothing to indicate this has been attempted and the provision of balconies only accentuates the loss of privacy.

Possible remedies:

- by maintaining position of dwelling 1, 4 and 5 and removing 2 and 3 the overlooking effect is minimised.
- In addition, frosted glass to all upstairs second story windows minimises overlooking effect.

Objections to Proposed Development: 211/836/2015 5 Lindsay St, CAMDEN PARK

Objection 4 - West boundary landscaping

Proposed: Trees planned to be along the boundary and encroaching over the boundary. Proposed trees can grow to 3m wide. Therefore western-side boundary should be at least 1.2m wide.

Possible remedies:

- Increase width of western boundary garden to at least 1200mm wide.

Objection 5 - Infrastructure

Page 48, Principles of Development Control

Requirement: It is a requirement that development should only occur where it has access to adequate utilities and services.

Proposed: Increased stormwater collection and runoff will put further stress on the inadequate drainage of Lindsay St into Jeanie Street. At this intersection water regularly pools due to poor/non-existent gutter flow.

Possible remedies:

- More garden space and less hard surface leading to rainwater run-off. This would be achieved by reducing the number of dwellings.
- West Torrens Council to again re-sculpture guttering to improve drainage from Lindsay Street into Jeanie Street.

28 August 2015

Ms Zoe Delmenico
Development Officer – Planning
City of West Torrens
165 Sir Donald Bradman Drive
HILTON SA 5033



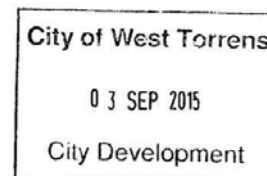
Dear Zoe,

Re: Development Application 211/836/2015 – 5 Lindsay Street, CAMDEN PARK SA 5038

The applicant has reviewed and prepared the following response to the three (3) representations received within the prescribed time for such purposes.

It appears as though the representors currently own/occupy the properties at 3, 3A and 7 Lindsay Street on the eastern and western side of the subject allotment and have the following concerns:

- Provision of car parking spaces
- Average Allotment size
- Visual Privacy
- Western boundary landscaping
- Infrastructure provision
- Setback to Eastern boundary



Our response to each of the representor's concerns are set out below.

Car Parking Spaces:

It has been asserted by the representors at 3 and 3A Lindsay Street that the proposal will result in a 55% shortfall (6.25 car parks) in the provision of on-site carparking.

As previously advised the applicant has voluntarily entered in a 'Voluntary Listing Agreement' with the State Governments Renewal SA for the provision of 15% of the development to be sold as mandated affordable housing.

PDC 7 of the Residential Medium Density Policy Area 18 defines the parameters for development that constitutes affordable housing. PDC 7 requires the provision of a minimum of 1 on-site car parking spaces for each dwelling. The proposal therefore meets the requirement.

The development of the site via an internal driveway will retain the ability to maintain approximately 2 on-street car parking spaces in front of the property.

Average Allotment Size:

The representor has expressed concern that the application is deficient in the minimum average allotment size.

As described above, the applicant has voluntarily entered in a 'Voluntary Listing Agreement' with the State Governments Renewal SA for the provision of 15% of the development to be sold as mandated affordable housing.

The Principles of Development Control 7 of Medium Density Policy Area 18 apply and require a minimum average site area of 100m² for a residential flat building. The average site area of 142m² therefore exceeds the requirements of PDC 7 where affordable housing is provided.

Visual Privacy and Setback to Eastern Boundary:

Whilst we appreciate the representor's views, we do not subscribe to the concerns that the proposed development will have any adverse impact on the adjoining properties.

The development is setback 2.38m from the eastern boundary, exceeding the 2m requirement for setback from a side boundary.

The concerns around the visual privacy and overlooking for private open space are unfounded on the basis that:

- two storey buildings (and even 3 storey) are expressly contemplated in this part of the Residential Zone;
- these buildings will not overlook nor cast any shadows over the habitable room windows or private open spaces associated with those dwellings on the western side (3 and 3A Lindsay St) who have their driveway access on the eastern boundary and open space on the northern and western portions of these allotments.

Should Council remain concerned about the overlooking potential, the applicant is willing to provide screening and or frosted glazing to 1700mm above finished floor level to the areas of concern.

Landscaping:

The representor is concerned that the proposed plantings to the landscaping along the Western boundary can grow to a mature width of 3m.

These concerns are understood and amendments have been made to the proposed landscaping plan to introduce species with a more narrow spread along the western boundary.

Infrastructure Provision:

The applicant has provided a preliminary site engineering concept plan prepared by Herriotts Consulting Engineers.

This report and plan confirms that the proposed development will ensure that stormwater disposed from the site will not exceed pre-development levels. This will therefore ensure that there is no additional load / pressure placed on Councils downstream system.

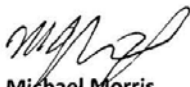
Closure

For the reasons set out above and in the documentation previously provided in support of the proposal, we consider that the proposal is an appropriate development of the subject site.

In the event that the representors resolve not to retract their representations, please be advised that we will attend the relevant meeting of the Development Assessment Panel and speak in response to the representation.

In the meantime, should you wish to discuss any aspect of this matter in more detail, please do not hesitate to contact the writer.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Michael Morris', is written above the printed name.

Michael Morris

ATTACHMENT 3

Memo

To Zoe Delmenico
From Baskar Kannappan
Date 11 January 2016
Subject 211/836/2015, 5 Lindsay Street, CAMDEN PARK

Zoe,

The following City Assets Department comments are provided with regards to the assessment of the above development application:

1.0 FFL Consideration – Finished Floor Level (FFL) Requirement

- 1.1 In accordance with the provided 'Site Plan' (amended drawing received on 11/11/15) the FFL of the proposed development (100.40) has been assessed as satisfying minimum requirements (100.18) in consideration of street and/or flood level information.

2.0 Verge Interaction

- 2.1 Verge interaction has been assessed as acceptable in accordance with the site layout shown in 'Site Plan' (amended drawing received on 11/11/15).

3.0 Traffic Comments

- 3.1 Traffic manoeuvrability has been assessed as acceptable in accordance with the site layout shown in 'Site Plan' (amended drawing received on 22/12/15).

4.0 Street Tree Removal

- 4.1 The proposed driveway is indicated to require the removal of one street tree adjacent to this property.

Only Council staff will be permitted to alter or remove a street tree and this will only be undertaken upon payment of the determined fee.

The tree in question has been assessed and considered acceptable to be removed. Based on Council's standard schedule of fees and charges the fee for the removal of this tree is \$436.00 (inc. GST).

Prior to any development plan consent for this application it is requested that the following confirmation is received by the development applicant;

- I as the applicant for development application number acknowledge that this application will result in the necessity for the removal of one street tree.

It is acknowledged that a fee of \$436.00 (inc. GST) is required to be paid to Council in association with the tree removal in the future crossover application.

I acknowledge that the street tree is only to be removed by Council staff or contractors acting on behalf of Council.

Signature : Date: / /

5.0 Residential Parking Requirement

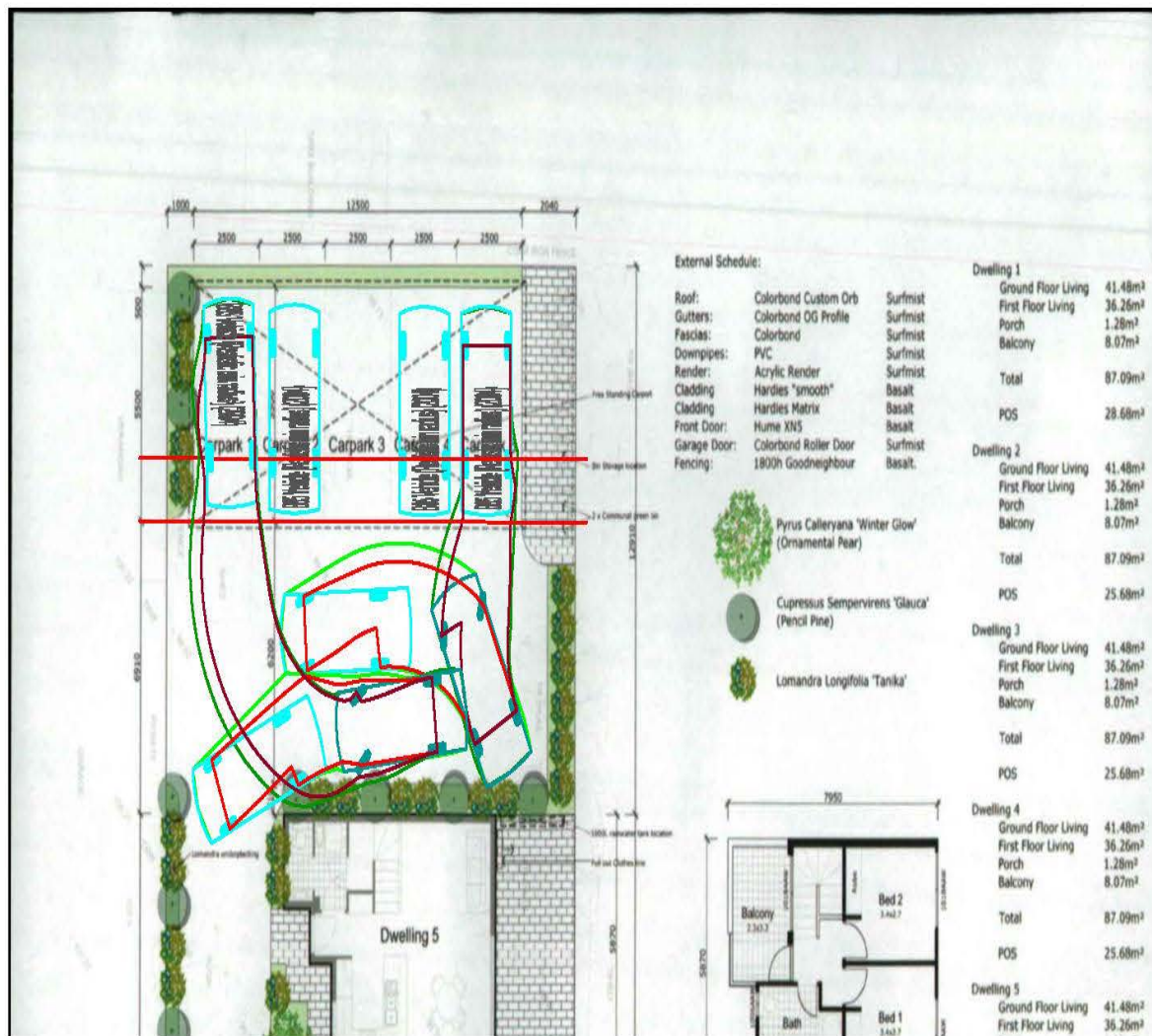
- 5.1 It is understood that for group dwellings it is recommended that there should be a provision of an on-site visitor car parking spaces at a rate of 0.25 spaces per dwelling. As there are 5 proposed dwellings there would be the expectation of one on site visitor car park. The current proposal does not allow for this.

It is recommended that revised plans showing the provision of this additional visitor parking space be provided to Council.

Should you require further information, please contact Baskar Kannappan on the following direct extension number 8416 6296.

Regards

Baskar Kannappan
Civil Engineer

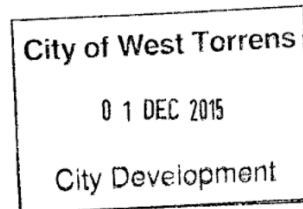


Contact
Telephone (08) 71097016
Facsimile (08) 83030604



25 November 2015

Mr Terry Buss
City Manager
City of West Torrens
165 Sir Donald Bradman Drive
HILTON SA 5033



Dear Sir

**Re: Proposed Application No. 211/C107/15 (51613) Amended Plan 17/11/15
for Land Division (Community Title Plan) by CAMTHI Investments Pty Ltd**

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 H0035254).
2. Payment of \$25952 into the Planning and Development fund (4 lots(s) @ \$6488 /lot). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

The 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/Customer+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



26 November 2015

Our Ref: H0035254

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 TONY PANNUNZIO
Telephone 7424 1248

27 NOV 2015

City Development

PROPOSED LAND DIVISION APPLICATION NO: 211/C107/15 AT CAMDEN PARK

In response to the abovementioned proposal, I advise that pursuant to Section 33 of the Development Act it is necessary for the developer to satisfy this Corporation's requirements, which are listed below.

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

For SA Water to proceed with assessment of this application, the developer will need to advise SA Water their preferred servicing option. Information can be found at:

<http://www.sawater.com.au/developers-and-builders/building,-developing-and-renovating-yourproperty/subdividing/community-title-development-factsheets-and-information> . For queries please contact SA Water Land Developments on 7424 1119. An investigation will be carried out to determine if the connection/s to the development wi

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

TONY PANNUNZIO

for **MANAGER LAND DEVELOPMENT & CONNECTIONS**

6.2 6 Coralie Street, PLYMPTON

Application No. 211/1054/2015

Appearing before the Panel will be:

Representors: **Dimitrios & Connie Bonaros** of **4 Coralie Street, Plympton** wish to appear in support of the representation.

Applicant/s: **Alberto D'Andrea** of **D'Andrea & Associates** wishes to appear on behalf of the owner, **Sina Pooyafar**, to respond to representations.

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Construction of a residential flat building containing five (5) dwellings
APPLICANT	D'ANDREA & ASSOCIATES
APPLICATION NO	211/1054/2015
LODGEMENT DATE	9 September 2015
ZONE	Residential
POLICY AREA	Policy Area 18
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	2
REFERRALS	Internal ▪ City Assets - Civil Engineering External ▪ Nil
DEVELOPMENT PLAN VERSION	25 June 2015
MEETING DATE	9 February 2016
RECOMMENDATION	CONSENT

BACKGROUND

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

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

PREVIOUS or RELATED APPLICATION(S)

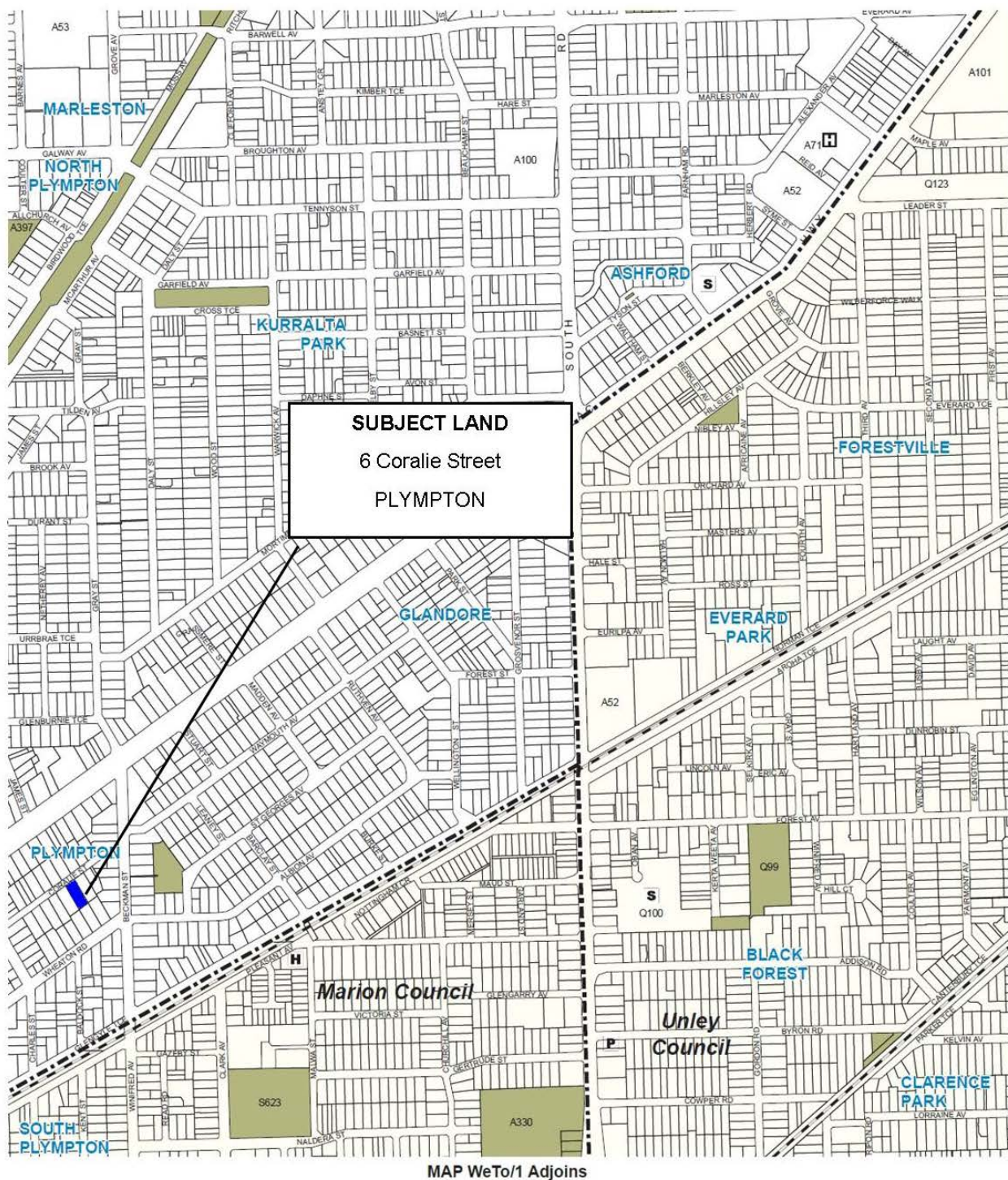
Nil

SITE AND LOCALITY

The subject land is located on the southern side of Coralie Street approximately 100 metres west of its intersection with Beckman Street, has a frontage of 20.12 metres to Coralie Street, a depth of 48.64 metres and an area of 978.64 square metres. A single storey dwelling used as such and associated outbuildings exist on the land.

The locality is residential in nature comprising a mix of single storey and two storey dwellings. A two storey group dwelling complex is directly opposite the subject land at 7 Coralie Street.

The site and locality are shown on the following maps.



Location Map WeTo/13



PROPOSAL

Following demolition of the existing buildings it is proposed to erect and complete a two (2) storey residential flat building comprising five (5) dwellings. Each dwelling has an open plan living, kitchen, dining area, study, and laundry at ground level and three (3) bedrooms and activity area at the first floor level in different configurations.

A full copy of the proposal is contained within **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.

Properties notified:	Eleven (11) properties were notified during the public notification process.
Representations:	Three (3) representations were received.
Persons wishing to be heard:	One (1) representor identified that they wish to address the Panel. <ul style="list-style-type: none">• Dimitrios & Connie Bonaros of 4 Coralie Street, Plympton
Summary of Representations:	Concerns were raised regarding the following matters; <ul style="list-style-type: none">• Proposal is out of character• Proposal will diminish availability of natural light• Increased noise from air-conditioning units• Five dwellings is an over development of the site• Visual bulk• Extensive site coverage• Overlooking• Inappropriate front, rear and side setbacks• Lack of private open space for each unit• Inadequate landscaping• Additional parking on street which is already severely limited• Vehicles using Coralie Street as a 'rat run' to avoid traffic lights at ANZAC Highway and Beckman Street intersection• Lack of adequate water pressure

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

- The planning guidelines within this locality have recently changed to allow for greater densities and varied housing accommodation, including row dwellings and residential flat buildings.
- The proposal satisfies the quantitative and qualitative provisions of the Development Plan.

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

REFERRALS

Internal

- **City Assets**
Civil Engineering

Concerns were initially raised regarding traffic and manoeuvrability but these concerns have now been addressed.

ASSESSMENT

The subject land is located within the Residential Zone and more specifically within Residential Policy Area 18 as described in the West Torrens Council Development Plan. The main provisions of the Development Plan which relate to the proposed development are as follows:

<u>General Section</u>		
<i>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

Zone: Residential Zone	
<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 Historic Conservation Area.</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

Policy Area: Residential Policy 18	
<i>Desired Character Statement:</i>	
<p>"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.</p> <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.</p> <p>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.</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 (Land use) 1, 4, 5 & 6 (Form and Character)

QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SITE AREA Residential Policy Area 18 Principle of Development Control 6	750m ² (for 5 dwelling residential flat building)	978.64m ² Satisfies
SITE FRONTAGE Residential Policy Area 18 Principle of Development Control 6	15m (for complete building)	20.12m Satisfies
SITE COVERAGE Residential Policy Area 18 Principle of Development Control 5	70%	39.6% Satisfies
STREET SETBACK Residential Policy Area 18 Principle of Development Control 5	3m	3m to main wall (nib walls & verandah are 2m) Partially Satisfies
SIDE SETBACKS Residential Zone Principle of Development Control 11	0m/1m (ground Floor) 2m (upper floor)	1-2.3m (ground floor) 2m-3.5m (upper floor) Satisfies
REAR SETBACKS Residential Policy Area 18 Principle of Development Control 5	4m	3m-5m Satisfies
PRIVATE OPEN SPACE Residential Development Principle of Development Control 19	24m ² (16m ² accessible from a habitable room)	24m ² -60m ² Satisfies
CARPARKING SPACES Transportation and Access Principle of Development Control 34	11 spaces	11 provided Satisfies

QUALITATIVE ASSESSMENT

The proposed development is assessed for consistency against the following qualitative provisions of the Development Plan:

Land Use

Medium Density Policy Area 18 calls for medium density development accommodating a range of dwelling types, including residential flat buildings. Buildings up to 3 storeys are sought. The proposal meets this requirement.

Design and Appearance

The proposal has been architecturally designed and appears to take its cues from the more recent development at 7 Coralie Street. It is designed to achieve a medium form of medium density development that reflects the form of development envisaged by the Zone and Policy Area provisions of the Development Plan.

The built form is of a relatively low scale, is well articulated and modelled and is effective in reducing any perceived visual mass. The internal living spaces have been designed to have direct access to outdoor space and take advantage of solar ventilation and open plan living allowing occupants to take advantage of cross ventilation and air flow.

Overshadowing

The building has been designed and located to enable direct winter sunlight into adjacent dwellings and minimise the overshadowing of north facing windows and open space.

Adjacent allotments will continue to receive at least three hours of sunlight between 9:00am and 5:00pm on 21 June.

Traffic and Parking

As noted above the proposal meets the Development Plan requirements for off street parking.

The representors have submitted that the proposed development will exacerbate the existing situation where the parking is severely limited and vehicles are using Coralie Street as a 'rat run' to avoid the traffic lights at the intersection of ANZAC Highway and Beckman Street.

The Administration has carried out a number of casual surveys of the parking and traffic situation at different times of the day. On the majority of days there was only one car (same car) parked on the street and no through traffic. In one instance only there were five cars parked including a delivery vehicle and no through traffic.

SUMMARY

The proposal is a reasonable form of development which responds in an appropriate manner to the constraints and opportunities afforded by the site and its locality. It generally accords with the overall intent and purpose of the Zone and Policy Area and warrants consent.

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 25 June 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. 211/1054/2015 by D'Andrea & Associates to undertake Construction of a residential flat building containing five (5) dwellings at 6 Coralie Street, Plympton (CT 5727/557) 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 09 February 2016 as detailed in this application except where varied by any conditions 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 occupancy of the 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. That the upper level windows on the east, west and south facing elevations of the dwellings shall be provided with fixed obscure glass to a minimum height of 1.7 metres above the upper floor level to minimise the potential for overlooking of adjoining properties, prior to occupation of the building. The glazing in these windows shall be maintained in reasonable condition at all times.
7. Council requires one business day's notice of the following stages of building work:
 - Commencement of building work on site
 - Commencement of placement of any structural concrete
 - Completion of wall and roof framing prior to the installation of linings
 - Completion of building work

ATTACHMENT 1

SHEET: 1 OF 2

NOT FOR CONSTRUCTION

PRELIMINARY PLAN FOR CONSTRUCTION

PLANNING APPLICATION

BUILDING APPLICATION

DATE: 23.09.15 FOR: 24.09.15

CONSTRUCTION NOTES

1. INTERCONNECTED GAS DETECTOR HARD WIRED TO MAIN GAS SUPPLY AND ALARM SOUNDS IN ALL ROOMS.

2. 1800mm HIGH 'VOID NEIGHBOUR' CONCRETE FENCE TO BE BUILT WITH MAX 'VOID' UNDER FENCE. E. FENCE TO BE 1.8m HIGH.

3. 1800mm HIGH 'VOID NEIGHBOUR' CONCRETE FENCE TO BE BUILT WITH MAX 'VOID' UNDER FENCE. E. FENCE TO BE 1.8m HIGH.

4. 1800mm HIGH 'VOID NEIGHBOUR' CONCRETE FENCE TO BE BUILT WITH MAX 'VOID' UNDER FENCE. E. FENCE TO BE 1.8m HIGH.

ENERGY EFFICIENCY NOTES

1. PROVIDE CEILING INSULATION WITH R-1.0.

2. PROVIDE CEILING INSULATION WITH R-1.0.

3. PROVIDE CEILING INSULATION WITH R-1.0.

4. PROVIDE CEILING INSULATION WITH R-1.0.

5. PROVIDE CEILING INSULATION WITH R-1.0.

PROPOSED FIVE, TWO STOREY DWELLINGS

AT: No. 6 CORALIE STREET, PLYMPTON

FOR: MR. A. POYAFAR

DATE: 23.09.15 SCALE: 1:100

DRAWN: E.C. SHEET: 1 OF 2

AREA: (approx)

REVISION	DATE	BY	REASON
1	23.09.15	A	INITIAL DESIGN
2	23.09.15	A	REVISIONS
3	23.09.15	A	REVISIONS
4	23.09.15	A	REVISIONS
5	23.09.15	A	REVISIONS



AREAS (sqm)

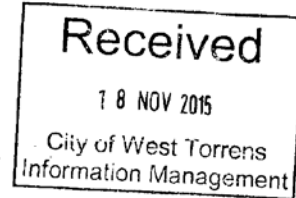
UNIT	UNIT 1	UNIT 2	UNIT 3	UNIT 4	UNIT 5
MAIN LIVING	62.00	69.20	69.20	69.20	69.20
DINING	18.00	18.00	18.00	18.00	18.00
KITCHEN	18.00	18.00	18.00	18.00	18.00
STUDY	18.00	18.00	18.00	18.00	18.00
BEDROOM	18.00	18.00	18.00	18.00	18.00
BATHROOM	18.00	18.00	18.00	18.00	18.00
W.C.	18.00	18.00	18.00	18.00	18.00
CL. (CLOSET)	18.00	18.00	18.00	18.00	18.00
STAIRS	18.00	18.00	18.00	18.00	18.00
ENTRY	18.00	18.00	18.00	18.00	18.00
LANDSCAPE	18.00	18.00	18.00	18.00	18.00
TOTAL	180.00	180.00	180.00	180.00	180.00

- LANDSCAPE SCHEDULE
1. EXISTING HOSE
 2. EXISTING HOSE
 3. EXISTING HOSE
 4. EXISTING HOSE
 5. EXISTING HOSE

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



DEVELOPMENT No. 211/1054/2015
PROPERTY ADDRESS: 6 Coralie Street, PLYMPTON SA 5038

NAME OF PERSON(S) MAKING REPRESENTATION ADDRESS
ROBERT, OLGA & MARK JOHNS
5 CORALIE ST PLYMPTON SA 5038

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

SEE ATTACHED

City of West Torrens

18 NOV 2015

City Development

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

SEE ATTACHED

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

☒
☐
☐

(PLEASE SPECIFY)

SIGNED

DATE

17/11/15

* If space insufficient, please attach sheets

(FORM 3)
Responsible Officer: Tony Kelly
Ends: Monday 23 November 2015

OBJECTION TO DEVELOPMENT – 6 Coralie St PLYMPTON SA 5038

DEVELOPMENT NO: 211/1054/2015

We object to the proposed development at 6 Coralie St Plympton, for the following reasons.

- The proposal to build 4 x 3 bedroom dwellings and 1 x 4 bedroom dwellings, means a potential of 21 residents living on this block of land, that previously housed 2 residents.
- With 2 car parks provided for each dwelling, I believe that additional cars from this development will be parking on Coralie St. Coralie Street is a very narrow street, and it is often difficult to reverse out of our driveway, due to cars parked on both sides of the road. I believe the additional traffic parked on the road will exacerbate the situation, and has the potential to cause accidents, and injuries.
- Service vehicles such as waste collection already have problems accessing bins when cars are parked in the roadway, and this proposal will mean 10 bins weekly could be placed for collection. Emergency service vehicles such as Fire Engines and Ambulance could not fit through the gap, when cars are parked on either side of Coralie St, even manoeuvring a normal vehicle is difficult at times.
- At the eastern end of Coralie St, there is no parking outside of 1a and 1b Coralie, and 2b Coralie on the other side of the road, due to a sharp bend where Coralie St meets Beckman St. This already has the effect of adding to the congestion of on road parking in the vicinity.
- We believe that the potential of noise caused by 21 residents, plus visitors, is not appropriate in a quiet suburban street, with most residents living in single story family homes.

My Representation would be overcome by:

In summary, I believe the development is too large for this narrow suburban street, but that a 3 dwelling development would be appropriate.

Yours sincerely

Robert, Olga and Mark Johns

5 Coralie St

Plympton SA 5038



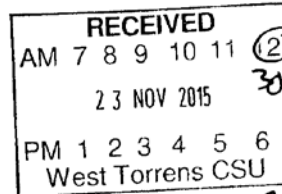
STATEMENT OF REPRESENTATION

Pursuant to Section 38 of the Development Act, 1993

City of West Torrens

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

24 NOV 2015



DEVELOPMENT No. 211/1054/2015
PROPERTY ADDRESS: 6 Coralie Street, PLYMPTON SA 5038

NAME OF PERSON(S) MAKING REPRESENTATION ADDRESS
DIMITRIOS, DIMITRIA, CONSTADINA BONAROS
& JOHN CARBONE
4 CORALIE ST PLYMPTON SA 5038

NATURE OF INTEREST *
AFFECTED BY DEVELOPMENT
(eg adjoining resident, owner
of land in vicinity, or on behalf
of an organization or company)
ADJOINING RESIDENT - 4 CORALIE
ST PLYMPTON SA 5038

REASONS FOR *
REPRESENTATION
OBJECTING TO DEVELOPMENT
PROPOSAL FOR PROPERTY ADDRESS
- 6 CORALIE ST PLYMPTON SA 5038
- SEE FURTHER PARTICULARS
ATTACHED.

MY REPRESENTATION *
WOULD BE OVERCOME BY
(state action sought)
REJECTION OF CURRENT
REVISED PROPOSAL LIMITING NUMBER PROPOSAL
OF DWELLINGS TO 3, SUBJECT TO
FURTHER CONSIDERATION OF SUCH A
PROPOSAL & FURTHER PARTICULARS OUTLINED
IN ATTACHMENT

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 TBC
(PLEASE SPECIFY)

✓ DIMITRIOS BONAROS
✓ CONNIE BONAROS

SIGNED

DATE

23/11/15
D BONAROS
J CARBONE
C BONAROS

* If space insufficient, please attach sheets

(FORM 3)

Responsible Officer: Tony Kelly
Ends: Monday 23 November 2015

ATTACHMENT TO STATEMENT OF REPRESENTATION PURSUANT TO
SECTION 38 OF THE DEVELOPMENT ACT 1993,

DEVELOPMENT NO: 211/1054/2015
PROPERTY ADDRESS: 6 CORALIE ST PLYMPTON SA 5038

NAME OF PERSONS MAKING REPRESENTATIONS: DIMITRIOS BONAROS, DIMITRIA BONAROS,
CONSTADINA BONAROS, JOHN CARBONE
ADDRESS: 4 CORALIE ST PLYMPTON SA 5038

TO CHIEF EXECUTIVE OFFICER
CITY OF WEST TORRENS
165 SIR DONALD BRADMAN DRIVE
HILTON SA 5033

Hand-delivered & Emailed

MONDAY 23 NOVEMBER 2015

NATURE OF INTEREST AFFECTED BY THE DEVELOPMENT:

Owners and residents of 4 Coralie St Plympton SA 5038, located next door to the proposed development on the eastern side.

REASONS FOR REPRESENTATION:

As owners of 1 of the adjoining properties, we object to the proposed development of 6 Coralie St PLYMPTON SA 5038, in its current form, for the following reasons:

- The proposed development, which is essentially a block of flats or apartments, is out of character with the existing built form in the locality. Two story flats or apartments are out of character with other properties on the street, which are largely either one story family homes or developments that have been limited to smaller two story townhouses.
- The proposed development will have an adverse effect on our amenity and the private enjoyment of our property. It will greatly diminish the availability of natural light to our property, including the entire house and the majority of the front and back yards, due to the proximity of the proposed dwellings toward the front and back of the block and our shared fence-line.
- The increased noise from the air-conditioning units servicing the proposed dwellings will also greatly disturb the peaceful enjoyment of our property, due to the proximity to our property and especially to family rooms and bedrooms.
- The proposal for 5 dwellings at 6 Coralie Street, Plympton, is an overdevelopment. The overdevelopment of the proposed site is demonstrated by the following:
 - visual bulk of 5 two story dwellings;
 - extensive site coverage;
 - overlooking or potential overlooking of adjoining property especially of 4 Coralie St;
 - inappropriate front and back setbacks particularly having regard to the existing streetscape and side boundary setbacks in the locality;

ATTACHMENT TO STATEMENT OF REPRESENTATION PURSUANT TO
SECTION 38 OF THE DEVELOPMENT ACT 1993,

DEVELOPMENT NO: 211/1054/2015
PROPERTY ADDRESS: 6 CORALIE ST PLYMPTON SA 5038

NAME OF PERSONS MAKING REPRESENTATIONS: DIMITRIOS BONAROS, DIMITRIA BONAROS,
CONSTADINA BONAROS, JOHN CARBONE
ADDRESS: 4 CORALIE ST PLYMPTON SA 5038

- the lack of side setbacks will result in overshadowing of adjoining property (at 4 Coralie St) for the entire property and this will have a particularly negative impact in the private back yard area;
 - lack of openness is inconsistent with the built form in the locality;
 - lack of private open space for each unit;
 - inadequate landscaping given the extensive site coverage and limited opportunity for side boundary setback to assist with screening views of the this excessively large building;
 - increased levels of noise as a result of the change from a one family dwelling at 6 Coralie Street, to five potentially multi-person or multi-family residences;
 - noise, especially as a result of servicing 5 air-conditioning units, all of which will face 4 Coralie St, in close proximity to windows of family rooms and bedrooms of that dwelling;
 - greatly increased levels of stormwater runoff as a result of the proposed development having no natural greenery or vegetation to assist with infiltration, which may overwhelm local stormwater drainage.
- The setbacks (which are particularly deceiving in the plans submitted to Council) will impact on our ability to use our land in its current form and also to develop our own property, plans for which have already been prepared.
- The proposed development contains only 2 vehicle parking spaces per dwelling, one for the resident and one for a visitor. This will result in an overflow of vehicles parking on the street if a residence owns multiple vehicles, and/or when residences have visitors.
- Parking on Coralie Street is already severely limited due to the narrowness of the street, which is exacerbated by the use of the street as a cut-through from Beckman Street to Charles Street (and onto Anzac Highway).
- Coralie Street already sees increased traffic due to vehicles cutting through from most other streets in the neighbourhood as a way of accessing Beckman Street, in order to avoid traffic lights at the corner of Marion Road and Anzac Highway.
- The danger of large numbers of vehicles being parked on, and traversing, Coralie Street, as a result of the proposed development and the lack of parking, greatly increases the risk of traffic accidents and result in an increased risk to pedestrians.
- Service vehicles, such as waste collection vehicles, will have difficulties accessing Coralie Street with increased numbers of vehicles being parked on the street and residences may be unable to access kerbside waste collection due to the number of vehicles parked on the street.

ATTACHMENT TO STATEMENT OF REPRESENTATION PURSUANT TO
SECTION 38 OF THE *DEVELOPMENT ACT 1993*,

DEVELOPMENT NO: 211/1054/2015
PROPERTY ADDRESS: 6 CORALIE ST PLYMPTON SA 5038

NAME OF PERSONS MAKING REPRESENTATIONS: DIMITRIOS BONAROS, DIMITRIA BONAROS,
CONSTADINA BONAROS, JOHN CARBONE
ADDRESS: 4 CORALIE ST PLYMPTON SA 5038

- Existing residents will have difficulty entering and exiting their own properties as a result of increased vehicles and narrowness of the street. This will apply particularly to the two properties adjoining 6 Coralie Street given the existing properties directly across the road from the proposed development. (That development had a total of 3 properties approved on the original site.)
- Current and future high density developments on Coralie Street and the corner of Charles Street and Anzac Highway will increase the demand for on-street vehicle parking and through traffic, which will have a cumulative effect exacerbated by the proposed development.
- On numerous occasions, complaints have been raised with Council about the lack of adequate water pressure in the area; this problem will also be compounded with an additional 5 residences.
- It is worth noting, we understand that a petition has been prepared on behalf of residents living in Coralie St, objecting to the proposed development, based on the number of residences proposed, their visual bulk and the fact that they are not in keeping with the character of the existing locality. Those reasons are supported.

REPRESENTATIONS WOULD BE OVERCOME BY:

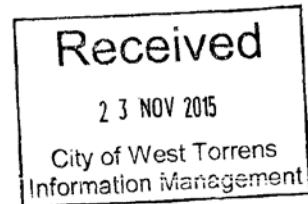
- Rejection of the current proposal.
- Limiting any future proposal for 6 Coralie St Plympton, to a maximum of 3 dwellings, in character with other developments in the street; with at least the proposed level of off-street parking (i.e. 2 parking spaces per dwelling); a change in design to increase the natural light allowed to my property, and a change to the location of any air conditioning equipment to further away from the shared fence line; all subject to further consultation and consideration of such a revised proposal, with adjoining property owners.
- Given the nature of the application, the proposed development ought to be categorized as a Category 3 application, pursuant to section 38 of the *Development Act 1993*.

REQUEST TO BE HEARD:

I wish to be heard in person or by agent in support of this representation.

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. 211/1054/2015
PROPERTY ADDRESS: 6 Coralie Street, PLYMPTON SA 5038

NAME OF PERSON(S) Lesley Potter
MAKING REPRESENTATION
ADDRESS 7 Coralie Street, Plympton 5038

NATURE OF INTEREST * Please see attached
AFFECTED BY DEVELOPMENT City of West Torrens
(eg adjoining resident, owner
of land in vicinity, or on behalf
of an organization or company) 24 NOV 2015

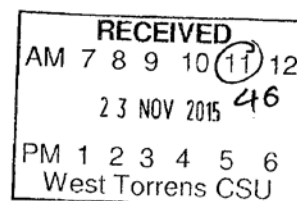
REASONS FOR * Please see attached
REPRESENTATION City Development

MY REPRESENTATION * Please see attached
WOULD BE OVERCOME BY
(state action sought)

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 ☐
(PLEASE SPECIFY)

SIGNED [Signature]
DATE 15/11/15



* If space insufficient, please attach sheets

(FORM 3)
Responsible Officer: Tony Kelly
Ends: Monday 23 November 2015

NATURE OF INTEREST AFFECTED BY THE DEVELOPMENT

Owner and resident of 7 Coralie Street, Plympton, located directly opposite the proposed development

REASONS FOR REPRESENTATION

I object to development plan no. 211/1054/2015 at 6 Coralie Street, Plympton, proposing the construction of five (5) dwellings for the following reasons:

- The development plan contains only 2 parking spaces per dwelling, one for the resident and one for a visitor. This will result in an overflow of cars parking on the street if a residence owns multiple vehicles, or when residences have visitors
- Parking on Coralie Street is already severely limited due to the narrowness of the street, which is exacerbated by the use of the street as a cut-through from Beckman Street to Charles Street (and onto Anzac Highway)
- Coralie Street already sees increased commuter traffic due to vehicles cutting through from most other streets in the neighbourhood as a way of accessing Beckman Street, in order to avoid traffic lights at the corner of Marion Road and Anzac Highway
- The danger of large numbers of cars being parked on, and traversing, Coralie Street as a result of the proposed development and the lack of parking, greatly increases the risk of traffic accidents and result in an increased risk to pedestrians
- Service vehicles such as waste collection will have difficulty accessing Coralie Street with increased numbers of vehicles being parked on the street, and residencies may be unable to access kerbside waste collection due to the numbers of cars parked on the street
- Greatly increased levels of stormwater runoff as a result of the proposed development having no natural greenery or vegetation to assist with water infiltration may overwhelm local stormwater drainage
- Increased levels of residential noise as a result of the change from a one family dwelling on 6 Coralie Street, to five potentially multi-person or multi-family residencies
- Current and future higher density residential developments on Coralie Street and the corner of Charles Street and Anzac Highway will increase the demand for on-street car parking and through traffic, which will have a cumulative effect exacerbated by the proposed development
- Two story flats are out of character with the other properties on the street, which are largely either one story family homes, or developments that have been limited to smaller two story townhouses.

MY REPRESENTATION WOULD BE OVERCOME BY

Rejecting the proposed development plan, and limiting the future development of 6 Coralie Street, Plympton to 3 dwellings, in character with the other developments on the street; with at least the proposed level of off-street parking (ie. 2 parking spaces per dwelling).



D'ANDREA & ASSOCIATES (SA) PTY LTD
BUILDING DESIGNERS

15th December, 2015

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

ATTENTION: Mr Tony Kelly – Planning Officer

DA: 211/1054/15 For Five Residential Flat Buildings

RE: No. 6 Coralie Street, North Plympton

Tony,

Thank you for forwarding to me copies of the representations received by council from the notification process there has been three responses received by council from:

- Mr & Mrs Johns of 5 Coralie Street, Plympton
- Mr & Mrs Bonaros of 4 Coralie Street, Plympton
- Leslie Potter of 7 Coralie Street, Plympton

In response to the representations council should consider the following:

The site is located within Policy are 18 of the West Torrens Council. The planning guidelines within this locality have recently changed to allow for greater densities and varied housing accommodation, including row dwellings and residential flat buildings.

Two storey residential flat buildings as proposed are therefore a type of building form which is contemplated within the zone albeit with specific performance requirements.

The representors have stated:

- Reduce number of dwellings to three, two storey dwellings
- Insufficient set-back from primary street frontages
- Inappropriate car parking requirements
- Overdevelopment of the site

Desired character

Objectives of councils design guidelines state:

'Allotments in this policy area will be at medium density, accommodating for a range of dwelling types including semi-detached, row and group dwellings as well as some residential flat buildings'

'New buildings will contribute to a highly varied streetscape. Buildings will be up to two storeys'

Design Parameters for Policy Area 18

'When a dwelling is located within 400 meters 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) of 150m²

Residential Flat buildings require an average of 150m² per dwelling with a minimum frontage of 15m.

- Minimum site area for P.O.S. 24m² having a minimum dimension of 3.0m – **Complies**
- Minimum street set back 3.0m – **Complies**
- Minimum rear set back 4.0m – **Complies**
- Car parking, 2.5carparks per dwelling – **11 provided on conjunction with council's traffic engineer and two off street parking allowed.**

The information provided in this letter and the amended plans responds to the concerns of the representors and establishes that the proposed development satisfies the relevant provisions of the West Torrens development plan.

Importantly the proposal satisfies the quantitative Development Plan provisions. Just as importantly, the proposed two-storey, medium density, residential flat buildings and their transformational character are the type of development anticipated in the Policy area 18. The proposal also satisfies the qualitative guidelines in the development plan in terms of traffic, access, waste, noise, and overlooking.

In this context I look forward to your support of the application.

Yours sincerely,

Alberto D'Andrea

6.3 5 Claremont Street, MILE END

Application No. 211/655/2015

Appearing before the Panel will be:

Representors: **Dorothy & Penelope Shorne** owner of 5A Claremont Street wish to appear in support of the representation.

Applicant/s: **Peter Bartsch** owner of 5 Claremont Street wishes to appear to respond to representations.

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Construction of additions & alterations to existing dwelling including mezzanine addition
APPLICANT	Peter Bartsch
APPLICATION NO	211/655/2015
LODGEMENT DATE	10 June 2015
ZONE	Residential Zone
POLICY AREA	Mile End Policy Area 26
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 2
REFERRALS	Internal <ul style="list-style-type: none">Heritage Advisor
DEVELOPMENT PLAN VERSION	25 September 2014
MEETING DATE	9 February 2016
RECOMMENDATION	CONSENT

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 APPLICATION(S)

Nil

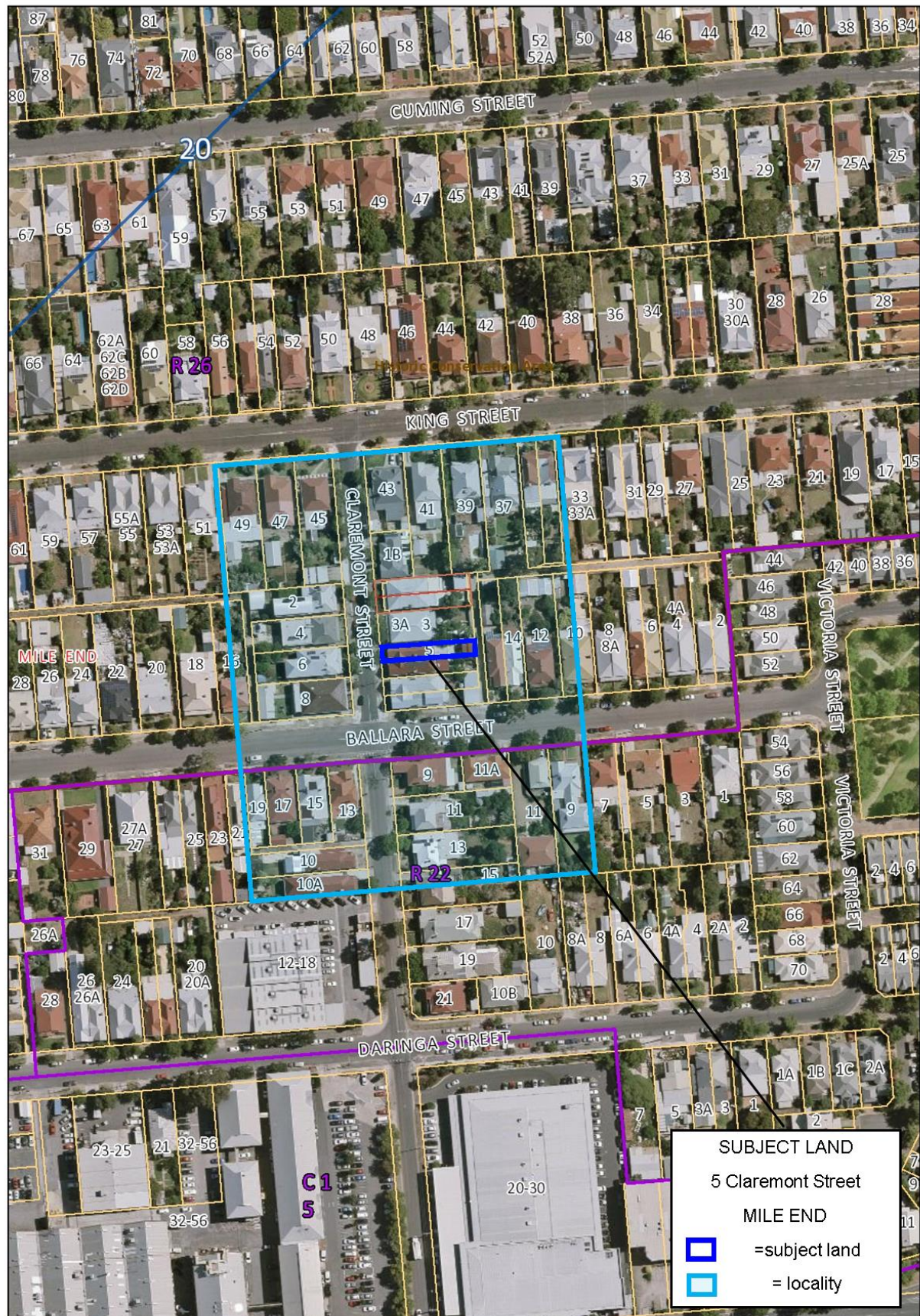
SITE AND LOCALITY

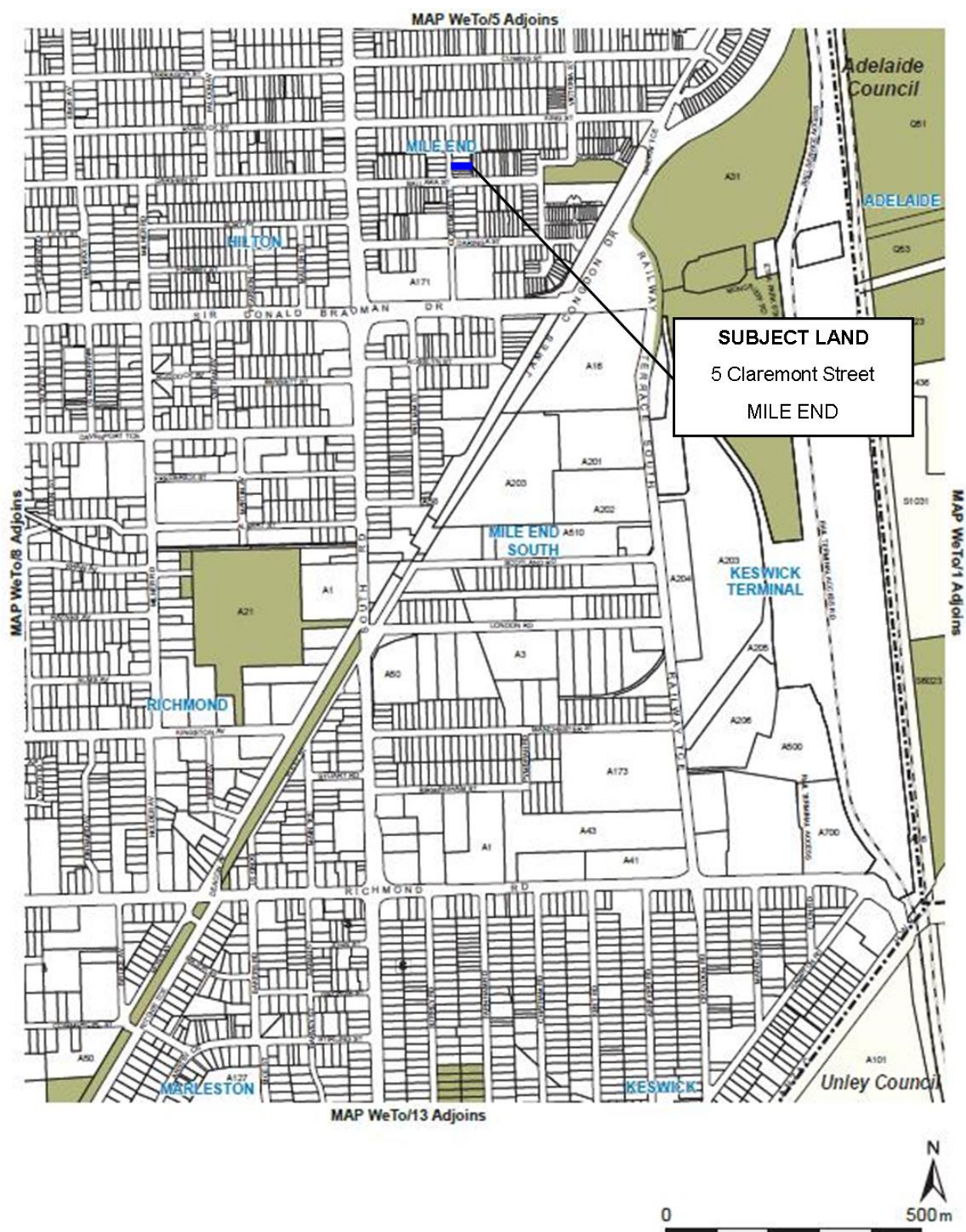
The subject land is located on the eastern side of Claremont Street. It is half of a maisonette development and both it and its adjoining maisonette are listed as Contributory Items to the Heritage of the Policy Area.

This particular site has a frontage width of 6.4m and an area of 234 square metres. There is a rear access lane from Ballara Street.

The locality primarily consists of single-storey maisonettes and cottages built soon after the First World War

The site and locality are shown on the following maps.





- School
- Railways
- Local Reserves
- Development Plan Boundary

Location Map WeTo/9

WEST TORRENS COUNCIL
Consolidated - 25 September 2014

PROPOSAL

The proposal involves the demolition of the existing lean-to addition which contains a kitchen and replacement with a dwelling extension that protrudes no further into the back yard than the existing extension but matches the building height and profile of the existing dwelling.

The new works will include a remodelled bathroom and laundry, new kitchen, master bedroom and living area.

PUBLIC NOTIFICATION

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

Properties notified:	Nine properties were notified during the public notification process.
Representations:	Two representations were received.
Persons wishing to be heard:	One representor identified that they wish to address the Panel. <ul style="list-style-type: none">• Penelope Shorne
Summary of Representations:	Concerns were raised regarding the following matters; <ul style="list-style-type: none">• Overshadowing of solar panels and skylights• Stormwater• Overlooking

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

- Upper-storey windows will be fixed and obscured.
- Overshadowing drawings provided demonstrating no shadow of solar panels or skylights.
- Stormwater detail provided.

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

REFERRALS

Internal

- **Heritage Advisor**

Proposal is supported

A full copy of the relevant report is attached, refer **Attachment 3**.

ASSESSMENT

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

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

<u>Zone: Residential Zone</u>	
<p><i>Desired Character Statement:</i> <i>This zone will accommodate a range of dwelling types.</i> <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> <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> <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> <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, 2, 3, 6, 8

<i>Policy Area: Mile End Policy Area 26</i>	
<p><i>Desired Character Statement:</i></p> <p><i>The consistent residential built form extends over the majority of the south-east quadrant of the area.</i></p> <p><i>Most houses were constructed in the 1890s and early 1900s resulting in a higher density residential area with a homogenous character. land division commenced in the Henley Beach Road area and moved in a southerly direction. lanes were created at the secondary boundary for services.</i></p> <p><i>Within the policy area there are several groups of identical dwellings and particularly semi-detached dwellings. They have been constructed by certain builders of the time and house designs and details are frequently repeated.</i></p> <p><i>The key elements contributing to the character of the policy area are the consistent scale, main street setback and materials of the houses. Principle detail includes steeply pitched corrugated iron roofs and in many cases elaborate gable treatment, verandas trimmed with cast iron or timber ornamentation, the use of sandstone, red brick and in some cases bluestone, and timber windows and doors many with detailed lead light, verandas of either bull nose or raked form with wrought iron or distinctive timber detailing of the 'Busy-Bee' kind, and tiled and slate edged veranda floors.</i></p> <p><i>Development will incorporate building elements which predominate in the policy area and reinforce the original building style including the use of corrugated iron roofs which are comparably pitched, elaborate gable treatment, detailed brick chimneys, verandas of bullnose form generally, but some of raked form, and with timber posts and wrought iron or distinctive timber detailing, façade detailing including windows, doors, dados and quoins, and fences to street frontage.</i></p> <p><i>Reinstatement of building elements should occur including the removal of paint from masonry to expose the stonework or brick below. Inappropriate verandas will be replaced by verandas of the form which was predominant in the area, generally bullnose, but some of skill ion form.</i></p> <p><i>Fencing, particularly to the street boundary will be either galvanised pipe and chain wire mesh, timber or post and rail with woven wire fence or timber picket fences. Timber windows and doors which have been replaced by metal or other windows that are not true to the original form and proportion will be replaced to match as closely as possible to those which previously existed.</i></p>	
<i>Objectives</i>	<i>1</i>
<i>Principles of Development Control</i>	<i>1, 1, 2, 3</i>

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:

Bulk and Scale

Essentially there will be little change to the building foot print with approximately 9.0sqm of additional site coverage proposed.

The major change will be the built form of the rear extension, currently it is a lean-to style construction similar to many of the early additions made to these types of homes. The owner proposes for the new extension to match the built form of the original dwelling with regard to construction materials, wall heights, roof height etc.

This change to the built form will not negatively impact upon the site or the locality.

Setbacks

Currently the dwelling is setback 1.0m from the northern side boundary. The proposal will see an 8.9m length of wall along the northern boundary. This does not meet the Development Plan's side setback requirements but will not result in over shadowing nor amenity impacts to the adjoining dwelling to the north, nor will it be readily visible from the street. This shortfall is not on its own considered sufficient to recommend refusal of the proposal.

Overlooking and Overshadowing

Shadow diagrams have been supplied to demonstrate that there will be no over shadowing of adjoining solar panels or sky lights.

All upper level windows are fixed and obscured or have a 1.7m sill height.

Overlooking and overshadowing are considered to be successfully mitigated.

SUMMARY

The proposed development demonstrates a sympathetic approach to the heritage character of the locality and the existing dwelling. With the exception of the northern boundary setback, it meets all requirements of the 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.

On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 25 September 2014 and warrants Development Plan Consent.

RECOMMENDATION

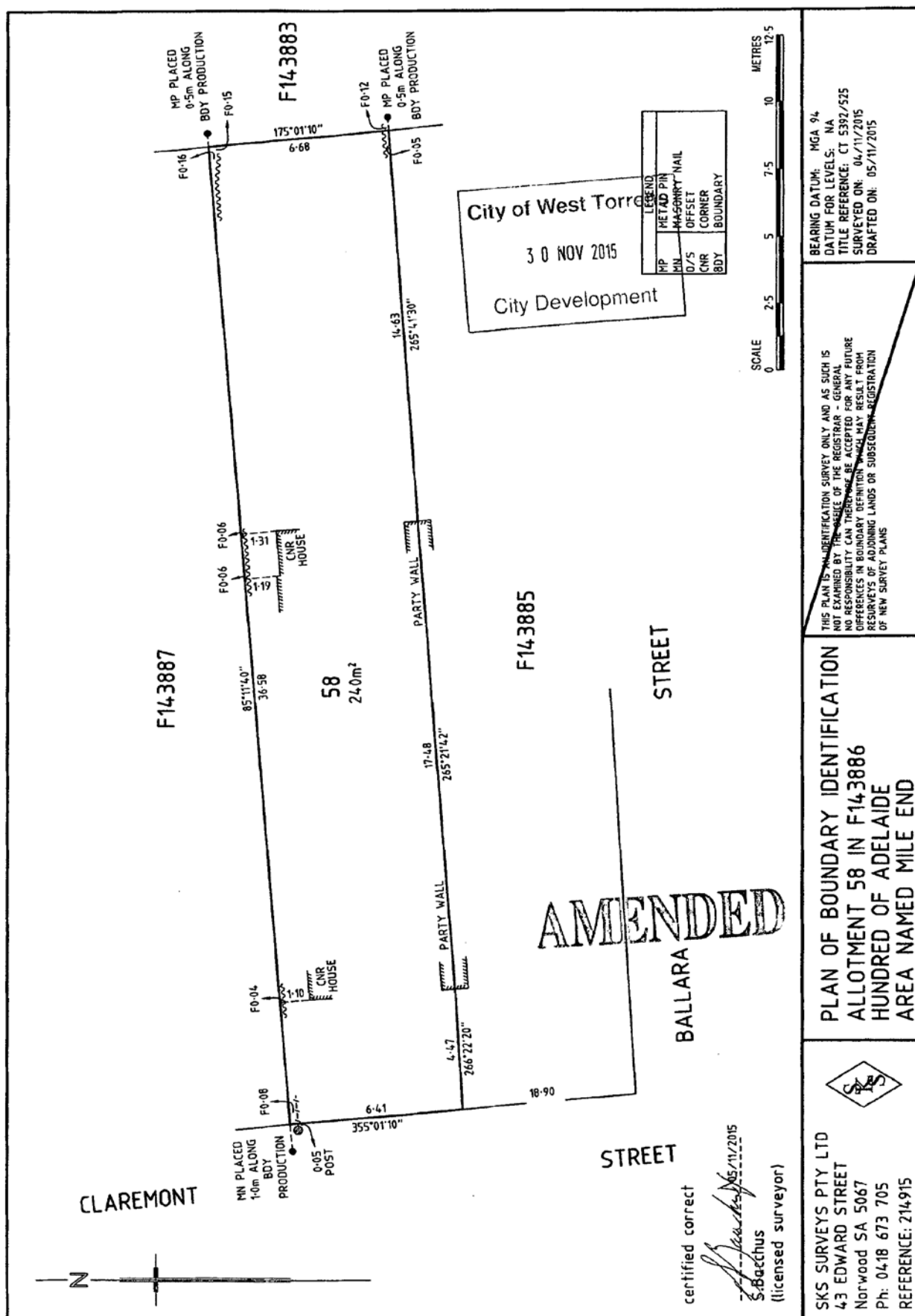
The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/655/2015 by Peter Bartsch to undertake Construction of additions & alterations to existing dwelling including mezzanine addition at 5 Claremont Street, Mile End (CT 5392/525) subject to the following conditions:

Council Conditions

1. That the development must 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. The windows provided with fixed obscure glazing and the external screens enclosing the respective balconies as nominated on the approved plans must be fitted prior to occupation of the building. The glazing in these windows and balcony screens must be maintained in reasonable condition at all times.
5. 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





Shadow Diagrams for: 5 Claremont St
Mile End, 5031

Scale: 1:100 @A3

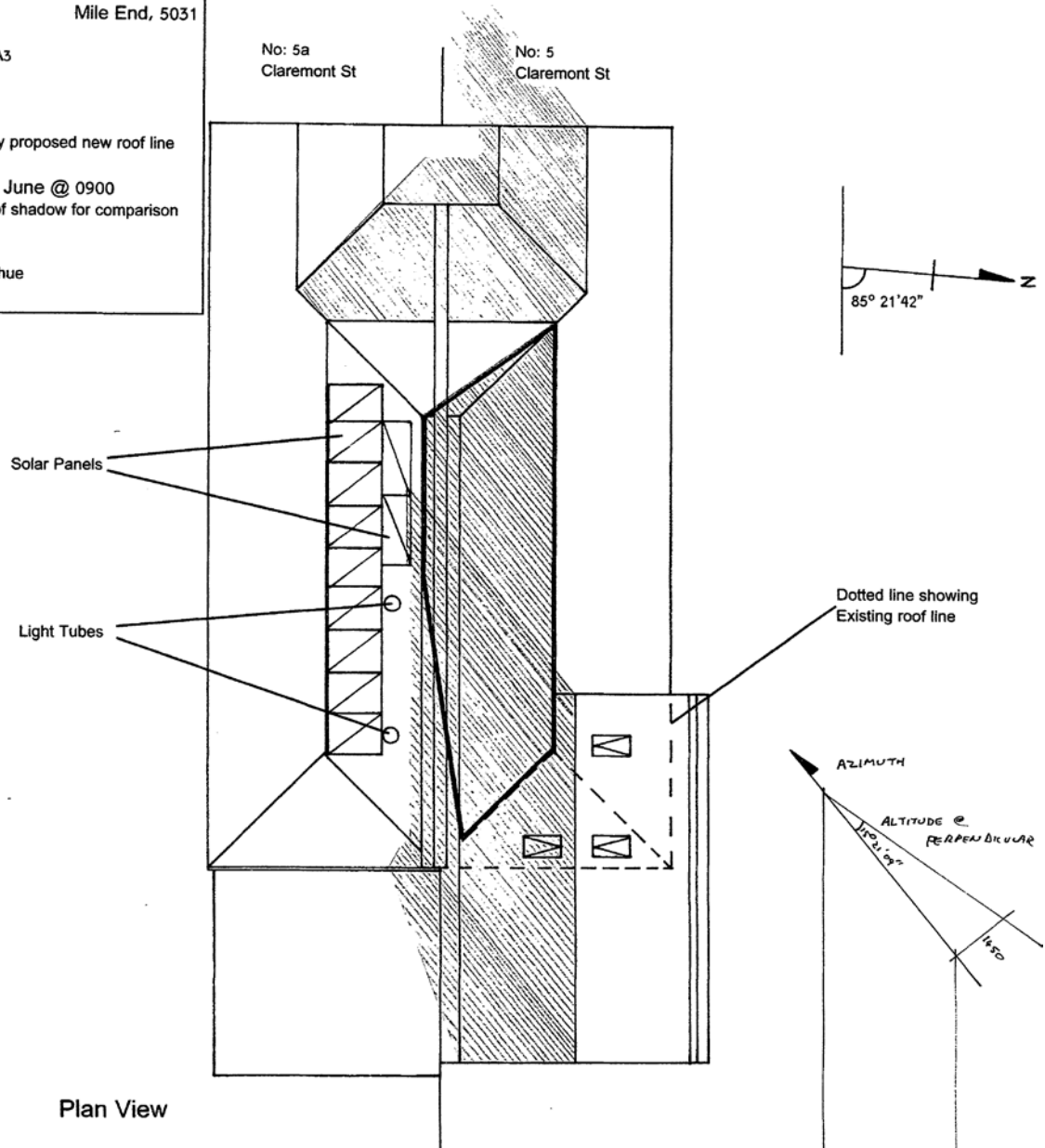
Drawing: 1/3

Shadows cast by proposed new roof line
on the:

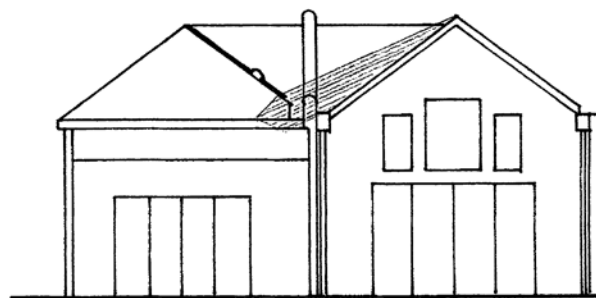
21st June @ 0900

With existing roof shadow for comparison

Prepared By:
Christian Donoghue
22/11/2015

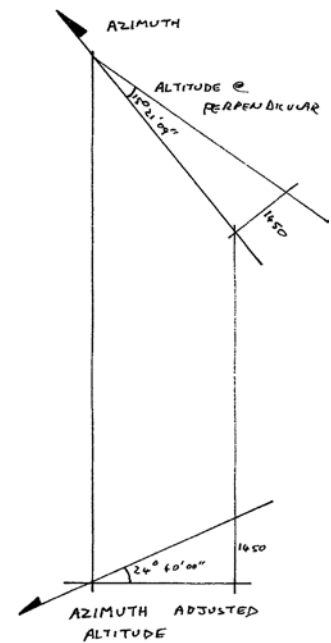


Plan View



East Elevation

Sun Angles for 21st June @0900
Azimuth: 46° 05' 22"
Altitude: 15° 21' 09"



AMENDED

City of West Torrens
30 NOV 2015
City Development

Shadow Diagrams for: 5 Claremont St
Mile End, 5031

Scale: 1:100 @A3

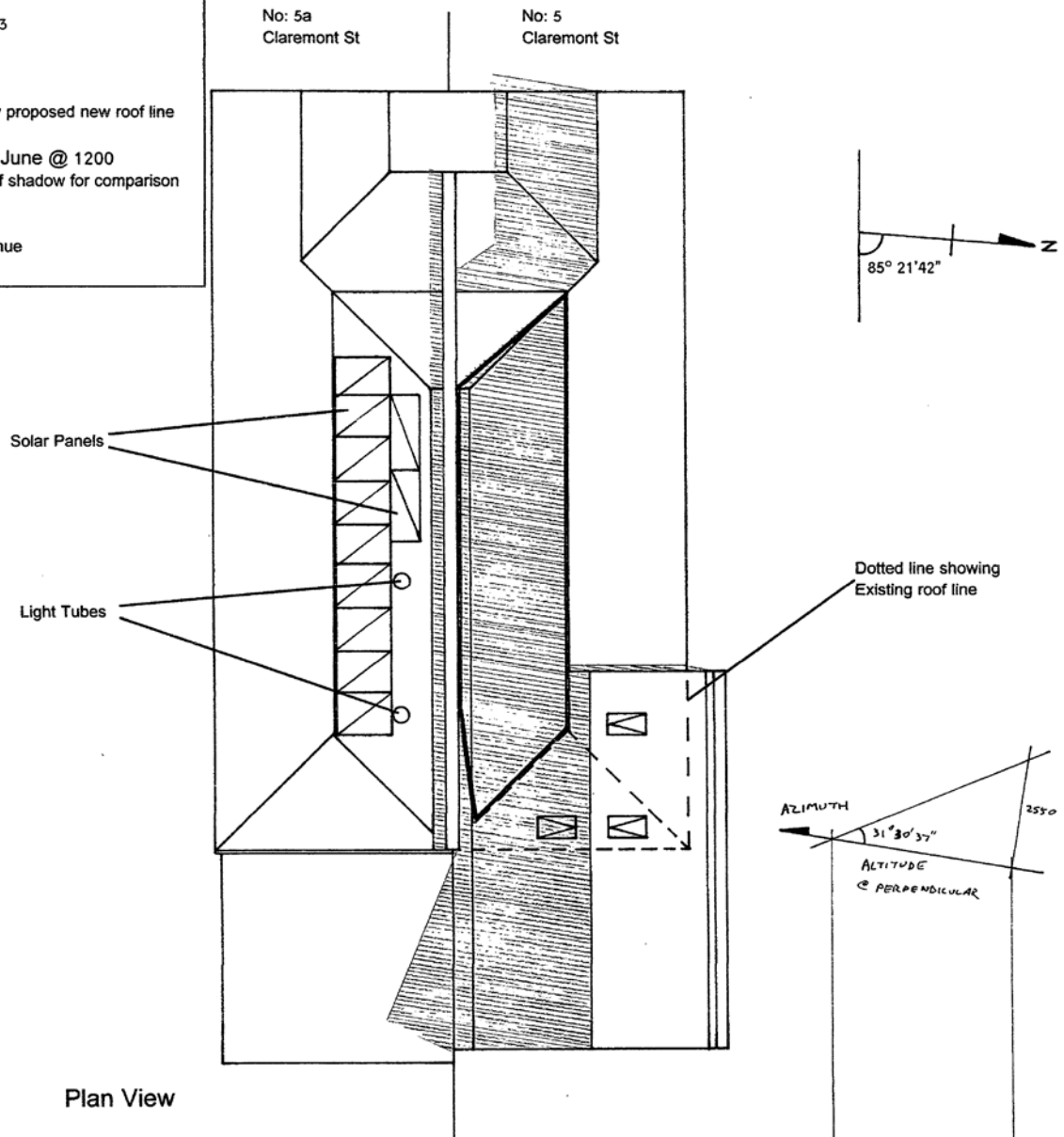
Drawing: 2/3

Shadows cast by proposed new roof line
on the:

21st June @ 1200

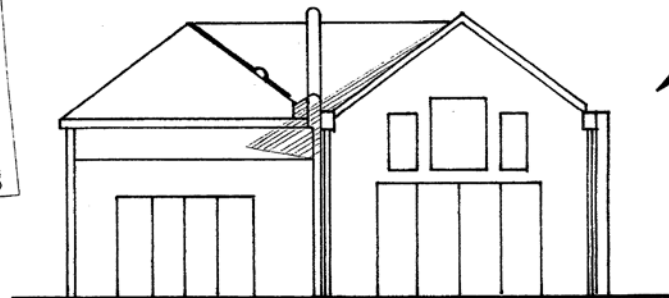
With existing roof shadow for comparison

Prepared By:
Christian Donoghue
22/11/2015



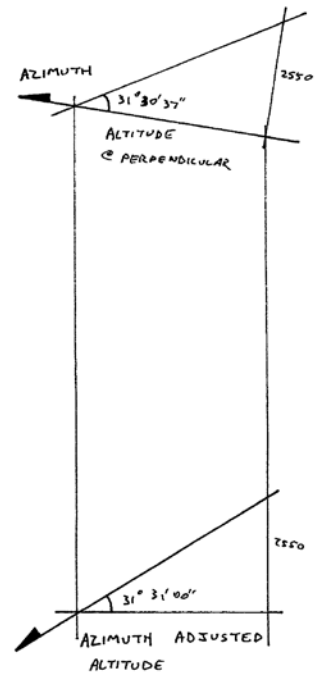
Plan View

City of West Torrens
City Development
3 0 NOV 2015



East Elevation

Sun Angles for 21st June @1200
Azimuth: 4° 32' 54"
Altitude: 31° 30' 37"



AMENDED

Shadow Diagrams for: 5 Claremont St
Mile End, 5031

Scale: 1:100 @A3

Drawing: 3/3

Shadows cast by proposed new roof line
on the:

21st June @ 1500

With existing roof shadow for comparison

Prepared By:

Christian Donoghue

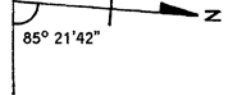
22/11/2015

No: 5a
Claremont St

No: 5
Claremont St

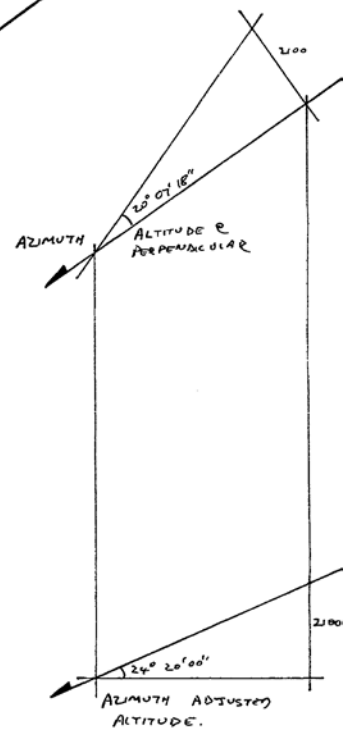
Solar Panels

Light Tubes



Dotted line showing
Existing roof line

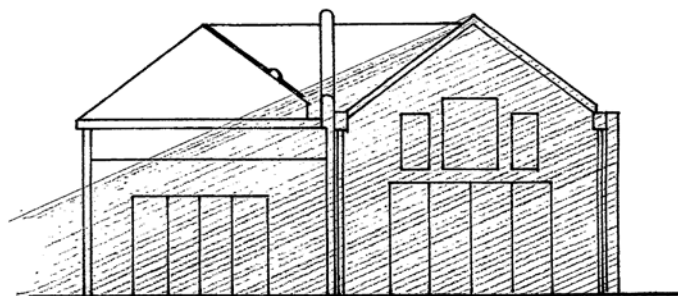
Plan View



AMENDED

City of West Torrens
City Development
30 NOV 2015

East Elevation



Sun Angles for 21st June @1500
Azimuth: 320° 21' 43"
Altitude: 20° 07' 18"

ATTACHMENT 2

STATEMENT OF REPRESENTATION Pursuant to Section 38 of the Development Act, 1993		Information Management Unit
TO	Chief Executive Officer City of West Torrens 165 Sir Donald Bradman Drive HILTON 5033	<div>RECEIVED AM 7 8 9 10 11 12 22 SEP 2015 PM 1 2 3 4 5 6 West Torrens CSU</div> <div>34</div>
DEVELOPMENT No.	211/655/2015	
PROPERTY ADDRESS:	5 Claremont Street, MILE END SA 5031	
NAME OF PERSON(S) MAKING REPRESENTATION ADDRESS	Penelope Shorne 86 Somerset Ave Comberland PK 5041	
NATURE OF INTEREST * AFFECTED BY DEVELOPMENT (eg adjoining resident, owner of land in vicinity, or on behalf of an organization or company)	owner of adjoining Masonette	
REASONS FOR * REPRESENTATION	Concern re overshadowing see attached.	<div>City of West Torrens 23 SEP 2015 City Development</div>
MY REPRESENTATION * WOULD BE OVERCOME BY (state action sought)	see attached.	
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 <u>Dorothy Shorne</u> <input checked="" type="checkbox"/>		
(PLEASE SPECIFY)		
SIGNED	<u>[Signature]</u>	
DATE	<u>21 Sep 2015</u>	
* If space insufficient, please attach sheets		
(FORM 3) Responsible Officer: Rebekah Kuehn Ends: Tuesday 22 September 2015		

Penelope Shorne
86 Somerset Avenue
Cumberland Park SA 5041
Mob: 0411 084 891
pjshorne@ihug.com.au

21 September 2015

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

Dear Sir,

Re: Development Application No. 211/655/2015 5 Claremont St, Mile End SA 5031

I have noted the drawings submitted with this development application and have concerns relating to the impact of the proposed extension on my adjoining property at 5A Claremont Street.

The subject property and my own comprise two maisonettes, separated only by a fire wall. Solar panels have been installed on the northern face of my roof, as have two skylights. I am concerned of the impact of shadowing on both of these features as a result of the proposed development.

The electricity requirements of my property are met completely by these panels, and should they no longer function as efficiently, there would be a cost to myself. The skylights are required to provide adequate natural lighting inside my property, given that it is not possible to have windows on the northern side.

I am also concerned about the treatment of stormwater drainage from this property. Currently the downpipe from No. 5 discharges into their back yard, with the water then flowing into the rear of my property. I have had to install a sump drain to address this overflow, but in times of heavy downpour it does not cope with the deluge, leaving my property at risk. I request that this issue be resolved, whether or not the development proceeds.

I do not object in principle to this proposal, but request that a shadow diagram be produced by a recognised expert that demonstrates that there is no over-shadowing of either the solar panels or the skylights. Should the study indicate that there is in fact an impact, I would further request that the proposed extension be re-designed to address this issue, or alternatively that approval be declined.

I wish to be heard by Council in respect to this submission.

Yours sincerely



Penelope Shorne

Impact of Proposed Building Extension at 5 Claremont St on Adjoining property.



The aerial plan indicates the position of the solar roof panels and the two skylights on the roof to the property at 5A Claremont Avenue.

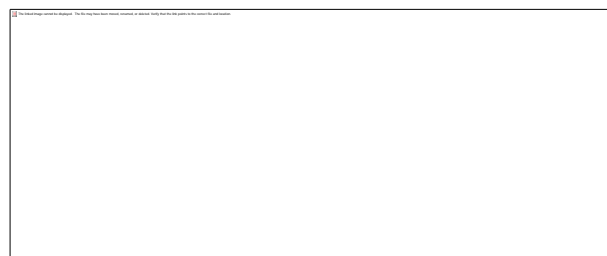
From: Council Enquiries [csu@wtcc.sa.gov.au]
Sent: Wednesday, 16 September 2015 10:12:14 AM
To: Development
Subject: FW: Proposed Development at 5 Claremont Street, Mile End (DA 211/655/2015) - SAHT Response to Category 2 Notification

From: Loechel, Robin (Renewal SA) [mailto:Robin.Loechel@sa.gov.au]
Sent: Wednesday, 16 September 2015 10:10 AM
To: Council Enquiries
Subject: Proposed Development at 5 Claremont Street, Mile End (DA 211/655/2015) - SAHT Response to Category 2 Notification

Attention: Rebekah Kuehn, City of West Torrens

Hello Rebekah,
Please find attached a response on behalf of the South Australian Housing Trust to the category 2 development proposed for 5 Claremont Street, Mile End (DA 211/655/2015).

Robin Loechel
Manager Technical Services
Strategy & Innovation
P: 08 820 70635
M: 0412 160 838
robin.loechel@sa.gov.au
www.renewalsa.sa.gov.au



Renewal SA
On behalf of the South Australian Housing Trust
Level 5, Riverside Centre, North Terrace, Adelaide
South Australia 5000
GPO Box 292, Adelaide 5001

This e-mail may contain confidential information, which may be legally privileged. Only the intended recipient(s) may access, use, distribute or copy this e-mail. If this e-mail is received in error, please inform the sender by return e-mail and delete the original. It is the recipient's responsibility to check the e-mail and any attached files for viruses. In order to comply with Renewal SA's statutory obligations, e-mail messages sent by Renewal SA may be monitored or accessed by Renewal SA staff other than the sender.
Think before you print – consider the environment

The Chief Executive Officer
City of West Torrens
165 Sir Donald Bradman Drive
Hilton SA 5033

Email: csu@wtcc.sa.gov.au



Attn: Rebekah Kuehn

RE: Development Application 211/655/2015 Additions and Alterations to existing dwelling including mezzanine addition at 5 Claremont Street, Mile End.

I refer to Council's letter to the South Australian Housing Trust (SAHT) dated 7 September 2015 inviting comment on the above development application on public notification. Renewal SA provides this response on behalf of the SAHT in respect of abutting SAHT property at 3A Claremont Street, Mile End. The SAHT provides these comments for Council's consideration but does not wish to be heard by Council in respect to this submission.

The development proposal includes the removal of a portion of an existing low fence on the common boundary with the abutting SAHT property and its replacement by a boundary wall of approximately 9m in length and 3.8m high as part of the dwelling. The full length of the proposed wall will be adjacent to the south facing side of the SAHT dwelling. Both the SAHT dwelling and 5 Claremont St. are heritage listed and within the Mile End Conservation Policy Area 30.

The SAHT has no objection to the proposed double storey addition to the rear but it is concerned about loss of amenity to the SAHT property due to the proposed reduced side setback combined with the height and length of the proposed wall, both of which exceed the Development Plan limits. The SAHT's preference would be for the proposed development to maintain the existing setback from its northern side boundary. Carports aside, aerial photography suggests planning approvals in this policy area have strongly supported such an approach which is in line with the intent of the Desired Character Statement: "Setbacks will be complementary to the boundary setbacks of existing buildings in the policy area".

Where the development affects the common boundary with the SAHT property, Renewal SA would like to remind the owner or their builder that they are required to give notice, in writing at least 48 hours prior to commencing any work on the site, advising of the proposed start and completion dates of work affecting the boundary with 3 Claremont Street, Mile End to:

- the SAHT tenants at 3 Claremont Street, Mile End, and
- Mr. Sean Malone, Housing SA Maintenance, Housing SA Maintenance, 100 Reservoir Road, Modbury SA 5092.



Government of
South Australia

Prior to commencing any building work or removing fencing/structure on the common boundary the owner or their building contractor is to ensure the following:

- Negotiate with the neighbouring SAHT tenants the days and times which the building contractor requires access to SAHT property for the work to be undertaken;
- Contact Sean Malone, Housing SA Maintenance on phone numbers 0457536206 or 82086157 to arrange for inspection of the boundary building works adjoining the SAHT property prior to commencement and again prior to completion;
- The stormwater management system is to be designed to prevent the adjoining SAHT property being affected by stormwater overflow during minor and major storms;
- Any boundary fencing/structure removed and/or replaced is reinstated in a professional workman like manner at your cost;
- Arrange at your cost, temporary fencing to secure the SAHT and/or the tenant's property including animals before the boundary fencing is temporarily removed;
- Ensure the area is clean, safe and free of obstructions to enable the SAHT tenants and their visitor's access to the SAHT property at all times;
- Make good any damage caused by your building contractor to SAHT, their tenant's and visitors property and landscaping or compensate for any costs incurred in repairing damage caused in undertaking the work; and
- Agree to release and indemnify the South Australian Housing Trust from and against any claim that may arise as a result of the building works including any personal injury or property damaged.

It is recommended that the applicant engages a licenced surveyor to survey the common boundary to ensure that no encroachment will occur.

Yours sincerely



Robin Loechel
Manager, Technical Services

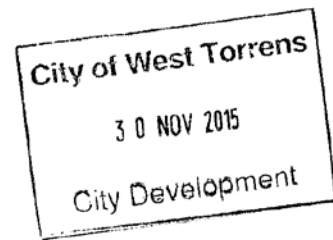
16/9/2015

Response letter to City of West Torrens Council

Development Application 211/655/15, 5 Claremont St, Mile End

Enclosures;

- 1x A3 copy of amended plans
- 3x A1 sets of amended plans
- Site surveyed and plan
- 3x A3 copy of shadow diagrams (set of 3)
- Images depicting frosting film to the upper level windows (see below, page 5)



In response to Council's 'main concerns' in their email of 4th September

1. *Upper level windows, balconies, terraces and decks should have a sill height of not less than 1.7 metres or be permanently screened to a height of 1.7m above the finished floor level to avoid overlooking into habitable room windows or onto the usable private open spaces of other dwellings.*

Upper level windows will have obscuring film frosting applied throughout; please view per example supplied on page 5

Opening sky light windows sill height above 1.7m - see plan notation

2. *Dwelling setbacks from side boundaries should be progressively increased as the height of the building increases to minimise visual impact of buildings from adjoining properties and minimise the overshadowing of adjoining properties. In addition, Council's Development Plan advises that where the vertical side wall is between 3 to 6 metres in height the minimum side setback should be 2 metres.*

According to the WTCC's planning department their 'development application plan' allows flexibility in respect to a Conservation Policy area, and so the setback proposed under this application is understood to be allowable within the current rules.

Additional affirmation of the proposed development at 5 Claremont St. may be read from the Heritage Advice, in as much as the street frontage has been interpreted to 'not offend', and the "set back" in this regard is favourable. We note the below conclusion from WTCC's Heritage Advisor indicated that the proposed development "warrants support", and does not make adverse finding on setbacks.

The proposed development warrants support because the fine grained, regularly patterned streetscape of the east side of Claremont Street is not offended, through the retention of a substantial depth of the Contributory Place and the design integration of the proposed addition, despite it being necessarily constructed to each side boundary in order to achieve sufficient height within the new roof space to accommodate an upper level and improved modern planning of spaces and residential living.

In response to letter from Renewal SA., 16th September 2015

The following points address their concerns on ‘loss of amenity’, albeit with ‘no objection to the proposed double story addition to the rear’. Their ‘reminder’ in respect to the coordination of the works shall be complied according to Renewal SA’s expectations, although their requests seem applicable after the works have been approved.

1. The plans require that only 4m of the proposed northern boundary wall will be adjacent to the south of 3A Claremont St dwelling. The setbacks remain unchanged along the remainder of this boundary.
2. A site survey has been conducted to provide accurate boundaries of the plot.
3. The shadow from the proposed development will not fall across 3A Claremont St given that this property is located to the north of the proposed extension.
4. There is no view from 3A Claremont in the southern direction due to the existing dwelling, and so the proposed development is neutral in this respect.
5. The guttering of the proposed development has been designed as a box gutter “behind” the wall and hence does not interfere or overhang the boundary either property to the north or south.
6. The possibility of maintaining the current floor plan would fore-go the extra width of the living area, which would require the stairs to be relocated, as well as the proposed roof-line to be higher than the current roof-line if a second floor is to be accommodated. I believe that the proposed arrangement is unlikely to visually offend the amenity of the surrounding properties and is in-keeping with the heritage guidelines. Please see the above conclusion of the Heritage Advisor, who has recognised in their report the need to use as much width as available in order to achieve a well proportioned and usable property.

In response to Penelope Shorne's concerns at 5a Claremont St.

1. *Shadowing*; according to calculations provided by the site survey, the proposed extension causes limited additional shadowing to property 5A only in the morning around 9am, as the afternoon sun has moved westwards, i.e, over the front of the property, and as such is similar to shadowing that is caused by existing roof. Please see the shadow diagrams enclosed, which show the proposed roof slightly obscures just 2 of the solar panels at 5A Claremont, compared with the existing roof. These 2 panels that are lower than the main "battery", and the proposed roof extends the shadow by approximately 0.2 m for part of the year.
 - 1a. The 2 skylight tubes of concern are not affected in any way by over-shadowing.
 - 1b. Please note that detailed measurements for the location of the solar array and the skylight tubes were unavailable. Penelope Shorne did however provide product specifications and a satellite image of the properties, from which calculations were made as to the size and position of these roof features in order to accurately create the shadow diagrams.
2. *Storm water*; Poor drainage of storm water is also an important concern to myself which desperately needs to be addressed, so that current poor drainage is improved. This concern is believed to be the major cause of the ongoing damage to the current lean-to extension. My intention to address the storm water management has been noted by the draftsman on the plans submitted with this letter, the full extent of which is to be confirmed by the engineer at the building consent stage.

An additional concern

The existing lean-to extension to the dwelling has been substantially damaged by termites that we believe was initiated by rising damp to the extent that the entire extension is currently uninhabitable and unsalvageable, and so needs rebuilding.

This application is not a property development for profit.

Our aim in planning and designing this renovation has always been to reinstate the function of the property to an improved standard and to increase the liveability of the space available to its best capacity.

The current tenant is my daughter and her family, who have had to temporarily seek alternative accommodation while the approval is received and reconstruction is undertaken. Having just started a family we hope that 5 Claremont St. will be their home for many years to come, and so we have planned the replacement to accommodate their growing needs.

I trust that all concerns raised have been sufficiently addressed and it is my belief that any perceived issues with the proposed development have been clarified.

I wish for myself or my agent, Mr. Christian Donoghue, to be heard by the council in any matters concerning the Development Application 211/655/15 if it is so applicable.

Sincerely,

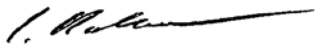
Peter Bartsch

Applicant

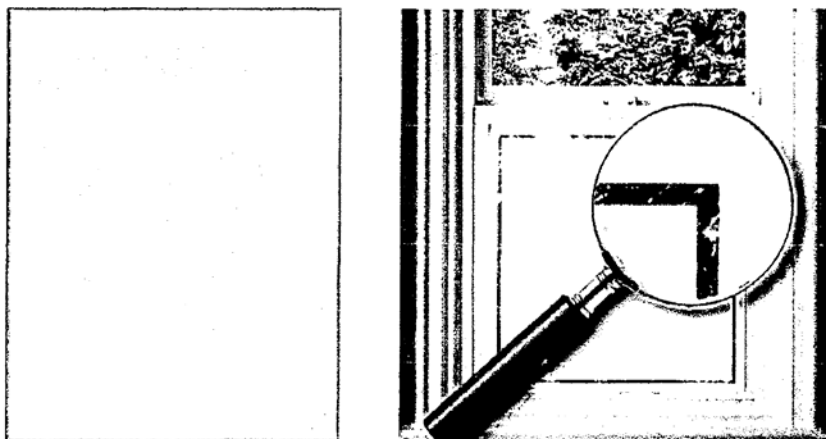
Owner, 5 Claremont Street, Mile End

pjbartsch@gmail.com

per Christian Donoghue



agent for the applicant



Frosted glass window film design – with transparent frame detail.

ATTACHMENT 3

City of West Torrens
Heritage Advisor Comment

Planning Application No.: 211/655/2015
Applicant: P J Bartsch
Location: 5 Claremont Street, Mile End SA 5031
Zone: Residential
Policy Area: Policy Area 26 Mile End – Historic Conservation Area
Heritage Status: Contributory Item
Proposal: Construction of additions and alterations to existing dwelling including mezzanine addition
To: Rebekah Kuehn
Date: 27 June 2015



5 Claremont St



5A Claremont St

5 Claremont St

5A Claremont St



5 Claremont

MAP WeTo/5 Adjoins



Description:

The proposed development will involve:

- The removal of a rear lean-to matching the width of the existing Contributory Place;

City of West Torrens Heritage Advisor Comment

- The removal of the rear four metres under the main roof, matching the width of the existing Contributory Place including a fireplace;
- The construction of a replacement structure, constructed from side boundary to side boundary.

The accommodation to be replaced includes a kitchen and meals area, bathroom/laundry and internal study. The replacement accommodation includes similar but larger functions in a reconfigured arrangement, plus a mezzanine bedroom floor, overlooking the new living area, and ensuite bathroom.

The proposed addition will have a rendered gable ended roof, pitched from a similar wall height to the existing, with matching brick side and street facing walls and a render and glass appearance to the rear yard.

The existing cottage presents to the street as the mirror image to 5A Claremont Street, with the central party wall as the central axis.

The east side of Claremont Street is particularly fine grained with narrow frontages and semi detached cottages.

Located within the Historic Conservation Area and Mile End Policy Area 26, I have considered the following Development Plan Provisions:

Mile End Policy Area 26

OBJECTIVES

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

DESIRED CHARACTER

The consistent residential built form extends over the majority of the south-east quadrant of the area.

Most houses were constructed in the 1890s and early 1900s resulting in a higher density residential area with a homogenous character. Land division commenced in the Henley Beach Road area and moved in a southerly direction. Lanes were created at the secondary boundary for services. Within the policy area there are several groups of identical dwellings and particularly semi-detached dwellings. They have been constructed by certain builders of the time and house designs and details are frequently repeated.

The key elements contributing to the character of the policy area are the consistent scale, main street setback and materials of the houses. Principle detail includes steeply pitched corrugated iron roofs and in many cases elaborate gable treatment, verandas trimmed with cast iron or timber ornamentation, the use of sandstone, redbrick and in some cases bluestone, and timber windows and doors many with detailed leadlight, verandas of either bull nose or raked form with wrought iron or distinctive timber detailing of the 'Busy-Bee' kind, and tiled and slate edged veranda floors.

Development will incorporate building elements which predominate in the policy area and reinforce the original building style including the use of corrugated iron roofs which are comparably pitched, elaborate gable treatment, detailed brick chimneys, verandas of bullnose form generally, but some of raked form, and with timber posts and wrought iron or distinctive timber detailing, façade detailing including windows, doors, dados and quoins, and fences to street frontage.

Reinstatement of building elements should occur including the removal of paint from masonry to expose the stonework or brick below. Inappropriate verandas will be replaced by verandas of the form, which was predominant in the area, generally bullnose, but some of skillion form. Fencing, particularly to the street boundary will be, either galvanised pipe and chain wire mesh, timber or post and rail with woven wire fence or timber picket fences. Timber windows and doors, which

City of West Torrens Heritage Advisor Comment

have been replaced by metal or other windows that are not true to the original form and proportion, will be replaced to match as closely as possible to those which previously existed.

PRINCIPLES OF DEVELOPMENT CONTROL

Land Use

- 1 The following forms of development are envisaged specifically in the policy area:
 - dwelling addition.

Form and Character

- 1 Development should not be undertaken unless it is consistent with the desired character for the policy area.
- 2 Development to the principal frontage of the allotment should be single storey.

Historic Conservation Area

OBJECTIVES

- 1 The conservation of areas of historical significance.
- 2 Development that promotes, conserves and enhances the cultural significance and historic character of identified places and areas.
- 3 Development that complements the historic significance of the area.
- 4 The retention and conservation of places such as land, buildings, structures and landscape elements that contribute positively to the historic character of the area.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should not be undertaken unless it is consistent with the desired character for the Historic Conservation Area.
- 2 Places such as land, buildings, structures and landscape elements that contribute to the historic character of the area identified on the Overlay Maps - Heritage and more specifically identified in the respective Table WeTo/3 - Contributory Items, should be retained and conserved.
- 3 Development of a contributory item should:
 - (a) not compromise its value to the historic significance of the area
 - (b) retain its present integrity or restore its original design features
 - (c) maintain or enhance the prominence of the original street facade
 - (d) ensure additions are screened by, and/or located to the rear of the building
 - (e) ensure original unpainted plaster, brickwork, stonework, or other masonry is preserved, unpainted.
- 4 New buildings should not be placed or erected between the front street boundary and the facade of contributory items.
- 5 Buildings and structures should not be demolished in whole or in part, unless they are:
 - (a) structurally unsafe and/or unsound and cannot reasonably be rehabilitated
 - (b) inconsistent with the desired character for the Historic Conservation Area
 - (c) associated with a proposed development that supports the desired character for the Historic Conservation Area.
- 6 Development should take design cues from the existing historic built forms. In doing this, it is not necessary to replicate historic detailing; however design elements for consideration should be compatible with building and streetscape character and should include but not be limited to:
 - (a) scale and bulk
 - (b) width of frontage

City of West Torrens Heritage Advisor Comment

- (c) boundary setback patterns
 - (d) proportion and composition of design elements such as roof lines, pitches, openings, verandas, fencing and landscaping
 - (e) colour and texture of external materials
 - (f) visual interest.
- 8 Second storey additions to single storey dwellings should achieve one or more of the following:
- (a) a sympathetic two-storey addition that uses existing roof space or incorporates minor extensions to the roof space at the rear of the dwelling
 - (b) a second storey within the roof space, where the overall building height, scale and form is compatible with existing single-storey development in the policy area
 - (c) second storey 'dormer' windows having a total length less than 30 per cent of the total roof length along each elevation.

Assessment:

The proposed development will preserve the historic streetscape character of Claremont Street because the proposed addition, despite being 1045mm wider and slightly higher (approx. 200mm) than the Contributory Place, is 16169mm set back from the front boundary and retains three main rooms, entrance and shared front verandah or 11614 of depth of Contributory Place. There will be limited viewing opportunity along a 1045 width path therefore Mile End Policy Area 26 Objective 1 and Principle of Development Control 1 (Form and Character) are not offended.

Similarly, Principle of Development Control 1 of the Historic Conservation Area is not offended. Principle of Development Control 1 (Mile End Policy Area 26) anticipates the type of Land Use and the proposal does not affect the single-storey principal frontage (Principle of Development Control 2).

The proposal will conserve the historic significance, through its considerable set back from the street, narrow viewing opportunity, complementary roof form and height, satisfying Historic Conservation Area, Objective 1. The proposal, through the replacement development, will provide a functional replacement to the rear of the Contributory Place, thereby conserving the historically significant portion of the place and its ensuring its ongoing viability through a modern complementary addition, with improved natural light and relationship of living areas to private open space. This form of complementary development (Objective 3) serves to enhance historic character envisaged in Objective 2.

Of importance is the retention of the Contributory Place desired by Objective 4 and Principle of Development Control 2.

In terms of Principle of Development Control 3, the proposal is substantially set back and retains the integrity of contributing elements of streetscape importance and maintains the visual prominence of the original street façade. The proposed addition is located to the rear, also satisfying Principle of Development Control 4.

With respect to demolition of the rear lean-to and also rear main room under the main roof it is considered that in terms of Principle of Development Control 5(c), the demolition is necessary to make way for improved modern living in a manner that retains and does not affect the integrity of a substantial visually dominant portion of the Contributory Place.

The proposal successfully delivers a design that is integrated with the scale and bulk, proportion and composition of wall height, roof-line and roof pitch. The integration results from consideration of existing design cues articulated through Principle of Development Control 6. While the plan width is greater resulting in the addition being constructed to the side boundaries, the addition is substantially set back and retains the important setbacks visible from the street, so as not to offend Principle of Development Control 6 (b) or(c). The streetscape contribution of the Contributory

City of West Torrens Heritage Advisor Comment

Place will not be diminished by this proposal.

Finally, in relation to Principle of Development Control 8, the proposal incorporates an upper level within the new roof space and the overall height, scale and form of the addition is compatible with the Contributory Place. The proposed skylights will be integrated with the roof-line and are not of concern.

Conclusion:

The proposed development warrants support because the fine grained, regularly patterned streetscape of the east side of Claremont Street is not offended, through the retention of a substantial depth of the Contributory Place and the design integration of the proposed addition, despite it being necessarily constructed to each side boundary in order to achieve sufficient height within the new roof space to accommodate an upper level and improved modern planning of spaces and residential living.

Douglas Alexander

6.4 20 Fulham Park Drive, LOCKLEYS

Application No. 211/1358/2014/A

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Land division - Torrens Title DAC No- 211/D169/14/A Boundary Re-alignment
APPLICANT	Florino Aloï
APPLICATION NO	211/1358/2014/A
LODGEMENT DATE	17 December 2015
ZONE	Residential Zone
POLICY AREA	Residential Policy Area 21
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none">▪ Nil External <ul style="list-style-type: none">▪ Development Assessment Commission (DAC)▪ SA Water
DEVELOPMENT PLAN VERSION	5 November 2015
MEETING DATE	9 February 2016
RECOMMENDATION	REFUSE

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.

The previous application to create one additional allotment (211/1358/2014) was approved by the DAP on 14 April 2015.

PREVIOUS or RELATED APPLICATION

211/1358/2014, Land division - torrens title, DAC No- 211/D169/14, Create one (1) additional allotment *Approved*

211/1388/2014, Construction of two (2), two-storey dwellings with garages and terrace under the main roof, and boundary fencing; construction of an in-ground swimming pool associated with Dwelling 1; and demolition of existing dwelling and associated structures *Refused*

211/954/2015, Construction of a two storey detached dwelling with garage & terrace under main roof & construction of a swimming pool *Withdrawn*

211/1399/2015, Demolition of existing dwelling and associated structures plus the construction of two x two-storey dwellings *Pending*

SITE AND LOCALITY

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

The subject land is a corner allotment with a frontage of 17.12 metres to Fulham Park Drive and 36.57 metres to Arcoona Avenue, excluding the corner cut-off. The total area of the subject land is approximately 795sqm. The land currently accommodates a 1960's conventional yellow brick, hipped roof dwelling.

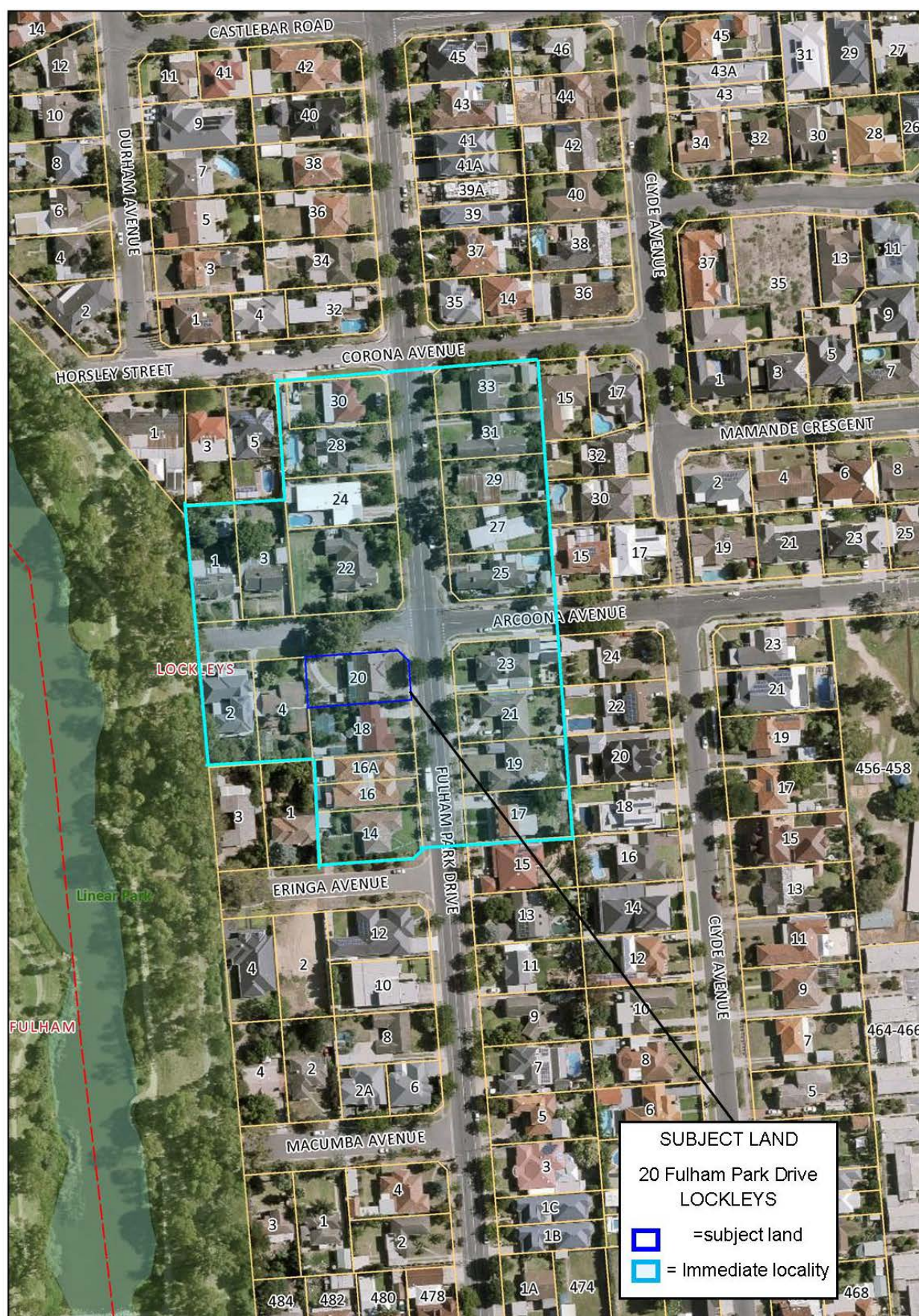
The subject site is located within the Residential Zone and more particularly Residential Policy Area 21. It is located approximately 40m east of the Linear Park which is within the Open Space Zone.

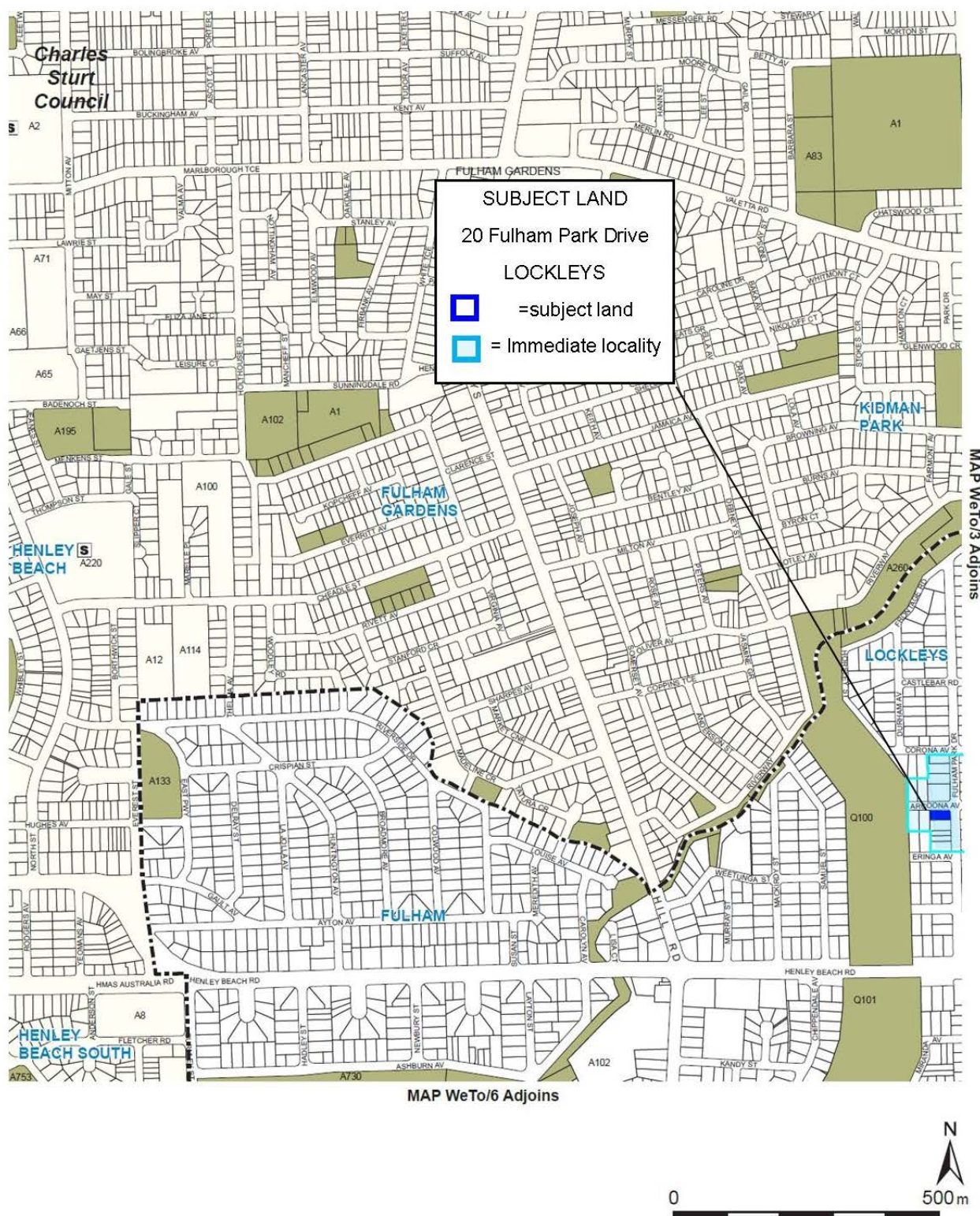
The locality is predominately characterised by detached dwellings constructed in the 1950s on relatively large, rectilinear allotments with wide frontages as demonstrated in the following table:

Address	Site Area m ²	Frontage Width m	
1 Arcoona Ave	832	18	
2 Arcoona Ave	796	20	
3 Arcoona Ave	2 x 447	2 x 10	2 x two-storey dwellings approved by DAP
4 Arcoona Ave	800	20	
?? Arcoona	369	18.39	Proposed Allotment
14 Fulham Park Drive	782	17	
16 Fulham Park Drive	421	11	
16A Fulham Park Dve	382	10	
17 Fulham Park Drive	790	19	
18 Fulham Park Drive	800	20	
19 Fulham Park Drive	796	19	
20 Fulham Park Drive	754	20	Subject Site
?? Fulham Park Drive	425	20.17	Proposed Allotment
21 Fulham Park Drive	785	19	
22 Fulham Park Drive	1403	33	
23 Fulham Park Drive	796	20	
24 Fulham Park Drive	833	20	
25 Fulham Park Drive	702	18	
27 Fulham Park Drive	720	18	
28 Fulham Park Drive	887	19	
29 Fulham Park Drive	734	18	
30 Fulham Park Drive	690	15	
31 Fulham Park Drive	717	18	
33 Fulham Park Drive	716	18	

NB - Yellow highlight = less than minimum sought in Development Plan

The site and locality are shown on the following maps:





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

Location Map WeTo/2

WEST TORRENS COUNCIL
Consolidated - 25 September 2014

PROPOSAL

The development application seeks consent to amend a previously approved division of land that created two Torrens Title allotments from one existing Torrens Title allotment.

Proposed Allotment 201 has a site area of 425 square metres with street frontages of 17.12 metres to Fulham Park Drive and 18.19 metres to Arcoona Avenue. Proposed Allotment 202 is smaller with a site area of 369 square metres and a street frontage of 18.39 metres to Arcoona Avenue. There is an established crossover which can enable vehicle access to both of the proposed allotments.

A copy of the documents supplied with the development application are attached, refer **Attachment 1**.

PUBLIC NOTIFICATION

Application for 211/1358/2014 is a Category 1 form of development pursuant to Section 38 and Schedule 9 of the Development Act and Regulations and Residential Zone Procedural Matters Section of the West Torrens Council Development Plan.

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 issued.

Full copies of the relevant reports are contained in **Attachment 2**.

ASSESSMENT

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

<u>General Section</u>		
Infrastructure	Objectives	1, 3, & 5
	Principles of Development Control	1, 2, 3, 4, 5, 7 & 9
Land Division	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 2, 4, 5, 6, 8, 10 & 16
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, 3 & 5

Zone: Residential	
<p><i>Desired Character:</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	5 & 7

Policy Area: Residential Policy Area 21	
<p><i>Desired Character:</i></p> <p><i>This policy area will have a low density character. In order to preserve this, development will predominantly involve the replacement of detached dwellings with the same (or buildings in the form of detached dwellings).</i></p> <p><i>There will be a denser allotment pattern and some alternative dwelling types, such as semi-detached and row dwellings, close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones. Battleaxe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments developed with buildings that have a direct street frontage. In the area bounded by Henley Beach Road, Torrens Avenue and the Linear Park, where the consistent allotment pattern is a significant positive feature of the locality, subdivision will reinforce the existing allotment pattern. Buildings will be up to 2 storeys in height. Garages and carports will be located behind the front façade of buildings. Buildings in the area bounded by Henley Beach Road, Torrens Avenue and the Linear Park will be complementary to existing dwellings through the incorporation of design features such as pitched roofs, eaves and variation in the texture of building materials. Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer. Low and open-style front fencing will contribute to a sense of space between buildings.</i></p>	
Objectives	1
Principles of Development Control	1, 2, 3 & 6

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 201	Allotment 202
SITE AREA Residential Policy Area 20 PDC 2	420m ²	425m ² Satisfies	369m ² Does Not Satisfy by 13.5%
SITE FRONTAGE Residential Policy Area 20 PDC 2	12m	17.12m to Fulham Park Drive Satisfies	18.39m Satisfies

QUALITATIVE ASSESSMENT

In assessing the merits or otherwise of the application, the proposed development is discussed under the following sub headings:

Allotment Area & Character

The proposed area of Allotment 202 is less than the site area sought in Policy Area 21 by 56m² this results in a 13.5% deficiency.

The variation to the specified allotment area of the Development Plan is considerable, particularly when compared to other allotments in the locality, if approved this lot will be the smallest allotment within the locality.

Land Use and Zoning

The desired character statement for the Residential Zone states that:

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.

The Character statement for the Policy Area further adds:

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.

The significantly smaller allotment will make it difficult for landscaping to be provided at the same scale and ratio as the surrounding allotments.

SUMMARY

Proposed allotment 202 is significantly under the minimum allotment size for the Policy Area and is not in character with any other allotments within the locality.

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

On balance the proposed development does not sufficiently accord with the relevant provisions contained within the West Torrens (City) Development Plan Consolidated 5 November 2015 and does not warrant 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 REFUSE Development Approval for Application No. 211/1358/2014 by Fiori Aloï to re-align property boundaries at 20 Fulham Park Drive, Lockleys (CT 5854/939) for the following reasons:

1. The proposed development is contrary to
 - Land Division Module Council Wide Objectives 2
Reason: Resulting allotment 202 will not be suitable for intended use
 - Land Division Module Council Wide Principles of Development Control 2a & 5
Reason: Resulting allotment 202 will not be suitable for intended use
 - Residential Zone Objective 4
Reason: Will not contribute to the Desired Character of the Zone
 - Residential Zone Principles of Development Control 5
Reason: Will not contribute to the Desired Character of the Zone
 - Low Density Policy Area 21 Objective 1
Reason: Will not contribute to the Desired Character of the Policy Area
 - Low Density Policy Area 21 Principles of Development Control 2, 3 & 6
Reason: Will not meet minimum allotment sizes

Council - City of West Torrens

Dev No 211/D169/14

TITLE REFERENCE: CT 5854/939

TOTAL AREA: 795m²

CURRENT ZONING:

MAP REFERENCE: 6628/41/H

HUNDRED : ADELAIDE

AREA: LOCKLEYS

ALLOTMENT 163 IN D4749

BEARING DATUM :



DERIVED FROM:

SCALE



DISPOSITION OF EASEMENTS

IMPORTANT NOTE
THIS PLAN WAS PREPARED AS A PROPOSED DIVISION AND SHOULD NOT BE USED FOR ANY OTHER PURPOSE. THE DIMENSIONS SHOWN HEREON ARE SUBJECT TO SURVEY AND THE REQUIREMENTS OF COUNCIL AND OTHER RELEVANT AUTHORITIES.
NO RELIANCE SHOULD BE PLACED ON THE INFORMATION ON THIS PLAN FOR ANY FINANCIAL DEALINGS INVOLVING THIS LAND. THIS NOTE IS AN INTEGRAL PART OF THE PLAN.

PLAN OF PROPOSED DIVISION

AMENDED PLAN - 16/11/2015

REV 1 - 16/11/2015 - DIVIDING BOUNDARY AMENDED TO MATCH NEW HOUSE PLANS



PRELIMINARY PLAN
DATA AND AREAS ARE
SUBJECT TO CERTIFIED SURVEY
AND REQUIREMENTS OF COUNCIL

BARTLETT

Drafting & Development

Planning & Development
PO Box 297
Ph 08 8241 5511

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WELLAND SA 5007
F1106 8241 5311
Fax 08 8241 5050

gary.bartlett@bigpond.com mob 0418 815 197

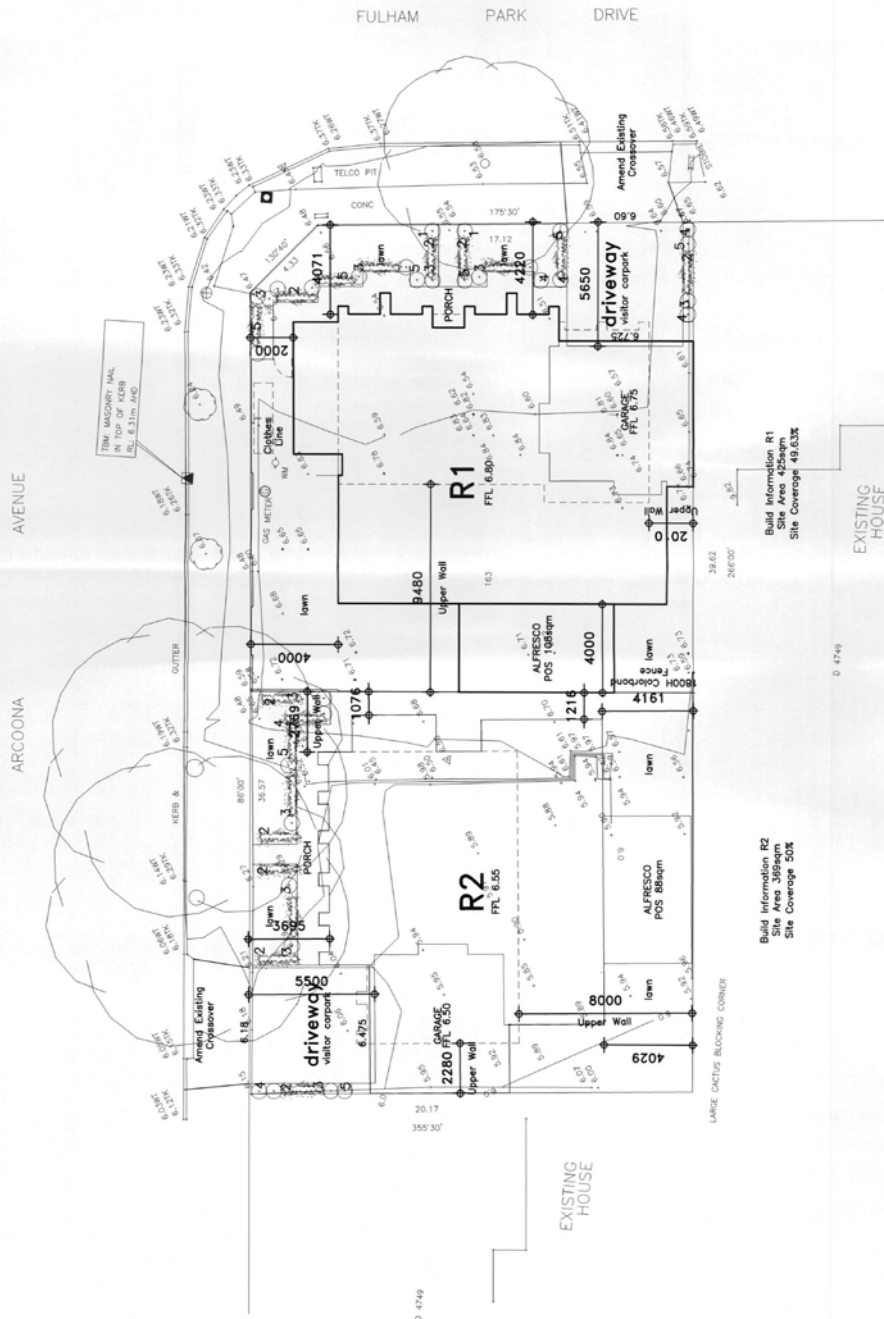
FILE	GB2133	Revision	1
DRAWING	GB2133	Date	24/11/2015

29/11/2015

Issued for Planning Consent

LANDSCAPING SCHEDULE

- TREES
- 1 callistemon harkness
- MEDIUM SHRUBS
- 2 abelia grandiflora
 - 3 eremophila maculata
- SMALL SHRUBS
- 4 correa alba
 - 5 cassia sturtii
- GROUND COVER
- 6 myrsorum parvifolium



Sheet Title:
A01
Client:
F + L Aid

Site:
20 Fulham Park DR
Lockleys
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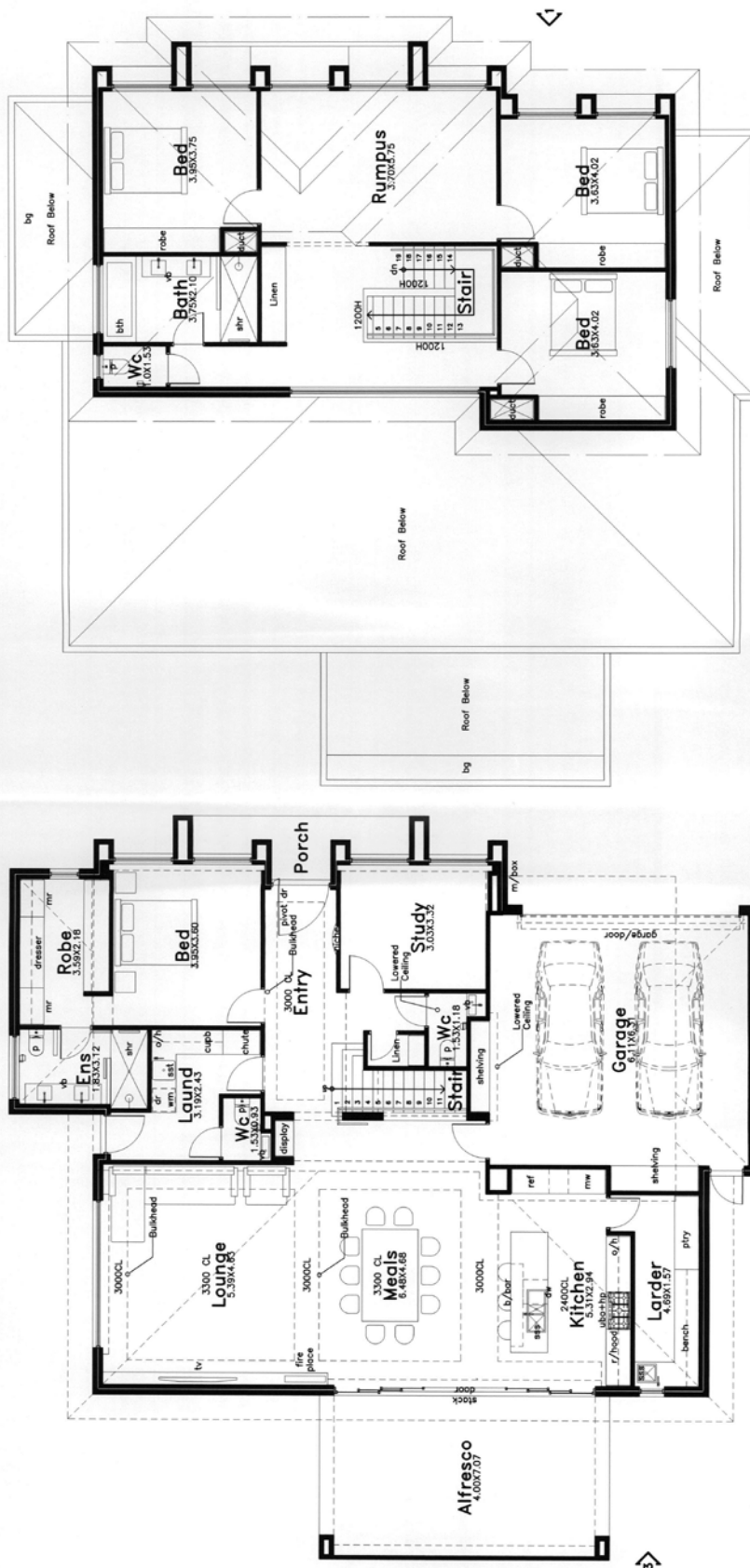
City of West Torrens
26 NOV 2015
City Development

Build Information R2
Site Area 309sqm
Site Coverage 50%

Build Information R1
Site Area 425sqm
Site Coverage 49.63%

Site Plan
Scale 1:200

confirm all boundary dimensions and angles on site prior to building setout
finished floor level and storm water drainage as per engineers



Upper Floor

Ground Floor

Sheet Title:

Sheet Title: 1002

Client:

Client: **F + I AG**

Site:

Fulham Park DR

Logo

City of West Torrens

7 6 NOV 2015

AREAS	
living lower	166.72
living upper	110.36
porch	5.87
alfresco	28.28
garage	44.33
TOTAL	355.56

Floor Plan-R1

Scale 1:100

Sheet title:
A03

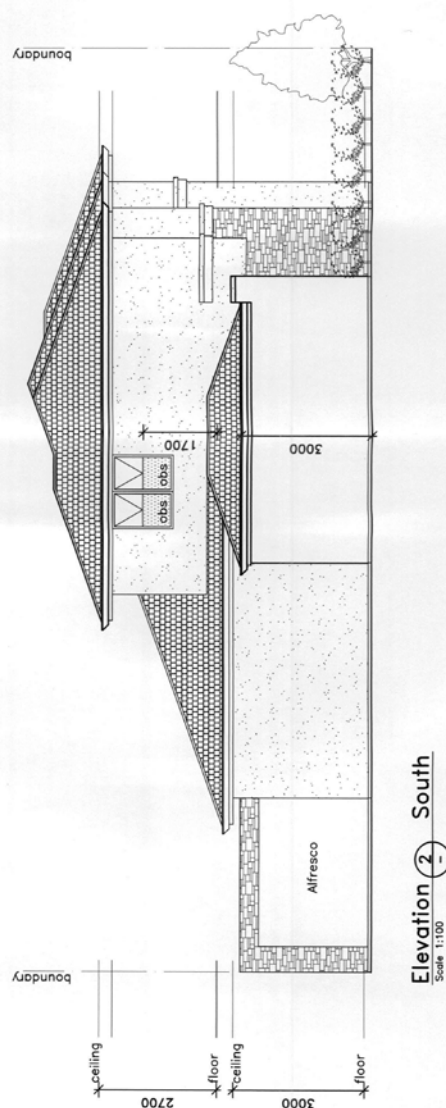
Client: **F + L Alcol**

20

Fulham Park DR

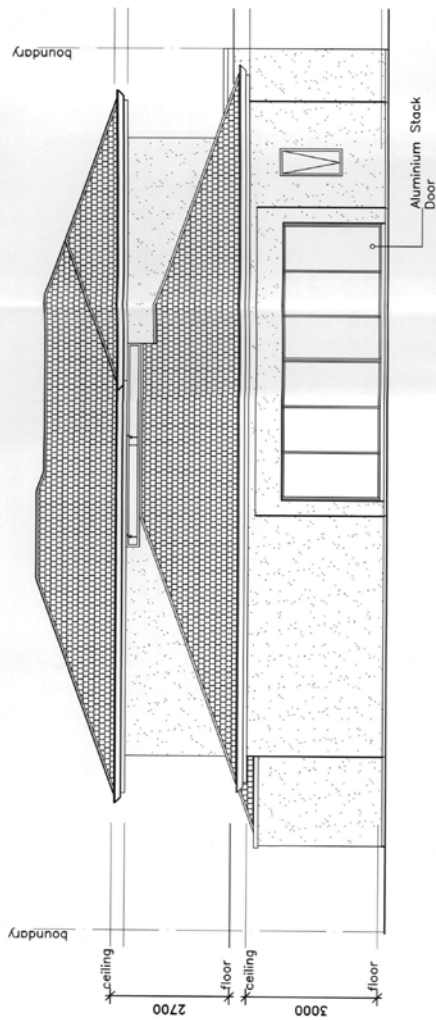
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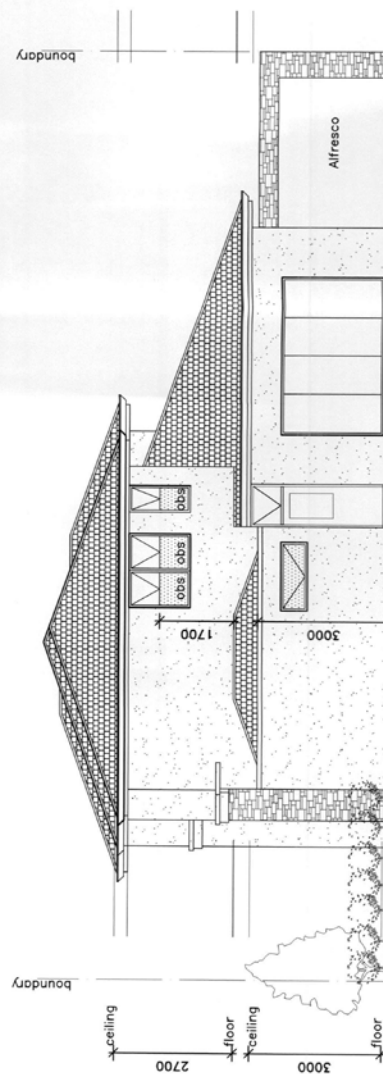


Elevations—R1

23/11/2015
Issued for Planning Consent



Elevation 3 West
Scale 1:100



Elevation 4 North
Scale 1:100

Elevations-R1
Scale 1:100



Sheet Title:
A04
Client:
F + L A&I
Site:
20 Fulham Park DR
Lockleys
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City Development





Elevations—R2

Scale 1:100

City of West Torrens
26 NOV 2015
City Development



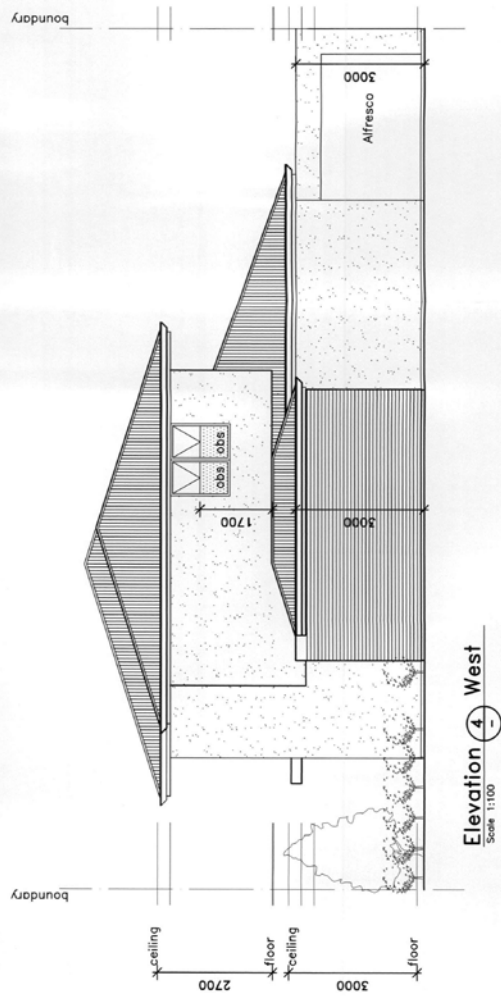
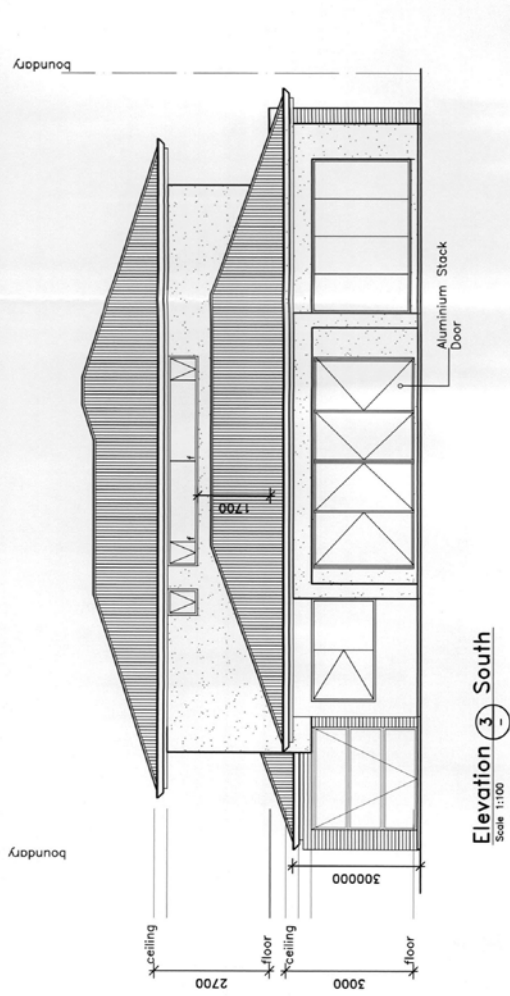
Sheet Title:
A06

Client:
F + L Alot

Site:
**20 Fulham Park DR
Lookleys**

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23/11/2015
Issued for Planning Consent



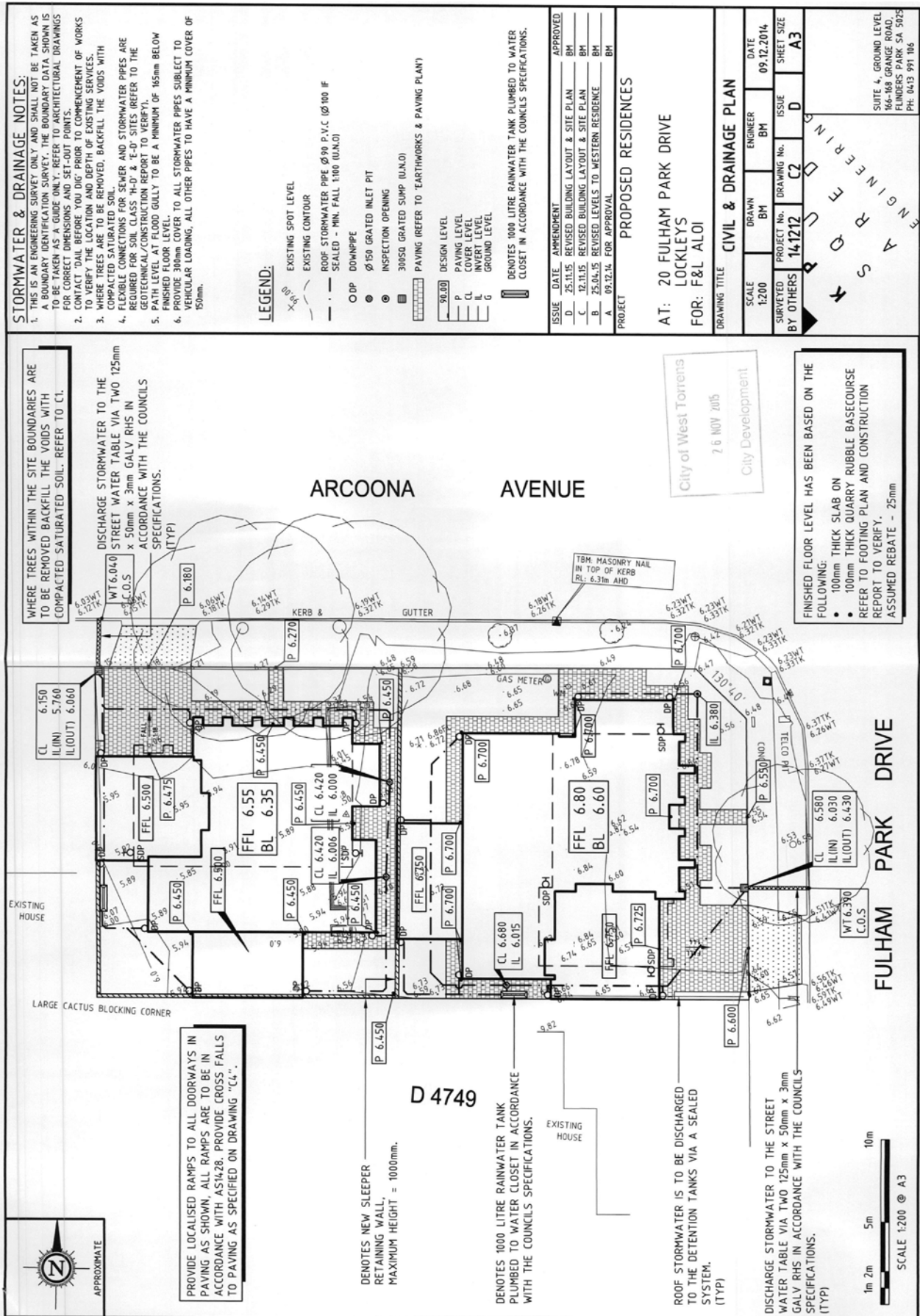
Elevations-R2
Scale 1:100



Sheet Title:
A07
Client:
F + L Aid

Site:
20 Fulham Park DR
Lookleys
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City of West Torrens
26 NOV 2015
City Development



ATTACHMENT 2

Contact Customer Services
Telephone (08) 71097016
Facsimile (08) 83030604



11 January 2016

Mr Terry Buss
City Manager
City of West Torrens
165 Sir Donald Bradman Drive
HILTON SA 5033

Dear Sir/Madam

**Re: Proposed Application No. 211/D169/14 (ID 49206) - Amended Plan 16/11/15
 for Land Division by Florino Aloï**

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 H0027290).

 The internal drains shall be altered to the satisfaction of the SA Water Corporation.
2. Payment of \$6488 into the Planning and Development fund (1 allotment @ \$648/allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

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



SA Water
Level 6, 250 Victoria Square
ADELAIDE SA 5000
Ph (08) 7424 1119
Inquiries CAROL CARY
Telephone 7424 1119

17 December 2015

Our Ref: H0027290

The Chairman
Development Assessment Commission
136 North Terrace
ADELAIDE SA 5000

Dear Sir/Madam

PROPOSED LAND DIVISION APPLICATION NO: 211/D169/14 AT LOCKLEYS

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.

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**

6.5 56 West Thebarton Road, THEBARTON

Application No. 211/816/2015

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Construction of an external billboard sign (56.7sqm area, overall height 7.9m)
APPLICANT	Fred Motor City Pty Ltd
APPLICATION NO	211/816/2015
LODGEMENT DATE	20 July 2015
ZONE	Industry
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 3
REFERRALS	Internal <ul style="list-style-type: none">▪ Nil External <ul style="list-style-type: none">▪ DPTI
DEVELOPMENT PLAN VERSION	18 June 2015
MEETING DATE	9 February 2016
RECOMMENDATION	REFUSE

BACKGROUND

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

- All applications where the assessing officer recommends refusal, shall be assessed and determined by the DAP.

The initial proposal was for a billboard sign with an advertising area of 83.2sqm and an overall height of 10.5 metres. After feedback from the Administration the sign has been reduced to the size described in the proposal description.

PREVIOUS or RELATED APPLICATION

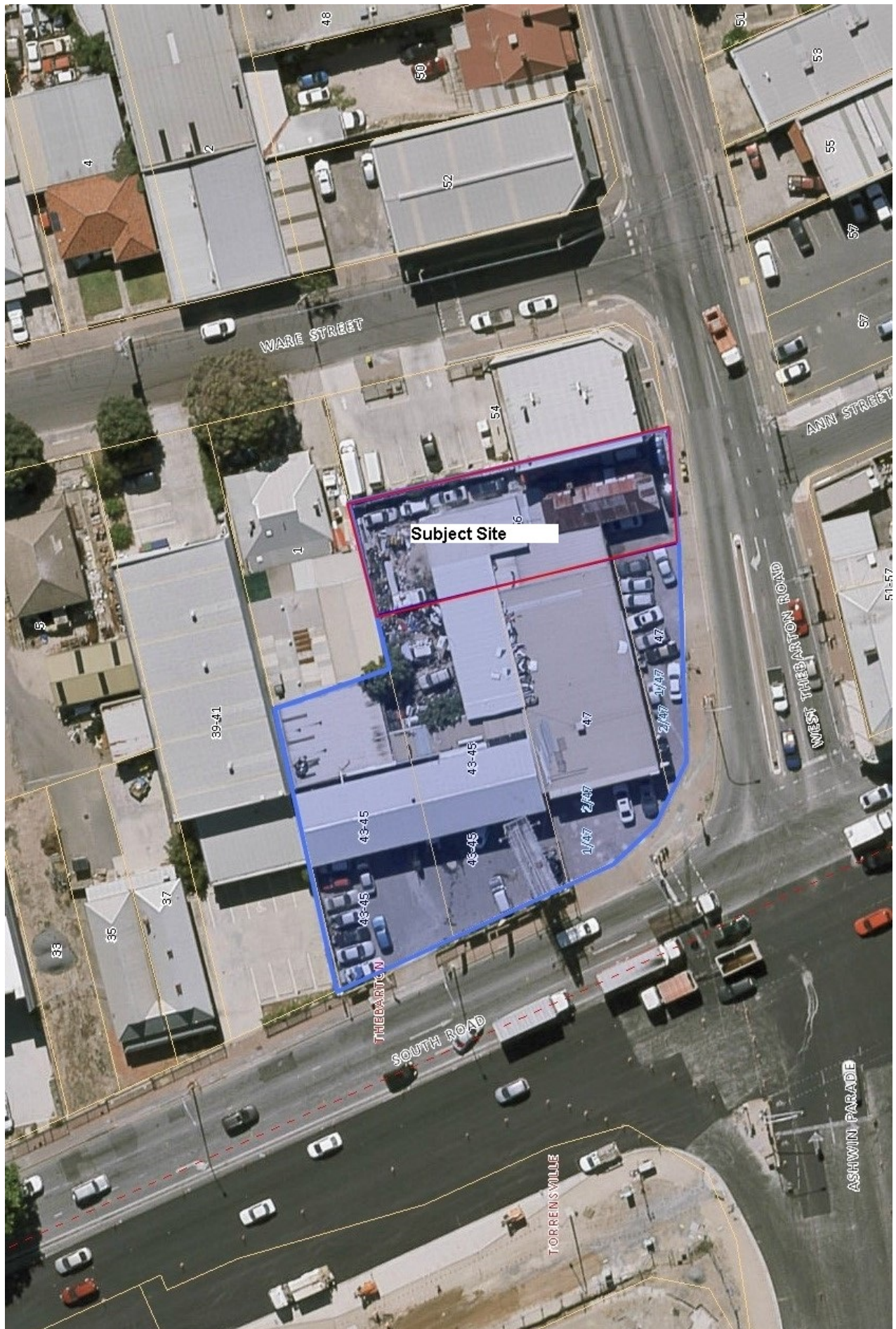
211/1446/2015 - Erection of a replacement bill board sign - Approved

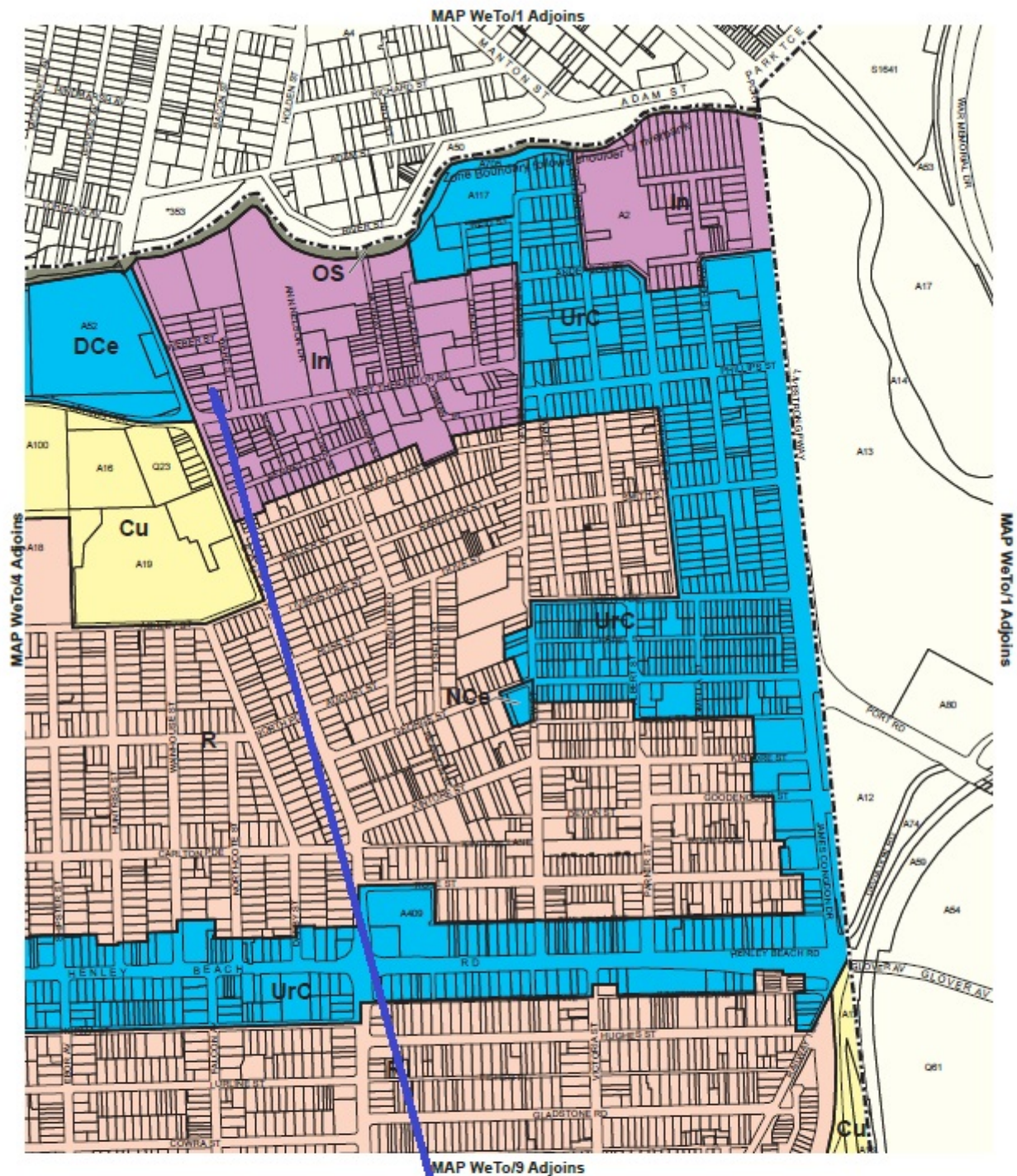
SITE AND LOCALITY

The subject land is located on the eastern side of South Road and the northern side of West Thebarton Road it is part of a group of five properties in the same ownership adjoining the north eastern corner of the intersection of South Road and West Thebarton Roads. This particular site has a frontage width of 14.56m and an area of 568 square metres. There are a number of commercial/industrial buildings on the land, and approval for a bill board sign to replace the one recently removed adjacent to the South Road frontage.

The locality is commercial/industrial in nature comprising a mix of small scale industry, service trade premises, commercial and retail uses.

The site and locality are shown on the following maps.





Lambert Conformal Conic Projection, GDA94

- Zones**
- Cu Community
 - DCE District Centre
 - In Industry
 - NCE Neighbourhood Centre
 - OS Open Space
 - R Residential
 - URC Urban Corridor
 - Zone Boundary
 - - - - - Development Plan Boundary

Subject Site:
56 West Thebarton Road
THEBARTON

Zone Map WeTo/5

WEST TORRENS COUNCIL
Consolidated - 5 November 2015

PROPOSAL

The proposal is for a bill board sign to protrude above the existing building on the site. The advertising area will commence at 3.6m above ground level with the overall height of the structure being 7.9m high. The sign will be 12.6m wide and incorporate 56.7sqm of advertising area, most visible to those heading east on West Thebarton Road.

A copy of the proposal can be found in **Attachment 1**.

PUBLIC NOTIFICATION

The application is a Category 3 form of development pursuant to Section 38 and Schedule 9 of the Development Act and Regulations and the Procedural Matters in the Industrial Zone of the West Torrens Development Plan.

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

REFERRALS

External

Pursuant to Section 35 and Schedule 8 of the Development Act and Regulations, the application was referred to

- **Transport SA**

No objections were raised subject to the addition of conditions.

A full copy of the relevant report(s) is/are attached, refer **Attachment 2**.

ASSESSMENT

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

<u>General Section</u>		
Advertisements	Objectives	1, 2 & 3
	Principles of Development Control	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 & 22
Design and Appearance	Objectives	2
	Principles of Development Control	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 & 20
Industrial Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 12
Siting and Visibility	Objectives	1
	Principles of Development Control	1, 2, 4, 5 & 8

Zone: Industrial Zone	
Objectives	1, 2
Principles of Development Control	1, 7, 12

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
SIGN HEIGHT	6.0m	7.9m Not Satisfied
SIGN AREA	3.54m ²	56.7m ² Not Satisfied

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:

Signage

Advertising Module, General Section PDC 16 - Free standing advertisements and/or advertising hoardings should be:

- (a) limited to only one primary advertisement per site or complex
- (b) of a scale and size in keeping with the desired character of the locality and compatible with the development on the site.

Industry Zone PDC 12 - Advertisements and advertising hoardings should not include any of the following:

- (a) flashing or animated signs*
- (b) bunting, streamers, flags, or wind vanes*
- (c) roof-mounted advertisements projected above the roof line*
- (d) parapet mounted advertisements projecting above the top of the parapet.*

The sign is too high, has significantly too large an advertising area, it will protrude above the existing building heights and will result in a second bill board sign in the complex.

SUMMARY

Aside the fact that signage is envisaged within the Industrial Zone, there is little in the way of positive contribution that this sign can make with regard to the 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.

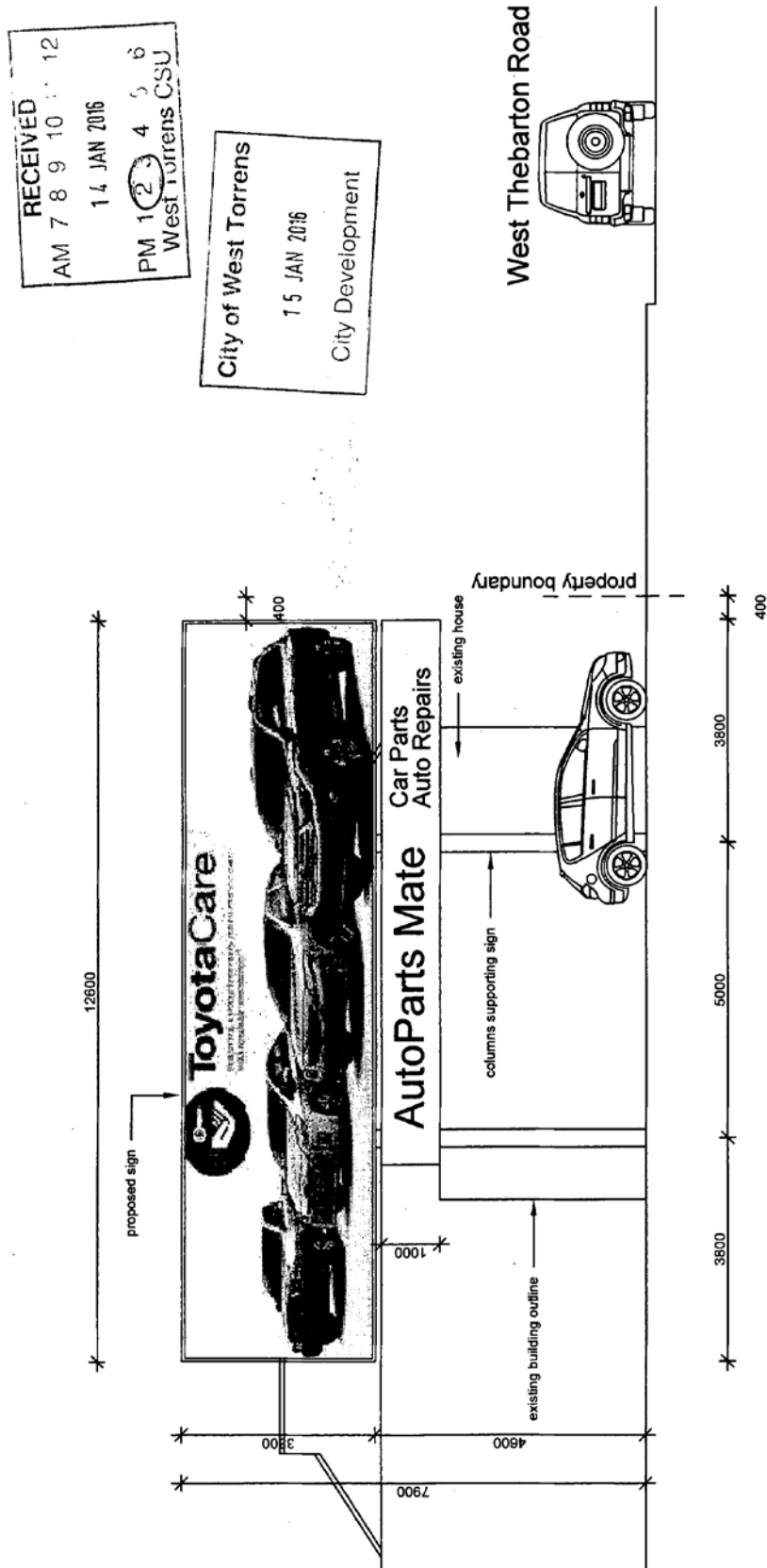
On balance the proposed development does not sufficiently accord with the relevant provisions contained within the West Torrens (City) Development Plan Consolidated 18 June 2015 and does not warrant Development Plan Consent.

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 REFUSE Development Approval for Application No. 211/816/2015 by Fred Motor City Pty Ltd for the Construction of an externally billboard sign (56.7sqm area, overall height 7.9m) at 56 West Thebarton Road, Thebarton (CT 5215/769) for the following reasons:

1. The proposed development is contrary to
 - Advertising Module, General Section Principle of Development Control 16 & 17
 - Industrial Zone Principles of Development Control 12Reason: The sign is too high, too large, there is already a billboard in the complex and the sign will protrude above the existing buildings.

AMENDED



SIGN ELEVATION FROM WEST

Tony Pisanelli B.Arch 138A North East Road, Walkerville SA 5081	M 0412 550 116	Date JUN 2015	Dwg: S01	PROJECT: Proposed Sign CLIENT: F PISANELLI ADDRESS: 56 West Thebarton Road, Thebarton
		Scale 1:100 at A4		

ATTACHMENT 2

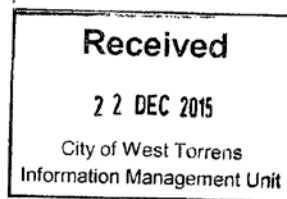
In reply please quote 2015/00177/02, Process ID: 375836
Enquiries to Vittorio Varricchio
Telephone (08) 8226 8393
Facsimile (08) 8226 8330
E-mail dpti.luc@sa.gov.au



Government of South Australia
Department of Planning,
Transport and Infrastructure

17/12/2015

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

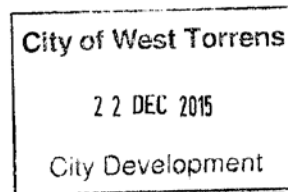


SAFETY AND SERVICE –
Traffic Operations

GPO Box 1533
Adelaide SA 5001

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

ABN 92 366 288 135



Dear Ms Lennon,

SCHEDULE 8 - REFERRAL RESPONSE

Development No.	211/816/15
Applicant	Fred Motor City Pty Ltd
Location	56 West Thebarton Road, Thebarton
Proposal	Installation of an externally illuminated freestanding billboard sign

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

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

THE PROPOSAL

The application proposes to construct an externally illuminated billboard sign.

CONSIDERATION

Signage adjacent to arterial roads can present a risk of distraction to motorists, conflict with traffic signals and interfere with driver sightlines. DPTI has recently released the "Advertising Signs - Assessment Guidelines for Road Safety" (August 2014) publication to assist with the review and assessment of advertising signs abutting the arterial road network. DPTI has reviewed the proposed signage against the abovementioned guidelines.

It is noted that the sign is located in an area that is considered a 'restricted area', particularly in relation to the adjacent signalised intersection and will be viewable directly behind the traffic signals facing eastbound traffic on West Thebarton Road. However, DPTI considers that the impact of the sign on the safety of motorists may be able to be mitigated by limiting the use of the colours red, green and yellow within the content of the sign.

Additionally, DPTI does not object in-principle to the use of floodlighting on the site however care must be taken that the lamps do not result in glare or overspill of light that may affect motorists' perception of the adjacent road.

It is further advised that the utilisation of Trailer Mounted Variable Message Displays for advertising purposes is not permitted on or adjacent to the subject land.

North-South Corridor

Both State and Commonwealth Governments have indicated clear commitments to develop a non-stop North - South Corridor for Adelaide. A funding commitment has been made towards developing the corridor at Darlington and the Torrens Road to River Torrens section of South Road. However, the property in question is not affected by the upgrade project.

CONCLUSION

DPTI does not object in-principle to the proposed development, subject to the following conditions.

ADVICE

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

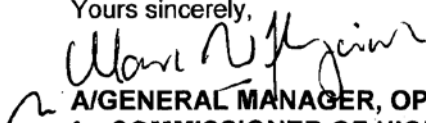
1. The sign shall be externally illuminated and shall not contain any element that flashes, scrolls, moves or changes.
2. The sign shall be finished in a material of low reflectivity to minimise the risk of sun and headlamp glare for motorists.
3. Any flood lighting of the sign shall be positioned and / or shielded so as not to produce glare or create undue distraction to motorists travelling on the adjacent roads.
4. The sign shall be located fully within private property and no part of the sign shall overhang road reserve.
5. The sign shall not display images, text or backgrounds that are predominantly red, yellow/amber or green in colour. Furthermore, the sign is not to display block colours of red, yellow/amber or green;
6. All messages displayed on the sign shall be self contained messages that are simple, effective and easily assimilated by glance appreciation. Messages shall not imitate a traffic control device in any way.
7. The utilisation of Trailer Mounted Variable Message Displays for advertising purposes shall not be permitted on or adjacent to the subject land.

The following note provides important information for the benefit of the applicant and is required to be included in any approval:

- Both State and Commonwealth Governments have indicated clear commitments to develop a non-stop North - South Corridor for Adelaide. A funding commitment has been made towards developing the corridor at Darlington and the Torrens Road to River Torrens section of South Road. However, the property in question is not affected by the upgrade project.

More information on the Torrens Road to River Torrens project can be obtained at www.infrastructure.sa.gov.au/t2t or by contacting the Project Team on 1300 794 899.

Yours sincerely,



A/GENERAL MANAGER, OPERATIONAL SERVICES
for **COMMISSIONER OF HIGHWAYS**

6.6 51 Watson Avenue, NETLEY

Application No. 211/1311/2015

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Create one additional allotment
APPLICANT	R/L Mundy Trust
APPLICATION NO	211/1311/2015
LODGEMENT DATE	29 October 2015
ZONE	Residential Zone
POLICY AREA	Policy Area 20
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none">▪ Nil External <ul style="list-style-type: none">▪ DAC & SA Water
DEVELOPMENT PLAN VERSION	18 June 2015
MEETING DATE	9 February 2016
RECOMMENDATION	REFUSE

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.

PREVIOUS or RELATED APPLICATION

Nil

SITE AND LOCALITY

The subject site is described as Allotment 6 Deposited Plan 5900 in the area named Netley as contained in Certificate of Title Volume 5629 Folio 783. The land is more commonly known as 51 Watson Avenue, Netley/

The subject land has a frontage of 18.59 metres to Watson Avenue and the total area of the subject land is 703sqm. The land currently accommodates a 1960's conventional yellow brick, hipped roof dwelling.

The subject site is located within the Residential Zone and more particularly Residential Policy Area 20. It is located opposite the Adelaide Airport.

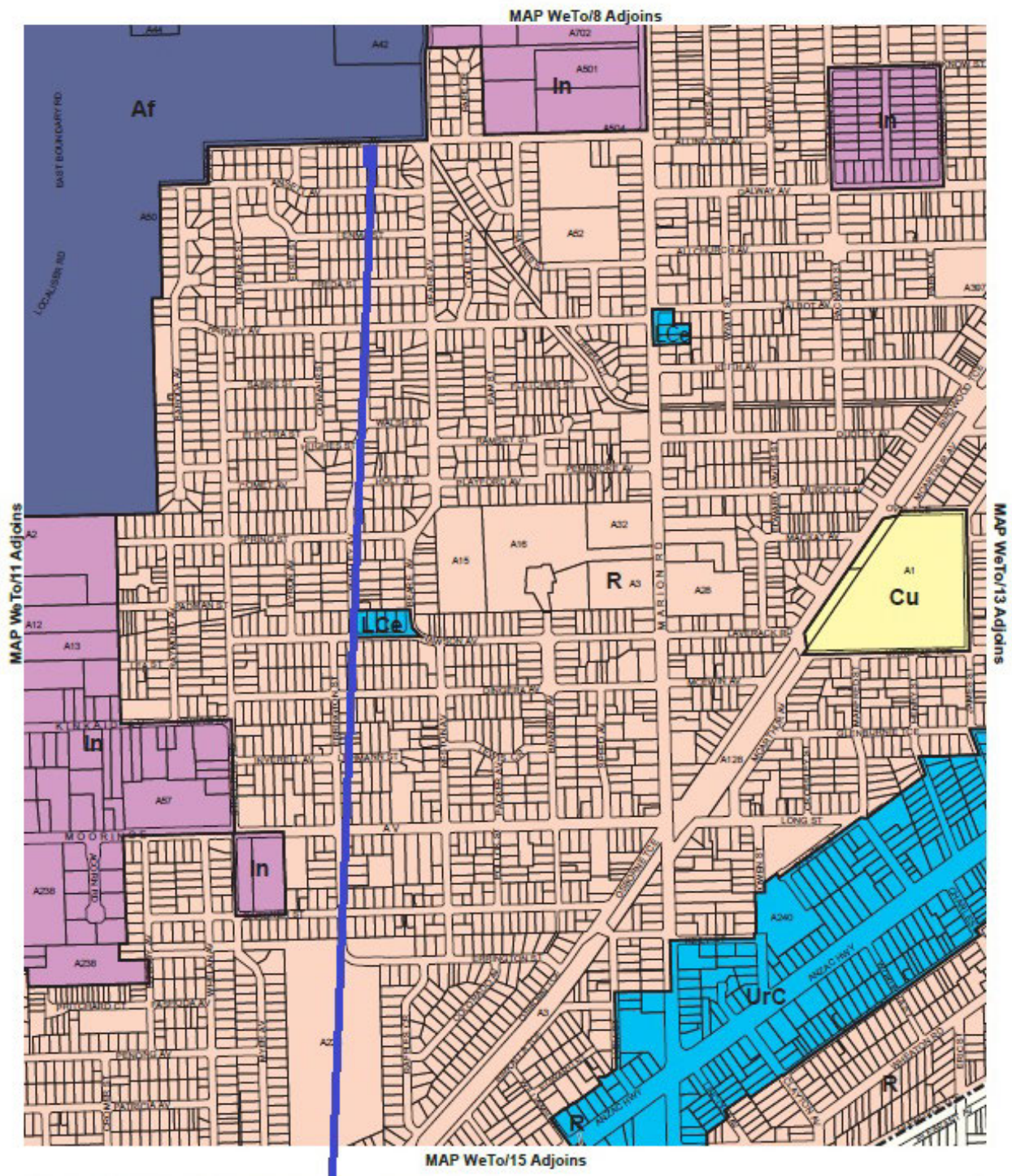
The locality is predominately characterised by detached dwellings constructed in the 1960s on relatively large, rectilinear allotments with wide frontages as demonstrated in the following table:

Address	Site Area m ²	Frontage Width m	
45 Watson Avenue	610	21	
47 Watson Avenue	703	18.6	
49 Watson Avenue	703	18.6	
51 Watson Avenue	703	18.6	Subject Site
?? Watson Avenue	352	9.3	Proposed Allotment
?? Watson Avenue	351	9.29	Proposed Allotment
53 Watson Avenue	703	18.6	
55 Watson Avenue	703	18.6	
57 Watson Avenue	703	18.6	
59 Watson Avenue	703	18.6	
61 Watson Avenue	733	19.4	

NB - Yellow highlight = less than minimum sought in Development Plan

The site and locality are shown on the following maps:





Lambert Conformal Conic Projection, GDA94

Zones

- Af Airfield
- Cu Community
- In Industry
- Lce Local Centre
- R Residential
- Urc Urban Corridor

Zone Boundary

Development Plan Boundary



Zone Map WeTo/12

WEST TORRENS COUNCIL
Consolidated - 5 November 2015

PROPOSAL

The development application seeks consent to create two Torrens Title allotments from one existing Torrens Title allotment.

Proposed Allotment 100 has a site area of 352 square metres with street frontages of 9.3 metres to Watson Avenue. Proposed Allotment 101 has a site area of 351 square metres with street frontages of 9.29 metres to Watson Avenue. There is an established crossover which can enable vehicle access to proposed Allotment 100.

A copy of the documents supplied with the development application are attached, refer **Attachment 1**.

PUBLIC NOTIFICATION

Application for 211/1311/2015 is a Category 1 form of development pursuant to Section 38 and Schedule 9 of the Development Act and Regulations and Residential Zone Procedural Matters Section of the West Torrens Council Development Plan.

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 issued.

Full copies of the relevant reports are contained in **Attachment 2**.

ASSESSMENT

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

<u>General Section</u>		
Infrastructure	Objectives	1, 3, & 5
	Principles of Development Control	1, 2, 3, 4, 5, 7 & 9
Land Division	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 2, 4, 5, 6, 8, 10 & 16
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, 3 & 5

Zone: Residential	
<p><i>Desired Character:</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	5 & 7

Policy Area: Residential Policy Area 20	
<p><i>Desired Character:</i></p> <p><i>Allotments in the policy area will be at low density, accommodating predominantly detached dwellings and some other dwellings types such as semi-detached and group dwellings. There will be a denser allotment pattern close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones. Battleaxe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments developed with buildings that have a direct street frontage.</i></p> <p><i>Buildings will be up to 2 storeys in height. Garages and carports will be located behind the front façade of buildings.</i></p> <p><i>Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer. Low and open-style front fencing will contribute to a sense of space between buildings.</i></p>	
Objectives	1
Principles of Development Control	1, 2, 3 & 5

QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SITE AREA	340m ²	351 & 352m ² Satisfies
SITE FRONTAGE	10m	9.30 & 9.29m Not Satisfied by 7%

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:

Frontage Widths:

The proposal does not meet the minimum frontage width of 10.0 metres as sought by the Development Plan. As detailed in the locality description the existing streetscape is entirely consistent with virtually all sites having a frontage width of 18.6 metres. To allow 9.3 metre frontages for this site will effectively allow 9.3 metre frontage widths for every site within the locality and will have the effect of creating a locality that does not meet the desired minimums of the Development Plan.

SUMMARY

The proposed allotments do not meet the minimum frontage widths of the Development Plan and as such will have a significant impact upon the character of the locality.

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

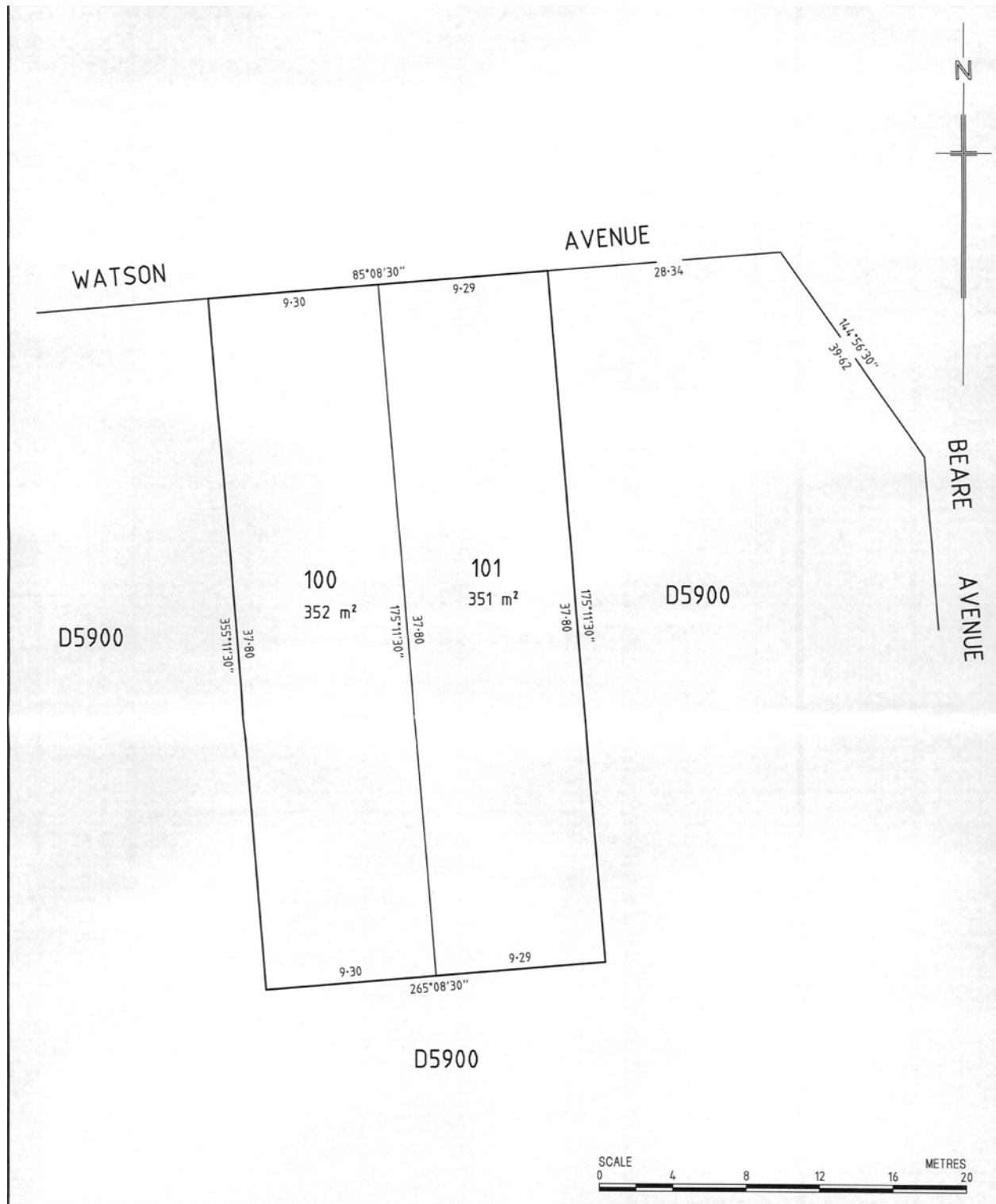
On balance the proposed development does not sufficiently accord with the relevant provisions contained within the West Torrens (City) Development Plan Consolidated 18 June 2015 and does not warrant Development Plan Consent.

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 REFUSE Development Approval for Application No. 211/1311/2015 by R/L Mundy Trust to create one additional allotment at 51 Watson Avenue, Netley (CT 5629/783) for the following reasons:

1. The proposed development is contrary to
 - Land Division Module Council Wide Objectives 2
Reason: Resulting allotments will not be suitable for intended use
 - Land Division Module Council Wide Principles of Development Control 2a & 5
Reason: Resulting allotments will not be suitable for intended use
 - Residential Zone Objective 4
Reason: Will not contribute to the Desired Character of the Zone
 - Residential Zone Principles of Development Control 5
Reason: Will not contribute to the Desired Character of the Zone
 - Low Density Policy Area 22 Objective 1
Reason: Will not contribute to the Desired Character of the Policy Area
 - Low Density Policy Area 22 Principles of Development Control 2, 3 & 5
Reason: Will not meet minimum allotment widths

ATTACHMENT 1



PLAN OF PROPOSED DIVISION
ALLOTMENT 6 IN DP 5900

STATEMENTS CONCERNING EASEMENTS ANNOTATIONS & AMENDMENTS

SKS SURVEYS PTY LTD
43 Edward Street
Norwood SA 5067
Ph: 0418 673 705
REFERENCE: 213815



TITLE REFERENCE: CT 5629/783

MAP REF 6628/41/Q

TITLE SYSTEM: REAL PROPERTY ACT

DEV NO

AREA NAMED: NETLEY

HUNDRED: ADELAIDE

COUNCIL: CITY OF WEST TORRENS

BEARING DATUM: MGA 94
DRAFTED ON: 26/10/2015
VERSION 1

ATTACHMENT 2

Contact Lands Titles Office
Telephone 7109 7016



11 November 2015
The Chief Executive Officer
City of West Torrens
Dear Sir/Madam

Re: Proposed Application No. 211/D158/15 (ID 52533)
for Land Division by R L Mundy Trust

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 04 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.
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 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 or by phone (7109 7018), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

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

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

A handwritten signature in black ink, appearing to read "P. Hodgson".

Phil Hodgson
Unit Manager
Lands Titles Office
as delegate of



11 November 2015

Our Ref: H0038945

The Chairman
Development Assessment Commission
136 North Terrace
ADELAIDE SA 5000

Dear Sir/Madam

PROPOSED LAND DIVISION APPLICATION NO: 211/D158/15 AT NETLEY

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 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

rosanna francesca

for MANAGER LAND DEVELOPMENT & CONNECTIONS

SA Water
Level 6, 250 Victoria Square
ADELAIDE SA 5000
Ph (08) 7424 1119
Inquiries rosanna francesca
Telephone 7424 1119

7. CONFIDENTIAL REPORTS OF THE CHIEF EXECUTIVE OFFICER

7.1 16 Press Road, BROOKLYN PARK (Land Division) - CONFIDENTIAL

Application No. 211/826/2015

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 CEO, General Manager, 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.

7.2 115 & 115a George Street, THEBARTON - CONFIDENTIAL

Application No. 211/806/2013 & 211/496/2015

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 CEO, General Manager, 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
Concurrence	211/984/2015	11-17 James Congdon Drive, Mile End	Change of use to self-storage facility

Development Application appeals before the ERDC

DA Number	Address	Reason for Appeal	Description of Development	Status
211/848/2014 & 211/826/2014	16 Press Road, BROOKLYN PARK	Applicant appealed DAP refusal	construction of one additional dwelling & create one additional allotment	Conciliation Conference 22 February 2016
211/828/2015	22 Press Road, BROOKLYN PARK	Applicant appealed DAP refusal	create one additional allotment	Conciliation Conference 23 February 2016

211/407/2015	17 Coralie Street, PLYMPTON	Applicant appealed DAP refusal	construction of a single-storey detached dwelling	Conciliation Conference 15 February 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 17 February 2016
211/668/2015	9 Press Road, BROOKLYN PARK	Applicant appealed DAP refusal	create one additional allotment	Conciliation Conference 18 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	Preliminary Conference 4 February 2016
211/1243/2015	17 Talbot Street, HILTON	Applicant appealed Condition of approval	Additions and alterations	Preliminary Conference 8 February 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