

CITY OF WEST TORRENS



# Notice of Panel Meeting

Notice is Hereby Given that a Meeting of the

## COUNCIL ASSESSMENT PANEL

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

on

**TUESDAY, 14 NOVEMBER 2017  
at 5.00pm**

**Angelo Catinari  
Assessment Manager**

### **City of West Torrens Disclaimer**

#### **Council Assessment Panel**

Please note that the contents of this Council Assessment Panel Agenda have yet to be considered and deliberated by the Council Assessment Panel therefore the recommendations may be adjusted or changed by the Council Assessment Panel in the process of making the formal Council 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 Procedures****2 PRESENT****3 APOLOGIES****4 CONFIRMATION OF MINUTES****RECOMMENDATION**

That the Minutes of the meeting of the Development Assessment Panel held on 10 October 2017 be confirmed as a true and correct record.

**5 DISCLOSURE STATEMENTS**

In accordance with section 7 of the *Assessment Panel Members - Code of Conduct* the following information should be considered by council assessment panel members prior to a meeting:

A member of a council assessment panel who has a direct or indirect personal or pecuniary interest in a matter before the council assessment panel (other than an indirect interest that exists in common with a substantial class of persons) -

- a. must, as soon as he or she becomes aware of his or her interest, disclose the nature and extent of the interest to the panel; and
- b. must not take part in any hearings conducted by the panel, or in any deliberations or decision of the panel, on the matter and must be absent from the meeting when any deliberations are taking place or decision is being made.

If an interest has been declared by any member of the panel, the assessment manager will record the nature of the interest in the minutes of meeting.

## 6 REPORTS OF THE ASSESSMENT MANAGER

### 6.1 22 Talbot Avenue, NORTH PLYMPTON

Application No 211/1345/2016

Appearing before the Panel will be:

Representors: Mr Bruce Mattingly of 24 Talbot Avenue, North Plympton, wishes to appear in support of the representation.

Applicant/s Mr Bill Stefanopoulos representing Unity Group of 2/61 Bacon Street, Hindmarsh wishes to appear in support of the application.

#### DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Combined Application - Land division - Community Title; DAC No. 211/C184/16 (Unique ID 56090); Creating four (4) additional allotments, and the construction of two (2) residential flat buildings containing five (5) dwellings with associated garages and fencing.
APPLICANT	Unity Group
APPLICATION NO	211/1345/2016
LODGEMENT DATE	20 October 2016
ZONE	Residential Zone
POLICY AREA	Medium Density Policy Area 19
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 2
REFERRALS	Internal <ul style="list-style-type: none"> <li>City Assets</li> </ul> External <ul style="list-style-type: none"> <li>DAC</li> <li>SA Water</li> </ul>
DEVELOPMENT PLAN VERSION	5 November 2015
MEETING DATE	14 November 2017

#### RECOMMENDATION

The Council 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. 211/1345/2016 by Unity Group to undertake a combined application - Land division - Community Title; DAC No. 211/C184/16 (Unique ID 56090); Creating four (4) additional allotments, and the construction of two (2) residential flat buildings containing five (5) dwellings with associated garages and fencing at 22 Talbot Avenue, North Plympton (CT5700/290) subject to the following conditions of consent:

#### Development Plan Conditions

1. Development is to take place in accordance with the plans prepared by Zaina Stacey Development Consultants and D'Andrea and associates relating to Development Application No.211/1345/2016 (DAC 211/C184/16).

2. That all driveways, parking and manoeuvring areas shall be formed (surfaced with concrete, bitumen or paving) and properly drained, and shall be maintained in a reasonable condition at all times.
3. That all landscaping shall be planted in accordance with the approved plans prior to the occupancy of the development. Any person(s) who have the benefit of this approval shall cultivate, tend and nurture the landscaping, and shall replace any landscaping which may become diseased or die.
4. That prior to the issue of clearance to the division approved herein, the existing structures shall be removed from proposed Allotments.

**Land Division Consent Conditions:**

1. The financial requirements of the SA Water Corporation shall be met for the provision of water and sewerage services (SA Water H0051993).

SA Water advises on receipt of the developer details and site specifications an investigation will be carried out to determine if the connection/s to the development will be costed as standard or non-standard.

2. Payment of \$26,704 into the Planning and Development fund (4 lots(s) @ \$6,676/lot). Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (7109 7018), by cheque payable to the State Planning 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 State Planning Commission for Land Division Certificate purposes.

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**BACKGROUND**

The development proposal is presented to the Council Assessment Panel (CAP) 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 CAP.

**PREVIOUS OR RELATED APPLICATION(S)**

Nil

## **SITE AND LOCALITY**

The subject site is formally described as Allotment 25 Filed Plan 7183 in the area named North Plympton, Hundred of Adelaide. It has a single road frontage to Talbot Road of 21.34m, a depth of 45.72m and an overall area of 975.66m<sup>2</sup>. The land is generally flat.

The subject land is currently occupied by a single storey detached dwelling, carport, verandah and outbuilding. Vehicle access is gained via a single width crossover along the eastern boundary of the allotment. The site is informally landscaped with mainly grass and small shrubs. There are two mature street trees and a stobie pole in the road reserve immediately adjoining the subject site.

The locality is residential in nature, comprised of single storey detached dwellings, single storey residential flat buildings and single storey group dwellings. This mixture of housing types is common in medium density policy areas as the more traditional larger allotments are divided into smaller lots.

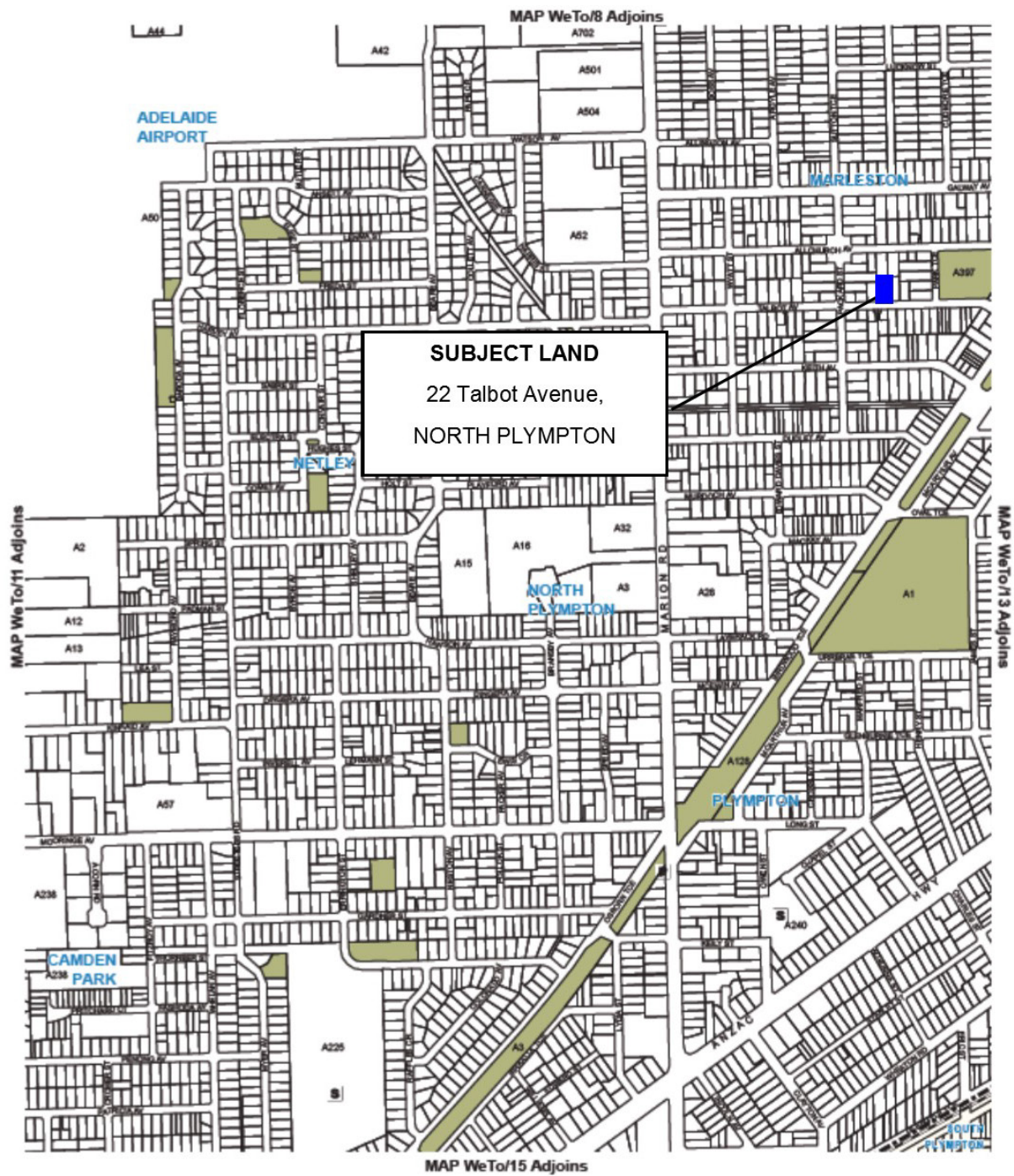
The locality is outside of a flood prone area, but within 400m of a centre zone, the latter supporting more dense residential development.

Rex Jones Reserve is 100m east of the subject site and contains a large portion of open space, a tennis court, a playground and a gazebo.

The subject site and locality are shown on the following maps.







## Location Map WeTo/12

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

WEST TORRENS COUNCIL  
Consolidated - 30 May 2017

## PROPOSAL

It is considered that the proposal is best described as:

*"Combined Application - Land division - Community Title; DAC No. 211/C184/16 (Unique ID 56090); Creating four (4) additional allotments, and the construction of two (2) residential flat buildings containing five (5) dwellings with associated garages and fencing."*

This application is a combined application meaning that both the land division and built form need to be completed in order to complete the development. The community titled land division will create the five lots and community lot that will accommodate the built form and shared areas respectively.

The built form portion of the application is comprised of two, 2 storey residential flat buildings that will accommodate a total of five dwellings.

Each of the dwellings will include three bedrooms, an open plan living, dining and kitchen area and a double garage.

## PUBLIC NOTIFICATION

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

<b>Properties notified:</b>	21 properties were notified during the public notification process.
<b>Representations:</b>	3 representations were received.
<b>Persons wishing to be heard:</b>	1 representor identified that they wish to address the Panel. <ul style="list-style-type: none"><li>Mr Bruce Mattingly</li></ul>
<b>Summary of Representations:</b>	Concerns were raised regarding the following matters: <ul style="list-style-type: none"><li>Lack of on-street parking;</li><li>Lack of area to put out bins;</li><li>Overshadowing;</li><li>Lack of water pressure;</li><li>Loss of vegetation; and</li><li>Rear setback of dwellings.</li></ul>

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

- There are 11 off-street car parks available which is only 0.25 car parks short of what is stipulated in the Development Plan;
- The subject site has sufficient space to place 10 bins in front of it;
- The proposed development does not limit access to direct sunlight to less than three hours between 9am and 5pm on the 21<sup>st</sup> of June;
- Water pressure is not a planning matter for consideration;
- The subject site does not contain any regulated or significant trees; and
- The setbacks meet the setback provisions of the Development Plan.

A copy of the representor(s) concern(s) and the applicant's response is contained in **Attachment 3**.

## REFERRALS

### Internal

#### City Assets

- All of City Assets initial concerns have been resolved by the amended plans.

### External

Pursuant to Section 38 of the Development Act and Schedule 9 of the Development Regulations, the application was referred to:

#### State Commission Assessment Panel

- SCAP raised no concerns and imposed the standard conditions.

#### SA Water

- SA Water raised no concerns and imposed the standard conditions.

## ASSESSMENT

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

<u>General Section</u>		
<i>Crime Prevention</i>	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 3, 6, 7, 8 & 10
<i>Design and Appearance</i>	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15 & 20
<i>Energy Efficiency</i>	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2 & 3
<i>Land Division</i>	<i>Objectives</i>	1, 2, 3 & 4
	<i>Principles of Development Control</i>	1, 2, 4, 5, 6, 7, 8 & 12
<i>Landscaping, Fences and Walls</i>	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 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 & 7
<i>Residential Development</i>	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 16, 17, 18, 19, 20, 21, 27, 28, 29 & 31.
<i>Transportation and Access</i>	<i>Objectives</i>	2
	<i>Principles of Development Control</i>	23, 24, 30, 34, 35, 36, 37, 40 & 44



<b>Zone: Residential Zone</b>	
<b>Desired Character Statement:</b>	
<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 <b>Historic Conservation Area</b>.</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>	
<b>Objectives</b>	1, 2, 3 & 4
<b>Principles of Development Control</b>	1, 5, 6, 7, 8, 9, 10 11, 12, 13 & 14

<b>Policy Area: Medium Density Policy Area 19</b>	
<b>Desired Character Statement:</b>	
<p><i>Allotments in this policy area will be at medium density, accommodating a range of dwelling types including semi-detached, row and group dwellings, as well as some residential flat buildings and some detached dwellings on small allotments. There will be a denser allotment pattern close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones.</i></p> <p><i>New buildings will contribute to a highly varied streetscape. Buildings will be up to 2 storeys, except for allotments fronting Brooker Terrace, Marion Road and Henley Beach Road, and overlooking the Westside Bikeway, where buildings will be up to 3 storeys in height and provide a strong presence to streets. Garages and carports will be located behind the front facade of buildings.</i></p> <p><i>Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer.</i></p>	
<b>Objectives</b>	1
<b>Principles of Development Control</b>	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
<b>SITE AREA</b> <i>Medium Density Policy Area 19</i> <i>PDC 5 (within 400m of centre)</i>  <b>Site</b> means the area of land (whether or not comprising a separate or entire allotment) on which a building is built, or proposed to be built, including the curtilage of the building, or in the case of a building comprising more than 1 separate occupancy, the area of land (whether or not comprising a separate or entire allotment) on which each occupancy is built, or proposed to be built, together with its curtilage	Within 400m of centre zone Residential Flat Building 150m <sup>2</sup> (avg.)	NB: These figures have been calculated excluding the common areas.  156.5m <sup>2</sup> (Lot 1) 148m <sup>2</sup> (Lot 2) 136m <sup>2</sup> (Lot 3) 125m <sup>2</sup> (Lot 4) 144m <sup>2</sup> (Lot 5)  142m <sup>2</sup> (avg.)  <b>Does Not Satisfy by 5.3%</b>
<b>SITE FRONTAGE</b> <i>Medium Density Policy Area 19</i> <i>PDC 5 (within 400m of centre)</i>	Residential Flat Building 15m (complete building)	21.34m  <b>Satisfies</b>
<b>SITE COVERAGE</b> <i>Medium Density Policy Area 19</i> <i>PDC 3</i>	60% (max.)	49.7%  <b>Satisfies</b>
<b>PRIMARY STREET SETBACK</b> <i>Medium Density Policy Area 19</i> <i>PDC 3</i>	3m (min.)	3m (ground floor) 2.2m (1 <sup>st</sup> floor)  <b>Does Not Satisfy</b>
<b>STORAGE</b> <i>Residential Development</i> <i>PDC 31</i>	8m <sup>3</sup> (min.)	Each dwelling has 9m <sup>3</sup>  <b>Satisfies</b>

<p><b>SIDE/REAR SETBACKS</b>  <i>Residential Zone</i>  <i>PDC 11</i></p> <p><i>Medium Density Policy Area 19</i>  <i>PDC 3</i></p>	<p>Side 0/1m</p> <p>Rear 6m (min.)</p>	<p>0m garages on boundaries 1.7m (upper level) Lot 3 &amp; 5</p> <p><b>Does Not Satisfy</b></p> <p>4m (Lot 3, 4 &amp; 5)</p> <p><b>Does Not Satisfy</b></p>
<p><b>BUILDING HEIGHT</b>  <i>Medium Density Policy Area 19</i>  <i>PDC 3</i></p>	<p>2 storeys or 8.5m (all other locations)</p>	<p>2 storeys or 5.85m</p> <p><b>Satisfies</b></p>
<p><b>INTERNAL FLOOR AREA</b>  <i>Residential Development</i>  <i>PDC 9</i></p>	<p>- 3+ Bedroom, 100m<sup>2</sup> (min.)</p>	<p>Lot 1 =157.3m<sup>2</sup>  Lot 2 =155.2m<sup>2</sup>  Lot 3 =130.2m<sup>2</sup>  Lot 4 =140.6m<sup>2</sup>  Lot 5 =121.4m<sup>2</sup></p> <p><b>Satisfies</b></p>
<p><b>PRIVATE OPEN SPACE</b>  <i>Residential Development</i>  <i>PDC 19</i></p>	<p>&lt;300m<sup>2</sup>  - 24m<sup>2</sup> (min.), of which 8m<sup>2</sup> may comprise balconies, roof patios and the like, provided they have a minimum dimension of 2m.  - Minimum dimension 3m (excl. balconies).  - 16m<sup>2</sup> (min.) at the rear of side of dwelling, directly accessible from a habitable room.</p>	<p>Lot 1  30m<sup>2</sup> (total)  4m (min. dimension)  30m<sup>2</sup> (accessed from habitable room)</p> <p>Lot 2  32m<sup>2</sup> (total)  4m (min. dimension)  32m<sup>2</sup> (accessed from habitable room)</p> <p>Lot 3  30m<sup>2</sup> (total)  4m (min. dimension)  30m<sup>2</sup> (accessed from habitable room)</p> <p>Lot 4  26m<sup>2</sup> (total)  4m (min. dimension)  26m<sup>2</sup> (accessed from habitable room)</p> <p>Lot 5  30m<sup>2</sup> (accessed from habitable room)  4m (min. dimension)  30m<sup>2</sup> (accessed from habitable room)</p> <p><b>Satisfies</b></p>

<b>CARPARKING SPACES</b> <i>Transportation and Access</i> <b>PDC 34</b>	Group dwellings and Residential Flat Buildings - 2 car-parking spaces required, 1 of which is covered + an additional 0.25 spaces per dwelling  <b>11.25 required</b>	11 spaces provided  <b>Does Not Satisfy</b>
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## 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:

### Parking

The Development Plan calls for each dwelling with residential flat buildings to have 2 off street carparks as well as 0.25 of a visitor carpark. This is an issue as it would not be feasible to provide a fraction of a carpark.

It is common practise to round this figure to the nearest number. In this instance it is down to 11 car parks being required. This has been assessed as being sufficient to meet the likely need created by this development.

### Setbacks

#### Front setback

The front setback of a dwelling, within the Residential Zone, is measured from the closest part of that dwelling. The proposed dwellings 1 & 2 have an upper level which is setback 2.2m from the front boundary.

The minimum front setback stipulated in the Development Plan for these Medium Density Areas is 3m. It should be noted that the Medium Density Policy Areas seek a built form that is closer to the street than in the other parts of the Residential Zone.

Despite there being a deficiency with this quantitative provision, the design does provide the dwelling with significant articulation and is in keeping with the Desired Character that states that dwellings will contribute to a highly varied streetscape.

However, the proposed front setback will be conspicuous within the locality, mainly due to the predominant character of the area consisting of single storey dwelling set well back from the streets. The dwellings on either side of the subject site are setback in excess of 7m. The impact of the reduced front setback will be exacerbated by the fact that the proposed dwellings are two storey in height.

### Upper level side setback

The upper level setback of proposed dwellings 3 and 5 will be 1.7m, which is 0.3m deficient of the 2m stipulated in the Development Plan.

This deficiency is not considered fatal to the application as it is only for a length of 4.2m and this wall does not contain any windows. Overshadowing can also be a symptom of reduced setbacks, however, on this occasion the 0.3m deficiency will not mean that the neighbouring properties will have less than the three hours of direct sunlight discussed in the Development Plan. This is because of the north-south orientation of the allotments.

### Rear setback

The minimum rear setback stated in the Policy Area is 6m, which relates to all levels up to and including a third floor in certain areas. None of the proposed dwellings achieve this setback as dwellings 1 & 2 are built to their rear boundary and dwellings 3, 4 & 5 have a ground floor setback of 4m.

This reduced setback is not considered fatal to the application due to mitigating factors of the site and surrounding development. Dwelling 1 & 2 are built to their rear boundary that is also the common driveway. The common driveway area is 7m wide and achieves the same result as having a 6m setback to a rear property boundary.

The reduced setback for Dwellings 3, 4 & 5 is only on the ground floor. The setback from the rear of the dwelling to the boundary is 4m. There are many examples of development within the locality that also do not meet the 6m rear setback dimension such as:

- 19 Packard Street;
- 15A Packard Street;
- 15B Packard Street;
- 18B Talbot Street;
- 21B Talbot Street;
- 21A Talbot Street;
- 21 Talbot Street;
- 30A Allchurch Avenue; and
- 30B Allchurch Avenue.

The Medium Density Zoning is not seeking to retain the existing character but rather develop it into a higher density area. Higher density inevitably results in built form that is taller, bulkier and positioned closer to property boundaries.

Similar allotments that have been divided in the locality have generally resulted in three dwellings where there was previously one. The proposal seeks to replace one existing dwelling with five new dwellings.

### **Site Area and Frontage**

The proposal seeks to construct two residential flat buildings. The Policy Area states that allotments should be 15m wide and that the average site area for dwellings should be 150m<sup>2</sup>.

The Environmental, Resources and Development Court has considered the difference between an allotment and site on numerous occasions. They have concluded that any common area used by multiple dwellings cannot be included in the calculation of the site. The most relevant example of this is a common driveway.

The allotment as a whole is 21.34m wide and the average site area is 142m<sup>2</sup>. A strict reading of PDC 5 of the Policy Area suggests that each Residential Flat Building should have a 15m frontage as it states "(for complete building)". However, as each of the residential flat buildings are reliant on the shared common driveway it operates in the same manner that a single building containing all five dwellings would. The Development Plan does not extrapolate as to why the 15m for the complete building is used, however, it is considered that this is included to recognise that most dwellings within a Residential Flat Building will not have a direct frontage to a public road and therefore it is more important to ensure that the building as a whole is built on a suitable allotment. It would be impractical for each of the dwellings within a Residential Flat Building to have a site frontage requirement.

## **SUMMARY**

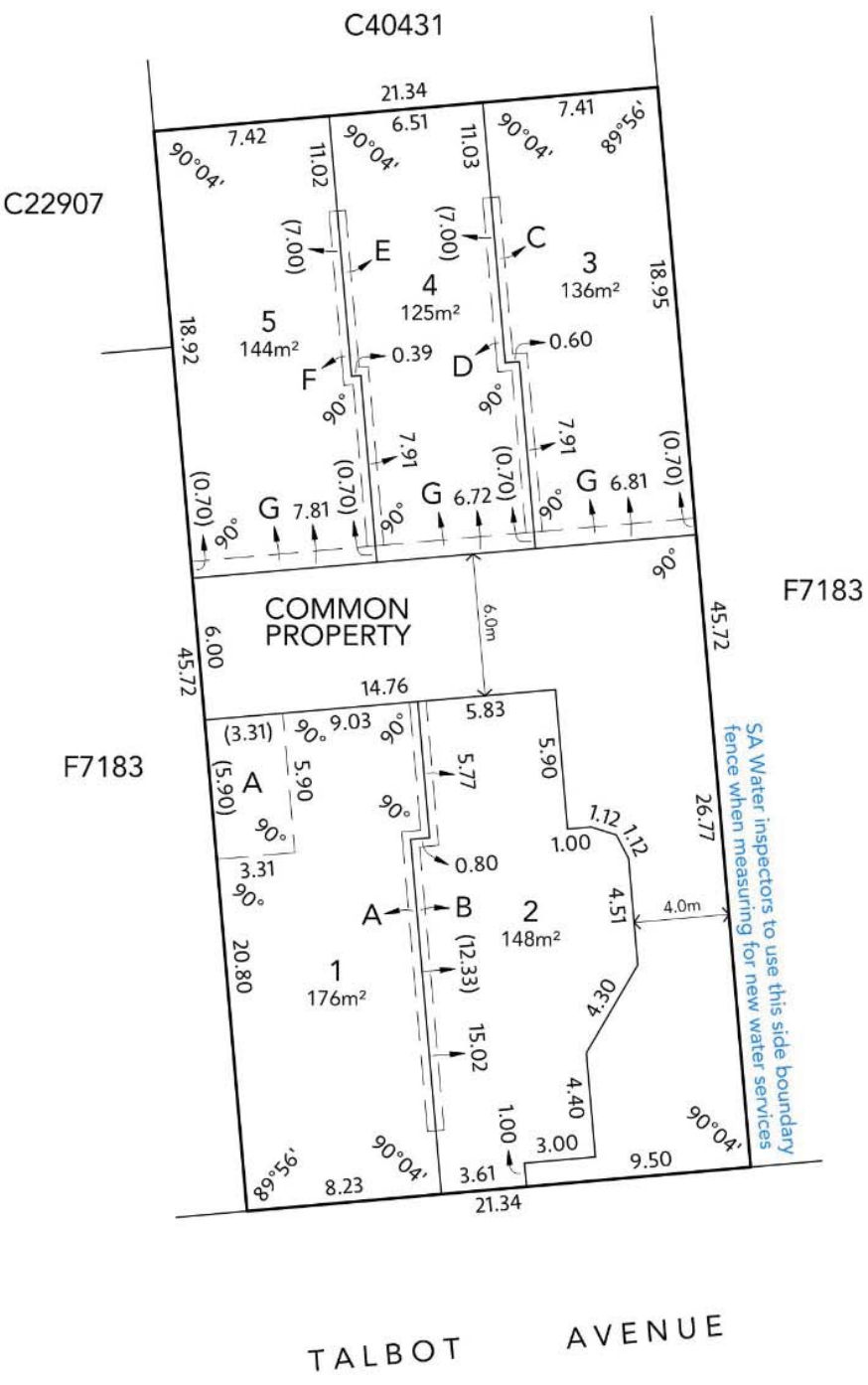
This is a finely balanced proposal, and despite a number of quantitative provisions not being met, the overall project is generally consistent with the Desired Character of the Zone and Policy Area.

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

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

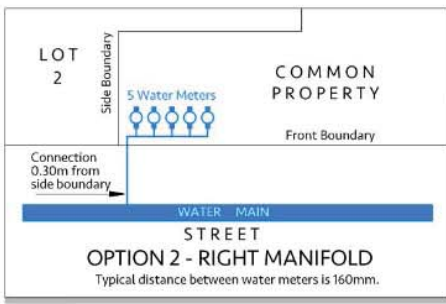
## **Attachments**

- 1. Plan of division**
- 2. Site Plan and Elevations**
- 3. Representations**
- 4. Response to representations**



Schedule of Lot Areas

Lot Number	Area
1	176m <sup>2</sup>
2	148m <sup>2</sup>
3	136m <sup>2</sup>
4	125m <sup>2</sup>
5	144m <sup>2</sup>
Total Area of Lots	729m <sup>2</sup>
Common Property	247m <sup>2</sup>
Total Site Area	976m <sup>2</sup>



Land division application:

**211 / C184 / 16**

SHEET 1 OF 1 SHEETS

City of West Torrens

Total area of site: 976m<sup>2</sup>

Area of reserve provided: 0m<sup>2</sup>

No. of existing allotments: 1

No. of proposed allotments: 5

No. of additional allotments: 4

Subject land details:

**Allotment 25 in F7183**

Site Address: 22 Talbot Avenue

Suburb: North Plympton

Hundred: Adelaide

Title(s): C.T. 5700 / 290

Annotations:

All measurements in metres unless shown otherwise. Do not scale drawing. Original sheet size is A3.

The purpose of the common property is for access and provision of services.

Refer to the building plans for the proposed dwelling(s). Owner/developer or building designer to advise if the configuration of the dwellings change in any form.

All existing structures are to be demolished. Owner or developer to apply to Council for demolition approval.

Portion of lots 1, 3, 4 and 5 marked G is to be subject to free and unrestricted right(s) of way limited in height appurtenant to the common property and the other lots in the scheme.

Reciprocal party wall rights are to be created over the portions marked A & B, C & D, E & F.

SA Water Contact Details

Michael Zaina

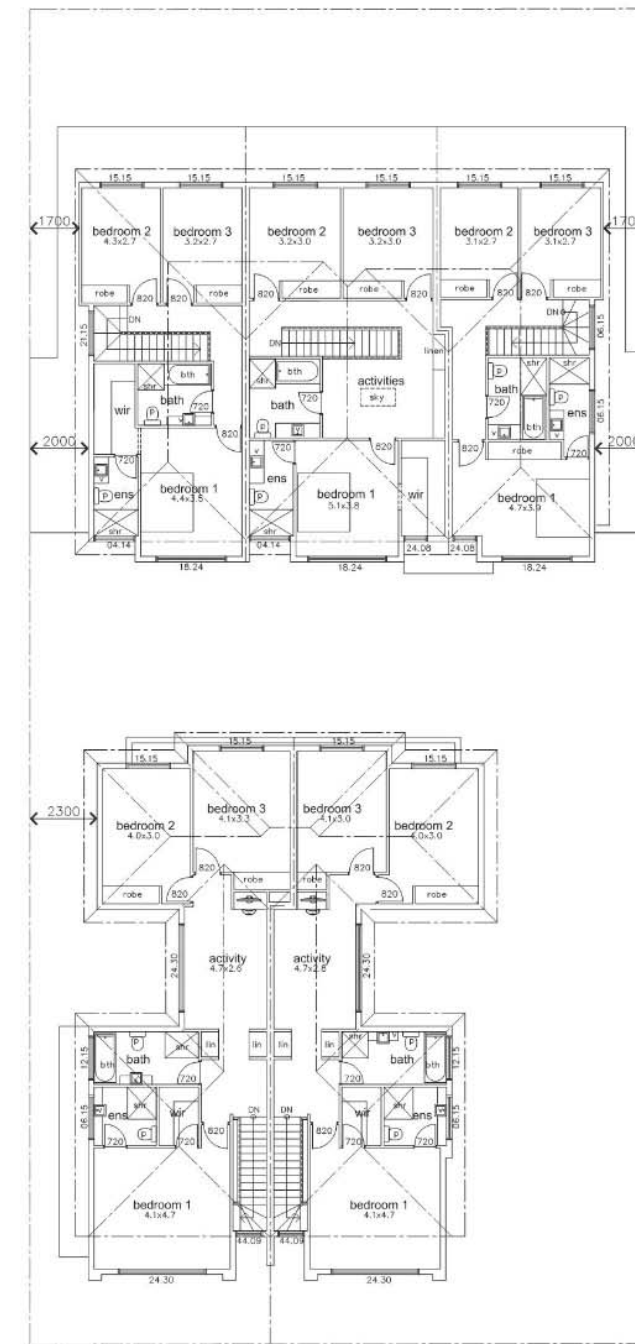
Zaina Stacey Pty Ltd

Phone 8379 7979



Rev.	Date	Description
F	19/10/2017	Lot 2 and common property boundary amended
E	11/04/2017	Water manifold position amended
D	21/03/2017	Party walls added to plan
C	17/03/2017	Lots 1, 3, 4, 5 and common property amended
B	1/12/2016	Water manifold position amended
A	19/10/2016	Lot 2 and common property amended
	17/10/2016	Original issue
<p><b>ZAINA STACEY</b></p> <p>DEVELOPMENT CONSULTANTS</p> <p>Office: 13 Avenue Road, Frewville SA</p> <p>Post: PO Box 1000, Torrens Park SA 5062</p> <p>Phone: 08 8379 7979</p> <p>Email: planning@zainastacey.com</p> <p>Reference: <b>16300</b></p>		



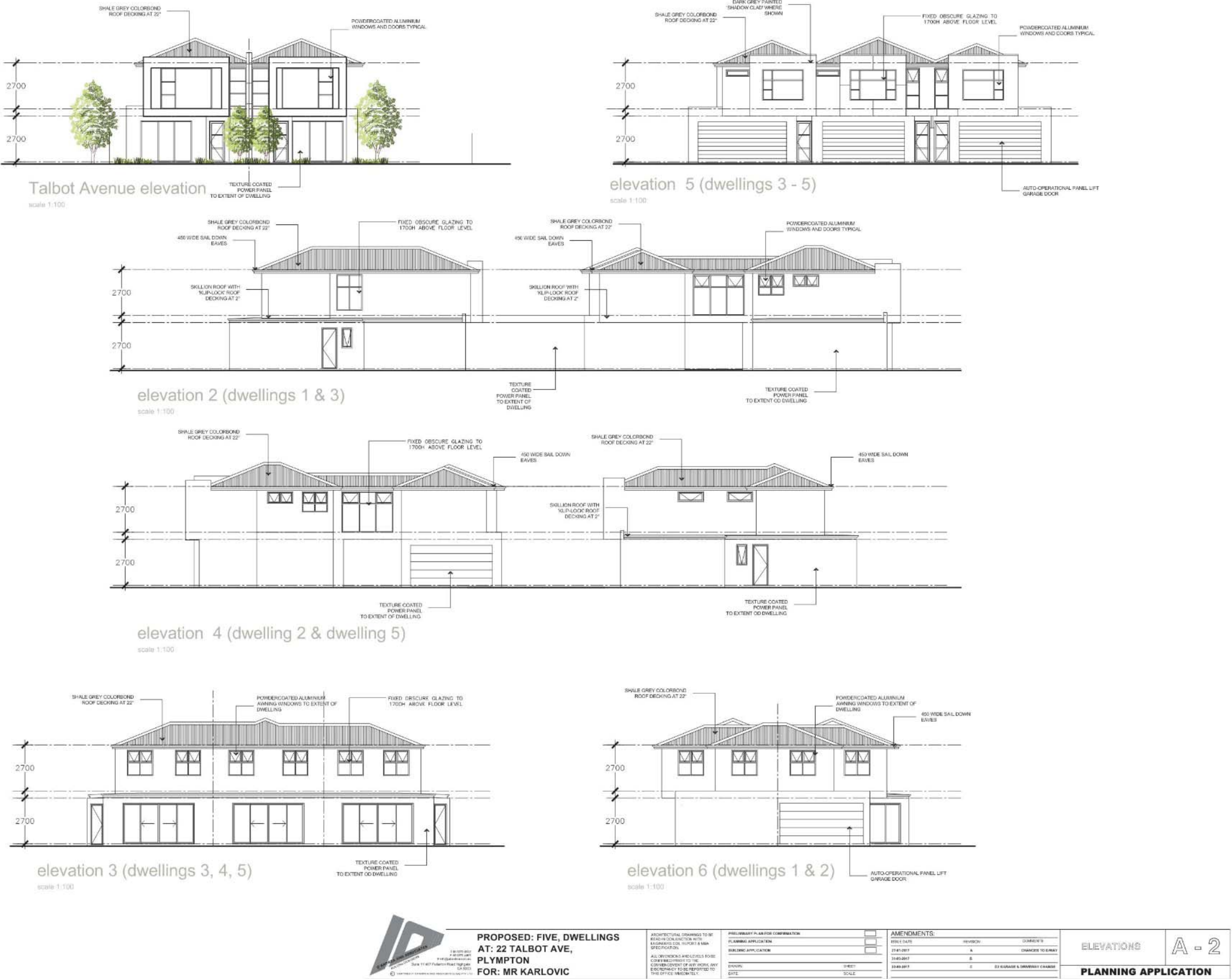


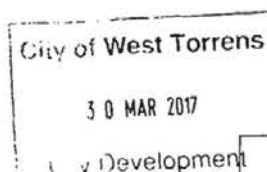
upper floor plans  
scale 1:100

	LOWER MAIN LIVING	UPPER MAIN LIVING	ALFRESCO	VERANDAH /PORCH	GARAGE	TOTAL
DWELLING 1	57.20	100.00	10.20	02.50	31.80	203.80
DWELLING 2	56.40	98.80	10.20	02.50	37.80	205.70
DWELLING 3	56.60	73.60			35.00	165.20
DWELLING 4	56.10	84.50			35.50	176.10
DWELLING 5	54.60	66.80			36.50	157.90

[illegible]







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

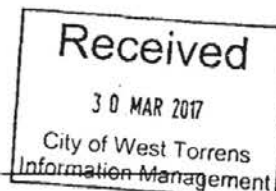
TO Chief Executive Officer  
City of West Torrens  
165 Sir Donald Bradman Drive  
HILTON 5033

**SCANNED**

30 MAR 2017

DEVELOPMENT No. 211/1345/2016  
PROPERTY ADDRESS: 22 Talbot Avenue, NORTH PLYMPTON SA 5037

REF No. ....



YOUR FULL NAME	MARC EVANS
YOUR ADDRESS	20 TALBOT AVENUE NORTH PLYMPTON
YOUR PHONE No	8351 0510
YOUR EMAIL	marc@pbsaccountants.com
NATURE OF INTEREST	own property next door. (eg. Adjoining resident, owner of land in the vicinity etc.)
<b>REASON/S FOR REPRESENTATION</b> 5 new residences on one block of less than 1000m <sup>2</sup> is too congested. We have had many new subdivisions and multiple properties built across the road from this property and car parking and congestion out the front of our house is already unsatisfactory. This will make this problem a disaster. We are concerned that council is worried more about how much they can collect from roads than about ratepayer's congestion concerns. We are considering moving to another council area due to this traffic congestion issue and its affect on our family, which includes a son with a disability.	
<b>MY REPRESENTATIONS WOULD BE OVERCOME BY</b> (state action sought) Restricting the number of residences to be built on the property.	

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

I DESIRE TO BE REPRESENTED BY



(PLEASE SPECIFY)

SIGNED

DATE 28/3/17

Responsible Officer: Jordan Leverington  
Ends: Wednesday 5 April 2017

If space insufficient, please attach sheets

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.	211/1345/2016
PROPERTY ADDRESS:	22 Talbot Avenue, NORTH PLYMPTON SA 5037
YOUR FULL NAME	Bruce John Mattingly
YOUR ADDRESS	24 Talbot Avenue North Plympton
YOUR PHONE No	0488997367
YOUR EMAIL	bruce@studioslabels.com.au
NATURE OF INTEREST	Adjoining resident (eg. Adjoining resident, owner of land in the vicinity etc.)
REASON/S FOR REPRESENTATION	
Please see attached.	
MY REPRESENTATIONS WOULD BE OVERCOME BY (state action sought)	
Not building 5x 2-story dwellings next door.	

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 ☒

I DESIRE TO BE REPRESENTED BY ☐

(PLEASE SPECIFY)

SIGNED



DATE

4/4/17

Responsible Officer: Jordan Leverington  
Ends: Wednesday 5 April 2017

If space insufficient, please attach sheets

**Re: Development No. 211/1345/2016****Property Address: 22 Talbot Avenue, North Plympton SA 5037****Reasons for representation:****1: On-street parking**

My biggest concern re this development going ahead is the on-street parking that will eventuate. Due to numerous other 3-unit dwellings that have been built on the south side of our street in recent years (opposite # 22 Talbot) our street is regularly cluttered with tenant's cars. This increases significantly when they have visitors.

Most households have a minimum of two vehicles these days. I've looked over the proposed plans for the development at # 22 and I'm sure that due to the very limited confined space allowed to access the garages, which in themselves would not suit larger vehicles, the occupiers of these dwellings would most likely end up parking in the street, adding to the congestion already experienced.

We regularly have cars parked hard up against our driveway which makes it difficult to enter and exit our property, and the white/red post on our verge to indicate the water access point on the road is often parked across.

Furthermore, due to the very small living space in the proposed dwellings, one can assume the garages will end up being used for storage and therefore the cars will be parked on the street. I have noticed this in quite a few of the 3-dwelling units along our street.

The proposed plans clearly show there has not been enough space allowed for visitor's vehicles and the developers admit this in their submission.

**2: Rubbish bins**

Having five dwellings on the block next door will mean having ten rubbish bins on the street once a week. We already experience having our neighbour's bins being put in front of our house and even across driveways as there is no room when numerous cars are parked in the street. This will only get worse with the proposed development!

**3: Over-shadowing**

I have a great concern with a two-story residence being built along our western boundary. When my late wife and I bought our property back in 1999, we did so due to the openness of our yard and the relatively quiet street. Over the years we have established a lovely manicured rear yard and there is nothing better than sitting out there at the end of the day enjoying a meal with my family and friends. With this proposed two-story structure being built along my boundary we will lose the late-afternoon sun which will significantly affect our quality of life!



**4: Water pressure**

The water pressure in our street is only average at the best of times. I can only assume this will be worse with an additional four dwellings next door.

I have been a West Torrens Council rate-payer and lived at this address for the last 18 years. I have served on the Plympton Primary School council for ten of those years and we as a family have loved living in this street/suburb and have made many life-long friends in the neighbourhood. I have never thought about leaving this district but have to admit if the proposed development at # 22 and others like it were to go ahead I would have to consider moving out of the district.

I understand that the council benefits from more rates from more residences but please consider the existing established rate-payers who chose to live in this neighbourhood for the beautiful quality of life it offers.

Yours sincerely,



**Bruce Mattingly**

**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. 211/1345/2016  
 PROPERTY ADDRESS: 22 Talbot Avenue, NORTH PLYMPTON SA 5037

YOUR FULL NAME	CARL + AMANDA WHITEHEAD.
YOUR ADDRESS	30A Allchurch Ave North Plympton
YOUR PHONE No	0406 998 175
YOUR EMAIL	cms.whitehead19@outlook.com
NATURE OF INTEREST	Adjoining resident. (eg. Adjoining resident, owner of land in the vicinity etc.)
<b>REASON/S FOR REPRESENTATION</b> . concerns over loss of greenery / large tree / bird life. . concerns over loss of natural light in our back garden. . concerns over how far / the distance from the perimeter wall to the dwellings is. . concerns over how high / if the perimeter wall will be changed from what it is.	
<b>MY REPRESENTATIONS WOULD BE OVERCOME BY</b> (state action sought) . What is the distance from back perimeter wall to dwellings $5.4 + 5$ ? Please can you inform (at least 5 meters). . What / if any of the trees will stay. Will the large tree (stump in adjoining property) stay? We hope so. . No increase in the perimeter wall / adjoining our property.	

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



I DESIRE TO BE REPRESENTED BY \_\_\_\_\_



(PLEASE SPECIFY)

SIGNED



DATE 4/4/17.

Responsible Officer: Jordan Leverington  
 Ends: Wednesday 5 April 2017

If space insufficient, please attach sheets



PO BOX 9061 HENLEY BEACH SOUTH SA 5022  
Mobile: 0478 509 777  
Email: [bill@townplanningadvisors.com.au](mailto:bill@townplanningadvisors.com.au)  
Website: [www.townplanningadvisors.com.au](http://www.townplanningadvisors.com.au)

30 June 2017

Mr Jordan Leverington  
Development Officer - Planning  
City of West Torrens  
165 Sir Donald Bradman Drive  
HILTON SA 5033

Dear Jordan,

**RE: Development Application 211/1345/2016 – 22 Talbot Avenue, North Plympton  
Response to Representations**

Town Planning Advisors have been engaged by the applicant to respond to the representations received as part of the Category 2 notification undertaken by Council.

A total of three (3) representations were received from:

- M Evans, 20 Talbot Ave, North Plympton
- B J Mattingly, 24 Talbot Ave, North Plympton
- C Whitehead and A T Whitehead, 30A Allchurch Ave, North Plympton

Opposition to the development was based on the following concerns:

- Traffic generation and parking
- Waste management
- Loss of light
- Water pressure
- Loss of vegetation
- Position of dwellings in relation to boundaries
- Height of external walls

The representors advised that their concerns would be addressed by:

- Not building five, 2 storey dwellings.
- Dwellings 3, 4 & 5 setback 5m from rear boundary.
- Retention of trees.
- North facing external walls to not exceed the height of existing structures.

I respond to each point.

## 1. Traffic generation and parking

Concern has been raised regarding traffic generation and on-street parking for residents and visitors.

Table WeTo/2 - *Off street parking requirements* states that dwellings contained within a residential flat building, as proposed, should be provided 2 car parking spaces per dwelling, one of which is covered, plus an additional 0.25 car parking spaces per dwelling.

Based on Table WeTo/2, 11.25 on-site car parking spaces are required.

The proposal provides its 5 dwellings with a total of 11 on-site car parking spaces. The result is a shortfall of 0.25 spaces.

The West Torrens Council Development Plan (Consolidated 5 May 2016) differentiates between dwelling types in its requirement for on-site car parking spaces, requiring an additional 0.25 spaces per dwelling for residential flat building(s) over the 2 spaces required for a detached dwelling, semi-detached, row-dwelling and multiple dwellings. This is a common practice in providing on-site visitor parking where a traditional driveway allowing for the parking of a vehicle is not provided.

The proposal provides each dwelling with 2 covered spaces located directly adjacent its entry for residents, plus access to one communal visitor space located adjacent the sites western side boundary. The overall objective being to provide residents and visitors with conveniently located car parking which does not rely heavily on the use of on-street spaces.

Inspections of the locality at various times did not suggest that the shortfall (0.25 space) could not be accommodated within the available on-street parking, either adjacent the subject land or within walking distance.

It is important to note that the proposal does not reduce the available amount of on-street parking directly adjacent the site.

Further, the proposal has been reviewed by Phil Weaver and Associates regarding on-site traffic movements and turning paths, and the following advice has been provided:

- *We have reviewed the opportunity to access the parking spaces of the proposed development on the attached plan and prepared turning path drawings (Figures 1 – 12) showing the ability of a B85 design vehicle to enter and exit the site simultaneously, and access the garages and visitor spaces on the site.*
- *The turning path drawings have identified that all the turning manoeuvres would be possible without the need to make multiple turns, the exception being access into the garage of Dwelling 2. However, this is not an issue relating to the width of the aisle behind the garage but relates to the minimum turning circle of the vehicle entering into this garage from the adjoining driveway. In my view, this is not unreasonable or inappropriate and I consider that the overall design solution is appropriate.*
- *Please note that the attached drawing identifies amendments to the design, which I understand was previously submitted to Council, in that the nib walls have been reduced in width to generally 180mm to 200mm with additional widening of the garage door to suit.*



I therefore consider the proposal to respond appropriately with respect to traffic generation, design layout and amounts of on-site car parking for resident and visitor use.

## **2. Waste management**

Concern has been raised regarding the placement of waste receptacles on collection day.

It is proposed that waste be collected by Council as part of its weekly waste collection service.

The representor is correct in asserting that on collection day ten waste receptacles will be placed outside the subject land for collection, however they may not necessarily be grouped together. Nevertheless, the subject land has a sufficient frontage to accommodate all waste receptacles.

The parking of vehicles adjacent the site does not require waste receptacles to be placed within the developments own driveway or that of adjacent properties to enable collection.

## **3. Loss of light**

Concern has been raised regarding two storey structures and potential loss of late-afternoon sun.

The Development Plan seeks buildings to be designed and sited to ensure direct winter sunlight is available to adjacent dwellings, with particular consideration given to habitable room windows and ground-level private open spaces. In this regard, General Section Residential Development Overshadowing module PDC's 11, 12 and 13 are relevant.

- 11 Development should ensure that north-facing windows to habitable rooms of existing dwelling(s) on the same allotment, and on adjacent allotments, receive at least 3 hours of direct sunlight over a portion of their surface between 9.00 am and 5.00 pm on the 21 June.
- 12 Development should ensure that ground-level open space of existing buildings receives direct sunlight for a minimum of two hours between 9.00 am and 3.00 pm on 21 June to at least the smaller of the following:
  - (a) half of the existing ground-level open space
  - (b) 35 square metres of the existing ground-level open space (with at least one of the area's dimensions measuring 2.5 metres).
- 13 Development should not increase the overshadowed area by more than 20 per cent in cases where overshadowing already exceeds these requirements.

Shadow diagrams have been prepared and are enclosed for reference.

The shadow diagrams demonstrate that on 21 June, the development does not limit access to direct sunlight of north-facing habitable room windows of dwellings on adjacent allotments to less than 3 hours between the hours of 9.00am and 5.00pm.

Further, shadow diagrams demonstrate that 35m<sup>2</sup> of ground-level open space of dwellings on adjacent allotments are provided a minimum of 2 hours of direct sunlight between the hours of 9.00am and 3.00pm on 21 June.

The development does not increase the extent of existing overshadowing by more than 20% beyond the requirements outlined in PDCs 11 and 12.

Therefore, it has been demonstrated that the proposal accords with the Development Plan with respect to overshadowing per General Section Residential Development Overshadowing module PDC's 11, 12 and 13.

#### **4. Water pressure**

Water pressure is not a planning matter for consideration.

#### **5. Loss of vegetation**

The subject land does not contain any trees deemed regulated by definition, or of significant height or amenity value.

Trees of substantial height and amenity are located within the rear yards of the adjacent properties i.e., 20 and 24 Talbot Avenue.

The proposal includes the planting of vegetation around the perimeter of the site and throughout internal common areas.

The following plantings are proposed:

- Silver birch, 3-4m mature height
- Manchurian pear, 3-4m mature height
- English box, 0.9m high
- Screen master, 1.8m mature height
- Lavender, 0.9m high

The selected species are appropriate for an urban setting, will soften the built form and provide an improved general amenity.

#### **6. Position of Dwellings in relation to boundaries**

The ground and upper level components of Dwellings 3, 4 and 5 are setback from the sites northern rear boundary 4.04m and 6m respectively.

Policy Area 19 PDC 3 states that dwellings should be setback 6m from the rear boundary, with no differentiation between ground and upper levels.

The upper level is positioned in accordance with Policy Area 19 PDC 3, with a 6m setback provided.

It is acknowledged that the ground levels of Dwellings 3, 4 and 5 are positioned 1.96m closer to the rear boundary than that sought by Policy Area PDC 3, however the reduced setback does not create overshadowing and is not dissimilar to setbacks displayed by recent single storey developments within the locality. Further, the single storey components do not exceed 3m in height and contain a substantial amount of glazing to minimise any visual impacts generally associated with that of a blank wall. It is also worth noting that Zone PDC 11, whilst not strictly applicable to the development, applies a 3m rear setback requirement to single storey components of dwellings, indicating that a 3m rear setback is appropriate in some circumstances within the zone; the proposed single storey components are setback 4.04m.

In the context of its urban setting, I consider the position of Dwellings 3, 4 and 5 in relation to the sites northern rear boundary to be appropriate and not seriously at variance with desired development outcomes.

## **7. Height of external walls**

Zone PDC 6 states that the vertical side wall height of a dwelling should not exceed 6m.

The proposal does not consist of vertical side walls which exceed 6m in height.

The 3m high single storey component is not dissimilar in height to wall heights generally associated with that of outbuildings. Further, it is worth noting that residential outbuildings are designated a maximum wall height of 3m in General Section Residential Development Garage, Carports and Outbuildings module PDC 16.

In terms of building height, Policy Area 19 PDC 3 states that the maximum building height should not exceed 2 storeys or 8.5m.

The proposal does not exceed 2 storeys, or 8.5m in building height.

## **Additional Matters**

Further to your email of 18 April 2017, which identifies concern regarding traffic, verge interaction and driveway corridor, I provide the following response.

As discussed above, the proposal has been reviewed by a suitably qualified traffic consultant, whom advises that the design layout shows the ability of B85 design vehicles to enter and exit the site simultaneously, and to access all garages and visitor parking spaces.

The submitted turning path drawings confirm that vehicles are able to exit the garages of all dwellings in a forward direction, as sought.

We are of the view that the parking spaces and common driveway area comply with the techniques as outlines in AS/NZ 2890.1:2004.

The proposed driveway crossover measures 5.5m in width, is offset 1m from the eastern side boundary and adjacent driveway, and 2m from the adjacent street tree, as sought. Further, the driveway itself measures 5.5m in width for 5m into the site, as sought.

On acceptance of the above, amended Site and Drainage, and Land Division Plans will be provided for due consideration.

## Conclusion

In conclusion, I consider the proposal to represent a well-designed infill development which provides residents with functional north-facing private open spaces, north-facing habitable room windows, external street views and clearly identifiable entrances.

Further, the proposal provides appropriately for on-site vehicle manoeuvrability, on-site car parking and maintains access to direct sunlight of adjacent dwellings, as sought by relevant provisions.

I therefore conclude that the proposal is a reasonable and supportable form of development that is not seriously at variance with the relevant provisions of the West Torrens Council Development Plan.

In my view, there will be an acceptable impact on the amenity of the adjoining land and locality. On this basis, I consider the proposal to warrant a favourable consideration, and the granting of Development Plan Consent, subject to conditions.

Should you have any queries or require any further information or clarification with any components of this application, please do not hesitate to contact by calling me on 0478 509 777 or by email [bill@townplanningadvisors.com.au](mailto:bill@townplanningadvisors.com.au)

Yours faithfully



**Bill Stefanopoulos, MPIA**  
BA Planning, Grad Dip Environmental Planning



**6.2 11 James Street, PLYMPTON**

Application No 211/1052/2017

Appearing before the Panel will be:

Representors: Mrs Gloria Berni of 8a James Street, Plympton wishes to appear in support of the representation.

Mr Michael Kemp and Ms Naomi Blacker of 8 James Street, Plympton wish to appear in support of the representation.

Mr Tom Pickering of 23 Glenburnie Terrace, Plympton wishes to appear in support of the representation.

Mr Michael Dunning of 43 Bridge Street, Kensington wishes to appear in support of the representation.

Applicant Mr Jason Caley of 11 James Street, Plympton wishes to appear to support the application.

**DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Change of use from residential to residential and intensive animal keeping.
APPLICANT	Mr Jason Caley
APPLICATION NO	211/1052/2017
LODGEMENT DATE	5 September 2017
ZONE	Urban Corridor Zone
POLICY AREA	Boulevard Policy Area 34
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 3
REFERRALS	Internal <ul style="list-style-type: none"><li>Environmental Health</li></ul> External <ul style="list-style-type: none"><li>Nil</li></ul>
DEVELOPMENT PLAN VERSION	30 May 2017
MEETING DATE	14 November 2017

**RECOMMENDATION**

The Council 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. 211/1052/2017 by Mr Jason Caley to undertake a change in land use from residential to residential and intensive animal keeping at 11 James Street, Plympton (CT5639/65) subject to the following conditions of consent:

**Council Conditions**

1. The development must be undertaken, completed and maintained in accordance with the plan(s) and information detailed in this Application except where varied by any condition(s) listed below.

2. The maximum number of dogs to be on site at any one time shall be limited to four (4) Greyhounds.
3. An impervious receptacle with a close fitting lid must be provided on site for the temporary storage of dog faeces or other wastes generated by the keeping of dogs.
4. Faeces and other wastes generated by the keeping of dogs must be collected daily and placed in the receptacle. The collected wastes must be removed at least once in every week and disposed of so as to prevent offensiveness and the access to and breeding of insects in such waste.
5. The kennel area where the dogs are kept must be maintained in a satisfactory condition at all times so as not to create any insanitary conditions and must not be allowed to become a nuisance, offensive or injurious to health.
6. Feed must be kept in sealed containers and stored in a rodent proof storage area.

**Note:**

1. The noise level emanating from the property must not exceed:
  - 52 dBA between 7am and 10pm; and
  - 45dBA between 10pm and 7am.
2. Any dogs kept on the premises are required to be registered with Council.

---

**BACKGROUND**

The development proposal is presented to the Council Assessment Panel (CAP) 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.

Intensive animal keeping is defined in Schedule 1 of the Development Regulations as:

***intensive animal keeping means the keeping or husbandry of animals in a broiler shed, chicken hatchery, feedlot, kennel, piggery, poultry battery or other like circumstances, but does not include horse keeping;***

The proposed development meets this definition.

The Applicant is seeking a development approval for the keeping of four dogs so that he will not need to apply for an exemption to keep more than two dogs every year. This is in accordance with Part 2, 7 of the *City of West Torrens Dogs By-law 2017*, as shown below.

**PART 2 - LIMITS ON DOG NUMBERS**

**7. Limits on dog numbers in private premises**

- 7.1. Subject to subclauses 7.3 and 7.5, a person must not, without the Council's permission, keep, or cause, suffer or permit to be kept:
  - 7.1.1 more than one dog in a small dwelling; or
  - 7.1.2 more than two dogs in premises other than a small dwelling; or

7.2. *For the purposes of subclause 7.1, 'dog' means a dog that is three (3) months of age or older, or a dog that has lost its juvenile teeth.*

7.3. *Subclause 7.1 does not apply to:*

7.3.1 *approved kennel establishments operating in accordance with all required approvals and consents; or*

7.3.2 *any business involving the keeping of dogs provided that the business is registered in accordance with the Dog and Cat Management Act 1995 and operating in accordance with all required approvals and consents.*

In *City of West Torrens Dogs By-law 2017*, an "approved kennel establishment" is defined as "a building, structure or area approved by a relevant authority, pursuant to the *Development Act 1993* for the keeping of dogs on a temporary or permanent basis."

If this application is approved, then subclause 7.3 removes the limit on dog numbers able to be kept on the property.

## **PREVIOUS OR RELATED APPLICATION(S)**

Nil

## **SITE AND LOCALITY**

The subject land is described as allotment 36 Deposited Plan 1979 in the area named Plympton Hundred of Adelaide, as contained within Certificate of Title Volume 5639 Folio 65. The land is more commonly known as 11 James Street, Plympton.

The subject land is irregular in shape and located on the western side of James Street. The allotment has a frontage of 11.2m and varying depths resulting in an overall area of approximately 880m<sup>2</sup>. The land currently contains a single storey detached dwelling, carport, verandah and domestic outbuilding. The front and rear yards are informally landscaped with grassed area. There are some small trees located along the northern boundary.

The subject site is located wholly within the Urban Corridor Zone, Policy Area 34, however, the Residential Zone Policy Area 18 is immediately adjacent the northern boundary. Despite the other adjoining properties being located in the Urban Corridor Zone, they are all being used for residential purposes.

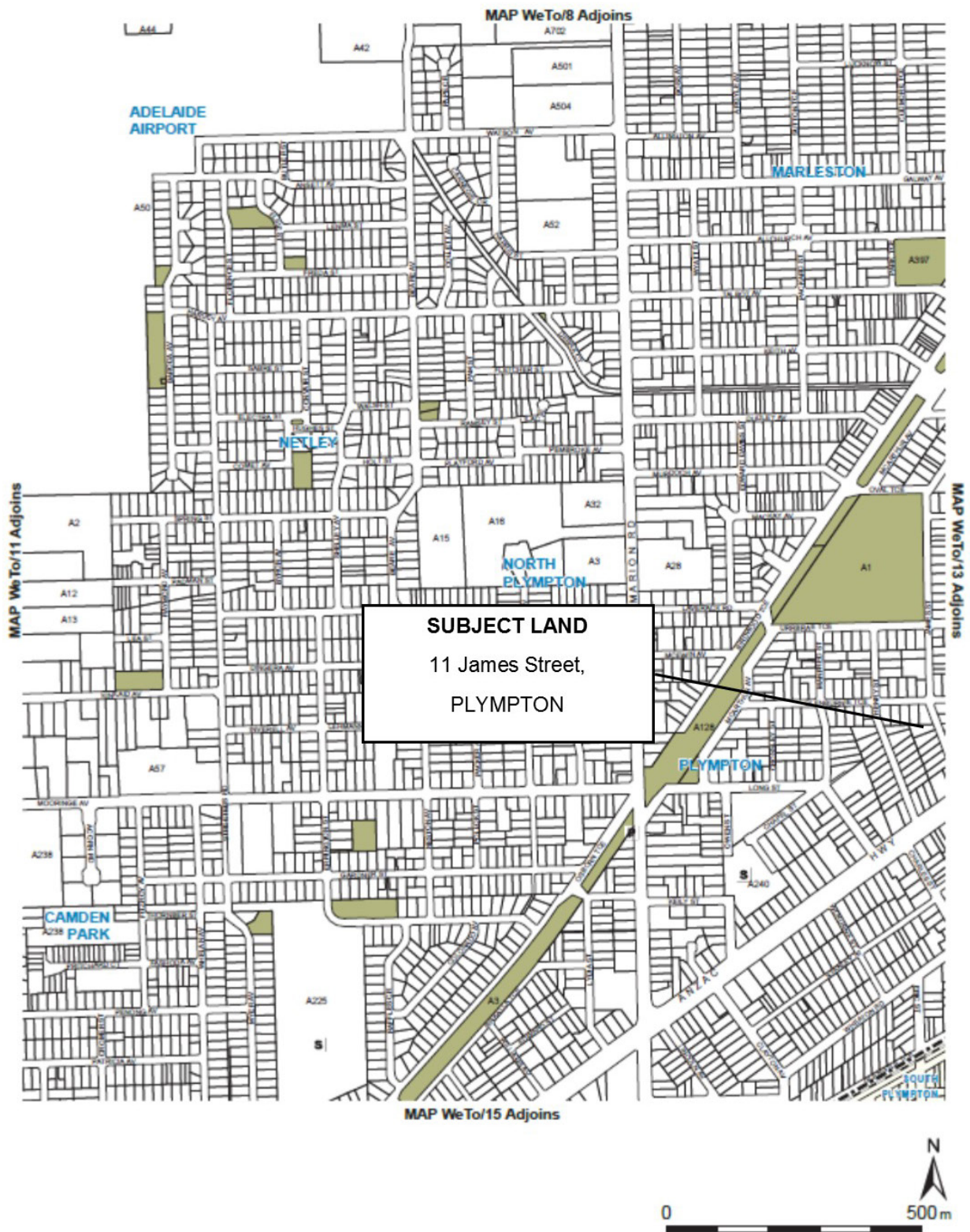
The locality is residential in nature and is comprised of detached dwellings and residential flat buildings. The residential flat buildings are mainly to the west of the subject site on Henry Street.

The site and locality are shown on the following maps.









## Location Map WeTo/12

**WEST TORRENS COUNCIL**  
Consolidated - 30 May 2017

## PROPOSAL

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

"Change of use from residential to residential and intensive animal keeping."

The Applicant currently lives at the subject property and is a registered Greyhound trainer. There will be no more than four dogs (greyhounds) at any one time. They will be exercised at the Angle Park track, on a dog treadmill and on a leash and muzzle when walked in public.

The Applicant has expressly stated that there will no dog breeding will occur on the subject site.

## REFERRALS

### Internal

#### Environmental health

- Council's Environmental Health Department provided comment on the proposal. They highlighted potential issues such as noise, odour, waste and pet control;
- They advised that the noise level should not exceed 52dBA during the day and 45dBA at night; and
- It is stated that waste and odour will not be an issue as long as the waste is collected, stored and removed from the site regularly.

A copy of the referral response can be found as **Attachment 3**.

## PUBLIC NOTIFICATION

The application is a Category 3 form of development pursuant to Section 38 and Schedule 9 of the Development Act and Regulations.

<b>Properties notified:</b>	30 properties were notified during the public notification process.
<b>Representations:</b>	4 representations were received.
<b>Persons wishing to be heard:</b>	<p>4 representors identified that they wish to address the Panel.</p> <ul style="list-style-type: none"> <li>• Gloria Berni;</li> <li>• Michael Kemp and Naomi Blacker;</li> <li>• Tom Pickering; and</li> <li>• Michael Dunning.</li> </ul>
<b>Summary of Representations:</b>	<p>Concerns were raised regarding the following matters:</p> <ul style="list-style-type: none"> <li>• Excessive noise;</li> <li>• Hygiene issues;</li> <li>• Animal smells;</li> <li>• Loss of amenity; and</li> <li>• Incompatible with high density residential area.</li> </ul>

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

- Applicant does not have the capacity or intention to keep more than four dogs at one time;
- It is against the rules to breed litters of racing stock without a license and approved facilities;
- The license currently held and interest is in training not breeding;
- There is no intention to kennel dogs other than four racing greyhounds;
- The dogs are currently housed at the property and no complaints have been made to Council about barking;
- Applicant spends a minimum of 130 hours a week on site;
- The entire kennel will travel interstate for up to three weeks at a time and, as such, no noise whatsoever will come from the property at this time.

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

## ASSESSMENT

The subject land is located within the Urban Corridor Zone, Boulevard Policy Area 34 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>		
Animal Keeping	Objectives	1, 2 & 3
	Principles of Development Control	1, 2, 7, 8, 9, 10, 11 & 12
Interface between Land Uses	Objectives	1, 2 & 3
	Principles of Development Control	1, 2, 5 & 6
Orderly and Sustainable Development	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 5 & 7
Waste	Objectives	1 & 2
	Principles of Development Control	1, 2, 3, 4, 5 & 6

The relevant provisions from the Animal Keeping section of the Development Plan are as follows:

### OBJECTIVES

- 1 Animals not kept at a density beyond the carrying capacity of the land or water.
- 2 Animal keeping development sited and designed to avoid adverse effects on surrounding development.
- 3 Intensive animal keeping protected from encroachment by incompatible development.

### PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Animal keeping and associated activities should not create adverse impacts on the environment or the amenity of the locality.
- 2 Storage facilities for manure, used litter and other wastes should be designed and sited:
  - (a) to be vermin proof
  - (b) with an impervious base
  - (c) to ensure that all clean rainfall runoff is excluded from the storage area
  - (d) outside the 1-in-100 year average return interval flood event area.

3. *Intensive animal keeping operations and their associated components, including holding yards, temporary feeding areas, movement lanes and similar, should not be located on land within any of the following areas:*
  - (a) 800 metres of a public water supply reservoir
  - (b) the 1-in-100 year average return interval flood event area of any watercourse
  - (c) 200 metres of a major watercourse (third order or higher stream)
  - (d) 100 metres of any other watercourse, bore or well used for domestic or stock water supplies
  - (e) 2000 metres of a defined and zoned township, settlement or urban area (except for land based aquaculture)
  - (f) 500 metres of a dwelling (except for a dwelling directly associated with the intensive animal keeping facility).
- 8 *Intensive animal keeping operations in uncovered situations should incorporate:*
  - (a) a controlled drainage system which:
    - (i) diverts runoff from external areas
    - (ii) directs surface runoff into an effluent management system that has sufficient capacity to hold runoff from the controlled drainage area
  - (b) pen floors which:
    - (i) ensure that effluent does not infiltrate and contaminate groundwater or soil
    - (ii) are graded to a consistent uniform slope of between 2 per cent and 6 per cent
  - (c) effluent drainage into an effluent lagoon(s) that has sufficient capacity to hold runoff from the controlled drainage area.
- 9 *Intensive animal keeping facilities and associated wastewater lagoons and liquid/solid waste disposal areas should be sited, designed, constructed and managed to avoid adverse odour impacts on nearby sensitive land uses.*

### **Kennels**

- 10 *The floor of kennels should be constructed of concrete or similar impervious material and be designed to allow for adequate drainage when kennels are cleaned.*
- 11 *Kennels and exercise yards should be designed and sited to minimise noise nuisance to neighbours through:*
  - (a) orienting their openings away from sensitive land uses such as dwellings
  - (b) siting them as far as practicable from allotment boundaries.
- 12 *Kennels should occur only where there is a permanently occupied dwelling on the land.*

These provisions have been discussed in the Qualitative Assessment section of this report.

<b>Zone: Urban Corridor Zone</b>	
<b>Desired Character Statement:</b>	
<p><i>This zone will contain an innovative mix of medium density (45-70 dwellings per hectare) and high density (70-200 dwellings per hectare) residential development, together with community and employment land uses, along the Port Road, Anzac Highway and Henley Beach Road corridors. The combination of land uses will vary within these corridors. Some locations will contain a genuine land use mix with ground floor shops, restaurants and offices, and upper level residential, while other areas will give primacy to residential development. Other parts of the zone will have a strong employment focus.</i></p> <p><i>The function of main roads in the zone, particularly Port Road and Anzac Highway, as major transport corridors will be protected by providing access to allotments from secondary road frontages and rear access ways as much as possible. Parking areas will be consolidated, shared (where possible) and screened from the street or public spaces. Allotments with car parking fronting Port Road, Anzac Highway and Henley Beach Road will be redeveloped with built form closer to the road and reconfigured car parking areas.</i></p> <p><i>As one of the key zones in the City of West Torrens where there will be transformation in built form, new buildings will be recognised for their design excellence. These buildings will establish an interesting pedestrian environment and human-scale at ground level through careful building articulation and fenestration, verandas, balconies, canopies and landscaping. In general, the greatest height, mass and intensity of development will be focussed at the main road frontage. Buildings of 3 or more storeys will be the predominant built form. It is for these reasons that dwellings other than detached dwellings will be the predominant form of residential development.</i></p> <p><i>Overlooking, overshadowing and noise impacts will be moderated through careful design, Impacts on adjoining zones where development is lower in scale and intensity will be minimised through transition of building heights and setbacks, judicious design and location of windows and balconies, and the use of landscaping. The transition of building heights and setbacks, and judicious design is especially important adjacent Character Policy Areas, including those Character Policy Areas at Glandore and Ashford. The use of blank walls in these transitional areas, especially at the rear and side of allotments, will be avoided. Plant and service equipment will be enclosed and screened from view from the street and neighbouring allotments.</i></p> <p><i>Where buildings are set back from main roads, landscaping will contribute to a pleasant pedestrian environment and provide an attractive transition between the public and private realm. Large scale development in the zone will facilitate the establishment of areas of communal and public open space, and create links with existing movement patterns and destinations in the zone. Front fencing in the zone will be kept low and/or visually permeable. Some parts of the zone, including allotments in Thebarton and Keswick, are potentially contaminated because of previous and current industrial activities. In these circumstances, development is expected to occur on a precautionary basis if site contamination investigations identify potential site contamination, particularly where it involves sensitive uses such residential development.</i></p> <p><i>The Thebarton brewery has potential to cause nuisance to future users and residents within this zone through noise and odour. To mitigate potential adverse impacts, residential development north of Smith Street that is likely to be sensitive to brewery operations should generally be avoided unless interface mitigation measures have been implemented (or will be implemented within an acceptable period) such that the anticipated impacts are within acceptable limits. Noise and air amenity with the zone is not expected to be equivalent to that expected from living in a purely residential zone.</i></p>	
<b>Objectives</b>	1, 3 & 9
<b>Principles of Development Control</b>	1, 2 & 4



<b>Policy Area: Boulevard Policy Area 34</b>	
<b>Desired Character Statement:</b>	
<p><i>The policy area will contain a mix of land uses that complement the function of Port Road as a strategic transport route linking central Adelaide with the north western suburbs, and Anzac Highway linking central Adelaide with Glenelg.</i></p> <p><i>The redevelopment of existing commercial and industrial allotments into medium-to-high scale, mixed-use development will occur. Where development has a mix of land uses, non-residential activities such as shops, offices and consulting rooms will be located on lower levels with residential land uses above. In order to achieve the desired transformation of the policy area, dwellings other than detached dwellings will be the predominant form of residential development.</i></p> <p><i>A mix of complementary land uses will assist in extending the usage of the policy area beyond normal working hours to enhance its vibrancy and safety.</i></p> <p><i>Development will take place at medium and high densities, at a scale that is proportionate to the width of Port Road and Anzac Highway respectively. To achieve this, development will take place on large, often amalgamated allotments. Vehicle access points will be located off side streets and new rear laneways where possible, so that vehicle flows, safety and efficient pedestrian movement along Port Road and Anzac Highway are maintained.</i></p> <p><i>Pedestrian areas will be enhanced to maximise safety and strong links will be made between development and tram stops along Port Road, and Bonython Park.</i></p> <p><i>While the use and address of buildings will be designed to be easily interpreted when driving in a vehicle, the footpath will be sheltered with awnings, verandas and similar structures.</i></p> <p><i>Buildings of up to eight storeys will have a strong presence to Port Road and Anzac Highway. At lower levels, buildings will have a human scale through the use of design elements such as balconies, verandas and canopies. Development on corner allotments will enhance the gateway function of such corners by providing strong, built-form edges combined with careful detailing at a pedestrian scale to both street frontages.</i></p> <p><i>Podium elements, where higher floors of the building are set back further than lower level floors, may be used to improve air quality (through greater air circulation), as well as enhancing solar access, privacy and outlook for both the residents of the building and neighbours.</i></p> <p><i>Buildings along Port Road will have zero setback from the front boundary in order to establish a strong and imposing presence to the road, while short front setbacks along Anzac Highway will allow for some landscaping to contribute to a more open landscaped character.</i></p> <p><i>On-site vehicle parking will not be visible from Port Road and Anzac Highway, by locating parking areas behind building façades and shielding undercroft parking areas with landscaping and articulated screens.</i></p>	
<b>Objectives</b>	3 & 4
<b>Principles of Development Control</b>	3

## QUANTITATIVE ASSESSMENT

There are no relevant quantitative provisions within the Development Plan that relate to this proposal.

## 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:

### Land Use and Zoning

The subject site is located in the Urban Corridor Zone which, according to the desired character statement, is a mixed use zone accommodating a range of compatible non-residential and medium to high density residential development. As such, intensive animal keeping is a merit based assessment.

It should be noted that intensive animal keeping within the Residential Zone is a Non-Complying application. It is therefore particularly important to ensure that the proposed use is suitable to be in close proximity to the Residential Zone / residential properties.

Council's By-law No. 5 allows up to two dogs to be kept on the property and Council's permission must be obtained for an exemption to the bylaw to allow an additional 2 dogs. A check of Council's records has failed to find an exemption or any record of dogs currently registered at 11 James Street.

Although defined as intensive animal keeping, the scale at which the applicant is seeking to perform this land use is considered at the low end. The keeping of up to four dogs on a property with a site area of approximately 880m<sup>2</sup> will be at the same intensity as one of the neighbouring residential flat buildings having one dog for each dwelling.

The Environmental Protection Agency has an information guide for dog keeping but it is aimed at kennels exceeding 10 dogs. As it is a guideline document, the key issues can and should be assessed to ensure that the proposed land use will be suitable with adjoining residential land uses.

These key issues include noise, waste management and food storage. The Applicant has provided the following information regarding each:

#### Noise:

*I have trained greyhounds using registration tags until this application and never had problems with barking dogs. Having said that I have an ultrasonic devise(sic) that eliminates barking in new arrivals or pups, a spray water bottle to squirt diluted lemon juice on the face also discourages such behaviour.*

*Also barking muzzles can be used under supervision which I also possess. There is a reference letter from GRSA (Greyhound Racing SA) available and already lodged with the animal management division in Council.*

Council's Health Department has suggested that the noise levels of the dogs should not exceed 52dBA during the day and 45dBA during the night. However, it is not possible to condition nor enforce that the dogs do not exceed these noise levels as part of this application.

It should be noted that if an approval is granted, it will not limit the ability of Council to undertake compliance action in relation to noise nuisance under the *Environmental Protection Act 1993* and the *Environment Protection (Noise) Policy 2007*. This is the same process as if two dogs held at a property were creating a nuisance by barking.

It is accepted that due to the increased number of dogs that there is a higher possibility of barking and noise. However, this is mitigated by the inherent nature of the dog breed as well as the number of methods the Applicant proposed to use to reduce or eradicate the potential noise from barking.

Waste management:

*Waste will be picked up using a pooper scooper and disposed of same as any other household pet.*

This is supported by the comments made by Council's Health Department.

Food Storage:

*Food will be stored in the airtight containers in the fridge in the kitchen.*

The dogs will spend most of their time within the pens whilst at the property. This is because they are exercised at the Angle Park track, on a dog walking machine or on a leash and muzzle when in public. There are three existing pens that are located under the rear verandah of the dwelling. They are approximately 10m<sup>2</sup> in area and each has its own kennel. They are located the following distances from the closest point of the Representors' dwellings:

50m - Gloria Berni (8a James Street)  
50m - Michael Kemp and Naomi Blacker (8 James Street)  
35m - Tom Pickering (23 Glenburnie Terrace)  
50m - Michael Dunning (5/14 Henry Street)

It is reasonable to expect that if a dog does bark that it will be able to be heard from these properties. However, Greyhounds are generally quiet dogs and do not tend to bark much. The Greyhound Adoption Program Queensland website states the following:

*They tend not to bark, and rarely alert owners to the arrival of strangers at their home. Do not expect a Greyhound to make a good watchdog – they are indeed adept at “watching”, but that’s about the extent of their protectiveness over your household.*

As this is the predisposition of Greyhounds, and the Applicant has a number of methods to prevent any barking that may occur, it is considered that the dogs will pose a negligible impact on the amenity of the area.

**SUMMARY**

The proposed land use of keeping up to four dogs at 11 James Street is an unusual land use to be occurring within an Urban Corridor Zone and residential area, however, due to the number, location and management of the dogs, it is not considered to be severely detrimental to the amenity of the adjoining properties and residential land uses.

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 30 May 2017 and warrants Development Plan Consent.

**Attachments**

1. **Cover letter, Site Plan and Floor Plan**
2. **Representations and Applicant's Response**
3. **Health Referral**

11 James Street,  
Plympton, SA 5038

24 August 2017

City of West Torrens,  
*attn: Development and Planning*  
165 Sir Donald Bradman Drive,  
Hilton, SA 5032

**Development Plan – Class 1a to Class 6 reclassification for greyhound racing and boarding**

Dear Sir/Madam,

Please find attached a development and planning application to repurpose the property for the purpose of training and maintaining a maximum of four (4) racing greyhounds on property. This application is a continuation and ongoing matter arising from my submission of a Form 5 registration of a property for the purpose of greyhound training. That letter was submitted to the Dog and Cat management and compliance division within council in July 2017.

The sole purpose of this application is to permit the keeping of a maximum of four dogs on property. Presently the house is a Class 1a residence. No other changes are required than reclassification as a Class 6 property for the provision of services (greyhound training and keeping).

The property is primarily a residential dwelling whereby I train greyhounds on behalf of members of the public (i.e. owners and syndicate members). I am a Tier 2 (licenced public trainer with Greyhound Racing South Australia). The property is not open to unlicensed members of the public. Only persons licensed with greyhound racing may visit or handle the dogs. It is not of a retail nature.

In summary:

Days and Hours of operation – primary residence with four dogs trained and housed on site  
Maximum number of staff – Two, a trainer (myself) and my kennel hand.  
Maximum number of customers on site – Two people, when and if visiting their dogs on site  
Delivery vehicles – Nil  
Machinery or specialist equipment – Nil  
Chemicals or dangerous goods – Nil  
Signage or displays – Nil

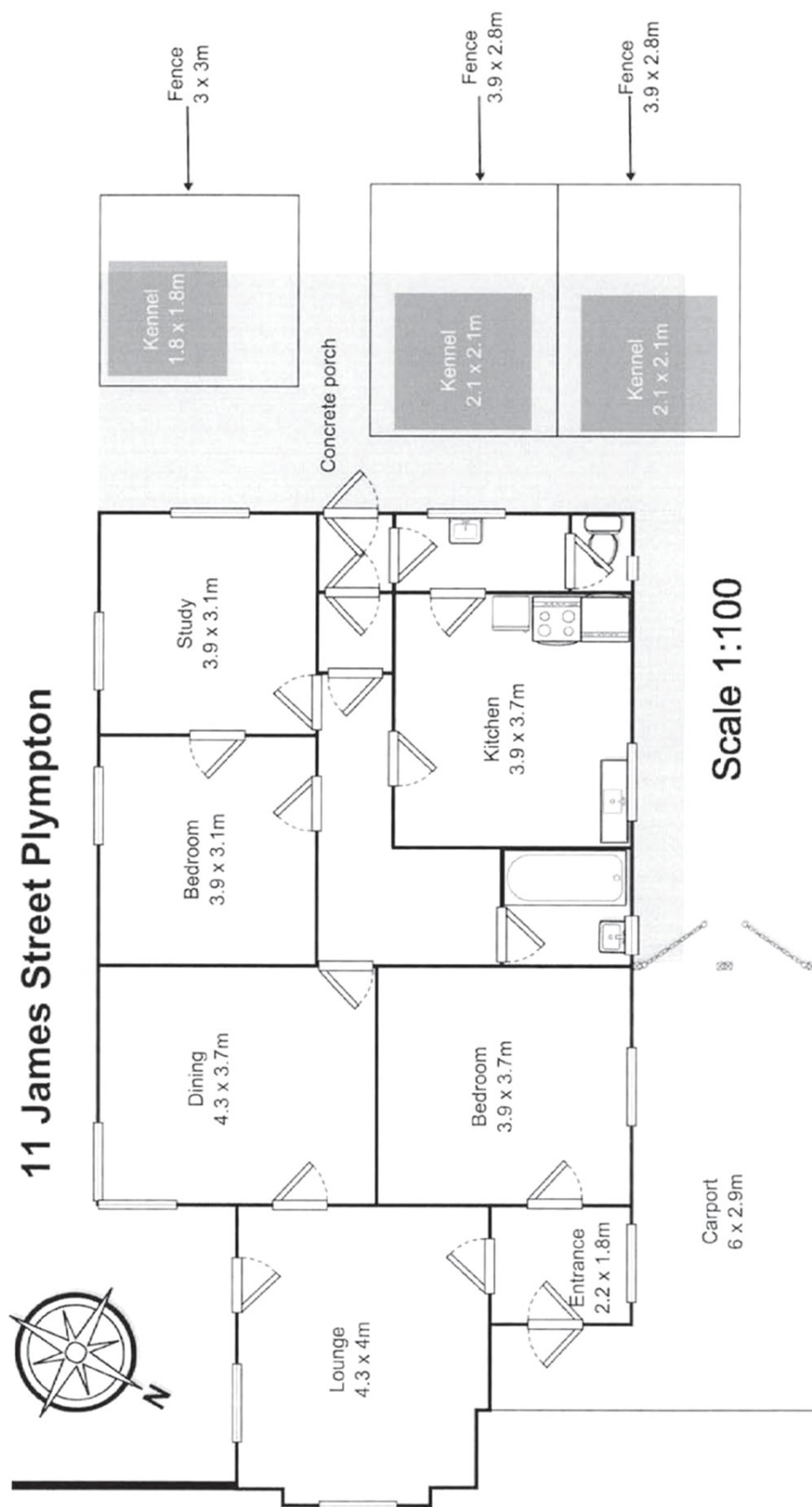
Should you have any queries in relation to this application or require further information please contact me directly on my mobile number 0432043341.

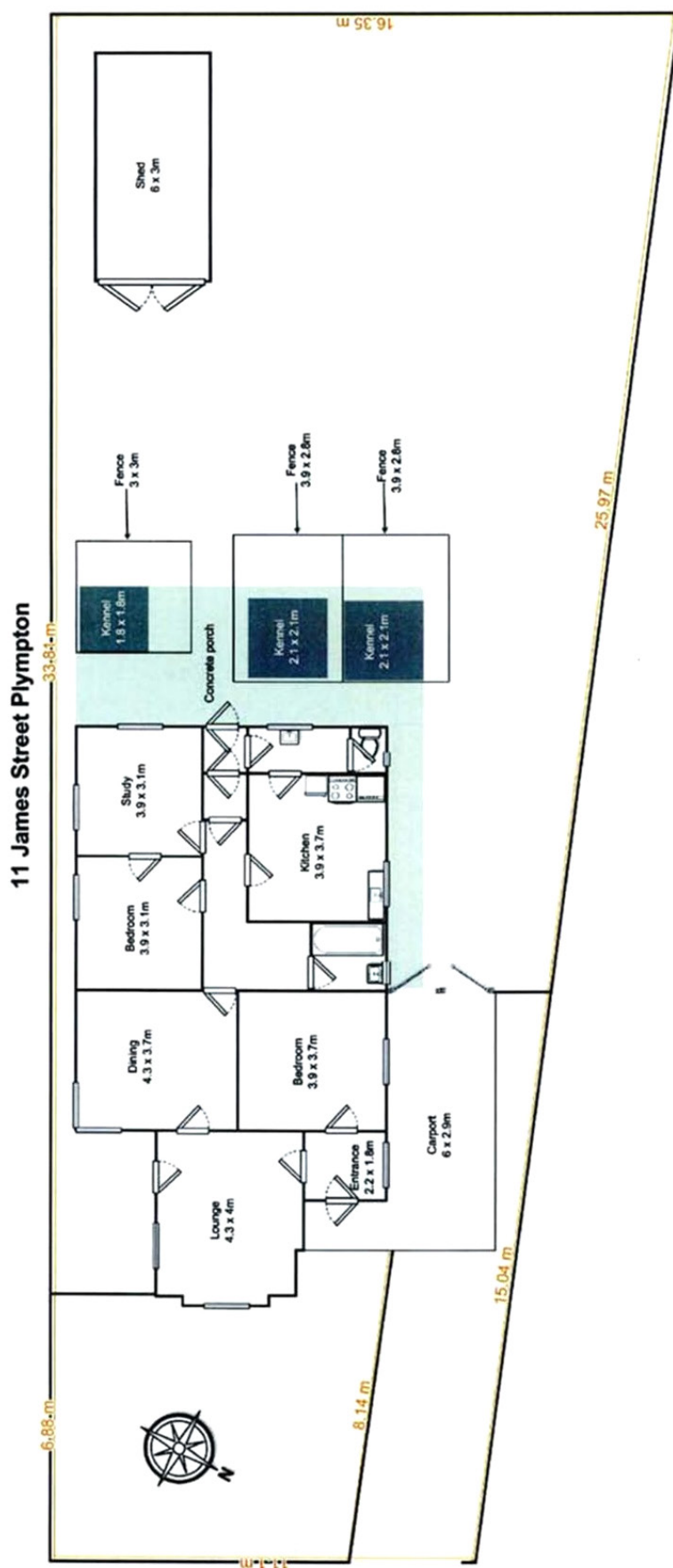
Page 1 of 2

Sincerely,

Jason Caley.  
*email: [jasonscaley@netscape.net](mailto:jasonscaley@netscape.net)*  
*mobile: 0432 043 341*





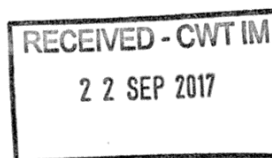


**STATEMENT OF REPRESENTATION**  
**Pursuant to Section 38 of the Development Act, 1993**

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

DEVELOPMENT No. 211/1052/2017  
 PROPERTY ADDRESS: 11 James Street, PLYMPTON SA 5038

YOUR FULL NAME	Mr Tom Pickering
YOUR ADDRESS	23 Glenburnie Tce Plympton 5038
YOUR PHONE No	0413 228878
YOUR EMAIL	tom.to.you@gmail.com
NATURE OF INTEREST	(eg. Adjoining resident, owner of land in the vicinity etc.)
REASON/S FOR REPRESENTATION I oppose this application. At present there is already excessive noise coming from this property, namely dog(s) barking at all hours of day or night whenever owner is absent from the property.	
MY REPRESENTATIONS WOULD BE OVERCOME BY (state action sought) No dog barking.	



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 ☒

I DESIRE TO BE REPRESENTED BY \_\_\_\_\_ ☐

(PLEASE SPECIFY)

SIGNED

DATE 19<sup>th</sup> Sep 2017

Responsible Officer: Jordan Leverington  
 Ends: Wednesday 4<sup>th</sup> October 2017

If space insufficient, please attach sheets

**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. 211/1052/2017  
 PROPERTY ADDRESS: 11 James Street, PLYMPTON SA 5038

YOUR FULL NAME	Michael Kemp & Naomi Blacker
YOUR ADDRESS	8 James Street, Plympton SA 5038
YOUR PHONE No	0429 826 093
YOUR EMAIL	michaelhome@internode.on.net
NATURE OF INTEREST	Owner of property in the vicinity. <i>(eg. Adjoining resident, owner of land in the vicinity etc.)</i>
<b>REASON/S FOR REPRESENTATION</b>  Application, if approved, will enable potential for boarding kennels. We object to the strong likelihood of dogs barking, noise, loss of amenity, and we believe such a development would result in property values decreasing. We do not believe boarding kennels are suitable for such a high density residential area.	
<b>MY REPRESENTATIONS WOULD BE OVERCOME BY</b> The application not being approved.	

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

☒

I DESIRE TO BE REPRESENTED BY \_\_\_\_\_

☐

(PLEASE SPECIFY)

SIGNED



DATE 29.9.17

Responsible Officer: Jordan Leverington  
 Ends: Wednesday 4<sup>th</sup> October 2017

**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. 211/1052/2017  
 PROPERTY ADDRESS: 11 James Street, PLYMPTON SA 5038

YOUR FULL NAME	MICHAEL DAVID DUNNING
YOUR ADDRESS	43 BRIDGE ST. KEASINGTON P.O. BOX 3294 NORWOOD S.A. 5067
YOUR PHONE No	m: 0438 843 192
YOUR EMAIL	mike@amari-pro.com.
NATURE OF INTEREST	owner of adjoining property @ 5/14 Henry St. PLYMPTON (eg. Adjoining resident, owner of land in the vicinity etc.)
REASON/S FOR REPRESENTATION	It is wholly unsuitable to have a quantity of animals (more than two) in proximity to so many rate paying / tenanted properties and human residents.
MY REPRESENTATIONS WOULD BE OVERCOME BY (state action sought)	I repeat that I do not wish to have intensive animal keeping at the adjoining property to my own.

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 ☒

I DESIRE TO BE REPRESENTED BY ☐

(PLEASE SPECIFY)

SIGNED

*M.D. Dunning*

DATE

24/9/17

Responsible Officer: Jordan Leverington  
 Ends: Wednesday 4<sup>th</sup> October 2017

If space insufficient, please attach sheets



**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. 211/1052/2017  
PROPERTY ADDRESS: 11 James Street, PLYMPTON SA 5038

YOUR FULL NAME	GLORIA BERNI
YOUR ADDRESS	8A JAMES STREET, PLYMPTON
YOUR PHONE No	0431827652
YOUR EMAIL	berniburns40@yahoo.com
NATURE OF INTEREST	Owner of property across the Road <i>(eg. Adjoining resident, owner of land in the vicinity etc.)</i>
<b>REASON/S FOR REPRESENTATION</b> <ul style="list-style-type: none"> <li>- I oppose my neighbour's application to change the residential status of his property at 11 James Street, Plympton to 'intensive animal keeping'.</li> <li>- The status of 'intensive animal keeping' in a residential zoned suburb gives the applicant the opportunity to have more than the maximum allowance of 4 dogs and the option to undertake breeding and or boarding kennels which I oppose as there would be excessive noise, hygiene issues and animal smells.</li> <li>- James Street is a peaceful residential street with lots of families and children and should remain that way.</li> </ul>	
<b>MY REPRESENTATIONS WOULD BE OVERCOME BY</b> (state action sought) <ul style="list-style-type: none"> <li>- Owner of No. 11 can keep the maximum number of dogs allowed by council (which I believe is 4) as long as they are kept under strict control.</li> </ul>	

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

YES

I DESIRE TO BE REPRESENTED BY \_\_\_\_\_  
(PLEASE SPECIFY)

☐

SIGNED *Gloria Berni*

DATE 29.9.17

**Responsible Officer: Jordan Leverington**  
**Ends: Wednesday 4<sup>th</sup> October 2017**

11 James Street,  
Plympton, SA 5038

11 October 2017

City of West Torrens,  
*attn: Jordan Levrington - Development and Planning*  
165 Sir Donald Bradman Drive,  
Hilton, SA 5032

**Development Plan 211/1052/2017 – Applicant response to representations received pursuant to s.38 of the Development Act 1993**

Dear Mr Levrington,

Thank you for your communiqué and opportunity to respond to each of the representations provided by Council dated 9 October 2017 and personally received by postal delivery on 10 October 2017.

I am comfortable to appear before the Development Assessment Panel with respect to any of these representations should this prove expedient or preferred in determining an outcome.

For the purposes of my response I will refer to the representative by full name and provide a brief summary response to the raised concerns and/or objections that have been noted within their representation(s).

1. GLORIA BERNI

I note that this representative raises concerns for the possibility of the property being used for breeding or boarding purposes. I am not seeking and will not undertake such activities. The principal and sole purpose for this application is to permit the keeping and training of a maximum of four (4) racing greyhounds on property. In most instances the number of greyhounds housed on site will not exceed three (3) dogs. The primary purpose of housing a fourth dog would be in instances where a dog is injured and spelling or awaiting retirement as a pet via the *Greyhound Adoption Program* or other rehoming initiatives available to retired ex-racing greyhounds.

I do not have the capacity nor intention to house more than four dogs on site at any given instance. It should also be noted that it is against the rules of racing to breed/whelp litters of racing stock without the relevant breeders license and facilities approved by Greyhound Racing South Australia.

As a licensed participant I am subject to random and scheduled inspections of my premises and would be liable to substantial fines, suspension and the possibility of disqualification if I were to undertake unlicensed breeding activities. I am a registered trainer, not a breeder and have no interest in breeding for the foreseeable future. If my interests were to move in this direction, I

Page 1 of 3

would be relocating to a relevant *animal husbandry* zone elsewhere in the State or interstate. I have no such intentions to breed animals now or in the foreseeable future.

## 2. N R BLACKER

There is no intention to have general use boarding kennels or have other than racing greyhounds on the property. I believe that the term 'intense animal keeping' is the primary cause of concern. This application is merely to house three racing greyhounds and possibly a fourth (injured, spelling or awaiting retirement status) hound on site at any given time. There is no intent to open the premises for mixed breeds or other breeds of canine. The respondent has indicated the potential for barking and a reduction in property values. I remind Council that dogs are presently housed on property and I have received no complaints save but one (to be addressed below), which was only received after this development application has been lodged.

Further, there is no evidence that property values would increase nor decrease as a direct consequence of housing dogs on a site. I would caution Council against making determinations on hearsay or conjecture or any other emotive speculation. To make this point clear, Plympton Vet Clinic located in the same municipality and jurisdiction provides general use boarding kennel services, yet surrounding property valuations only continue to increase. There has been no property valuation erosion or decrease in that instance. It is not a major point however as there is no intention to keep other than racing stock capped at four dogs maximum on the property. I merely draw exception and provide an example that counters a speculative property valuation comment.

## 3. TOM PICKERING

I appreciate the fact that this respondent has personally contacted me to discuss his objections, albeit after having filed a response with Council firstly. I have discussed the matter with Mr Pickering and although unable to substantiate his claim of a single dog barking excessively, I have taken steps to remediate his concerns. I am led to believe that Mr Pickering is satisfied with the actions taken.

I am so confident of my status in maintaining quiet and orderly dogs, that I welcome Council at any time to pass the property at random intervals (i.e. regulatory compliance) or to install a listening device around the carport area (with my permission and notification) to prove beyond any reasonable doubt that the dogs are quieter than regular mixed breed pets let alone children in the surrounds. It also should be noted that I spend a minimum of 130 hours per week on site to manage these dogs. It also should be noted that I travel interstate with the entire kennel periodically for up to three weeks at a time. It is simply not possible for dogs to be barking on site when the entire premises are vacant of both canine and humankind.

In summary I have accepted the comments of the respondent in good faith and taken actions to satisfy Mr Pickering concerns.

#### 4. M D DUNNING

This response appears to be subjective in nature and basis. I consider this response on a prima facie basis merely an emotive opinion with little basis in law or substance. My development application has been based on application of legislation and supporting regulation(s).

Should you have any queries in relation to these responses or require further information please contact me directly on my mobile number 0432043341 or by email.

Sincerely,

Jason Caley.



## Memo

To Jordon Leverington  
From Deepti Sethi  
Date 21/09/2017  
Subject Ancillary Canine Training and Boarding Facility

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Reference is made to the DA 211/1052/2017 submitted on behalf of Jason Caley residing at 11 James Street, PLYMPTON SA 5038 submitted to the Environmental Health Department for comment regarding the proposed use of land for an ancillary canine training and boarding facility.

When considering the proposal the environmental health issues of noise, odour, waste and pest control need to be taken into consideration. Therefore, reference is made to the *Environmental Protection (Noise) Policy 2007* and the *Local Nuisance and Litter Control Act 2016*.

Noise is the biggest environmental health concern with the proposal and is the most likely to impact on properties located within the vicinity. I would advise that the noise level must not exceed 52dBA during the day ie. between 7.00 a.m. and 10.00 p.m, and should not exceed 45 dBA during the night ie. between 10 pm to 7am.

Waste and odour should not pose to be an issue if the waste is collected, stored and removed from site regularly and appropriately.

Should you require further information, please contact me on 8416 6279

Regards

Deepti Sethi  
Acting Team Leader Environmental Health



### 6.3 6 Aldridge Terrace, MARLESTON

Application No 2111/1250/2016 and 211/1562/2016

#### DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	211/1250/2016 - Construct a two storey residential flat building comprising three (3) dwellings with front porticos, attached verandahs and garages under main roof, and a 1.8m high masonry wall to Aldridge Terrace frontage	211/1562/2016 (211/C216/16) - Land Division - Create three (3) additional allotments
APPLICANT	Emma Gesuato	Mr Wayne Henson
LODGEMENT DATE	8 December 2017	7 December 2016
ZONE	Residential Zone	
POLICY AREA	Medium Density Policy Area 19	
APPLICATION TYPE	Merit	
PUBLIC NOTIFICATION	Category 2	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> <li>City Assets</li> </ul> External <ul style="list-style-type: none"> <li>State Planning Commission</li> <li>SA Water</li> </ul>	
DEVELOPMENT PLAN VERSION	5 May 2016	
MEETING DATE	14 November 2017	

#### RECOMMENDATION 1

The Council 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. 211/1562/2016 by Mr Wayne Henson to undertake Land Division - Create three (3) additional allotments at 6 Aldridge Terrace, Marleston (CT5305/482) subject to the following conditions of consent :

##### DEVELOPMENT PLAN CONSENT

##### Council Conditions

- The development must be undertaken and completed in accordance with the plans prepared by Donaghey Surveyors Pty Ltd, Ref F214516 except where varied by any condition(s) listed below:

##### LAND DIVISION CONSENT

##### Council Conditions

- Prior to the issue of clearance, existing buildings and structures on the subject land shall be removed.

## State Planning Commission and SA Water Corporation Conditions

2. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services (H0053944).

SA Water Corporation further advise that an investigation will be carried out to determine if the water and/or sewer connection/s to your development will be costed as standard or non-standard.

3. Payment of \$13,352 into the Planning and Development Fund (2 allotment(s) @ \$6,676/allotment).  
Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (7109 7018), by cheque payable to the State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
4. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Planning Commission for Land Division Certificate purposes.

## RECOMMENDATION 2

The Council 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. 211/1250/2016 by Emma Gesuato to construct a two storey residential flat building comprising three (3) dwellings with front porticos, attached verandahs and garages under main roof, and a 1.8 metre high masonry wall to Aldridge Terrace frontage at 6 Aldridge Terrace, Marleston (CT5305/482) subject to the following conditions of consent:

### DEVELOPMENT PLAN CONSENT

#### Council Conditions

1. The development shall be undertaken and completed in accordance with the plans by Selah Homes, Amended 4 October 2017, Drawn by D.J.G. Sheets 1-6 and information details in the application except where varied by any condition(s) listed below:
2. That the finished floor level shall be in accordance with the plans provided by FMG Engineering and Project Management, Site ID S35523 255668, Drawing No HC01, Rev B.
3. That all stormwater design and construction will be in accordance with the Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:
  - a. result in the entry of water into a building; or
  - b. affect the stability of a building; or
  - c. create unhealthy or dangerous conditions on the site or within the building; or
  - d. flow or discharge onto the land of an adjoining owner, and not flow across footpaths or public ways.
4. That any retaining walls be designed to accepted engineering standards, and not of timber construction if retaining a difference in ground level exceeding 200mm.
5. That all driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained, and shall be maintained in reasonable condition at all times.

6. That all landscaping will be planted in accordance with the approved plans prior to the occupancy of the development. Any person(s) who have the benefit of this approval will cultivate, tend and nurture the landscaping, and shall replace any landscaping which may become diseased or die.
  7. That all upper level balconies and windows of the dwellings will be provided with fixed obscured 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 the occupation of the building. The glazing in these balconies and windows will be maintained in reasonable condition at all times.
  8. External materials and finishes must be low-light reflective.
- 

## BACKGROUND

The development proposal is presented to the Council Assessment Panel (CAP) for the following reason:

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

## PREVIOUS OR RELATED APPLICATION(S)

Nil

## SITE AND LOCALITY

The subject site is regular in shape with a frontage to Aldridge Terrace of 16.15 metres and totalling 713.8m<sup>2</sup>. A detached dwelling that includes a number of additions and garage to rear of dwelling exists on the site.

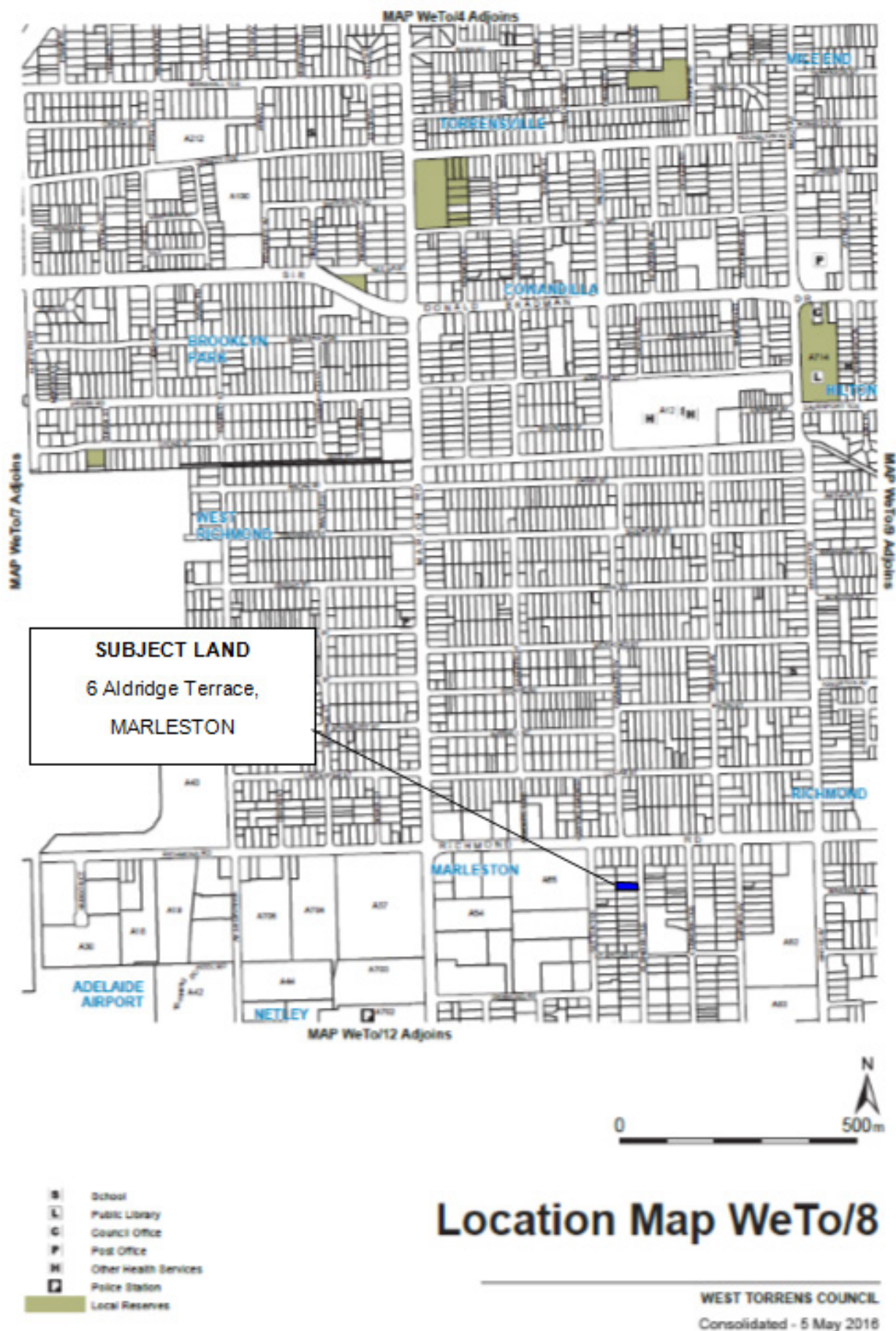
The locality predominantly consists of detached dwellings on 700m<sup>2</sup> allotments. There are examples of increased densities within the locality in more recent years with four single storey dwellings at 3 and 5 Aldridge Terrace on allotments of approximately 357m<sup>2</sup> and 8 metre frontages. There is a 1970s style cream brick residential flat building to the south of the subject site that presents with a blank wall to the street. There is a retirement village bound by Aldridge Terrace, St Anton Street and Cudmore Terrace to the southeast of the subject site. The residential area provides a mix of allotment sizes with single storey dwellings, group dwellings and residential flat buildings.

Richmond Road, a secondary arterial road with a public transport route, is 75 metres to the north of the subject site and has a range of commercial businesses and there is industry to the west of the subject site.

The subject land and locality map follows:









## PROPOSAL

Application 211/1250/2016 proposes:

- Construction of a two storey residential flat building comprising three (3) dwellings with front porticos, attached verandahs and garages under main roof, and a 1.8 high masonry wall.

Application 211/1562/2016 (211/C216/16) proposes a Community Title Land Division to create three (3) additional allotments.

The plans and details are included in **Attachment 1** of this report.

## PUBLIC NOTIFICATION

Application 211/1562/2016 (211/C216/16) is a Category 1 form of development pursuant to Schedule 9, Part 2 (2) (f) of the *Development Regulations 2008*.

Application 211/1250/2016 is a Category 2 form of development pursuant to Schedule 9, Part 2 (18) (b) of the *Development Regulations 2008*.

<b>Properties notified:</b>	18 properties were notified during the public notification process.
<b>Representations:</b>	Two representations were received: <ul style="list-style-type: none"> <li>• Darren Wolter of 4 Aldridge Terrace, Marlestone</li> <li>• Jaqueline Papps of 3A Aldridge Terrace, Marlestone</li> </ul>
<b>Persons wishing to be heard:</b>	Nil representors identified that they wish to address the Panel.
<b>Summary of Representations:</b>	Concerns were raised regarding the following matters: <ul style="list-style-type: none"> <li>• Balconies overlooking the adjoining properties;</li> <li>• Development will cause additional loss of on street parking;</li> <li>• Garages too small for parking.</li> </ul>

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

- Confirmed that there are no balconies being constructed as part of the development.
- All windows with potential overlooking will have 1700mm high fixed obscure glazing.
- The development allows for seven (7) car spaces, i.e. double garaging for each dwelling plus one additional visitor space for the total development.

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

## REFERRALS

### Internal

- City Assets

Concerns were raised regarding the following matters:

- Finished floor levels.
- Information regarding verge interaction with street infrastructure.
- Internal garage length should be 5.8 metres and width of garages increased to accommodate improved and compliant vehicle manoeuvrability.

The following concerns remain outstanding:

- Nil.

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

### External

Application 211/1562/2016 was referred to:

- State Planning Commission
- SA Water Corporation.

A full copy of the relevant report is attached, refer **Attachment 4**.

## ASSESSMENT

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

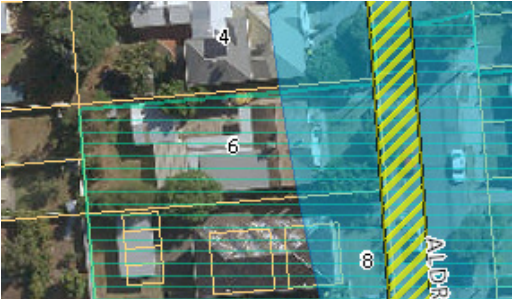
<u>General Section</u>		
Crime Prevention	Objectives	1
	Principles of Development Control	1, 2, 3, 6, 7, 8, 10
Design and Appearance	Objectives	1, 2
	Principles of Development Control	1, 2, 3, 4, 5, 9, 10, 11, 12, 13, 14, 15, 21
Energy Efficiency	Objectives	1
	Principles of Development Control	1, 2
Infrastructure	Objectives	1, 2, 3
	Principles of Development Control	1, 2, 3, 4, 5, 6, 8, 9
Land Division	Objectives	1, 2, 3, 4
	Principles of Development Control	1, 2, 4, 5, 6, 8, 11, 12
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
Residential Development	Objectives	1, 2, 3, 4
	Principles of Development Control	1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27, 28, 29, 30, 31
Transportation and Access	Objectives	1, 2
	Principles of Development Control	1, 8, 10, 11, 18, 23, 24, 34, 35, 36, 43, 44

<b>Zone: Residential Zone</b>	
<b>Desired Character Statement:</b>	
<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 <b>Historic Conservation Area</b>.</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>	
<b>Objectives</b>	1, 2, 3, 4
<b>Principles of Development Control</b>	1, 5, 7, 10, 11, 12

<b>Policy Area: Medium Density Policy Area 19</b>	
<b>Desired Character Statement:</b>	
<p><i>Allotments in this policy area will be at medium density, accommodating a range of dwelling types including semi-detached, row and group dwellings, as well as some residential flat buildings and some detached dwellings on small allotments. There will be a denser allotment pattern close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones.</i></p> <p><i>New buildings will contribute to a highly varied streetscape. Buildings will be up to 2 storeys, except for allotments fronting Brooker Terrace, Marion Road and Henley Beach Road, and overlooking the Westside Bikeway, where buildings will be up to 3 storeys in height and provide a strong presence to streets. Garages and carports will be located behind the front facade of buildings.</i></p> <p><i>Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer.</i></p>	
<b>Objectives</b>	1
<b>Principles of Development Control</b>	1, 2, 3, 4, 5, 7

## QUANTITATIVE ASSESSMENT

The proposal is assessed for consistency with the prescriptive requirements of the Development Plan as outlined in the table below. Note: further discussion on the difference between allotment area and site area, as well as the impact of the 400 metre Centre Zone buffer can be found later in the qualitative assessment section of the report.

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
<b>LAND DIVISION</b>		
ALLOTMENT AREA Module: Medium Density Policy Area 19 PDC 7	270m <sup>2</sup>	Allotment 1: 136m <sup>2</sup> Allotment 2: 118m <sup>2</sup> Allotment 3: 144m <sup>2</sup>  132.7m <sup>2</sup> (average)  <b>Does Not Satisfy by 50.9%</b>
FRONTAGE WIDTH (LAND DIVISION) Module: Medium Density Policy Area 19 PDC 7	9m	16.2 metres  <b>Satisfies</b>
<b>DWELLINGS - ONE RESIDENTIAL FLAT BUILDING COMPRISING THREE DWELLINGS</b>  <p>Approximately the front third of 6 Aldridge Terrace is within 400 metres of a Centre Zone, therefore relevant policy should be applied to the proposed site for Dwelling 1 (Principle of Development Control 5). Proposed Dwellings 2 and 3 are outside of the 400 metre Centre Zone therefore relevant policy should be applied to the sites for Dwellings 2 and 3 (Principle of Development Control 4).</p>		
SITE AREA (DWELLING 1) Module: Medium Density Policy Area 19 PDC 5	150m <sup>2</sup> (average)	136m <sup>2</sup> (Dwelling 1 only)  <b>Does Not Satisfy by 9.3%</b>
SITE AREA (DWELLINGS 2 AND 3) Module: Medium Density Policy Area 19 PDC 4	270m <sup>2</sup> (average)	131m <sup>2</sup> (average site area of Dwellings 2 and 3)  <b>Does Not Satisfy by 51.5%</b>

FRONTAGE WIDTH (DWELLINGS 1, 2, 3) Module: Medium Density Policy Area 19 PDC 4 and 5	15 metres (for complete building)	16.2 metres <b>Satisfies</b>
SITE COVERAGE Module: Medium Density Policy Area 19 PDC 3	60%	292m <sup>2</sup> (built area) = 40.9% <b>Satisfies</b>
STREET SETBACK Module: Medium Density Policy Area 19 PDC 3	3 metres	3 metres <b>Satisfies</b>
REAR SETBACK Module: Medium Density Policy Area 19 PDC 3	6 metres	5.2 metres <b>Does Not Satisfy</b>
SIDE SETBACKS Residential Zone PDC 11	Side Walls up to 3m = 1m Walls between 3m and 6m = 2m	<u>Single storey components</u> (southern) <u>Dwellings 1 - 3</u> 2.5 metres <b>Satisfies</b> <u>Two storey components</u> (southern) <u>Dwellings 1 - 3</u> 3 metres <b>Satisfies</b>
LANDSCAPING Module: Landscaping, Fences & Walls PDC: 4	10%	11.9% <b>Satisfies</b>
STORAGE Module: Residential Development PDC 31	8m <sup>3</sup>	Dwellings 1-3 = 8m <sup>3</sup> <b>Satisfies</b>



CARPARKING SPACES Module: Transportation and Access PDC 34	2 car-parking spaces required, one of which is undercover plus an additional 0.25 spaces per dwelling	7 provided  <b>Satisfies</b>
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## QUALITATIVE ASSESSMENT

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

### Site Area / Allotment Area

The allotment area requirement for land division (Principle of Development Control 7 of Policy Area 19) is 270m<sup>2</sup>, consistent with the site area requirements for dwellings that are in excess of 400 metres from the Centre Zone (Principle of Development Control 4 of Policy Area 19). A lesser site area of 150m<sup>2</sup> (average) is applicable to residential flat buildings within 400 metres of a Centre Zone (Principle of Development Control 5 of Policy Area 19). In this instance, only the front dwelling is within 400 metres of a Centre Zone, therefore the lesser site area requirement technically only applies to this dwelling. However, practically speaking, the other occupants of the two rear sites (dwellings 2 and 3) will also be within 400 metres of a Centre Zone as soon as they enter or exit the allotment via the common driveway.

Despite the applicant reducing the proposal from four dwellings to three dwellings and reviewing this development against the quantitative requirements of the allotment area and site areas, as in the table above, there remain significant numerical shortfalls of the proposed development.

The zoning and policy area's desired character is seeking medium density and specifically references 'residential flat buildings' as an acceptable dwelling form. The locality is such that there is a mix of densities including a residential flat building (containing four dwellings) adjacent and to the south of the subject site at 8 Aldridge Terrace, Marlestone and 9 Aldridge Terrace, Marlestone (containing four dwellings) therefore the allotment size and type of built form is not considered out of character with the locality.

The site is in close proximity to Richmond Road where there is available public transport, making it a suitable location for medium density development as proposed.

### Rear Setback

The development falls 0.8 metres short of the minimum rear setback in Principle of Development Control 3 of Medium Density Policy Area 19. This was reduced with the final plan in order to accommodate additional width within the garages to achieve compliant vehicle manoeuvrability.

The dwellings to the rear on 5 and 5A Sutton Terrace have a rear setback of 14 metres. The impact of a reduced setback from the minimum to 5.2 metres is considered to have a negligible impact on the rear dwellings and others within the locality.

## **SUMMARY**

While the development significantly falls short of the land division and dwelling area requirements, the proposal meets all of the other relevant quantitative requirements as specified above. The applicant has added some additional design treatments to the front elevation to improve the front elevation and this has improved the presentation of the development to the street.

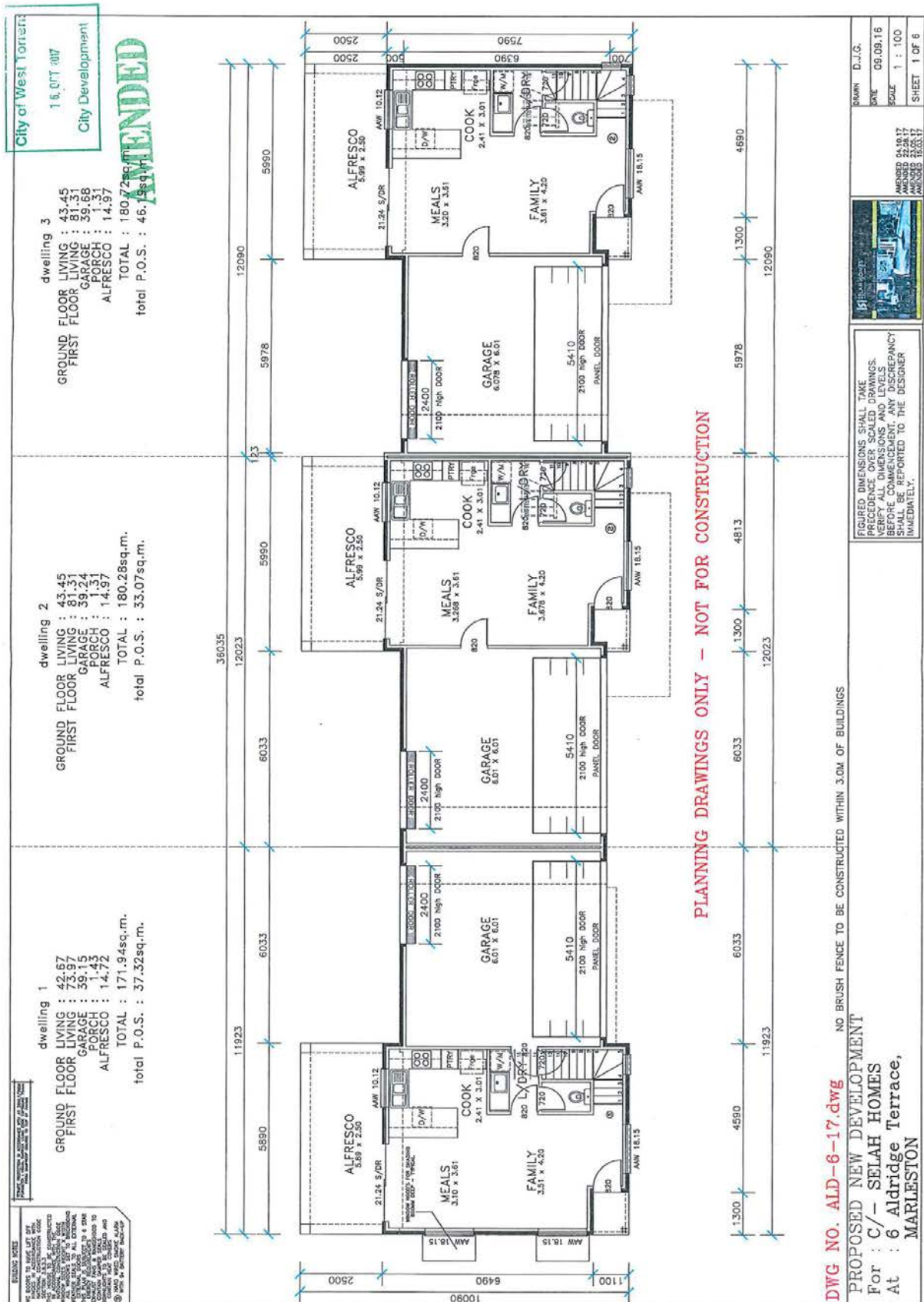
The overshadowing diagrams present a reasonable degree of overshadowing of the residential flat building to the south, however, its open space to the west of the building adjacent the carport experiences a reasonable degree of sunlight during winter solstice. Overall the overshadowing impact is not considered to be detrimental to the immediately adjoining allotments.

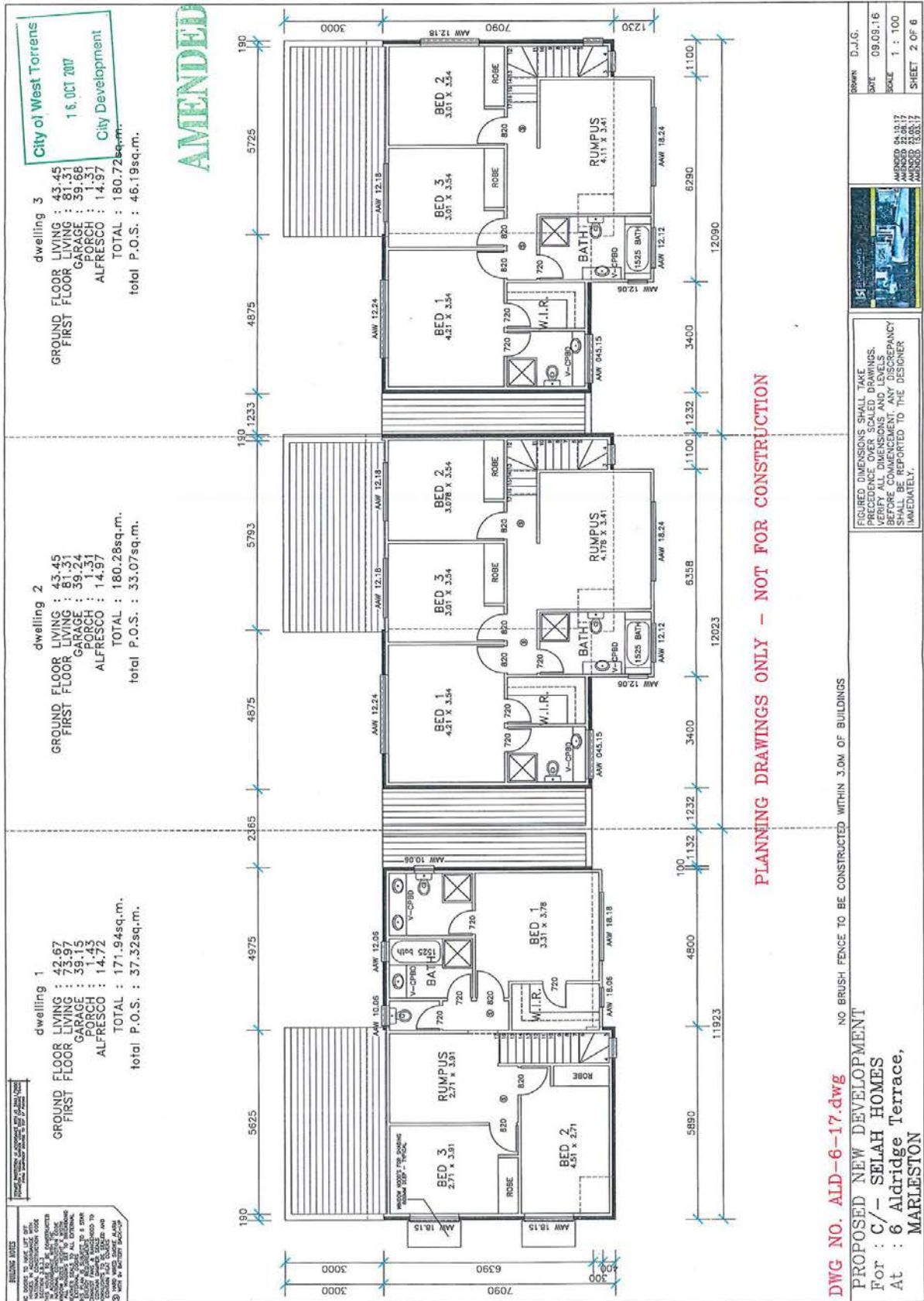
Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is considered to be not seriously at variance with the Development Plan.

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

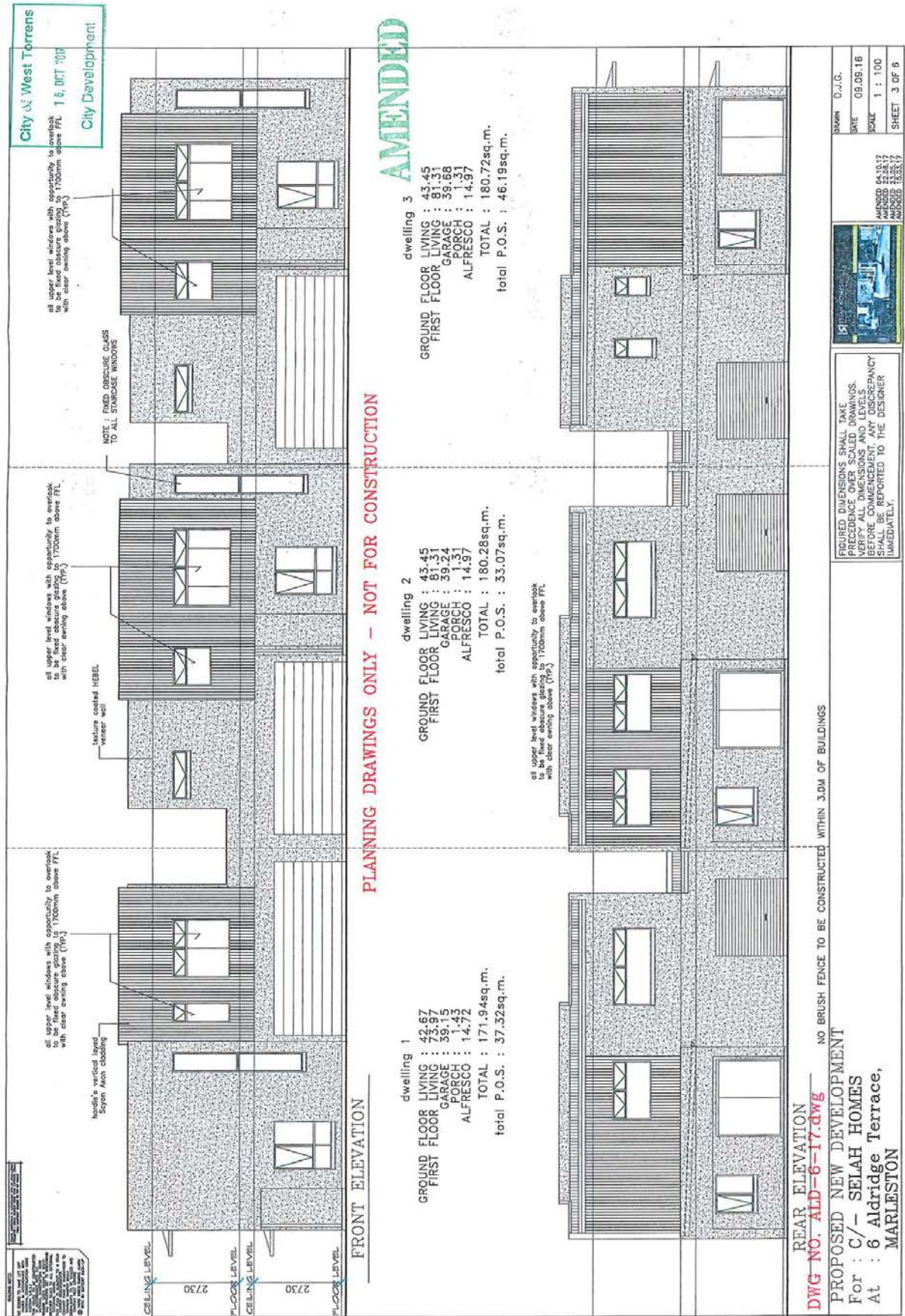
## **Attachments**

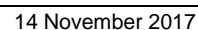
- 1. Proposal Plans**
- 2. Representations and Response to Representations**
- 3. Internal Referrals**
- 4. External Referral**



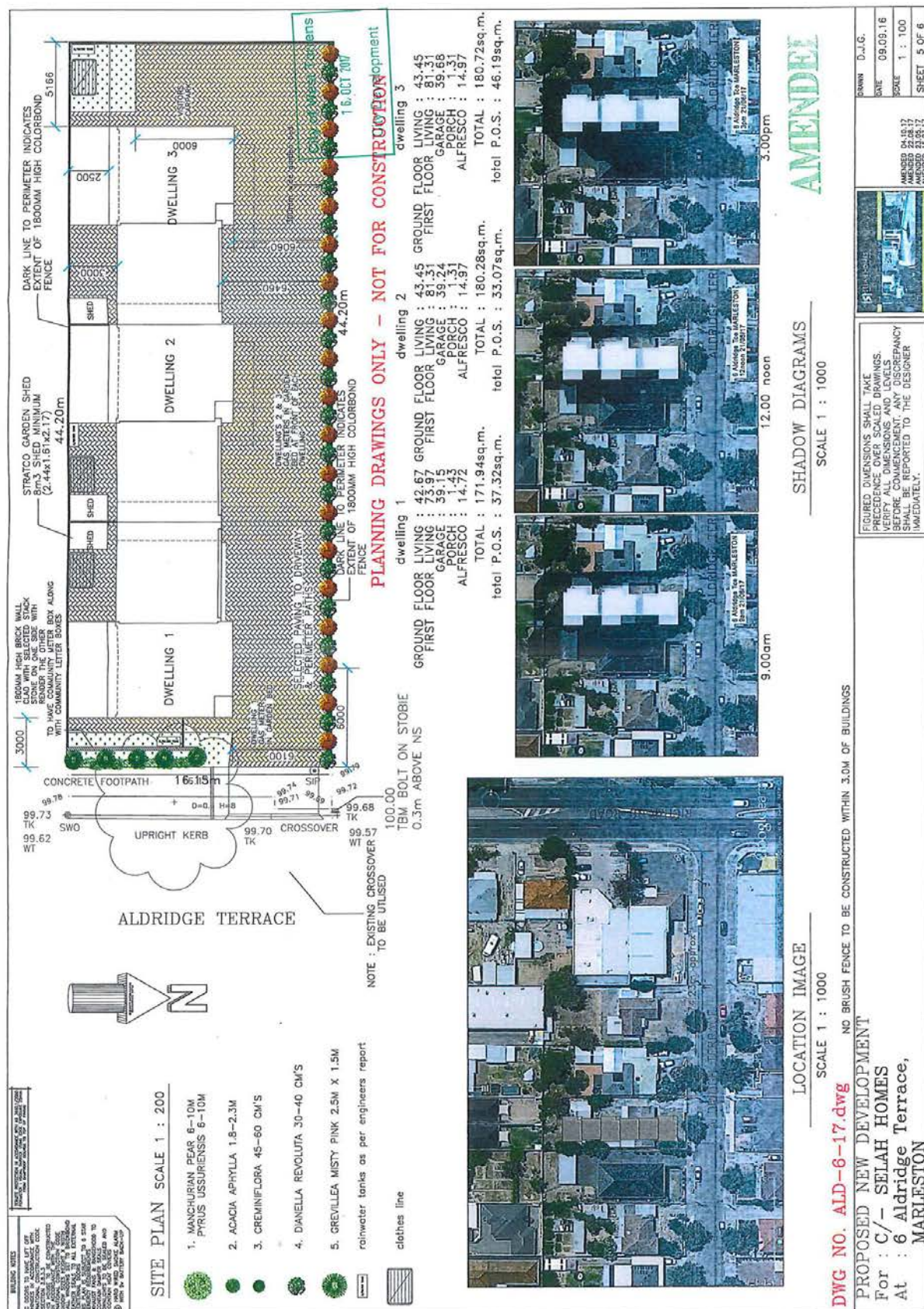






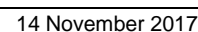




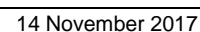




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Sonia Gallarello  
City of West Torrens  
Civic Centre  
165 Sir Donald Bradman Drive  
Hilton SA 5033



10<sup>th</sup> July 2017

RE: Development Application 211/1250/2016



Dear Sonia,

In response to your letter dated 30<sup>th</sup> June 2017 regarding the public notification of proposal, we wish to respond to the concerns mentioned by D A Wolter and J M A Papps.

Regarding the balcony concern, there are no balconies being constructed as part of the development. Selah Homes have no intent of constructing any balconies on this site in the future. Per the specifications detailed on the plan, all windows with the opportunity to overlook will have fixed obscure glazing to 1700. When referring to the plans, sheet 3 of 6 shows part of the alfresco roof showing over the garage doors in the rear elevation, perhaps this could have been interpreted as a balcony to the adjoining resident.

In regards to the parking concern, Selah Homes have allowed for a double garage for each dwelling and also a visitors carpark on the site, totalling 7 car spaces.

If you require any further information please do not hesitate to contact me on 8431 1644.

Sincerely,

A handwritten signature in black ink, appearing to read "Laura Zub".

Laura Zub  
Project Coordinator

A: Level 2, 229 Greenhill Road, Dulwich SA 5065 T: 08 8431 1644 BLD: 248044



**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. 211/1250/2016  
 PROPERTY ADDRESS: 6 Aldridge Terrace, MARLESTON SA 5033

YOUR FULL NAME	Darryn Walter	City of West Torrens 28 JUN 2017 City Development
YOUR ADDRESS	4 Aldridge tee. Marleston	
YOUR PHONE No	0438 001 014	
YOUR EMAIL	darrynandcheryl@yahoo.com	
NATURE OF INTEREST	Adjoining resident <small>(eg. Adjoining resident, owner of land in the vicinity etc.)</small>	
REASON/S FOR REPRESENTATION Concern regarding balcony in surveyors drawing on 2 of the buildings that would overlook my back yard. SCANNED JUN 23 17 REF No. A2015605		
MY REPRESENTATIONS WOULD BE OVERCOME BY (state action sought) Removal of balconies in documents submitted to council for approval.		

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 ☐

I DESIRE TO BE REPRESENTED BY \_\_\_\_\_ ☐

(PLEASE SPECIFY)

SIGNED

DATE 26/6/17

Responsible Officer: Sonia Gallarello  
 Ends: Tuesday 27 June 2017

If space insufficient, please attach sheets



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

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

City of West Torrens

15 JUN 2017

City Development

DEVELOPMENT No. 211/1250/2016  
 PROPERTY ADDRESS: 6 Aldridge Terrace, MARLESTON SA 5033

YOUR FULL NAME	JACQUILINE MAY ANN PAPPS
YOUR ADDRESS	3A ALDRIDGE TCE MARLESTON SA 5033
YOUR PHONE No	
YOUR EMAIL	jacqui.papps@gmail.com
NATURE OF INTEREST	Neighbour opposite (eg. Adjoining resident, owner of land in the vicinity etc.)
<b>REASON/S FOR REPRESENTATION</b> Already concerned at lack of Street parking. Most new Courtyard homes are being passed by Council where garages are TOO SMALL to house Normal vehicle. Most households have 2 cars. This means homeowners park in driveway + second vehicle parks in street. Putting potentially 3 new houses on 1 Block with potentially only room for 3 vehicles + kerbing being reduced will cause much frustration among property owners.	
<b>MY REPRESENTATIONS WOULD BE OVERCOME BY</b> (state action sought) Ensure at least 1 vehicle per unit can be garaged in appropriately sized garage !! (Not the tiny ones developers are building).	

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

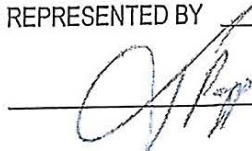
I DESIRE TO BE HEARD PERSONALLY

I DESIRE TO BE REPRESENTED BY \_\_\_\_\_

(PLEASE SPECIFY)

☒  
☐  
☐

SIGNED



DATE 15/6/17

Responsible Officer: Sonia Gallarello  
 Ends: Tuesday 27 June 2017

If space insufficient, please attach sheets

## Preliminary Traffic, Flooding & Stormwater Assessment

**Development Application No:** 211/1250/2016

**Assessing Officer:** Sonia Gallarello  
**Site Address:** 6 Aldridge Terrace, MARLESTON SA 5033  
**Certificate of Title:** CT-5305/482  
**Description of Development** Construct a residential flat building comprising three (3) two storey dwellings each with front porticos, attached verandahs and garages under main roof, and a 1.8 metre high masonry wall to Aldridge Terrace frontage

### TO THE TECHNICAL OFFICER - CITY ASSETS

Please provide your comments in relation to:

- ☐ Site drainage and stormwater disposal
- ☐ Required FFL
- ☐ On-site vehicle parking and manoeuvrability
- ☐ New Crossover
- ☐ Your advice is also sought on other aspects of the proposal as follows:

.....  
.....

**PLANNING OFFICER - Sonia Gallarello**

**DATE 26 October, 2017**



## Memo

To Sonia Gallarello  
From Jane Teng  
Date 26/10/2017  
Subject 211/1250/2016, 6 Aldridge Terrace, MARLESTON SA 5033

Sonia Gallarello,

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

### **1.0 Traffic and Vehicle Manoeuvrability Comments**

Further to City Assets recommendations as indicated in the e-mail thread dated Monday, 25 September 2017 3:04PM, the traffic manoeuvrability has been assessed as acceptable in accordance with the development planning drawings plan' (Selah Homes Group – Sheet 2 of 6, Date 09.09.16). It is noted that the garage width for 'Dwelling 3' on sheet 5 of 6 still remained compared to the resubmission presented in Sheet 2 of the development plan. This is relatively a minor issue as the overall building footprint has been adjusted to the west by 0.9m.

Therefore, are no major concern of further information required or recommendations required in association with this development proposal from traffic and vehicle manoeuvrability perspective.

Should you require further information, please contact Jane Teng on the following direct extension number 8416 6333.

Regards

**Jane Teng**  
**Civil Engineer**



## Preliminary Traffic, Flooding & Stormwater Assessment

**Development Application No:** 211/1250/2016

<b>Assessing Officer:</b>	Sonia Gallarello
<b>Site Address:</b>	6 Aldridge Terrace, MARLESTON SA 5033
<b>Certificate of Title:</b>	CT-5305/482
<b>Description of Development</b>	Construct a residential flat building comprising three (3) two storey dwellings each with front porticos, attached verandahs and garages under main roof, and a 1.8 metre high masonry wall to Aldridge Terrace frontage

### TO THE TECHNICAL OFFICER - CITY ASSETS

Please provide your comments in relation to:

- ☐ Site drainage and stormwater disposal
- ☐ Required FFL
- ☐ On-site vehicle parking and manoeuvrability
- ☐ New Crossover
- ☐ Your advice is also sought on other aspects of the proposal as follows:

Please review and provide comment on amended plans (attached to email dated 29/05/2017) - Application to go to DAP

**PLANNING OFFICER - Sonia Gallarello**

**DATE 14 June, 2017**

City of **West Torrens**Between the City and the Sea

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## Memo

To Sonia Gallarello  
From Jane Teng  
Date 6/07/2016  
Subject 211/1250/2016, 6 Aldridge Terrace, MARLESTON SA 5033

Sonia Gallarello,

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

### **1.0 General Finished Floor Level (FFL) Consideration**

Based on the survey information provided on 'Proposed Civil Plan', (FMG Engineering – Site ID & Job No. : S35523 255668 – Dated: 10/05/2017), a minimum FFL of 100.00 would be required.

**It is recommended that revised plans indicating the required minimum FFL be provided to Council.**

### **2.0 Traffic Comments**

2.1 Each dwelling have been provided with **two parking spaces** which is covered and one visitor space to be shared between all dwellings. However, vehicle manoeuvrability for the visitor space and garage areas still appear to be unsatisfactory in consideration of the requirements of the relevant Australian Standard (AS/NZS 2890.1:2004). Vehicles will not be able to turn around and exit the site in a forward direction. Please refer Figure 1.0 and Figure 2.0.

In the revision of the traffic manoeuvrability design, it is required that information be provided to clearly demonstrate the compliance of manoeuvrability for critical parking spaces and movements using suitable techniques as outlined within AS/NZS 2890.1:2004.

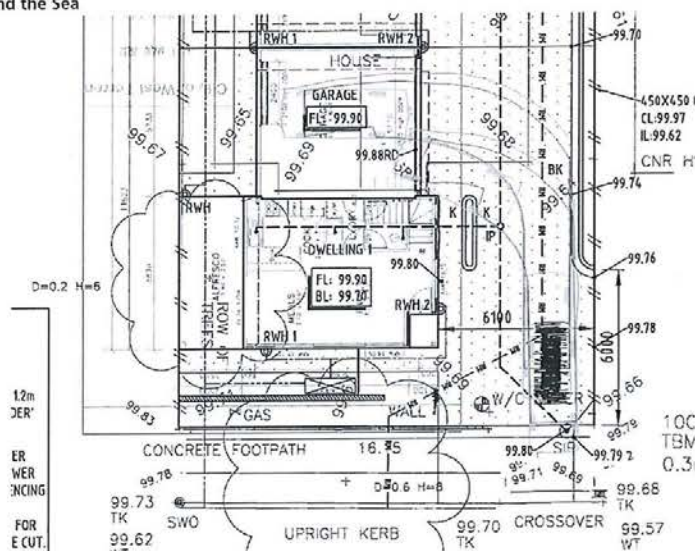


Figure 2.0

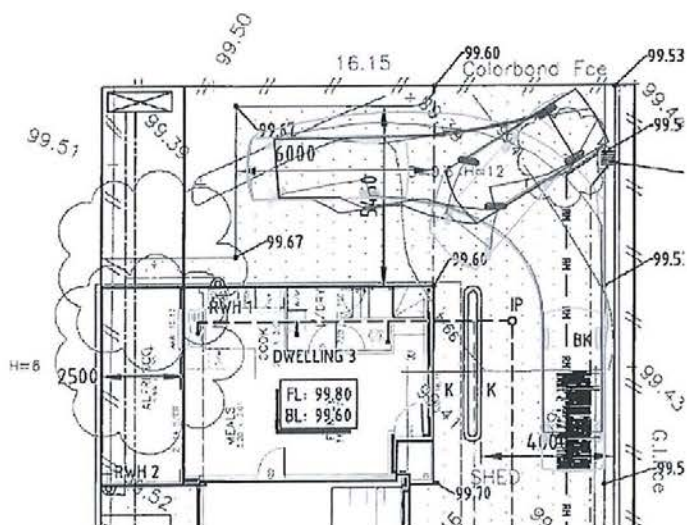


Figure 3.0

It is recommended that the applicant seek advice from someone suitably experienced in traffic design, to assist them in producing a vehicle manoeuvrability design for this site which complies with the Australian Standard requirements, preferably through the use of either "AutoTrack" or "AutoTURN" demonstration. Reports and drawings should then be submitted to Council.



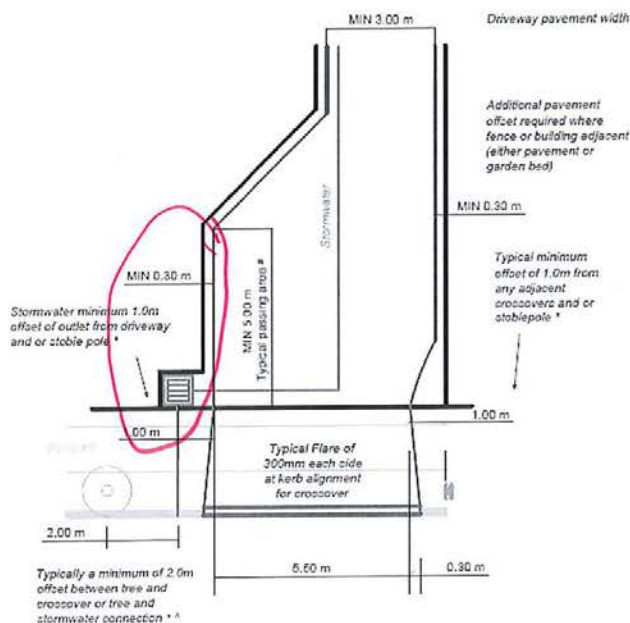


### 3.0 Verge Interaction (with street tree)

- 3.1 In association with new development, driveways and stormwater connections through the road verge need to be located and shaped such that they appropriately interact with and accommodate existing verge features in front of the subject and adjacent properties. New driveways and stormwater connections are required to be located a minimum 1.0 metre offset from other existing or proposed driveways, stormwater connections, stobie poles, street lights, side entry pits and pram ramps, etc. (as measured at the front property boundary).

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

It is required that a 1m x 1m notch out for the stormwater sump as depicted in Figure 3.0 below to be shown the proposed development plan. The 1.0m x 1.0m will be required to be incorporated as part of the common driveway and reflected in the proposed plan of division of the site



NOTES:  
 \* Distance as measured along alignment of front property boundary.  
 \* Must be deemed to comply by Council's Technical Officer (Amenity).  
 \* No aboveground structure(s) such as letterboxes, service meters or similar are to be installing within the common driveway entrance and passing area.

Figure 3.0



**It is recommended that revised plans indicating satisfaction to the above requirements should be provided to Council.**

- 3.2 It should also be nominated for the stormwater connection through the road verge area to be constructed of shape and material to satisfy Council's standard requirements (refer Figure 3.0). The minimum offset of 2.0m from the existing street tree will apply.

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

**It is recommended that revised plans clearly and accurately indicating satisfaction of the above criteria be provided to Council.**

#### **4.0 Garage Dimensions and Setback**

The internal garage length is currently proposed as 5.71m. Although not specified in the relevant Australian Standards (AS/NZS 2890.1:2004), traffic engineering best practice guides that the minimum internal length of an enclosed garage or enclosed carport space should be a minimum of 5.8m.

**It is recommended that revised plans be submitted, showing a garage internal length of 5.8m.**

#### **5.0 Stormwater Detention and Quality Requirements**

No stormwater detention and water quality provisions are required for the site as the proposed development does not falls under the development category requiring stormwater discharge restriction and water quality treatment.

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

Regards

**Jane Teng**  
**Civil Engineer**

Contact  
Telephone  
Facsimile

Customer Services  
(08) 71097016  
(08) 83030604



4 May 2017

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/C216/16 (ID 56574) - Amended Plan 20/04/17  
for Land Division (*Community Title Plan*) by Wayne Henson**

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 H0053944).

SA Water Corporation further advise that an investigation will be carried out to determine if the water and/or sewer connection/s to your development will be costed as standard or non standard.

2. Payment of \$13352 into the Planning and Development fund (2 lots(s) @ \$6676 /lot). Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (7109 7018), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

The developer must inform potential purchasers of the community lots of the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to the owner/applicant.

**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 "Brett Miller", is written over a horizontal line.

Brett Miller  
**Team Leader – Planning Services**  
As delegate of the  
**DEVELOPMENT ASSESSMENT COMMISSION**





02 May 2017

Our Ref: H0053944

The Chairman  
Development Assessment Commission  
136 North Terrace  
ADELAIDE SA 5000

Dear Sir/Madam

**PROPOSED LAND DIVISION APPLICATION NO: 211/C216/16 AT MARLESTON**

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 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

rita demusso

**for MANAGER LAND DEVELOPMENT & CONNECTIONS**

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

## 6.4 10 Bourlang Avenue, CAMDEN PARK

Application No 211/1086/2017

### DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Land Division - Torrens Title; DAC No. 211/D155/17 (Unique ID 59348); create one (1) additional allotment
APPLICANT	Michelle Hoile
APPLICATION NO	211/1086/2017
LODGEMENT DATE	15 September 2017
ZONE	Residential Zone
POLICY AREA	Low Density Policy Area 20
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> <li>City Assets</li> </ul> External <ul style="list-style-type: none"> <li>State Planning Commission</li> <li>SA Water Corporation</li> </ul>
DEVELOPMENT PLAN VERSION	30 May 2017
MEETING DATE	14 November 2017

### RECOMMENDATION

The Council 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. 211/1086/2017 or 211/D155/17 by Michelle Hoile to undertake development at 10 Bourlang Avenue, Camden Park (CT5736/822) subject to the following conditions of consent:

#### DEVELOPMENT PLAN CONSENT

##### Council Conditions

- Development shall be undertaken with the plans and information details in this application except where varied by any condition(s) listed below.

##### SA PLANNING COMMISSION CONDITIONS:

Nil

#### LAND DIVISION CONSENT

##### Council Conditions

- That prior to the issue of Section 51 Clearance to this division approved herein, the existing structures shall be removed from proposed Allotment(s) 1 and 2.

**SA PLANNING COMMISSION CONDITIONS:**

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

The alteration of internal drains to the satisfaction of SA Water is required.

On receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non-standard fees.

On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.

2. Payment of \$6,830 into the Planning and Development Fund (1 lot(s) @ \$6,830/allotment).

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

3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Planning Commission for Land Division Certificate Purposes.

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**BACKGROUND**

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

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

**PREVIOUS OR RELATED APPLICATION(S)**

Nil

**SITE AND LOCALITY**

The subject land is commonly known as 10 (Allotment 51) Bourlang Avenue. The allotment is approximately 725m<sup>2</sup> with a site frontage to Bourlang Avenue of 18.29 metres.

The site currently contains a single storey detached dwelling with a carport to the side of the dwelling and two outbuildings to the rear.

Vehicle access is currently achieved via a single width crossover on the eastern side of the allotment.

The locality is characterised predominantly by single storey detached dwellings on rectangular shaped allotments, similar in size to this current allotment. There are a number of corner cut-offs in the locality and number 6 Bourlang Avenue has been divided some time ago into two.

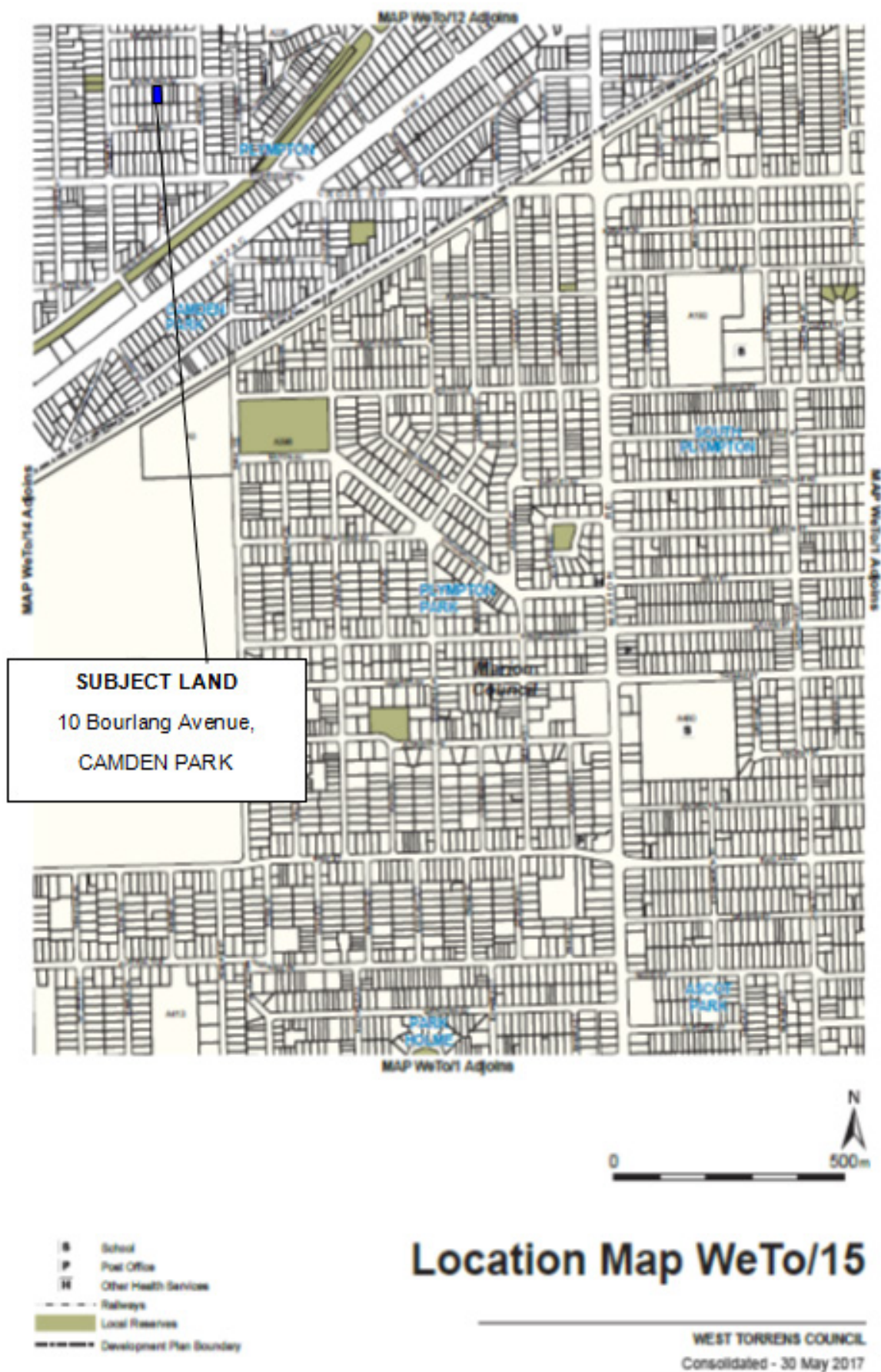
Anzac Highway is 300 metres to the southeast and 630 metres to the west.

The site and locality are shown on the following maps and aerial imagery:









## PROPOSAL

The application proposes the division of the existing allotment to create one additional allotment. The proposed allotments are 362m<sup>2</sup> (allotment 1) and 363m<sup>2</sup> (allotment 2) in area and have frontages of 9.14 metres and 9.15 metres respectively to Bourlang Avenue.

A copy of the application plans and details are attached (**Attachment 1**).

## PUBLIC NOTIFICATION

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

## REFERRALS

External

Pursuant to Section 38 of the Development Act 1993 and Schedule 8 of the Development Regulations 2008, the application was referred to:

- State Planning Commission
- SA Water Corporation.

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

Full copies of the relevant reports are attached (**Attachment 2**).

Internal

The application was referred to City Works for comment regarding the ability to access the site with respect to the verge infrastructure and street trees.

There is a street tree on the verge approximately central to proposed allotment 2. There is an existing crossover middle to eastern side of proposed allotment 1. There is also a stobie pole on the western side of proposed allotment 2.

Therefore there is no conflict with street trees for proposed allotment 1, the eastern side allotment. There is a future potential conflict with the western side allotment or proposed allotment 2 with the location of a eucalyptus tree.

City Works have considered the health, structure, form, useful life expectancy and age of the street tree and would support its removal. A fee of \$1,554.00 would be required prior to the commencement of any work.

A full copy of the relevant report is attached (**Attachment 3**).

## ASSESSMENT

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

<u>General Section</u>		
Land Division	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 2, 4, 5, 6, 8, 12
Orderly and Sustainable Development	Objectives	1, 2, 3, 4, 5
	Principles of Development Control	1, 5, 6
Residential Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1, 3

Zone: Residential	
<p><i>Desired Character Statement:</i></p> <p><i>This zone will contain predominantly residential development. There may also be some small-scale non-residential activities such as offices, shops, consulting rooms and educational establishments in certain locations. Non-residential activities will be complementary to surrounding dwellings.</i></p> <p><i>Allotments will be at very low, low and medium densities to provide a diversity of housing options in different parts of the zone. The range of allotment sizes will support the desired dwelling types anticipated in each policy area, and the minimum allotment sizes shall be treated as such in order to achieve the Desired Character for each policy area and, in turn, reinforce distinction between policy areas. Row dwellings and residential flat buildings will be common near centres and in policy areas where the desired density is higher, in contrast to the predominance of detached dwellings in policy areas where the distinct established character is identified for protection and enhancement. There will also be potential for semi-detached dwellings and group dwellings in other policy areas.</i></p>	
Objectives	<p><i>2 Dwellings of various types at very low, low and medium densities.</i></p> <p><i>3 Increased dwelling densities in close proximity to centres, public transport routes and public open spaces.</i></p> <p><i>4 Development that contributes to the desired character of the zone.</i></p>
Principles of Development Control	<p><i>5 Development should not be undertaken unless it is consistent with the desired character for the zone and policy area.</i></p> <p><i>22 The division of land should occur only where it will be consistent with the existing pattern and scale of allotments.</i></p>

<i>Policy Area: 20 - Low Density</i>	
<i>Desired Character Statement:</i>	
<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>	
<i>Objectives</i>	<i>1 Development that contributes to the desired character of the policy area.</i>
<i>Principles of Development Control</i>	<p><i>1 The following forms of development are envisaged specifically in the policy area:</i></p> <ul style="list-style-type: none"> <li>▪ <i>affordable housing</i></li> <li>▪ <i>detached dwelling</i></li> <li>▪ <i>domestic outbuilding in association with a dwelling</i></li> <li>▪ <i>domestic structure</i></li> <li>▪ <i>dwelling addition</i></li> <li>▪ <i>group dwelling</i></li> <li>▪ <i>semi-detached dwelling</i></li> <li>▪ <i>small scale non-residential use that serves the local community, for example:</i> <ul style="list-style-type: none"> <li>- <i>child care facility</i></li> <li>- <i>health and welfare service</i></li> <li>- <i>open space</i></li> <li>- <i>primary and secondary school</i></li> <li>- <i>recreation area</i></li> <li>- <i>shop measuring 250 square metres or less in gross leasable floor area</i></li> </ul> </li> <li>▪ <i>supported accommodation.</i></li> </ul> <p><i>2 Development should not be undertaken unless it is consistent with the desired character for the policy area.</i></p> <p><i>5 Land division should create allotments with an area of greater than 340 square metres and a minimum frontage width of 10 metres, other than where the land division is combined with an application for dwellings or follows an approval for dwellings on the site.</i></p>



## QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
ALLOTMENT AREA Residential Zone Low Density Policy Area 20 PDC 5	340m <sup>2</sup>	362m <sup>2</sup> (allotment 1) 363m <sup>2</sup> (allotment 2)  <b>Satisfies</b>
ALLOTMENT FRONTAGE Residential Zone Low Density Policy Area 20 PDC 5	10 metres	9.14 metres (allotment 1) 9.15 metres (allotment 2)  <b>Does Not Satisfy by 8.5%</b>

## QUALITATIVE ASSESSMENT

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

### Allotment Frontage

The proposed division falls short of the quantitative land division frontage provision by 8.5%. This is considered to be a marginal shortfall from the relevant land division Development Plan provision (Principle of Development Control 5 of the Low Density Policy Area 20).

There have been a number of land divisions with two new dwellings at 6 Bourlang Avenue (approved in 2004) and at 3 Fiscorn Avenue (approved in 2008). These allotments are considered to be in the locality and have the same frontage as the proposed development, therefore a division with this width is not out of character with the locality. This development would have the same result as these in terms of creating two new allotments to accommodate two new dwellings.

Given the land division meets the site area requirement but falls short on frontage requirements by 0.85 metres, this is not considered fatal to the application. It will allow for dwellings on low density allotments with either detached or semi-detached dwellings in the future that will be consistent with the desired character of Policy Area 21 within the Residential Zone.

### Land Division

Land division should create allotments that allow for the efficient provision of infrastructure and are appropriate for their intended use. The area of each proposed allotment is greater than the minimum sought by the policy area. Despite the frontage shortfall, each proposed allotment is capable of accommodating a detached or semi-detached dwelling, both of which are envisaged in the policy area.

There is an existing crossover that could be utilised for a future dwelling for proposed allotment 1. Proposed allotment 2 would require a new crossover for a future dwelling. This could be accommodated on the western side of the allotment which would allow for future street tree planting in the middle of the two allotments and an on street carpark. The crossover would need to be one metre away from the existing stobie pole on the western side of the allotment. A street tree would need to be removed at cost and this has been assessed and accepted by City Works.

## **SUMMARY**

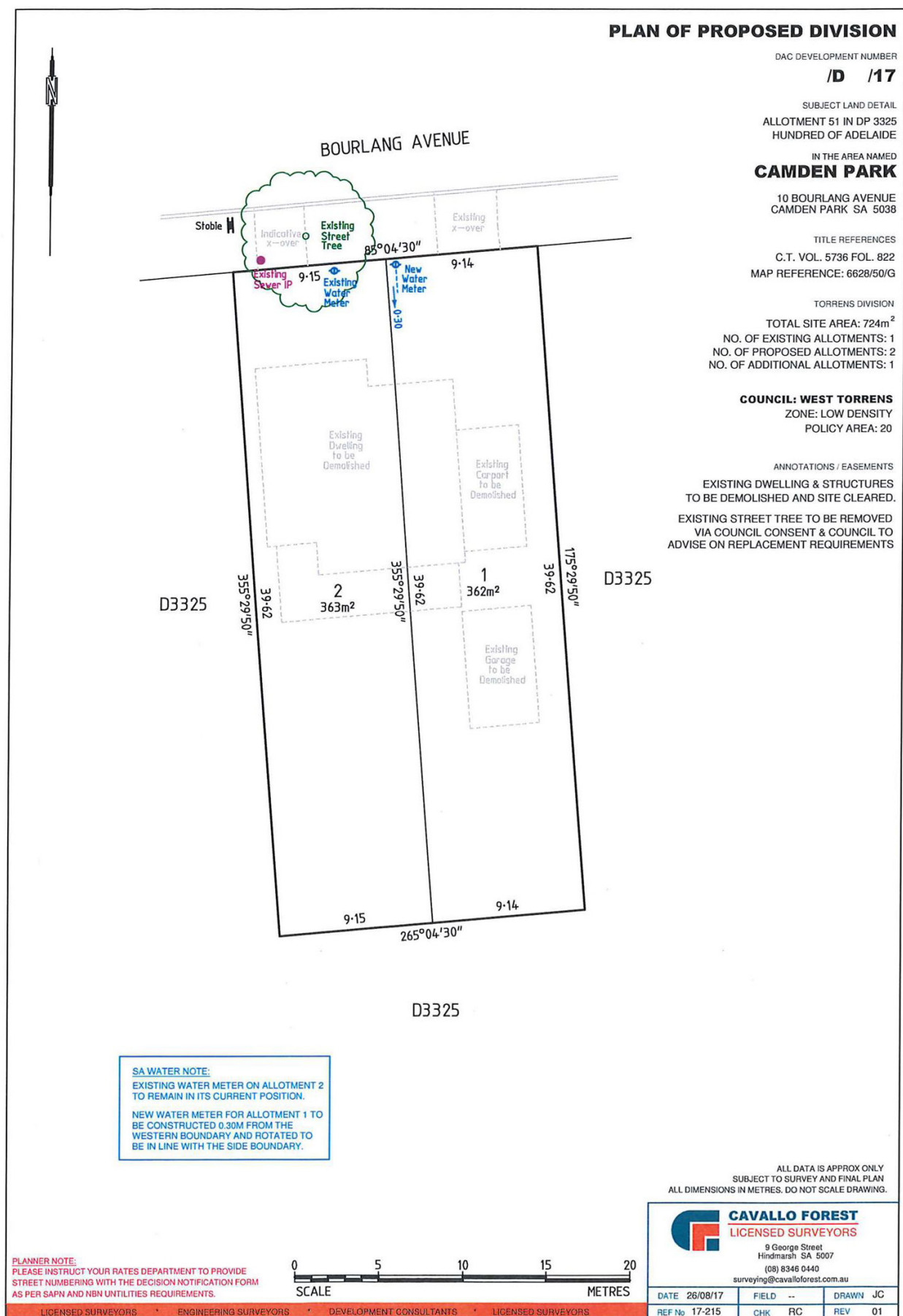
The proposed division is considered to retain a 'low density character' that is consistent with the desired character of the Residential Zone and Low Density Policy Area 20. The development meets the site area requirements, however, has a marginal shortfall in terms of site frontages of the two proposed allotments.

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 30 May 2017 and warrants Development Plan Consent.

## **Attachments**

- 1. Proposal Plan**
- 2. External Agency Comments**
- 3. Internal Comment - City Works**





18 September 2017

Our Ref: H0063841

The Chairman  
Development Assessment Commission  
136 North Terrace  
ADELAIDE SA 5000

Dear Sir/Madam

**PROPOSED LAND DIVISION APPLICATION NO: 211/D155/17 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.

The alteration of internal drains to the satisfaction of SA Water is required.

On receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non standard fees.

On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.

Yours faithfully

ANN BOND

**for MANAGER LAND DEVELOPMENT & CONNECTIONS**

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

Contact Lands Titles Office  
Telephone 7109 7016



18 September 2017

The Chief Executive Officer  
City of West Torrens

Dear Sir/Madam

**Re: Proposed Application No.** 211/D155/17 (ID 59348)  
**for Land Division by** Ms Michelle Ann Hoile

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 07 September 2017, I advise that the Development Assessment Commission has consulted with SA Water Corporation (only) regarding this land division application. A copy of their response has been uploaded in EDALA for your consideration. The Commission has no further comment to make on this application, however there may be local planning issues which Council should consider prior to making its decision.

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

1. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.  
The alteration of internal drains to the satisfaction of SA Water is required.  
On receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non standard fees.  
On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.
2. Payment of \$6830 into the Planning and Development Fund (1 allotment(s) @ \$6830/allotment).  
Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (7109 7018), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

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

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

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

Phil Hodgson  
**Unit Manager**  
**Lands Titles Office**

as delegate of  
**DEVELOPMENT ASSESSMENT COMMISSION**



## Arboricultural Assessment of Street Trees

Development Application No: **211/1086/2017**

**REFERRAL DUE DATE: 28 Sep 2017**

Assessing Officer: **Sonia Gallarello**  
Site Address: **10 Bourlang Avenue, CAMDEN PARK SA 5038**  
Certificate of Title: **CT-5736/822**  
Description of Development **Land division - Torrens Title; SPAC No. 211/D155/17 (Unique ID 59348); Create one (1) additional allotment**

### TO THE TECHNICAL OFFICER – CITY ASSETS

**Please provide your comments in relation to:**

- ☐ **The removal of or impact upon the Street Tree**
- ☐ **Species of Tree:**
- ☐ **Your advice is also sought on other aspects of the proposal as follows:**

PLANNING OFFICER - Sonia Gallarello

DATE 14 September 2017

### FROM THE TECHNICAL OFFICER

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

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

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

Verge interaction must consider all services that cross council land including stormwater outlets (and other) which will need to be maintained a minimum of 2.0m from any existing street tree (unless existing or otherwise negotiated).

**A site investigation has revealed that the location of an existing Eucalyptus sp. street tree on the verge adjacent 10 Bourlang Avenue Camden Park would be impacted by a land division.**

**There is no conflict with any street trees for the eastern most allotment (1), however for the western most allotment (2) there is a conflict with an existing Eucalyptus sp. street tree.**

**Due to the need for the removal of a large low limb to allow access for a potential crossover in this instance City Works will support the removal of the Eucalyptus street tree.**

With reference to the City of West Torrens, Fees and Charges Document 2017-2018 "Tree removal for driveway construction", once Council has assessed all circumstances and considered it acceptable that a street tree can be removed, a fee is calculated based on Council's standard schedule of fees and charges.

The fee is used to offsets the loss of the asset (street tree) to the community, with funds received invested in Council's annual Greening Program.

**As a result of the land division on Bourlang Avenue, City Works has considered the health, structure, form, useful life expectancy, and age of the street tree and would support its removal.**

**A fee of \$1554.00 would be required prior to the commencement of any work.**

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

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

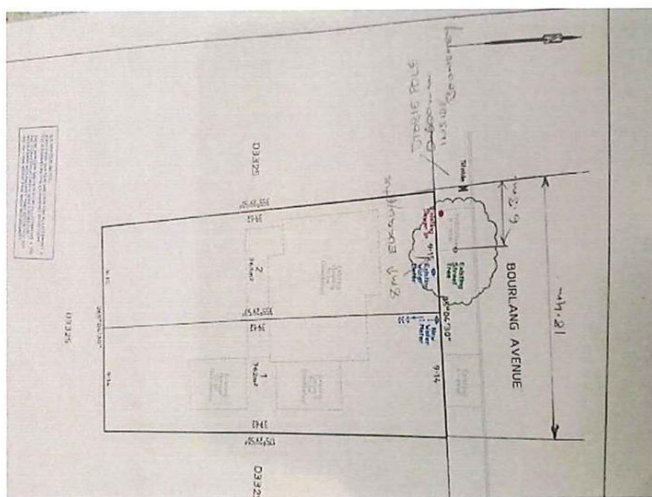
**Rick Holmes  
Arboriculture Assistant  
165 Sir Donald Bradman Drive  
Hilton SA 5033**

**Telephone: 8416 6333**

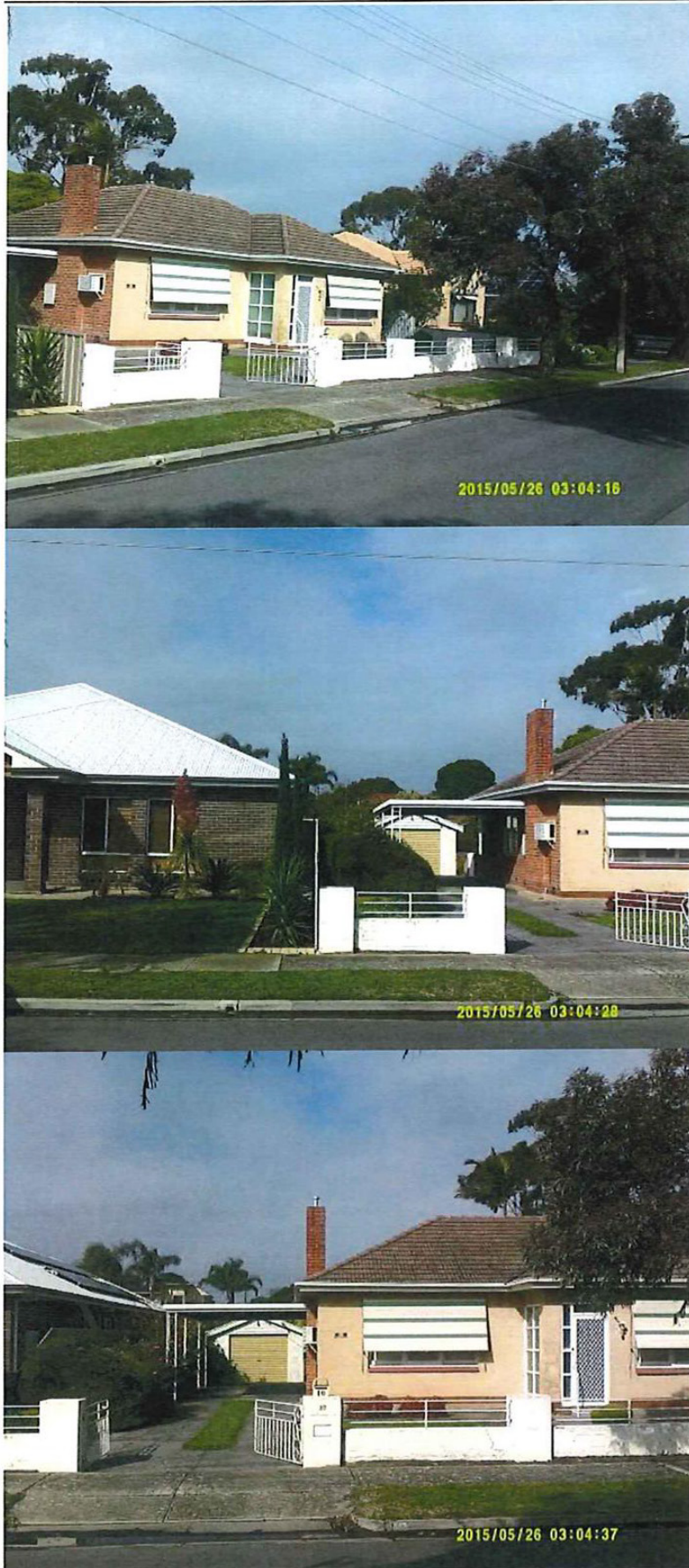
**Fax: 8443 5709**

**Email: [rholmes@wtcc.sa.gov.au](mailto:rholmes@wtcc.sa.gov.au)**

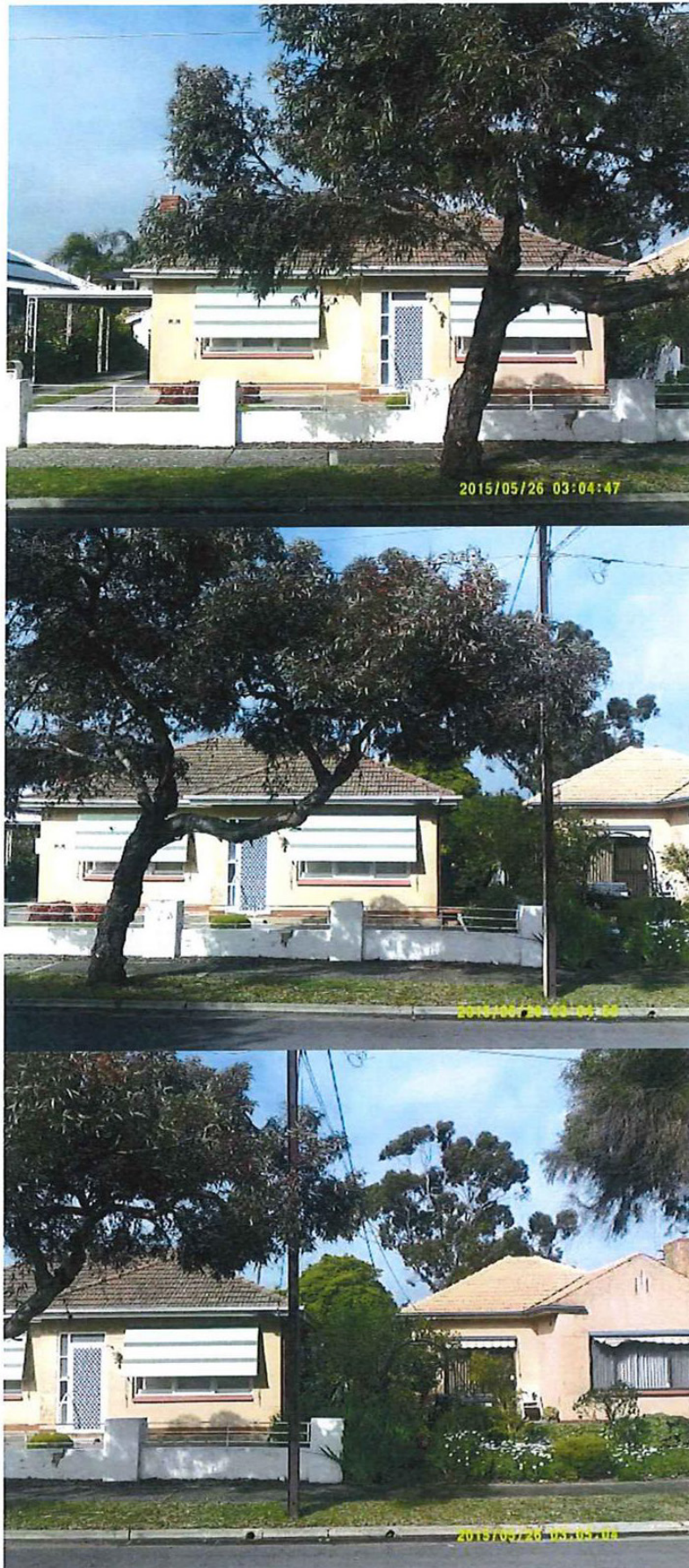
**DATE: 15/09/2017**























## 6.5 8 Tilden Street, PLYMPTON

Application No 211/719/2017

### DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Combined Application: Land division - Torrens Title; DAC No. 211/D106/17 (Unique ID 58414), Create one (1) additional allotment; and construction of two (2) single storey detached dwellings
APPLICANT	Harmendar Athwal
APPLICATION NO	211/719/2017
LODGEMENT DATE	20 June 2017
ZONE	Residential Zone
POLICY AREA	Medium Density Policy Area 19
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	<p>Internal</p> <ul style="list-style-type: none"> <li>▪ City Works - Amenity Officer (street tree feedback)</li> <li>▪ City Assets - Civil Engineer (verge interaction, driveways, finished floor levels and stormwater disposal feedback)</li> </ul> <p>External</p> <ul style="list-style-type: none"> <li>▪ State Commission Assessment Panel (SCAP)</li> <li>▪ SA Water</li> </ul>
DEVELOPMENT PLAN VERSION	30 May 2017
MEETING DATE	14 November 2017

### RECOMMENDATION

The Council 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. 211/719/2017 by Harmendar Athwal to undertake the division of land to create one (1) additional allotment; and the construction of two (2) single storey detached dwellings at 8 Tilden Street, Plympton (CT5719/899) subject to the following conditions of consent:

#### DEVELOPMENT PLAN CONSENT Council Conditions

1. That the development shall be undertaken and completed in accordance with the plans and information stamped with Development Plan Consent on 14 November 2017 as detailed in this application except where varied by any condition(s) listed below.
2. That all stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:
  - a. Result in the entry of water into a building; or
  - b. Affect the stability of a building; or
  - c. Create unhealthy or dangerous conditions on the site or within the building; or

- d. Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
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 a minimum of ten percent of each allotment approved herein shall be landscaped. All planting and landscaping shall be completed within three (3) months of the commencement of the use of this development and be maintained in reasonable condition at all times. Any plants that become diseased or die will be replaced with a suitable species.
6. A minimum of 8m<sup>3</sup> shall be provided onsite for domestic storage purposes and be located outside of the garage and habitable rooms of the dwelling.

**LAND DIVISION CONSENT**  
**Council Conditions**

1. Prior to the issue of clearance to this division, existing structures must be removed from the subject land. For this purpose, a separate application for demolition shall be submitted for the consideration and determination of Council.

**State Commission Assessment Panel**

2. Payment of \$6,676 into the Planning and Development Fund (1 allotment(s) @ \$6,676/allotment). Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (7109 7018), by cheque payable to the State Planning 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 State Planning Commission for Land Division Certificate purposes.
4. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.

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

On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.



## BACKGROUND

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

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

## PREVIOUS OR RELATED APPLICATION(S)

Nil

## SITE AND LOCALITY

The subject land 8 Tilden Street, Plympton is a rectangular shaped allotment with a street frontage of 16.76 metres, a depth of 45.72 metres and a total area of approximately 766.26 square metres. The subject land is situated on the northern side of Tilden Avenue, opposite the intersection of James Street and Tilden Street. Currently existing on the land is a late 1940s hipped roof dwelling, lean to structures and an outbuilding.

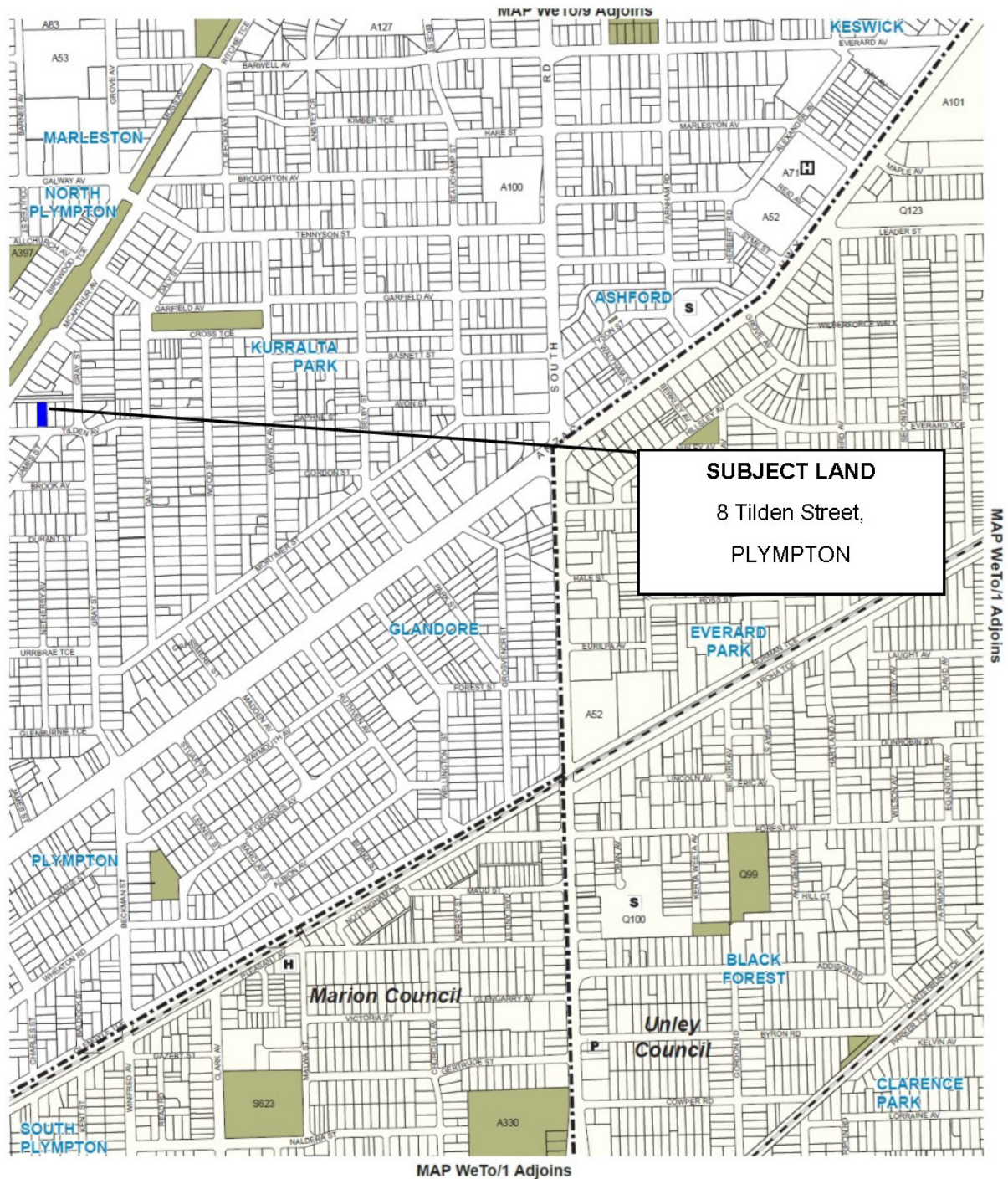
The rear boundary of the subject land abuts Brownhill Creek, and is located approximately 95 metres east of the West Side Bikeway.

The locality comprises mostly single storey detached dwellings. There is no consistent architectural style or theme, and the dwellings vary in age. Allotments within the locality and broader locality vary in size and shape. Although the provisions of the Policy Area permit smaller allotment areas and frontages to the public road the majority of allotments are greater than 350sqm each with wide frontages to the street generally greater than 10 metres with few exceptions.

The site and locality are shown on the following maps.







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

## Location Map WeTo/13

WEST TORRENS COUNCIL  
Consolidated - 30 May 2017

## PROPOSAL

The Applicant seeks approval for land division, involving the creation of one additional allotment, and the construction of two (2) single storey detached dwellings.

The land division component of the application will result in one additional Torrens Title allotment being created. Each proposed allotment will have a street frontage of 8.38 metres, a depth of 45.72 metres and an area of 383 square metres.

The land use component of the application includes a proposal for two (2) single storey detached dwellings. Dwelling A (Lot 1) will contain a single garage, three (3) bedrooms, a study, a living area, an open plan kitchen and meals/family area, and three (3) wet areas. Dwelling B (Lot 2) will have the same floor layout as Dwelling A, however, it will not contain a study. Each of the sites will be landscaped within the front yard area. Each dwelling will have vehicle access via separate single width crossovers and driveways.

The proposed Plan of Division is contained in **Attachment 1**.

## PUBLIC NOTIFICATION

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

## REFERRALS

Internal

- **City Works - Amenity Officer**

The application was referred to Council's Amenity Officer to assess the impact of the proposed development on the street trees that exist within the verge area adjacent the subject land. The Amenity Officer has confirmed that the reduced offsets of the proposed crossovers to the street trees are acceptable and will not compromise their health.

- **City Assets - Civil Engineer**

The application was referred to Council's Civil Engineer to provide feedback on the driveway configuration, stormwater drainage and finished floor level (FFL). All original concerns with the development application have been addressed in the current proposal and there are no outstanding issues.

External

- **State Commission Assessment Panel (SCAP) 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 State Commission Assessment Panel.

Neither SCAP nor SA Water had any objections to the proposal subject to several conditions being added to any consent issued.

A full copy of the relevant reports is attached, refer **Attachment 2**.



## ASSESSMENT

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

<u>General Section</u>		
Crime Prevention	Objectives	1
	Principles of Development Control	1, 2, 7, 8
Design and Appearance	Objectives	1
	Principles of Development Control	1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 20, 21, 22
Energy Efficiency	Objectives	1 & 2
	Principles of Development Control	1, 2 & 3
Infrastructure	Objectives	3
	Principles of Development Control	1, 2, 4, 5, 6 & 8
Interface between Land Uses	Objectives	1, 2 & 3
	Principles of Development Control	1, 2, 3 & 4
Land Division	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 2, 5, 6, 8, & 12
Landscaping, Fences and Walls	Objectives	1
	Principles of Development Control	1-4
Orderly and Sustainable Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1, 3 & 7
Residential Development	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 28, 29, 30 & 31

Zone: Residential Zone	
<p><i>Desired Character Statement:</i></p> <p><i>"This zone will contain predominantly residential development. There may also be some small-scale non-residential activities such as offices, shops, consulting rooms and educational establishments in certain locations. Non-residential activities will be complementary to surrounding dwellings.</i></p> <p><i>Allotments will be at very low, low and medium densities to provide a diversity of housing options in different parts of the zone. The range of allotment sizes will support the desired dwelling types anticipated in each policy area, and the minimum allotment sizes shall be treated as such in order to achieve the Desired Character for each policy area and, in turn, reinforce distinction between policy areas. Row dwellings and residential flat buildings will be common near centres and in policy areas where the desired density is higher, in contrast to the predominance of detached dwellings in policy areas where the distinct established character is identified for protection and enhancement. There will also be potential for semi-detached dwellings and group dwellings in other policy areas.</i></p> <p><i>Residential development in the form of a multiple dwelling, residential flat building or group dwelling will not be undertaken in a <b>Historic Conservation Area</b>.</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, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 & 16

<b>Policy Area: Medium Density Policy 19</b>	
<b>Desired Character Statement:</b>	
<p><i>"Allotments in this policy area will be at medium density, accommodating a range of dwelling types including semi-detached, row and group dwellings, as well as some residential flat buildings and some detached dwellings on small allotments. There will be a denser allotment pattern close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones.</i></p> <p><i>New buildings will contribute to a highly varied streetscape. Buildings will be up to 2 storeys, except for allotments fronting Brooker Terrace, Marion Road and Henley Beach Road, and overlooking the Westside Bikeway, where buildings will be up to 3 storeys in height and provide a strong presence to streets. Garages and carports will be located behind the front facade of buildings.</i></p> <p><i>Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer".</i></p>	
<b>Objectives</b>	1
<b>Principles of Development Control</b>	1, 2, 3, 4 & 7

## QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT	
		Dwelling A (Lot 1)	Dwelling B (Lot 2)
SITE AREA <i>Medium Density Policy Area 19 PDC 4</i>	270sqm	383m <sup>2</sup> <b>Satisfies</b>	383m <sup>2</sup> <b>Satisfies</b>
SITE FRONTAGE <i>Medium Density Policy Area 19 PDC 4</i>	9m	8.38m <b>Does not satisfy by 6.8%</b>	8.38m <b>Does not satisfy by 6.8%</b>
SITE COVERAGE <i>Medium Density Policy Area 19 PDC 3</i>	60% (max.)	51% <b>Satisfies</b>	49.7% <b>Satisfies</b>
PRIMARY STREET SETBACK <i>Medium Density Policy Area 19 PDC 3</i>	3m (min.)	3.5m <b>Satisfies</b>	3.5m <b>Satisfies</b>

<p>SIDE/REAR SETBACKS <i>Residential Zone</i> <i>PDC 11</i></p> <p><i>Medium Density Policy</i> <i>Area 19</i> <i>PDC 3</i></p>	<p>Side 0/1m</p> <p>Rear 6m (min.)</p>	<p>900mm (East) 900mm (West)</p> <p><b>Does not satisfy</b></p> <p>12.2m</p> <p><b>Satisfies</b></p>	<p>900mm (East) 900mm (West)</p> <p><b>Does not satisfy</b></p> <p>13.8m</p> <p><b>Satisfies</b></p>
<p>BUILDING HEIGHT <i>Medium Density Policy</i> <i>Area 19</i> <i>PDC 3</i></p>	<p>Max 2 storeys or 8.5m</p>	<p>Single storey</p> <p><b>Satisfies</b></p>	<p>Single storey</p> <p><b>Satisfies</b></p>
<p>INTERNAL FLOOR AREA <i>Residential Development</i> <i>PDC 9</i></p>	<p>3+ Bedroom, 100m<sup>2</sup> (min.)</p>	<p>196.85sqm</p> <p><b>Satisfies</b></p>	<p>190.61sqm</p> <p><b>Satisfies</b></p>
<p>PRIVATE OPEN SPACE <i>Residential Development</i> <i>PDC 19</i></p>	<p>300-500m<sup>2</sup> - 60m<sup>2</sup> (min.), of which 10m<sup>2</sup> may comprise balconies, roof patios and the like, provided they have a minimum dimension of 2m. - Minimum dimension 4m. - 16m<sup>2</sup> (min.) at the rear of side of dwelling, directly accessible from a habitable room.</p>	<p>102.2m<sup>2</sup> (total) 8.38m (min. dimension) 102.2m<sup>2</sup> (accessed from habitable room)</p> <p><b>Satisfies</b></p>	<p>115m<sup>2</sup> (total) 8.38m (min. dimension) 115m<sup>2</sup> (accessed from habitable room)</p> <p><b>Satisfies</b></p>
<p>STORAGE <i>Residential Development</i> <i>PDC 31</i></p>	<p>8m<sup>3</sup> (min.)</p>	<p>Not indicated</p> <p><b>Does Not Satisfy</b></p>	<p>Not indicated</p> <p><b>Does Not Satisfy</b></p>
<p>CARPARKING SPACES <i>Transportation and Access</i> <i>PDC 34</i></p>	<p>2 car-parking spaces required, 1 of which is covered</p>	<p>2 spaces provided (1 covered)</p> <p><b>Satisfies</b></p>	<p>2 spaces provided (1 covered)</p> <p><b>Satisfies</b></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:

### Frontage Width

The subject land is located within Medium Density Policy Area 19, which encourages all new allotments to have a site frontage width of nine (9) metres. The proposed development will result in the creation of two (2) allotments each with site frontages of 8.38 metres. This presents a deficiency of 0.62 metres or 6.8% per allotment. This deficiency is not considered to be detrimental to the proposal or the overall achievement of the desired character of the zone and policy area for the following reasons:

- The difference of 0.62 metres is marginal and will not be discernible to the naked eye, when viewing these allotments from the public street;
- The proposed division layout will not disrupt the allotment pattern established within the locality and wider locality, as it will allow for the predominant character of allotments with a direct street frontage to be maintained;
- It is demonstrated within the proposal that the allotments can support built forms that are orderly and functional, that are an envisaged land use and are of a design and scale which will complement the streetscape; *and*
- The development will increase the density of development within walking distance to public transport and other facilities such as reserves.

### Side Setback

Both of the proposed dwellings will have side setbacks of 900mm. The Development Plan encourages dwellings to have minimum side setbacks of one (1) metre. Although the proposed dwellings are setback closer than 1 metre, the deficiency will not have any unreasonable impacts on surrounding land uses and it will not conflict with minimum setbacks required in accordance with the Building Code of Australia.

### Domestic Storage

Whilst the proposal is absent of domestic storage detail, it is evident that a small garden shed of 8 cubic metres could be established within the rear yard to accommodate this, without compromising on other aspects of the development, such as private open space.

A condition addressing this shortfall has been added to the staff recommendation.

### Landscaping

The application details landscaping associated with each site. The landscaping currently provided does not satisfy the minimum amount of 10% in accordance with Landscaping, Fences and Walls - Principle of Development Control 4. The site does allow for other areas to be landscaped to satisfy this provision. If granted consent, this can be addressed by way of condition a Landscaping Plan requiring at least 10% of the site to be landscaped.



**SUMMARY**

The development application presents a minor deficiency with regard to allotment frontages, but overall it satisfies the zone and policy area objectives, and will result in an appropriate development outcome.

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 30 May 2017 and warrants Development Plan Consent.

**Attachments**

1. **Plan and Details**
2. **State Commission Assessment Panel & SA Water Comments**



Product	Register Search (CT 5710/899)
Date/Time	09/06/2017 03:03PM
Customer Reference	17-137
Order ID	20170609008973
Cost	\$27.75

REAL PROPERTY ACT, 1886



South Australia

The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



## Certificate of Title - Volume 5710 Folio 899

Parent Title(s)	CT 1925/188			
Creating Dealing(s)	CONVERTED TITLE			
Title Issued	17/11/1999	Edition	1	Edition Issued 17/11/1999

## Estate Type

FEE SIMPLE

## Registered Proprietor

COLIN THOMAS QUINN  
FAY JANET QUINN  
OF 8 TILDEN STREET PLYMPTON SA 5038  
AS JOINT TENANTS

## Description of Land

ALLOTMENT 4 DEPOSITED PLAN 3320  
IN THE AREA NAMED PLYMPTON  
HUNDRED OF ADELAIDE

## Easements

NIL

## Schedule of Dealings

NIL

## Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL

## Registrar-General's Notes

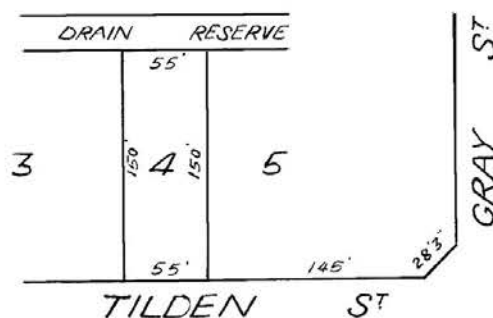
COMPARE ADDRESS FOR SERVICE OF NOTICE WITH 4082858

Administrative Interests	NIL
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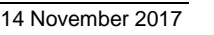
Government of South Australia  
Department of Planning,  
Transport and Infrastructure

<b>Product</b>	Register Search (CT 5710/899)
<b>Date/Time</b>	09/06/2017 03:03PM
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<b>Order ID</b>	20170609008973
<b>Cost</b>	\$27.75

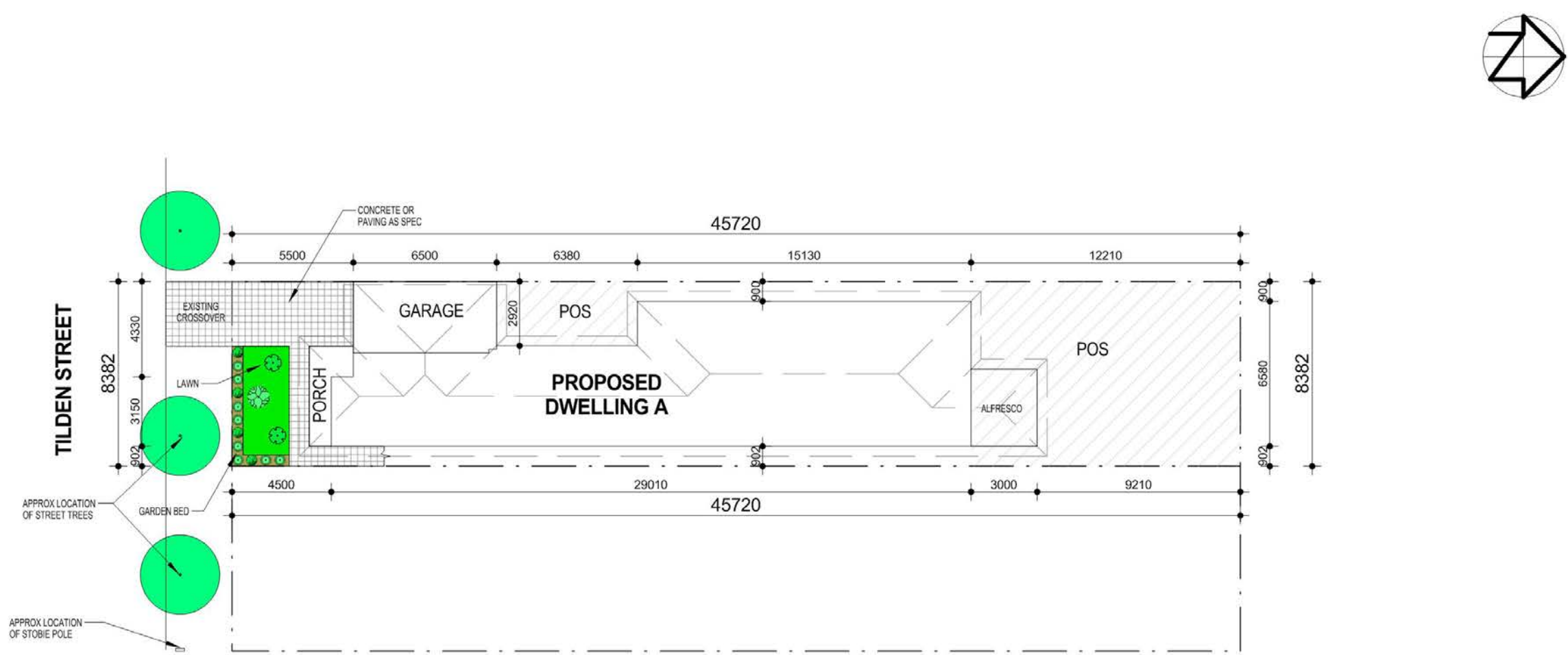


100 50 0 100 FT

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







PLANT LEGEND

- LITTLE GEM MAGNOLIA  
MATURE 4H x 1.5W
- LIMELIGHT WATTLE  
MATURE 1H x 1W
- YUCCA 'ADAMS NEEDLE'  
MATURE 0.6H x 0.9W
- NEW ZEALAND FLAX  
MATURE 0.9H x 0.7W

LIVING	159.42m <sup>2</sup>
GARAGE	21.00m <sup>2</sup>
ALFRESCO	10.50m <sup>2</sup>
PORCH	5.93m <sup>2</sup>
TOTAL	196.85m <sup>2</sup>
LOT AREA	383m <sup>2</sup>
POS	121m <sup>2</sup>
SITE COV'G	51.4%

SITE PLAN/  
LANDSCAPING

1:200  
0 1 2 3 4 5m



**SUPREME**  
building design

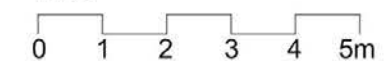
M 0423 496 627 | E: [jeremy@supremebuildingdesign.com.au](mailto:jeremy@supremebuildingdesign.com.au) | ABN: 90 164 627 874

**CLIENT**  
HARMENDAR ATHWAL  
**ADDRESS**  
Dw A 8 Tilden St,  
PLYMPTON

**DATE**  
01/06/17  
**PROJECT NUMBER**  
6061

**DRAWN**  
J.D  
**SHEET NO**  
1 OF 3

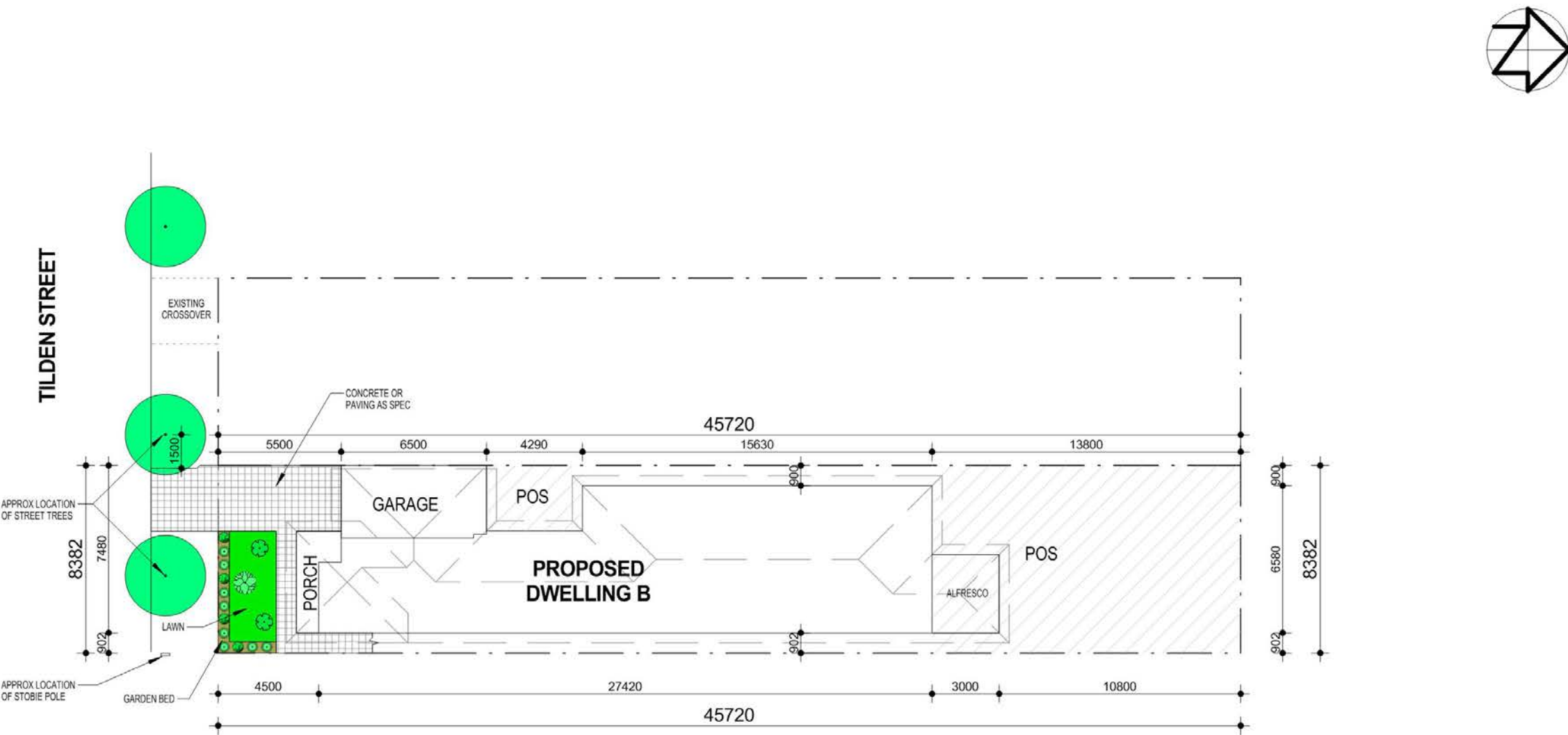
**PLANNING CONSENT**  
CONSTRUCTION: BRICK VENEER  
Contractors are to verify all dimensions and levels on the drawing before commencing any work. Any discrepancies or contradictions will be reported to the Designer immediately. Figures dimensions will take preference to scale. These plans shall be read in conjunction with all other relevant documentation ie: specifications, schedules, consultants & authorities' reports etc.



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 <div><b>SUPREME</b> building design</div> <div>Mt 0423 496 627   E: jeremy@supremebuildingdesign.com.au   ABN: 90 164 627 874</div>			<b>CLIENT</b> HARMENDAR ATHWAL	<b>DATE</b> 01/06/17	<b>DRAWN</b> J.D	<b>PLANNING CONSENT</b>
			<b>ADDRESS</b> Dw A 8 Tilden St, PLYMPTON	<b>PROJECT NUMBER</b> 6061	<b>SHEET NO</b> 3 OF 3	<b>CONSTRUCTION: BRICK VENEER</b>
			<small>Contractors are to verify all dimensions and levels on the drawing before commencing any work. Any discrepancies or contradictions will be reported to the designer immediately. Figured dimensions will take preference to scale. These plans shall be read in conjunction with all other relevant documentation ie: specifications, schedules, consultants &amp; authorities reports etc.</small>			



PLANT LEGEND

- LITTLE GEM MAGNOLIA  
MATURE 4H x 1.5W
- LIMELIGHT WATTLE  
MATURE 1H x 1W
- YUCCA 'ADAMS NEEDLE'  
MATURE 0.6H x 0.9W
- NEW ZEALAND FLAX  
MATURE 0.9H x 0.7W

LIVING	153.22m <sup>2</sup>
GARAGE	20.96m <sup>2</sup>
ALFRESCO	10.50m <sup>2</sup>
PORCH	5.93m <sup>2</sup>
<hr/>	
TOTAL	190.61m <sup>2</sup>
<hr/>	
LOT AREA	383m <sup>2</sup>
POS	128m <sup>2</sup>
SITE COV'G	49.7%

SITE PLAN/  
LANDSCAPING

1:200  
0 1 2 3 4 5m



**SUPREME**  
building design

M 0423 496 627 | E: [jeremy@supremebuildingdesign.com.au](mailto:jeremy@supremebuildingdesign.com.au) | ABN: 90 164 627 874

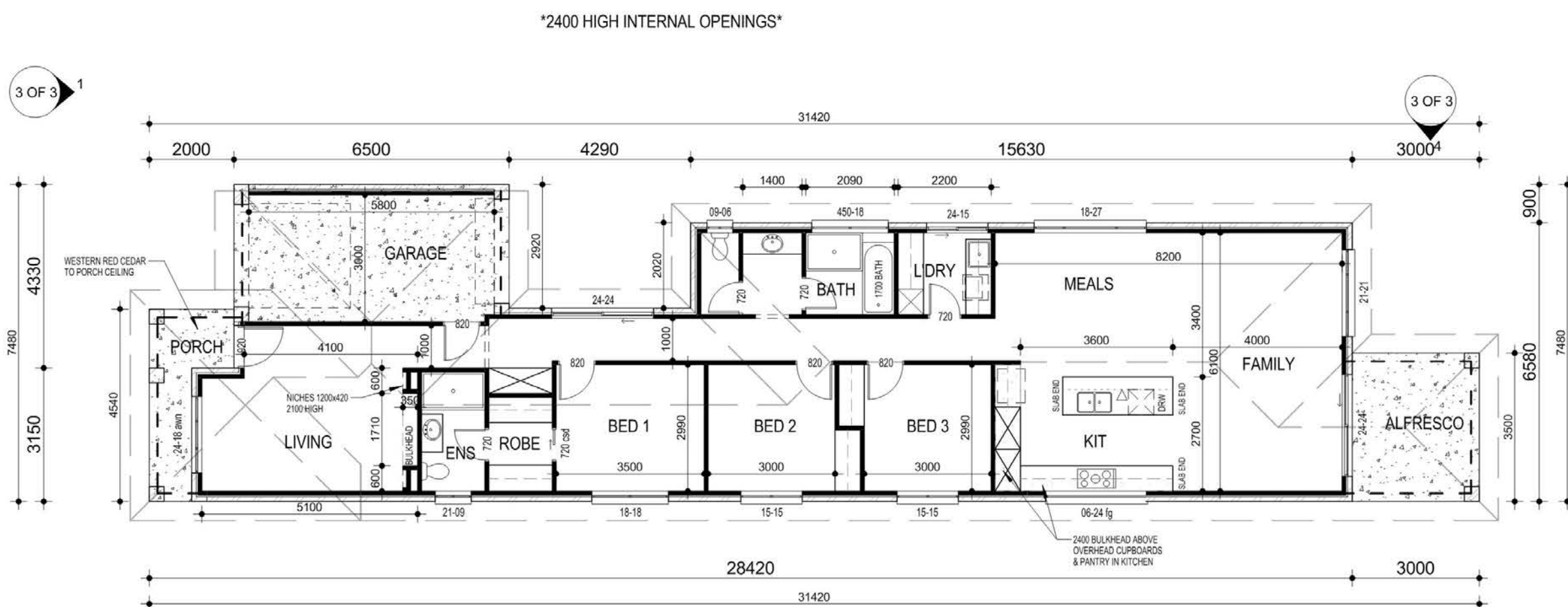
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Dw B 8 Tilden St,  
PLYMPTON

**DATE**  
01/06/17  
**PROJECT NUMBER**  
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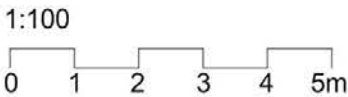
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**SHEET NO**  
1 OF 3

**PLANNING CONSENT**  
CONSTRUCTION: BRICK VENEER  
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FLOOR PLAN





**SUPREME**  
building design

M 0423 496 627 | E: [jeremy@supremebuildingdesign.com.au](mailto:jeremy@supremebuildingdesign.com.au) | ABN: 90 164 627 874

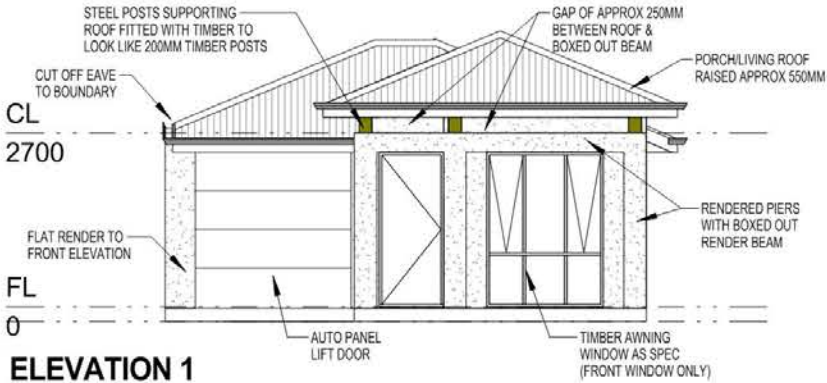
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Dw B 8 Tilden St,  
PLYMPTON

**DATE**  
01/06/17  
**PROJECT NUMBER**  
6065

**DRAWN**  
J.D  
**SHEET NO**  
2 OF 3

**PLANNING CONSENT**  
CONSTRUCTION: BRICK VENEER  
Contractors are to verify all dimensions and levels on the drawing before commencing any work. Any discrepancies or contradictions will be reported to the Designer immediately. Figure dimensions will take preference to scale. These plans shall be read in conjunction with all other relevant documentation ie: specifications, schedules, consultants & authorities' reports etc.

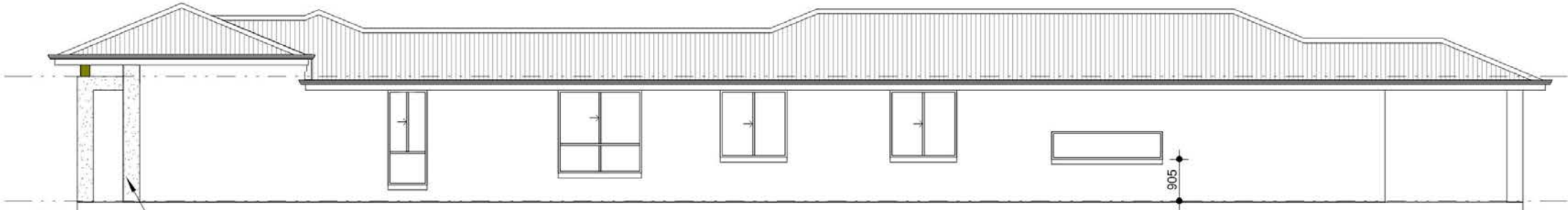
COLORBOND ROOF ON 22.5° PITCH  
450 EAVES



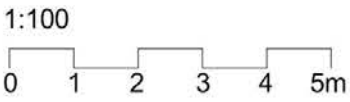
ELEVATION 3



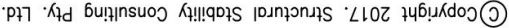
ELEVATION 4



ELEVATION 2  
350MM RETURN RENDER



 <b>SUPREME</b> building design M 0423 496 627   E: <a href="mailto:jeremy@supremebuildingdesign.com.au">jeremy@supremebuildingdesign.com.au</a>   ABN: 90 164 627 874		<b>CLIENT</b> HARMENDAR ATHWAL <b>ADDRESS</b> Dw B 8 Tilden St, PLYMPTON	<b>DATE</b> 01/06/17 <b>PROJECT NUMBER</b> 6065	<b>DRAWN</b> J.D <b>SHEET NO</b> 3 OF 3	<b>PLANNING CONSENT</b> CONSTRUCTION: BRICK VENEER <small>Contractors are to verify all dimensions and levels on the drawing before commencing any work. Any discrepancies or contradictions will be reported to the Designer immediately. Figured dimensions will take preference to scale. These plans shall be read in conjunction with all other relevant documentation ie: specifications, schedules, consultants &amp; authorities' reports etc.</small>



1. NOTE: SITE IS VEGETATED COMPLETE REMOVAL OF ALL TREES LOCATED WITHIN THE HOUSE PLATFORM AND SURROUNDING AREAS MUST BE REMOVED SO AS NOT TO ALLOW ANY FUTURE GROWTH. THIS REMOVAL PROCESS MUST INCLUDE THE BASE AND ALL MAJOR ROOT SYSTEMS OF EACH TREE. ANY VOIDS IN THE GROUND AFTER THE REMOVAL OF THE TREE MUST BE BACKFILLED WITH CLEAN MATERIAL TO A COMPACTION SIMILAR TO THE SURROUNDING NATURAL GROUND.

2. EXISTING HOUSE NOTE: PRIOR TO THE COMMENCEMENT OF SITE EARTHWORKS, IT IS RECOMMENDED THAT ADDITIONAL SITE LEVELS BE TAKEN TO CONFIRM REQUIRED BENCH LEVEL ONCE ALL EXISTING STRUCTURES HAVE BEEN REMOVED OVER THE HOUSE SITE.

3. EXISTING SERVICES NOTE: APPROVAL MAY NEED TO BE SOUGHT FROM RELEVANT AUTHORITIES FOR ANY EXISTING SERVICES TO BE RELOCATED.

4. **BOUNDARY NOTE:** BOUNDARY LOCATIONS ARE BASED ON FENCES ONLY. IT IS RECOMMENDED THAT AN IDENTIFICATION SURVEY BE DONE TO ESTABLISH TRUE BOUNDARIES.

5. KERB – CROSSOVER NOTE: ANY ABANDONED PORTION OF ENTRANCEWAY INVERT IS TO BE RESTORED WITH KERB & WATERTABLE, INCLUDING RE-INSTATEMENT OF FOOTPATH AND VERGE WHERE APPROPRIATE, WILL BE AS PER COUNCILS GUIDELINES.

6. FOR MANDATORY PLUMBED RAINWATER TANKS FOR CLASS 1 BUILDINGS:  
AS PER REGULATIONS, NOT LESS THAN 50 SQ. METRES OF ROOF TO BE COLLECTED TO TANK THEN PLUMBED TO W.C. / L'DRY / HOT WATER SERVICE.  
ALL DETAILS AS PER SA WATER 'RAINWATER PLUMBING GUIDE' AND AS/NZS 3500:2003 PART 1.

7. STORMWATER LAYOUT IS INDICATIVE ONLY, AND MAY CHANGE TO SUIT SITE CONDITIONS. THE INTEGRITY OF THE STORMWATER DRAINAGE DESIGN SHALL BE MAINTAINED AT ALL TIMES.

8. REFER TO ARCHITECTURAL SITE PLAN FOR ALL SET OUT DIMENSIONS, LANDSCAPING AND ADDITIONAL DETAILS.

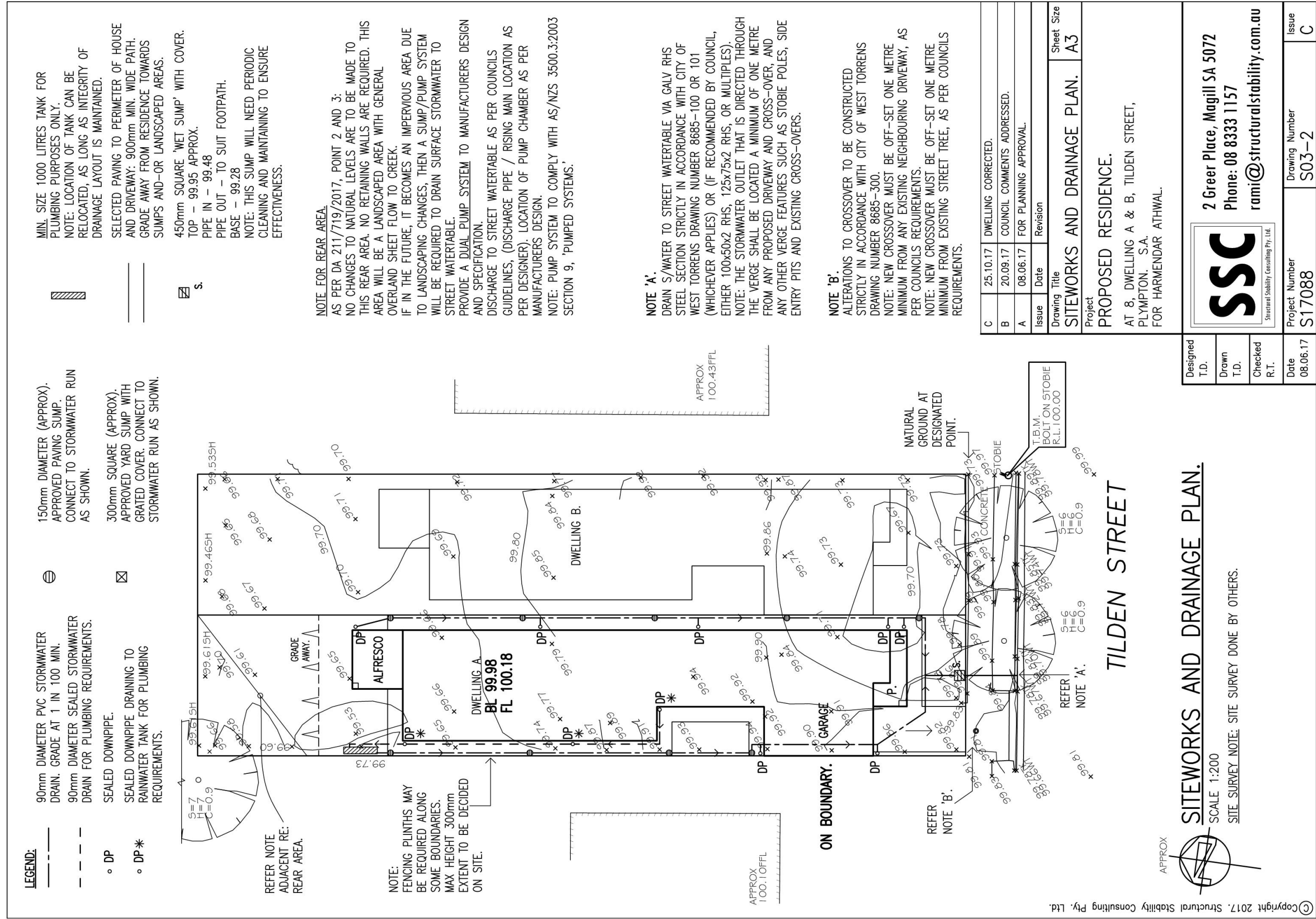
9. FINISHED FLOOR LEVEL NOTE:  
DUE TO THIS BLOCK BEING IN THE AREA THAT WOULD BE AFFECTED BY THE BROWN HILL AND KESWICK CREEKS IN THE EVENT OF A ONE IN HUNDRED YEAR FLOOD -- AS PER COUNCILS REQUIREMENTS, THE FLOOR LEVEL HAS BEEN DETERMINED:

FROM MAP HA, BLOCK FRONTAGE ON RIGHT HAND SIDE IS IN BLUE AREA, ( 0.1m - 0.25m ) AND NEEDS TO BE BUILT 200mm ABOVE THE LEVEL OF FLOODWATERS', (AS PER NOTE FROM 'BUILDING IN FLOOD PRONE AREAS', IN MOST CASES THE GROUND FLOOR LEVEL OF NEW DEVELOPMENTS NEEDS TO BE BUILT 200mm ABOVE THE LEVEL OF FLOODWATERS OCCURRING DURING A 1-IN-100-YEAR STORM EVENT.)

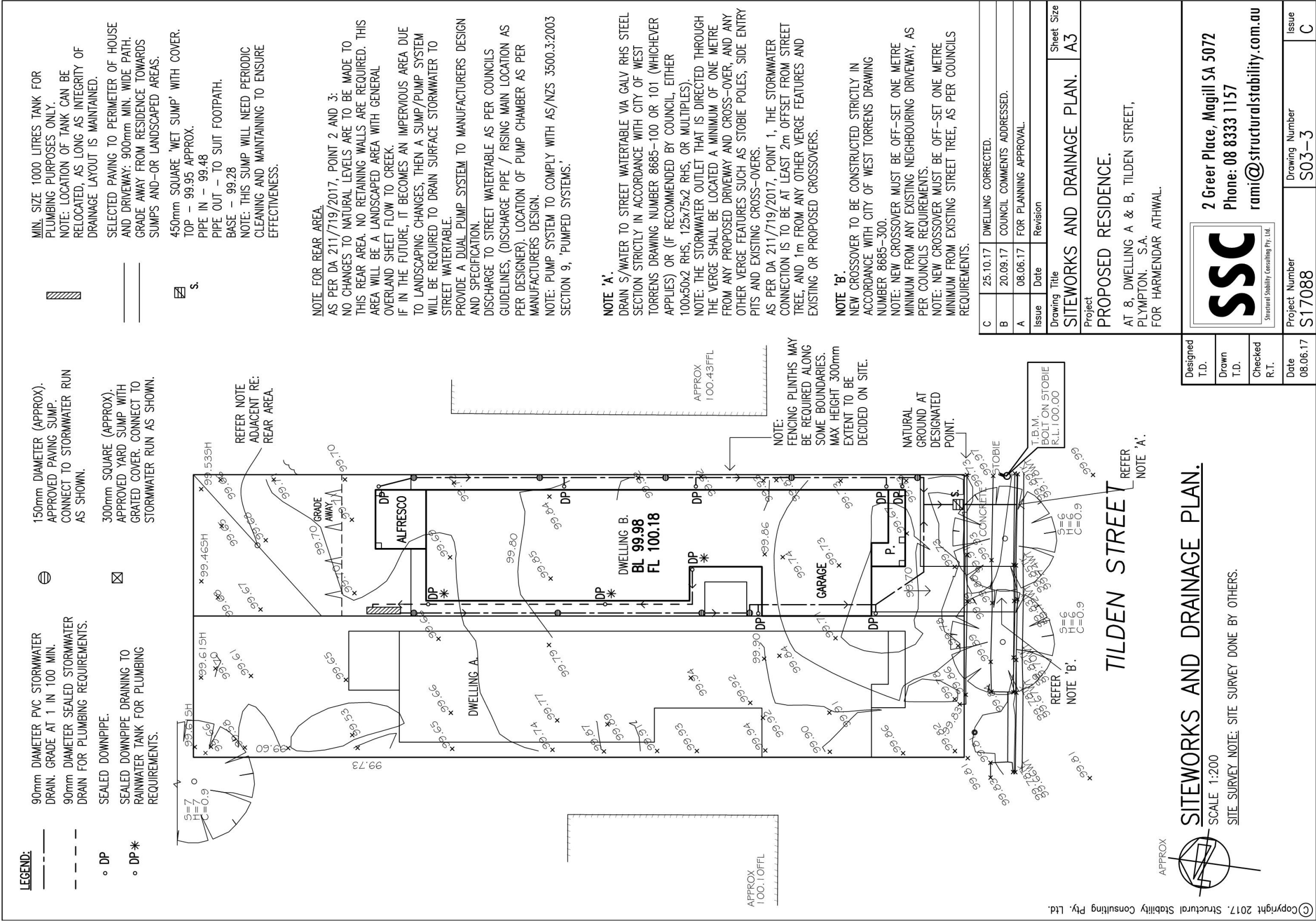
THEREFORE:

$$\begin{aligned} & \text{NATURAL GROUND AT DESIGNATED POINT} = 99.73 \\ & + 0.25 \text{ (FLOOD WATER DEPTH FROM COUNCILS} \\ & \text{INFORMATION)} \\ & + 0.2 \text{ ('FREEBOARD')} \\ & = \text{MINIMUM FLOOR LEVEL OF } 100.18 \end{aligned}$$

	A	08.06.17	FOR PLANNING APPROVAL.	
	Issue	Date	Revision	
	Drawing Title		Sheet Size	
	EXISTING CONTOUR PLAN.		A3	
Project PROPOSED RESIDENCE.  AT 8, DWELLING A & B, TILDEN STREET, PLYMPTON. S.A. FOR HARMENDAR ATHWAL.				
Designed T.D.				
Drawn T.D.				
Checked R.T.				
Date 08.06.17	Project Number S17088	Drawing Number S03-1	Issue A	







Contact Lands Titles Office  
Telephone 7109 7016



03 July 2017

The Chief Executive Officer  
City of West Torrens

Dear Sir/Madam

**Re: Proposed Application No.** 211/D106/17 (ID 58414)  
**for Land Division by** Mr Harmendar Athwal

In accordance with Section 33 of the Development Act 1993 and Regulation 29 (1) of the Development Regulations 2008, and further to my advice dated 16 June 2017, 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.  
Subject to our new process, on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non standard fees.  
On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.
2. Payment of \$6676 into the Planning and Development Fund (1 allotment(s) @ \$6676/allotment).  
Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (7109 7018), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

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

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

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

Phil Hodgson  
**Unit Manager**  
**Lands Titles Office**

as delegate of  
**DEVELOPMENT ASSESSMENT COMMISSION**

**6.6 17A Coral Sea Road, FULHAM**

Application No DA211/827/2017

**DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Construct a single storey detached dwelling with front portico, rear verandah and single garage under main roof
APPLICANT	Vallco Design
APPLICATION NO	211/827/2017
LODGEMENT DATE	11 July 2017
ZONE	Residential Zone
POLICY AREA	Low Density Policy Area 21
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> <li>▪ Nil</li> </ul> External <ul style="list-style-type: none"> <li>▪ Nil</li> </ul>
DEVELOPMENT PLAN VERSION	30 May 2017
MEETING DATE	14 November 2017

**RECOMMENDATION**

The Council 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. 211/827/2017 by Vallco Design to construct a single storey detached dwelling with front portico, rear verandah and single garage under main roof at 17A Coral Sea Road, Fulham (CT5652/746) subject to the following conditions of consent:

**Council Conditions**

1. That the development shall be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
2. That all stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:-
  - a) Result in the entry of water into a building; or
  - b) Affect the stability of a building; or
  - c) Create unhealthy or dangerous conditions on the site or within the building; or
  - d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
3. That all driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained, and shall be maintained in reasonable condition at all times.

## BACKGROUND

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

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

## PREVIOUS OR RELATED APPLICATION(S)

DA 211/1473/2016 - Land division - Torrens Title; DAC No. 211/D203/16 (Unique ID 56380); Create one (1) additional allotment.

DA 211/1578/2016 - Construction of two (2) single storey dwellings with garage under main roof and demolition of existing dwelling and associated structures - Previously refused 13 June 2017 by Development Assessment Panel.

DA 211/334/2017 - Demolition of existing dwelling and associated structures.

## SITE AND LOCALITY

The subject site described as Allotment 1 Deposited Plan 116021 in the area named Fulham, Hundred of Adelaide as contained in Certificate of Title Volume 6194 Folio 329. The land is more commonly known as 17A Coral Sea Road, Fulham.

The subject site is rectangular in shape with a street frontage of 8.84m, a depth of 41.15m and a site area of 363m<sup>2</sup>. The site is currently clear of all structures and vegetation. The subject site is located on the southern side of Coral Sea Road, directly opposite Coast Watchers Park, Airport Over 50's Social Club and the Scout Association of Australia. A street tree is located to the north eastern corner of the allotment.

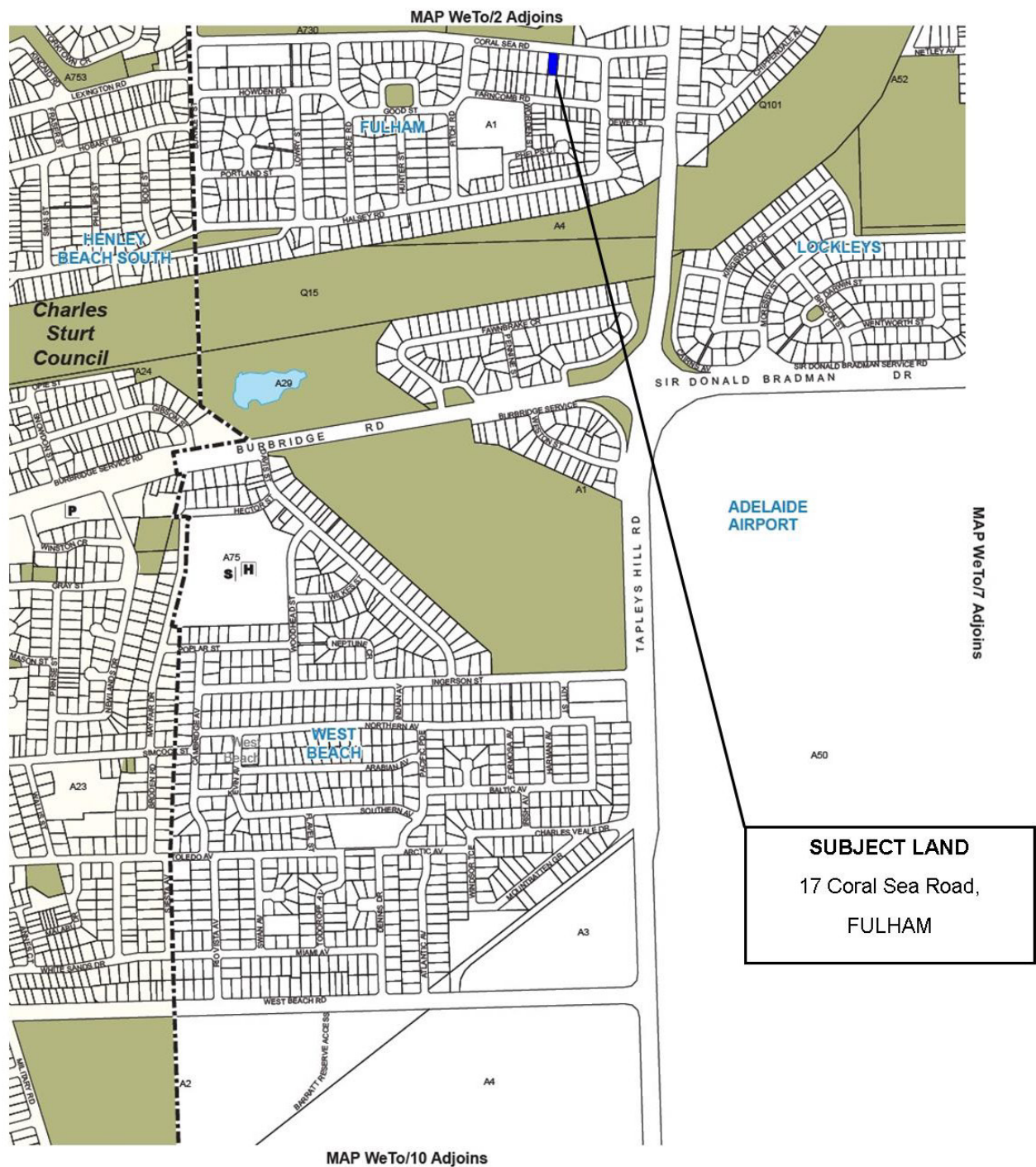
The locality is residential in nature with allotments varying in size and shape. Predominantly single storey dwellings are located within the immediate vicinity, however, two storey dwellings have been constructed at the western end of Coral Sea Road. The dwellings have been built over a number of decades and exhibit a variety of designs from the 1960s to present day. Mature street trees are a prominent feature of the locality.

The site and locality are shown on the following maps:









## Location Map WeTo/6

**WEST TORRENS COUNCIL**

Consolidated - 5 May 2016

## PROPOSAL

The proposed development is for the construction of a single storey detached dwelling with a front portico, rear verandah and single garage under the main roof.

This application differs from the previously refused application as follows:

- The garage has been reduced from a two car garage to a single car garage;
- The proposed dwelling has the garage built on the western boundary for a length of 7.55m and a setback of 1.15m. Previously the application was built on the western boundary for 6m and setback 0.9m;
- The proposed dwelling has a side setback from the eastern boundary of 0.9m the length of the dwelling. Previously the application was located on the boundary for a length of 4.4m and a side setback varying between 0.6m and 0.9m;
- The alfresco length has been reduced from 4 metres to 3.5 metres; and
- Private Open Space has increased from 60m<sup>2</sup> to 68.5m<sup>2</sup>.

## REFERRALS

- No Referrals were required for this application.

## ASSESSMENT

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

<u>General Section</u>		
Crime Prevention	Objectives	1
	Principles of Development Control	1, 2, 3, 4, 5, 6, 7, 8, 9 & 10
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
Landscaping, Fences and Walls	Objectives	1 & 2
	Principles of Development Control	1, 2, 3, 4, 5 & 6
Orderly and Sustainable Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1, 2, 3, 4, 5, 6, 7 & 8
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

Transportation and Access	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

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

Policy Area: Low Density Policy 21	
<p><i>Desired Character Statement:</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.</i></p> <p><i>Buildings will be up to 2 storeys in height. Garages and carports will be located behind the front façade of buildings. Buildings in the area bounded by Henley Beach Road, Torrens Avenue and the Linear Park will be complementary to existing dwellings through the incorporation of design features such as pitched roofs, eaves and variation in the texture of building materials.</i></p>	



*Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer. Low and open-style front fencing will contribute to a sense of space between buildings.'*

Objectives	1
Principles of Development Control	1, 2 & 4

## QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
STREET SETBACK <i>Residential Zone</i> <i>PDC 8</i>	The same as one of the adjoining dwellings: 5m / 6m	5.7m  <b>Satisfies</b>
SIDE / REAR SETBACKS <i>Residential Zone</i> <i>PDC 11</i>	Side 1m - wall setback 0m - garage wall setback  Rear 3m rear setback	East 0.9m  West 1.15m & garage located on the boundary for 7.55m  <b>Does Not Satisfy</b>  4.26 m  <b>Satisfies</b>
PRIVATE OPEN SPACE <i>Residential Development</i> <i>PDC 19</i>	60m <sup>2</sup> Min. dimension of 4m	68.5m <sup>2</sup>  <b>Satisfies</b>
INTERNAL FLOOR AREA <i>Residential Zone</i> <i>PDC 9</i>	3+ Bedrooms, 100m <sup>2</sup> (min)	217m <sup>2</sup>  <b>Satisfies</b>
CARPARKING SPACES <i>Transportation and Access</i> <i>PDC 34</i>	Min. 2 car-parking spaces required: 1 covered, 1 uncovered	2 car parking spaces provided 1 covered & 1 uncovered  <b>Satisfies</b>

## **QUALITATIVE ASSESSMENT**

Dwellings are envisaged in the Residential Zone and detached dwellings are envisaged specifically in Low Density Policy Area 21.

### **Side setback**

As per PDC 11 of the Residential Zone, it is suggested that a dwelling has a 1m setback from one side boundary. The current proposal has the dwelling setback at 0.9m from the eastern boundary. The Administration does not consider this shortfall of 100mm will significantly impact the appearance of the streetscape.

The proposal generally accords with the overall intent and purpose of the Zone and Policy Area, has been designed in a manner that will complement the locality and is a reasonable form of development that warrants consent.

## **SUMMARY**

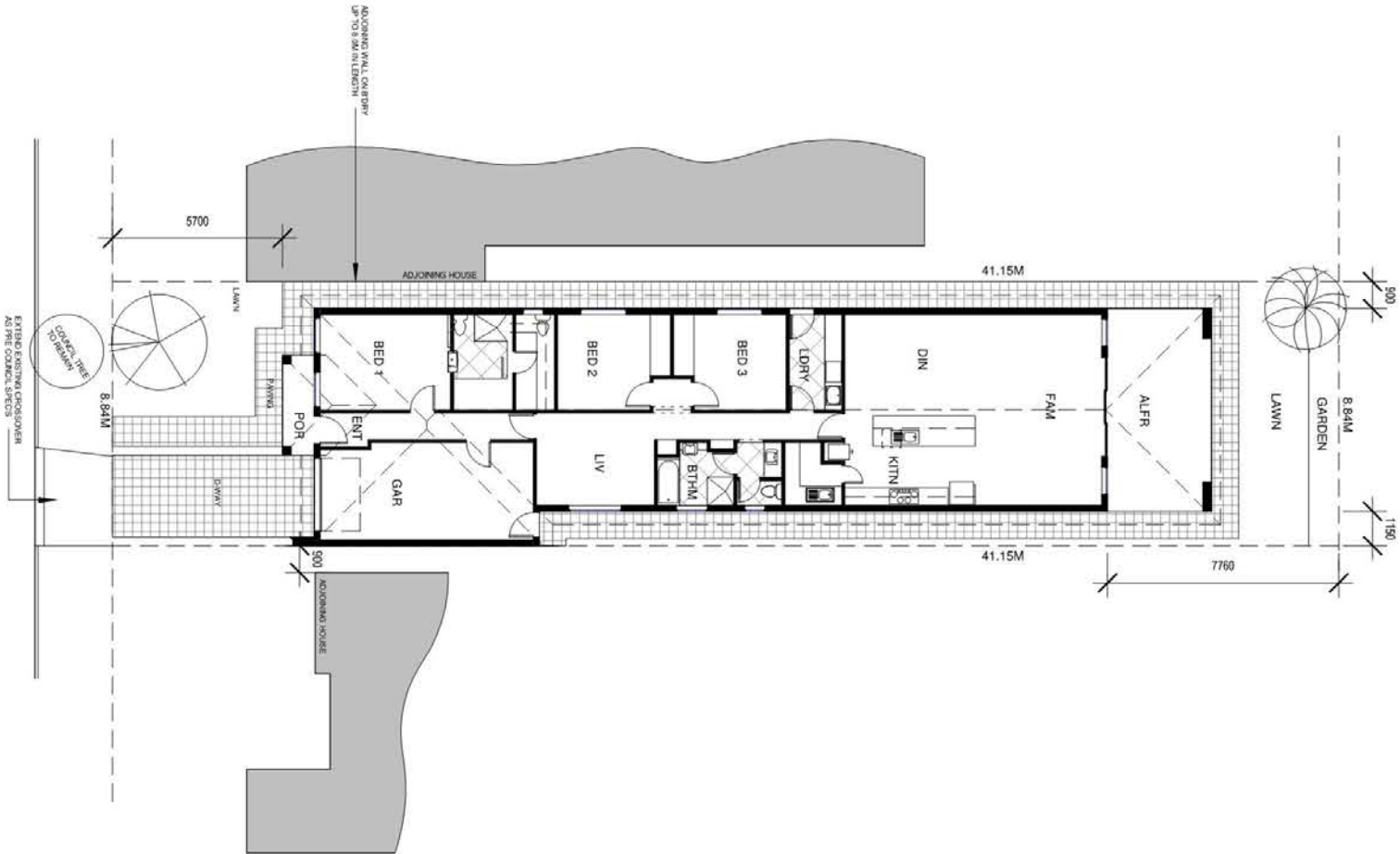
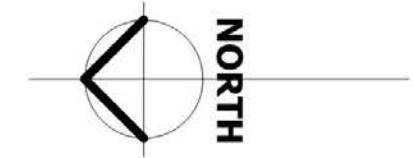
Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is considered to be not seriously at variance with the Development Plan.

On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 30 May 2017 and warrants Development Plan Consent.

## **Attachments**

### **1. Site Plan, Floor Plan, Elevations and Drainage Plan**

- TREES  
(Various) H 3.0 - 6.0m



CORAL SEA ROAD

HOUSE AREA	
GROUND FLOOR	163.00m <sup>2</sup>
ALFRESCO	23.80m <sup>2</sup>
GARAGE	26.40m <sup>2</sup>
PORCH	3.80m <sup>2</sup>
TOTAL	217.00m <sup>2</sup>

SITE AREA	
OVERALL	363.00m <sup>2</sup>

SEE ENGINEERS DOCUMENT  
FOR STORM WATER, RAIN  
WATER TANK AND FINISHED  
FLOOR LEVELS.

BOUNDARY OUTLINE  
INDICATIVE ONLY, DETAILED  
SURVEY REQUIRED BY  
QUALIFIED SURVEYOR

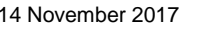


25 PENONG AVE CAMDEN PARK  
VERIFY DIMENSIONS AND LEVELS BEFORE  
COMMENCING ON SITE  
PROPOSED:  
SINGLE STOREY  
DETACHED DWELLING  
FOR: GENTAIN KOLAA  
AT:  
17 CORAL SEA ROAD  
FULHAM

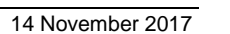
PH: 8350 0116  
FAX: 8376 1998  
MOB: 0407 511 873  
EMAIL: info@vico-design.com.au

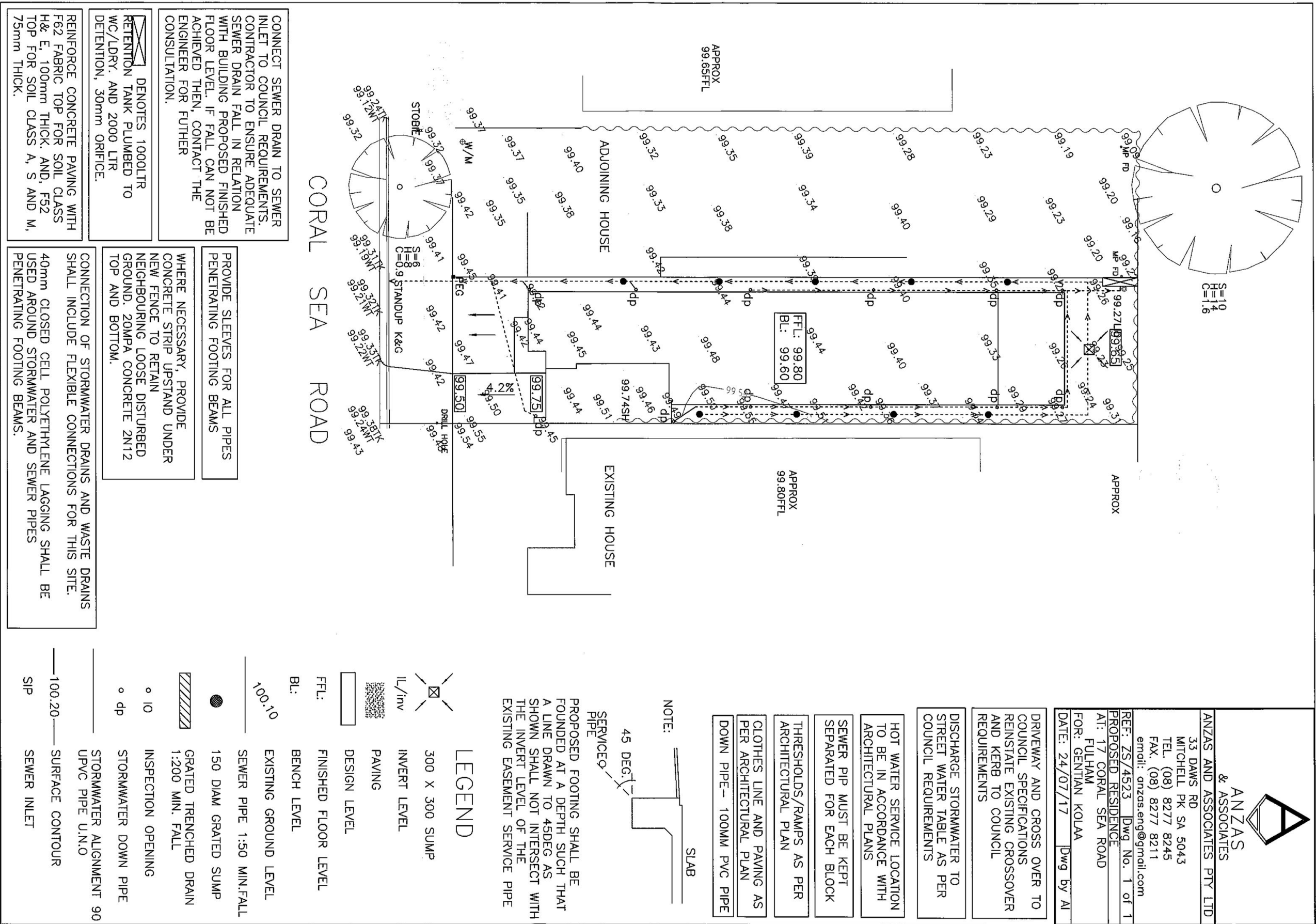
DRAWING TITLE: SITE PLAN	
DRAWN: NP	
DATE: AUGUST 2017	
SCALE: 1 : 200 @ A3	
ISSUE: 'B'	
SHEET No: 01 OF 12	
PROJECT No: 436-0717	

1 SITE PLAN  
01 1 : 200









## 6.7 11 Airport Road, BROOKLYN PARK

Application No 211/974/2017

### DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Combined Application: Land division - Torrens Title; DAC No. 211/D139/17 (Unique ID 59037), Create one (1) additional allotment; and construction of two (2) single-storey detached dwellings
APPLICANT	J Gatis
APPLICATION NO	211/974/2017
LODGEMENT DATE	15 August 2017
ZONE	Residential Zone
POLICY AREA	Low Density Policy Area 20
APPLICATION TYPE	Merit
REFERRALS	Internal <ul style="list-style-type: none"> <li>City Assets</li> <li>Amenity Officer</li> </ul> External <ul style="list-style-type: none"> <li>Nil</li> </ul>
DEVELOPMENT PLAN VERSION	30 May 2017
MEETING DATE	14 November 2017

### RECOMMENDATION

The Council 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. 211/974 /2017 by J Gatis to undertake the Combined Application: Land division - Torrens Title; SCAP No. 211/D139/17 (Unique ID 59037), Create one (1) additional allotment; and construction of two (2) single-storey detached dwellings at 11 Airport Road, Brooklyn Park (CT5722/598) subject to the following conditions of consent:

### Council Conditions

1. That prior to the issue of Section 51 Clearance to this division approved herein, all existing structures shall be removed from the proposed allotments.
2. That all stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:
  - a) Result in the entry of water into a building; or
  - b) Affect the stability of a building; or
  - c) Create unhealthy or dangerous conditions on the site or within the building; or
  - d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
3. That all driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained, and shall be maintained in reasonable condition at all times.

## State Commission Assessment Panel Conditions

1. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services (SA Water H0062721).  
SA Water advises on receipt of the developer details and site specifications an investigation will be carried out to determine if the connection/s to your development will be costed as standard or non-standard.
2. Payment of \$6,830 into the Planning and Development Fund (1 allotment @ \$6,830/allotment). Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (7109 7016), by cheque payable to the State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, Level 5, 50 Flinders Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines issued by the Registrar General to be lodged with the State Planning Commission for Land Division Certificate purposes.

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## BACKGROUND

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

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

## PREVIOUS OR RELATED APPLICATION(S)

DA211/550/1996 - Attached Carport

DA211/1074/2017 - Demolish existing dwelling and associated structures - Development Approval- on 20 September 2017

## SITE AND LOCALITY

The subject site described as Allotment 58 Deposited Plan 4011 in the area named Brooklyn Park Hundred of Adelaide as contained in Certificate of Title Volume 5722 Folio 598. The land is more commonly known as 11 Airport Road, Brooklyn Park. The subject site is rectangular in shape with a frontage of 8.84m to Airport Road, a depth of 42.67m and a site area of 716m<sup>2</sup>. Currently on site is a single storey detached dwelling of a 1960s appearance and an outbuilding. Located in the Council verge in front of the subject site is a mature street tree.

The subject site is located on the eastern side of Airport Road and approximately 140m north of the subject site is the arterial road, Henley Beach Road.

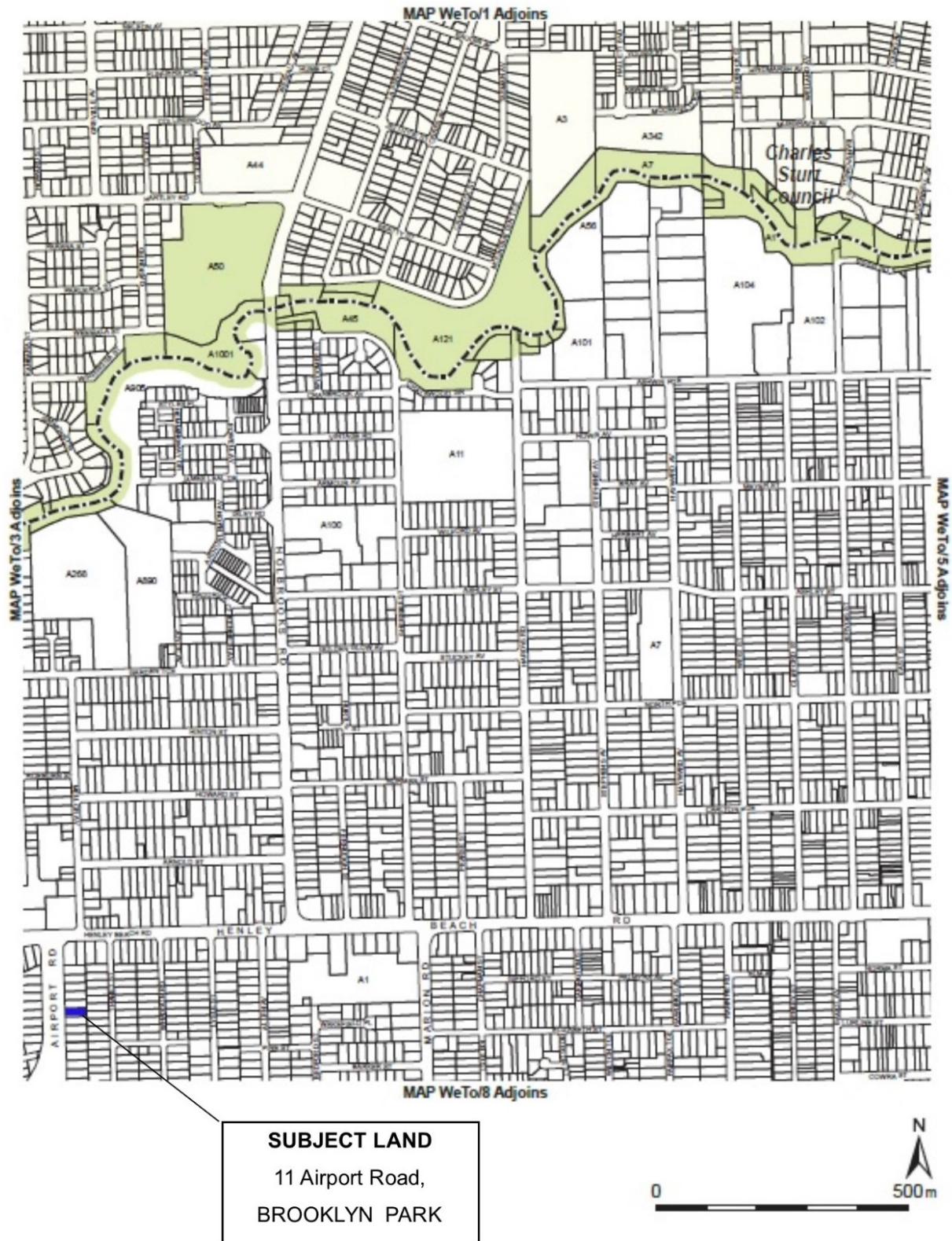
The locality is residential in nature with allotments primarily rectangular in shape and varying in sizes between 670m<sup>2</sup> and 910m<sup>2</sup>. The locality is predominantly comprised of single storey detached dwellings, with a few examples two storey detached dwellings and residential flat buildings within the locality. Mature street trees are a prominent feature along Airport Road, within the Council verge in front of the dwellings and the verge separating the traffic heading North and South along Airport Road.

The site and locality are shown on the following maps:









Location Map We To/4

## PROPOSAL

The proposed development involves a combined application for the division of land and its built form. The site is proposed to be divided into two allotments both with 8.38m frontages and a site area of 358m<sup>2</sup>. The built form is for the construction of two (2) single storey detached dwellings each with a single garage and an alfresco at the rear of the dwelling.

## REFERRALS

### Internal

- City Assets - Vehicle Manoeuvrability

Due to the subject site being located along a Secondary Arterial Road a vehicle must enter and exit the site in a forward motion. City Assets have assessed the application against the relevant Australian Standard requirements and support the proposal.

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

- City Works (Amenity Officer) - Driveway impact to Street Tree

Residence 1 driveway had a possible street tree impact. City Works have stated that the driveway should have sufficient distance between the street tree and stobie pole. City Works have also supported the 1.5m offset for Residence 1 stormwater connection from the street tree located in front of Residence 2.

A full copy of the relevant report(s) is/are attached, refer **Attachment 3**.

### External

- Nil

## PUBLIC NOTIFICATION

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

## 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>		
<i>Building near Airfields</i>	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6 & 7
<i>Crime Prevention</i>	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7, 8, 9 & 10
<i>Design and Appearance</i>	<i>Objectives</i>	2
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 & 20

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

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



<b>Policy Area: Low Density Policy Area 20</b>	
<p><b>Desired Character Statement:</b></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. Buildings will be up to 2 storeys in height. Garages and carports will be located behind the front façade of buildings. Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer. Low and open-style front fencing will contribute to a sense of space between buildings.</i></p>	
<b>Objectives</b>	1
<b>Principles of Development Control</b>	1, 2, 4 & 5

## QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
ALLOTMENT AREA Low Density Policy Area 21 PDC 4	300m <sup>2</sup>	Lot 1: 358m <sup>2</sup> Lot 2: 358m <sup>2</sup>  <b>Satisfies</b>
SITE FRONTAGE Low Density Policy Area 21 PDC 4	9m	Lot 1: 8.38m Lot 2: 8.38m  <b>Does Not Satisfy</b>
STREET SETBACK Residential Zone PDC 8	The same setback as one of the adjacent dwellings	Lot 1: 11.71m Lot 2: 11.71m  <b>Satisfies</b>

SIDE/REAR SETBACKS Residential Zone PDC 11	Side 0/1m  Rear 3m	Lot 1: 0 / 1.1m Lot 2: 0 / 1.1m  <b>Does Not Satisfy</b>  Lot 1: 4m Lot 2: 4m  <b>Satisfies</b>
PRIVATE OPEN SPACE Residential Development PDC 19	Site size 300 - 500m <sup>2</sup> Minimum of 60m <sup>2</sup>	Lot 1: 70.9m <sup>2</sup> Lot 2: 70.9m <sup>2</sup>  <b>Satisfies</b>
CARPARKING SPACES Transportation and Access PDC 34	Minimum of 2 car-parking spaces required 1 covered & 1 uncovered	Lot 1: 2 Lot 2: 2  <b>Satisfies</b>

## QUALITATIVE ASSESSMENT

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

### Site Frontage

The proposed allotments will each have a frontage width of 8.38m, which is 620mm less than the minimum stated in the Policy Area. This shortfall is not considered fatal to the application due to a number of mitigating factors. Firstly, a deficiency of 620mm will not be readily perceptible from the public realm and as such will not create a conspicuous feature that is at odds with the prevailing allotment pattern.

The subject site is located within 400m of a Centre Zone, and due to the walkability to these local services, a higher density is encouraged. The proposal will achieve this higher density without compromising the low density character of the Zone. This will be achieved by creating two separate allotments each of which will be able to accommodate a detached dwelling. The locality and Low Density Policy Area 20, are characterised by detached single and two storey homes with generous front setbacks. The proposed allotments area is 42.7m deep and as such provides enough room to accommodate a standard 3 bedroom dwelling.

This will be the first intrusion of infill development in the immediate locality, however there is an example of a residential flat building 70m south west of the subject site at 22 Airport Road. It is considered that the proposed 1 into 2 division is more appropriate for this location than that of a residential flat building.

For the reasons discussed above, it is considered that the shortfall in frontage width is acceptable in this instance.

**Front Setback**

The proposed dwellings should have a front setback as one of the adjacent dwellings as per PDC 8 of the Residential Zone. The two adjacent dwellings have staggered setbacks, at 9 Airport Road it ranges between 8.65 metres - 10.25 metres, and at 13 Airport Road the primary setback ranges from 6.5 metres -14.4 metres. Due to the staggered setbacks the proposed dwellings front setback of 11.71 metres will not detrimentally impact on the street scape. Furthermore, the locality allows for a staggered front setback as there is not a strict front setback to adjoining dwellings.

**Side Setback**

The side setback does not satisfy PDC 16 of the Residential Development Section. A side wall can be located on the boundary up to a length of 8 metres if it is a garage, carport or an outbuilding. The proposed dwellings have a boundary wall length of 11 metres, comprising of a porch, garage and bedroom. The proposed boundary walls will not be a detrimental factor to the application as they will not negatively impact the adjoining properties private open space, but instead be sited against their private garages and carports.

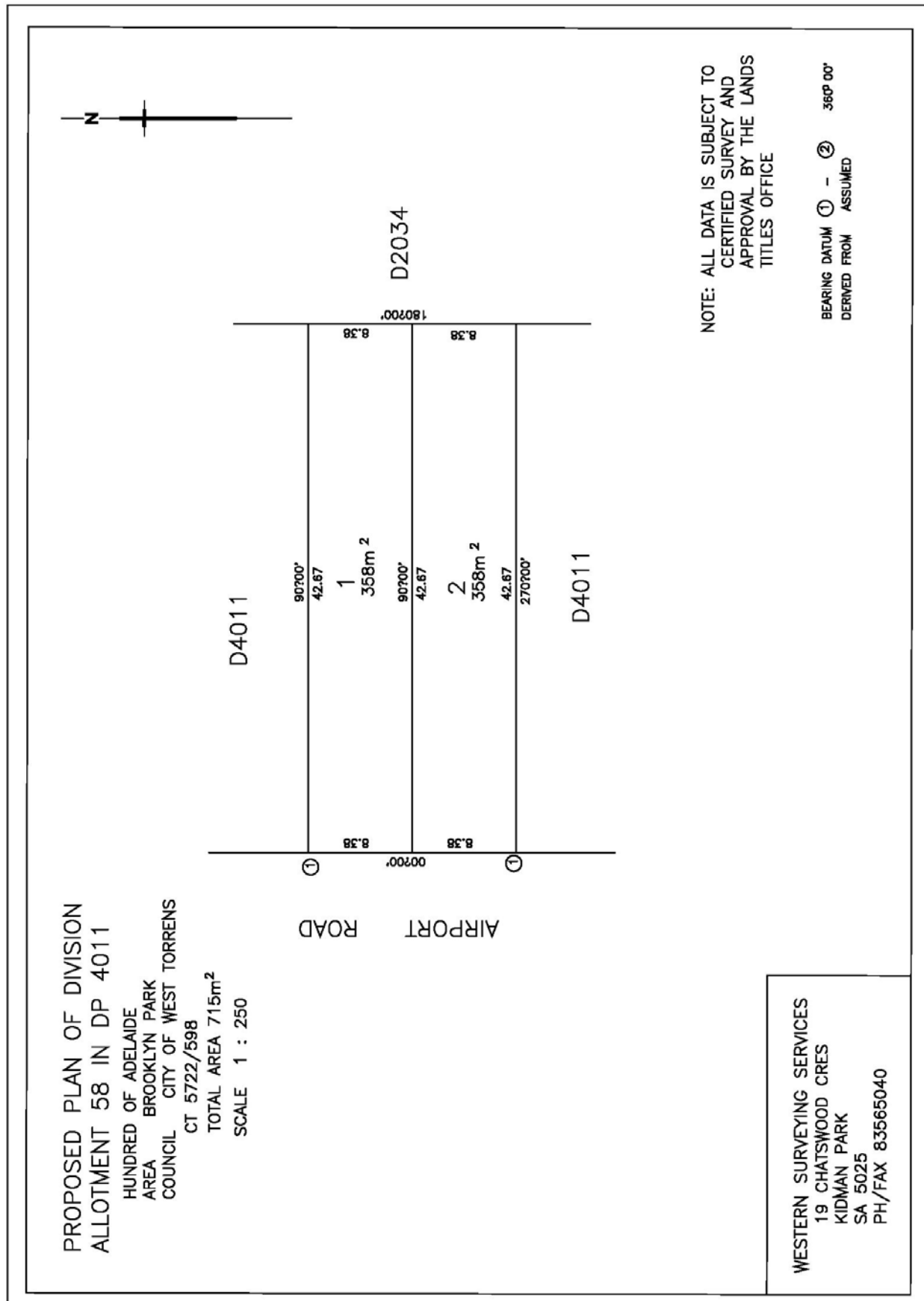
**SUMMARY**

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

On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan consolidated 30 May 2017 and warrants Development Plan Consent.

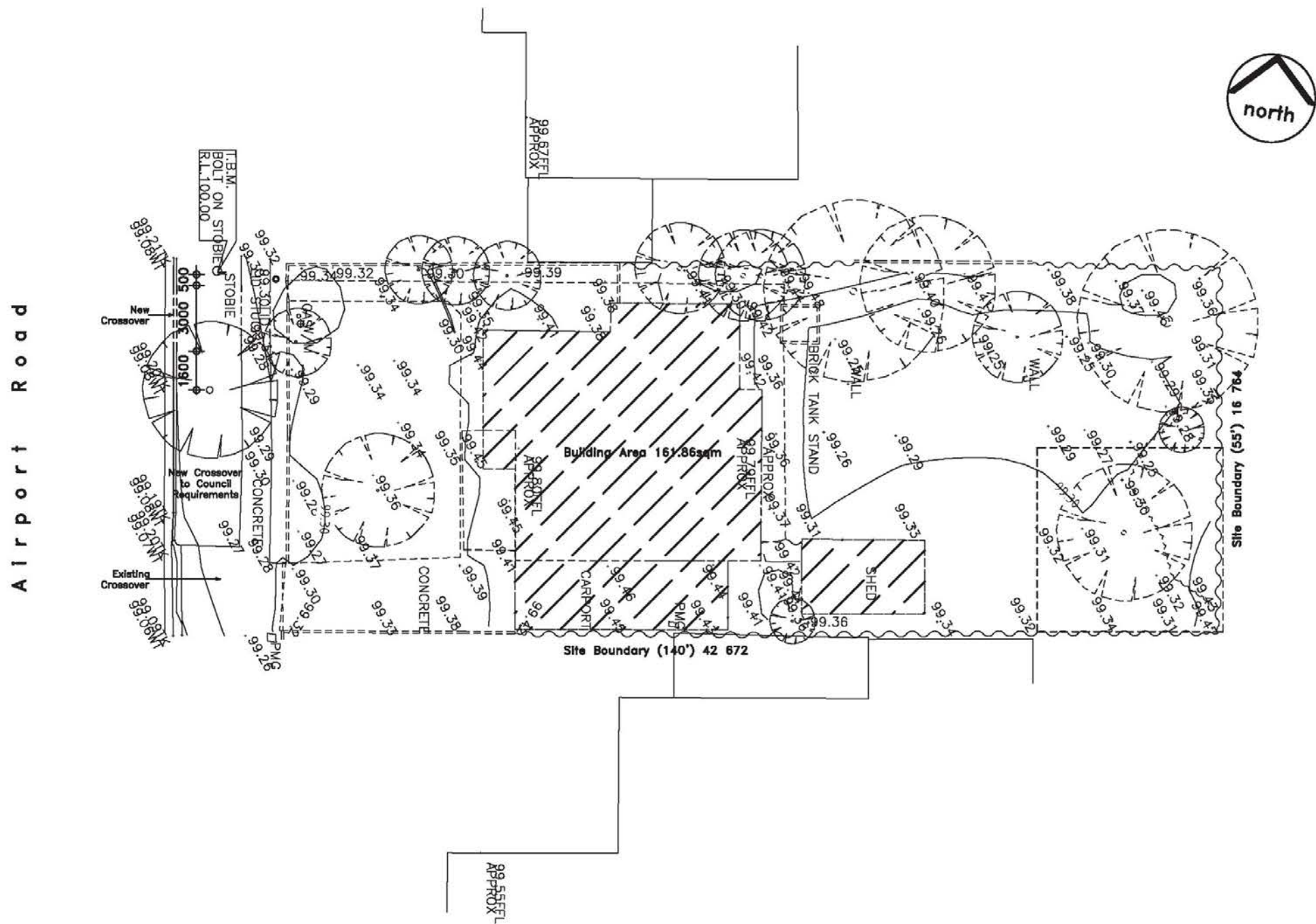
**Attachments**

1. **Land Division Plan, Site Plan, Floor Plan, Elevation Plan and Stormwater Drainage Plan**
2. **City Assets Referral**
3. **City Works Referral**





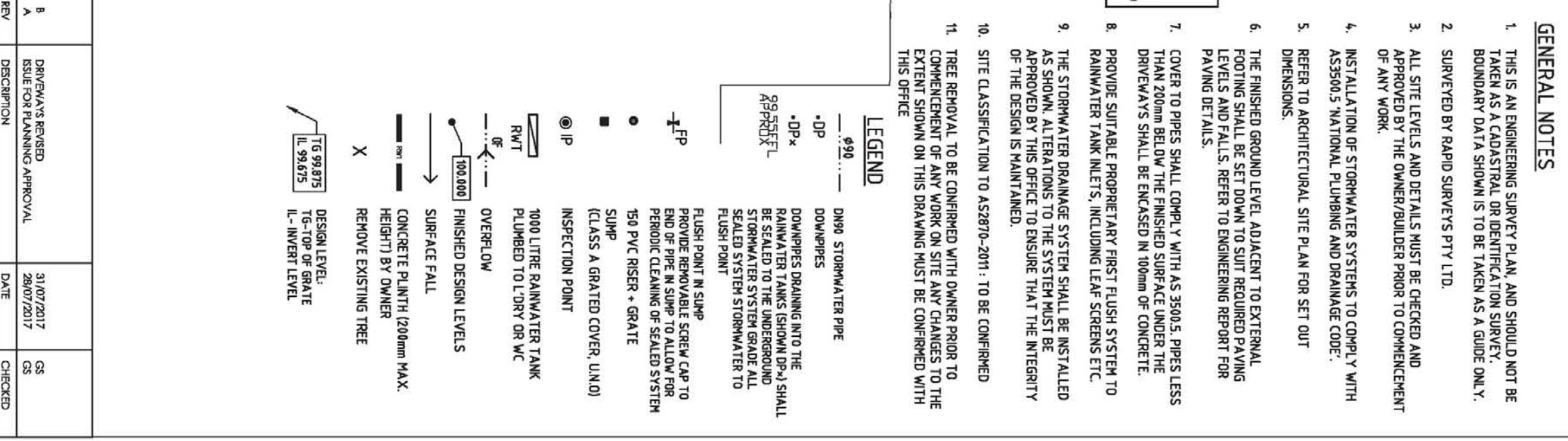
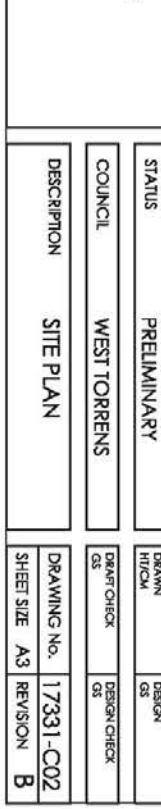
30/07/2017  
Issued for Approval



Demolition Plan  
Scale 1:200

Dwg:  
**DA01**  
Client:  
**C. Vavaris**  
Sheet Title:  
**Demolition Plan**  
Project:  
**11**  
**Airport Road**  
**Brooklyn Park**





B	DRIVER/MS REVISED	31/07/2017	GS
A	ISSUE FOR PLANNING APPROVAL	28/07/2017	GS
REV	DESCRIPTION	DATE	CHECKED

## GENERAL NOTES

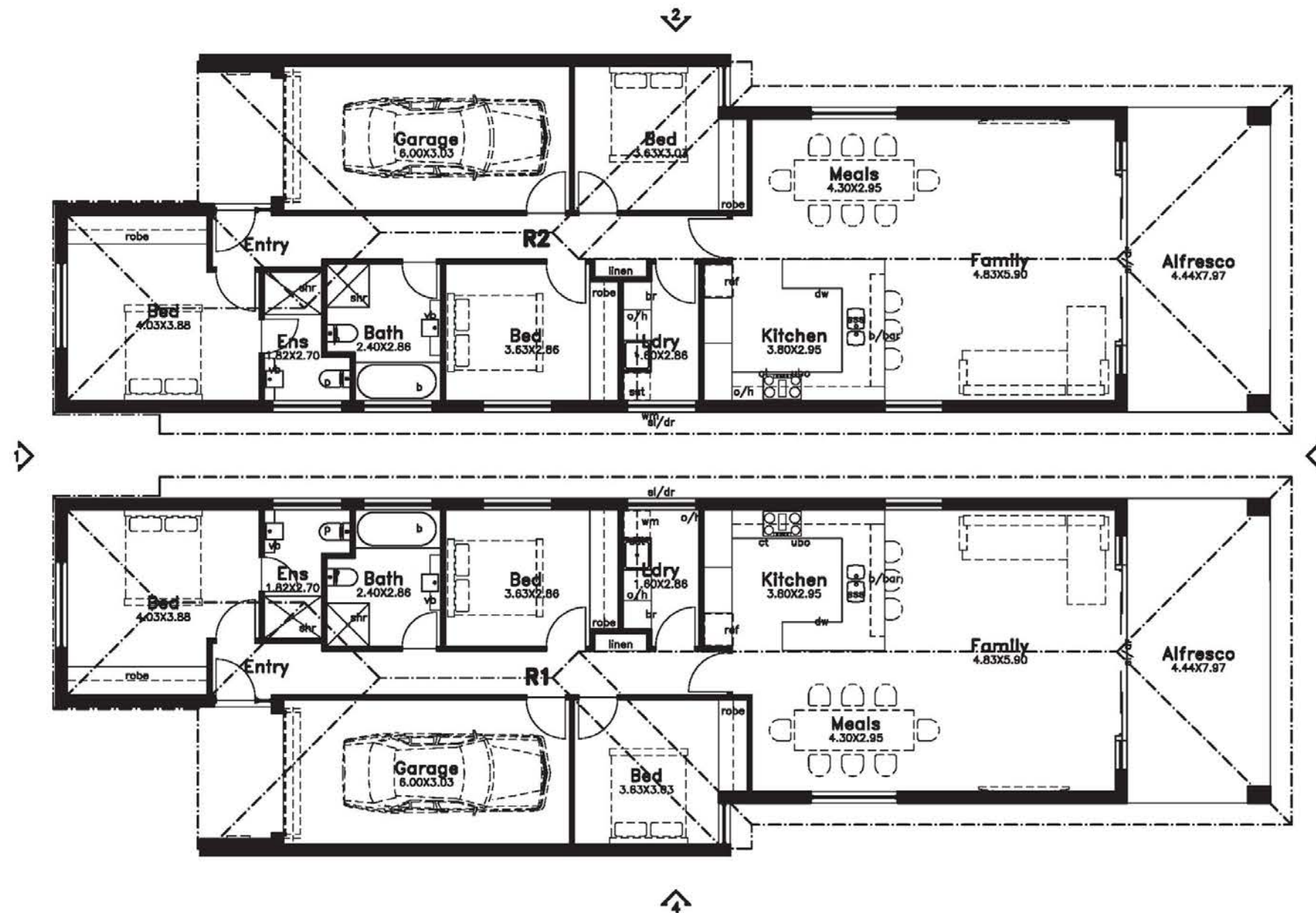
1. THIS IS AN ENGINEERING SURVEY PLAN, AND SHOULD NOT BE TAKEN AS A CADASTRAL OR IDENTIFICATION SURVEY. BOUNDARY DATA SHOWN IS TO BE TAKEN AS A GUIDE ONLY.
2. SURVEYED BY RAPID SURVEYS PTY LTD.
3. ALL SITE LEVELS AND DETAILS MUST BE CHECKED AND APPROVED BY THE OWNER/BUILDER PRIOR TO COMMENCEMENT OF ANY WORK.
4. INSTALLATION OF STORMWATER SYSTEMS TO COMPLY WITH AS3500.5 'NATIONAL PLUMBING AND DRAINAGE CODE'.
5. REFER TO ARCHITECTURAL SITE PLAN FOR SET OUT DIMENSIONS.
6. THE FINISHED GROUND LEVEL ADJACENT TO EXTERNAL FOOTING SHALL BE SET DOWN TO SUIT REQUIRED PAVING LEVELS AND FALLS. REFER TO ENGINEERING REPORT FOR PAVING DETAILS.
7. COVER TO PIPES SHALL COMPLY WITH AS 3500.5, PIPES LESS THAN 200mm BELOW THE FINISHED SURFACE UNDER THE DRIVEWAYS SHALL BE ENCASED IN 100mm OF CONCRETE.
8. PROVIDE SUITABLE PROPRIETARY FIRST FLUSH SYSTEM TO RAINWATER TANK INLETS, INCLUDING LEAF SCREENS ETC.
9. THE STORMWATER DRAINAGE SYSTEM SHALL BE INSTALLED AS SHOWN. ALTERATIONS TO THE SYSTEM MUST BE APPROVED BY THIS OFFICE TO ENSURE THAT THE INTEGRITY OF THE DESIGN IS MAINTAINED.
10. SITE CLASSIFICATION TO AS2870-2011: TO BE CONFIRMED
11. TREE REMOVAL TO BE CONFIRMED WITH OWNER PRIOR TO COMMENCEMENT OF ANY WORK ON SITE ANY CHANGES TO THE EXTENT SHOWN ON THIS DRAWING MUST BE CONFIRMED WITH THIS OFFICE

### LEGEND

- The diagram includes the following symbols and their corresponding descriptions:

  - Flow Direction:** A solid arrow pointing right.
  - Manhole Type:** A circle with a cross inside, labeled "DP".
  - Manhole Type:** A circle with a cross inside, labeled "DPx".
  - Inspection Point:** A circle with a dot inside, labeled "IP".
  - Riser:** A vertical rectangle with a diagonal line through it, labeled "RWT".
  - Grate:** A horizontal rectangle with a diagonal line through it, labeled "GR".
  - Flush Point in Sump:** A circle with a cross inside, labeled "FP".
  - Design Level:** A horizontal line with a small square at the end, labeled "LG 99.875".
  - Invert Level:** A horizontal line with a small square at the end, labeled "IL 99.675".

30/07/2017  
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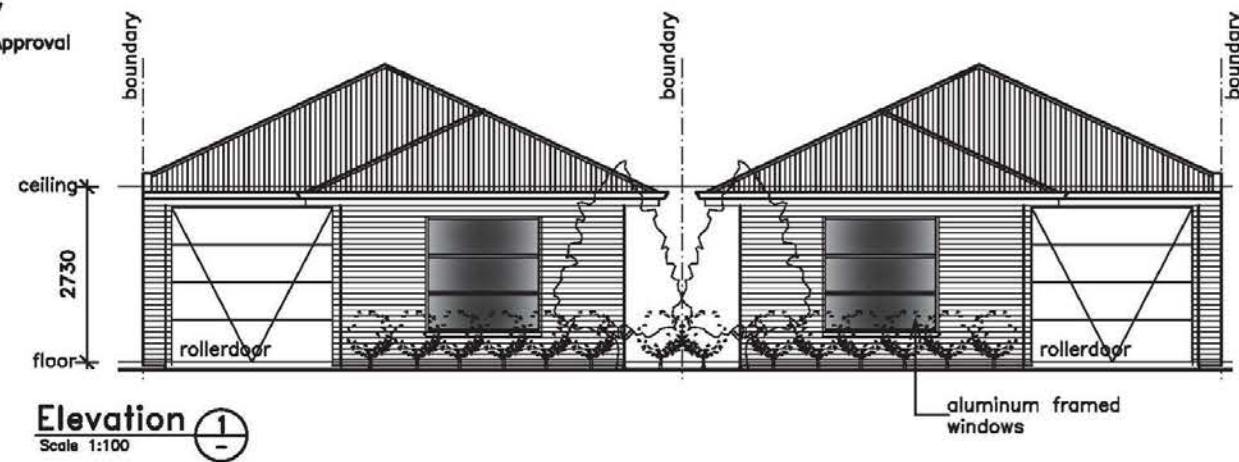


**Floor Plan**  
Scale 1:100

Dwg:  
**DA03**  
Client:  
**C. Vavaris**  
Sheet Title:  
**Floor Plans**  
Project:  
**11**  
**Airport Road**  
**Brooklyn Park**

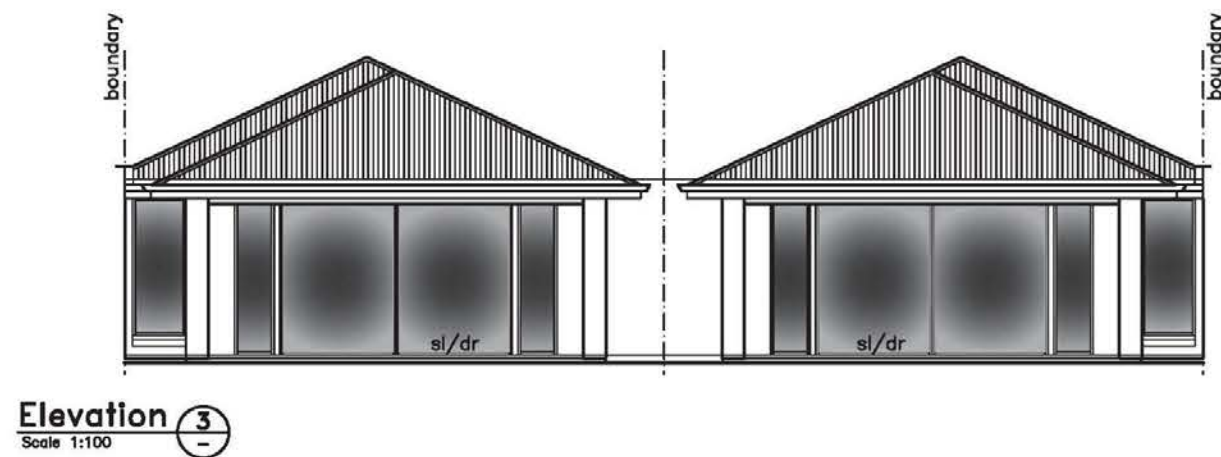
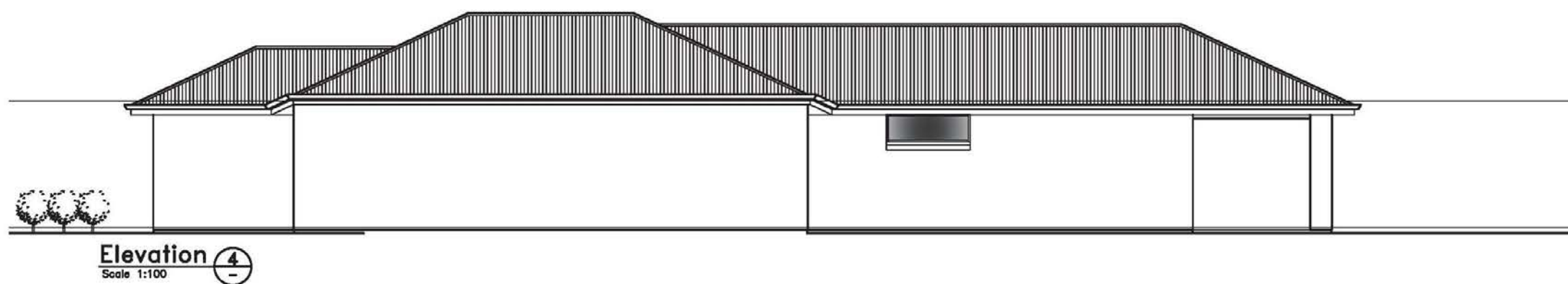


30/07/2017  
Issued for Approval



### Materials

ROOF  
Corrugated Metal Sheet – Monument  
GUTTER  
Metal – Monument  
EAVES  
CFC – Cream  
WALL  
Masonry Brickwork – Pewter  
WINDOWS  
Aluminum Windows – Surf Mist



Dwg:  
**DA04**  
Client:  
**C. Vavaris**  
Sheet Title:  
**Elevations**  
Project:  
**11**  
**Airport Road**  
**Brooklyn Park**





**Ref: 17118|BNW**

Mr Bill Stefanopoulos  
Town Planning Advisors  
PO Box 9061  
HENLEY BEACH SOUTH SA 5022

28 July 2017

Dear Bill,

**PROPOSED RESIDENTIAL DWELLINGS  
11 AIRPORT ROAD, BROOKLYN PARK**

I refer to our recent discussions regarding the proposed residential development at 11 Airport Road, Brooklyn Park. As requested, CIRQA has undertaken a review of vehicle turn paths for the associated parking spaces.

The subject site currently accommodates a single dwelling with a single access point on Airport Road. The wide central median on Airport Road restricts movements at the access point to left-in/left-out movements only.

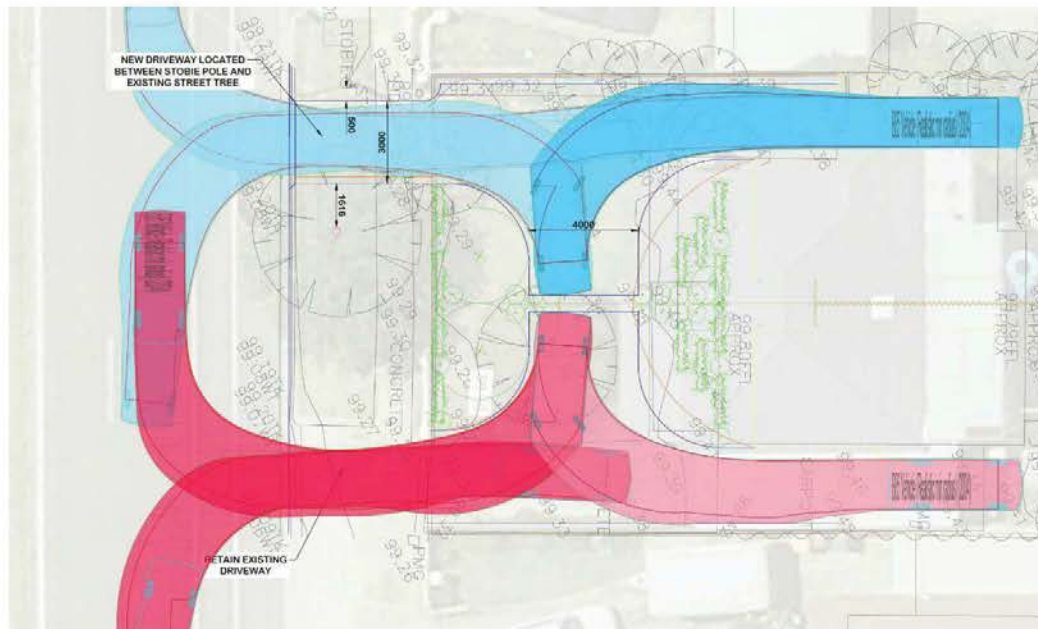
It is proposed to demolish the existing dwelling and construct two detached dwellings on the subject site. The dwellings will be serviced by separate crossovers, namely the existing crossover for the southern dwelling and provision of a new crossover for the northern dwelling. Consideration was given to the provision of a single, central shared crossover to service both dwellings. However, an existing street tree (which Council requires to be retained) restricts provision of a central access point.

Each dwelling will have access to two parking spaces for use by residents, in the form of one covered (garage) space and one uncovered space. Garage door opening widths will be at least 2.4 m wide and the internal garage width will be at least 3.0 m. Such dimensions confirm with the requirements of the *"Australian / New Zealand Standard for Parking Facilities – Part 1: Off-Street Car Parking"* (AS/NZS 2890.1:2004). The driveways will have a minimum width of 3.0 m (with additional clearances to solid obstructions). The structure around the uncovered space will also conform with the requirements of the car clearance envelope identified in AS/NZS 2890.1:2004.

Turnaround areas have been provided in front of the two dwellings to ensure that vehicles can be driven into and out of the site in a forward direction. AutoCAD Vehicle Tracking software has been utilised to confirm that such movements (with appropriate clearances) will be achievable by a B85th percentile design vehicle (car). In addition, a clearance of 500 mm has been achieved to the Stobie pole adjacent the northern



driveway (as requested by Council staff). A further clearance of approximately 1.6 m is provided to the existing street tree. Figure 1 illustrates the turn paths for movements associated with the two turnaround areas.



*Figure 1 - B85th percentile vehicle turn paths for ingress and egress movements*

In summary, the proposed development will comprise the construction of two new residential dwellings on the subject site. Each dwelling will include two garaged parking spaces and two uncovered spaces.

Vehicle movements into and out of each parking space will be accommodated in accordance with the requirements of the relevant Australian Standard. Turn path assessment confirms that the turnaround areas provided will ensure vehicles can be driven into and out of the site in a forward direction.

Please feel free to contact me on 0412 835 711 should you require any additional information.

Yours Sincerely,

A handwritten signature in blue ink, appearing to read "Ben Wilson".

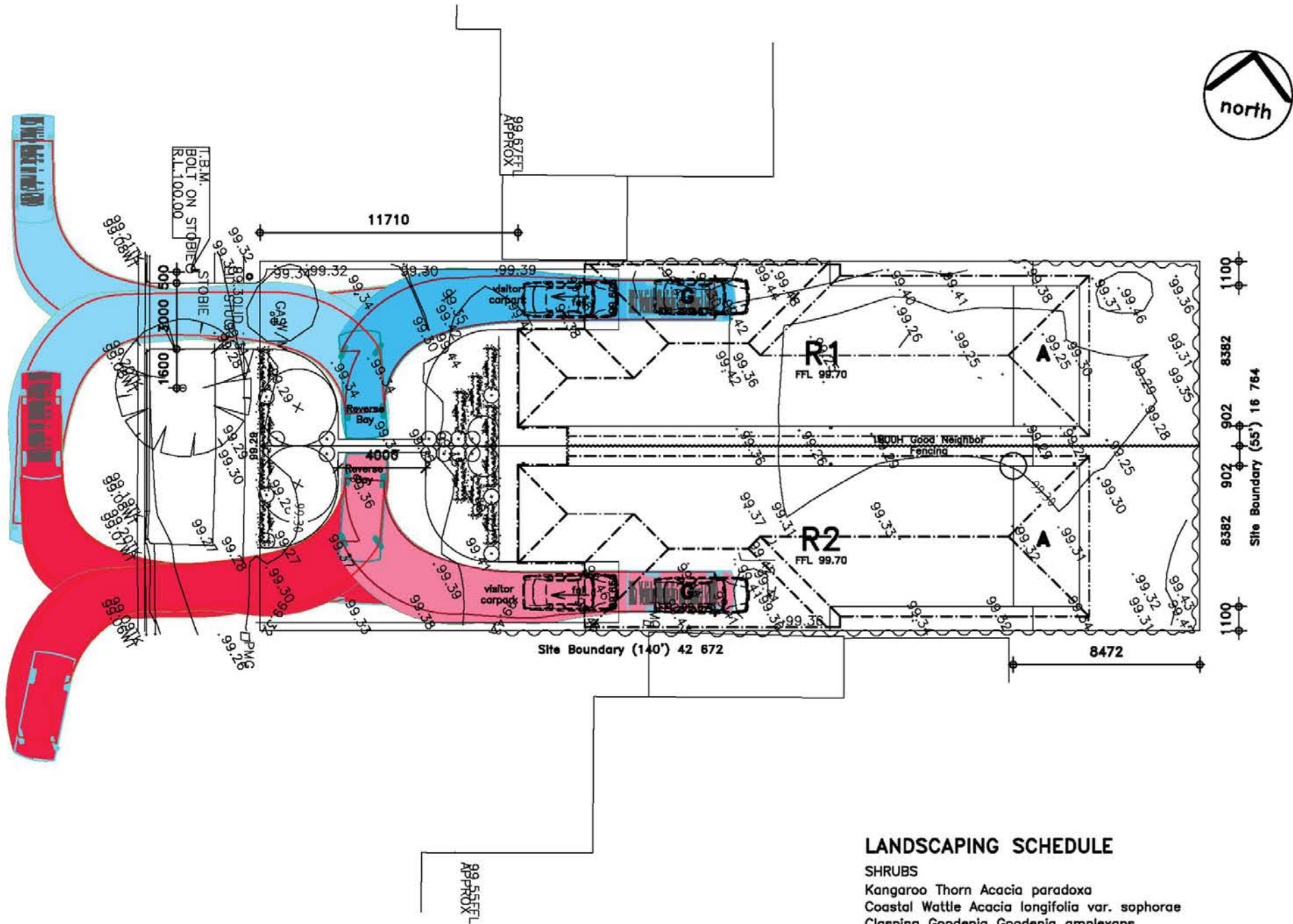
**BEN WILSON**  
Director, CIRQA Pty Ltd



30/07/2017  
Issued for Approval

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



Build Information

Site Area 715.35

AREAS - R1+R2

living	126.42
alfresco	19.59
garage	19.59
TOTAL	165.60

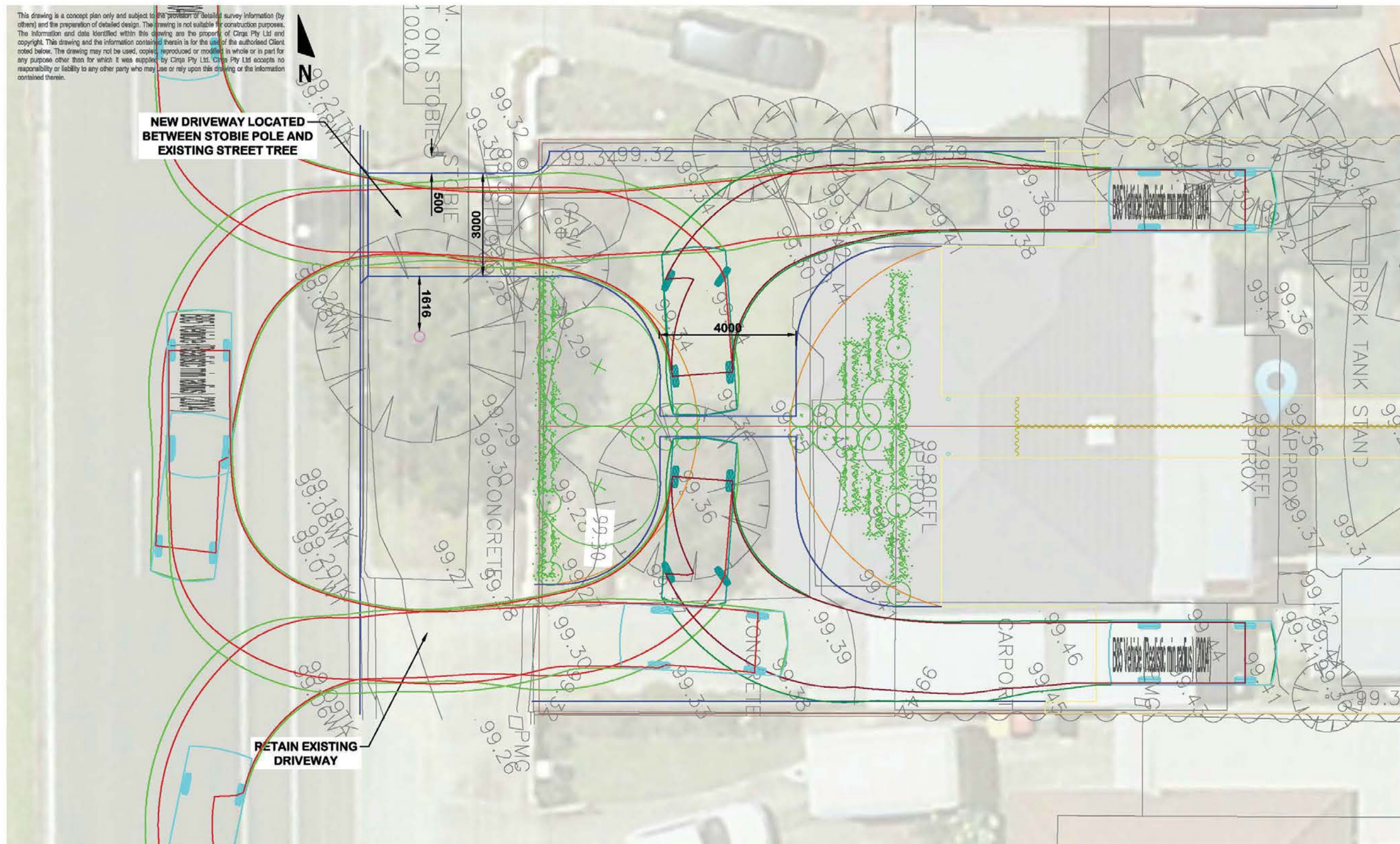
TOTAL	
Land Area	357.68
POS	71.01

LANDSCAPING SCHEDULE

- SHRUBS
- Kangaroo Thorn *Acacia paradoxa*
  - Coastal Wattle *Acacia longifolia* var. *sophorae*
  - Clasping Goodenia *Goodenia amplexans*
  - Twiggy Daisy Bush *Olearia ramulosa*
- GROUND COVER
- Running Postman *Kennedia prostrata*
  - Muntries *Kunzea pomifera*
  - Pale Fanli ower *Scaevola alba*
  - Ruby Saltbush *Enchylaena tomentosa*
- GRASSES
- Kangaroo Grass *Themeda triandra*
  - Black-anther Flax-lily *Dianella revoluta*
  - Round-leaf Pigface *Disphyma crassifolium*
  - Coast Tussock Grass *Poa poiformis*

Dwg: **DA02**  
Client: **C. Vavaris**  
Sheet Title: **Site Plan**  
Project: **11**  
**Airport Road**  
**Brooklyn Park**







## Preliminary Assessment

### Traffic Land Div adjoining Lane or Intersection

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**Development Application No:** 211/974/2017

**Assessing Officer:** Amelia DeRuvo

**Site Address :** 11 Airport Road, BROOKLYN PARK SA 5032

**Certificate of Title:** CT-5722/598

**Description of Development:** Combined Application: Land division - Torrens Title; DAC No. 211/D139/17 (Unique ID 59037), Create one (1) additional allotment; and construction of two(2) single-storey detached dwellings

---

#### TO THE TECHNICAL OFFICER - ENGINEERING SERVICES –( Parking & Traffic )

Please provide your comments in relation to:

- ☐ Is a corner cut-off required?
- ☐ Is a road widening allocation required?
- ☐ Details of land submission required:

.....

.....

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.....

.....

**PLANNING OFFICER - Amelia DeRuvo**

**DATE 10 October 2017**

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## Memo

To Amelia DeRuvo  
From Jane Teng  
Date 10/10/2017  
Subject 211/974/2017, 11 Airport Road, BROOKLYN PARK SA 5032

Amelia DeRuvo,

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

City Assets supports the development application based on the items assessed as per the below and shown on the proposed site plan (DA01-DA02- Dated 30/07/2017).

- FFL of 99.70 have been assessed as satisfying minimum requirements (99.43 minimum) in consideration of street and/or flood level information.
- Traffic maneuverability have been assessed as acceptable based on the relevant Australian Standard requirements.
- Stormwater drainage outlets to both residential dwellings have been assessed as acceptable based on Council typical standard requirements.
- Based on the above bases, the above development would be supportable from Civil Assets perspective.

Should you require further information, please contact Jane Teng on the following direct extension number 8416 6333.

Regards

**Jane Teng**  
**Civil Engineer**

## Arboricultural Assessment of Street Trees

Development Application No: **211/974/2017**

**REFERRAL DUE DATE:** 20 September 2017

Assessing Officer: **Amelia DeRuvo**  
Site Address: **11 Airport Road, BROOKLYN PARK SA 5032**  
Certificate of Title: **CT-5722/598**  
Description of Development: **Combined Application: Land division - Torrens Title; DAC No. 211/D139/17 (Unique ID 59037), Create one (1) additional allotment; and construction of two(2) single-storey detached dwellings**

### TO THE TECHNICAL OFFICER – CITY ASSETS

Please provide your comments in relation to:

- ☐ The removal of or impact upon the Street Tree
- ☐ Species of Tree:
- ☐ Your advice is also sought on other aspects of the proposal as follows:

PLANNING OFFICER - Amelia DeRuvo

DATE 6 September 2017

### FROM THE TECHNICAL OFFICER

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

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

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

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

**Based on the preliminary planning advice supplied to the applicant in May 2017 by City Works and City Assets, City Works will support the proposal the current proposal based on the information below.**

#### **Northern Dwelling:**

- There should be sufficient offset distance to the existing street tree (2.0m minimum to the north of the tree) and existing stobie pole (0.4m approximately). However, 3.4m will leave no room for a stormwater connection as we will need to allow for the 0.3m faring at the kerb. City Asset would accept stormwater connection located at 0.5m north of the shared property boundary, noting that this will leave approximately 1.5m offset to the south of the existing street tree. It is recommended that no gates/fence/wall is to be placed at the front boundary.

**City Works supports the reduced offset of 1.5m for the storm water.**

**Southern Dwelling:**

- There should be sufficient room for the new stormwater connection and based on the demonstrated City Asset turn path checks, this dwelling would be able to re-use existing driveway invert fronting the dwelling. It is recommended that no gates/fence/wall is to be placed at the front boundary.

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

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

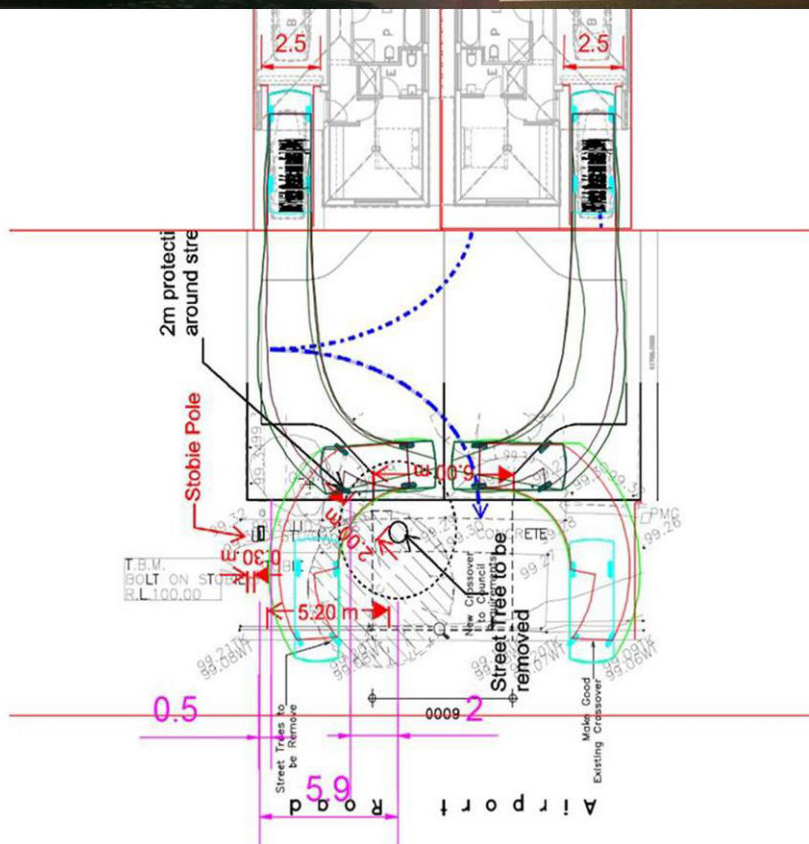
**Rick Holmes**  
**Arboriculture Assistant**  
**165 Sir Donald Bradman Drive**  
**Hilton SA 5033**

**Telephone: 8416 6333**  
**Fax: 8443 5709**  
**Email: [rholmes@wtcc.sa.gov.au](mailto:rholmes@wtcc.sa.gov.au)**

**DATE: 15/09/2017**







## 6.8 2 Galway Avenue, NORTH PLYMPTON

Application No 211/888/2017

### DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Combined Land division - Community Title; DAC No. 211/C125/17 (Unique ID 58875); Creating three (3) additional allotments; Built form - construction of four 2-storey group dwellings
APPLICANT	Vern Stoeff
APPLICATION NO	211/888/2017
LODGEMENT DATE	13 July 2017
ZONE	Residential Zone
POLICY AREA	Medium Density Policy Area 19
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> <li>City Assets</li> </ul> External <ul style="list-style-type: none"> <li>SPAC</li> <li>SA Water</li> </ul>
DEVELOPMENT PLAN VERSION	30 May 2017
MEETING DATE	14 November 2017

### RECOMMENDATION

The Council 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. 211/888/2017 by Vern Stoeff to undertake Combined Land division - Community Title; DAC No. 211/C125/17 (Unique ID 58875); Creating three (3) additional allotments; Built form - construction of four 2-storey group dwellings at 2 Galway Avenue, North Plympton (CT5178/709) subject to the following conditions of consent:

#### Development Plan Consent Conditions

1. Development is to take place in accordance with the plans prepared by House and Land SA and Elite Land Solutions relating to Development Application No. 211/888/17 (DAC 211/C125/17).
2. That the upper level windows of the dwellings, except to the street, 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 the occupation of the building. The glazing in these windows will be maintained in a reasonable condition at all times.
3. 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.

## Land Division Consent Conditions

1. That prior to the issue of Section 51 Clearance to this division approved herein, all existing structures shall be removed from the proposed allotments.
2. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.

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

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.

3. Payment of \$20,490 into the Planning and Development Fund (3 allotment(s) @ \$6,830/allotment).  
Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (7109 7018), by cheque payable to the State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
4. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Planning Commission for Land Division Certificate purposes.

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## BACKGROUND

The development proposal is presented to the Council Assessment Panel (CAP) for the following reason:

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

## PREVIOUS OR RELATED APPLICATION(S)

211/739/2017 - Demolish existing dwelling and all associated structures - approved

211/729/2017 - Construction of 4 group dwellings - withdrawn

**SITE AND LOCALITY**

The subject site is formally described as Allotment 195 Deposited Plan 2478 in the area named North Plympton Hundred of Adelaide. It is more commonly known as 2 Galway Avenue, North Plympton.

The subject land has a 20.12m frontage to Galway Avenue and a depth of 45.7m, resulting in an overall area of 921.7m<sup>2</sup>. The land is generally flat and located 50m east of Marion Road.

The site is currently occupied by a single storey detached dwelling, verandah and domestic outbuilding, all of which have been approved for demolition via a previous application. The site will need to be cleared in order to facilitate the proposal.

The locality is mixed use in nature comprised of residential and commercial land uses. The locality is predominantly residential, however, there are several properties along Marion Road that are commercial, such as consulting rooms and offices.

The subject site and locality are shown on the following maps.

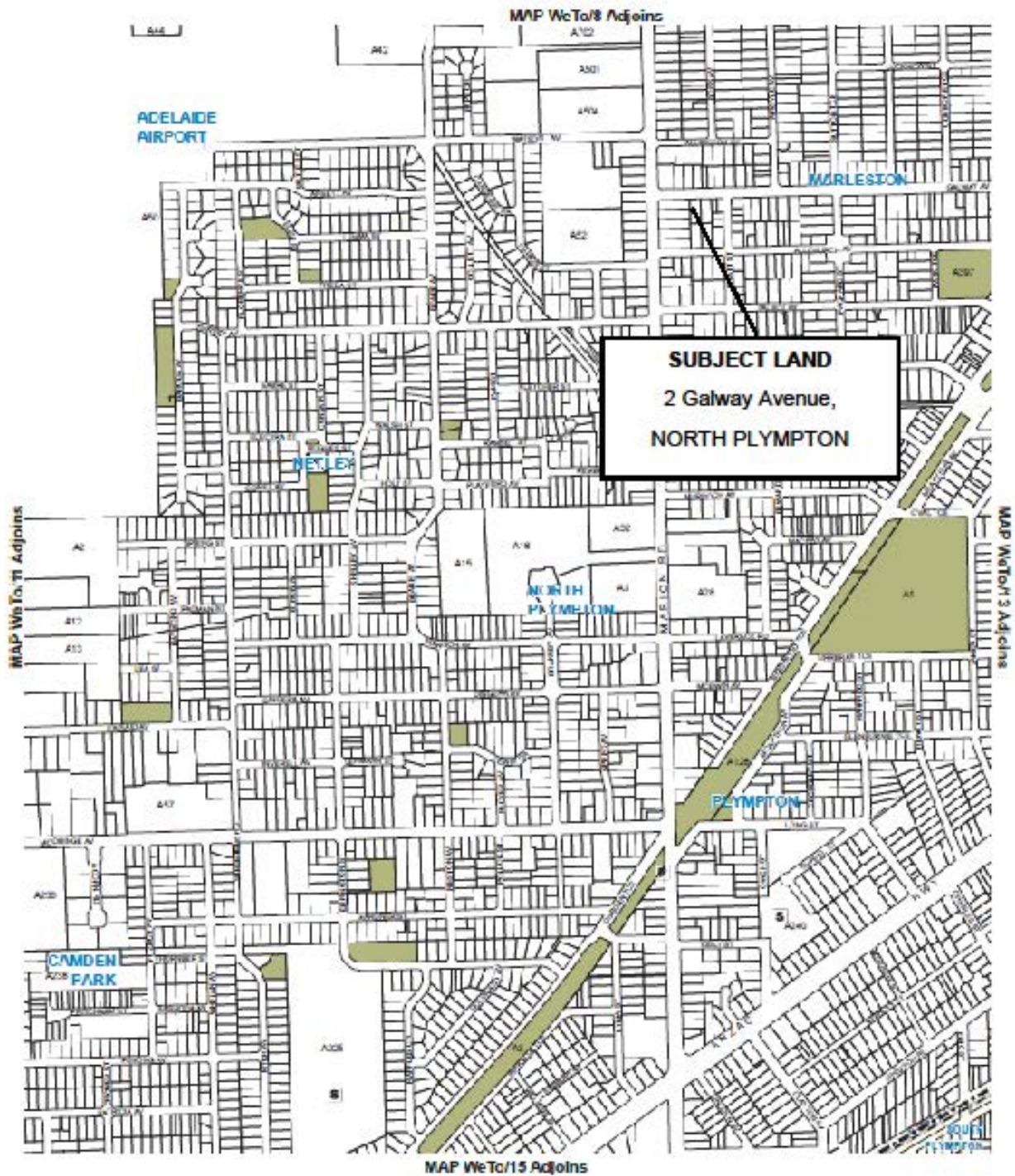


**Disclaimer**

The City of West Torrens accepts no liability for any reliance placed on the validity and accuracy of data in this publication. While care and effort has been taken in the presentation of this data it is only to be used for demonstration purposes.







## Location Map WeTo/12

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

WEST TORRENS COUNCIL  
Consolidated - 30 May 2017

## PROPOSAL

It is considered that the proposal is best described as:

*"Combined application- Land division - Community Title; DAC No. 211/C125/17 (Unique ID 58875); Creating three (3) additional allotments; Built form - construction of four 2-storey group dwellings."*

The proposed division will create 4 allotments and a portion of community land. The lots vary in size from 161m<sup>2</sup> to 180m<sup>2</sup> and the community land is used for the driveway, vehicle manoeuvring area, letter boxes and meters.

Each of the four group dwellings are 2 storey in height and contain 3 bedrooms and a study, an open plan living, dining and kitchen area, 2.5 bathrooms, laundry, retreat and double garage.

The dwellings are considered group dwellings rather than residential flat buildings, as they will be built adjoining one another rather than being a single building containing two or more dwellings.

## REFERRALS

Internal

### City Assets

- City Assets are generally in support of the application, however it is noted that the proposal does not provide a visitor carpark. The referral states that in order to provide one, the ability for vehicles to enter and exit in a forward direction is unlikely.

It is considered more important to ensure the vehicle manoeuvrability is achieved rather than providing an additional visitor carpark.

External

Pursuant to Section 38 and Schedule 8 of the Development Act and Regulations, the application was referred to:

### SCAP

- Supports the proposal subject to standard conditions.

### SA Water

- Supports the proposal subject to standard conditions.

## ASSESSMENT

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

<u>General Section</u>		
Crime Prevention	Objectives	1
	Principles of Development Control	1, 2, 3, 6, 7, 8 & 10
Design and Appearance	Objectives	1 & 2
	Principles of Development Control	1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15 & 20
Energy Efficiency	Objectives	1 & 2
	Principles of Development Control	1, 2, & 3
Hazards	Objectives	1, 2 & 4,
	Principles of Development Control	1, 2, 4, 5, 6 & 7
Land Division	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 2, 4, 5, 6, 7, 8 & 12,
Landscaping, Fences and Walls	Objectives	1
	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, 5 & 7
Residential Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 16, 17, 18, 19, 20, 21, 27, 28, 29 & 31
Transportation and Access	Objectives	2
	Principles of Development Control	23, 24, 30, 34, 35, 36, 37, 40 & 44

<u>Zone: Residential Zone</u>	
<i>Desired Character Statement:</i>	
<p><i>This zone will contain predominantly residential development. There may also be some small-scale non-residential activities such as offices, shops, consulting rooms and educational establishments in certain locations. Non-residential activities will be complementary to surrounding dwellings.</i></p> <p><i>Allotments will be at very low, low and medium densities to provide a diversity of housing options in different parts of the zone. The range of allotment sizes will support the desired dwelling types anticipated in each policy area, and the minimum allotment sizes shall be treated as such in order to achieve the Desired Character for each policy area and, in turn, reinforce distinction between policy areas. Row dwellings and residential flat buildings will be common near centres and in policy areas where the desired density is higher, in contrast to the predominance of detached dwellings in policy areas where the distinct established character is identified for protection and enhancement. There will also be potential for semi-detached dwellings and group dwellings in other policy areas.</i></p> <p><i>Residential development in the form of a multiple dwelling, residential flat building or group dwelling will not be undertaken in a <b>Historic Conservation Area</b>.</i></p> <p><i>Landscaping will be provided throughout the zone to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer.</i></p>	
Objectives	1, 2, 3 & 4
Principles of Development Control	1, 5, 6, 7, 9, 10, 11, 12, 13, 14, 18, 20, 21 & 22



<b>Policy Area: Medium Density Policy Area 19</b>	
<b>Desired Character Statement:</b>	
<p>Allotments in this policy area will be at medium density, accommodating a range of dwelling types including semi-detached, row and group dwellings, as well as some residential flat buildings and some detached dwellings on small allotments. There will be a denser allotment pattern close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones.</p> <p>New buildings will contribute to a highly varied streetscape. Buildings will be up to 2 storeys, except for allotments fronting Brooker Terrace, Marion Road and Henley Beach Road, and overlooking the Westside Bikeway, where buildings will be up to 3 storeys in height and provide a strong presence to streets. Garages and carports will be located behind the front facade of buildings.</p> <p>Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer.</p>	
<b>Objectives</b>	1
<b>Principles of Development Control</b>	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
<b>SITE AREA</b> <i>Medium Density Policy Area 19</i> <i>PDC 5 (within 400m of centre)</i>	Within 400m of centre zone  Group Dwelling 170m <sup>2</sup> (min.)	196m <sup>2</sup> (Lot 300) 161m <sup>2</sup> (Lot 301) 180m <sup>2</sup> (Lot 302) 180m <sup>2</sup> (Lot 303)  <b>Lot 300, 302 &amp; 303 Satisfies</b>  <b>Lot 301 Does Not Satisfy by 5%</b>
<b>SITE FRONTAGE</b> <i>Medium Density Policy Area 19</i> <i>PDC 4 or</i> <i>PDC 5 (within 400m of centre)</i>	Group Dwelling 9m	14.62m (Lot 300) 0m (Lot 301) 0m (Lot 302) 0m (Lot 303)  <b>Lot 300 Satisfies</b>  <b>Lot 301, 302 &amp; 303 Do Not Satisfy by 100%</b>
<b>SITE COVERAGE</b> <i>Medium Density Policy Area 19</i> <i>PDC 3</i>	60% (max.)	47%  <b>Satisfies</b>

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Item 6.8

<p>PRIVATE OPEN SPACE <i>Residential Development</i> <i>PDC 19</i></p>	<p>&lt;300m<sup>2</sup> - 24m<sup>2</sup> (min.), of which 8m<sup>2</sup> may comprise balconies, roof patios and the like, provided they have a minimum dimension of 2m. - Minimum dimension 3m (excl. balconies). - 16m<sup>2</sup> (min.) at the rear of side of dwelling, directly accessible from a habitable room.</p>	<p>(Lot 300) 29m<sup>2</sup> (total) 3m (min. dimension) 29m<sup>2</sup> (accessed from habitable room)</p> <p>(Lot 301) 38m<sup>2</sup> (total) 3m (min. dimension) 38m<sup>2</sup> (accessed from habitable room)</p> <p>(Lot 302) 34m<sup>2</sup> (total) 3m (min. dimension) 34m<sup>2</sup> (accessed from habitable room)</p> <p>(Lot 303) 34m<sup>2</sup> (total) 3m (min. dimension) 34m<sup>2</sup> (accessed from habitable room)</p> <p><b>Satisfies</b></p>
<p>STORAGE <i>Residential Development</i> <i>PDC 31</i></p>	<p>8m<sup>3</sup> (min.)</p>	<p>All dwellings exceed the minimum 8m<sup>3</sup> of storage. This can be found in the garages, WIR, laundry and under the stairs.</p> <p><b>Satisfies</b></p>

## QUALITATIVE ASSESSMENT

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

### Site Area and Frontage

The subject site is located within the Medium Density Policy Area 19. In this Policy Area, a group dwelling should have a minimum site area of 170m<sup>2</sup>. Lot 301 falls short of this minimum by 9m<sup>2</sup> or 5%.

This deficiency is not considered fatal to the application as it is so small and not readily perceptible. It should be noted that the other 3 proposed allotments all exceed the minimum site area by at least 10m<sup>2</sup>.

The Policy Area has stipulated that a group dwelling should also have a minimum frontage of 9m. However dwelling 2, 3 & 4 will not be able to achieve this as they do not have a direct frontage to a public street.

Schedule 1 of the Development Regulations states:

**group dwelling** means 1 of a group of 2 or more detached buildings, each of which is used as a dwelling and 1 or more of which has a site without a frontage to a public road or to a road proposed in a plan of land division that is the subject of a current development authorisation;

This definition recognises that firstly there needs to be more than 2 dwellings, and secondly that at least one of those will not have a frontage to a public road. It is important to note that the Policy Area encourages group dwellings and therefore the fact that not all of the proposed dwellings have a frontage to a public road shouldn't be fatal to the application.

### Setbacks

The Policy Area calls for a 6m rear setback, however, none of the proposed dwellings meet this. Dwelling 1 has a garage built to its rear boundary, Dwellings 2, 3 and 4 are setback 3m from their respective rear boundaries.

This is not considered fatal to the application because of the existing character of the area and in particular the numerous other examples of dwellings being located closer than 6m to their rear boundaries. Examples include:

- 2a Galway Avenue;
- 6 Galway Avenue;
- 6A Galway Avenue;
- 8 Galway Avenue;
- 275A Marion Road;
- 275B Marion Road;
- 3C Allchurch Avenue;
- 1 Wyatt Street;
- 3 Wyatt Street;
- 4 Wyatt Street;
- 5 Wyatt Street;
- 6 Wyatt Street; and
- 7 Wyatt Street.

The impact on adjoining properties from the proposed dwellings not meeting the minimum rear setback is considered minimal. This is because each of the adjoining allotments/ dwellings will still be capable of gaining a minimum of 3 hours access to direct sunlight as described in the Development Plan.

The property at 4 Galway Ave, is likely to have the greatest impact, however even then direct sunlight will be available to habitable room windows and POS until after midday. This is due to the north south orientation of the subject site and 4 Galway Ave.

### Car Parking Provisions

The Development Plan Calls for 2 off street car parks per dwelling, plus 0.25 visitor carparks per dwelling. The proposed development has provided a total of 8 off street carparks, with each dwelling having a double garage.

As there are four dwellings, there should be an additional visitor carpark available, however, this has not been provided.



Council's Assets department have reviewed the application and have not raised this deficiency as a critical issue, but have stated:

*The development has the shortfall of one additional visitor space based on the requirement under Council's development plan, the fulfilment of this requirement may result in the vehicles not being able to exit the site in a forward direction.*

It is considered that allowing vehicles to enter and exit the site in a forward direction is more important than providing an additional carpark for visitors.

## **SUMMARY**

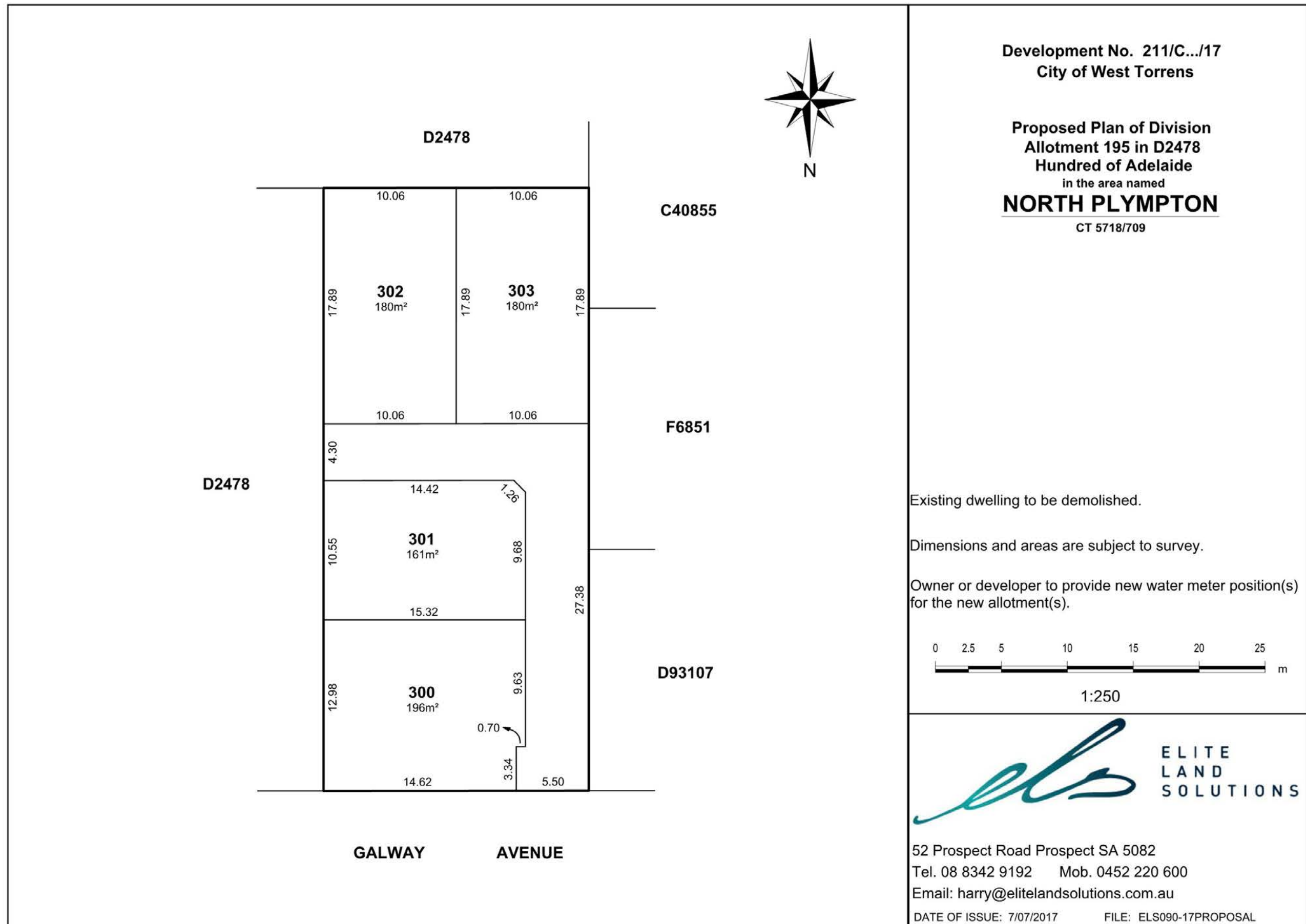
The merits of this application are finely balanced. Although there are some provisions that aren't met, the land use, density and dwelling type are actively encouraged within this policy area.

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

On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 30 May 2017 and warrants Development Plan Consent.

## **Attachments**

- 1. Plan of Division**
- 2. Built form plans**





**SITE PLAN**  
SCA/ DILE 1:200

REVISIONS	DATE	REV	DESCRIPTION	BY



**House & Land SA**  
REAL ESTATE | PROPERTY MANAGEMENT | HOME LOANS  
BULLDOG BROKERS | DEVELOPMENT CONSULTANTS

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**PROJECT:**  
**PROPOSED RESIDENTIAL DEVELOPMENT**

**SITE ADDRESS:**  
**2 GALWAY AVENUE  
NORTH PLYMPTON SA**

**CLIENT:**  
**???**

**DRAWING TITLE:**  
**GROUND FLOOR PLAN**

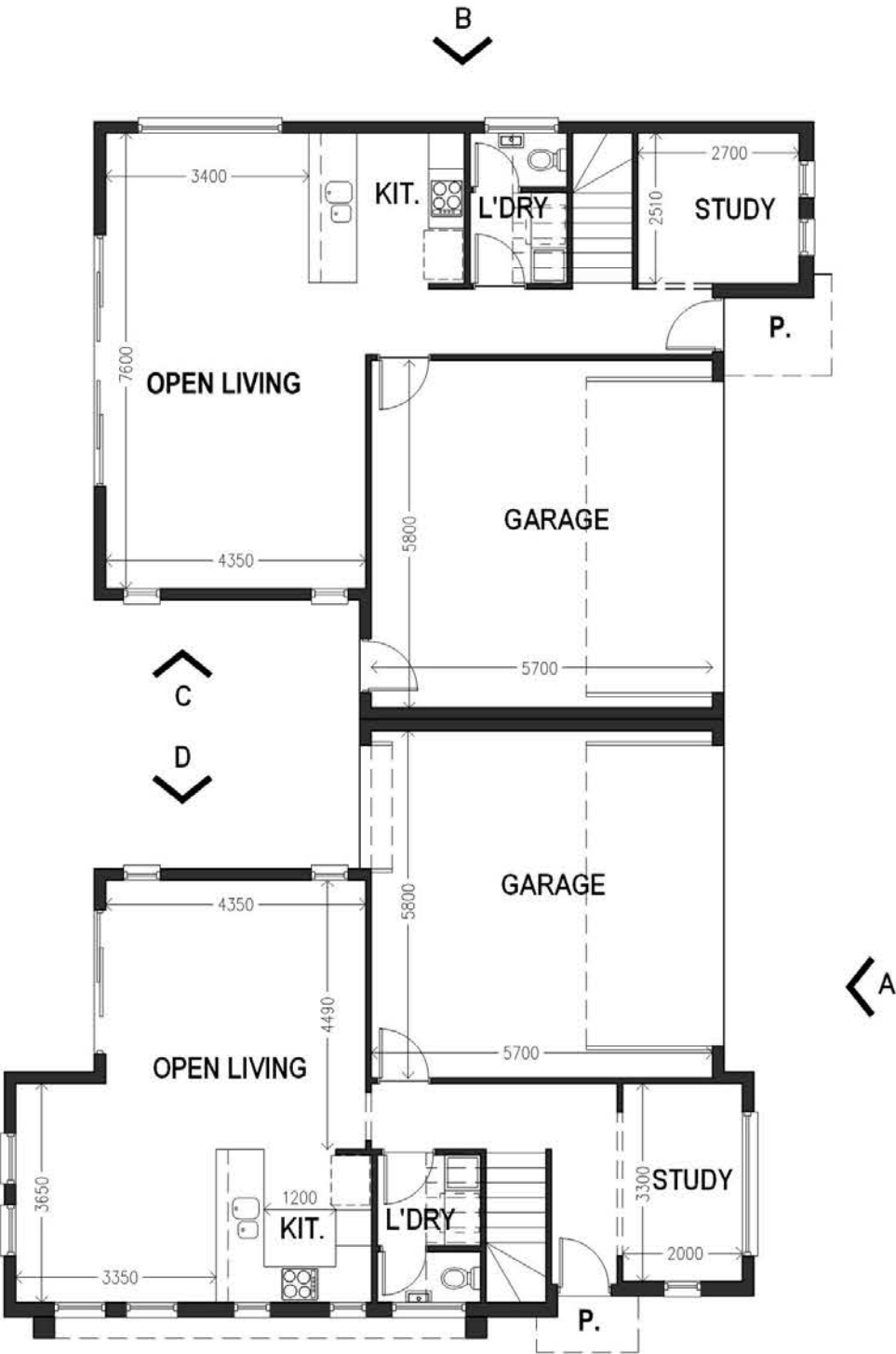
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PLANNING DRAWINGS  
27.09.17.



GROUND FLOOR PLAN RES 1&2

SCALE 1:100

AREAS RES 1		(m <sup>2</sup> )
LOWER LIVING		65.06
UPPER LIVING		77.31
GARAGE		35.78
PORCH		1.47
TOTAL		179.62

AREAS RES 2		(m <sup>2</sup> )
LOWER LIVING		64.81
UPPER LIVING		83.49
GARAGE		35.67
PORCH		2.46
TOTAL		186.43

REVISIONS

DATE	REV	DESCRIPTION	BY



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**PROJECT:**  
PROPOSED RESIDENTIAL DEVELOPMENT

**SITE ADDRESS:**  
2 GALWAY AVENUE  
NORTH PLYMPTON SA

**CLIENT:**  
???

**DRAWING TITLE:**  
FOOR PLANS

**DRAWING NUMBER:** PD02

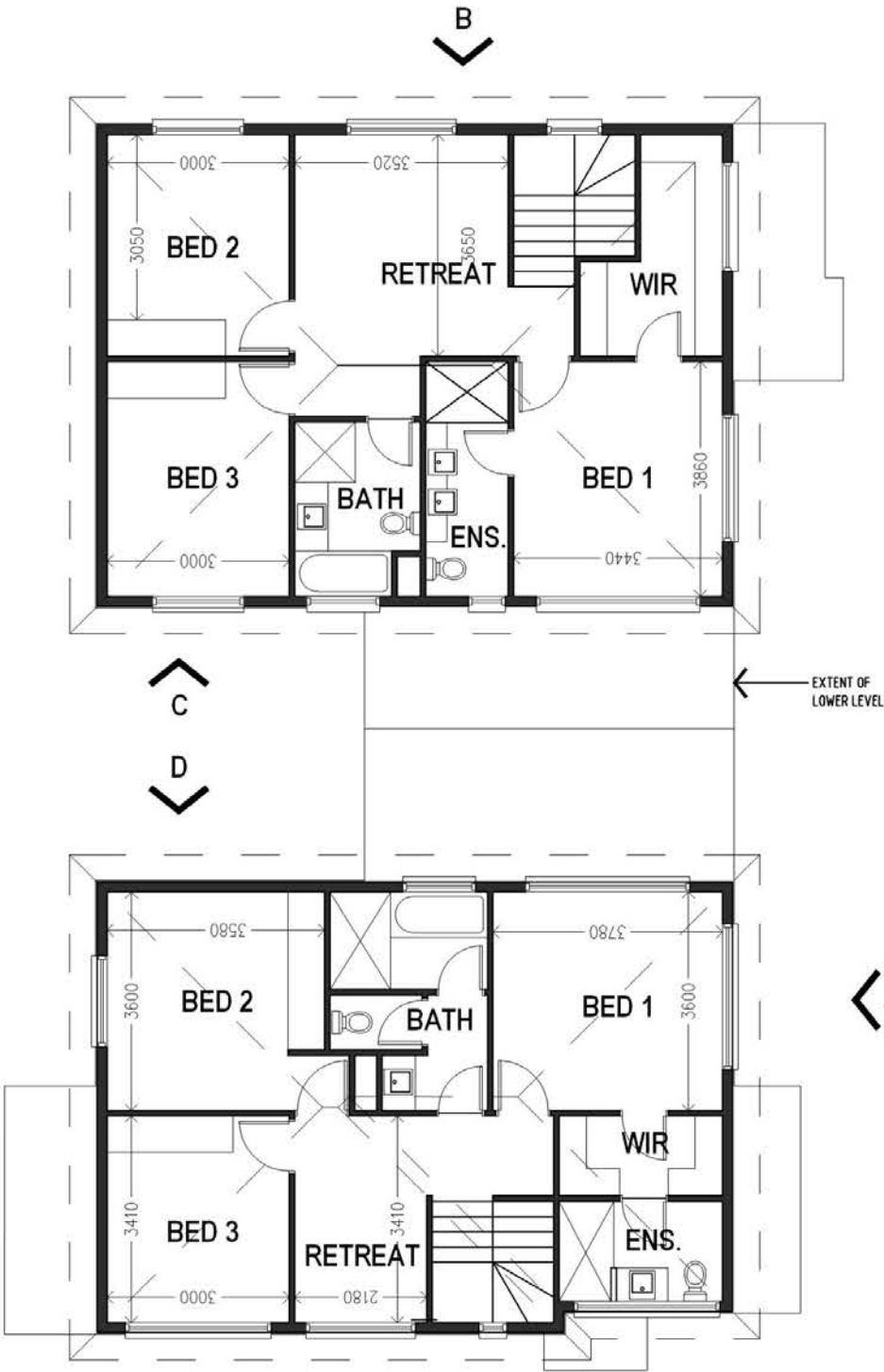
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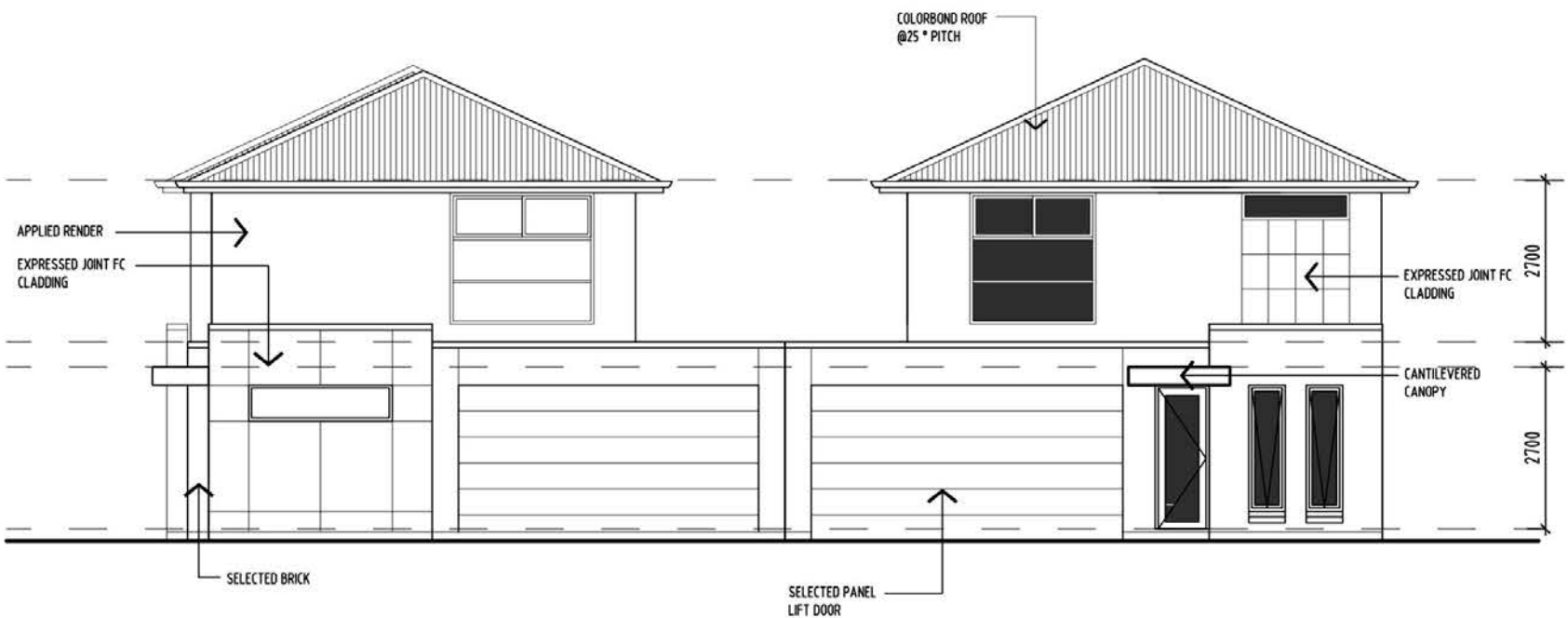
FIRST FLOOR PLAN RES 1&2  
SCALE 1:100

REVISIONS			
DATE	REV	DESCRIPTION	BY
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FRONT ELEVATION RES 1  
SCALE 1:100



SIDE ELEVATION A RES 1  
SCALE 1:100

FRONT ELEVATION RES 2  
SCALE 1:100

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**PROJECT:**  
PROPOSED RESIDENTIAL DEVELOPMENT

**SITE ADDRESS:**  
2 GALWAY AVENUE  
NORTH PLYMPTON SA

**CLIENT:**  
???

**DRAWING TITLE:**  
ELEVATION

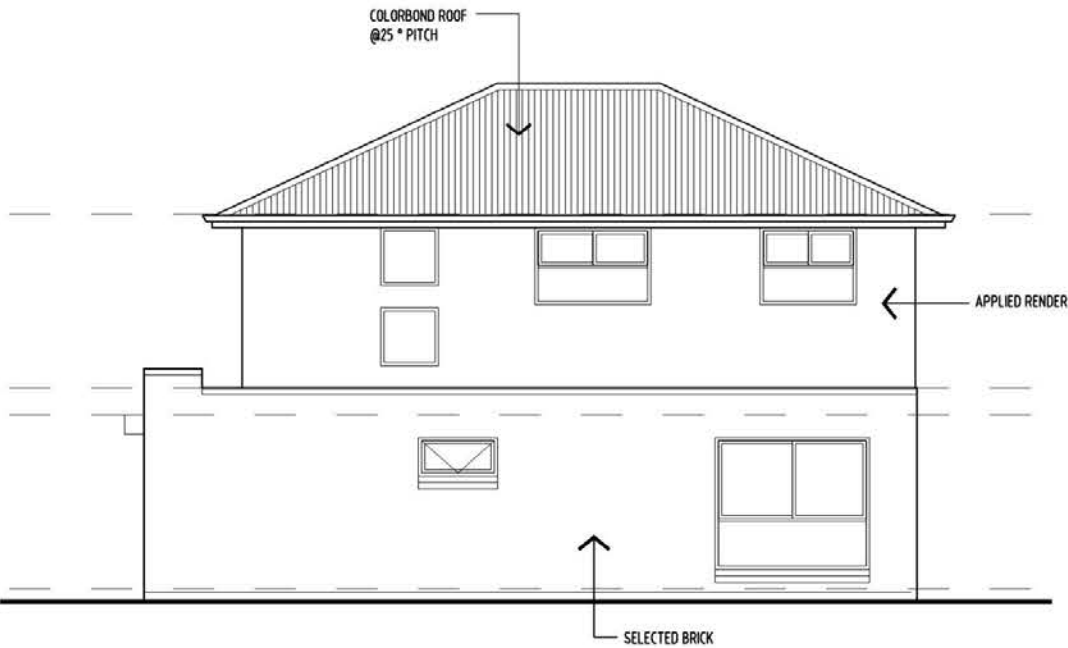
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27.09.17.



SIDE ELEVATION B RES 2  
SCALE 1:100



REAR ELEVATION RES 1 & 2  
SCALE 1:100

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PROPOSED RESIDENTIAL DEVELOPMENT

**SITE ADDRESS:**  
2 GALWAY AVENUE  
NORTH PLYMPTON SA

**CLIENT:**  
???

**DRAWING TITLE:**  
ELEVATION

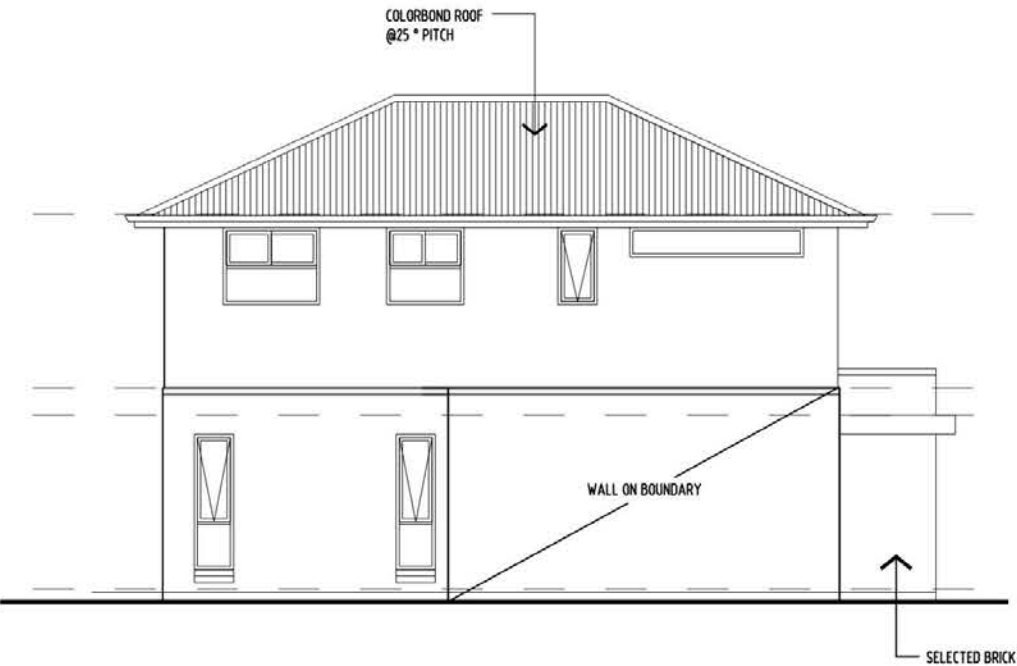
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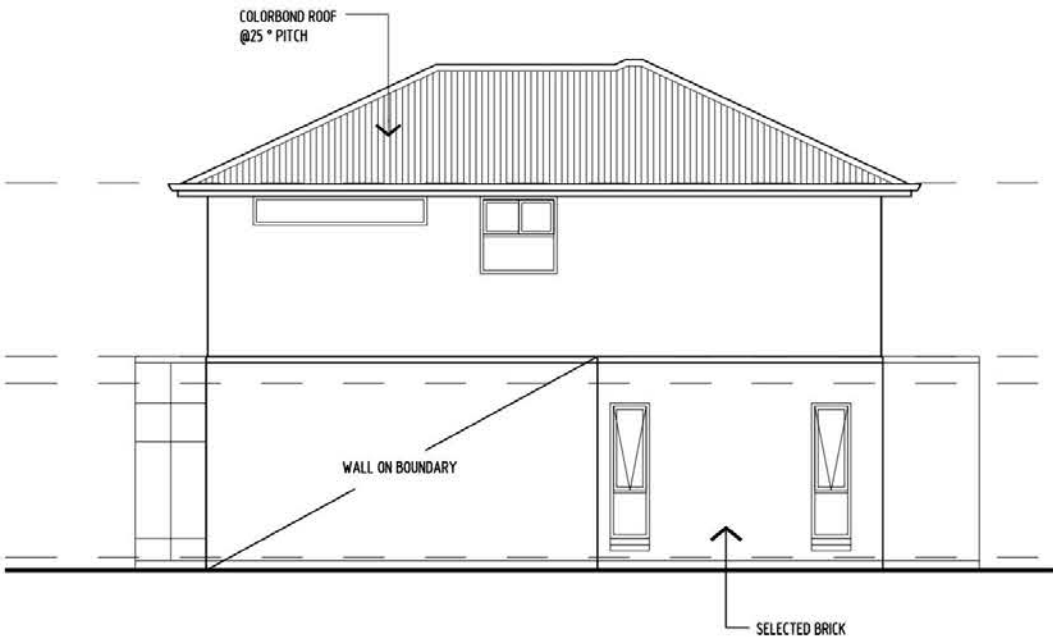
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SIDE ELEVATION C RES 2  
SCALE 1:100



SIDE ELEVATION D RES 1  
SCALE 1:100

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PROJECT:  
PROPOSED RESIDENTIAL DEVELOPMENT

SITE ADDRESS:  
2 GALWAY AVENUE  
NORTH PLYMPTON SA

CLIENT:  
???

DRAWING TITLE:  
ELEVATION

DRAWING NUMBER: PD06

DRAWN: DI DATE: APRIL 2017

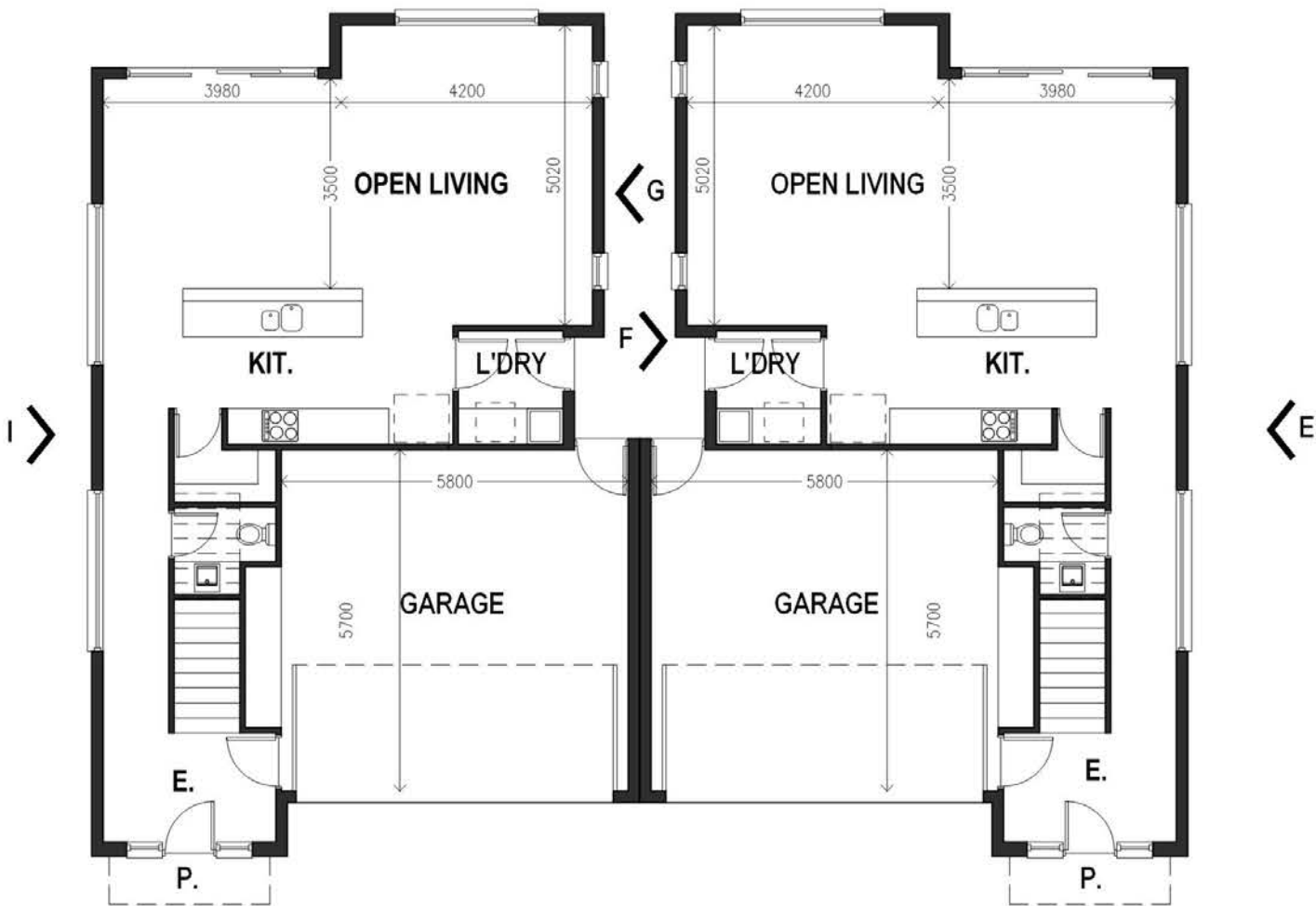
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PLANNING DRAWINGS  
27.09.17.

AREAS RES 3 & 4 (m²)	
LOWER LIVING	77.80
UPPER LIVING	83.78
GARAGE	37.09
PORCH	2.14
TOTAL	200.81



GROUND FLOOR PLAN RES 3 & 4  
SCALE 1:100

REVISIONS

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PROJECT:  
PROPOSED RESIDENTIAL DEVELOPMENT

SITE ADDRESS:  
2 GALWAY AVENUE  
NORTH PLYMPTON SA

CLIENT:  
???

DRAWING TITLE:  
FOOR PLANS

DRAWING NUMBER: PD07

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PLANNING DRAWINGS  
27.09.17.



FIRST FLOOR PLAN RES 3 & 4  
SCALE 1:100

REVISIONS

DATE	REV	DESCRIPTION	BY

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**PROJECT:**  
PROPOSED RESIDENTIAL DEVELOPMENT

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2 GALWAY AVENUE  
NORTH PLYMPTON SA

**CLIENT:**  
???

**DRAWING TITLE:**  
FOOR PLANS

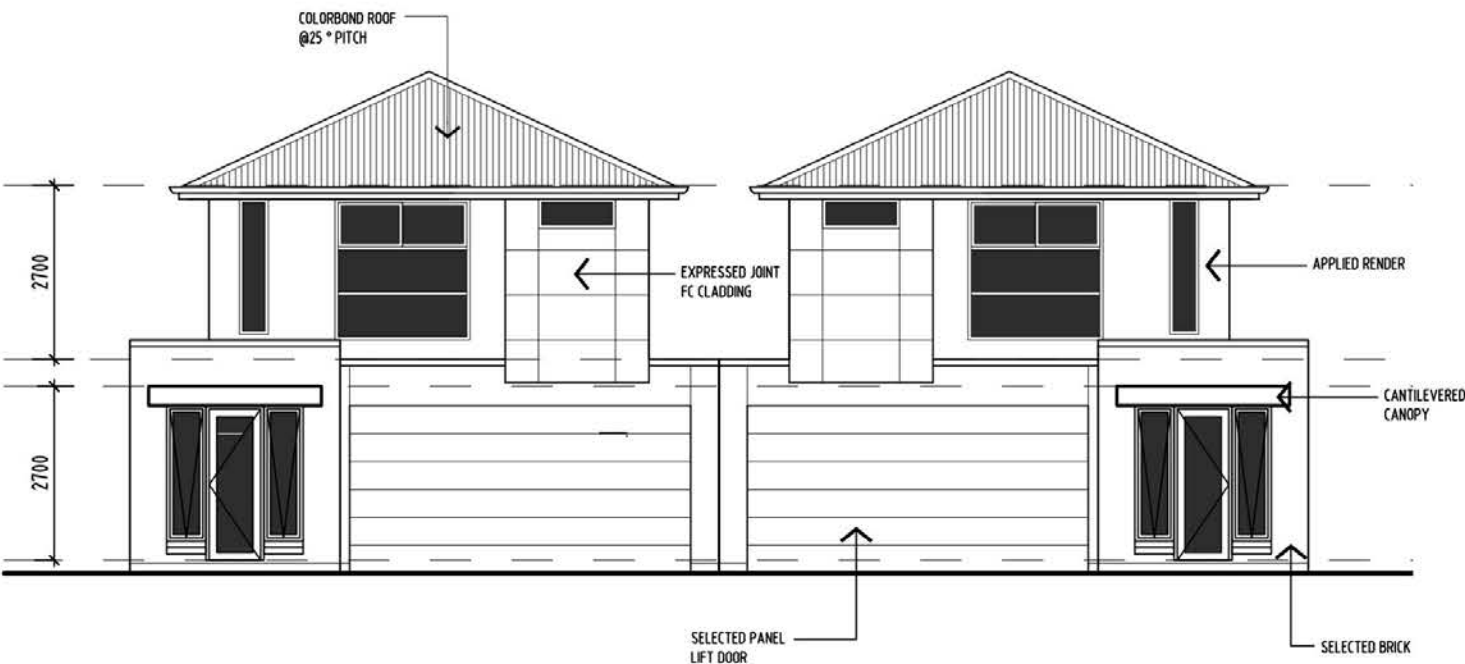
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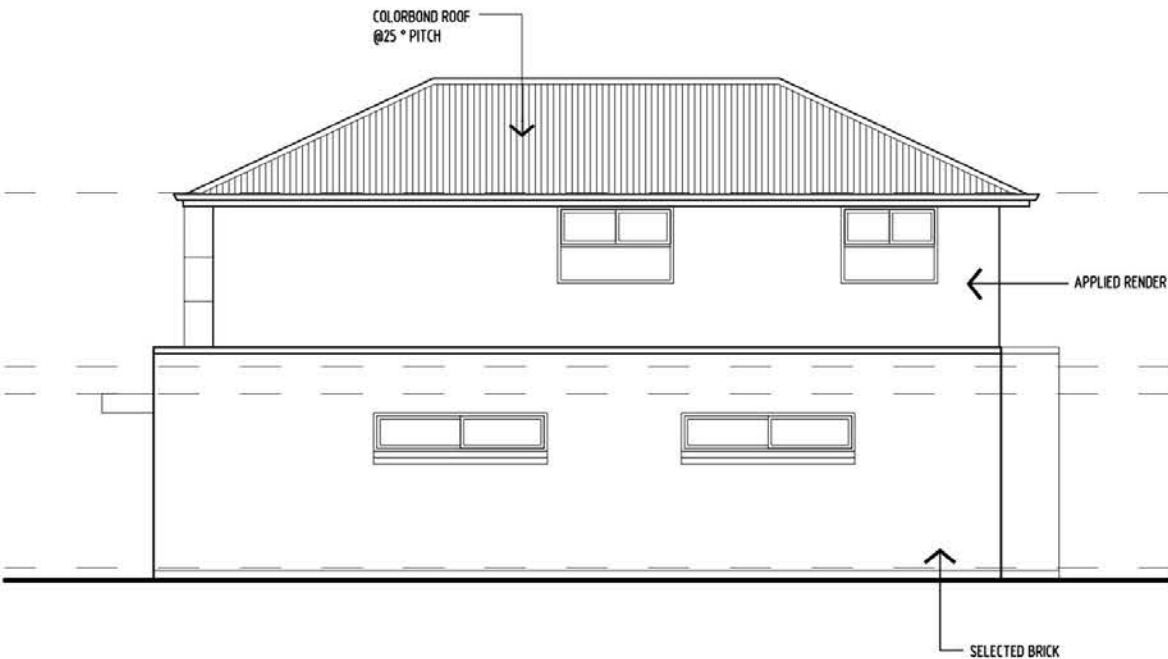
**SCA / DILE:** 1:100    **JOB NO:** XXXX

**CONTRACTORS NOTE:**  
CONTRACTORS ARE TO VERIFY ALL DIMENSIONS  
ON-SITE BEFORE COMMENCING ANY WORK. FIGURED  
DIMENSIONS SHALL TAKE PREFERENCE OVER SCA/  
DILED DIMENSIONS, AND ANY DISCREPANCY SHALL  
BE REPORTED TO THE DESIGNER IMMEDIATELY.

PLANNING DRAWINGS  
27.09.17.



FRONT ELEVATION RES 3 &4  
SCALE 1:100



SIDE ELEVATION E RES 3  
SCALE 1:100

REVISIONS

DATE	REV	DESCRIPTION	BY



House&LandSA

REAL ESTATE | PROPERTY MANGEMENT | HOME LOANS  
BUILDING BROKERS | DEVELOPMENT CONSULTANTS

Level 1 - 18 Dequetteville Tce Kent Town  
p: (08) 8363 3222  
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a: P.O Box 544 Kent Town SA 5071  
RLA 254770



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strictly prohibited.

PROJECT:  
PROPOSED RESIDENTIAL DEVELOPMENT

SITE ADDRESS:  
2 GALWAY AVENUE  
NORTH PLYMPTON SA

CLIENT:  
???

DRAWING TITLE:  
ELEVATION

DRAWING NUMBER:  
PD09

DRAWN: DI DATE: APRIL 2017

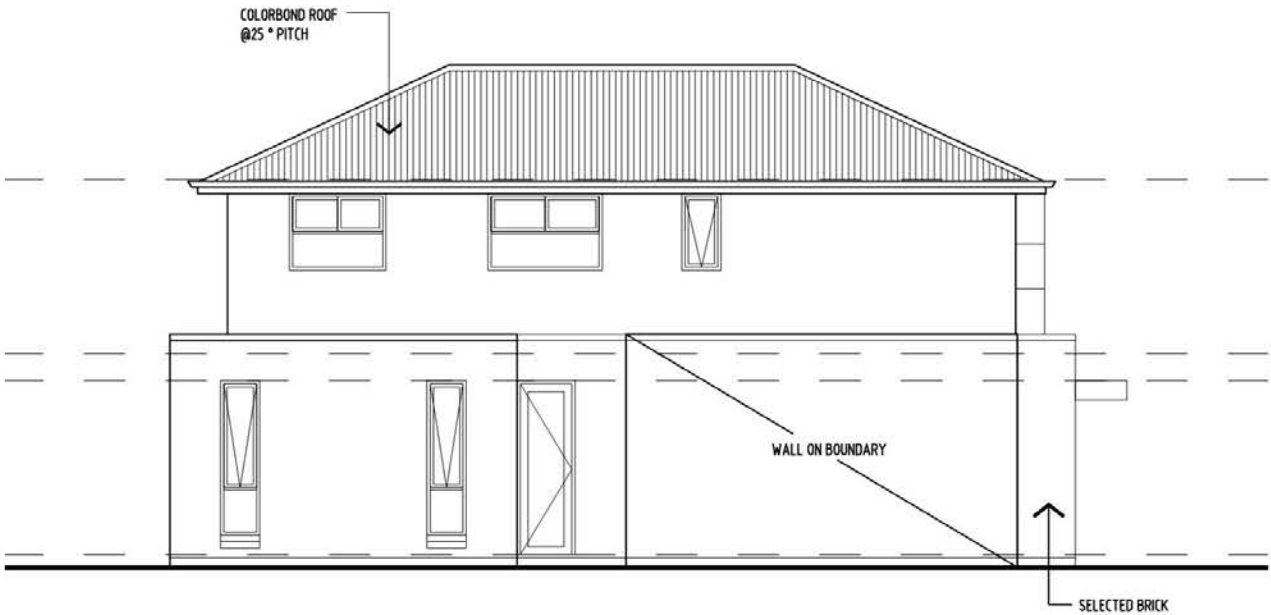
SCA / DILE: 1:100 JOB NO: XXXX

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PLANNING DRAWINGS  
27.09.17.



REAR ELEVATION RES 3 &4  
SCALE 1:100



SIDE ELEVATION F RES 3  
SCALE 1:100

REVISIONS

DATE	REV	DESCRIPTION	BY



**House&LandSA**  
REAL ESTATE | PROPERTY MANAGEMENT | HOME LOANS  
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**PROJECT:**  
PROPOSED RESIDENTIAL DEVELOPMENT

**SITE ADDRESS:**  
2 GALWAY AVENUE  
NORTH PLYMPTON SA

**CLIENT:**  
???

**DRAWING TITLE:**  
ELEVATION

**DRAWING NUMBER:** PD10

**DRAWN:** DI    **DATE:** APRIL 2017

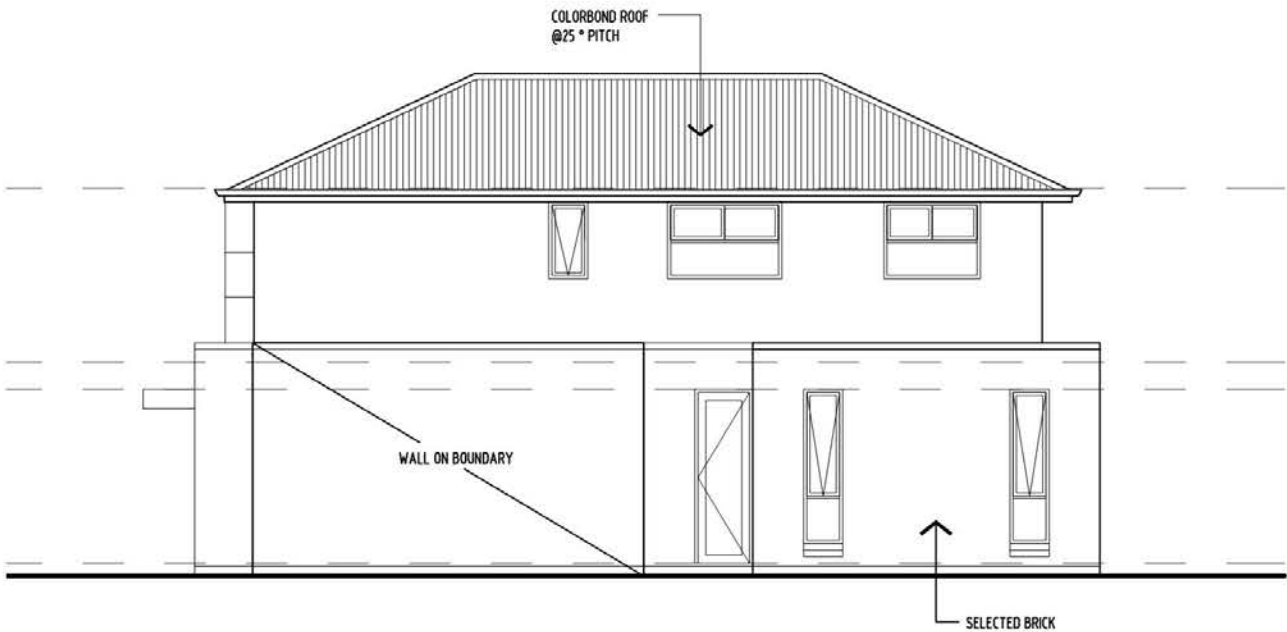
**SCA / DILE:** 1:100    **JOB NO:** XXXX

**CONTRACTORS NOTE:**  
CONTRACTORS ARE TO VERIFY ALL DIMENSIONS  
ON-SITE BEFORE COMMENCING ANY WORK. FIGURED  
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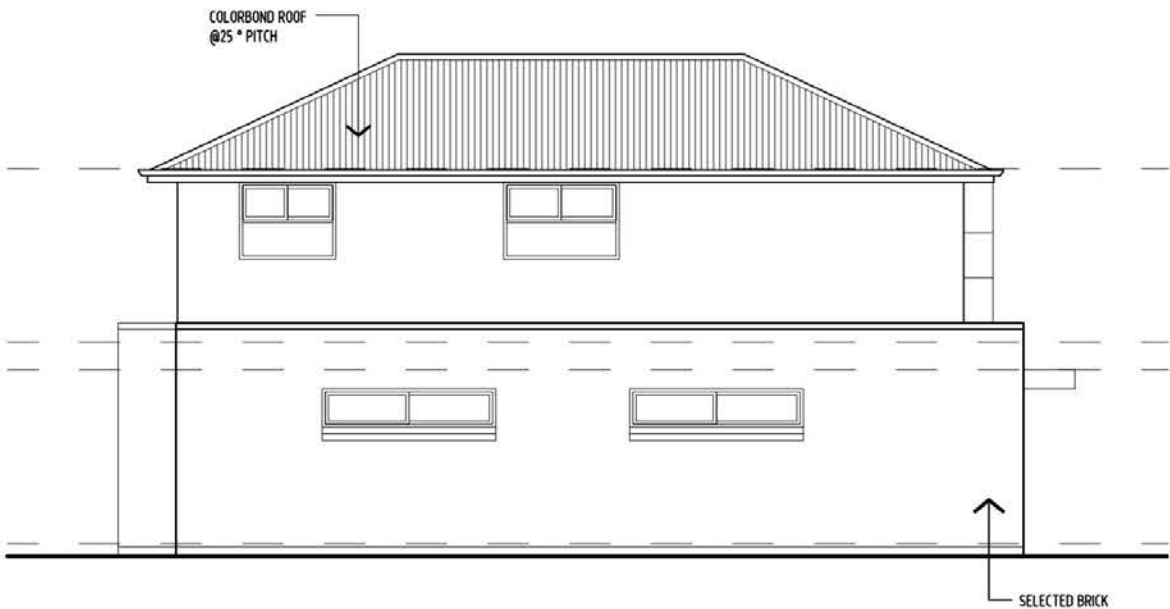
PLANNING DRAWINGS

27.09.17.



SIDE ELEVATION G RES 4

SCALE 1:100



SIDE ELEVATION I RES 4

SCALE 1:100

REVISIONS

DATE	REV	DESCRIPTION	BY



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PROJECT:  
PROPOSED RESIDENTIAL DEVELOPMENT

SITE ADDRESS:  
2 GALWAY AVENUE  
NORTH PLYMPTON SA

CLIENT:  
???

DRAWING TITLE:  
ELEVATION

DRAWING NUMBER:  
PD11

DRAWN: DI DATE: APRIL 2017

SCA / DILE: 1:100 JOB NO: XXXX

CONTRACTORS NOTE:  
CONTRACTORS ARE TO VERIFY ALL DIMENSIONS  
ON-SITE BEFORE COMMENCING ANY WORK. FIGURED  
DIMENSIONS SHALL TAKE PREFERENCE OVER SCA/  
DILED DIMENSIONS, AND ANY DISCREPANCY SHALL  
BE REPORTED TO THE DESIGNER IMMEDIATELY.

## 6.9 48 Bonython Avenue, NOVAR GARDENS

Application No 211/1130/2017

### DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Construction of a bali hut forward of the existing dwelling
APPLICANT	Andre Niemandt
APPLICATION NO	211/1130/2017
LODGEMENT DATE	21 September 2017
ZONE	Residential Zone
POLICY AREA	Novar Gardens Character Policy Area 26
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> <li>▪ Nil</li> </ul> External <ul style="list-style-type: none"> <li>▪ Nil</li> </ul>
DEVELOPMENT PLAN VERSION	30 May 2017
MEETING DATE	14 November 2017

### RECOMMENDATION

The Council 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. 211/1130/2017 by Andre Niemandt to construct a bali hut forward of the existing dwelling at 48 Bonython Avenue, Novar Gardens (CT 5161/386) for the following reasons:

- The proposed development is contrary to
  - Council Wide Residential Development Principle of Development Control 16  
Reason: An outbuilding should be sited no closer to the primary street frontage than any part of the associated dwelling.
  - Residential Zone Principles of Development Control 5  
Reason: The proposal is to be located forward of the existing dwelling. The desired character statements details that all new development should be located behind the existing dwelling to preserve the front setbacks of the dwellings.
  - Residential Zone Principles of Development Control 8  
Reason: Development (including verandahs, porch, etc.) should be setback the same as one of the adjacent buildings. The proposed bali hut front setback will be located closer to the primary street frontage than the adjacent dwellings.
  - Novar Gardens Character Principles of Development Control 2  
Reason: The proposed development is not consistent with the Desired Character Statement for the Policy Area.

## BACKGROUND

The development proposal is presented to the Council Assessment Panel (CAP) for the following reason:

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

## PREVIOUS OR RELATED APPLICATION(S)

DA211/693/2006 - Extend and enclose existing carport - Granted Development Approval on 9 October 2006

DA211/355/2006 - To erect a replacement residential outbuilding (garage) - Granted Development Approval on 2 June 2006

DA211/1083/2001 - Verandah and Pergola - Granted Development Approval on 24 September 2001

DA211/7694/1980 - Pergola

DA211/4267/1980 - Pergola

DA211/2935/1977 - Carport

DA211/12052/1966 - Garden Shed

DA211/10188/1965 - Dwelling & Garage

## SITE AND LOCALITY

The subject land is formally described as Allotment 140 Deposited Plan 7754 in the area named Novar Gardens Hundred of Adelaide, Volume 5161 and Folio 386, and is more commonly known as 48 Bonython Avenue, Novar Gardens. The subject site has a primary frontage to Bonython Avenue of 23.47m and a secondary frontage of 12.59m to Pine Avenue and has a site area of 1053m<sup>2</sup>. Currently on site is a single storey detached dwelling built during the 1960s with an in-ground swimming pool located in front of the main façade of the dwelling. In front of the subject site on the Council verge are two street trees, a stobie pole, a light pole and a street sign.

The subject site is located on the eastern side of Bonython Avenue and Pine Avenue. To the east of Bonython Avenue and Pine Avenue is the Novar Gardens Character Policy Area 26. To the West is the Low Density Policy Area 21. To the north-west of the subject site is the Glenelg Golf Club.

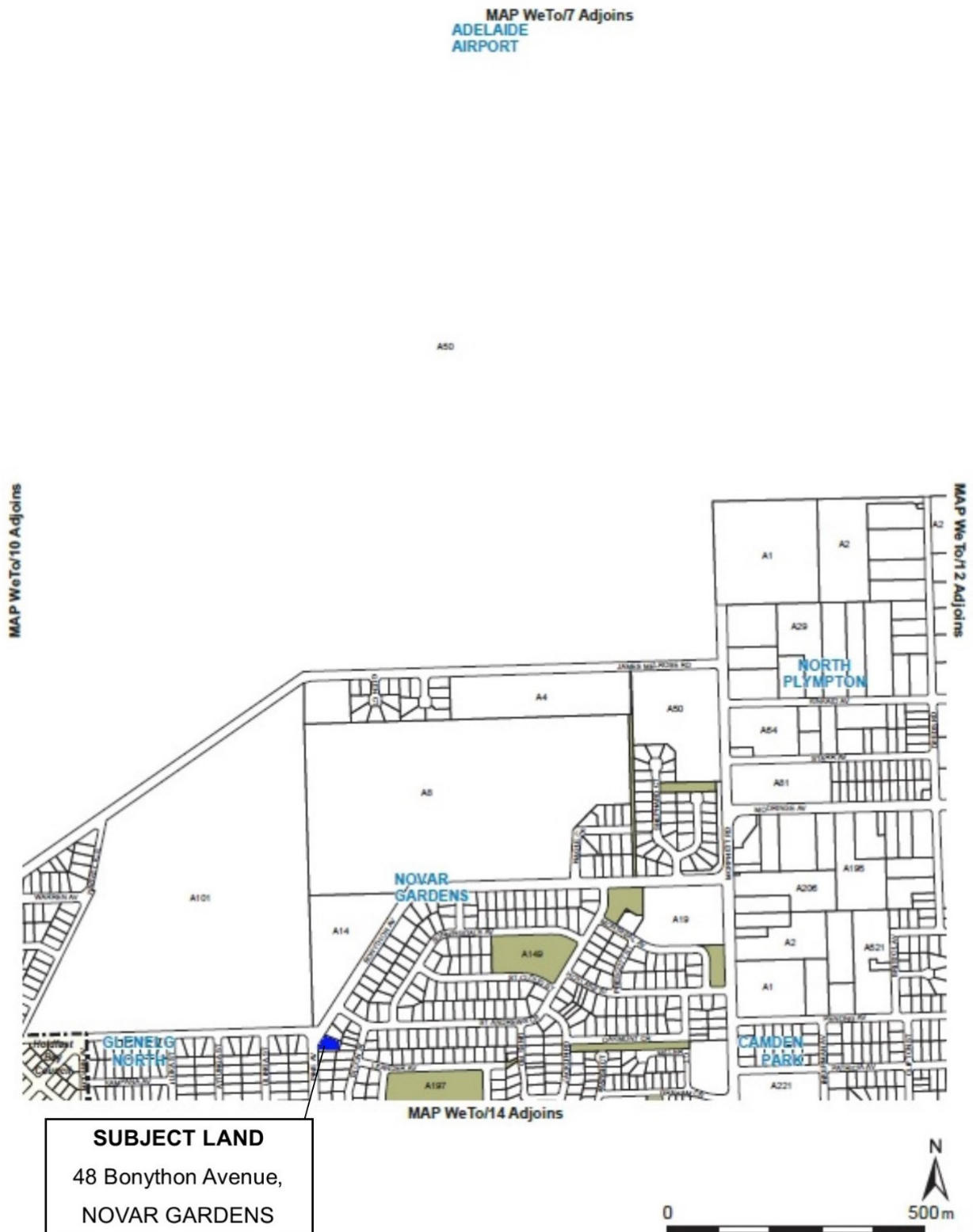
The locality is residential in nature and is comprised of single and double storey detached dwellings. These dwellings have been built over a number of decades and exhibit a variety of designs. A prominent feature of the locality is the consistent front setback of the detached dwellings, specifically to the east of Bonython Avenue and Pine Avenue.

The site and locality are shown on the following maps:









## Location Map WeTo/11

Local Reserves  
 Development Plan Boundary

**WEST TORRENS COUNCIL**  
 Consolidated - 5 May 2016

## PROPOSAL

The proposed development is for the construction of a bali hut forward of the existing dwelling.

A copy of the plans and details are contained in **Attachment 1**.

## REFERRALS

- No Referrals were required for this application.

## ASSESSMENT

The subject land is located within the Residential Zone, and more particularly Novar Gardens Character Policy Area 26 as described in the West Torrens Council Development Plan. The main provisions of the Development Plan which relate to the proposed development are as follows:

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

<b>Zone:</b> Residential Zone
<p><b>Desired Character Statement:</b></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 <b>Historic Conservation Area</b>.</i></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.*

Objectives	4
Principles of Development Control	5, 8,

**Policy Area: Novar Gardens Character Policy Area 26**

**Desired Character Statement:**

*The policy area will contain detached dwellings (or buildings that looks like detached dwellings). Allotments will be very low density and will be relatively square, with comparatively wide frontages. The consistency of this allotment pattern is a significant positive feature of the policy area, which subdivision will reinforce.*

*There will be a unity of built-form, particularly as viewed from the street, where all new development is complementary to the predominant low and wide single storey detached dwellings on wide, generously landscaped allotments. This means that new development will preserve the consistency of front and side boundary setbacks, and any two storey elements will be discretely integrated.*

*Carports and garages will be in line with or behind the building facade. Alterations and additions will be primarily located at the rear of existing dwellings so that they have minimal impact on the streetscape and do not disrupt the consistent front set back.*

*There will be no formal footpaths on the Council owned verge and there will be no front fences or side fences forward of the building line to preserve the appearance of continuous, generously landscaped front yards extending to the street.*

Objectives	1
Principles of Development Control	2

## QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
STREET SETBACK Residential Zone PDC 8	The same setback as the adjacent dwellings	1m  <b>Not Satisfied</b>

## QUALITATIVE ASSESSMENT

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

### Front Setback

The proposed bali hut is to be constructed in front of the main façade of the dwelling to a maximum height of 3.5m and located 1m from the front boundary. As per PDC 16 of the Residential Development Section an outbuilding should not be sited closer to the primary road frontage than any part of the associated dwelling. The proposed bali hut is located forward of the associated dwelling. Residential Zone PDC 8 also seeks that any proposed development including a verandah, porch, etc. should have a setback the same as one of the adjacent dwellings, therefore this principle has not been satisfied.

### Design and Appearance

The design and appearance of the bali hut is not considered to satisfy the Desired Character Statement for the Novar Gardens Character Policy Area 26. The key requirements of the Novar Gardens Character Areas is to preserve the built form and to be complementary to the character of the area.

A prominent feature of the locality is the consistent front setback of the dwellings. As can be seen from the Locality Map above, the front setback requirements is a significant element to the Character area. The location of the bali hut forward of the existing dwelling will be detrimental to this characteristic and will negatively impact on the streetscape. It will be a prominent feature on the subject site and will not compliment the consistency of the built form.

Having a 1m front setback to the bali hut is also viewed unfavourably as it does not compliment the wide and generously landscaped allotments sought in the Desired Character Statement.

The Desired Character Statement also seeks all new alterations and additions to be located at the rear of the dwelling to have minimal impact on the streetscape. The location of the proposed bali hut will have a negative impact to the streetscape as it will be seen by all dwellings within the locality.

As per the above, PDC 2 of the Novar Gardens Character Policy Area 26 has not been satisfied as the proposed development is not consistent with the desired character statement.

## SUMMARY

As per the Development Plan, the proposed bali hut to be located forward of the existing dwelling does not satisfy PDC 16 of the Residential Development - General Section, PDC 8 of Residential Zone and the Desired Character statement of the Novar Gardens Character Policy Area 26. Any new development to be located in the Novar Gardens Character Policy Area should be located at the rear of existing dwellings, to compliment and preserve the built form. With the bali hut being located forward of the existing dwelling the streetscape will be negatively impacted, but more importantly the proposed development will have a detrimental impact to the unity of the built form, a significant feature of the Novar Gardens Character Policy Area.

It is not seriously at variance, however, the proposal does not contain sufficient merit to be supported.

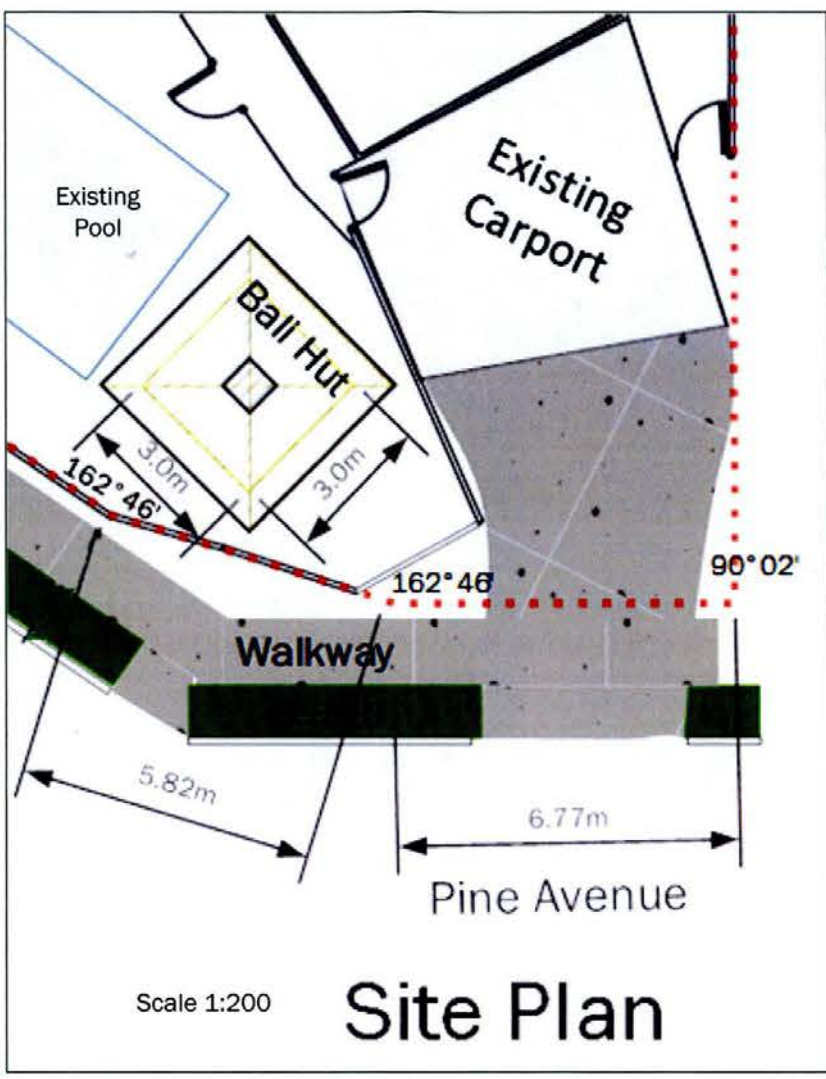
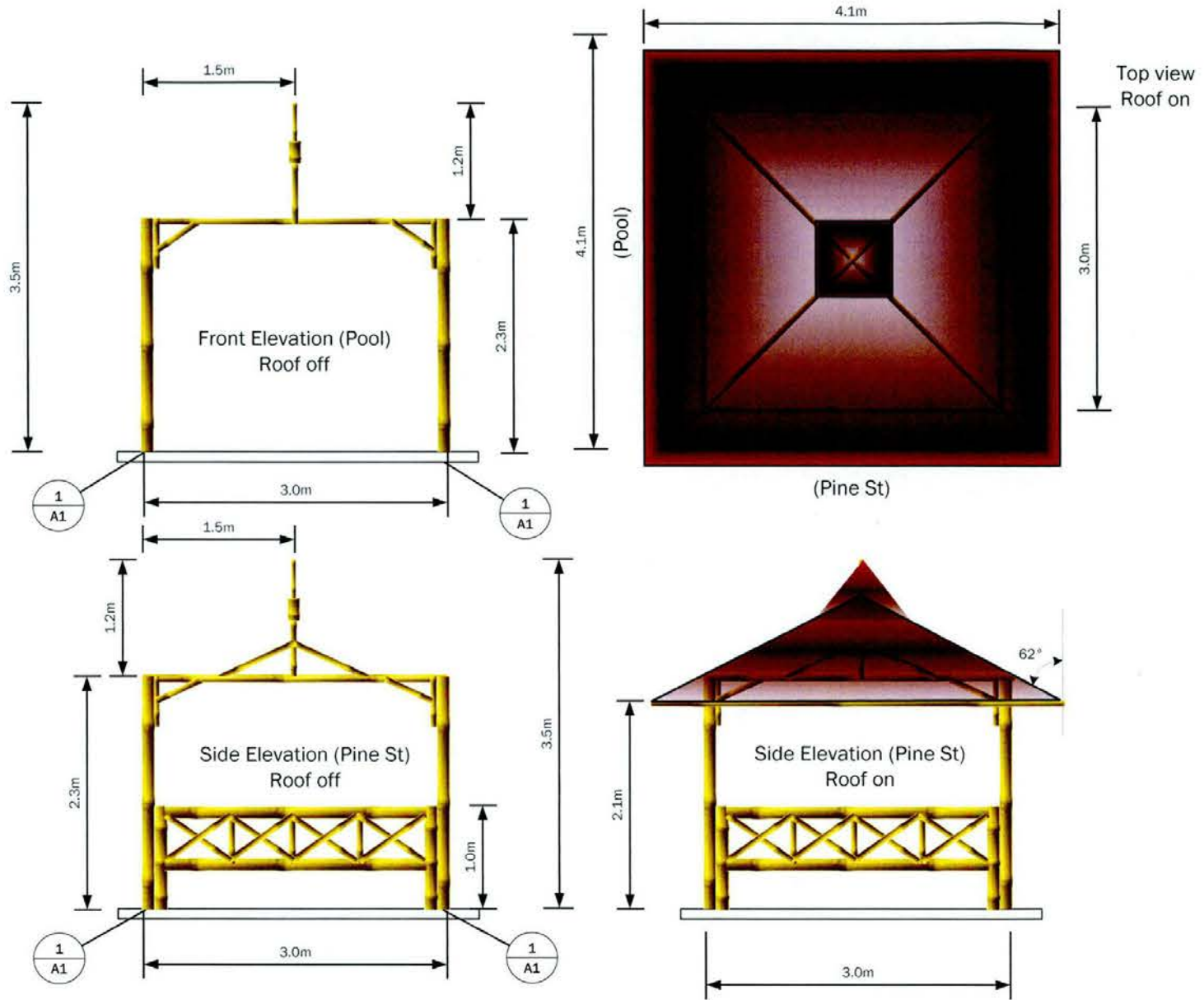
On balance the proposed development does not sufficiently accord with the relevant provisions contained within the West Torrens (City) Development Plan Consolidated 30 May 2017 and does not warrant Development Plan Consent.

## Attachments

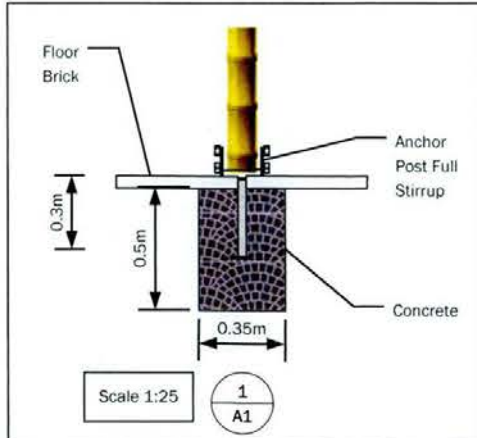
### 1. Site Plan and Elevations







Index	
Bamboo	
Palm Leaves	
DRAWN BY NIEMANDT, ANDRE	



Elevation	Project: Bali Hut (Pergola)			
	48 Bonython Avenue Novar Gardens 5040 Adelaide South Australia			
Revision date: 01 Sep 2017	SIZE A3	FSCM NO	DWG NO	REV 0
	SCALE 1:50		SHEET 2 OF 2	

**6.10 47 Torrens Street, TORRENSVILLE**

Application No 211/1009/2017

**DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Land division - Torrens Title; SPAC No. 211/D147/17 (Unique ID 59180); Create one (1) additional allotment
APPLICANT	Thomas Jeffrey - 360 Surveying
APPLICATION NO	211/1009/2017
LODGEMENT DATE	18 August 2017
ZONE	Residential
POLICY AREA	Low Density Policy Area 20
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> <li>▪ City Assets</li> <li>▪ City Works</li> </ul> External <ul style="list-style-type: none"> <li>▪ DAC</li> <li>▪ SA Water</li> </ul>
DEVELOPMENT PLAN VERSION	30 May 2017
MEETING DATE	14 November 2017

**RECOMMENDATION**

The Council 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/D147/2017 (Unique ID 59180) by Thomas Jeffrey - 360 Surveying to undertake land division creating one (1) additional allotment at 47 Torrens Street, Torrensville (CT5349/62) subject to the following conditions of consent:

**Council Conditions**

1. Development is to take place in accordance with the plans prepared by 360 Surveying relating to Development Application No. 211/1009/2017 (DAC 211/D147/2017).
2. Prior to the issue of Section 51 Clearance of this division approved herein, all existing structures shall be removed from the proposed allotments.
3. As the subject land is located within an area likely to be affected by aircraft noise from Adelaide Airport, it is recommended that appropriate noise attenuation measures be considered in accordance with Australian Standards 2021 - Acoustics - Aircraft Noise Intrusion - Building, Siting and Construction.

In circumstances in which development occurs within existing built up areas the Standard recommends applying construction techniques to reduce aircraft noise to levels considered appropriate by the Standard. Accordingly, and in the interest of occupant comfort, the applicant is encouraged to engage the services of an Acoustic Engineer to assess the noise reduction properties of the proposed dwelling prior to the commencement of Building Rules assessment.

## State Planning Commission Conditions

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

The necessary easements shall be vested to SA Water.

The alteration of internal drains to the satisfaction of SA Water is required.

On receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or nonstandard fees.

On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.

2. Payment of \$6,676 into the Planning and Development Fund (1 allotment(s) @ \$6,676/allotment).

Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (7109 7018), by cheque payable to the State Planning 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 State Planning Commission for Land Division Certificate purposes.

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## BACKGROUND

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

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

## PREVIOUS OR RELATED APPLICATION(S)

Previous applications relate only to the existing residential development.



**SITE AND LOCALITY**

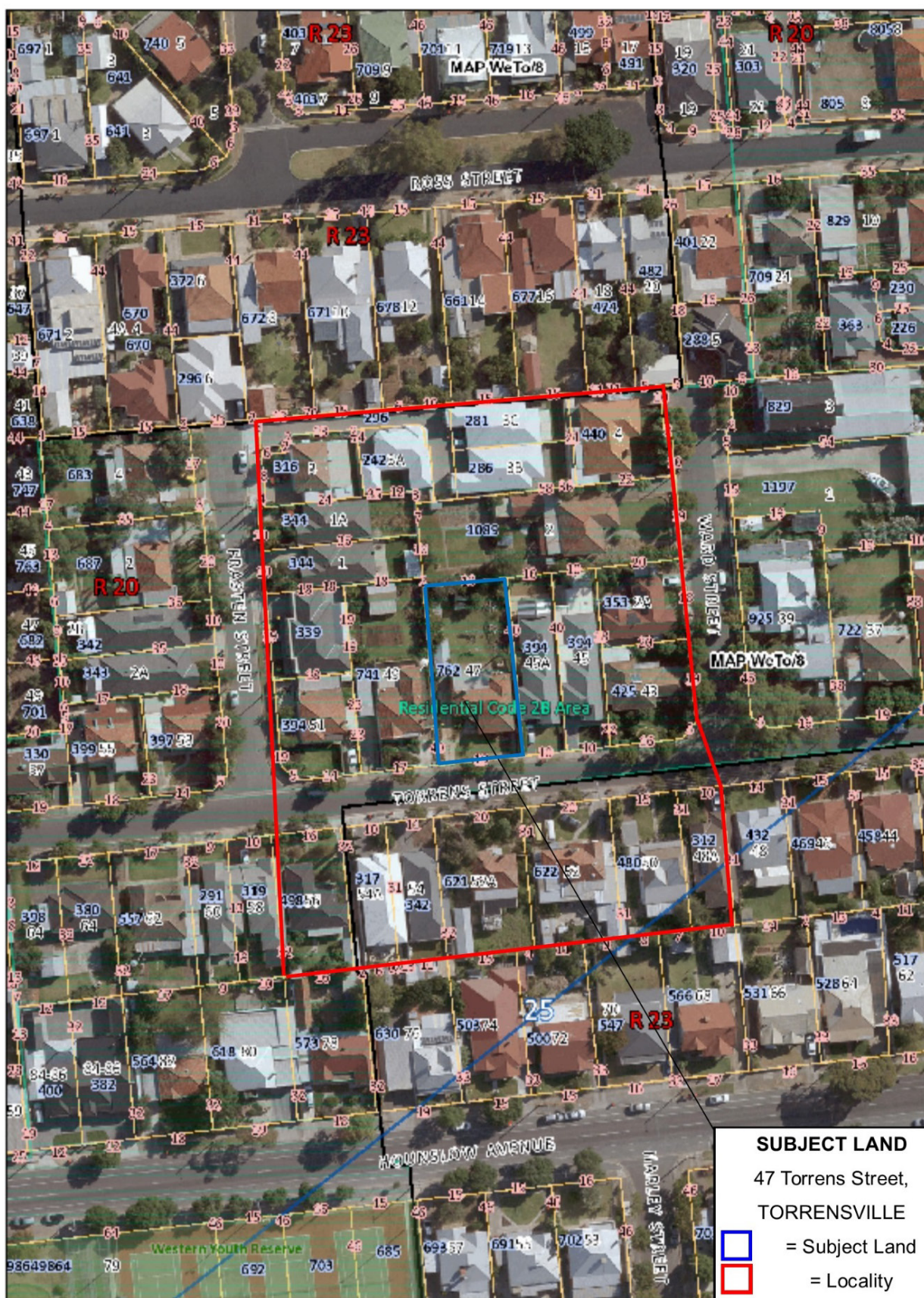
The subject land is described as Allotment 14 in Deposited Plan 4426 in the Area Named Torrensville, Hundred of Adelaide as contained in Certificate of Title Volume 5349 Folio 62. The land is more commonly known as 47 Torrens Street, Torrensville.

The site comprises a rectangular shaped allotment with a frontage of 18.9m x 39.61m deep and an area of 752m<sup>2</sup>.

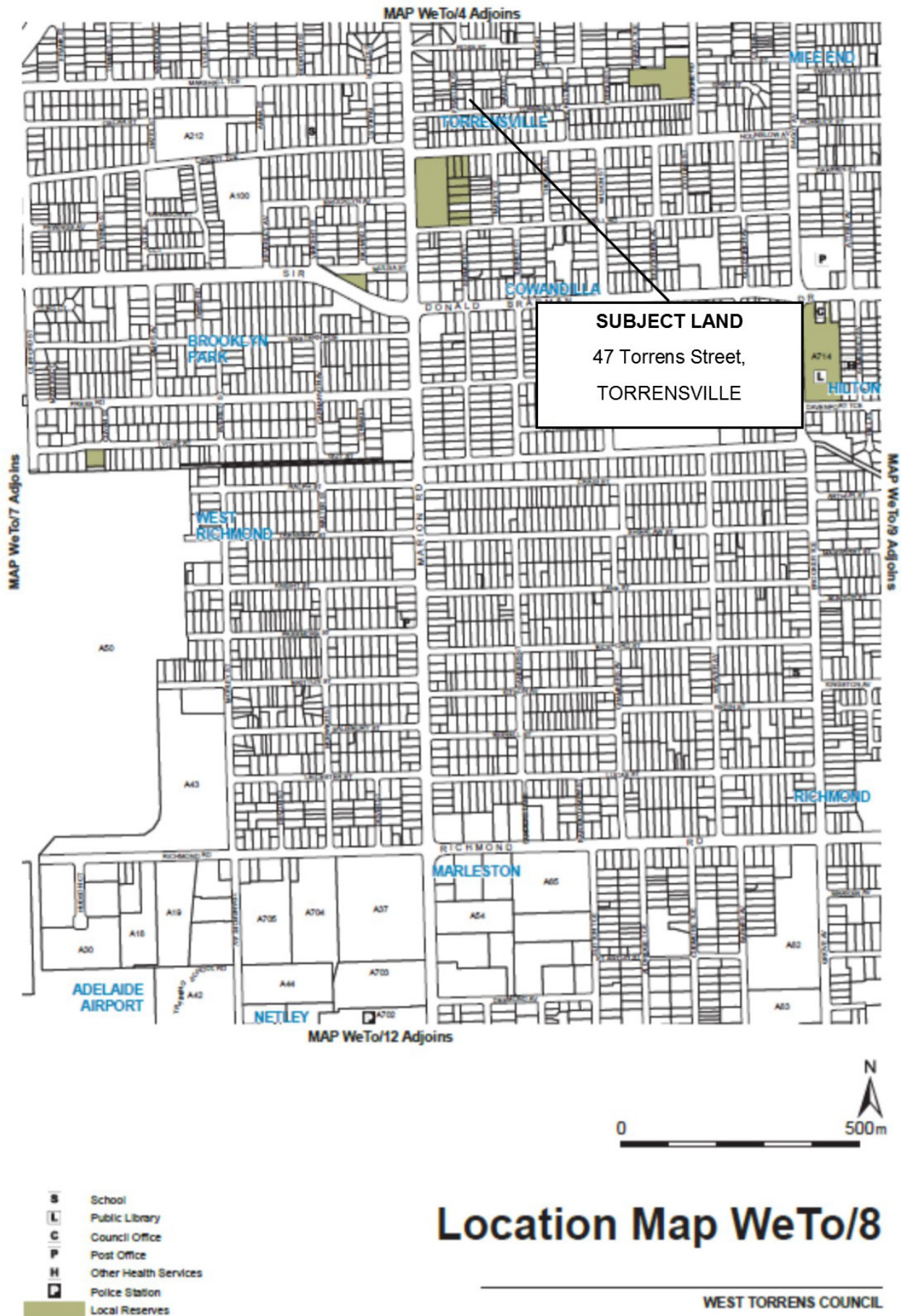
The allotment contains a single storey detached dwelling

The terrain is relatively flat and there are no other noteworthy features on the land. The subject site is located within the 20-25 Aircraft Noise Exposure Forecast (ANEF) whilst it is affected, the Australian Standard states that it can be suitable for residential use subject to mitigating acoustic treatment.

The locality comprises predominantly single storey detached dwellings at low densities on allotments with wide frontages.







## PROPOSAL

The proposal is for the creation of two allotments from one by dividing the land down the centre line, with each allotment being of equal area and proportions.

Each allotment will have a frontage of 9.45m to Torrens Street, a depth of 39.61m and an area of 376m<sup>2</sup>.

## REFERRALS

### Internal

- City Assets

Comment was made regarding the following matters;

- The site would accommodate the proposed development (2 lots with dwellings) whilst satisfying Council's standard requirements for infrastructure and street tree assets and off-street parking.
- It is probable any future development of the allotments would be limited to a single driveway width.
- There is adequate space to accommodate crossovers for each allotment with sufficient separation from street trees.

### External

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

- DAC

No concerns were raised and only the standard conditions have been applied.

- SA Water

No concerns were raised and only the standard conditions have been applied.

## 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>		
<i>Hazards</i>	<i>Objectives</i>	1, 2, 4, 7, 8, 9 & 10
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7 & 13
<i>Infrastructure</i>	<i>Objectives</i>	1, & 3
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 8, 9, 10, & 16
<i>Land Division</i>	<i>Objectives</i>	1, 2, 3 & 4
	<i>Principles of Development Control</i>	1, 2, 4, 5, 6, 8, 9, 12 & 16



Natural Resources	Objectives	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 & 13
	Principles of Development Control	1, 2, & 6
Orderly and Sustainable Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1, 3, 4, 5, & 6
Residential Development	Objectives	1, 2, 3, & 5
	Principles of Development Control	1, & 3
Transportation and Access	Objectives	2
	Principles of Development Control	1, 8, 10, 23 & 24

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

<b>Policy Area: Low Density Policy Area 20</b>	
<b>Desired Character Statement:</b>	
<p>Allotments in the policy area will be at low density, accommodating predominantly detached dwellings and some other dwellings types such as semi-detached and group dwellings. There will be a denser allotment pattern close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones. Battleaxe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments developed with buildings that have a direct street frontage.</p> <p>Buildings will be up to 2 storeys in height. Garages and carports will be located behind the front façade of buildings.</p> <p>Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer. Low and open-style front fencing will contribute to a sense of space between buildings.</p>	
Objectives	1
Principles of Development Control	1, 2, 3, 4 & 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
SITE AREA Module: Low Density Policy Area 20 PDC 3	340m <sup>2</sup> minimum	Lot 1 = 376m <sup>2</sup> Lot 2 = 376m <sup>2</sup>  <b>Satisfies</b>
ALLOTMENT AREA Module: Low Density Policy Area 20 PDC 3	340m <sup>2</sup> minimum	Lot 1 = 376m <sup>2</sup> Lot 2 = 376m <sup>2</sup>  <b>Satisfies</b>
SITE FRONTAGE Module: Low Density Policy Area 20 PDC 5	10m minimum	18.9mm (existing) 9.45m (proposed)  <b>Does Not Satisfy by 5.5%</b>

## QUALITATIVE ASSESSMENT

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

### Site Area and Frontage

The proposed allotments exceed the minimum allotment area provisions of the Low Density Policy Area 20 by 36m<sup>2</sup>. The only issue with the proposal is the failure to create two allotments that will satisfy the minimum site frontage requirements of 10m as set out in PDC 3 of the Low Density Policy Area 20.

### Land Division

The application is not combined with the development of dwellings on the land, only for the creation of two allotments for residential purposes. Accordingly, the requirements of PDC 5 for allotments with a minimum area of 340m<sup>2</sup> and a minimum frontage of 10m apply.

The proposed allotments have a frontage of 9.45m being 550mm or 5.5% below the minimum. It is considered that this is not fatal to the proposal for the following reasons:

- The area available for a building envelope compared to an allotment with an area of 340m<sup>2</sup> and a 10m width will be achieved by it being marginally narrower but deeper allowing for a dwelling of the same floor area but a marginally deeper and narrower design.
- Dwellings are commonly, successfully designed for allotments with a 9m frontage. Dwellings on a 9.45m wide allotment, adopting the minimum 1m side boundary setback in accordance with Residential Zone PDC11 will provide for a minimum building envelope width of 7.45m. Within this a two room wide design can be achieved.

- The provision of a 1m wide setback from side boundaries will be the key aspect to achieving the low density character of the policy area.
- Depending on the design, dwellings even on a 10m wide allotment are likely to be restricted to a single width garage and any upper storey to a single room width if upper storey setbacks are to be achieved.

## **SUMMARY**

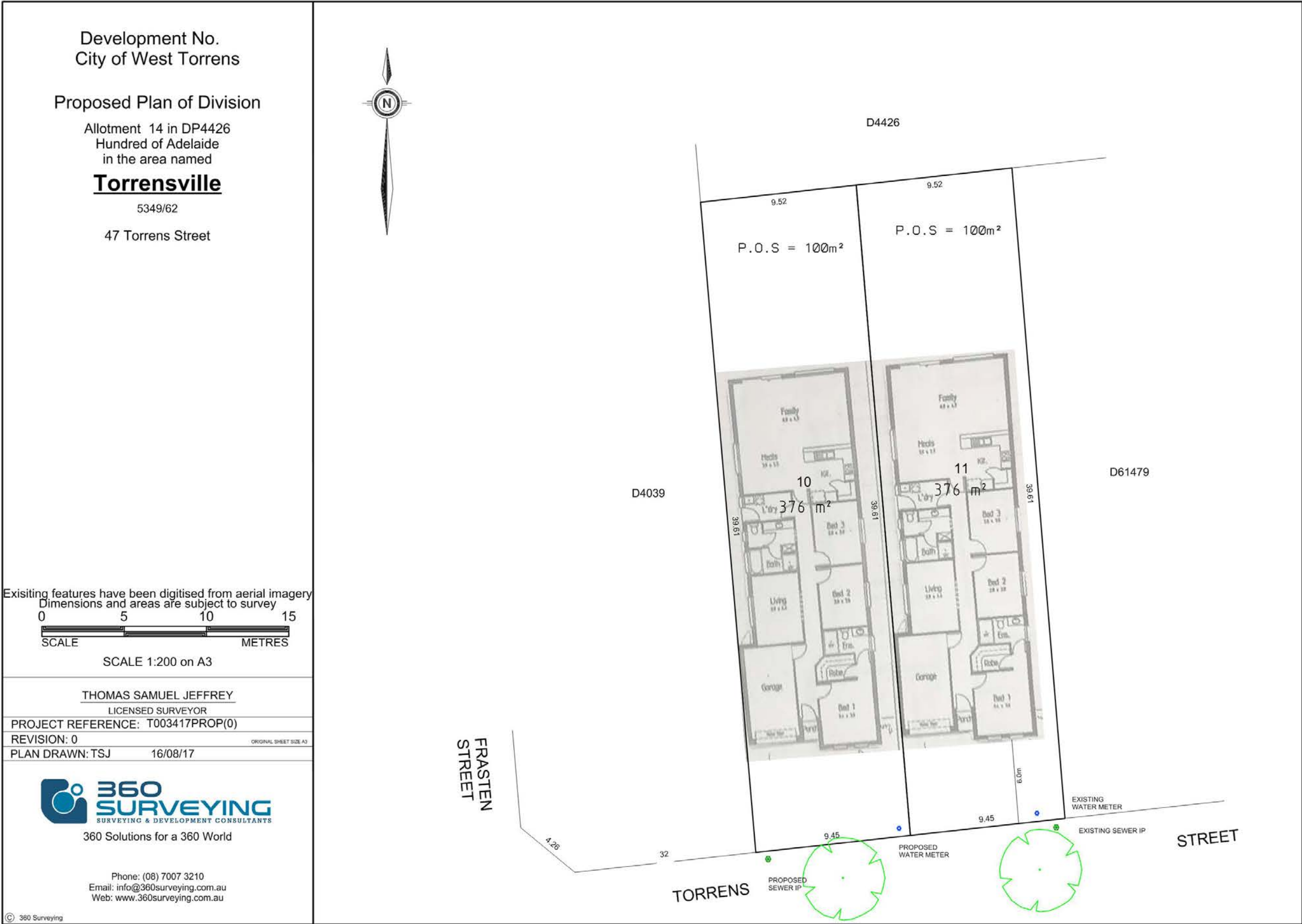
The proposal satisfies all of the requirements for the division of the land except for a shortfall of 550mm (5.5%) in allotment frontage. The proposed allotment width of both allotments together with an area of 376m<sup>2</sup> is sufficient to meet the functional requirements of detached dwellings and to achieve development that is sufficiently consistent with the desired character for the Low Density Policy Area 20. Provided the allotments are developed with appropriate side setbacks, particularly across the frontages of each dwelling, the shortfall in width will not be such that the allotments would be noticeably inconsistent with low density character of the locality.

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

On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 30 May 2017 and warrants Development Plan Consent and Land Division Consent.

## **Attachments**

### **1. Plan of Division**





**6.11 28 Gertrude Street, BROOKLYN PARK**

Application No 211/970/2017

**DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Construction of an enclosed garage, carport and verandah attached to existing dwelling
APPLICANT	Premium Home Improvements
APPLICATION NO	211/970/2017
LODGEMENT DATE	14 August 2017
ZONE	Residential Zone
POLICY AREA	Residential Policy Area 20
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	N/A
REFERRALS	Internal <ul style="list-style-type: none"> <li>▪ Nil</li> </ul> External <ul style="list-style-type: none"> <li>▪ Nil</li> </ul>
DEVELOPMENT PLAN VERSION	30 May 2017
MEETING DATE	14 November 2017

**RECOMMENDATION**

The Council 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. 211/970/2017 by Premium Home Improvements to construct an enclosed garage, carport and verandah attached to the existing dwelling at 28 Gertrude Street, Brooklyn Park (CT 5741/181) for the following reasons:

1. The proposed development is contrary to:
  - Council Wide Principles of Development Control (PDC) 3 Design and Appearance  
Reason: The proposal will be sited on the side boundary for a length of 30m and will have a negative impact to the adjacent property in terms of visual appearance and overshadowing.
  - Council Wide PDC 9 in the Design and Appearance Section & PDC 10, 11 and 12 Residential Development Section  
Reason: Unreasonable overshadowing of neighbouring property caused by the proposed development.
  - Council Wide PDC 16 Residential Development  
Reason: The proposal exceeds the maximum length on boundary and floor area.
  - Council Wide PDC 4 Residential Development  
Reason: The proposed building mass and proportion are not compatible with the desired character statement.

## BACKGROUND

The proposal is presented to the Council Assessment Panel (CAP) for the following reason:

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

## PREVIOUS OR RELATED APPLICATION(S)

DA 211/450/2001 - Domestic Garage - Withdrawn

DA 211/1024/2002 - New Garage, Verandah and Refurbishment - Development Plan Consent granted 21 November 2002

DA 211/325/2004 - Dwelling Additions - Development Approval granted 13 December 2005

DA 211/731/2004 - Garage - Development Approval granted 30 July 2005

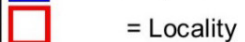
## SITE AND LOCALITY

The subject land is formally described as Allotment 7 Deposited Plan 2611 in the area named Brooklyn Park Hundred of Adelaide, Volume 5741 Folio 746, or more commonly known as 28 Gertrude Street, Brooklyn Park. The subject site is rectangular in shape with a frontage of 17.69m, a depth of 50.477m and a site area of 892.9m<sup>2</sup>.

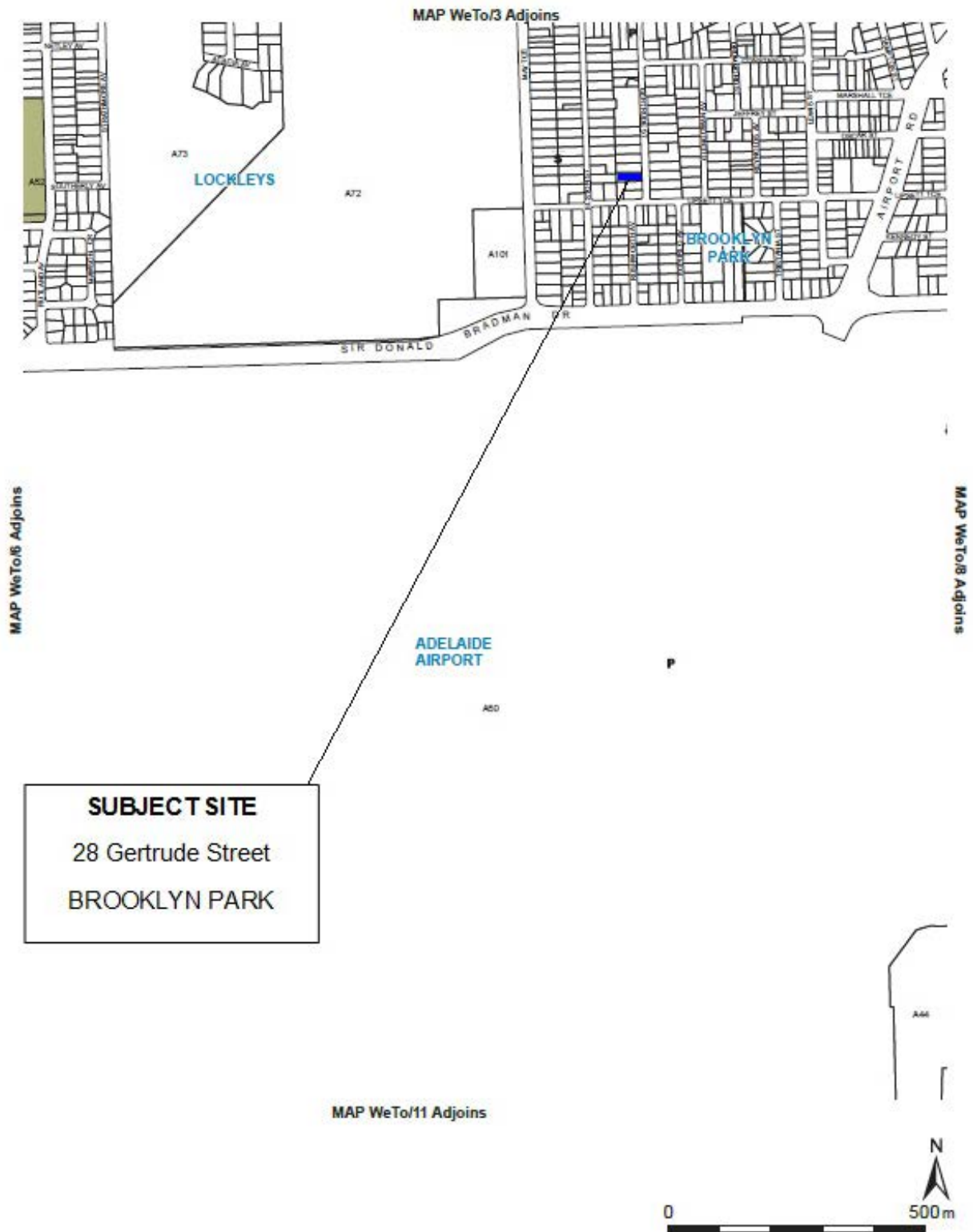
Currently on site is a single storey detached dwelling built during the mid-1900s and an outbuilding in the south-western corner of the allotment. The allotment has a single width crossover for vehicle access from the south-eastern corner of the allotment. There is one mature street tree and a stobie pole located in the Council verge in front of the subject site.

The locality is residential in nature, predominantly comprising single storey detached dwellings and single storey residential flat buildings. The dwellings in the locality are set back to allow for generously landscaped front yards.

The subject site and locality are shown on the following maps.







## Location Map WeTo/7

S School  
P Post Office  
Local Reserves

WEST TORRENS COUNCIL  
Consolidated - 5 May 2016



## PROPOSAL

The proposal is for the construction of an attached garage, carport and verandah under one roof line to the existing single storey detached dwelling. The proposed structure has a 4.02m frontage to Gertrude Street and has a length of 30.32m located on the southern boundary. The combined garage, carport and verandah have a wall height of 3m and an overall building height of 4.2m.

The garage component of the proposed development will have a masonry frontage to match the existing house and includes a roller door. The garage will be enclosed for a length of 6.4m along the boundary. The carport and verandah will be an open structure located on the boundary for a length of 23.92m.

A copy of the plans and details are contained in **Attachment 2**.

## REFERRALS

Internal

- Nil

External

- Nil

## PUBLIC NOTIFICATION

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

## ASSESSMENT

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

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

<b>Zone: Residential Zone</b>	
<b>Desired Character Statement:</b>	
<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 <b>Historic Conservation Area</b>. 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>	
<b>Objectives</b>	Nil
<b>Principles of Development Control</b>	5

<b>Policy Area: Low Density Policy Area 20</b>	
<b>Desired Character Statement:</b>	
<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>	
<b>Objectives</b>	1
<b>Principles of Development Control</b>	2

## QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
STREET SETBACK <i>PDC 16</i> Residential Development	Garage and carports are to be sited no closer to the primary road frontage than any part of the associated dwelling	10.8m  <b>Satisfies</b>
LENGTH ON BOUNDARY <i>PDC 16</i> Residential Development	8m	30.32m  <b>Not Satisfied</b>
FLOOR AREA <i>PDC 16</i> Residential Development	60m <sup>2</sup>	110m <sup>2</sup>  <b>Not Satisfied</b>
OVERSHADOWING <i>PDC 10</i> Residential Development	Development to ensure winter sunlight is available to adjacent dwellings, north facing windows and POS	Overshadows POS and only north facing window  <b>Not Satisfied</b>
CARPARKING SPACES <i>PDC 34</i> Transportation and Access	2 car-parking spaces required, 1 covered & 1 uncovered	2 provided  <b>Satisfies</b>

## QUALITATIVE ASSESSMENT

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

### Length on boundary

PDC 16 of the Residential Development Section has not been satisfied as the proposal exceeds the maximum length of 8m for boundary development. The garage, carport and verandah will have a combined length of 30.32m of development on the southern boundary. The existing garage is located on the southern boundary for a length of 9m. Therefore the proposed development with the existing garage will have a combined length of 39.32m of boundary development. As per PDC 3 of the Design and Appearance Section, side boundary walls should be sited and limited in length and height to reduce the visual impact to adjoining properties.

The entirety of the side boundary behind the main façade of the dwelling located at neighbouring 30 Gertrude Street will be built on, and on this basis the visual impact to this adjoining land is considered unreasonable and at odds with the intent of the Development Plan.

### **Building mass**

The design and appearance of the proposed development should be compatible with the Desired Character Statement and this includes development being compatible with open space between buildings. Any proposed development should be compatible with the open space between buildings. This has not been satisfied due to the mass and proportion of the proposal. The proposal will have a wall height of 3m for a length of over 30m along the boundary. This is considered to reduce the sense of space between building and therefore not satisfying PDC 1 of Design and Appearance Section and PDC 4 of the Residential Development Section.

### **Overshadowing**

The design and location of the proposed development will cause excessive overshadowing to the neighbouring property at 30 Gertrude Street. The only north facing windows of the adjoining property and their Private Open Space will be shadowed for a majority of the day during winter, therefore PDC 3 of the Design and Appearance Section and PDC 10 of the Residential Development Section has not been satisfied.

A desktop analysis of overshadowing has been undertaken. The entirety of their north-facing windows and the only open POS on the adjacent property will be shaded not satisfying the requirements of PDC 11, 12 and 13 of the Residential Development Section.

### **SUMMARY**

The proposal seeks to increase the length of development located on the southern boundary by 30.32m. The proposal exceeds the maximum length of 8m along a boundary for a garage, carport and outbuilding as well as the maximum floor area of 60m<sup>2</sup>. The total length of boundary development of this application were it to be approved will be 39.32m, 77% of the southern boundary. The proposal due to its location and height will overshadow the only north-facing window and open POS of the adjacent property located at 30 Gertrude Street. Due to the mass and proportion of the proposal there will be a negative visual impact to the adjacent property. The 110m<sup>2</sup> garage, carport and verandah does not satisfy the character of the policy area, which seeks a sense of space between buildings.

Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is considered to be 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 30 May 2017 and does not warrant Development Plan Consent.

### **Attachments**

1. **Site plan, elevations and description of development**
2. **Shadow Diagrams**



**Amelia DeRuvo**

---

**From:** George Artini  
**Sent:** Wednesday, 25 October 2017 6:05 PM  
**To:** Development  
**Cc:** 'bngoweber@optusnet.com.au'  
**Subject:** re development application 211/970/2017  
**Attachments:** George\_Artini\_20171025\_170644.pdf

Hello Amelia....

Attached is the information requested per your letter dated 11<sup>th</sup> October 2017. (Proposed carport/garage/verandah/entertainment area for Burke and Natalie Weber of 28 Gertrude St. Brooklyn Park). There is no masonry wall along the boundary, only across the front of the proposed garage. The side and rear of the proposed garage will be enclosed with a timber frame wall and clad with Harditex (Blueboard) cladding. Roll-a-doors will be fitted to the front and rear of the garage. Please contact myself or Mr. Weber if you require any further information.

Regards

George Artini  
Premium Home Improvements  
78 North Tce.  
Kent Town  
S.A. 5067

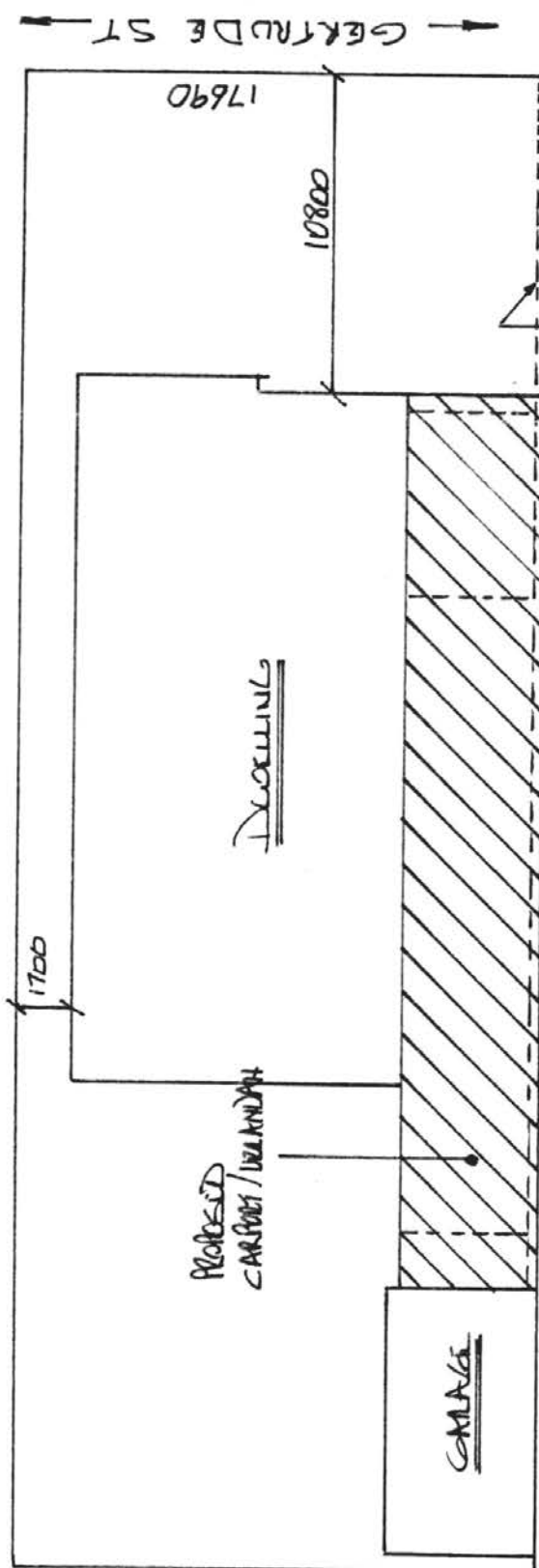
# **PREMIUM HOME IMPROVEMENTS**

INVEST IN QUALITY AND DESIGN

EST 1993

SITE PLAN  
(SCALE 1:200)

50477



**BUILDERS OF QUALITY**  
CARPORTS, VERANDAHS, PERGOLAS, RE-ROOFING, LANDSCAPING & PAVING

ABN: 61 12 542 115 B/L La Noelle 11/99  
78 North Terrace, Kent Town, South Australia 5067  
Enter via Little King William Street  
Phone: (08) 8268 5144 Fax: (08) 8268 5155  
www.premiumhome.com.au

**CLIENT**  
BOYKE AND NAHIE WEBER

**ADDRESS**  
28 GERTRUDE ST.  
BROOKLYN PK

PH: (08) 8268 5144

OWNER IS RESPONSIBLE FOR THE  
REMOVAL OF EXCESS SOIL ARISING  
FROM ANY EXCAVATION WORK  
REQUIRED DURING CONSTRUCTION

REFER TO CONTRACTING

NO CONDITIONS AND TERMS REFER OVERLAY

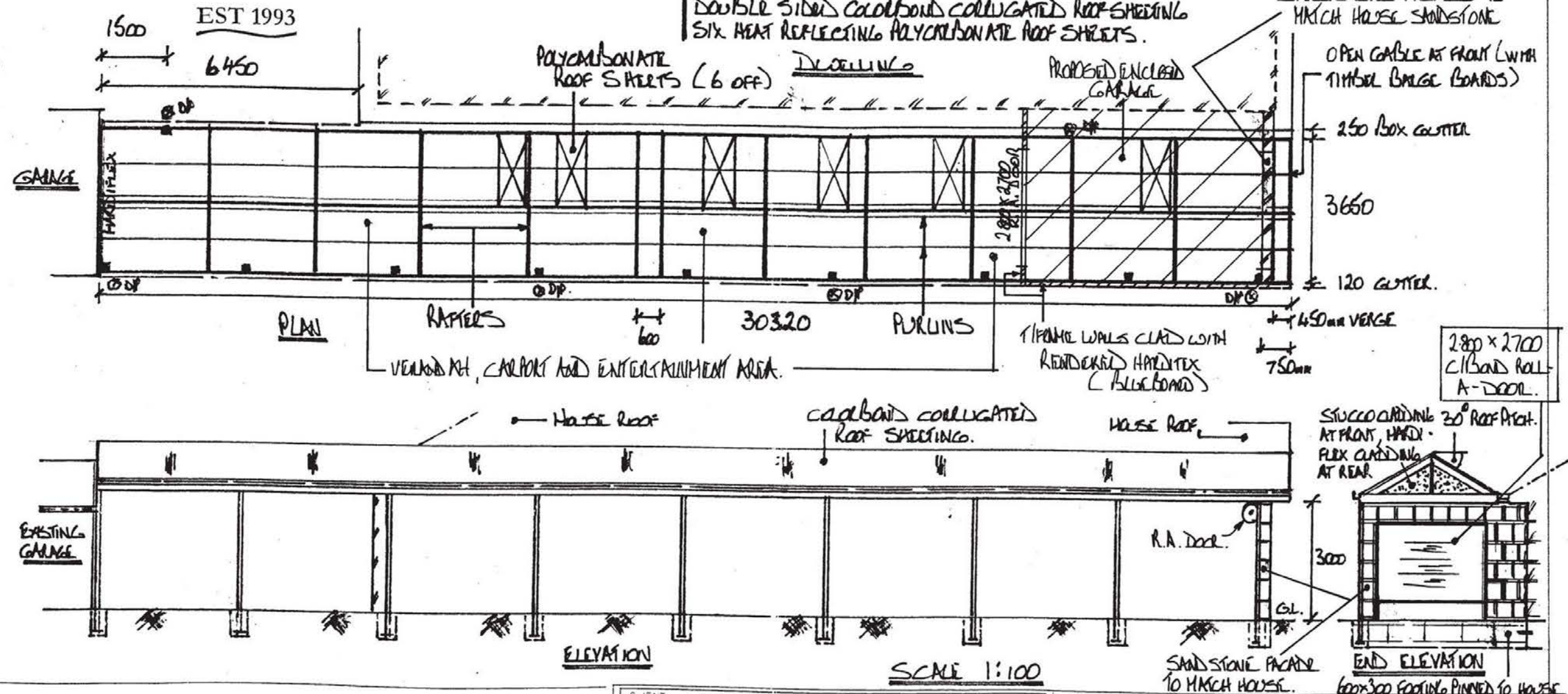


# PREMIUM HOME IMPROVEMENTS

AMENDED PLAN 25/10/17

TOTAL AREA = 118.2 m<sup>2</sup>

INVEST IN QUALITY AND DESIGN



BUILDERS OF QUALITY  
CARPORTS, VERANDAHS, PERGOLAS, RE-ROOFING, LANDSCAPING & PAVING

ABN 60 120 542 145 Bid Lic No RL 117095  
76 North Terrace, Kent Town, South Australia 5067  
(Enter via Little King William Street)  
Phone: (08) 8268 5144 Fax: (08) 8268 5155  
www.premiumhome.com.au

CLIENT	BURKE AND NATALIE WEBER
ADDRESS	28 GERTRUDE ST. BROOKLYN PK.
PH: (V)	(H)

NOTE: This drawing is a diagrammatic impression only. Due to on site conditions the contingencies of Building and other factors beyond the control of Premium Home Improvements, the actual construction may vary slightly. Any agreement to build, on the part of Premium Home Improvements, is strictly subject to the condition that such slight variations are permissible.

NOTE: The as drawn plans have been designed to conform with current building codes. However, some additional requirements may be requested by Council and any such changes will be charged as variations to the Contract price.

WE ACKNOWLEDGE THE PRECEDING NOTATIONS  
(SIGNED)

OWNER IS RESPONSIBLE FOR THE  
REMOVAL OF EXCESS SOIL ARISING  
FROM ANY EXCAVATION WORK  
REQUIRED DURING CONSTRUCTION

REFER TO CONTRACT No. ....  
for CONDITIONS AND TERMS REFER OVERLEAF

---

14 November 2017



**PREMIUM HOME IMPROVEMENTS**  
INVEST IN QUALITY AND DESIGN  
EST 1993

**SITE PLAN**  
(SCALE 1:200)

SCANNED  
22 AUG 2017  
No. 42038445

9am

50477

1700

10800

17690

GERTRUDE ST

DOELLING

CARPORT / VERANDA

GARAGE

**STARTING AT 10m TAKEN TO STREET  
WATER-TABLE THROUGH 90mm PVC SLIPSTAKE BY OWNER**

**BURKE AND NATALIE WEBER**  
28 GERTRUDE ST.  
BROOKLYN PK

**BUILDERS OF QUALITY**  
CARPORTS, VERANDAS, PERGOLAS, RE-ROOFING, LANDSCAPING & PAINTING

ABN: 67 12 343 145 BULLE NOEL 117095  
78 North Terrace, Kent Town, South Australia 5067  
(Enter via Little King William Street)  
Phone: (08) 8268 5144 Fax: (08) 8268 5155  
www.premiumhome.com.au

**OWNER IS RESPONSIBLE FOR THE  
REMOVAL OF EXCESS SOIL ARISING  
FROM ANY EXCAVATION WORK  
REQUIRED DURING CONSTRUCTION**

REFER TO CONTRACT NO. \_\_\_\_\_  
FOR CONDITIONS AND TERMS REFER OVERLEAF

BIGGED: \_\_\_\_\_

# PREMIUM HOME IMPROVEMENTS

INVEST IN QUALITY AND DESIGN

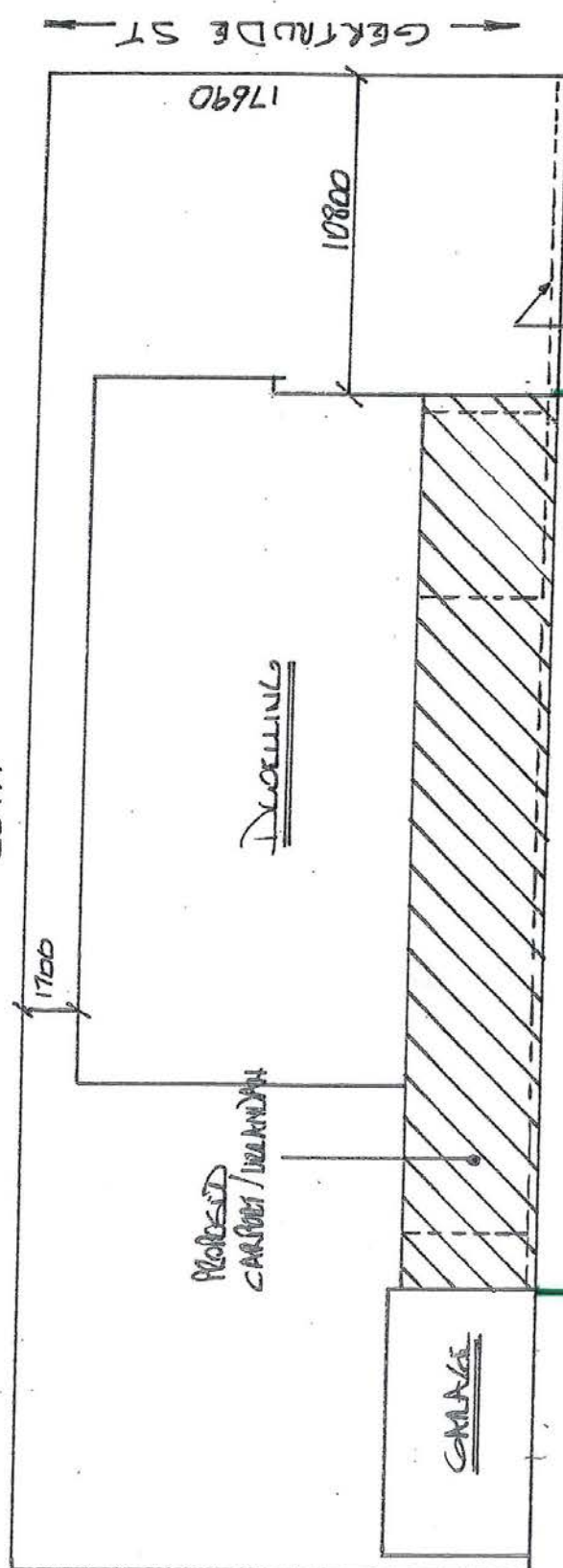
EST 1993

SITE PLAN  
(SCALE 1:200)

SCANNED  
22 AUG 2017

N: 12pm

50477



STORMWATER TO BE TAKEN TO STREET  
WATER-TABLE THROUGH 900 PVC SLOTTED BY OLIVE

CLIENT: BURKE AND NATALIE WEXLER  
ADDRESS: 28 GERTRUDE ST.  
BROOKLYN PK

PH (V2)

BUILDERS OF QUALITY  
CARPORTS, VERANDAHS, PERGOLAS, RE-ROOFING, LANDSCAPING & PAVING  
ABN: 6112 342 145 BULLE NOBEL 117093  
78 North Terrace, Kent Town, South Australia 5067  
(Enter via Little King William Street)  
Phone: (08) 8268 5144 Fax: (08) 8268 5155  
www.premiumhome.com.au

OWNER IS RESPONSIBLE FOR THE  
REMOVAL OF EXCESS SOIL ARISING  
FROM ANY EXCAVATION WORK  
REQUIRED DURING CONSTRUCTION

NOTE: This is a site plan showing the proposed location of the  
excavation work. It is not a plan of the site. The owner is responsible  
for ensuring that the excavation work is carried out in accordance  
with the relevant regulations and standards. The plan is not to be used  
for any other purpose without the written consent of the designer.  
I/WE ACKNOWLEDGE THE PRECEDING NOTATIONS  
HEREIN.

REFER TO CONTRACT NO.

FOR CONDITIONS AND TERMS REFER OVERLAY

14 November 2017

## 6.12 Procedures at Council Assessment Panel Meetings

### Brief

This report presents the *Procedures at Council Assessment Panel Meetings* for approval.

### RECOMMENDATION

It is recommended to the Council Assessment Panel that:

1. The revised *Procedures at Council Assessment Panel Meetings* be adopted.
2. The *Council Assessment Panel Member Conflict of Interest Declaration Form* be noted.

---

### Introduction

The *Planning, Development and Infrastructure (General) Regulations 2017* (Regulations) stipulate the statutory procedures to be undertaken during the operation of Council Assessment Panel (CAP) meetings. Under these Regulations, the CAP may adopt meeting procedures for its meetings and may determine its own procedure(s) so long as it is not inconsistent with the Planning, Development and Infrastructure Act or Regulations.

At its 10 October 2017 meeting, the CAP adopted the *Council Assessment Panel Meeting Procedures*.

At that meeting the CAP also considered further amendments to the *Council Assessment Panel Meeting Procedures*.

Consequently, this report seeks approval of the *Procedures at Council Assessment Panel Meetings* and presents the *Council Assessment Panel Member Conflict of Interest Declaration Form* for notation.

### Discussion

The *Procedures at Council Assessment Panel Meetings* include the following proposed amendments:

- Amendments to the introduction to clarify the purpose of the meeting procedures.
- Delete references distinguishing provisions set in the Regulations and provisions set by the Council Assessment Panel.
- Add a requirement for the notice of a CAP meeting to be given three clear days before the meeting.
- Clarify that in the absence of the Presiding Member and the Deputy Presiding Member not only for a meeting, but if absent for any agenda item, a member will be chosen from those present to preside at the meeting until the Presiding Member and the Deputy Presiding Member is present.
- Clarify process for the declaration of a conflict of interest to be consistent with the Code of Conduct adopted by the Minister, whereby members are required to make a disclosure of a conflict of interest prior to the commencement of the items of business before the meeting and that this be recorded in the minutes.
- Add a clause stating that representors will not be entitled to a right of reply unless otherwise determined by the Presiding Member.
- Minor formatting and editorial amendments.

The *Procedures at Council Assessment Panel Meetings* are attached for the CAP's consideration and approval (**Attachment 1**).



To assist the process of CAP members declaring a conflict of interest, it is proposed that the *Council Assessment Panel Member Conflict of Interest Declaration Form* (form) be completed at the time at which a CAP member declares a Conflict of Interest and be provided to the Assessment Manager.

The form is attached for the CAP's reference (**Attachment 2**).

Blank copies of the form will be provided to CAP members and made available by the Assessment Manager at CAP meetings.

### **Conclusion**

The report seeks the appointment of the revised *Procedures at Council Assessment Panel Meetings*. In addition, it provides the *Council Assessment Panel Member Conflict of Interest Declaration Form* for information.

### **Attachments**

- 1. Revised Procedures at Council Assessment Panel Meetings**
- 2. Conflict of Interest Declaration Form**

## Procedures at Council Assessment Panel Meetings

<b>Classification:</b>	Meeting Procedures	
<b>First Issued:</b>	10 October 2017	
<b>Dates of Review:</b>	2017	
<b>Version Number:</b>	2	
<b>Next Review Due:</b>	2018	
<b>Objective ID:</b>	A2064745	
<b>Applicable Legislation:</b>	<ul style="list-style-type: none"> <li>• <a href="#"><i>Planning, Development and Infrastructure Act 2016 (SA)</i></a></li> <li>• <a href="#"><i>Planning, Development and Infrastructure (General) Regulations 2017 (SA)</i></a></li> <li>• <a href="#"><i>Assessment Panel Members - Code of Conduct</i></a></li> </ul>	
<b>Related Policies or Corporate Documents:</b>	<ul style="list-style-type: none"> <li>• <a href="#"><i>Terms of Reference - Council Assessment Panel</i></a></li> </ul>	
<b>Associated Forms:</b>	<ul style="list-style-type: none"> <li>• Council Assessment Panel Member Conflict of Interest Declaration Form</li> </ul>	
<b>Note:</b>		
<b>Responsible Manager:</b>	<b>General Manager Urban Services</b>	
<b>Confirmed by General Manager:</b>	General Manager Urban Services	Date
<b>Approved by Executive:</b>		Date
<b>Endorsed by CAP:</b>		Date

City of West Torrens - - Procedures at Council Assessment Panel Meetings

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City of West Torrens -- Procedures at Council Assessment Panel Meetings

## Procedures at Council Assessment Panel Meetings

### (1) Introduction

The *Planning, Development and Infrastructure (General) Regulations 2017* (the Regulations) stipulate certain statutory procedures to be observed at or undertaken during meetings of the CAP. Otherwise, the CAP determines its own meeting procedure(s) so long as they are not inconsistent with the Regulations.

The combined document is the City of West Torrens' Procedures at CAP Meetings (Meeting Procedures) adopted by the CAP.

These Meeting Procedures operate at CAP meetings. They are also available to the public to assist their understanding of the procedures associated with the operation of CAP meetings. These Meeting Procedures are reviewed annually.

The CAP may, at any time by resolution, alter or substitute these Meeting Procedures.

### (2) Interpretation

**"Act"** means the *Planning, Development and Infrastructure Act 2016*;

**"Additional member"** - a person who holds a qualification, or has expertise or experience recognised by a practice direction for the purposes of section 85 of the Act. An Additional Member is not able to vote on any matter arising for determination by the CAP.

**"Assessment Manager"** means a person appointed by the Chief Executive Officer in accordance with section 87 of the Act. The Assessment Manager is responsible for overseeing the operations of and providing advice to the assessment panel.

**"Member"** means a member of the Council Assessment Panel and includes a Deputy Member.

**"Presiding Member"** means the person who is the presiding member of and includes any person who is presiding at a particular meeting;

**"Representor"** means a member of the public who wishes to present information to the CAP in relation to a development assessment matter

**"Written notice"** includes a notice given in a manner or form determined by the CAP.

- (1) In the calculation of **"clear days"** in relation to the giving of notice before a meeting -
  - (a) the day on which the notice is given, and the day on which the meeting occurs, will not be taken into account; and
  - (b) Saturdays, Sundays and public holidays will be taken into account.
- (2) For the purposes of the calculation of clear days if a notice is given after 5 p.m. on a day, the notice will be taken to have been given on the next day.

### (3) Guiding Principles

The following principles (the **"Guiding Principles"**) should be applied with respect to the procedures to be observed at a meeting of the CAP:



## City of West Torrens - - Procedures at Council Assessment Panel Meetings

- (a) procedures should be fair and contribute to open, transparent and informed decision-making;
- (b) procedures should encourage appropriate community participation in the affairs of the CAP;
- (c) procedures should reflect levels of formality appropriate to the nature and scope of responsibilities exercised at the meeting.
- (d) procedures should be sufficiently certain to give the community and decision-makers confidence in the deliberations undertaken at the meeting.

**(4) Notice of Meetings**

- (1) The CAP will meet at 165 Sir Donald Bradman Drive, Hilton SA 5033 at 5pm on the second Tuesday of each month, commencing 1 October 2017.
- (2) Notice of a CAP meeting must:
  - (a) be in writing
  - (b) set out the time, date and place of the meeting
  - (c) be signed by Council's Assessment Manager
  - (d) contain or be accompanied by the agenda and any documents and/or reports that are to be considered at the meeting (in so far as practicable)
  - (e) be provided electronically to CAP Members a minimum of three (3) clear days before the meeting; and
  - (f) be displayed at the Civic Centre, Hamra Centre Library and on Council's website a minimum of three (3) clear days before the meeting.
- (3) The Assessment Manager may vary the meeting date and time in consultation with the Presiding Member but must ensure that the minimum of three (3) clear days' notice of the new meeting date is provided and the meeting is notified according to clause 4(2) of these Meeting Procedures.
- (4) Special meetings of the CAP may be required in special circumstances to expedite decisions on applications before the CAP and will be called at the discretion of the Assessment Manager in consultation with the Presiding Member. Members of the CAP, applicants, representors and the public must be given a minimum of four (4) hours' notice before the commencement of the special meeting.

**(5) Deputy Members**

- (1) If a CAP Member is unable to attend a meeting, they must notify the Assessment Manager as soon as reasonably practicable.

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- (2) The Assessment Manager may request the Deputy Member to the Elected Member attend a meeting in the place of the CAP Elected Member for all or part of a meeting.

#### **(6) Additional Members**

- (1) The CAP may, by resolution, appoint up to two Additional Members to assist the CAP in dealing with a particular matter.
  - (a) Such additional members must hold a qualification, or have expertise or experience, recognised by a practice direction conferred under the Act or Regulations.
- (2) The Assessment Manager may request in writing for an Additional Member to attend a CAP meeting and this request must be accompanied by the notice for the meeting in accordance with clause 4(2), highlighting the item(s) the Additional Member is required to consider.
- (3) Additional members appointed by the CAP are not entitled to vote at meetings.
- (4) Additional members will be remunerated accordingly.

#### **(7) Quorums (Regulation 15)**

A quorum at a meeting of the CAP is a number obtained by dividing the total number of members of the assessment panel for the time being in office by 2, ignoring any fraction resulting from the division, and adding 1.

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**(8) Commencement of Meetings**

- (1) A meeting will commence as soon after the time specified in the notice of meeting as a quorum is present.
- (2) If the number of apologies received by the Assessment Manager indicates that a quorum will not be present at a meeting, the Assessment Manager may adjourn the meeting to a specified day and time.
- (3) If at the expiration of 30 minutes from the time specified in the notice of meeting as the time of commencement a quorum is not present, the Presiding Member or, in the absence of the Presiding Member, the Deputy Presiding Member, or in the absence of both members, the Assessment Manager, will adjourn the meeting to a specified day and time.
- (4) If a meeting is adjourned for want of a quorum, the Assessment Manager will record in the minutes the reason for the adjournment, the names of any members present, and the date and time to which the meeting is adjourned.
- (5) The Presiding Member may, with the leave of the meeting, adjourn the meeting to a future date and time.
- (6) If a meeting is adjourned to another day, the Assessment Manager must:
  - (a) give notice of the adjourned meeting to each member setting out the date, time and place of the meeting; and
  - (b) give notice of the adjourned meeting to the public by causing a notice setting out the date, time and place of the meeting to be placed on display at the principal office of the Council and on the Council's website.

**(9) Order of Business**

- (1) Prior to the commencement of business the Presiding Member will read the Fire Evacuation Statement if members of the public are present.
- (2) If both the Presiding Member and the Deputy Presiding Member are absent from a meeting, or for any agenda item at the meeting, a Member will be chosen from those present to preside at the meeting until the Presiding Member or the Deputy Presiding Member is present. That Member presiding will have all the powers and duties of the Presiding Member at that meeting.
- (3) The Presiding Member may alter the order of business listed in the agenda with the leave of the meeting, e.g. if the majority of the representors are interested in a particular item.
- (4) Members are required to make any disclosure of a conflict of interest, pursuant to the Act and/or the Code of Conduct adopted by the Minister, prior to the commencement of the items of business before the meeting.

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#### **(10) Voting (Regulation 16)**

- (1) Each member of an assessment panel, present at a meeting of the CAP is entitled to 1 vote on a matter arising for decision and, if the votes are equal, the member presiding at the meeting is entitled to a second or casting vote.
- (2) Sub-regulation (1) does not apply to a person who is taken to be a Member of the CAP under section 85 of the Act\*.

\*Section 85 precludes additional members from voting.

#### **(11) Public Access to Meetings (Regulation 13)**

- (1) In connection with the conduct of the proceedings of the CAP, members of the public are entitled to attend a meeting of the CAP other than as set out in sub-regulation (2).

- (1) The Presiding Member may adjourn a meeting in the event of a disruption or disturbance by any person (including a Member, applicant, representor or other member of the public) to a specified date and time.
- (2) The Presiding Member may ask a member of the public (including an applicant, representor or other member of the public) to leave a meeting where they are, in the opinion of the Presiding Member:
  - (a) behaving in a disorderly manner; or
  - (b) causing an interruption or disruption to the meeting.
- (3) In the event that that the member of public refuses to leave the meeting a senior member of staff will contact SAPOL for assistance.

- (2) The CAP may exclude the public from attendance at a meeting—
  - (a) during so much of the meeting as is necessary to receive, discuss or consider in confidence any of the following matters:
    - i. information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);
    - ii. information the disclosure of which—
      - A. could unreasonably be expected to confer a commercial advantage on a person, or to prejudice the commercial position of a person; and
      - B. would, on balance, be contrary to the public interest;
    - iii. information the disclosure of which would reveal a trade secret;
    - iv. commercial information of a confidential nature (not being a trade secret) the disclosure of which—



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- A. could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
  - B. would, on balance, be contrary to the public interest;
- v. matters affecting the safety or security of any person or property;
- vi. information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial;
- vii. matters that should be considered in confidence in order to ensure that the assessment panel, or any other entity, does not breach any law, or any order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;
- viii. legal advice;
- ix. information relating to actual litigation, or litigation that the assessment panel believes on reasonable grounds will take place;
- x. information the disclosure of which—
  - A. would divulge information provided on a confidential basis by or to a Minister of the Crown, the Commission, or another public authority or official; and
  - B. would, on balance, be contrary to the public interest; and
- (b) during so much of the meeting that consists of its discussion or determination of any application or other matter that falls to be determined by the assessment panel.

- (1) If the public have been excluded from attendance at a meeting, the CAP must resolve whether or not to retain, (in confidence), the reports and documents which have been considered by it in confidence.
- (2) If the CAP orders, by resolution, that the information is to remain confidential it must also determine the circumstances in which that the confidentiality order will cease to apply or a period after which the order is to be reviewed. Any order exceeding a twelve (12) month period will be reviewed at least once in every twelve (12) month period.
- (3) At the end of each financial year the Assessment Manager will undertake a review of the reports and documents which remain in confidence.
- (4) The annual review will be presented to CAP and will identify which confidentiality orders have expired and which remain in place.
- (5) The outcome of the annual review will also be presented to Council for information and included within the Annual Report.

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## **(12) Minutes and Other Documents (Regulation 14)**

- (1) The Assessment Manager must ensure that accurate minutes are kept of the proceedings of the CAP.
  - (2) Any disclosure by a Member of a direct or indirect pecuniary interest in any aspect of a development or any body associated with any aspect of a development required under the Act must be recorded in the minutes of the CAP.
  - (3) Members of the public are entitled to reasonable access to—
    - (a) the agendas for meetings of the CAP; and
    - (b) the minutes of meetings of the CAP.
  - (4) However, the CAP may, before it releases a copy of any minutes under sub-regulation (3), exclude from the minutes information about any matter dealt with on a confidential basis by it.
  - (5) Minutes must be available under sub-regulation (3) within 5 business days after their adoption by the Members.
- (6) The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting or, if that is omitted, at a subsequent meeting.
  - (7) No discussion on the minutes may occur before confirmation, except as to the accuracy of the minutes as a record of proceedings.
  - (8) On the confirmation of the minutes, the Presiding Member will -
    - (a) initial each page of the minutes, which pages are to be consecutively numbered; and
    - (b) place his or her signature and the date of confirmation at the foot of the last page of the minutes.
  - (9) The minutes of proceedings of a meeting must include -
    - (a) the names of all Members present;
    - (b) the names of all Members from whom apologies have been received;
    - (c) any disclosure by a Member pursuant to regulation 14(2) of the Regulations;
    - (d) the name and time that a Member enters or leaves the meeting, once the meeting has commenced;
    - (e) the name of every person who makes a representation;
    - (f) in relation to each application determined by the CAP:
      - i. the determination of the CAP as to whether the proposal is seriously at variance with the Development Plan;
      - ii. the reasons for granting or refusing Development Plan consent and

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for the imposition of any conditions; and

- iii. where a decision is by majority vote, the decision and its mover and seconder, but not each Members' vote;
  - (g) if an application is not determined by the CAP, the deferral of the application and the reasons for the deferral;
  - (h) a decision to exclude the public from attendance pursuant to the Regulations; and
  - (i) if a meeting is adjourned by the Presiding Member, the reason for the adjournment and the date and time to which the meeting is adjourned.
- (10) All minutes must be confirmed by the Assessment Manager in conjunction with the Presiding Member as being accurate prior to, or at the commencement of, the subsequent CAP meeting.

### **(13) Validity of Proceedings (Regulation 17)**

A proceeding of the CAP (and any decision made by it) is not invalid by reason only of a vacancy in its membership or a defect in the appointment of a Member.

### **(14) Discretionary Procedures (Regulation 18)**

Except insofar as a procedure is not prescribed by the Act or Regulations, the procedures of the CAP in relation to the conduct of its business will be as determined by the CAP

- (1) The CAP should, at least once in every financial year, review the operation of its Meeting Procedures.
- (2) The CAP may at any time, by resolution supported the majority of the Members entitled to vote on the resolution, alter or substitute the Meeting Procedures.
- (3) The CAP must, in considering the exercise of a power under this regulation, take into account the Guiding Principles.
- (4) A person is entitled to inspect (without charge) the meeting procedures of the CAP under this regulation at the principal office of the Council during ordinary office hours.
- (5) A person is entitled, on payment of a fee fixed by Council, to a copy of these Meeting Procedures.
- (6) The Presiding Member may, at their discretion, exclude:
  - (a) a representation or response to representation(s) which is received out of time;
  - (b) a representation in relation to Category 2 development from a person who was not entitled to be given notice of the application; or
  - (c) a representation or response to representation(s) which is otherwise invalid.
- (7) The Presiding Member may, at their discretion, accept and allow to be considered by the CAP any new or additional material submitted by a representor or applicant. The CAP may defer consideration of the application to enable full and proper assessment of the further information.

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- (8) Any material to be considered by the CAP must be provided to the applicant and/or representor(s) (as the case may be) and those parties be provided with an opportunity to respond, either in writing or verbally, at the discretion of the Presiding Member.
- (9) In relation to each application it considers, the CAP must:
- (a) determine whether the proposal is seriously at variance with the Development Plan and provide reasons for its determination;
  - (b) if refusing Development Plan consent, provide reasons for refusing; and
  - (c) if granting Development Plan consent provide reasons for the imposition of any conditions.
- (10) If the CAP determines that a proposal is seriously at variance with the Development Plan, it must refuse Development Plan consent to the application.
- (11) In relation to each application to be considered and determined by the CAP:
- (a) a person who has lodged a representation in relation to a Category 3 application which has not been excluded pursuant to clause 11 of these Meeting Procedures and who has indicated that they wish to be heard on their representation is entitled to appear before the CAP and be heard in support of their representation, in person or by an agent;
  - (b) a person who has lodged a representation in relation to a Category 2 application which has not been excluded pursuant to clause 11 of these Meeting Procedures and who has indicated that they wish to be heard on their representation may, at the discretion of the Presiding Member, appear before the CAP and be heard in support of their representation, in person or by an agent;
  - (c) where one or more representors are heard by the CAP, the applicant is entitled to appear before the CAP to respond to any relevant matter raised by a representor, in person or by an agent;
  - (d) unless otherwise determined by the Presiding Member, representors will not be entitled to a right of reply.
  - (e) where no representors appear at the meeting, the Presiding Member may, in his or her discretion, allow an applicant to be heard in support of his or her application, in person or by an agent;
  - (f) representors and applicants will be allowed five minutes each to address the CAP. The Presiding Member may allow a party additional time at his or her discretion;
  - (g) Members may question and seek clarification from a representor or applicant who has addressed the CAP at the conclusion of their address; and
  - (h) following addresses from representors and the applicant, the Presiding Member will invite all Members to speak on any matter relevant to the application.



## CAP Member Conflict of Interest Declaration

**Civic Centre**  
165 Sir Donald Bradman Drive  
Hilton, SA 5033  
**Tel** (08) 8416 6333  
**Fax** (08) 8443 5709  
**Email** [csu@wtcc.sa.gov.au](mailto:csu@wtcc.sa.gov.au)  
**Website** [westtorrens.sa.gov.au](http://westtorrens.sa.gov.au)



Name:	
Meeting date:	
Item number:	
Item title:	
<b>Type of conflict(Select Type)</b>	
If you have a direct or indirect personal or pecuniary interest in a matter before the CAP you must leave the room during this item	
<input type="checkbox"/> Actual conflict	
<input type="checkbox"/> Perceived conflict	
Describe the nature of the conflict. Sufficient detail must be provided.	
Signature:	Date:

## **7 CONFIDENTIAL REPORTS OF THE ASSESSMENT MANAGER**

### **7.1 30 Arthur Street, RICHMOND**

Application No. 211/1472/2016

#### **Reason for Confidentiality**

It is recommended that this Report be considered in CONFIDENCE in accordance with Section 13(2)(a) (vii) and (viii) of the *Planning, Development and Infrastructure (General) Regulations 2017*, which permits the meeting to be closed to the public for business relating to the following:

- (vii) matters that should be considered in confidence in order to ensure that the assessment panel, or any other entity, does not breach any law, or any 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**

It is recommended to the Council Assessment Panel 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 Council Assessment Panel orders pursuant to regulation 13(2) of the *Planning, Development and Infrastructure (General) Regulations 2017*, that the public, with the exception of the Chief Executive Officer, members of the Executive and Management Teams, Assessment Manager, City Development staff in attendance at the meeting, and meeting secretariat staff, 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 Assessment Manager on the basis that 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.
2. At the completion of the confidential session the meeting be re-opened to the public.

## 8 SUMMARY OF COURT APPEALS

### 8.1 Summary of SCAP and ERD Court Matters - November 2017

#### Brief

This report presents information in relation to:

1. any matters being referred to the State Commission Assessment Panel (SCAP); and
2. any planning appeals before the Environment, Resources and Development (ERD) Court.

#### RECOMMENDATION

The Council Assessment Panel receive and note the information.

#### Matters pending determination by SCAP

Reason for referral	DA number	Address	Description of development
Section 49	211/1240/2017	71 Richmond Road (Railway Terrace Entrance), MILE END	Removal of one significant tree
Section 49	211/1029/2017	Allotment 1 in FP124395 (CT 5789/451), Hundred of Adelaide, 55 Malurus Avenue, LOCKLEYS	Removal of one regulated tree
Section 49	211/969/2017	19 Garden Terrace, UNDERDALE	Internal alterations to school buildings and construction of new covered link
Section 49	211/743/2017	1-35 Jenkins Street, COWANDILLA	Addition to existing gymnasium building for out of school hours care facility
Schedule 10	211/740/2017	192 ANZAC Highway, GLANDORE	Eight-storey building, 36 dwellings
Section 49	211/911/2017	8 & 8A West Thebarton Road, THEBARTON	Land division - Boundary re-alignment
Schedule 10	211/800/2017	99 Anzac Highway, ASHFORD	Land division - Create 25 allotments
Schedule 10	211/961/2017	79 Port Road, THEBARTON	Nine-storey mixed-use building, commercial tenancy and 28 dwellings
Schedule 10	211/136/2015	134-136 Anzac Highway, GLANDORE	On The Run redevelopment
Schedule 10	211/1276/2017	15 Bignell Street, RICHMOND	Land division - Create two additional allotments Construct four row dwellings

**Development Application appeals before the ERD Court**

<b>DA Number</b>	<b>Address</b>	<b>Reason for Appeal</b>	<b>Description of Development</b>	<b>Status</b>
211/1472/2016	30 Arthur Street, RICHMOND	Applicant appealed DAP refusal	Create four additional allotments and construct a residential flat building containing five 2-storey dwellings	Compromise plans presented to November CAP meeting
211/412/2017	26 Kingston Avenue, RICHMOND	Applicant appealed DAP refusal	Create one additional allotment	Conciliation Plan pending
211/1079/2016 211/1295/2016	6 Kimber Terrace, KURRALTA PARK	Applicant appealed DAP refusal	Construct a residential flat building containing four dwellings	Finalised
211/271/2017	23 White Avenue, LOCKLEYS	Applicant appealed DAP refusal	Carport, alfresco, swimming pool, safety fence, masonry front fence	Conciliation Plan pending
211/286/2016	2A Salisbury Terrace, CAMDEN PARK	Applicant appealed Building Consent refusal	Verandah	New Development Application and conference pending
211/1500/2015	8 Parkard Street, NORTH PLYMPTON	Applicant appealed DAP refusal	Construct a residential flat building containing six dwellings	Finalised
211/1008/2015/C	23 & 23A Rowells Road, LOCKLEYS	Applicant appealed DAP refusal	Create one additional allotment, construct two 2- storey dwellings associated garages and verandahs and alteration to dwelling	Withdrawn



**Conclusion**

The Summary of matters pending determination by SCAP and summary of appeals before the ERD Court - November 2017 Report is current as at 26 October 2017.

**Attachments**

Nil

**9 MEETING CLOSE**