## CITY OF WEST TORRENS



# **Notice of Panel Meeting**

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

# **DEVELOPMENT ASSESSMENT PANEL**

of the

#### **CITY OF WEST TORRENS**

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

on

TUESDAY, 10 JANUARY 2017 at 5.00pm

Terry Buss Chief Executive Officer

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

#### **Development Assessment Panel**

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

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

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- 1 MEETING OPENED
- 1.1 Evacuation Procedures
- 2 PRESENT
- 3 APOLOGIES
- 4 CONFIRMATION OF MINUTES

# **RECOMMENDATION(S)**

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

#### 5 DISCLOSURE STATEMENTS

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

### Action to be taken prior to consideration of a matter

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

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

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

#### Action to be taken after making a declaration of interest:

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

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

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

#### 6 REPORTS OF THE CHIEF EXECUTIVE OFFICER

## 6.1 189-195 Holbrooks Road & 27 & 27A Norman Street, UNDERDALE

Application No 211/780/2016

Appearing before the Panel will be:

Representors: C Lowe of 194 Holbrooks Road, Underdale wishes to appear in support of

the representation.

Applicant/s: C Vounasis of Future Urban Group wishes to appear to respond to

representations.

#### **DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Construction of a retirement village comprising 41 dwellings consisting of 16 single storey dwellings and one community centre (Stage 1) and a four storey residential flat building comprising 24 dwellings, with undercroft car park, rooftop terrace and community centre and conversion of the community centre to a dwelling (Stage 2)
APPLICANT	Karidis Corporation Ltd
APPLICATION NO	211/780/2016
LODGEMENT DATE	6 July 2016
ZONE	Residential
POLICY AREA	Policy Area 21
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 3
REFERRALS	Internal  City Assets External  Nil
DEVELOPMENT PLAN VERSION	5 May 2016
MEETING DATE	10 January 2017

## **RECOMMENDATION(S)**

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to REFUSE Development Plan Consent for Application No. 211/780/2016 by Karidis Corporation Ltd to construct one four storey residential flat building containing 24 dwellings, roof top community centre and open space, five single storey residential flat buildings containing two dwellings each, one single storey residential flat building containing four dwellings, one single storey group dwelling and two single storey semi-detached dwellings (overall total of 41 dwellings) for the purposes of housing for the aged at 189 - 195 Holbrooks Road, 27 and 27A Norman Street, Underdale (CT's 5704/579, 5729/90, 5819/446) for the following reasons:

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## 1. The proposed development is contrary to:

- Zone section, Residential Zone, Low Density Policy Area 21, Objective 1
- Zone section, Residential Zone, Low Density Policy Area 21, Desired Character
- Zone section, Residential Zone, Low Density Policy Area 21, Principle of Development Control 1
- Zone section, Residential Zone, Low Density Policy Area 21, Principle of Development Control 3
- Zone section, Residential Zone, Principle of Development Control 5
- Zone section, Residential Zone, Principle of Development Control 6
- Zone section, Residential Zone, Principle of Development Control 8
- Zone section, Residential Zone, Principle of Development Control 11
- General section, Design and Appearance, Objective 1
- General section, Design and Appearance, Principle of Development Control 1
- General section, Medium and High Rise Development (3 or More Storeys), Design and Appearance, Principle of Development Control 1
- General section, Residential Development, Principle of Development Control 22
- General section, Residential Development, Principle of Development Control 23
- General section, Transportation and Access, Principle of Development Control 34
- General section, Transportation and Access, Principle of Development Control 36
- General section, Transportation and Access, Principle of Development Control 44
- General section, Transportation and Access, Principle of Development Control 45

Reason: The proposed development is not consistent with the relevant provisions of the Development Plan

#### **BACKGROUND**

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

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

#### PREVIOUS OR RELATED APPLICATIONS

Nil

#### SITE AND LOCALITY

The site is located on the eastern side of Holbrooks Road, Underdale between Golden Glow Avenue to the north and Norman Street to the south, and comprises three allotments:

- Allotment 10 Filed Plan 122904 in the Area named Underdale, Hundred of Adelaide as contained in Certificate of Title Volume 5704 Folio 579
- Allotment 11 Filed Plan 122905 in the Area named Underdale, Hundred of Adelaide as contained in Certificate of Title Volume 5729 Folio 90
- Allotment 12 Filed Plan 122906 in the Area named Underdale, Hundred of Adelaide as contained in Certificate of Title Volume 5819 Folio 446.

The site is more commonly known as 189 - 195 Holbrooks Road, 27 and 27A Norman Street, Underdale and has been used by the Underdale Bowling Club. The site has a frontage of 53.31 metres to Holbrooks Road and 49 metres to Norman Street, with an overall site area of 5,767m<sup>2</sup>.

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Topographically the land is relatively flat.

Five established street trees are located directly in front of the site on the Norman Street verge, three of which will be impacted as a result of the proposed development.

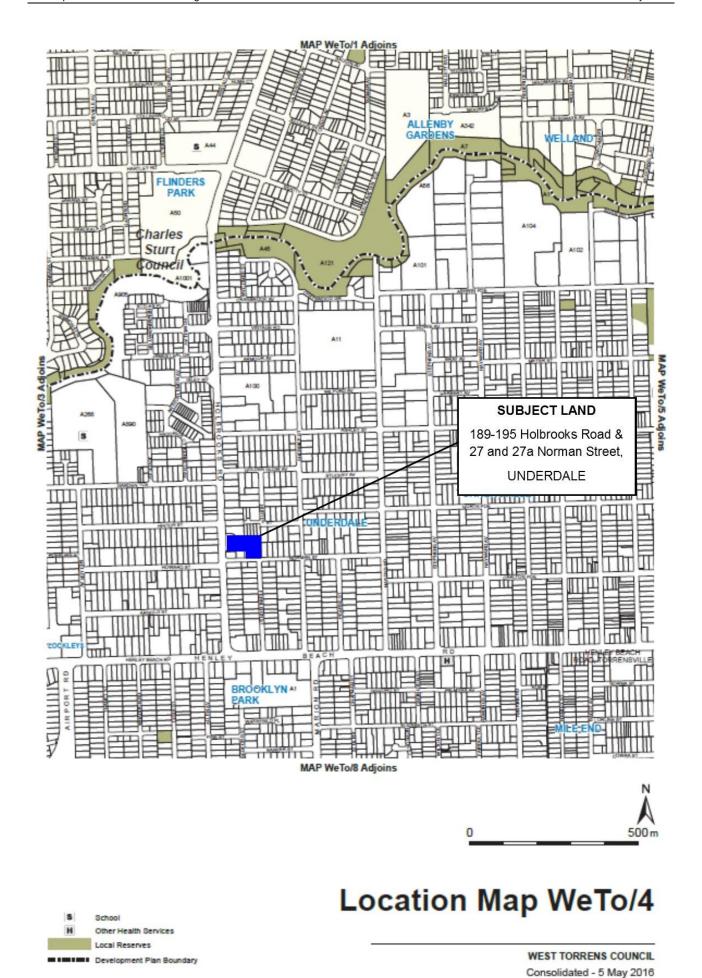
Vehicle access to the site is currently provided via an existing single width crossover located adjacent to the eastern site boundary from Norman Street.

The subject land is located with the Residential Zone, Low Density Policy Area 21. Holbrooks Road is a Secondary Arterial Road. The site is located approximately 300 metres north of the Urban Corridor Zone on Henley Beach Road, and within 200 metres of bus stops either side of Holbrooks Road.

Commercial development adjoins the site to the north, however to the east, south and west the locality comprises predominantly single storey residential development ranging from the 1930's; more recent development includes two storey residential flat buildings on Holbrooks Road, south of Norman Street in Medium Density Policy Area 19. A single storey residential flat building is located opposite the subject site on Holbrooks Road.

The site and locality are shown on the following maps:

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#### **PROPOSAL**

Development Plan Consent is sought for the construction of one four storey residential flat building containing 24 dwellings, roof top community centre and open space, five single storey residential flat buildings containing two dwellings each, one single storey residential flat building containing four dwellings, one single storey group dwelling and two single storey semi-detached dwellings (overall total of 41 dwellings) for the purposes of housing for the aged.

The development is proposed to be undertaken in two stages with all single storey dwellings comprising Stage 1 and the four storey building comprising Stage 2. The proposal seeks a 5 year timeframe to complete the development (Stage 1: 3 years plus Stage 2: 2 years).

A community centre is proposed within Stage 1 which will then be converted to a dwelling when Stage 2 commences.

Five different dwelling types are proposed for the single storey dwellings. All single storey dwellings and the 24 dwellings contained in the four storey building are configured in one bedroom plus study or two bedrooms plus study configurations.

Each single storey dwelling is provided with a covered car space and a second uncovered car space in front of the garage that could be used for residential and/or visitor parking. Car parking associated with the four storey building is provided in the form of an undercroft car park containing a total of 28 car spaces.

All dwellings are accessed via a common driveway off Norman Street with the exception of the two semi-detached dwellings which will have independent access off Norman Street. These crossovers will result in the removal of three street trees.

Each dwelling is provided with private open space in the form of a ground level courtyard or balcony.

A copy of the plans and supporting information received on 17 October 2016 are contained in **Attachment 1**.

## **PUBLIC NOTIFICATION**

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

Properties notified:	63 properties were notified during the public notification process.
Representations:	Three representations were received.
Persons wishing to be heard:	One representor identified that they wish to address the Panel.  • Claire Lowe

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# Summary of Representations:

Concerns were raised regarding the following matters:

- Impact of additional traffic on Norman Street volumes, safety, noise
- Visual impact of the four storey building from the adjoining property
- · Four storey building is out of character with the area
- Suggest redesigning to a maximum of two storeys above ground, and one storey below in compliance with Low Density Policy Area 21 policies in the Development Plan
- Loss of privacy from adjoining property
- Frosted glass will not address loss of privacy
- Loss of property value
- Proposed development does not comply with the objective, desired character or form and character provisions of the Low Density Policy Area 21
- The site is not within 400 metres of a District Centre Zone where some alternative forms of residential may be supported
- Suggest low and open style front fencing to contribute to a sense of space between buildings
- Proposed development does not comply with the minimum site area requirements (420 m²) or minimum frontage requirements per dwelling (12 metres)
- Suggest preserving the low density character of the area in accordance with the objectives and desired character of the Development Plan
- Loss of character and amenity of the area
- Suggest speed bumps and a pedestrian crossing in the vicinity of the proposed development

A copy of the representors' concerns and the applicant's response, including the Traffic Impact Statement, is contained in **Attachment 2**.

#### **REFERRALS**

Internal

#### City Assets

The application was referred to the City Assets Department to provide comment regarding finished floor levels, stormwater detention, waste management and traffic. A full copy of the relevant report dated 16 November 2016 is attached, refer **Attachment 3**.

While a number of issues which were originally raised have been addressed by the applicant, the following matters remain outstanding:

## 1.0 FFL Consideration – Finished Floor Level (FFL) Requirement

- Further review of the finished floor level for the undercroft parking is required.
- Appropriate design of the ramp to the undercroft will be required to ensure that water does not inundate the car park. Further design consideration of the proposed level of the beginning of the ramp will be required as the level of 9.700 appears to be too low.
- It is recommended that in addition to the survey and pavement information provided, sufficient detail design provision is necessary to demonstrate the appropriateness of the ramp design (and surrounds) to provide flood protection and compliance with Australian Standards for driveway design.

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# 2.0 Stormwater Detention (Commercial-Industrial) (Greater than 4000m2)

- As the allotment(s) being affected by the proposed development total in excess of 4000 square metres, stormwater detention measures will be required to be undertaken to restrict the total discharge from the total development site to a runoff coefficient of 0.25 for the site critical 5 year and 50 year ARI storm event.
- It is recommended that a condition be included specifying that the development is to comply with the stormwater detention requirements as indicated in the documentation by TMK Consulting Engineers. Some of these details include 74,500L detention volume, 92% roof area detained, 96% paving detained, 93% grass area detained etc.
- Another condition requiring a final 'sign off' by City Assets prior to Building Rules Consent should be included to ensure that the stormwater detention requirements specified by the TMK documentation is followed through in the stormwater construction plans.

## 4.0 Waste Management

- Previously, comments were provided requesting a waste management plan. It is understood that no such plan has been provided to Council for review.
- It is recommended that the applicant be requested to provide a 'waste management plan' demonstrating communal waste servicing of the site, including details on scale of waste provision based on dwelling number and scales, accessibility to the site, manner of storage and collection.

#### 5.0 Traffic Comments

#### 5.1 The following comments have been provided by Council's Traffic Consultant.

I refer to the above retirement village development on the subject site. I have previously provided comments on the proposal on 8 August 2016.

I have read the updated traffic report by Tonkin Consulting dated 11 October 2016 and referred to the latest plan, Drawing 312-P-1.1 Rev C 'Master Plan' for my assessment.

I have previously commented that the Council's Development Plan does not specifically require visitor parking for the proposed retirement dwellings. Therefore Stage 1 Dwellings 1 to 17 do not technically require the provision of a visitor parking space. I note that Dwellings 1 and 2 with direct access to Norman Street have provision for visitor parking (dimension length of 5.4m or greater) in front of the garage, which complies with the requirements of the parking standard.

For all other dwellings, except for Dwellings 8 and 9, while the paved areas have a dimensional length of greater than 5.0m (equivalent to a small car dimension in AS/NZS 2890.1-2004) but less than 5.4m, there appears to be sufficient length in front of the garages to allow a B85 design car to fit clear of the roadway. Therefore while not specifically designated as a visitor parking space, the paved area in front of garages would nonetheless be able to accommodate a visitor vehicle if required. If considered as a small car space, the dimensional length would comply with the parking standard.

For Dwellings 8 and 9, I note that 2 external visitor spaces would be provided adjacent to the screened refuse area.

For the multi-storey building of 24 units, there would be provision of up to 28 parking spaces available, which would exceed the Development Plan requirement.

Based on the above, I am satisfied that adequate parking would be provided for the development.

In terms of the parking layout, the previous design issues that I had raised appear to have been mostly addressed, although it is unclear what the head height clearance is for the basement ramp.

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A condition requiring the design to comply with AS/NZS 2890.1-2004 and AS/NZS 2890.6-2009 would address this issue.

In terms of refuse collection, I note that Tonkin Consulting have confirmed that the truck has the capability to manoeuvre within the 1 in 8 ramp area in order to reverse to the refuse area or vice versa. Based on this confirmation, I am satisfied with the ramp design shown. Conditions restricting refuse trucks to the 6.5m rigid truck size and servicing times to off-peak periods would be required.

In summary, I have no objections to the proposed development, from a traffic and parking perspective, and recommend the following conditions to be included:

The proposed car park and parking areas shall be designed to the requirements of AS/NZS 2890.1-2004 and AS/NZS 2890.6-2009.

Refuse collection shall be undertaken using a 6.5m rigid truck.

Refuse collection shall be undertaken during off-peak times.

#### **ASSESSMENT**

The subject land is located within the Residential Zone and more particularly Low Density Policy Area 21 as described in the West Torrens Council Development Plan Consolidated 5 May 2016. The main provisions of the Development Plan which relate to the proposed development are as follows:

General Section		
Origina - Breat and the se	Objectives	1
Crime Prevention	Principles of Development Control	1, 2, 3, 5, 6, 7, 8
	Objectives	1, 2
Design and Appearance	Principles of Development Control	1, 2, 3, 4, 5, 9, 10, 12, 13, 14, 15, 20, 21, 22, 23, 26
Francis Efficiency	Objectives	1
Energy Efficiency	Principles of Development Control	1, 2, 3
Landscaping, Fences and	Objectives	1, 2
Walls	Principles of Development Control	1, 2, 3, 4, 6
Medium and High Rise	Objectives	1, 2, 4
Development (3 or more Storeys)	Principles of Development Control	1, 2, 3, 4, 5, 6, 8, 9, 12, 13
	Objectives	1, 5, 6, 7,
Natural Resources	Principles of Development Control	1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14
Orderly and Sustainable	Objectives	1, 2, 3, 4 & 5
Development	Principles of Development Control	1, 2, 3, 5
	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1, 3, 4, 5, 6, 7, 8, 9, 10,
Residential Development		11, 12, 13, 14, 15, 16, 17,
		18, 19, 20, 21, 22, 23, 24,
		27, 28, 29, 30, 31
Supported Accommodation,	Objectives	1
Housing for Aged Persons and People with Disabilities	Principles of Development Control	1, 2, 3, 4
	Objectives	2
	Principles of Development Control	2, 4, 5, 8, 9, 10, 11, 14,
Transportation and Access		16, 17, 23, 24, 26, 30, 31,
		32, 34, 35, 36, 37, 39, 40,
		41, 42, 43, 44, 45, 46, 47

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#### Zone: Residential Zone

#### Desired Character Statement:

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

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

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

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

Objectives	<ol> <li>A residential zone comprising a range of dwelling types, including a minimum of 15 per cent affordable housing.</li> <li>Dwellings of various types at very low, low and medium densities.</li> <li>Increased dwelling densities in close proximity to centres, public transport routes and public open spaces.</li> <li>Development that contributes to the desired character of the zone</li> </ol>
Principles of Development Control	1, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14

Policy Area: Low Density Policy Area 21 Desired Character Statement:

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).

There will be a denser allotment pattern and some alternative dwelling types, such as semidetached and row dwellings, close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones. Battleaxe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments developed with buildings that have a direct street frontage. In the area bounded by Henley Beach Road, Torrens Avenue and the Linear Park, where the consistent allotment pattern is a significant positive feature of the locality, subdivision will reinforce the existing allotment pattern.

Buildings will be up to 2 storeys in height. Garages and carports will be located behind the front façade of buildings. Buildings in the area bounded by Henley Beach Road, Torrens Avenue and the Linear Park will be complementary to existing dwellings through the incorporation of design features such as pitched roofs, eaves and variation in the texture of building materials.

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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 Development that contributes to the desired character of the policy area.
Principles of Development Control	1, 2, 3

#### **QUANTITATIVE ASSESSMENT**

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

STANDARD	ASSESSMENT
420m² minimum	Approx 203.35m² (Dwellings 1 – 17 average)  Does Not Satisfy by 51.6%
	Does Not Satisfy by 51.6%
12m	8.2m (Dwellings 1 and 2 each to Norman Street)
	Does Not Satisfy by 31.7%
	53.31m (Four storey building to Holbrooks Road)
	Satisfies
Primary street  Same setback as adjacent dwellings or an average of adjacent dwellings	Adjacent dwelling approx 7m  Minimum 2.075m to property boundary  Does Not Satisfy 70%
Side Wall height less than 3m: 1m Wall height 3m-6m: 2m Wall height over 6m: (a) 2 m plus an additional setback which is equal to the increase in wall height above 6m.	Four storey building: North and south wall height 10.2m  Setback 4.191m (northern property boundary) Setback 3m (southern property boundary)  Does Not Satisfy by 60%  Dwelling 1: 1.083m  Satisfies
	420m² minimum  12m  Primary street  Same setback as adjacent dwellings or an average of adjacent dwellings  Side  Wall height less than 3m: 1m  Wall height 3m-6m: 2m  Wall height over 6m:  (a) 2 m plus an additional setback which is equal to the increase in wall height above

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DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SIDE/REAR SETBACKS Residential Zone: PDC 11	Rear Single storey: 3m	Dwelling 3 and 4: 4.39m  Satisfies  Dwelling 10: 1m setback  Does Not Satisfy by 66%
PRIVATE OPEN SPACE General Section Residential Development PDC 19	Dwellings at ground level  24m², of which 8 may comprise balconies, roof patios and the like, provided they have a minimum dimension of 2m  Minimum dimension 3m (exl balconies)  (b) Minimum area 16m² provided at the rear or side of the dwelling, directly accessible from a habitable room (c)	Dwellings 1 – 17: range from 28.5m² – 84m² (average 36.8m²)  Minimum dimension 3.5m  Satisfies
PRIVATE OPEN SPACE General Section Residential Development PDC 22, 23	Dwellings above ground level  1 bedroom dwelling: 8m² 2 bedroom dwelling: 11m²  Minimum dimension 2m directly accessible from a habitable room	Four storey building:  1 bedroom dwellings: (D1) 8m²  Satisfies  1 bedroom dwellings: (D2) 7.5m²  Does Not Satisfy by 7.2%  2 bedroom dwellings: (C1) 8.5m² Minimum dimension 2.15m directly accessible from a habitable room  Satisfies  Plus 178m² Roof Garden and Terrace

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LANDSCAPING Landscaping, Fences and Walls PDC 4	10%	Satisfies
CARPARKING SPACES Transportation and Access PDC 34 Table WeTo/2 – Off Street Vehicle Parking Requirements	<ul> <li>One four storey residential flat building containing 24 dwellings</li> <li>Five single storey residential flat buildings containing two dwellings each</li> <li>One single storey residential flat building containing four dwellings</li> <li>One single storey group dwelling</li> <li>One single storey group dwelling</li> <li>(d)</li> <li>(e) 2 car parking spaces per dwelling, one of which is covered + an additional 0.25 car parking spaces per dwelling.</li> <li>91.75 car parking spaces required</li> <li>Two single storey semidetached dwellings</li> <li>(f) 2 car parking spaces per dwelling, one of which is covered.</li> <li>(g)</li> <li>4 car parking spaces required</li> </ul>	62 provided  Does Not Satisfy
MAXIMUM NUMBER OF STOREYS Residential Zone PDC 6	2 storeys	4 storeys  Does Not Satisfy
MAXIMUM VERTICAL SIDE WALL HEIGHT Residential Zone PDC 6	6 metres	10.2m  Does Not Satisfy

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#### **QUALITATIVE ASSESSMENT**

In assessing the merits or otherwise of the application, the proposed development substantially satisfies the relevant Development Plan provisions with the exception of where identified in the above table, and the following, as discussed under the following sub headings:

#### Land Use and Zoning

PDC 5 of the Residential Zone states that development should not be undertaken unless it is consistent with the desired character for the zone and policy area. Objective 1 of the Low Density Policy Area 21 is that development contributes to the desired character of the policy area.

The policy area envisages a low density character with new development predominantly replacing detached dwellings with the same. Alternative dwelling types such as semi-detached dwellings are encouraged close to centre zones. The desired character also envisages buildings up to two storeys in height.

The proposed development in the form of a four storey residential flat building, single storey residential flat buildings, group dwellings and semi-detached dwellings located in excess of 400 metres of an existing centre zone, are not envisaged specifically in the Low Density Policy Area 21 (Desired Character, PDC 1).

#### Site Area

The average site area for proposed Dwellings 1 - 17 is approximately  $203m^2$ . Low Density Policy Area 21 requires a minimum site area of  $420m^2$  for semi-detached dwellings and residential flat buildings not within 400 metres of a centre zone (PDC 3).

This departure from the minimum site area makes it difficult for the proposed development to meet the key quantitative provisions of the Development Plan as summarised above.

#### **Setbacks**

PDC 8 of the Residential Zone encourages new development to be setback at least the average setback of adjacent buildings. The existing commercial development to the north of the subject land has a zero setback. The adjacent dwelling to the south is setback approximately 8 metres. The proposed four storey building is setback a minimum of 2.075 metres to the Holbrooks Road property boundary, creating an inconsistent setback to other residential buildings in the locality and exacerbating the inappropriate bulk, scale and character of the four storey building.

PDC 11 of the Residential Zone encourages new development with a wall height over 6 metres to be setback 2 metres from the side boundary plus an additional setback which is equal to the increase in wall height above 6 metres. Given the 10.2 metre wall height of the north and south walls of the proposed four storey building, the respective setbacks of 4.191 metres and 3 metres are considered insufficient.

The proposed side setbacks deficiency, particularly to the southern boundary, would be considered to have an unreasonable impact on the adjoining property.

#### **Overlooking and Overshadowing**

In his representation, the owner of 29 Norman Street, Underdale which adjoins the southern property boundary of the subject site, raised the issue of loss of privacy as a result of the proposed four storey building and noted that frosted glass will not address the loss of privacy.

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## General Section Design and Appearance

## (h) Visual Privacy

- (i) 10 Development should minimise direct overlooking of the main internal living areas and private open spaces of dwellings through measures such as:
  - (a) off-setting the location of balconies and windows of habitable rooms with those of other buildings so that views are oblique rather than direct
  - (b) building setbacks from boundaries (including building boundary to boundary where appropriate) that interrupt views or that provide a spatial separation between balconies or windows of habitable rooms
  - (c) screening devices (including fencing, obscure glazing, screens, external ventilation blinds, window hoods and shutters) that are integrated into the building design and have minimal negative effect on residents' or neighbours' amenity.
- 11 Permanently fixed external screening devices should be designed and coloured to complement the associated building's external materials and finishes.

In the response to the representations, the applicant advises that the orientation of balconies and their separation from Mr Plos' property will mitigate overlooking into his property; however the applicant is willing to treat upper level windows along the south elevation fixed obscure glass to a height of 1.7 metres which would further minimise overlooking to the south.

This treatment is considered to be an acceptable solution and should be included as a condition in the event that Development Plan Consent is granted.

The Development Plan uses a number of techniques to ensure that adequate daylight and sunlight remains available to adjoining dwellings and private open space:

## General Section Design and Appearance

- (j) Overshadowing
- (k) 9 The design and location of buildings should enable direct winter sunlight into adjacent dwellings and private open space and minimise the overshadowing of:
  - (a) windows of main internal living areas
  - (b) ground-level private open space
  - (c) upper-level private balconies that provide the primary open space area for a dwelling
  - (d) solar collectors (such as solar hot water systems and photovoltaic cells).

#### General Section Residential Development

## (I) Overshadowing

- 10 The design and location of buildings should ensure that direct winter sunlight is available to adjacent dwellings, with particular consideration given to:
  - (a) windows of habitable rooms, particularly living areas
  - (b) ground-level private open space
  - (c) upper-level private balconies that provide the primary open space area for any dwelling
  - (d) access to solar energy.
- 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 3.00 pm on 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.

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## (m) General Section Medium and High Rise Development (3 or More Storeys)

- (n) Environmental
- (o) 9 Multi-storey buildings should:
  - (a) minimise detrimental micro-climatic and solar access impacts on adjacent land or buildings, including effects of patterns of wind, temperature, daylight, sunlight, glare and shadow

The applicant provided shadow diagrams based on the impact during the winter solstice. Development should allow north-facing windows and ground level open space of adjoining land to receive at least 3 hours of direct sunlight over a portion of their surface between 9.00am and 5.00pm on 21 June. The shadow diagram demonstrates that while the north facing windows associated with the dwelling at 29 Norman Street, Underdale will be in shadow between 9.00am and 1.00pm, the private open space will receive direct sunlight for three consecutive hours between 12.00pm and 3.00pm on 21 June.

The applicant notes that the shadow diagrams indicate that the private open space of proposed Dwelling 17, and Dwellings 8 and 9 would be overshadowed between 9.00am and 3.00pm on 21 June, but will receive direct sunlight during other months of the year. All other private open spaces will receive adequate sunlight on 21 June.

Based on the information submitted, the proposed development will allow sufficient solar access.

## **Design and Appearance**

The Development Plan calls for development of a high design standard and appearance that responds to and reinforces positive aspects of the local environment and built form, and buildings that reflect the desired character of the locality while incorporating contemporary designs that have regard to the following:

- (a) building height, mass and proportion
- (b) external materials, patterns, colours and decorative elements
- (c) roof form and pitch
- (d) façade articulation and detailing
- (e) verandas, eaves, parapets and window screens. (General section, Design and Appearance, Objective 1. PDC 1)

PDC 1 of the General Section Medium and High Rise Development (3 or More Storeys), Design and Appearance states that buildings should:

(a) achieve a human scale at ground level through the use of elements such as canopies, verandas or building projections.

It is considered that the proposed development is at variance with these provisions as the proposed four storey building does not reinforce the single storey built form of the local environment, nor reflect the desired character of the locality and has a significant bulk and mass.

The bulk and scale of the proposed four storey building fronting Holbrooks Road will have a significant impact on the streetscape given the overall height of 13.65 metres, length of approximately 44 metres and minimum setback of 2.8 metres. While there is some articulation proposed, the four storey building will present a strong built form for the majority of the Holbrooks Road 53 metre frontage, protruding well beyond the 1.8 metre high fence and a significant departure from the existing adjoining single storey developments resulting in a building that is visually prominent and out of character.

Page 17 Item 6.1

#### **Private Open Space**

Four of the one bedroom dwellings (D2) in the four storey building do not satisfy the minimum private open space requirement for dwellings above ground level, as a minimum 8m<sup>2</sup> is required, and 7.5m<sup>2</sup> is proposed.

PDC 24 of the General Section, Residential Development provides that private open space may be substituted for the equivalent area of communal open space where:

- (a) at least 50 per cent of the communal open space is visually screened from public areas of the development
- (b) ground floor communal space is overlooked by habitable rooms to facilitate passive surveillance
- (c) it contains landscaping and facilities that are functional, attractive and encourage recreational use.

A 178m<sup>2</sup> Roof Garden and Terrace is proposed to the four storey building. Given the above, it is considered that the deficiency in private open space is not fatal to the development in and of itself.

## **Carparking Provisions**

"Development should provide off-street vehicle parking and specifically marked disabled car parking places to meet anticipated demand in accordance with Table WeTo/2 - Off Street Vehicle Parking Requirements." (General section, Transportation and Access, PDC 34)

## Vehicle Parking for Residential Development

- 44 On-site vehicle parking should be provided having regard to:
  - (a) the number, nature and size of proposed dwellings
  - (b) proximity to centre facilities, public and community transport within walking distance of the dwellings
  - (c) the anticipated mobility and transport requirements of the likely occupants, particularly groups such as aged persons.
- 45 Vehicle parking areas servicing more than one dwelling should be of a size and location to:
  - (a) serve users, including pedestrians, cyclists and motorists, efficiently, conveniently and safely
  - (b) provide adequate space for vehicles, including emergency service vehicles, to manoeuvre between the street and the parking area
  - (c) reinforce or contribute to attractive streetscapes.

Table WeTo/2 – Off Street Vehicle Parking Requirements for residential flat buildings, group dwellings and semi-detached dwellings requires a total of 95.75 car spaces to be provided on site. 62 spaces are proposed.

The Applicant's traffic consultants have assessed the car parking requirement based on the requirement in Table WeTo/2 for detached, semi detached, row dwelling and multiple dwellings to provide 2 car parking spaces per dwelling, one of which is covered, and aged care retirement homes to provide 1 car parking space per unit.

This interpretation of the car parking requirements, and that of Council's Traffic Engineer (refer 'Referrals – Internal – City Assets – Traffic comments' section of this report) are not supported as they do not represent the form of development proposed.

PDC 36 Vehicle parking areas should be sited and designed to:

- (c) facilitate safe and convenient traffic circulation
- (d) result in minimal conflict between customer and service vehicles

Page 18 Item 6.1

It is considered that the proposed development does not comply with the PDC 36 having regard to the Applicant's traffic consultant report (Tonkin Consulting, Traffic Impact Statement, dated 11 October 2016) which states that:

- both entering and exiting movements turning in and out of the down ramp from above ground are suitable except when two vehicles attempt opposing movements simultaneously (page 2)
- the entering and exiting turning movements associated with the undercroft car park are suitable except when the two opposing movements are conducted simultaneously (page 3)
- that garbage collection is restricted to off-peak times as the truck will need to utilise the opposite side of the access road to enter and exit the development, and also to undertake the left turn into the loading bay and right turn into the ramp for each manouevre (page 5).

The Applicant's traffic consultants support the development overall from a traffic perspective, subject to:

- garbage collection operation being restricted to off-peak times
- care should be taken for vehicles entering and exiting the development while the garbage collection is occurring
- care should be taken for vehicles entering and exiting the undercroft park as two-way travel is restricted (page 6).

## **Fencing**

The Desired Character for the Residential Zone Low Density Policy Area 21 states: "Low and open-style front fencing will contribute to a sense of space between buildings."

The proposed 1.8 metre high combination of fencing materials, panels, pillars and gates to the Holbrooks Road front property boundary and the 1.8 metre high masonry pillar and decorative metal infill fencing with automatic access gates to the Norman Street frontage are at variance with the above provision.

## **Council Engineer's comments**

#### Finished floor levels

Sufficient detail design provision is necessary to demonstrate the appropriateness of the ramp design (and surrounds) to provide flood protection and compliance with Australian Standards for driveway design.

#### Stormwater Detention

Stormwater detention measures will be required to be undertaken to restrict the total discharge from the total development site to a runoff coefficient of 0.25 for the site critical 5 year and 50 year ARI storm event.

Final 'sign off' by City Assets prior to Building Rules Consent is required to ensure that the stormwater detention requirements specified by the TMK documentation is followed through in the stormwater construction plans.

#### Waste Management

A 'waste management plan' is required demonstrating communal waste servicing of the site, including details on scale of waste provision based on dwelling number and scales, accessibility to the site, manner of storage and collection.

#### Signage

Details of signage do not form part of this development application.

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#### **SUMMARY**

The most notable and critical departure between the proposed development and the provisions of the Development Plan relates to the proposed four storey building fronting Holbrooks Road. Support for the proposal is not recommended as the current design and setbacks of the proposed four storey building, form of development and density do not contribute to or satisfy the desired character of the Low Density Policy Area 21, in that:

"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).

. . .

Buildings will be up to 2 storeys in height...."

Having considered all the relevant Objectives and Principles of the Development Plan, it has been determined that whilst the proposal is not seriously at variance with the provisions at the Development Plan it does not sufficiently accord with the more relevant provisions and accordingly does not warrant consent.

On balance the proposed development does not sufficiently accord with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 5 May 2016 and does not warrant Development Plan Consent.

#### **Attachments**

- 1. Proposal Plans
- 2. Representation & Response
- 3. City Asset's Comments
- 4. Applicant's Planning Report
- 5. Applicant's Traffic Report

Page 20 Item 6.1

## RETIREMENT VILLAGE: SUMMARY

SITE AREA: 5 767 SQM APPROX.

S	A.	^	E	1
3	$\sim$	S	-	

DWELLINGS	BEDROOMS	STUDY / SITTING	AREA SQM	QT
A1	2	1	126.5	4
A2	2	1	131.0	1
A3	2	1	135.0	2
81	1	1	120.0	7
82	1	1	119.0	2
TOTAL		,		16
DMMUNITY CENT	RE: NUMBER 17		120.0	1
STAGE 2				

APARTMENTS	BEDROOMS	STUDY / SITTING	AREA SQM	QTY
CI	2	1	92.0	12
DI	1	1	82.0	6
D2	1	1	73.5	6
TOTAL				24
DWELLING 17 CON	120.0	1		
COMMUNITY CENTR	tE.		185	
ROOF GARDEN & TE		178		

AREA-SQM

٨١	SITE	COV	ERAG
34	-		

STAGE-1 : DWELLINGS : 1 TO 17	2105.0
STAGE-2: APARTMENT BUILDING	868.0
TOTAL	2973.0

SITE COVERAGE: 51.55%

#### STAGE 1: DETAILED SUMMARY

DWELLING	DWELLING TYPE	BEDROOMS	STUDY / SITTING	AREA SQM	PRIVATE YARD REAR YARD
1	A1	2	1	126.5	35
2	A1	2	1	126.5	32
3	B1	1	1	120.0	84
4	B2	1	1	119.0	36.5
5	B2	1	1	119.0	36
6	81	1	1	120.0	36
7	A2	2	1	131.0	35
8	A3	2	1	135.0	37
9	A3	2	1	135.0	36
10	A1	2	1	126.5	33
11	A1	2	1	126.5	32
12	B1	1	1	120.0	33.5
13	81	1	1	120.0	34
14	81	1	1	120.0	30
15	81	1	1	120.0	28.5
16	81	2	1	135.0	31
17	COMMUNITY CENTRE	E			
TOTAL					589.50
ERAGE PRIVATE YARD AREA PER DWELLING					36.8
	ENTRE: NUMBER 17			120.0	31

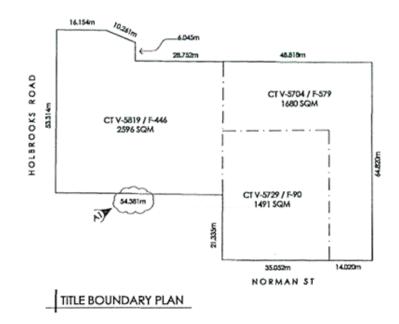
#### STAGE 2: DETAILED SUMMARY

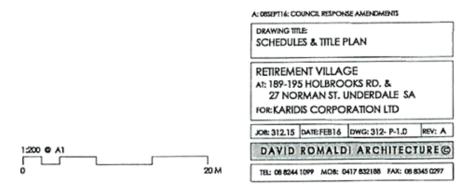
APARTMENTS	APARTMENT TYPE	BEDROOMS	STUDY / SITTING	LIVING AREA	BALCONY AREA	TOTAL AREA SQM	QTY
# - 02, 03, 06, 07	Cl	2	1	92.0	8.5	100.5	12
# - 04, 05	DI	1	1	82.0	0.8	90.0	6
#-01,06	D2	1	1	73.5	7.5	81.0	6
TOTAL							24
WELLING 17 CON	<b>EVERSION</b>					120.0	1
COMMUNITY CENTRE						185	
OOF GARDEN &	TERRACE					178	

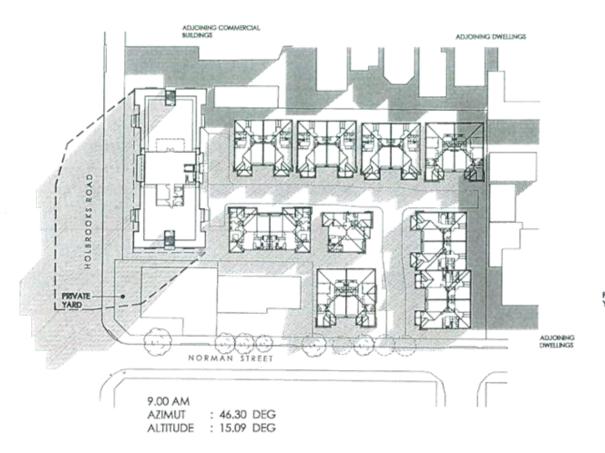
AMENDMENT SUMMAN

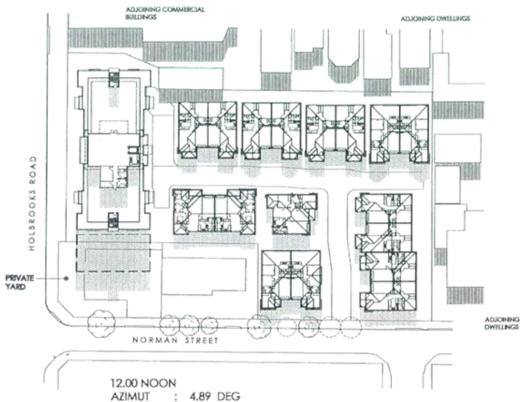
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1- SOUNDARY DWAENSON CORRECTED 2- SITE COVERAGE TABLE ADDED

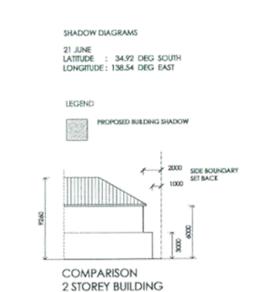




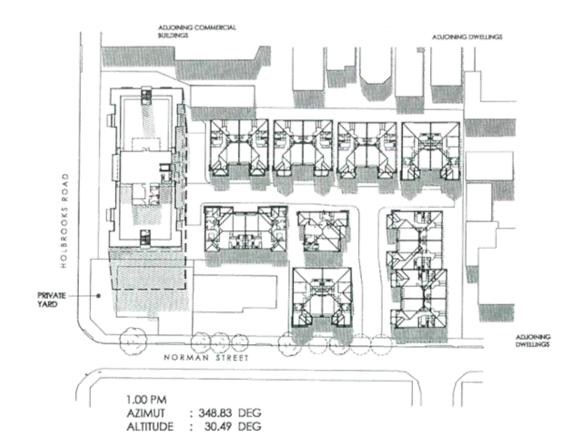




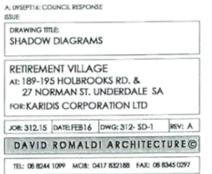
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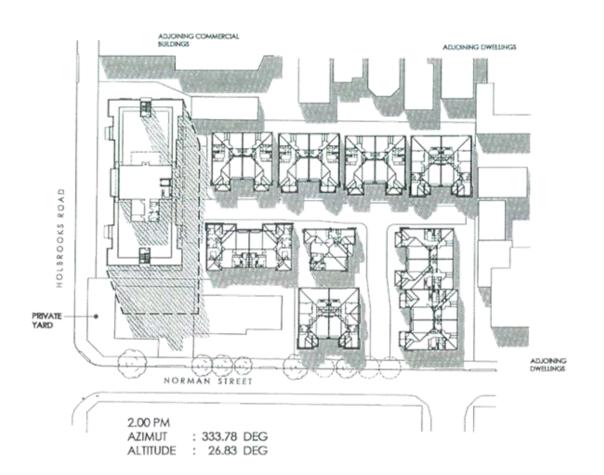


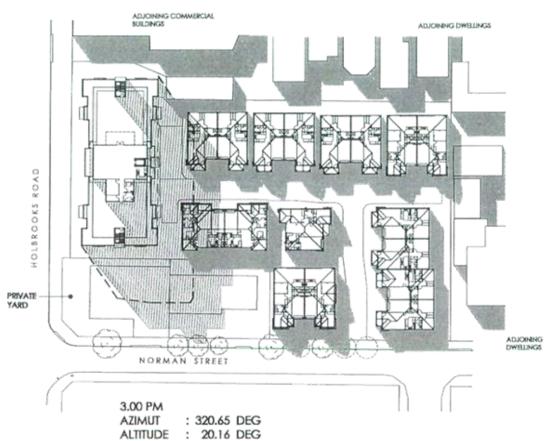
--- -- COMPARISON BUILDING SHADOW









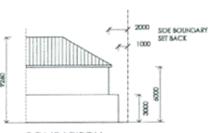


SHADOW DIAGRAMS

21 JUNE LATITUDE : 34,92 DEG SOUTH LONGITUDE; 138,54 DEG EAST

LEGEND





COMPARISON 2 STOREY BUILDING

--- -- COMPARSON BUILDING SHADOW

A: 095EPT16: COUNCIL RESPONSE

DRAWING TITLE: SHADOW DIAGRAMS

RETIREMENT VILLAGE
AT: 189-195 HOLBROOKS RD. &
27 NORMAN ST. UNDERDALE SA

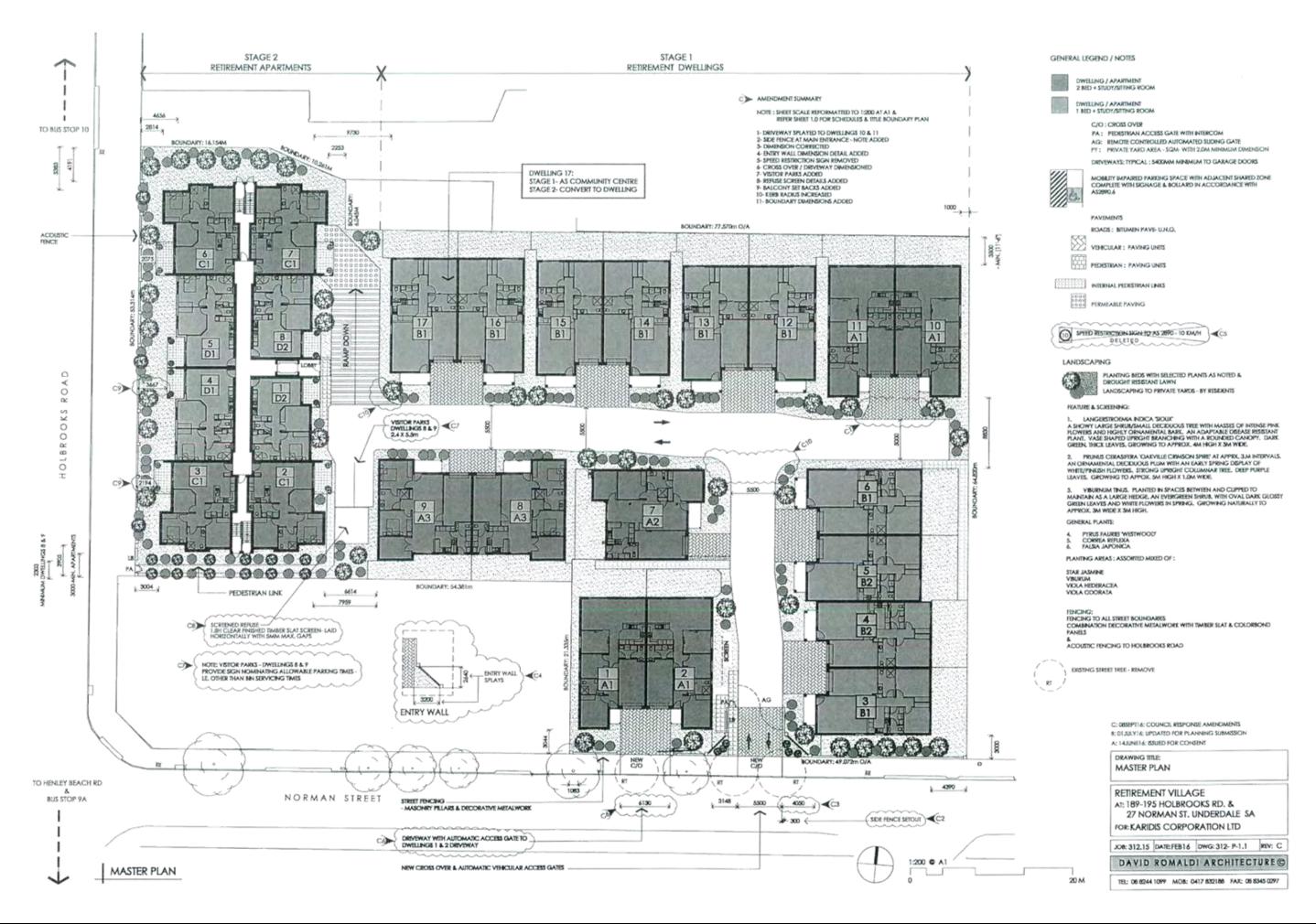
FOR: KARIDIS CORPORATION LTD

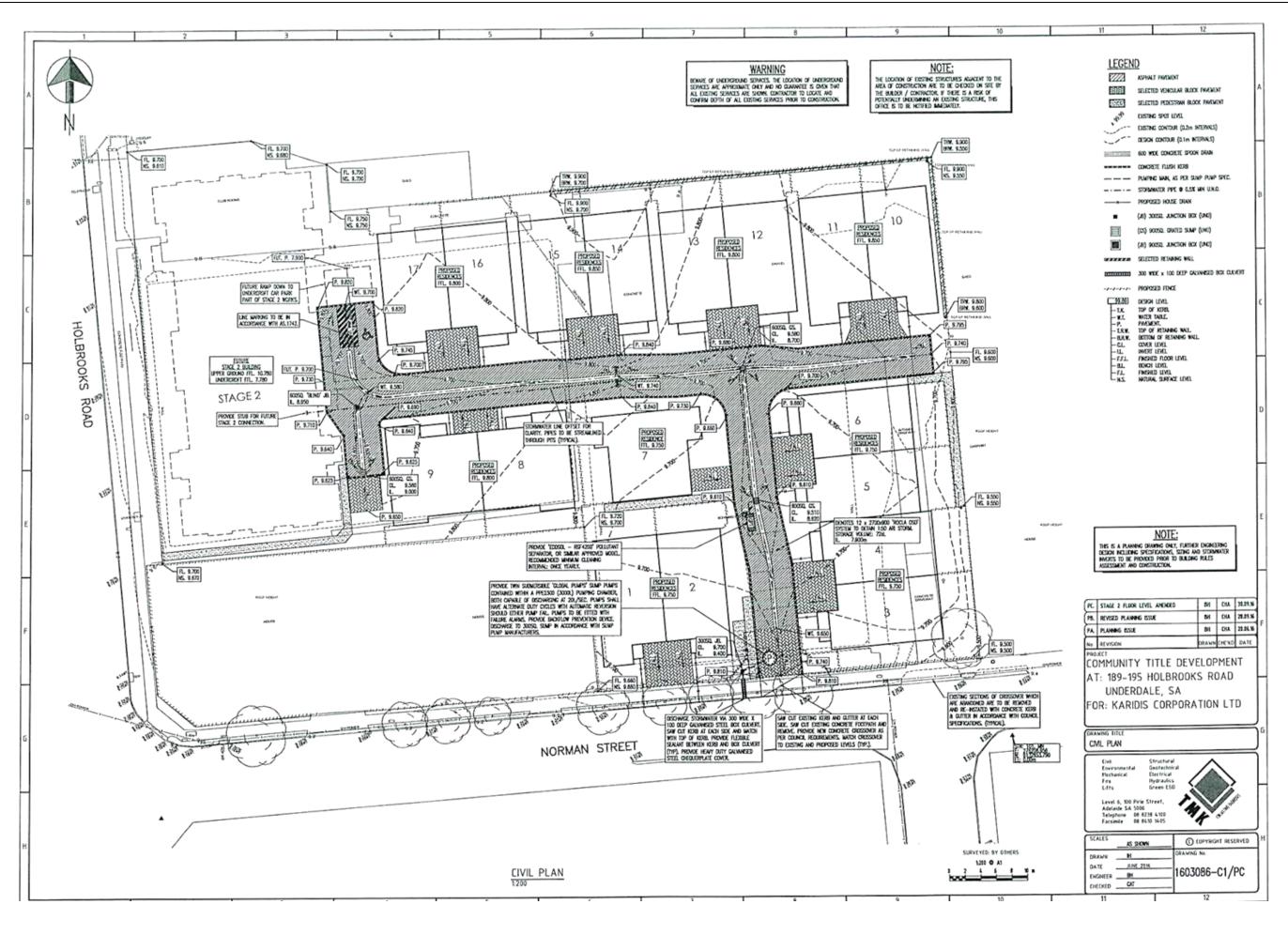
JOB: 312.15 | DATE: FEB16 | DWG: 312- SD-2 | REV: A

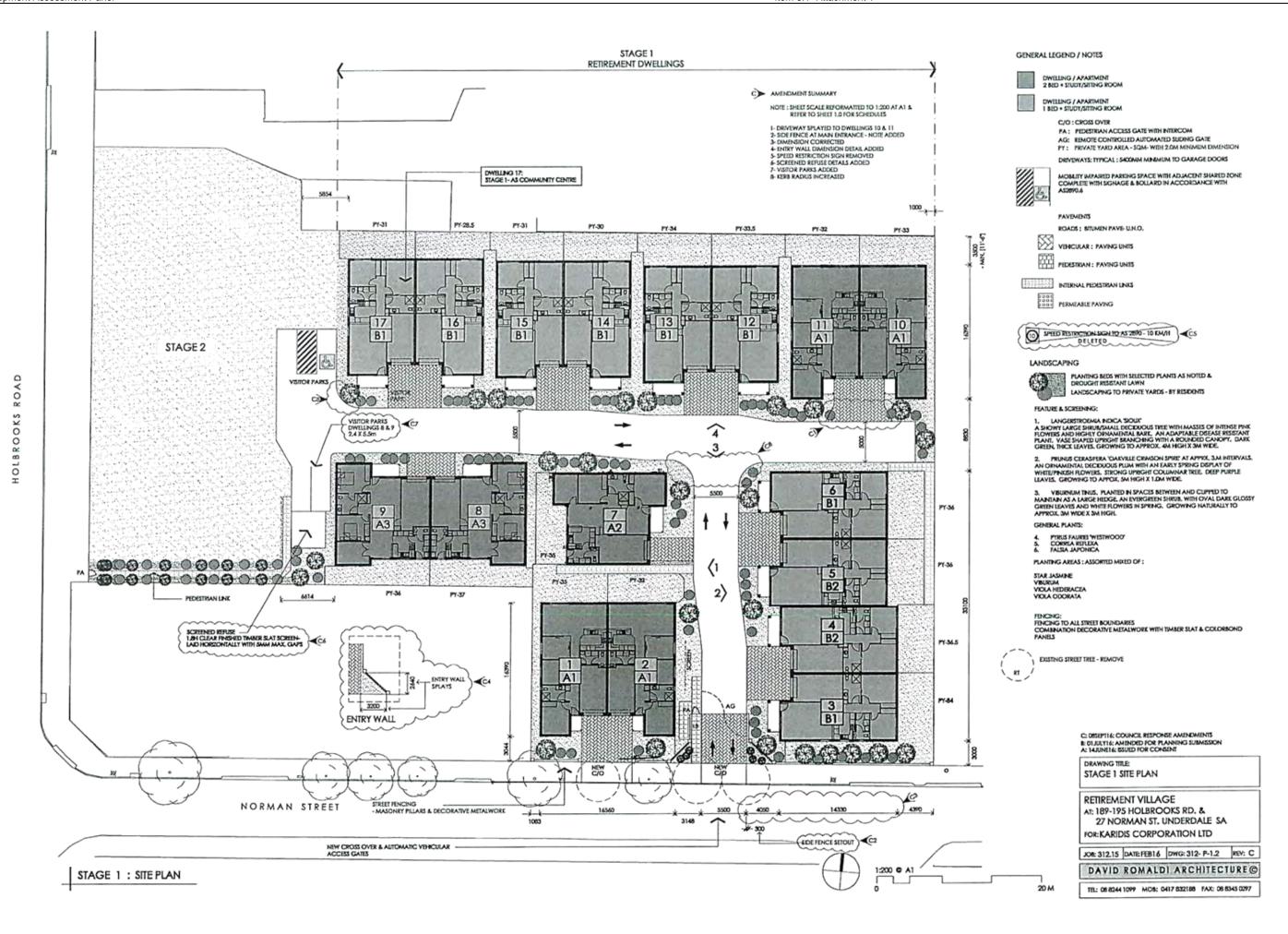
DAVID ROMALDI ARCHITECTURE®

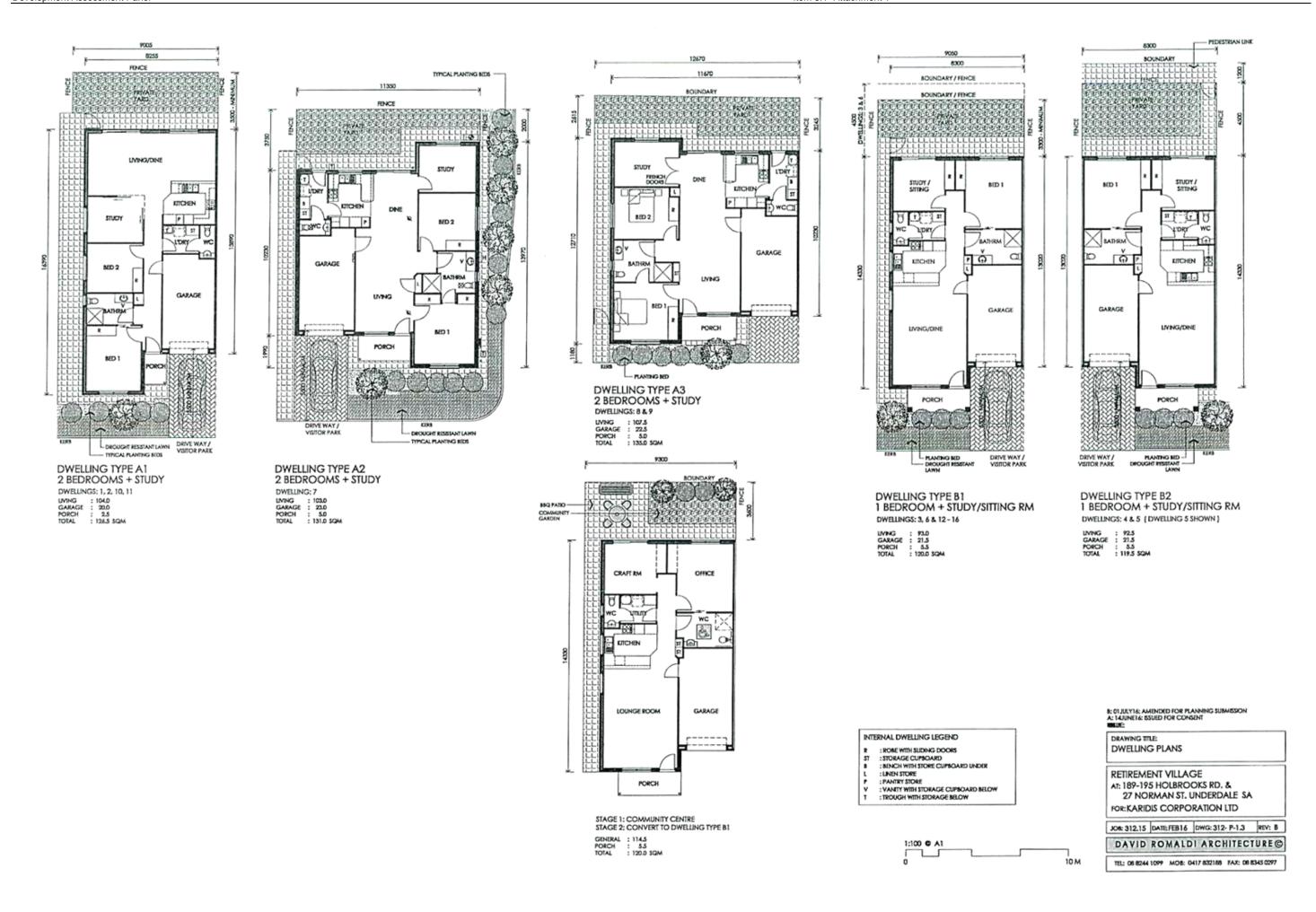
TEL: 08 8244 1099 MOB: 0417 832188 FAX: 08 8345 0297

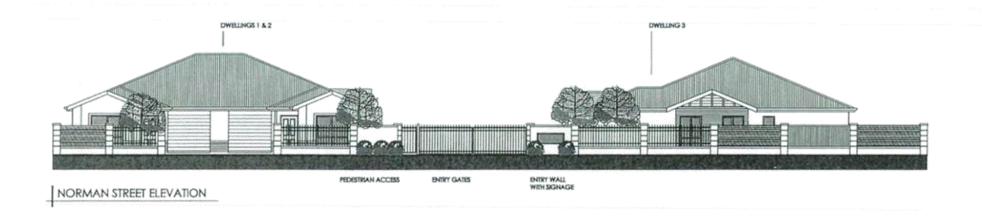
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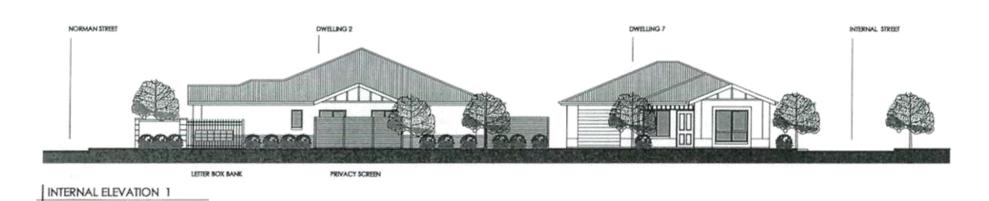














STAGE 1: EXTERNAL MATERIAL TREATMENT SCHEDULE WALLS GENERALLY SELECTED FACE BRICKWORK WINDOWS: POWDERCOAT ALLIMINUM FRAMES NORMAN STREET FENCE GLASS : CLIAR GLASS GENERALLY / OBSCURE GLASS FOR BATHROOMS AND PRIVACY SELECTED CONTRASTING BRICKWORK COMBINATION OF: - RENDERED PANELS - PAINT FINISH - SOLVER MACAROON - PREFABRICATED FILLARS - PAINT FINISH - SOLVER MACAROON C AMBIOMBIT SUMMARY ROOF : CUSTOM ORB - WOODLAND GREY & MANOR RED NOTE: DRAWING SHEET REFORMATTED TO 1:100 AT A1 REFER ADDITIONAL SHEET 2.1.1 FOR ELEVATIONS 3 & 4 - TIMBER SLAT PANELS - CLEAR PAINT FINSH - COLORBOND MINI ORB - WOODLAND GREY GUTTER : TO MATCH ROOF TEXTURE PAINT CFC SHEET FASCIA: SMOOTH CREAM 1- DWELLING MATERIAL COLOURS SCHEDULE ADDED 2- NORMAN STREET FENCE COLOURS ADDED DECORATIVE METALWORK PANELS & GATES - WOODLAND GREY

CID DWELLING: EXTERNAL MATERIAL COLOUR SELECTIONS

DWELLING	DWELLING	WALLS: MAIN BRICKWORK	RENDER	WALLS: CONTRASTING BRICKWORK	PORCH FRAMEWORK	ROOF & GUTTERS
1	All	NOUGAT	WILUNA-1/2	N/A	N/A	MANOR RED
2	A1	NOUGAT	WILDNA-1/2	N/A	N/A	MANOR RED
3	51	NAVARINO RED	N/A	NOUGAT	BROLGA	WOODLAND GREY
4	82	NAVARINO RED	N/A	NOUGAT	<b>BROLGA</b>	WOODLAND GREY
5	82	CAFFE LATTE	N/A	NOUGAT	BROLGA	WOODLAND GREY
6	81	CAFFE LATTE	N/A	NOUGAT	BROLGA	WOODLAND GREY
7	A2	NOUGAT	WEUNA-1/2	N/A	N/A	WOODLAND GRED
8	A3	CAFFE LATTE	WILUNA-1/2	NAVARNO RED	N/A	MANOR RED
9	A3	CAFFE LATTE	WEUNA-1/2	NAVARINO RED	N/A	MANOR RED
10	Aï	NOUGAT	WILLINA-1/2	CAFFELATTE	N/A	MANOR RED
33	AT	NOUGAT	WEUNA-1/2	CAFFELATTE	N/A	MANOR RED
12	81	NAVARINO RED	N/A	NOUGAT	N/A	WOODLAND GREY
13	81	NAVARINO RED	N/A	HOUGAT	N/A	WOODLAND GREY
14	81	NOUGAT	N/A	NAVARINO RED	BROLGA	MANOR RED
15	8.1	NOUGAT	N/A	NAVARINO RED	BROLGA	MANOR RED
1.6	8.1	CAFFE LATTE	N/A	NOUGAT	N/A	WOODLAND GREY
17	81	CAFFE LATTE	N/A	NOUGAT	N/A	WOODLAND GREY

TYPICAL SELECTIONS

WINDOW FRAMES POWDERCOAT - WHITE SIRCH
TIMBER TRIMS SOLVER- MACAROON
FASCIAS COLORBOND - SMOOTH CREAM
GABLE CLADDING SOLVER- BROLGA
BRICCHOOKE PGH AS SELECTED
PAINTWORK SOLVER AS SELECTED

C: 0858PT16: COUNCIL RESPONSE & AS NOTED 8: 01JULY16: AMENDED FOR PLANNING SUBMISSION A: 14JUNETI: SSUED FOR CONSEM BSUE:

DRAWING TITLE: STAGE 1 ELEVATIONS

RETIREMENT VILLAGE
AT: 189-195 HOLBROOKS RD. &
27 NORMAN ST. UNDERDALE SA
FOR: KARIDIS CORPORATION LTD

JOR: 312.15 DATE: FEB16 DWG: 312- P-2.1 REV: C

DAVID ROMALDI ARCHITECTURE®

TEL: 08 8244 1099 MOS: 0417 832188 FAX: 08 8345 0297



INTERNAL ELEVATION 3



DWELLING: EXTERNAL MATERIAL COLOUR SELECTIONS WALLS: CONTRASTING BRICKWORK ROOF & GUTTERS WEUNA-1/2 NOUGAT N/A N/A NOUGAT WELINA-1/2 N/A MANOR RED NAVARINO RED NAVARINO RED N/A N/A N/A N/A NOUGAT WOODLAND GREY BROUGA WOODLAND GREY NOUGAT CAPPE LATTE WOODLAND GREY WOODLAND GREY BROLGA NOUGAT BROLGA A2 A3 A3 A1 NOUGAT CAFFE LATTE WEUNA-1/2 WEUNA-1/2 N/A NAVARINO RED WOODLAND GREY MANOR RED CAFFE LATTE WILINA-1/2 NAVARINO RED MANOR RED NOUGAT CAFFE LATTE MANOR RED NOUGAT WEUNA-1/2 CAFFE LATTE MANOR RED

N/A NOUGAT WOODLAND GREY WOODLAND GREY NAVARINO RED NOUGAT NAVARINO RED NAVARINO RED BROLGA BROLGA **HOUGAT** MANOR RED WOODLAND GREY WOODLAND GREY CARE LATTE NOUGAT CATTELATTE NOUGAT

TYPICAL SELECTIONS

WINDOW FRAMES POWDERCOAT - WHITE BRICH TIMBER TRIMS SOLVER-MACAROON FASCIA'S COLORBOND - SMOOTH CREAM GABLE CLADDING SOLVER- BROLGA BRICKWORK POH AS SELECTED PAINTWORK SOLVER AS SELECTED

STAGE 1: EXTERNAL MATERIAL TREATMENT SCHEDULE

WALLS

SELECTED FACE BRICKWORK

SELECTED CONTRASTING BRICKWORK

RENDERED MASONRY / TEXTURE PAINT CFC SHEET

WINDOWS : POWDERCOAT ALUMINIUM FRAMES GLASS : CLEAR GLASS GENERALLY / OBSCURE GLASS FOR BATHROOMS AND PRIVACY ROOF : CUSTOM ORB - WOODLAND GREY & MANOR RED

: TO MATCH ROOF GUTTER

DRAWING TITLE STAGE 1 ELEVATIONS

A MENDMENT SUMMARY

1:100 @ A1

NOTE : DRAWING SHEET REFORMATTED TO 1;100 AT A1 SHEET 2.1.1 ADDRD FOR ELEVATIONS 3 & 4

1- DWELLING MATERIAL COLOURS SCHEDULE ADDED 2- DWELLING NUMBERS CORRECTED

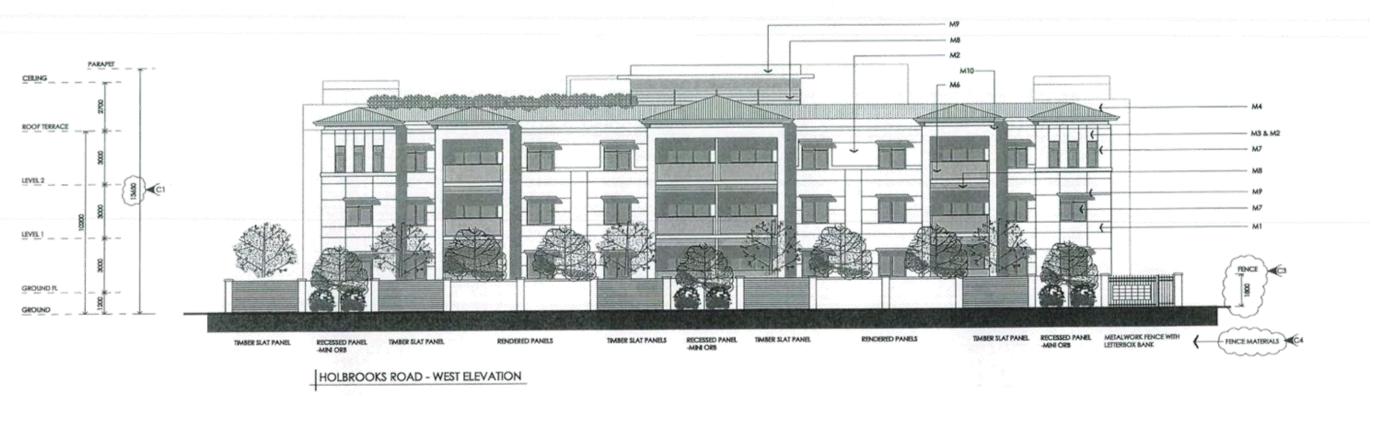
RETIREMENT VILLAGE AT: 189-195 HOLBROOKS RD. & 27 NORMAN ST. UNDERDALE SA FOR: KARIDIS CORPORATION LTD

A: DESEPT16: COUNCIL RESPONSE & AS NOTED

JOB: 312.15 DATE: FEB16 DWG: 312- P-2.1.1 REV: A

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C: OBSEPTI 6: COUNCIL RESPONSE & AS NOTED 8: 01 JULY 16: UPDATED FOR PLANNING SUBMISSION A: 14 JUNE 16: ISSUED FOR CONSIDIT ISSUE:

DRAWING TITLE: STAGE 2 ELEVATIONS

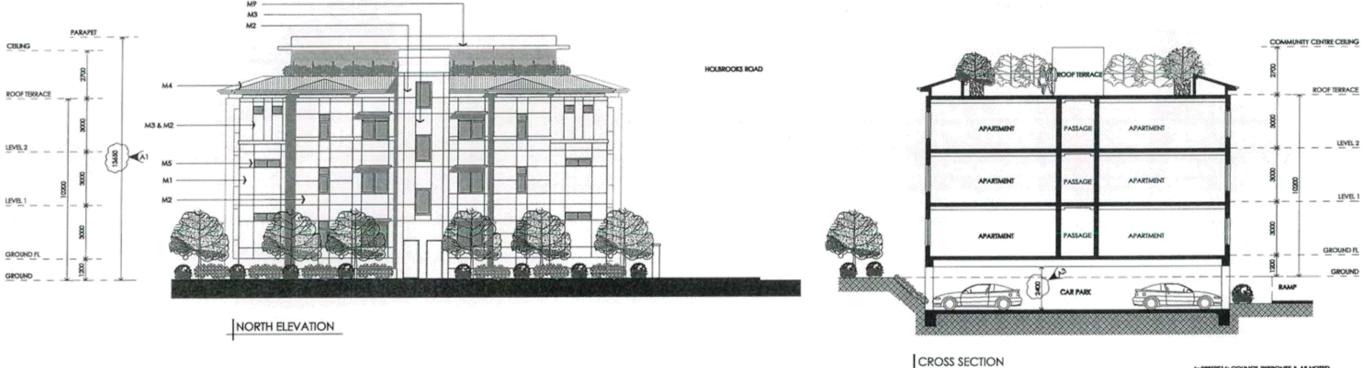
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AT: 189-195 HOLBROOKS RD. &
27 NORMAN ST. UNDERDALE SA
FOR:KARIDIS CORPORATION LTD

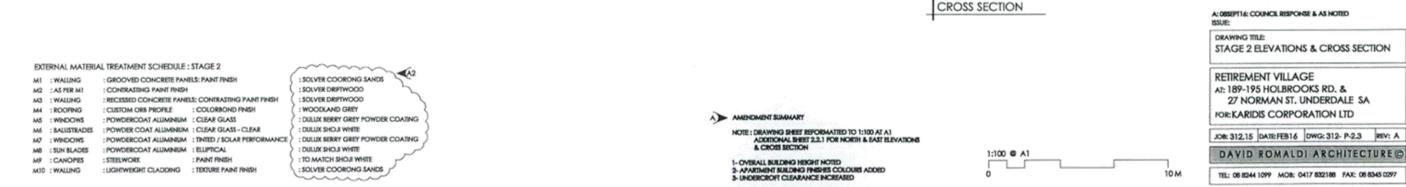
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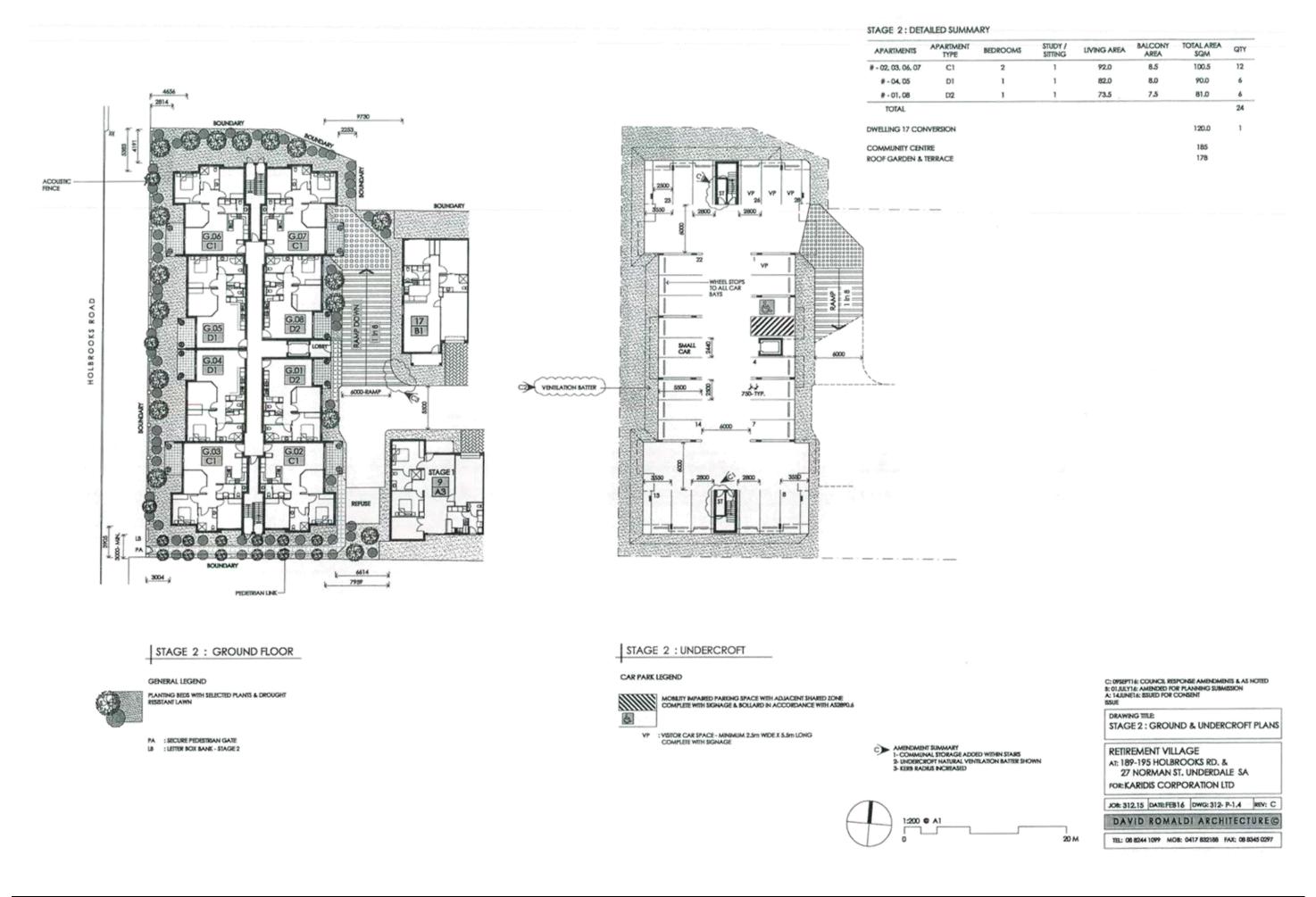
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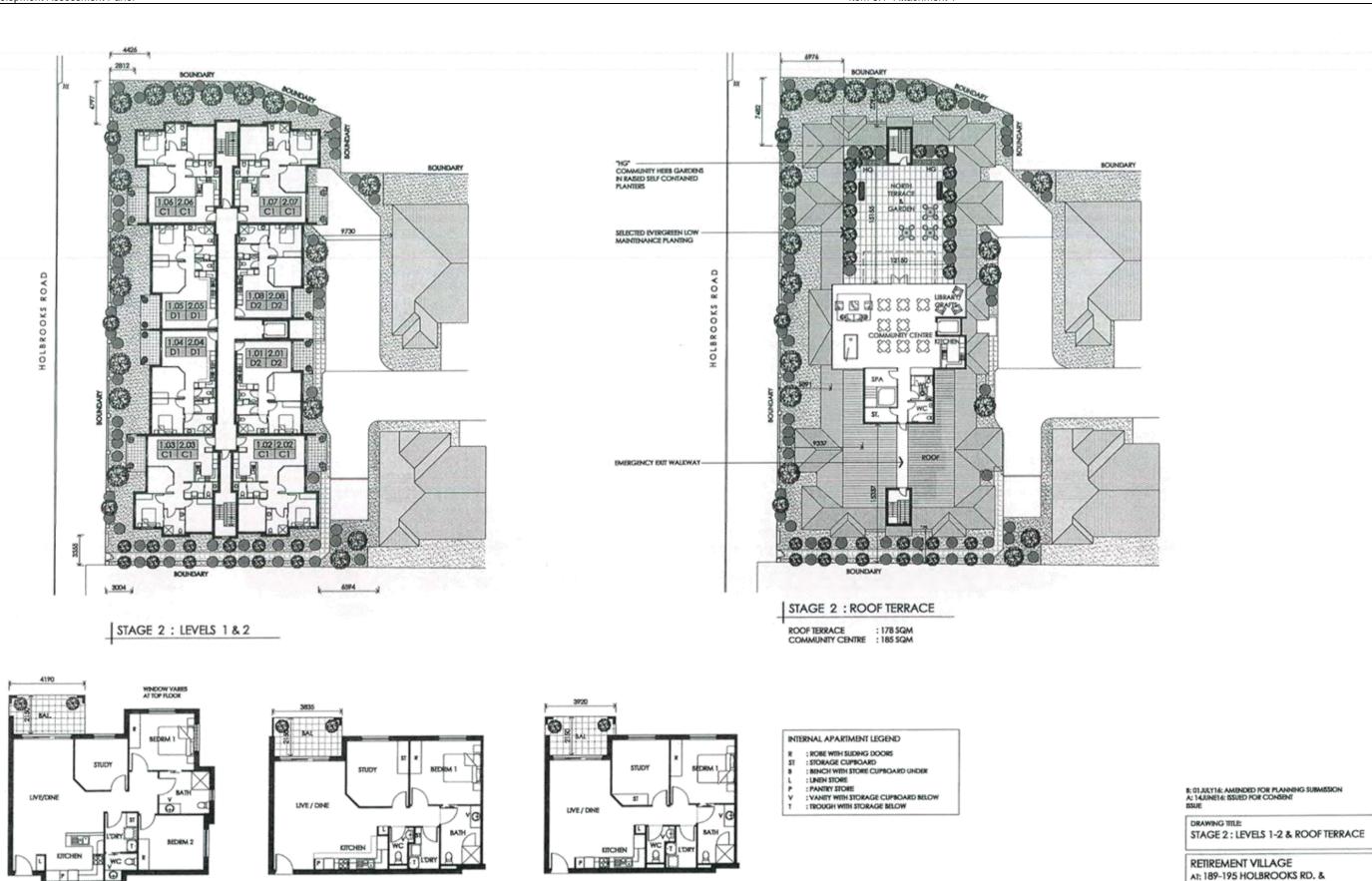
TEL: 06 8244 1099 MOS: 0417 832188 FAX: 06 8345 0297











APARTMENT : D2 1 BEDROOM + STUDY

APARIMENT : 73.5 SQM BALCONY : 7.5 TOTAL : 81.0 SQM 27 NORMAN ST. UNDERDALE SA FOR: KARIDIS CORPORATION LTD

1:200 @ A1

UNLESS HOTED OTHERWISE

JOR: 312.15 DATE: FEB16 DWG: 312- P-1.5 REV: 8

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APARTMENT: C1

2 BEDROOMS + STUDY

APARTMENT BALCONY : 92.0 SQM : 8.5 : 100.5 SQM APARTMENT: D1

: 82.0 SQM : 8.0 : 90.0 SQM

1 BEDROOM + STUDY

APARTMENT BALCONY TOTAL SCANNED 2016 409975

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

TO

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

Received - 6 SEP 2016 City of West Torrens Information Management Unit

RECEIVED AM 7 8 9 10 11 12 6 - SEP 2016 orrens CSU West

DEVELOPMENT No. PROPERTY ADDRESS: 211/780/2016

189-195 Holbrooks Road, 27 & 27A Norman Street, UNDERDALE SA

5032

NAME & ADDRESS OF PERSON(S) MAKING REPRESENTATION (mandatory requirement \*)

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

HOME

REASONS FOR REPRESENTATION

ATTACHED SEE

MY REPRESENTATION WOULD BE OVERCOME BY (state action sought)

DEVELO REQUIRE MENTS

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

(PLEASE SPECIFY)

I DO NOT WISH TO BE HEARD I DESIRE TO BE HEARD PERSONALLY

WILL BE REPRESENTED BY

SIGNED

DATE

If space insufficient, please attach sheets

City of West Torrens

0 7 SEP 2016

City Development

(FORM 3) Responsible Officer: Adam Williams

Ends: Wednesday 7 September 2016

# REASONS FOR REPRESENTATION

My house and the proposed development are in "Low Density Policy Area 21".

The Development Plan outlines the objectives, the desired character, and the form and character required for this area and I am unaware of any other policies or Development Plan either from the City of West Torrens or the State Government, that apply to this zone.

# **OBJECTIVES:**

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

# **DESIRED CHARACTER:**

Low density character

The development is predominantly detached dwellings

I am aware that some alternative development types allowed, such as semi detached dwellings, row houses and residential flat buildings are allowed within 400 metres of a District Centre Zone. The site in question is not within 400 metres of a District Centre Zone.

Buildings can be up to two storeys in height in this zone

Low and open style front fencing is required to contribute to a sense of space between buildings.

# **FORM AND CHARACTER:**

The proposed development complies neither with the minimum site area requirements per dwelling (420 sq metres) nor the minimum frontage requirements per dwelling (12m).

Clearly from the above points, the proposed development conflicts with so much of the Policy Area Requirements that it cannot possibly fulfill the objectives of The Development Plan.

I wish to see the existing low density character of this area in which I have resided for 40 years, be preserved in accordance with the objectives and desired character of the Development Plan.

I believe approval of this proposal will contravene these objectives and significantly change the form and character of the area to the detriment of existing residents who currently enjoy its quality and amenity.

# **Claire A Lowe**

REF:0072-3-Holbrooks

12 October 2016

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



Level 1, 89 King William Street GPO Box 2403 Adelaide SA 5001 PH: 08 8221 5511 info@futureurbangroup.com ABN: 34 452 110 398

Dear Janine,

#### DEVELOPMENT APPLICATION 211/780/2016 AT 189-195 HOLBROOKS ROAD, UNDERDALE

We write in response to representations received during public notification of the above-mentioned development application.

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

- C A Lowe (194 Holbrooks Road, Underdale)
- A P & M K Camp (30 Norman Street, Underdale)
- R Plos (6 Whaddon Road, Brooklyn Park. Owner of 29 Norman Street, Underdale)

We note that the representation made by Ms Lowe is not a valid representation on the basis that an address is not stated (refer *Regulation 35(b)* of *Development Regulations, 2008*). Out of courtesy we have responded to the issues raised by Ms Lowe however Council nor the Development Assessment Panel can consider her representation or hear a verbal submission.

Having reviewed the representations, the following key issues have been raised:

- · Building Height
- Density
- Privacy
- Fencing
- · Traffic Impacts in Norman Street

Mr Plos raised concern in relation to the devaluation of property however such a matter is not a valid planning consideration.

# **Building Height**

We acknowledge that the desired character statement of Policy Area 21 envisages buildings up to two storeys in height, however we have formed the opinion that the height and siting of the proposed four storey building is acceptable on this portion of the subject site and along this part of Holbrooks Road which is separated a significant distance from all representors' properties.

Stage 1 provides well designed dwellings that maintain a low scale built form character to the east and south, respecting the lower scale adjacent built form interfaces. Stage 2 is appropriately sited towards Holbrooks Road which due to its width can handle the proposed height and scale.

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The upper level is setback substantially from the lower levels and the facades of the building are articulated with balconies, windows, material and colour changes and/or include design elements/treatments to reduce overall bulk and mass.

In our opinion, while the Stage 2 building will be the tallest in the locality, the design and appearance has regard to existing residential development in terms of external materials and colours, roof form and pitch, façade articulation and detailing, verandas and eaves satisfying Design and Appearance PDC 1. There is no doubt that the height of the proposed building will form a notable element within the streetscape however by virtue of being notable we do not believe that the building will be detrimental to the character or amenity of the locality which has a disparate built form character.

The locality, particularly the eastern side of Holbrooks Road between Golden Glow Avenue to the north and Norman Street to the south, represents a disparate built form character primarily due to the presence of non-residential land uses (including the subject site). The varied built form outcomes also result in a range of building forms, scales and setbacks (particularly) along Holbrooks Road.

With respect to building height and potential amenity impacts, the shadow diagrams accompanying the application demonstrate that the height of the development will not present any unreasonable impacts upon adjacent properties satisfying General Section Residential Development, Overshadowing PDC 12.

In consideration of all the above, we have formed the opinion that the height and scale of the four storey building is satisfactory on this part of the subject site and along this part of Holbrooks Road.

#### Density

The proposed development is located in Low Density Policy Area 21 of the Residential Zone. We note that there is no density guideline for the type of residential development proposed. In the absence of any density guideline we believe it is appropriate to assess the proposal in the context of its use and other provisions that influence density and how the proposal may sit and relate to its context.

We do not consider the proposed density to be detrimental to the character or amenity of the locality and its specific purpose in providing housing for the aged for the following reasons:

- increased dwelling densities in close proximity to public transport routes (i.e. Henley Beach Road) is specifically envisaged within the *Residential Zone (Objective 3)*;
- the buildings have been appropriately sited on the site so as to minimise visual and overshadowing impacts upon adjacent residential properties substantially conforming to Residential Zone PDC 11;
- substantial landscaping is proposed throughout the development site and in particular along the southern side of the four storey building to soften any visual impact the building may have upon the adjacent southern property in accordance with Landscaping, Fences and Walls PDC 1(a);
- the proposed building (although exceeding two storeys in height) is appropriately sited towards
  Holbrooks Road, relates to the road width and contributes to the desire to provide a high standard
  of amenity and adaptability for a variety of accommodation and living needs in accordance with
  Medium and High Rise development (3 or More Storeys) Objective 2;
- the development provides a car space for every dwelling in accordance with Table WeTo/2 Off
  Street Vehicle Parking Requirements. While there is no specific requirement to provide visitor car
  parking, the proposal provides accessible visitor spaces for all dwellings;



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- the development is provided with communal open space accessible to all residents in accordance with Supported Accommodation, Housing for Aged Persons and People with Disabilities PDC 2;
- the development provides for safe and compliant vehicular access, on-site manoeuvring and waste collection achieving Supported Accommodation, Housing for Aged Persons and People with Disabilities PDC 3;
- the development appropriately plans for the projected increase in the number and proportion of elderly people, responding to their preference to remain living in their existing community in accordance with Supported Accommodation, Housing for Aged Persons and People with Disabilities Objective 1.

In addition to the above, we note that the subject site is situated within 200m of bus stops either side of Holbrooks Road. Additional bus stops and retail land uses (including small supermarket) and a doctors surgery are located at the Holbrooks Road/Henley Beach Road intersection within 400m of the subject site. The retail land uses on the southern side of the Henley Beach Road are contained within the Urban Corridor Zone

The 30 Year Plan for Greater Adelaide seeks to provide a significant amount of dwelling growth within 400m of transit corridors (e.g. bus route). The proposed development will clearly accommodate population growth but importantly provide a form of housing (that will assist in reversing the outmigration of older people from the City of West Torrens) within close proximity to key bus routes.

The scale and type of housing proposed ensures that the elderly will also have access to smaller housing products that are affordable providing the high proportion of elderly people in the Council area an opportunity to downsize from larger dwellings/allotments to remain living in their existing community (ageing in place).

For all the above reasons, we form the opinion that the density of the proposal is highly appropriate for this particular existing non-residential site along Holbrooks Road.

#### Privacy

Mr Plos has raised concern in relation to the potential overlooking from the upper levels of the four storey building.

Due to the orientation of balconies and their separation from Mr Plos' property, overlooking into his property will be mitigated. East facing balconies will generally overlook the internal driveway of the development site.

We understand that the applicant is willing to treat upper level windows along the south elevation with fixed obscure glass to a height of 1.7m which would further minimise overlooking to the south.

#### Fencing

Ms Lowe has commented on the type of fencing proposed suggesting that low and open style fencing is required to contribute to a sense of space between buildings.

The Norman Street frontage will be provided with 1.8m high masonry pillar and decorative metal infill fencing together with automatic access gates which is highly appropriate for the character of Norman Street.

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The Holbrooks Road frontage will be provided with a combination of rendered acoustic panels, prefabricated pillars, timber slat panels, Colorbond Mini-Orb and decorative metal work panels and gates which is required for the privacy and safety of elderly residents. The type of fencing will also protect residents from unreasonable noise impacts.

Respecting this, we form the opinion that the type of fencing proposed is appropriate. The fencing is also complemented by landscaping throughout the development site with the details of trees and species to be used identified on the site plan.

#### Traffic Impacts in Norman Street

A Traffic Impact Statement dated 11 October 2016 has been prepared by Tonkin Consulting and is enclosed for Council's further assessment.

Overall the completed development will generate approximately 164 trips per day, with peak hour trips approximately 10% of this figure, or otherwise, 16 trips per hour. The impact on the external road network will see most of the generated traffic distributed via Norman Street to Holbrooks Road. According to Tonking Consulting, this level of traffic will not impact on the existing traffic conditions.

We trust the above satisfactorily responds to the issues raised by the representors.

We wish to confirm our attendance at the Development Assessment Panel meeting should we need to respond to any valid submissions.

Yours sincerely

Chris Vounasis Director

Director

# Preliminary Assessment Traffic Land Div adjoining Lane or Intersection

# Memo

From Ming Siow Date 16/11/16

Subject 211/780/2016, 189-195 Holbrooks Road, 27 & 27A Norman Street,

**UNDERDALE SA 5032** 

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

# 1.0 FFL Consideration – Finished Floor Level (FFL) Requirement

- 1.1 In accordance with the provided 'Civil Plan' (TMK drwg no. 1603086-C1/PA received on 08/07/16), the FFL of the proposed Dwellings 1 to 7 (9.75), Dwellings 8&9 (9.80), Dwellings 10 & 11 (9.85), Dwellings 12&13 (9.80), Dwellings 14&15 (9.85) and Dwellings 16&17 (9.80) has been assessed as satisfying minimum requirements in consideration of street and/or flood level information.
- 1.2 I note that 'Stage 2' of the development which includes the apartment building is proposed to have a minimum FFL for the 'ground level' floor of 10.78 which would satisfy minimum requirements. I note however that further review would be required for the undercroft parking.
- 1.3 Furthermore, as previous feedback highlighted, appropriate design of the ramp to the undercroft will be required to ensure that water does not inundate the car park. I note that the proposed level at the beginning of the ramp is set at 9.700. Further design consideration will be required as the level of 9.700 appears to be too low.

#### I have included the previous comments below in italics:

In relation to the under croft carpark under the main building, as this is a secure part of the building, it is also imperative that protection from flood inundation is ensured. Given the 'hole in ground' nature of such an installation, a small depth of flooding on the property would result in a substantial depth of flooding of the under croft carpark.

It is necessary for the design of the excavated elements of the site and access driveway associated with the undercroft to be designed with consideration of the 350mm stormwater flow depth in the adjacent street watertable.

What this means it that prior to the ramp beginning to grade down to the undercroft, it must first grade up to achieve this minimum elevation above the adjacent road. Similarly detailed site levelling and boundary/surround



Between the City and the Sea

retaining wall design must maintain this minimum level. The design of driveway ramping must comply with AS 2890.1 in relation to maximum grades, transition lengths and profiles.

It is recommended that in addition to survey & pavement information provided, sufficient detail design provision is necessary to demonstrate the appropriateness of the ramp design (and surrounds) to provide flood protection and compliance with Australian Standards for driveway design.

#### 2.0 Stormwater Detention (Commercial-Industrial) (Greater than 4000m²)

2.1 As the allotment(s) being affected by the proposed development total in excess of 4000 square metres, stormwater detention measures will be required to be undertaken to restrict the total discharge from the total development site to a runoff Coefficient of 0.25 for the site critical 5 year and 50 year ARI storm event.

The provided stormwater detention calculations "Stormwater Calculations (SWC-B)" (TMK - Job No. 1603086 – Date 28/09/16) will satisfy the stormwater detention requirements.

It is recommended that a condition be included specifying that the development is to comply with the stormwater detention requirements as indicated in the documentation by TMK Consulting Engineers. Some of these details include – 74,500L detention volume, 92% roof area detained, 96% paving detained, 93% grass area detained etc.

Another condition requiring a final 'sign off' by City Assets prior to Building Rules Consent should be included to ensure that the stormwater detention requirements specified by the TMK documentation is followed through in the stormwater construction plans.

# 3.0 Verge Interaction

3.1 I understand that Council's Arborist has approved the removal of several street trees. Please refer to his commentary.



#### 4.0 Waste Management

Previously, comments were provided requesting a waste management plan. My understanding is that no such plan has been provided to Council for review.

4.1 Council Policy would permit exclusion of the waste servicing of this development site and conditioning to reinforce this would be required to be included in any approval for the development. As currently proposed, waste servicing of the site to be undertaken through private contractor and it is acceptable.

However, information should subsequently be provided by the applicant in relation to a 'waste management plan' for the development site which provides some justification of the scale and quantity of the communal waste facilities for the site.

It is recommended that the applicant be requested to provide a 'waste management plan' demonstrating communal waste servicing of the site, including details on scale of waste provision based on dwelling number and scales, accessibility to the site, manner of storage and collection.

#### 5.0 Traffic Comments

5.1 The following comments have been provided by Council's Traffic Consultant.

I refer to the above retirement village development on the subject site. I have previously provided comments on the proposal on 8 August 2016.

I have read the updated traffic report by Tonkin Consulting dated 11 October 2016 and referred to the latest plan, Drawing 312-P-1.1 Rev C 'Master Plan' for my assessment.

I have previously commented that the Council's Development Plan does not specifically require visitor parking for the proposed retirement dwellings. Therefore Stage 1 Dwellings 1 to 17 do not technically require the provision of a visitor parking space. I note that Dwellings 1 and 2 with direct access to Norman Street have provision for visitor parking (dimension length of 5.4m or greater) in front of the garage, which complies with the requirements of the parking standard.

For all other dwellings, except for Dwellings 8 and 9, while the paved areas have a dimensional length of greater than 5.0m (equivalent to a small car dimension in AS/NZS 2890.1-2004) but less than 5.4m, there appears to be sufficient length in front of the garages to allow a B85 design car to fit clear of the roadway. Therefore while not specifically designated as a visitor parking space, the paved area in front of garages would nonetheless be able to



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accommodate a visitor vehicle if required. If considered as a small car space, the dimensional length would comply with the parking standard.

For Dwellings 8 and 9, I note that 2 external visitor spaces would be provided adjacent to the screened refuse area.

For the multi-storey building of 24 units, there would be provision of up to 28 parking spaces available, which would exceed the Development Plan requirement.

Based on the above, I am satisfied that adequate parking would be provided for the development.

In terms of the parking layout, the previous design issues that I had raised appear to have been mostly addressed, although it is unclear what the head height clearance is for the basement ramp. A condition requiring the design to comply with AS/NZS 2890.1-2004 and AS/NZS 2890.6-2009 would address this issue.

In terms of refuse collection, I note that Tonkin Consulting have confirmed that the truck has the capability to manoeuvre within the 1 in 8 ramp area in order to reverse to the refuse area of vice versa. Based on this confirmation, I am satisfied with the ramp design shown. Conditions restricting refuse trucks to the 6.5m rigid truck size and servicing times to off-peak periods would be required.

In summary, I have no objections to the proposed development, from a traffic and parking perspective, and recommend the following conditions to be included:

The proposed car park and parking areas shall be designed to the requirements of AS/NZS 2890.1-2004 and AS/NZS 2890.6-2009.

Refuse collection shall be undertaken using a 6.5m rigid truck.

Refuse collection shall be undertaken during off-peak times.

Should you require further information, please contact Baskar Kannappan on the following direct extension number 8416 6333

Regards

Ming Siow

REF:0072-2-Holbrooks

12 October 2016

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



Level 1, 89 King William Street GPO Box 2403 Adelaide SA 5001 PH: 08 8221 5511 info@futureurbangroup.com ABN: 34 452 110 398

Dear Janine,

#### DEVELOPMENT APPLICATION 211/780/2016 AT 189-195 HOLBROOKS ROAD, UNDERDALE

We write in relation to your correspondence dated 2 September 2016.

Council has undertaken a preliminary assessment of the development application and considered that the proposed development does not adequately address a number of provisions of the City of West Torrens Development Plan (consolidated 5 May 2016). Further, Council has requested additional information to undertake a proper assessment of the application.

First, we will respond to the matters of assessment.

#### Density

The proposed development is located in Low Density Policy Area 21 of the Residential Zone. We note that there is no density guideline for the type of residential development proposed. In the absence of any density guideline we believe it is appropriate to assess the proposal in the context of its use and other provisions that influence density and how the proposal may sit and relate to its context.

We do not consider the proposed density to be detrimental to the character or amenity of the locality and its specific purpose in providing housing for the aged for the following reasons:

- increased dwelling densities in close proximity to public transport routes (i.e. Henley Beach Road) is specifically envisaged within the Residential Zone (Objective 3);
- the buildings have been appropriately sited on the site so as to minimise visual and overshadowing
  impacts upon adjacent residential properties substantially conforming to Residential Zone PDC 11;
- substantial landscaping is proposed throughout the development site and in particular along the southern side of the four storey building to soften any visual impact the building may have upon the adjacent southern property in accordance with Landscaping, Fences and Walls PDC 1(a);
- the proposed building (although exceeding two storeys in height) is appropriately sited towards
  Holbrooks Road, relates to the road width and contributes to the desire to provide a high standard
  of amenity and adaptability for a variety of accommodation and living needs in accordance with
  Medium and High Rise development (3 or More Storeys) Objective 2;
- the development provides a car space for every dwelling in accordance with Table WeTo/2 Off
  Street Vehicle Parking Requirements. While there is no specific requirement to provide visitor car
  parking, the proposal provides accessible visitor spaces for all dwellings;





- the development is provided with communal open space accessible to all residents in accordance with Supported Accommodation, Housing for Aged Persons and People with Disabilities PDC 2;
- the development provides for safe and compliant vehicular access, on-site manoeuvring and waste collection achieving Supported Accommodation, Housing for Aged Persons and People with Disabilities PDC 3;
- the development appropriately plans for the projected increase in the number and proportion of elderly people, responding to their preference to remain living in their existing community in accordance with Supported Accommodation, Housing for Aged Persons and People with Disabilities Objective 1.

In addition to the above, we note that the subject site is situated within 200m of bus stops either side of Holbrooks Road. Additional bus stops and retail land uses (including small supermarket) and a doctors surgery are located at the Holbrooks Road/Henley Beach Road intersection within 400m of the subject site. The retail land uses on the southern side of the Henley Beach Road are contained within the Urban Corridor Zone

The 30 Year Plan for Greater Adelaide seeks to provide a significant amount of dwelling growth within 400m of transit corridors (e.g. bus route). The proposed development will clearly accommodate population growth but importantly provide a form of housing (that will assist in reversing the outmigration of older people from the City of West Torrens) within close proximity to key bus routes.

The scale and type of housing proposed ensures that the elderly will also have access to smaller housing products that are affordable providing the high proportion of elderly people in the Council area an opportunity to downsize from larger dwellings/allotments to remain living in their existing community (ageing in place).

For all the above reasons, we form the opinion that the density of the proposal is highly appropriate for this particular existing non-residential site along Holbrooks Road.

#### **Building Height**

We acknowledge that the desired character statement of Policy Area 21 envisages buildings up to two storeys in height, however we have formed the opinion that the height and siting of the proposed four storey building is acceptable on this portion of the subject site and along this part of Holbrooks Road.

Stage 1 provides well designed dwellings that maintain a low scale built form character to the east and south, respecting the lower scale adjacent built form interfaces. Stage 2 is appropriately sited towards Holbrooks Road which due to its width can handle the proposed height and scale. The upper level is setback substantially from the lower levels and the facades of the building are articulated with balconies, windows, material and colour changes and/or include design elements/treatments to reduce overall bulk and mass

In our opinion, while the height of the Stage 2 building will be tallest in the locality, the design and appearance has regard to existing residential development in terms of external materials and colours, roof form and pitch, façade articulation and detailing, verandas and eaves satisfying *Design and Appearance PDC 1*. There is no doubt that the height of the proposed building will form a notable element within the streetscape however by virtue of being notable we do not believe that the building will be detrimental to the character or amenity of the locality which has a disparate built form character.

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The locality, particularly the eastern side of Holbrooks Road between Golden Glow Avenue to the north and Norman Street to the south, represents a disparate built form character primarily due to the presence of non-residential land uses (including the subject site). The varied built form outcomes also result in a range of building forms, scales and setbacks (particularly) along Holbrooks Road.

With respect to building height and potential amenity impacts, the shadow diagrams demonstrate that the private open space associated with the dwelling on the corner of Holbrooks Road and Norman Street will receive direct sunlight for three consecutive hours between 12noon and 3pm on 21 June. We understand the area of private open space is provided along the western and southern sides of the adjacent dwelling (i.e. along the Holbrooks Road and Norman Street frontages) behind a 1.8m high brick wall. Importantly, the shadow diagrams demonstrate that the proposed development would have a similar impact upon the adjacent southern property as a two storey development when assessed in the context of the overshadowing provisions of the Development Plan, specifically *General Section Residential Development*, *Overshadowing* PDC 12.

In addition to the above, the proposed landscaping along the southern side of the building and the existing vegetation along the common boundary will soften any visual impact the proposed building may have on the adjacent southern dwelling. Due to the orientation of balconies, overlooking into adjacent properties will not occur, rather balconies will overlook the internal driveway and Holbrooks Road. The casual surveillance promoted by the development accords with *Crime Prevention PDC 2*.

In consideration of all the above, we have formed the opinion that the height and scale of the four storey building is satisfactory on this part of the subject site and along this part of Holbrooks Road.

#### Design and Appearance

*General Section Design and Appearance PDC 1* encourages buildings to reflect the desired character of the locality while incorporating contemporary designs that have regard to the following:

- building height, mass and proportion;
- external materials, patterns, colours and decorative elements;
- · roof form and pitch;
- façade articulation and detailing; and
- verandas, eaves, parapets and window screens.

Residential Development Design and Appearance PDC 4 encourages a building appearance that is compatible with the desired character statement of the relevant zone, policy area or precinct, in terms of built form elements such as:

- building height;
- building mass and proportion;
- external materials, patterns, textures, colours and decorative elements;
- ground floor height above natural ground level;
- roof form and pitch;
- facade articulation and detailing and window and door proportions;
- verandas, eaves and parapets; and

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driveway crossovers, fence style and alignment.

Both provisions speak similar messages with respect to the design and appearance of new buildings. Our previous discussion relating to building height addresses the key design and appearance issues of these particular provisions and need not be repeated again.

#### Desired Character

General Section Residential Development Design and Appearance PDC 6 encourages dwellings and accommodation at ground floor level to contribute to the character of the locality and create active, safe streets by incorporating one or more of the following:

- front landscaping or terraces that contribute to the spatial and visual structure of the street while maintaining adequate privacy for occupants;
- individual entries for ground floor accommodation;
- opportunities to overlook adjacent public space.

It is unclear from the correspondence how the proposal does not adequately address PDC 6 in the context of the use of the site. Elderly occupants have a high expectation of residing in a secure, private and safe environment.

The intent of PDC 6 is to "create active and safe streets". The proposal provides a driveway entrance plus individual unit entrances along Norman Street to create activity and movement which will encourage surveillance and human interaction within this residential street. The Holbrooks Road frontage does not contain individual street entries for ground floor accommodation or provide visual permeability between ground level accommodation units and the street primarily for reasons relating to privacy, acoustics and safety. The Holbrooks Road frontage will be provided with a combination of rendered acoustic panels, prefabricated pillars, timber slat panels, Colorbond Mini-Orb and decorative metal work panels and gates which in our view is appropriate along this type of road. It is important to note that the upper level balconies will encourage passive surveillance of Holbrooks Road.

In our view, PDC 6 is more likely directed to residential streets such as Norman street and not higher volume roads such as Holbrooks Road. For this reason, we believe the proposal does enough to satisfy the intent of PDC 6 particularly in the context of the use of the site.

#### Covered Storage Area

General Section Medium and High Rise Development (3 or More Storeys) PDC 12 requires a covered storage area of not less than 8 cubic metres in each of the dwellings (excluding habitable room). A schedule of areas has been prepared by David Romaldi Architecture. With the inclusion of the communal storage areas, individual storage areas range between 5.65 and 7.88 cubic metres. All storage areas would exceed 8 cubic metres if the Bed 2/Study storage were included. It is highly likely that residents will use the second bedroom or study as storage given that the units will contain either a single person or couple and will only use the second bedroom or study in the event that a carer or family/friend stays over-night.

Karidis Corporation have developed many similar housing for the aged developments and in their experience the proposed storage is more than sufficient to accommodate likely occupant needs.





#### Street Setbacks

With respect to front setbacks, where the difference between the two adjacent buildings is greater than 2m, PDC 8 of the Residential Zone provisions encourage new development to be setback the average of those setbacks.

Notwithstanding the existing nil setback of the bowling club, we also note the nil setback of the commercial property adjoining to the north and the 6m (approx.) setback of the dwelling to the south. The proposed building is setback between 2.8m and 4.8m from Holbrooks Road which in our view satisfies PDC 8.

Dwellings proposed along Norman Street are setback 3m from the street (to the front façade of two dwellings or the side wall of one dwelling). The existing character of front and side setbacks along Norman Street between Fernleigh Street to the east and Holbrooks Road to the west in our view supports the proposed setbacks.

Respecting this, we have formed the opinion that the proposed development satisfies the intent of *General Section Design and Appearance, Building setbacks from road boundaries* PDC 21.

#### Additional Information

1. Site plan – Items 1(a) to 1(i) and 1(l) enclosed.

With respect to Items 1(j) and (k) we do not understand the relevance of the information request. The City of West Torrens Development Plan does not contain any overlooking or privacy provisions that stipulate recommended setback distances between balconies and adjoining private habitable room windows/private open space. It is clear that due to the orientation of balconies, overlooking into adjacent properties will not occur, rather balconies will overlook the internal driveway and Holbrooks Road.

- 2. Elevation Plans enclosed
- 3. Shadow Diagrams enclosed at a scale of 1:500 which is acceptable given the scale of the site.

The shadow diagrams demonstrate that the private open space associated with the dwelling on the corner of Holbrooks Road and Norman Street will receive direct sunlight for three consecutive hours between 12noon and 3pm on 21 June. Importantly, the shadow diagrams demonstrate that the proposed development would have a similar impact upon the adjacent southern property as a two storey development when assessed in the context of the overshadowing provisions of the Development Plan.

With respect to internal shadow impacts, the diagrams indicate that the private open space of the western most single storey dwelling located along the northern side of the common driveway would be overshadowed by the adjacent development during 9am to 3pm. In addition, the western most single storey residential flat building (containing two dwellings) located along the southern side of the common driveway will overshadow its own private space areas during this period on 21 June. While the private open space areas of these properties will be overshadowed on 21 June, they will receive direct sunlight during other months of the year when the sun sits at a higher angle in the sky. All other private open spaces will receive adequate sunlight on 21 June. In the context of the overall development, we do not consider this issue alone fatal to the application.

A Traffic Impact Statement dated 11 October 2016 has also been prepared by Tonkin Consulting and is enclosed for Council's further assessment.

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REF 0072-2-Holbrooks Road | 12 October 2016



We trust the responses provided herein and the further information provided enable Council to further assess the development application otherwise please do not hesitate to contact our office should you require further information.

Yours sincerely

Chris Vounasis

Director



20160523 Holbrooks Road Underdale - Karidis Corporation

11 October 2016

Karidis Corporation Limited 49 Angas Street Adelaide SA 5000

Attention: Mark Booth

Dear Mark

#### HOLBROOKS ROAD UNDERDALE DEVELOPMENT - TRAFFIC IMPACT STATEMENT

Tonkin Consulting is pleased to provide Karidis Corporation Limited with a Traffic Impact Statement (TIS) regarding the preliminary drawings of a retirement village at the corner of Holbrooks Rd and Norman Street at Underdale.

The development will be constructed in two stages and will be all retirement living. The two stages of development involve the following.

#### Stage 1:

· 16 dwellings and 1 community centre

#### Stage 2:

- 3 levels (8 dwellings per level) of apartments, equating to 24 dwellings
- Undercroft car park
- Convert community centre to dwelling 17
- Roof top terrace with community centre

## **Parking Supply**

#### Stage 1

The City of West Torrens Development Plan 'Table WeTo/2 - Off Street Vehicle Parking Requirements' states for a group of dwellings to provide 2 car parking spaces, one of which is covered. Retirement dwellings do not require a visitor parking space; hence one space is sufficient. The 16 dwellings comply.

#### Stage 2

The City of West Torrens Development Plan 'Table WeTo/2 - Off Street Vehicle Parking Requirements' states an aged care retirement home requires 1 park per unit. There are 24 units with an undercroft car park providing the following spaces:

TONKIN CONSULTING ABN 67 606 247 876 ACN 606 247 876. W www.tonkin.com.au 6 Kay Avenue, PO Box 2248 Berri SA 5343 Level 2, 66 Rundle Street T+61 8 8273 3100 F+61 8 8273 3110 T +61 8 8582 2700 F +61 8 8582 2777

T +61 8 8582 2700 F +61 8 8273 3110

Development | Environment | Local Government | Mining & Resources | Spatial | Transport | Water



- 23 regular parks
- 1 disabled park
- 4 visitor parks

The undercroft car park therefore should provide sufficient parking numbers for the Stage 2 development.

#### **Parking Layout**

#### **Undercroft Car Park**

The undercroft car park dimensions comply with AS2890.1:2004 'Off-street car parking'. The ramp leading down to the undercroft car park from the internal road is proposed to be a 1:8 grade over 14.4m. According to AS2890.1:2004 for a straight ramp in a residential car park the maximum grade can be 1:4 with grade transitions usually required. This will provide more 'flat' road space to accommodate turning movements for garbage truck turn around.

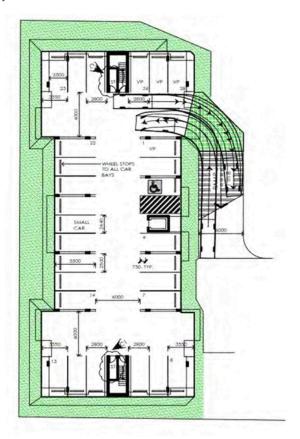
Turning movements for a standard vehicle entering and exiting the undercroft car park were investigated. Both entering and exiting movements turning in and out of the down ramp from above ground are suitable except when two vehicles attempt opposing movements simultaneously.



Above ground vehicle turning movements entering and exiting the ramp to the undercroft car park



The underground turning movements were also investigated for entering and exiting the undercroft car park. The entering and exiting turning movements are suitable except when the two opposing movements are conducted simultaneously.



Underground vehicle movements entering and exiting the undercroft car park

#### **Internal Road Network**

There were concerns regarding the road widths and turning movements within the development. Road widths range from 5.5m to 5m, less than the 5.8m aisle width required for off street parking (AS2890.1:2004). As a result, turning movements of a standard vehicle entering and exiting the 5m wide section of the road network (in front of dwellings 10 and 11) was investigated with the results shown below.





Vehicle turning movement entering and exiting dwellings 10 and 11

Results indicate the turning movements into and out of dwellings 10 and 11 work assuming no other vehicles are obstructing the path.

#### **Traffic Generation**

The NSW Guide to Traffic Generating Developments states Housing for Seniors Living, the Daily Trips are approximately 4 per dwelling. For Stage 1 (17 dwellings) and stage 2 (24 dwellings) this equates to 164 trips per day. Note these rates correspond to two way trips, so this means there are approximately 82 trips leaving and arriving to the development (82 in and 82 out).

Overall the completed development will generate approximately 164 trips per day, with peak hour trips approximately 10% of this figure, so 16 trips per hour. The impact on the external road network will see most of the generated traffic distributed via Norman Street to Holbrooks Road. This level of traffic is not seen to be an issue in disrupting current traffic flow conditions.



#### **Sight Distance**

Austroads Guidelines state for a 50km/h design speed the approach sight distance (ASD) requirement is 48m, and the safe intersection sight distance (SISD) is 90m. Sight line to the west extends 75m to the Holbrooks Rd junction, and sight line to the east extends 90m along Norman St. As a result, the proposed access point to the development meets sight distance requirements.

#### **Garbage Collection**

Garbage collection operation differs between Stage 1 and Stage 2, but essentially involves the same turning movements. Through discussions with Karidis a garbage collection arrangement was agreed upon. The truck would drive forward along the internal road then either turn into the ramp and reverse into the loading bay, or turn forward into the loading bay and reverse back toward the ramp before leaving the development. The garbage truck can either be front or rear loading, hence the following turning movements were assessed.

- Rear loading: The truck drives forward along the internal access road, turns right into the ramp, reverses into the loading bay, then drives forward to exit the development
- Front loading: The truck drives forward along the internal access road, turns left into the loading bay, reverses into the ramp, then drives forward to exit the development

The results of the turning movement analysis for a garbage truck can be seen below. It is understood a small truck will be used for garbage collection. The design vehicle used for Autoturn analysis was therefore a 6.5m garbage truck.

Refer to the attached turning templates for the two garbage truck manoeuvres.

The rear and front loading garbage truck movements show the garbage truck has sufficient room to perform both collection maneuverers assessed. The truck will need to utilise part of the ramp to the undercroft car park in order to complete both of the assessed turning manoeuvres.

The truck will need to utilise the opposite side of the access road to enter and exit the development, and also to undertake the left turn into the loading bay and right turn into the ramp for each manoeuvre. This is not considered an issue due to the low level of traffic generation from the development, and operation of garbage collection restricted to off-peak times.

#### Pedestrian / Cyclists / Public Transport

Pedestrian access is provided from Holbrooks Road along the southern end of the Stage 2 development. Access is also provided from Norman Street adjacent to the proposed access point, with internal pedestrian links within the development.

There is no dedicated cyclist access point or cyclist lock-up within the development, which is not considered essential.

Bus stops are located within walking distance north and south of the development on Holbrooks Road. A convenience store is also located within walking distance at the Holbrooks Road / Henley Beach Road junction.



#### Summary

Overall we think the development can be supported from a traffic perspective, subject to the following.

- Garbage collection operation is restricted to off-peak times. The garbage truck has the capability to stop on the down ramp to the undercroft car park, and then either reverse or drive forward out of the ramp
- Care should be taken for vehicles entering and exiting the development while the garbage collection is occurring
- Care should be taken for vehicles entering and exiting the undercroft park as two-way travel is restricted.

Yours faithfully

TONKIN CONSULTING

PC SIMONS

Senior Project Manager

Development Assessment Panel Item 6.1- Attachment 5



Development Assessment Panel Item 6.1- Attachment 5



# 6.2 14 Alexander Avenue, ASHFORD

Application No 211/397/2016 & 211/793/2016

Appearing before the Panel will be:

Representors: Louise Willson of 1 & 5/18 Alexander Avenue wishes to appear in support

of the representation.

Applicant: Anthony Gatti (Senior Planning Advisor) of Intro Design Pty Ltd wishes to

appear to respond to the representation.

# **DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Construction of a two (2) storey residential flat building, comprising five (5) dwellings with associated garaging, landscaping and fencing	Land division - Community Title; DAC No. 211/C100/16 (Unique ID 54810); Create four (4) additional allotments
APPLICANT	Aude Real Estate Pty Ltd	Aude Real Estate Pty Ltd
APPLICATION NO	211/397/2016	211/793/2016
LODGEMENT DATE	18 April 2016	14 July 2016
ZONE	Residential Zone	Residential Zone
POLICY AREA	Medium Density Policy Area 18	Medium Density Policy Area 18
APPLICATION TYPE	Merit	Merit
PUBLIC NOTIFICATION	Category 2	Category 1
REFERRALS	Internal	Internal
	City Assets	<ul><li>City Assets</li></ul>
	External  Nil	<ul> <li>External</li> <li>Development Assessment Commission (DAC)</li> <li>SA Water</li> <li>DECD - Education and Child Development</li> <li>DPTI - Mark Maintinance Section</li> <li>DPTI - Public Transport Division</li> </ul>
DEVELOPMENT PLAN VERSION	5 November 2015	5 May 2016
MEETING DATE	11 October 2016	11 October 2016

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#### **RECOMMENDATION 1**

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the Development Act 1993 resolves to GRANT Development Plan Consent and Land Division Consent for Application No. 211/793/2016 by Aude Real Estate Pty Ltd to undertake the a land division - CommunityTitle; DAC No. 211/C100/16 (Unique ID 54810); Create four (4) additional allotments at 14 Alexander Avenue, Ashford (CT 5218/780) subject to the following conditions of consent:

# DEVELOPMENT PLAN CONSENT

#### **Council Conditions**

1. Development is to take place in accordance with the plans prepared by Andrew Davison Development Consultants relating to Development Application No. 211/793/2016 (DAC 211/C100/16).

#### LAND DIVISION CONSENT

#### **Council Conditions**

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

# **Development Assessment Commission Conditions**

- 2. The financial requirements of the S A Water Corporation shall be met for the provision of water supply and sewerage services. (S A Water H0047651)
- 3. SA Water advises 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.
- 4. Payment of \$25952 into the Planning and Development Fund (4 allotment/s @ \$6488/allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor,101 Grenfell Street, Adelaide.
- 5. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

## **RECOMMENDATION 2**

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/397/2016 by Aude Real Estate Pty Ltd to undertake the construction of a two (2) storey residential flat building, comprising five (5) dwellings in total with associated garaging, landscaping and fencing at 14 Alexander Avenue, Ashford (CT 5218/780) subject to the following conditions of consent:

#### DEVELOPMENT PLAN CONSENT

#### **Council Conditions**

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

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- 2. That the finished floor levels shall be as provided on 'Site Plan Stormwater', Dwelling 1-4: FFL 25.53, Dwelling 5-6: FFL 25.30.
- 3. That any retaining walls will be designed to accepted engineering standards, and not of timber construction if retaining a difference in ground level exceeding 200mm.
- 4. That all stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage shall not at any time:-
  - Result in the entry of water into a building; or
  - Affect the stability of a building; or
  - Create unhealthy or dangerous conditions on the site or within the building; or
  - Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
- 5. 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.
- 6. That the approved waste disposal facilities and waste enclosure shall be installed and be made operative prior to occupation of the development.
- 7. 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.
- 8. That the upper level east facing windows of the dwellings will be provided with fixed obscure glass to a minimum height of 1.7 metres above the upper floor level to minimise the potential for overlooking of adjoining properties, prior to occupation of the building. The glazing in these windows will be maintained in reasonable condition at all times.

#### **BACKGROUND**

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

- With regard to residential development and land division applications, where all proposed allotments and or sites fail to meet, nor are within 5% of, the minimum frontage widths and site areas designated in respective zones and policy areas within the West Torrens Council Development Plan.
- All Category 2 or 3 applications where a representor has requested to be heard shall be assessed and determined by the DAP.

# PREVIOUS OR RELATED APPLICATION(S)

Nil

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#### SITE AND LOCALITY

The subject land is described as Allotment 5 Deposited Plan 2945 in the area named Ashford Hundred of Adelaide, as contained in Certificate of Title Volume 5218 Folio 780. The land is more commonly known as 14 Alexander Avenue, Ashford.

The subject land is a rectangular shaped allotment of 1003.35m<sup>2</sup> in area, located on the northern side of Alexander Avenue. The land has a street frontage of 18.288m and depth of 54.864m. The land currently contains a 1935 bungalow with a dwelling addition to the rear, outbuilding and carport. Topographically the land is relatively flat.

There are two street trees adjacent the subject site and currently vehicle access to the land is gained via an existing single width crossover located at the eastern property boundary.

The subject land is located within the Residential Zone, and more specifically Medium Density Policy Area 18. The land is located approximately 25 metres west of the Urban Corridor Zone, 190 metres north-west of Anzac Highway (a Primary Arterial Road) and 75 metres east of Residential Zone, Ashford Character Policy Area 22.

The existing locality consists primarily of residential uses but vary in type and building era, which makes for an eclectic streetscape with little consistency. Some residential types that exist within the locality include detached dwellings, single and double storey semi-detached dwellings, group dwellings and residential flat buildings. Dwelling styles that exist within the locality include, 1960's yellow brick dwellings, 1950's conventional hipped roof, 1990's reproduction homes and contemporary 2000's style dwellings.

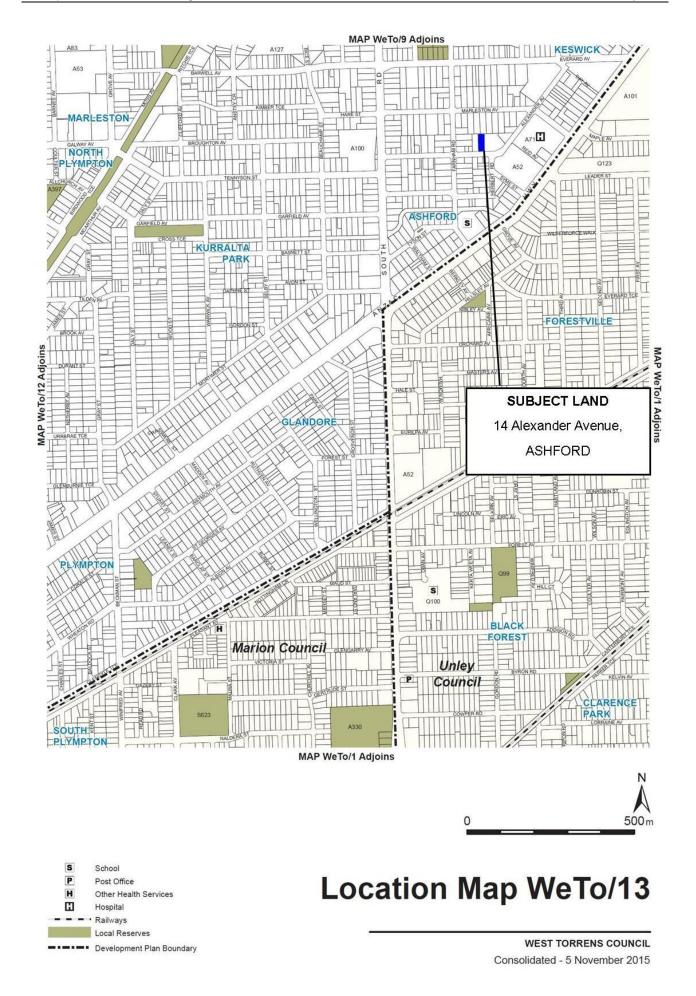
Other land uses that exist within the locality is the Ashbrook Retirement Apartments (3-storeys) and the Ashford Hospital, which is located 25 to 50m west of the subject land.

The site and locality are shown on the following maps.

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#### **PROPOSAL**

The proposal is made up of two applications, being the land division and the built form.

The land division involves the creation of four additional allotments in the form of a community title.

Allotment 11 will have an area of 125m<sup>2</sup>
Allotments 12, 13 & 14 will have an area of 123m<sup>2</sup>
Allotment 15 will have an area of 148m<sup>2</sup>
Common Property (driveway): 355.6m<sup>2</sup>

This results in an average site area per dwelling (minus common area) of 128m². With the addition of the common area the average is 200.6m².

Land division plans can be found in **Attachment 1**.

The built form is the construction of a two-storey residential flat building comprising five dwellings. The lower level of each dwelling will contain:

- A double garage including the laundry space;
- An open plan kitchen, living and meals area;
- A water closet;
- Stairway; and
- Alfresco.

The dwellings will contain three bedrooms and a study on the upper level. The dwellings are internally oriented on the subject site with bedrooms overlooking the common driveway.

Each of the dwellings has a total floor area of between 163m<sup>2</sup> and 166m<sup>2</sup>. This includes the double garage on the ground floor.

Built form plans can be found in Attachment 2.

## **PUBLIC NOTIFICATION**

Development Application 211/793/2016 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

Development Application 211/397/2016 is considered to be a Category 2 form of development pursuant to Section 38 and Schedule 9 of the Development Act and Regulations and Residential Zone, Procedural Matters.

Properties notified:	28 properties were notified during the public notification process.
Representations:	1 representation was received.
Persons wishing to be heard:	Louise Willson identified that she wishes to address the Panel.
Summary of	Concerns were raised regarding the following matters;
Representations:	<ul> <li>Overshadowing of residence and solar panels</li> <li>On street parking</li> <li>Overlooking and privacy</li> </ul>

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A copy of the representor's concerns and the applicant's response are contained in **Attachments 3** & **4**.

#### **REFERRALS**

Internal

# City Assets

The application was referred to the City Assets Department. They had concerns with on-site parking and vehicle movements. These concerns have been resolved by removing one of the dwellings and adjusting the dwellings dimensions.

#### External

#### DAC & SA Water

The application was referred to SA Water by the Development Assessment Commission (DAC) who advised of no objection subject to specified standard conditions being included on any consent to be issued.

# • DECD - Education and Child Development

No comment

#### • DPTI - Mark Maintenance Section

No comment

# • DPTI - Public Transport Division

No comment

# **ASSESSMENT**

The subject land is located within the Residential Zone and more particularly Medium Density Policy Area 18 as described in the West Torrens Council Development Plan (consolidated 5 November 2015 & 5 May 2016). The main provisions of the Development Plan which relate to the proposed development are as follows:

General Section		
	Objectives	1
Crime Prevention	Principles of Development Control	1, 2, 3, 6, 7& 8
	Objectives	1 & 2
Design and Appearance	Principles of Development Control	1, 2, 3, 4, 5, 9, 10, 12, 13, 14, 15, 16, 21, 22 & 23
	Objectives	1 & 2
Energy Efficiency	Principles of Development Control	1, 2 & 3

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	Objectives	1, 2, 3 & 4
Land Division	Principles of Development	1, 2, 4, 5, 6 & 8
	Control	
	Objectives	1 & 2
Landscaping, Fences and Walls	Principles of Development	1, 2, 3, 4, 6
Landscaping, rences and waiis	Control	
	Objectives	1, 2 & 4
Medium and High Rise Development (3	Principles of Development	1, 2, 3, 4, 5, 7, 12 & 13
or More Storeys)	Control	
	Objectives	1, 2, 3, 4 & 5
Orderly and Sustainable Development	Principles of Development	1& 3
	Control	
	Objectives	1, 2, 3, 4 & 5
	Principles of Development	1, 4, 5, 7, 8, 9, 10, 11,
Residential Development	Control	12, 13, 14, 16, 18, 19,
		20, 21, 22, 28, 30, 31,
		32 & 33
	Objectives	2
Transportation and Access	Principles of Development	1, 2, 8, 9, 11, 23, 24,
	Control	30, 34, 35, 36, 37 & 44

# Zone: Residential Zone

Desired Character Statement:

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

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

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

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

Objectives	1, 2, 3 & 4
Principles of Development Control	1, 5, 6, 7, 10, 11, 12, 13 & 14

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# Policy Area: Medium Density Policy Area 18

Desired Character Statement:

"Allotments in this policy area will be at medium density, accommodating a range of dwelling types including residential flat buildings, row dwellings, group dwellings, semi-detached dwellings and some detached dwellings on small allotments. Allotment amalgamation to create larger development sites will occur to maximise the density of development while also achieving integrated design outcomes, particularly within a comfortable walking distance of centre zones. Vehicle access will occur from side streets and new rear public and private laneways wherever possible, also supporting the retention of existing street trees.

New buildings will contribute to a highly varied streetscape. Buildings will be up to 3 storeys and provide a strong presence to streets, other than in the part of the policy area in Underdale, Ashford (other than allotments adjacent to Residential Character Ashford Policy Area 22) and allotments bounded by Anzac Highway, Morphett Road and Cromer Street in Camden Park where buildings will be up to 4 storeys. Parking areas and garages will be located behind the front facade of buildings.

Buildings on the edge of the policy area which adjoin residential policy areas at lower densities will pay particular attention to managing the interface with adjoining dwellings, especially in terms of the appearance of building height and bulk, and overshadowing.

Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer."

Objectives	1
Principles of Development Control	1, 4, 5, 6 & 8

#### QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SITE AREA Medium Density Policy Area 18 PDC 6	Residential Flat Building 150m² (average)	128m² (average, not including common areas)
		Does not satisfy by 14%  200m² (average including common areas)
SITE FRONTAGE Medium Density Policy Area 18 PDC 6	15m (for complete building)	18.29m to Alexander Ave Satisfies
SITE COVERAGE Medium Density Policy Area 18 PDC 5	70% (maximum)	44% Satisfies

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DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
PRIMARY STREET SETBACK Medium Density Policy Area 18 PDC 5	3m (minimum)	3m to Alexander Ave Satisfies
SIDE/REAR SETBACKS Residential Zone PDC 11	Side 0/1m (Ground Floor) 2m (Upper Floor)	1m (lower level) 2m (upper level) Satisfies
Medium Density Policy Area 18 PDC 5	Rear 4m (minimum)	4m setback Satisfies
BUILDING HEIGHT Medium Density Policy Area 18 PDC 5	3 storeys or 12.5m	2 storeys (7.14m) Satisfies
INTERNAL FLOOR AREA Module: Residential Development PDC 9	3 bedroom - 100m² (minimum)	128m² (Dwelling 1) 127m² (Dwelling 2, 3 & 4) 129m² (Dwelling 5) Satisfies
PRIVATE OPEN SPACE Medium Density Policy Area 18 PDC 7	24m <sup>2</sup> with a minimum dimension of 3m	30m² (Dwellings 1, 2, 3 & 4) 53m² (Dwelling 5) Satisfies
LANDSCAPING Module: Landscaping, Fences & Walls PDC: 4	A minimum of 10 per cent of a development site	10% Satisfies
CARPARKING SPACES Module: Transportation and Access PDC 34	2 car parking spaces per dwelling, one of which is covered plus an additional 0.25 car parking spaces per dwelling.	2 car parking spaces per dwelling provided (double garages) plus one (1) visitor parking space  Satisfies

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#### QUALITATIVE ASSESSMENT

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

## **Design and Appearance**

The proposed development will sit primarily amongst a variety of dwelling types, sizes and styles. As previously indicated there are single storey detached dwellings, two storey semi-detached dwellings, residential flat buildings and group dwellings.

The main façade of the building will face the Alexander Ave street frontage. The façade features a variety of materials and avoids extensive areas of uninterrupted walling. The design also incorporates a considerable amount of articulation. This has been achieved by offsetting walls from each other and the addition of open structures such as verandahs.

The façade incorporates windows to both the ground and upper floors that facilitate passive surveillance of the adjacent public space. The dwelling entry points are perceptible and accessible from public street frontages and vehicle parking areas.

The southern and northern elevations of the building have an element of repetitiveness however this will not be apparent from the street. The walls are also recessed at certain points to break up the building's mass and proportions. The design also uses a number of different colours and materials that add visual interest without looking chaotic.

The proposed building incorporates a contemporary design that is compatible with existing buildings in respect too:

- building height;
- built form setbacks;
- façade articulation and detailing; and
- presentation of windows and front door to Alexander Ave.

In terms of dwelling design, the internal living rooms have external outlooks to private space, ample access to sunlight and internal floor areas that provide quality living environments. The staggered and varied building lines will also ensure the building has minimal impact on adjoining dwellings, particularly in terms of bulk and scale.

The design and appearance of the proposed development satisfies a number of design and appearance guidelines within Council's Development Plan.

#### **Dwelling density and local character**

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

"Row dwellings and residential flat buildings will be common near centres and in policy areas where the desired density is higher, in contrast to the predominance of detached dwellings in policy areas where the distinct established character is identified for protection and enhancement". – Desired Character Statement, Residential Zone

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

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

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The Desired Character Statement (DCS) for the Residential Zone envisages residential flat buildings being common near centres and in policy areas where the desired density is higher. The proposed development has an average dwelling site area of 129m², which is 21m² shy of the minimum average site area provision for a residential flat building in Policy Area 18. This average has been calculated by removing all community areas. The average site area including the common areas is 200m².

There are a number of similar sized allotments that accommodate a similar or higher density of development as to that of the proposed development. The following examples are all within 150m of the subject site:

- 12 Alexander Ave;
- 1 Marleston Ave;
- 7 Marleston Ave;
- 23-27 Marleston Ave;
- 26 Marleston Ave:
- 28 Marleston Ave;
- 30 Marleston Ave; and
- 31 Marleston Ave.

The subject land is immediately adjacent the Urban Corridor Zone and the high frequency public transport route along Anzac Highway which places it within a locality identified by the Development Plan as being appropriate for medium density development involving residential flat buildings.

The shortfall in average site area is not considered detrimental to the building's relationship to adjoining properties, on-site parking and vehicle manoeuvrability or enjoyment of the land.

#### Car parking and safety

The proposal underwent a number of iterations in order to achieve a satisfactory vehicle parking and manoeuvring area. The final design presented has reduced the total number of dwellings from 6 to 5. This has allowed the vehicle parking and manoeuvring areas to comply with the relevant Australia Standards and satisfy Council City Assets team.

The common driveway will facilitate all vehicle access to and from Alexander Ave and will ensure all vehicles can enter and exit the subject land in a forward direction. The common driveway can also provide accessibility in the event emergency service vehicles need to enter the land.

#### Overshadowing

Overshadowing is one of the issues raised by the representor that lives at unit 5, 16-20 Alexander Ave. It is acknowledged that the proposal will cast a shadow onto the neighbouring properties. The Development Plan provisions have anticipated this and provide guidance as to how much overshadowing is acceptable.

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

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

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

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

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

The shadow diagrams, submitted by the Applicant, demonstrate that the solar panels mounted on the roof on the adjoining dwelling will have more than 5 hours of direct sunlight. They also show that for the majority of the day direct sunlight is available to POS and windows of the adjoining dwellings.

The movement of the shadow over the adjoining property will ensure that no particular part of the dwelling or its surrounding curtilage is covered by shadow for unreasonable lengths of time. The impact and extent of shadow satisfies the specific overshadowing guidelines of the Development Plan.

#### **Privacy**

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

The proposed development has upper level windows on the southern, eastern and western elevations. The plans submitted show that the upper level windows on the eastern elevation will be obscured to a height of 1.7m. These are the only windows that have the ability to overlook the POS and habitable room windows of dwellings on adjoining allotments.

The windows and balconies on the western elevation are not shown to be obscured. This is not considered fatal to the application because of the built form on the adjoining site. The dwelling west of the subject site is in the form of a single storey residential flat building. There is a driveway and carport between the two residential flat buildings which separates the two buildings by approximately 8.5m. The POS, of the dwellings in the existing residential flat building, is located on western side of that allotment and as such will not be visible from the proposed residential flat building. The photograph below shows the subject site in the middle with the existing residential flat building on the left.

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#### SUMMARY

The proposed development is supported and envisaged in the Medium Density Policy Area 18. With the exception of the site areas, the proposal meets the relevant quantitative provisions of the Development Plan. The reduced site areas are not considered fatal to the application because of the minor discrepancy and the numerous examples of similar development in the locality.

The Zone and Policy Area encourage medium density development and allows for 2 storeys. There is some minor overshadowing of adjoining properties, but this is well within the limits stipulated by the Development Plan. There are a number of two and three storey buildings within the locality and as such the proposed development will not look out of place.

Where needed, overlooking potential has been minimised by the installation of 1.7m high obscured glazing. The western side of the building does not have these treatments but as these windows/balconies will not be overlooking POS and there is a driveway and carport between the existing neighbouring residential flat building and the proposed residential flat building it is not considered necessary.

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.

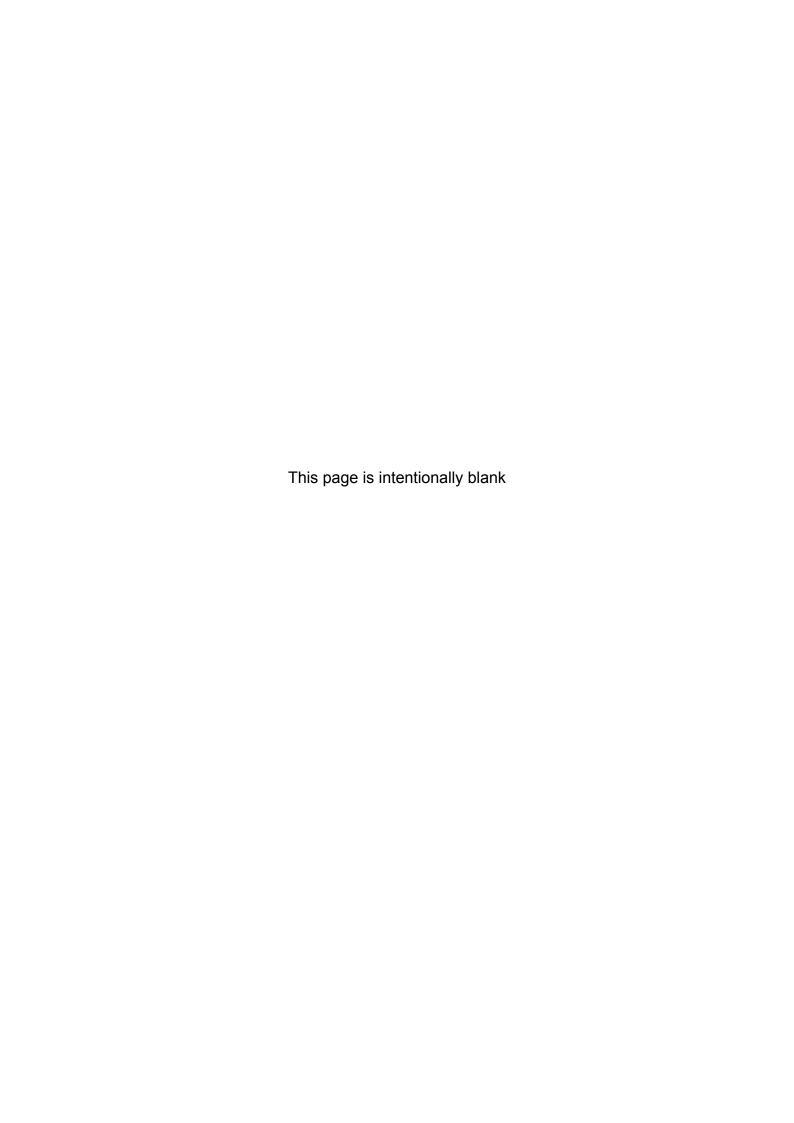
Page 73 Item 6.2

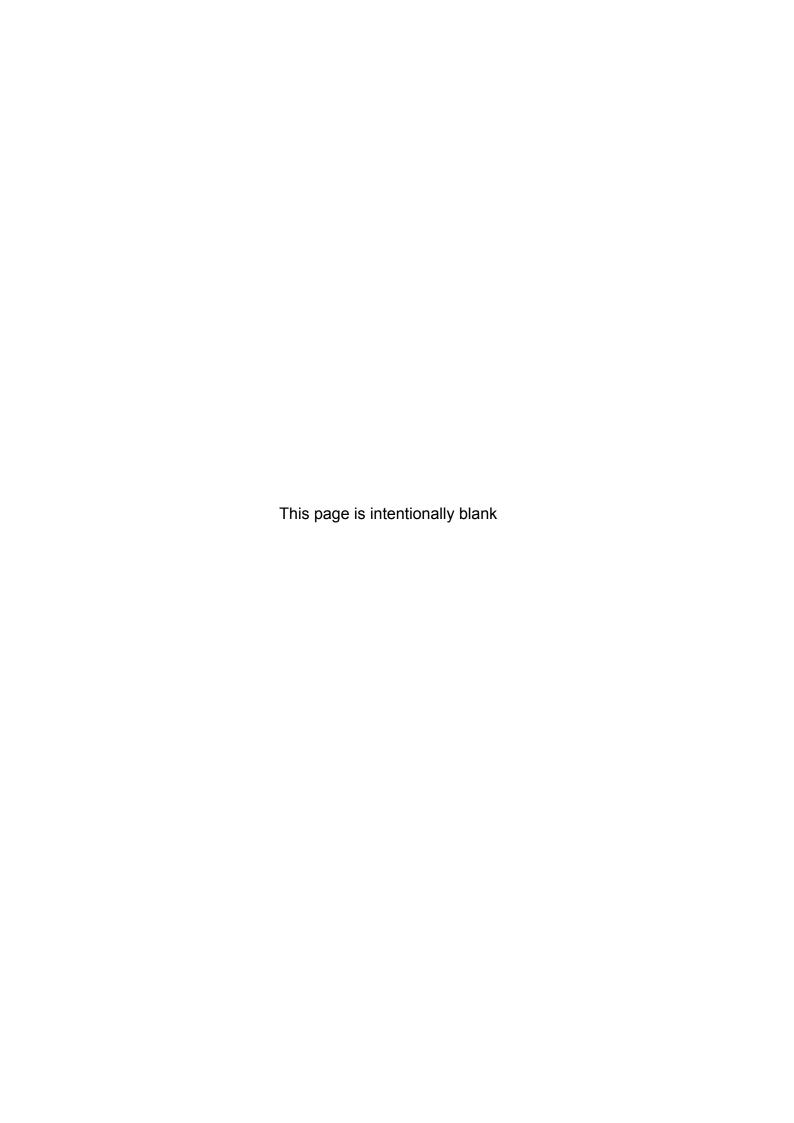
On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 5/5/2016 and warrants Development Plan Consent.

#### **Attachments**

- 1. Plan of division
- 2. Built form plans
- 3. Representation
- 4. Response to representation

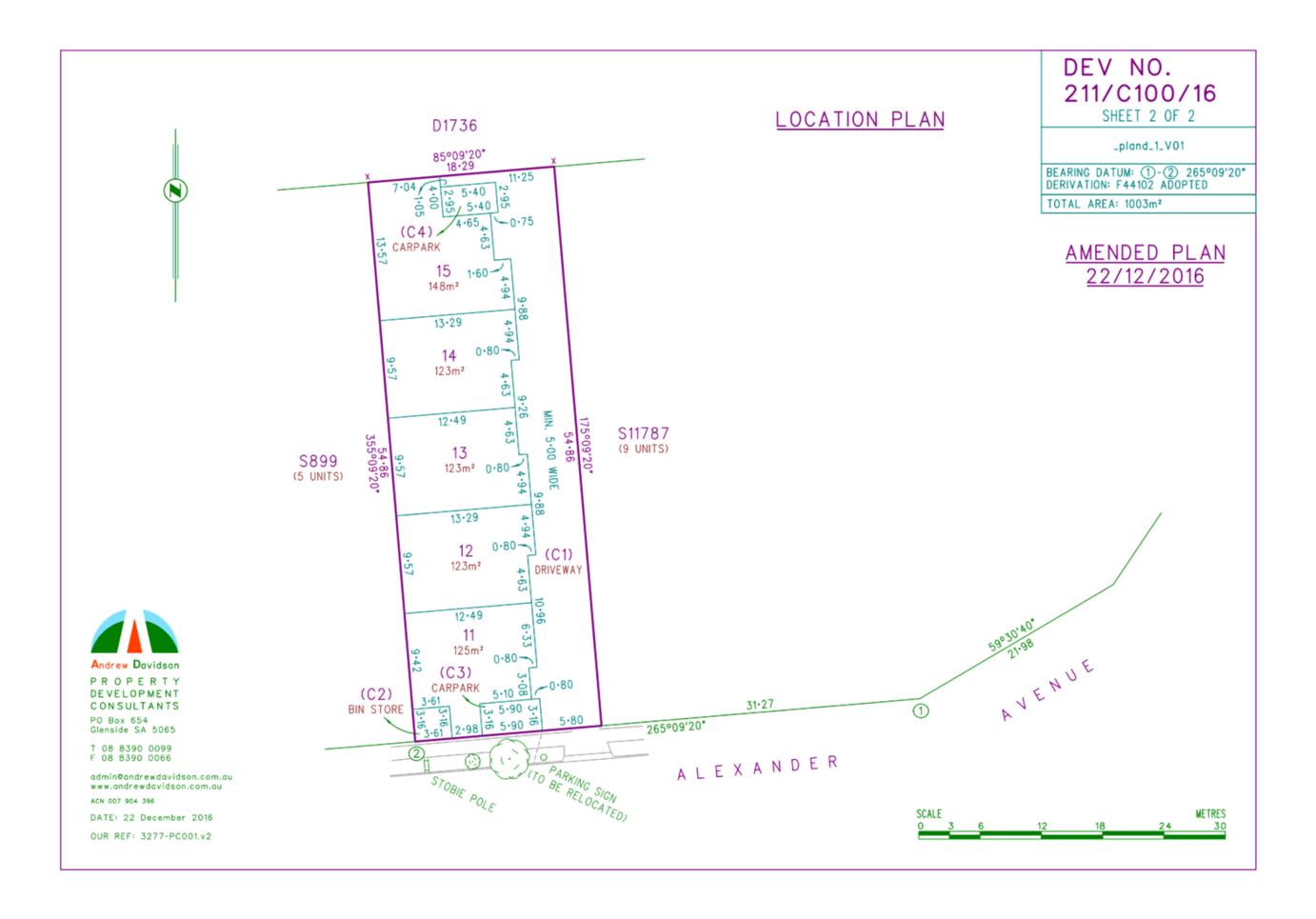
Page 74 Item 6.2





Development Assessment Panel Item 6.2- Attachment 1

PURPOSE: APPROVED: AREA NAME: PRIMARY COMMUNITY ASHFORD MAP REF: COUNCIL: 662/41/P CITY OF WEST TORRENS DEV NO. DEPOSITED/FILED: 211/C100/16 DEVELOPMENT NO: 211/C100/16/001/ LAST PLAN: SHEET 1 OF 2 AMENDED PLAN 22/12/2016 \_text\_01\_V01 AGENT DETAILS: Andrew Davidson A.C.N. 007 904 396 SURVEYORS PROPERTY DEVELOPMENT CONSULTANTS CERTIFICATION PO BOX 654 GLENSIDE SA 5065 T 08 8390 0099 F 08 8390 0066 admin@andrewdavidson.com.au www.andrewdavidson.com.au AGENT CODE: ANDA REFERENCE: 3277-PC001 SUBJECT TITLE DETAILS: PREFIX VOLUME FOLIO OTHER PARCEL NUMBER NUMBER HUNDRED / IA / DIVISION TOWN REFERENCE NUMBER 5218 ALLOTMENT(S) D ADELAIDE 780 2945 OTHER TITLES AFFECTED: EASEMENT DETAILS STATUS LAND BURDENED FORM CATEGORY IDENTIFIER PURPOSE IN FAVOUR OF CREATION ANNOTATIONS: ALL DATA IS APPROXIMATE AND SUBJECT TO SURVEY COMMON PROPERTY IS DESIGNATED (C1) TO (C4) FOR LAND INFORMATION PURPOSES ONLY AND DOES NOT PROVIDE A LEGAL IDENTIFIER FOR THE COMMON PROPERTY EXISTING HOUSE TO BE DEMOLISHED PLAN IS TO IMPLEMENT BOUNDARIES IN BUILDING APPLICATION DA 211/ /16



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SHEET LIST SK SERIES

NUMBE	R TITLE	REV	DATE	
900	TIME.		DECEMBER 2016	
SHOT	SITE PLAN	DECEMBER 20		
907	SHE PLANLEYELT		DECEMBER 20%	
9403	SITE PLAN - ROOF	DECEMBER 201		
5904	SITE PLAY - STORWWITCH	DECEMBER 201		
9/11	TYPICAL FLOOR PLAN - TYPE I		DECEMBER 201	
9(1)	TYPICAL FLOOR PLAN - TYPE 2 DECEMBER		DECEMBER 2018	
9450	ELEVATIONS		DECEMBER 2016	
59/100	30 PERSPECTIVES		DECEMBER 2016	
SHTIO.	SUN DIAGRAMS	NO VENSER 2		
pitti.	SUN DIAGRANS		NO VENDER 2016	
940	SUN DIAGRAMS:		NOVEMBER 2016	

### ALEXANDER AVENUE TOWNHOUSES

14 ALEXANDER AVE, ASHFORD

15/12/2016



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DRAWING TITLE DRAWING NUMBER SKOO PROJECT 14 ALEXANDER AVENUE PROJECT NUMBER

16002

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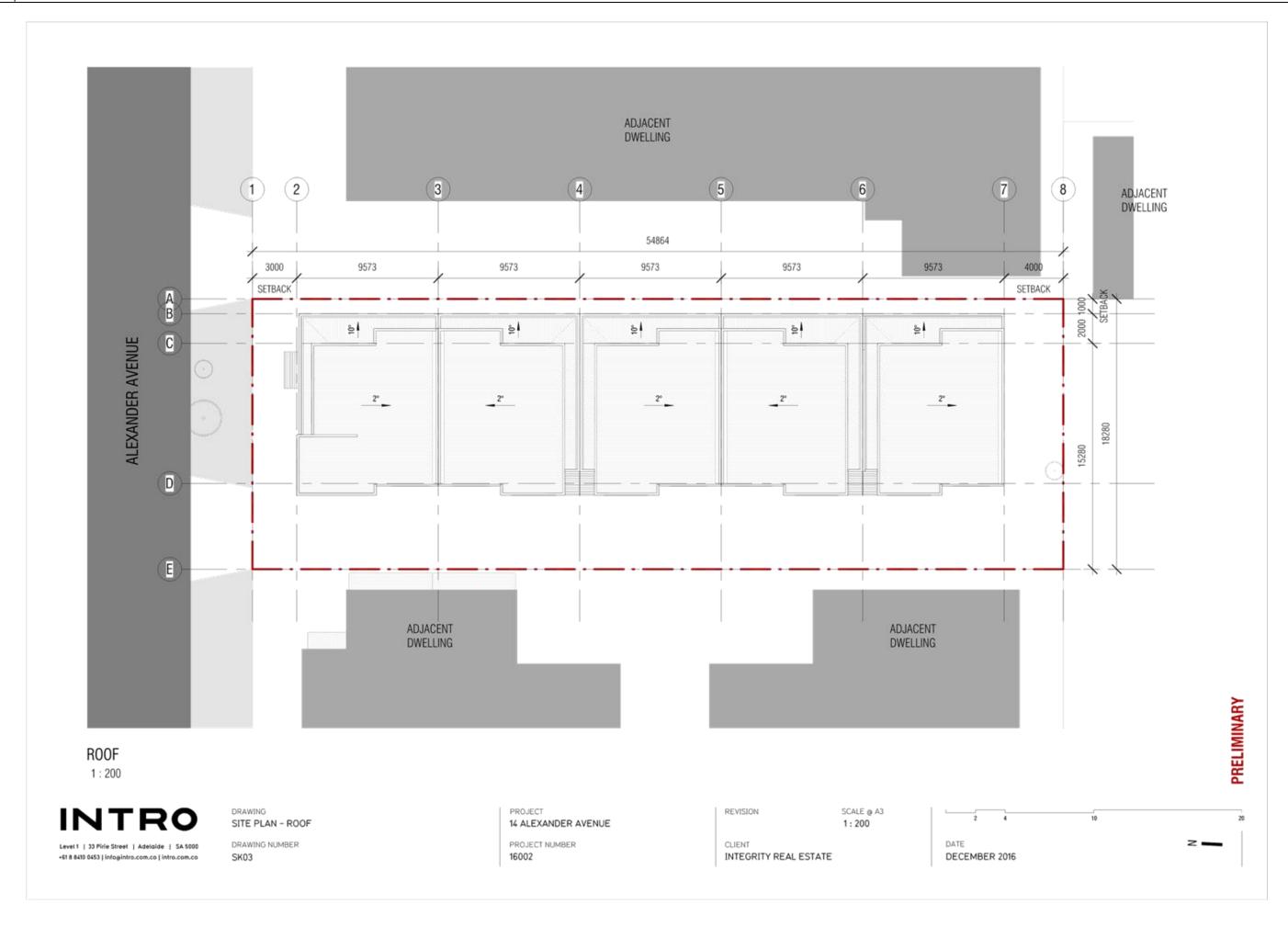
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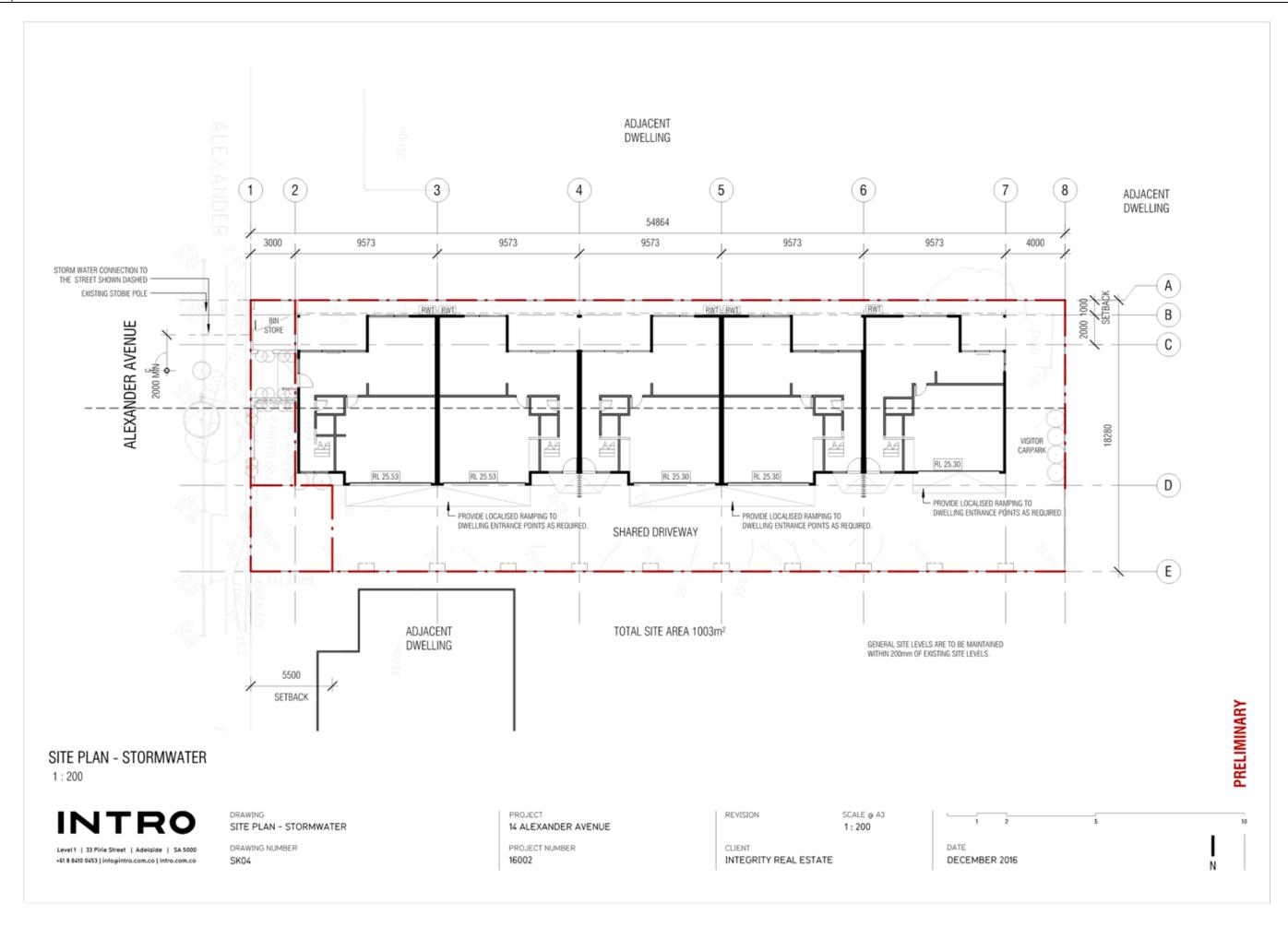
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DECEMBER 2016























3D PERSPECTIVE 2





3D PERSPECTIVE 4

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DRAWING 3D PERSPECTIVES

DRAWING NUMBER SK100

PROJECT

14 ALEXANDER AVENUE

PROJECT NUMBER 16002 REVISION

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INTEGRITY REAL ESTATE

NTS / as indicated

DATE

DECEMBER 2016

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				Vest Torren			
TO	Chief Executive City of West Tor 165 Sir Donald HILTON 5033	rens	rive	AUG 2016 evelopment	1	eceive 2 - AUG 2016	
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(FORM 3) Responsible Officer: Jessica Grima Ends: Wednesday 3 August 2016

#### STATEMENT OF REPRESENTATION

Pursuant to Section 38 of the Development Act, 1993

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

DEVELOPMENT No.

211/397/2016

PROPERTY ADDRESS:

14 Alexander Avenue, ASHFORD SA 5035

NAME & ADDRESS OF Louise Willson

PERSON MAKING

Unit 5, 16-20 Alexander Ave

REPRESENTATION

ASHFORD SA 5035

REASONS FOR REPRESENTATION (CON'T).

- There is no notification RE: the later afternoon shadowing (simple logic says from midafternoon, both properties will be in complete shadow. The image supplied in plans is shadowing at 3pm mid-winter - which shows a severe impact. With longer afternoon/evenings in summer the impact would be much more severe.
- My primary residence, nearest Alexander Avenue has solar panels and which shall be severely affected both by direct sunlight received year round, which in turn will have an effect on power I am able to produce and have a financial impact.
- The overshadowing will create a huge impact on direct sunlight into my primary residence in winter. I currently have direct sunlight into my living area and main bedroom. Which warm these areas very effectively during the day. This would not occur at all according to the overshadowing images supplied in plans.
- At my primary residence, I have reasonable back lawn and garden (that backs onto Alexander Avenue) and the image supplied in plans showing overshadowing shows it will be covered by early afternoon. This will have a severe impact on my lawn, garden and clothesline that only has limited winter sun as it is.
- I also state the amenities of my properties will be devalued by the development. If this development goes ahead as is, I would like this to be reflected in my values and therefore, council rates.
- There is limited parking available on Alexander Avenue. Any resident will tell you, it is difficult to get a park due to hospital parking, and not often policed by inspectors. Though parking is marked 2 hours, I know many local residents who leave there vehicle parked on the street overnight. I have high concerns for vehicles needing parking during the development and the illegal parking of trucks that already occurs directly behind my fence of my primary residence. I would like to know how this is going to be addressed as what is stated in plans, is incredibly inaccurate.
- I have privacy concerns also that I have people in the dwelling, and during construction, that will able to see into my front windows, and into my back yard.

10 August 2016

Jessica Grima Development Officer – Planning City of West Torrens

Via e-mail:

jgrima@wtcc.sa.gov.au development@wtcc.sa.gov.au

Dear Jessica

RE: Response to Representations - DA 211/397/2016 14 Alexander Ave, Ashford

I confirm that Intro act on behalf of AUDE Real Estate P/L (the Applicant) with respect to the proposed development located at 14 Alexander Ave, Ashford.

This correspondence has been prepared in response to the representations which have been received pursuant to Section 38 (4) of the *Development Act 1993*. Within the correspondence, dated 8 August 2016, the Applicant was advised that one representation was received, namely:

Louise Willson of Unit 5, 16-20 Alexander Ave, Ashford.

The representation raised following concerns with the application:

- overshadowing;
- · loss of value;
- car parking; and
- overlooking.

First and foremost, the perceived loss of value that the representor has indicated in their representation is not a valid concern of the planning system, and as such it will not be commented upon further.

I respond to the representors valid concerns below:

overshadowing

Revised overshadowing plans have been provided, which show the potential effects on the representors property in greater detail. We have modelled the adjoining residence to provide a further detail. The revised shadowing plans are provided in Appendix 01.

We have also provided summer shadowing plans, to appease the representors concern regarding overshadowing. As is demonstrated within these plans, there will be no overshadowing of the representors solar panels until late in the evening.

Activating human space

info@intro.com.co

Intro Design Pty Ltd

L11 44 Waymouth Street PO Box 207 Rundle Mail

The relevant section of the Development Plan with regards to overshadowing is Council Wide, Residential Development, Overshadowing which states:

- 10 The design and location of buildings should ensure that direct winter sunlight is available to adjacent dwellings, with particular consideration given to:
- (a) windows of habitable rooms, particularly living areas
- (b) ground-level private open space
- (c) upper-level private balconies that provide the primary open space area for any dwelling
- (d) access to solar energy.
- 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).

As is depicted within the revised overshadowing plans, the proposed development ensures that the north face representors property receives access to sunlight effectively double that of the minimum criteria. When taking into account the height of the neighbouring dwelling, the proposed development does not overshadow solar panels between the hours of 9am and 3pm.

Furthermore, the proposed development does not further impact on the access to sunlight to the private open space of the dwelling until later in the day.

The proposed development will only overshadow the roof of the representors property after 3pm when the efficiency of the solar panels is low.

Car parking

A car parking analysis was prepared by GTA Traffic Consultants, who, have indicated that the proposed development accords with the car parking requirements stipulated within the Development Plan. Each dwelling is provided with two undercover car parks, with a further two visitor parks provided for the total development. All car parks accord with the Australian Standards.

Overlooking

The proposed development will not overlook the adjoining property to the east. As is noted within the elevation drawing SK50, all east facing upper level windows are screened to a height of 1.7m which accords with the requirements of the development plan.

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The Applicant reserves their right to expand further upon the views expressed herein should an opportunity be provided at the relevant Development Assessment Panel meeting.

Should you require further information, please do not he sitate to contact the undersigned on 0402 424 403.

Yours sincerely

Intro Design Pty Ltd L11 44 Waymouth Street PO Box 207 Rundle Mall Adelaide SA 5000

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intro.com.co

Anthony Gatti

Senior Planning Advisor

APPENDIX 01

Intro Design Pty Ltd L11 44 Waymouth Street PO Box 207 Rundle Mall Adelaide SA 5000

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June 20 - 9am June 20 - 12 Noon June 20 - 3pm

**PRELIMINARY** 

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DRAWING SUN DIAGRAMS

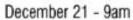
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PROJECT 14 ALEXANDER AVENUE PROJECT NUMBER 16002 REVISION SCALE ⊕ A3 1:500

INTEGRITY REAL ESTATE

DATE 10/08/16 N







December 21 - 12 Noon



DRAWING SUN DIAGRAMS

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PROJECT 14 ALEXANDER AVENUE PROJECT NUMBER 16002 REVISION SCALE @ 43 1:500

INTEGRITY REAL ESTATE



PRELIMINARY







December 21 - 6pm

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DRAWING SUN DIAGRAMS

DRAWING NUMBER SK112

PROJECT
14 ALEXANDER AVENUE
PROJECT NUMBER
16002

REVISION SCALE @ 43
1:500

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PRELIMINARY

#### 6.3 170 Henley Beach Road, TORRENSVILLE

Application No 211/30/2015

#### **DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Construction of illuminated, double sided advertising signage
APPLICANT	J & J Signs
APPLICATION NO	211/30/2015
LODGEMENT DATE	14/01/2015
ZONE	District Centre Zone
POLICY AREA	8
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Cat 1
REFERRALS	Internal  Heritage advisor External Nil
DEVELOPMENT PLAN VERSION	25 September 2014
MEETING DATE	10 January 2016

#### **RECOMMENDATION(S)**

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993*, resolves to REFUSE Development Approval for Application No. 211/30/2015 by J & J Signs to construct an illuminated double sided advertisement hoarding at 170 Henley Beach Road, Torrensville (CT 5304/776) for the following reasons:

- 1. The proposed development is contrary to:
  - Council Wide Advertisements Objectives 1 & 3
     Reason: The proposed signage will detract from the Contributory item and as such will not enhance the appearance of the building or locality.
  - Council Wide Advertisements Principles of Development Control 1, 2, 5, 7 & 10
     Reason: The proposed signage will not be in harmony with the heritage value of the area and will add clutter to the locality.
  - Council Wide Historic Conservation Area Objectives 1, 2, 3 & 4
     Reason: The proposed signage will detract from the Contributory item and as such will not conserve the historic significance of the area.
  - Council Wide Historic Conservation Area Principles of Development Control 1, 3, 4, 6 & 11
    Reason: The proposed signage will detract from the heritage value of the existing
    building and Historic Conservation Area.
  - District Centre Zone Objective 2 & 4
     Reason: The proposed signage is not consistent with the existing or desired character of the locality.
  - District Centre Zone Principles of Development Control 4
     Reason: The proposed signage is not consistent with the Desired Character of the Zone

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#### **BACKGROUND**

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

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

#### PREVIOUS OR RELATED APPLICATION(S)

DA 211/57/2009 - Extension of operating hours

#### SITE AND LOCALITY

The land is irregular in shape and located on the northern side of Henley Beach Road in the suburb of Torrensville. With a frontage of 4.9m and a depth of 30.8m, it results in an overall area of approximately 330m<sup>2</sup>.

The site is currently occupied by a single storey building and carpark. The building has been split into two tenancies and the carpark is part of a larger shared parking area that is behind the building. The building has a verandah that encroaches over the public footpath and provides cover for pedestrians.

The western tenancy is occupied by Cibo Expresso and the eastern by The Burger Foundry. It is on this eastern tenancy that the sign is proposed. The building already contains a number of signs advertising each tenancy.

The building is listed as a contributory heritage item and is also within a Historic Conservation Area as outlined in Councils Development Plan.

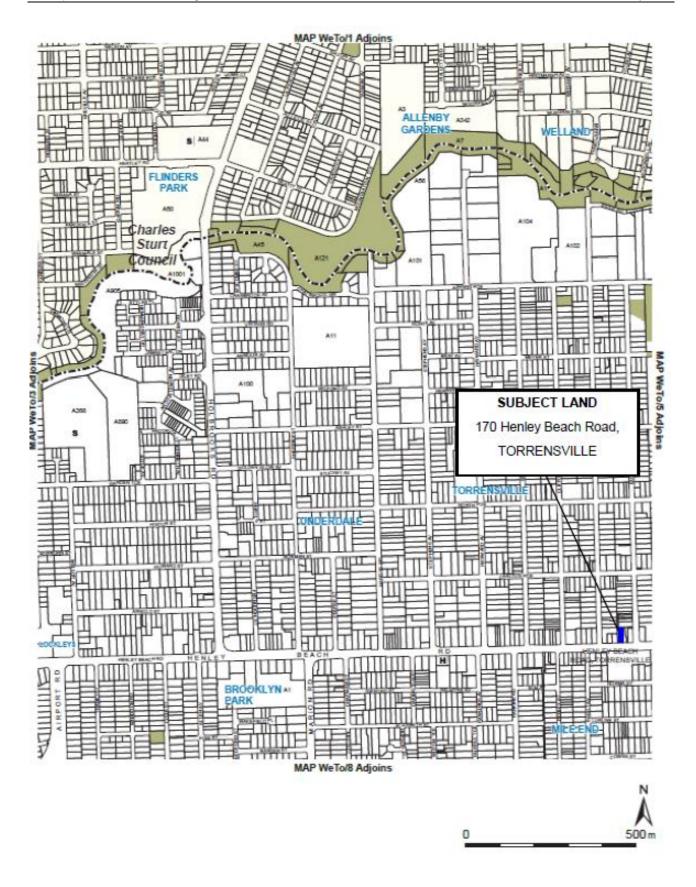
The locality is commercial in nature comprised of restaurants and retail stores. The Residential Zone Low Density Policy Area 21 is located behind the subject site to the north. The District Centre Zone borders both sides of Henley Beach Road from Railway Tce to Hardys Rd.

This area is also identified as being an area impacted upon by Noise and Air Emissions in Council's Development Plan Overlay Map WeTo/4. This is due to the traffic utilising Henley Beach Road, which is a secondary arterial road.

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### Location Map WeTo/4



WEST TORRENS COUNCIL

Consolidated - 25 September 2014

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#### **PROPOSAL**

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

"Construction of illuminated, double sided advertising signage"

The proposal seeks to erect an illuminated sign on top of the verandah that encroaches over the footpath. The sign is 1.8m wide and 2.4m high mounted on 1.7m high posts. The background of the sign is black with white and orange writing. The sign will be internally illuminated. For plans and elevations, see **Attachment 1**.

#### **REFERRALS**

Internal

Heritage Advisor (Flight Path)

Concerns were raised regarding the following matters:

- The proposed sign fails to satisfy the objectives of the Historic Conservation Area because of its size and placement;
- The proposed sign will not enhance the appearance of the building or locality;
- The size and character of the sign are inconsistent with the predominant character of the urban landscape;
- The size and particularly its height relative to the parapet and its failure therefore to respect architectural features result in a discord with the Contributory Place:
- The supporting structure will not be screened;
- The proposal lacks visual harmony; and
- The proposal fails to preserve and enhance the existing linear appearance with its continuous terrace facades.

All of these concerns remain outstanding.

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

#### **ASSESSMENT**

The subject land is located within the District Centre Zone, and more specifically the Torrensville Policy Area 9 and Henley Beach Road West Precinct 12 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:

General Section			
	Objectives	1, 2 & 3	
Advertisements	Principles of Development Control	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15 & 22	
Design and Appearance	Objectives	1	
Design and Appearance	Principles of Development Control	1, 3, 9, 13 & 16	
Historic Conservation Area	Objectives	1, 2, 3 & 4	
HISTORIC CONSERVATION Area	Principles of Development Control	1, 2, 3, 4, 5, 6 & 11	

Zone: District Centre Zone		
Desired Character Statement:		
None		
Objectives	1, 2 & 4	
Principles of Development Control	1 & 4	

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#### Policy Area: Torrensville Policy Area 8

#### **Desired Character Statement:**

This policy area is to be promoted and strengthened as the main district focus of shopping, office and community uses in the area. The range of facilities within the policy area is to be related to the size and characteristics of the population that it serves.

Development will be undertaken in accordance with Concept Plan Map WeTo/17 - Torrensville District Centre. In particular, the area marked 'Retail Core' on Concept Plan Map WeTo/17 - Torrensville District Centre contains land to provide for the development of one major retail facility.

The area marked '**Non Retail**' on Concept Plan Map WeTo/17 - Torrensville District Centre a currently comprises a mixture of shops, low intensive development and underutilized land which serves to break up the continuity of the current form of development.

It is envisaged that development of a non-retail nature, including commercial, office, small-scale entertainment and recreation facilities, will be developed within the '**Non Retail**' area provided that the development is of a scale which will not generate significant traffic.

The appearance of buildings will be improved and screening of commercial and storage activities along Norma Street will be upgraded.

The area marked 'Commercial East' on Concept Plan Map WeTo/17 - Torrensville District Centre includes development on a large site which has outlived its usefulness. An opportunity exists for the substantial redevelopment of the area for uses of an office, commercial, specialty shopping or residential nature which would benefit from its prominent location near the City of Adelaide and its proximity to the 'Civic' area, (as indicated on Concept Plan Map WeTo/17 - Torrensville District Centre. Such redevelopment will not include any major shopping development which will prejudice the achievement of the desired character for the 'Retail Core' area.

In view of the location of the area on two important arterial roads, redevelopment will be provided with safe and convenient access and adequate provision for car parking. Development facing Henley Beach Road will preserve and enhance the existing linear appearance of the centre with its continuous terrace facades. To this end car parking areas will be located behind the line of shop fronts with access from existing side streets. This policy area also contains 2 precincts which are characterised by buildings of heritage character; Precinct 12 Henley Beach Road West and Precinct 13 Torrensville South.

#### Precinct 12 Henley Beach Road West

The precinct is comprised mainly of original single storey retail and commercial building forms, except the east part of the Royal Hotel which is two storeys. The hotel and the Pan Arcadian Hall are places identified in Table WeTo/4 - Local Heritage Places.

The buildings are generally in strip form and built to the Henley Beach Road frontage. Many of them have either cantilevered or posted verandas. A number of veranda soffits are lined with pressed metal panels. There are some modified but the original 1890s and 1920s styles generally are retained. The materials, finishes and colours used are representative of those which originally existed.

Development in the precinct will conserve, rehabilitate and complement the existing local heritage places, and the character of the precinct. Buildings will be of single storey construction and be built to the street boundary, and incorporate the use of appropriate traditional building elements and proportions including windows, tiling, verandas and parapets. Materials, finishes and colours will also reflect those which originally existed.

The linear pattern of development along Henley Beach Road will be retained. Sites containing buildings which are presently incompatible with the historic character of the precinct will be redeveloped.

Objectives	1
Principles of Development Control	1 & 2

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Precinct: Precinct 12 Henley Beach Road West		
Objectives	N/A	
Principles of Development Control	3 & 4	

#### **QUANTITATIVE ASSESSMENT**

There are no quantitative provisions in the Zone, Policy area or Precinct which relate to advertisements.

#### **QUALITATIVE ASSESSMENT**

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

#### Signage

Objective 3 of the Advertisement section of the Development Plan states:

Obj 3 Advertisements and/or advertising hoardings designed to enhance the appearance of the building and locality.

As the proposed sign will be located on a heritage contributory item, it is anticipated that any signage will be in keeping with this heritage design and emulate signage of that era. The proposed sign could not be considered to achieve this as it is proposed on top of the existing verandah with a maximum height that exceeds the height of the building. The advertising hoarding is positioned so that it is perpendicular to the building in order to provide the maximum amount of visual prominence.

A good example of signage that has been designed to enhance the appearance of the building and locality is at 70 Henley Beach Rd (also heritage contributory item). The image below shows the signage attached to the underside of the verandah in colours and font that reflect the age of the building. It should also be noted that these are not illuminated in any way.

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PDC 1 The location, siting, design, materials, size, and shape of advertisements and/or advertising hoardings should be:

- (a) consistent with the predominant character of the urban or rural landscape
- (b) in harmony with any buildings or sites of historic significance or heritage value in the area
- (c) co-ordinated with and complement the architectural form and design of the building they are to be located on.

### PDC 2 The number of advertisements and/or advertising hoardings associated with a development should be minimised to avoid:

- (a) clutter
- (b) disorder
- (c) untidiness of buildings and their surrounds
- (d) driver distraction.

The above two PDC's can be discussed together as they are seeking a similar outcome. With the exception of one sign, all signage within the group of shops that are in the Historical Conservation Area is positioned below the roofline. The majority of signage can be seen either hanging below the verandah or on the face of the verandah immediately adjacent the road, as can be seen in the photograph below.



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The subject site currently used by the Burger Foundry already benefits from advertisements on or below the verandah.

- The name of the business is on the façade of the verandah;
- A vinyl material sign hung from the façade of the verandah;
- An illuminated sign hanging under the verandah;
- · An a-frame sign placed on the footpath; and
- Advertising and menus placed on the wall façade next to the windows.

The addition of more signage is not considered necessary to identify this business due to the amount and location of other existing signage. It appears that the intention of this signage is to attract potential customer from a greater distance than what is currently possible. This is considered to add to the clutter and has the potential to create driver distraction.

PDC 7 Advertisements and/or advertising hoardings attached to buildings should not be sited on the roof or higher than the walls of a building.

As previously described, this is not achieved by the proposed signage. The sign will be approximately 1m above the parapet of the building.

PDC 10 Advertisements should be designed to conceal their supporting advertising hoarding from view.

The proposed signage does not achieve this as it will be elevated on a 1.7m high frame. This frame will visible above the verandah but below the advertisement portion of the sign. This PDC reinforces the desired for signage to be fixed directly to an existing structure such as a wall of verandah.

#### Heritage

Council's heritage advisor (Flight Path) has provided a detailed referral response considering the proposed development and the relevant provisions of the Development Plan. The relevant heritage provisions of the Development Plan are as follows:

Obj 2 Development that promotes, conserves and enhances the cultural significance and historic character of identified places and areas.

Obj 3 Development that complements the historic significance of the area.

Obj 4 The retention and conservation of places such as land, buildings, structures and landscape elements that contribute positively to the historic character of the area.

PDC 3 Development of a contributory item should:

- (a) not compromise its value to the historic significance of the area
- (b) retain its present integrity or restore its original design features
- (c) maintain or enhance the prominence of the original street facade
- (d) ensure additions are screened by, and/or located to the rear of the building
- (e) ensure original unpainted plaster, brickwork, stonework, or other masonry is preserved, unpainted.

PDC 11 Advertisements and/or advertising hoardings associated with places and areas of heritage significance should:

- (a) be of a size, colour, shape and materials that enhances the character of the locality
- (b) not dominate or detract from the prominence of any place and/or area of historic significance.

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The architectural form of the subject land has been described as:

The Subject Land is visually prominent. Apart from the substantial height of the parapet, the neighbouring Contributory Place to the west is considerably set back, increasing the visibility of the Subject Land.

The parapet forms part of a consistent arrangement of above verandah parapets to individual shop fronts. Most signage is flat wall signage, contained within the architectural features of the parapet to which the sign is attached.

Verandah forms in the locality are cantilevered from the main retail buildings. The fascia treatment to the verandah of the Subject Land has become more elaborate than the other verandahs in the strip of shops. Changes include a barrel vaulted central feature and pediments to each end that mimic the parapet behind. The height of the curved feature appears to obscure the existing sign and may be driving the requirement for increased visibility and height.

The summary of the assessment provided by the heritage consultant is as follows:

The proposed sign fails to satisfy the objectives of the Historic Conservation Area because the impact its size and placement is substantial, detracting from historic character and significance and the Desired Character of the Historic Conservation Area (Principle of Development Control 1). The impact diminishes the street facing value of the Contributory place, compromises integrity and adversely alters the visual prominence of the parapet from the west, east and south Principle of Development Control 3).

In terms of Principle of Development Control 11 the proposed sign is of a size that will detract from the character of the area, detracting from and adversely dominating its current visual prominence contrary to the realistic expectations of Principle of Development Control 11(b). With respect to Advertisement provisions the proposal is highly unlikely to enhance the appearance of the building and locality desired by Objective 3.

The size and location of the sign are inconsistent with the predominant character of the urban landscape. The size and in particular its height relative to the parapet and its failure therefore to respect architectural features result in a discord with the Contributory Place. The proposal lacks visual harmony desired by Principle of Development Control 1(b). There is also a disregard for the architectural form and design contemplated by Principle of Development Control 1(c).

Anticipated views of the historic character contemplated in Principle of Development Control 5(c) will be obscured and the sign will be higher than the walls of the building, contrary to Principle of Development Control 7. The supporting structure will not be concealed (Principle of Development Control 10) and no detail of the sign content is provided (Principle of Development Control 11). The proposal clearly fails to satisfy Principle of Development Control 23(d), with respect to its containment within the height of the parapet.

In terms of Torrensville Policy Area 8 Objective 1 the development does not contribute to the desired character of the policy area, particularly its failure to preserve and enhance the existing linear appearance with its continuous terrace facades and in terms of Precinct 12 Henley Beach Road West the proposal fails to complement the existing local heritage places, and the character of the precinct (Principles of Development Control 1 and 4).

Also in relation to the District Centre Zone the proposal will not result in a visually cohesive district centre nor contribute to the desired character of the zone (Objective 4 and Principle of Development Control 4.

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#### **SUMMARY**

The proposed sign fails to satisfy the majority of provisions in the Development Plan that relate to signage and development within a Historic Conservation Area. This is because its design and location are not in keeping with existing signage nor the positive heritage attributes of the building.

Having considered all the relevant Objectives and Principles of the Development Plan, it has been determined that whilst the proposal is not seriously at variance with the provisions at the Development Plan it does not sufficiently accord with the more relevant provisions and accordingly does not warrant consent.

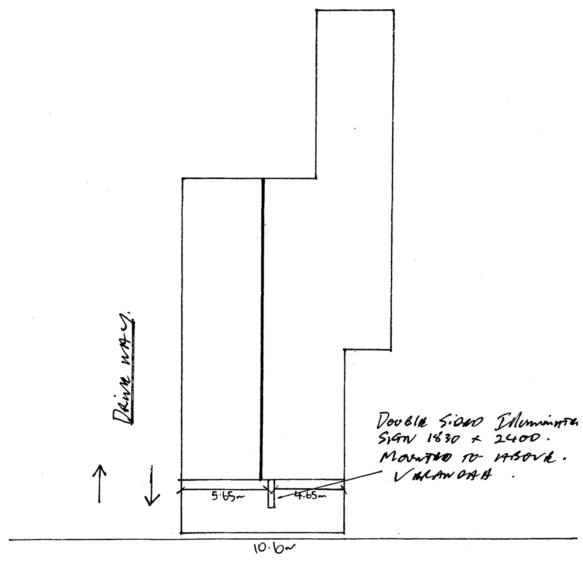
On balance the proposed development does not sufficiently accord with the relevant provisions contained within the West Torrens (City) Development Plan Consolidated 24 September 2015 and does not warrant Development Plan Consent.

#### **Attachments**

- 1. Plans and Elevations
- 2. Heritage Referral

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## PROPOSED DOUBLE STORD Ellumin ATED SIGN-172 Hanlay BENEAR ROAD



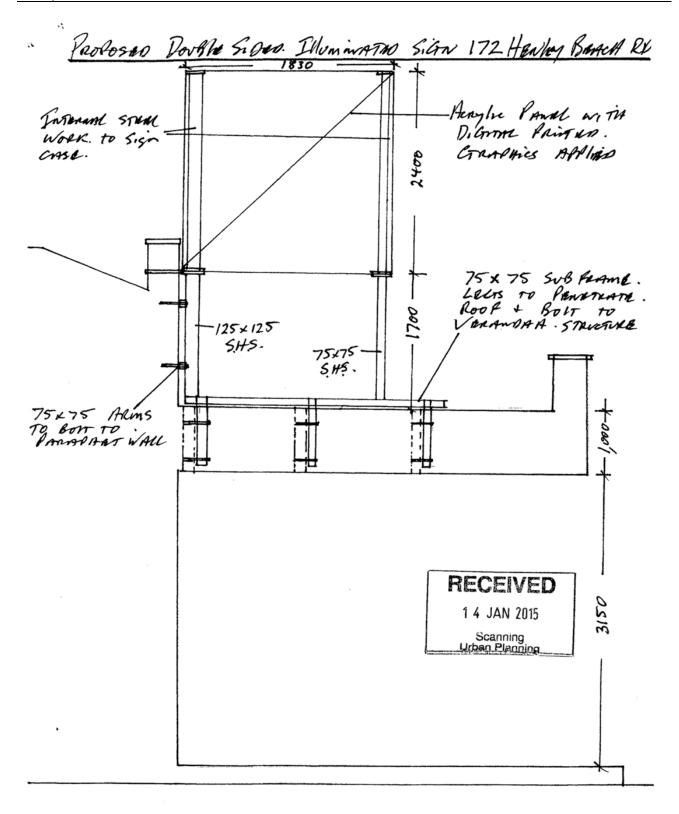
Hanley Barrer Domis

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1 4 JAN 2015

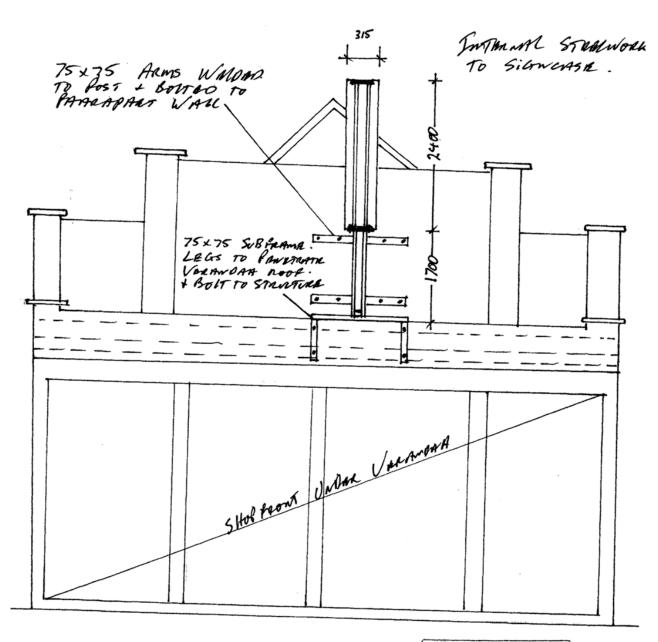
Scanning

PlAN 1:200



N.T.S.

## PROPOSSO DOUBLE SIDED THUMIN ATED SIGN-172 HENDRY BEACH RD

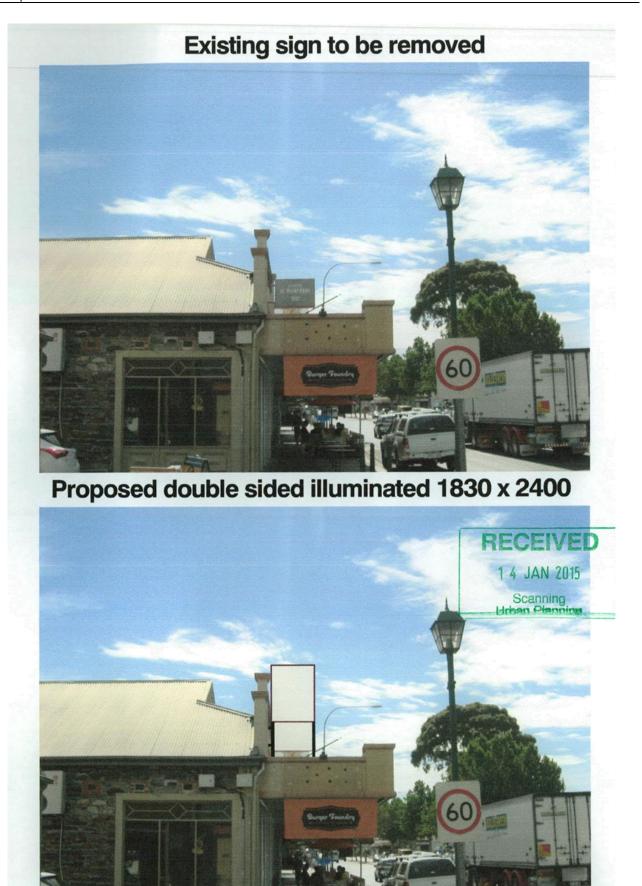


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Scanning Urban Planning

N.T.S.



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# Existing sign to be removed British Raj TAKEAWAY Proposed double sided illuminated 1830 x 2400 RECEIVED 1 4 JAN 2015 British Raj Scanning Urban Planning TAKEAWAY

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Planning Application No.: 211/30/2015 Applicant: J & J Signs

Location: 170 Henley Beach Road, Torrensville SA 5031
Zone: District Centre / Torrensville District Centre

Policy Area: Policy Area 8 / Precinct 12 – Henley Beach Road West Heritage Status: Contributory Item within an Historic Conservation Area

Proposal: Construction of advertising signage

To: Adam Williams
Date: 26 February 2015

#### **Description:**

The proposed development affects a Contributory Place listed in Table WeTo/3 - Contributory Items as 170 Henley Beach Road 'Shops' with Contributory Places to each side. The Subject Land is located within an Historic Conservation Policy Area.

It is also within the Retail Core Area as indicated on the concept plan WeTO/17, Precinct 12 – Henley Beach Road West, Policy Area 8 of the District Centre Zone.

The proposed development consists of the removal of a smaller illuminated sign and the erection of a new  $1830 \times 2400$  illuminated parapet signage mounted on brackets, perpendicular to the main parapet. The drawings provided indicate the sign will be of vertical proportions (ie 2400 high) and mounted 1700 above the fascia hoarding. The dimension of 1700 is indicated on one drawing to be 1700 above the hoarding and on another to be 1700 above the roofline. Notably this results in a proposed sign that extends well beyond the top of the highest point of the painted rendered parapet.

The Subject Land is visually prominent. Apart from the substantial height of the parapet, the neighbouring Contributory Place to the west is considerably set back, increasing the visibility of the Subject Land.

The parapet forms part of a consistent arrangement of above verandah parapets to individual shop fronts. Most signage is flat wall signage, contained within the architectural features of the parapet to which the sign is attached.

Verandah forms in the locality are cantilevered from the main retail buildings. The fascia treatment to the verandah of the Subject Land has become more elaborate than the other verandahs in the strip of shops. Changes include a barrel vaulted central feature and pediments to each end that mimic the parapet behind. The height of the curved feature appears to obscure the existing sign and may be driving the requirement for increased visibility and height.

Specifically the proposed development consists of:

- Removal of an existing but smaller illuminated sign, also perpendicular to the parapet, but with a geometry that relates to the architectural features;
- Erection of a new larger illuminated sign, perpendicular to and higher than the main parapet.

Of note is the existence of a large substantial verandah mounted sign coinciding with a restaurant, about three shops to the east, but affecting a Contributory Place and therefore it is recommended the legality of this sign should be checked.

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#### **Development Plan Provisions:**

I have considered relevant provisions of the Development Plan in each of the following sections:

- Historic Conservation Area;
- Adevertisements;
- Torrensville Policy Area 8
- Precinct 12 Henley Beach Road West
- District Centre Zone.

#### **Historic Conservation Area**

#### **OBJECTIVES**

- 1 The conservation of areas of historical significance;
- 2 Development that promotes, conserves and enhances the cultural significance and historic character of identified places and areas;
- 3 Development that complements the historic significance of the area.

#### PRINCIPLES OF DEVELOPMENT CONTROL

- Development should not be undertaken unless it is consistent with the desired character for the Historic Conservation Area.
- 3 Development of a contributory item should:
- (a) not compromise its value to the historic significance of the area
- (b) retain its present integrity or restore its original design features
- (c) maintain or enhance the prominence of the original street facade
- 11 Advertisements and/or advertising hoardings associated with places and areas of heritage significance should:
- (a) be of a size, colour, shape and materials that enhances the character of the locality
- (b) not dominate or detract from the prominence of any place and/or area of historic significance.

#### **Advertisements**

#### **OBJECTIVES**

- Urban and rural landscapes that are not disfigured by advertisements and/or advertising hoardings.
- Advertisements and/or advertising hoardings designed to enhance the appearance of the building and locality.

#### PRINCIPLES OF DEVELOPMENT CONTROL

- The location, siting, design, materials, size, and shape of advertisements and/or advertising hoardings should be:
  - (a) consistent with the predominant character of the urban landscape
  - (b) in harmony with any buildings or sites of historic significance or heritage value in the area
  - (c) co-ordinated with and complement the architectural form and design of the building they are to be located on.
- 2 The number of advertisements and/or advertising hoardings associated with a development should be minimised to avoid:
  - (a) clutter
  - (b) disorder
  - (c) untidiness of buildings and their surrounds
  - (d) driver distraction.
- 5 Advertisements and/or advertising hoardings should:
  - (a) be completely contained within the boundaries of the subject allotment
  - (c) not obscure views to vistas or objects of high amenity value.
- Advertisements and/or advertising hoardings attached to buildings should not be sited on the roof or higher than the walls of a building.

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- 10 Advertisements should be designed to conceal their supporting advertising hoarding from view.
- Advertisements should convey the owner/occupier and/or generic type of business, merchandise or services using simple, clear and concise language, symbols, print style and layout and a small number of colours.
- 12 Advertisements which perform a secondary role in identifying the business, goods or services should only be readable in the immediate vicinity of the site.
- Advertisements and/or advertising hoardings should be:

  (d) where located above the canopy, flush with the wall and within the height of the

#### **Torrensville Policy Area 8**

parapet.

#### **OBJECTIVES**

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

#### **DESIRED CHARACTER**

This policy area is to be promoted and strengthened as the main district focus of shopping, office and community uses in the area. The range of facilities within the policy area is to be related to the size and characteristics of the population that it serves.

Development will be undertaken in accordance with Concept Plan Map WeTo/17 - Torrensville District Centre. The Subject Land is included in the the area marked 'Retail Core'.

Development facing Henley Beach Road will preserve and enhance the existing linear appearance of the centre with its continuous terrace facades. To this end car parking areas will be located behind the line of shop fronts with access from existing side streets.

The Subject Land is within Precinct 12 Henley Beach Road West.

#### Precinct 12 Henley Beach Road West

The precinct is comprised mainly of original single storey retail and commercial building forms.

The buildings are generally in strip form and built to the Henley Beach Road frontage. Many of them have either cantilevered or posted verandas.

Development in the precinct will conserve, rehabilitate and complement the existing local heritage places, and the character of the precinct.

#### PRINCIPLES OF DEVELOPMENT CONTROL

#### Form and Character

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

#### PRECINCT SPECIFIC PROVISIONS

#### Precinct 12 Henley Beach Road West

4 Development should not be undertaken unless it is consistent with the desired character for the precinct.

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#### **District Centre Zone**

#### **OBJECTIVES**

- 2 Development of a visually and functionally cohesive and integrated district centre.
- 4 Development that contributes to the desired character of the zone.

#### PRINCIPLES OF DEVELOPMENT CONTROL

#### Form and Character

4 Development should not be undertaken unless it is consistent with the desired character for the zone.

#### Assessment:

The proposed sign fails to satisfy the objectives of the Historic Conservation Area because the impact its size and placement is substantial, detracting from historic character and significance and the Desired Character of the Historic Conservation Area (Principle of Development Control 1). The impact diminishes the street facing value of the Contributory place, compromises integrity and adversely alters the visual prominence of the parapet from the west, east and south Principle of Development Control 3).

In terms of Principle of Development Control 11 the proposed sign is of a size that will detract from the character of the area, detracting from and adversely dominating its current visual prominence contrary to the realistic expectations of Principle of Development Control 11(b).

With respect to Advertisement provisions the proposal is highly unlikely to enhance the appearance of the building and locality desired by Objective 3.

The size and location of the sign are inconsistent with the predominant character of the urban landscape. The size and in particular its height relative to the parapet and its failure therefore to respect architectural features result in a discord with the Contributory Place. The proposal lacks visual harmony desired by Principle of Development Control 1(b). There is also a disregard for the architectural form and design contemplated by Principle of Development Control 1(c).

Anticipated views of the historic character contemplated in Principle of Development Control 5(c) will be obscured and the sign will be higher than the walls of the building, contrary to Principle of Development Control 7. The supporting structure will not be concealed (Principle of Development Control 10) and no detail of the sign content is provided (Principle of Development Control 11).

The proposal clearly fails to satisfy Principle of Development Control 23(d), with respect to its containment within the height of the parapet.

In terms of Torrensville Policy Area 8 Objective 1 the development does not contribute to the desired character of the policy area, particularly its failure to preserve and enhance the existing linear appearance with its continuous terrace facades and in terms of Precinct 12 Henley Beach Road West the proposal fails to complement the existing local heritage places, and the character of the precinct (Principles of Development Control 1 and 4).

Also in relation to the District Centre Zone the proposal will not result in a visually cohesive district centre nor contribute to the desired character of the zone (Objective 4 and Principle of Development Control 4.

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#### Conclusion:

The proposed sign fails to satisfy several of the Historic Conservation Area provisions because the impact its size and placement is substantial, detracting from historic character and significance and the Desired Character of the Historic Conservation Area. The proposal fails to satisfy provisions in terms of its height above the parapet and its disregard for architectural features.

It lacks harmony with the Contributory Place and Historic Conservation Area and given the visual dominance of the Contributory Place, the sign represents an unwelcome intrusion.

#### **Douglas Alexander**

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#### 6.4 21 Bickford Street, RICHMOND

Application No 211/1215/2016

#### **DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Removal of a Significant Tree ( <i>Corymbia maculata</i> or Spotted gum)
APPLICANT	Christopher Grant and Emma Burckhardt
APPLICATION NO	211/1215/2016
LODGEMENT DATE	17 October 2016
ZONE	Residential Zone
POLICY AREA	Low Density Policy Area 21
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal
	<ul><li>Arborist</li></ul>
	External
	■ Nil
DEVELOPMENT PLAN VERSION	5 May 2016
MEETING DATE	10 January 2017

#### **RECOMMENDATION**

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to REFUSE Development Plan Consent for Application No. 211/1215/2016 by Christopher Grant and Emma Burckhardt to Remove a Significant Tree (*Corymbia maculata* or Spotted gum) at 21 Bickford Street, Richmond (CT 5611/187) for the following reasons:

- 1. The proposed development is contrary to:
  - General Section, Significant Trees, Objective 1
     Reason: The subject tree provides an important aesthetic benefit.
  - General Section, Significant Trees, Principle of Development Control 1(a), (e)
     Reason: The subject tree makes an important contribution to the visual amenity of the local area.
  - General Section, Significant Trees, Principle of Development Control 3
     Reason: Pruning of the tree is possible to maintain the health, aesthetic appearance and structural integrity of the tree therefore there are insufficient reasons for justification of removal:
    - The tree is not diseased or have a short life expectancy;
    - The tree does not represent an unacceptable risk to private or public safety;
    - The tree is not shown to be causing damage to a substantial building or structure of value;
    - Other reasonable remedial treatments have not been considered.

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#### **BACKGROUND**

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

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

The application is proposing the removal of a significant tree (trunk circumference 3.35 metres). The applicant is concerned that the tree is dangerous as it has lost limbs in the rear yard and they are planning on building a new dwelling and shed and they do not wish to have the new dwelling's footings to be affected by the tree (please note that at the time that this report was being prepared, no application had been lodged for a land division or additional dwelling).

#### PREVIOUS OR RELATED APPLICATION(S)

Nil

#### SITE AND LOCALITY

The subject land is described as Allotment 50 Deposited Plan 49575 as contained in Certificate of Title Volume 5611 Folio 187. The land is more commonly known as 21 Bickford Street, Richmond.

The subject land is on the northern side of Bickford Street, Richmond. It is an 'L' shaped allotment of approximately 1076m<sup>2</sup> with a frontage to Bickford Street of 15 metres and a depth of 52 metres on the western side. The site currently contains a single storey detached dwelling with an enclosed carport attached to the west of the dwelling with a shed and verandah to the rear of the dwelling.

The subject land is located within the Residential Zone and more particularly, Low Density Policy Area 20 and surrounded by residential allotments that are approximately 790m<sup>2</sup>. The locality consists mainly of low density single storey residential development. Dwellings were mainly constructed around the 1920s with more recently constructed dwellings in the broader locality.

The land is some 265 metres west of Brooker Terrace and 480 metres east of the Neighbourhood Centre Zone along Marion Road.

The subject *Corymbia maculata or* Spotted gum is located in the northwestern corner of the land within the rear yard. The subject tree is one of the largest and most notable trees in the locality and can be seen from the street, the adjoining properties and within the immediate locality as it is approximately 15 metres tall and a canopy diameter width of approximately 22 metres. The tree is not within 10 metres of a dwelling or a swimming pool.

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

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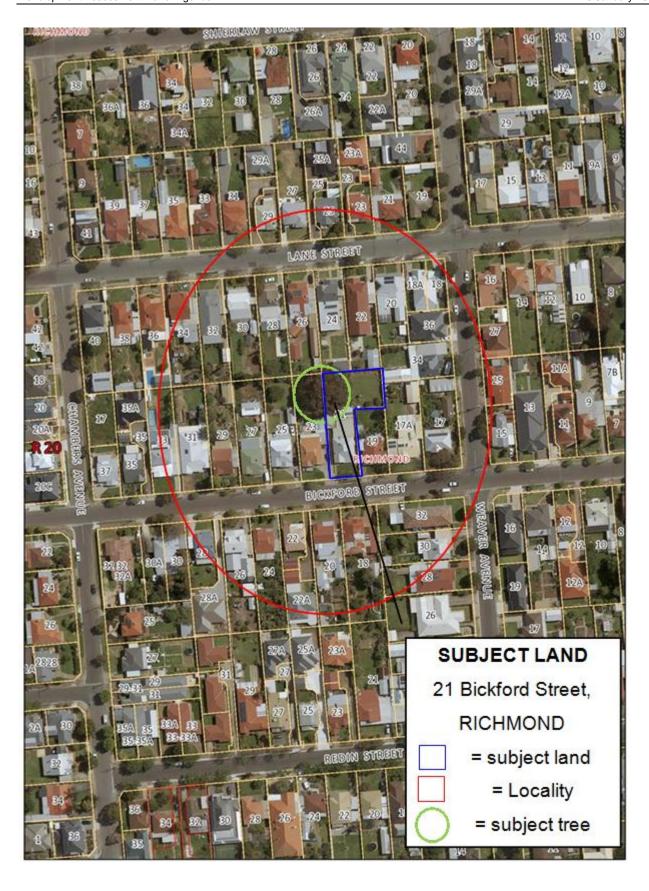
Figure 1: Subject Site (21 Bickford Street, Richmond)



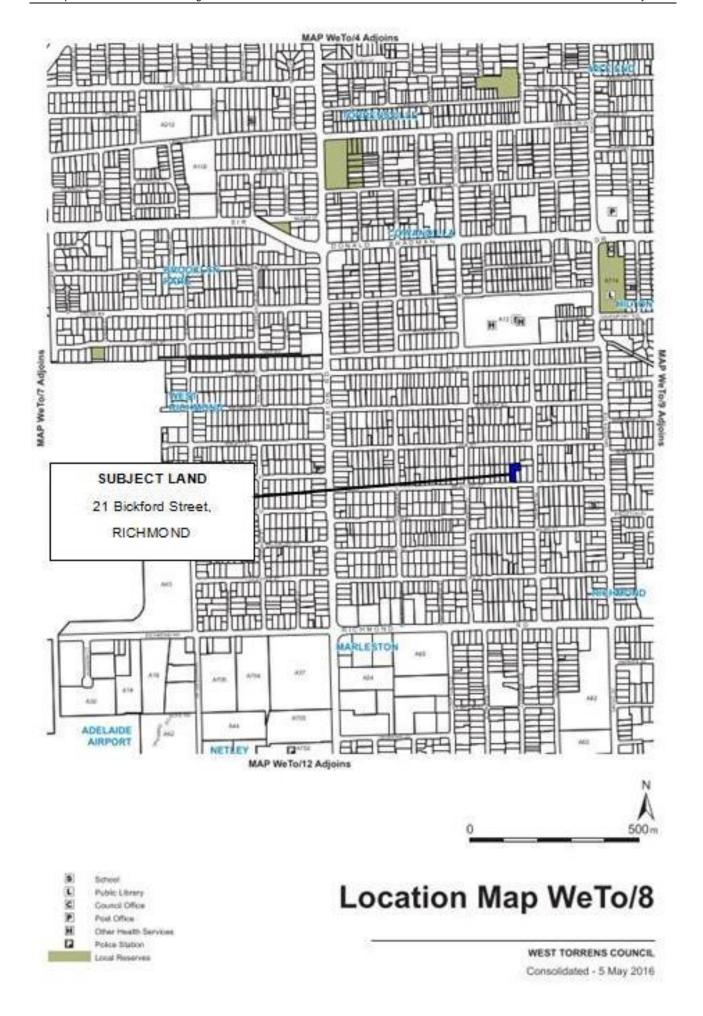
Figure 2: Subject Tree (Corymbia maculata or Spotted gum)



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#### **PROPOSAL**

The applicant is seeking Development Approval for the removal on one significant tree (*Corymbia maculata or* Spotted gum) located within the north-western corner of the site.

The applicant provided a site plan demonstrating the tree to be removed and photos of branch failures.

The site plan and relevant information provided by the applicant are contained in **Attachment 1**.

#### **PUBLIC NOTIFICATION**

The application is a Category 1 form of development pursuant to Section 38 of the Development Act 1993 and Schedule 9, Part 1 (13) of the *Development Regulations 2008* and the Residential Zone, Procedural Matters Section of the City of West Torrens Development Plan.

#### **REFERRALS**

Internal

#### **Independent Arborist**

Council engaged Jarrad Allen, Arborist from Calypso Tree Company to provide comments on the proposal which are summarised as follows:

- 'This tree is an excellent representative of its species due to its visual amenity, good overall health and long safe life expectancy if maintained.'
- The tree shows no evidence of pruning and a minor amount of deadwood is within the canopy. All major attachments within the canopy appear sound.
- There is some over extension of the limbs:
- There is no evidence of major limb failure;
- There is no evidence of pest or diseases;
- Foliage colour is good and density typical of the species.

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

#### **ASSESSMENT**

The subject land is located within the Residential Zone and more particularly 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:

General Section		
Cignificant Trace	Objectives	1, 2
Significant Trees	Principles of Development Control	1, 2, 3

Objective 1 of the General Section, Significant Trees, of the Development Plan seeks to ensure the conservation of significant trees that provide important aesthetic and environment benefit. The subject tree has a high degree of notability within the immediate locality as the tree is tall and canopy is broad and it can be seen from the subject street and above the surrounding dwelling roof forms. The subject tree is a species that is not indigenous to the local area however it is considered to represent an important habitat for native fauna.

Objective 2 of the General Section, Significant Trees states:

"The conservation of significant trees in balance with achieving appropriate development."

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This development does not include other development. The applicant has indicated an intention to lodge a development application for a dwelling and garage. Given the location of the subject tree on the site and the size of the allotment, there is considered to be adequate space for a dwelling and a garage while retaining the tree. There are appropriate construction methods that could be used for a dwelling that would preserve the health of the tree depending on the proximity of built form within a Tree Protection Zone. This can be determined and assessed should a dwelling application be lodged.

General Section, Significant Trees, Principle of Development Control 1 states:

"Development should preserve the following attributes where a significant tree demonstrates at least one of the following attributes:

- (a) makes an important contribution to the character or amenity of the local area; or
- (b) is indigenous to the local area and its species is listed under the National Parks and Wildlife Act 1972 as a rare or endangered native species
- (c) represents an important habitat for native fauna
- (d) is part of a wildlife corridor of a remnant area of native vegetation
- (e) is important to the maintenance of biodiversity in the local environment
- (f) forms a notable visual element to the landscape of the local area"

Council's arborist advises that points (a), (c), (e) and (f) are satisfied.

General Section, Significant Trees, Principle of Development Control 3 states:

"Significant trees should be preserved, and tree-damaging activity should not be undertaken, unless:

- (a) in the case of tree removal, where at least one of the following apply:
- (i) the tree is diseased and its life expectancy is short
- (ii) the tree represents an unacceptable risk to public or private safety
- (iii) the tree is within 20 metres of a residential, tourist accommodation or habitable building and is a bushfire hazard within a Bushfire Prone Area
- (b) the tree is shown to be causing or threatening to cause substantial damage to a substantial building or structure of value
- (c) all other reasonable remedial treatments and measures have been determined to be ineffective
- (d) it is demonstrated that all reasonable alternative development options and design solutions have been considered to prevent substantial tree-damaging activity occurring
- (e) in any other case, any of the following circumstances apply:
- (i) the work is required for the removal of dead wood, treatment of disease, or is in the general interests of the health of the tree
- (ii) the work is required due to unacceptable risk to public or private safety
- (iii) the tree is shown to be causing or threatening to cause damage to a substantial building or structure of value
- (iv) the aesthetic appearance and structural integrity of the tree is maintained
- (v) it is demonstrated that all reasonable alternative development options and design solutions have been considered to prevent substantial tree-damaging activity occurring".

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Council's arborist confirmed that none of the criteria from Principle of Development Control 3 have been met:

- There is not any evidence that the subject tree is diseased nor does it have a short life expectancy;
- The tree is not posing an unacceptable risk to public or private safety;
- The trunk of the tree is approximately 15 metres from the rear of the existing dwelling. A
  small percentage of the tree is overhanging the rear verandah and shed on the subject site.
  While there have been some minor limb failures, it is considered that the tree is far enough
  from substantial building work and of sufficient health and structure that there is no
  evidence that the tree is threatening to cause substantial damage to the dwelling;
- The arborist recommends removing all major deadwood within the canopy, removal of overextended lateral branches and crown thinning in order to maintain the long term health of the tree.

Considering all aspects of the assessment, there is insufficient reasons to justify the removal of the tree.

#### SUMMARY

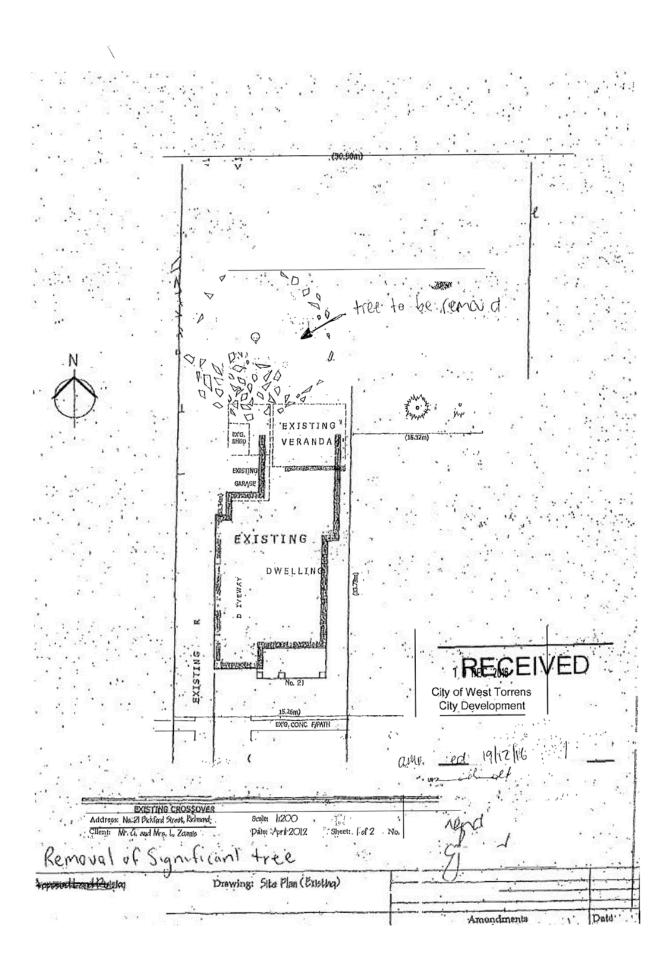
Having considered all the relevant Objectives and Principles of the Development Plan, it has been determined that whilst the proposal is not seriously at variance with the provisions at the Development Plan it does not sufficiently accord with the more relevant provisions and accordingly does not warrant consent.

On balance the proposed development does not sufficiently accord with the relevant provisions contained within the West Torrens (City) Development Plan Consolidated 5 May 2016 and does not warrant Development Plan Consent.

#### **Attachments**

- 1. Application Details
- 2. City Works Arboricultural assessment

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#### Sonia Gallarello

From: Burckhardt, Chris (DTF) < Chris.Burckhardt@sa.gov.au>

Sent: Thursday, 10 November 2016 3:10 PM

To: Sonia Gallarello
Cc: BurkyC@y7mail.com

Subject: Development Application Number 211/1215/2016 - Removal of Significant Tree

Sonia,

I refer to our telephone conversation today in relation to the removal of a significant tree (spotted gum) from 21 Bickford Street RICHMOND Development Application Number 211/1215/2016 in the name of Chris Burckhardt.

Thank you for taking the time to speak to me.

As advised I would like to proceed with the application with the knowledge that the application will likely be refused.

The reason why I would like to continue with the application is that we are in the process of building a brand new home on the site at 21 Bickford Street. We have signed a contract with Rendition Homes and are just waiting back the plans form Rendition before proceeding to council approval.

We have been advised that the tree may harm the soil and the roots may cause problems with the laying of the foundations of the new home. At this stage, the he home is looking to be built within 10 metres of the significant tree.

We were also looking at building a shed around 5m x 5m either at the back of the house (property) in the corner where the tree is.

Could the City of West Torrens Council please review their assessment with the following information as we don't want the tree to cause issues with the building of the home and cause future problems.

Could you please advise if you require any additional information.

Thank you for your time.

Regards

Chris

## Arboricultural Assessment of Non-Council Owned Significant Tree/s

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Development Application No: 211/1215/2016

- 7 NOV 2016

Scanning Urban Planning

Referral Due Date:

15 November 2016

Assessing Officer:

Sonia Gallarello

Site Address:

21 Bickford Street, RICHMOND SA 5033

Certificate of Title:

CT-CT-5611/187

Description of Development

Removal of a significant tree (Spotted gum)

Corymbia maculata (Spotted Gum)

To be completed by:

TECHNICAL OFFICER ARORICULTURE - CITY WORKS

SPECIES & COMMON NAME:

TOTAL CIRCUMFERENCE:

3300mm

MULTI-TRUNK: No

The following comments are provided with regards to the relevant Objectives and Principles of Development Control of the General Section, Significant Tree Section of the West Torrens Council Development Plan:

#### **OBJECTIVE 1**

The conservation of significant trees, in Metropolitan Adelaide, that provide important aesthetic and environmental benefit.

#### **OBJECTIVE 2:**

The conservation of significant trees in balance with achieving appropriate development.

#### PDC 1:

Development should preserve the following attributes where a significant tree demonstrates at least one of the following attributes:

- (a) Makes and important contribution to the character or amenity of the local area; or it Yes
- (b) Is indigenous to the local area and its species is listed under the National Parks and Wildlife
  Act 1972 as a rare or endangered native species

  No
- (c) Represents an important habitat for native fauna

  Yes
- (d) Is part of a wildlife corridor of a remnant area of native vegetation No
- (e) Is important to the maintenance of biodiversity in the local environment

  Yes
- (f) Forms a notable visual element to the landscape of the local area

#### Yes

#### PDC 2:

Development should be undertaken so that it has a minimum adverse effect on the health of a significant tree.

#### PDC 3:

Significant trees should be preserved, and tree-damaging activity should not be undertaken, unless:

- (a) In the case of tree removal, where at least one of the following apply:
  - The tree is disease and its life expectancy is short

No

- The tree represents an unacceptable risk to public or private safety (ii)
- No
- The tree is within 20metres of a residential, tourist accommodation or habitable (iii) building and is a bushfire hazard within a Bushfire Prone Area No
- (b) The tree is shown to be causing or threatening to cause substantial damage to a substantial No building or structure of value
- (c) All other reasonable remedial treatments and measures have been determined to be No ineffective
- (d) It is demonstrated that all reasonable alternative development options and design solutions have been considered to prevent substantial tree-damaging activity occurring. No
- (e) In any other case, and of the following circumstances apply:
  - The work is required for the removal of dead wood, treatment of disease, or is in the No general interest of the health of the tree
  - The work is required due to unacceptable risk to public or private safety No (ii)
  - The tree is shown to be causing or threatening to cause damage to a substantial (iii) building or structure of value No
  - The aesthetic appearance and structural integrity of the tree is maintained No (iv)
  - It is demonstrated that all reasonable alternative development options and design solutions have been considered to prevent substantial tree-damaging activity occurring

PDC 4:

Development involving ground work activities such as excavation, filling, and sealing of surrounding surfaces (whether such work takes place on the site of a significant tree or otherwise) should only be undertaken where the aesthetic appearance, health and integrity of a significant tree, including its root system, will not be adversely affected.

PDC 5

Land should not be divided or developed where the division or development would be likely to result in a substantial tree-damaging activity occurring to a significant tree.

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#### ADDITIONAL COMMENTS:

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

This tree is an excellent representative of its species due to its visual amenity, good overall health and long safe life expectancy if maintained.

Corymbia maculata is not indigenous to the local area. Natural distribution occurs throughout northeastern Australia in Queensland and New South Wales. However, it represents an important part of the local habitat for the foraging/ shelter of native fauna and dozens of avian species were identified within the tree at the time of inspection.

Site access was unable to be obtained, however access was granted in the neighbouring properties to the north, which provided suitable inspection points to visually assess the tree. An exact trunk measurement was unable to be undertaken but due to the immense size of the trunk it clearly fulfils the requirements to be classed as a 'significant' tree. Trunk circumference is based on applicant's measurement noted in the significant tree proposal.

The subject tree shows no evidence of pruning work and a minor amount of deadwood is located within the canopy. All major branch junctions throughout the tree appear sound and well structured.

- 7 NOV 2016

Scanning Urban Planning

Due to the robust, broad-spreading canopy, the *Corymbia maculata* contains some slightly over extended limbs where foliage is located mostly at branch extremities. However, no evidence of major limb failure was noted. This is a typical characteristic of a healthy, vigorous *Corymbia* and pruning in accordance with AS 4373- 07 *'Pruning of Amenity Trees'* can rectify this problem.

There were no visible signs of fungal fruiting bodies and/ or active pests and diseases noted. Foliage colour is good and foliage density is typical of this species. If site conditions remain conductive to tree health, its useful life expectancy is estimated to be in excess of 50 years. The risk posed by this tree is considered broadly acceptable.

I recommend removing all major deadwood within the canopy, selectively removing over extended lateral branches, and carrying out crown thinning/ tip reduction where required.

Having given consideration to the plans provided, and observations made of the tree, I conclude that the desired outcome of 'tree removal' is unjustified, as the applicant has not provided supporting evidence that can be considered as satisfying the criteria required. I believe medium to long-term management is sustainable and therefore, retention is warranted and recommended.

RECOMMENDATION:

RETAIN

Defrem

Jarrad Allen Dip. Arb.

CALYPSO TREE CO

DATE: 05/11/16

#### PHOTO's ATTACHED:







#### 6.5 62 Malurus Avenue, LOCKLEYS

Application No 211/1474/2016 (DAC - 211/D204/16)

211/1155/2016

#### **DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	211/1474/2016 - Land Division - Create 1 additional allotment. 211/1155/2016 - Demolish existing dwelling and associated structures. Construct two (2), two-storey detached dwellings both with garage and verandah under main roof.
APPLICANT	211/1474/2016 - Mrs Silvana Sheridan 211/1155/2016 - Spectra Building Designers
LODGEMENT DATE	211/1474/2016 - 18 November 2016 211/1155/2016 - 04 October 2016
ZONE	Residential Zone
POLICY AREA	Low Density Policy Area 20
APPLICATION TYPE	Merit
REFERRALS	Internal  Nil External Development Assessment Commission SA Water Corporation
DEVELOPMENT PLAN VERSION	05 May 2016
MEETING DATE	10 January 2016

#### **RECOMMENDATION 1**

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent and Land Division Consent for Application No. 211/1474/2016 by Mrs Silvana Sheridan to undertake Land Division at 62 Malurus Avenue, Lockleys (CT 5677/825) subject to the following conditions of consent:

#### DEVELOPMENT PLAN CONSENT

#### **Council Conditions**

1. The development must be undertaken and completed in accordance with the plans prepared by 'Bartlett Drafting and Development' except where varied by any condition(s) listed below.

#### LAND DIVISION CONSENT

#### **Council Conditions**

1. Prior to the issue of clearance, existing buildings and structures, including the swimming pool, shall be removed.

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#### **Development Assessment Commission and SA Water Corporation Conditions**

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

The alteration of internal drains to the satisfaction of SA Water is required. On approval of the application, all internal water piping that crosses the allotment boundaries (unless covered by easement) must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.

Note:

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

#### **RECOMMENDATION 2**

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/1155/2016 by Spectra Building Designers to undertake development at 62 Malurus Avenue, Lockleys (CT 5677/825) subject to the following conditions of consent:

#### **Council Conditions**

- 1. The development shall be undertaken and completed in accordance with the plans and information details in the application except where varied by any condition(s) listed below.
- 2. That the finished floor level shall be 9.75 in reference to the plan provided by Structural Systems (Job Number DT 160906 dated 15 September 2016).
- 3. That all stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:
  - a) Result in the entry of water into a building; or
  - b) Affect the stability of a building; or
  - c) Create unhealthy or dangerous conditions on the site or within the building; or
  - Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
- 4. That any retaining walls will be designed to accepted engineering standards, and not of timber construction if retaining a difference in ground level exceeding 200mm.

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- 5. That all driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained, and shall be maintained in reasonable condition at all times.
- 6. That all planting and landscaping will be completed within three (3) months of the commencement of the use of this development and be maintained in reasonable condition at all times. Any plants that become diseased or die will be replaced with a suitable species.
- 7. External material and finishes must be low-light reflective

#### **BACKGROUND**

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

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

#### SITE AND LOCALITY

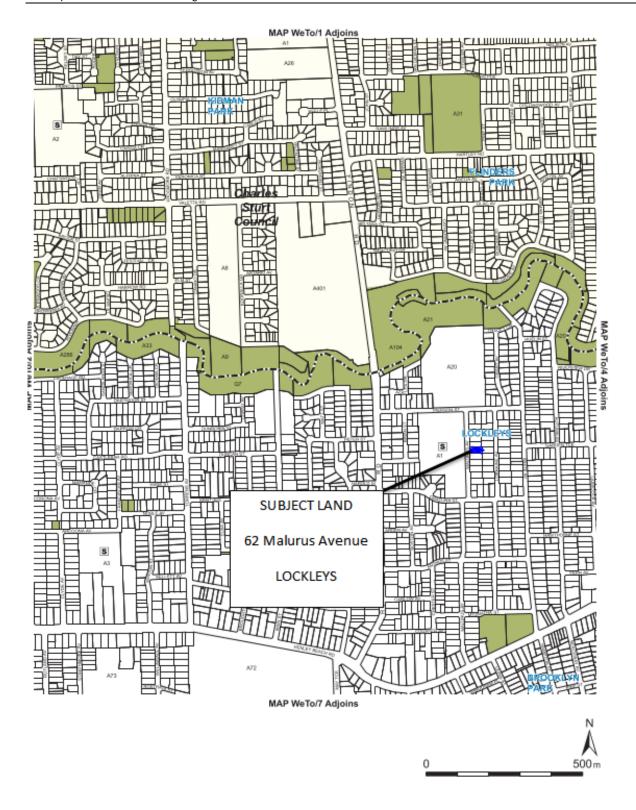
The site is rectangular in shape, reasonably flat and comprises approximately 783 square metres. A detached dwelling, carport, verandah and associated outbuildings are currently situated on the allotment.

The wider locality is characterised by single-storey detached dwellings and Lockleys North Primary School opposite the site at 55 Malurus Avenue. The primary school comprises dispersed buildings, landscape car parking area and an open grassed sporting field.

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### Location Map WeTo/3



WEST TORRENS COUNCIL

Consolidated - 5 May 2016

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#### **PROPOSAL**

Application 211/1474/2016 (DAC 211/D204/16) proposes land division to create one additional allotment.

Application 211/1155/2016 proposes

- Demolition of exisiting dwelling and associated structures
- Construction of 2, two-storey detached dwellings with porticos, verandah's and garages under the main roof.

Plans and details form Attachment 1.

#### **REFERRALS**

External

Application 211/1474/2016 was referred to

- Development Assessment Commission
- SA Water Corporation

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

#### **ASSESSMENT**

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

General Section		
Design and Appearance	Objectives	1 & 2
	Principles of Development Control	1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 21 & 22
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, 3, 4, 5, 6, 8, 11 & 12
Landscaping, Fences and	Objectives	1
Walls	Principles of Development Control	1 & 4
Orderly and Sustainable Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1
Residential Development	Objectives	1, 2 & 4
	Principles of Development Control	1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17,
		18, 19, 20, 21, 22, 27, 28,
		29 & 31
Transportation and Access	Objectives	1 & 2
	Principles of Development Control	1, 8, 10, 11, 23, 24, 34, 35, 36 & 44

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#### Zone: Residential Zone

#### Desired Character Statement:

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

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

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

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

Objectives	1, 2, 3 & 4
Principles of Development Control	1, 5, 6, 7, 8, 10, 11, 12, 13 & 14

#### Policy Area: Low Density Policy Area 21

Desired Character Statement: 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).

There will be a denser allotment pattern and some alternative dwelling types, such as semidetached and row dwellings, close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones. Battleaxe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments developed with buildings that have a direct street frontage. In the area bounded by Henley Beach Road, Torrens Avenue and the Linear Park, where the consistent allotment pattern is a significant positive feature of the locality, subdivision will reinforce the existing allotment pattern.

Buildings will be up to 2 storeys in height. Garages and carports will be located behind the front façade of buildings. Buildings in the area bounded by Henley Beach Road, Torrens Avenue and the Linear Park will be complementary to existing dwellings through the incorporation of design features such as pitched roofs, eaves and variation in the texture of building materials.

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

Objectives	1
Principles of Development Control	1, 2, 3 & 6

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#### **QUANTITATIVE ASSESSMENT**

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SITE AREA Module: Low Density Policy Area 21	420m²	Dwelling 1 = 400m2 Dwelling 2 = 400m2
PDC 3		Does Not Satisfy by 5%
ALLOTMENT FRONTAGE Module: Low Density Policy Area 21	12m²	Dwelling 1 = 10.21m Dwelling 2 = 10.21m
PDC 3		Does Not Satisfy by 15%
STREET SETBACK Module: Residential Zone PDC 8	Same setback as one of the adjacent buildings	Dwelling 1 = 6m Dwelling 2 = 6m
1 20 0		Satisfies
SIDE/REAR SETBACKS Module: Residential Zone PDC 11	Side Walls up to 3m = 1m Walls between 3m and 6m = 2m	Single Storey Components Dwelling 1 = 0.9m and 1.38m Dwelling 2 = 0.9m and 1.38m
	2.11	Two-Storey Components Dwelling 1 = 1.8m and 1.96m Dwelling 2 = 1.8m and 1.96m
		Does Not Satisfy by 10%
	Rear Single storey components 3m Two-storey components 8m	Single Storey Components  Dwelling 1 = 7.07m  Dwelling 2 = 7.07m
		Two-Storey Components  Dwelling 1 = 15m  Dwelling 2 = 15m
		Satisfies
PRIVATE OPEN SPACE Module: Residential Development PDC 19	60m2, minimum dimension 4m	Dwelling 1 = 72.18m2 Dwelling 2 = 72.18m2
		Satisfies
LANDSCAPING Module: Landscaping, Fences & Walls	10%	Dwelling 1 = 48.5% Dwelling 2 = 48.5%
PDC: 4		Satisfies

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CARPARKING SPACES Module: Transportation and Access PDC 34	2 car-parking spaces required, 1 of which is covered.	Dwelling 1 = 4 spaces, 2 covered Dwelling 2 = 4 spaces, 2 covered Satisfies
GARAGE MAXIMUM FLOOR AREA Residential Development PDC 16	60m2	Dwelling 1 = 36m2 Dwelling 2 = 36m2  Satisfies
GARAGE MAXIMUM WALL HEIGHT Residential Development PDC 16	3m	Dwelling 1 = 3m Dwelling 2 = 3m  Satisfies
GARAGE MAXIMUM BUILDING HEIGHT Residential Development PDC 16	5m	Dwelling 1 = 4.2m Dwelling 2 = 4.2m  Satisfies
GARAGE MINIMUM SETBACK FROM PRIMARY ROAD FRONTAGE Residential Development PDC 16	No closer to the primary road than any part of its associated dwelling	Dwelling 1 = No closer than associated dwelling Dwelling 2 = No closer than associated dwelling  Satisfies
GARAGE MAXIMUM LENGTH ALONG BOUNDARY Residential Development PDC 16	8 metres or 50 percent of the length along that boundary, whichever is less	Dwelling 1 = 6.5m Dwelling 2 = 6.5m Satisfies
GARAGE MAXIMUM FRONTAGE WIDTH Residential Development PDC 16	6 metres or 50 percent of the allotment frontage, whichever is less.	Dwelling 1 = 4.8m Dwelling 2 = 4.8m  Satisfies

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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:

## Land Use and Zoning

The Residential Zone envisages dwellings. Low Density Policy Area 21 envisages detached dwellings. The land use is therefore appropriate in the zone.

#### **Bulk and Scale**

The policy area desires a low density character predominantly involving detached dwellings up to two-storeys in height. Development will be interspersed with landscaping, particularly behind the main frontage to enhance the appearance of buildings.

Each proposed dwelling is detached and would be two-storeys in height with the upper level set in from ground level to reduce overall bulk. Low pitched roofs limit the total building height and a mix of colours and materials facilitate façade articulation. To enhance the appearance of the building from Malurus Avenue, landscaped areas are provided between respective driveways and parallel with side boundaries.

The building appearance, although modern, is reasonably compatible with the desired character statement of the relevant zone and policy area.

#### **Setbacks**

Each dwelling is setback from the primary road frontage consistently with neighbouring buildings. Both the ground floor and first floor achieve rear setbacks in accordance with the Development Plan.

A portion of each ground floor is setback 0.9 metres from the proposed central boundary. The 0.1 metre shortfall is marginal and not detrimental to either dwelling or surrounding amenity.

The first floor of each dwelling should be setback 2 metres from each side boundary. Each dwelling would be set in 1.8 metres and 1.96 metres. The proposal does not result in unreasonable overshadowing or an unreasonable visual impact. The proposed side setback shortfall will not have a negative impact upon the presentation of the locality or surrounding amenity and is therefore acceptable.

# **Overlooking and Overshadowing**

The Development Plan uses a number of techniques to ensure that adequate daylight and sunlight remains available to adjoining dwellings and private open space:

- 1. The following Principles of Development Control provide for daylight and sunlight access, General Section Residential Development PDC 10, 11, 12 & 13.
  - **PDC 10** The design and location of buildings should ensure that direct winter sunlight is available to adjacent dwellings, with particular consideration given to:
    - (a) windows of habitable rooms, particularly living areas
    - (b) ground-level private open space
    - (c) upper-level private balconies that provide the primary open space area for any dwelling
    - (d) access to solar energy.

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- PDC 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.
- PDC 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).
- **PDC 13** Development should not increase the overshadowed area by more than 20 per cent in cases where overshadowing already exceeds these requirements.

An enclosed garage and extensive verandah with boundary wall at 60 Malurus Avenue consume approximately 31 metres of the boundary shared with the subject land. The proposal would cast shadow over 60 Malurus Avenue on 21 July (winter solstice) however would not overshadow private open space or north-facing windows. Any overshadowing would be cast upon the roof of existing structures during different intervals of the day. These structures do not comprise sky-lights to allow sun penetration. In addition, the proposal would not unreasonably overshadow nearby swimming pools.

- 2. General Section Residential Development PDC 27 provides for visual privacy,
  - PDC 27 Upper level windows, balconies, terraces and decks should have a sill height of not less than 1.7 metres or be permanently screened to a height of not less than 1.7 metres above finished floor level to avoid overlooking into habitable room windows or onto the useable private open spaces of other dwellings.

Upper level side and rear facing windows are proposed to have a sill height greater than 1.7 metres above internal floor level.

#### **Colours and Materials**

External colours and materials are typical of residential development and are low-light reflective. Proposed colour and material variations to the façade of each dwelling enhance articulation. Proposed colours and materials are appropriate.

#### **Stormwater**

The subject land slopes from the rear down toward Malurus Avenue. Stormwater from each dwelling would be directed to Malurus Avenue via a 1000 litre rain water tank. As such stormwater would not be drained to an adjacent property and is capable of being drained safely and efficiently to existing infrastructure.

The subject land is not situated in an area that is subject to flooding however each dwelling would have a finished floor level that is approximately 550 millimetres higher than the adjacent watertable.

#### **Land Division**

Land division should create allotments that are suitable for their intended purpose.

The site is not situated within 400 metres of a centre zone and thus should provide minimum allotment areas of 420 square metres. Each allotment area should have a minimum 12 metre frontage to a public road.

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Examples of smaller allotment areas and frontages exist nearby however the immediate and prevailing character comprises wide and large allotments.

The proposal fails to achieve minimum allotment areas and frontage requirements however the proposed dwellings demonstrate that the allotments are suitable for their intended purpose without detrimentally impacting upon the appearance and amenity of the locality.

The marginal shortfall in allotment area and frontage is therefore considered acceptable in this circumstance.

#### **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.

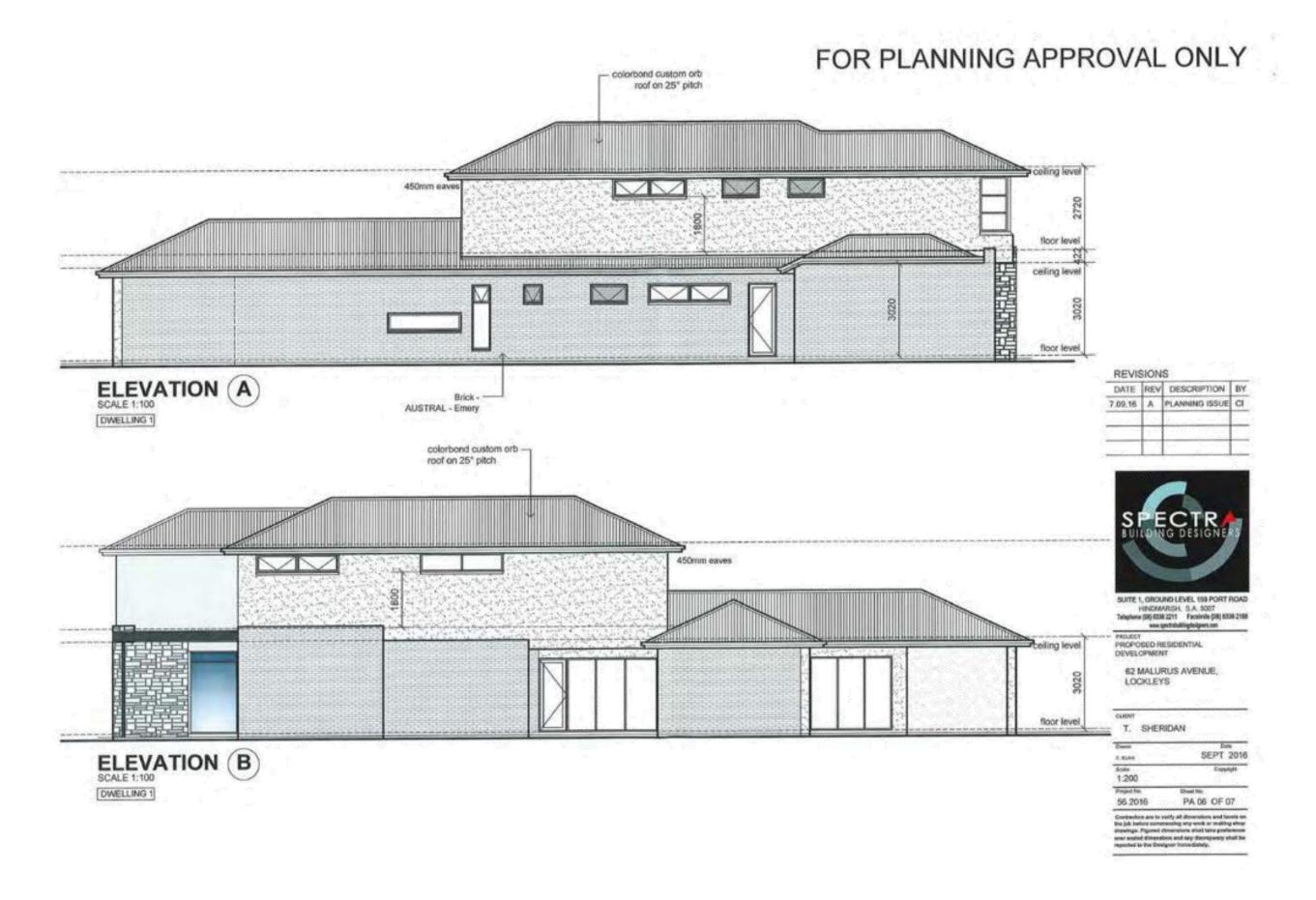
On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 05 May 2016 and warrants Development Plan Consent.

## **Attachments**

- 1. Plans and Details
- 2. Referral Reports

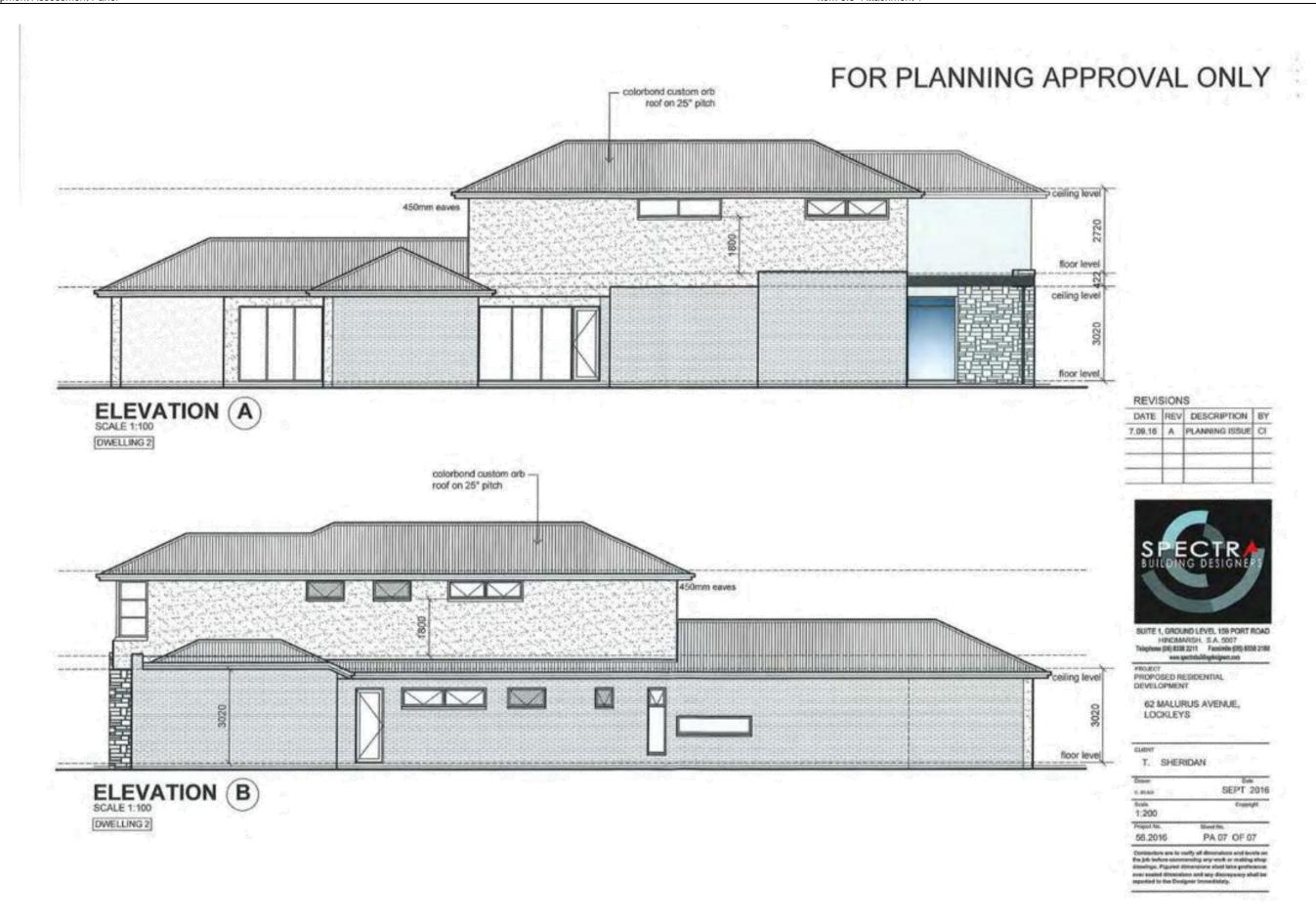
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Development Assessment Panel Item 6.5- Attachment 1



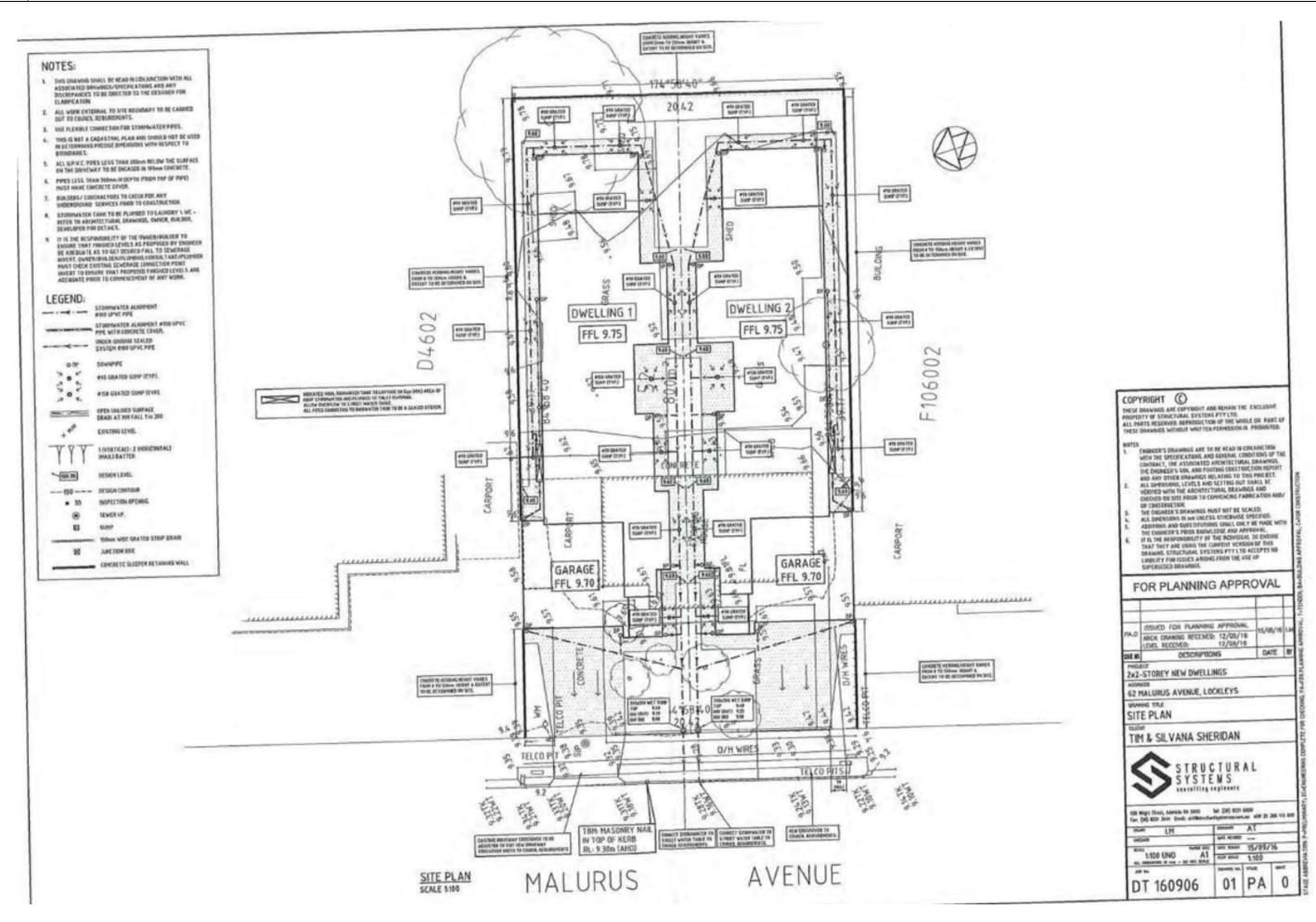
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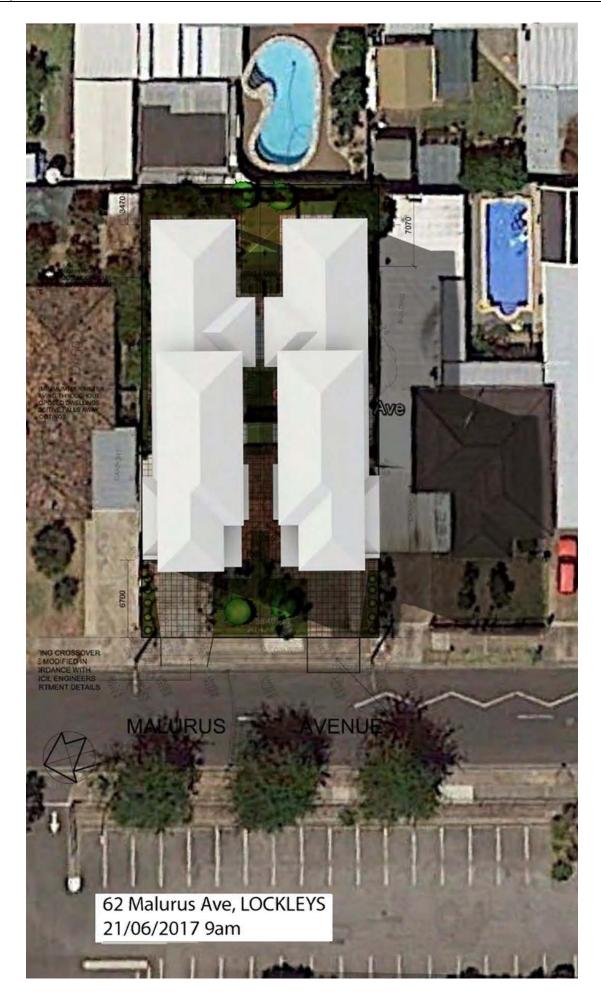
Development Assessment Panel Item 6.5- Attachment 1



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Development Assessment Panel Item 6.5- Attachment 1

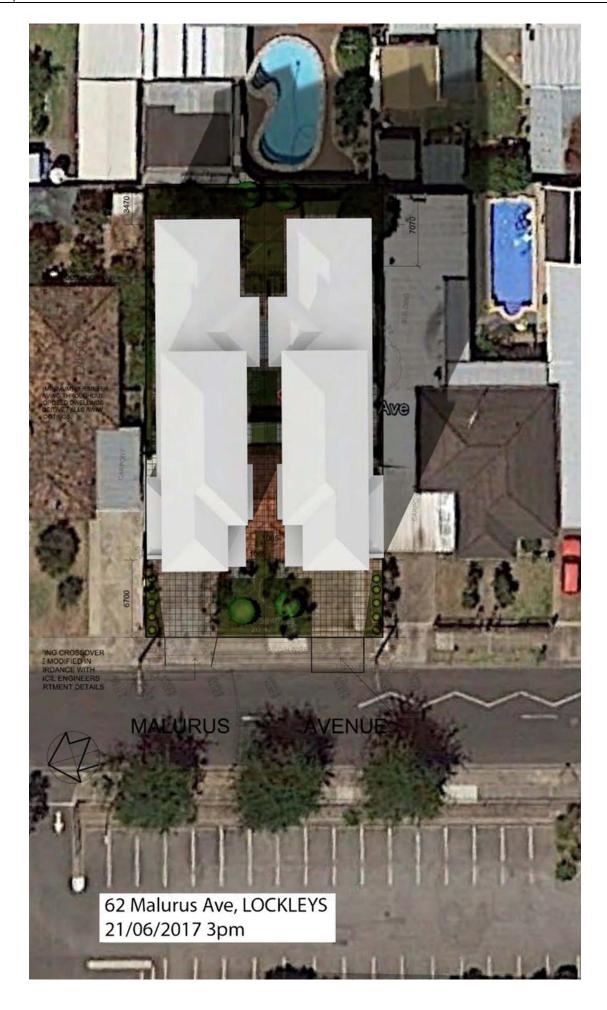




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Contact Lands Titles Office Telephone 7109 7016

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07 December 2016
The Chief Executive Officer
City of West Torrens
Dear Sir/Madam

Re: Proposed Application No. 211/D204/16 (ID 56387) for Land Division by Mrs Silvana Sheridan

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 22 November 2016, I advise that the Development Assessment Commission has consulted with SA Water Corporation (only) regarding this land division application. A copy of their response has been uploaded in EDALA for your consideration. The Commission has no further comment to make on this application, however there may be local planning issues which Council should consider prior to making its decision.

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

- 1. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.
  - 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.
- Payment of \$6676 into the Planning and Development Fund (1 allotment(s) @ \$6676/allotment).
  - Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
- 3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

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

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

Phil Hodgson
Unit Manager
Lands Titles Office

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07 December 2016

Our Ref: H0053089

The Chairman
Development Assessment Commission
136 North Terrace
ADELAIDE SA 5000
Dear Sir/Madam



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

## PROPOSED LAND DIVISION APPLICATION NO: 211/D204/16 AT LOCKLEYS

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

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

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.

Yours faithfully

Kirsty Jennings

for MANAGER LAND DEVELOPMENT & CONNECTIONS

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# 6.6 22 Farncomb Road, FULHAM

Application No 211/1183/2016 and 211/1408/2016

## **DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	211/1408/2016 (DAC - 211/D191/16) - Land Division, 1 additional allotment.
	211/1183/2016 - Single-storey detached dwelling with front porch, garage and verandah under main roof
APPLICANT	211/1408/2016 (DAC - 211/D191/16) - Mr David Hawson
	211/1183/2016 - Dechellis Homes
LODGEMENT DATE	211/1408/2016 (DAC - 211/D191/16) - 03 November 2016
	211/1183/2016 - 10 October 2016
ZONE	Residential Zone
POLICY AREA	Low Density Policy Area 21
APPLICATION TYPE	Merit
REFERRALS	Internal
	City Assets
	External
	<ul> <li>Development Assessment Commission</li> </ul>
	SA Water Corporation
DEVELOPMENT PLAN VERSION	05 May 2016
MEETING DATE	10 January 2016

## **RECOMMENDATION 1**

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent and Land Division Consent for Application No. 211/1408 /2016 (DAC - 211/D191/16) by Mr David Hawson to undertake Land Division at 22 Farncomb Road, Fulham (CT 5229/518) subject to the following conditions of consent:

# DEVELOPMENT PLAN CONSENT

# **Council Conditions**

1. The development must be undertaken and completed in accordance with the plans prepared by 'SKS Surveys Pty Ltd' except where varied by any condition(s) listed below.

# LAND DIVISION CONSENT

## **Council Conditions**

1. Prior to the issue of clearance, existing buildings and structures, including the swimming pool, shall be removed.

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## **Development Assessment Commission and SA Water Corporation Conditions**

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 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.

- 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.
- 4. 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 approval of the application, all internal water piping that crosses the allotment boundaries (unless covered by easement) must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries. Note:

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

## **RECOMMENDATION 2**

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/1183/2016 by Dechellis Homes to undertake development at 22 Farncomb Road, Fulham (CT 5229/518) subject to the following conditions of consent:

## **Council Conditions**

- 1. The development shall be undertaken and completed in accordance with the plans and information details in the application except where varied by any condition(s) listed below.
- 2. That the finished floor level shall be 100.3 in reference to the plan provided Ginos Engineers (Job Number 29929 dated September 2016).
- 3. That all stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:
  - a) Result in the entry of water into a building; or
  - b) Affect the stability of a building; or
  - c) Create unhealthy or dangerous conditions on the site or within the building; or
  - Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
- 4. That any retaining walls will be designed to accepted engineering standards, and not of timber construction if retaining a difference in ground level exceeding 200mm.

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- 5. That all driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained, and shall be maintained in reasonable condition at all times.
- 6. That all planting and landscaping will be completed within three (3) months of the commencement of the use of this development and be maintained in reasonable condition at all times. Any plants that become diseased or die will be replaced with a suitable species.
- 7. External material and finishes must be low-light reflective

#### **BACKGROUND**

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

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

# PREVIOUS OR RELATED APPLICATION(S)

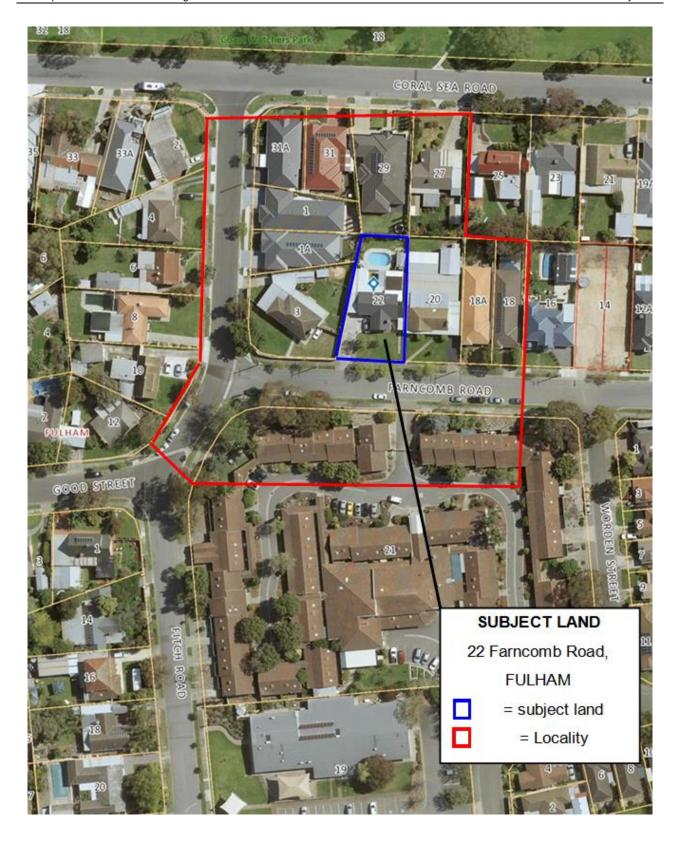
211/1382/2016 - Demolish existing dwelling and all associated structures - Development Approval Granted 17 November 2016

#### SITE AND LOCALITY

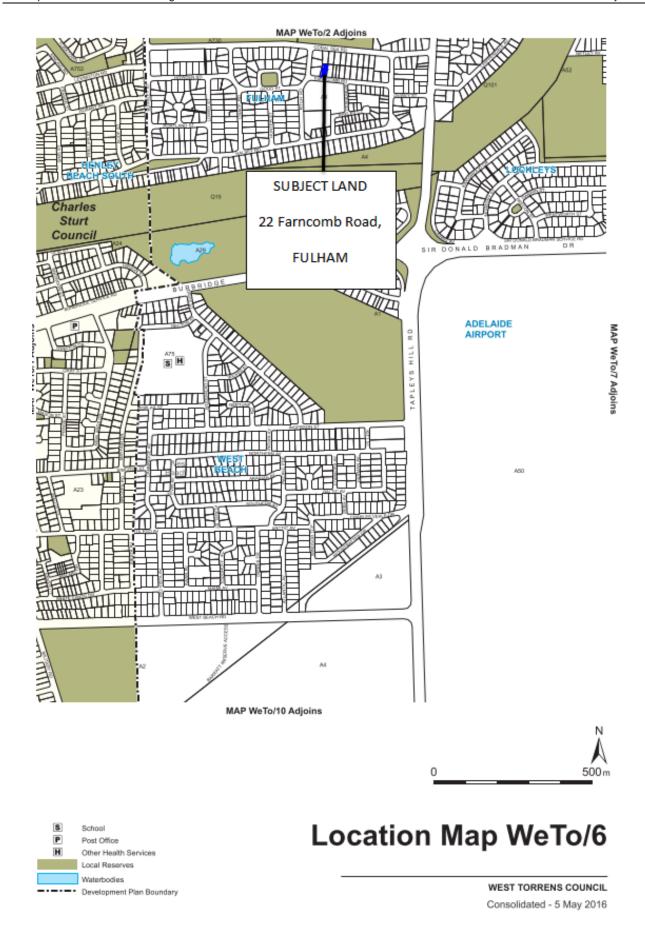
The site is reasonably flat and comprises approximately 759 square metres. The site slightly narrows from front to back and currently contains a detached dwelling, carport, verandahs, associated outbuilding and swimming pool. An easement for sewerage purposes travels parallel with the rear boundary.

The wider locality is characterised by single-storey detached dwellings and an independent living complex opposite the site at 21 Farncomb Road.

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# **PROPOSAL**

The proposal includes:

- land division to create one additional allotment.
- A detached dwelling with garage, portico and verandah under main roof.

The application form, certificate of title and plans form **Attachment 1**.

## **REFERRALS**

Internal

City Assets

The City Assets team acknowledged the presence of street trees and were comfortable that each allotment could achieve safe and convenient access without their removal.

#### External

- Development Assessment Commission
- SA Water Coporation

The Development Assessment Commission and SA Water Corporation do not object to the proposal however recommend standard conditions.

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

## **ASSESSMENT**

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

General Section		
	Objectives	1
Design and Appearance	Principles of Development Control	1, 2, 3, 4, 9, 10, 12, 13, 14, 15, 21 & 22
Infrastructura	Objectives	1, 2 & 3
Infrastructure	Principles of Development Control	1, 2, 3, 4, 5, 6, 8, 9 & 13
Land Division	Objectives	1, 2, 3 & 4
Land Division	Principles of Development Control	1, 2, 4, 5, 6, 8 & 12
Landscaping, Fences and	Objectives	1
Walls	Principles of Development Control	1 & 4
Orderly and Sustainable	Objectives	<i>1, 2, 3, 4 &amp; 5</i>
Development	Principles of Development Control	1
	Objectives	1, 2, 3 & 4
Residential Development	Principles of Development Control	1, 3, 4, 5, 6, 7, 8, 9, 10,
		11, 12, 13, 14, 15, 16, 18,
		19, 20, 21, 23, 27, 28, 29
		& 31
Transportation and Access	Objectives	1 & 2
	Principles of Development Control	1, 2, 8, 10, 11, 23, 24, 34, 35, 36 & 44

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## Zone: Residential Zone

## 1. Desired Character Statement:

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

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

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

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

Objectives	1, 2, 3 and 4
Principles of Development Control	1, 5, 6, 7, 8, 10, 11, 12, 13 and 14

# Policy Area: Low Density Policy Area 21

2. Desired Character Statement:

3.

4. 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).

5.

There will be a denser allotment pattern and some alternative dwelling types, such as semidetached and row dwellings, close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones. Battleaxe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments developed with buildings that have a direct street frontage. In the area bounded by Henley Beach Road, Torrens Avenue and the Linear Park, where the consistent allotment pattern is a significant positive feature of the locality, subdivision will reinforce the existing allotment pattern.

Buildings will be up to 2 storeys in height. Garages and carports will be located behind the front façade of buildings. Buildings in the area bounded by Henley Beach Road, Torrens Avenue and the Linear Park will be complementary to existing dwellings through the incorporation of design features such as pitched roofs, eaves and variation in the texture of building materials.

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

Objectives	1
Principles of Development Control	1, 2, 4 and 6

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# **QUANTITATIVE ASSESSMENT**

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SITE AREA Module: Low Density Policy Area 21 PDC 4	350m²	Lot 101 = 395m <sup>2</sup> Lot 102 = 370m <sup>2</sup> Satisfies
ALLOTMENT AREA Module: Low Density Policy Area 21 PDC 6	420m²	Lot 102 = 370m <sup>2</sup> Does Not Satisfy  (Lot 102 does not have a corresponding application for a dwelling)
SITE FRONTAGE Module: Low Density Policy Area 21 PDC 4	9m	Lot 101 = 12.95m Lot 102 = 9m Satisfies
STREET SETBACK Module: Residential Zone PDC 8	The average setback of adjacent buildings = 7.45m  Adjacent Building Setbacks  20 Farncomb Road = Approximately 9.4m  3 Fitch Road Fulham = Approximately 5.5m (corner allotment)	4.7m up to 5.5m  Does Not Satisfy  (Acceptable given prevailing setbacks in the locality)
SIDE/REAR SETBACKS Residential Zone PDC 11	Side boundary setback where the vertical side wall is 3 metres or less in height = 1 metre  Rear boundary setback for single storey components = 3 metres	0.9m and 1m  Does Not Satisfy  (0.1m discrepancy is marginal)  7.6m  Satisfies

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PRIVATE OPEN SPACE Residential Development PDC 19	300-500 square metres 60 square metres min. (min dimension 4 metres accessed from internal living area	Approximately 72.52m2  Satisfies
CARPARKING SPACES Transportation and Access PDC 34	2 car-parking spaces, 1 of which is covered, are required	2 provided, 1 covered  Satisfies
GARAGE MAXIMUM FLOOR AREA Residential Development PDC 16	60m2	32.6m2 Satisfies
GARAGE MAXIMUM WALL HEIGHT Residential Development PDC 16	3m	2.8m Satisfies
GARAGE MINIMUM SETBACK FROM PRIMARY ROAD FRONTAGE Residential Development PDC 16	No closer to the primary road than any part of its associated dwelling	Satisfies
GARAGE MAXIMUM LENGTH ALONG BOUNDARY Residential Development PDC 16	8 metres or 50 percent of the length along that boundary, whichever is less	6.4m Satisfies
GARAGE MAXIMUM FRONTAGE WIDTH Residential Development PDC 16	6 metres or 50 percent of the allotment frontage, whichever is less.	4.8m Satisfies

# **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 Residential Zone envisages dwellings. 'Low Density Policy Area 21' envisages detached dwellings. The land use is therefore appropriate to the zone and policy area.

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#### **Bulk and Scale**

The proposed dwelling will be single-storey with typical eave heights and a 25 degree roof pitch. The façade is stepped and articulated with windows, doors and a porch. The proposal is of a low-bulk and scale typical of single-storey residential development.

## **Setbacks**

The eastern side wall of the dwelling would be setback 0.9 metres from the proposed boundary resulting in a marginal shortfall of 0.1 metres. The shortfall would not have a noticeable impact upon the locality or surrounding amenity.

The neighbouring property at 3 Fitch Road Fulham is a corner property and thus the dwelling orientation and setback varies. Despite this, the dwelling at 3 Fitch road is setback approximately 5.5 metres from the nearest boundary facing Farncomb Road. The neighbouring dwelling at 20 Farmcomb Road is setback approximately 9.4 metres from Farncomb Road.

Given the difference in neighbouring setbacks, the proposal should achieve the average setback difference between each neighbouring property. The average is 7.45 metres. It is acknowledged that allotment 102, if approved, would sit between the proposed dwelling on allotment 101 and 20 Farncomb Road.

Dwellings at 16, 18 and 18a Farncomb Road are setback approximately 5.3, 5.1 and 6 metres. The setback of independent living units, opposite the subject land, varies from 3.5 metres up to 5.6 metres. In this context, the proposed front setback is considered acceptable. The large setback of 20 Farncomb Road appears to be an outlier.

#### **Colours and Materials**

The proposal would have a colorbond roof and the façade walls would have a rendered finish. Side and rear walls would comprise brick. External materials and finishes are low-light reflective and typical of residential buildings.

# Site Coverage and Open Space

The proposed dwelling, garage, portico and verandah result in approximate site coverage of 58% over proposed allotment 101. Suitable private open space is provided however much is affected by the rear sewer easement. Despite the easement, the plans denote an acceptable location for a 1,000 litre rain water tank (Building Code requirement) and the 'oversized single garage' provides an appropriate storage alternative without diminishing required car parking spaces.

#### Stormwater

Stormwater from the proposed dwelling would be directed to the Farncomb Road water-table via the 1,000 litre water tank without discharging onto a nearby allotment or affecting the amenity of the locality.

Until proposed allotment 102 is developed, stormwater will naturally fall on the subject land and largely soak into the bare soil.

## **Land Division**

The subject land is located within 400 metres of a centre zone. Therefore, where an application for land division is combined with an application for dwellings, the minimum site area requirement for a detached dwelling would be 350 square metres with a minimum frontage of 9 metres. Where the application is not combined, land division should create allotments with an area of 420 square metres with a minimum frontage of 12 metres.

In this circumstance, proposed allotment 102 does not have a corresponding application for a dwelling, therefore the 420 square metre minimum and 12 metre frontage should be applied.

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Ultimately, land division will create allotments of a size and shape suitable for their intended purpose. Given that each allotment is of an appropriate shape and through satisfaction of minimum site areas, the Development Plan suggests that each proposed allotment is capable of accommodating a detached dwelling as envisaged.

The surrounding area comprises a mix of site frontage widths. 14 Farncomb Road has recently been divided providing frontages of 9.14 metres and 9.15 metres. In addition, 12 and 12a Farncomb Road comprise frontages of 10.06 metres. Proposed frontages are reasonably consistent with nearby allotments.

#### **SUMMARY**

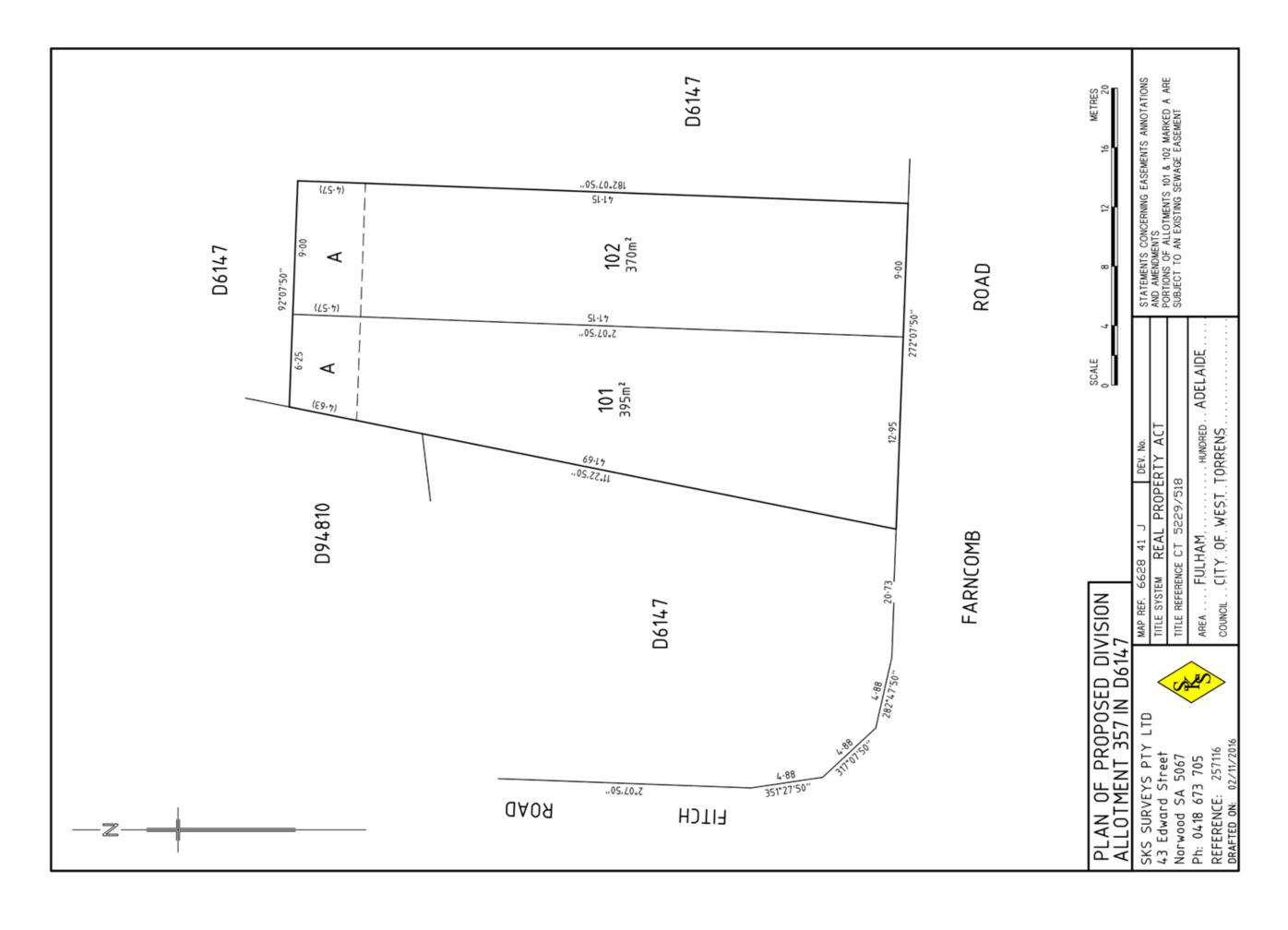
Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is considered to be not seriously at variance with the Development Plan.

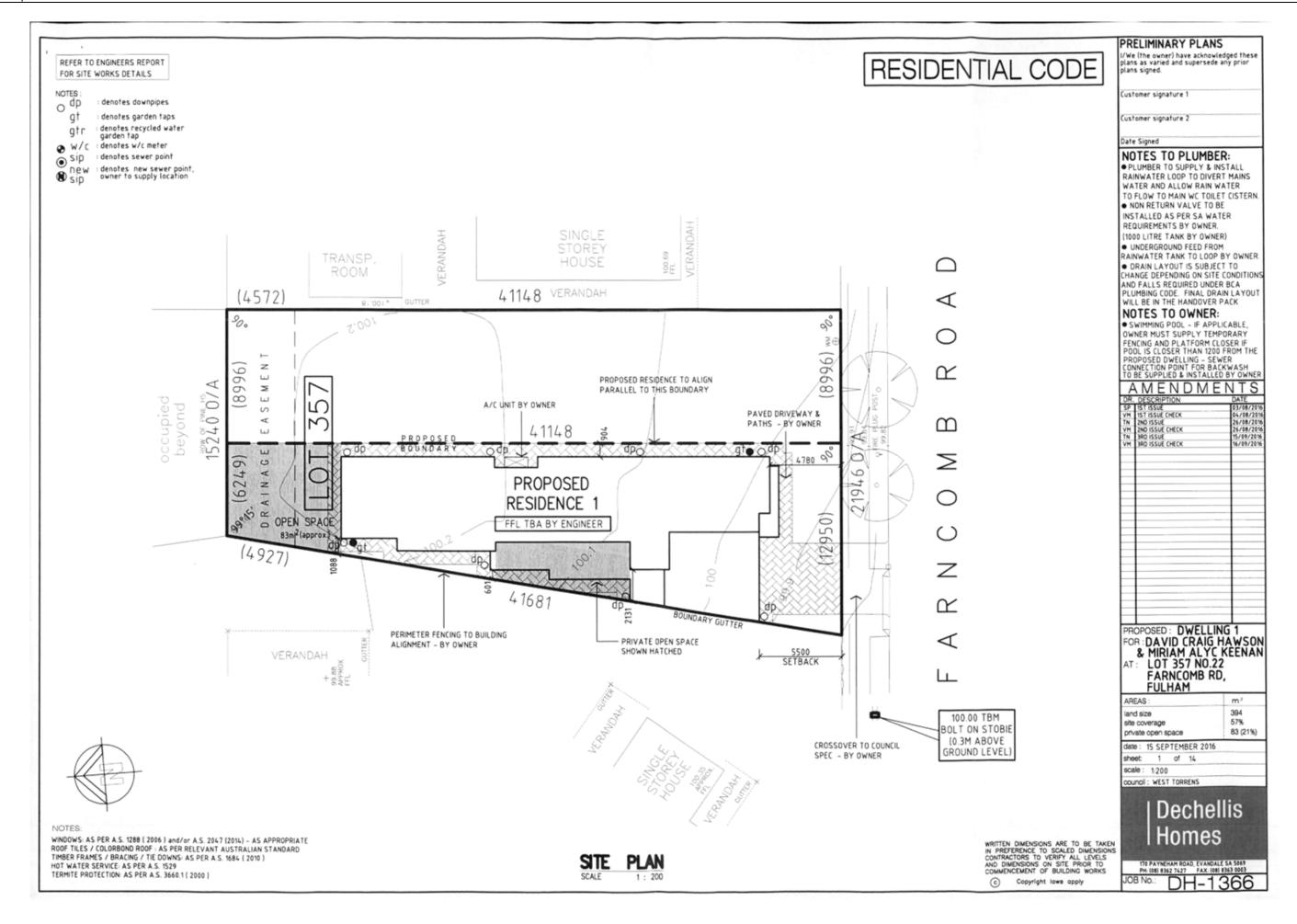
On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 05 May 2016 and warrants Development Plan Consent.

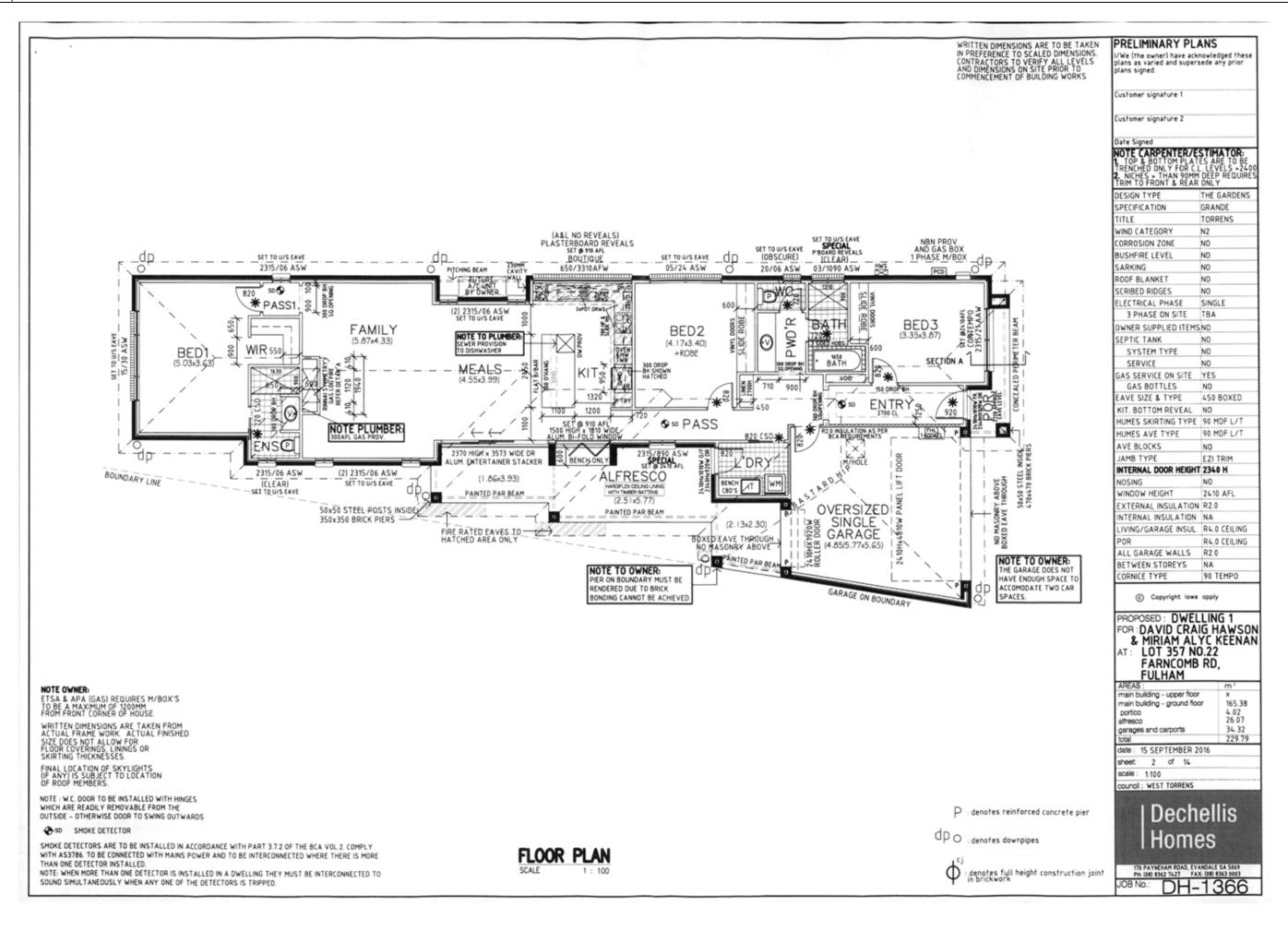
## **Attachments**

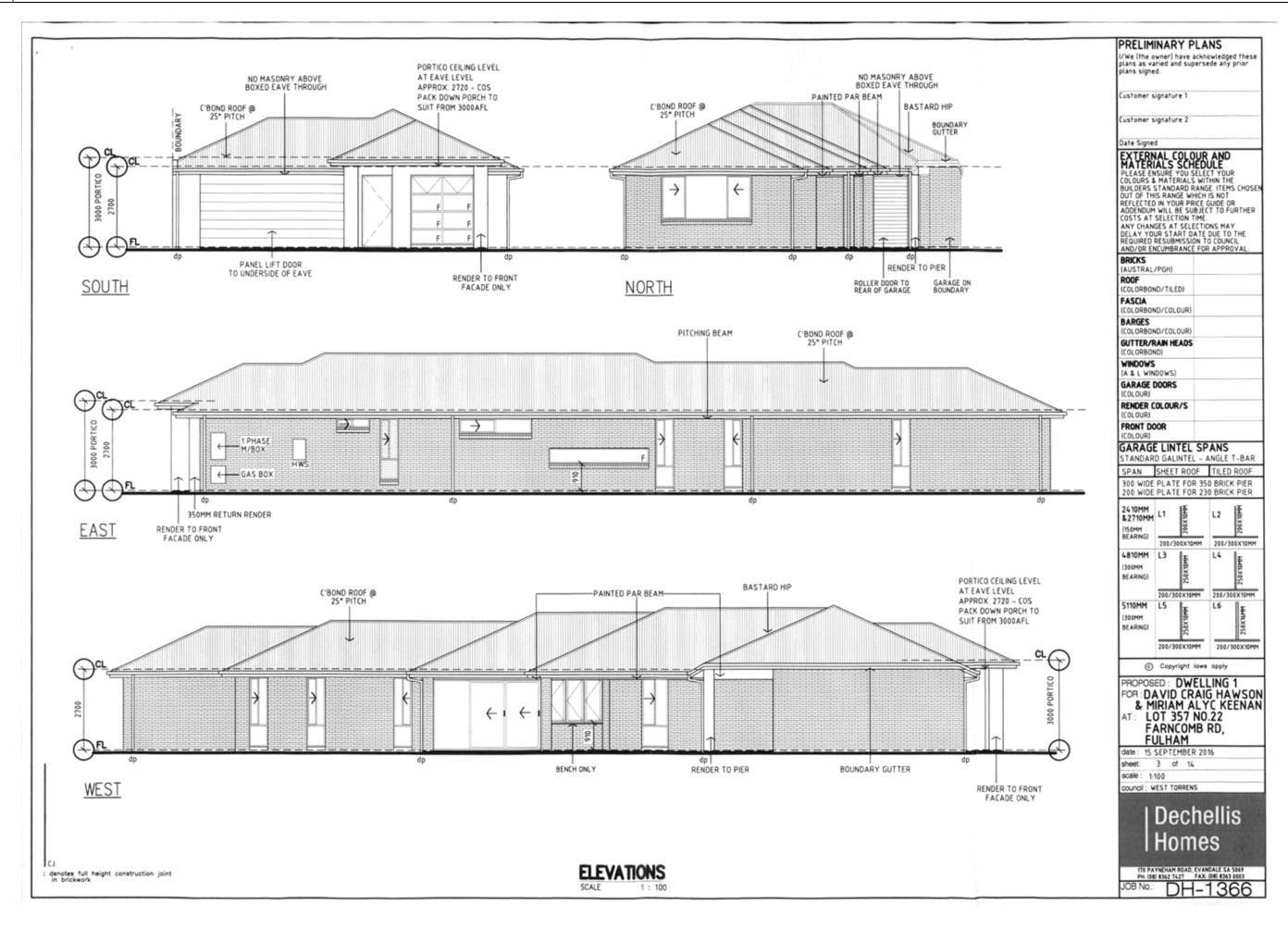
- 1. Land Division & Built Form
- 2. Referral Reports

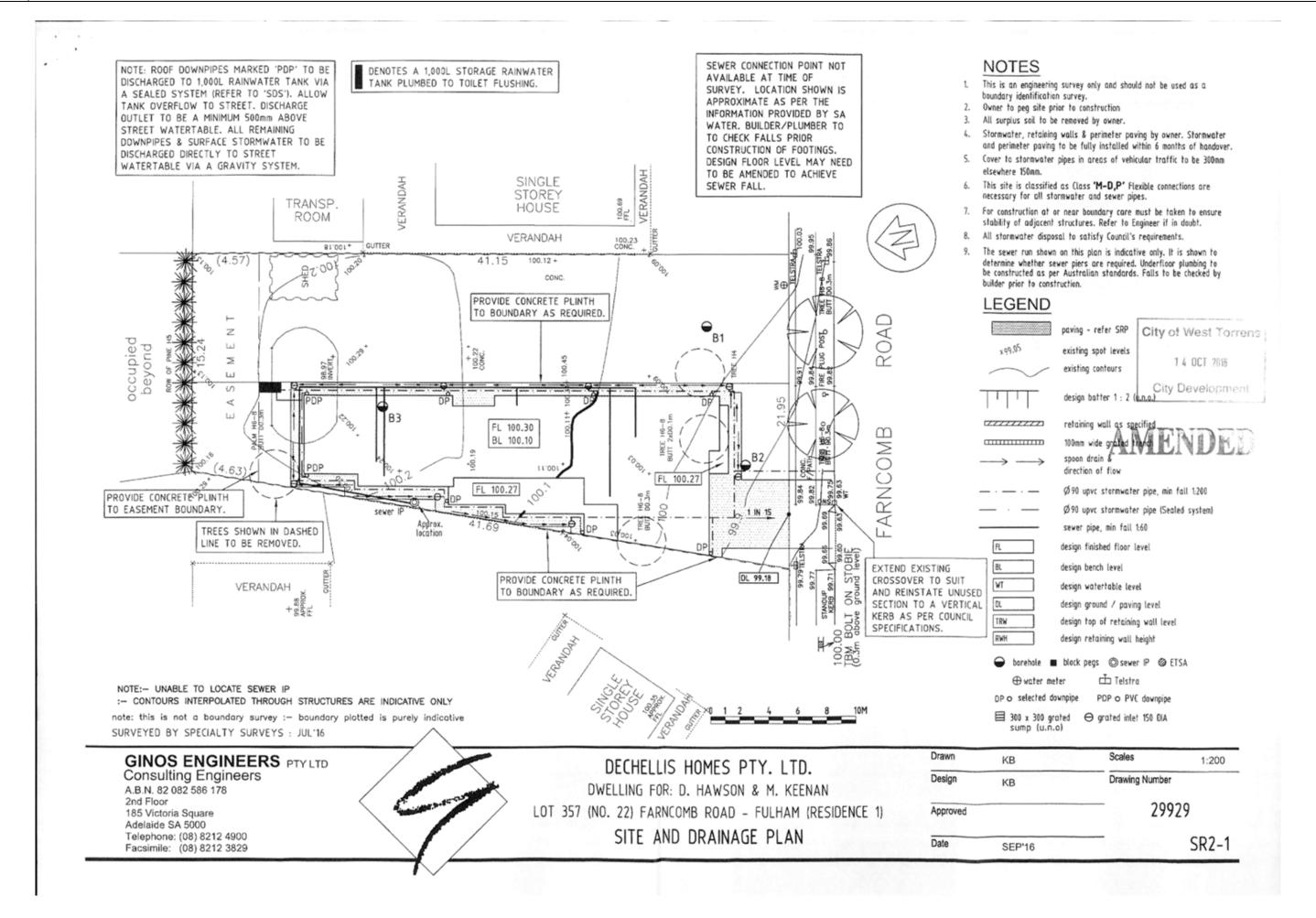
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Contact Lands Titles Office Telephone 7109 7016



22 November 2016 The Chief Executive Officer City of West Torrens Dear Sir/Madam

Re: Proposed Application No. 211/D191/16 (ID 56196) for Land Division by Mr David Hawson

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 09 November 2016, I advise that the Development Assessment Commission has consulted with SA Water Corporation (only) regarding this land division application. A copy of their response has been uploaded in EDALA for your consideration. The Commission has no further comment to make on this application, however there may be local planning issues which Council should consider prior to making its decision.

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

 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.

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.

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

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

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

Phil Hodgson Unit Manager



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

Inquiries Michael Zoanetti Telephone 7424 1280

22 November 2016

Our Ref: H0052566

The Chairman
Development Assessment Commission
136 North Terrace
ADELAIDE SA 5000
Dear Sir/Madam

#### PROPOSED LAND DIVISION APPLICATION NO: 211/D191/16 AT FULHAM

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 necessary easements shall be vested to SA Water.

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.

Yours faithfully

Michael Zoanetti

for MANAGER LAND DEVELOPMENT & CONNECTIONS



# Memo

To Phil Harnett
From Ming Siow
Date 14/12/16

Subject 211/1408/2016, 22 Farncomb Road, FULHAM SA 5024

Phil Harnett,

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

## 1.0 General Comments

1.1 I note that there are existing street trees on the verge. Subsequent to the land division, it appears that Lot 102 can accommodate a driveway/crossover on the eastern boundary. Lot 101 can retain the existing crossover location.

Regards

Ming

# 6.7 24 Garfield Avenue, KURRALTA PARK

Application No 211/486/2016

## **DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Construction of two (2) residential flat buildings comprising seven (7) dwellings
APPLICANT	D'Andrea & Associates
APPLICATION NO	211/486/2016
LODGEMENT DATE	5 May 2016
ZONE	Residential
POLICY AREA	Medium Density Policy Area 19
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 3
REFERRALS	Internal
	City Assets
	External
	■ Nil
DEVELOPMENT PLAN VERSION	5 May 2016
MEETING DATE	10 January 2017

# **RECOMMENDATION(S)**

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993*, resolves to GRANT Development Plan Consent for Application No. 211/486/2016 by D'Andrea & Associates for the construction of a two (2) residential flat buildings containing seven (7) dwellings with car ports under the main roof at 24 Garfield Avenue, Kurralta Park (CT5076/545) subject to the following conditions of consent:

## **Conditions:**

- 1. The development must be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
- 2. That the finished floor level shall be 100.35 in reference to the 'Site ground/floor Plan', (D'Andrea & Associates drwg received on 05/05/16).
- 3. The construction of a drainage system and the position and manner of discharge of a stormwater drain must not at any time:
  - a) Result in the entry of water into a building; or
  - b) Affect the stability of a building; or
  - c) Create unhealthy or dangerous conditions on the site or within the building; or
  - d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
- 4. Stormwater detention measures will be required to be undertaken to restrict the total discharge from the total development site to a maximum of 20 litres per second for the site critical 20 year ARI storm event.

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- 5. All driveways, parking and manoeuvring areas must be formed, surfaced with concrete, bitumen or paving, and be properly drained. They must be maintained to the reasonable satisfaction of Council thereafter.
- 6. All planting and landscaping must be completed within 3 months of the commencement of the use of this development and must be maintained to the reasonable satisfaction of Council. Any plants that become diseased or die must be replaced with suitable species.
- 7. The side and rear upper level windows and balconies of the dwellings must be provided with fixed obscure glass or screening to a minimum height of 1.7 metres above the upper floor level to minimise the potential for overlooking of adjoining properties, prior to occupation of the building. The glazing or screens in these windows and balconies is to be maintained at all times to the reasonable satisfaction of Council.
- 8. No aboveground structures such as letterboxes, service meters or similar are to be installed within the common driveway entrance and passing area.
- 9. Private open space areas nominated for each dwelling are not to contain bin storage areas or rainwater tanks.
- 10. Visitor car parking spaces nominated on the approved plans are for common use with signage outlining they are visitor car parking spaces required to be erected prior to the occupation of the proposed development.

#### **BACKGROUND**

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

With regard to residential development where proposed 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 fronts Garfield Avenue, Kurralta Park, and contains an existing dwelling that will require demolition for the proposed development to proceed. The site has a frontage to Garfield Avenue of 23.77m and a depth of 54.61m for a site area of approximately 1298m<sup>2</sup>. The site is rectangular in shape and abuts a drainage reserve to the rear of the site.

The subject site is shown in Figure 1.

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Figure 1: Subject Site



The immediate locality contains predominately single storey residential development including detached dwellings and group dwellings/units. The wider locality contains newer in-fill housing including a substantial development under construction at 44 Garfield Avenue.

Figure 2: Medium Density Development under construction 44 Garfield Avenue

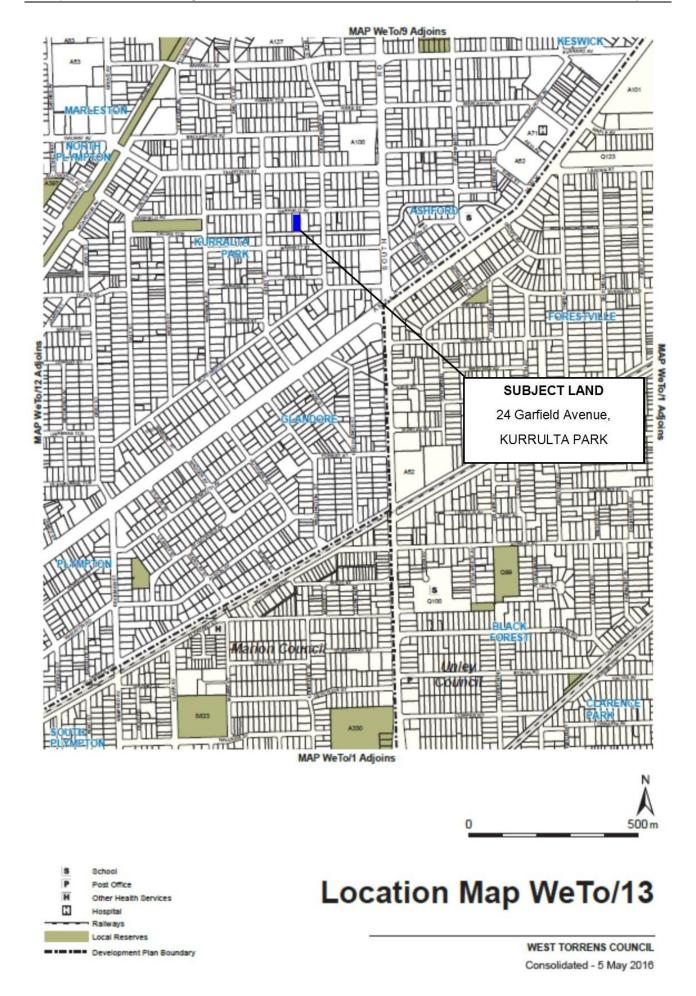


The relevant Development Plan map page and an aerial image of the site and locality can be found on the following pages.

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## **PROPOSAL**

Construction of two, two-storey residential flat buildings containing seven dwellings with carports under the main roof:

- The dwellings will contain three bedrooms on the upper level with kitchen, family/living and car parking located on the lower level.
- The dwellings are predominately internally oriented on the subject site overlooking the common driveway.
- Dwellings 2, 4, 5, 6 & 7 will include a balcony area;
- Dwellings 1 will provide 139.5m² of living area, Dwellings 2, 5 & 6 will provide 133m², Dwelling 3, 138m², Dwelling 4, 121.5m² and Dwelling 7, 132m² of living area.
- The proposed buildings (Residential Flat Building) are of a contemporary design with a variety of colours and finishes proposed.

Proposal documents can be viewed in Attachment 1.

## **PUBLIC NOTIFICATION**

The application underwent Category 3 notification pursuant to Section 38 and Schedule 9 of the Development Act and Regulations and Residential Zone, Procedural Matters.

Properties notified:	13 properties were notified during the Category 3 public notification process.	
Representations:	2 representations were received.	
Persons wishing to be heard	Nil	
Summary of	Q Yu & J Zhang	
Representations	<ul><li>Overlooking</li><li>Fencing</li><li>Trees</li><li>Future Development</li></ul>	
	SJ Mai    Overlooking    Privacy	

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

## **REFERRALS**

## **Internal City Assets**

Offset from adjacent creek

Normally council requires all new elements of this development to be located a minimum of 10.0 m from the centreline of the adjacent creek. The provided 'Site Plan' (D'Andrea & Associates drawing rev A dated 12/07/16) and supporting survey information (Donaghey Surveyors ref. F209216) is considered acceptable in this instance.

FFL Consideration - Finished Floor Level (FFL) Requirement

Based on the survey information provided on 'Site ground/floor Plan', (D'Andrea & Associates drawing received on 05/05/16), a minimum FFL of 100.35 would be required.

Traffic Comments

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Traffic manoeuvrability has been assessed as acceptable in accordance with the site layout shown in 'Site ground/floor Plan', (D'Andrea & Associates drawing received on 05/05/16).

## Garage/Carport Dimensions

The internal garage/Carport length is currently proposed is less than 5.80m. 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.

Verge Interaction (with street tree)

New 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 stormwater connection 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).

Although the property is adjacent to the creek it should be noted that no stormwater discharge would be permitted into the creek. All stormwater discharge should be discharged to the street.

New Stormwater connection for proposed dwellings satisfying the above criteria is not currently shown in any drawing.

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

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

It is also important to ensure that the functionality of this driveway entrance and passing area is not compromised by the ultimate installation of letterboxes, above ground service metres or similar. It is recommended that any approval associated with this development included a condition of similar wording to the following:

"No aboveground structure(s) such as letterboxes, service meters or similar are to be installing within the common driveway entrance and passing area."

It is noted that the existing crossover will be made redundant. This crossover should be reinstated to vertical kerb prior to the completion of any building works at the applicant's expense. It should also be indicated on revised plans that any redundant crossovers will be reinstated.

Stormwater Detention (Large Residential)

As the size of allotment(s) being affected by the proposed development totals between 1000 and 4000 square metres, stormwater detention measures will be required to be undertaken to restrict the total discharge from the total development site to a maximum of 20 litres per second for the site critical 20 year ARI storm event.

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In calculating the stormwater detention requirements, runoff from any existing structures and buildings to be maintained must be taken into consideration.

It is recommended that an indication of how the storage is to be provided and calculations supporting the nominated volume be submitted to Council.

It is noted that the stormwater detention measures are in addition to the compulsory Building Code of Australia (BCA) stormwater re-use requirement that is necessary for the new dwellings. For clarity the BCA required rainwater re-use storage should also be indicated on the plans.

To encourage improved Water Sensitive Urban Design measures within the proposed development, once the necessary extent and distribution of detention storage has been acceptably calculated, Council will permit this storage to traded (on a one to one basis) and added to the compulsory BCA active stormwater re-use storage.

Stormwater Quality – High Density Residential

Council typically requests that stormwater quality measures within High Density Residential Development to address the removal of stormwater pollutants from the stormwater flow exiting the site.

Although these measures are often addressed through the installation of proprietary devices, Council encourages the use of Water Sensitive Urban Design measures to improve the quality of site discharge flows which may also provide other added benefits to the development, such as permeable pavers or raingardens.

The applicant has addressed the above issues or alternatively conditions of consent are recommended.

## **ASSESSMENT**

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

General Section		
Crime Prevention	Objectives	1
Crime Prevention	Principles of Development Control	2
	Objectives	1
Design and Appearance	Principles of Development Control	1, 2, 3, 5,9, 10, 11, 12, 13, 14, 15, 20, 21
Energy Efficiency	Objectives	1
Energy Emclericy	Principles of Development Control	1, 2
Infrastructure	Objectives	3
Immastructure	Principles of Development Control	1
Interface between Land Uses	Objectives	1 & 2
Interface between Land Oses	Principles of Development Control	1, 2
Landscaping, Fences and	Objectives	1 & 2
Walls	Principles of Development Control	1, 2, 3, 4 & 6
	Objectives	2, 6
Natural Resources	Principles of Development Control	1, 2, 5, 7, 8, 9, 10, 11, 12, 13, 14,

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Orderly and Sustainable	Objectives	1, 2, 3, 4 & 5
Development	Principles of Development Control	1, 3, 5, 6, 7
	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1, 3, 4, 5, 6, 7, 8, 9, 10,
Residential Development		11, 12, 13, 14, 15, 16, 17,
		18, 19, 20, 21, 22, 23, 24,
		27, 28, 29, 30, 31, 32, 33
	Objectives	2
Transportation and Access	Principles of Development Control	1, 2, 8, 9, 10, 11, 23, 24,
		32, 34, 35, 36, 37, 38, 39,
		40 & 41,44,45

## Zone: Residential Zone

Desired Character Statement (extract);

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

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

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

Objectives	<ol> <li>A residential zone comprising a range of dwelling types, including a minimum of 15 per cent affordable housing.</li> <li>Dwellings of various types at very low, low and medium densities.</li> <li>Increased dwelling densities in close proximity to centres, public transport routes and public open spaces.</li> <li>Development that contributes to the desired character of the zone.</li> </ol>
Principles of Development Control	1 The following forms of development are envisaged in the zone:  affordable housing domestic outbuilding in association with a dwelling dwelling dwelling small scale non-residential use that serves the local community, for example: child care facility

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- health and welfare service
- open space
- primary and secondary school
- recreation area
- shop measuring 250 square metres or less in gross leasable floor area
- supported accommodation.

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

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

- (a) contribute to the desired character of the relevant policy area
- (b) provide adequate visual privacy by separating habitable rooms from pedestrian and vehicle movement.
- 10 Dwelling setbacks from side and rear boundaries should be progressively increased as the height of the building, (with the total wall height of the building being measured from the existing ground level at the boundary of the adjacent property as shown by Figure 1), increases to:
- (a) minimise the visual impact of buildings from adjoining properties
- (b) minimise the overshadowing of adjoining properties.

## Policy Area: Medium Density 19

Desired Character Statement: Allotments in this policy area will be at medium density, accommodating a range of dwelling types including semi-detached, row and group dwellings, as well as some residential flat buildings and some detached dwellings on small allotments. There will be a denser allotment pattern close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones.

New buildings will contribute to a highly varied streetscape. Buildings will be up to 2 storeys, except for allotments fronting Brooker Terrace, Marion Road and Henley Beach Road, and overlooking the Westside Bikeway, where buildings will be up to 3 storeys in height and provide a strong presence to streets. Garages and carports will be located behind the front facade of buildings.

Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer.

Objectives	1 Development that contributes to the desired character of the policy area.
Principles of Development Control	1,2,3,4,5,7

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## **QUANTITATIVE ASSESSMENT**

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SITE AREA	150m² average	138.5m² (average*)
PDC 5 Medium Density Policy Area 19	(Residential Flat Buildings within 400m of a Centre Zone)	* Site area average has been calculated excluding the common driveway consistent with the advice received by Council from its legal advisors.  The calculation has included visitor car parking which is proposed to be located in a community lot.
ALLOTMENT AREA		1298 m² (existing)
SITE FRONTAGE  PDC 5 Medium Density Policy Area 19	15m	23.77m (total frontage existing)  16.82m excluding common driveway  8.41m per residential flat building  Not Satisfied by 44%  *On the basis that there are 2 residential flat buildings proposed
SITE DEPTH		54.61m (existing)
SITE COVERAGE  PDC 3 Medium Density Policy Area 19	60%	45.9% approximately  Satisfies

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	T	
STREET SETBACK	3 metres	3m dwelling walls
PDC 3 Medium Density Policy Area 19		2.6m portico
7.1104 10		Satisfies
SIDE/REAR SETBACKS	Side	Eastern Boundary
PDC 11 Residential Zone	1.0m (wall height less than 3m)	Ground Floor
PDC 3 Medium Density Policy Area 19	2.0m (wall height 3-6m)	0.91m <b>Not Satisfied</b>
	Side 1.0m (wall height less than 3m)	Eastern Boundary Upper Floor
	2.0m (wall height 3-6m)	2-3m <b>Satisfies</b>
	(wall fleight 3-off)	Western Boundary Ground Floor
		0.91m <b>Not Satisfied</b>
		Western Boundary Upper Floor
		2-3m <b>Satisfies</b>
	Rear 6m	3.24m (carport Dwelling 4) 3.9m (Dwelling 3)
		Not Satisfied
PRIVATE OPEN SPACE	24m², of which 8 may	Dwelling 1:25.1m <sup>2</sup>
Council Wide PDC 19 Council Wide PDC 20	comprise balconies, roof patios and the like provided they have a minimum dimension of 2m	Dwellings 2: 33.8m plus balcony 10m²
		Dwelling 3: 30.7m <sup>2</sup>
	Minimum dimension at ground level of 3 metres	Dwelling 4: 19.2m plus balcony 7.5m
		Dwelling 5: 17.25 plus balcony 10m²
		Dwelling 6 17.25 plus balcony 10m²
		Dwelling 6 17.25 plus balcony 10m²

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2 per dwelling and 0.25 additional per dwelling (residential flat building) 15.75 car-parking spaces required	Areas for storage of rubbish bins, clothes drying and rainwater tanks, not shown on proposal plans however other area outside private open space area available to accommodate these uses.  Satisfies  16 spaces provided  Satisfies*  *Visitor parking is nominated on the site plan however it is located between Dwelling 2 & 3 and below the upper level of Dwelling 3.
2 storeys 8.5m wall height	Satisfies
	additional per dwelling (residential flat building)  15.75 car-parking spaces required

## **QUALITATIVE ASSESSMENT**

## **Siting**

The proposed residential flat buildings are not consistent with rear setbacks identified in the Development Plan. The Development Plan calls for a rear setback of 6m in Medium Density Policy Area 19 which differs from the 3m at ground level and 8m at upper level for the Residential Zone. The proposed rear setback for the two residential flat buildings is 3.24m (carport Dwelling 4) and 3.9m (Dwelling 3). It is noted that the subject land is adjacent a drainage reserve at the rear of the allotment which provides a separation of approximately 12.5m between the subject site and the allotments to the south over the drainage reserve. Given this separation the lessor rear setbacks are not considered to pose an unacceptable impact on nearby allotments.

## **Bulk and Scale**

The proposed built form (two Residential Flat Buildings) will have a frontage of 16.82 metres to Garfield Avenue excluding the common driveway. The design of the development has two distinctive buildings oriented to Garfield Avenue and internal to the site. The upper levels are setback further into the site than the ground level and the overall appearance of the site provides a blend of built form with space for the common driveway.

The façades will be broken up with a series of windows and articulation. The building design has attempted to break up wall areas through the use of different materials, finishes and articulation.

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While the built form in this locality is generally single storey the policies within Medium Density Policy Area 19 promote a different built form that will feature more two-storey development.

There will be a denser allotment pattern close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones.

New buildings will contribute to a highly varied streetscape. Buildings will be up to 2 storeys, except for allotments fronting Brooker Terrace, Marion Road and Henley Beach Road, and overlooking the Westside Bikeway, where buildings will be up to 3 storeys in height and provide a strong presence to streets.

The proposed development is consistent with that element of the desired character.

## Overlooking and Overshadowing

The proposed development includes obscure glazing of windows to a height 1.7 metres where they have the potential to overlook adjacent land. It also includes timber slatted screens to the upper level balconies to a height of 1.7m. It is recommended that the requirement for obscure glazing is reinforced with a condition of consent requiring obscure glazing to a height of at least 1.7m from floor level.

The subject site comprises an allotment that is oriented north and the upper storeys are setback 2.0 metres to the site boundaries which is consistent with the Development Plan requirements. On that basis adjacent properties should maintain minimum access to sunlight on accordance with Development Plan provisions. It is noted that the applicant did not provided a shadow diagram as part of the development application.

## **Colours and Materials**

Material of construction include face brickwork, painted scyon matrix cladding, colourbond roofing and aluminium window and door joinery. Proposed material colours included dark grey, off white and shale grey.

## Car Parking

The Development Plan calls for the provision of 16 spaces for the proposed development and 16 spaces are proposed to be provided. The Development Plan also calls for visitor spaces to be clearly identified and not associated with a particular dwelling. In this instance two spaces are nominated for visitors, however they are located below the upper level of Dwelling 3 and in the indicative land division plan are located on Community Lot 3. It is recommended that a condition of consent is included that requires the proposed visitor spaces to be clearly delineated as visitor's spaces including signage.

The proposed development does not include a specific area for bicycle parking as outlined in Principle of Development Control 30 (Residential Development) for development containing more than 6 dwellings.

## **Visual Impact on Neighbouring Developments & Streetscape**

The proposed Residential Flat Buildings are oriented towards the proposed common driveway and the primary frontage of Garfield Avenue. Dwelling 1 and Dwelling 7 at the front of the buildings are oriented to the public street and the façade contains a mix of materials and articulation to create visual interest from Garfield Avenue.

Landscaping is proposed in the front setback and there is no proposed front fencing as part of the development application.

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The Siteworks Plan prepared by RCI consulting engineers recognises an existing fire plug pole in the verge that is nominated for relocation to allow the construction of the new crossover (SA Water approved the removal of the pole 21 Dec 2016).

## **Private Open Space**

The proposed development provides private open space that complies with the minimum standards within the Development Plan.

The private open space is provided through a mix of ground level and balcony spaces that in all cases exceed the 24m² minimum. The dimensions of the ground level private open space and the balconies meet the minimum dimension criteria within the Development Plan.

The plans submitted as part of the development application do not outline areas for bin storage or rainwater tanks. However, there are areas provided that do not meet the minimum dimensions for private open space that could accommodate these uses. Given the Development Plan is clear in not having these uses within private open space it is recommended that a condition of consent require them to be located outside the designated private open space provided for each dwelling.

#### Stormwater

As the size of allotment is 1298m² stormwater detention measures are to restrict the total discharge from the development site to a maximum of 20 litres per second for the site critical 20 year ARI storm event.

## **Regulated & Significant Trees**

The proposed development will involve the removal of existing vegetation on site. None of the trees on site identified in the 'Siteworks Plan' are nominated as regulated or significant and the rear of the subject site could not be accessed during the site inspection. Should any vegetation to be removed meet the criteria for regulated or significant trees then approval for any tree damaging activity or removal will be required.

## Landscaping

Landscaping will be contained within the private open space for dwellings, adjacent the common driveway and dwelling entrances and within the front setback. The total area of site landscaping (including private open space) is greater than 10% of the site.

## Land Division/Site Area

While a land division development application has not been lodged for this site the applicant has provided Council with a proposed land division plan as part of the current development application (211/486/2016). This proposed land division plan shows that the site will be divided into seven common lots with a common area.

Council Wide provisions that relate to Land Division include:

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

Objective 5 Land division should result in allotments of a size suitable for their intended use.

As the subject site is within 400m of a centre zone, dwellings within a residential flat building should have an average site area of 150m<sup>2</sup> and a complete residential flat building should have a minimum frontage of 15 metres in accordance with Principle of Development Control 5 in Medium Density Policy Area 19.

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The average site area per dwelling proposed is 138.5m² when the common driveway is excluded. Therefore the average site area does not meet an average site area of 150m² per dwelling, failing by 11.5m².

The subject site is a large allotment  $(23.77 \, \text{m x} \, 54.61 \, \text{m} = 1298 \, \text{m}^2)$  and the proposed development meets many of the quantitative provisions within the Development Plan. Based on the built form to be constructed on the site it is considered that the proposed site areas while not meeting the minimum site area average in the Development Plan are suitable in this instance. Should the proposed land division be submitted the lots created would be suitable for residential development as proposed in this development application.

## **SUMMARY**

The proposed development of two, two-storey Residential Flat Buildings within the Residential Zone and Medium Density Policy Area 19 is considered an appropriate land use.

The proposed development meets many of the qualitative and quantitative standards within the West Torrens Development Plan.

The average site area for the development is below the 150m<sup>2</sup> outlined in the Development Plan however this is not considered a significant departure from the Development Plan and it is recognised that at 1298m<sup>2</sup> the allotment proposed for development is large and represents an opportunity to increase densities in this locality as proposed by the Development Plan.

While the proposed development does not meet the rear setback provisions in the Development Plan that drainage reserve/creek at the rear of the site provides separation from adjacent dwellings to the rear which minimises potential impacts of a reduced rear setback. The buildings are also marginally below the side setback requirements (0.91m vs 1.0m) in the Development Plan.

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

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

## **Attachments**

- 1. Proposal Plans
- 2. Representations & Response

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Development Assessment Panel Item 6.7- Attachment 1

## 24 Garfield Ave, Kurralta Park

## City of West Torrens

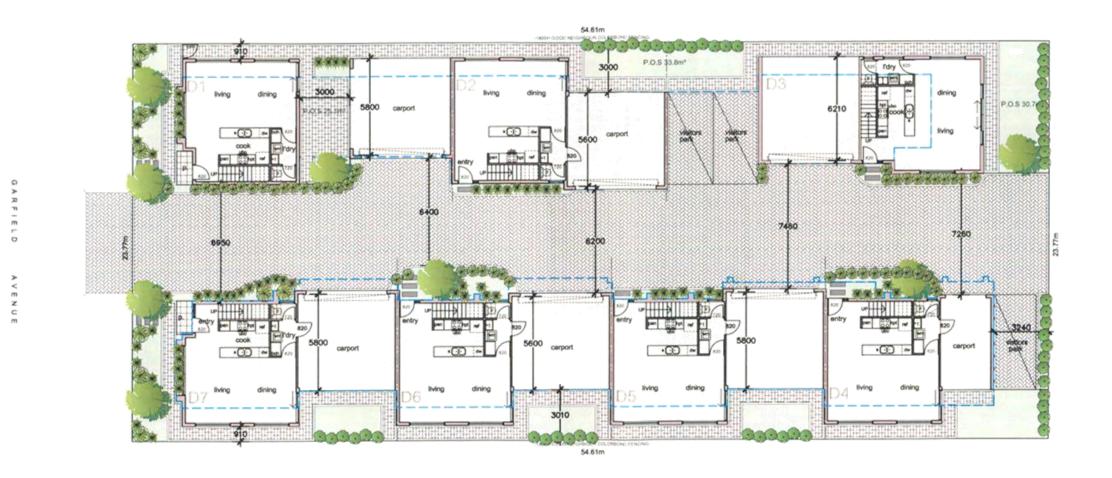
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City Development

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# 24 Garfield Ave, Kurralta Park

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City of West Torrens

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City Development



AMENDED

upper floor plan
proposed 7.2 storey dwellings at: No. 24 Garfield Ave Kurralta Park

D'ANDREA AND ASSOCIATES

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## 24 Garfield Ave, Kurralta Park

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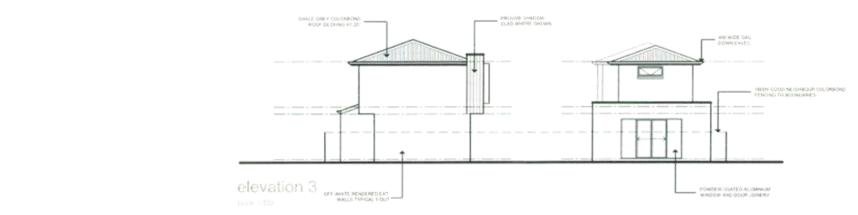
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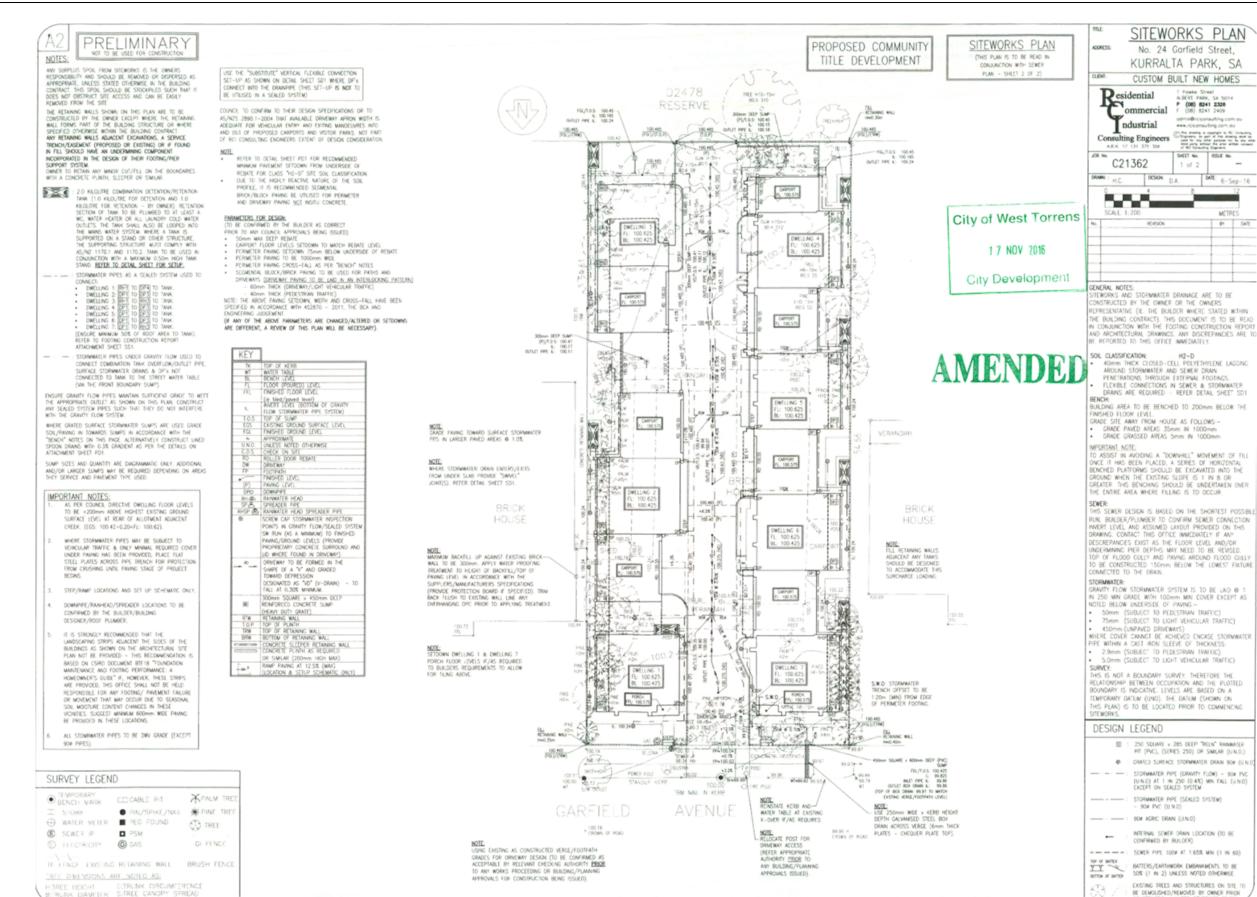


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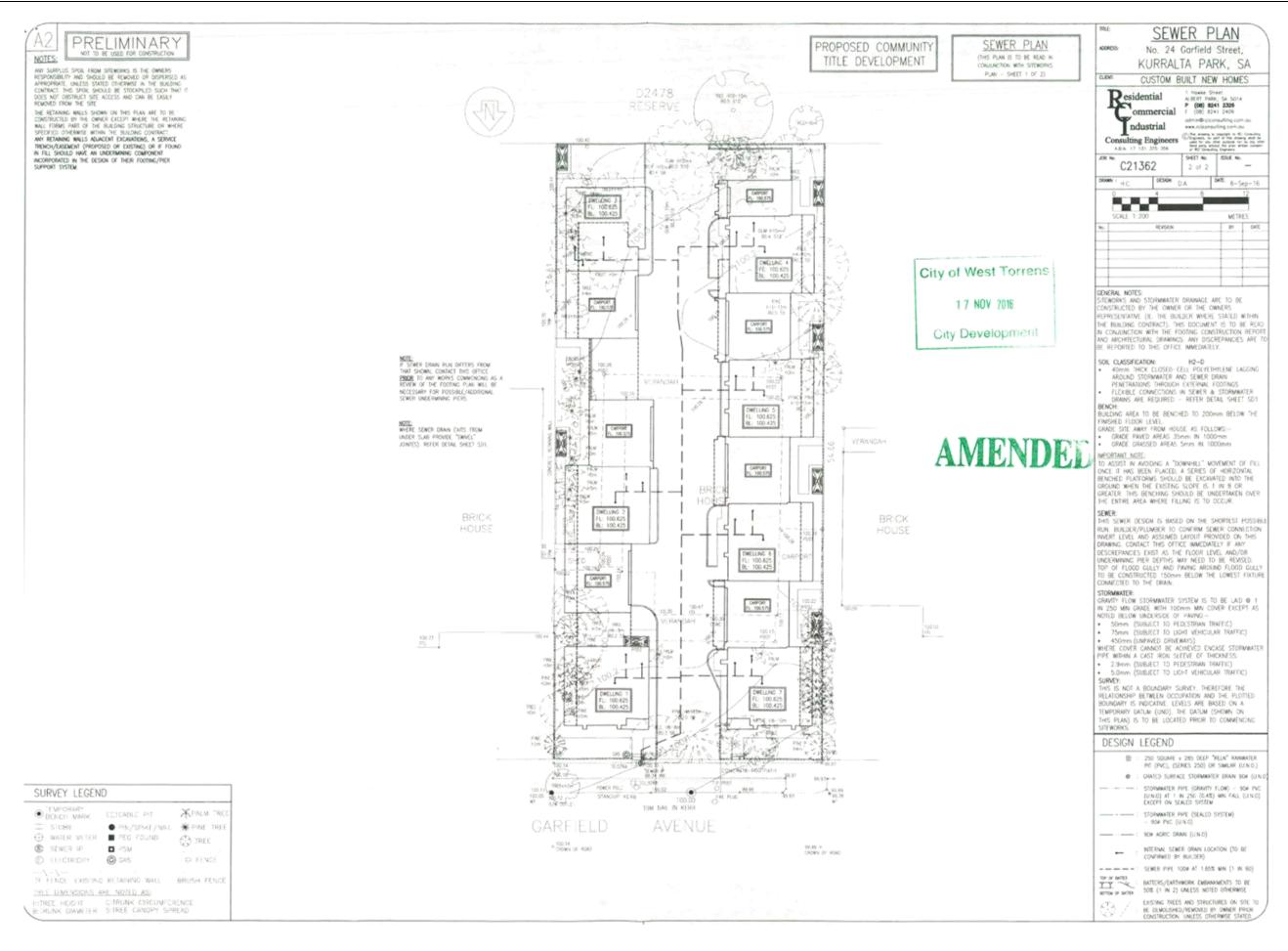
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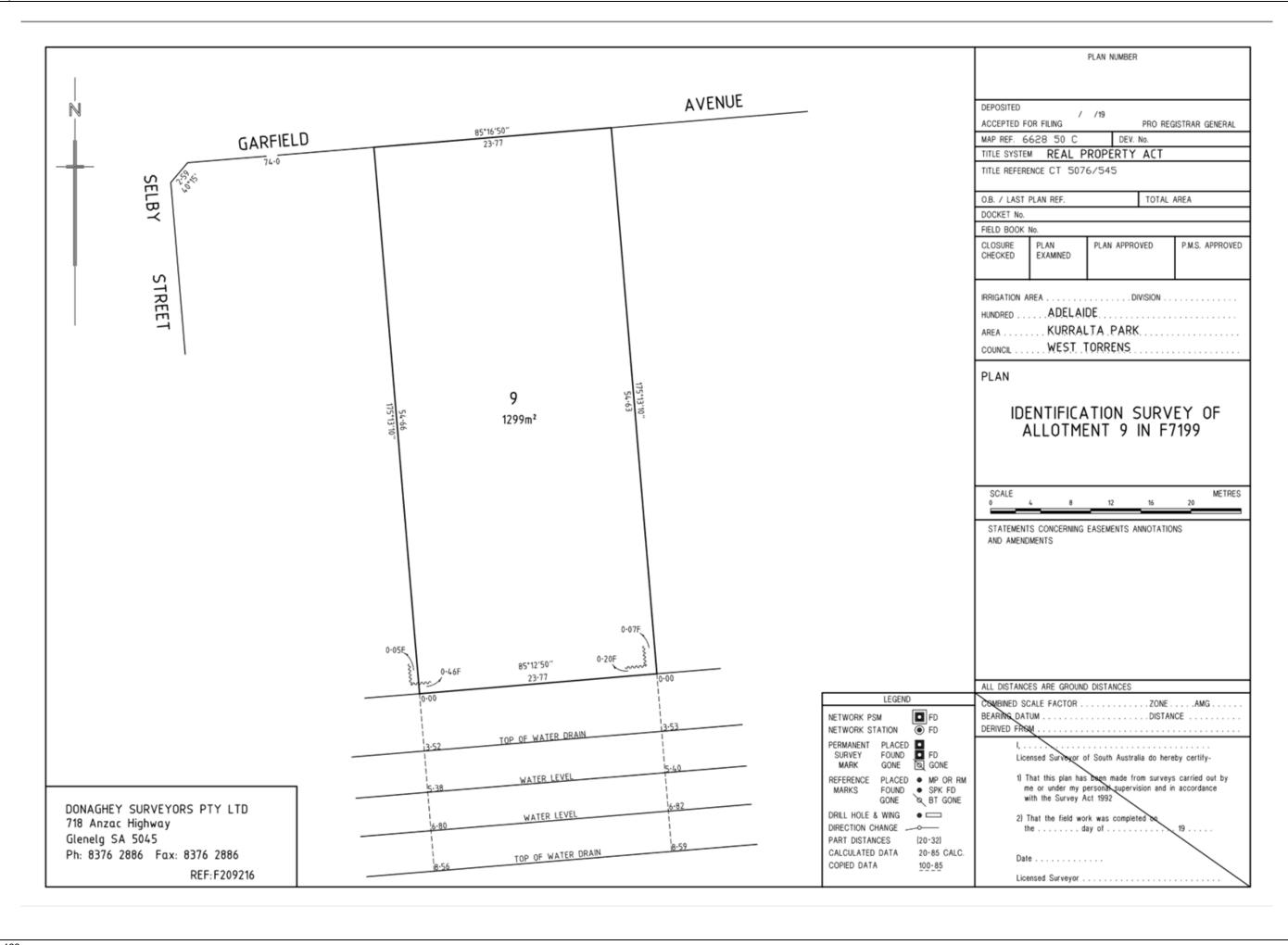
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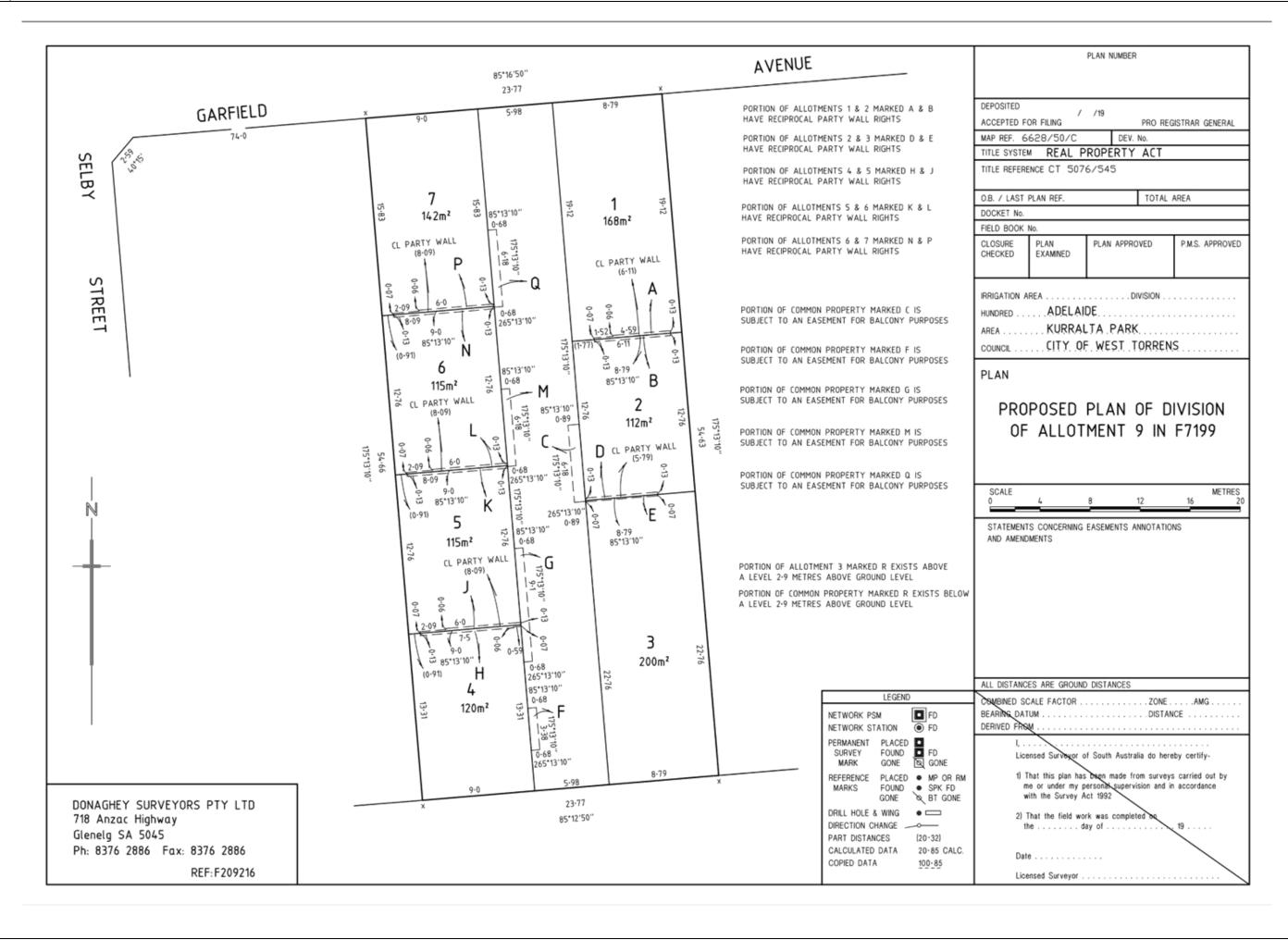
Development Assessment Panel Item 6.7- Attachment 1



Development Assessment Panel Item 6.7- Attachment 1













1 mail to : 5/21A Windsor Rd, Glenside Sq

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

			City of West Torrens 2 9 JUN 2016
HILTON 5033  DEVELOPMENT No. PROPERTY ADDRESS:	211/486/2016 24 Garfield Avenue, KUR	RALTA PARK SA 50	City Development
NAME & ADDRESS OF PERSON(S) MAKING REPRESENTATION (mandatory requirement *)  NATURE OF INTEREST * AFFECTED BY DEVELOPMENT (eg adjoining resident, owner of land in vicinity, or on behalf of an organization or company)	Onyperg Yu 26 Garfredd	Ave. k	
REASONS FOR * REPRESENTATION	Over looking.	fen cry ovelopment	RECEIVED
MY REPRESENTATION * WOULD BE OVERCOME BY (state action sought)		PI	M 7 8 9 10 11 12 2 8 JUN 2016 CT M 1 2 3 0 5 6 West Torrens CSU
Please indicate in the appropriate t submission: -	ox below whether or not y	ou wish to be heard	by Council in respect to this
I DO <b>NOT</b> WISH TO BE HEARD I DESIRE TO BE HEARD PERSON WILL BE REPRESENTED BY	(PLEASE SPECIFY)	0 0 0	
SIGNED 5	more ?	长路多	
DATE	12016 S		
* If space insufficien	t, please attach sheets		(FORM 3)
			ole Officer: Zoe Delmenico Ends: Tuesday 28 June 2016

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

TO Chief Executive City of West Tor		1	Received
	d Bradman Drive	1	2 9 JUN 2016
DEVELOPMENT No. PROPERTY ADDRESS:	211/486/2016 24 Garfield Avenue, KURRALTA	PARK SA 5037	City of West Torrens offormation Management
NAME & ADDRESS OF PERSON(S) MAKING REPRESENTATION (mandatory requirement *)	SUSAN JUDIO 20 GARTIELD AV	TH MA	,
NATURE OF INTEREST * AFFECTED BY DEVELOPMENT (eg adjoining resident, owner of land in vicinity, or on behalf of an organization or company)	OVER Looking	PRIV	o I E
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MY REPRESENTATION * WOULD BE OVERCOME BY (state action sought)		PA	2 8 JUN 2016 PH 2 8 JUN 2016 PH M 1 2 3 6 5 6 West Torrens CSU
Please indicate in the appropriate submission:	box below whether or not you wish	, -	
DESIRE TO BE HEARD PERSON WILL BE REPRESENTED BY	ALLY (PLEASE SPECIFY)	0	2 9 JUN 2016
SIGNED 28-6	-16		City Development
* If chaco incufficior	of place attach chaote		

(FORM 3) Responsible Officer: Zoe Delmenico Ends: Tuesday 28 June 2016



11th July 2016

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

ATTENTION: Zoe Delmenico

DA: 211/486/2016

RE: No. 24 Garfield Ave Kurralta Park

Dear Zoe,

Thank you for forwarding to me copies of the representations received by council from the notification process. There were two received from no. 20 & 26 Garfield Ave Kurralta

Both representations relate to overlooking and as such all upper floor windows facing adjacent boundaries have been noted to have 1700 high fixed obscure glazing from the upper floor finished floor level. Further to this the balconies proposed also have a 1700 high screen not allowing any overlooking into adjacent properties.

Fencing and trees have also been mentioned in the representation received from no. 24 Garfield Ave Kurralta Pk.

The fencing to the boundaries have been noted as 1800 high good neighbour colorbond fencing.

In relation to the trees, all existing trees on site (which are not significant) will be removed and new planting will be carried out for the development. Please find attached plans with landscaping schedule proposed to the site which is what I assume the representor is relating to.

All the concerns raised by the representors are of a minor nature and can easily be overcome by the above responses and I believe the application put forward to council has merit and on balance is worthy of council support.

Yours sincerely,

Alberto D'Andrea

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## 7 CONFIDENTIAL REPORTS OF THE CHIEF EXECUTIVE OFFICER

## 7.1 3 Castlebar Road, LOCKLEYS - CONFIDENTIAL

## **Application No.** 211/391/2016

## **Reason for Confidentiality**

It is recommended that this Report be considered in CONFIDENCE in accordance with Section 56A(12)(a) (vii) and (viii) of the *Development Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (vii) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.
- (viii) legal advice.

as this matter is before the Environment Resources and Development Court and it is a requirement of the Court that matters are kept confidential until such time as a compromise is reached or the matter proceeds to a hearing.

## **RECOMMENDATION(S)**

It is recommended to Development 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 Development Assessment Panel orders pursuant to Section 56A(12)(a) of the *Development Act 1993*, that the public, with the exception of the Chief Executive Officer, members of the Executive and Management Teams, 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 Chief Executive Officer.
- 2. At the completion of the confidential session the meeting be re-opened to the public.

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## 8 SUMMARY OF COURT APPEALS

## 8.1 Summary of Court Appeals

## **Brief**

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

## **RECOMMENDATION(S)**

The Development Assessment Panel receives and notes the information.

## **DEVELOPMENT ASSESSMENT PANEL DECISION**

The Panel resolved that the recommendation is adopted.

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

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

The current status is listed as follows:

## **Matters pending determination by DAC**

Reason for referral	DA number	Address	Description of development
Section 49	211/722/2016	Lot 2 West Beach Road, WEST BEACH	Change of use to function room
Schedule 10	211/136/2015	134-136 Anzac Highway, GLANDORE	On The Run redevelopment
Section 49	211/1155/2012/A	Lot 2 West Beach Road, WEST BEACH	Amendment to condition regarding lighting
Schedule 10	211/983/2016	Lot 52 Military Road, WEST BEACH	Additions to building for office and training room
Concurrence	211/765/2016	115 South Road, THEBARTON	Change of use to include restaurant
Schedule 10	211/1385/2016	20-118 James Melrose Road, Novar Gardens	Construction of waterproof sail canopy
Section 49	211/1444/2016	Lot 2 West Beach Road, WEST BEACH	Two temporary grandstands

## **Development Application appeals before the ERDC**

DA Number	Address	Reason for Appeal	Description of Development	Status
211/875/2015 211/926/2016	23 Wood Street, KURRALTA PARK	Appeal by third party against decision	Construct a residential flat building containing five dwellings	Pending
211/391/2016	3 Castlebar Road, LOCKLEYS	Applicant appealed DAP refusal	Carport forward of dwelling	Conciliation Process
211/476/2015/2	452 Henley Beach Road, LOCKLEYS	Applicant appealed DAP refusal	Retirement village	Conciliation Process
211/44/2016	100 Main Street, LOCKLEYS	Applicant appealed DAP refusal	Eight dwellings	Conciliation Process
211/881/2015	16 Warwick Avenue, KURRALTA PARK	Applicant appealed DAP refusal	Land division & two additional dwellings	Conciliation Process

**NOTE**: Italics above indicate updated information.

## **Attachments**

Nil

## 9 MEETING CLOSE

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