

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, 12 SEPTEMBER 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**

That the Minutes of the meeting of the Development Assessment Panel held on 8 August 2017 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 60 Ayton Avenue, FULHAM

Application No 211/899/2017

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Land division - Torrens Title; DAC No. 211/D128/17 (Unique ID 58905); Create one (1) additional allotment
APPLICANT	D Spinello
APPLICATION NO	211/899/2017
LODGEMENT DATE	27 July 2017
ZONE	Residential Zone
POLICY AREA	Low Density Policy Area 21
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> ▪ Nil External <ul style="list-style-type: none"> ▪ State Planning Assessment Commission (SPAC) (<i>formally known as the Development Assessment Commission</i>) ▪ SA Water
DEVELOPMENT PLAN VERSION	5 May 2016
MEETING DATE	12 September 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 GRANT Development Plan Consent for Application No. 211/899/2017 by D Spinello to undertake Land division - Torrens Title; DAC No. 211/D128/17 (Unique ID 58905); Create one (1) additional allotment at 60 Ayton Avenue, Fulham (CT5821/306) subject to the following conditions of consent (and any subsequent or amended condition that may be required as a result of the consideration of reserved matters under Section 33(3) of the Development Act):

DEVELOPMENT PLAN CONSENT

Council Conditions

1. Development is to take place in accordance with the plans prepared by Western Surveying Services relating to Development Application No. 211/899/2017 (DAC 211/D128/17).

LAND DIVISION CONSENT

Council Conditions

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

State Planning Assessment Commission Conditions

2. Payment of \$6,830 into the Planning and Development Fund (1 allotment(s) @ \$6,830/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 State Planning Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, Level 5, 50 Flinders Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Planning 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. Subject to our new process, on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non-standard fees. On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.

BACKGROUND

The development proposal is presented to the 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.

DA 211/63/2017 - A combined application for land division - Torrens Title; DAC No. 211/D004/17 (Unique ID 56841) to create one (1) additional allotment; and the construction of two (2) single storey dwellings was granted Development Plan Consent under delegated authority on 2 May 2017. The allotments part of the land division component of DA 211/63/2017 development application have the same allotment boundary measurements and areas as proposed in this current application for land division only (DA 211/899/2017).

PREVIOUS OR RELATED APPLICATION(S)

DA 211/63/2017 - Combined Application: Land division - Torrens Title; DAC No. 211/D004/17 (Unique ID 56841); Create one (1) additional allotment; and construction of two (2) single storey dwellings

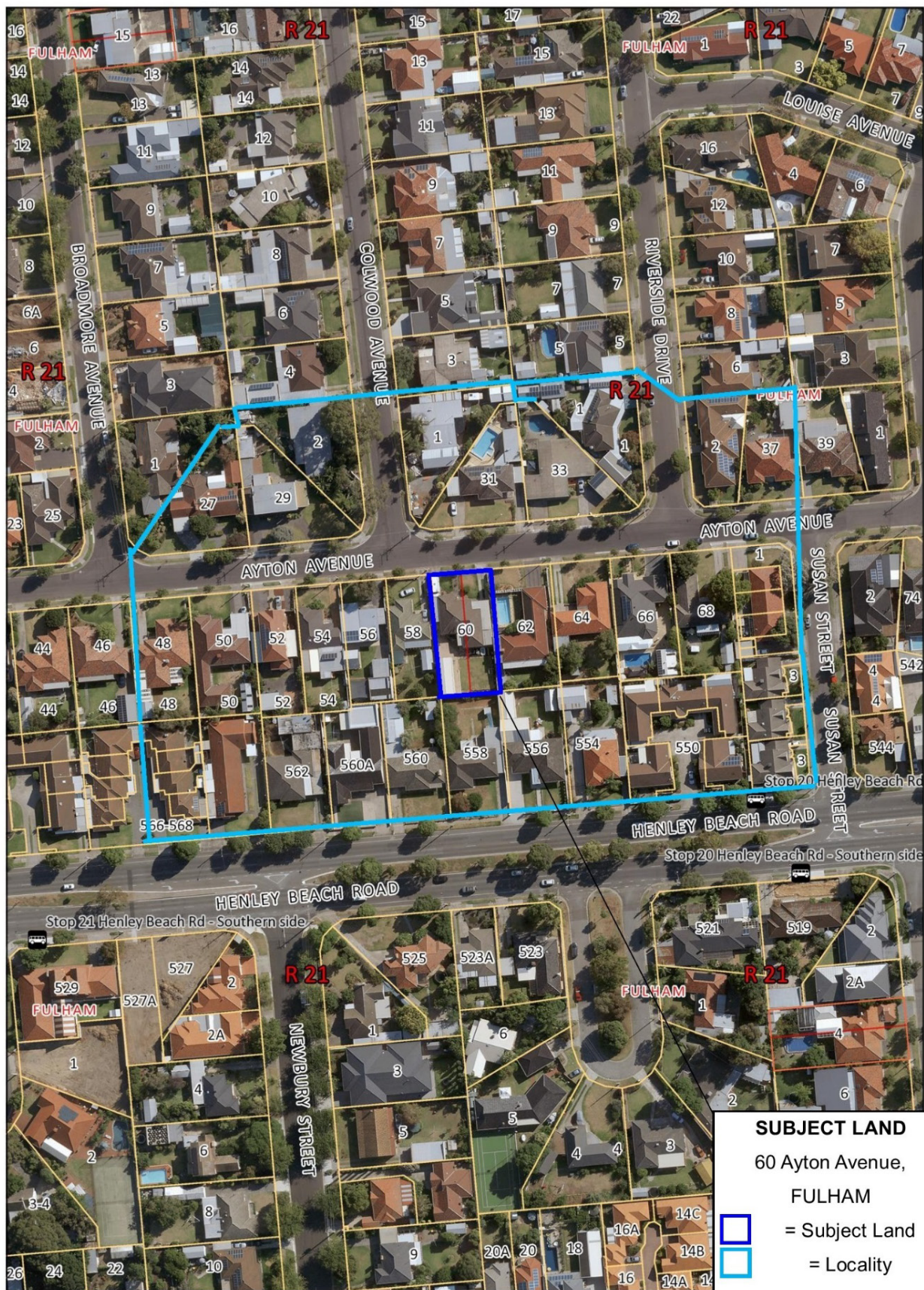
SITE AND LOCALITY

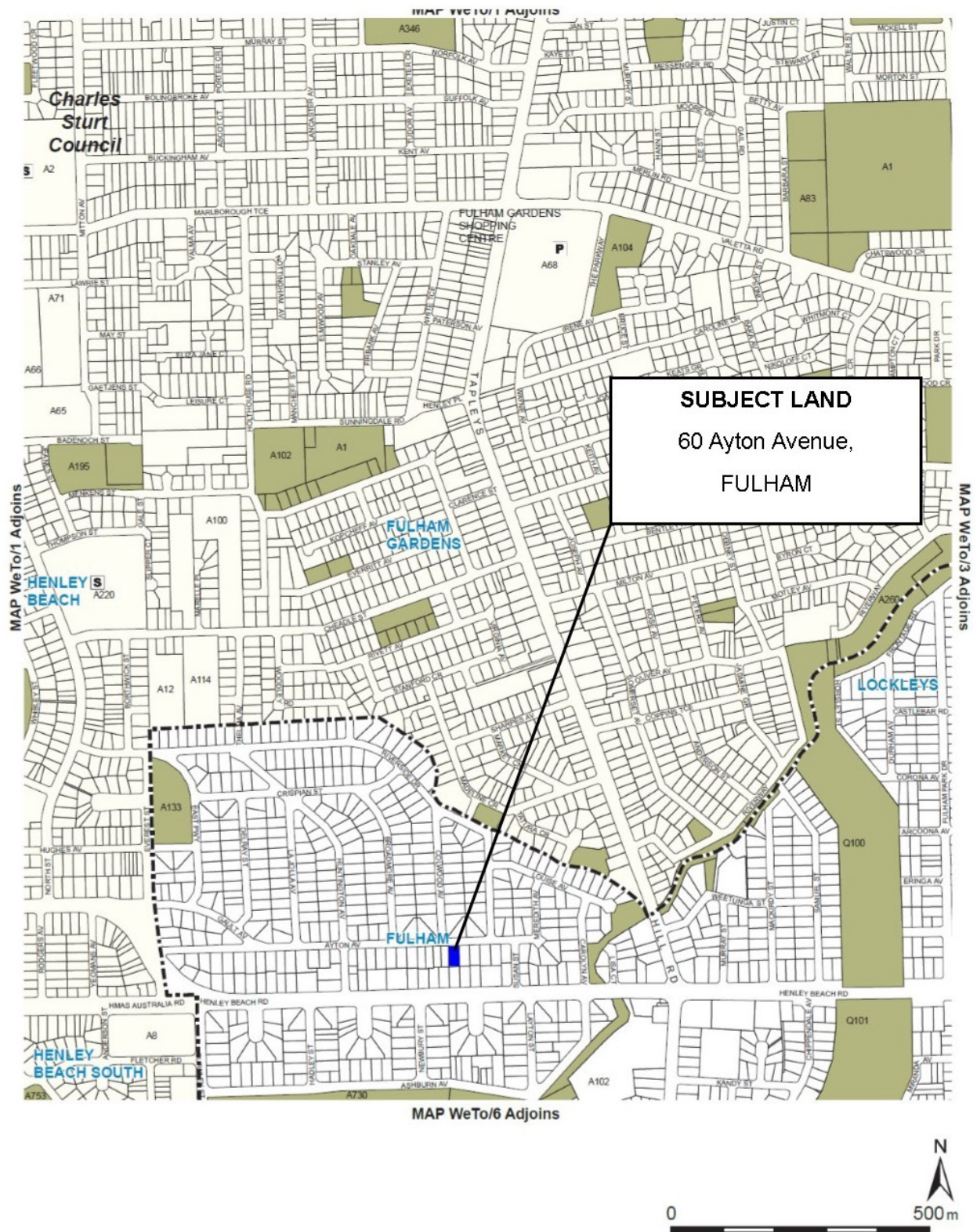
The subject land is formally known as Allotment 70 Filed Plan 119288 in the area named Fulham Hundred of Adelaide, but is more commonly known as 60 Ayton Avenue. The frontage width of the subject land is 20.1 metres, the depth is 41.15 metres and the total area is 828 square metres.

Currently existing on the subject land is a 1960s conventional hipped roof dwelling, an outbuilding, garage, carport and verandah.

The subject land is located on the southern side of Ayton Avenue, slightly east opposite the Colwood Avenue and Ayton Avenue intersection. There are two Local Centre Zones on Henley Beach Road that are within 400 metres of the subject land, each containing personal service establishments, and shops including eateries. Whilst the subject land is in walking distance to Local Centre Zones, the locality is characterised by residential development, mainly in the form of detached dwellings at low density. Although there are more examples of housing diversity (including row dwellings, residential flat buildings and group dwellings) fronting and located closer to Henley Beach Road.

The site and locality are shown on the following maps:





Location Map WeTo/2

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

WEST TORRENS COUNCIL
Consolidated - 30 May 2017

PROPOSAL

The Applicant seeks approval for land division resulting in the creation of one additional Torrens titled allotment.

Both of the proposed allotments will have a frontage width of 10.06 metres, depths of 41.15 metres and areas of 414 square metres.

A copy of the plan of division is contained within **Attachment 1**.

PUBLIC NOTIFICATION

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

REFERRALS

Internal

In this instance a referral to the City Assets or City Works Department for feedback on traffic, access and verge features, was not required as there are existing driveway and crossovers which will allow for separate vehicle access to each of the proposed allotments.

External

State Planning Assessment Commission (SPAC) and SA Water

Pursuant to Section 33 and Schedule 29(1) of the Development Act and Regulations, the application was referred to SA Water by the State Planning Assessment Commission.

Neither SPAC nor SA Water had any objections to the proposal, subject to several conditions being added to any consent notice.

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

ASSESSMENT

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

<u>General Section</u>		
<i>Land Division</i>	<i>Objectives</i>	<i>1, 2, 3 & 4</i>
	<i>Principles of Development Control</i>	<i>1, 2, 5, 6, 8 & 12</i>
<i>Orderly and Sustainable Development</i>	<i>Objectives</i>	<i>1, 2, 3, 4 & 5</i>
	<i>Principles of Development Control</i>	<i>1, 3 & 7</i>
<i>Residential Development</i>	<i>Objectives</i>	<i>1, 2, 3 & 4</i>
	<i>Principles of Development Control</i>	<i>1 & 3</i>

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

Policy Area: Low Density Policy Area 21	
Desired Character Statement:	
<p><i>This policy area will have a low density character. In order to preserve this, development will predominantly involve the replacement of detached dwellings with the same (or buildings in the form of detached dwellings).</i></p> <p><i>There will be a denser allotment pattern and some alternative dwelling types, such as semi-detached and row dwellings, close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones. Battleaxe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments developed with buildings that have a direct street frontage. In the area bounded by Henley Beach Road, Torrens Avenue and the Linear Park, where the consistent allotment pattern is a significant positive feature of the locality, subdivision will reinforce the existing allotment pattern.</i></p> <p><i>Buildings will be up to 2 storeys in height. Garages and carports will be located behind the front façade of buildings. Buildings in the area bounded by Henley Beach Road, Torrens Avenue and the Linear Park will be complementary to existing dwellings through the incorporation of design features such as pitched roofs, eaves and variation in the texture of building materials.</i></p> <p><i>Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer. Low and open-style front fencing will contribute to a sense of space between buildings.</i></p>	
Objectives	1
Principles of Development Control	1, 2, 4 & 6

QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT	
		Allotment 1	Allotment 2
SITE AREA <i>Low Density Policy Area 21</i> <i>PDC 4 (within 400m of centre)</i>	350m ² (min.)	414m ² Satisfies	414m ² Satisfies
SITE FRONTAGE <i>Low Density Policy Area 21</i> <i>PDC 4 (within 400m of centre)</i>	9m	10.06m Satisfies	10.06m Satisfies
ALLOTMENT AREA <i>Low Density Policy Area 21</i> <i>PDC 6</i>	420m ² (min.)	414m ² Does not Satisfy by 1.43%	414m ² Does not Satisfy by 1.43%
ALLOTMENT FRONTAGE <i>Low Density Policy Area 21</i> <i>PDC 6</i>	12m	10.06m Does not Satisfy by 16% or 1.94m	10.06m Does not Satisfy by 16% or 1.94m

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

Dwellings are envisaged within the Residential Zone and detached dwellings are envisaged specifically within the policy area. The proposed allotments will be of a size and shape that supports residential redevelopment of this nature.

Land Division

Principle of Development Control (PDC) 6, Residential Zone, Low Density Policy Area 21 provides that land division should create allotments with an area of greater than 420 square metres and a minimum frontage width of 12 metres, other than where land division is combined with an application for dwellings or follows an approval for dwellings on the site.

PDC 4 Residential Zone, Low Density Policy Area 21 provides that when a dwelling is located within 400 metres of a Centre Zone it should have a minimum site area of 350 square metres and a frontage to a public road of nine (9) metres.

In this instance the subject land is located within 400 metres of two Centre Zones and if the present application had been combined with an application for dwellings then the requirements of PDC 4 would have been met.

It should be noted that within the Low Density Policy Area 21 the same allotment area and frontage width is prescribed for each envisaged dwelling type. Therefore, a combined application for the purpose of ensuring a specific dwelling type is built on the land is not necessary, as the proposed allotments will be a size and width which will accommodate any of the dwelling types envisaged to be developed within 400m of a Centre Zone.

The proposed division still results in allotments which have an area and an appropriate frontage width to support envisaged dwelling types of detached dwellings or semi-detached dwellings. The proposal will contribute to the desired character by creating a greater number of housing opportunities located in close proximity to Centre Zones. Further, allotment frontage widths within the local area varies, as there are detached dwellings, residential flat buildings, row dwellings and group dwellings that exist, therefore, the proposed allotments will not have a negative impact on the allotment pattern within the locality in this respect

SUMMARY

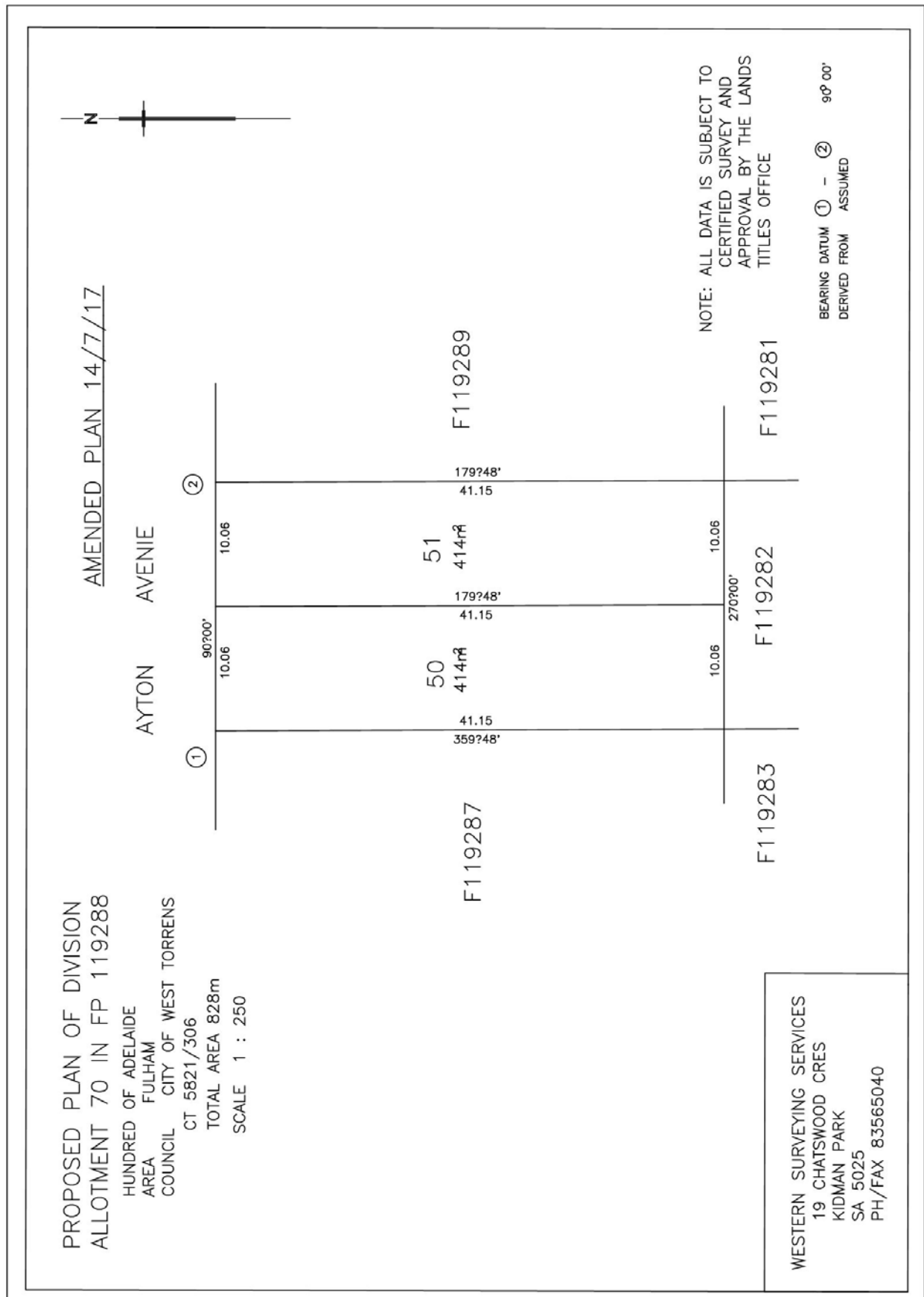
The subject land is located within 400 metres of a Centre Zone and, as such, the site areas and frontage widths of the proposed allotments are considered to be appropriate to the locality. The development will result in allotments that are suitable to accommodate a detached dwelling or semi-detached dwelling (an envisaged form of development within the zone and policy area) which will be complimentary to the built form within the locality.

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

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

Attachments

- 1. Plan of Division**
- 2. SPAC Response**



Contact Lands Titles Office
Telephone 7109 7016



07 August 2017

The Chief Executive Officer
City of West Torrens

Dear Sir/Madam

Re: Proposed Application No. 211/D128/17 (ID 58905)
for Land Division by Mrs DANIELA SPINELLO

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

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

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

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

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

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

Phil Hodgson
Unit Manager
Lands Titles Office

as delegate of
DEVELOPMENT ASSESSMENT COMMISSION

6.2 52 Barnes Avenue, MARLESTON

Application No 211/458/2017

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Land division - Torrens Title; DAC No. 211/D058/17 (Unique ID 57640); Create one (1) additional allotment
APPLICANT	A S Rosevear
APPLICATION NO	211/458/2017
LODGEMENT DATE	21 April 2017
ZONE	Residential
POLICY AREA	Medium Density Policy Area 19
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> ▪ Nil External <ul style="list-style-type: none"> ▪ State Planning Assessment Commission (SPAC) (formally known as the Development Assessment Commission) ▪ SA Water
DEVELOPMENT PLAN VERSION	5 May 2016
MEETING DATE	12 September 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 GRANT Development Plan Consent for Application No. 211/458/2017 by A S Rosevear to undertake Land division - Torrens Title; DAC No. 211/D058/17 (Unique ID 57640); Create one (1) additional allotment at 52 Barnes Avenue, Marleston (CT5647/345) subject to the following conditions of consent (and any subsequent or amended condition that may be required as a result of the consideration of reserved matters under Section 33(3) of the Development Act):

DEVELOPMENT PLAN CONSENT**Council Conditions:**

1. 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.

LAND DIVISION CONSENT**Council Conditions:**

1. Prior to the issue of clearance to this division, all existing structures must be removed from the allotment. For this purpose, a separate application for demolition shall be submitted for the consideration and determination by Council.
Reason: To ensure existing buildings do not cross allotment boundaries and ensure that approved allotments are suitable for their intended purpose.

State Planning Assessment Commission Conditions:

2. Payment of \$6,676 into the Planning and Development Fund (1 allotment(s) @ \$6,676/allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the State Planning 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 State Planning 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.
Subject to our new process, on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non-standard fees.
On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.

BACKGROUND

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

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

PREVIOUS OR RELATED APPLICATION(S)

Nil

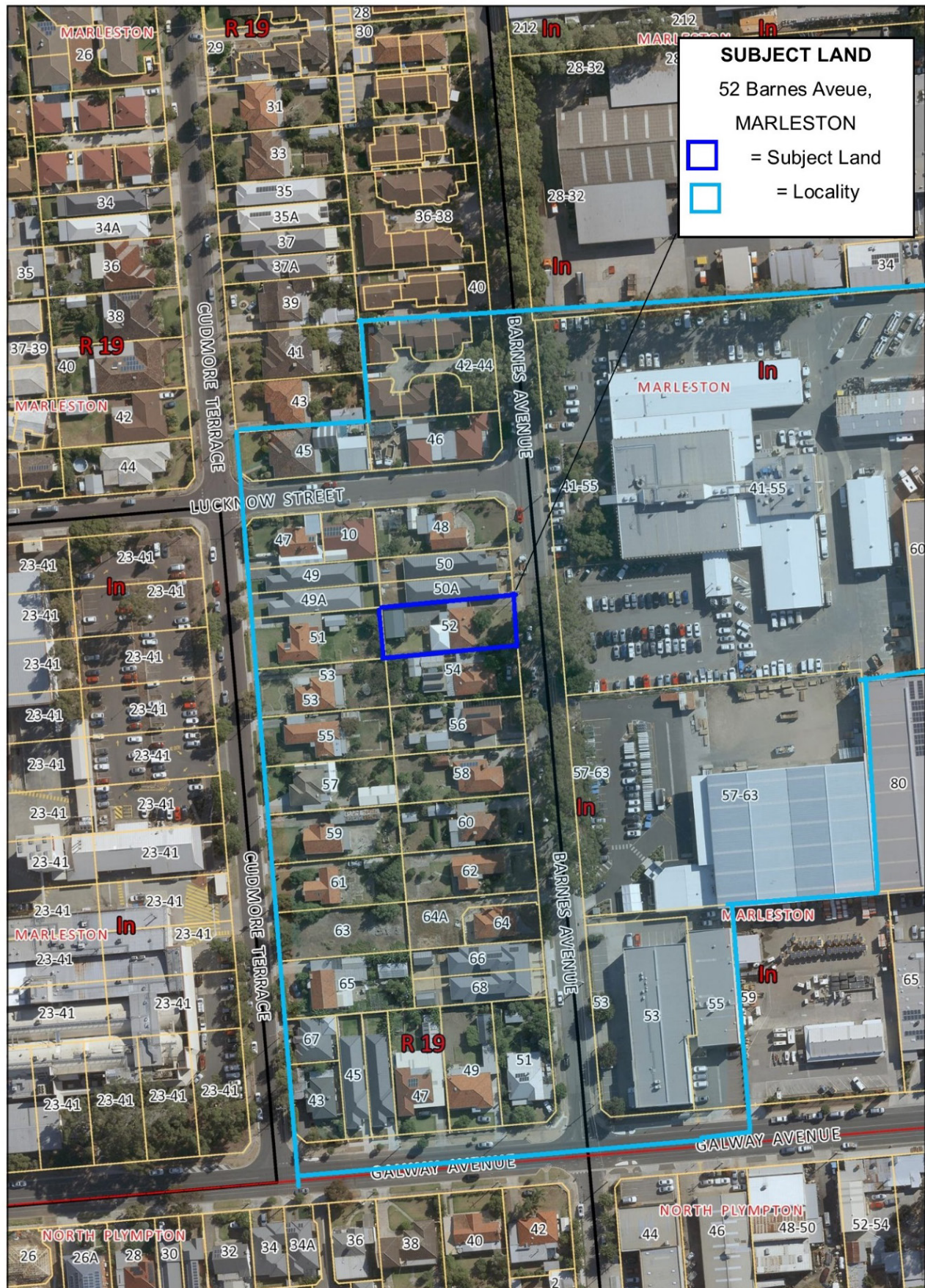
SITE AND LOCALITY

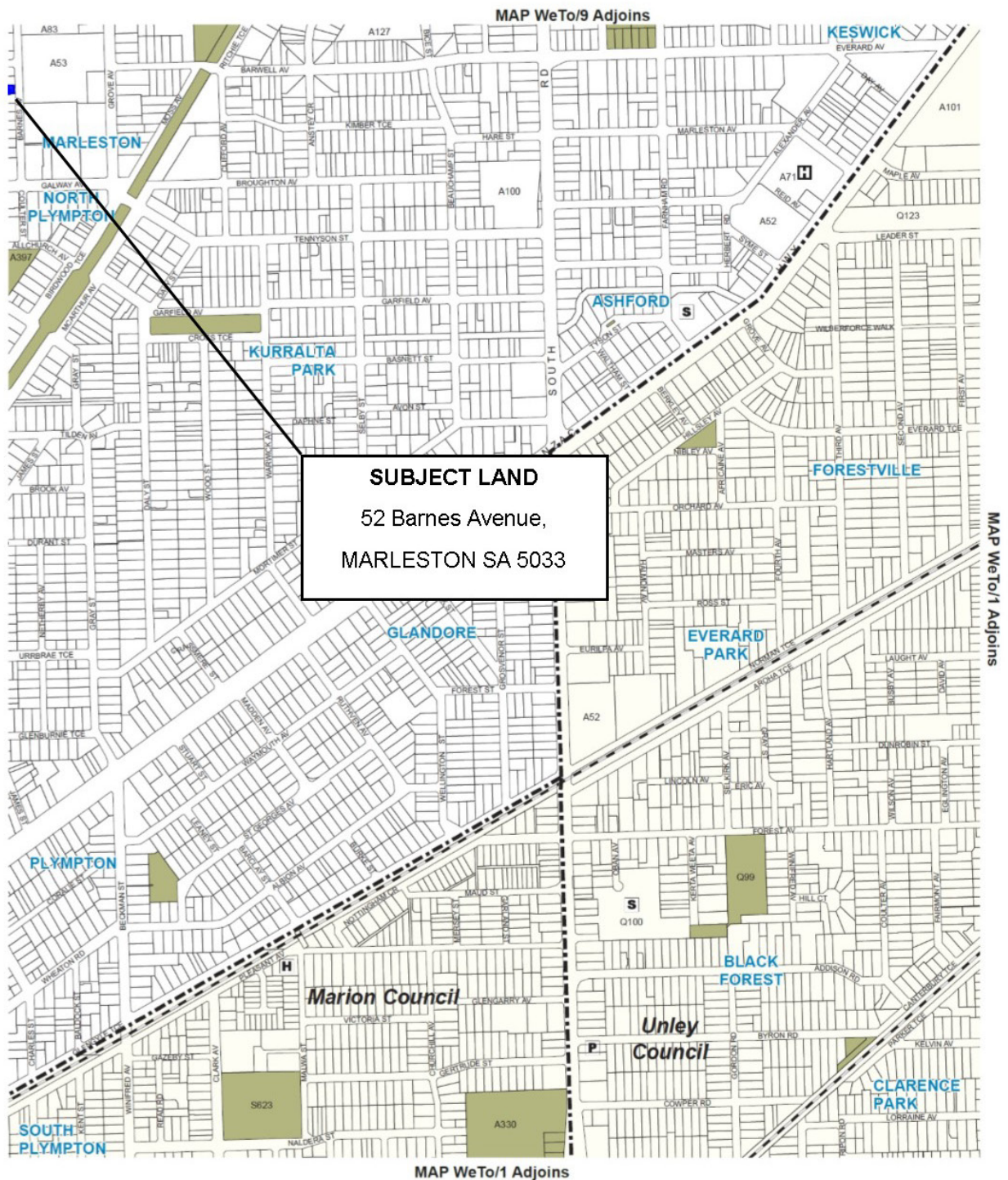
The subject land is a rectangular shaped allotment of approximately 749.3 square metres with a frontage of 16.8m to Barnes Avenue and a site depth of 44.6 metres. The site contains a single storey red brick detached dwelling constructed circa 1952 and ancillary structures including a carport, verandahs and an outbuilding.

The subject land is located within the Residential Zone and more particularly Medium Density Policy Area 19. The Industry Zone is located directly opposite the land on the eastern side of Barnes Avenue. Galway Avenue, which is a secondary, collector road, is located approximately 165 metres south of the land and the Westside Bikeway is located approximately 270 metres south-east of the land.

The locality consists of medium density residential development up to two storeys in height, commercial buildings and large industrial sites. There is evidence of infill development within the immediate and broader localities.

The site and locality are shown on the following maps:





Location Map WeTo/13

WEST TORRENS COUNCIL

Consolidated - 5 May 2016

PROPOSAL

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

PUBLIC NOTIFICATION

The applicant is seeking Development Approval for a Torrens Title land division to create one (1) additional allotment. There is one street tree adjacent the subject land, but given its location central to the frontage of the site, an additional single width crossover could be accommodated for vehicle access to proposed allotment 292. There is an existing crossover north of the frontage to accommodate vehicle access to proposed allotment 291.

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

REFERRALS

External

- State Planning Assessment Commission (SPAC) and SA Water

Pursuant to Section 33 and Schedule 29(1) of the Development Act and Regulations, the application was referred to SA Water by the State Planning Assessment Commission.

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

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

ASSESSMENT

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

<u>General Section</u>		
<i>Land Division</i>	<i>Objectives</i>	1, 2, 3 & 4
	<i>Principles of Development Control</i>	1, 2, 5, 6, 7, 8 & 12
<i>Orderly and Sustainable Development</i>	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 3 & 7
<i>Transportation and Access</i>	<i>Objectives</i>	2
	<i>Principles of Development Control</i>	1, 8, 11, 23, 24 & 25

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

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

QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	PROPOSED ALLOTMENT 291	PROPOSED ALLOTMENT 292
SITE AREA Medium Density Policy Area 19 PDC 7	270sqm	374sqm Satisfies	374sqm Satisfies
SITE FRONTAGE Medium Density Policy Area 19 PDC 7	9m	8.38m Does not satisfy by 6.9%	8.38m Does not satisfy by 6.9%

QUALITATIVE ASSESSMENT

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

Site Frontage

Residential Zone, Medium Density Policy Area 19, Principle of Development Control 7 states: *"Land division should create allotments with an area of greater than 270 square metres and a minimum frontage width of 9 metres, other than where the land division is combined with an application for dwellings or follows an approval for dwellings on the site."*

The proposed allotments will exceed the minimum site area sought for the policy area, however, they will result in a shortfall in frontage width of 0.62 metres (6.9%).

There are several examples of allotments with similar frontage widths within the locality and broader locality, including:

Address	Frontage Width	Approved
45 Galway Avenue	8.53m	2015 by staff
45A Galway Avenue	8.54m	2015 by staff
34 Cudmore Terrace	8.53m	2010 by staff
34A Cudmore Terrace	8.53m	2010 by staff
35 Cudmore Terrace	8.38m	2009 by staff
35A Cudmore Terrace	8.38m	2009 by staff
37 Cudmore Terrace	8.38m	2008 by staff
37A Cudmore Terrace	8.38m	2008 by staff
49 Cudmore Terrace	8.38m	2014 by the Panel

49A Cudmore Terrace	8.38m	2014 by the Panel
50 Barnes Avenue	8.38m	2015 by the Panel
50A Barnes Avenue	8.38m	2015 by the Panel

The shortfall in site frontage is considered relatively minor and will not be readily discernible to the person on the street nor is it at odds with existing frontages within the locality.

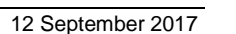
SUMMARY

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 5 May 2016 and warrants Development Plan Consent.

Attachments

- 1. Plan of Division**
- 2. DAC Response**



Contact Lands Titles Office
Telephone 7109 7016



29 April 2017

The Chief Executive Officer
City of West Torrens

Dear Sir/Madam

Re: Proposed Application No. 211/D058/17 (ID 57640)
for Land Division by Mr Adrian Rosevear

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

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

1. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.
The alteration of internal drains to the satisfaction of SA Water is required.
Subject to our new process, on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non standard fees.
On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.
2. Payment of \$6676 into the Planning and Development Fund (1 allotment(s) @ \$6676/allotment).
Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

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

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

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

Phil Hodgson
Unit Manager
Lands Titles Office

as delegate of
DEVELOPMENT ASSESSMENT COMMISSION

6.3 25 Broughton Avenue, KURRALTA PARK

Application No 211/528/2017

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Combined Application, Land division - Torrens Title; DAC No. 211/D065/17 (Unique ID 57813); Create one (1) additional allotment and the construction of two, 2 storey semi-detached dwellings
APPLICANT	Ms Pamela Mounsey
APPLICATION NO	211/528/2017
LODGEMENT DATE	19/4/2017
ZONE	Residential Zone
POLICY AREA	Medium Density Policy Area 19
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> ▪ City Works ▪ City Assets External <ul style="list-style-type: none"> ▪ State Planning Assessment Commission (SPAC) <i>(formally known as the Development Assessment Commission)</i> ▪ SA Water
DEVELOPMENT PLAN VERSION	5 May 2016
MEETING DATE	12 September 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 GRANT Development Plan Consent and Land Division Consent for Application No. 211/528/2017 by Ms Pamela Mounsey to undertake combined Application, Land division - Torrens Title; DAC No. 211/D065/17 (Unique ID 57813); Create one (1) additional allotment and the construction of two 2 storey semi-detached dwellings at 25 Broughton Avenue, Kurralta Park (CT5171/908) subject to the following conditions of consent (and any subsequent or amended condition that may be required as a result of the consideration of reserved matters under Section 33(3) of the Development Act):

DEVELOPMENT PLAN CONSENT

Council Conditions

1. Development is to take place in accordance with the plans prepared by AWR Drafting and Lock Surveys relating to Development Application No. 211/528/17 (DAC 211/D065/17).
2. That the upper level windows of the dwellings on the side and rear facades shall be provided with fixed obscure glass to a minimum height of 1.7 metres above the upper floor level to minimise the potential for overlooking of adjoining properties, prior to the occupation of the building. The glazing in these windows will be maintained in a reasonable condition at all times.

3. All stormwater (roof and surface) shall be discharged to the street watertable by means of a galvanised RHS steel section under the footpath conforming to Council's Drawing No. 8685-100 or 8685-101.

Note: An application is required to be lodged with Council's Engineering Department before any work is commenced on Council land.

LAND DIVISION CONSENT

Council Conditions

1. That prior to the issue of Section 51 Clearance to this division approved herein, all existing structures shall be removed from the proposed allotments.

State Planning Assessment Commission (SPAC) Conditions

2. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.
The alteration of internal drains to the satisfaction of SA Water is required.
Subject to our new process, on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non-standard fees.
On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.
3. Payment of \$6,676 into the Planning and Development Fund (1 allotment(s) @ \$6,676/allotment).
Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the State Planning Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
4. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Planning Assessment Commission for Land Division Certificate purposes.

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)

DA 211/861/2008 Remove significant tree

SITE AND LOCALITY

The subject land is described as Allotment 11 Deposited Plan 4167 in the area named Kurralta Park, Hundred of Adelaide as contained in Certificate of title Volume 5171 Folio 908. The land is more commonly known as 25 Broughton Avenue, Kurralta Park.

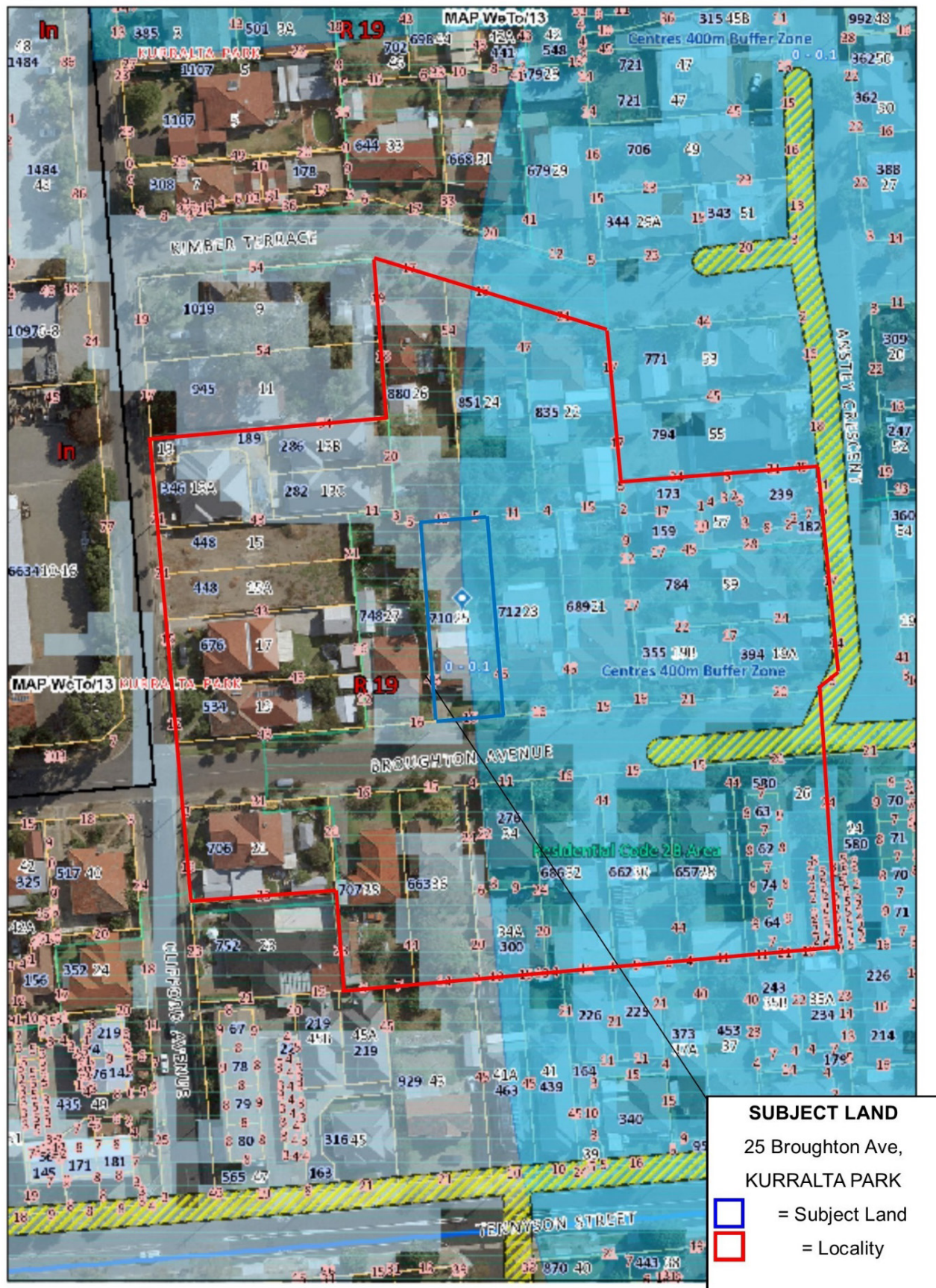
The subject land is rectangular in shape, has an area of 706m² and is located on the northern side of Broughton Avenue. The land has a street frontage of 15.5m and a depth of 45.5m. There is currently a single storey detached dwelling, carport and verandah on the site, however, all of these will need to be removed in order to facilitate the development. The topography of the site is considered flat and it is within the 0-0.1m flood prone area.

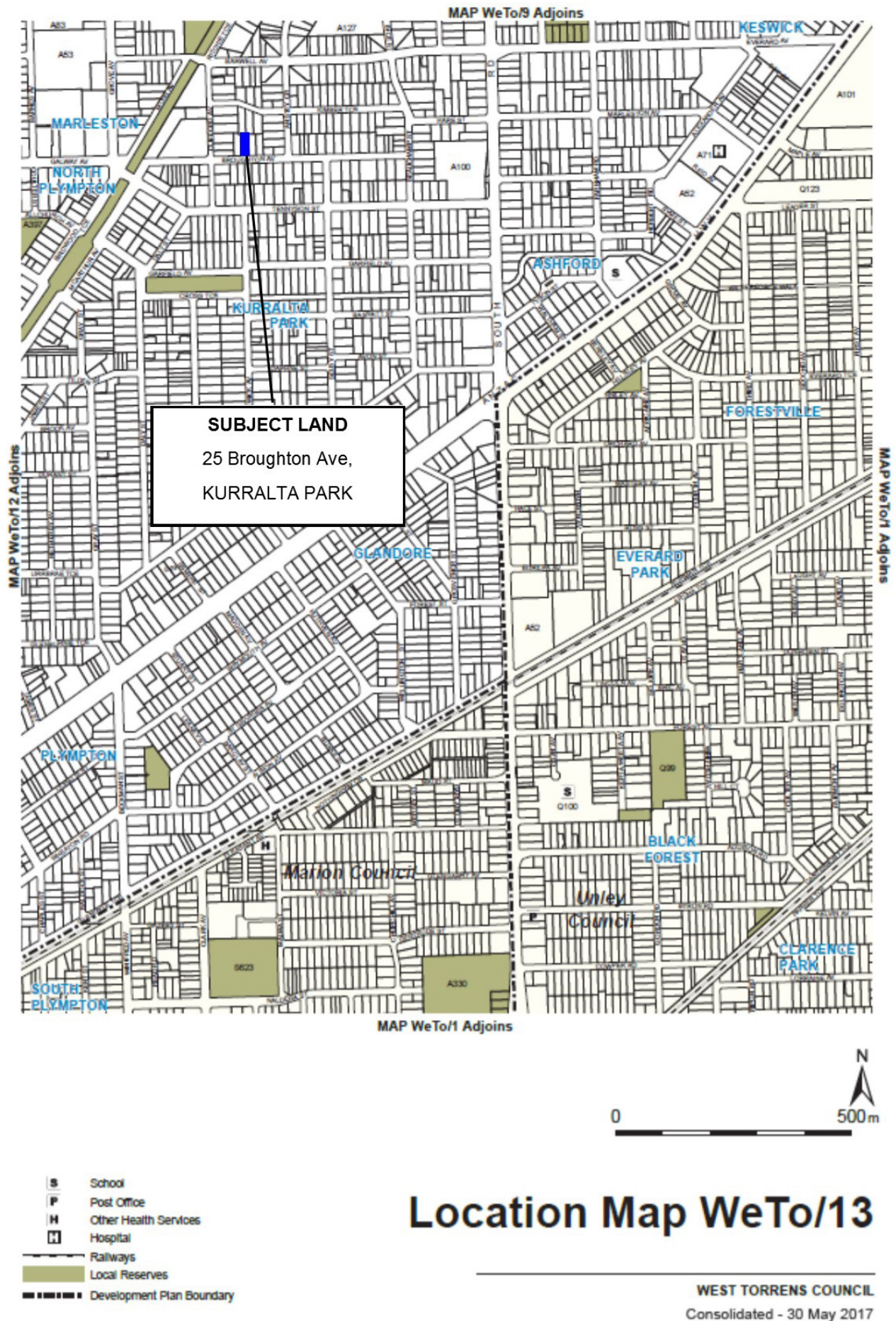
There is one small street tree located centrally in the verge in front of the subject site.

The locality is residential in nature comprised of a variety of dwelling types such as detached, group and residential flat buildings. Dwellings are predominantly single storey, with the exception of the two storey residential flat building west of the subject site. Front yards are generally open and well landscaped with bushes and semi-mature trees. There are numerous street trees along Broughton Avenue, with most properties having two in front of their property.

Broughton Avenue has ample unrestricted on-road parking available. Allotments within the locality have an average frontage width in excess of 15m.

The site and locality are shown on the following maps.





PROPOSAL

It is considered that the proposal is best described as:

"Combined Application, Land division - Torrens Title; DAC No. 211/D065/17 (Unique ID 57813); Creating one (1) additional allotment and the construction of two 2 storey semi-detached dwellings."

The two semi-detached dwellings will be joined by a 30m long common wall and will each have a single garage. The upper level is less than half of the floor area of the ground level and located towards the southern part of the dwelling.

Two new driveways will need to be created, however, the crossover closest to the western boundary will be a modification of an existing crossover.

REFERRALS

Internal

- City Assets

City Assets has not raised any concerns with respect to this development but have requested that conditions/notes be imposed in respect to stormwater connections and reinstatement of kerbing. These have been added to the staff recommendation.

- City Works

City Works have no concerns with the proposal.

External

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

- State Planning Assessment Commission (SPAC)

SPAC have no concerns with the proposal and have requested that the standard conditions be added.

- SA Water

SA Water have no concerns with the proposal and have requested that the standard conditions be added.

ASSESSMENT

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

<u>General Section</u>		
Design and Appearance	Objectives	1 & 2
	Principles of Development Control	1, 2, 3, 5, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 & 22
Energy Efficiency	Objectives	1 & 2
	Principles of Development Control	1, 2, 3 & 4
Land Division	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 2, 4, 5, 6, 8 & 12
Orderly and Sustainable Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1, 3, 5, 6, 7 & 8
Residential Development	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 18, 19, 20, 21, 23, 27, 28, 29, 30 & 31
Transportation and Access	Objectives	2
	Principles of Development Control	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40 & 41

<u>Zone: Residential Zone</u>	
<i>Desired Character Statement:</i>	
<p><i>This zone will contain predominantly residential development. There may also be some small-scale non-residential activities such as offices, shops, consulting rooms and educational establishments in certain locations. Non-residential activities will be complementary to surrounding dwellings.</i></p> <p><i>Allotments will be at very low, low and medium densities to provide a diversity of housing options in different parts of the zone. The range of allotment sizes will support the desired dwelling types anticipated in each policy area, and the minimum allotment sizes shall be treated as such in order to achieve the Desired Character for each policy area and, in turn, reinforce distinction between policy areas. Row dwellings and residential flat buildings will be common near centres and in policy areas where the desired density is higher, in contrast to the predominance of detached dwellings in policy areas where the distinct established character is identified for protection and enhancement. There will also be potential for semi-detached dwellings and group dwellings in other policy areas.</i></p> <p><i>Residential development in the form of a multiple dwelling, residential flat building or group dwelling will not be undertaken in a Historic Conservation Area.</i></p> <p><i>Landscaping will be provided throughout the zone to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer.</i></p>	
Objectives	1, 2, 3 & 4
Principles of Development Control	1, 5, 6, 7, 8, 9, 10, 11, 12, 13 & 14

Policy Area: Medium Density Policy Area 19	
Desired Character Statement:	
<p><i>Allotments in this policy area will be at medium density, accommodating a range of dwelling types including semi-detached, row and group dwellings, as well as some residential flat buildings and some detached dwellings on small allotments. There will be a denser allotment pattern close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones.</i></p> <p><i>New buildings will contribute to a highly varied streetscape. Buildings will be up to 2 storeys, except for allotments fronting Brooker Terrace, Marion Road and Henley Beach Road, and overlooking the Westside Bikeway, where buildings will be up to 3 storeys in height and provide a strong presence to streets. Garages and carports will be located behind the front facade of buildings.</i></p> <p><i>Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer.</i></p>	
Objectives	1
Principles of Development Control	1, 2, 3, 4, 5, 6 & 7

QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SITE AREA <i>Medium Density Policy Area 19</i> <i>PDC 4 or</i> <i>PDC 5 (within 400m of centre)</i>	Semi-detached Dwelling 270m ² (min.)	353m ² (Lot 1) 353m ² (Lot 2) Satisfies
SITE FRONTAGE <i>Medium Density Policy Area 19</i> <i>PDC 4 or</i> <i>PDC 5 (within 400m of centre)</i>	Semi-detached Dwelling 9m	7.775m (Lot 1) 7.775m (Lot 2) Does Not Satisfy by 13%
SITE COVERAGE <i>Medium Density Policy Area 19</i> <i>PDC 3</i>	60% (max.)	52% (Lot 1) 52% (Lot 1) Satisfies

PRIMARY STREET SETBACK <i>Medium Density Policy Area 19</i> <i>PDC 3</i>	3m (min.)	5m (Lot 1) 5m (Lot 2) Satisfies
SIDE/REAR SETBACKS <i>Residential Zone</i> <i>PDC 11</i>	Side 0/1m	Lot 1 0.9m (lower) 2m (upper) Lot 2 0.9m (lower) 2m (upper) Satisfies
<i>Medium Density Policy Area 19</i> <i>PDC 3</i>	Rear 6m (min.)	Lot 1 10.46m (lower) 24.5m (upper) Lot 2 10.46m (lower) 24.5m (upper) Satisfies
BUILDING HEIGHT <i>Medium Density Policy Area 19</i> <i>PDC 3</i>	2 storeys or 8.5m (all other locations)	2 storeys or 8.03m Satisfies
INTERNAL FLOOR AREA <i>Residential Development</i> <i>PDC 9</i>	- 3+ Bedroom, 100m ² (min.)	235m ² (Lot 1) 235m ² (Lot 2) Satisfies
PRIVATE OPEN SPACE <i>Residential Development</i> <i>PDC 19</i>	300-500m ² - 60m ² (min.), of which 10m ² may comprise balconies, roof patios and the like, provided they have a minimum dimension of 2m. - Minimum dimension 4m. - 16m ² (min.) at the rear of side of dwelling, directly accessible from a habitable room.	Lot 1 105m ² (total) 7.7m (min. dimension) 105m ² (accessed from habitable room) Lot 2 105m ² (total) 7.7m (min. dimension) 105m ² (accessed from habitable room) Satisfies

CARPARKING SPACES <i>Transportation and Access</i> PDC 34	Detached, semi-detached, row and multiple dwellings - 2 car-parking spaces required, 1 of which is covered	<p>Lot 1 2 spaces provided (1 undercover)</p> <p>Lot 2 2 spaces provided (1 undercover)</p> <p>Satisfies</p>
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QUALITATIVE ASSESSMENT

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

Site Frontage

The proposed allotments do not meet the minimum width stated in the Policy Area for semi-detached dwellings. The minimum width is stated in the Policy Area as being 9m, however, the proposed allotments are both 7.775m which is a 1.225m deficiency.

As this is a combined application it allows the DAP to have some surety of what will be built on the proposed allotments. The designs submitted fit well within the proposed allotments and meet the relevant provisions such as setbacks, site coverage building height etc. Apart from ensuring that suitable built form can be placed on an allotment, the other reason for having quantitative provisions for allotment widths is to retain or ensure a suitable streetscape.

As this is a medium density area, row dwellings and residential flat buildings are also envisaged types of development. Each of these will have less of a frontage than the proposed semi-detached dwellings. The subject site is wide enough to accommodate three row dwellings, as they only require a 5m frontage. It would also be possible to create a hammerhead allotment with the front dwelling having a 12m frontage and then a 4m wide driveway leading to the rear dwelling. This is what occurred directly south of the subject site at 34 and 34a Broughton Avenue.

It is considered that the encouragement of densification in the desired character of both the Zone and Policy area, together with the built form satisfying the relevant quantitative provisions, makes the proposal suitable in this locality.

SUMMARY

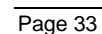
This is a reasonable and expected development that will not be detrimental to the existing or desired character of the area. The deficient frontage width is not considered fatal to the application due to the assurance of suitable built form and the intent of the Policy Area to have higher densities.

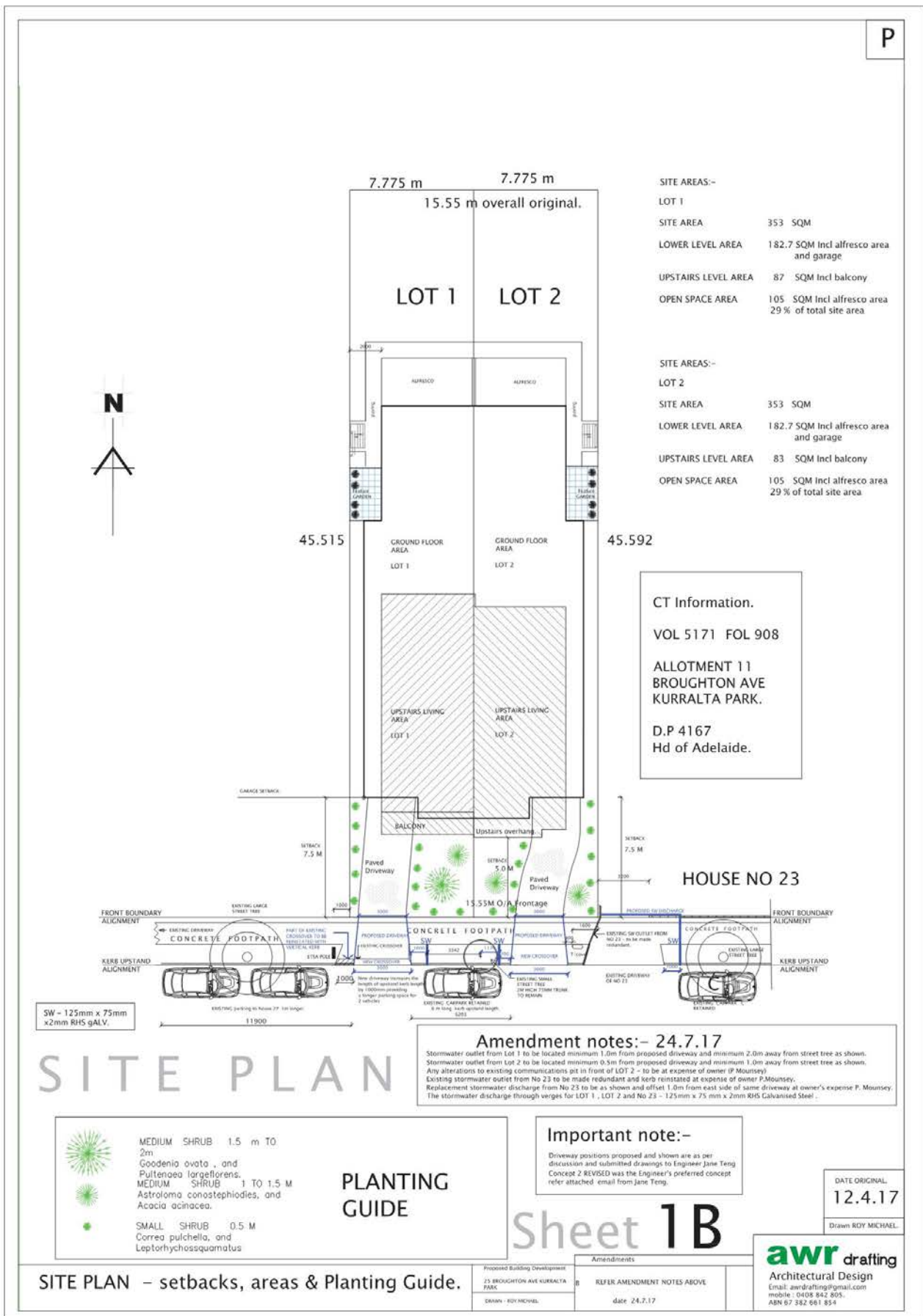
Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is considered to be not seriously at variance with the Development Plan.

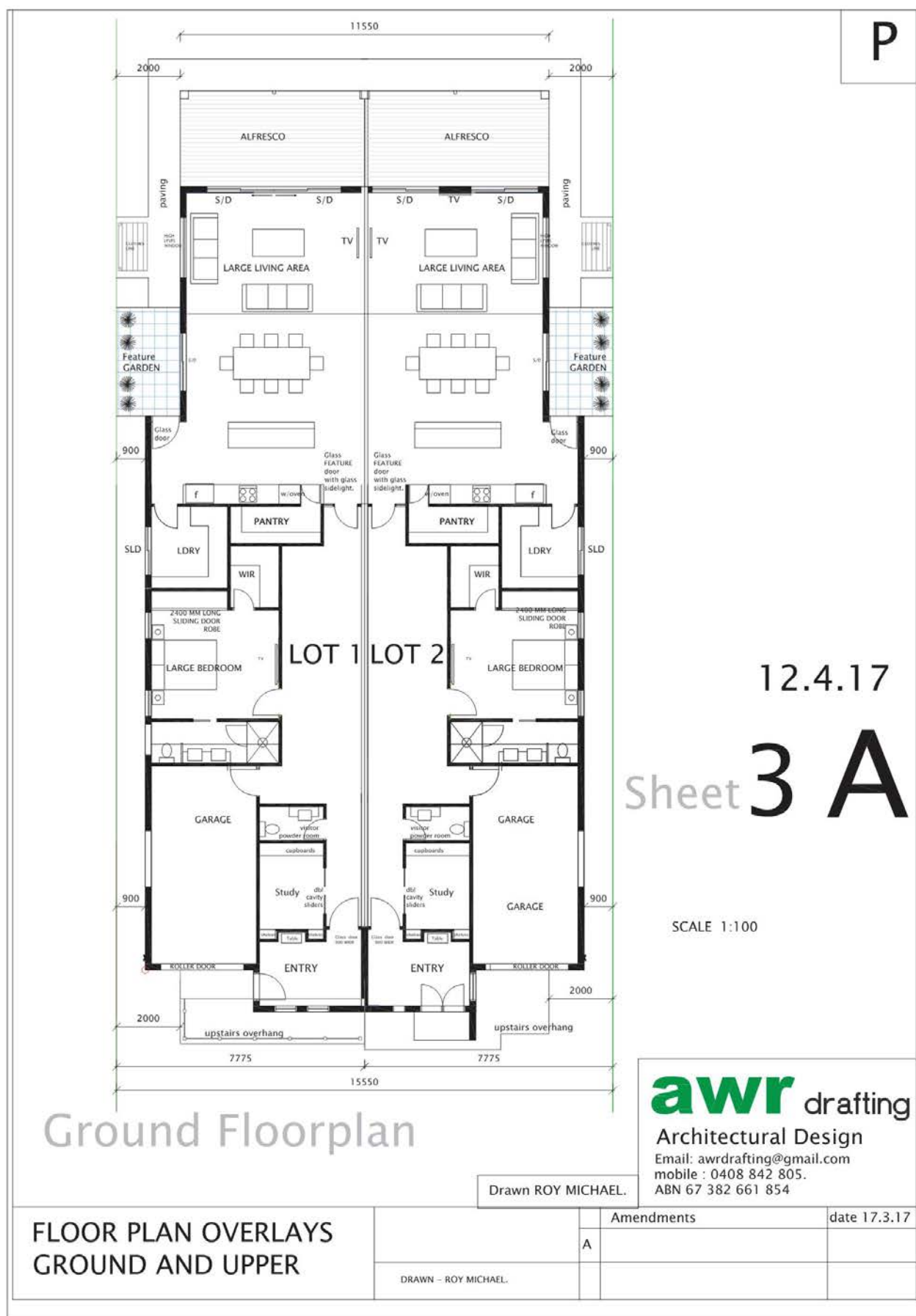
On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 5 May 2016 and warrants Development Plan Consent.

Attachments

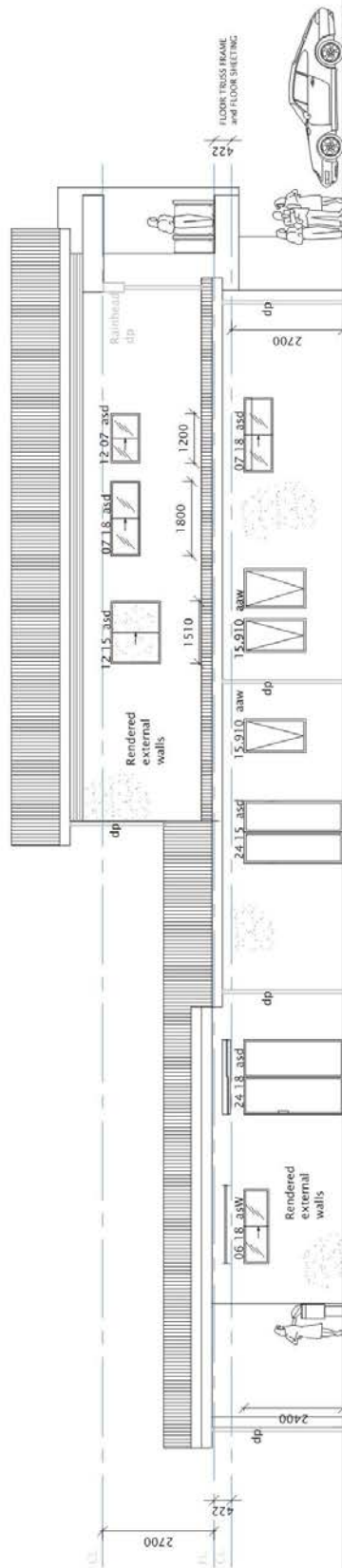
1. Plan of division, site plan and elevations







P



WEST ELEVATION.

12.4.17

Sheet 7A

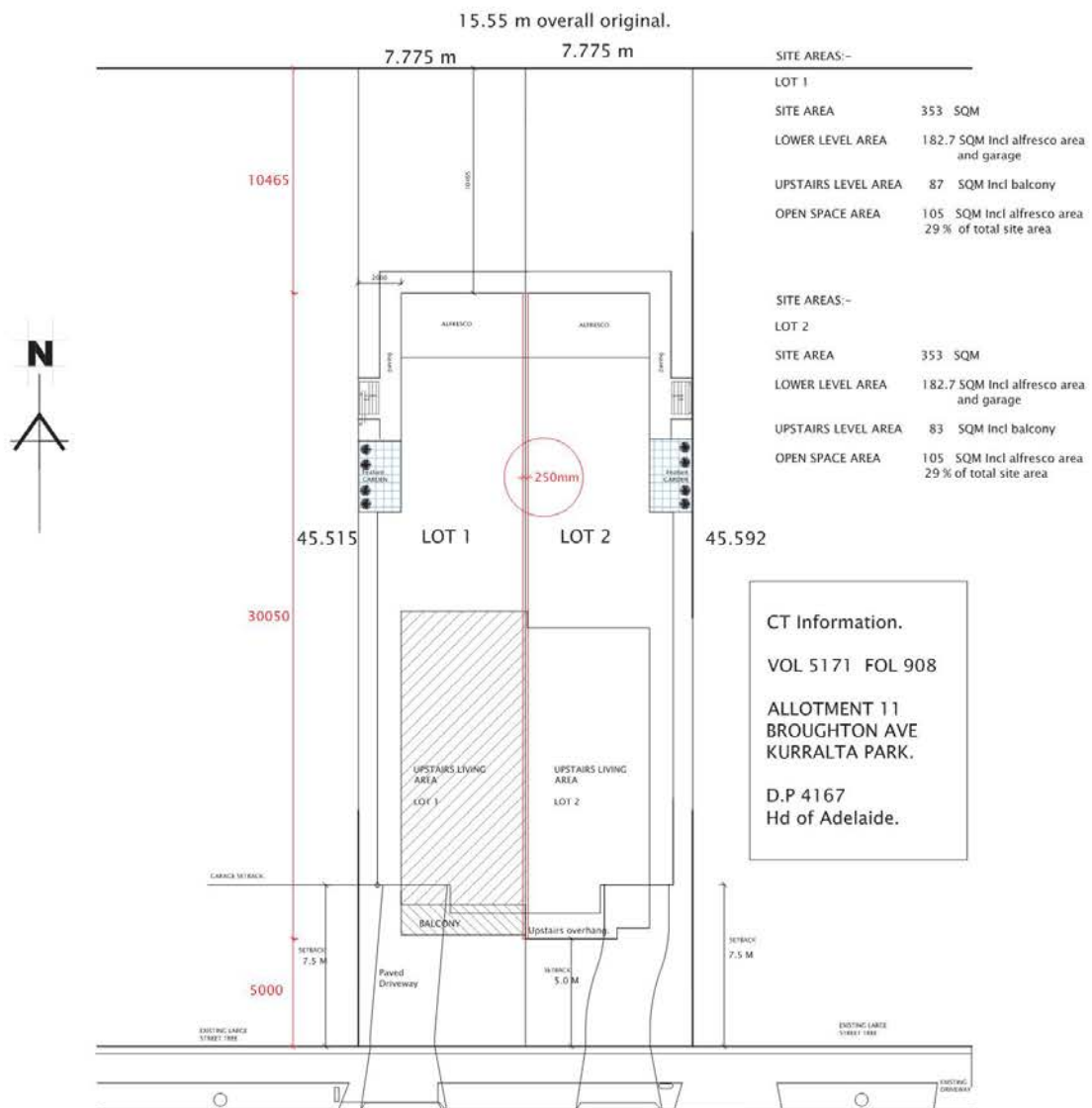
SCALE 1:100

Drawn ROY MICHAEL.

awr drafting
 Architectural Design
 Email: awrdrafting@gmail.com
 mobile : 0408 842 805,
 ABN 67 382 661 854

WEST ELEVATION.		Amendments	date 17.3.17
DRAWN - ROY MICHAEL.	A		

P



12.4.17

Sheet 9A

SITE PLAN - COMMON WALL DIMENSIONS

Proposed Building Development 25 BROUGHTON AVE KURRALTA PARK

DRAWN - ROY MICHAEL.

Drawn ROY MICHAEL.

awr drafting

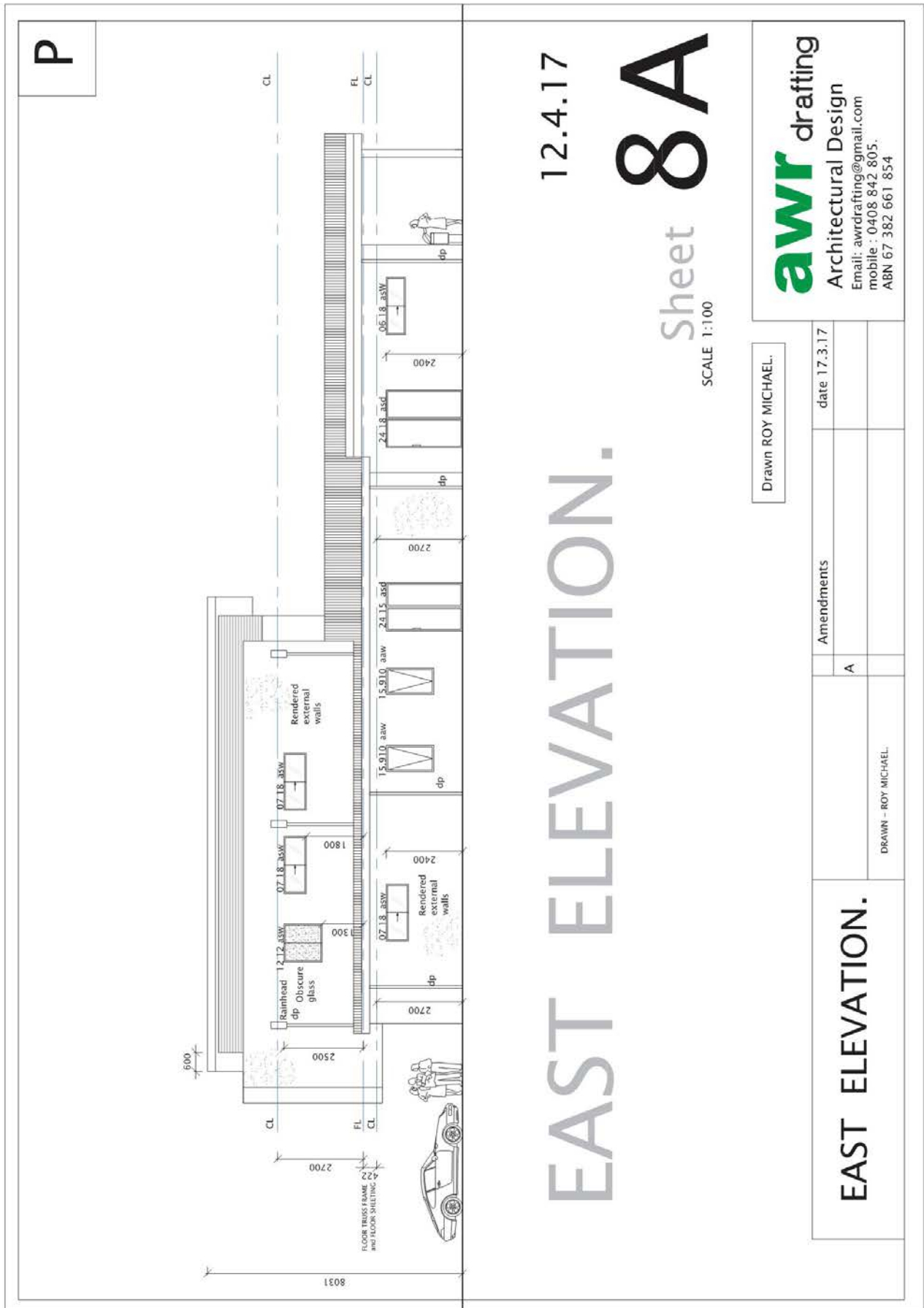
Architectural Design

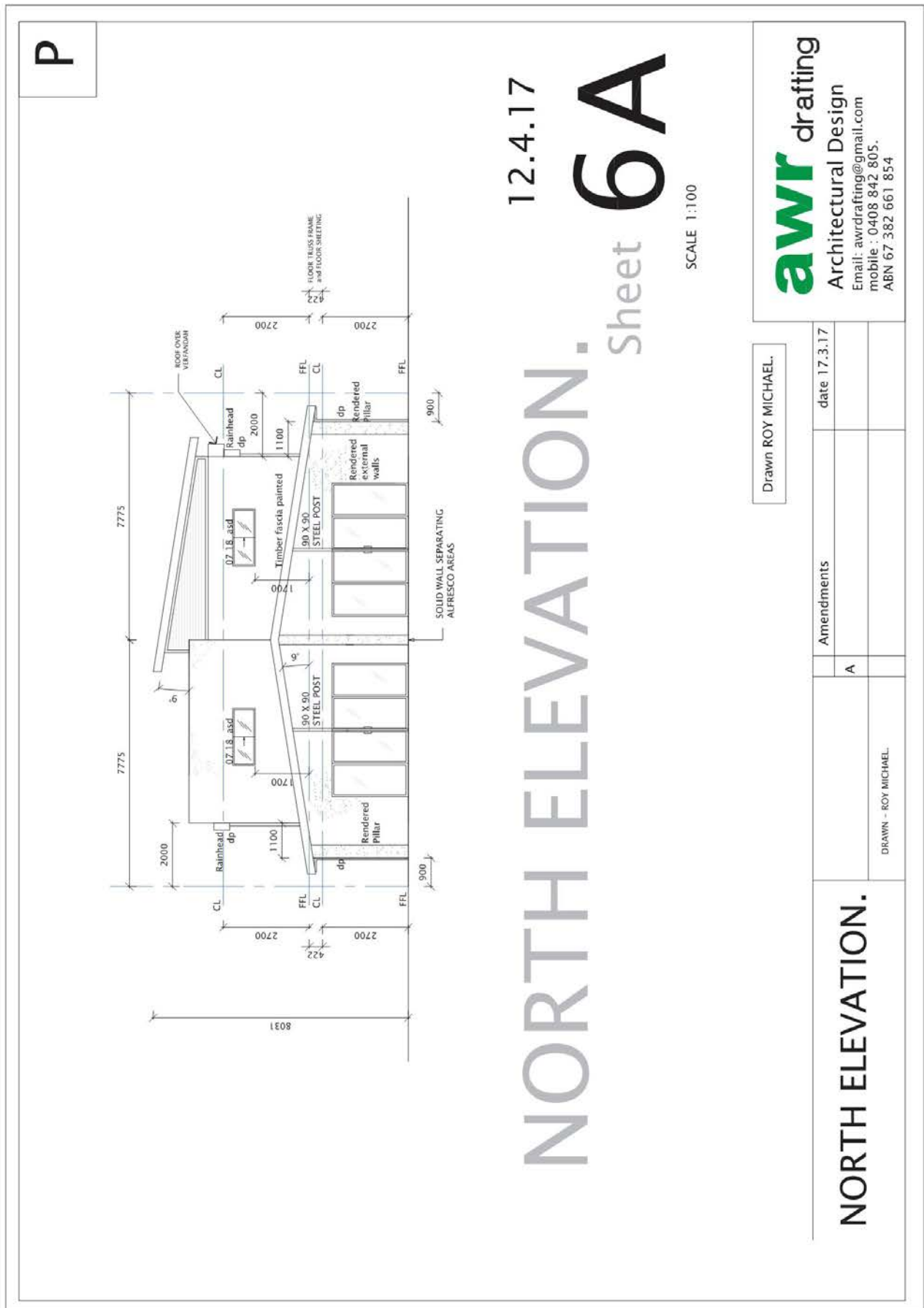
Email: awrdrafting@gmail.com

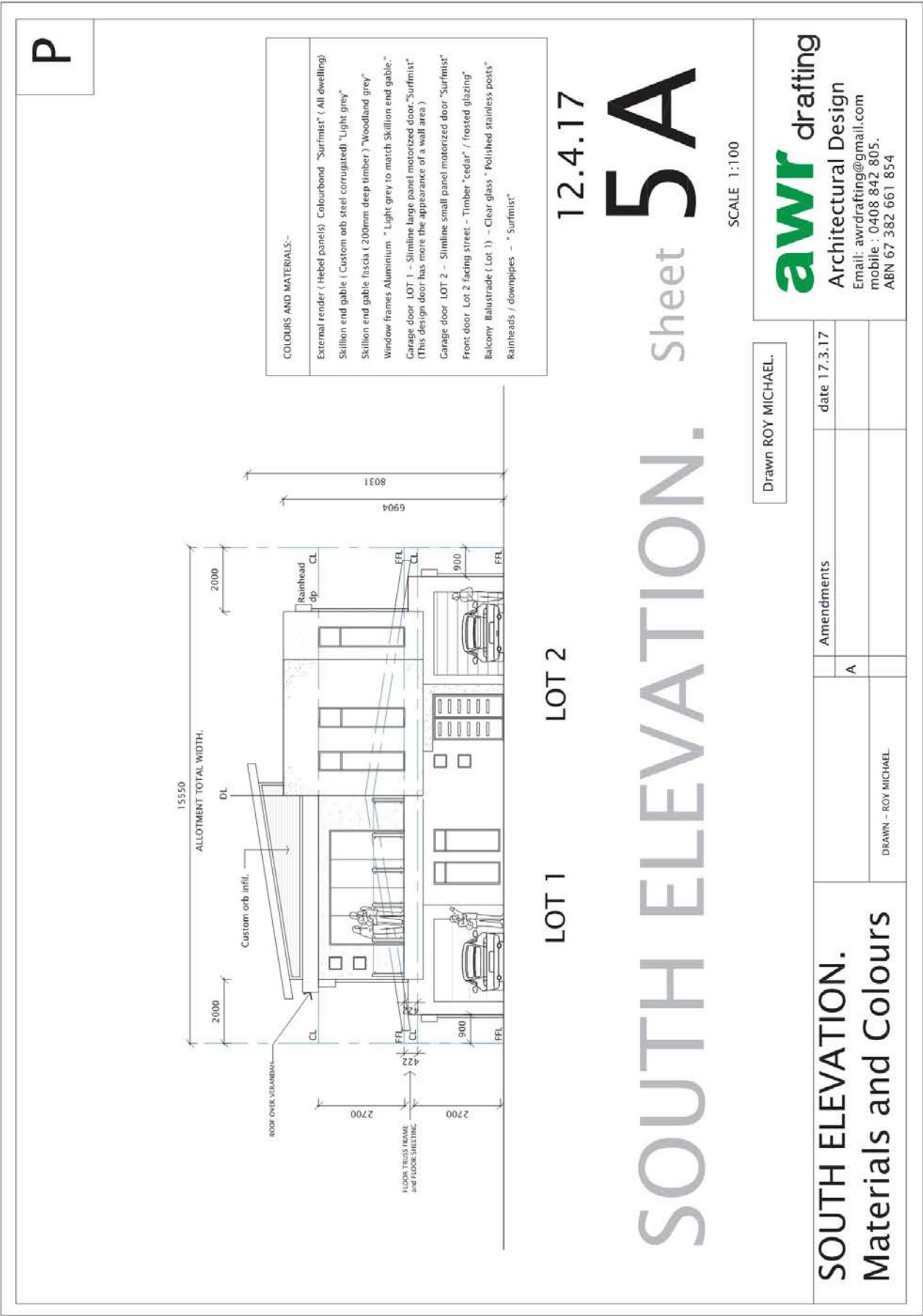
mobile : 0408 842 805.

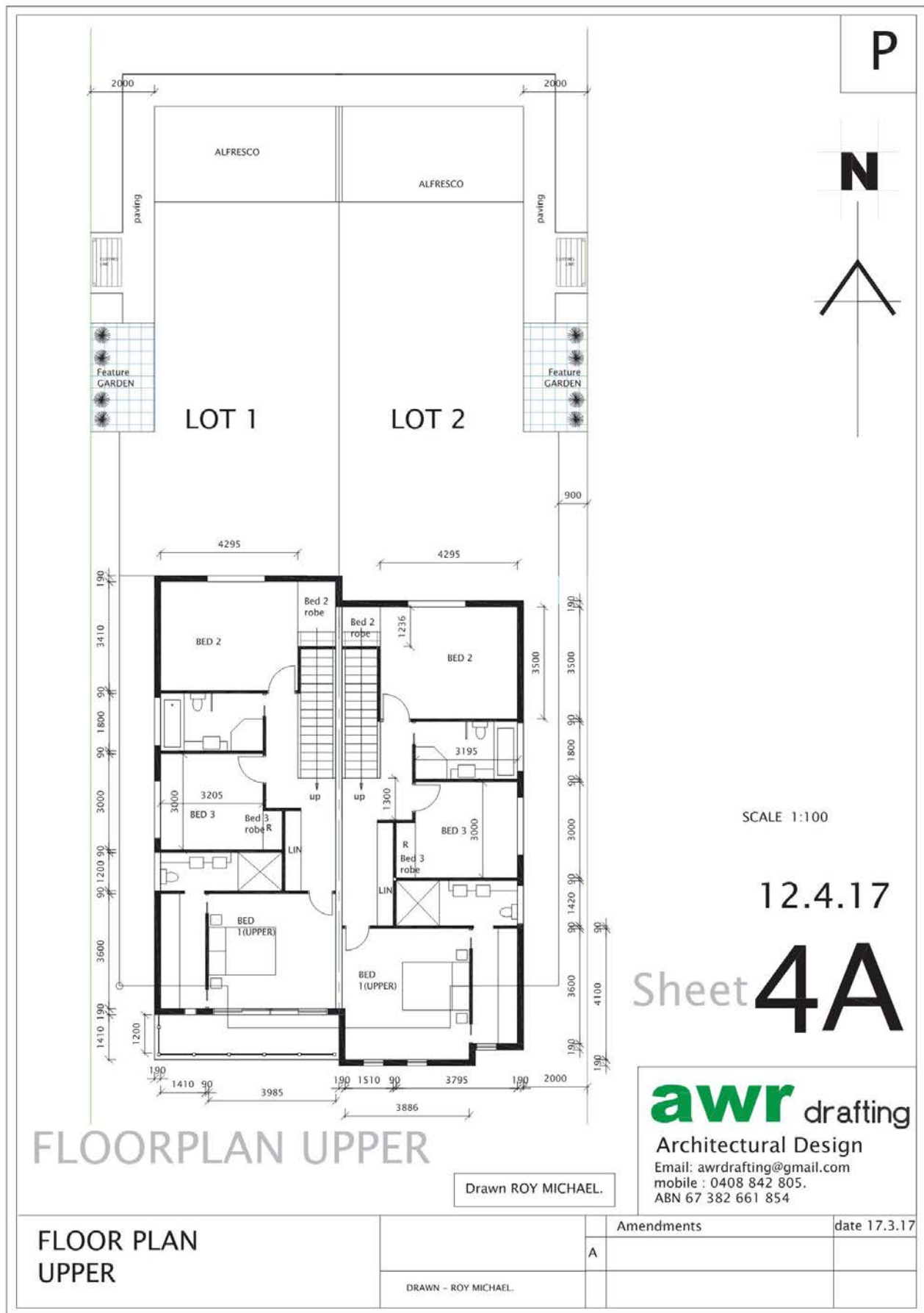
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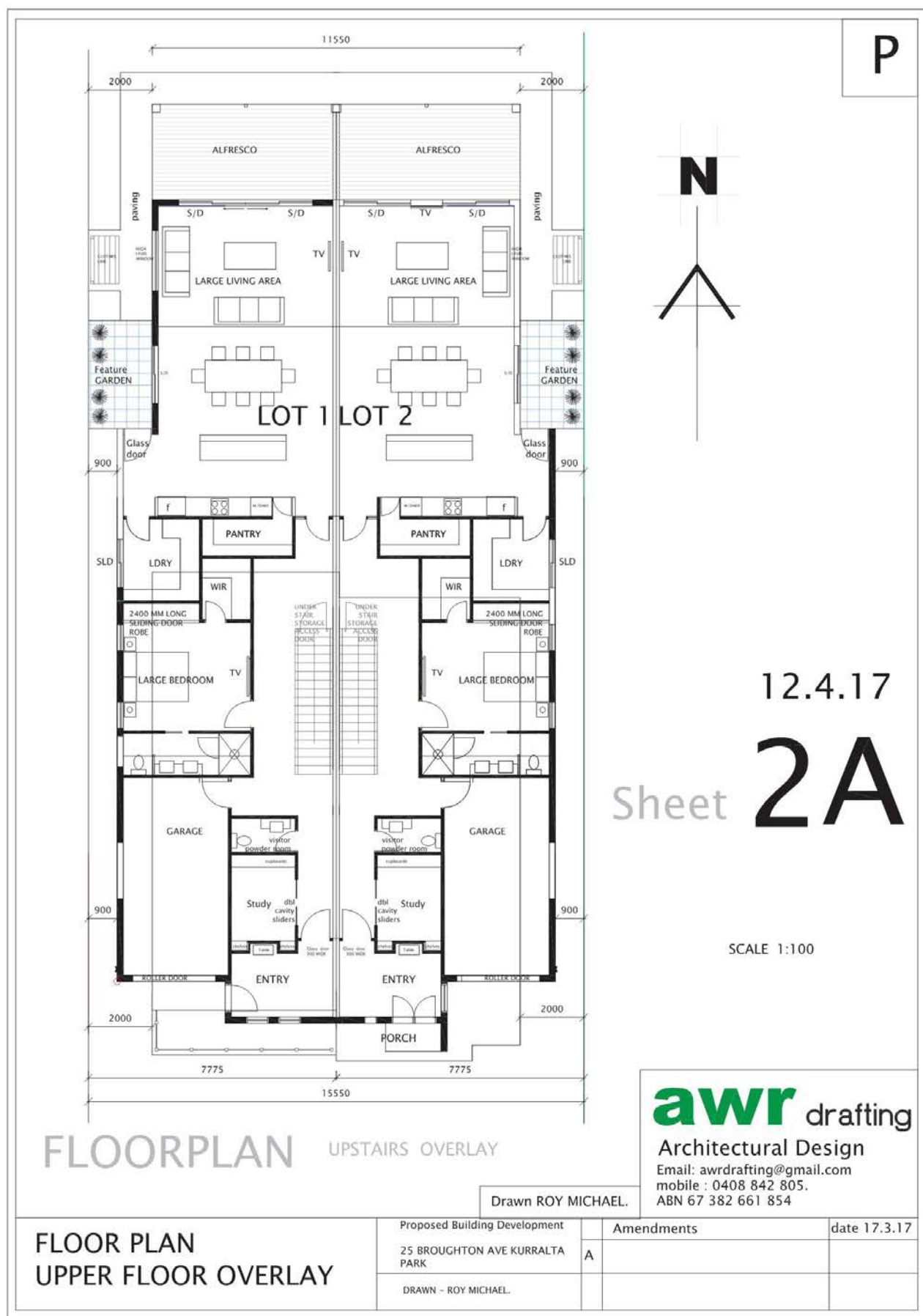
Amendments	date 12.4.17
A	











6.4 17 Coral Sea Road, FULHAM

Application No 211/882/2017

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Construction of a single storey detached dwelling
APPLICANT	Construction Services Australia Pty Ltd
APPLICATION NO	211/882/2017
LODGEMENT DATE	26 July 2017
ZONE	Residential Zone
POLICY AREA	Low Density Policy Area 21
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> ▪ Nil External <ul style="list-style-type: none"> ▪ Nil
DEVELOPMENT PLAN VERSION	30 May 2017
MEETING DATE	12 September 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 GRANT Development Plan Consent for Application No. 211/882 /2017 by Construction Services Australia Pty Ltd to construct a single storey detached dwelling at 17 Coral Sea Road, Fulham (CT6194/330) subject to the following conditions of consent.

Council Conditions

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

4. That all planting and landscaping shall be completed within three (3) months of the commencement of the use of this development. Any person(s) who have the benefit of this approval will cultivate, tend and nurture the landscaping, and shall promptly replace any landscaping which may become diseased or die, with the same or like species/variety.
5. Council requires one business day's notice of the following stages of building work
 - Commencement of building work on site.
 - The commencement of placement of any structural concrete.
 - The completion of wall and roof framing prior to the installation of linings.
 - Completion of building work.

BACKGROUND

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

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

PREVIOUS OR RELATED APPLICATION(S)

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

DA 211/1578/2016 - Construction of two (2) single storey dwellings with garage under main roof and demolition of existing dwelling and associated structures

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

SITE AND LOCALITY

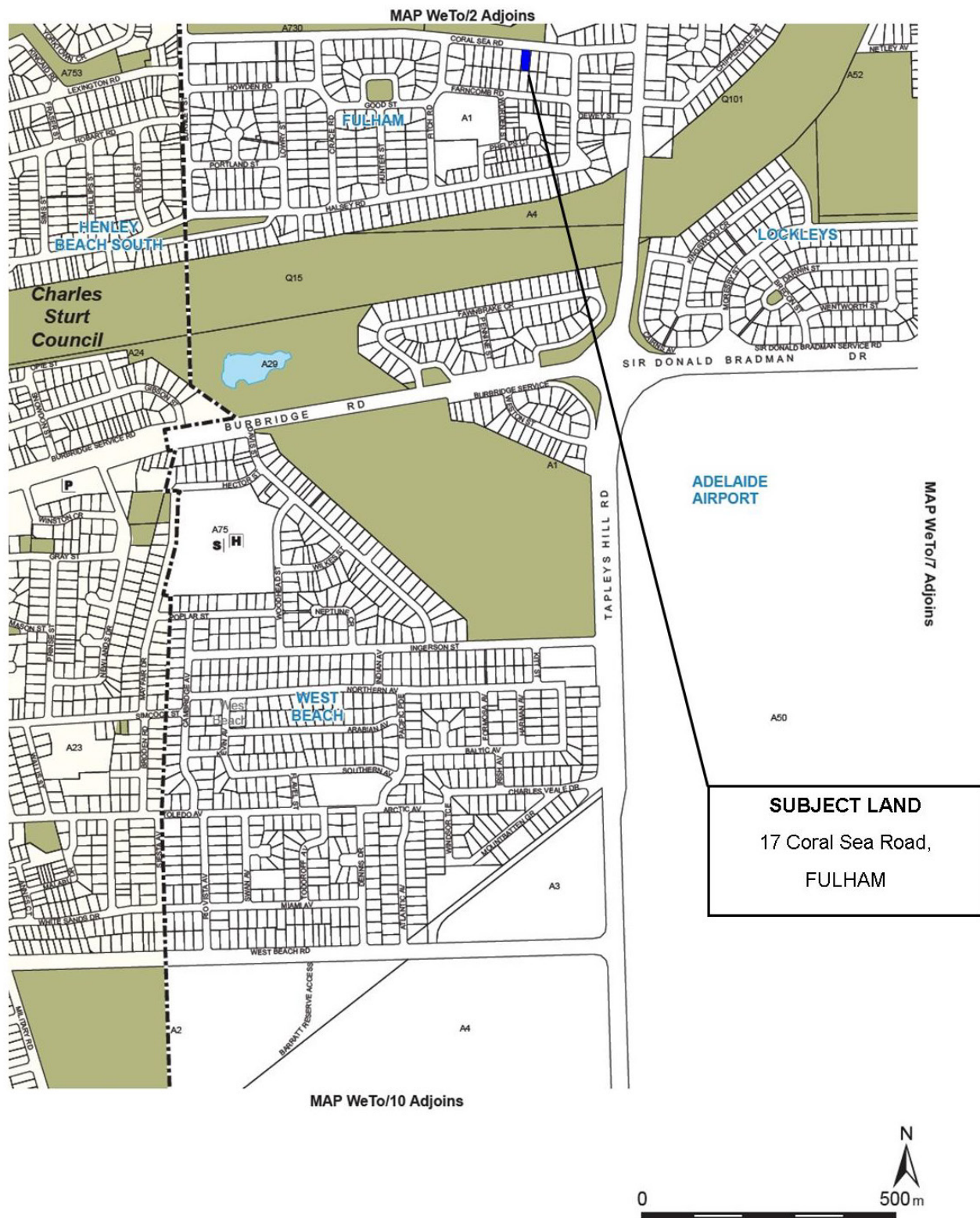
The subject site described as Allotment 2 Deposited Plan 116021 in the area named Fulham, Hundred of Adelaide as contained in Certificate of Title Volume 6194 Folio 330. The land is more commonly known as 17 Coral Sea Road, Fulham

The subject site is rectangular in shape with a street frontage of 8.84m, a depth of 41.15m and a site area of 363.8m². The site is currently clear of all structures and vegetation. The subject site is located on the southern side of Coral Sea Road, directly opposite Coast Watchers Park, Airport Over 50's Social Club and the Scout Association of Australia. There is one street tree located in front of the property in the north eastern corner.

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

The site and locality are shown on the following maps:





Location Map WeTo/6

WEST TORRENS COUNCIL

Consolidated - 5 May 2016

PROPOSAL

The proposed development is for the construction of a single storey detached dwelling with a single garage under the main roof and an alfresco to the rear.

This application differs from the previously refused application as follows:

- The garage has been reduced from a two car garage to a single car garage;
- The proposed dwelling has the garage built on the western boundary for a length of 6m and a setback of 1m. Previously the application was built on the western boundary for 6m and setback 0.9m;
- The proposed dwelling has a side setback from the eastern boundary of 1m the length of the dwelling. Previously the application was located on the boundary for a length of 4.4m and a side setback varying between 0.6m and 0.9m;
- The alfresco length has been reduced from 4 metres to 3 metres; and
- Private Open Space has increased from 60m² to 85m².

REFERRALS

No referrals were required for this application.

ASSESSMENT

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

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

<i>Transportation and Access</i>	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40 & 41

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

Policy Area: Low Density Policy 21	
Desired Character Statement:	
<p><i>'This policy area will have a low density character. In order to preserve this, development will predominantly involve the replacement of detached dwellings with the same (or buildings in the form of detached dwellings).</i></p> <p><i>There will be a denser allotment pattern and some alternative dwelling types, such as semi-detached and row dwellings, close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones. Battleaxe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments developed with buildings that have a direct street frontage. In the area bounded by Henley Beach Road, Torrens Avenue and the Linear Park, where the consistent allotment pattern is a significant positive feature of the locality, subdivision will reinforce the existing allotment pattern.</i></p> <p><i>Buildings will be up to 2 storeys in height. Garages and carports will be located behind the front façade of buildings. Buildings in the area bounded by Henley Beach Road, Torrens Avenue and the Linear Park will be complementary to existing dwellings through the incorporation of design features such as pitched roofs, eaves and variation in the texture of building materials. Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer. Low and open-style front fencing will contribute to a sense of space between buildings.'</i></p>	
Objectives	1
Principles of Development Control	1, 2 & 4

QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
STREET SETBACK <i>Residential Zone</i> PDC 8	The same as one of the adjoining dwellings: 5m / 6.5m	6m Satisfies
SIDE/REAR SETBACKS <i>Residential Development</i> PDC 16 <i>Residential Zone</i> PDC 11	Side Setback 1m Garage 8m along boundary Rear 3m	East 1.14m & garage located on boundary for 6m West 1m Satisfies 4.45m setback Satisfies

PRIVATE OPEN SPACE <i>Residential Development</i> <i>PDC 19</i>	60m ² Min dimension of 4m	85m ² (total) Satisfies
INTERNAL FLOOR AREA <i>Residential Zone</i> <i>PDC 9</i>	3+ Bedrooms, 100m ² (min)	229m ² Satisfies
CARPARKING SPACES <i>Transportation and Access</i> <i>PDC 34</i>	Min. 2 car-parking spaces required: 1 covered, 1 uncovered	2 car parking spaces provided 1 covered 1 uncovered Satisfies

QUALITATIVE ASSESSMENT

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

The proposal is in general accord with the overall intent and purposes of the zone and policy area, has been designed in a manner that will complement the locality and is a reasonable form of development that warrants consent.

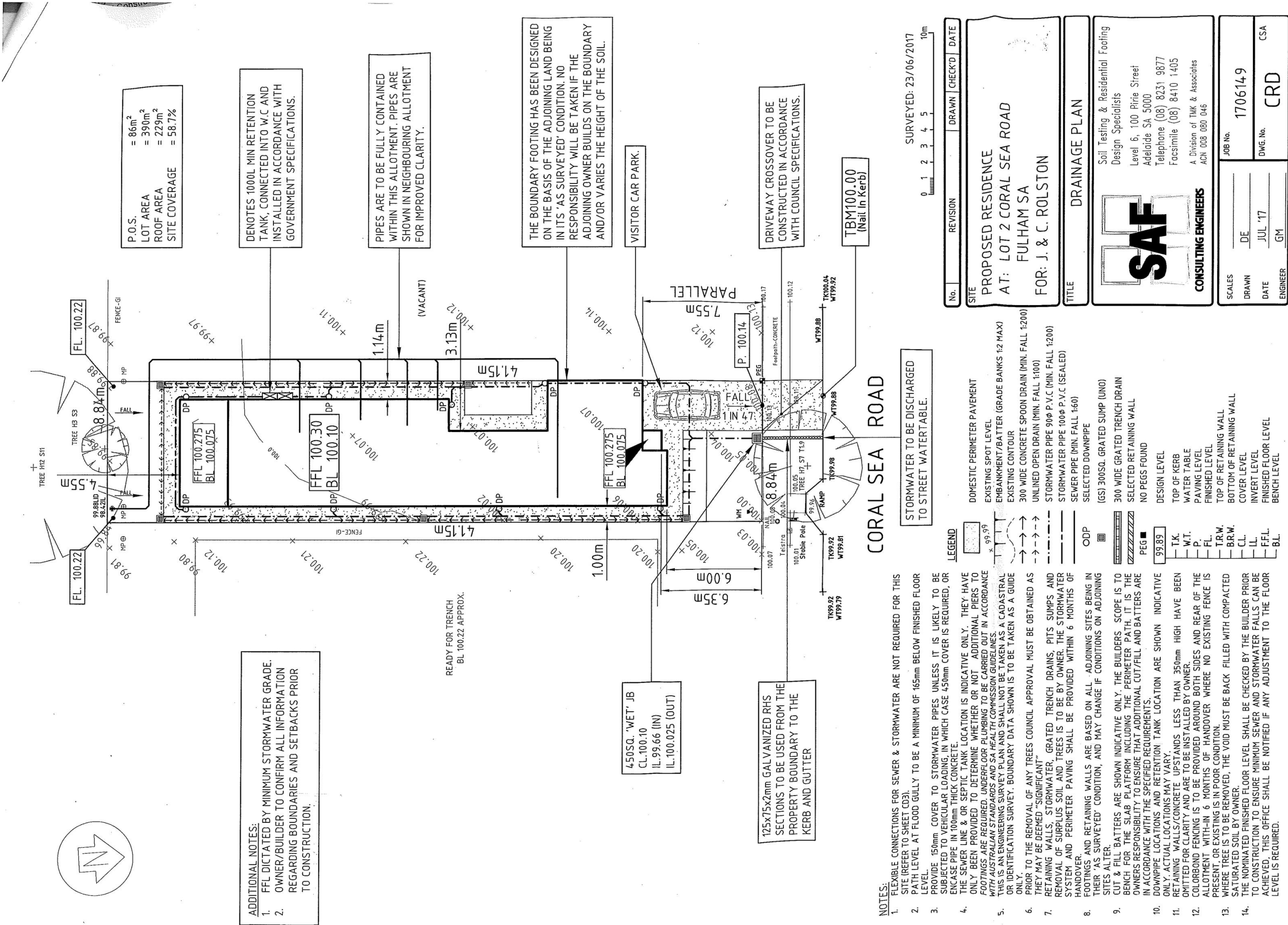
SUMMARY

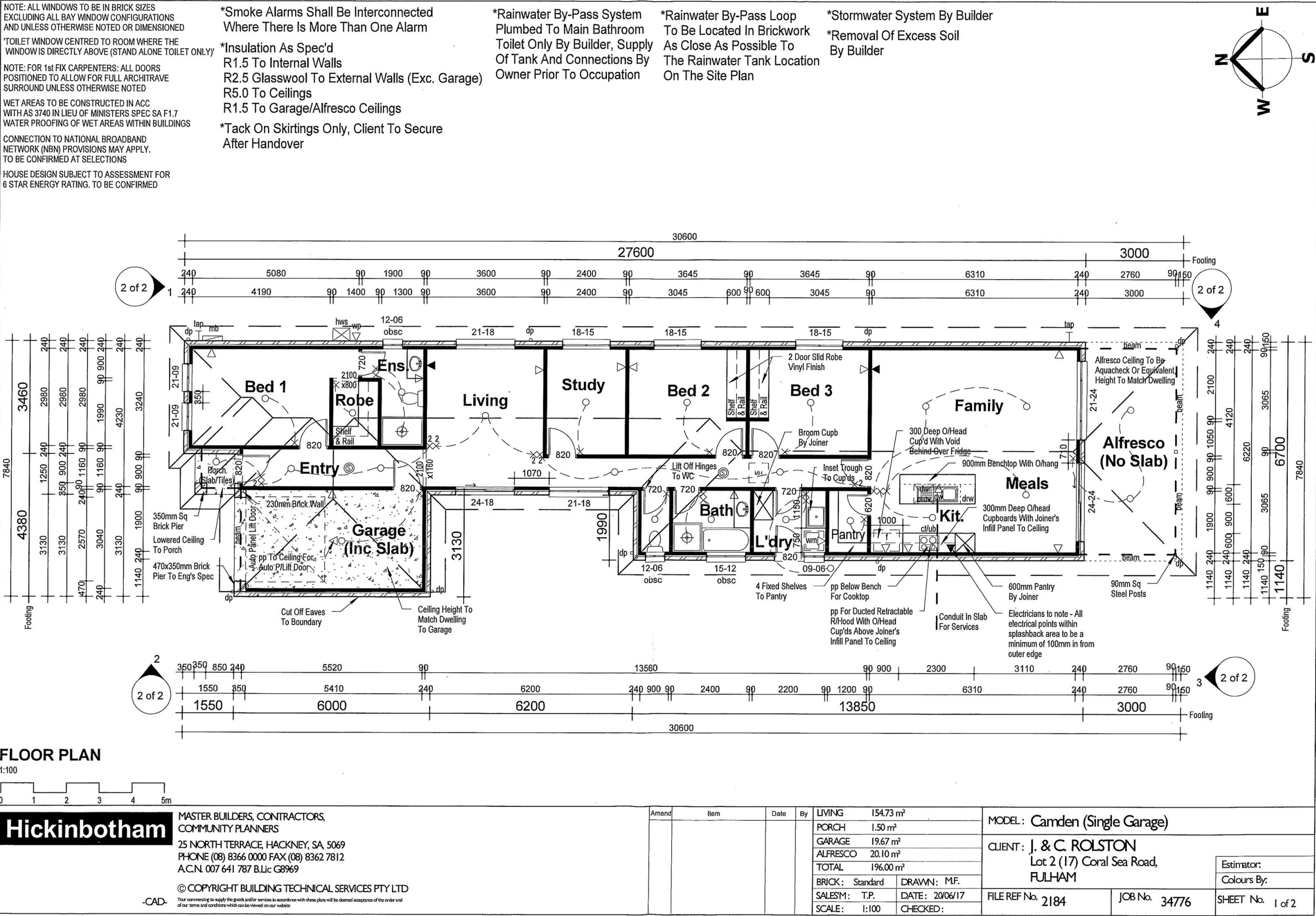
Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is considered to be not seriously at variance with the Development Plan.

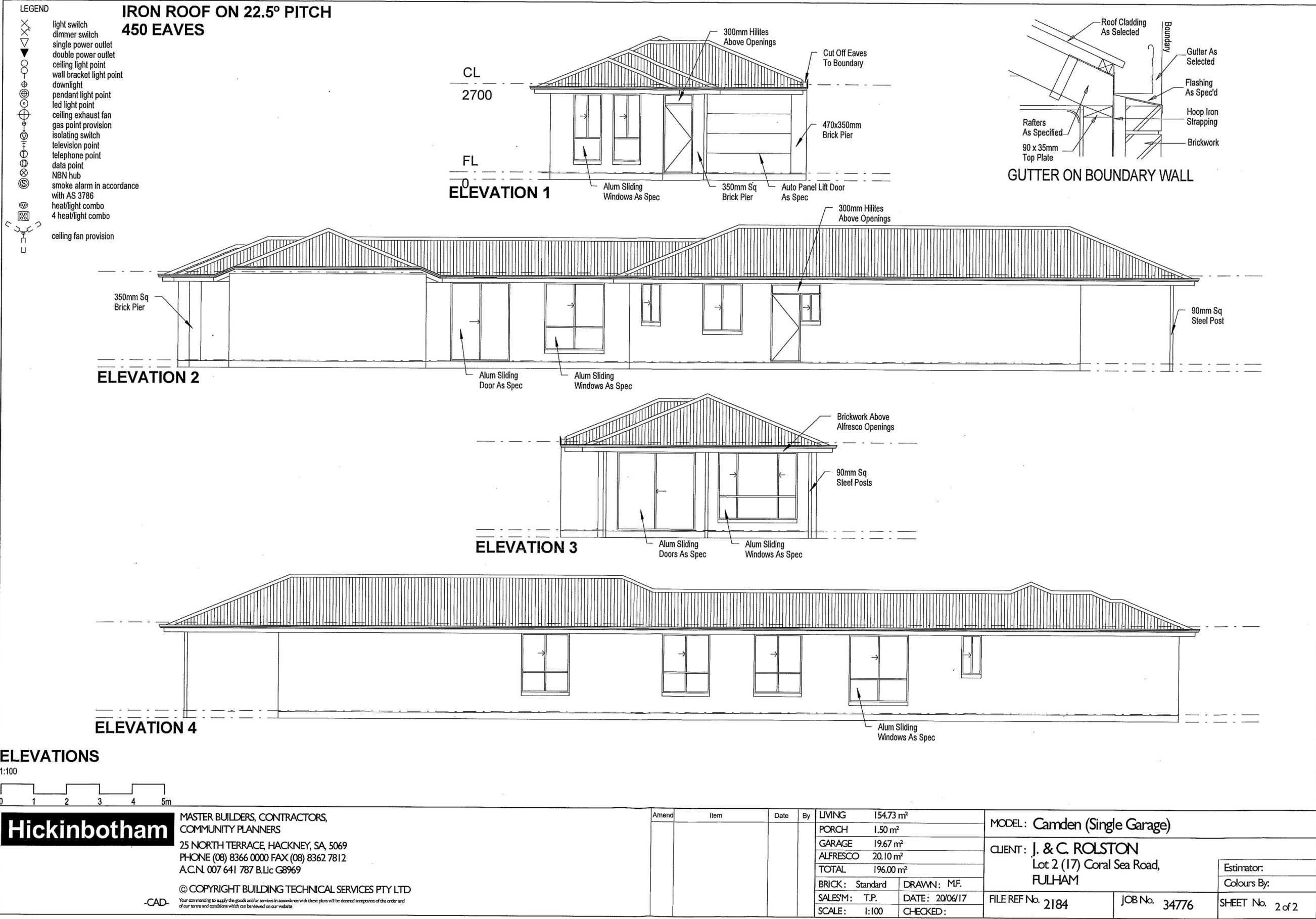
On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Gazetted 30 May 2017 and warrants Development Plan Consent.

Attachments

1. Site plan and elevation plan







6.5 246 & 248 Henley Beach Road, UNDERDALE

Application No 211/247/2017

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Advertising signage for child care centre
APPLICANT	Emali Early Learning Centres
APPLICATION NO	211/247/2017
LODGEMENT DATE	3 March 2017
ZONE	Residential
POLICY AREA	Medium Density Policy Area 19
APPLICATION TYPE	Non-Complying
PUBLIC NOTIFICATION	Category 3
REFERRALS	Nil
DEVELOPMENT PLAN VERSION	5 May 2016
MEETING DATE	12 September 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 GRANT Development Plan Consent for Application No. 211/247/2017 by Emali Early Learning Centres to undertake advertising signage for child care centre at 246 & 248 Henley Beach Road, Underdale (CT 5687/799 & CT 6009/391) subject to the following conditions of consent and the concurrence of the State Planning Assessment Commission (SPAC):

Council Conditions

1. That the development shall be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
2. That the advertisements approved herein shall be maintained in good repair with all words and symbols being clearly visible at all times.
3. That the illuminated advertisement approved herein shall not move, flash, blink or rotate in any manner.
4. That the proposed advertisements proposed on the feature wall above the roofline shall not be internally or externally illuminated.
5. That the illumination of the advertisement approved herein shall be such that no hazard, difficulty or discomfort is caused to either approaching drivers on adjacent public roads or nuisance to adjoining residents.
6. That the advertisement on the south-western corner of the land approved herein shall be located entirely within the allotment boundaries.

BACKGROUND

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

- All applications for non-complying forms of development shall be assessed and determined by the DAP.

PREVIOUS OR RELATED APPLICATIONS

DA 211/45/2016 - Demolition of dwelling and ancillary structures (248 Henley Beach Road, Underdale).

Development Approval was granted on 21 January 2017.

DA 211/1558/2016 - Demolition of existing dwelling, and construction of a child care centre with associated car parking and landscaping.

Planning Consent was granted by the DAP on 11 April 2017.

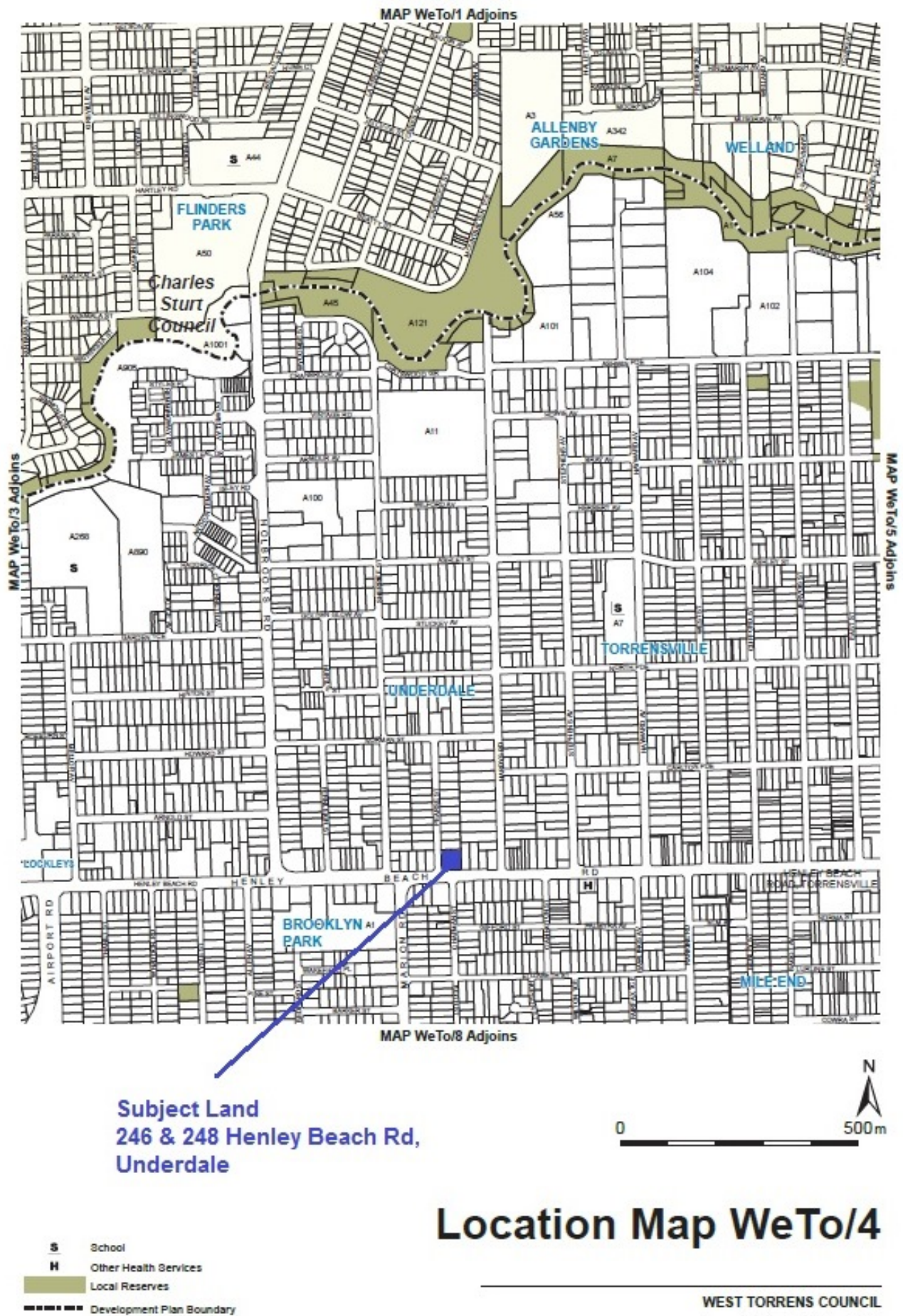
SITE AND LOCALITY

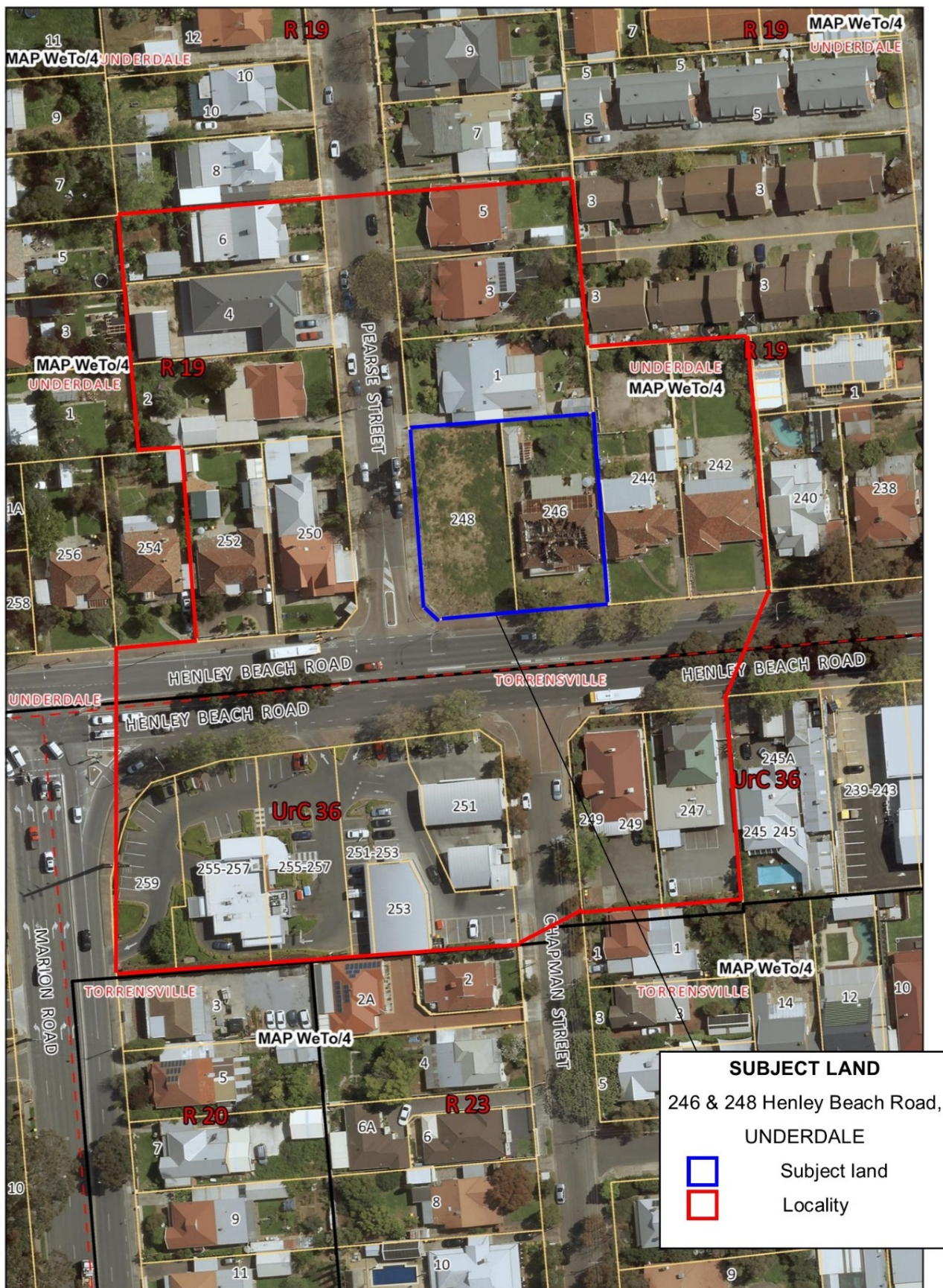
The subject land is comprised of two adjacent allotments formally recognised as Allotment 29 Deposited Plan 3062 in the area named Underdale, Hundred of Adelaide (contained in Certificate of Title Volume 5687 Folio 799), and Allotment 30 Deposited Plan 3062 in the area named Underdale, Hundred of Adelaide (contained in Certificate of Title Volume 6009 Folio 391). The land is commonly known as 246 and 248 Henley Beach Road, Underdale. The site is situated within the Residential Zone, Medium Density Policy Area 19.

The subject land is located on the north-eastern corner of the intersection of Pearse Street and Henley Beach Road, east of the intersection of Marion and Henley Beach Roads. The land totals an area of 1,810 square metres with a frontage of 39.32 metres to Pearse Street and 37.5 metres to Henley Beach Road, together with a corner cut-off of approximately 6 metres.

The subject land currently contains a dwelling plus associated structures (verandah and outbuilding) that have been damaged by fire. The remainder of the land is vacant.

The immediate locality contains a variety of built forms including dwellings used as such (predominantly on the northern side of Henley Beach Road), commercial buildings such as a car wash, restaurant, offices, fitness studio, and a former dwelling which has been converted into a church immediately adjacent to the east. The wider locality includes residential flat buildings, more commercial uses (along Henley Beach Road) and some low-medium density residential infill. A map and aerial photograph of the subject land and locality can be seen in the following pages:





PROPOSAL

The proposal is for the establishment of advertising signage for the approved child care centre on the subject land. Three advertisements featuring the business name 'Emaili' are proposed.

Two will be painted on the feature wall on top of the proposed building. One will face south and will feature white text on a pink background, and the other facing west will feature pink text on a white background. Neither of these will be illuminated.

The third will be located on the south-western boundary wall, facing the intersection of Pearse Street and Henley Beach Road. It will be internally illuminated and feature pink text on a silver background.

Refer **Attachment 1** for a copy of the proposed plans.

NON-COMPLYING

The application is considered a Non-Complying form of development, due to 'advertisement and/or advertisement hoarding' being listed as such in the Procedural Matters of the Residential Zone of the Development Plan.

The applicant has provided a Statement of Effect pursuant to Regulation 17 of the *Development Regulations 2008*, refer **Attachment 2**. Should the Panel resolve to approve the application, the concurrence of the SPAC is required. Alternatively, should the Panel refuse the application, no appeal rights are afforded to the applicant.

Administration resolved, under delegation, to proceed with an assessment of the proposal. The application is now presented to the DAP for a decision.

PUBLIC NOTIFICATION

The application is a Category 3 form of development, pursuant to Section 38 and Schedule 9 of the *Development Act and Regulations 1993* and the Procedural Matters of the Residential Zone of the Development Plan.

Properties notified:	Nine properties were notified during the public notification process, in addition to a public notice in The Advertiser press.
Representations:	No representations were received.

ASSESSMENT

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

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

<i>Transportation and Access</i>	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40 & 41

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

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

ASSESSMENT

In assessing the merits or otherwise of the application, the proposed development satisfies the relevant Development Plan provisions of the Development Plan relating to the purpose of the advertising, the appearance of the advertising and the impacts of the advertising.

The proposed advertisement on the south-western corner of the land is located approximately 80 metres from the nearest traffic control device - this being a west-bound traffic light on Henley Beach Road. The sign will be located approximately 105 metres beyond the nearest east-bound traffic light. This satisfies the General Section - Advertisements Principle of Development Control (PDC) 15.

Given the orientation and positioning, and the overall scale of the advertising in the context of the approved child care centre building, the proposal is considered appropriate in this locality. The advertisements proposed on top of the building will not be illuminated, and will not result in unreasonable visual impacts to adjoining sensitive (residential) land uses.

SUMMARY

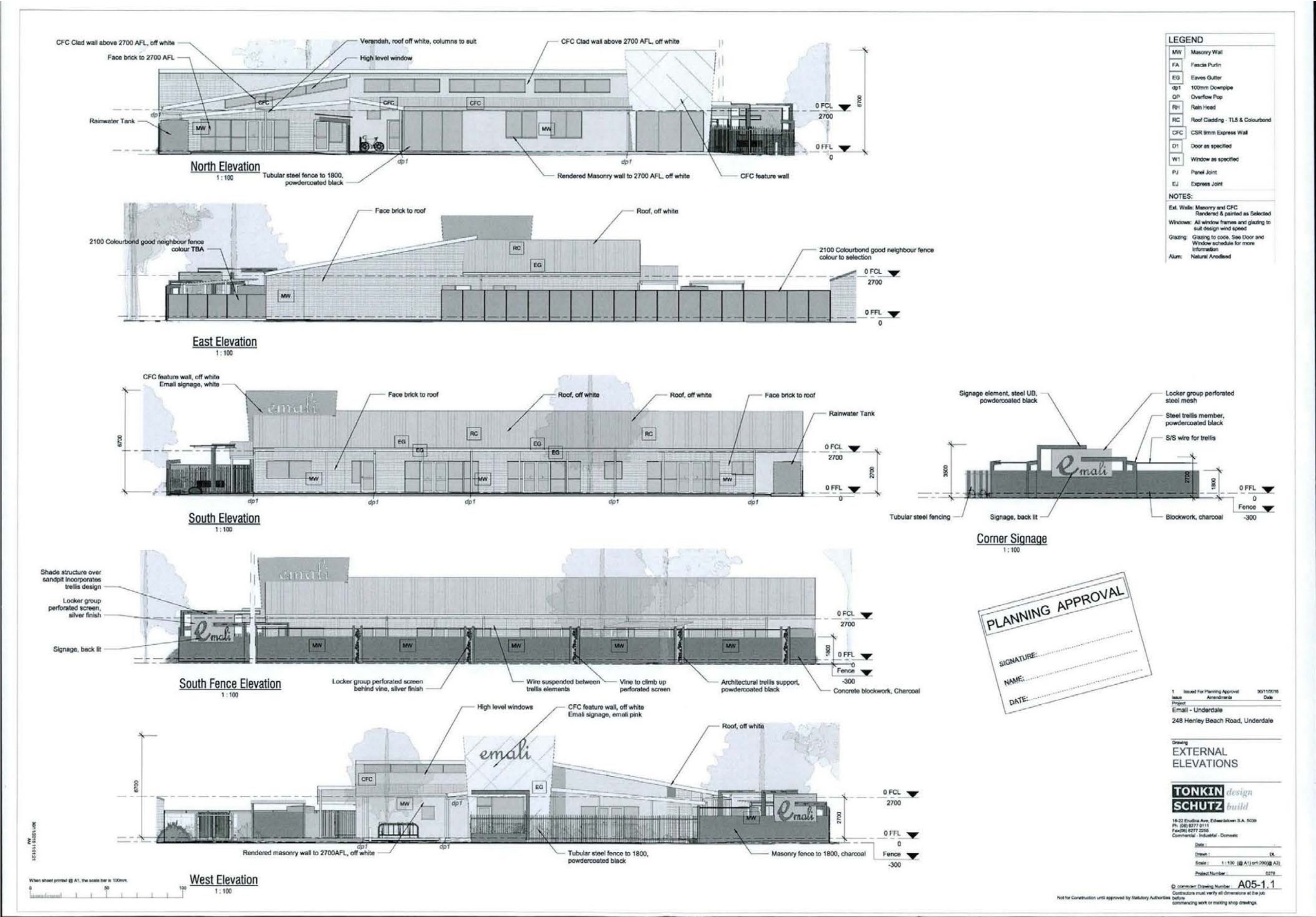
Whilst it is acknowledged that advertisements are listed as Non-Complying development, the proposal is considered appropriate. It will be ancillary to and compatible with an approved business use to be constructed on the land, and is not considered obtrusive or excessive. Given the site fronts an arterial road the locality contains some commercial uses with existing advertising, and as such this proposal is not considered to be unreasonable nor cause undue impacts to the amenity of the locality and to the neighbouring residential land uses.

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

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

Attachments

- 1. Proposed plans**
- 2. Statement of Effect**





Henley Beach Road Axonometric

PLANNING APPROVAL

SIGNATURE: _____

NAME: _____

DATE: _____



Pearse Street Axonometric



1	Issued For Planning Approval	2011/05/16
Issue	Amendment	Date
Project		
Email - Underdale		
248 Henley Beach Road, Underdale		
Drawing		
3D AXONOMETRIC		
TONKIN design SCHUTZ build		
16-22 Enfield Ave, Edwardstown S.A. 5009		
Ph: (08) 8277 0111		
Fax: (08) 8277 2555		
Commercial - Industrial - Domestic		
Date:	15/05/16	
Drawn:	DK	
Scale:	(@ A1) or (@ A3)	
Project Number:	0278	
© copyright Drawing Number: SK1-1.1		
Not for Construction until approved by Statutory Authorities		
Contractors must verify all dimensions at the job		
before commencing work or making shop drawings.		





25 July 2017

File 6754 SOE

The Chief Executive Officer
City of West Torrens
165 Sir Donald Bradman Drive,
HILTON SA 5031

Attn: Mr Joshua Banks

Access Planning (SA) Pty Ltd
ABN: 57 089 702 241

235 Henley Beach Road
Torrensville SA 5031

Telephone 08 8130 7222
Facsimile 08 8130 7299
admin@accessplanning.com.au
www.accessplanning.com.au

Dear Joshua,

**RE: DEVELOPMENT APPLICATION 211/247/2017 – PROPOSED ADVERTISING FOR
APPROVED CHILD CARE CENTRE AT 246 - 248 HENLEY BEACH ROAD,
UNDERDALE**

1.0 INTRODUCTION

This Statement of Effect has been prepared in relation to development application 211/247/2017 by Emali Early Learning Centres to establish advertising on an approved child care centre development at 246-248 Henley Beach Road, Underdale.

The subject land lies within the City of West Torrens and situated within the Residential Zone (as shown on map WeTo/4 of the West Torrens Council Development Plan (consolidated 5 May 2016).

“Advertisements and advertising hoarding” is listed as a non-complying form of development within the Residential Zone.

The Council has determined to proceed with an assessment of the development application and have requested a Statement of Effect to be prepared in accordance with the requirements of Regulation 17(5) of the Development Regulations 2008. The following report has been prepared to fulfil this requirement.

The statement describes in broad terms, the nature of the proposal and gives reasons why the application should be considered for a full assessment by Council, notwithstanding its non-compliance status.

2.0 SUBJECT LAND

The subject land consists of two allotments. The allotments are formally recognised as follows:

- Allotment 29 Deposited Plan 3062 in the area named Underdale, Hundred of Adelaide as contained in Certificate of Title Volume 5687 Folio 799; and
- Allotment 30 Deposited Plan 3062 in the area named Underdale, Hundred of Adelaide as contained in Certificate of Title Volume 6009 Folio 391

The land is more commonly known as 246-248 Henley Beach Road, Underdale.



The subject land is a regular shaped holding comprising two allotments with a 37.5 metre frontage to Henley Beach Road, a corner cut-off of 6.03 metres and a frontage of 39.32 metres to Pearse Street. All up the land encompasses an area of approximately 1810 square metres.

The land accommodates a detached dwelling which was recently damaged by a house fire and two free-standing domestic outbuildings. The remainder of the land is vacant but previously accommodated a two-storey dwelling.

The allotment at 248 Henley Beach Road has three crossovers; two to Pearse Street and another to Henley Beach Road while the property at 246 Henley Beach Road has its own single width crossover which is located next to the Henley Beach Road crossover for 248. A raised central median on Henley Beach Road forces vehicles to make left turn only movements on to Henley Beach Road. Photos of the subject land are provided below.



Photo 1: The subject land (looking north)



Photo 2: The subject land (looking north-east)

3.0 LOCALITY

The immediate locality is characterised by a range of commercial land uses including shops, carwash, offices, personal service establishments, fitness studios and a service station. Residential development of low and medium density is also prominent within the locality. Most of the commercial land uses are located on the southern side of Henley Beach Road while the northern side of Henley Beach Road contains mostly single storey detached dwellings and dwellings converted into offices. Immediately to the east of the subject land is a former dwelling recently converted to a place of worship by Lockleys Baptist Church.



Henley Beach Road is a secondary arterial road which handles some 37,400 24-hour 2-way vehicle movements within the vicinity of the subject land. The road has a considerable influence on the locality given its function as a strategic transport corridor. Advertising, in the form of free-standing structures and fixtures to buildings are also prevalent within the streetscape given the number of commercial land uses which line the edge of the road. The subject land and immediate Henley Beach Road streetscape are depicted in Figure 1 and the photos provided below:



Figure 1: Subject Site and Locality

Source: <http://maps.sa.gov.au/plb/>



Photo 3: Henley Beach Road (looking east)



Photo 4: Henley Beach Road (looking west)

4.0 THE PROPOSED DEVELOPMENT

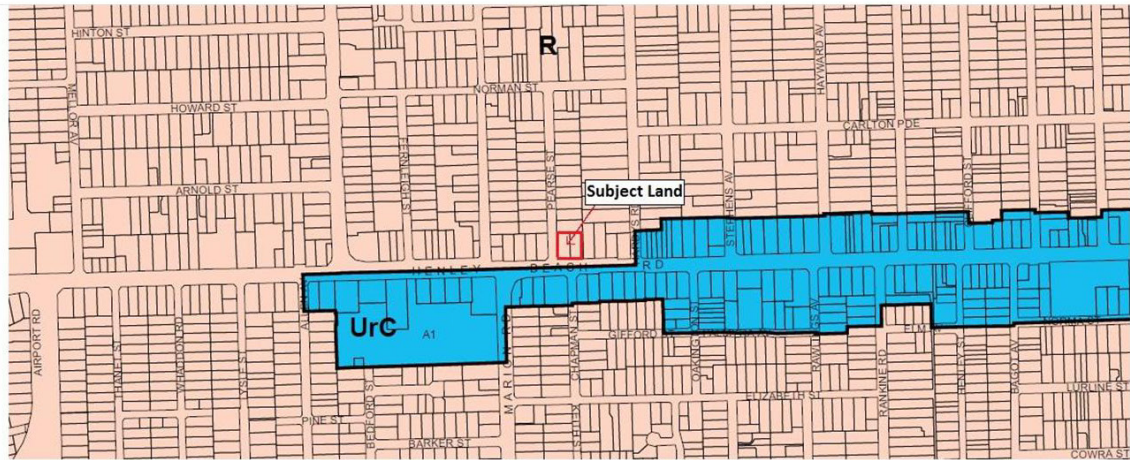
The proposal involves the establishment of advertising to an approved child care centre. The advertising will be placed at three different locations on the land and comprising the following:

- The name 'Emali' in white text on pink background on the south elevation of the proposed building's feature wall. The text will be approximately 3.5 metres long by 1.4 metres high;
- The name 'Emali' in pink text on off white background on the west elevation of the proposed building's feature wall. The text will be approximately 3.5 metres long by 1.4 metres high;
- The name 'Emali' in pink back lit text on a dull silver finished perforated screen. The sign will be fixed to the proposed 1.8 metre high masonry boundary wall on the south-west corner cut-off of the subject land. The sign will be approximately 2.8 metres long and 1.8 metres high and fixed to the wall approximately 1.4 metres above the level of the adjacent footpath

Only the advertising fixed to the front boundary wall will be illuminated and none of the proposed advertising will flash, scroll or rotate.

5.0 DEVELOPMENT PLAN ASSESSMENT

In assessing the proposed development I have had regard to the provisions of the West Torrens Development Plan as consolidated 5 May 2016. The subject site is located (refer Figure 2 below) in the Residential Zone, and more particularly Policy Area 19 – Medium Density.



Lambert's Conformal Conic Projection, GDA94

Zones

Cu	Community
DcE	District Centre
In	Industry
OS	Open Space
R	Residential
UrC	Urban Corridor
	Zone Boundary
	Development Plan Boundary



Zone Map WeTo/4

WEST TORRENS COUNCIL

Consolidated - 5 May 2016

Figure 2: Subject Land and Zoning**Source: West Torrens Development Plan**

The provisions of the plan I considered most relevant to the proposed development are listed below:

Medium Density Policy Area 19

Objectives: 1

Desired Character

Principles: 1 and 2

Residential Zone

Objectives: 4

Desired Character

Principles: 1, 2, 3 and 5

General section**Advertisements**

Objectives: 1, 2 & 3

Principles: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 22, 23 and 24.

Design and Appearance

Objectives: 1

Principles: 2, 12, 13 and 14



Interface between Land Uses

Objectives: 1 to 3

Principles: 1 and 2

Orderly and Sustainable Development

Objectives: 1, 3 and 4

Principles: 1

The primary planning issues are discussed under the following headings:

- Purpose of advertising
- Appearance of the Advertising
- Impact upon the locality

The following is an assessment of the proposed advertising against the relevant provisions of the Development Plan (as consolidated 5 May 2016).

Purpose of proposed advertising

Residential Zone PDC 2: Development listed as non-complying is generally inappropriate.

Advertisements PDC 4: The content of advertisements should be limited to information relating to the legitimate use of the associated land.

Advertisements PDC 11: 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.

Principle 2 of the zone states non-complying development is 'generally' inappropriate. The use of the word 'generally' suggests this type of development is not precluded in the zone subject to demonstrating sufficient merit. The proposed development will be associated with an approved child care centre and it is common for centres to include signage (advertising) which assists in the identification of the facility. I consider it reasonable to expect advertising signage to be provided with a child care centre.

The proposed advertising will involve nothing more than the business name of the child care operators, that being 'Emali'. The message is simple and concise and relates to the legitimate use of the land. In principle, the purpose of the proposed advertising is acceptable given the service it performs in respect to effective identification.

Appearance of the Advertising

Advertisements Objective: 1 Urban and rural landscapes that are not disfigured by advertisements and/or advertising hoardings.

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

Advertisement 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.

Advertisement 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 proposed development involves the name 'Emali' being painted onto the south and west elevations of the feature wall of the principal building as well as a sign being fixed to the south-west corner of an approved masonry wall to be constructed on part of the property boundary to Henley Beach Road and Pearse Street. The advertising will not involve any free-standing signage structures and by being back lit, only the name 'Emali' on the sign fixed to the masonry wall will be illuminated.

The Henley Beach Road streetscape immediately adjacent to, and in proximity of, the subject land contains numerous types of advertising signage. In fact, advertising is prevalent within the Henley Beach Road corridor, particularly between Holbrooks Road and the James Congdon Drive underpass. That said, the subject land is located within a Residential Zone and the adjoining properties, particularly north of Henley Beach Road, have an obvious residential character. As such, and within the immediate locality, advertising along the northern side of Henley Beach Road is less evident than compared to the southern side of the road.

Regarding the appearance of the proposed development I believe the advertising will be reasonably unobtrusive in respect to the existing character of the locality. The scale and positioning of the advertising complements the approved child care centre building and exhibits compatibility with existing signage without being as blatant and pronounced to detract from the residential character. I am satisfied the proposal will provide an acceptable balance between the contrasting developments of the locality.

Advertisement PDC 5: Advertisements and/or advertising hoardings should:

- (a) be completely contained within the boundaries of the subject allotment*
- (b) be sited to avoid damage to, or pruning or lopping of, on-site landscaping or street trees*
- (c) not obscure views to vistas or objects of high amenity value.*

Advertisement PDC 6: Advertisements and/or advertising hoardings should not be erected on:

- (a) a public footpath or veranda post*
- (b) a road, median strip or traffic island*
- (c) a vehicle adapted and exhibited primarily as an advertisement*
- (d) residential land.*

Advertisement 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.

Advertisement PDC 8 The total advertisement area on the fascias, parapets, gable ends, windows and other surfaces of buildings should not exceed:

- (a) 20 per cent of the sides of the building*
- (b) in relation to the front wall of a building, 20 per cent of the area above 3.7 metres or above a canopy.*



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

Two of the proposed advertisements will be placed on the approved feature wall of the child care centre building. The feature wall extends above the walls and roof ridge of the approved building. The advertising will not involve the use of hoarding as it has been designed in collaboration with the proposed child care centre and incorporated onto the feature wall and on the front boundary wall. This approach will prevent the advertising obscuring views to vistas or objects of high amenity value, encroachment upon public spaces or structural attachments being added to the approved building. The advertising will be visible within the immediate locality only and will not diminish the qualities considered valuable to the Henley Beach Road streetscape and the surrounding residential area.

The impacts of the advertising

Advertisements Objective 2 Advertisements and/or advertising hoardings that do not create a hazard.

Advertisement PDC 14 Advertisements and/or advertising hoardings should not create a hazard by:

- (a) being so highly illuminated as to cause discomfort to an approaching driver, or to create difficulty in the driver's perception of the road or persons or objects on the road*
- (b) being liable to interpretation by drivers as an official traffic sign, or convey to drivers information that might be confused with instructions given by traffic signals or other control devices, or impair the conspicuous nature of traffic signs or signals*
- (c) distracting drivers from the primary driving task at a location especially where the demands on driver concentration are high*
- (d) obscuring a driver's view of other road or rail vehicles at/or approaching level crossings, or of pedestrians or of features of the road that are potentially hazardous (eg junctions, bends, changes in width, traffic control devices).*

Advertisement PDC 15 Any internally illuminated advertising signs and/or advertising hoardings which utilise LED, LCD or other similar technologies should be located a minimum of 80 metres from traffic signals, level crossings and other important traffic control devices.

Advertisement PDC 22 Advertising and/or advertising hoardings should not be placed along arterial roads that have a speed limit of 80 km/h or more.

Advertising signage should be avoided at high risk locations, especially those with a history of crashes. The subject land is approximately 70 metres from the intersection of Henley Beach Road and Marion Road, a site in which numerous road crashes have occurred but none resulting in more than one serious injury or any fatalities (source: Nature Maps road crashes dataset).

The proposed advertising will not obstruct the views of drivers and the separation distance to both the intersection and the carriageway are considered sufficient to not have a detrimental influence on driver concentration and visibility. The advertising on the approved masonry wall will also be sited to ensure views for vehicles turning right onto Henley Beach Road from Pearse Street are not unreasonably impeded.

Furthermore, the advertising will not be mistaken as regulatory signs which instruct safe driver behaviour nor will they invite traffic to move in a manner contrary to any traffic control



device/sign or desirable traffic movement. The advertising is unlikely to unreasonably distract or promote unsafe behaviour of road users.

Only one of the advertising signs will be illuminated, that being the sign on the front boundary wall. The illumination is reasonable subtle given the back lit design and use of pink text. The advertising will not be positioned or be used in a manner which will notably distract or dazzle road users and not create a hazard to vehicle movement. Furthermore, the advertising is unlikely to be confused as being a traffic signal or control device.

Although the proposed advertising is relatively close to a major road intersection I do not believe it will create a hazard to road users. Nevertheless, the finish of the signage can be further investigated in the event safety concerns arise during the assessment of this application.

6.0 ASSESSMENT OF THE ENVIRONMENTAL, SOCIAL & ECONOMIC IMPACTS OF THE PROPOSAL

The proposed development will not result in any changes that are likely to cause any detrimental social, economic or environmental effect on the locality.

Social Impacts

The proposed development itself will have little to no direct social impact other than being ancillary to a child care service.

Environmental Impacts

The proposed advertising will have no environmental impacts.

Economic Impacts

The proposed advertising will aid the identification and community awareness of the use of the land as a child care centre. This will indirectly support the viability of the child care services and in turn support related employment opportunities.

The proposed development will have no detrimental impact on the sustainability of existing, or future, developments on adjoining land.

7.0 SUMMARY

The proposed development is listed in the Procedural Matters Section of the Residential Zone as being a Non-Complying development and therefore not a kind of development generally contemplated within the Residential Zone.

Notwithstanding the non-complying characterisation, the proposed development is considered an appropriate form of development for the subject land for the following reasons:

- The advertising is ancillary to, and compatible with, the approved child care centre which will be constructed on the land;
- The proposed development will not have a fundamentally impact upon the character of the immediate locality;
- The appearance and positioning of the proposed advertising is not excessive or obtrusive;



- The proposal is not a type of development which is foreign to the locality and will sit comfortably among both the existing residential and non-residential development of the locality; and
- The advertising will not be a nuisance to the locality in respect to amenity and safety.

8.0 CONCLUSION

I am satisfied the proposed development warrants consent being granted based on its purpose, design, placement and function and the accommodating nature of the subject locality.

Please do not hesitate to contact me on (08) 8130 7222 during business hours if you have any further queries pertaining to this matter. Alternatively, I can be contacted via email at adam@accessplanning.com.au.

Yours sincerely,

A handwritten signature in blue ink that reads 'Adam Williams' with a stylized flourish at the end.

Adam Williams
ACCESS PLANNING

6.6 26 Huntington Avenue, FULHAM

Application No 211/349/2017

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Land division - Torrens Title; DAC No. 211/D044/17 (Unique ID 57398); Create one (1) additional allotment
APPLICANT	Vincent and Sandra Ciccarello
APPLICATION NO	211/349/2017
LODGEMENT DATE	29 March 2017
ZONE	Residential
POLICY AREA	Low Density Policy Area 21
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> City Works (Amenity Officer) External <ul style="list-style-type: none"> State Planning Assessment Commission (SPAC) (formally known as the Development Assessment Commission)
DEVELOPMENT PLAN VERSION	5 May 2016
MEETING DATE	12 September 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 GRANT Development Plan Consent for Application No. 211/349/2017 by Vincent and Sandra Ciccarello to undertake Land division - Torrens Title; DAC No. 211/D044/17 (Unique ID 57398); Create one (1) additional allotment at 26 Huntington Avenue, Fulham (CT 5143/300) subject to the following conditions of consent (and any subsequent or amended condition that may be required as a result of the consideration of reserved matters under Section 33(3) of the Development Act):

DEVELOPMENT PLAN CONSENT**Council Conditions**

1. Development is to take place in accordance with the plans prepared by Zaina Stacey Development Consultants relating to Development Application No. 211/349/2017 (DAC 211/D044/17).

LAND DIVISION CONSENT**Council Conditions**

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

State Planning Assessment Commission (SPAC) Conditions

2. Payment of \$6,676 into the Planning and Development Fund (1 allotment(s) @ \$6,676/allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the State Planning Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, Level 5, 50 Flinders Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Planning 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. Subject to our new process, on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non-standard fees. On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.

BACKGROUND

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

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

PREVIOUS OR RELATED APPLICATION(S)

Nil

SITE AND LOCALITY

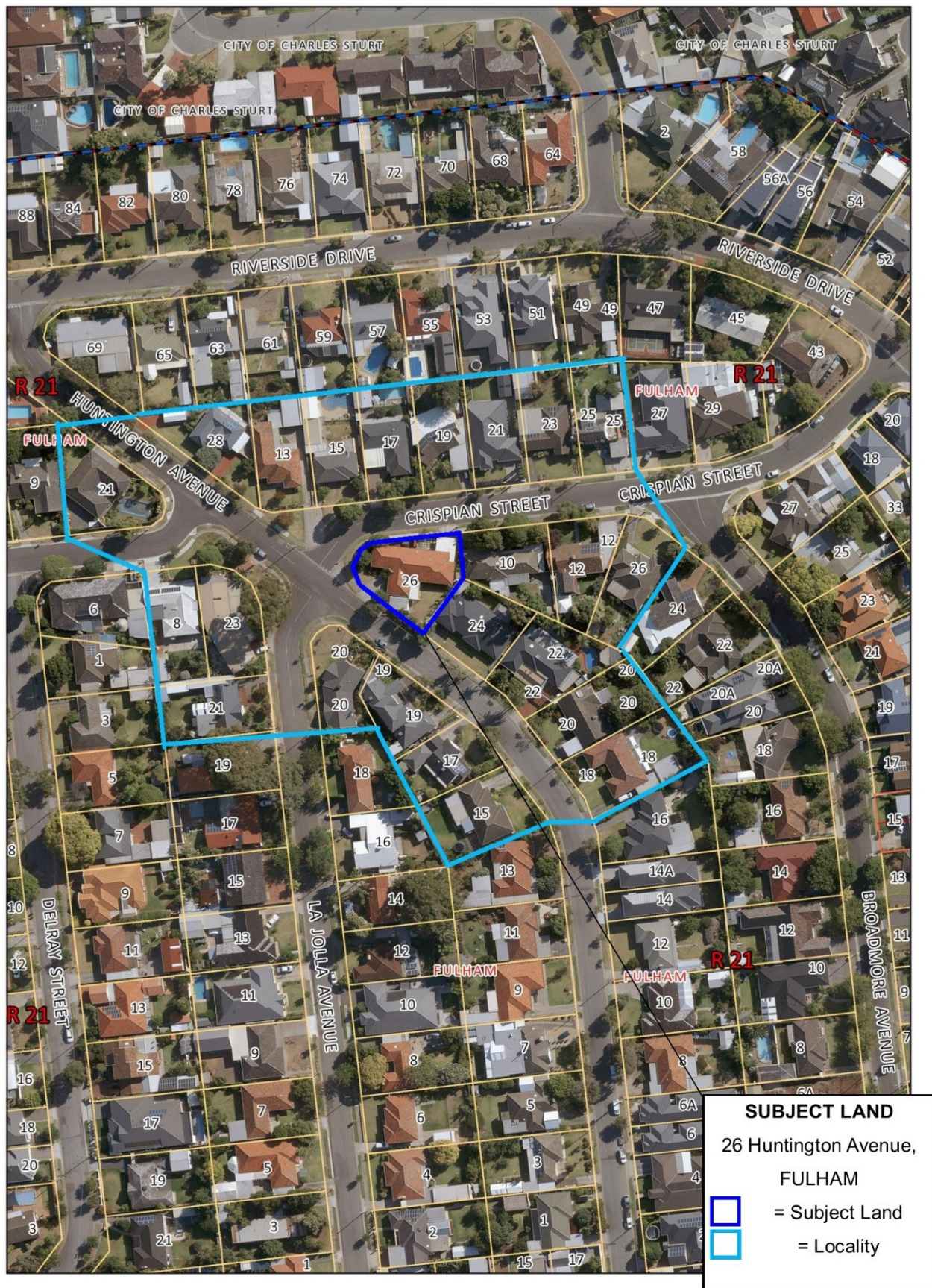
The subject land is formally described as Allotment 154 Deposited Plan 4924 in the area named Fulham Hundred of Adelaide, Volume 5143 and Folio 300, and more commonly known as 26 Huntington Avenue, Fulham. The subject land is an irregular shape allotment and is located on the corner of Huntington Avenue and Crispian Street. The dual street frontage measures a total of 74.24 metres and the total area is approximately 831 square metres. Currently existing on the site is a 1960s conventional hipped roof dwelling with additions and a garage, carport, verandah and outbuilding.

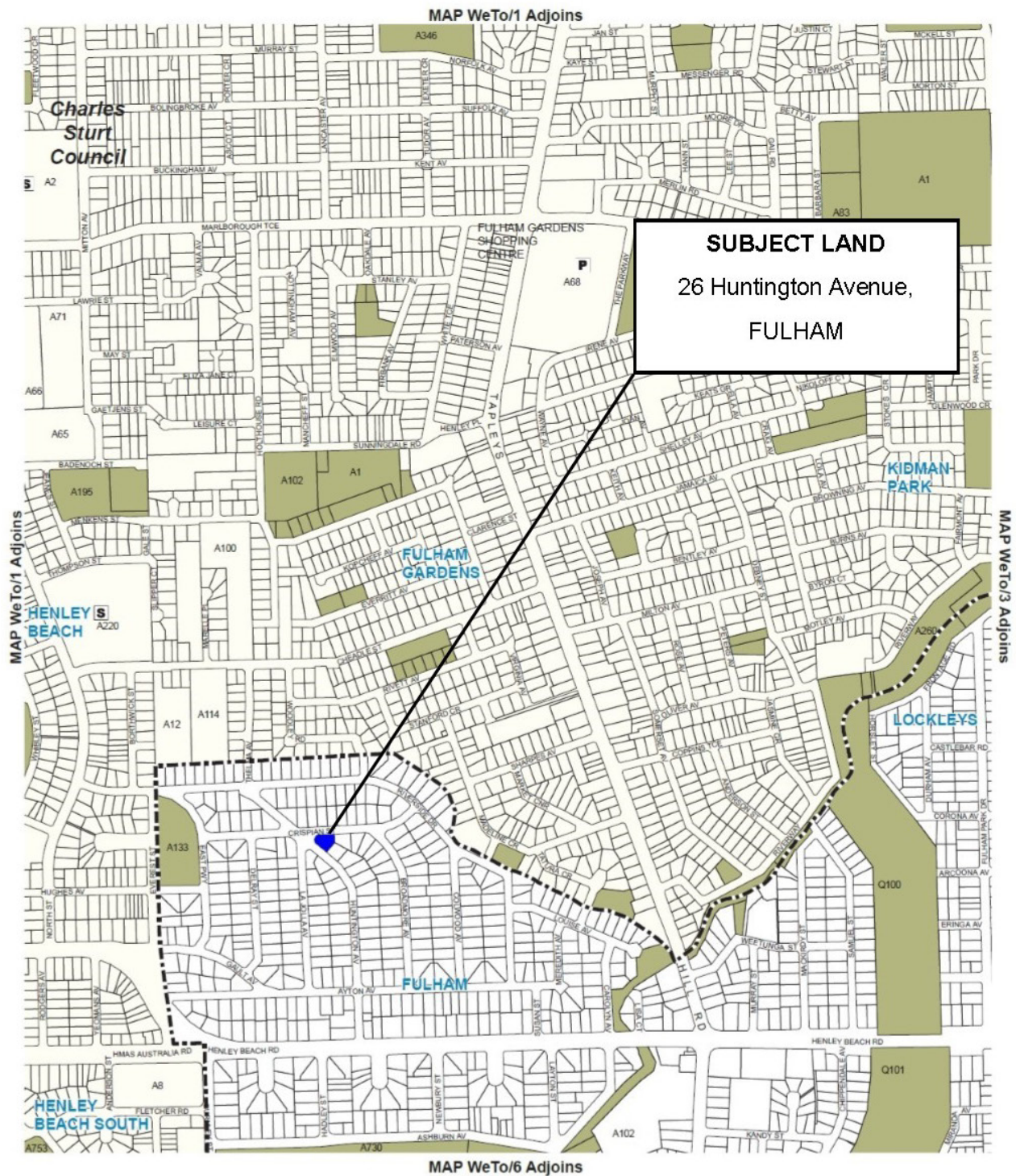
The subject land is located within 400 metres of the small Local Centre Zone situated on Henley Beach Road, 140 metres south of the border of the City of Charles Sturt, and 214 metres east of the East Parkway Reserve.

The locality comprises residential development in the form of detached dwellings, primarily single storey. The majority of existing dwellings within the locality have wide frontages, with buildings that are setback at various distances from the front boundary.

Whilst the predominant style of dwellings within the locality consists of 1960s conventional hipped roof dwellings, there are several examples of replacement housing stock or newer dwelling constructions.

The site and locality are shown on the following maps:





Location Map WeTo/2

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

WEST TORRENS COUNCIL
Consolidated - 5 May 2016

PROPOSAL

The applicant seeks Development Approval for land division creating one additional allotment Torrens titled allotment.

A copy of the plan of division is contained within **Attachment 1**.

PUBLIC NOTIFICATION

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

REFERRALS

Internal

City Works - Amenity Officer (Street Tree)

The application was forwarded to Council's Amenity Officer to provide feedback on the establishment of future vehicle crossovers within close proximity to existing street trees. The following feedback was provided:

"Investigations of the site together with the information provided have revealed that for Allotment 1 there is 8.40m between the proposed property boundary and the Corymbia ficifolia (red flowering gum) street tree (on Crispian Street frontage).

This will allow for a crossover width of 6.4m and still maintain a 2.0m offset from the street tree.

It is noted that for Allotment 2 there is 6.4m from the Callistemon Harkness (bottlebrush) street tree to the southern property boundary allowing for a possible crossover width of 4.4m and maintaining a 2.0m offset from the street tree."

Overall, it is possible to establish vehicle access ways to both of the proposed allotments without having to remove any street trees.

City Assets - Traffic

It was not necessary to refer the application to Council's Civil Engineer for feedback on the possible establishment of crossovers for the following reasons:

- There is already a crossover to allow access to proposed Allotment 1, which suggests that safe and convenient access can be achieved to this allotment; and
- The feedback provided from Council's Amenity Officer suggests that a crossover which does not conflict with verge features can be established for access to proposed Allotment 2.

External

State Planning Assessment Commission (SPAC) and SA Water

Pursuant to Section 33 and Schedule 29(1) of the Development Act and Regulations, the application was referred to SA Water by the State Planning Assessment Commission.

Neither SPAC nor SA Water had any objections to the proposal, subject to several conditions being added to any consent notice.

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

ASSESSMENT

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

<u>General Section</u>		
Land Division	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 2, 5, 6, 8 & 12
Orderly and Sustainable Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1, 3 & 7
Residential Development	Objectives	1, 2, 3 & 4
	Principles of Development Control	1 & 3

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

Policy Area: Low Density Policy Area 21	
<p><i>Desired Character Statement:</i></p> <p><i>This policy area will have a low density character. In order to preserve this, development will predominantly involve the replacement of detached dwellings with the same (or buildings in the form of detached dwellings).</i></p> <p><i>There will be a denser allotment pattern and some alternative dwelling types, such as semi-detached and row dwellings, close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones. Battleaxe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments developed with buildings that have a direct street frontage. In the area bounded by Henley Beach Road, Torrens Avenue and the Linear Park, where the consistent allotment pattern is a significant positive feature of the locality, subdivision will reinforce the existing allotment pattern.</i></p>	

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 & 6

QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT	
		Allotment 1	Allotment 2
SITE AREA <i>Low Density Policy Area 21 PDC 4 (within 400m of centre)</i>	350m ² (min.)	474m ² Satisfies	357m ² Satisfies
SITE FRONTAGE <i>Low Density Policy Area 21 PDC 4 (within 400m of centre)</i>	9m	15.18m Satisfies	12.05m Satisfies
ALLOTMENT AREA <i>Low Density Policy Area 21 PDC 6</i>	420m ² (min.)	474m ² Satisfies	357m ² Does not Satisfy by 15%
ALLOTMENT FRONTAGE <i>Low Density Policy Area 21 PDC 6</i>	12m	15.18m Satisfies	12.05m 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

Dwellings are envisaged within the Residential Zone and detached dwellings are envisaged specifically within the policy area. The proposed allotments will be of a size that supports residential redevelopment of this nature. In addition, although the proposed allotments are irregular shapes the siting of future dwellings will not compromise the streetscape character with regard to front setback, given that the built form along both Huntington Avenue and Crispian Street is staggered. There are several buildings which do not maintain large front setbacks opposite the subject land to the south-west.

Land Division

Principle of Development Control (PDC) 6, Residential Zone, Low Density Policy Area 21 provides that land division should create allotments with an area of greater than 420 square metres and a minimum frontage width of 12 metres, other than where land division is combined with an application for dwellings or follows an approval for dwellings on the site.

PDC 4 Residential Zone, Low Density Policy Area 21 provides that when a dwelling is located within 400 metres of a Centre Zone it should have a minimum site area of 350 square metres and a frontage to a public road of nine (9) metres.

In this instance the subject land is located within 400 metres of two Centre Zones and if the present application had been combined with an application for dwellings then the requirements of PDC 4 would have been met.

It should be noted that within the Low Density Policy Area 21 the same allotment area and frontage width is prescribed for each envisaged dwelling type. Therefore, a combined application for the purpose of ensuring a specific dwelling type is built on the land is not necessary, as the proposed allotments will be a size and width which will accommodate any of the dwelling types envisaged to be developed within 400m of a Centre Zone.

The proposed division still results in allotments which have an area and an appropriate frontage width to support envisaged dwelling types of detached dwellings or semi-detached dwellings. The proposal will contribute to the desired character by creating a greater number of housing opportunities located in close proximity to Centre Zones.

SUMMARY

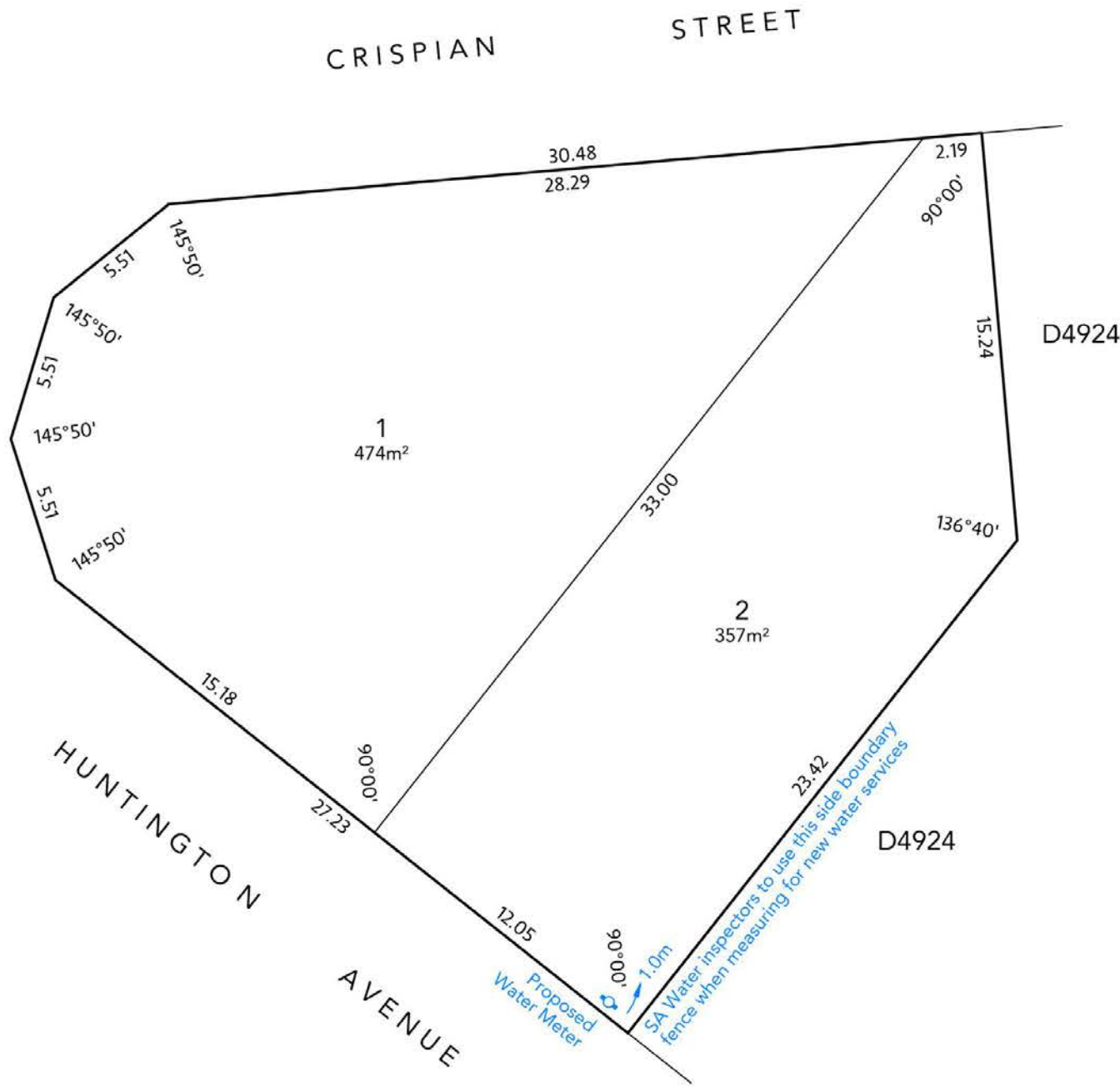
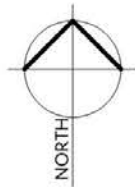
The subject land is located within 400 metres of a Centre Zone and, as such, the site areas and frontage widths of the proposed allotments are considered to be appropriate to the locality. The development will result in allotments that are suitable to accommodate a detached dwelling or semi-detached dwelling (an envisaged form of development within the zone and policy area) which will be complimentary to the built form within the locality.

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

On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 5 May 2017 and warrants Development Plan Consent.

Attachments

- 1. Plan of Division**
- 2. SPAC Referral Comments**



Land division application:

211 / D044 / 17

SHEET 1 OF 1 SHEETS

City of West Torrens

Total area of site:

830m²

Area of reserve provided:

0m²

No. of existing allotments:

1

No. of proposed allotments:

2

No. of additional allotments:

1

Subject land details:

Allotment 154 in D4924

Site Address:

26 Huntington Avenue

Suburb:

Fulham

Hundred:

Adelaide

Title(s):

C.T. 5143 / 300

Annotations:

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

All measurements are subject to survey and final plan of division.

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

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

SA Water Contact Details

Michael Zaina

Zaina Stacey Pty Ltd

Phone 8379 7979



A	13/06/2017	Boundaries amended
	06/03/2017	Original issue
Rev:	Date	Description

ZAINA STACEY

DEVELOPMENT CONSULTANTS

Office:

13 Avenue Road, Frewville SA

Post:

PO Box 1000, Torrens Park SA 5062

Phone:

08 8379 7979

Email:

planning@zainastacey.com

Reference: 17063

Contact Lands Titles Office
Telephone 7109 7016



04 April 2017

The Chief Executive Officer
City of West Torrens

Dear Sir/Madam

Re: Proposed Application No. 211/D044/17 (ID 57398)
for Land Division by Vincent & Sandra Ciccarello

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

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

1. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.
The alteration of internal drains to the satisfaction of SA Water is required.
Subject to our new process, on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non standard fees.
On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.
2. Payment of \$6676 into the Planning and Development Fund (1 allotment(s) @ \$6676/allotment).
Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

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

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

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

Phil Hodgson
Unit Manager
Lands Titles Office

as delegate of
DEVELOPMENT ASSESSMENT COMMISSION

6.7 14 Patricia Avenue, CAMDEN PARK

Application No 211/917/2017

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Land Division - Torrens Title; DAC No. 211/D134/17 (Unique ID 56150); create one (1) additional allotment
APPLICANT	Amanda Goddard c/- Zaina Stacey Development Consultants
APPLICATION NO	211/917/2017 or 211/D134/17
LODGEMENT DATE	26 July 2017
ZONE	Residential Zone
POLICY AREA	Low Density Policy Area 20
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> City Assets - Arboriculture Assistant External <ul style="list-style-type: none"> State Planning Assessment Commission (SPAC) (<i>formally known as the Development Assessment Commission</i>) SA Water Corporation
DEVELOPMENT PLAN VERSION	30 May 2017
MEETING DATE	12 September 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 GRANT Development Plan Consent and Land Division Consent for Application No. 211/917/2017 or 211/D134/17 by Amanda Goddard c/- Zaina Stacey Development Consultants to create one (1) additional allotment at 14 Patricia Avenue, Camden Park (CT 5343/299) subject to the following conditions of consent:

DEVELOPMENT PLAN CONSENT**Council Conditions**

- The development must be undertaken and completed in accordance with the plans prepared by Zaina Stacey Development Consultants except where varied by any condition(s) listed below.

LAND DIVISION CONSENT**Council Conditions**

- Prior to the issue of clearance to this division, all existing structures must be removed from the allotment approved herein. For this purpose, a separate application for demolition shall be submitted for the consideration of and determination by Council.

Development Assessment Conditions

2. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.
The alteration of internal drains to the satisfaction of SA Water is required.

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

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

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

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

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

BACKGROUND

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

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

PREVIOUS OR RELATED APPLICATION(S)

Nil

SITE AND LOCALITY

The subject land is commonly known as 14 Patricia Avenue, Camden Park (allotment 89). The allotment is approximately 725m² and the frontage is 18.29 metres.

The site currently contains a single storey detached dwelling with a garage addition on the western side and a room forward of the dwelling on the eastern side. There is an outbuilding and verandahs to the rear of the dwelling.

Vehicle access is currently achieved via a single crossover on the western side of the allotment. There are two well established street trees some 7 metres tall in front of the dwelling.

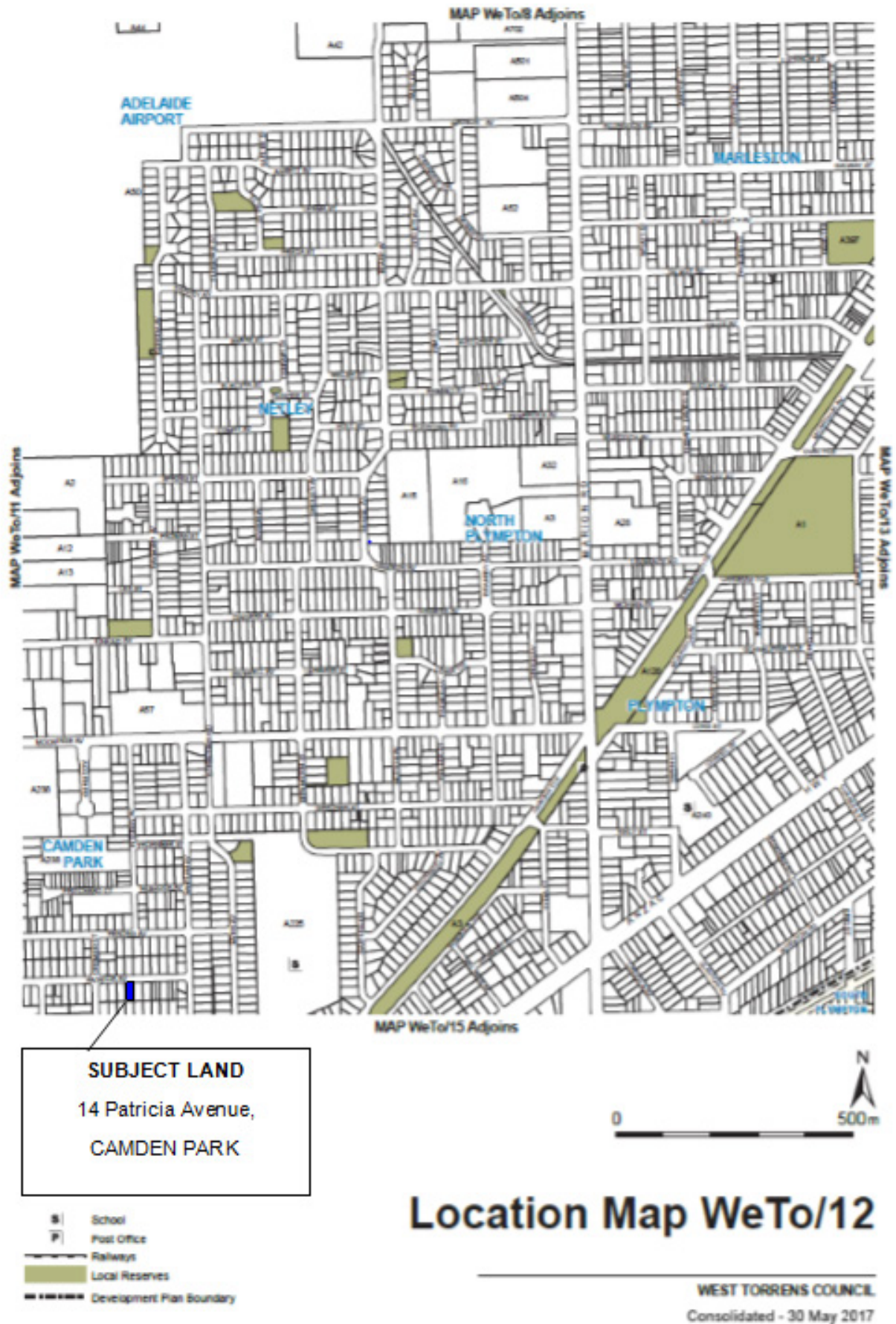
The locality is predominantly characterised by single storey detached dwellings built in the 1940s and 1950s with some of the original dwellings art deco style. In addition to this predominant type of dwelling, there have also been a number of examples of newer dwellings (within last 10 years) where the original allotment has been divided and one dwelling replaced with two. There are examples of this at 4, 7, 8, 9, 13 Patricia Avenue. These allotments range from 344 to 375m².

The locality is predominantly residential with industry further to the north along Mooringe Avenue and west along Morphett Road.

Anzac Highway, a primary arterial road, is approximately 500 metres to the south of the subject land.

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





PROPOSAL

The application proposes the division of the existing allotment to create one additional allotment. The proposed allotments are 363m² (allotment 1) and 362m² (allotment 2) in area and have frontages of 9.15 metres and 9.14 metres respectively to Patricia Avenue.

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

PUBLIC NOTIFICATION

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

REFERRALS

External

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

- State Planning Assessment Commission
- SA Water Corporation.

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

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

Internal

The application was referred to City Assets for comments regarding access, Council street trees and verge infrastructure.

There is an existing driveway on the western side of allotment 2 and this could be used for future development. There is a street tree that would cause conflict with driveway access to allotment 1. The arboriculture assistant from Council has agreed to the removal of the street tree in front of allotment 1 with a fee of \$1,110.00 required for the removal.

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

ASSESSMENT

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

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

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

Policy Area: 20 - Low Density	
Desired Character Statement:	
<i>Allotments in the policy area will be at low density, accommodating predominantly detached dwellings and some other dwellings types such as semi-detached and group dwellings. There will be a denser allotment pattern close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones. Battleaxe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments developed with buildings that have a direct street frontage.</i>	
Objectives	<i>1 Development that contributes to the desired character of the policy area.</i>
Principles of Development Control	<i>2 Development should not be undertaken unless it is consistent with the desired character for the policy area.</i> <i>5 Land division should create allotments with an area of greater than 340 square metres and a minimum frontage width of 10 metres, other than where the land division is combined with an application for dwellings or follows an approval for dwellings on the site.</i>

QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
ALLOTMENT AREA Residential Zone Low Density Policy Area 20 PDC 5	340m ²	362.5m ² (average) Satisfies
ALLOTMENT FRONTAGE Residential Zone Low Density Policy Area 20 PDC 5	10 metres	9.15 m (allotment 1); and 9.14 m (allotment 2) Does Not Satisfy by 8.5% (allotment 1) and 8.6% (allotment 2)

QUALITATIVE ASSESSMENT

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

Allotment Frontage

The proposed division falls short of the quantitative land division frontage provision by 8.5%. There are six divisions within the defined locality of similar size and dimensions to the proposed division. The closest example is across the road at 13 Patricia Avenue. This allotment was divided into two in June 2015 and now has the same site area and frontage as the proposed allotments of the subject development. Since the approval of the land division, there have been two single storey dwellings constructed, similar in appearance to a number within the locality to the east of the subject site.

Given that the land division meets the site area requirement but falls short on frontage requirements by around 0.85 metres, this is not considered fatal to the application. The allotment sizes and dimensions will allow for detached dwellings on relatively low density allotments with a detached dwelling in the future that will be consistent with the desired character of Policy Area 20 within the Residential Zone.

SUMMARY

The proposed division is considered to retain a 'low density character' that is consistent with the desired character of the Residential Zone and Low Density Policy Area 20. The development meets the site area requirements, however, it has a shortfall with respect to site frontages when assessed against the land division provisions. Given the established character of the locality and the ability for the allotments in the future to accommodate a detached dwelling on allotments of relatively low density, the development is recommended for approval.

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

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

Attachments

- 1. Proposal plans**
- 2. External referral**
- 3. Arboriculture assistant referral**

Land division application:	
211/D /17	
SHEET 1 OF 1 SHEETS	
City of West Torrens	
Total area of site:	725m ²
Area of reserve provided:	0m ²
No. of existing allotments:	1
No. of proposed allotments:	2
No. of additional allotments:	1
Subject land details:	
Allotment 89 in D3325	
Site Address:	14 Patricia Avenue
Suburb:	Camden Park
Hundred:	Adelaide
Title(s):	C.T. 5343 / 299
Annotations:	

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

All measurements are subject to survey and final plan of division.

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

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

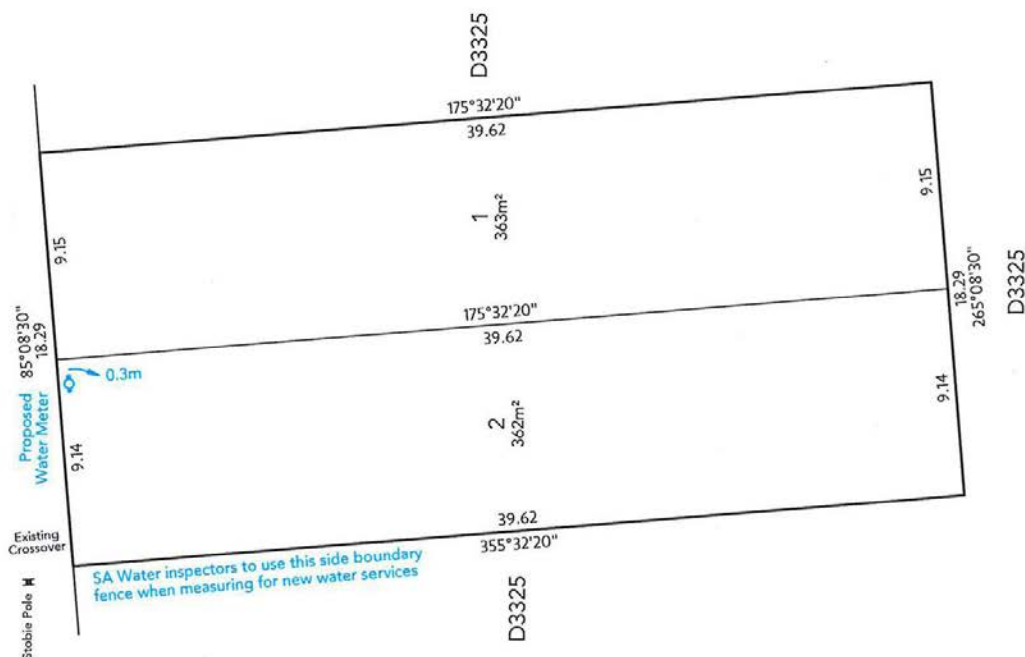
SA Water Contact Details
Michael Zaina
Zaina Stacey Pty Ltd
Phone 8375 7979



Rev.	Date	Description
1	18/02/2017	Original issue

ZAINA STACEY
DEVELOPMENT CONSULTANTS
Office: 13 Avenue Road, Frewville SA
Post: PO Box 1050, Torrens Park SA 5062
Phone: 08 8375 7979
Email: planning@zainastacey.com
Reference: 17242

PATRICIA AVENUE



Contact Lands Titles Office
Telephone 7109 7016



*Development
Assessment Commission*

12 August 2017

The Chief Executive Officer
City of West Torrens

Dear Sir/Madam

**Re: Proposed Application No. 211/D134/17 (ID 58974)
for Land Division by Amanda Goddard**

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

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

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

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

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

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

Phil Hodgson
**Unit Manager
Lands Titles Office**

as delegate of
DEVELOPMENT ASSESSMENT COMMISSION



12 August 2017

Our Ref: H0062138

The Chairman
Development Assessment Commission
136 North Terrace
ADELAIDE SA 5000

Dear Sir/Madam

PROPOSED LAND DIVISION APPLICATION NO: 211/D134/17 AT CAMDEN PARK

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

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

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

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

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

Yours faithfully

Kirsty Jennings

for MANAGER LAND DEVELOPMENT & CONNECTIONS

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

Arboricultural Assessment of Street Trees

Development Application No: 211/917/2017

REFERRAL DUE DATE: 22 Aug 2017

Assessing Officer: **Sonia Gallarello**

Site Address: **14 Patricia Avenue, CAMDEN PARK SA 5038**

Certificate of Title: **CT-5343/299**

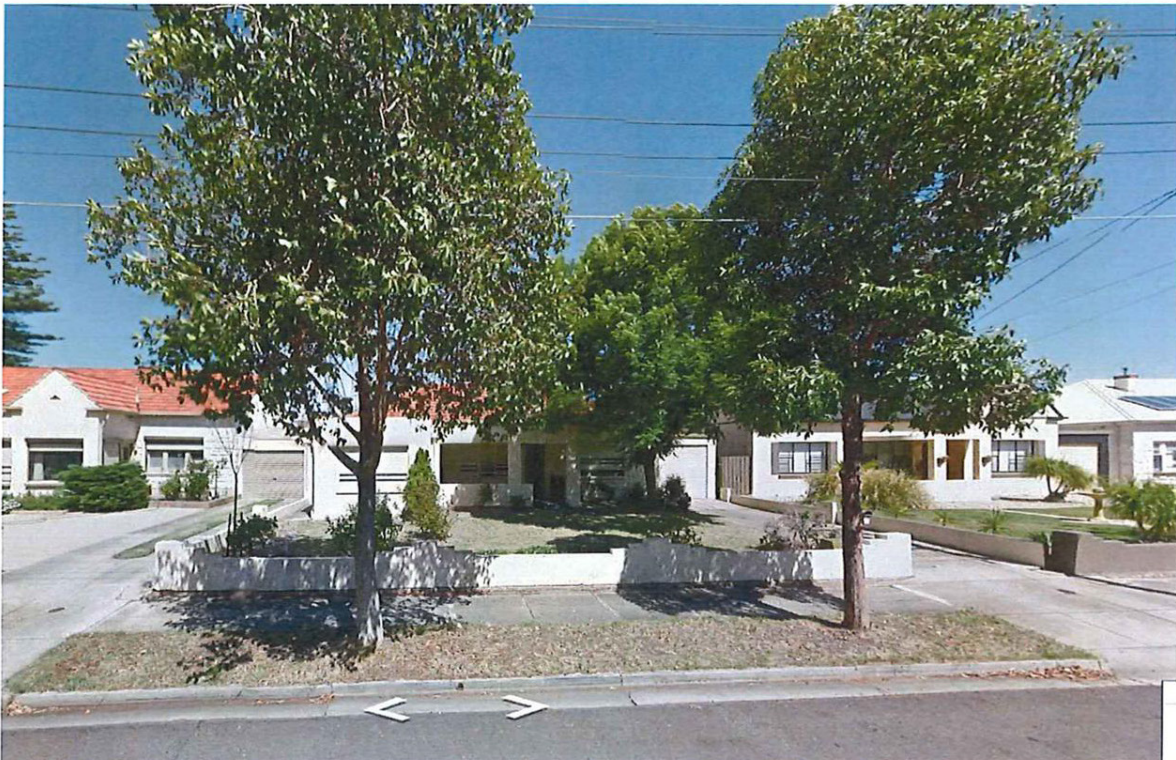
Description of Development **Land division - Torrens Title; DAC No. 211/D134/17 (Unique ID 58974); Create one (1) additional allotment**

TO THE TECHNICAL OFFICER – CITY ASSETS

Please provide your comments in relation to:

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

Left street tree will need to go to facilitate development



PLANNING OFFICER - Sonia Gallarello

DATE 8 August 2017

FROM THE TECHNICAL OFFICER

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

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

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

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

A site investigation together with the information provided has revealed that for Lot 2 there is opportunity to make use of the existing crossover with only minor impact on the existing *Lophostomen confertus* (Queensland brush box) street tree adjacent this proposed allotment.

For lot 1 there is a *Lophostomen confertus* (Queensland brush box) street tree located 4.2m from the eastern boundary. Removal of this *Lophostomen confertus* street tree will be necessary to accommodate a crossover to access the proposed allotment.

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

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

As a result of the proposed land division on Patricia Avenue for allotment 1, City Works has considered the health, structure, form, useful life expectancy, and age of the street tree and will support the removal.

A fee of \$1110.00 will be required prior to the commencement of any work.

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

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

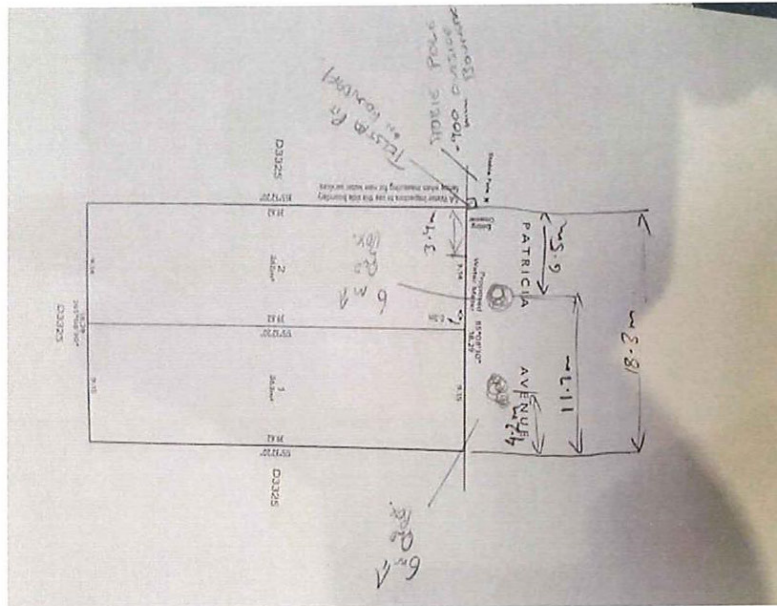
Rick Holmes
Arboriculture Assistant
165 Sir Donald Bradman Drive
Hilton SA 5033

Telephone: 8416 6333

Fax: 8443 5709

Email: rholfmes@wtcc.sa.gov.au

DATE: 17/08/2017









6.8 221 South Road, MILE END

Application No 211/838/2016

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Change of use to dwelling and office, and installation of two (2) associated advertisements (Non-Complying)
APPLICANT	Xiang Lu
APPLICATION NO	211/838/2016
LODGEMENT DATE	25 July 2017
ZONE	Residential Zone
POLICY AREA	Mile End Conservation Policy Area 30
APPLICATION TYPE	Non-complying
PUBLIC NOTIFICATION	Category 3
REFERRALS	Internal <ul style="list-style-type: none"> ▪ Heritage Advisor ▪ Traffic Engineer External <ul style="list-style-type: none"> ▪ Nil
DEVELOPMENT PLAN VERSION	5 May 2016
MEETING DATE	12 September 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 GRANT Development Plan Consent for Application No. 211/838/2016 by Xiang Lu to undertake the change of use to dwelling and office, and installation of two (2) associated advertisements (Non-Complying) at 221 South Road (CT 5674/588) subject to the following conditions of consent and the concurrence of the State Planning Assessment Commission (SPAC):

Council Conditions

1. That the development shall be undertaken and completed in accordance with the plans and information stamped with Development Plan Consent on 12 September 2017 as detailed in this application except where varied by any condition(s) listed below.
2. That the hours of operation of the offices approved herein shall not exceed 9:00 am to 5:00pm Monday to Friday inclusively. For this purpose, deliveries shall occur within the hours of operation.
3. That no more than two employees who are not residents of the subject land shall work within the offices approved herein.
4. That all goods and equipment associated with the office use shall not be put on display and be stored within the designated storage area at all times.
5. That any service vehicle associated with the office use shall not be any larger than a B99 vehicle.
6. That the sign, herein approved, shall be maintained in good repair with all words and symbols being clearly visible at all times.

BACKGROUND

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

- All applications for non-complying forms of development shall be assessed and determined by the DAP.

PREVIOUS OR RELATED APPLICATION(S)

Nil

SITE AND LOCALITY

The subject land is formally known as Allotment 20 Deposited Plan 14006 in the area named Mile End, Hundred of Adelaide (CT 5674/588), but is more commonly known as 221 South Road, Mile End.

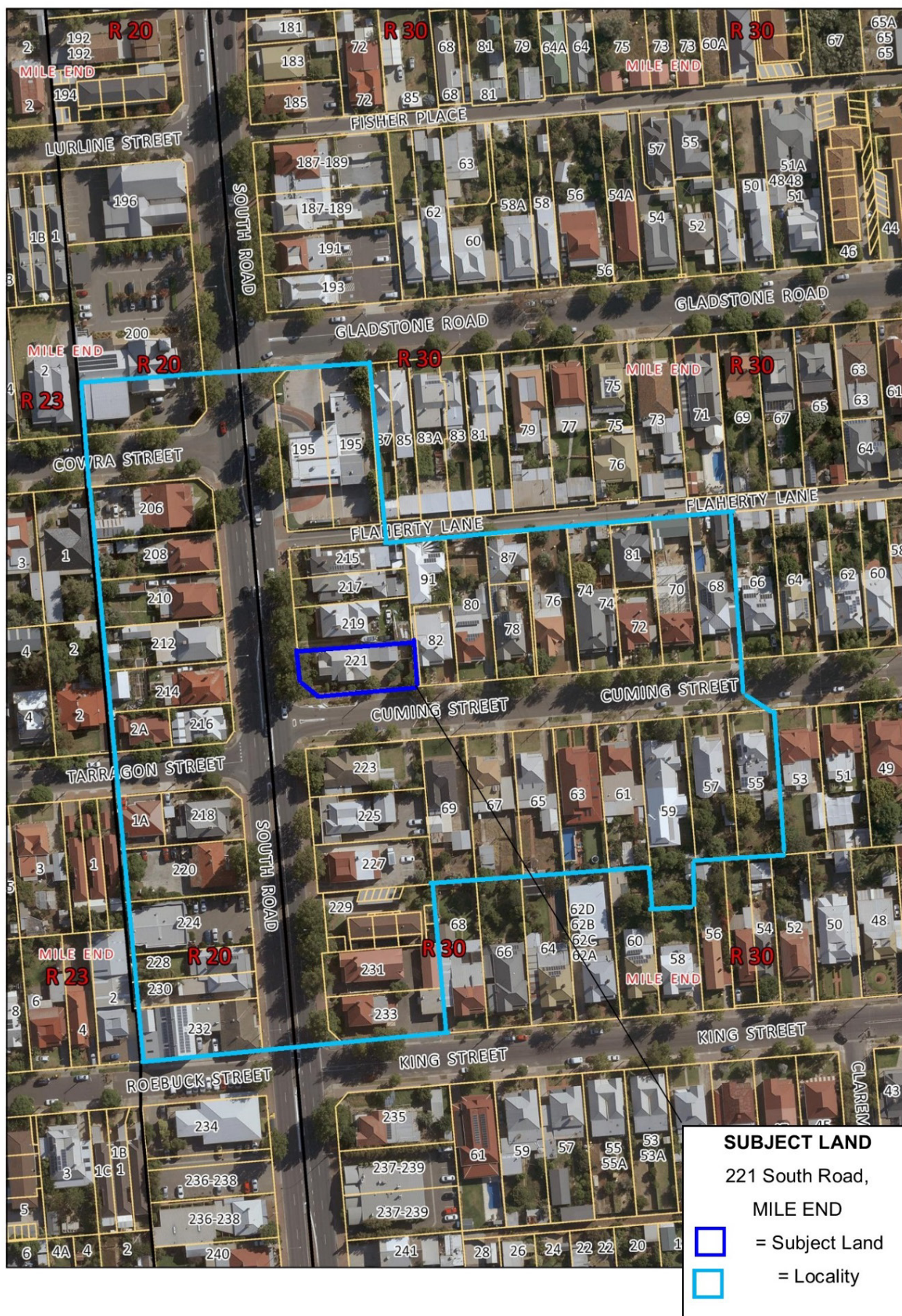
The subject land has a frontage width to South Road of 17 metres (including the length of the corner cut-off) and a depth, adjacent Cuming Street, of 35 metres. The total site area is 593 square metres. One vehicular access point exists off the Cuming Street frontage and there is a pedestrian access point via the South Road frontage.

Currently existing on the land is a 1915 villa with ancillary structures including a brush fence approximately 1.8m high situated along the South Road frontage, an outbuilding and a verandah.

The subject land is located on the eastern side of South Road between Flaherty Lane and Cuming Street. Whilst the land is situated specifically within the Mile End Conservation Policy Area 30 of the Residential Zone, allotments within the locality on the opposite side of South Road are within Low Density Policy Area 20. Furthermore, the subject land is also within a Historic Conservation Area but the allotments within the locality on the western side of South Road are not. Although the subject land is located within a Historic Conservation Area the building is neither heritage listed nor a contributory item.

The locality is comprised of a mixture of land uses; for example, offices, wholesale trade premises, personal service establishments, shops and residential dwellings. The majority of non-residential land uses are mainly located fronting South Road. There are some residential properties with a frontage to South Road, however, the majority are located east of the subject land. The predominant dwelling style consists of early 1900s symmetrical cottages and villas.

The site and locality are displayed on the following maps:





- S School
- Railways
- Local Reserves
- Development Plan Boundary

Location Map WeTo/9

WEST TORRENS COUNCIL
Consolidated - 5 May 2016

PROPOSAL

The Applicant seeks approval for the change of use of the land from residential to residential with an office, and for the installation of two (2) advertising signs.

Change of use

The first component of the proposal involves the change of use from solely a residential property to residential and office. The portions of the dwelling which will be utilised as office space are those rooms labelled as Bed 1 and Bed 2. Direct access to both of the 'office' rooms can be gained without having to enter the dwelling itself.

The office space will be used to manage and conduct the business administration of the occupiers cleaning business. Due to the nature of the business, no clients will need to attend the site and it is envisaged that contractor employees will only attend the site on the rare occasion for meetings and to pick up scheduling information. There are approximately 20 contractors hired by the cleaning business. To minimise the need for the contractors to visit the site one of the office employees will deliver equipment and supplies to them at the location of the client.

Some cleaning products and equipment will be stored within the garage but none of these products will be required to be used on the subject land.

Two non-residents will work within the proposed offices and the other two will live in the dwelling on site. In addition, the parents of the two employees who live on site will reside in the dwelling.

The office will operate from 9:00am to 5:00pm Monday to Friday.

The largest vehicle associated with the non-residential use of the site would be no larger than a standard delivery vehicle (B99).

Advertising

The proposal includes the installation of two (2) advertisements each which measure 1.5 metres in length and 0.750 metres in width. Both signs will be constructed from Aluminium Composite Panel and will be located on the brush fence orientated toward South Road. In addition, the proposed advertisements will include content relating to the proposed office use, the colours incorporated within the sign will only be blue and white, and they will not be illuminated.

Further details and plans of the proposal in addition to those provided within the Statement of Effect are included in **Attachment 2**.

NON-COMPLYING

The application is a non-complying form of development, as advertising is listed within the Non-complying Development section of the Procedural matters of the Residential Zone. The applicant has provided a Statement of Effect pursuant to Regulation 17 of the *Development Regulations 2008*, refer **Attachment 1**. Should the Panel resolve to approve the application, the concurrence of the State Planning Assessment Commission is required. Alternatively, should the Panel refuse the application, no appeal rights are afforded to the applicant.

The Administration resolved, under delegation, to proceed with an assessment of the proposal. The application is now presented for a decision.

PUBLIC NOTIFICATION

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

Properties notified:	23 properties were notified by post during the public notification process in addition to a notice being placed within the <i>Advertiser</i> newspaper.
Representations:	0 Representations were received.

REFERRALS

Internal

- Heritage Advisor - Douglas Alexander of Flight Path Architects

The application was referred to Council's Heritage Advisor, Douglas Alexander of Flight Path Architects, for advice with regards to the impact of the proposed development on the heritage character of the existing buildings on the subject land, existing development within the locality, and the Historical Conservation Area in general. Douglas conducted an assessment of the proposal against the relevant Objectives and Principles of Development Control (PDC) within the following sections of the Development Plan:

- Mile End Conservation Policy Area 30
- Historic Conservation Policy Area
- Residential Zone
- Advertisements

Throughout the assessment process several amendments were made to the proposal. Based upon the relevant Objectives and PDC's of the sections mentioned above, Douglas considers the current proposal to be a reasonable outcome.

- Traffic Engineer - City Assets

The application was referred to Council's Traffic Engineer to make comment with regards to the traffic and parking aspects of the proposal. The following comments were provided,

"The layout plan shows that two of the bedrooms of the dwelling, totalling approximately 34m², would be used as an office land use. The proposed floor area for the office land use would require say 1 space.

The current garage at the rear of the dwelling appears to be an existing double garage which could accommodate 2 vehicles. There is a very wide paved area at the rear leading to the garage which, in my opinion, could accommodate another vehicle without obstructing access to the garage. There should also be sufficient paved area to allow the additional vehicle to turn and exit the site in a forward direction.

Given that the subject site would remain primarily as a dwelling with an office use more akin to a "home office" type of use, I am satisfied that the traffic and parking impact would be minimal. The occupant of the dwelling would be one of the persons using the office. In any event, calculated on a generic land use basis, there would, at most, be a requirement for one additional parking space. I note that there is on-street parking available in Cuming Street, adjacent to the site frontage, if required.

In my opinion, there would not be a requirement to widen the crossover to two-way, as normally required for commercial developments, given the small scale nature of the proposed development.

On the basis of the above assessment, I do not have concern with the proposed development from a traffic and parking perspective."

There is no concern with regard to the proposed development from a traffic and parking aspect. The vehicle access way currently provided, and the amount of off street car parking provided that is based upon the parking demand generated by the proposed residential and non-residential use, is considered to be acceptable.

ASSESSMENT

The subject land is located within the Residential Zone and more specifically within Mile End Conservation Policy Area 30 as described in the West Torrens Council Development Plan. The main provisions of the Development Plan which relate to the proposed development are as follows:

<u>General Section</u>		
Advertisements	Objectives	1, 2 & 3
	Principles of Development Control	1, 2, 4, 5, 6, 7, 8, 10, 11, 12, 14 & 22
Design and Appearance	Objectives	1
	Principles of Development Control	1, 3 & 13
Historic Conservation Area	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 4, 6 & 11
Interface between Land Uses	Objectives	1, 2 & 3
	Principles of Development Control	1, 2, 3, 4 & 6
Orderly and Sustainable Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1 & 3
Residential Development	Objectives	1, 2, 3 & 4
	Principles of Development Control	4, 18, 19, 20, 21, 24 & 31
Transportation and Access	Objectives	2
	Principles of Development Control	23, 24, 25, 34, 35, 36 & 44

Zone: Residential Zone
<p>Desired Character Statement:</p> <p><i>"This zone will contain predominantly residential development. There may also be some small-scale non-residential activities such as offices, shops, consulting rooms and educational establishments in certain locations. Non-residential activities will be complementary to surrounding dwellings.</i></p> <p><i>Allotments will be at very low, low and medium densities to provide a diversity of housing options in different parts of the zone. The range of allotment sizes will support the desired dwelling types anticipated in each policy area, and the minimum allotment sizes shall be treated as such in order to achieve the Desired Character for each policy area and, in turn, reinforce distinction between policy areas. Row dwellings and residential flat buildings will be common near centres and in policy areas where the desired density is higher, in contrast to the predominance of detached dwellings in policy areas where the distinct established character is identified for protection and enhancement. There will also be potential for semi-detached dwellings and group dwellings in other policy areas.</i></p>

*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, 2, 3 & 5

Policy Area: Mile End Conservation Policy Area 30

Desired Character Statement:

"The provisions of the Historic Conservation Area apply to this policy area.

The policy area will contain detached and semi-detached dwellings.

Allotments are at low to very low density and are generally deep, with narrow frontages to wide main streets. In many cases, there is also rear access to service laneways. Subdivision will reinforce the existing allotment pattern which is a significant positive feature of the policy area. It is envisaged that the long and wide streets running east-west within the policy area will continue to provide pedestrian access to the main frontages of dwellings, and the laneways will be used for rear vehicular access. Streetscape character elements including continuous front fencing, landscaping space in front yards, regular street trees and on-street visitor car parking will be supported by having vehicle cross-overs in laneways.

There will be a unity of built-form, where all new development is complementary to historic buildings rather than dominating or detracting from them. There will be predominantly one storey buildings, with some two storey buildings where the upper level is contained within the roof space in a manner that is complementary to the single storey character of nearby buildings. New dwellings will incorporate building elements common to older structures such as pitched roofs, verandas and simple detailing, as well as building materials such as stone, bricks, limited rendered masonry and corrugated iron/steel.

Alterations and additions will be primarily located at the rear of existing dwellings so that they have minimal impact on the streetscape. Setbacks will be complementary to the boundary setbacks of existing buildings in the policy area.

Historic front fencing, such as post and rail with woven wire and timber picket fences will be preserved, and new front fencing will be complementary in form and materials, facilitating views into front yards and of building facades".

Objectives	1
Principles of Development Control	1, 2 & 3

In this instance it is considered that the key issues to be considered and determined are:

- Advertising
- Design and Appearance
- Historic Conservation Area
- Interface Between Land Uses
- Orderly and Sustainable Development
- Residential Development (Private Open Space and Parking)
- Transportation and Access

Given that a detailed and comprehensive Statement of Effect and supporting documentation, which explains the abovementioned dot points (with the exception of Residential Development), accompanies the application it is not necessary to rehearse such detail that has already sufficiently been discussed. It will suffice to say that Council's Administration is in support of its general intent. Further to the detail provided within the Statement of Effect, the following regarding Residential Development is also discussed:

Private Open Space

Residential development should maintain an adequate amount of private open space. In this instance the amount of private open space that should be maintained for the residential use of the land is 80 square metres (General Section - Residential Development, PDC19). Excluding the area used for parking in the rear yard a total of approximately 92 square metres of private open space is provided. This private open space area is considered to be adequate for the occupiers of the dwelling for the following reasons:

- The total amount is larger than required to be provided;
- The minimum dimension is 4 metres;
- It is partially covered for use in wet and hot weather;
- It will have access to direct sunlight;
- It is situated at the rear of the property and screened for privacy; and
- It is exclusive of parking areas.

Parking

Off street parking for both of the proposed uses of the land is required. Two off street parking spaces associated with the residential use of the property is required to be supplied, one of which is covered (General Section, Transportation and Access PDC 34). Council's Traffic Consultant has specified that only one off street parking space is required to accommodate the office use of the land. Therefore, a total of three off street parking spaces should be provided on site. The existing garage provides one covered parking space and the area in front of the verandah and garage allows for two uncovered spaces.

The proposed development sufficiently provides space for the parking demand generated by both uses whilst still allowing enough space for areas such as private open space, service areas (clothes line, rainwater tanks and the like) and an enclosed storage area associated with the office use.

SUMMARY

The proposed development involves two components, both of which are considered to be orderly and functional within the context of the locality. Besides the advertisements the proposed development will not result in any change to the appearance of buildings on the subject land and it will not alter the footprint of the dwelling.

The change of use component only just goes beyond the criteria to be considered a home activity. The office use will not disrupt the functionality of the residential use of the property. Due to the nature of the use which is to provide administration support for the core function of the business which is carried out off site, it will not have any unreasonable impacts on the surrounding land uses.

The proposed advertising is considered to be reasonable as it includes clear, simple and uncluttered content, will not impair the safety of road users, only takes up a small area of the total brush fence (approx. 7.35%), is not third -party advertising, and is orientated toward South Road which is characterised by a range of uses, some of which also have associated advertising, which overall will not detract from the historical significance of the eastern part of the locality.

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

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

Attachments

- 1. Statement of Effect**
- 2. Additional Plans and Details**

STATEMENT OF EFFECT

**PROPOSED:**

Partial change of use to home office
and construction of associated
advertisements

AT:

221 South Road, Mile End

APPLICANT:

Mr Xiang Lu

COUNCIL AREA:

City of West Torrens

Prepared by: Planning Chambers Pty Ltd
16-079SOE Dated 08.02.2017
Amended 31.08.17





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APPENDIX 1 **CERTIFICATE OF TITLE** *Volume 5674 Folio 588*

APPENDIX 2 **LAND USE PLAN** *Land use Plan prepared by Planning Chambers Pty Ltd dated February 2017*

APPENDIX 3 **APPLICATION PLANS** *Floor Plans and Advertisement Plans provided by The Realty Exchange*

221 South Road, Mile End

STATEMENT OF EFFECT



1. Details of Application

1.1 Site Details

Property Description	Allotment 20 in Deposited Plan 14006
Certificates of Title	Volume 5674 Folio 588
Address	221 South Road, Mile End
Area	Total – 593m ²
Owner	Ms Albina Massolino
Existing Use	Residential
Local Government Authority	City of West Torrens
Development Plan Zoning and Policy Area Designation	Residential Zone, Mile End Conservation Policy Area 30

1.2 Application Details

Development Type	Partial change in use to home office and associated advertisements.
Level of Assessment	Non-complying
Applicant	Mr Xiang Lu
Applicant's Representative	Planning Chambers Pty Ltd PO Box 6196 Halifax Street SA 5000 Telephone: (08) 8212 9776 Facsimile: (08) 8212 5979
Development Application Number	DA 211/838/2016



2. Background

2.1 Overview

This Statement of Effect has been prepared for Mr Xiang Lu, the applicant of the proposed partial change of use to home office and associated advertisements. The purpose of this Statement of Effect is to provide a planning assessment in support of the proposed change of use of the land described as Allotment 20 in Deposited Plan 14006.

The application (DA 211/838/2016) was lodged with Council in July 2016 and a Statement in Support was subsequently submitted to Council in September 2016.

In December 2016 Council decided to proceed with an assessment of the application and requested a Statement of Effect be lodged.



3. Subject Land and Locality

3.1 Subject Land

The land is described on Certificate of Title Volume 5674 Folio 588 as being Allotment 20 in Deposited Plan 14006.

A copy of the Certificate of Title is included in **Appendix 1**. The allotment is not subject to any easements.

Physical Description

The subject land has a frontage of 17 metres to South Road along the length of the western boundary and a frontage of 35 metres to Cuming Street along the length of the southern boundary. It has an approximate area of 593m².

Vehicular access to the subject land is achieved via a crossover from Cuming Street that allows entry to the rear of the site. No vehicular access is available via South Road.

There is a 1.8 metre high brush fence along the South Road frontage. The property has pedestrian access from the South Road frontage via a gate.

The land is currently occupied by a single storey detached dwelling and double garage. Landscaping is located at the front of the site, along the western boundary, and in the rear yard. Adjacent the eastern boundary is a series of hedgerow plantings that extend to a height in excess of 2 metres.



FIGURE 3.1.1 AERIAL IMAGE OF SUBJECT SITE

Image Source: Property Location Browser



3.2 Locality

In forming an opinion as to the extent of the locality I have considered the extent to which the proposed activities undertaken on the subject land are likely to be evident to surrounding property owners and occupiers.

The locality extends west to the western side of South Road, north to Victoria Lane, South to Ballara Street and east into the Residential Zone for 50 metres.

South Road is classified as an arterial road and is a dominant element in the locality. This particular section of South Road is located between Sir Donald Bradman Drive and Henley Beach Road. The Department of Planning, Transport and Infrastructure's Annual Average Daily Traffic counts estimates this portion of road as having a count of 40,300 vehicles per day annual average daily two way flow (vpd aadt). There are existing mature trees lining South Road and extending down Cuming Street.

Within a locality context, the site is predominantly surrounded by low scale residential uses on allotments of similar proportions and housing of similar vintage. The locality has an overarching historical character. The predominant housing type within the locality consists of cottage style dwellings from the late 1800's to the early 1900s. The part of the locality fronting South Road does not retain its heritage character, which has been included in the rest of the locality to the east.

The land adjoining the subject land to the north and east comprise single storey detached and semi-detached dwellings.

Along South Road there is a mix of land uses including dwellings, home offices, medical clinics, petrol filling stations (OTR) and retail including take-away food outlets. All these non-residential land uses display signage along South Road. The advertisements for these businesses along South Road comprise large signs erected on poles or are free standing at heights exceeding 2 metres, some of which are illuminated.

A land use plan (attached in **Appendix 2**) portrays the extent of commercial land uses within the Residential Zone.



4. Proposal

4.1 Land Use & Built Form Elements

The applicant proposes a partial change of use for two rooms within the dwelling, from residential to home office. The construction of associated exterior advertisements is also proposed.

The applicant owns and manages a commercial cleaning business and proposes to manage and conduct the administration of the business (i.e. bookings, inquiries etc.) from the offices within the dwelling. Contractors engaged for cleaning services will enter the offices from time to time to pick up schedules, information and attend meetings. Between the residents, office managers and contractors there will be no more than 6 people within the dwelling at any one time during office hours.

The two rooms to be used as offices will have a total floor area of 34m². Both rooms have direct access from the front porches. Visitors to the business will not enter the living areas of the dwelling.

A portion of the existing double garage will be used for the storage of cleaning equipment such as vacuums and carpet cleaners. The remainder of the garage will still be used for vehicle parking.

The applicant proposes to erect 2 advertisements on the fence fronting South Road.

The advertisements will comprise 2 aluminium composite panels each with an area of 1.125m² (0.75 metres by 1.5 metres).

One advertisement will be located on the western fence directly facing South Road, and the other will be located on the corner truncation facing the junction of Cuming Street and South Road.

The advertising signs will be fixed to posts which are to be concreted into the ground behind the fence. The advertising signs will be attached to the support posts with "U" brackets.

The corporate colours of blue and white will predominate on each advertisement.



5. Development Assessment

5.1 Development Plan Provisions

Map WeTo/9 of the City of West Torrens Development Plan, consolidated 5 May 2016, shows the subject site as being located within the Mile End Conservation Policy Area 30, in the Residential Zone.

I have undertaken an assessment of the proposal against the relevant provisions of the Development Plan. The provisions of the Development Plan of most relevance to an assessment of the proposal are as follows:

Zone Provisions

Residential Zone

Objective: 4

Desired Character Statement

Principles of Development Control: 1-3

Mile End Conservation Policy Area 30

Principle of Development Control: 1

Procedural Matters Table.

Council Wide Provisions

Advertisements

Objectives: 1 & 2

Principles of Development Control: 1, 2, 5, 6, 10, 11, & 22

Historic Conservation Area

Objectives: 1 & 4

Interface between Land Uses

Objective: 1

Principles of Development Control: 1 & 6

Orderly and Sustainable Development

Objectives: 1, 3 & 4

Principles of Development Control: 1 & 4

Transportation and Access

Principles of Development Control: 24, 26, 34 & 43



5.2 Assessment

Zone Provisions

Residential Zone

Objective: 4

Desired Character Statement

Principles of Development Control: 1-3

Mile End Conservation Policy Area 30

Principle of Development Control: 1

Procedural Matters Table

Summary of Provisions

Objective 4 seeks development that contributes to the desired character of the Zone.

The desired character for the Zone is one of predominantly residential development with a mix of small-scale non-residential activities such as offices. Non-residential activities should be complementary to surrounding dwellings.

Principles of Development Control (PDC) 1-3 envisage low scale residential development or small-scale non-residential uses that serve the local community. Development listed as non-complying is generally discouraged.

PDC 1 for the Mile End Conservation Policy Area lists a number of envisaged uses for the policy area. These uses are all residential in nature.

The Procedural Matters table for the Zone lists offices fronting an arterial road and advertisements as non-complying forms of development.

Commentary

The proposed change in use will be a mix of residential and small scale non-residential – both of which are envisaged uses within the zone as sought by the desired character of the Zone. The locality demonstrates that commercial/non-residential uses have traditionally been located on arterial roads such as South Road, supporting the suitability of the proposed home office on the subject land.

The home office will operate from the dwelling as a use that can serve the local community, especially the Commercial Zone to the north and south as the applicant manages a commercial cleaning business.

Offices located on an arterial road and advertisements in any location in the Zone, are listed as non-complying development. The proposed home office use however is considered to be acceptable in this instance as:



- the office will be operated by the family living in the dwelling,
- the use is not expected to generate high levels of visitor traffic as the business will primarily be conducted online and by telephone;
- and the access to the site for the occasional visitor is achieved from Cumming Street. South Road does not have vehicular access.

The total floor area of the proposed home offices will be 34m². This is slightly greater than the limit for home activity, as defined within the Development Regulations 2008, Schedule 1.

Home Activity means a use of a site by a person resident on the site –

- a) That does not detrimentally affect the amenity of the locality or any part of the locality; and
- b) That does not require or involve any of the following:
 - i. assistance by more than 1 person who is not a resident in the dwelling;
 - ii. use (whether temporarily or permanently) of a floor area exceeding 30 square metres. (Own emphasis).

The extent to which the proposed change in use does not satisfy the home activity definition is particularly minor considering the floor area is only 4m² in excess of the 30m² requirement.

Despite being non-complying forms of development the offices and advertisements still comply with the objectives and principles of development control for the Zone as discussed above.

Advertisements

Objectives: 1 & 2

Principles of Development Control: 1, 2, 5, 6, 10, 11, & 22

Summary of provisions

Objectives 1 and 2 seek to have advertisements designed and positioned in a manner that does not create hazards or negatively impact on the urban landscape of the locality.

The above PDCs seek advertisements that are of an appropriate size, colour and location so as to be consistent with the character of the surrounding area. Highly illuminated advertisements are discouraged. The number of advertisements should be minimised and located within the boundaries of the site (not be located on the footpath) to avoid driver distraction. The supporting hoarding should be concealed from view. Advertising on arterial roads that have a speed limit of 80km/h or more is identified as being inappropriate.

*Commentary*

The proposed advertisements are of a size that will fit wholly within the site area of the fencing. The content of the advertisements will be printed on the panels with no illumination or bright/florescent colours.

The supporting posts will be concealed behind the fence within the boundaries of the subject land. The advertisements will be fixed to the supporting posts using 'U' bolts through the fence.

Even though South Road is an arterial road, the speed limit along that section adjacent to the subject land has a speed limit of 60km/h.

The proposed advertising signs satisfy the abovementioned objectives and Principles of Development Control by being of a scale and design that does not cause driver distraction and is complimentary to other advertisements in the locality along South Road.

Historic Conservation Area

Objectives: 1 & 4

Summary of provisions

The objectives of the Historic Conservation Area seek to retain and conserve areas of historical significance.

Commentary

The proposed home office and associated advertisements will not negatively impact the character of the Historic Conservation Area. Whilst the dwelling is located within the Conservation Area, it is not a Contributory Item nor is it a Local or State Heritage Place.

The dwelling on the subject land provides a transition between South Road and the places of historical significance within the Historic Conservation Area to the east. The advertisements for the home office will be located on the westernmost boundary of the Historic Conservation Area, will not be seen from within the Area and therefore will not have any impact on the historic character of the Area.

**Interface between Land Uses**

Objective: 1

Principles of Development Control: 1 & 6

Summary of provisions

Objective 1 seeks development to be located and designed to minimise adverse impacts between land uses. The Principles of Development Control envisage development that does not detrimentally impact the amenity of the locality through hours of operation and excessive noise and traffic impacts. Non-residential uses adjacent residential should be designed to minimise noise impacts.

Commentary

The proposed change of use will have minimal impact on the locality and the nearby residential land uses. The two rooms at the front of the building (closest to South Road) will be used for offices where administrative activities will take place. As such there will be no noticeable difference in noise generated by the additional home office that exceeds the traffic noise produced on South Road during peak hour times. Further, as the work undertaken will be conducted during standard business hours, it is not expected that noise will be generated in excess of that usually associated with 'normal' residential activities, in particular, outside of business hours.

There will also be minimal traffic impacts as parking spaces are to be provided on the site.

The proposed change of use satisfies the provisions above as there will be little to no disruption to the residential elements in the locality.

Orderly and Sustainable Development

Objectives: 1, 3 & 4

Principles of Development Control: 1 & 4

Summary of provisions

The objectives seek development that creates safe and pleasant environments in which to live and that do not jeopardise the use of adjoining land uses.

The provisions envisage development that does not prejudice the development of the Zone for its intended use and discourages ribbon development along arterial roads.

*Commentary*

The proposed change of use will contribute to the safe and pleasant environment of the Zone by being located in an existing dwelling that contributes to the historical character of the area and is located on the edge of the Historic Conservation Area. The change of use to home office will not jeopardise the existing adjoining residential uses to the north and east of the subject land as it is not expected the offices will generate large amounts of noise greater than that associated with 'normal' office or residential activities as discussed above.

Whilst the provisions discourage ribbon development along arterial roads, the change in use to home office is not a 'one off' land use within the Residential Zone. As depicted in the attached Land Use Plan, there is a high number of commercial and retail uses along that portion of South Road within the locality that are within close proximity to the subject land.

Transportation and Access

Principles of Development Control: 24, 26, 34 & 43

Summary of provisions

PDC's 24 and 26 seek development with safe access which avoids interference with the flow of traffic. Further, access onto arterial roads from the development site should be minimised. PDCs 34 and 43 require off street parking to be provided for both staff and visitors. Table/2 – off street parking requirements suggests there should be 4 off street parking spaces for every 100m² of office. For the residential component of the land use, 2 parking spaces are required, one of which should be covered. The PDCs also require visitor parking to be safe and convenient to access.

Commentary

Access to the subject site is achieved via the existing crossover from Cuming Street. No vehicular access to the site occurs via South Road. Therefore there will be no impact on the safety or flow of traffic on this arterial road.

The home office has a proposed floor area of 34m², which generates a requirement for 1.4 spaces (2 spaces), that is a total of 4 spaces required.

The subject land has an existing double garage, a portion of which will be used for parking by the residents of the dwelling. Further, two additional parking spaces will be available in tandem formation in front of the garage at the rear of the property, a total of 3 spaces available.

The owner of the business does not expect clients to visit the offices. Clients are engaged during a visit to their premises when the initial quote is provided. Thereafter financial transactions occur by bank transfer.

221 South Road, Mile End**STATEMENT OF EFFECT**

Whilst the provisions seek four (4) off street parking spaces, this is a conservative request given the overlap between the two uses (dwelling and office). As the residents of the dwelling will also be occupying the home office it would seem unnecessary to double up on the number of parking spaces needed.

On the rare occasion that a client does need to access the office there are a number of on-street parking spaces along Cuming Street that are available for short term parking.



6. Regulation 17 of the Development Regulations 2008

6.1 Social, Environmental and Economic Effects

Regulation 17, 5d) of the *Development Regulations 2008* requires an assessment of the expected social, economic and environmental effects of the development on its locality.

The proposed development is not expected to have any extraordinary social, economic or environmental impacts.

The introduction of a home office for a commercial cleaning business in the area will have a positive economic effect on the locality as it will provide a service to local businesses and provide increased employment.

Overall the expected social, environmental and economic consequences of this development upon the locality are expected to be minor but positive in their impact.

6.2 Other Information

The relevant authority has an opportunity under Regulation 17, 5e) of the *Development Regulations 2008* to request further information when it resolves to proceed with an assessment of the application.

Additional information relevant to an assessment of the application has not been requested by Council.



7. Conclusion of Assessment

7.1 Summary

The proposal includes a partial change of use to home office and the construction of associated advertisements.

Whilst an office located on an arterial road and advertisements in any location in the Zone are non-complying developments, the proposal represents a land use that is envisaged within the desired character of the Residential Zone in the form of a small non-residential use that will service the community and retain a partial residential land use.

As mentioned throughout this Statement of Effect the proposal demonstrates consistency with the provisions both for the Zone and Council Area as whole.

The proposal will satisfy the requirement for residential land uses whilst incorporating a small-scale non-residential use that will benefit the local community and provide job opportunities.

It is my opinion the advertisements will not create driver distraction and will complement the commercial elements of the locality along South Road. Further, off street parking is available and access is achieved from Cuming Street therefore minimising disruption to traffic on South Road.

7.2 Consistency with Relevant Provisions

Having regard to the existing use of the land, the proposed change of use is considered to be either consistent (full or partial) or have the capacity to result in consistency with the following provisions of the Development Plan:

Zone Provisions

Residential Zone

Objective: 4

Desired Character Statement

Principles of Development Control: 1 & 3

Council Wide Provisions

Advertisements

Objectives: 1 & 2

Principles of Development Control: 1, 2, 5, 6, 10, 11, & 22

Historic Conservation Area

Objectives: 1 & 4

221 South Road, Mile End

STATEMENT OF EFFECT

Interface between Land Uses

Objective: 1

Principles of Development Control: 1 & 6

Orderly and Sustainable development

Objectives: 1, 3 & 4

Principle of Development Control: 1

Transportation and Access

Principles of Development Control: 24, 26, 34 & 43

7.3**Recommendation**

In summary, I am satisfied the proposed change in use and associated advertisements demonstrates a substantial degree of consistency with the requirements of the City of West Torrens Development Plan (consolidated 5 May 2016) to an extent that the proposal warrants the grant of consent and concurrence of the DAC.

A handwritten signature in black ink, appearing to read 'Jeff Smith'.

Jeff Smith
Director

APPENDIX 1

CERTIFICATE OF TITLE



Government of South Australia
Department of Planning,
Transport and Infrastructure

Product
Date/Time

Register Search
19/07/2016 09:31AM

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



Registrar-General

Certificate of Title - Volume 5674 Folio 588

Parent Title(s) CT 4255/203
Dealing(s) Creating Title CONVERTED TITLE
Title Issued 22/07/1999
Edition 2
Edition Issued 17/03/2000 [Previous Edition]
Diagram Reference 4255203

REAL PROPERTY ACT, 1986



Estate Type

FEE SIMPLE

Registered Proprietor

ALBINA MASSOLINO
OF 221 SOUTH ROAD MILE END SA 5031

Description of Land

ALLOTMENT 20 DEPOSITED PLAN 14006
IN THE AREA NAMED MILE END
HUNDRED OF ADELAIDE

Easements

NIL

Schedule of Dealings

NIL

Notations

Dealings Affecting Title

NIL

Priority Notices

NIL

Notations on Plan



Government of South Australia
Department of Planning,
Transport and Infrastructure

Product
Date/Time

Register Search
19/07/2016 09:31AM

NIL

Registrar-General's Notes

NIL

Administrative Interests

NIL

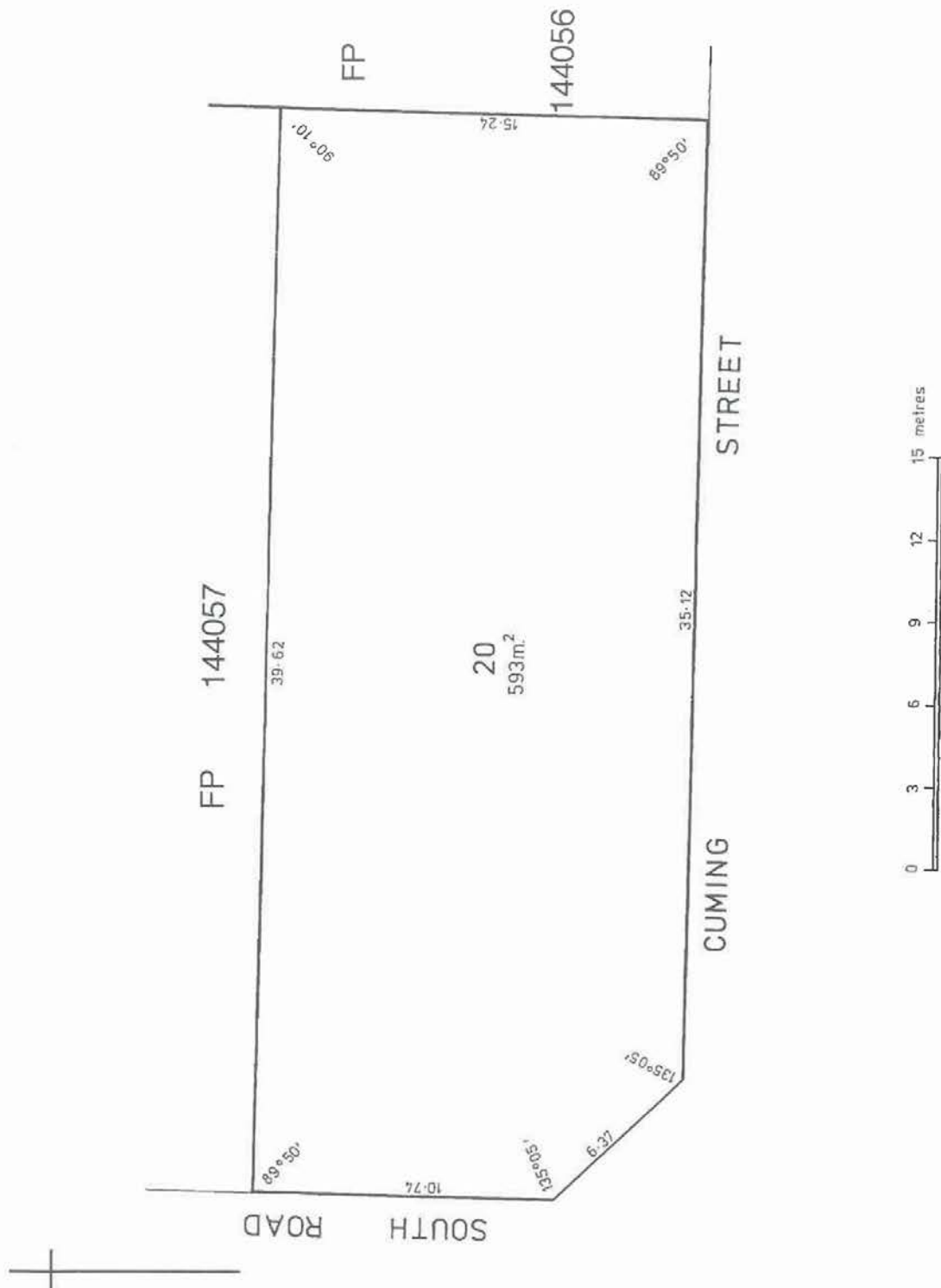
* Denotes the dealing has been re-lodged.



Government of South Australia
Department of Planning,
Transport and Infrastructure

Product
Date/Time

Register Search
19/07/2016 09:31AM



APPENDIX 2

LAND USE PLAN

Prepared by Planning Chambers Pty Ltd dated February 2017



Planning Chambers Pty Ltd
 219 Sturt Street, Adelaide SA 5000
 Office: (08) 8211 9776
 admin@planningchambers.com.au



Legend:

- Subject Land
- Commerical uses within the Residential Zone
- Zone Boundary

NOT TO SCALE

LAND USE PLAN

**PROPOSED CHANGE IN USE
 & ASSOCIATED SIGNAGE
 AT 221 SOUTH ROAD, MILE END
 FOR X LU**

16-079-01

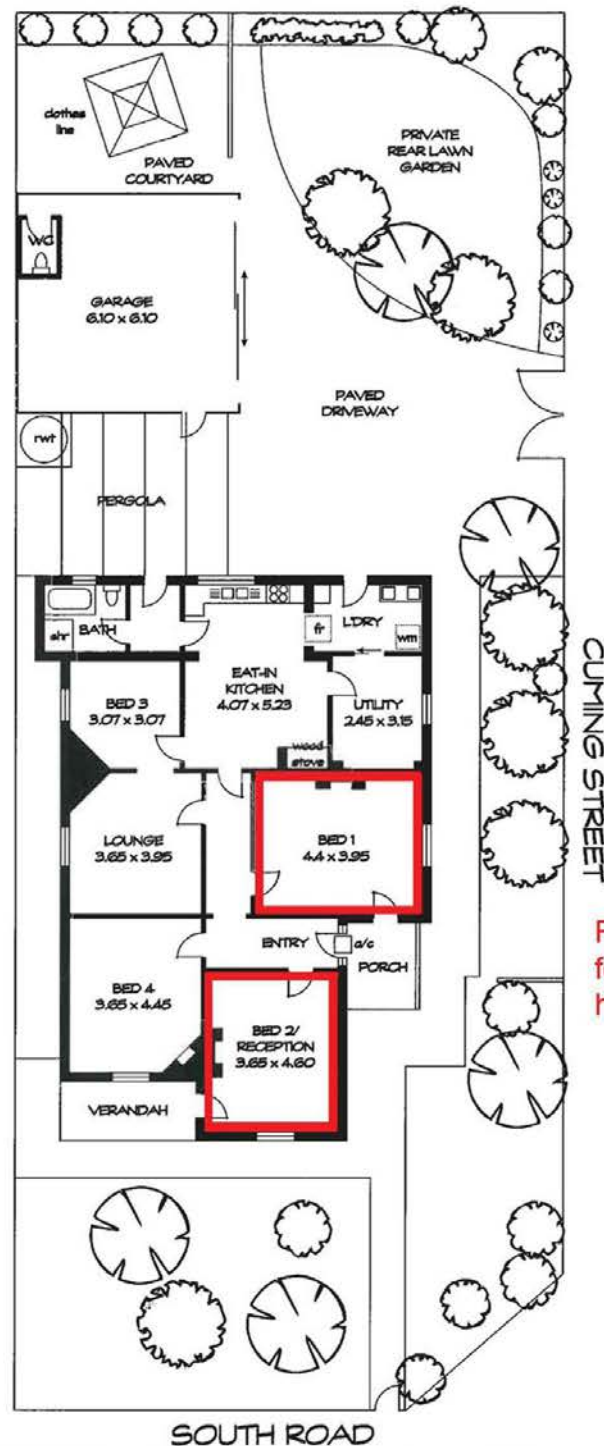
FEBRUARY 2017

APPENDIX 3

APPLICATION DOCUMENTS

Floor Plans and Advertisements Plans provided by The Realty Exchange

221 South Road, Mile End

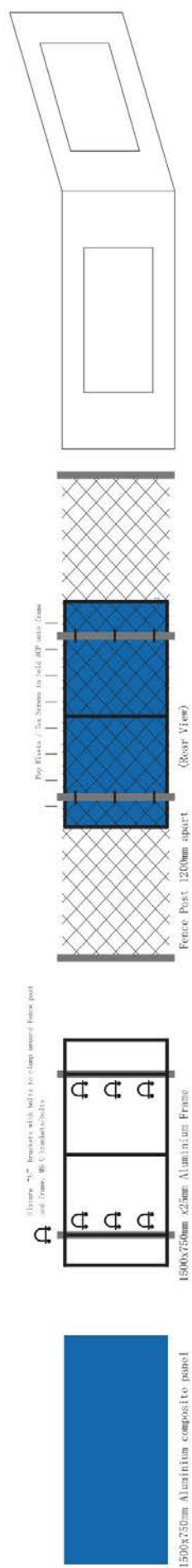


Rooms to be used
for offices
highlighted in red

AREAS (approx)	m ²
LIVING:	150
GARAGE:	37
PERGOLA:	28
VERANDAH:	7
PORCH:	6
TOTAL	228

www.realtyexchange.com.au

Prospective Purchasers please note: In the event that our vendor instructs us to negotiate a sale, we suggest that it is in your best interest to register your name and phone number with our representatives, and every endeavour will be made to contact you prior to the decision being made. We believe the details contained on this brochure are correct; however we will not accept any responsibility for any errors or omissions, so interested parties should make their own enquiries. Produced by Ad Art 1623 4322



1A 6400x1700

1B 1500x750



2A 9400x1700

2B 1500x750



www.CleanNet.com.au

**Planning Chambers Pty Ltd**

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Email admin@planningchambers.com.au
Fax 08 8212 5979

ABN 54 093 576 900

24 February 2017

16-079/et01

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

Attention: Ms J. Grima

Dear Jessica,

Re: DA 211/838/2016 – 221 South Road, Mile End

The abovementioned development application proposes a partial change in use from dwelling to home office and construction of associated advertisements.

In correspondence dated 15th February 2017 you requested clarification and additional information regarding a number of issues. Please find the additional information below beneath each heading.

1. Office Hours

Clarification of the 'office hours'. Can you please detail the day/s and time/s the business will be operating?

The office will operate Monday to Friday between the hours of 9am to 5pm.

2. Office Managers

Are the only office managers the owners of the land who will be residing in the existing dwelling or will there be other office managers who will attend the site more frequently than others associated with the business?

The office managers are not the owners of the land. The land is owned by Ms Albina Massolino who is leasing the property to the applicant.

The applicant, Mr Lu, has advised that as the office manager he will reside in the dwelling along with his parents.

The applicant has previously stated in his Statement in Support that there will be no more than 6 people within the premises at any one time during office hours. There are an additional two office workers who live offsite but will work in the proposed offices.



3. Contractors

How many contractors will be employed in total and how often will each typically attend the site? You have identified that no more than 6 people relating to the business use will be on the site at any one time, but Council would like to know the frequency of people who associated with the business are entering and exiting the site.

The business employs approximately 20 contractors. The applicant has advised that the contractors have no reason to visit the site except for the rare occasion (once every couple of months) where equipment is collected for use off-site. For the most part, the office manager or one of the other office workers, will deliver the equipment to the appropriate location, minimising the need for contractors to visit the site.

As discussed above, there will be no more than 6 people (4 family and 2 staff) on site at any one time during office hours.

4. Visitors

In paragraph three of 4.1 Land Use & Built Form Elements, you refer to visitors of the business. Can you please specify who else which may be classified as a visitor, is likely to attend the site for the purposes of the business?

The term visitors has been used to describe anyone who does not reside in the dwelling or work in the office. For the most part this refers to the contractors who may visit the business to collect equipment. It also includes the odd home delivery such as office supplies.

Clients are not expected to visit the office. All face to face meetings are to occur offsite at the premises proposed to be cleaned.

5. Site Plan

Provide a Site Plan (to a minimum scale 1:200). On the amended site plan can you please indicate what portion of the garage will be utilised for storage associated with the cleaning business?

Please see attached Site Plan 16-079-02, dated February 2017.

As shown on the plan, approximately 10m² of the garage will be utilised for storage of equipment and a small amount of chemicals.

6. Heavy Vehicles

Will the non-residents who are visiting the site for matters relating to the business use heavy vehicles? If so please provide detail.

Vehicles that will enter or exit the site will be no larger than a delivery van. The only instance a delivery van will visit the site is when equipment stored in the garage is required to be transported to a site for a particular cleaning job or when goods are delivered to the site.

Contractors are expected to have their own equipment, however if they do not have certain equipment, the business owner will deliver the appropriate equipment to the contractor off site.



7. Chemicals

Will there be chemicals stored on site in association with the cleaning business? If so, please indicate what they are and how much (for example in Litres or millimetres), and where and how they will be stored.

Our client has advised that a maximum of 400 litres of cleaning chemicals will be stored in the garage at any one time. The types of chemicals include basic glass, carpet and toilet cleaner. They are to be stored in 5 litres and 10 litres containers within the garage.

The chemicals are not decanted into smaller containers as the applicant has stressed that chemicals need to remain in bottles with the correct labels on them.

As with the equipment, chemicals are delivered by one of the other workers to contractors who require them off site.

Conclusion

I trust the additional information provided will assist with your assessment of this application for the partial change of use to home office.

Should you require any further details or clarification please contact the undersigned on phone (08) 8211 9776.

Yours sincerely

Planning Chambers Pty Ltd

Emily Solomon
Graduate Planner



Planning Chambers Pty Ltd
 219 Sturt Street, Adelaide SA 5000
 Office: (08) 8211 9776
 admin@planningchambers.com.au

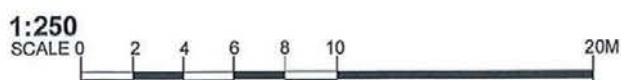


LEGEND:

- Areas to be used as home office and associated storage
- Subject land

SITE PLAN

PROPOSED CHANGE OF USE TO
 HOME OFFICE
 AT 221 SOUTH ROAD, MILE END
 FOR MR X LU



16-079-02

FEBRUARY 2017

FOR LEASE

221 South Road, Mile End



CHARACTER RETURN VILLA SOHO - SMALL OFFICE - HOME OFFICE LIVE-IN PROFESSIONAL OFFICE STCC

3 Door access at building front
Valuable corner site (Cuming Street) - Paved off street parking
Courtyard area - Double garage - Private rear lawned area
Disposed as 7 rooms - Close to city

the realty exchange
 Registered Agents M.R.E.I RLA 1075

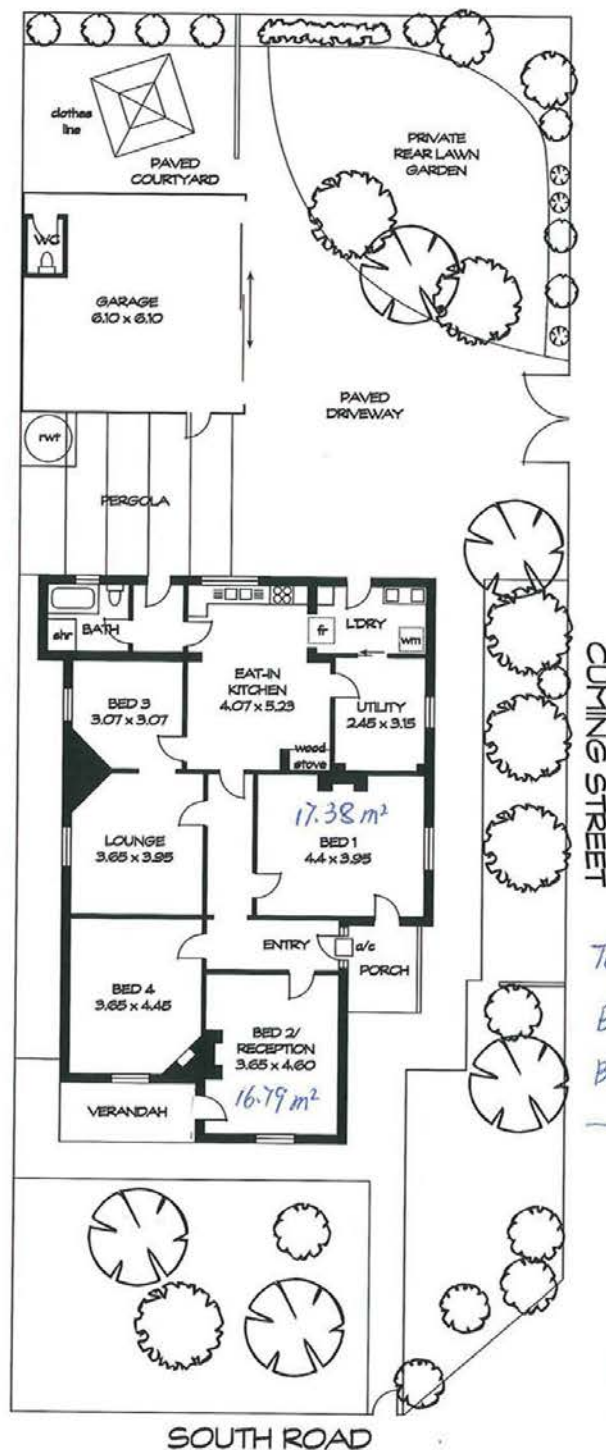
REISA
 REAL ESTATE INSTITUTE
 OF SOUTH AUSTRALIA

Enquires:
Steve Webber
0418 833 573

2/149 HUTT STREET, ADELAIDE, S.A. 5000 PHONE: (08) 8232 2688 FAX: (08) 8232 2822

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221 South Road, Mile End



Total office =

Bed 1 — 17.38 m²Bed 2 — 16.79 m²34.17 m²

AREAS (approx)	m ²
LIVING:	150
GARAGE:	37
PERGOLA:	28
VERANDAH:	7
PORCH:	6
TOTAL	228

www.realtyexchange.com.au

Prospective Purchasers please note: In the event that our vendor instructs us to negotiate a sale, we suggest that it is in your best interest to register your name and phone number with our representative, and every endeavour will be made to contact you prior to the decision being made. We believe the details contained on this brochure are correct, however we will not accept any responsibility for any errors or omissions, so interested parties should make their own enquiries. Produced by Ad Art 3223 4322.

6.9 36 Strathmore Avenue, LOCKLEYS

Application No 211/572/2017

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Land division - Torrens Title; DAC No. 211/D082/17 (Unique ID 58035); Create one (1) additional allotment
APPLICANT	Distinctive Homes Pty Ltd
APPLICATION NO	211/572/2017 (DAC 211/D082/17)
LODGEMENT DATE	10 May 2017
ZONE	Residential Zone
POLICY AREA	Low Density Policy Area 21
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> City Assets External <ul style="list-style-type: none"> State Planning Assessment Commission (SPAC) SA Water
DEVELOPMENT PLAN VERSION	5 May 2016
MEETING DATE	12 September 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 Approval for Application No. 211/572/2017 by Distinctive Homes to undertake a land division to create one (1) additional allotment at 36 Strathmore Avenue, Lockleys (CT 5384/820) for the following reasons:

- The proposed development is contrary to
 - Residential Zone Objective 3
Reason: The subject site is not in close proximity to a Centre Zone.
 - Residential Zone Objective 4
Reason: The proposal is not consistent with the Desired Character of the Zone.
 - Residential Zone Principles of Development Control 5
Reason: The proposal is not consistent with the Desired Character of the Zone and locality.
 - Low Density Policy Area 21 Objective 2
Reason: The proposal does not contribute to the desired character of Policy Area.
 - Low Density Policy Area 21 Principles of Development Control 2
Reason: The proposal is not consistent with the desired character of the locality.
 - Low Density Policy Area 21 Principles of Development Control 3 & 6
Reason: The proposed allotments do not meet the minimum frontage requirements.

BACKGROUND

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

- With regard to residential development and land division applications, where 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 applications where the assessing officer recommends refusal shall be assessed and determined by the DAP.

PREVIOUS OR RELATED APPLICATION(S)

Nil

SITE AND LOCALITY

The land is irregular in shape and located on the western side of Strathmore Avenue. It is formally known as Allotment 11 deposited plan 23185 in the area named Lockleys Hundred of Adelaide, more commonly known as 36 Strathmore Avenue, Lockleys.

With a primary frontage of 21.34m and a depth of 53.95m the overall site area is 1128m². There is currently a single storey detached dwelling exhibiting a conventional design and a domestic outbuilding and swimming pool built on site. The existing dwelling is setback approximately 9.5m from the front boundary. All of the existing structures will need to be removed in order to facilitate the development.

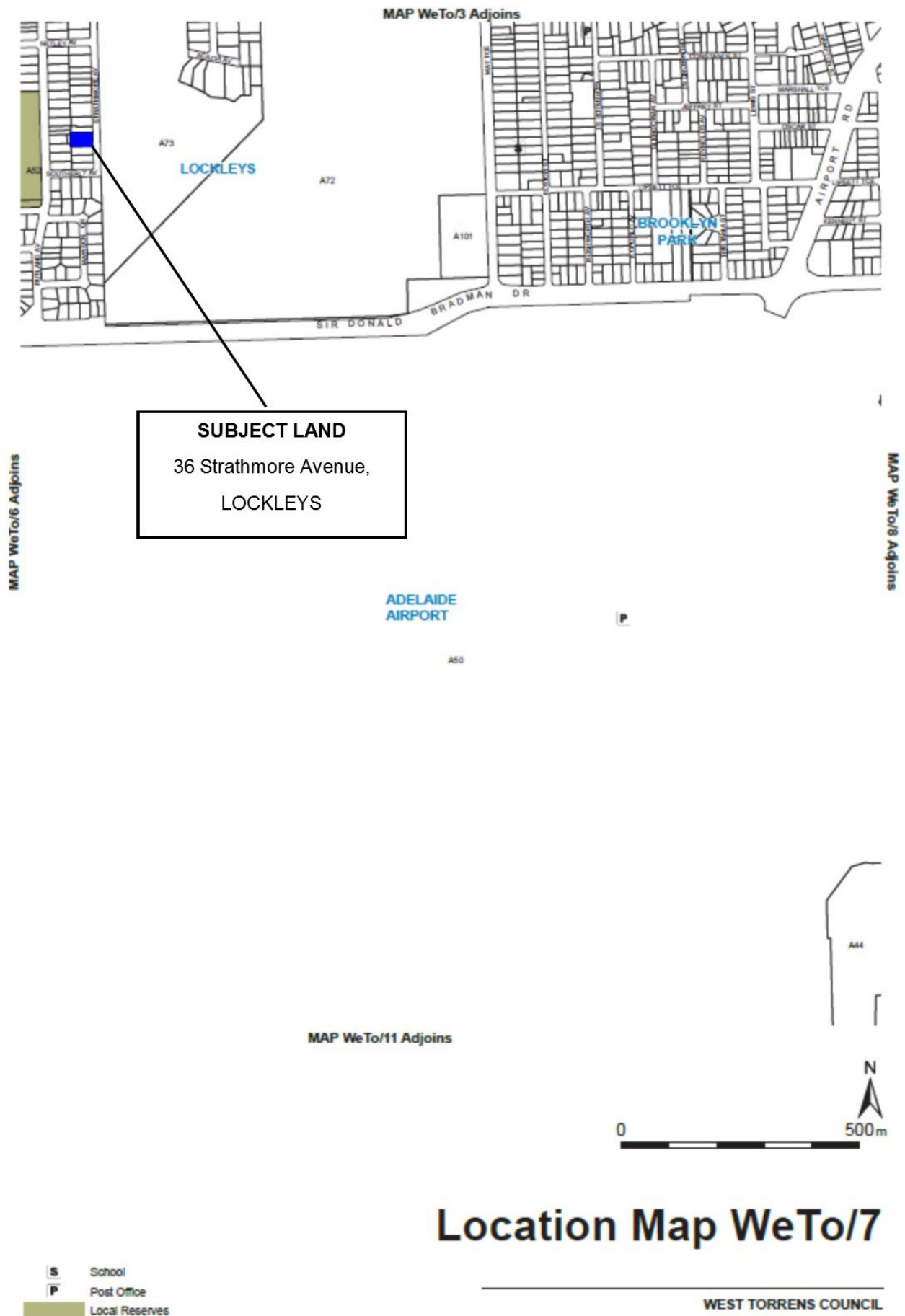
The allotment has a single width crossover in the southern portion of the allotment which is positioned between 2 of the 5 semi mature street trees located in front of the allotment. There is also a stobie pole adjacent the north eastern corner of the allotment.

The locality is residential and recreational in nature. The Kooyonga Golf Course is immediately adjacent the subject site on the eastern side of Strathmore Avenue. The Lockleys Bowling Club and Lockleys Oval are 55m west, separated from the subject site by a single row of dwellings.

There is a strong residential character in terms of allotment shape and direct frontage to a public road. There are no examples of group dwellings or hammerhead allotments. With the exception of the subject site, all other properties in the locality exhibit a regular and rectangular shape. There are some examples of larger allotments having been divided along Strathmore Avenue in the past, the smallest of which is 12m wide.

The locality is not within a flood zone or aircraft noise area. Overall it is considered that the prevailing character of the locality exhibits a high level of amenity for its residents.





PROPOSAL

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

"Land division - Torrens Title; DAC No. 211/D082/17 (Unique ID 58035); Creating one (1) additional allotment."

The proposal seeks to undertake a 1 into 2 Torrens titled land division. Each of the allotments will have a frontage to a public road. Lot 12 is irregular in shape, has a frontage of 11.34m, a depth of 53.95m and an overall area of 671m². Lot 13 is regular in shape, has a frontage of 10m, a depth of 45.72m and an overall area of 457m².

REFERRALS

Internal

City Assets

- City Assets are only concerned that any future crossovers are designed so that they will not conflict with existing street infrastructure.

Amenity Officer

- The amenity officer supports the removal of two of the northern most Prunus street trees subject to the payment of a fee of \$888.00 being paid to Council.

External

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

State Planning Assessment Commission (SPAC)

- SPAC don't have any concerns but have requested that their standard conditions be added to any planning consent granted.

SA Water

- SA Water don't have any concerns but have requested that their standard conditions be added to any planning consent granted.

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

<u>General Section</u>		
<i>Interface between Land Uses</i>	<i>Objectives</i>	1, 2 & 3
	<i>Principles of Development Control</i>	1, 2, 4 & 5
<i>Land Division</i>	<i>Objectives</i>	1, 2, 3 & 4
	<i>Principles of Development Control</i>	1, 2, 3, 5, 6, 8 & 12
<i>Orderly and Sustainable Development</i>	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 3 & 7
<i>Residential Development</i>	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1 & 3
<i>Transportation and Access</i>	<i>Objectives</i>	2
	<i>Principles of Development Control</i>	23, 24 & 30

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

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

QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SITE AREA <i>Low Density Policy Area 21</i> <i>PDC 3 or</i> <i>PDC 4 (within 400m of centre)</i>	Detached Dwelling 420m ² (min.) Semi-detached Dwelling 420m ² (min.)	671m ² (Lot 12) 457m ² (Lot 13) Satisfies
SITE FRONTAGE <i>Low Density Policy Area 21</i> <i>PDC 3</i>	Detached Dwelling 12m Semi-detached Dwelling 12m	11.34m (Lot 12) 10m (Lot 13) Does Not Satisfy by 5.5% & 16.6%

QUALITATIVE ASSESSMENT

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

Site Frontage

Neither of the proposed allotments will have a frontage that meets the minimum stated in the Policy Area. Lot 12 is only marginally short with a deficiency of 66cm, however, Lot 13 is deficient by 2m.

The subject site is not located within 400m of a Centre Zone and therefore it wouldn't matter if the application was combined with built form as it would still require the larger frontages.

It is acknowledged that there are two allotments on Rutland Avenue with a frontage of 9m, however, these were approved in 2001 under a different Development Plan and different requirements. It is not considered that these two allotments have had a significant enough impact on the existing character of the area to dispense with the minimum frontage width provisions currently in the Policy Area. When the new zoning was brought into effect, Council considered where higher density was desired in order to protect areas like this from undesirable development.

There are 14 dwellings on Strathmore Avenue between Southerly Avenue and Netley Avenue. They have an average frontage width of 18.85m. The proposed allotment 13 is almost half of this average and is therefore not considered to be in keeping with the existing character of the area.

The Zone and Policy Area support a denser allotment pattern when in close proximity to a Centre Zone. The closest Centre Zone to the subject site is to the north-west and on the opposite side of the Torrens River. By road it is 950m away from the subject site. This is not considered close enough to satisfy the requirements of allowing the reduced allotment sizes.

Should this application be granted consent, it will establish a precedent within the locality and have the potential to create a character which will not be consistent with the desired character.

Land Division

The Land Division section of the Development Plan states that a land division should result in allotments that are suitable for their intended use. It is considered that the intended use goes further than just an overarching residential land use and takes into consideration the existing and desired character of the locality.

Land division is not an envisaged type of development within the Zone or Policy Area. Whilst this doesn't prevent it from occurring it does mean that more weight should be given to the specific provisions of the Development Plan that deal with land division. In this case the most specific provisions are those within the Policy Area.

Objective 1 states:

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

The Desired Character only encourages a denser allotment pattern when in close proximity to a Centre Zone. As previously discussed this is not the case here. This in turn suggests that the allotment pattern further away from Centre Zones should be retained or land division undertaken so that it is consistent with the locality or quantitative provisions of the Development Plan.

The proposed allotments will be smaller in area and more importantly frontage than that of the majority of other allotments in the locality. The exceptions on Rutland Avenue have been explained and is not considered to have altered the existing character of the locality.

The quantitative frontage provision hasn't been met by either allotment and there are no extraordinary reasons which would mitigate this deficiency. It is considered that to allow these narrow allotments in this locality will have a detrimental impact on the amenity and character of the area and encourage similar development on neighbouring allotments.

The Applicant has provided a supporting report which references a provision in the Residential Development section which encourages allotments to be of varying sizes to encourage housing diversity. However, this provision relates to the whole Council area and there are ample opportunities within the Council area to accommodate higher density developments. It is also important to note that the Applicant has provided an indicative building envelope plan that shows that two, 2 storey detached dwellings will be built on the proposed allotments. As this is the same type of housing that is evident everywhere in the locality, it is not considered that this proposal does actually provide a variety of housing as envisaged in the PDC.

SUMMARY

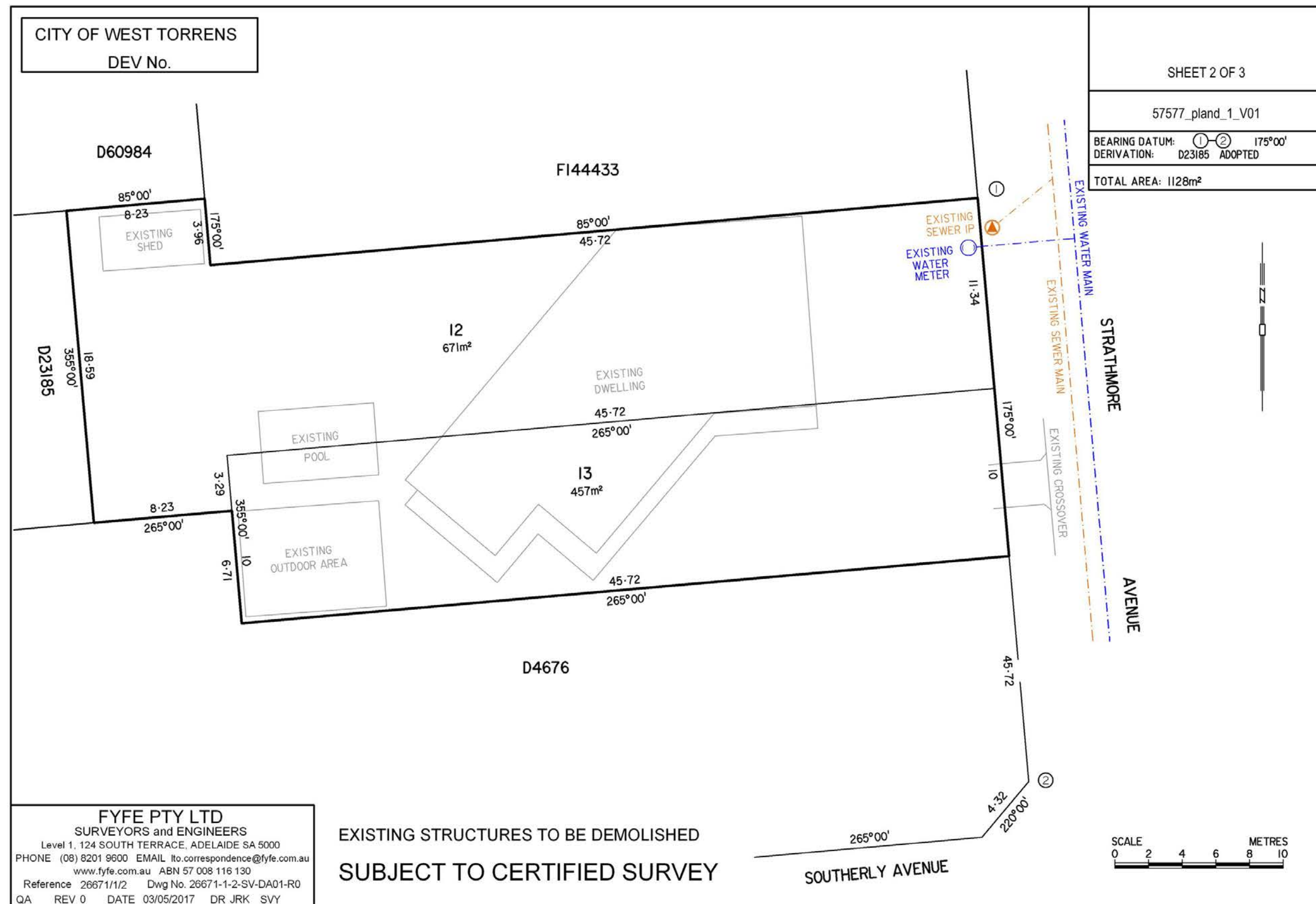
Whilst it is considered that the proposal is not seriously at variance with the Development Plan, it is also not considered to be sufficiently consistent with the relevant provisions to be supported.

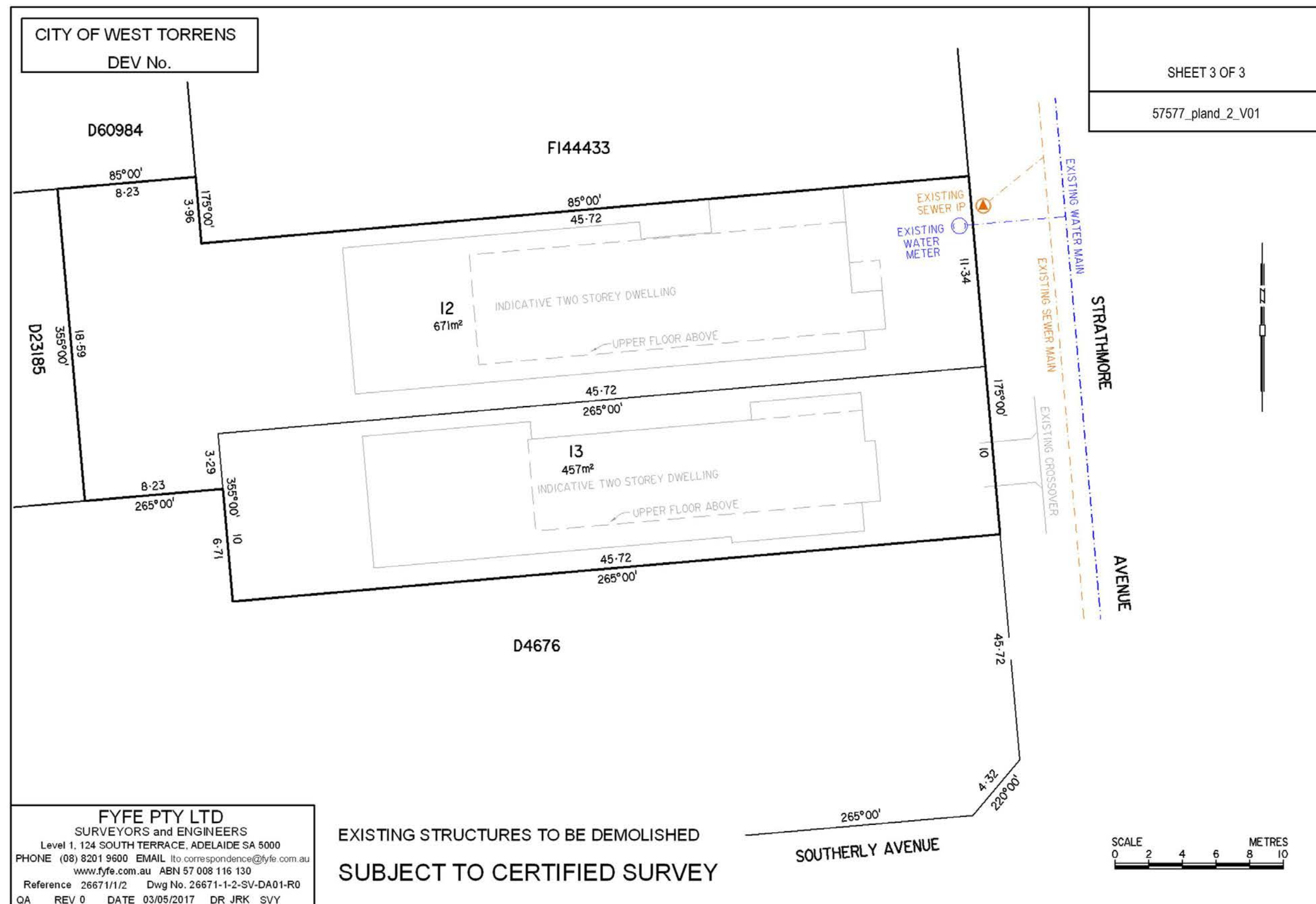
On balance the proposed development does not sufficiently accord with the relevant provisions contained within the West Torrens (City) Development Plan Consolidated 5 May 2016 and does not warrant Development Plan Consent.

Attachments

1. **Plan of division and Building Envelope Plan**
2. **Applicant's planning report**

PURPOSE:	DIVISION	AREA NAME:	LOCKEYS	APPROVED:	SHEET 1 OF 3 57577_text_01_v01							
MAP REF:	6528/41/J, 6628/41/K	COUNCIL:	CITY OF WEST TORRENS	DEPOSITED/FILED:								
LAST PLAN:		DEVELOPMENT NO:										
AGENT DETAILS:	SURVEYORS CERTIFICATION: FYFE PTY LTD LEVEL 1, 124 SOUTH TERRACE ADELAIDE SA 5000 PH: 82019600 FAX: AGENT CODE: ALRF REFERENCE: 266711/2DA01-R0											
SUBJECT TITLE DETAILS:	PREFIX	VOLUME	FOLIO	OTHER	PARCEL	NUMBER	PLAN	NUMBER	HUNDRED / IA / DIVISION	TOWN	REFERENCE NUMBER	
CT	5384	820			ALLOTMENT(S)	11	D	23185	ADELAIDE			
OTHER TITLES AFFECTED:												
EASEMENT DETAILS:	STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF					CREATION
ANNOTATIONS:												







PROPOSED LAND DIVISION DA 211/D082/17
36 STRATHMORE AVENUE, LOCKLEYS
PLANNING REPORT

PREPARED FOR | Distinctive Homes

PREPARED BY | Fyfe Pty Ltd

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DATE | 6/06/2017

REFERENCE | 26671-1-3-001



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Revision History

Revision	Revision Status	Date	Prepared	Reviewed	Approved
V1	Draft	23/05/17	SLM	MGO	MGO
V2	Final	06/06/17	SLM	MGO	MGO



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APPENDICES

Appendix A	Proposed Plan of Division
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1. INTRODUCTION

This planning report has been prepared in relation to a land division application, identified as DA 211/D082/17, prepared on behalf of Distinctive Homes Pty Ltd, in respect to one existing allotment identified as 36 Strathmore Avenue, Lockleys.

The proposed subdivision will create two separate allotments in order to support the future development of two detached dwellings, which will be the subject of future development applications.

The subject land is within the Residential Zone of the West Torrens Council Development Plan where a land division is neither complying nor non-complying and as such should be considered on its merit.

This report describes the characteristics and key features of the subject land, the locality, the nature and purpose of the proposed land division and an overview of the relevant town planning considerations, in order to assist Council in its decision-making process.

Based on our review of the West Torrens Council Development Plan, we are of the opinion that the proposal supports the expectations of the Residential Zone and is worthy of Development Plan consent.



2. SUBJECT LAND AND LOCALITY

2.1 The Subject Land

The subject land is described as 36 Strathmore Avenue, Lockleys, otherwise identified as Certificate of Title Volume 5384 Folio 820.

The subject land has an irregular shape and a total area of approximately 1,128 square metres. The location of the subject land is identified by Figure 2.1.



Figure 2.1 Subject Land

The land has frontage to Strathmore Avenue of approximately 21 metres.

The land is presently used for residential purposes, with an existing dwelling located in the central portion of the allotment and a driveway along the southern boundary. The land is connected to services.



The footprint of the existing dwelling and ancillary structures is shown on Plan 1 of the proposed land division plans (refer **Appendix A**).

2.2 The Locality

The subject land is within a residential area and as such is adjoined by residential dwellings to the north, west and south.

Dwellings in the locality are predominantly in the form of detached one to two-storey homes of varying scale and extent.

Across Strathmore Avenue to the east is the Kooyonga Golf Club, which extends along the whole length of Strathmore Avenue.



3. DESCRIPTION OF THE PROPOSAL

This report should be read in conjunction with the land division plan DA211/D082/17 prepared by Fyfe (refer **Appendix A**).

The application seeks to divide 36 Strathmore Avenue into two separate allotments (proposed Lot 12 and Lot 13), for the purposes of facilitating the future development of two dwellings on the new allotments. These dwellings will be the subject of future, separate development applications.

The proposed two new allotments will be of the following characteristics:

Table 3.1 New Allotment Characteristics

Proposed Allotment	Area	Minimum Width	Minimum Depth
12	671 square metres	11.34 metres	53.95 metres
13	457 square metres	10 metres	45.72 metres

The existing driveway will enable access to Allotment 13.

A new crossover will be created as part of a future dwelling application to enable access to Allotment 12.



4. PROCEDURAL MATTERS

4.1 Categorisation

The nature of the proposed development can be described as land division.

Land division is a form of development which is to be considered on merit within the Residential Zone.

4.2 Relevant Authority

The relevant authority for the application is the City of West Torrens.

4.3 Public Notification

We note that the division of land which creates not more than 4 additional allotments is listed as Category 1 in the *Development Regulations 2008*.

This application should therefore be processed as Category 1 for public notification purposes.

4.4 Referrals

No external referrals are required having regard to the *Development Regulations 2008*.



5. DEVELOPMENT PLAN CONSIDERATIONS

We have assessed the proposal against the relevant provisions of the West Torrens Council Development Plan (consolidated 5 May 2016).

We note that the subject land is located within the Residential Zone of the Development Plan, as shown by Figure 5.1. The land is also within Low Density Policy Area 21.

Further, the land is adjacent to the Community Zone to the east (which contains the Kooyonga Golf Club).

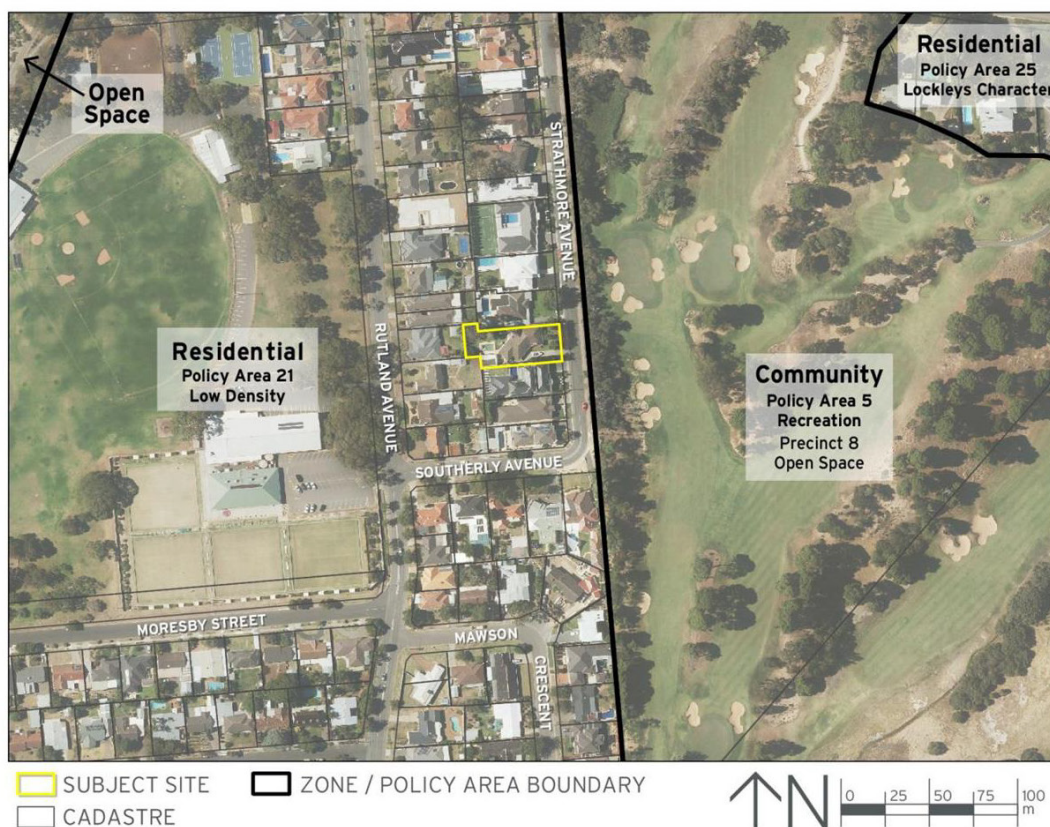


Figure 5.1 Zoning

The following Objectives and Principles of Development Control are considered to be most relevant to the proposal:

Residential Zone

Objectives:	1, 2, 4
Principles of Development Control:	1, 5, 22



Low Density Policy Area 21

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

COUNCIL WIDE

Infrastructure

Objectives:	3
Principles of Development Control:	1

Land Division

Objectives:	1, 2, 4
Principles of Development Control:	1, 5, 12

Residential Development

Objectives:	1, 2, 4
Principles of Development Control:	1, 3

5.1 Zone and Policy Area

The subject land is located within the Residential Zone. The relevant objectives of the Residential Zone are as follows:

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

As noted in the Desired Character Statement for the Policy Area:

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

The proposed land division will support the future development of two detached dwellings, which is an anticipated use of the land in the Zone and in the Policy Area.

It will not create an additional irregular allotment as Lot 13 will be of a rectangular shape. Lot 12 will remain of an irregular shape, noting the current irregular shape of the land.



Policy Area Principle of Development Control 6 specifies that land division should demonstrate the following characteristics:

- 6 Land division should create allotments with an area of greater than 420 square metres and a minimum frontage width of 12 metres, other than where the land division is combined with an application for dwellings or follows an approval for dwellings on the site.*

The proposed allotments will be of a size of respectively 671 square metres and 457 square metres, which is consistent with Principle 6. We acknowledge that the proposed widths are of respectively 11.34 metres, which is only marginally under the minimum requirement, and 10 metres.

In considering the appropriateness of a 10 metre frontage, it important to note Zone Principle 22 which states that:

- 22 The division of land should occur only where it will be consistent with the existing pattern and scale of allotments.*

It is noted, that two allotments exist in the same block as the subject land with a width between 9 metres and 9.8 metres, which is less than that proposed for Lot 13. For this reason, the proposed widths will not unreasonably impact on the established character and density of the locality.

Further, as anticipated by Policy Area Principle 6 above it is also relevant to assess whether the proposed two allotments are suitable for residential purposes, which requires considerations as to whether future dwellings on the allotments would be consistent with Council's requirements in relation to dwellings in terms of built form and scale.

For this purpose, indicative footprints have been shown on the proposal plans for a two storey dwelling (refer **Appendix A**).

Table 5.1 below summarises key Development Plan parameters, and compares them to the proposed allotment characteristics.

Table 5.1 Key Dwelling Parameter

Parameter	Development Plan	Proposal	Outcome
Scale	Two storey dwellings are envisaged in the Policy Area.	2 storeys (indicative)	✓
Site Area	Minimum site area of 420 square metres	Allotments will be of respectively 671m ² and 457 m ² .	✓
Primary Setback	That contribute to the desired character of the relevant policy area	6 and 7 metres approximately	✓



Parameter	Development Plan	Proposal	Outcome
Side Setback	2 metre side setbacks for a wall that measures between 3 to 6 metres, and an additional setback which is equal to the increase in wall height above 6 metres, for a wall in excess of 6 metres in height;	Between 0 and 1.8m	X
Rear Setback	8 metre rear boundary setback for 2 or more storey components of a building;	Minimum of 8	✓

In relation to primary setbacks proposed setbacks should contribute to the desired character of the locality, it is noted that setbacks in the locality are of a minimum of approximately 7.3 metres along Strathmore Avenue, and a minimum of approximately 3 metres along Rutland Avenue.

The indicative dwelling footprint shows setbacks of approximately 6 and 7 metres which is consistent with the setbacks found in the locality.

It is noted that the dwelling which currently exists on the allotment is built to the northern boundary, and has a minimal setback from the southern boundary. In replacing 'like with like', we consider that the indicative dwelling footprints provided and described above are acceptable. It is also evident that a number of existing dwellings in the direct locality have been established with setbacks less than 2 metres.

Policy Area Principle 6 envisages frontage widths less than 12m when dwelling applications are provided. The indicative footprints that are provided with the land division plans show that the proposed allotments will accommodate dwellings that will be consistent with the expectations of the Development Plan.

5.2 Infrastructure

The following Council-wide Objective under the heading *Infrastructure* is relevant to the application.

- 3 *The efficient and cost-effective use of existing infrastructure.*

It is noted in this regard that the site sits within an established residential locality, where access to all essential utilities and services will be afforded to each allotment.

5.3 Land Division

The following Council-wide Objective and Principles under the heading *Land Division* are relevant to the application.

Objectives

- 1 *Land division that occurs in an orderly sequence allowing efficient provision of new infrastructure and facilities and making optimum use of existing under utilised infrastructure and facilities.*



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

We note that land division should create allotments that are appropriate for their intended use. In this case, the proposed allotments will support residential use, which continues the existing use of the land where a dwelling currently exists.

In order to assess whether the proposed two allotments are suitable for residential purposes, it is relevant to assess whether future dwellings on the allotments would be consistent with Council's expectations in relation to dwellings in terms of built form and scale.

This has been discussed in Section 5.1, where it was demonstrated that dwellings on two separate allotments would be generally consistent with Council's expectations as delineated in the Development Plan.

Principles

1 When land is divided:

- (a) stormwater should be capable of being drained safely and efficiently from each proposed allotment and disposed of from the land in an environmentally sensitive manner*
- (b) a sufficient water supply should be made available for each allotment*
- (c) provision should be made for the disposal of wastewater, sewage and other effluent from each allotment without risk to health*
- (d) proposed roads should be graded, or be capable of being graded to connect safely and conveniently with an existing road or thoroughfare.*

As mentioned in Section 5.2 the site sits within an established residential locality. Connections to all essential utilities and services will be available for each of the proposed allotments, and appropriate access will be established in accordance with Council's requirements.

In order to assess the appropriateness of the land for the intended use, Principle 4 provides relevant indications:

4 The design of a land division should incorporate:

- (a) roads, thoroughfares and open space that result in safe and convenient linkages with the surrounding environment, including public and community transport facilities, and which, where necessary, facilitate the satisfactory future division of land and the inter-communication with neighbouring localities*
- (b) new road and allotment access points providing appropriate separation distances from existing road junctions or level crossings*
- (c) safe and convenient access from each allotment to an existing or proposed road or thoroughfare*
- (d) areas to provide appropriate separation distances between potentially conflicting land uses and/or zones*
- (e) suitable land set aside for useable local open space*



- (f) public utility services within road reserves and where necessary within dedicated easements*
- (g) the preservation of significant natural, cultural or landscape features including State and local heritage places*
- (h) protection for existing vegetation and drainage lines*
- (i) where appropriate, the amalgamation of smaller allotments to ensure co-ordinated and efficient site development*
- (j) the preservation of significant trees.*

The proposed land division will:

- Integrate with the existing networks;
- Make use of the existing crossover to allow access to one of the allotments (Lot 13);
- Allow safe and convenient future access to Lot 12; and
- Not affect important tracts of vegetation and drainage lines.

In essence the proposed land division seeks to maximise and rationalise use of the subject land.

The proposed land division will therefore result in allotments of a size, configuration and characteristics suitable for their intended use.

In relation to on-street parking, Principle 12 states that:

12 On-street vehicle parking should be provided at a ratio of one car parking space for every two allotments.

There is ample on-street parking available in the locality including on either side of Strathmore Avenue. On-street parking is therefore unlikely to be an issue.

As demonstrated the proposal is consistent with the expectations of the development Plan in relation to land division provisions.

5.4 Residential Development

The following Council-wide Objectives under the heading *Residential Development* are relevant to the application.

- 1 Land division that occurs in an orderly sequence allowing efficient provision of new infrastructure and facilities and making optimum use of existing under utilised infrastructure and facilities*
- 2 An increased mix in the range and number of dwelling types available within urban boundaries to cater for changing demographics, particularly smaller household sizes and supported accommodation.*
- 4 The revitalisation of residential areas to support the viability of community services and infrastructure.*

We note that the land division will facilitate residential development within a Zone anticipated for such use. This will occur in an orderly sequence allowing for the efficient use of existing infrastructure.



The proposed allotments will encourage the establishment of a mix of dwelling types in the locality to cater for changing demographics and this is further supported by Principle 3:

3 Residential allotments should be of varying sizes to encourage housing diversity.

As previously demonstrated the land is suitable for its intended use and it is anticipated that future dwellings can be established which will be consistent with the expectations of the Zone and Development Plan.



6. CONCLUSION

This proposal seeks the division of land located at 36 Strathmore Avenue, Lockleys into two separate allotments, which will support the future development of two detached dwellings.

The proposed allotments are within a locality and zone where residential dwellings are an anticipated use of the land. The allotments will be fit for purpose and appropriate within the Zone by:

- Facilitating residential development of a low density with each proposed allotment of a site area in excess of the minimum envisaged in the Policy Area;
- Demonstrating that detached dwellings can be established with characteristics that are consistent with the expectations of the Development Plan;
- Encouraging housing diversity; and
- Promoting orderly and economic development.

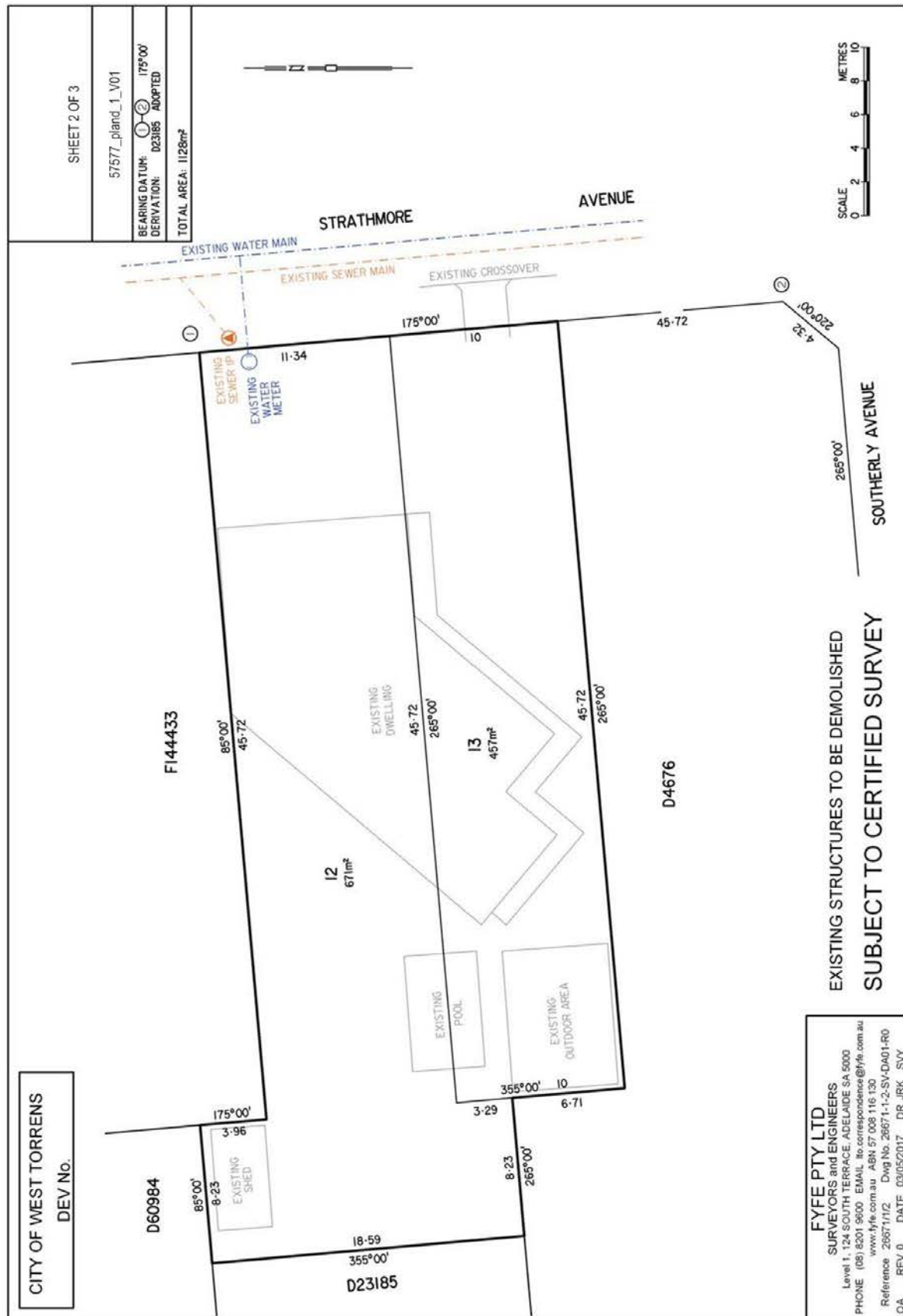
As such we are of the opinion that the proposal displays sufficient merit to warrant Development Authorisation.

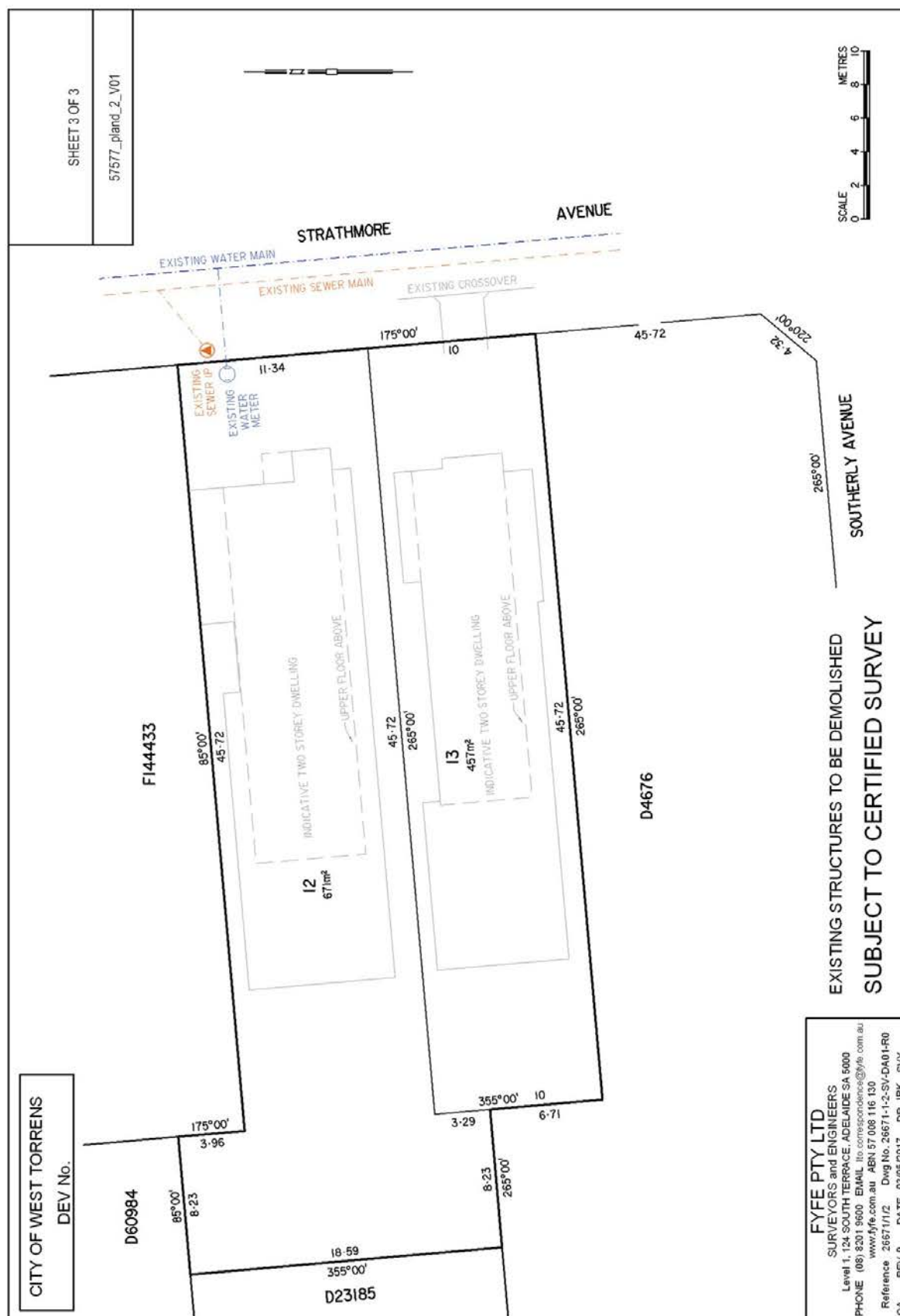


APPENDIX A

PROPOSED PLAN OF DIVISION

PURPOSE:		DIVISION		AREA NAME:		LOCKEYS		APPROVED:		SHEET 1 OF 3 57577_text_01_v01					
MAP REF:		6628/41/J, 6628/41/K		COUNCIL:		CITY OF WEST TORRENS		DEPOSITED/FILED:							
LAST PLAN:				DEVELOPMENT NO:											
AGENT DETAILS:		FYFE PTY LTD LEVEL 1, 124 SOUTH TERRACE ADELAIDE SA 5000 PH: 82019600 FAX:		SURVEYORS CERTIFICATION:											
AGENT CODE:		ALRF		AGENT CODE:											
REFERENCE:		26671/1/2DA01-R0		REFERENCE:											
SUBJECT TITLE DETAILS:		PREFIX VOLUME FOLIO OTHER		PARCEL		NUMBER		PLAN		NUMBER HUNDRED / IA / DIVISION		TOWN		REFERENCE NUMBER	
CT 5384		820		ALLOTMENT(S)		11		D		23185		ADELAIDE			
OTHER TITLES AFFECTED:															
EASEMENT DETAILS:		LAND BURDENED		FORM		CATEGORY		IDENTIFIER		PURPOSE		IN FAVOUR OF		CREATION	
STATUS															
ANNOTATIONS:															





7 CONFIDENTIAL REPORTS OF THE CHIEF EXECUTIVE OFFICER

7.1 6 Kimber Terrace, KURRALTA PARK

Application No. 211/1079/2016 and 211/1295/2016

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

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.

8 SUMMARY OF COURT APPEALS

Nil

9 MEETING CLOSE