

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, 13 JUNE 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 9 May 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 16 Herbert Road, ASHFORD

Application No 211/115/2017 & 211/1451/2016

Appearing before the Panel will be:

Representors: **John Woodward** on behalf of **Stephen Evans** of 2/63 Farnham Road wishes to appear in support of the representation.

John Keelan of 14 Herbert Road wishes to appear in support of the representation.

Applicant/s **Adam Williams** of Access Planning Pty Ltd and **Yong Guo** of Yogo Design and Consulting Pty Ltd both wish to appear to respond to representations.

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Land division - Community Title; DAC No. 211/C006/17 (Unique ID 56868); Create three(3) additional allotments	Construction of a two storey residential flat building comprising four (4) dwellings and the demolition of all existing structures
APPLICANT	Y Guo	Yogo Design & Consulting Pty Ltd
APPLICATION NO	211/115/2017	211/1451/2016
LODGEMENT DATE	2 February 2017	28 November 2016
ZONE	Residential Zone	Residential Zone
POLICY AREA	Medium Density Policy Area 18	Medium Density Policy Area 18
APPLICATION TYPE	Merit	Merit
PUBLIC NOTIFICATION	Category 1	Category 2
REFERRALS	Internal <ul style="list-style-type: none"> Nil (Referred land use to City Assets) External <ul style="list-style-type: none"> Development Assessment Commission (DAC) SA Water 	Internal <ul style="list-style-type: none"> City Assets (Civil Engineer) City Works (Amenity Officer) External <ul style="list-style-type: none"> Nil
DEVELOPMENT PLAN VERSION	5 May 2016	5 May 2016
MEETING DATE	13 June 2017	13 June 2017

RECOMMENDATION 1

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/115/2017 by Y.Guo to undertake Land division - Community Title; DAC No. 211/C006/17 (Unique ID 56868); create three(3) additional allotments at 16 Herbert Road, Ashford (CT5528/407) 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 State Surveys relating to Development Application No. 211/115/2017 (DAC 211/C006/17).

LAND DIVISION CONSENT

Council Conditions

1. Prior to the issue of clearance to this division, existing structures must be removed from the proposed allotments.

Development Assessment Commission Conditions

2. Payment of \$20,028 into the Planning and Development Fund (3 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. The financial requirements of the SA Water Corporation shall be met for the provision of water and sewerage services (SA Water H0054938).

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

4. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services. Subject to our new process, on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non-standard fees. The alteration of internal drains to the satisfaction of SA Water is required. On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.

RECOMMENDATION 2

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/1451/2016 by Yogo Design & Consulting Pty Ltd to undertake the construction of a two storey residential flat building comprising four (4) dwellings and the demolition of all existing structures at 16 Herbert Road, Ashford (CT5528/407) 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 1993):

Reserved Matters:

The following information shall be submitted for further assessment and approval by the City of West Torrens as reserved matters under Section 33(3) of the Development Act 1993:

1. Evidence of 8m³ of Domestic storage shall be provided for each proposed dwelling.

Council Conditions

1. That the development shall be undertaken and completed in accordance with the plans and information stamped with Development Plan Consent on 13 June 2017 as detailed in this application except where varied by any condition(s) listed below.
2. That all stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:-
 - a) Result in the entry of water into a building; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within the building; or
 - d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
3. That any retaining walls will be designed to accepted engineering standards, and not of timber construction if retaining a difference in ground level exceeding 200mm.
4. That all driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained, and shall be maintained in reasonable condition at all times.
5. That all planting and landscaping will be completed within three (3) months of the commencement of the use of this development and be maintained in reasonable condition at all times. Any plants that become diseased or die will be replaced with a suitable species.
6. That the upper level windows which are designated to be obscured shall be installed prior to occupation of the dwellings and the glazing in these windows shall be maintained in a reasonable condition at all times.
7. Council requires one business day's notice of the following stages of building work:
 - Commencement of building work on site
 - Commencement of placement of any structural concrete
 - Completion of wall and roof framing prior to the installation of linings
 - Completion of building work

BACKGROUND

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

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

PREVIOUS OR RELATED APPLICATION(S)

Nil

SITE AND LOCALITY

The subject land is described as Allotment 40 Deposited Plan 2945 in the area named Ashford Hundred of Adelaide, as contained in Certificate of Title Volume 5528 Folio 407. The land is more commonly known as 16 Herbert Road, Ashford.

The subject land is a rectangular shaped allotment of 892m² in area, located on the western side of Herbert Road, just south of the Syme Street and Herbert Road intersection. The land has a street frontage of 18.288m and depth of 48.77m. The land currently contains a contemporary 1970's style dwelling, with dwelling additions to the rear, outbuilding, carport and swimming pool.

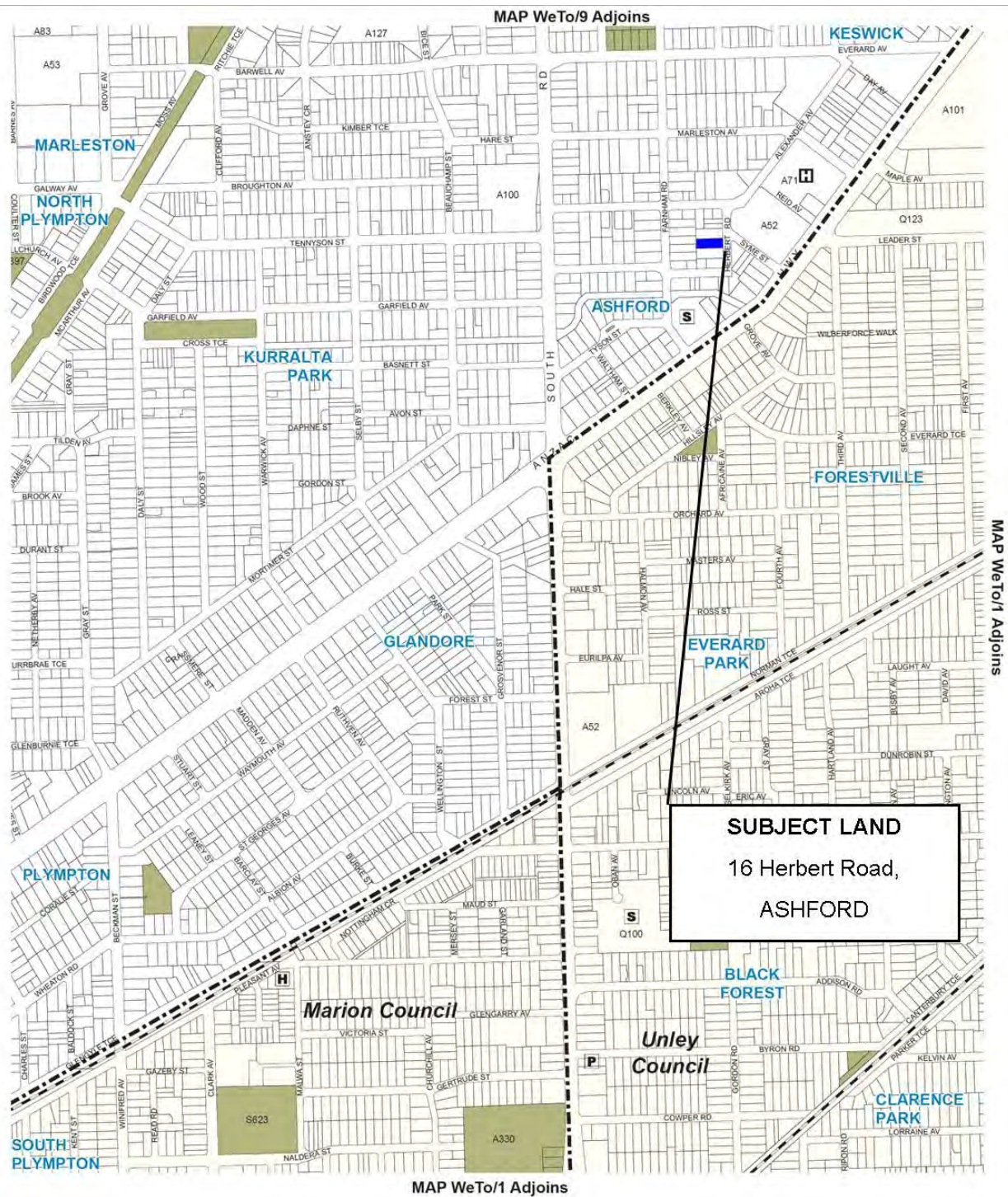
There is one mature street tree (Flowering Gum) and a stobie pole adjacent the subject site within the verge. Currently vehicle access to the land is gained via two (2) existing crossovers, one of which is a double width and the other is single width.

The subject land is located within the Residential Zone, and more specifically Medium Density Policy Area 18. The land is located directly adjacent the Urban Corridor Zone (Boulevard Policy Area 34), and the rear boundary abuts the Residential Zone, Ashford Character Policy Area 22.

The existing locality consists primarily of residential uses that vary in type and building era, making for an eclectic land pattern and streetscape. Some residential types that exist within the locality include detached dwellings, single and double storey semi-detached dwellings, group dwellings and retirement living homes in the form of multi-storey apartments (three levels).

The site and locality are shown on the following maps.





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

Location Map WeTo/13

WEST TORRENS COUNCIL
Consolidated - 5 May 2016

PROPOSAL

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

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

- Allotment 704 (Dwelling on Lot 1) - 152sqm
- Allotment 703 (Dwelling on Lot 2) - 127sqm
- Allotment 702 (Dwelling on Lot 3) - 127sqm
- Allotment 701 (Dwelling on Lot 4) - 163sqm
- Common Property: 296sqm

This results in an average site area per dwelling (minus common area) of 142.25m². With the addition of the common area the average is 178.4m².

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

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

Dwelling 1 and 4 will also include a verandah under the main roof.

The upper level of each dwelling will contain four bedrooms, a retreat, two wet areas, and a walk in wardrobe. All of the dwellings will have one balcony facing the common property, and Dwelling 2 and 3 will have an additional balcony facing north.

Landscaping within the rear yards of each site and along the common driveway has also been included within the proposal.

The proposal also includes the demolition of all existing structures on the land.

A copy of all of the plans and details submitted for both of the applications are contained within **Attachment 1**.

PUBLIC NOTIFICATION

Development Application 211/115/2017 is a Category 1 form of development pursuant to Section 38 and Schedule 9 of the Development Act and Regulations and Residential Zone, Procedural Matters.

Development Application 211/1451/2016 is considered to be a Category 2 form of development pursuant to Section 38 and Schedule 9 of the Development Act and Regulations and Residential Zone, Procedural Matters.

Properties notified:	11 properties were notified during the public notification process.
Representations:	2 representations were received.
Persons wishing to be heard:	<ul style="list-style-type: none"> • John Woodward on behalf of Stephen Evans of 2/63 Farnham Road. • John Keelan of 14 Herbert Road.
Summary of Representations:	<p>Concerns were raised regarding the following matters;</p> <ul style="list-style-type: none"> • Visual bulk • Reduction of vegetation • Front and rear setbacks • Visitor parking • Fencing • Overshadowing of residence and solar panels

A full copy of both of the representor's concerns is contained in **Attachment 2**, and a copy of the applicant's response is contained within **Attachment 3**.

REFERRALS

Internal

• City Assets

The application was referred to the City Assets Department. Initially concerns were raised with regards to on-site parking, vehicle movements, finished floor levels and driveway and crossover arrangements. With the exception of the concern listed below all previous issues have been satisfied:

"The internal garage length is currently proposed as 5.50m. Although not specified in the relevant Australian Standards (AS/NZS 2890.1:2004), traffic engineering best practice guides that the minimum internal length of an enclosed garage or enclosed carport space should be a minimum of 5.8m".

Whilst it is preferred that the internal length of the garage to be 5.8m, the length provided still enables sufficient and useable covered off street parking to be provided.

• City Works

The Amenity Officer of the City Works Department has no objection to the proposal given that the development will not result in any tree damaging activity and the driveway, crossover, and stormwater connection will maintain a satisfactory offset of 2.3m from the existing street tree.

External

• DAC & SA Water

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

A copy of the report submitted by DAC is contained within **Attachment 4**.

ASSESSMENT

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

<u>General Section</u>		
<i>Crime Prevention</i>	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 3, 6, 7 & 8
<i>Design and Appearance</i>	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 9, 10, 12, 13, 14, 15, 16, 21, 22 & 23
<i>Energy Efficiency</i>	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2 & 3
<i>Land Division</i>	<i>Objectives</i>	1, 2, 3 & 4
	<i>Principles of Development Control</i>	1, 2, 4, 5, 6 & 8
<i>Landscaping, Fences and Walls</i>	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2, 3, 4, 6
<i>Medium and High Rise Development (3 or More Storeys)</i>	<i>Objectives</i>	1, 2 & 4
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 7, 12 & 13
<i>Orderly and Sustainable Development</i>	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1 & 3
<i>Residential Development</i>	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 16, 18, 19, 20, 21, 22, 28, 30, 31, 32 & 33
<i>Transportation and Access</i>	<i>Objectives</i>	2
	<i>Principles of Development Control</i>	1, 2, 8, 9, 11, 23, 24, 30, 34, 35, 36, 37 & 44

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

Policy Area: Medium Density Policy Area 18	
Desired Character Statement:	
<p><i>"Allotments in this policy area will be at medium density, accommodating a range of dwelling types including residential flat buildings, row dwellings, group dwellings, semi-detached dwellings and some detached dwellings on small allotments. Allotment amalgamation to create larger development sites will occur to maximise the density of development while also achieving integrated design outcomes, particularly within a comfortable walking distance of centre zones. Vehicle access will occur from side streets and new rear public and private laneways wherever possible, also supporting the retention of existing street trees.</i></p> <p><i>New buildings will contribute to a highly varied streetscape. Buildings will be up to 3 storeys and provide a strong presence to streets, other than in the part of the policy area in Underdale, Ashford (other than allotments adjacent to Residential Character Ashford Policy Area 22) and allotments bounded by Anzac Highway, Morphett Road and Cromer Street in Camden Park where buildings will be up to 4 storeys. Parking areas and garages will be located behind the front facade of buildings.</i></p> <p><i>Buildings on the edge of the policy area which adjoin residential policy areas at lower densities will pay particular attention to managing the interface with adjoining dwellings, especially in terms of the appearance of building height and bulk, and overshadowing.</i></p> <p><i>Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer".</i></p>	
Objectives	1
Principles of Development Control	1, 4, 5, 6 & 8

QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SITE AREA Medium Density Policy Area 18 PDC 6	Residential Flat Building 150m ² (average)	142.25m ² (average, not including common areas) Does not satisfy by 5% <i>178.4m² (average including common areas)</i>
SITE FRONTAGE Medium Density Policy Area 18 PDC 6	15m (for complete building)	42m Satisfies
SITE COVERAGE Medium Density Policy Area 18 PDC 5	70% (maximum)	54% (approximately) Satisfies
PRIMARY STREET SETBACK Medium Density Policy Area 18 PDC 5	3m (minimum)	3m (lower level) Satisfies 2.7m (upper level) Does not satisfy by 0.3m
SIDE/REAR SETBACKS Residential Zone PDC 11	Side 0/1m (Ground Floor) 2m (Upper Floor)	1.2m (lower level) North 2.3m (upper level) North 6.3m (lower level) South 4.7m (upper level) South Satisfies
Medium Density Policy Area 18 PDC 5	Rear 4m (minimum)	4m (lower level) Satisfies 3.72m (upper level) Does not satisfy by 0.28m

BUILDING HEIGHT Medium Density Policy Area 18 PDC 5	3 storeys or 12.5m	2 storeys (7.14m) Satisfies
INTERNAL FLOOR AREA Module: Residential Development PDC 9	3 + bedroom - 100m ² (minimum)	162.6m ² (Allotment 704/Dwelling Lot 1) 159.8m ² (Allotment 703/Dwelling Lot 2) 159.8m ² (Allotment 702/Dwelling Lot 3) 165.8m ² (Allotment 701/Dwelling Lot 4) Satisfies
PRIVATE OPEN SPACE Medium Density Policy Area 18 PDC 7	24m ² with a minimum dimension of 3m	33m ² (Allotment 704/Dwelling Lot 1) 25m ² (Allotment 703/Dwelling Lot 2) 25m ² (Allotment 702/Dwelling Lot 3) 25m ² (Allotment 701/Dwelling Lot 4) Satisfies
LANDSCAPING Module: Landscaping, Fences & Walls PDC: 4	A minimum of 10 per cent of a development site	Approx. 96sqm = 10.7% Satisfies
CARPARKING SPACES Module: Transportation and Access PDC 34	2 car parking spaces per dwelling, one of which is covered plus an additional 0.25 car parking spaces per dwelling.	2 car parking spaces per dwelling provided (double garages) plus one (1) visitor parking space Satisfies

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:

Design and Appearance

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

The main façade of the building will have a frontage to Herbert Road. All elevations of the building feature a variety of materials, which together with the placement of windows, helps to break up the expanse of wall so that it avoids extensive areas of uninterrupted walls. The design also incorporates a considerable amount of articulation. This has been achieved by offsetting walls from each other, and the inclusion of open structures such as verandahs.

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

The southern and northern elevations of the building have an element of repetitiveness however, given that the development is for a flat building rather than a detached dwelling unity in design avoids the building appearance being chaotic. The ground floor and upper level walls are also recessed at certain points to break up the building's mass and proportions.

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

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

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

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

Dwelling density and local character

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

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

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

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

The Desired Character Statement (DCS) for the Residential Zone envisages residential flat buildings being common near centres and policy areas where the desired density is higher. The proposed development has an average dwelling site area of 142.25m², which is 7.75m² shy of the minimum average site area provision for a residential flat building in Policy Area 18. This average has been calculated by removing all community areas. The average site area including the common areas is 178.4m². Whilst the proposal presents a deficiency with regards to minimum allotment size, the overall density of the proposal, being 44.8 dwellings per hectare satisfies the density of dwellings sought to be achieved within this policy area.

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

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

Front and Rear Setback

Development within the Medium Density Policy Area 18 should maintain a setback from the public street boundary of 3 metres and 4 metres from the rear property boundary (Residential Zone - Medium Density Policy Area 18, Principle Development Control (PDC) 5). The lower level of the building maintains a setback of 3 metres to Herbert Road, however, the upper level slightly overhangs the lower level and will have a front setback of 2.7 metres. This is similar for the rear boundary setback where the lower level maintains a setback of 4 metres, and the upper level 3.7m from the rear boundary.

The shortfalls are not considered to be detrimental to the proposal as the overhang will not be undesirably obvious given that it is not a great departure from PDC 5. The small reductions in these setbacks will not heighten the impacts of the proposal to an extent which will then cause inconsistencies with other PDC's of the Development Plan.

Car parking and safety

Several changes to the proposal were made to achieve a satisfactory vehicle parking and manoeuvring arrangement. This has allowed the vehicle parking and manoeuvring areas to comply with the relevant Australia Standards and satisfy Council City Assets team.

The amount of parking provided satisfies the minimum specified within the Development Plan for this type of residential development. There are two off-street parking spaces associated with each dwelling and one visitor parking space for communal use.

The existing crossover will be reinstated and therefore, overall the amount of on street parking opportunities adjacent the subject land will not be reduced.

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

Overshadowing

It is acknowledged that the proposal will cast a shadow onto the neighbouring properties, mainly due to the fact of the east-west orientation of the land. The Development Plan provisions have anticipated this and provide guidance as to how much overshadowing is acceptable.

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

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

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

“Development should ensure that north-facing windows to habitable rooms of existing dwelling(s) on the same allotment, and on adjacent allotments, receive at least 3 hours of direct sunlight over a portion of their surface between 9.00 am and 5.00 pm on the 21 June.” – Principle of Development Control 11, Residential Development

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

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

In addition to the shadow diagrams provided by the Applicant a desktop analysis to determine the extent of overshadowing was also carried out.

The assessment of overshadowing has been considered in terms of its potential impact on the solar panels, north facing windows and private open space of adjoining residences.

Solar Panels

There are three sets of solar panels on the roof of 14 Herbert Road. Whilst the proposal will not completely avoid overshadowing of the solar panels on the adjoining property it is still considered to reasonably satisfy the intent of Residential Zone, PDC 14, for the following reasons:

- Effort to avoid the impact of overshadowing has been taken by siting the building towards the northern side of the subject land, to create a larger buffer between allotments to the south;
- From 9am to 10am approximately half of the two sets of solar panels located on the main roof will be shadowed. From 11am to 12pm there will be no shadow cast over these two sets of panels, and from 1pm to 3pm approximately a quarter of the panels will be shadowed.
- From 12pm to 3pm only approximately half of the set of solar panels located closer to the boundary of the subject land will be shadowed.
- Overall from 12pm to 3pm only a small portion of the total amount of the panels will be overshadowed.

Whilst the proposed development may cast a shadow over the solar panels (which the owner of 14 Herbert Road does not consider to be favorable) it will still enable sunlight to be available to the majority of the solar panels for a considerable amount of time (11am to 3pm), which should maintain its functionality.

North Facing Windows

The proposed development will not change the impact of overshadowing of the north facing window of 14 Herbert Road. Currently the carport on 14 Herbert Road shades this window and also currently the existing dwelling and other structures on the subject land are built up to or close to the boundary of 14 Herbert Road. Even though these structures are single storey in nature, the small setback from the northern boundary of 14 Herbert Road results in a shadow being cast over the north facing window. Therefore the proposed development will not change the impact of overshadowing to this north facing window currently experienced.

No unreasonable overshadowing to windows of 2/63 & 2/65 Farnham Road will be created by the proposed development. From 12pm onwards the shadow caused by the proposed development will be cast in the opposite direction to these allotments.

Private Open Space

The proposed development will not shadow the allotments to the west at all from 12pm. No unreasonable overshadowing of the private open space of 2/63 & 2/65 Farnham Road will be caused as it will not restrict sunlight to this area for more than 3 hours.

Parts of the private open space of 14 Herbert Road will be overshadowed by the proposed development throughout the day, however from 12pm to 3pm (3hours) less than half of the private open space will be overshadowed by the development.

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

Privacy

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

All the upper level windows and balcony areas which have an outlook to habitable room windows and private open spaces areas of adjoining allotments are obscured to 1.7m in height either by way of obscure glazing or fixed screening devices.

Domestic Storage

*"A dwelling should incorporate a minimum storage area of 8 cubic metres for goods and chattels, other than food and clothing, within at least one of the following:
(a) a non-habitable room of the dwelling
(b) a garage, carport or outbuilding
(c) an on-site communal facility". - Principle of Development Control 31, Residential Development*

The site plan details storage sheds in the rear yard of allotments 702, 703 and 704. Detail supplied by the Applicant's Planning Advisor indicates that the storage sheds indicated on the plans are not the correct dimensions of the storage shed likely to be installed, but rather sheds of 1.6m by 2.3m and 2.1m in height will be established. The space provided in these sheds and the internal storage spaces, including under the stairs for Dwelling 1, more than 8m³ of domestic storage will be provided.

Currently no storage shed has been provided on the site of Dwelling 4.

The Applicant's Planning Advisor has indicated that the front fence for Dwelling 4 could be altered to extend the private open space area, so that a storage shed of the same dimensions mentioned previously can be accommodated on the site. If this was to be carried out, an adequate amount of domestic storage for Dwelling 4 would also be provided.

To ensure that the minimum amount of domestic storage is supplied for Dwelling 4 a reserved matter could be established.

SUMMARY

The proposed development is supported and envisaged in the Medium Density Policy Area 18. The proposal does present some minor quantitative deficiencies such as site areas, front and rear setbacks and domestic storage.

With regard to site area, the departure will not disrupt the allotment pattern within the locality and the overall density of the development is within what is envisaged for the Medium Density Policy Area.

Departures from the Development Plan provision with regard to setback are minor that they would not be readily discernible.

Concerns with regards to domestic storage can be addressed by way of a reserved matter to enable the minimum requirements to be met to Councils satisfaction.

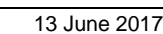
The Zone and Policy Area encourage medium density development and allows for 2 storeys. There is some minor overshadowing of adjoining properties, but this is well within the limits stipulated by the Development Plan. There are a number of two and three storey buildings within the locality and as such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

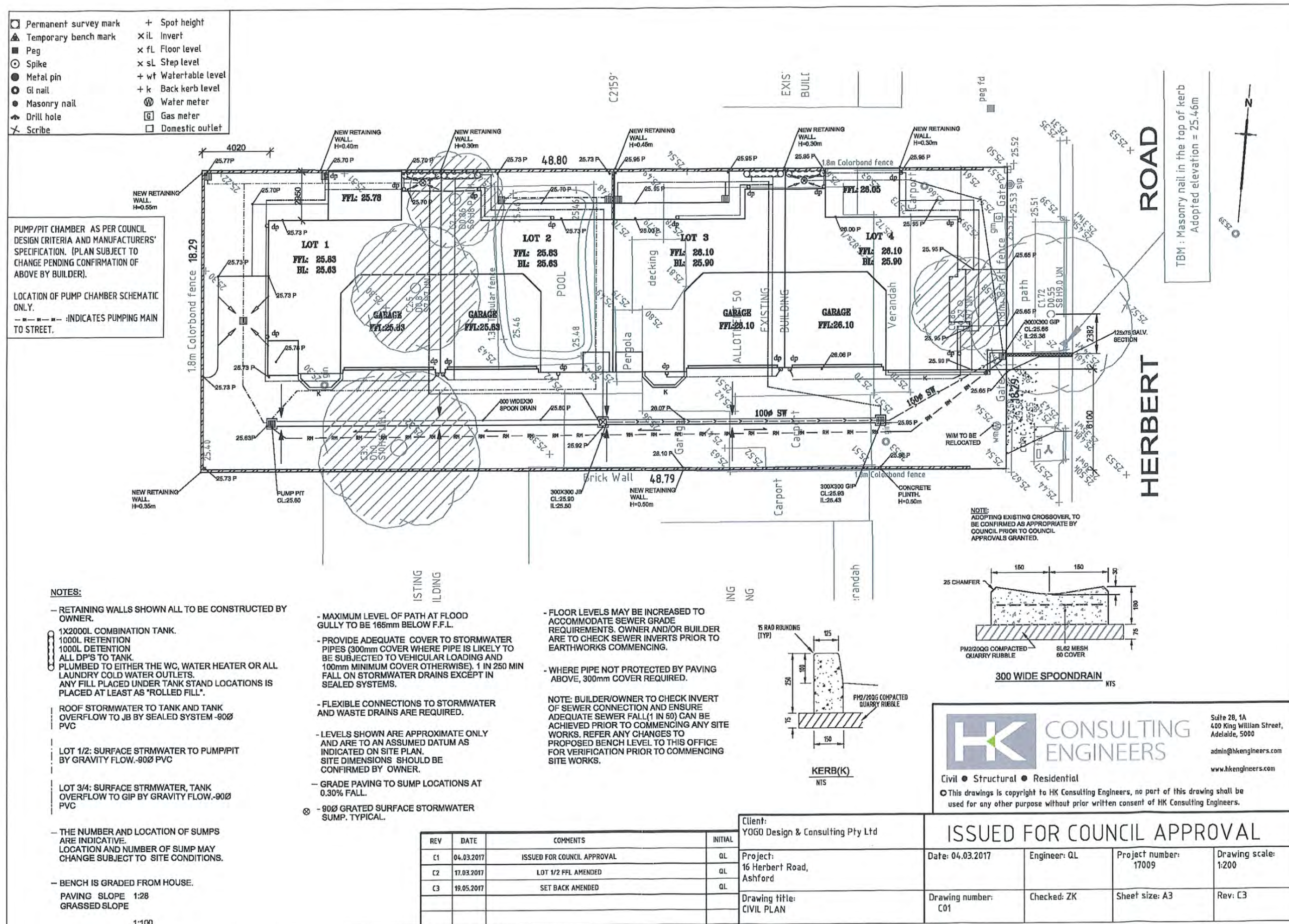
Where needed, overlooking potential has been minimised by the installation of 1.7m high obscured glazing and screening.

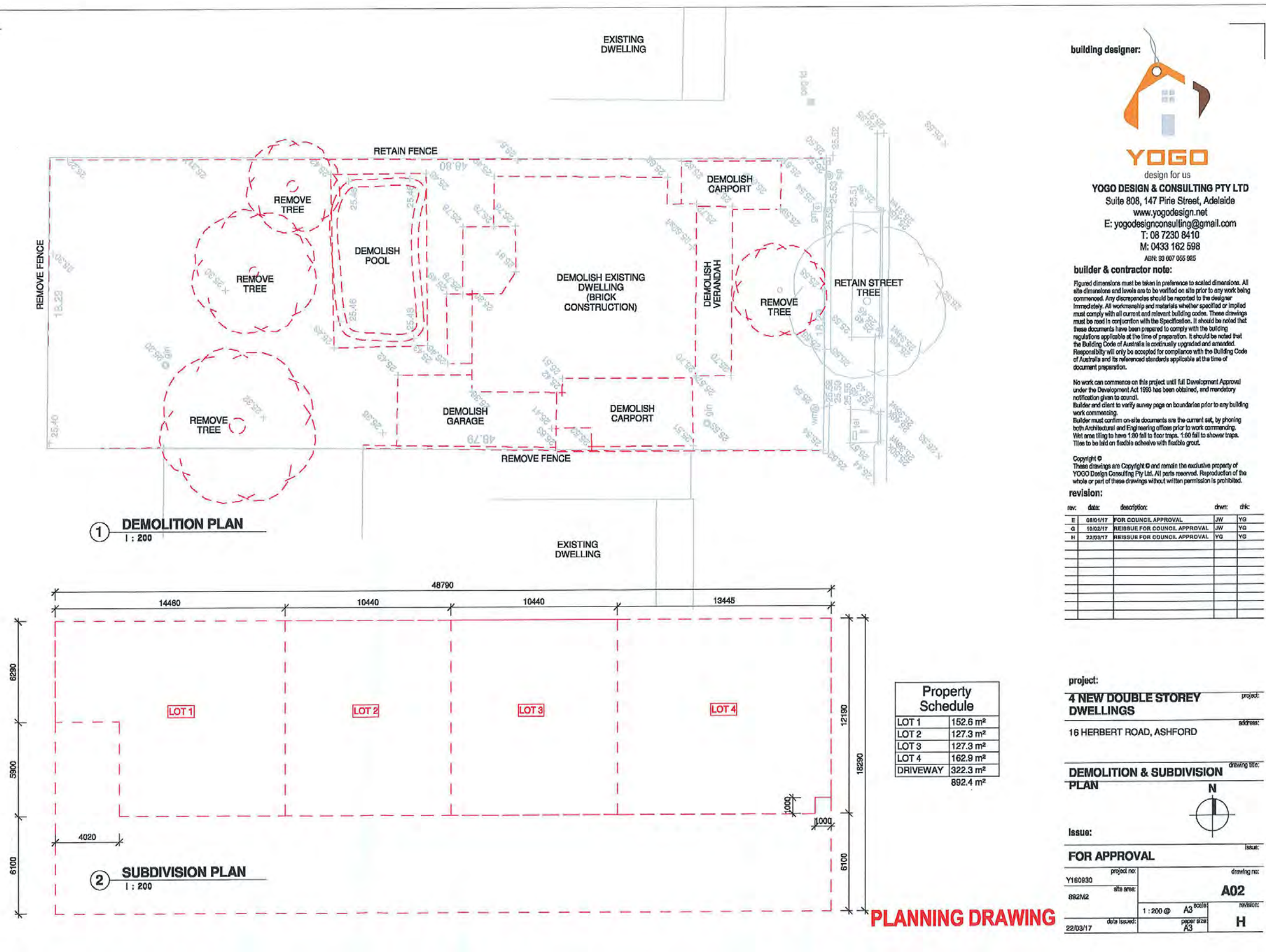
Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is considered to be not seriously at variance with the Development Plan. On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 5 May 2016 and warrants Development Plan Consent.

Attachments

- 1. Details and Plans**
- 2. Representations**
- 3. Response to Representations**
- 4. DAC & SA Water Response**







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rev.	date:	description:	drawn:	chck:
E	08/01/17	FOR COUNCIL APPROVAL	JW	YG
G	10/02/17	REISSUE FOR COUNCIL APPROVAL	JW	YG
H	22/03/17	REISSUE FOR COUNCIL APPROVAL	YG	YG

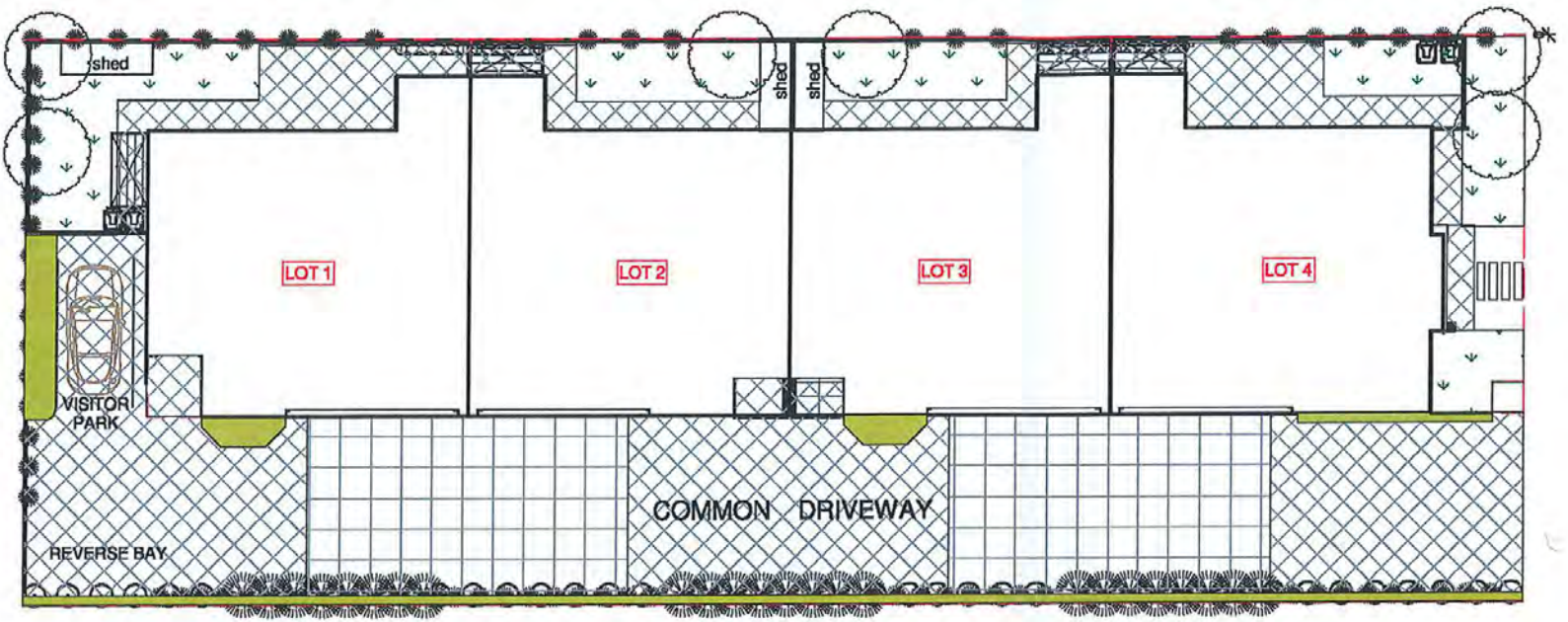
project:
4 NEW DOUBLE STOREY DWELLINGS
16 HERBERT ROAD, ASHFORD

DEMOLITION & SUBDIVISION PLAN

Issue:

FOR APPROVAL

project no:	drawing no:
Y160930	A02
site area:	1:200 @ A3
892M2	paper size: A3
date issued:	revision:
22/03/17	H



1 LANDSCAPE PLAN
1 : 200

LANDSCAPE SCHEDULE

SHRUBS

Knobby Club-rush
Height & width:
Height 50 – 80cm x Width 030 – 60cm



Black Anther Flax-lily
Height & width:
Height 50– 100cm x Width 30-50cm



SMALL TREES

Christmas Bush
Height & width:
Height 3-4m x Width 1-3m



TURF
TYPICAL PAVING
REFER TO SPECIFICATIONS FOR DETAIL

TOTAL LANDSCAPE %= $103.1/892.4=11.5\%$

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revision:

rev.	date	description	dwnr	chk
G	10/02/17	REISSUE FOR COUNCIL APPROVAL	JW	YG
H	22/03/17	REISSUE FOR COUNCIL APPROVAL	YG	YG
I	18/05/17	REISSUE FOR COUNCIL APPROVAL	YG	YG

project:

4 NEW DOUBLE STOREY DWELLINGS

18 HERBERT ROAD, ASHFORD

LANDSCAPE PLAN

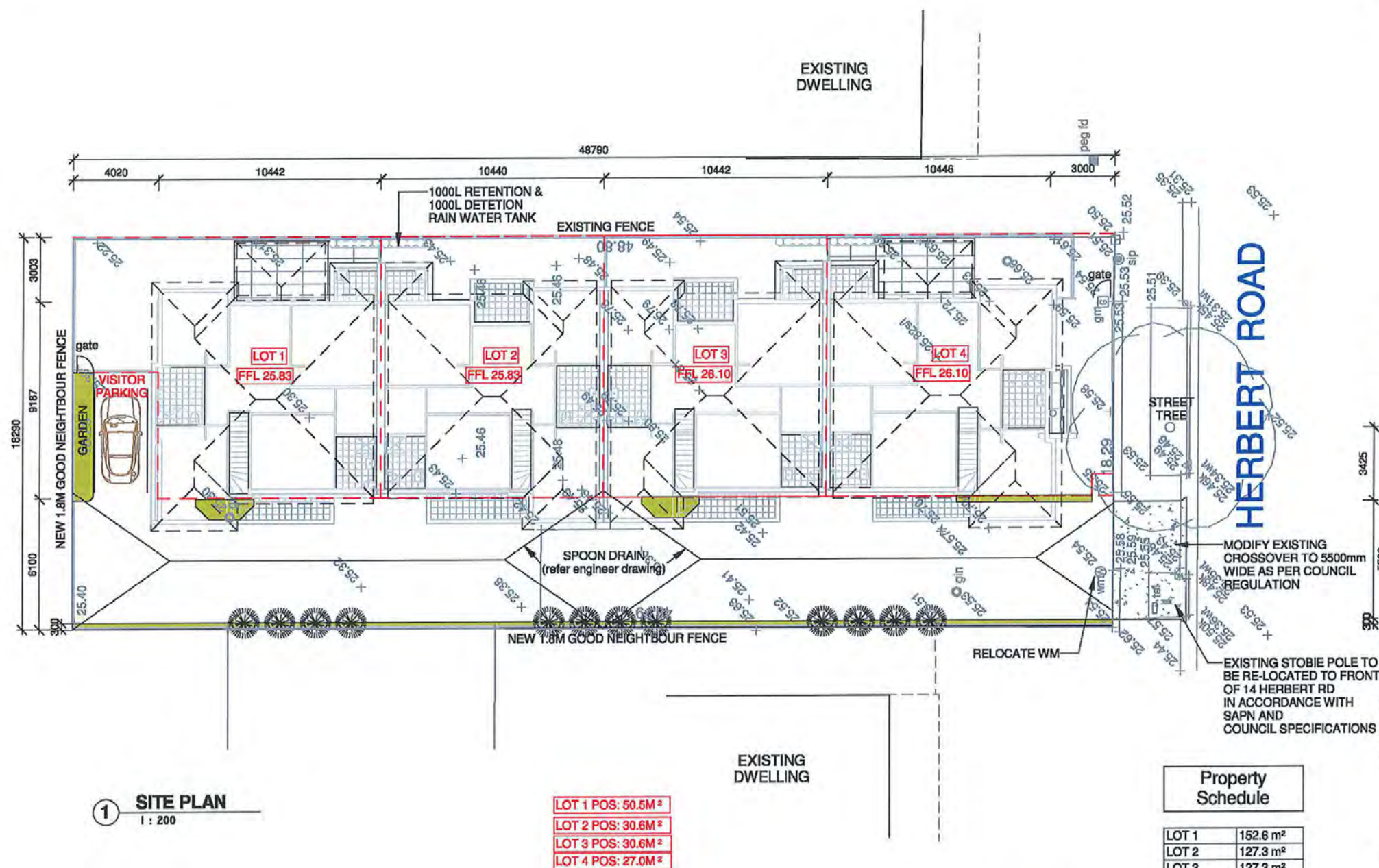


Issue:

FOR APPROVAL

project no:	drawing no:
Y160830	A03
date issue:	revision:
6/02/17	1 : 200 @ A3
date issued:	paper size:
18/05/17	A3

PLANNING DRAWING



Sheet Number	Sheet Name	Current Revision	Revision Date
01	SITE PLAN	I	18/05/17
02	DEMOLITION & SUBDIVISION PLAN	H	22/03/17
03	LANDSCAPE PLAN	I	18/05/17
04	GROUND FLOOR PLAN	I	18/05/17
05	FIRST FLOOR PLAN	H	22/03/17
06	ELEVATIONS	H	22/03/17
07	SUN STUDY - 21 JUNE	H	22/03/17

LOT 1 AREA		LOT 2 AREA		LOT 3 AREA		LOT 4 AREA	
GFL	61.0 m ²	GFL	62.0 m ²	GFL	62.0 m ²	GFL	62.7 m ²
FFL	101.6 m ²	FFL	97.8 m ²	FFL	97.8 m ²	FFL	103.1 m ²
GARAGE	35.4 m ²	GARAGE	35.4 m ²	GARAGE	35.4 m ²	GARAGE	35.4 m ²
BALCONY	6.9 m ²	PORCH	2.1 m ²	BALCONY	6.9 m ²	BALCONY	6.7 m ²
VERANDAH	12.2 m ²	BALCONY	6.9 m ²	BALCONY	6.9 m ²	VERANDAH	12.2 m ²
	217.1 m ²	BALCONY	5.7 m ²	BALCONY	5.7 m ²	PORCH	3.1 m ²
			209.9 m ²		209.9 m ²		223.2 m ²

SITE COVERAGE
OVERALL: 396.6/892.4=44.4%

Property Schedule	
LOT 1	152.6 m ²
LOT 2	127.3 m ²
LOT 3	127.3 m ²
LOT 4	162.9 m ²
DRIVEWAY	322.3 m ²
	892.4 m ²

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E	08/01/17	FOR COUNCIL APPROVAL	JW	YG
F	11/01/17	FOR COUNCIL APPROVAL	JW	YG
G	10/02/17	REISSUE FOR COUNCIL APPROVAL	JW	YG
H	22/03/17	REISSUE FOR COUNCIL APPROVAL	YG	YG
I	18/05/17	REISSUE FOR COUNCIL APPROVAL	YG	YG

project:

4 NEW DOUBLE STOREY DWELLINGS

16 HERBERT ROAD, ASHFORD

SITE PLAN



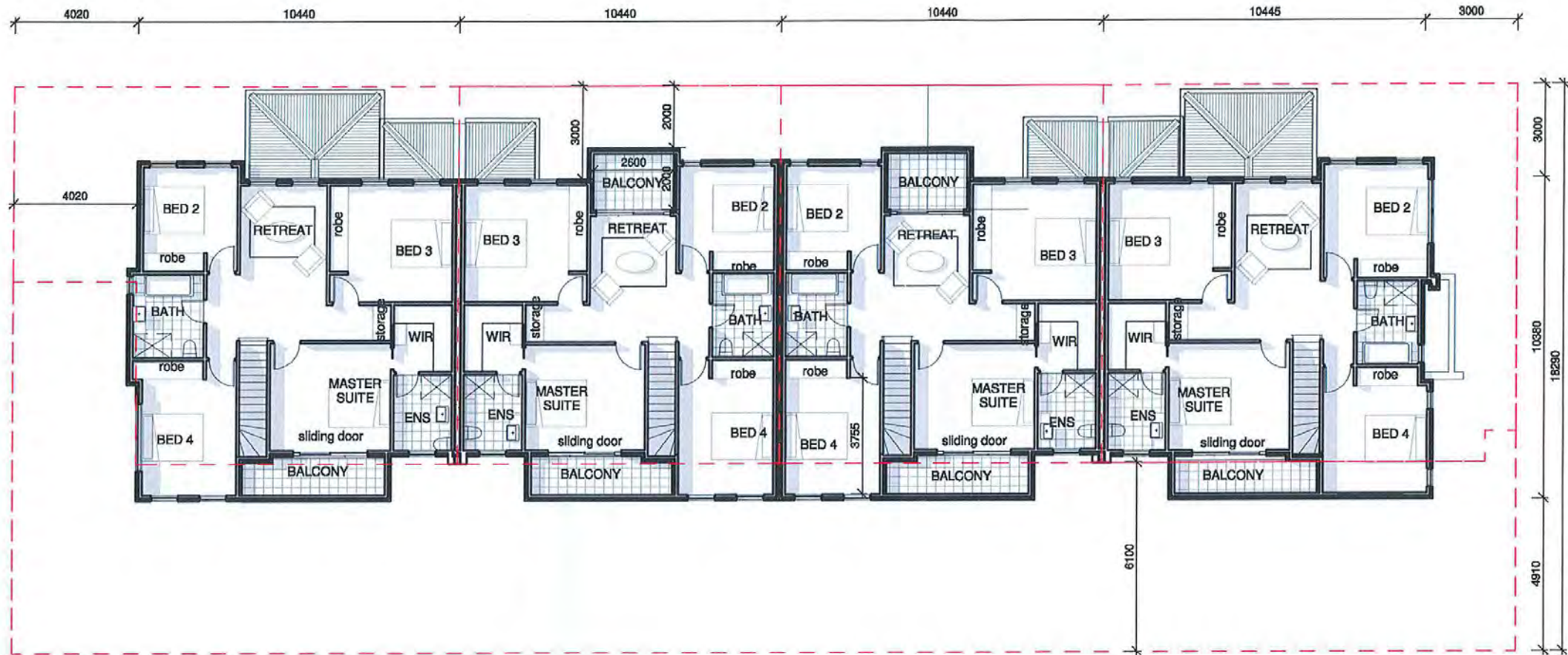
Issue:

FOR APPROVAL

project no:	drawing no:
Y160930	A01
site area:	revision:
892M2	I
date issued:	paper size:
18/05/17	A3

PLANNING DRAWING





1 FIRST FLOOR PLAN
1 : 150

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revision:

rev.	date	description	drawn	chk
A	12/10/16	CLIENT REVIEW	JW	YG
B	20/10/16	CLIENT REVIEW	JW	YG
C	07/11/16	CLIENT REVIEW	JW	YG
D	15/11/16	FOR COUNCIL APPROVAL	JW	YG
E	08/01/17	FOR COUNCIL APPROVAL	JW	YG
F	11/01/17	FOR COUNCIL APPROVAL	JW	YG
G	10/02/17	REISSUE FOR COUNCIL APPROVAL	JW	YG
H	22/03/17	REISSUE FOR COUNCIL APPROVAL	YG	YG

project:

4 NEW DOUBLE STOREY DWELLINGS

16 HERBERT ROAD, ASHFORD

FIRST FLOOR PLAN



Issue:

FOR APPROVAL

project no:	drawing no:
Y160930	A05
date:	revision:
09/02/17	1 : 150 @ A3
date issued:	paper size:
22/03/17	A3

PLANNING DRAWING



- MATERIALS**
- EXTERNAL WALL:**
- 1. BRICK, RENDERED FINISH 'SANDBANK' TO GROUND FLOOR
 - 1A. FACE BRICK 'ALMOND' (or similar) TO GROUND FLOOR
 - 2A. POWER PANEL WITH PAINT FINISH 'PAPERBANK' (or similar)
 - 2B. Scyon Axon CLADDING, 133mm PAINT FINISH 'RUSTIC GOLD' (or similar)
 - 2C. POWER PANEL WITH ACRYLIC TEXTURE AND PAINT FINISH 'LIGHT LEATHER' (or similar)
 - 3. Scyon Axon CLADDING, 133mm PAINT FINISH 'PAPERBANK' (or similar)
 - 3A. POWER PANEL WITH ACRYLIC TEXTURE
 - 4.350x500mm CFC COLUMN WITH STONE CLADDING
 - 5. 115x115mm TIMBER POSTS
- ROOF**
- 6. COLORBOND METAL ROOF SHEETING @ 22.5, COLORBOND FINISH 'WOODLAND GREY' (or similar)
 - 7. METAL CAPPING & FLASHING TO MATCH ROOF FINISH
 - 8. OG GUTTER, COLORBOND 'WOODLAND GREY'
- DOORS/WINDOWS:**
- 9. ENTRY DOOR: SOLID CORE TIMBER FRAMED DOOR WITH SIDELIGHT, PAINTED FINISH
 - 10. GARAGE DOOR: PANEL LIFT GARAGE DOOR PAINT FINISH 'RUSTIC GOLD' (or similar)
 - 11. ALUMINIUM FRAMED GLASS DOORS & WINDOWS, POWERCATED FINISH 'WOODLAND GREY'

PLANNING DRAWING

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revision:

rev.	date:	description:	dwn:	chk:
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C	07/11/18	CLIENT REVIEW	JW	YG
D	15/11/18	FOR COUNCIL APPROVAL	JW	YG
F	11/01/17	FOR COUNCIL APPROVAL	JW	YG
G	10/02/17	REISSUE FOR COUNCIL APPROVAL	JW	YG
H	22/03/17	REISSUE FOR COUNCIL APPROVAL	YG	YG

project:

4 NEW DOUBLE STOREY DWELLINGS

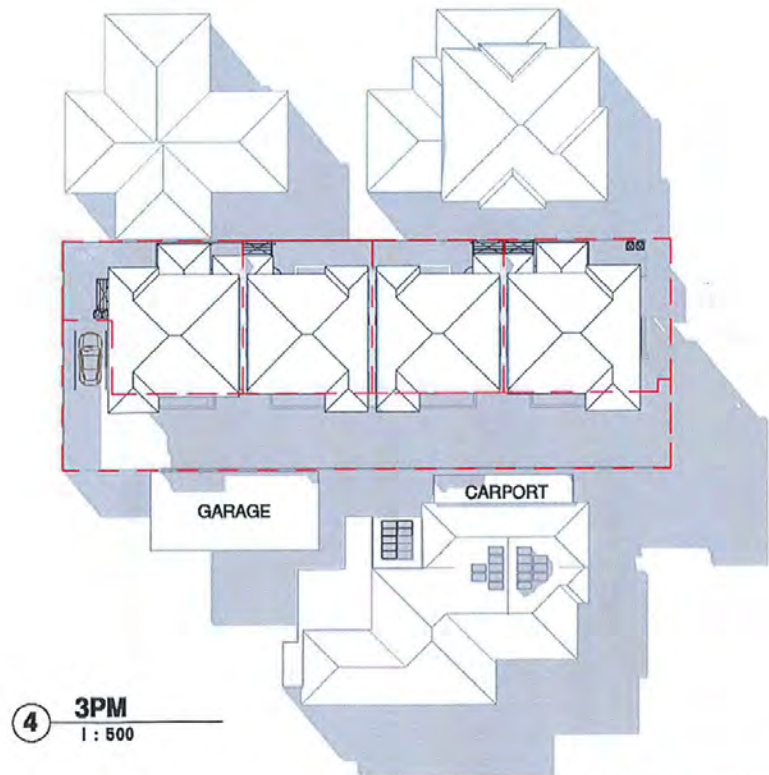
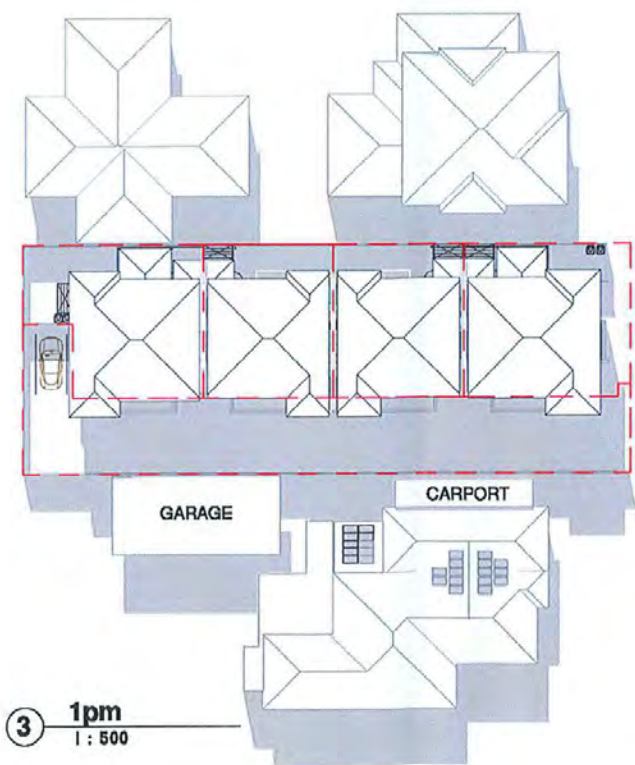
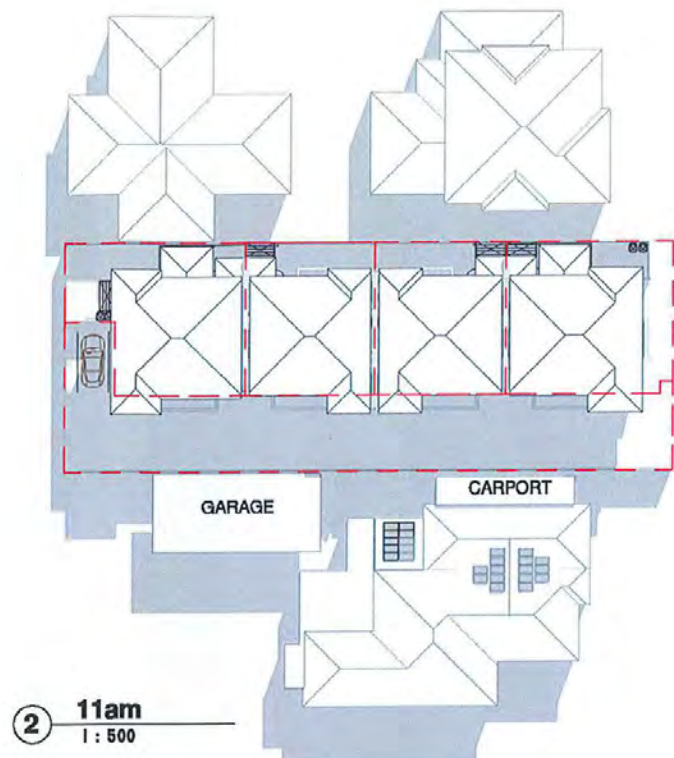
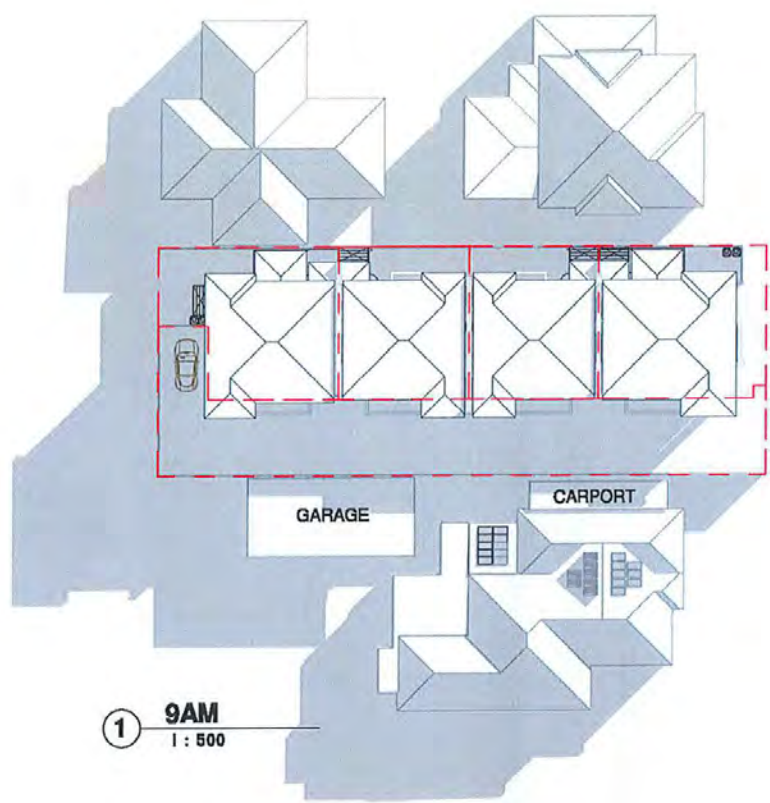
16 HERBERT ROAD, ASHFORD

ELEVATIONS

Issue:

FOR APPROVAL

project no:	drawing no:
Y160830	A06
alt: area:	1 : 150 @ A3
date issued:	22/03/17
paper size:	A3
revision:	H



PLANNING DRAWING

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H	22/03/17	REISSUE FOR COUNCIL APPROVAL	YG	YG

project:

4 NEW DOUBLE STOREY DWELLINGS

16 HERBERT ROAD, ASHFORD

SUN STUDY - 21 JUNE



Issue:

FOR APPROVAL

project no:	drawing no:
Y160930	A07
alt no:	revision:
092M2	1: 500 @ A3
date issued:	paper size:
22/03/17	A3



HANDI-GARDEN™ SHEDS

CYCLONIC SHEDS

HANDI-GARDEN CYCLONIC

Built to withstand the forces of nature, Handi-Garden Cyclonic Sheds are designed for use in cyclone prone areas. They feature reinforced walls and roofing and are available in an impressive range of colours and sizes. Custom-made storage sheds with a range of optional extras are also available. Not only are they strong, but bold attractive lines on the outside make the Handi-Garden Cyclonic Sheds more than just a practical addition to the garden.



BUILT TO WITHSTAND THE FORCES OF NATURE

STRONG AND DURABLE SHEDS

Designed for use in areas with cyclonic conditions, Handi-Garden Cyclonic Sheds feature reinforced walls with heavy duty internal stud frames and a braced roof that uses sturdy ridge beams to ensure your shed will withstand the test of weather and time.

Quality construction means your storage shed will be a lasting investment. The galvanised frame components are welded for strength, while the roof and walls are clad with strong high profile Superdek® steel sheeting.

STANDARD SHED DIMENSIONS

Width	Depth	Wall Height
2.3 m	1.6 m	2.1 m
3.1 m	1.9 m	2.1 m
3.1 m	2.3 m	2.1 m
3.1 m	3.1 m	2.1 m

Width & depth (approx) measured to outside of the walls

STRENGTH AND STYLE

Not only are they strong, bold attractive lines on the outside make Handi-Garden Cyclonic Sheds more than just a practical addition to the garden. Handi-Garden Cyclonic Sheds are available in an impressive range of colours or in un-painted zinc/al.

Choose from a range of standard sizes, or you can specify a custom made shed up to 4.2 x 5.0 metres in size. The door has a wide opening of 1020mm. The opening features a raised step for strength and to prevent water and debris from entering the shed.

OPTIONAL EXTRAS

Dress your storage shed with a range of optional extras including a five blade louvered window, or a five blade louvered window with a security grill, 400mm wide heavy duty shelves and a 300mm spinning ventilator.

Handi-Garden Cyclonic Sheds are the ideal do-it-yourself project. Alternatively Stratco can arrange to have your shed installed by a qualified installer.



MAINTENANCE: Regular maintenance is essential to maintain the good looks of all Stratco steel products and to ensure you receive the maximum life-span possible in your area. Washing with clean water must be frequent enough to prevent the accumulation of dust, salts, and pollutants or any other material that will reduce the life of the product. Stratco steel products that are regularly washed by rain require no additional maintenance. No Stratco steel structure or materials are recommended for use over, or in close proximity, to swimming pools or spas. No material that retains water (such as dirt or paving sand) should be placed against the columns. Care must be taken when determining the location of Stratco steel products so that they are not placed in close contact with sources of pollution or environmental factors that could affect the life of the steel. Refer to the 'Selection, Use and Maintenance' brochure for more information.

Ph: 1300 155 155
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SCANNED

23 FEB 2017

REF No.

A1975009

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

TO

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

City of West Torrens

23 FEB 2017

City Development

RECEIVED
 35
 AM 7 8 9 10 11 12
 22 FEB 2017
 PM 1 2 3 4 5 6
 West Torrens CSU

DEVELOPMENT No.

211/1451/2016

PROPERTY ADDRESS:

16 Herbert Road, ASHFORD SA 5035

YOUR FULL NAME * STEPHEN DAVID EVANSYOUR ADDRESS * 2/63 FARNHAM ROAD
ASHFORD
5035

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

ADJOINING RESIDENT
16 Herbert St
Ashford.

REASONS FOR *
 REPRESENTATION

(PLEASE SEE ATTACHED)

Received

22 FEB 2017

City of West Torrens
 Information Management

MY REPRESENTATION *

WOULD BE OVERCOME BY
 (state action sought)

TO REDUCE SCALE OF DEVELOPMENT,
WITH THE VIEW TO IMPROVING
LIFESTYLE OUTCOMES FOR PROXIMATE
AND EXISTING RESIDENTS

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

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

WILL BE REPRESENTED BY

JOHN WOODWARD ☒
 (PLEASE SPECIFY)

SIGNED

DATE

*

21/2/17
 If space insufficient, please attach sheets

(FORM 3)

Responsible Officer: Kelly Briton-Jones

Ends: Wednesday 22 February 2017

SITING AND VISIBILITY – PAGE 85 (DEVELOPMENT PLAN)

- Point 5 – The nature of external surface materials of buildings should not detract from the visual character and amenity of the landscape.

View from the rear of our property which currently comprises of trees and foliage would be replaced by the proposed 6 metre side wall of the development blocking the natural light and compromising the visual character and amenity of the landscape.

SIGNIFICANT TREES – PAGE 83 (DEVELOPMENT PLAN)

- Point 1 – Sub-sections (a,c,d,e,f)

I make particular reference to the largest tree on the proposed development site and its role in providing a safe habitat to many birds and wildlife, along with providing a striking visual backdrop to properties within its vicinity. Given the ongoing plans for development along this city corridor, significant trees help to maintain the biodiversity of an area and soften the visual impact of high-density residential zones.

NATURAL RESOURCES – PAGE 64 (DEVELOPMENT PLAN)

- Point 8 – Native flora, fauna and ecosystems protected, retained, conserved and restored.

With reference to the point above – given that all existing trees are to be removed, there is no mention in the plan in regards to conserving or restoring the native flora/fauna. The proposed development will clearly have a negative impact on the ecosystems of this residential area.

SITING AND VISIBILITY – PAGE 86 (DEVELOPMENT PLAN)

- Point 8 – Sub-section (b)

We question whether the proposed plantings along the boundaries (hop bush) would provide sufficient natural screening to the adjoining properties. The plan seems more focussed on the visual aesthetic for the proposed new developments.

*The boundary fence on the western edge of the site that adjoins our property, is attached to a fence on our land that we were forced to erect due to a recent development to the north of this proposed site. The developer erected a taller fence behind our boundary fence using incompatible materials, forcing us to place a screening fence in front to create a uniform visual aesthetic from our perspective. Our concern is that by removing this western boundary fence to place the proposed 1800mm 'good neighbour' fencing, the fence we placed in front would no longer be structurally sound and would require similar fixings to the new fence the developer proposes to erect. **This is a very important point and will require consultation in order to arrive at a mutually satisfactory outcome.***

FORM AND CHARACTER PAGE 207 (DEVELOPMENT PLAN)

- Point 5 –Dwellings should be designed with the following parameters.

As stated in the Development plan - The minimum setback from primary road frontage is set at a minimum of 3 metres. The proposed developments setback as stated on the available plans is only 2.7 metres.

Minimum setback on rear boundary as stated in the Development Plan is set at a minimum of 4 metres. The proposed developments set back as stated on available plans is under this at 3.970 metres.

VISITOR PARKING ALLOCATION

The proposed single visitor parking bay, which currently sits on the boundary of our property is inadequate given the scale of the development and puts pressure on the surrounding areas available street parking. Parking is already limited and falls under certain daily restrictions due to the areas proximity to the Ashford Hospital. In our view the scale of this development exceeds what we would deem reasonable for land of this size and the lack of available resident visitor parking is surely one indication of this.

City of West Torrens

22 FEB 2017

City Development

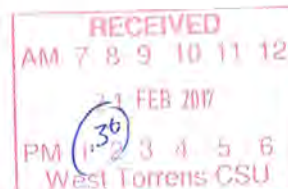
STATEMENT OF REPRESENTATION
Pursuant to Section 38 of the Development Act, 1993

TO

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

SCANNED

22 FEB 2017

REF No. A1975554

DEVELOPMENT No. 211/1451/2016
 PROPERTY ADDRESS: 16 Herbert Road, ASHFORD SA 5035

YOUR FULL NAME * Mr John KeelonYOUR ADDRESS* 14 Herbert Road Ashford SA 5035

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

Adjoining resident / owner.
* long term resident - 27 years *

REASONS FOR *
 REPRESENTATION

Concerns as per attached letter.

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

Refer to points addressed in letter attached.

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

I DO NOT WISH TO BE HEARD

I DESIRE TO BE HEARD PERSONALLY

WILL BE REPRESENTED BY

(PLEASE SPECIFY)

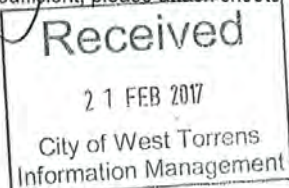
- ☐ None: Our issues are
☒ - to be noted & documented
☐ If our issues are addressed
 and resolved - then a
 hearing would not be relevant

SIGNED

DATE

*

If space insufficient, please attach sheets



(FORM 3)
 Responsible Officer: Kelly Briton-Jones
 Ends: Wednesday 22 February 2017

Monday 20th February 2017

Mr John Keelan
14 Herbert Road
Ashford S.A 5035
Mob:
Email:

Re: Development No# 211/1451/2016
16 Herbert Road Ashford SA 5035

Att: Chief Executive Officer
City of West Torrens
165 Sir Donald Bradman Drive
Hilton 5033

Dear Sir,

Having received notification regards the above proposed development at our neighbouring property; we would like the following points of issue/concern noted and on record as we believe that these points will have some effect on our property, our lifestyle and ultimately the value of our family home. We have viewed and purchased a copy of the revised/amended plans as provided by your office. Revision G (10/2/2017) and are grateful that the units have been re-orientated on the site with the common driveway opposing our driveway. But the following points still need addressing:

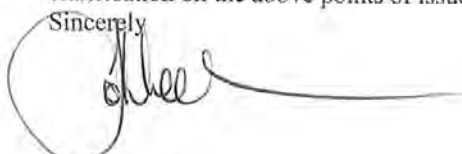
- a. The NEW 1800mm fence as shown on plans would need to be increased in height to max 2100mm and colour to be merino.....Good neighbour fencing as existing.
- b. Heights as nominated on plans of slab height above natural ground level.....FFL.....seems extremely high as this will have impact on overall height of construction
Lot 1.....800mm above natural GL
Lot 2.....670mm above natural GL
Lot 3.....300mm above natural GL
Lot 4.....400mm above natural GL

With the above combined with the overall build height of each dwelling, concern is still raised regards privacy and overshadowing of our property and our Solar System.

- c. Removal of the "Large" tree at the rear of the property, close to our Besser Block shed which the northern wall of the shed creates a boundary wall.....As damage has been caused by debris from the tree to the shed roof, guttering and flashings over many years along with structural damage to the block work and concrete slab floor, we are concerned that with its removal (which we welcome) that further damage will be caused with the increase of soil moisture etc. Rectification of existing damage and future damage should be the responsibility of the adjacent property owner and we would like some guarantee in writing to this affect that all costs associated with this rectification will be at the developers cost. Also, what plans are in place to make good the wall during the development construction process?
- d. The inclusion of new shrubbery along the southern boundary, noted on the Landscape plan as Yellow Bells and Hop Bush.....Concern that when established, possible overshadowing to our property and solar panels.
- e. Distance of Lot 4 from front boundary (Herbert Road frontage)....Dimensions noted on plans....
Ground Level.....2500mm and First Floor Level....2000mm.....Clarification regards these distance is sought as we are under the impression that the distance was to be greater? To be advised.

In summary, having lived at our current address for nearly 30 years and have transformed our house from its humble beginnings into a family home of substance and value, I understand the importance of progress and change as long as it is not to the detriment of my family, our home and lifestyle. I look forward to clarification on the above points of issue at your earliest convenience

Sincerely



John Keelan



24 March 2017

Ref: 6792responsestoreps

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

Attention: Ms. Jessica Grima

Dear Jessica,

**RE: DEVELOPMENT APPLICATION NUMBER 211/1451/16 FOR THE PROPOSED
CONSTRUCTION OF A TWO STOREY RESIDENTIAL FLAT BUILDING COMPRISING
FOUR DWELLINGS AT 16 HERBERT ROAD, ASHFORD**

I have been engaged by the applicant to respond to the Letters of Representation received by Council following the Category 2 public notification of the abovementioned Development Application.

I note two submissions were received by the Council which raised a number of concerns relating to the proposal, these include:

- Fencing colour, height and impact on an existing screen structure;
- Finished floor levels;
- Overlooking;
- Overshadowing;
- Impact of tree removal;
- Damage to a building on an adjoining site;
- Revegetation of site;
- Setbacks; and
- Parking congestion.

I have grouped the shared concerns under the following relevant headings when appropriate while specific concerns expressed exclusively in each response are addressed in the second part of this response.

Shared Concerns

Boundary Fencing

The Applicant wishes to maintain a cordial relationship with all adjoining property owners and appreciates the concerns expressed in respect to the boundary fencing. To satisfy the colour preference of the owners of 14 Herbert Road the Applicant is willing to construct the southern boundary fence with "Merino" factory pre-painted sheeting.

The proposed development will require retaining walls at the property boundaries to mitigate potential flooding risk believed to threaten the area. The site levels of the subject land must therefore be raised approximately 300 to 400 millimetres higher than the land immediately adjacent the shared boundaries on 14 Herbert Road and 2/68 Farnham Road.



The retaining walls will result in the southern boundary fence height being approximately 2.3 metres (when measured from the lower side of the fence). The finished height of the fence will ensure the privacy concerns expressed by the owners of 14 Herbert Road are addressed. The height of the new fencing will also be comparable to existing structures which are currently erected on or to the southern boundary.

The changes to the western boundary should also be advantageous to the owner of 2/68 Farnham Road as the new fence will be similar in height to the existing screening which the owner of that land has established on his side of the boundary. The new fencing will maintain the uniformity of existing fencing and screen heights and ensure the existing visual aesthetic experienced at 2/68 Farnham Road remains largely unchanged.

The Applicant will continue to liaise with both property owners to ensure mutually satisfactory outcomes in respect to boundary fencing.

Revegetation of the land

The development will result in existing vegetation being removed from the subject land including the removal of a large tree adjacent to the southern property boundary. A landscape plan has been provided with the application which depicts new plantings to the land to replace the vegetation to be removed.

I note the Letters of Representation express alternate positions to the removal of the large tree with one welcoming the tree being felled, subject to no further damage being caused to their property, the other lamenting the impact its removal will have on visual amenity and habitat.

The Applicant hopes to find a reasonable balance between providing a functional medium density development and establishing vegetation which will provide an attractive visual outlook for both occupants of the subject land and adjoining properties. The Applicant is happy to explore alternative plantings which do not cause unreasonable shadow to any adjoining property while still providing appropriate visual relief if necessary.

Landscaping along the rear boundary will comprise tree species which can grow to a height of at least 4 metres, with a compact canopy and exhibit moderate to quick growth. These trees will provide a visual foil to the built form beyond once mature and partially obscure the rear elevation of the proposed building. The Applicant is willing to implement similar plantings of semi mature trees to the front and northern boundaries.

The Applicant also respects the views expressed regarding the importance of maintaining habitats for birds and wildlife however in this particular locality such aspirations are difficult to achieve given the emphasis of Council policy towards medium and high density development. Nevertheless it is hoped the replacement plantings will provide some additional habitat value in the future.

While it is acknowledged some of the existing vegetation is notable I feel it necessary to point out the removal of the trees in this instance do not require a development authorisation. The trees are not recognised as being regulated or significant in either the Council Development Plan or under the Development Act and Regulations.



Front and Rear Setbacks

The front wall of the proposed building has been revised with the ground floor now setback 3 metres from the front property boundary. The front wall of the upper floor will be 2.7 metres. The Applicant acknowledges the upper floor exhibits a departure of 300 millimetres from the 3 metres prescribed in the policy area guidelines.

The immediate Herbert Streetscape is relative short yet it comprises a mix of low to high density development including the three and four storey "Ashbrook Apartments". The land on the eastern side of Herbert Road sits within the Boulevard Policy Area of the Urban Corridor Zone with future development expected to comprise buildings up to three storeys and with setbacks ranging from street boundary development to setbacks of 2 metres. The setbacks of future development to the western side of Herbert Street, and particularly to the south of the subject land when 12 and 14 Herbert Road are eventually redeveloped, is expected to be in the order of 1 to 3 metres.

In this particular streetscape the envisaged setbacks and building heights are reasonably diverse. In this context the upper storey setback shortfall of 300 millimetres is not considered obtrusive considering the eventual changes likely to occur to the building characteristics along the road.

Most of the rear wall will be setback 4.02 metres from the rear boundary. A small area of the upper wall will be setback 3.72 metres. These setbacks are reasonably consistent with the quantitative provisions of the Development Plan and the building's presence to 2/63 Farnham Road will not be perceptibly different had the entire wall been designed with a 4 metre setback. As noted above, proposed plantings to the western boundary of the subject land will also help conceal the presence of the building.

The proposed development meets the side setback provisions designated in the Development Plan for development within this locality.

Overshadowing

Desktop analysis indicates the building's setback to the site's southern property boundary will be sufficient to mitigate the effects of the shadow on the property at 14 Herbert Road.

It is understood the dwelling at 14 Herbert Road has only one functional north facing window which is situated under a carport attached to the northern side of the building. The carport has a combination of iron and polycarbonate roof sheeting which blocks or filters most direct light to the window. The setback of the proposed building will ensure the window will continue to receive at least 3 hours of sunlight between 9.00 am and 5.00 pm on the 21 June.

The shadow from the proposed building will also have minimal impact on the collection of solar panels attached to the roof of the dwelling at 14 Herbert Road. It is acknowledged some shadow during the morning period might fall partially across the panels closest to the subject land however there is no doubt these specific panels will continue to receive direct sunlight for at least 5 consecutive hours between 9.00am and 3.00pm on 22 June.



The proposed building will cause shadow to encroach over the south eastern corner of the land at 2/63 Farnham Road until just after 10.00 am. The proposed building will have little effect on the existing supply of natural light to the property of Mr. Evans.

With respect to overshadowing it is noted that impacts are unlikely to be excessive upon the adjoining properties to the west and south. Both properties can expect to receive winter sunlight throughout the day as sought by the General Design and Appearance Principles 3 & 9, Residential Development Principles 10-13 and Residential Zone Principle 14.

Individual Concerns

The following is a summary of the individual concerns outlined in the representations, as provided below:

Name and Address	Issues Raised
Stephen David Evans 2/68 Farnham Road, Ashford SA 5035	<ul style="list-style-type: none"> • Development not to detract from the visual character • Parking congestion being exacerbated
John Keelan 14 Herbert Road, Ashford SA 5035	<ul style="list-style-type: none"> • Finished Floor levels • Impact of tree and tree removal on an existing building

Visual Character

The Desired Character Statement for the Medium Density Policy Area 18 states:

"Allotments in this policy area will be at medium density, accommodating a range of dwelling types including residential flat buildings, row dwellings, group dwellings, semi-detached dwellings and some detached dwellings on small allotments." and

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

The policies applicable to this particular locality support two storey development and anticipate significant change to the visual character of the area. Although the proposal represents a departure from the lower scale, remnant residential development within the locality, the policy for this locality is wholly supportive of greater density and uplift development.

Nevertheless, and considering the above, the subject building is relatively modest and has a well-articulated design comprising a mixture of materials and finishes to both the ground and upper walls. The visual influence of the building is not likely to have an overbearing presence on adjoining land and landscaping will help soften the interface concerns expressed by the owner of land immediately to the west of the development.



Parking

In regard to the provision of on-site car parking consideration has been given to Table WeTo/2 *Off-Street Vehicle Parking Requirements of the Council Development Plan*. This table specifies a residential flat building should be provided with two parking spaces per dwelling (one covered) and an additional 0.25 parking spaces per dwelling. The proposed development complies with these minimum expectations as each dwellings has a double garage and will have access to a shared visitor space adjacent the western most dwelling.

Maintaining existing on-street parking opportunities is important within the locality particularly given the close proximity of Ashford Hospital. It should be noted the development will not cause a reduction to existing on-street parking supply.

Furthermore, the subject land is situated in close proximity to a major metropolitan transport corridor and has excellent access to frequent public transport services. This locality is well positioned to foster development that supports critical mass to promote and encourage greater dependence on public transport and less reliance on personal vehicle transport.

It is understood that traffic and off-street parking congestion are important matters to consider however, it should not be the principal concern with this proposal. The proposal provides an acceptable level of on-site parking, is located in close proximity to frequent public transport services and will not cause any reduction to on-street parking.

Finished Floor Levels

The owner of 14 Herbert Road was correct to recognise the Finished Floor Levels (FFL) will influence the overall height of the proposed building. As mentioned previously the increase is necessary to mitigate flood risk. Nevertheless, since the public notification period the Council has acknowledged the FFL for Lots 1 and 2 can be reduced by approximately 300 millimetres and amendments to lower the FFL have been made to the development. This amendment will help mitigate overlooking and shadow to 14 Herbert Road.

The Applicant has also made amendments to the proposed development to include obscure glazing to the upper windows on the building's south elevation to a height of 1.7 metres above the upper floor level and screens of the same height to the balconies.

Impact of tree removal on existing building

The property at 14 Herbert Road has an existing besser block shed which is believed to have a wall on the southern boundary of the subject land (see attached photos).



Photo 1: East corner of shed



Photo 2: Central wall of shed



Photo 3: West corner of shed



The owner of the land at 14 Herbert Road has alleged structural and superficial damaged to the shed has been caused by a large tree on the subject land. As noted earlier, a tree in close proximity to the shed is proposed for removal.

The owner of 14 Herbert Road expressed concerns the removal of the tree will cause an increase in soil moisture which may cause further damage to the shed. It is our contention the removal of the tree, along with the proposed site works and drainage scheme associated with the proposed development should ensure moisture levels will not exceed existing conditions. The Applicant is willing to explore this matter further prior to the construction phase of the development if necessary.

The adjoining owner has also what works are planned to make good the wall of the shed during the development construction process. Subsequently the neighbour has sought a written guarantee from the Applicant to take responsibility for all costs associated with the rectification of existing damage and future damage caused to the shed by the tree or the removal of the tree.

The Applicant will undertake the necessary precautions to ensure the removal of the tree does not cause any further damage to the subject building and is also willing to undertake some restoration work to the shed's northern wall. However, it should also be noted responsibility for the building's rectification is a civil matter which falls outside the scope of the subject development application. In the interest of good neighbour relations the Applicant will continue to liaise with the owner of 14 Herbert Road to work towards a mutually satisfactory outcome in respect to these concerns.

Summary

As stated above the Applicant is willing to have dialogue with the adjoining owners to establish mutually agreeable outcomes in respect to certain concerns expressed in the Letters of Representation. Other matters raised during the public notification period have been addressed by amendments to the proposal or are not considered critically at odds with the relevant policies of the Development Plan.

It is understandable some level of apprehension exists within the inner suburban areas in which Council policy facilitates a transition from relatively low traditionally suburban built form to medium and high density development. Increase in dwelling densities and building uplift are envisaged within this locality. The proposed development is a modest form of an envisaged development in this instance and as such represents a desirable outcome.

I advise the Applicant and I would like to be in attendance if this matter is referred to the Council's Development Assessment Panel so we may provide a verbal submission on this matter.

Should you have any questions in respect to the above, or require any further information please do not hesitate to contact the undersigned on 81307222

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Adam Williams", with a stylized flourish extending to the right.

Adam Williams
ACCESS PLANNING (SA) PTY LTD

Contact
Telephone
Facsimile

Customer Services
(08) 71097016
(08) 83030604



21 April 2017

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

Dear Sir/Madam

**Re: Proposed Application No. 211/C006/17 (ID 56868) - Amended Plan 30/03/17
for Land Division (*Community Title Plan*) by Yong Guo**

I refer to the enclosed application received at this office and advise that the Development Assessment Commission has no report to make to Council in accordance with Regulation 29 of the Development Regulations.

The Commission is of the view that there are no planning impacts of State significance associated with the application, and accordingly have only consulted with the SA Water Corporation pursuant to Regulation 29 (3).

While the Commission is making no report on the application, there may be local planning issues which Council should consider prior to making its decision on the application.

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

1. The financial requirements of the SA Water Corporation shall be met for the provision of water and sewerage services (SA Water H0054938).

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

2. Payment of \$20028 into the Planning and Development fund (3 lots(s) @ \$6676 /lot). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

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

IT IS ALSO REQUIRED THAT COUNCIL PROVIDE THE DEVELOPMENT ASSESSMENT COMMISSION WITH:

- a) the date on which any existing building(s) on the site were erected (if known);
- b) the postal address of the site; pursuant to Regulation 60 (4) (b) (ii).

IT IS RECOMMENDED THAT THIS INFORMATION BE INCORPORATED INTO COUNCIL'S ADVICE WHEN REPORTING THAT THEIR REQUIREMENTS (IF ANY) HAVE BEEN FULLY SATISFIED.

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

Yours faithfully

A handwritten signature in black ink, appearing to read "Brett Miller".

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



04 April 2017

Our Ref: H0054938

The Chairman
Development Assessment Commission
136 North Terrace
ADELAIDE SA 5000

Dear Sir/Madam

SA Water
Level 6, 250 Victoria Square
ADELAIDE SA 5000
Ph (08) 7424 1119
Inquiries TONY PANNUNZIO
Telephone 7424 1243

PROPOSED LAND DIVISION APPLICATION NO: 211/C006/17 AT ASHFORD

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.

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

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

Yours faithfully

TONY PANNUNZIO

for MANAGER LAND DEVELOPMENT & CONNECTIONS

6.2 407 Anzac Highway, CAMDEN PARK

Application No 211/66/2017

Appearing before the Panel will be:

Representors: **Kerry Mahony** of 25 Boyd Cres, West Lakes Shore, wishes to appear in support of the representation.

Applicant **Jack Daher**, or a selected representative, wishes to appear to respond to the representation.

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Change of land use - Supported Accommodation to Child Care Centre with associated car parking, bin store, demolition and alteration/painting of local heritage place
APPLICANT	Mr Jack Daher
LODGEMENT DATE	19 January 2017
ZONE	Residential Zone
POLICY AREA	Medium Density Policy Area 18
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 3
REFERRALS	Internal <ul style="list-style-type: none"> Heritage City Assets - Engineering External <ul style="list-style-type: none"> DPTI (Department of Planning, Transport and Infrastructure)
DEVELOPMENT PLAN VERSION	05 May 2016
MEETING DATE	13 June 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. 211/66/2017 by Mr Jack Daher to undertake Change of land use - Supported Accommodation to Child Care Centre with associated car parking, bin store, demolition and alteration/painting of local heritage place at 407 (allotment 50) ANZAC Highway, Camden Park (CT 6130/146) 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):

Reserved Matter:

The following information shall be submitted for further assessment and approval by the City of West Torrens as a reserved matter under Section 33(3) of the Development Act 1993:

1. That detailed stormwater management and quality information is submitted to council by way of a 'Civil and Drainage Plan'.

Council Conditions

1. The development shall be undertaken and completed in accordance with the plans and information detailed in the application except where varied by any condition(s) listed below.
2. The maximum number of children at the premises must not exceed 72 at any one time.
3. 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. Car parking spaces must be delineated in accordance with the approved plans and in accordance with Australian Standard 2890.1, 2004 Parking Facilities, Part 1, Off Street Car Parking, prior to occupation of the proposed development.
5. All loading and unloading of goods and merchandise must be carried out upon the subject land. No loading or unloading is permitted on public streets.
6. External materials and finishes, including those of the 'bin enclosure', must be low-light reflective to prevent glare and distraction to motorists.
7. Any lights on the site must be directed and screened so that overspill of light into nearby premises is avoided and minimal impact to motorists occurs.
8. The hours of operation for the child care centre shall not exceed 7:30am to 6:00pm, Monday to Friday.
9. Landscaping shall be planted in accordance with the approved plans prior to occupancy of the development.
10. All stormwater design and construction must be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road.
11. For this purposes, stormwater shall not
 - a) result in the entry of water into a building,
 - b) affect the stability of a building,
 - c) create unhealthy or dangerous conditions, or
 - d) flow/discharge onto the land of an adjoining owner, footpath or public space.

BACKGROUND

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

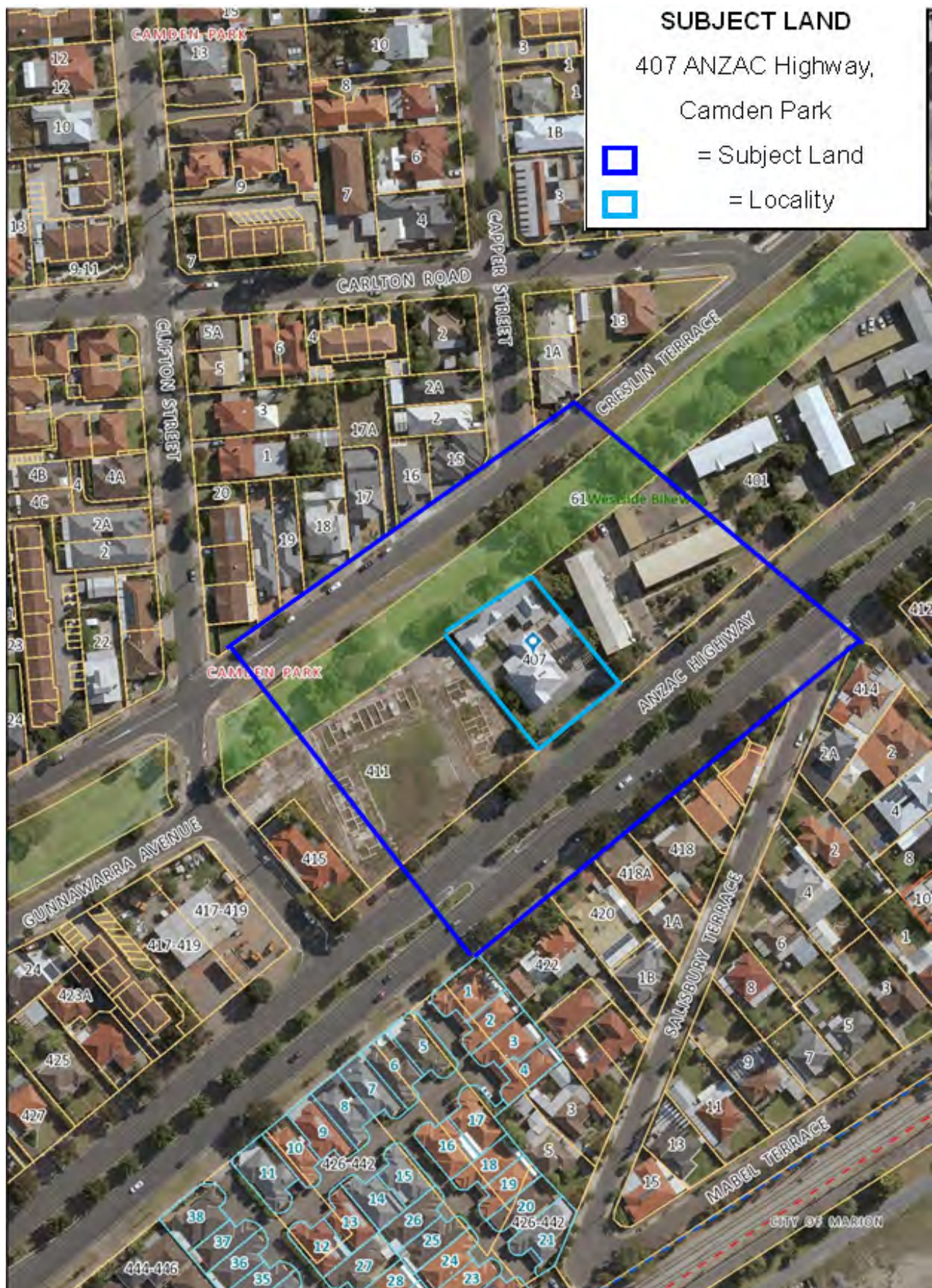
- All Category 2 or 3 applications where a representor has requested to be heard shall be assessed and determined by the DAP.

SITE AND LOCALITY

The site has frontage to ANZAC Highway of 35.05 metres and a varied depth. ANZAC Highway is a primary arterial road and strategic transport route. The approximate site area is 1,675 square metres. No easements are prescribed on the title. A local heritage place (House and Coach House) is situated on site and the land is within an 'Affordable Housing Designated Area'. The site has previously been used for supported residential accommodation.

The locality is largely characterised by the busy nature of ANZAC Highway however also accommodates residential development at a range of densities. The 'Westside Bikeway' abuts the north-western boundary of the site.





PROPOSAL

The proposal is for

- Change of land use to a child care facility that would accommodate up to 72 children at any one time from Monday to Friday, 7:00am to 6:00pm. The child care facility would be closed on weekends and public holidays. A maximum of 12 staff would be present at any one time.
- 17 car parking spaces.
- Demolition of carport, breezeway, sheds, toilet block and part of lean-to
- Painting of a local heritage place

Signs or advertisements have been removed from the application and would be the subject of a future development application.

All relevant plans and details form **Attachment 1**

PUBLIC NOTIFICATION

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

Properties notified:	62 properties were notified during the public notification process.
Representations:	One representation was received.
Persons wishing to be heard:	One representor identified that they wish to address the Panel. <ul style="list-style-type: none"> • Kerry Mahony
Summary of Representations:	Concerns were raised regarding the following matters; <ul style="list-style-type: none"> • Traffic Assessment Report required • Noise Assessment Report required • Insufficient car parking • Car parking spaces 1 - 5 are hazardous • No vehicle turn-around area • No disabled access car parking space • Car park layout does not comply with various standards • Bin enclosure poorly located and inaccessible • Rooms 2 and 4 do not have direct convenient access to outdoor play areas • No wheelchair access designated • No safe pedestrian access for people entering from footpath

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

- Increased on-site parking from 13 to 17 spaces
- 17 car parking spaces sufficient for the following reasons
 - a. access to alternate transport nodes
 - b. higher densities adjacent transport corridors
 - c. daily attendance often falls below enrolment capacity due to illness or family commitments.

- Traffic Report provided
- Noise will not unreasonably diminish existing residential amenity
- Noise will be largely mitigated by outdoor playtime being spread over the day and within different areas of the site.
- Outdoor activities will be supervised
- Early morning activities are limited because of low attendance prior to 7:30am
- Childcare centres are specifically excluded from assessment under the Environment Protection (Noise) Policy 2007
- Noise emitted from traffic movements on ANZAC Highway diminish the amenity of the immediate locality.
- The revised internal layout complies with childcare centre requirements.

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

REFERRALS

Internal

- Heritage
- City Assets - Engineering

External

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

- DPTI (Department of Planning, Transport and Infrastructure)

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

ASSESSMENT

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

<u>General Section</u>		
Community Facilities	Objectives	1
	Principles of Development Control	1, 2 & 3
Design and Appearance	Objectives	2
	Principles of Development Control	1, 2, 4, 12, 13, 14, 15 & 20
Heritage Places	Objectives	1, 2 & 3
	Principles of Development Control	1, 2, 3, 4, 5 & 6
Interface between Land Uses	Objectives	1 & 2
	Principles of Development Control	1, 2, 3, 4, 5, 6, 7, 8, 9 & 10
Landscaping, Fences and Walls	Objectives	1
	Principles of Development Control	1, 2, 3, 4 & 5
Orderly and Sustainable Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1, 3, 5 & 7

<i>Transportation and Access</i>	<i>Objectives</i>	1, 2, 3 & 4
	<i>Principles of Development Control</i>	1, 2, 5, 6, 8, 11, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30, 32, 34, 35, 36, 37, 38, 39, 40, 41, 42 & 43
<i>Waste</i>	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5 & 6

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

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

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

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

<i>Objectives</i>	1
<i>Principles of Development Control</i>	1 and 1

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
LANDSCAPING Module: Landscaping, Fences & Walls PDC: 4	10%	Allotment size approximately 1675m ² Landscaped area approximately 254.6m ² (including lawn, excluding bark) 15.2% landscaped area Satisfies
CARPARKING SPACES Module: Transportation and Access PDC 34	Child Care Centre = 1 space per 4 children	Child Care Centre = 72 children / 4 = 18 spaces required 17 spaces provided Not Satisfied

QUALITATIVE ASSESSMENT

In assessing the merits or otherwise of the application, the following additional matters are relevant

Land Use and Zoning

The Residential Zone envisages small scale child care facilities that serve the local community. Residential Zone PDC 3 states that non-residential development should be of a nature and scale that:

- a) serves the local community
- b) is consistent with the character of the locality
- c) does not detrimentally impact on the amenity of nearby residents.

Medium Density Policy Area 18 also specifically envisages child care facilities where they serve the local community.

The land use is therefore appropriate to the zone when at small scale, serves the local community, is consistent with local character and reasonably preserves residential amenity.

Car parking and Manoeuvrability

Table WeTo/2 provides a specific car parking rate for a "Child Care Centre" that would operate independently of an "Educational Establishment".

An independent "Child Care Centre" as proposed should therefore provide 1 car parking space per 4 children. Based on 72 children, 18 car parking spaces should be provided.

The proposal includes provision of 17 on-site car parking spaces, some of which are "stacked" and 1 of which is a disability access space. The proposal therefore fails to achieve minimum car parking requirements.

A bus stop is approximately 70 metres from the site on ANZAC Highway which also has a formal bike-path. A bike parking facility is proposed on-site situated near the entry. Peak traffic generation for the use would be 7:30am to 9:00am and 4:00pm to 6:00pm, Monday to Friday. For these reasons the proposed car parking shortfall is acceptable. A condition ensuring that the "stacked" car parking spaces (1, 2, 4 and 5) be used by staff is appropriate.

The site currently has two driveways linking to ANZAC Highway. The driveways act as a "loop" allowing for one-way vehicle movements throughout the site. These general vehicle movements would be retained albeit modified to accommodate car parking spaces. Given a central median on ANZAC Highway, vehicles would be restricted to a left turn 'in' and 'out' of the site. The proposed car parking layout is capable of accommodating a small-rigid-vehicle during operating hours and a medium-rigid-vehicle when car parking spaces are unoccupied.

The applicant has provided a 'Traffic and Parking Assessment' which concludes

1. The proposal would not result in adverse traffic impacts on the adjacent road network, based upon the analysis of the forecast traffic generation to the subject development,
2. The proposal would provide a design standard which is appropriate and essentially meets the requirement of the relevant Australian/New Zealand Standard for off-street car parking areas.

Council's City Assets - Engineering Department concurs with the findings of the 'Traffic and Parking Assessment'.

Stormwater

The majority of the site is currently impervious. Stormwater design and construction should 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. 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 on the land of an adjoining owner; and not flow across footpaths or public ways.

The applicant has not provided a stormwater management plan however has requested that this be treated as a "Reserved Matter". Given the current impervious nature of the site, this approach is considered reasonable and also endorsed by Council's City Assets - Engineering Department.

Heritage

The proposal was referred to Council's Heritage Advisor given the site is listed as a local heritage place as per 'Table WeTo/4' of the Development Plan. The "Description and/or Extent of Listed Place" states "House and Coach House; External form and detailing of residence fronting ANZAC Highway and external form and detailing of two-storeyed building along rear boundary of property".

The extent of demolition includes

- Carport, breezeway and shedding/toilet block
- openings to rear external walls
- internal walls
- window and door formation
- lean-to removal.

The carport, breezeway, shedding, lean-to and toilet block to be demolished do not form part of the heritage listing. As such, no objection is raised to their removal. Alteration to windows and doors are required for adaptive re-use and are not considered to diminish heritage value. The legibility of internal space will be diminished however the internal form is not relevant to the heritage listing.

External colours and materials would match existing and are considered to be appropriate to the heritage character of the building. The proposed bin enclosure is discretely located and designed and would not diminish the setting of the heritage place.

Noise

General Section, Interface between Land Uses, Principle 8 states

"Development that emits noise (other than music noise) should include noise attenuation measures that achieve the relevant Environment Protection (Noise) Policy criteria when assessed at the nearest existing noise sensitive premises".

Clause 6 of the Environment Protection (Noise) Policy 2007 states

"this policy does not apply to... a noise of a class set out in Schedule 1".

Schedule 1 - Noise excluded from policy of the Environment Protection (Noise) Policy 2007 states

"Noise from a school, kindergarten, child care centre or place of worship".

General Section, Interface between Land Uses, Principle 8 therefore does not apply to the proposed land use. The assumed intent being that the communal benefit of such a land use takes precedence over the noise potential.

Notwithstanding this, noise is an appropriate consideration when determining the impact upon surrounding amenity. The nearest existing noise sensitive premises are the dwellings at 401 ANZAC Highway neighbouring the site to the north-east. ANZAC Highway separates the site from dwellings to the south/south-east, 411 ANZAC Highway to the south-west is vacant and dwellings to the north/north-west are separated by a reserve and Creslin Terrace.

Expected noise generating activities include vehicle movements, people speaking within car parking areas and children during outdoor activities. The proposal would operate between 7:30am and 6:00pm, Monday to Friday. The proposal would be closed on weekends and public holidays.

The previous land use was supported accommodation. Associated car parking areas were located adjacent the boundary shared with 401 ANZAC Highway as proposed. It is acknowledged that vehicle movements are likely to be more frequent as a result of the proposal. As such, the same level of noise is expected to be emitted, yet on a more frequent basis.

At present, there are no restrictions upon people speaking within the site and this cannot be reasonably prohibited or enforced. As of right, persons could converse within the property whether it is associated with a commercial or supported accommodation land use.

Given the layout of the site, outdoor play will mostly occur in landscaped/paved areas away from the north-eastern boundary shared with 401 ANZAC Highway. The applicant has explained that outdoor play times would be spread over the day with suitable supervision so not to be constant or unreasonably invasive.

The applicant has chosen to retain existing fencing.

Despite a possible increase in noise emitted from the site, proposed hours of operation are considered suitable enough to prevent an unreasonable impact upon surrounding amenity.

SUMMARY

Small scale child care facilities are envisaged within the zone and policy area. The proposal would serve the local community, be in character with the locality and provide an adaptive re-use of a local heritage place. In addition, the applicant has reasonably demonstrated that the proposal would not have a detrimental impact on the amenity of nearby residents.

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

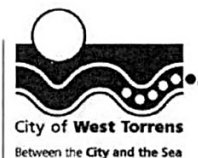
On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 05 May 2016 and warrants Development Plan Consent.


Attachments

- 1. Plans, details and traffic report**
- 2. Representation and Applicant's Response**
- 3. Referral Comments**

Development Application Development Act 1993

Civic Centre
165 Sir Donald Bradman Drive
Hilton, SA 5033
Tel (08) 8416 6333
Fax (08) 8443 5709
Email csu@wtcc.sa.gov.au
Website westtorrens.sa.gov.au



Development number: 211/ 66 /2017		Previous development number:	
1. Application type (please tick one box only)			
Planning consent only	<input checked="" type="checkbox"/>	Building rules consent only	<input type="checkbox"/>
		Full Development Approval	<input checked="" type="checkbox"/>
2. Location of proposed development:			
Unit No:	House no: 401	Street: ANZAC HIGHWAY	
Volume:	Folio:	Suburb: CAMDEN PK.	P/code:
3. Details of parties			
Applicant: JACK DAHER			
Address: 97 ANZAC HIGHWAY		P/code: 5061	
Phone:	Mobile: 08 8272 0400	Email:	
Owner: JACK DAHER			
Address:		P/code:	
Phone:	Mobile:	Email:	
Builder: TK BUILDING DESIGN			
Address: 97 KING WILLIAM RD, UNLEY		P/Code: 5061	
Phone: 8272 0400	Mobile:	Email:	
Principal contact: Applicant <input type="checkbox"/> Owner <input checked="" type="checkbox"/> Builder <input type="checkbox"/>			
4. Description of proposed development			
Description of proposed development – (eg: dwelling, shop, industry, significant tree): CHILD CARE CENTRE / CHANGE OF USE			
Development costs: (does not include any fit out costs): \$150K.		Floor area: 579.7. (m²)	
Note: Council may require written justification to verify costs.			
5. Declarations			
a. Building rules: -		Classification sought: <input type="checkbox"/> Present Class: <input type="checkbox"/>	
b. If class 5,6,7,8 or 9 is sought state the proposed number of employees:		Male	Female
c. If class 9a classification is sought, state the number of persons for whom accommodation is provided:		<input type="text"/>	<input type="text"/>
d. If class 9b classification is sought, state the proposed number of occupants of the various spaces at the premises:		<input type="text"/>	<input type="text"/>
e. Does either Schedule 21 or 22 of the <i>Development Regulations 2008</i> apply?		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
f. Has the 'Construction Industry Training Fund Act levy been paid?		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
6. Acknowledgment / Authorisation			
I acknowledge that copies of this application and support documentation may be provided to interested persons in accordance with the <i>Development Act 1993 and Regulations 2008</i> .			
Name: JACK DAHER		Signature: 	
Owner / Applicant / Builder (Delete whichever does not apply)		Date: 19/11/17.	

Development application office checklist

Civic Centre
165 Sir Donald Bradman Drive
Hilton, SA 5033
Tel (08) 8416 6333
Fax (08) 8443 5709
Email csu@wtcc.sa.gov.au
Website westtorrens.sa.gov.au



Office use only

Checklist

- ☐ Completed Development Application Form
☐ Electricity Declaration Form
☐ Certificate(s) of Title

Three copies if – **inclusive** of one (1) set, size A3 or A4 drawn to scale

- ☐ Site Plan at a scale of 1:200
☐ Floor and Elevation Plan at a scale of 1:100

Building materials

Walls	Brick veneer <input type="checkbox"/>	Colorbond <input type="checkbox"/>	Fibro Cement <input type="checkbox"/>	Other (please specify) SAND STONE.
Frame	Steel <input checked="" type="checkbox"/>	Timber <input type="checkbox"/>	Other (please specify)	
Roof	Colour bond <input checked="" type="checkbox"/>	Tile <input type="checkbox"/>	Other (please specify)	
Floors	Concrete <input type="checkbox"/>	Timber <input checked="" type="checkbox"/>		

Declarations

Description for declaration component (Part 5) of this form

Declarations 5 (a) to 5 (e) relate to **Commercial development only** and therefore Developers, Private Certifiers, etc will know the 'class' information, number of employees proposed and whether the Environmental Protection Agency (EPA), part 5 (e) applies.

Declaration 5 (f) relates to **Residential and Commercial development** seeking Building Approval or full Development Approval for any development greater than \$15,000.00.

ETSA 2A Declaration form
Development Regulations 2008
(Schedule 5 clause 2A)

Civic Centre
 165 Sir Donald Bradman Drive
 Hilton, SA 5033
 Tel (08) 8416 6333
 Fax (08) 8443 5709
 Email csu@wtcc.sa.gov.au
 Website westtorrens.sa.gov.au



Date of Application: 19/11/17			
Applicant:	Given Name: JACK		Family Name: DAWER
Address:	Lot No:	House No: 407	Street: AMZAC HIGHWAY
	Suburb: CAMDEN PK.		P/Code:
Volume:	Folio:		
Nature of proposed development: CHILD CARE CENTRE			
<p>I <u>JACK DAWER</u> being the applicant / a person acting on behalf of the applicant (delete the inapplicable statement) for the development described above declare that the proposed development will involve the construction of a building which would, if constructed in accordance with the plans submitted, not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i>. I make this declaration under clause 2A(1) of Schedule 5 of the <i>Development Regulations 2008</i>.</p>			
Date: 19/11/17			
Signature: 			



Government of South Australia
Department of Planning,
Housing and Infrastructure

Product	Register Search (CT 6130/146)
Date/Time	11/05/2017 01:47PM
Customer Reference	211/66/2017
Order ID	20170511007828
Cost	\$27.75

REAL PROPERTY ACT, 1956



South Australia

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



Certificate of Title - Volume 6130 Folio 146

Parent Title(s)	CT 5828/5			
Creating Dealing(s)	DDA 12075294			
Title Issued	05/02/2014	Edition	3	Edition Issued
				23/02/2017

Estate Type

FEE SIMPLE

Registered Proprietor

JACK GEORGE DAHER
OF 33 MARLBOROUGH ROAD WESTBOURNE PARK SA 5041

Description of Land

ALLOTMENT 50 FILED PLAN 7052
IN THE AREA NAMED CAMDEN PARK
HUNDRED OF ADELAIDE

Easements

NIL

Schedule of Dealings

Dealing Number	Description
12674896	MORTGAGE TO AUSTRALIAN EXECUTOR TRUSTEES (SA) LTD. (ACN: 007 870 644)
12674897	MORTGAGE TO WINJIM PTY. LTD. (ACN: 064 118 305)

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL



Government of South Australia
Department of Planning,
Transport and Infrastructure

Product	Register Search (CT 6130/146)
Date/Time	11/05/2017 01:47PM
Customer Reference	211/66/2017
Order ID	20170511007828
Cost	\$27.75



0 7.5 15 22.5 30 Metres



t (08) 8272 0400
 f (08) 8272 0522
 a 97 King William Rd
 Unley SA 5061
 pa P.O. Box 603
 Goodwood SA 5034
 w tkbuildingdesign.com.au

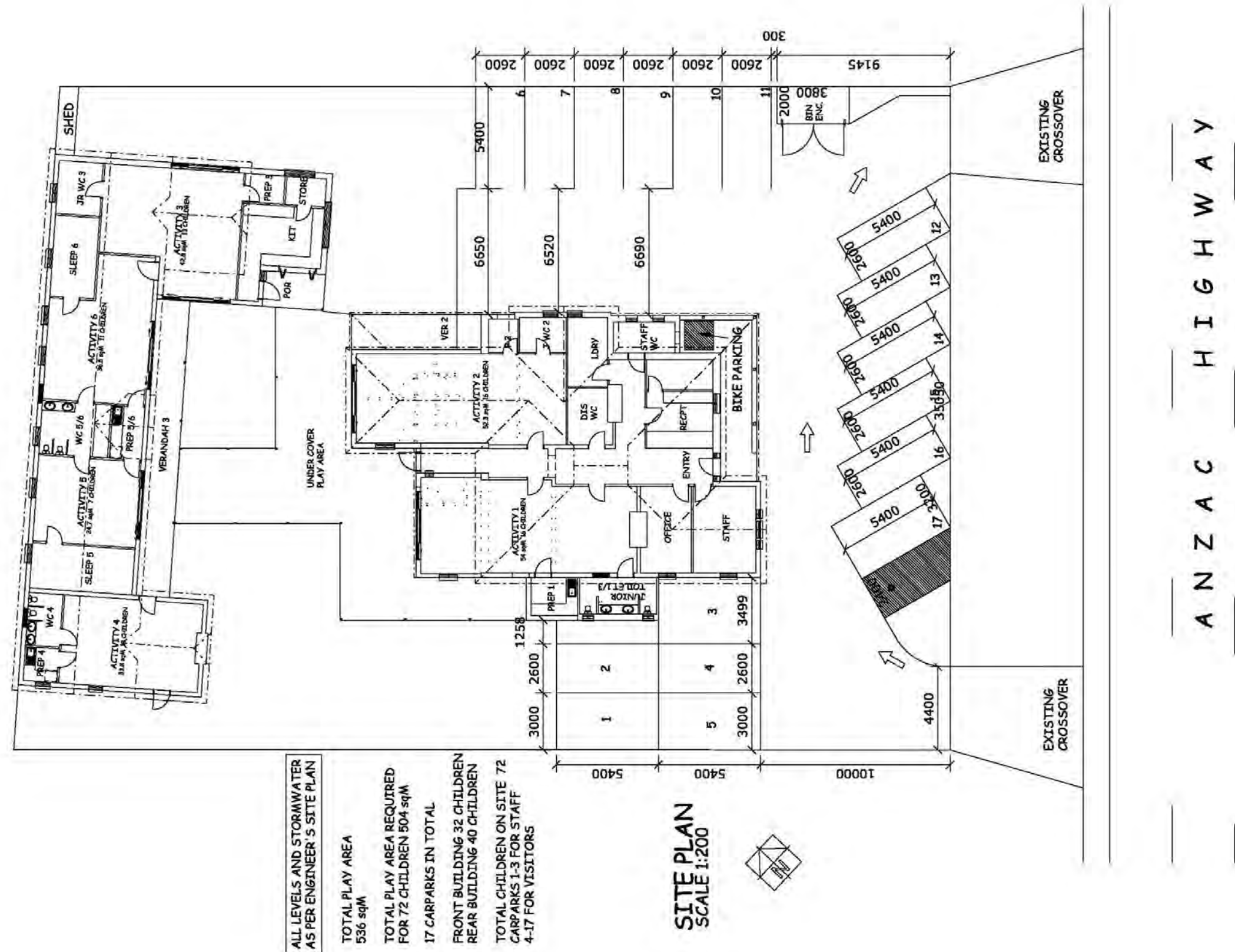
Monday, 23 January 2017

Amy – CWT Planning Team
 City of West Torrens
 165 Sir Donald Bradman Drive
 Hilton SA 5033

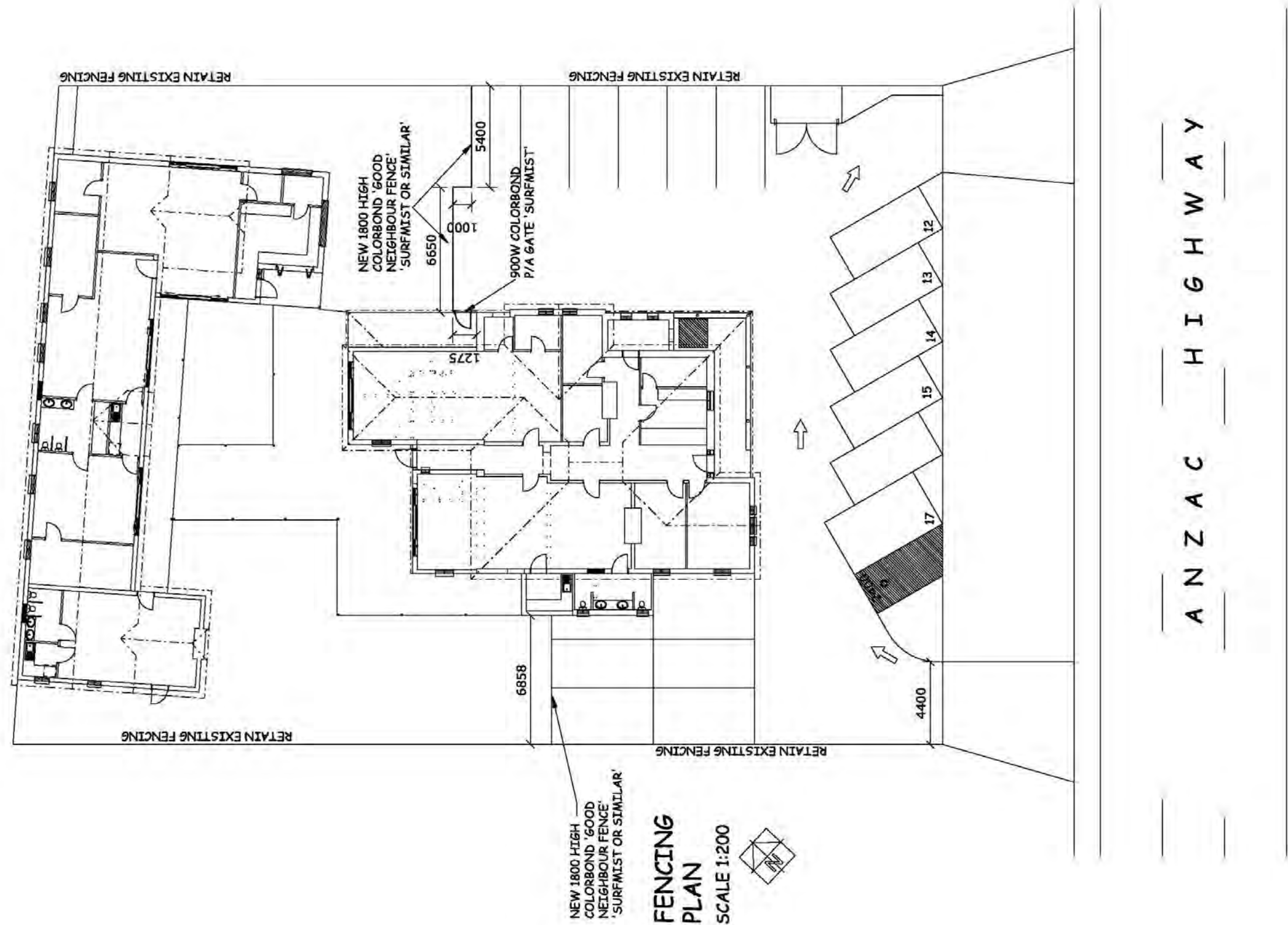
Re: Development number 211/66/2017
407 Cross Road
Camden Park SA 5038

Owners Statement:

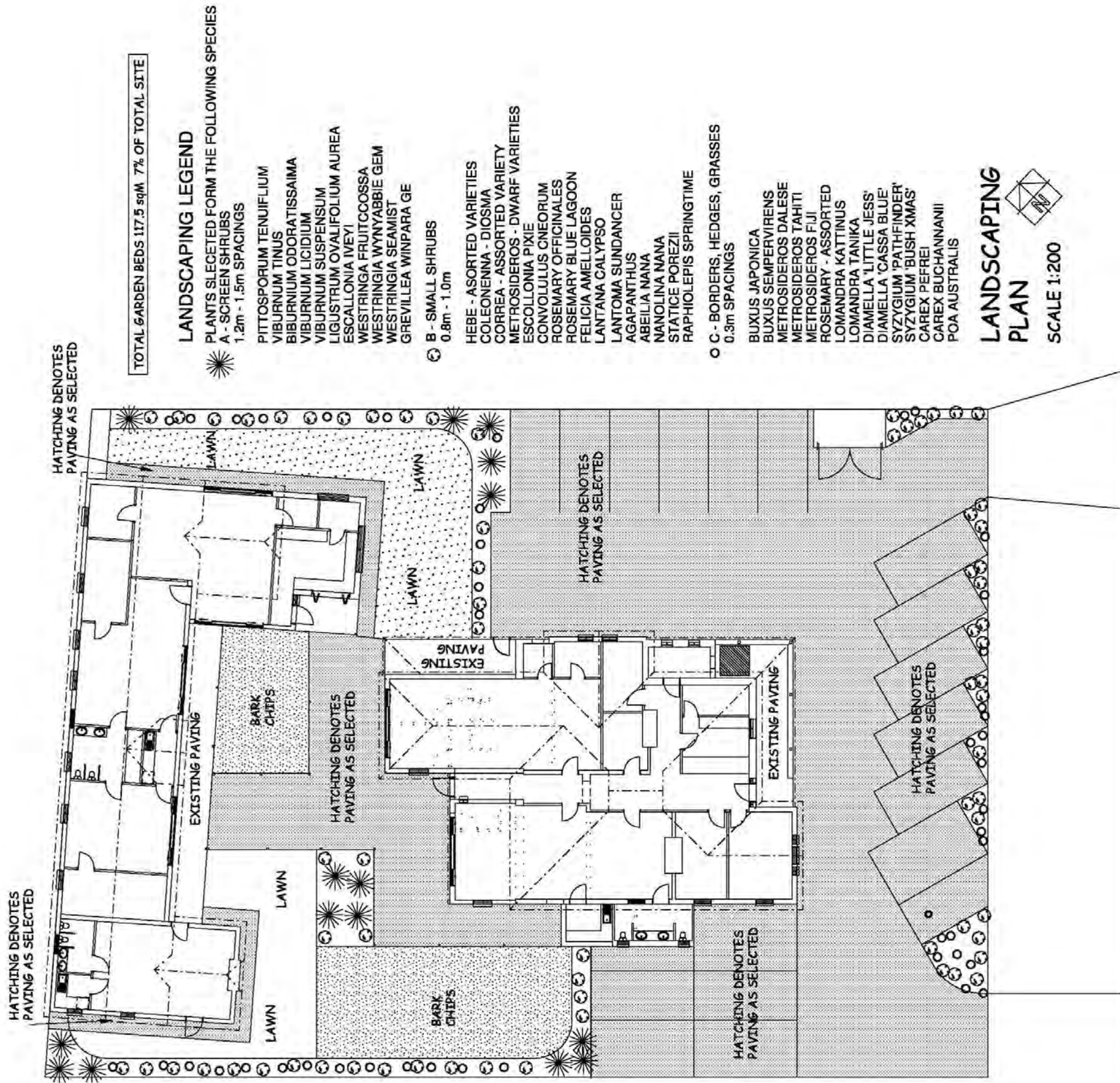
- **Previous use of site:** residential care for the disabled.
- **Proposed use description:** The property will be used as a child care centre to cater for children from 6 months old to 4 years of age. Parents will drop their children off on the way to work, and pick them up after work. The centre will cater for 72 children and will have both indoor and outdoor activity areas. Car parking is provided on site for staff as well as temporary parking for parents to drop their children off. The location of the centre is such that a large number of the children attending the centre will be residents from nearby streets, where parents can walk around with their children to drop them off and catch public transport to work or study. It is also expected that a number of staff will use public transport to come to work.
- **Days and hours of operation :** Monday to Friday 7.30 am to 6.00pm closed on weekends and public holidays.
- **Maximum number of staff at any one time:** 12 staff will be the maximum number at any one time. As mentioned above a number of staff would catch public transport to work as well as possibly walk to work if they live locally.
- **Maximum number of patrons on site at any one time:** it is expected that 3 -4 patrons could drop or pick up their children simultaneously at any one time. As above a number of patrons could walk to the centre as well as possibly use public transport.
- **Details of the largest vehicles to access the site:** Refrigerated courier vans delivering produce to the kitchen and rubbish trucks emptying the bin. This will be arranged to be done during operating hours.
- **Signage:** 2m high x 3m wide side to be mounted on poles in the front of the property. Refer to attached drawings for details and location.



PROPOSED CHILD CARE CENTRE FOR JACK 407 ANZAC HIGHWAY CAMDEN PARK	BUILDERS & DESIGNERS 97 KING WILLIAM ROAD SA 5061 PHONE: (08) 8272 0000 FAX: (08) 8272 0020 kbuilding.com.au			
	DATE: 16/5/2017	AMENDMENTS	DATE	
	SCALE: AS SHOWN			
	FILE No.: 1871			
	DRAWN: MB			
	SHEET: 01	OF		



PROPOSED CHILD CARE CENTRE FOR JACK	 T BUILDING DESIGN	BUILDERS & DESIGNERS				
		97 KING WILLIAM ROAD UNLEY SA 5081 PHONE : (08) 8272 0400 FAX : (08) 8272 0552 tkbuilding.com.au				
		DATE: 16/5/2017	AMENDMENTS	DATE		
		SCALE: AS SHOWN				
		FILE NO.: 1871				
					DRAWN: MB	
					SHEET: 01	
407 ANZAC HIGHWAY CAMDEN PARK						

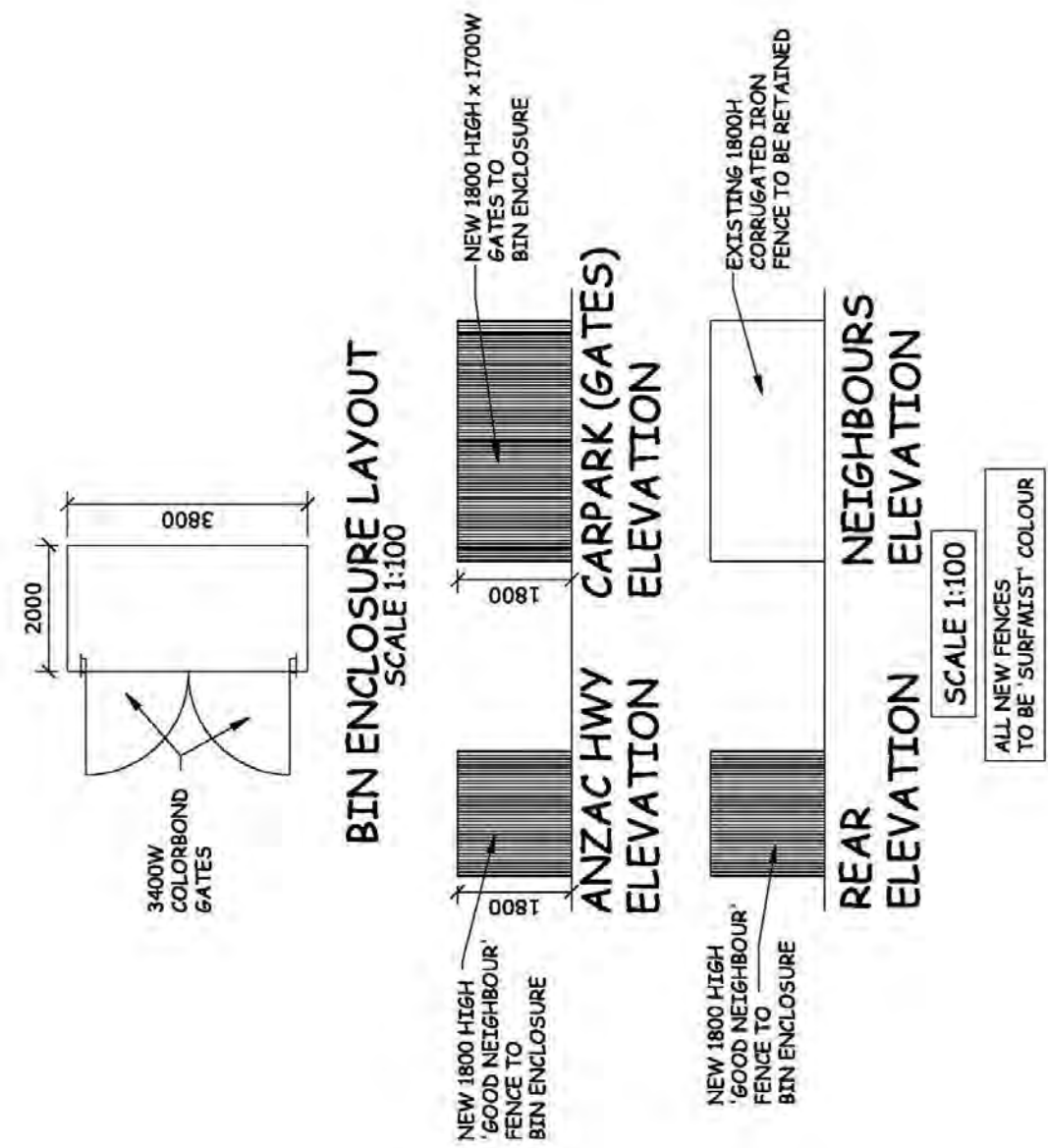


ANZAC HIGHWAY

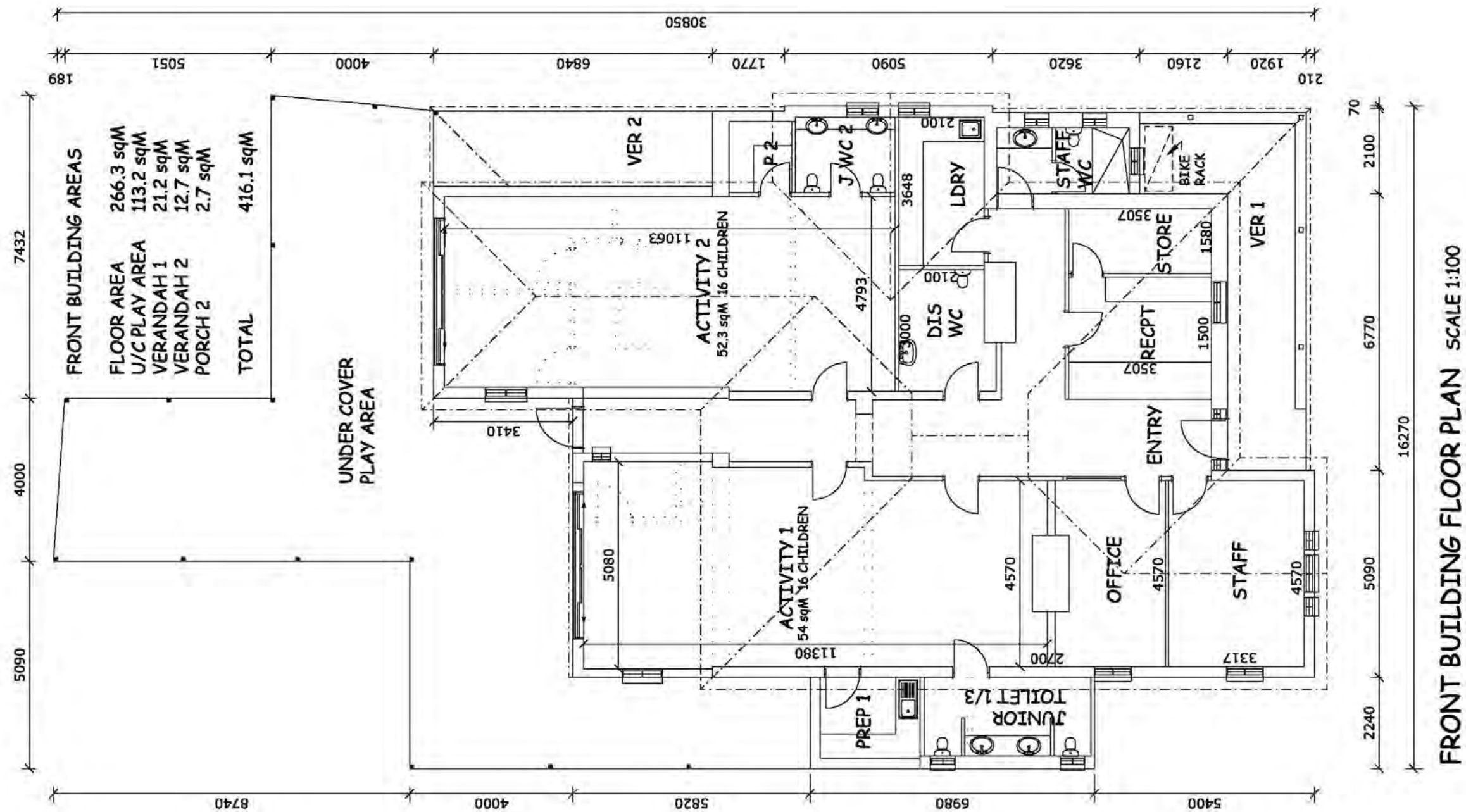
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		87 KING WILLIAM ROAD UNLEY SA 5081 PHONE: (08) 8272 0400 FAX: (08) 8272 0828 tkbuilding.com.au		SCALE: AS SHOWN		
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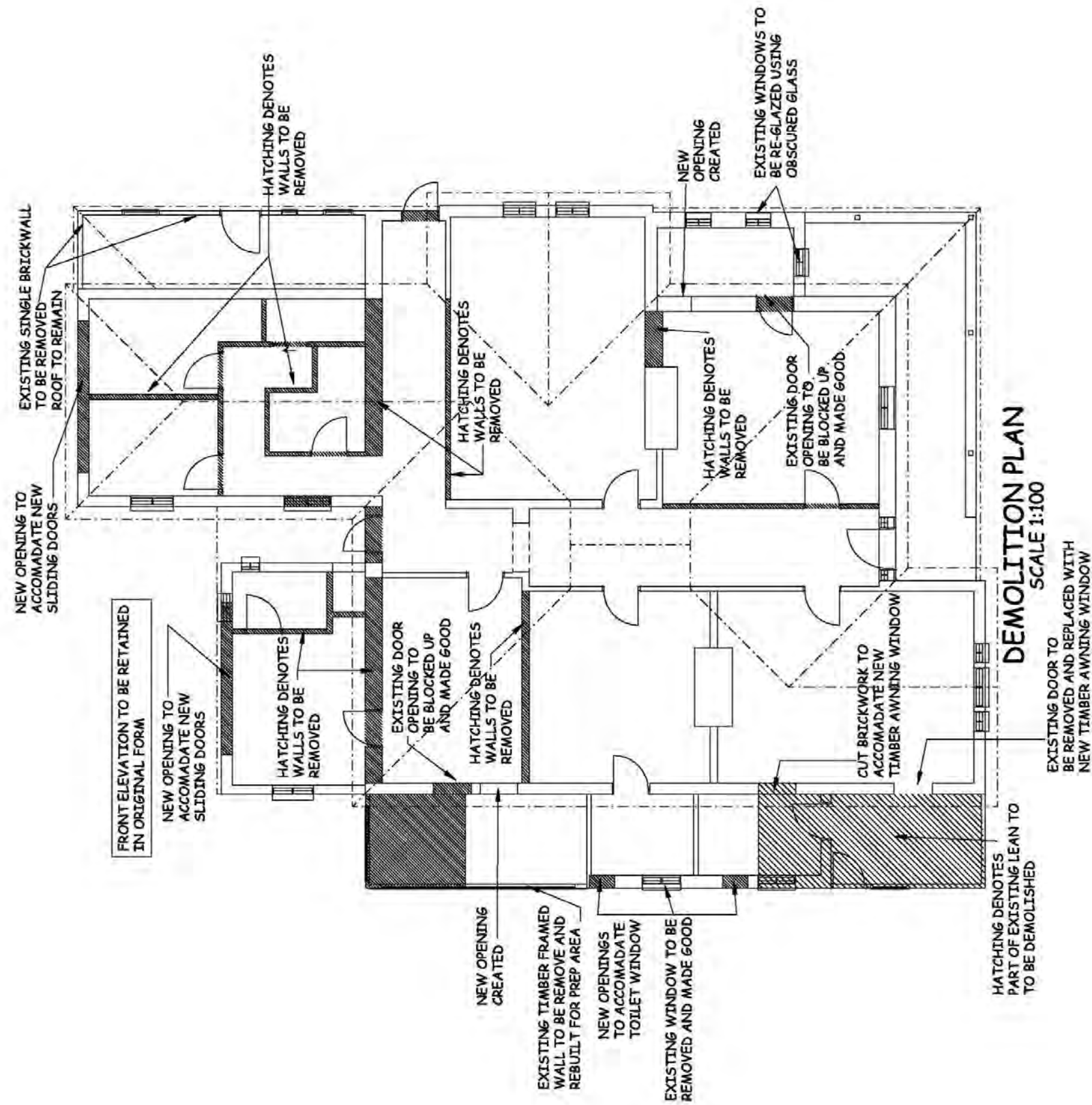
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407 ANZAC HIGHWAY CAMDEN PARK				SCALE: AS SHOWN		
		97 KING WILLIAM ROAD UNILEY SA 5091 PHONE: (08) 8272 0400 FAX: (08) 8272 0522 tkbuilding.com.au		FILE No.: 1871		
				DRAWN: MB		
				SHEET: OF		



PROPOSED CHILD CARE CENTRE FOR JACK		BUILDERS & DESIGNERS		DATE : 16/5/2017	AMENDMENTS	DATE
407 ANZAC HIGHWAY CAMDEN PARK				SCALE : AS SHOWN		
		97 KINGS WILLIAM ROAD UNLEY SA 5081 PHONE : (08) 8272 0400 FAX : (08) 8272 0522 tkbuilding.com.au		FILE No. : 1871		
				DRAWN : MB		
				SHEET : OF		



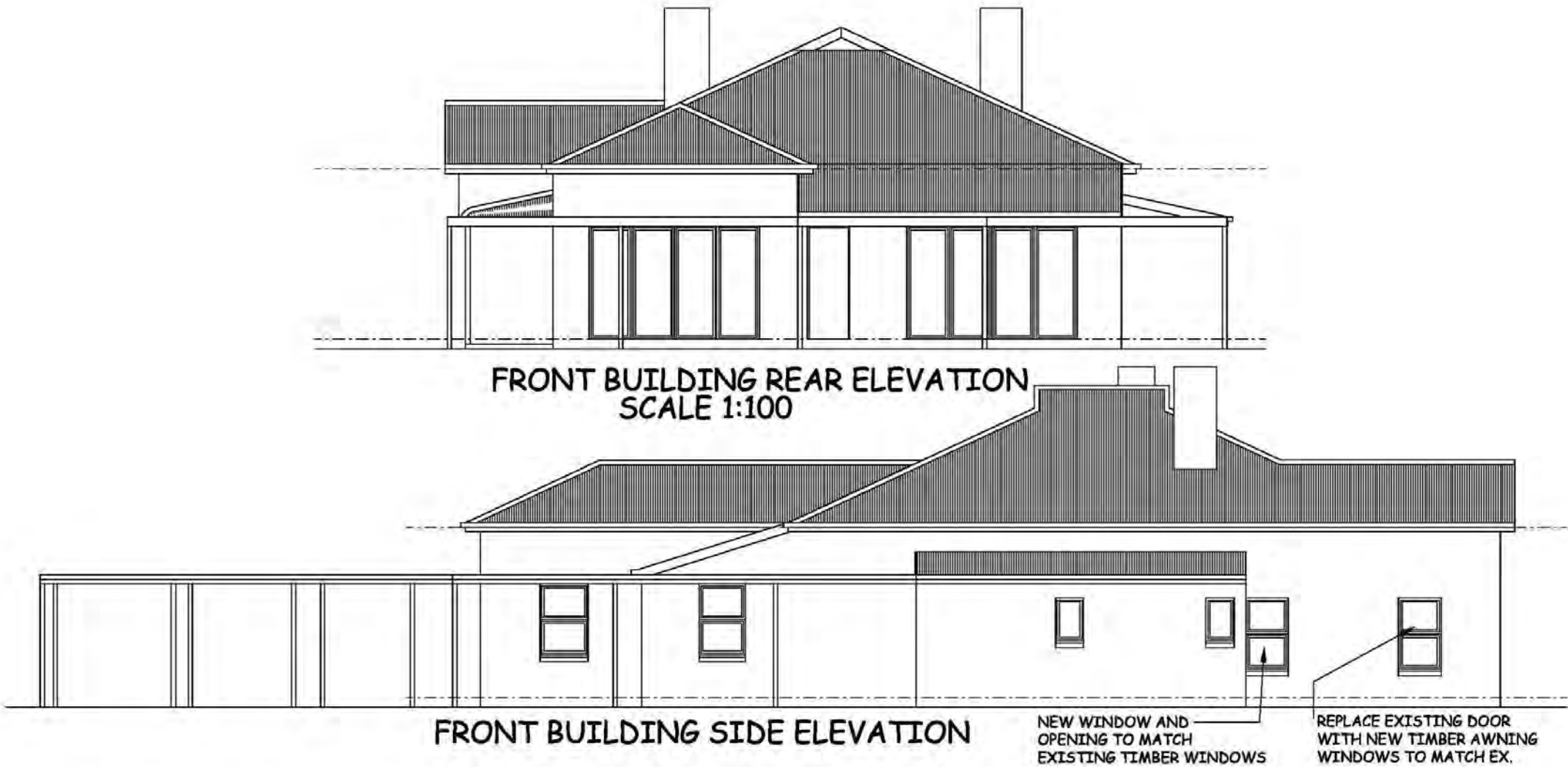
PROPOSED CHILD CARE CENTRE FOR JACK		BUILDERS & DESIGNERS		DATE: 16/5/2017	AMENDMENTS	DATE
407 ANZAC HIGHWAY		T1 BUILDING DESIGN		SCALE: AS SHOWN		
CAMDEN PARK		87 KING WILLIAM ROAD UNLEY SA 5081		FILE NO.: 1671		
		PHONE: (08) 8222 0400		DRAWN: MB		
		FAX: (08) 8272 0522		SHEET: OF		
		tkbuilding.com.au				



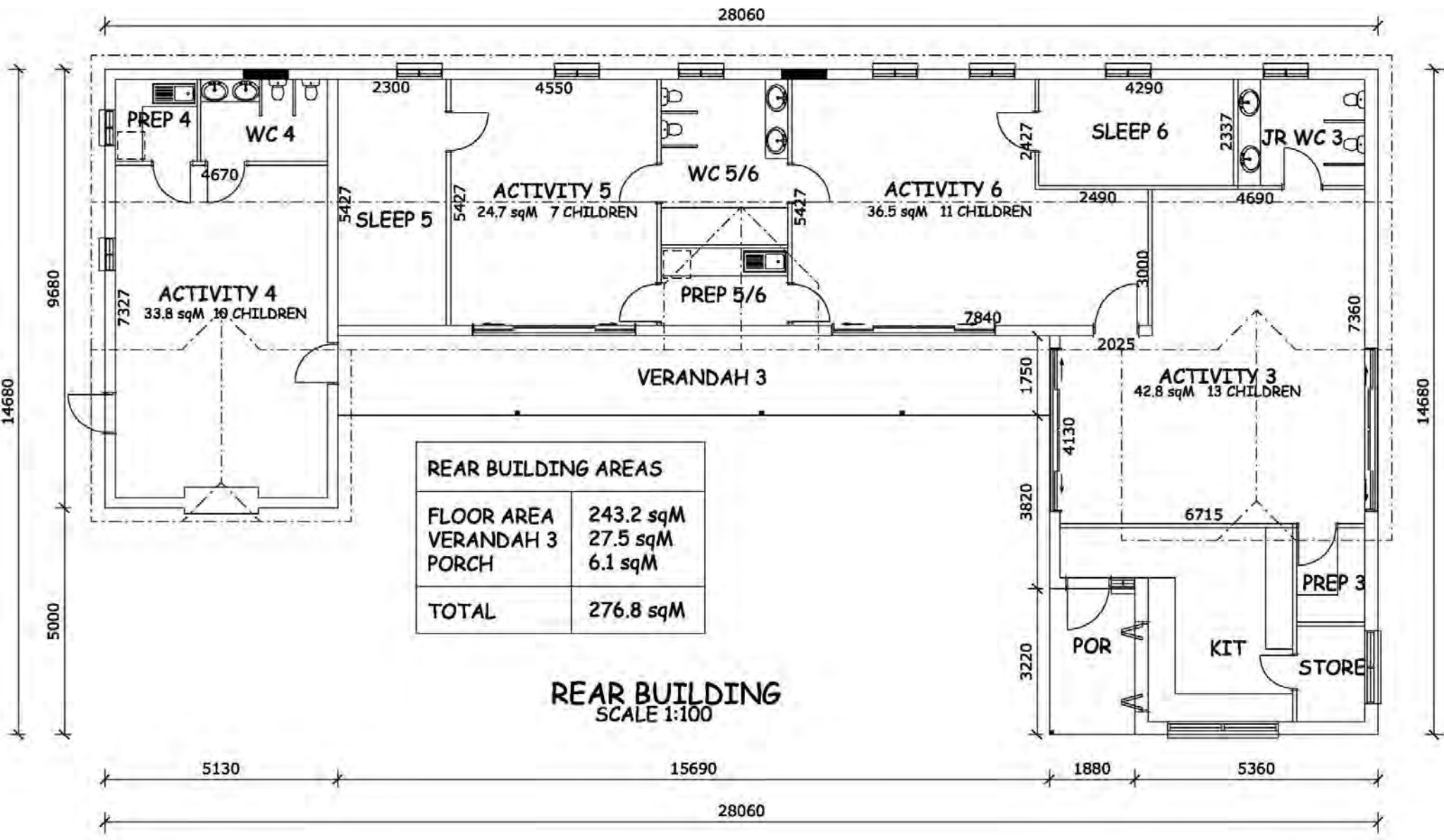
PROPOSED CHILD CARE CENTRE FOR JACK 407 ANZAC HIGHWAY CAMDEN PARK	BUILDERS & DESIGNERS 87 KING WILLIAM ROAD UNLEY SA 5061 PHONE : 08 8377 6000 FAX : 08 8377 6020 itbuilding.com.au	DATE : 18/5/2017	AMENDMENTS	DATE
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<div>PROPOSED CHILD CARE CENTRE FOR JACK</div> <div>407 ANZAC HIGHWAY CAMDEN PARK</div>		<div>BUILDERS & DESIGNERS</div> <div>97 KING WILLIAM ROAD UNLEY SA 5081 PHONE : (08) 8272 0400 FAX : (08) 8272 0522 tkbuilding.com.au</div>	DATE : 16/5/2017	AMENDMENTS	DATE
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PROPOSED CHILD CARE CENTRE FOR JACK 407 ANZAC HIGHWAY CAMDEN PARK		BUILDERS & DESIGNERS <small>87 KING WILLIAM ROAD UNLEY SA 5061 PHONE : (08) 8272 0400 FAX : (08) 8272 0522 tkbuilding.com.au</small>	DATE : 16/5/2017	AMENDMENTS	DATE
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PROPOSED CHILD CARE
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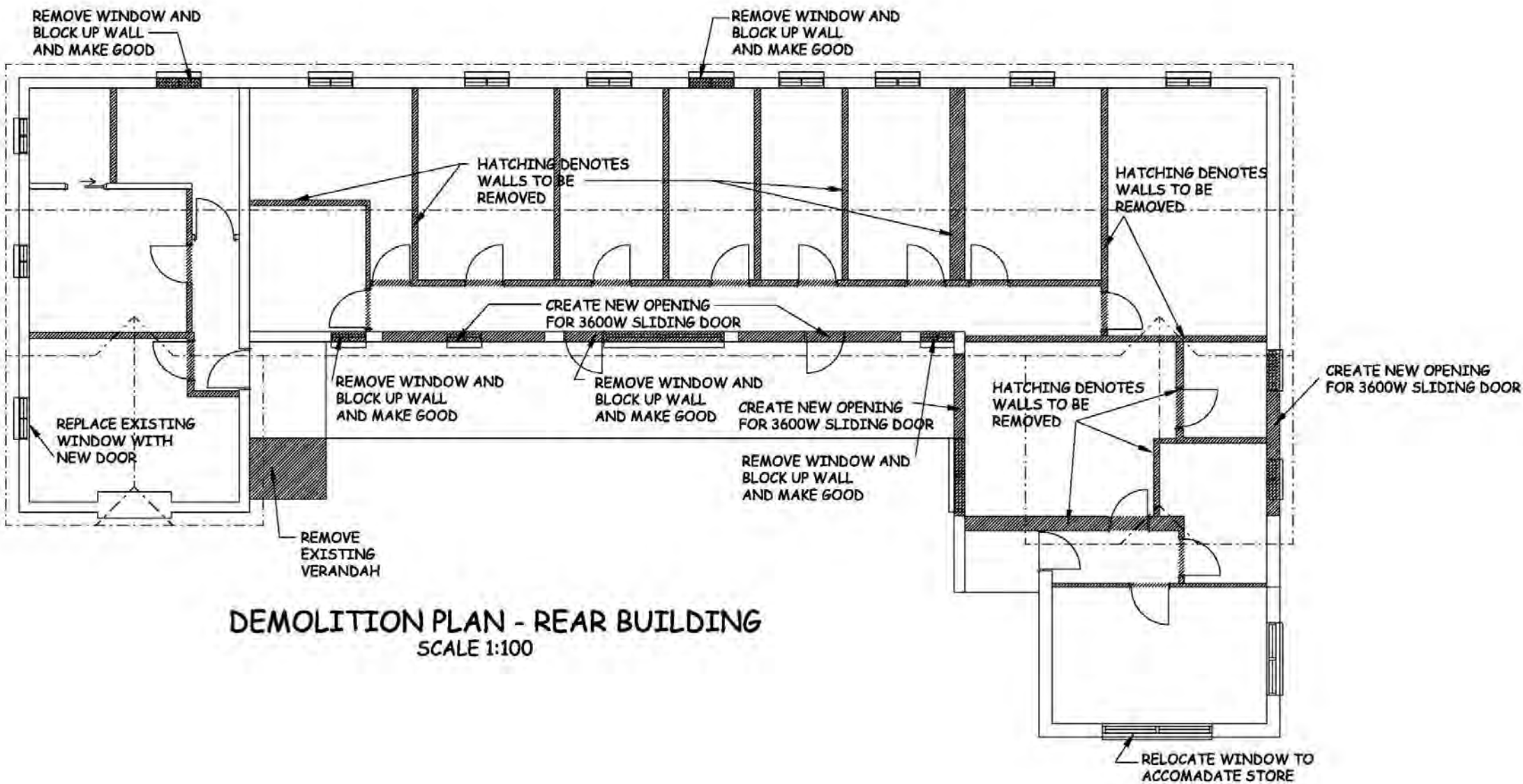
407 ANZAC HIGHWAY
CAMDEN PARK



BUILDERS & DESIGNERS

97 KING WILLIAM ROAD
UNLEY SA 5061
PHONE : (08) 8272 0400
FAX : (08) 8272 0622
tkbuilding.com.au

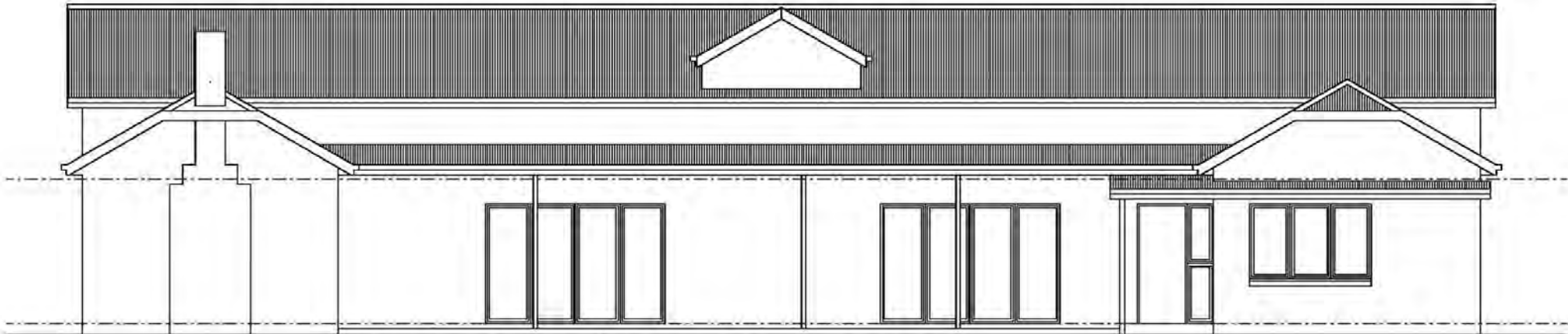
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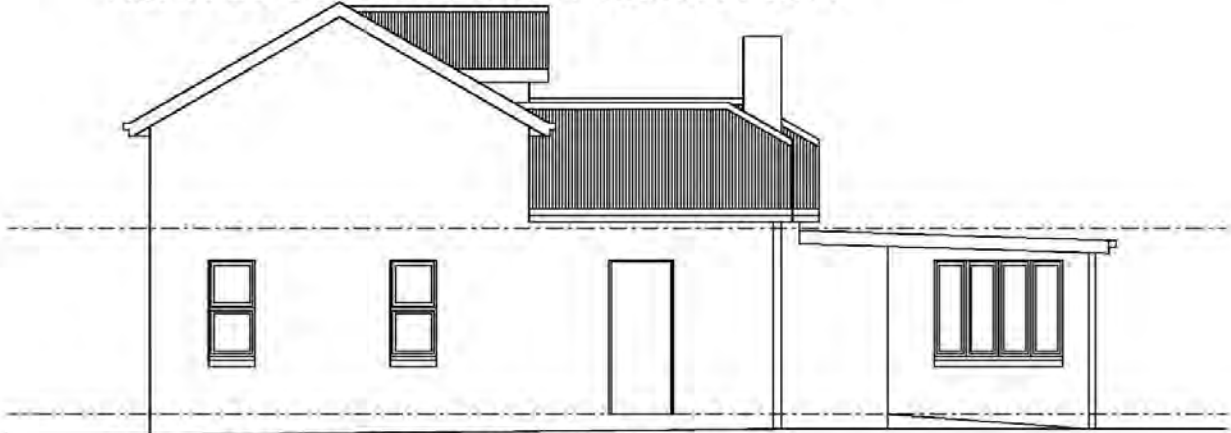
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FRONT BUILDING COLOUR AND MATERIALS SCHEDULE

RETAIN EXISTING ROOF - GALV IRON
GUTTERS - METAL - PAINTED TO MATCH EX. - RICH RED , HAYMES PAINTS - OR SIMILAR
FASCIA'S - TIMBER - PAINTED TO MATCH EX. - PEARL LUSTRE, HAYMES PAINT - OR SIMILAR
BARGEBOARD AND TIMBER LATTICE - PAINTED TO MATCH EX. - RICH RED, HAYMES PAINTS - OR SIMILAR
TIMBER TURNED POSTS - PAINTED TO MATCH EX. - PEARL LUSTRE, HAYMES PAINT - OR SIMILAR
TIMBER WINDOWS - PAINTED TO MATCH EX - PEARL LUSTRE, HAYMES PAINT -OR SIMILAR
EXTERNAL WALLS - BRICKWORK, QUOINS ETC PAINTED TO MATCH EX. - PEARL LUSTRE, HAYMES PAIN OR SIMILAR

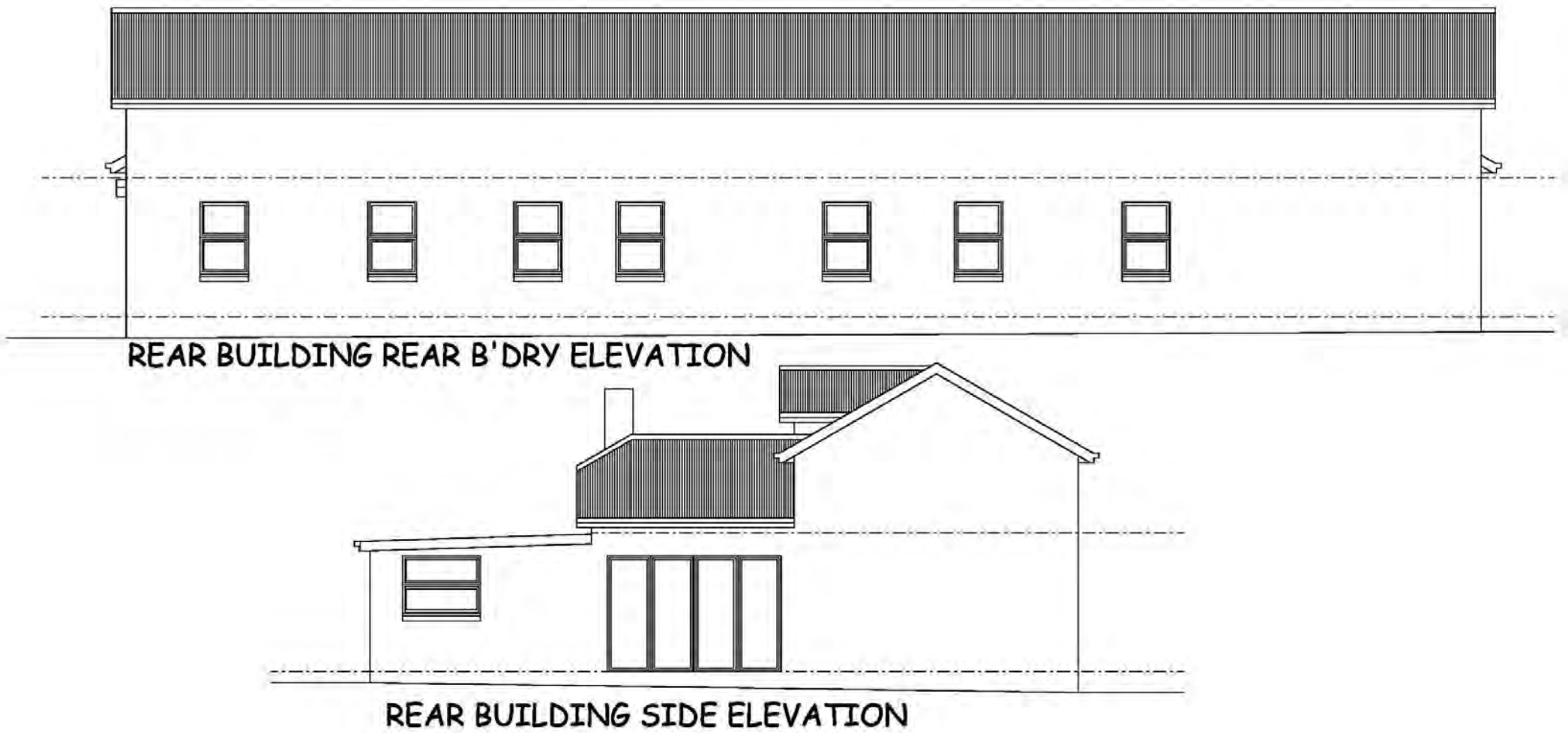


REAR BUILDING FRONT ELEVATION



REAR BUILDING SIDE ELEVATION

PROPOSED CHILD CARE CENTRE FOR JACK 407 ANZAC HIGHWAY CAMDEN PARK		BUILDERS & DESIGNERS 97 KING WILLIAM ROAD UNLEY SA 5081 PHONE : (08) 8272 0400 FAX : (08) 8272 0522 tkbuilding.com.au	DATE : 18/5/2017	AMENDMENTS	DATE
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PROPOSED CHILD CARE CENTRE FOR JACK 407 ANZAC HIGHWAY CAMDEN PARK		BUILDERS & DESIGNERS 97 KING WILLIAM ROAD UNLEY SA 5061 PHONE : (08) 8272 0400 FAX : (08) 8272 0552 tkbuilding.com.au	DATE : 18/5/2017	AMENDMENTS	DATE
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**PHIL WEAVER & ASSOCIATES**

Consultant Traffic Engineers
ABN 67 093 665 680

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File: 042-17

2 May 2017

Mr Adam Williams
Access Planning (SA) Pty Ltd
235 Henley Beach Road
Torrensville SA 5031

Dear Mr Williams,

PROPOSED CHILD CARE CENTRE - 407 ANZAC HIGHWAY, CAMDEN PARK (DA 211/66/2017) - TRAFFIC AND PARKING ASSESSMENT

I refer to our previous discussions relating to the proposed use of the existing buildings on the above site to accommodate a 72 place Child Care Centre and associated on-site car parking.

As requested I have undertaken the following review of the traffic and parking related aspects of the subject development, including those matters raised in a representation received by Council in respect to the proposed change of use of the facilities located on site.

EXISTING SITUATION

The subject site is located on the north-western side of Anzac Highway, approximately 100m to the north-east of the intersection of this roadway with Clifton Street.

The subject site previously accommodated the Pepper Tree Grove supported residential care facility.

The subject site has a frontage of approximately 35 m to Anzac Highway.

There are 2 existing access points servicing the subject site. These access points are both approximately 4.5 m wide (as measured along the property boundary) and are adjacent to the western and eastern boundaries of the subject site.

The on-site car parking area includes a set down area in front of the main building on the site and car ports located along the eastern boundary of the site.

Anzac Highway, adjacent to the subject site provides 3 traffic lanes and a bicycle lane in each direction separated by a solid median. Consequently, traffic entering and exiting the site is restricted to left turn entry and left turn exit movements, respectively. However, U-turn facilities are provided within Anzac Highway both upstream (north-east) and downstream (south-west) of the subject site. Consequently, the subject site is also accessible to traffic travelling towards the south-west and from the north-east.

A Clearway/bicycle lane applies between 7.30 am and 9.00 am on weekdays adjacent to the subject site. Outside of these periods parking is unrestricted along the north western (city bound) side of Anzac Highway including the area in front of the site between the two access points.

A bus stop is located within the subject section of Anzac Highway, to the immediate north-east of the intersection with Clifton Street.

The adjacent land on the eastern side of the subject development accommodates residential flat buildings. The land on the western side of the subject development is currently vacant.

Details of traffic volumes have been obtained from the Department of Planning, Transport and Infrastructure (DPTI) including Vehicle Turning Movement surveys at the intersection of Anzac Highway with Morphet Road, Camden Park, recorded on 18th May 2016.

The above traffic surveys identified an Annual Average Daily Traffic (AADT) volume of approximately 32,700 vph on Anzac Highway adjacent to the subject site.

PROPOSED DEVELOPMENT

The proposed development is identified on a series of plans prepared by TK Building Design including a Site Plan. This plan has been amended since the original plans were lodged with Council.

I note that the proposed development includes:-

- Proposed alterations and additions to the existing dwellings and outbuildings on the site,
- Construction of car parking areas on the western, eastern and southern sides of the building to provide 17 parking spaces including one space for use by the disabled and an adjacent shared area. These parking spaces will comprise:-
 - Two pairs of tandem spaces and a single wider space located on the western side of the building. These spaces will be allocated for staff use,
 - Six spaces angled at 60 degrees, located along the frontage boundary of the site. The disability space will provide a width of 3.2m in order to allow a vehicle to pull into this space from the western access point, and

- Six 90 degree angled spaces located along the eastern boundary of the site,
- A bin enclosure adjacent to the eastern side of the site,
- Retention of the two existing access points to maintain separate entry and exit movements, and
- Demolition of the existing car ports along the eastern boundary of the site.

The design of the at-grade car parking spaces provide:-

- Car parking spaces of mostly 2.6m in width,
- Car parking spaces of 5.4m in length or 4.8m in length where a 600mm overhang is provided, and
- Aisle widths adjacent to the car parking spaces of approximately 4.2m and 6.6m.

As identified above, the angled disability space will provide a width of 3.2m with an adjacent shared area of 2.4m.

As such, I consider that the design of the on-site car parking spaces would conform to the requirements of the relevant off-street car parking standards (AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009).

PARKING ASSESSMENT

Table WeTo/2 - Off Street Vehicle Parking Requirements of the West Torrens Council Development Plan requires car parking for a Child Care Centre at a rate of one space for every 4 children.

Consequently, the proposed development would require the provision of 18 car parking spaces on site. This requirement is almost met by the proposed development.

The above Table also identifies parking for disabled drivers at a rate of 1 space for a development with a total of 10 to 25 parking spaces, and 1 space per 25 spaces thereafter to a maximum of 5 spaces. This rate will also be met by the proposed development.

Bicycle Parking

There is no specific requirement for bicycle parking within the West Torrens Council Development Plan directly applicable to the subject development. However, I note that other areas within the Charles Sturt Council Development Plan would typically require bicycle parking associated with non-residential development as follows:

- On site secure parking racks for non-residential development - 3 bicycle spaces per 50 employees

Since there would be less than 50 employees associated with the proposed Child Care Centre, there would be a requirement to provide 3 bicycle parking spaces associated with the subject development. The site plan identifies that these spaces will be provided in an area at the rear of the verandah on the southern side of the main building.

TRAFFIC ASSESSMENT

The “**Guide to Traffic Generating Developments**” report produced by the former Roads and Traffic Authority of NSW (now Roads and Maritime Services) identifies peak hour traffic generation rates associated with a Child Care Centre equivalent to:-

- A rate of 0.8 trips per child in the am peak period (7.00am to 9.00am),
- A rate of 0.3 trips per child in the period between 2.30pm and 4.00pm, and
- A rate of 0.7 trips per child in the pm period (4.00pm to 6.00pm).

On the above basis the number of peak hour trips associated with the Child Care Centre would be:-

- 58 trips in the am peak hour period,
- 22 trips between 2.30pm and 4.00pm, and
- 50 trips in the pm peak hour period.

As previously identified, all traffic entering and exiting the subject site will be restricted to left turn movements only and I consider that there will be negligible traffic impacts upon Anzac Highway.

Representation

Council received a representation from Mr Kerry Mahony, 25 Boyd Crescent, West Lakes Shore on 27th February 2017 in relation to the plans previously lodged with Council.

Mr Mahony identified the following concerns in relation to the proposed development namely:-

1. *There is no information provided with the application regarding some vital issues:*
 - *There is no traffic assessment report.*
 - *There is no acoustic assessment report. There are extensive existing apartments next door on the East side of the proposed development and we understand there is a high rise apartment option on the vacant eastern side of the proposed development. These would be all noise sensitive.*

2. *Insufficient car parks are provided for this proposed 72 place childcare centre. The Australian standards require 1 carpark space for every 4 licensed places. For a 72 place centre, 18 car parks places are required but the plan only provides 13 car park places which is 5 spaces short of the requirement and would only allow for a 52 place centre. Please refer to attached parking review from MFY.*
3. *The car parks number 1 to 5 of the plan are hazardous are difficult to access. It will be necessary to manoeuvre and back vehicles to gain access to these parks at peak usage times creating a risk to children. Also, there is no vehicle turnaround area at the end of the car park aisle on the eastern side for car park 13 which will make use of this car park impractical at peak times.*
4. *There is no disabled car park marked on the plan. The design of the disabled car park usually requires most of the space of 2 car parks which will further reduce the number of car parks available for the license compliance.*
5. *In our opinion, the car park layout does not comply with various standards and requires a redesign.*
6. *The bin enclosure is poorly located largely inaccessible to refuse trucks as there is no manoeuvring space.*
7. *Rooms 2 and 4 do not have direct convenient access to outdoor play areas and therefore do not comply with national childcare regulations requirements.*
8. *There is no designated wheelchair access.*
9. *There is no safe pedestrian access for people entering the centre from the footpath due to vehicle traffic and the layout of the car park.*

In response to the above traffic related matters, I note that:-

- The design of the subject development has been amended and sufficient car parking spaces will be provided on site to almost meet Council's Development Plan requirements based on one car parking space for every 4 children to be accommodated on site. While there would be a theoretical shortfall of one space, as measured against Council's Development Plan, I consider that the proximity of the site to both close and frequent public transport and bicycle routes at both the front and rear of the site should reduce the demand for on-site car parking. Hence, I consider that a theoretical shortfall of one space would be acceptable, particularly given the potential for staff to park in Clifton Street, within close walking distance of the site.
- The parallel car parking spaces referred to in point 3 above have been replaced with 60 degree angled car parking spaces. Furthermore, an aisle extension has been provided at the northern end of the eastern row of car parking. The design of these spaces therefore meets the requirements of the relevant off-street car parking standard,

- An appropriately designed disability space and adjoining shared area has been incorporated into the design,
- The amended car park will conform to the requirements of the relevant off-street car parking standards, and
- The proposed bin enclosure has been relocated to the front of the site and will be readily accessible to collection vehicles in after hour periods, although it is understood that bins will be collected by Council's waste collection vehicle with bins placed within the verge on collection days.

There will be few deliveries made to the site with these typically provided by vans or small trucks. Turning path drawings (Figures 1 to 3) are attached to this report and identify the following:-

- Figure 1 identifies the turning path of a vehicle similar to a van (the B99 design vehicle) entering / exiting the site,
- Figure 2 identifies a Small Rigid Vehicle (SRV) entering / exiting the site, and
- Figure 3 identifies the ability of a B99 design vehicle to access the disability space at the front of the site.

SUMMARY AND CONCLUSIONS

The above traffic and parking assessment relates to the proposed development of a Child Care Centre accommodating 72 places.

The proposed development will provide a total of 17 on-site car parking spaces, which would almost satisfy the requirements of one space for every 4 children attending the site, as specified within Council's Development Plan provisions. This is notwithstanding that the subject development is located:-

- Within close and convenient proximity to a public transport (bus) route,
- Adjacent to dedicated bicycle lanes at the front and rear of the site, and
- Is readily accessible to potential on-street car parking in Clifton Street, which is within walking distance (100m) from the site.

A review of the proposed traffic generated by the subject development would indicate that, at most, there should be:-

- Approximately 58 trips in the am peak hour period, and

- Approximately 50 trips in the pm peak hour period.

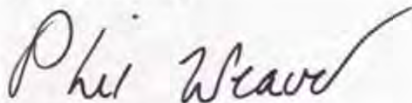
The proposed on-site car parking areas have been designed in accordance with the requirements of the relevant off-street car parking standard and would be suitable for use by the proposed development.

The proposed development will generate only a low level of service movements with the largest vehicles required to access the site being equivalent to SRV design vehicles. Such movements would be infrequent.

In summary, the proposed development will:-

- Provide a total of 17 car parking spaces including one space for use by the disabled and an adjacent shared area. This would almost meet the requirements for one space for every 4 children attending the site specified within Council's Development Plan provisions,
- Not result in adverse traffic impacts on the adjacent road network, based upon the analysis of the forecast traffic generation of the subject development, provided within this report, and
- Provide a design standard which is appropriate and essentially meets the requirement of the relevant Australian / New Zealand Standard for off-street car parking areas.

Yours sincerely



Phil Weaver
Phil Weaver and Associates Pty Ltd

Enc

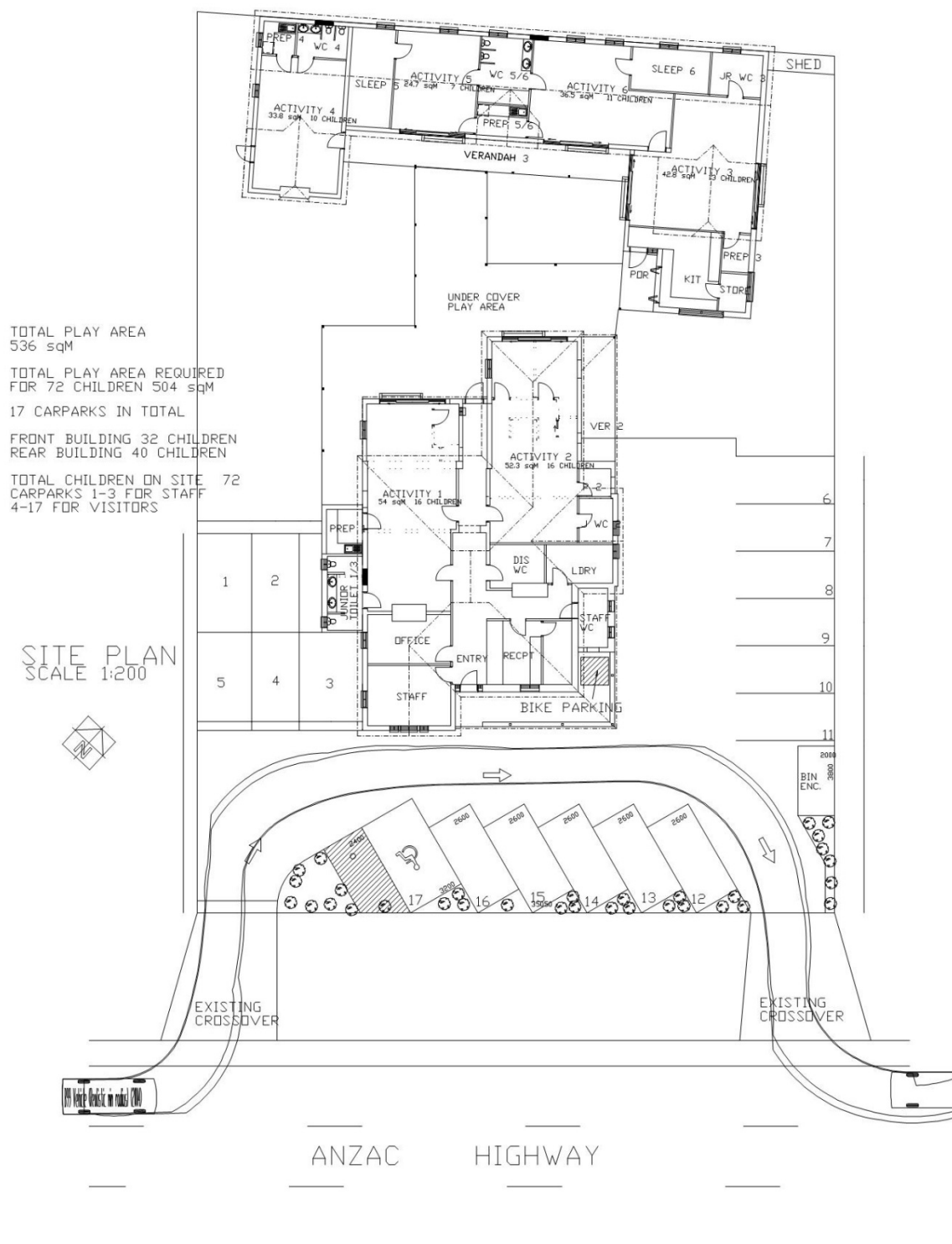


Figure 1

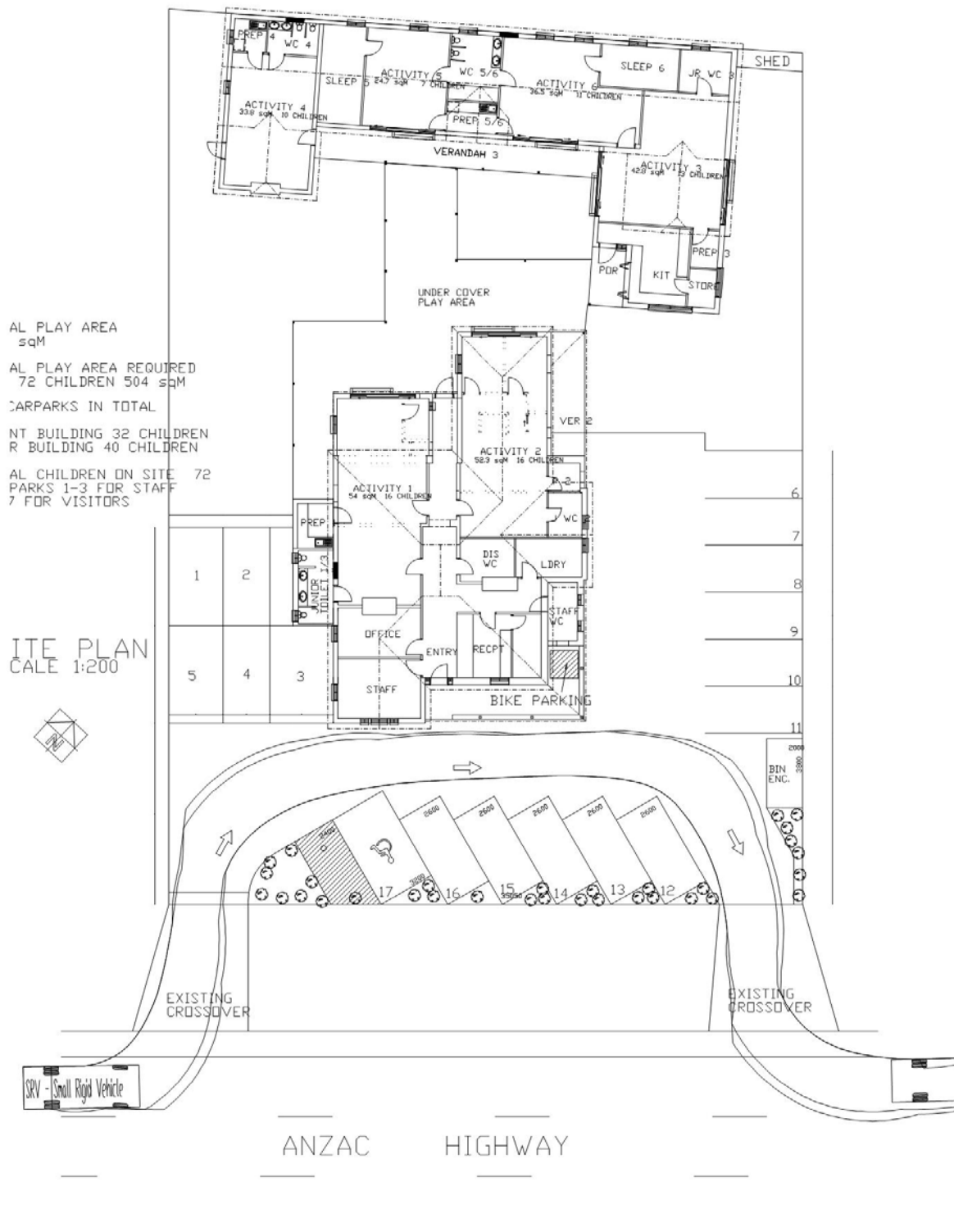


Figure 2

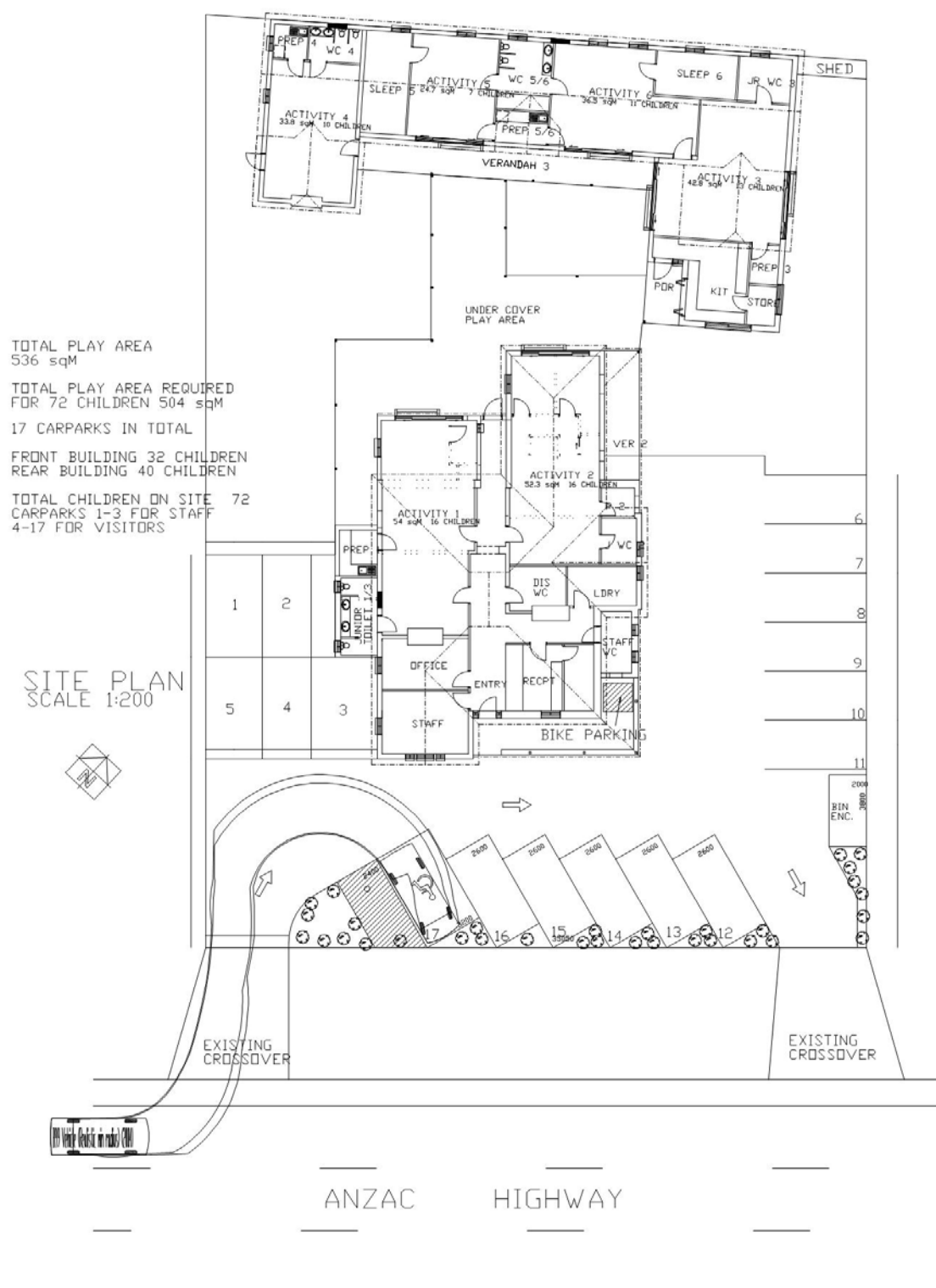


Figure 3

KERRY MAHONY
25 Boyd Crescent West Lakes Shore SA 5020

City of West Torrens

28 FEB 2017

City Development

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

Re: Development No. 211/66/2017 407 Anzac Highway Camden Park

I refer to the notice in the Advertiser regarding this proposed development which is a Category 3 non-complying development that was not envisaged within the current development plan.

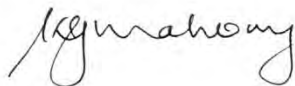
I have reviewed the application and plans at Council and I have a number of concerns:

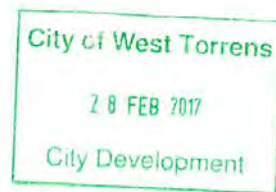
1. There is no information provided with the application regarding some vital issues:
 - There is no traffic assessment report
 - There is no acoustic assessment report. There are extensive existing apartments next door on the East side of the proposed development and we understand there is a high rise apartment option on the vacant eastern side of the proposed development. These would be all noise sensitive.
2. Insufficient car parks are provided for this proposed 72 place childcare centre. The Australian standards require 1 carpark space for every 4 licensed places. For a 72 place centre, 18 carpark places are required but the plan only provides for 13 carpark places which is 5 spaces short of the requirement and would only allow for a 52 place centre. Please refer to the attached Parking Review from MFY.
3. The carparks numbered 1 to 5 on the plan are hazardous and difficult to access. It will be necessary to manoeuvre and back vehicles to gain access to these parks at peak usage times creating a risk to children. Also, there is no vehicle turnaround area at the end of the car parking aisle on the Eastern side for carpark 13 which will make use of this carpark impractical at peak times.
4. There is no disabled carpark marked in the plan. The design of a disabled carpark usually requires most of the space of two carparks which will further reduce the number of carparks available for the license compliance.
5. In our opinion, the carpark layout does not comply with the various standards and requires a redesign
6. The bin enclosure is poorly located and largely inaccessible to refuse trucks as there is no manoeuvring space.
7. Rooms 2 and 4 do not have direct convenient access to outdoor play areas and therefore do not comply with national childcare regulations and requirements.
8. There is no designated wheelchair access
9. There is no safe pedestrian access for people entering the centre from the footpath due to vehicle traffic and the layout of the carpark

I would like to be heard on this development proposal at the DAP panel meeting

Yours Sincerely

Kerry Mahony



Australian Childcare Alliance South Australia

CHILD CARE CENTRE PARKING RATES REVIEW

PARKING REVIEW

April 2016

15-0402

Traffic • Parking • Transport

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DOCUMENT ISSUE

Revision issue	Date	Description	Approved by
Draft 1		For review	
Final	20 April 2016	Additional data added	MLM

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1.0 INTRODUCTION

The need for parking at education facilities can vary considerably between sites. The demand is influenced by the type of facility, the staff requirement and, in particular, the demand created when students arrive and leave the campus. Consideration of the operation of each facility is fundamental in determining the parking requirement.

There is a requirement for both long and short term parking for each type of facility and the ratio of each type of parking will vary depending on the user and the operation. For example, Senior Schools will generate a student parking demand but a much lower pick-up/set-down demand when compared with Junior Schools, which will have no demand for student parking but a higher pick-up set-down requirement.

It is important to understand the parking demands associated with individual sites to ensure that adequate parking is provided while not creating excess spaces which are surplus to requirements. The provision of additional infrastructure at centres can impact on viability and reduce available land for other uses, such as outdoor recreation space for students.

The Australian Childcare Alliance South Australia (ACASA) has sought advice from MFY Pty Ltd in respect to parking requirements for child care centres and, particularly, what is an appropriate provision to apply to new child care centre facilities.

Recent assessments relating to child care centres have referenced the prepared by Aurecon *"Parking Spaces for Urban Places: Car Parking Study Technical Report"*, dated 26 March 2013. This documentation provides advice in respect to recommended parking provision for various land uses. In respect to a childcare centre, the report assesses the requirements of a child care centre akin to that of a pre-school (kindergarten), resulting in a single recommended parking provision for both types of facilities.

The operation of a child care centre and a kindergarten, however, vary considerably. This report therefore provides an assessment of the demands for the two types of preschool facilities (child care centres and kindergarten), with a view to documenting quantitative evidence which confirms the demands for child care centres.



2.0 EXISTING DOCUMENTATION

Numerous documents are provided for reference when determining the appropriate parking provision for land use development throughout Australia. These include:

- Development Plans specific to individual Local Government areas which specify recommended parking rates for specific land uses. Dependent on a range of factors (including provision of public transport, locality etc.), parking rates may vary between, and within, Council Development Plans.

In relation to “*child care centres*”, a number of Development Plans (including but not limited to City of Port Adelaide Enfield, City of Marion, The District Council of Mount Barker, City of Playford and City of Salisbury) identify that parking should be provided at a rate of one space per four children.

- The Planning SA “*Planning Bulletin: Parking Provision for Selected Land Uses (Suburban Metropolitan Adelaide)*”, which recommends a parking provision of one space per four children, and;
- the NSW Roads and Maritime Services (RMS): *Guide to Traffic Generating Developments* (the RMS Guide), which advises a recommended parking provision of one space per four children in attendance.

The above parking rates are inclusive of any staff parking requirement.

In comparison to the above, numerous Development Plans specify recommended parking provisions for “*pre-schools*”, which vary between Council areas. Examples of such recommended provisions include:

- City of Playford – one space per employee plus one space per two children;
- Corporation of the Town of Gawler - one space per employee plus one space per six children; and
- City of Onkaparinga – one space per four children.

Similarly, the SA Planning Bulletin also specifies a parking provision for “*educational institutions*” (such as “*pre-school, primary school and secondary school*”) of one space per full time employee plus one space for wheelchair users plus an additional 10% of the total for visitors.



2.1 AURECON TECHNICAL REPORT

Aurecon was engaged to investigate the parking demands associated with a variety of land uses relevant to development within South Australia. The aim of the study was to update the SA Planning Bulletin. The report was funded by the Local Government Association (LGA) in conjunction with the following Local and State Government authorities:

- Department of Planning, Transport and Infrastructure (DPTI);
- City of Port Adelaide Enfield;
- City of Holdfast Bay;
- City of Marion;
- Rural City of Murray Bridge;
- City of Playford;
- City of Tea Tree Gully; and
- City of Charles Sturt.

Aurecon included in its investigations appropriate parking rates applicable to land uses classified as child care centres. In determining this classification, however, it relied on a document released by the Department of Planning and Local Government in September 2011 (*South Australian Planning Policy Terminology List (SAPPTL)*) which indicates that the terms “child care centre” or “child care facility” fall within the definition of “pre-school” in South Australia, should the centre be “stand alone”. If the centre is associated with a secondary school, college, university or tertiary institution, then the term “educational establishment” is applicable.

The reliance on this definition meant that the assessment included facilities which have differing operational (and hence parking) characteristics. That is not to say that there is any question in respect to the validity of the definition, but that its purpose is not necessarily to define the parking or access requirements for the various types of facilities.

In conjunction with the above, the Aurecon report investigated data provided by the Trips Database Bureau (TDB) which provided information relating to peak drop-off periods, travel mode and duration of stay during drop-off periods for uses classified as “pre-schools (not child care centres)”.

Other data investigated by Aurecon included a parking rate specified by the Victorian Planning Provisions (VPP) (0.22 spaces per child equating to one space per 4.5 children), regulations specified by the Children’s Services Act and information from the Children’s Services Licensing and Standards Fact Sheet relating to child/staff ratios.



Based on the above, the Aurecon report recommended that the parking rate applicable for a *“child care centre/pre-school (formerly child care centre)”* should be:

- *0.9 to 1.0 space per employee, plus;*
- *0.25 drop-off/pick-up bays per child OR an area wide traffic management plan to accommodate drop-off/pick-up of 0.25 spaces per child.*

It would appear that no empirical data was collected to inform the recommendations relating to an appropriate parking demand which should be applied to a child care facility or a pre-school.



3.0 PARKING DEMAND ASSESSMENT METHODOLOGY

This study was specifically commissioned to identify the parking requirements which should apply to a child care centre. In undertaking this review, consideration has been given to existing documentation and the recommended parking provision associated with such facilities, as detailed in Section 2.0 of this report.

While research of existing documentation is relevant in such assessments, collection of empirical data provides the best guide as to the generation rates realised by existing facilities. In particular, it enables the parking demand associated with various types of facilities to be identified and provides directions in respect to appropriate provision for future development.

In regard to child care centres, it has been identified that the Aurecon report combined all preschool style facilities together in developing a recommended parking rate. The operation of a child care centre, however, is considerably different to that of a kindergarten in that:

- a child care centre provides long day care facilities for pre-school aged children (typically 0 to 5 years of age). There are no specific delivery or collection periods for the centre, with children being delivered and collected at times convenient to parents or carers;
- a pre-school/kindergarten has a set class period, with the all children being delivered at the start of the session and being collected on completion of the session (much akin to a school);
- a child care typically operates for long hours, with staff working in shifts across the day. Peak staff periods occur during the middle of the day, when staff lunch breaks occur and additional staff (such as chefs) are on-site; and
- a pre-school/kindergarten operates for shorter periods, similar to the hours of a typical school day.

The parking requirements for the two types of facilities will be impacted by the type of operation in the following manner:

- pick-up/set-down demand for a child care centre will be spread over the morning and afternoon periods, resulting in a lower peak demand but a longer delivery/collection demand period;
- the pick-up/set-down demand for a pre-school/kindergarten will be concentrated around the class start/finish periods. The peak demand will be higher but the delivery/collection periods will be shorter;



- staff parking requirements for child care centres will be higher in the middle of the day when staff are on-site to relieve during lunch periods;
- staff parking for child care centres during the morning and afternoon will not be at maximum, given that the staff demand is related to child attendance; and
- peak staff demand for the kindergarten will occur in conjunction with the start of class.

Given the above discrepancies, the peak parking demand for a child care centre will not be consistent with a pre-school/kindergarten facility. In order to assess an appropriate demand, the following tasks have been completed;

- collection of parking data at three existing child care facilities. Such data were collected in early December 2015;
- review of previous data collected at child care centres by Phil Weaver and Associates and Murray F. Young and Associates; and
- review of the data considered by Aurecon and other documents referenced in Section 2.0 of this report.



4.0 PARKING SURVEYS

The parking survey data considered in this review includes data collected in 2015 and previous data collected at independent child care centre facilities. In the case of each survey, the assessment of the data considered the peak parking demand requirement as a function of the maximum student occupancy at the facility.

4.1 2015 SURVEYS

The 2015 parking data were collected at the following centres during the morning delivery and afternoon collection periods:

- Stepping Stone (SA) Childcare & Early Development Centres (40 Para Road, Evanston);
- Daws Road Early Learning Centre (155 Daws Road, St Marys); and
- Emali Early Learning Centre (611 Regency Road, Broadview).

The survey data were collected by traffic data specialists Austraffic on the 1st December, 2015. Using these data, the peak parking demand associated with each facility could be assessed. Tables 1 and 2 identify the results of the surveys for the am and pm peak periods, respectively.

Table 1: Peak parking demand during am survey period

Child Care Centre	Parking Rate (one space per # children)
Evanston	4.2
St Marys	5.5
Broadview	6.7

Table 2: Peak parking demand during the pm survey period

Child Care Centre	Parking Rate (one space per # children)
Evanston	4.6
St Marys	6.1
Broadview	4.8

The above rates are inclusive of staff parking requirements and identify that the peak parking demand for child care centres was in the range between one space per four and one space per six children. The range is indicative of the type of parking demand which occurs at child care centres, where a lower peak occurs but the pick-up and set-down periods occur over extended periods.



4.2 PREVIOUS SURVEYS

In addition to the recent data collected, historical data has also been considered at the following locations;

- Matilda's Child Care Centre, Littlehampton; and
- Victoria Park Child Care Centre, Rose Park.

The results of parking surveys completed at the above sites are illustrated in Tables 3 and 4.

Table 3: Peak parking demand during am survey period

Child Care Centre	Parking Rate (one space per # children)
Littlehampton*	4.7
Rose Park	5.0

Table 4: Peak parking demand during the pm survey period

Child Care Centre	Parking Rate (one space per # children)
Littlehampton*	5.2
Rose Park	5.6

* Source: Phil Weaver and Associates

The above data are comparable with the more recent data collected, with the peak parking demand rates occurring within the demand range of one space per four to six children.



5.0 DISCUSSION

The survey results reported in Section 4 of this report identified that at all child care centres surveyed, the peak parking demand was less than one space per four children (inclusive of staff parking).

The above results are consistent with the advice provided in the SA Planning Bulletin, the RMS Guide and numerous Development Plans which recommend a parking provision of one space per four children for a child care centre. Further, the rate is comparable with the parking rates relating to child care centres specified by the VPP (0.22 spaces per child equating to one space per 4.5 children).

By way of comparison, should the recommendation provided in the recent Aurecon report be applied, (a parking provision of 0.9 to 1.0 space per employee plus 0.25 drop-off/pick-up bays per child), the child care centres would require a parking provision in the order of one parking space per 2.8 children. Such a ratio is considerably higher than the identified demand at the centres and would result in an overprovision of spaces on each site.

One reason that the Aurecon recommendation would result in an overprovision of parking for the child care centres is that it segregates parking for staff. This does not allow for shared parking arrangements. Where peak parking periods for differing users does not coincide, it is ideal to minimise the parking provision by maximising use of the spaces. A child care centre is an ideal land use for shared parking, as the peak staff demand (which occurs during lunch periods) coincides with the period when student generated demand is very low. Conversely, staff numbers are not at maximum during the morning and afternoon peak parking period. Thus there is an opportunity to maximise the use of the spaces.

The parking data collected at each site validates the recommendation which has been adopted for many years in that parking for child care centres should be provided at a ratio of one space per four children. This rate allows for the parking provision to cater for the peak combined demand (maximum vehicles parked on-site). Such peaks only occur during short pick-up/set-down periods. At other times, the car parking areas would not be used to peak capacity.

Provision of the higher parking rate as recommended in the Aurecon report would result in an overprovision of parking on the site.



6.0 SUMMARY

In summary, this report documents an independent review of the parking provision required for child care centres. It was commissioned to review the actual demand created by child care facilities, having regard to the recommendation in respect to parking demand provided in the assessment completed by Aurecon.

The Aurecon assessment combined all pre-school style facilities within one land use for the purpose of its review. However, there are significant differences in key characteristics of the operation of long day child care facilities and pre-school/kindergartens which influence the required parking provision.

Independent parking survey data were collected at three child care centres across metropolitan Adelaide. Analysis of these surveys identified a peak parking demand of one space per 4.2 children (including provision for staff parking). Such a rate is also consistent with earlier parking demand survey completed for child care assessments.

Given the similarity in parking rates determined by the MFY surveys to that of relevant Council Development Plans, the RMS Guide and the SA Planning Bulletin, it is evident that the recommended parking rates appropriate for child care centres are representative of actual parking demands which occur at existing facilities.

In regard to the specific data collected at individual child care facilities, the following warrants consideration:

- the identified rates are inclusive of staff requirements;
- the peak staff demand did not coincide with the peak pick-up/set-down demand, and;
- the peak generation rate identified was less than one space per four students.

Of relevance is that the provision of parking spaces at the higher rate identified in the Aurecon report would not only result in an overprovision of parking, but also a significant area which would have needed to be converted to parking at the expense of other uses on the site.

Based on this assessment, it is considered that applying a peak parking demand assessment for a child care centre based on a pre-school/kindergarten does not accurately reflect the anticipated demand. Application of such a rate to child care centre developments will result in an overprovision of spaces and potentially impact of the viability of the development.



The survey data confirm that the historically recommended rate of one space per four children required for a child care centre is the relevant demand assessment rate to be applied when reviewing parking space provision for child care centres.



2 May 2017

Ref: 6806 responsetoreps

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

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

Attention: Mr. Phil Harnett

Dear Phil,

RE: DEVELOPMENT APPLICATION NUMBER 211/66/17 CHANGE OF USE TO CHILD CARE CENTRE AND ASSOCIATED ADVERTISING – 407 ANZAC HIGHWAY, CAMDEN PARK

I have been engaged by the applicant to respond to the Letter of Representation received by Council following the Category 3 public notification of the abovementioned Development Application.

I note the submission received by the Council raised a number of concerns relating to the proposal, including traffic and parking matters (including vehicle accessibility to a bin enclosure), noise, and personal accessibility to the buildings. It is hoped the following response addresses, and more particularly, resolves, the concerns outlined in the Letter of Representation.

Off Street Parking:

Firstly it should be noted the proposed development has been amended since the public notification period with on-site parking increasing from 13 spaces to 17 spaces.

Additional consideration has also been given to Table WeTo/2 *Off Street Vehicle Parking Requirements* and the parking review conducted by MFY for the Australian Childcare Alliance South Australia, which was kindly provided by the representor. The Development Plan prescribes a parking rate of 1 space per 4 children while the MFY parking review identified, from survey data collected at five child care centres across metropolitan Adelaide, a peak parking demand of 1 space per 4.2 (including provision for staff parking).

The MFY report goes on to surmise 1 space per 4 children is a relevant rate for child care centres but the empirical data to support this conclusion should not go unheeded; it provides valid justification that 17 on-site parking spaces can appropriately attend to the parking demands of a child care centre with up to 72 enrolments. Furthermore, it is not uncommon for daily attendances to fall below a centre's enrolment capacity particularly when children are ill or have other family commitments. Absences are not always filled by other children.

It is also universally accepted that development in Metropolitan Adelaide is progressing towards consolidated and higher density urban form focused around transport corridors. The subject land is situated in a medium density policy area so enrolments comprising residents

who live within short walking distance of the centre can be reasonably anticipated. In addition to this the subject land is bound on two property boundaries by a primary arterial road with frequent bus services and a bicycle network corridor (Westside bikeway). Both these corridors provide alternate movement opportunities to personal motor vehicles.

The Applicant understands off-street parking is an important matter to address and has made a concerted effort to deliver the right balance between viable enrolment numbers, required external recreational space and on-site parking spaces. The proposal will also result in two local heritage buildings being adapted for a community service use. For the reasons expressed above, the provision of 17 on-site spaces for the proposed use, on this site and in this locality, should reasonably accommodate peak parking demands.

The applicant has also sought the assistance of Mr. Phil Weaver, a qualified Traffic Consultant, in providing advice on overcoming the parking design concerns raised in the Letter of Representation. The design of the carpark has been re-designed since the public notification period to satisfy the technical requirements of the Australian Standards for off-street car parking facilities (AS/NZS 2890. 1:2004). A copy of Phil's report accompanies and supports this response to the letter of representation and the proposed development.

Noise

The Letter of Representation also raised noise as an issue for current and future occupants of adjoining land and suggested an acoustic report be prepared. It is our contention an acoustic report is unwarranted and noise emitted by the proposed centre will not unreasonably diminish existing residential amenity.

It is accepted the tenants of the adjoining residential flat building will occasionally hear children while they partake in activities within the respective external play areas however the noise will be largely mitigated by outdoor play time being spread over the day and within different areas of the site. In addition the outdoor activities will be supervised by staff and designed to encourage children engage in a variety of recreational opportunities to facilitate child wellbeing. Noise is unlikely to be constant or unreasonably invasive.

Moreover early morning activities are generally limited because of low attendance prior to 7.30am. Children are kept indoors until sufficient numbers are in attendance to enable supervised outdoor activity.

Childcare centres, kindergartens, schools and playgrounds are mostly located within residential areas and the sounds of children when socially interactive is rarely unpleasant. It is also prudent to note schools, kindergartens and childcare centres are specifically excluded from assessment under the Environment Protection (Noise) Policy 2007 and I suspect does not warrant an EPA policy position as noise from children is generally:

- occasional, brief in duration and audible mostly during day time periods;
- not considered an unreasonably intrusive nuisance;
- reasonably expected within residential areas; and
- a pleasure to hear when playful and content (a primary tenet of the services offered by Child Care Centres).

The noise emitted from extensive traffic movements on ANZAC Highway all hours of the day is also known to diminish the amenity of the immediate locality. The prevailing traffic noise from ANZAC Highway is expected to suppress some of the noise emitted by the proposed development. Noise from the adjacent public open space is also a frequent occurrence.

Finally some comfort can be taken from the fact owners and occupiers of the housing units which immediately abut the Child Care Centre did not provide submissions on the proposed development during the public notification period.

The noise from the proposed child care centre is unlikely to be significantly different to that generally experienced in many residential areas and particularly those which abut arterial roads with the prevalent traffic noise emissions already diminishing the residential amenity. The sounds emitted by the proposed centre will be mostly content in nature and neither offensive nor unreasonable in frequency. The need for an acoustic report is not considered necessary in this instance.

Accessibility

In respect to building accessibility the internal spaces of the existing buildings have been revised to ensure all internal activity areas have access to outdoor play areas. The internal layout has also been amended since the public notification period and is now understood to comply with prescribed childcare centre requirements.

Access to the buildings will also be modified to ensure wheel chair access is available to both buildings in a manner which satisfies the Building Code of Australia. The matter of accessibility will be addressed in greater detail during the Building Rules assessment of the proposal. Work to improve accessibility can also be conducted with minimal disturbance to the heritage features of the buildings and was not identified as a point of concern by Council's Heritage Advisor.

Summary:

It is believed the matters raised in the Letter of Representation have been adequately addressed or, in the case of traffic and parking related matters, are within acceptable tolerances given the density of residential development anticipated in the locality and the alternative transportation options available.

Having regard to the assessment I am of the view that the proposal is consistent with the relevant Development Plan criteria and is an appropriate form of development within the Medium Density Policy Area 18 of the Residential Zone. I therefore consider the proposal to be worthy of Council's consent.

I advise that the Applicant, and possibly myself, I would like to be in attendance should this matter be referred to the Council's Development Assessment Panel, to respond to any verbal submissions from the representor.

Should you have any questions in respect to the above, or require any further information please do not hesitate to contact the undersigned on 81307222

Yours sincerely,



Adam Williams
ACCESS PLANNING (SA) PTY LTD

Phil Harnett

From: Jane Teng
Sent: Monday, 29 May 2017 9:21 AM
To: Phil Harnett
Cc: Andrew King
Subject: FW: 407 Anzac Highway Camden Park DA 211/66/2017

Hi Phil,

Apologies for the delay in getting back to you, it was a busy Friday.

Please find below City Assets response for the proposed Development at 407 Anzac Highway, Camden Park. Upon reviewing City Assets initial response dated 31.03.2017, I agree that the stormwater management plan (Detention and water quality) still requiring addressing by the applicant and that these requirements are to be of Reserved matter and that the stormwater calculations/ plans and reports are to be submitted for Manager of City Assets for approval **prior to the application lodgement** of the Building Rules Consent.

Should you have any enquires, please contact me.

Regards,

Jane Teng
Civil Engineer
City of West Torrens
165 Sir Donald Bradman Drive
Hilton SA 5033

Phone: 08 8416 6333

From: Frank Siow
Sent: Friday, 26 May 2017 9:34 AM
To: Jane Teng
Cc: Joseph Ielasi
Subject: 407 Anzac Highway Camden Park DA 211/66/2017

Hi Jane,

I refer to the amended plans provided by the Applicant for the above development on the subject site. I have previously commented on the proposal on 30 March 2017. At the time, the parking provision on-site was 13 spaces with parallel parking at the front car park and right angled parking at the eastern side.

The traffic report by Phil Weaver & Associates identifies the changes to the parking layout, including five parking spaces on the western side of the building (of which four stacked spaces are proposed to be used for STAFF parking), six 60-degree angled parking spaces at the front and six right angled spaces at the eastern end, ie total of 17 spaces. Bicycle parking is also proposed near the front entrance of the building.

The proposed child care capacity of 72 children would require 18 parking spaces. The amended proposal would provide 17 on-site spaces. Given that the subject site is located adjacent to public transport services and bicycle lanes, the provision of bicycle parking on-site and that there would be some opportunity for on-street parking to occur during the afternoon pick up times when the bicycle lane is not in operation, I am satisfied that the parking provision would be adequate.

The amended parking layout would include a clear zone space for the disabled parking to be located as the first space on entry. The clear zone space and the infrequently used disabled parking space, as the first two spaces into the site on entry, would help reduce the potential for cars entering to be blocked and queuing back to the road. I am satisfied that the amended 60-degree parking layout with the disabled parking space on entry would facilitate satisfactory entry movements.

Spaces 1, 2, 4 and 5 should be designated as STAFF spaces. Stacked parking for staff is not an uncommon arrangement. As 6 right angled spaces would be provided for the 'eastern' car park, a turn bay is not required in the parking standard. Space widths would be 2.6m by 5.4m generally.

Having regard to the above assessment, I am satisfied that the amended parking layout would be acceptable.

The amended parking layout would be able to accommodate SRV-size vehicles, which I understand is commonly the type of vehicles that would service a child care centre site. The turn path provided for the SRV shows that access would be accommodated by the amended parking layout.

However, I note that there is a comment in the traffic report which referred to refuse being collected by Council with the bins being wheeled out to the verge for on-street collection. I am unaware of such an arrangement being accepted by Council. Notwithstanding that, my assessment shows that an MRV (typical refuse truck) would be able to enter and exit the subject site, if the bin collection were to occur before opening time of the child care centre or after the centre is closed. However, this larger MRV truck would encroach into some of the parking spaces when turning, hence the requirement to ensure that the centre is not open for the truck to manoeuvre to the bin area and for safety of children moving to and from vehicles.

On the basis of the above assessment, I am satisfied that the development would be supportable from a traffic and parking perspective, with the condition above regarding the MRV truck access.

Kind Regards,

Frank Siow

Frank Siow & Associates

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Memo

To Phil Harnett
From Jane Teng
Date 31 March 2017
Subject 211/66/2017, 407 Anzac Highway, CAMDEN PARK SA 5038

Phil Harnett,

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

1.0 General Finished Floor Level (FFL) Consideration

Council seeks to ensure that the FFL of all new development is protected from Inundation when considering a 350mm stormwater flow depth in the adjacent street watertable.

This is typically achieved through establishing the FFL of new development a minimum of 350mm above the highest adjacent street water table.

In association with the above proposed development, no site or road verge level information has been provided and as such it is impossible to determine if the proposal will satisfy the above consideration.

Simply conditioning that a development satisfy this consideration can have its complications with regards to the ultimately required level of the development in relation to neighbouring properties and the related planning considerations this brings about. It may also bring about the necessity for alterations to the design of the development which are outside of the expectations of the applicant (for example; requiring step(s) up from existing buildings to additions).

It is recommended that appropriate site and adjacent road verge survey information be provided to correctly assess the required minimum FFL for this proposal.

2.0 Traffic Comments (Traffic Consultant- Frank Siow).

I refer to the above child care centre development on the subject site. I understand that the proposed capacity of the centre is 72. Thirteen (13) parking spaces are shown in the proposal plan, with 5 of those spaces at the front of the site being parallel parking spaces.



I note that in the referral response, DPTI have expressed concern about the parallel parking arrangement given *'the potential to generate delay and driver frustration generate delay which may result in vehicles queuing back onto Anzac Highway'*. DPTI suggested that the 5 front parallel spaces be converted to 45-degree parking.

I disagree with the DPTI opinion about the parallel parking arrangement. In my opinion, the parallel parking arrangement would provide better parking and traffic flow conditions, compared to the 45-degree parking suggested. I note that the reception of the child care centre would be located at the rear building. This means that parent parking should occur close to this reception area using the 90-degree parking spaces. In this regard, if Spaces 3 to 5 were to be designated as STAFF spaces, this would further reduce the potential for entering traffic to queue back to the main road as there would not generally be a parking turnover of the staff spaces once the staff have arrived at work prior to opening time.

The generally adopted parking rate for child care centres is 1 spaces per 4 children. The proposed 72-children capacity would require 18 parking spaces.

Given that the 90-degree parking spaces would be located within a dead end aisleway, a turning bay space would also be required to comply with the parking standard. I note that a disabled parking space (with clear zone) has not been provided. I understand that at least one disabled space would normally be required for such a land use. Therefore, the row of parking for Spaces 6 to 13 would need to be redesigned and extended to provide a turning bay space and a disabled space/clear zone space. The bins/utility area and washing line area would need to be relocated to allow the parking changes described above to occur.

Having regard to the above considerations, it would seem to me that the maximum number of parking spaces possible would be 13. The parking shortfall of 5 spaces is considered to be excessive and not supported.

If the proposed capacity were to be reduced to say 60, this would require 15 parking spaces. Allowing for some discounting of parking, if other non-car modes of transport were to be encouraged (such as public transport and cycling), this would reduce the parking requirement to say 13 spaces. Two bicycle parking rails should be provided to encourage cycling and to help reduce the parking requirement.

The parking standard requires a minimum 6.1m aisleway between the building wall and the 90-degree parking spaces (5.8m minimum aisle plus 0.3m clearance to a wall). The proposed parking layout would need to be slightly adjusted to achieve this requirement by reducing the 0.5m landscaping strip.



Servicing of the child care centres would generally occur outside of the peak times, ie outside of the morning drop off and afternoon pick up periods. I note that the service vehicles indicated are refrigerated vans. If these minor servicing were to occur outside of the peak times, there should be some empty parking spaces available for these service vehicles to park or turnaround.

Refuse pick up would be an issue, if the typical MRV refuse truck is to be used for the bin collection. This MRV would not be able to turn into the site from Anzac Highway, if there are parked vehicles occupying Spaces 1 to 5. In this regard, I recommend that if the MRV refuse truck is anticipated for the child care centre, then a condition should be included to restrict refuse pick up to outside of opening times, when there is little likelihood of the parking spaces being used. In this scenario, the MRV would be able to enter and exit in a forward direction from Anzac Highway. There would be some reversing manoeuvres required on-site for the MRV to reach the relocated bin area, however, if undertaken during the time when the centre is not opened, there should not be a conflict issue arising.

In summary, I recommend the following:

1. The proposed capacity of the child care centre should be reduced to 60.
2. Spaces 3 to 5 shall be designated as STAFF spaces.
3. Space 13 shall be designated as a disabled space.
4. A clear zone space shall be provided adjacent to the disabled space, by extending the aisleway northwards.
5. A turning bay space shall be provided, by extending the aisleway northwards.
6. The aisleway between the 90-degree parking spaces and the building wall shall be a minimum of 6.1m.
7. Servicing of the child care centre shall occur outside of peak times and be restricted to SRV size vehicles or smaller.
8. Refuse pick up by the MRV truck shall only occur outside of the child care centre opening times.
9. Two bicycle parking rails shall be provided near to the reception entrance.

3.0 Stormwater Detention (Commercial - Less than 4000m²)

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

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

To encourage the conservation of water in commercial developments, the



applicant should be requested to provide a roof stormwater collection and re-use system which delivers harvested water back into the building for use in at least the toilet and potentially also the hot water system.

The ability for such a system to deliver the majority of the non-potable water supply for a development of this scale is relatively simple and easy to achieve.

Upon the provision of information demonstrating a considered efficiency between the supply and demand associated with an active re-use scheme, Council is typically willing to enable an offset to any required detention storage by an amount equivalent to stormwater re-use storage.

An indication of how the storage is to be provided and calculations supporting the nominated volume are to be provided.

4.0 Stormwater Quality – Commercial Sites

Council typically requests that stormwater quality measures within carpark and manoeuvring area to address the collection of oils, grease and sediment from the stormwater flow.

Although these measures are often addressed through the installation of proprietary devices, Council encourages the use of better Water Sensitive Urban Design measures to improve the quality of site discharge flows. An example of which may be to drain the site to appropriately designed vegetated swales and bio-filtration trenches. It would appear that the proposed layout may lend itself to this style of treatment.

An indication of how the water quality requirements are to be met should be provided on revised site plans prior to the finalisation of the planning assessment for this development.

It is considered within the stormwater industry that the following table outlines current best practice for the targeted improvement of stormwater quality from new developments of scale.

The targets being;

Parameter	Target
Litter/Gross Pollutant	Retention of litter greater than 50mm for flows up to the 3 month ARI peak flow.
Oil and Grease	No visible oils for flows up to the 3 month ARI peak flow.



Reduction in Average Annual Total Suspended Solids (TSS)	80% *1
Reduction in Average Annual Total Phosphorous (TP)	60% *1
Reduction in Average Annual Total Nitrogen (TN)	45% *1

*1 - Reduction as compared to an equivalent catchment with no water quality management controls.

Industry standard computer modelling would be anticipated (as a minimum) to be utilised to demonstrate the suitability of the proposed measures to achieve the above nominated targets.

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

Regards

Jane Teng
Civil Engineer

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

Regards

Jane Teng
Civil Engineer

Phil Harnett

From: Loughron, Reece (DPTI)
Sent: Wednesday, 8 March 2017 5:02 PM
To: Development
Subject: DA 211/66/2017 - 407 Anzac Highway, Camden Park - Change of use to child care centre

Attention: Ms Kelly Briton-Jones, Development Officer

Hello Kelly,

I have reviewed the above referral and raise concerns regarding the proposed car parking adjacent the Anzac Highway property boundary. Given the nature of the development parallel parks have the potential to generate delay and driver frustration which may result in vehicles queuing back onto Anzac Highway which is not supported.

Also, the number of parks provided per children (generally 1 space per 4 kids) equates to 18 parks being required. The development is providing 13 which results in a shortfall of approximately 5 spaces which is significant given the lack of close alternatives and limited on-street options. What is Council's position of this shortfall?

Whilst DPTI considers the shortfall to be significant but not fatal to the application, my recommendation is that the car parking adjacent Anzac Highway is modified to provide 45 degree angled parking rather than the parallel arrangement. From my quick review five 45 degree spaces can fit across this area and meet AS/NZS 2890.1:2004 – Figure 2.2 for a class 3 user.

Happy to discuss.

regards,

Reece Loughron

Traffic Access Officer, Traffic Access & Integrity
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We acknowledge and respect Aboriginal peoples as South Australia's first peoples and nations, we recognise Aboriginal peoples as traditional owners and occupants of land and waters in South Australia and that their spiritual, social, cultural and economic practices come from their traditional lands and waters; and they maintain their cultural and heritage beliefs, languages and laws which are of ongoing importance; We pay our respects to their ancestors and to their Elders.

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City of West Torrens Heritage Advisor Revised Comment

Planning Application No.: 211/66/2017
Applicant: J Daher
Location: 407 Anzac Highway CAMDEN PARK SA 5038
Zone: Residential
Policy Area: Medium Density Policy Area 18
Heritage Status: Local Heritage Place
Proposal: Change of Use Child Care Centre
To: Kelly Britton-Jones
Date: 12 February 2017



Description:

407 Anzac Highway CAMDEN PARK is a Local Heritage Place, included in the West Torrens Development Plan as:

House & Coach House: External form and detailing of residence fronting Anzac Highway and external form and detailing of two storeyed building along rear boundary of property.

- (a) it displays historical, economic or social themes that are of importance to the local area; or
 (d) it displays aesthetic merit, design characteristics or construction techniques of significance to the local area; or

The proposed development consists of:

- Change of use;
- Child care Centre;
- Signage;
- Car parking and siteworks; (not entirely clear)
- External and Internal demolition; (not entirely clear)
- Introduction of wet areas and other facilities.

As development affecting a Local Heritage Place, I have considered the Heritage Places provisions of the Development Plan below. Also considered are relevant provisions of Medium Density Policy Area 18 and Residential Zone.

City of West Torrens Heritage Advisor Revised Comment

Heritage Places

OBJECTIVES: 1,2 and 3

PRINCIPLES OF DEVELOPMENT CONTROL: 1(a), 2, 3, 4, 6, 8

Medium Density Policy Area 18

OBJECTIVES: 1

DESIRED CHARACTER

PRINCIPLES OF DEVELOPMENT CONTROL: Land Use: 1, Form and character 1

Residential Zone

OBJECTIVES: 4

DESIRED CHARACTER

PRINCIPLES OF DEVELOPMENT CONTROL 5:

Assessment:

Additional drawings have been provided. They are more comprehensive plans than previously assessed. The extent of demolition is shown, proposed external and internal changes, colours and landscaping. Signage has been removed from the application.

The clarified proposal retains and adapts a Local Heritage Place through the introduction of wet areas, the formation of larger rooms in the former Dwelling and Coach house through internal and external demolitions, landscaping and car parking including a drop off area in the front garden.

Considering Heritage Places, the Local Heritage Place will be retained, satisfying Objective 1 and the proposal will be an appropriate adaptive reuse, satisfying Objective 2.

In terms of the setting considered by Objective 3, the introduction of the car parking area, particularly in front of the former dwelling, required greater attention to landscaping, which has now been provided and is satisfactory.

The proposal involves the demolition of rear and side lean-to areas. PDC 1 seeks to avoid demolition in total or in part, unless any of the following apply:

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

The demolition is extensive and includes:

- Non-original carports and shedding;
- Substantial openings in rear external walls;
- Substantial openings to internal walls to form larger areas;
- Window and door formation (Verandah 3 of Coach House);
- Lean-to removal.

Some affected areas are considered to be excluded from the extent of place and others, such as openings, located to the sides and rear, considered not to harm or diminish the Heritage Value, because they are required to ensure active reuse of the buildings.

The legibility of internal spaces as a consequence of the new work will be somewhat diminished; however, the interior is not included in the listing and new partitions, if lightweight, should be reversible in order to recover parts of the original layout if ever required.

Principal elevations will be retained and the Landscaping satisfies PDC 2(f).

City of West Torrens Heritage Advisor Revised Comment

The proposal is considered to be compatible with the heritage value of the place, mostly satisfying PDC 3 and PDC 4 is probably not affected. External painting is considered satisfactory.

Located in the Medium Density Residential Policy Area, the development does not trouble Desired Character and is an anticipated use.

Conclusion:

With the additional information provided, I can support the application subject to:

- The profile of the Good Neighbour fencing being corrugated;
- New internal partitions to be lightweight in order to be reversible to recover the original layouts if ever required.

Douglas Alexander

6.3 103-105 Sir Donald Bradman Drive, HILTON

Application No 211/1337/2016

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Signage on existing building and the incorporation of an ancillary service industry to retail showroom, sales and distribution business (Non-complying)
APPLICANT	Statewide Appliance Spares Pty Ltd
APPLICATION NO	211/1337/2016
LODGEMENT DATE	16 December 2016
ZONE	Neighbourhood Centre
POLICY AREA	Hilton Policy Area 11
APPLICATION TYPE	Non-complying
PUBLIC NOTIFICATION	Category 3
REFERRALS	Internal <ul style="list-style-type: none"> ▪ Nil External <ul style="list-style-type: none"> ▪ Nil
DEVELOPMENT PLAN VERSION	5 May 2016
MEETING DATE	13 June 2017

RECOMMENDATION(S)

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent, subject to the CONCURRENCE of the Development Assessment Commission, for Application No. 211/1337/2016 by Statewide Appliance Spares Pty Ltd to undertake signage on existing building and the incorporation of an ancillary service industry to retail showroom, sales and distribution business (non-complying) (5725/559 & 5725/560) subject to the following conditions of consent:

Council Conditions

1. The development must be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) as listed below.
2. That the signage, herein approved, shall be maintained in good repair with all words and symbols being clearly visible at all times.
3. That the illumination of the LED sign shall be such that no hazard, difficulty or discomfort is caused to approaching drivers on adjacent public roads.
4. The dwell time for messages displayed on the LED sign shall be restricted to a minimum of 45 seconds to reduce potential for driver distraction.

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 APPLICATION(S)

DA 211/276/1996 warehouse office workshop for assembly and maintenance

DA 211/521/2001 alteration to existing building, (including the change in use of existing warehouse to showroom)

211/279/2009 Change of use - portion of existing building (retail showroom) to sales and distribution outlet with associated change rooms, staff rooms and storage areas.

211/1534/2015 Façade refurbishment

SITE AND LOCALITY

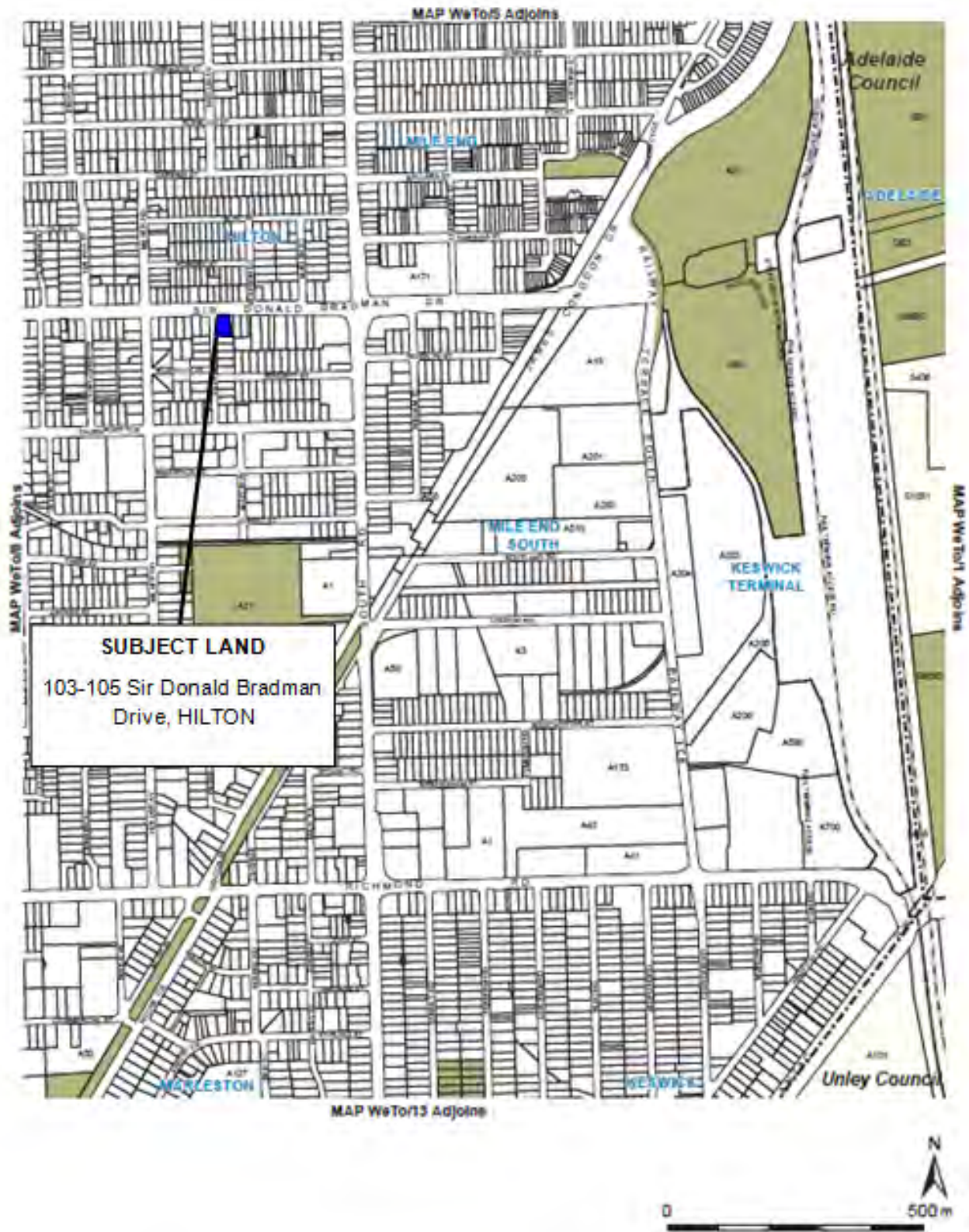
The subject site comprises two allotments, allotment 82 and 83 which combined have a site area of 1309m². The site has a frontage to Sir Donald Bradman Drive of 29.52 metres and a frontage to Verran Avenue of 33.27 metres. There is a corner cut off of 7.07 metres. There are no easements within the allotments. The building is two storey and has a zero setback to Sir Donald Bradman Drive for the majority of the building with staggering back toward the south. There is carparking on the western side of the building off Verran Avenue. The existing building features a painted brick facade.

To the east is a small single storey tailor business, two storey office to the west, residential to the rear and various commercial and retail businesses on the northern side of Sir Donald Bradman Drive, including businesses of a similar nature, i.e. Godfreys Superstore, Battery World and other various retail businesses.

Advertising is prominent in the locality along Sir Donald Bradman Drive with buildings painted in bright colours, business names on the buildings, advertising banners hanging from front façade windows and verandahs, a-frame signage on the footpath, flag banners to the front of buildings.

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





Location Map WeTo/9

- School
- Railways
- Local Reserves
- Development Plan Boundary

WEST TORRENS COUNCIL
Consolidated - 5 May 2016

PROPOSAL

Signage on existing building and incorporation of an ancillary service industry to existing retail showroom, sales and distribution centre (Statewide Appliances) (Non-complying).

The signage in more detail includes:

Northern elevation (Sir Donald Bradman Drive):

- One 1.9m x 2.0m Statewide Appliance logo sign;
- One 3.8m x 1.0m Statewide Appliance Spares brand sign;
- One 2.2m x 0.8m directional / welcome sign;
- One 2.4m x 2.6m Statewide Appliance Spares brand sign;
- One 3.0m x 0.6m slogan sign;
- One 5.6m x 2.0m Statewide Appliance Spares brand sign; and
- One 5.5m x 1.1m 'commercial cleaning and laundry equipment' sign;
- Logos along a strip 2.5 metres in height above ground level (this signage is not considered development as per Schedule 3 of the Development Regulations 2008)

This area totals 34.6m².

Western elevation (Sir Donald Bradman Drive):

- One 2.4m x 2.0m LED screen sign operated in accordance with DPTI's advertising signs assessment guidelines for road safety;
 - One 2.2m x 0.8m directional / welcome sign;
 - One 2.4m x 2.6m Statewide Appliance Spares brand design; and
 - Five small brand name signs of varying dimensions including;
 - 0.8m x 0.35m;
 - 1.5m x 0.2m;
 - 0.9m x 0.25m;
 - 1.1m x 0.2m; and
 - 0.9m x 0.2m
- Totalling 14m².

The proposed signage is blue and white in their corporate logo.

The service industry to be incorporated into the current use of retail showroom is described as comprising 3% of the total floor area and is for the repair of appliances such as vacuum cleaners, blenders and coffee machines. This is carried out by two staff at the most with basic hand tools such as a screwdriver. Specialty waste recyclers receive the waste.

Application details are attached as **Attachment 1**.

NON-COMPLYING DEVELOPMENT

The application is a non-complying form of development, due to advertisement and/or advertising hoarding prescribed as non-complying in the Neighbourhood Centre Zone. 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 Development Assessment Commission 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 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 2008 as it does not fit within Part 1 or 2 of Schedule 9 therefore defaults to Category 3.

Properties notified:	56 properties were notified during the public notification process.
Representations:	Zero (0) representations were received.
Persons wishing to be heard:	NA
Summary of Representations:	NA

REFERRALS

Internal

NA

External

NA

ASSESSMENT

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

<u>General Section</u>		
Advertisements	Objectives	1, 2 & 3
	Principles of Development Control	1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 21 & 22
Design and Appearance	Objectives	1
	Principles of Development Control	-
Industrial Development	Objectives	3
	Principles of Development Control	1
Interface between Land Uses	Objectives	1
	Principles of Development Control	1
Orderly and Sustainable Development	Objectives	1, 3
	Principles of Development Control	1
Zone: Neighbourhood Centre Zone		
Desired Character Statement: NA		
Objectives		1, 2
Principles of Development Control		1, 2, 3, 5

Policy Area: Hilton Policy Area 11	
Desired Character Statement:	
<p><i>The centre at Hilton is intended to function as a neighbourhood centre facility with an emphasis on civic, office and community facilities and shops to serve the daily and weekly needs of the surrounding population.</i></p> <p><i>The area on the southern side of Sir Donald Bradman Drive, west of Somerset Avenue, identified as 'Civic/Community' on Concept Plan Map WeTo/19 - Hilton Neighbourhood Centre, accommodates a range of civic, community and office facilities and associated car parking. Buildings are positioned on the Sir Donald Bradman Drive and Brooker Terrace boundaries.</i></p> <p><i>The remaining area on both sides of Sir Donald Bradman Drive, identified as 'Office/Commercial' on Concept Plan Map WeTo/19 - Hilton Neighbourhood Centre will accommodate small scale offices, bulky goods outlets, a range of recreation and community uses, and multi-storey residential development. Development in this area will occur on amalgamated sites with integrated features such as shared access points, driveways, car parking areas, pedestrian connections and verandas and pergolas to the Sir Donald Bradman Drive frontage.</i></p> <p><i>Buildings located on the south side of Sir Donald Bradman Drive, Bagot Avenue and Brooker Terrace frontages will be of a high architectural standard, accentuate the corner and be designed in a manner which reflects and emphasizes the prominent and important role of Sir Donald Bradman Drive as a gateway and major interconnection between the City and the Adelaide Airport.</i></p> <p><i>Buildings will focus on a direct and convenient pedestrian network within the policy area which links the civic/community, office/commercial and retail core areas.</i></p> <p><i>Car parking between shops and Sir Donald Bradman Drive, within the area identified as 'Retail Core' on Concept Plan Map WeTo/19 - Hilton Neighbourhood Centre, will be minimised, with landscaping and free standing buildings located to screen and soften the appearance of car parking from Sir Donald Bradman Drive. Landscaping, including paving, tree planting and a pedestrian linkage complementing the tree planting and landscaping on adjoining sections and along the median dividers of Sir Donald Bradman Drive is envisaged.</i></p> <p><i>Buffer features including building setbacks, landscape areas, 2 metre high screen fences and screened or obscured building openings will be provided to residential zone boundaries and to the Attrill Avenue frontage.</i></p> <p><i>A characteristic style of formal street tree planting with large canopy trees on both sides of Sir Donald Bradman Drive is envisaged.</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
TOTAL ADVERTISEMENT AREA (FRONT WALL) Module: General Section : Advertisements PDC 8 (b)	Not exceed 20% above 3.7 metres or above a canopy	21.2m ² / 106m ² 20% Satisfies

QUALITATIVE ASSESSMENT

In assessing the merits of the application, the proposed development is required to be assessed against the qualitative provisions in particular regarding signage and the incorporation of the small service industry use.

Signage

The application is non-complying as the degree of signage is greater than the prescribed non-complying table for the Neighbourhood Centre Zone on page 196 of the Development Plan.

However when reviewed against Principle of Development Control 8 of Advertisements (General Section), the degree of signage to the front façade is considered to be consistent with this provision.

The signage is considered to be in context with the building that has a street frontage toward Sir Donald Bradman of around 30 metres with the two signs facing west having minimal visual impact to Verran Avenue given the wall location and the shape of the building toward the side street.

The building has already been painted blue and white in the corporate logo fashion and the signage proposed in conjunction with this coloured theme is not considered to dominate the building or the streetscape, especially given the surrounding buildings and associated signage.

The LED sign given that it is directed toward Sir Donald Bradman east bound traffic has the potential of being a driver distraction. Static messages shall occur with a dwell time of a minimum of 45 seconds to comply with DPTI's Advertising Signs Assessment Guidelines for Road Safety, August 2014. This and the level of illumination of the sign can be conditioned in order not to be a driver distraction.

Land Use and Zoning

The land use is essentially remaining as previously approved in 2009 - i.e. retail showroom, sales and distribution and this use has operated on the subject site for some time. The building has recently undergone alterations that have previously been approved in a recent development application (211/1534/2015 Façade refurbishment).

The building will comprise showroom, call centre, warehouse with a small (33m²) section of the warehouse to comprise a service area or 'service industry' that is ancillary to the retail use. First floor contains offices, staff room and amenities.

The incorporation of the service industry is considered to be minor and ancillary to the business that is predominantly sales and warehousing of appliances. The area is used for repairs of products and there are relevant waste bins in association with the business.

There are no implications in terms of carparking requirements given the continuation of the use.

SUMMARY

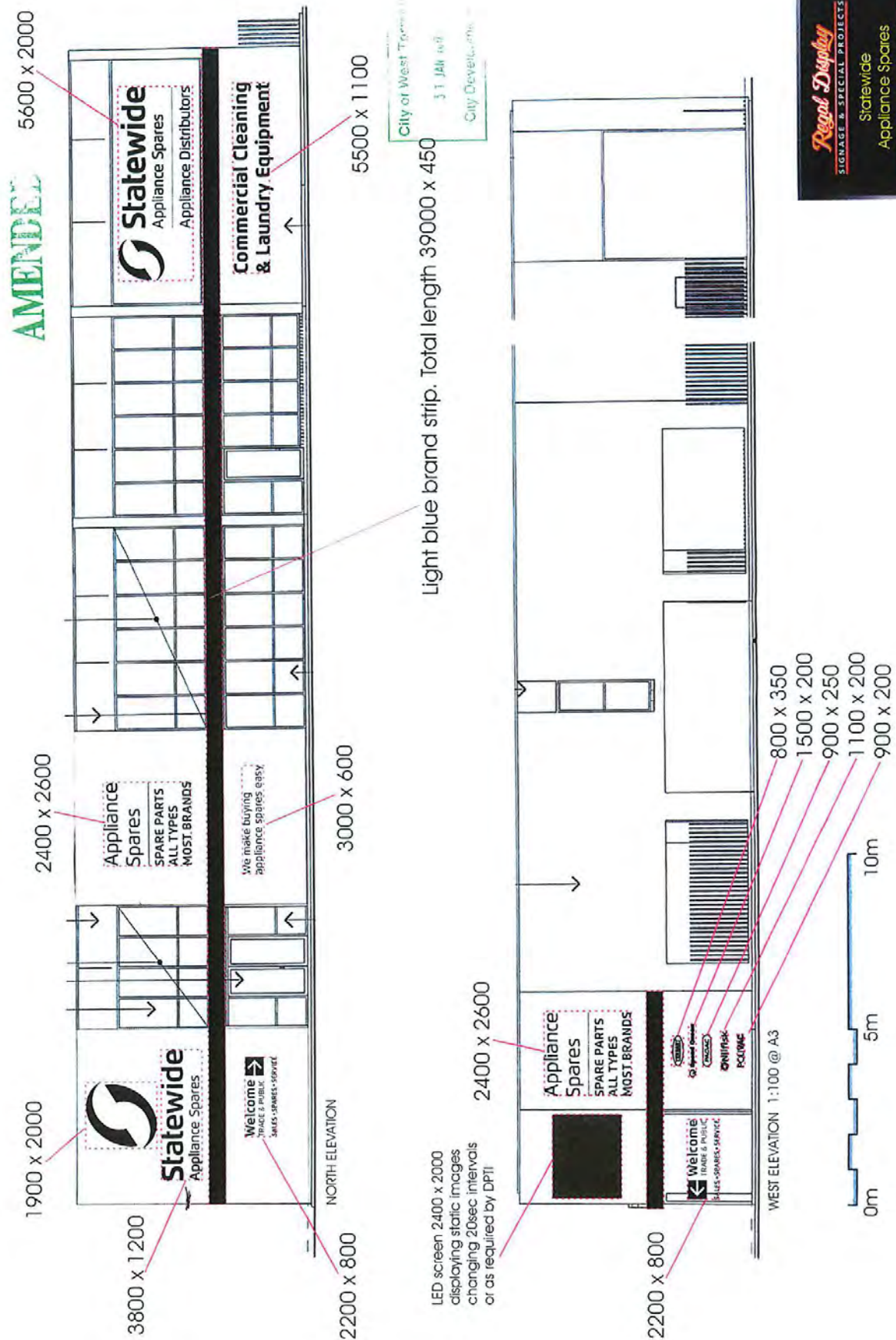
The proposed application is aligned with the Development Plan in terms of the Desired Character, i.e. 'office/commercial' for the Hilton Policy Area within the Neighbourhood Centre Zone with a small ancillary industry component. The signage is considered to be proposed in context with the building and surrounding businesses along Sir Donald Bradman Drive.

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

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

Attachments

- 1. Proposal plans**
- 2. Statement of effect**







From: Paul
Date: Thursday, 11 May 2017 4:07 pm
To: Sonia Gallarello
Cc: Chelsea Salagaras
Subject: Re: Development Application 211/1337/2016 - status 07/02/2017

Hi Sonia,

No problem, I hope it improved your understanding of our business and the building use.

To fully explain the "service" part of our business I provide the following information:

- The service area consists of a single bench and test area which occupies 33 m2, or approximately 3% of the total floor area of the building. Refer attached photo.
- Repairs are conducted on small appliances including vacuum cleaners, blenders and coffee machines. If a customer cannot carry the item into our shop, we don't repair it.
- The nature of repairs is primarily removing faulty parts and replacing them with new replacement parts. The repair tool most commonly used is a screw driver.
- The faulty parts that are removed are source separated and delivered to specialty waste recyclers. Refer attached pictures.

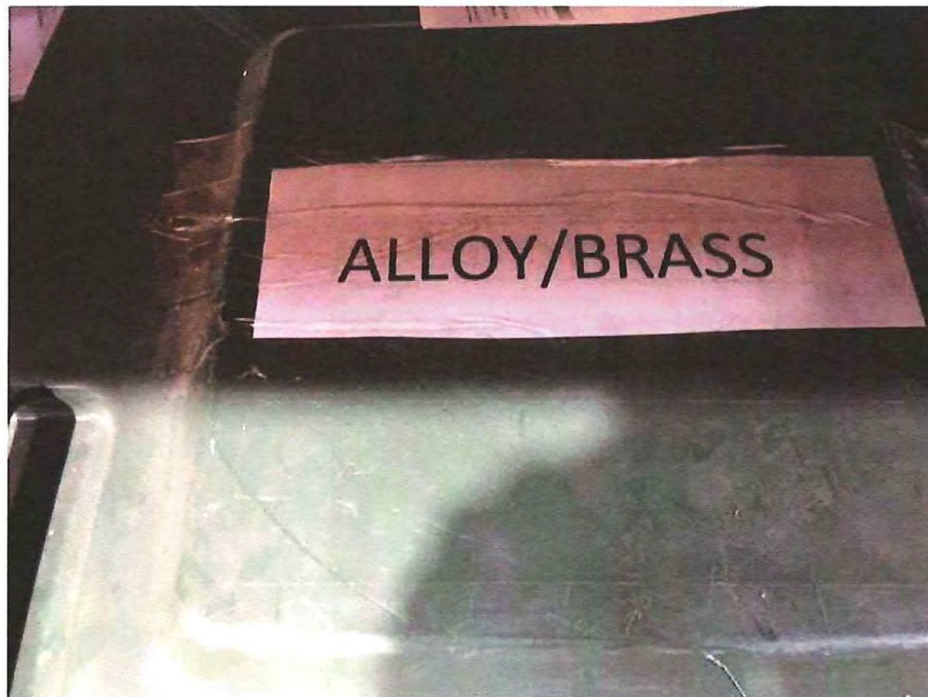
I trust that this is sufficient information to allow you to support our application being considered at the June 13 DAP. If it is at all possible to avoid the need for MasterPlan to prepare further documentation then I would appreciate it, as I have explained to Chelsea. We have already spent 15% of the budget that we allocated for signage on the development application process and we would hope to preserve the remainder of our budget for actual signage once it is approved.

Please do not hesitate to contact me if you require anything further in support of our application.

Kind regards,
Paul Haysman
Director
Statewide Appliance Spares Pty Ltd
105 Sir Donald Bradman Drive
Hilton SA 5033







Sonia Gallarello

From: Paul Haysman
Sent: Monday, 1 May 2017 3:54 PM
To: Sonia Gallarello
Subject: FW: Development Application 211/1337/2016 - status 07/02/2017
Attachments: Plans - 103 Sir Donald Bradman Drive.pdf

Hi Sonia,

Thanks for your call.

I set out below an email chain that briefly dealt with the change of use issue.

I confirm my advice on the phone that the business of Statewide Appliance Spares has the following features:

- We are in the business of selling appliance spare parts to the trade and retail (about 50/50 split). The majority of our employees (14 out of 25) are involved with answering phone calls and taking and processing customer orders.
- Retail sales are primarily interstate and received via phone/internet. We do have a retail shop but it accounts for a very small % of our sales.
- We also do some repairs of small appliances. The repair business employs 2 people and occupies about 20 sqm of our total floor area.

I attach full drawings for the building upgrade that preceded us moving in.

Please let me know if you require anything else.

Cheers,
Paul

From: Kelly Briton-Jones
Date: Tuesday, 7 February 2017 12:49 pm
To: Paul
Subject: RE: Development Application 211/1337/2016 - status 07/02/2017

Hi Paul,

I'll need to look into it, but the key is getting the application through the non-complying stage first.

I will let you know as soon as I have the Manager's decision.

Kelly Briton-Jones
Development Officer
City of West Torrens
165 Sir Donald Bradman Drive
Hilton SA 5033

Please note my last day with the City of West Torrens is Friday, February 17, 2017.

From: Paul Haysman
Sent: Tuesday, 7 February 2017 1:18 PM

To: Kelly Briton-Jones

Subject: Re: Development Application 211/1337/2016 - status 07/02/2017

Hi Kelly,

Thanks for the update.

Statewide Appliance Spares has been operating from the Sir Donald Bradman Drive building since Monday 14 November 2016. As far as I am aware, the tenant before us was the Booby Trap Warehouse, and they operated the same sort of Showroom/Office/Warehouse business as we do, so perhaps there was no need for any change of use application required?

Regards,

Paul Haysman

Director

Statewide Appliance Spares Pty Ltd

105 Sir Donald Bradman Drive

Hilton SA 5033

From: Kelly Briton-Jones

Date: Tuesday, 7 February 2017 12:32 pm

To: Paul

Subject: RE: Development Application 211/1337/2016 - status 07/02/2017

Hi Paul,

As the proposed advertising is non-complying it is with the Manager to decide whether to proceed or not to assess the application.

Hoping to get a decision this week, then I will advise of the next steps.

Could you please confirm for me when the Statewide Appliance began operating? It appears as though there has not been a change of use application.

Kelly Briton-Jones

Development Officer

City of West Torrens

165 Sir Donald Bradman Drive

Hilton SA 5033

Please note my last day with the City of West Torrens is Friday, February 17, 2017.

From: Paul Haysman

Sent: Tuesday, 7 February 2017 11:36 AM

To: Kelly Briton-Jones

Subject: Re: Development Application 211/1337/2016

Hi Kelly,

Can you please give me an update on what stage our development application is now at?

Regards,

Paul Haysman



STATEMENT OF EFFECT

Fascia Signage on Existing Building

AT: 103-105 Sir Donald Bradman Drive, Hilton

FOR: Statewide Appliance Spares Pty Ltd

1.0 INTRODUCTION

This Statement of Effect has been prepared in relation to Development Application 211/1337/2016 by Statewide Appliance Spares Pty Ltd ('the applicant'), for fascia signage at 103-105 Sir Donald Bradman, Hilton.

Within the Precinct 11 Hilton of the Neighbourhood Centre Zone of the City of West Torrens Development Plan consolidated 5 May 2016, advertisements and/or advertising hoardings exceeding 6 square metres in area are considered to be a non-complying form of development.

The applicant has lodged a non-complying development application and the City of West Torrens has considered the applicant's documents including the Statement in Support. Accordingly, Council has now resolved to proceed with a detailed assessment of the application, by letter dated 14 February 2017.

The contents of this report conform to the requirements set out in Regulation 17(5) of the *Development Regulations 2008*, for a Statement of Effect, namely:

"(5) The statement of effect must include—

- (a) a description of the nature of the development and the nature of its locality; and*
- (b) a statement as to the provisions of the Development Plan which are relevant to the assessment of the proposed development; and*
- (c) an assessment of the extent to which the proposed development complies with the provisions of the Development Plan; and*
- (d) an assessment of the expected social, economic and environmental effects of the development on its locality; and*



- (e) *any other information specified by the relevant authority when it resolves to proceed with an assessment of the application (being information which the relevant authority reasonably requires in the circumstances of the particular case), and may include such other information or material as the applicant thinks fit."*

In preparing this Statement of Effect we have:

- reviewed the applicant's brief 'Statement in Support';
- examined the proposal plans;
- inspected the site and locality; and
- reviewed what we consider to be the most relevant provisions of the City of West Torrens Development Plan.

Notwithstanding its non-complying status, we are of the opinion that the proposed development is an appropriate form of development when assessed against the intent of the zone and character of the locality and subsequently has substantial merit to warrant Development Plan Consent.

2.0 THE SUBJECT LAND

The subject land ('the land') is located at 103-105 Sir Donald Bradman Drive, Hilton. The rectangular land holding comprising of two contiguous allotments has frontage to both Sir Donald Bradman Drive and Verran Avenue and a combined area of approximately 1365 square metres. The land is more formally described as:

- Allotment 82 in Deposited Plan 48955, Hundred of Adelaide being the whole of the land described in CT 5725/559; and
- Allotment 83 in Deposited Plan 48955, Hundred of Adelaide being the whole of the land described in CT 5725/560.

The land contains a brick two storey building with under-building car parking. The built form is currently used as an office / retail showroom for the retail sale of household appliance spare parts together with ancillary admin for the business.

Two existing crossovers to Verran Avenue provide access to the site.



Image 1: View of the western façade of the built form to Verran Avenue



Image 2: View of the northern façade of the built form to Sir Donald Bradman Drive



Image 3: View of the northern façade of the built form to Sir Donald Bradman Drive

The land is located within the Neighbourhood Centre Zone as defined in the City of West Torrens Development Plan, and is further defined by inclusion in Precinct 11 Hilton.

3.0 THE LOCALITY

The locality contains a mix of residential and commercial land uses with Sir Donald Bradman Drive providing frontage and exposure for commercial uses. Land immediately north and south of Sir Donald Bradman Drive comprises of residential development. The locality contains land uses which are typical to that of a commercial zone / neighbourhood centres zone and local centre zone including, offices, retail showrooms, warehouses, speciality shops, retail fuel outlets and consulting rooms.

A mix of building types and styles exist fronting Sir Donald Bradman Drive, with varying character and appearance. A number of these buildings are brightly painted and contain large amounts of fascia signage, as can be seen from the photographs below.



Image 4: Two-storey office building to the west of the subject land



Image 5: Retail Showroom adjacent the land on the northern side of Sir Donald Bradman Drive



Image 6: Office and Shop located directly adjacent the subject land to the east



Image 7: Retail Showroom adjacent the land on the northern side of Sir Donald Bradman Drive



Image 8: Cooking Education Facility located to the east of the subject land on the southern side of Sir Donald Bradman Drive

Immediately adjacent to the site to the south is a single storey detached dwelling and to the west of the subject land, a two storey office building built to both its street frontages. To the east of the land is a shop and an office, and to the north (on the northern side of Sir Donald Bradman Drive) is several retail showrooms and offices. These uses are located either in the Local Centre Zone or the Commercial Zone.

4.0 THE PROPOSED DEVELOPMENT

The proposal incorporates fascia signage on the existing building northern and western frontages to Sir Donald Bradman Drive. The building façade to Sir Donald Bradman Drive having a staggered setback means that this frontage has northern and western facades visible to the road frontage. The signage proposed on this frontage includes:

- Northern Elevation (Sir Donald Bradman Drive):
 - one 1.9 x 2.0m Statewide Appliance Spares logo sign;
 - one 3.8 x 1.0m Statewide Appliance Spares brand sign;
 - one 2.2 x 0.8m directional / welcome sign;
 - one 2.4 metre x 2.6 metre Statewide Appliance Spares brand sign;
 - one 3.0 x 0.6m slogan sign;
 - one 5.6 metre x 2.0 metre Statewide Appliance Spares brand sign; and
 - one 5.5 x 1.1m 'commercial cleaning and laundry equipment' sign;



- Western Elevation (Sir Donald Bradman Drive):
 - one 2.4 x 2.0m LED screen sign constructed and operated in accordance with DPTI's Advertising Signs Assessment Guidelines for Road Safety;
 - one 2.2 x 0.8m directional / welcome sign;
 - one 2.4 x 2.6m Statewide Appliance Spares brand sign; and
 - five small brand name signs of varying dimensions including:
 - 0.8 x 0.35m;
 - 1.5 x 0.2m;
 - 0.9 x 0.25m;
 - 1.1 x 0.2m; and
 - 0.9 x 0.2m.

No signage is proposed for the Verran Avenue frontage (as depicted in Image 1).

The proposed signage strategy is depicted on the enclosed Drawing prepared by Regal Display Signage Specialists. The signage will be made of white and blue ACM and will be built flush with the fascia of the building.

5.0 THE RELEVANT PROVISIONS OF THE DEVELOPMENT PLAN

The most relevant Development Plan provisions are considered to be:

- General:
 - Advertisements
 - o Objective 1, 2 and 3.
 - o Principles of Development Control 1, 2, 4, 6, 7, 8, 11, 12 and 14.

6.0 DEVELOPMENT PLAN ASSESSMENT

The relevant version of Council's Development Plan for procedural and assessment purposes is the consolidated version of 5 May 2016. The land under this version of the Development Plan is situated in Policy Area 11 of the Neighbourhood Centre Zone.

It is noted that the Zone and Policy area provisions provide little guidance on the parameters for which signage should be designed, and therefore we rely on the Council-wide provisions for 'Advertisements'. It should be noted however, that the existing land use and operation of the business, the subject of which the proposed fascia signage relates, is for an approved and envisaged land use as per both the Neighbourhood Centre and Policy Area 11 Hilton Objectives, Principles of Development Control and Desired Character. The proposed signage will be ancillary and subservient to this approved use.



The following table provides an assessment of the relevant Council-wide provisions and commentary as to whether the proposal complies:

RELEVANT PROVISION	COMMENTARY	COMPLIANCE
<p>Objective 1: Urban and rural landscapes that are not disfigured by advertisements and/or advertising hoardings.</p> <p>PDC 1: The location, siting, design, materials, size, and shape of advertisements and/or advertising hoardings should be:</p> <p>(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.</p>	<p>The proposed fascia signs are not considered to 'disfigure' the existing landscape as they are coordinated in appearance and display information that directly relates to the approved land use.</p> <p>No signage is proposed on the western façade to Verran Avenue thus minimising the effects of the proposal on the adjacent Residential Zone.</p> <p>These signs are integrated into the building appearance as they are flush with the northern and western facades.</p> <p>The signage proposed is white and two shades of blue so as to contrast with the painted white and blue walls of the building.</p> <p>With regard to the locality, numerous examples of buildings which contain fascia and freestanding signage schemes are evident. The type and amount of signage is generally consistent with what would be expected on a highly trafficked secondary arterial road such as Sir Donald Bradman Drive. The proposed development is not considered to be at odds with existing signage schemes in the locality.</p> <p>As such, the proposed signage is not considered to 'disfigure' the urban landscape in this location.</p>	✓
<p>Objective 2: Advertisements and/or advertising hoardings that do not create a hazard.</p> <p>PDC 14: Advertisements and/or advertising hoardings should not create a hazard by:</p> <p>(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</p>	<p>The proposed signage has been designed and will be installed by a commercial signage operator to the appropriate standards.</p> <p>The signage is flush with the building fascia and will not protrude out into the public realm.</p> <p>The proposed appearance and colour scheme is not considered to be of a nature that would cause driver distraction and/or hazard.</p>	✓



<p>(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</p> <p>(c) distracting drivers from the primary driving task at a location especially where the demands on driver concentration are high</p> <p>(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).</p>	<p>The LED Sign proposed will be constructed in accordance with DPTI's Advertising Signs Assessment Guidelines for Road Safety in order to minimise the likelihood of driver distraction.</p>	
<p>Objective 3: Advertisements and/or advertising hoardings designed to enhance the appearance of the building and locality.</p>	<p>The proposed signage is considered to enhance the appearance of the building because:</p> <ul style="list-style-type: none"> - it is ancillary and subservient to the use of the office / retail showroom and will benefit its operation; - it is typical in form to a facility of this nature and is an expected form of development in the zone and locality; and - the development directly relates to the main function of the land use and is in keeping with the built form. 	<p>✓</p>
<p>PDC 2: The number of advertisements and/or advertising hoardings associated with a development should be minimised to avoid:</p> <p>(a) clutter (b) disorder (c) untidiness of buildings and their surrounds (d) driver distraction.</p>	<p>The proposed signage is integrated in appearance and limited to the frontages of the built form visible from Sir Donald Bradman Drive.</p> <p>The signs are cohesive in that they are all made from the same ACM material and are coloured white and blue, contrasting with the painted walls of the existing building. This assists in creating a signage strategy which minimises clutter and untidiness of the building.</p>	<p>✓</p>



	With regard to driver distraction, the LED sign will be fabricated in accordance with DPTI's Advertising Signs Assessment Guidelines for Road Safety in order to minimise the likelihood of driver distraction.	
PDC 4: The content of advertisements should be limited to information relating to the legitimate use of the associated land.	The content of the proposed advertisements is limited to information relating to the sale of appliance spare parts together with brand signage and directional / welcome signage.	✓
PDC 6: Advertisements and/or advertising hoardings should not be erected on: <ul style="list-style-type: none"> (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. 	The signs are erected wholly on the subject land, with no overhang into the public realm.	✓
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.	All the proposed signage is confined to the fascia of the northern and western elevations of the building to Sir Donald Bradman Drive with no signage sited on the roof or higher than the walls of the building.	✓
PDC 8: The total advertisement area on the fascias, parapets, gable ends, windows and other surfaces of buildings should not exceed: <ul style="list-style-type: none"> (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. 	<p>The proposed signage accounts for approximately 15.08 percent of the northern frontage of the building based on a total signage area of 34.65 square metres compared to a building fascia area of 229.77 square metres.</p> <p>The proposed signage on the western side of the building accounts for approximately 6.4 percent of the western side of the building based on a total signage area of 14.01 square metres compared to a building fascia area of 218.39 square metres.</p> <p>These percentages are in accordance with the quantitative parameters specified in PDC 8.</p>	✓



<p>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.</p>	<p>The content of the proposed advertisements is limited to information relating to the sale of appliance spare parts together with brand signage and directional / welcome signage.</p> <p>All signage proposed is to be white and blue, in contrast to the painted wall colour of the built form.</p>	<p>✓</p>
<p>PDC 12: Advertisements which perform a secondary role in identifying the business, goods or services should only be readable in the immediate vicinity of the site.</p>	<p>The signs which provide direction and a sense of welcome to customers are smaller in scale than the brand and logo signs proposed. These small signs are considered to adhere to Council-wide PDC 12 in that they are located near the entrances to the building and are only readable in close proximity to the site.</p>	<p>✓</p>

We are satisfied that the proposed advertisements generally comply with the relevant provisions of the City of West Torrens Development Plan for Advertisements.

7.0 ASSESSMENT OF THE SOCIAL, ENVIRONMENTAL AND ECONOMIC EFFECTS

Given that the site of the proposal is approved for use as an office / retail showroom, the proposed signage will be ancillary and subservient to the approved use, and that the signage is located away from the interface with residential development, the expected environmental and social effects on the locality and in general are expected to be minimal. In relation to economic effects, the business enterprise of Statewide Appliance Spares is expected to benefit from greater customer awareness, resulting in positive economic effects for the business and customers alike.

8.0 CONCLUSIONS

We conclude that the proposed development displays substantial planning merit, and is furthermore consistent with the relevant provisions of the Development Plan to warrant Development Plan Consent, and the Development Assessment Commission's concurrence of that consent.

Please do not hesitate to contact the undersigned (08) 8193 5600 should you require any further information.

Chelsea Salazaras MPIA
B/A in Planning
9 March 2017

6.4 4 Cudmore Terrace, MARLESTON

Application No 211/1411/2016

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Combined Application: Land division - Community Title; DAC No. 211/C189/16 (Unique ID 56205), Create two (2) additional allotments; and construction of three two storey dwellings (one group dwelling and one residential flat building comprising two dwellings)
APPLICANT	P Busolin
APPLICATION NO	211/1411/2016
LODGEMENT DATE	3 November 2016
ZONE	Residential
POLICY AREA	Medium Density Policy Area 19
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 2
REFERRALS	Internal <ul style="list-style-type: none"> City Assets External <ul style="list-style-type: none"> DAC SA Water
DEVELOPMENT PLAN VERSION	5 May 2016
MEETING DATE	13 June 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. 211/1411/2016 by Mr P Busolin to undertake a land division - Community Title DAC No 211/C189/16 (Unique ID 56205); and Create two (2) additional allotments and construction of three two storey dwellings (one group dwelling and one residential flat building comprising two dwellings) with associated carport (U01) and under main roof garages (U02 and U03) at 4 Cudmore Terrace, Marleston (CT 5720/4) 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 design vision consulting, Drawn by NK, Sheet 1-7 and Plan of proposed Community Division Survey Plan Ref No 16-257, Rev 03.
- That all stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:-
 - result in the entry of water into a building; or
 - affect the stability of a building; or
 - create unhealthy or dangerous conditions on the site or within the building; or
 - flow or discharge into the land of an adjoining owner; and not flow across footpaths or public ways.

3. That any retaining walls be designed to accepted engineering standards, and not of timber construction if retaining a difference in ground level exceeding 200mm.
4. That all driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained, and shall be maintained in reasonable condition at all times.
5. That all planting and landscaping will be completed within three (3) months of the commencement of the use of this development and be maintained in reasonable condition at all times. Any plants that become diseased or die will be replaced with a suitable species.
6. External material and finishes must be low-light reflective.
7. The upper level of the southern elevation of Dwelling U01 and the upper levels of the northern and southern elevations of Dwellings U02 and U03 shall be provided with fixed obscure glass to a minimum height of 1.7 metres above the upper floor to minimise the potential for overlooking of adjoining properties, prior to occupation of the building. The glazing in these windows shall be maintained in reasonable conditions at all times.
8. There shall be no fencing or solid barrier constructed between the common driveway and Dwelling U01, within 7.0m of the eastern property boundary.

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.

DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS:

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

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

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

3. Payment of \$13352 into the Planning and Development Fund (2 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.

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

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 211/1498/2016 (demolition of all structures)

SITE AND LOCALITY

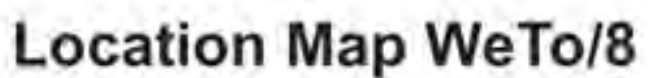
The subject site is commonly known as 4 Cudmore Terrace, Marleston. It has a frontage of 16.2 metres to Cudmore Terrace which is rectangular in shape and totals 716m². The site currently contains a single storey detached dwelling and outbuilding.

The prevailing character in the locality is detached dwellings on larger allotments with a number of residential flat buildings and semi-detached dwellings or detached dwellings on allotments of approximately 350m².

There are a number of industrial uses along Richmond Road, 60 metres north of the subject site.

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





PROPOSAL

Combined Application: Land division - Community Title; DAC No. 211/C189/16 (Unique ID 56205), to Create two additional allotments; and construction of three two-storey dwellings.

Application plans and details are contained in **Attachment 1**.

PUBLIC NOTIFICATION

The application is a Category 2 form of development pursuant to Section 38 of the Development Act 1993 and Schedule 9 Part 2 (a) of the Development Regulations 2008.

Properties notified:	Nine (9) properties were notified during the public notification process.
Representations:	One representation was received.
Persons wishing to be heard:	Nil representors identified that they wish to address the Panel.
Summary of Representations:	Concerns were raised regarding the following matters; <ul style="list-style-type: none">• Concern regarding overlooking windows into their property;• Parking to the front of street is already congested

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

REFERRALS

Internal

- City Assets

The original report is attached and dated 20 March 2017. This related to a previous plan. Since this date, the plans have been amended and City Assets have offered the following advice:

Access and manoeuvring is considered to be satisfactory. There is one space short within the site when assessed against the Development Plan requirements, however there is one undercover and one visitor space provided for each dwelling which is considered reasonable. Finished floor levels are considered satisfactory, stormwater and fencing between common driveway and can be addressed by a condition.

External

- DAC
- SA Water

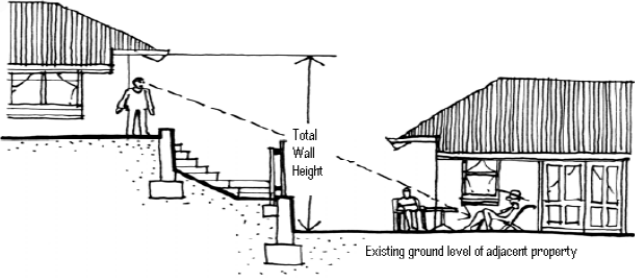
A full copy of the relevant reports are attached, refer **Attachment 3**.

ASSESSMENT

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

<u>General Section</u>		
Crime Prevention	Objectives	1
	Principles of Development Control	1, 2, 7
Design and Appearance	Objectives	1, 2
	Principles of Development Control	1, 2, 3, 9, 10, 11, 12, 13, 14, 15, 20
Energy Efficiency	Objectives	1
	Principles of Development Control	1, 2, 3
Infrastructure	Objectives	1
	Principles of Development Control	1, 2, 3, 4, 5, 6, 8, 9
Land Division	Objectives	1, 2, 3, 4
	Principles of Development Control	1, 2, 3, 4, 5, 6, 8, 9
Landscaping, Fences and Walls	Objectives	2
	Principles of Development Control	1, 2, 3, 4, 6
Natural Resources	Objectives	1, 5, 6
	Principles of Development Control	1, 2, 5, 7, 8, 9, 10, 11, 12, 13, 14
Orderly and Sustainable Development	Objectives	1, 2, 3, 4, 5
	Principles of Development Control	1
Residential Development	Objectives	1, 2, 3, 4
	Principles of Development Control	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 16, 18, 19, 20, 21, 27, 28, 29, 30, 31
Transportation and Access	Objectives	2
	Principles of Development Control	10, 11, 23, 24, 32, 34, 35, 36, 44, 45

Zone: Residential Zone
Desired Character Statement:
<i>This zone will contain predominantly residential development.</i>
<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>
<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>
<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</p>	<p>1 A residential zone comprising a range of dwelling types, including a minimum of 15 per cent affordable housing.</p> <p>2 Dwellings of various types at very low, low and medium densities.</p> <p>3 Increased dwelling densities in close proximity to centres, public transport routes and public open spaces.</p> <p>4 Development that contributes to the desired character of the zone.</p>
<p>Principles of Development Control</p>	<p>1 The following forms of development are envisaged in the zone:</p> <ul style="list-style-type: none"> ▪ affordable housing ▪ domestic outbuilding in association with a dwelling ▪ dwelling <p>5 Development should not be undertaken unless it is consistent with the desired character for the zone and policy area.</p> <p>7 Dwellings should be set back from allotment or site boundaries to:</p> <p>(a) contribute to the desired character of the relevant policy area</p> <p>(b) provide adequate visual privacy by separating habitable rooms from pedestrian and vehicle movement.</p> <p>10 Dwelling setbacks from side and rear boundaries should be progressively increased as the height of the building, (with the total wall height of the building being measured from the existing ground level at the boundary of the adjacent property as shown by Figure 1), increases to:</p> <p>(a) minimise the visual impact of buildings from adjoining properties</p> <p>(b) minimise the overshadowing of adjoining properties.</p>  <p>Figure 1</p> <p>12 Side boundary walls in residential areas should be limited in length and height to:</p> <p>(a) minimise their visual impact on adjoining properties</p> <p>(b) minimise the overshadowing of adjoining properties.</p>

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 Development that contributes to the desired character of the policy area.												
Principles of Development Control	<p>1 The following forms of development are envisaged specifically in the policy area:</p> <ul style="list-style-type: none"> ▪ affordable housing ▪ detached dwelling ▪ domestic outbuilding in association with a dwelling ▪ domestic structure ▪ dwelling addition ▪ group dwelling ▪ residential flat building <p>2 Development should not be undertaken unless it is consistent with the desired character for the policy area.</p> <p>3 Dwellings should be designed within the following parameters:</p> <table border="1"> <thead> <tr> <th>Parameter</th><th>Value</th></tr> </thead> <tbody> <tr> <td>Minimum setback from primary road frontage</td><td>3 metres</td></tr> <tr> <td>Minimum setback from secondary road frontage</td><td>2 metres</td></tr> <tr> <td>Minimum setback from back boundary</td><td>6 metres</td></tr> <tr> <td>Maximum site coverage (the area of a site covered by the ground floor level of a building, including the dwelling, garage, carport and outbuilding, but excluding unroofed balconies, verandas and pergolas)</td><td>60 per cent</td></tr> <tr> <td>Maximum building height (from natural ground level)</td><td> Allotments fronting Brooker Terrace, Marion Road and Henley Beach Road, and overlooking the Westside Bikeway: three storeys or 12.5 metres All other locations: two storeys or 8.5 metres </td></tr> </tbody> </table>	Parameter	Value	Minimum setback from primary road frontage	3 metres	Minimum setback from secondary road frontage	2 metres	Minimum setback from back boundary	6 metres	Maximum site coverage (the area of a site covered by the ground floor level of a building, including the dwelling, garage, carport and outbuilding, but excluding unroofed balconies, verandas and pergolas)	60 per cent	Maximum building height (from natural ground level)	Allotments fronting Brooker Terrace, Marion Road and Henley Beach Road, and overlooking the Westside Bikeway: three storeys or 12.5 metres All other locations: two storeys or 8.5 metres
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Maximum building height (from natural ground level)	Allotments fronting Brooker Terrace, Marion Road and Henley Beach Road, and overlooking the Westside Bikeway: three storeys or 12.5 metres All other locations: two storeys or 8.5 metres												

QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SITE AREA Residential Zone Medium Density Policy Area 19 PDC 5	Group Dwelling (within 400m of a Centre Zone) 170m ² minimum Residential Flat building (within 400m of a Centre Zone) 150m ² average	U01 - 220m ² Satisfies U02 - 174m ² Satisfies U03 - 167m ² Satisfies
SITE FRONTAGE Residential Zone Medium Density Policy Area 19 PDC 5	Group Dwelling - 9 metres Residential flat building - 15 metres (for complete building)	U01 - 10.4 metres Satisfies U02 and U03 - 14.2 metres Does not Satisfy by 5.3%
BUILDING HEIGHT Residential Zone Medium Density Policy Area 19 PDC 3	Allows up to 2 storeys or 8.5 metres	U01, U02, U03 are 2 storeys or 7.2 metres. Satisfies
STREET SETBACK Residential Zone Medium Density Policy Area 19 PDC 3	3 metres	3 metres to U01 Satisfies

Item 6.4

REAR SETBACK Residential Zone Medium Density Policy Area 19 PDC 3	Rear 6 metres	<u>U02 and U03</u> 3.5 metres Does not Satisfy by 0.5 metre or 41.7%
SITE COVERAGE Residential Zone Medium Density Policy Area 19 PDC 3	60%	42% approximately Satisfies
PRIVATE OPEN SPACE General Section Residential Development PDC 19	<300m ² allotments 24m ² of which 8 may comprise balconies, roof patios and the like, provided they have a minimum dimension of 2 metres Minimum dimension 4 metres Minimum area at the rear or side of the dwelling, directly accessible from a habitable room (square metres)	<u>U01</u> 24.5m ² Satisfies <u>U02 and U03</u> 28.8m ² Satisfies Minimum dimension 3.5 metres Does not Satisfy by 0.5 metres or 12.5%
DOMESTIC STORAGE Residential Development PDC 31	8m ³ to be located in non-habitable rooms	U01 6.5m ³ Does not Satisfy by 1.5m² or 18.9% U02 - U03 10.8m ³ Satisfies
LANDSCAPING General Section Landscaping, Fences and Walls PDC 4	10%	13% Satisfies
CARPARKING SPACES General Section Transportation and Access PDC 34	2 spaces per dwelling one undercover and an additional 0.25 spaces per dwelling.	6 spaces provided Does not Satisfy by 1 space

QUALITATIVE ASSESSMENT

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

Site Area and Frontage

The proposal meets the required site areas. This is a medium density policy area and the allotment sizes reflect this.

The frontage for the rear dwellings (U02 and U03) do not meet the frontage requirements for residential flat buildings as per Medium Density Policy area 19 Principle of Development Control 5, but this is considered to be a minor shortfall. There is a battleaxe form of development at 7 Cudmore Terrace that accommodates a single storey dwelling to the rear of the front detached dwelling, this also displays a lesser frontage. Other divided allotments in the locality have a frontage of around 8.5 metres, but this is where the allotments have been split centrally and from the front to back of the allotments with regular parcels.

The lack of frontage for the rear dwellings is not considered to be fatal to the application, especially given the manoeuvring works, the entrance to the site is adequate and there is landscaping along the northern fence.

Setbacks

There are a number of minor shortfalls within the development with regards to setbacks. The rear setback for U02 and U03 do not meet the minimum private open space (General Section - Residential Development, Principle of Development Control) or rear setback requirements (Medium Density Policy Area 19, Principle of Development Control 3) for the policy area. The private open space is off an internal dining area and ideally should have a larger minimum dimension to achieve a more functional private open space area. The area could however still be utilised by the future occupant for recreation, drying clothes or other.

While the rear dwellings (U02 and U03) achieve the minimum side setbacks, there are some side setback shortfalls that are not achieved for Dwelling U01. These are considered to be minor shortfalls. The length proposed on the boundary of 6 Cudmore Terrace is to accommodate the third toilet and laundry off the dining room. The height of this wall is around 2.7 metres and the second storey is set in. The length of this section of wall is 5 metres. This is not considered to be an unreasonable when consider that a complying shed could have a similar impact.

Overlooking and Overshadowing

The front dwelling (U01) of the development proposes upper floor windows that have been proposed to be obscured where there is potential for overlooking, i.e. the southern elevation. The three windows have either been raised to 1.7 metres or obscured below that height. It is satisfactory that the other three elevations do not have overlooking treatment as the potential for overlooking is within the development and directed within and sufficient distance to consider that overlooking is negligible or toward the street.

The rear dwellings (U02 and U03) of the development do not have windows facing to the rear therefore overlooking to the west is addressed. The southern and northern elevations have windows set at 1.7 metres in height therefore addressing the concerns of overlooking for the development. The front or eastern elevation has windows from a master bedroom for both dwellings with two windows. While there is potential for some overlooking with regards to the outside windows, it is considered to be reasonable. Clear windows in this location also adds the advantage of surveillance to the internal areas of the development.

Overall the development complies with Principle of Development Control 27 (General Section - Residential Development) of the Development Plan.

The Development Plan uses a number of techniques to ensure that adequate daylight and sunlight remains available to adjoining dwellings and private open space. The development mainly impacts on 6 Cudmore Terrace in respect to overshadowing. It also affects three allotments at 3A, 5 and 5A Aldridge Terrace to a lesser degree.

There is a northern facing window on the dwelling at 6 Cudmore Terrace that would be in shadow for the majority of the day during winter solstice. This would not meet Principle of Development Control 10 of the General Section - Residential Development module of the Development Plan. A large degree of the rear yard is also in shadow during winter solstice however it is not to a degree that is contrary to Principle of Development Control 12 (b) (General Section - Residential Development).

On balance, while it is considered that the development will have an impact on the amenity of the adjoining allotment at 6 Cudmore Terrace in terms of overshadowing it still generally meets the overshadowing provisions of the Development Plan.

Carparking Provisions

The development falls short in regards to carparking by one space. Each of the dwellings have one undercover and one visitor space. Table WeTo/2 of the Development Plan prescribes two carparking spaces per dwelling, one covered and an additional 0.25 spaces per dwelling. The undersupply of one space is not considered to be fatal to the application. While the development does not supply this space on site, there is the opportunity for an on street visitor space.

The development is also in close proximity to Richmond Road, a public transport route, which may be utilised.

Design

The design of the buildings are considered to present reasonably well to the street. They are two storey and the front dwelling contains some articulation with the façade. It is not desirable that the rear dwellings have their access doors located to the side of the dwelling façade. This is not aligned with Principle of Development Control 8 from General Section - Residential Development however these dwellings are sited behind U01 and if the entrance were relocated, they would not be visible from the street either.

Overall the design and appearance of the dwellings are considered to be satisfactory.

SUMMARY


The development has a number of minor shortfalls in terms of achieving the desired setbacks, site frontage for the rear two dwellings and provision of carparking. This is a revised plan that has taken a number of amendments to 'improve the design' and reduce the shortfalls of the development.

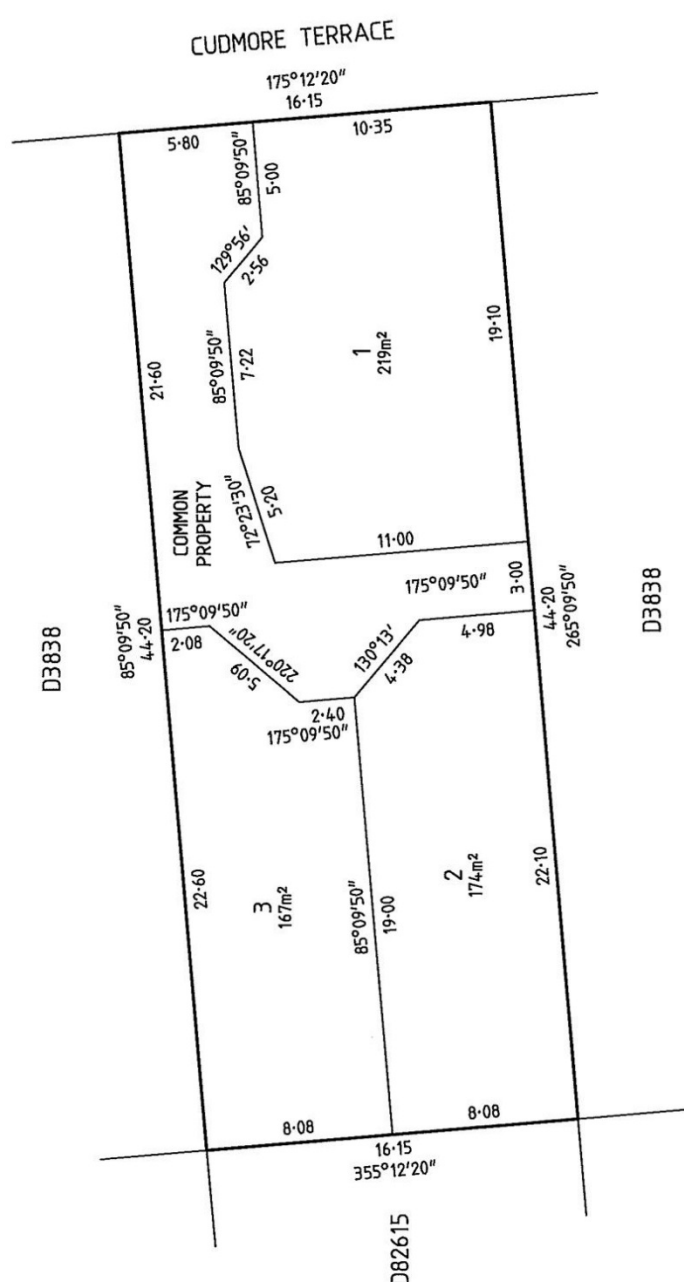
The development is within a medium density policy area and is offering residential development that is considered to be consistent.

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 (City) Development Plan Consolidated 5 May 2016 and warrants Development Plan Consent.

Attachments

1. **Proposal Plans**
2. **Representation and Response to Representation**
3. **Internal and external referrals**

PLAN OF PROPOSED COMMUNITY DIVISION	
DAC DEVELOPMENT NUMBER 211/C189/16	
COUNCIL..... WEST TORRENS ZONE..... RESIDENTIAL POLICY AREA..... 19 - MEDIUM DENSITY	
SUBJECT LAND DETAIL ALLOTMENT 81 IN DP 3838 HUNDRED OF ADELAIDE IN THE AREA NAMED MARLESTON 4 Cudmore Terrace Marleston SA	
TITLE REFERENCES C.T. Vol. 5720 Fol. 4 MAP REFERENCE: 6628/43/P	
COMMUNITY DIVISION TOTAL SITE AREA: 714m ² NO. OF EXISTING ALLOTMENTS: 1 NO. OF PROPOSED ALLOTMENTS: 3 NO. OF ADDITIONAL ALLOTMENTS: 2	
ANNOTATIONS / EASEMENTS Please refer to Land Use Application being prepared by Design Vision Consulting. Existing Dwelling & Structures to be demolished. All dimensions in metres. Do not scale drawing.	
ALL DATA IS APPROX ONLY SUBJECT TO SURVEY AND FINAL PLAN	
 CAVALLO FOREST & ASSOCIATES Surveying & Land Division Consultants 77 Earl Avenue, Clarence Park SA 5034 Ph: (08) 951 5695 Email: surveying@cavalloforest.com.au	
DATE 26/05/17	FIELD ---
REF No 16-257	CHK RC REV 03



CUDMORE TERRACE

175°12'20" 16.15

5.80 10.35

85°09'50" 5.00

129°56' 2.56

85°09'50" 7.22

12°23'30" 5.20

21.60

19-10

11-00

175°09'50" 3.00

175°09'50" 4.98

130°13' 4.38

220°17'20" 5.09

175°09'50" 2.40

85°09'50" 19.00

22-60

8.08

16.15

355°12'20"

8.08

22-10

4.4-20

265°09'50"

D3838

D82615

D3838

COMMON PROPERTY

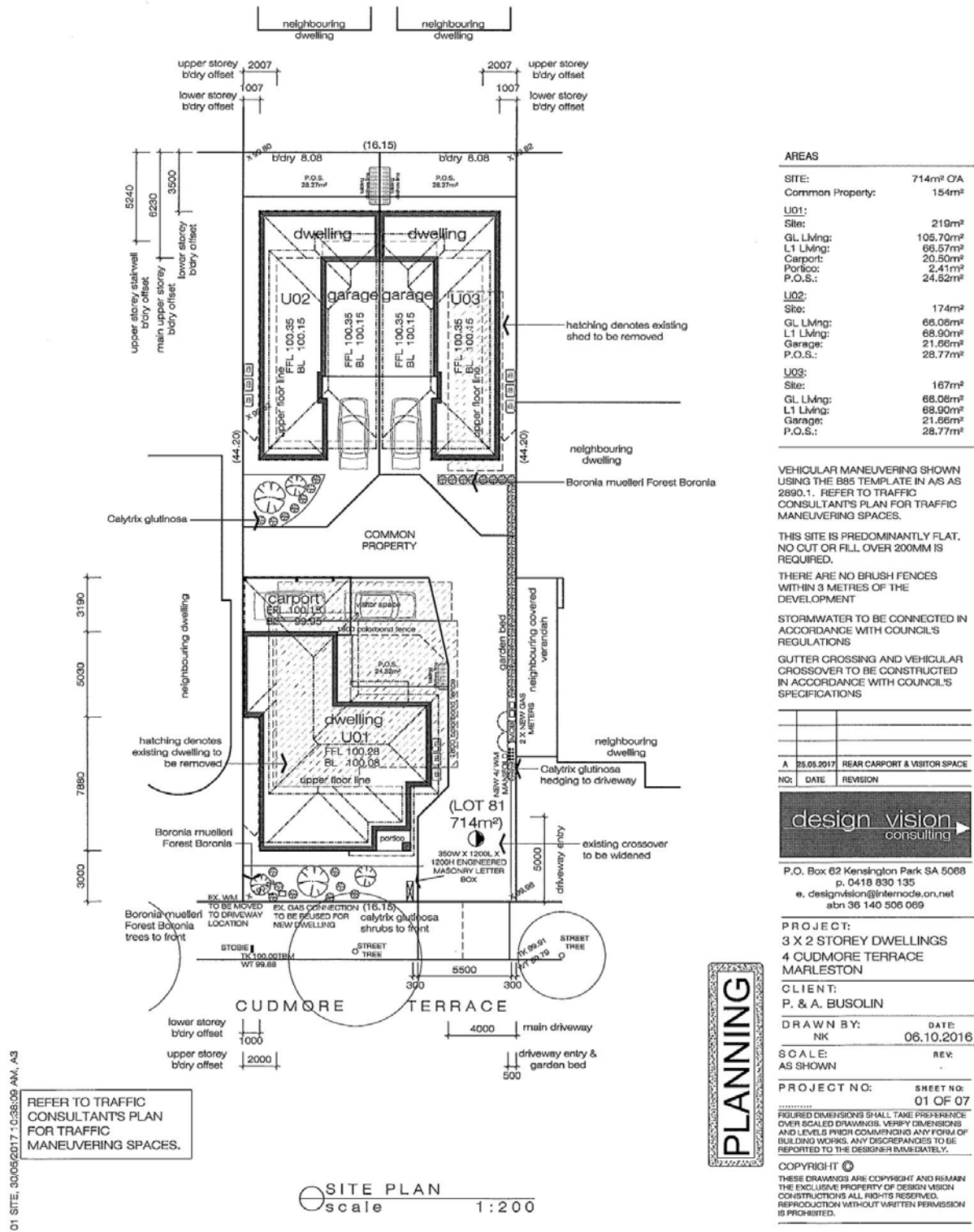
1 219m²

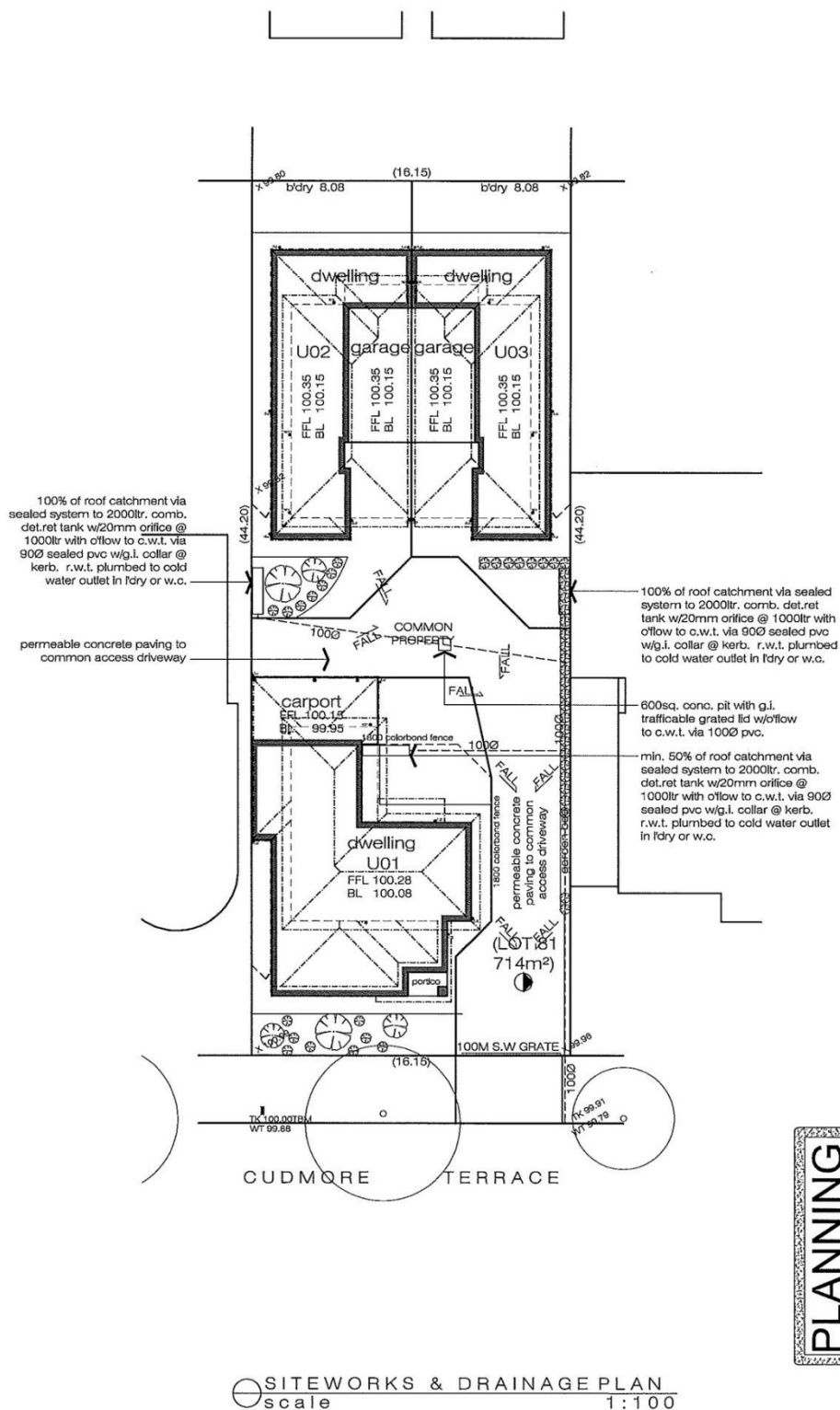
2 174m²

3 167m²

SCALE

0 5 10 15 20 METRES





AREAS

SITE:	714m² O/A
Common Property:	154m²
U01:	
Site:	219m²
GL Living:	105.70m²
L1 Living:	66.57m²
Carport:	20.50m²
Portico:	2.41m²
P.O.S.:	24.52m²
U02:	
Site:	174m²
GL Living:	66.06m²
L1 Living:	68.90m²
Garage:	21.66m²
P.O.S.:	28.77m²
U03:	
Site:	167m²
GL Living:	66.06m²
L1 Living:	68.90m²
Garage:	21.66m²
P.O.S.:	28.77m²

THIS SITE IS PREDOMINANTLY FLAT. NO CUT OR FILL OVER 200MM IS REQUIRED.

THERE ARE NO BRUSH FENCES WITHIN 3 METRES OF THE DEVELOPMENT

STORMWATER TO BE CONNECTED IN ACCORDANCE WITH COUNCIL'S REGULATIONS

GUTTER CROSSING AND VEHICULAR CROSSOVER TO BE CONSTRUCTED IN ACCORDANCE WITH COUNCIL'S SPECIFICATIONS

NO:	DATE	REVISION
A	25.05.2017	REAR CARPORT & VISITOR SPACE



P.O. Box 62 Kensington Park SA 5068
p. 0418 830 135
e. designvision@internode.on.net
abn 36 140 506 069

PROJECT:
3 X 2 STOREY DWELLINGS
4 CUDMORE TERRACE
MARLESTON

CLIENT:
P. & A. BUSOLIN

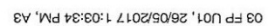
DRAWN BY: NK DATE: 06.10.2016

SCALE: AS SHOWN REV: .

PROJECT NO: SHEET NO: 02 OF 07

FIGURED DIMENSIONS SHALL TAKE PREFERENCE OVER SCALED DRAWINGS. VERIFY DIMENSIONS AND LEVELS PRIOR COMMENCING ANY FORM OF BUILDING WORKS. ANY DISCREPANCIES TO BE REPORTED TO THE DESIGNER IMMEDIATELY.

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PLANNING

A	25.05.2017	HEAR CARPORT & VISITOR SPACE		
NO:	DATE	REVISION		

design vision consulting

P.O. Box 62 Kensington Park SA 5068
p. 0418 830 135
e. designvision@internode.on.net
abn 36 140 506 069

PROJECT:

PROJECT:
3 X 2 STOREY DWELLINGS
4 CUDMORE TERRACE
MARLESTON

CLIENT:

P. & A. BUSOLIN

DRAWN BY: NIK
DATE: 06-10-2016

SCALE:
AS SHOWN

PROJECT NO: _____ SHEET NO: 03 OF 07

FIGURED DIMENSIONS SHALL TAKE PREFERENCE OVER SCALED DRAWINGS. VERIFY DIMENSIONS AND LEVELS PRIOR COMMENCING ANY FORM OF BUILDING WORKS. ANY DISCREPANCIES TO BE REPORTED TO THE DESIGNER IMMEDIATELY.

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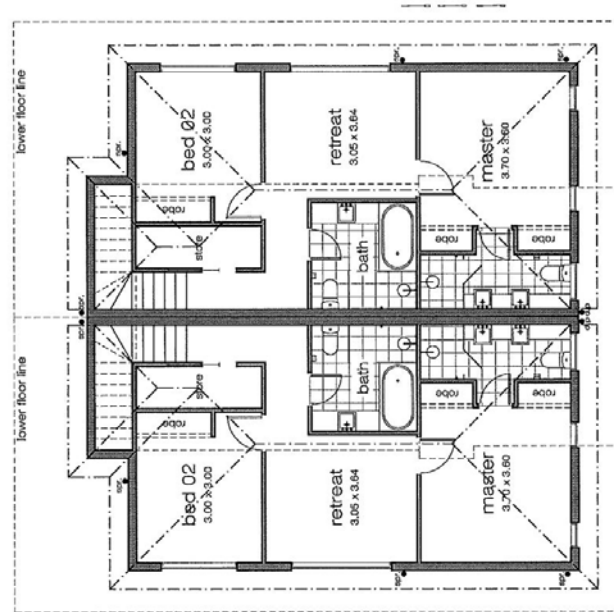
NO.	DATE	REVISION
A	24.05.2017	REAR GARAGE & VISITOR SPACE

design vision consulting	P.O. Box 82 Kensington Park SA 5068 Tel: 08 836 1300 e: design@designvision.com.au abn 36 140 506 069
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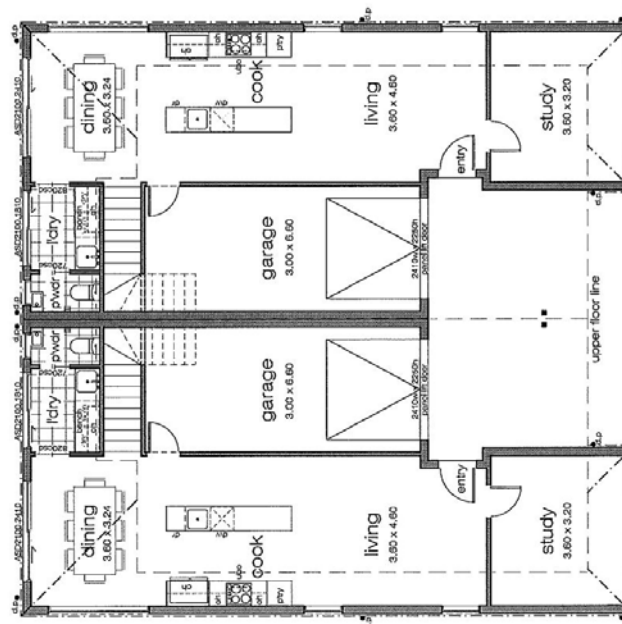
PROJECT:	3 X 2 STOREY DWELLINGS 4 CUDMORE TERRACE MARLESTON
CLIENT:	P. & A. BUSOLIN
DRAWN BY:	DATE: 06.10.2016
SCALE:	AS SHOWN
PROJECT NO:	SHEET NO: 04 OF 07

THESE DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS. VERIFY DIMENSIONS AND LEVELS PRIOR COMMENCING ANY FORM OF CONSTRUCTION. ANY DISCREPANCIES MUST BE REPORTED TO THE DESIGNER IMMEDIATELY.

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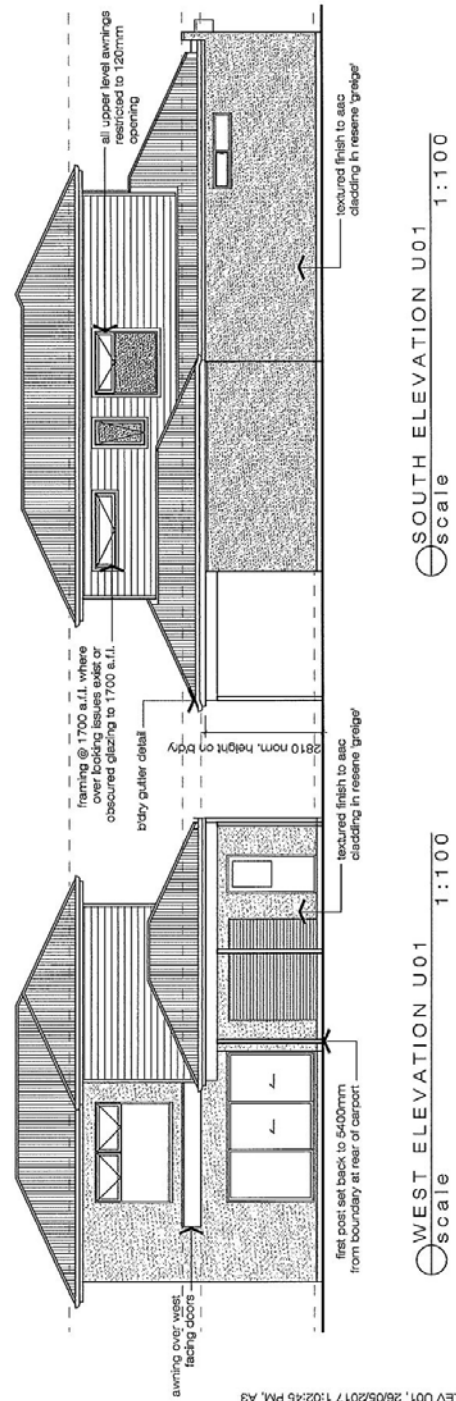
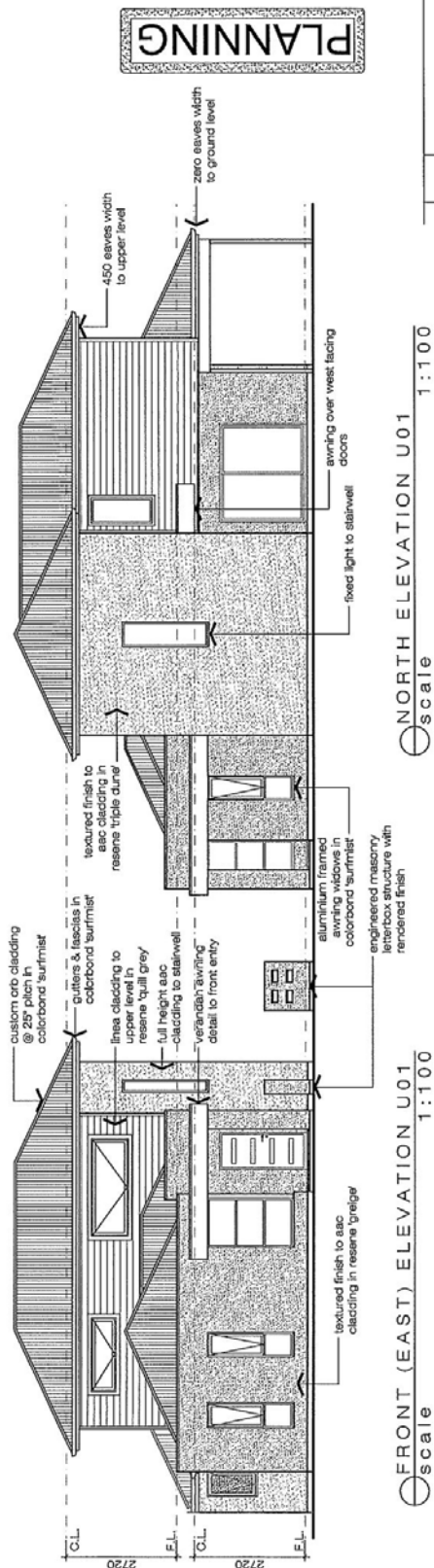


⊙ FLOOR PLAN U02, U03 - L1
 Scale 1:100



⊙ FLOOR PLAN U02, U03 - GL
 Scale 1:100

04 FP U02 U03, 25/05/2017 6:12:39 AM, A3



PLANNING

NO.	DATE	REVISION
A	26.05.2017	REAR CARPORT & VISITOR SPACE

design vision consulting

P.O. Box 62 Kensington Park SA 5088
P. 0418 630 135
E. designvision@interdoc.com.net
Aust 08 140 306 009

PROJECT:
3 X 2 STOREY DWELLINGS
4 CUDMORE TERRACE
MARLESTON

CLIENT:
P. & A. BUSOLIN

DRAWN BY:
NK

DATE:
06.10.2016

SCALE:
AS SHOWN

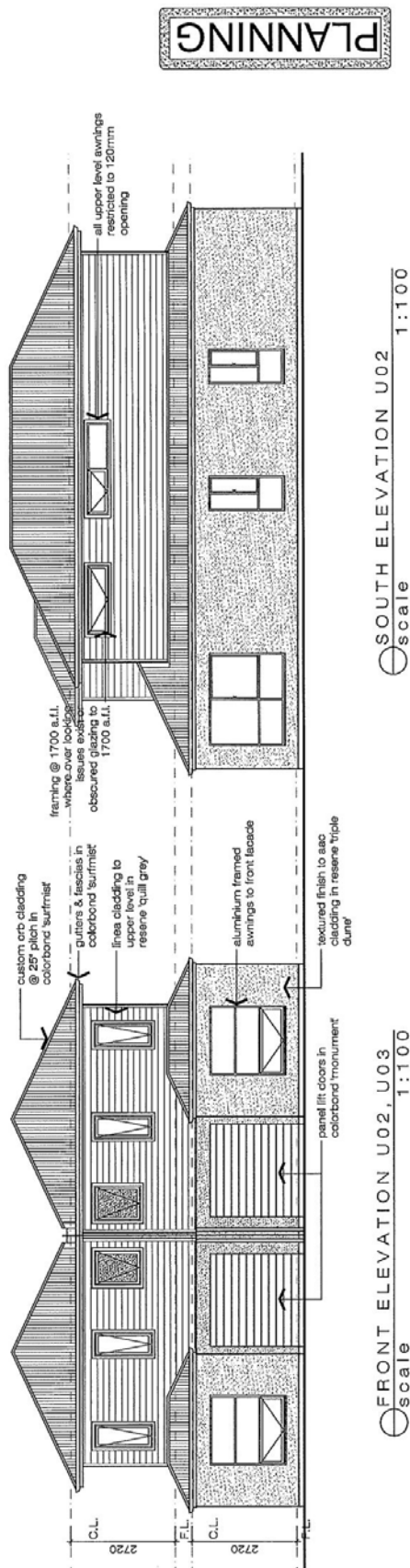
PROJECT NO.:
SHEET N°:

05 OF 07

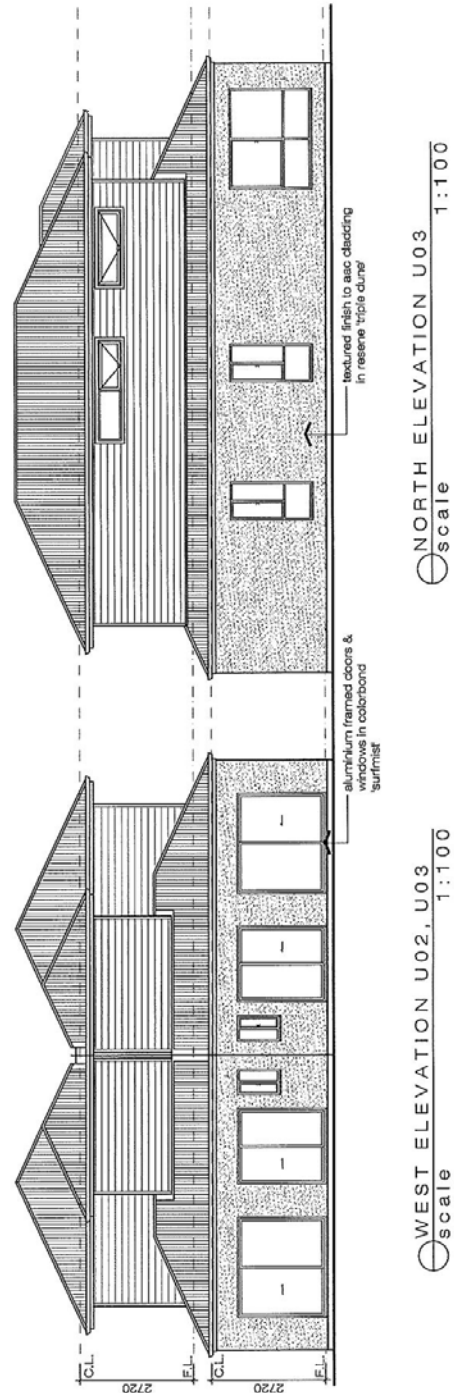
FIGURED DIMENSIONS SHALL TAKE PREFERENCE OVER UNFIGURED DIMENSIONS. ANY DISCREPANCIES IN FIGURED DIMENSIONS SHALL BE RESOLVED BY THE ARCHITECT. ANY DISCREPANCIES IN UNFIGURED DIMENSIONS SHALL BE RESOLVED BY THE ARCHITECT. ANY DISCREPANCIES IN UNFIGURED DIMENSIONS SHALL BE RESOLVED BY THE ARCHITECT.

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05 ELEV U01, 26/05/2017 1:02:45 PM, A3



SOUTH ELEVATION U02
Scale 1:100



WEST ELEVATION U02, U03
Scale 1:100

NO	DATE	REVISION
A	25/05/2017	REAR GARPORT & VISITOR SPACE



P.O. Box 62 Kensington Park SA 5088
Ph: 0819 830 135
e: design@designvision.net.au
abn 36 140 506 069

PROJECT:
3 X 2 STOREY DWELLINGS
4 CUDMORE TERRACE
MARLESTON

CLIENT:
P. & A. BUSOLIN

DRAWN BY:
DATE:
06.10.2016

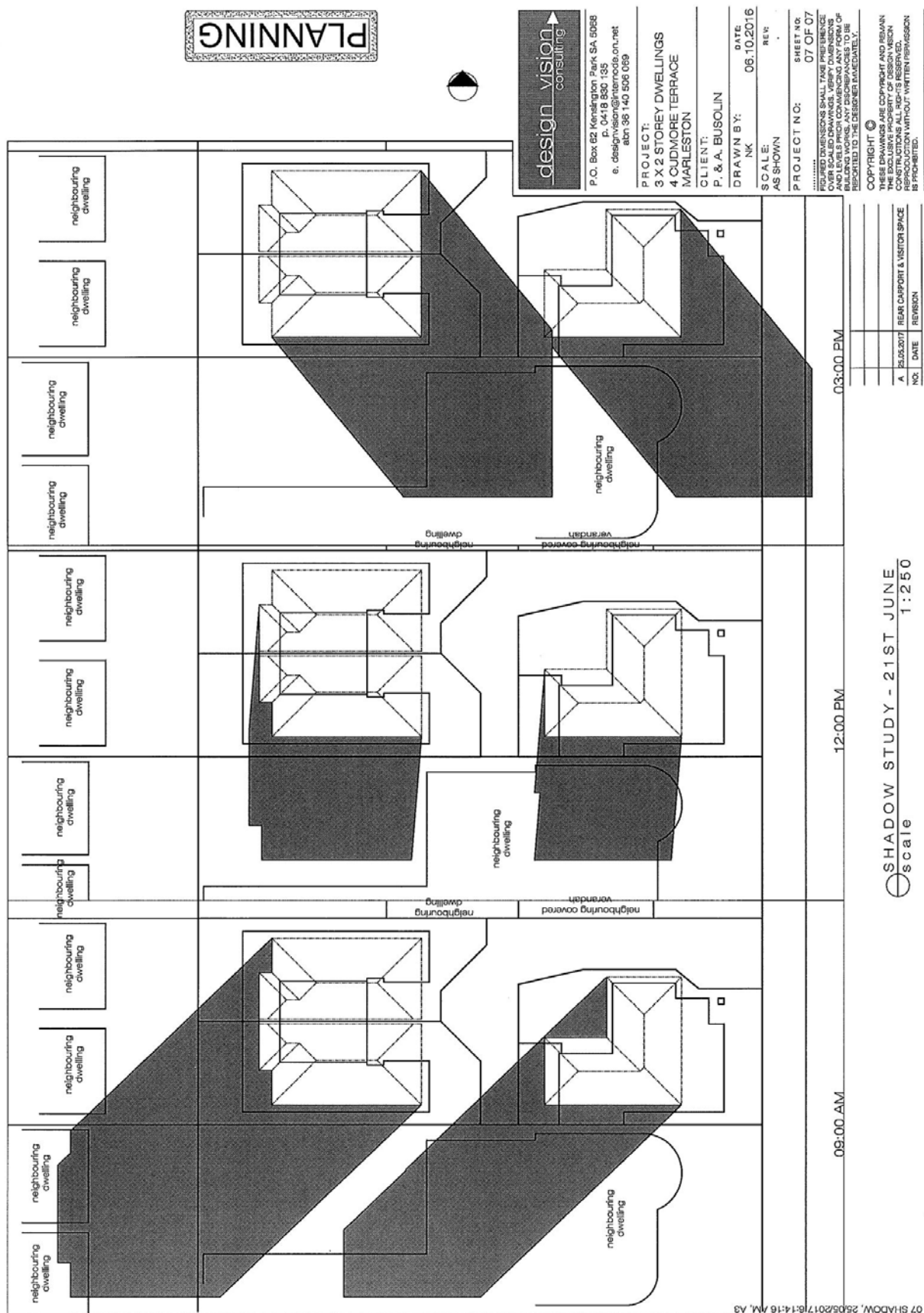
SCALE:
AS SHOWN

PROJECT NO:
SHEET NO:
06 OF 07

ALL DIMENSIONS SHALL TAKE PREFERENCE FROM THE DIMENSIONS SHOWN ON THE DRAWINGS OVER SCALED DRAWINGS. VERIFY DIMENSIONS AND LEVELS PRIOR TO CONSTRUCTION. ANY DISCREPANCY SHALL BE REPORTED TO THE DESIGNER IMMEDIATELY.

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06 ELEV U02 U03, 25/05/2017 6:13:24 AM, A3



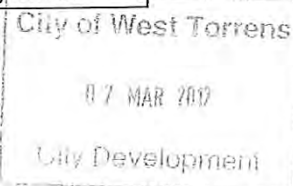
STATEMENT OF REPRESENTATION
Pursuant to Section 38 of the Development Act, 1993

SCANNED

TO

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

0 MAR 2017
 REF No. A1974503



DEVELOPMENT No. 211/1411/2016
 PROPERTY ADDRESS: 4 Cudmore Terrace, MARLESTON SA 5033

YOUR FULL NAME * Mel Callabiano

YOUR ADDRESS* 2 Cudmore Tce
Marleston

YOUR EMAIL ADDRESS

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

adjoining resident

REASONS FOR *
 REPRESENTATION

Concern overlooking windows
 into my property.
 parking out the front of street
 as already congested.

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

obscured windows not opening
 provide extra visitor parking

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

I DO NOT WISH TO BE HEARD



I DESIRE TO BE HEARD PERSONALLY



I DESIRE TO BE REPRESENTED BY _____



(PLEASE SPECIFY)

SIGNED

M. Callabiano

DATE

7.3.17.

*

If space insufficient, please attach sheets

(FORM 3)

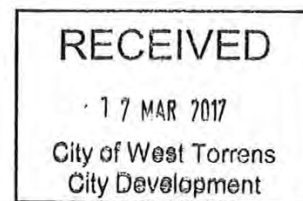
Responsible Officer: Sonia Gallarello

Ends: Tuesday 7 March 2017



15th March 2017

Att: Sonia Gallarello
City of West Torrens
165 Sir Donald Bradman Drive
HILTON SA 5033



Dear Sonia,

Re: 211/1411/2016 – 4 Cudmore Tce Marlestone
Supporting statement and response to representation

Proposal: Combined Application: Land Division – Community Title: DAC No. 211/C189/16 (Unique ID 56205), Create two (2) additional allotments: and construction of three (3) two storey dwellings including one residential flat building containing two dwellings to the rear.

Zone: Residential

Policy Area: Medium Density Policy Area 19

Applicant: P Busolin

On behalf of the applicant Mr. Paul Busolin and myself, I would like to thank you for the opportunity both to respond to the representation made by Mel Callabiano of 2 Cudmore Tce Marlestone and also to offer comments in support of this application.

Comments regarding car parking will be covered in the supporting comments to follow the response comments.

Overlooking

With regard to the concern of overlooking windows, we feel that this item has already been addressed in the submitted plans. All windows which may overlook the private space of adjoining properties have been either obscured to 1700mm a.f.l. or both been obscured and had their opening restricted to 100mm. The windows which have not been obscured on the upper level of dwelling one do not appear to be of any concern when taking into consideration both their distance from the private open space of the dwelling at number 2 and the amount of roof cover and mature vegetation which exists at number 2 also. As such, we do not feel that this should be of any concern.

Car Parking

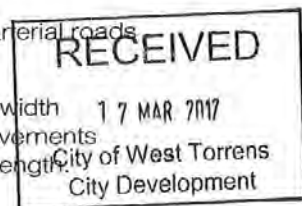
A passing bay of 5.5m in width has been provided at the front of the site for the first 5m of the access driveway, and 4m wide beyond this in keeping with Development Plan Land Division PDC 7 (b) (i) & (ii). A single crossover has also been adopted also in accordance with PDC 7 (d).

The passing bay width provided at the front of the property is also in keeping with the design guidelines provided in AS2890.1 for domestic residential driveways and access facilities taking into account the following contributing factors:

- User class 1A with less than 25 spaces and access facility category 1 (low volume).
- The circulation roadway is less than 30m long, being 7.2m along the 4m wide section, thereby allowing greater unobstructed visual connection between the rear and front ends of the circulation roadway.
- Less than 30 movements in peak hour (in and out combined) are expected, with an anticipated maximum of 3-5 movements thereby greatly reducing the expected instances of vehicles needing to pass within the 7.2m circulation roadway.

- Entry and exit is to a local road and away from signalized intersections, arterial roads and sub-arterial roads.

These factors allow the access point to sit well within the 3.0m-5.5m combined width nominated by AS2890.1, with the 5.5m width only being required where the movements exceed 30 per hour in peak hour, and the circulation roadway exceeds 30m in length.



With regard to the number of car parks provided, we have provided 2 off-street car parks per dwelling at the rear (one under cover per dwelling), and one off-street under cover carpark for the dwelling at the front. It is proposed to use the existing unobstructed street parking in front of dwelling 01 as the visitor park for this dwelling.

While it is acknowledged that the development plan calls for 2 car parks per dwelling, it is our opinion that the development plan objectives have been satisfied when taking into account the preferred medium density nature of development for this policy area, the existing street trees in front of the development, the existing streetscape and amenity of the street being preserved by the use of only one access point, and the close proximity to the public transport available on Richmond Rd.

We have looked at trying to fit an extra space on site, but this only has negative impacts on the amenity of the dwellings on the site including their private spaces and the liveability and amenity of the internal spaces. We feel that trying to accommodate 6 cars along with their manoeuvring spaces results in a site which is dominated by car parking and access lanes at the cost of the dwellings. If we are to try and achieve the desired medium density development needed for this area, then we also need to achieve a minimum of 3 dwellings for this site.

The definition of medium density only seems to be referenced in the 30 year draft plan for Adelaide, and the Residential Densities handbook of 2006 produced by the SA Government. As these appear to be the only available points of reference to help define and describe medium density development, they have also been used in the design of this development, in particular, the use of on-street parking for visitors, is mentioned in the Residential Densities handbook. It is also noted that PDC 11 under 'Transport and Access' in the development plan encourages keeping crossovers to a minimum to optimise the provision of on-street visitor parking where appropriate. We feel that this principle is appropriate in this medium density area, and an additional crossover would have been the only other option to gain an extra off-street car park for this development.

We note that other very recent developments in the zone have opted to add an additional double driveway in front of the street-facing dwelling, which along with the access lane to the rear dwellings has resulted in a loss of street parking and has detracted from the streetscape somewhat with no opportunity for street plantings here either. We believe we have presented a far more attractive development for the area, with the existing street tree being preserved, no additional crossovers being presented, and the amenity of the dwellings, the site, and the street being maintained to a better standard. We feel that the provision of one visitor car park on the street fits the medium density nature of development proposed, preserves the amenity of the street and the existing use of the street parking, and enhances the use of the site, and as such, we believe that this should not be a point that the assessment of this application hinges on.

3

Please also find attached here updated plans showing the letter box structure and the revised services location further back in the driveway.

We welcome the opportunity to address the Development Assessment Panel in person when this item is presented, and answer any questions they may have.

We trust this information has been of assistance to you in your positive assessment of this application.

Kind Regards,



Neil Kemp
Design Vision Consulting



Sonia Gallarello

From: Andrew King
Sent: Tuesday, 30 May 2017 5:01 PM
To: Sonia Gallarello
Cc: Jane Teng
Subject: RE: confirmation of final docs

Sonia

In relation to the documents attached to the below email, the following City Asserts comments are provided.

In relation to manoeuvrability for the development, the site layout associated with the below now provides for acceptable movement for two car parking space provision for each of the proposed dwellings, located such that it would be reasonable for each vehicle to forward enter and exit the site.

In relation to the driveway connection to the street and the ability for entering and exiting vehicles to pass at the driveway entrance, design upgrades on the below attached design provides for a satisfactory arrangement in the desired requirements.

This being based on their being not fencing along the southern side of the common driveway adjacent to the passing area, through to where the driveway becomes a single lane width.

It is noted that the nominated letter box is sufficiently set back from the driveway to comply with the relevant standard, and the nominated service cabinets and meters (although not largely setback from the edge of the road pavement) are adjacent the section of single lane width which exceeds the minimum requirements and hence provides for sufficient offset allowance.

It is recommended that a condition regards this fencing exclusion be included with any approval of this development.

In relation to FFL requirements for the development, correspondence dated 20 March 2017 indicated satisfaction with the proposed FFLs for the various dwellings incorporated within the development (being 100.28 for Dwelling 1 and 100.35 for Dwellings 2 & 3).

In relation to the proposed stormwater connection for the proposed development through the road verge to the street, the plans attached below nominate for this connection to be located along the northern side of the driveway which would not typically be acceptable to Council. The current location would conflict with the proposed driveway and making minor alteration to the outlet to avoid this conflict would result in it being located in front of the adjacent property which is also strongly discouraged by Council.

It is understood that this conflict and guidance on the appropriate placement of the connection has previously been expressed to the applicant on several occasions.

Having stated the above, in the specifics of this development, it is noted that there is clearly sufficient room to appropriately located a stormwater connection from this development to the southern side of the common driveway, providing acceptable offset to both the driveway and existing street tree.

It is noted that no special stormwater management requirements were requested for this development.

Please feel free to contact me should you require any further clarification in relation to the above.

Many Thanks,

Andrew King
Coordinator Engineering Services
City Assets

City of **West Torrens**

Between the City and the Sea

Memo

To Sonia Gallarello
From Jane Teng
Date 20/03/2017
Subject 211/1411/2016, 4 Cudmore Terrace, MARLESTON SA 5033

Sonia Gallarello,

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

1.0 FFL Consideration – Finished Floor Level (FFL) Requirement

In accordance with the provided 'Site Plan' (Design Vision Consulting – Drawing Number 01 of 07 – dated 06.10.2016), the FFLs of the proposed development (100.28 minimum) have been assessed as satisfying minimum requirements (100.35) in consideration of street and/or flood level information.

2.0 Verge Interaction (with street tree)

- 1.1 In association with new development, driveways and stormwater connections through the road verge need to be located and shaped such that they appropriately interact with and accommodate existing verge features in front of the subject and adjacent properties.

New driveways and stormwater connections are required to be located a minimum 1.0 metre offset from other existing or proposed driveways, stormwater connections, stobie poles, street lights, side entry pits and pram ramps, etc. (as measured at the front property boundary).

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

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

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



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

3.0 Driveway Access

- 3.1 As the access driveway will service more than one property at the rear, the driveway corridor to the site will require widening to a minimum of 5.5m wide pavement width (+ 300mm offset from fences/walls/boundary) for the first 5.0m into the site to permit the passing of entering and exiting traffic. The proposed driveway falls short of this requirement. Please refer to the attached Sketch 1.0 for a typical layout.

It is recommended that the driveway servicing the rear of the subject site be revised to the required dimensions indicated above. Revised plans showing a driveway that satisfies the above provisions should be provided to Council.

- 3.2 It is also important to ensure that the functionality of this driveway entrance and passing area is not compromised by the ultimate installation of letterboxes, above ground service metres or similar.

Provided plans should indicate location for letterboxes and meters which would satisfy this requirement.

It is recommended that any approval associated with this development included a condition of similar wording to the following;

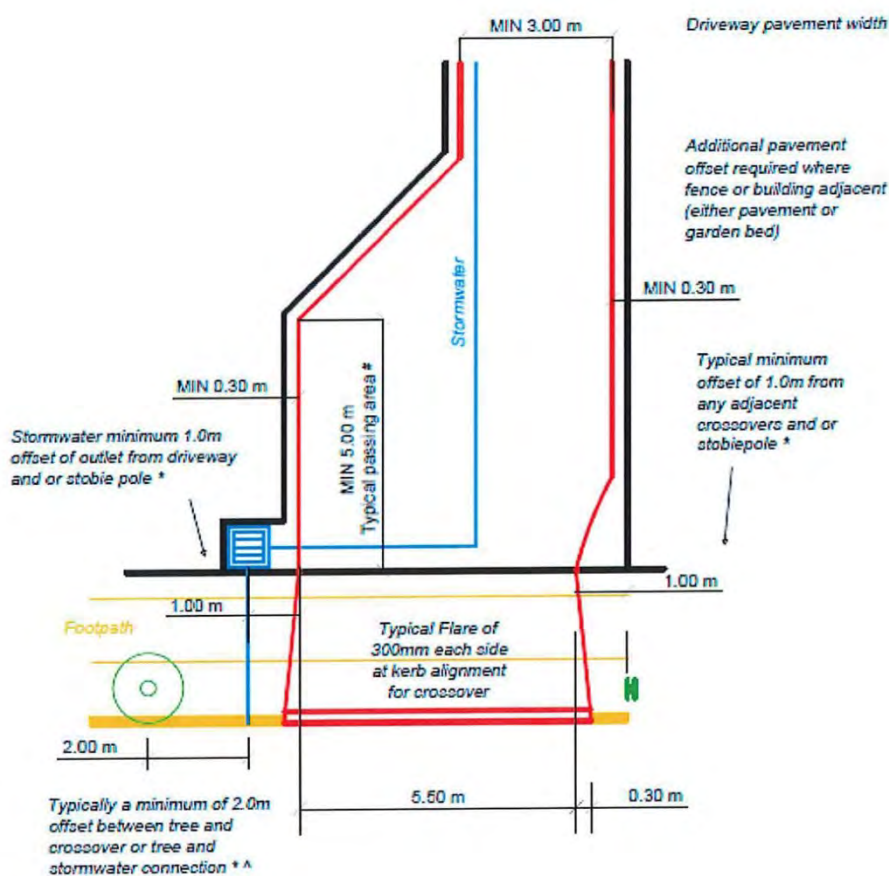
"No aboveground structure(s) such as letterboxes, service meters or similar are to be installing within the common driveway entrance and passing area."



City of West Torrens

Between the City and the Sea

ACCESS ARRANGEMENT SERVICING TWO REAR PROPERTY



NOTES:

* Distance as measured along alignment of front property boundary.

^ Must be deemed to comply by Council's Technical Officer (Amenity).

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

Sketch 1.0



4.0 Garage dimensions

Although not specified in the relevant Australian Standards (AS/NZS 2890.1:2004), the internal garage length proposed as 5.80m meets the minimum internal length of 5.80m as specified in the traffic engineering best practice guides of an enclosed garage or enclosed carport space.

The Australian Standards (AS/NZS 2890.1:2004) specify that a minimum internal width of an enclosed parking space is to be 3.0m. Therefore, the garage dimensions are met by the proposed development.

It has been assessed that the proposed development meets Council's minimum garage Dimensions requirements.

5.0 Traffic Comments

Elements of the vehicle manoeuvrability within this development appear to be unsatisfactory in consideration of the requirements of the relevant Australian Standard (AS/NZS 2890.1:2004).

Assuming that the visitor car park space has been allowed at the rear garage of dwelling U01, it has been assessed that vehicle will not be able to exit the site in a forward direction (please see the attached demonstration for **internal use only**). It should be noted that a number of changes to the dwelling will be required and no simple solution can be suggested by Council.





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

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

6.0 Stormwater Detention and Quality Requirements

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

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

Regards

Jane Teng
Civil Engineer

Contact - Lands Titles Office
Telephone 7109 7016



22 November 2016

The Chief Executive Officer
City of West Torrens

Dear Sir/Madam

**Re: Proposed Application No. 211/C189/16 (ID 56205)
for Land Division
(Community Title Plan) by Mr Paul Busolin & Mr Andrew Busolin**

In accordance with Section 33 of the Development Act 1993 and Regulation 29 (1) of the Development Regulations 2008, and further to my advice dated 09 November 2016, I advise that the Development Assessment Commission has consulted with SA Water Corporation (only) regarding this land division application. A copy of their response has been uploaded in EDALA for your consideration. The Commission has no further comment to make on this application, however there may be local planning issues which Council should consider prior to making its decision.

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

1. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.
Subject to our new process, on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non standard fees.
The developer must inform potential purchasers of the community lots of the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to the owner/applicant.
2. Payment of \$13352 into the Planning and Development Fund (2 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.

PURSUANT TO REGULATION 60(4)(b)(ii), SHOULD THIS APPLICATION BE APPROVED, COUNCIL MUST PROVIDE THE DEVELOPMENT ASSESSMENT COMMISSION WITH:

- (a) the date on which any existing building(s) on the site were erected (if known),
- (b) the postal address of the site

It is recommended that this information be incorporated into the Decision Notification Form.

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

Yours faithfully

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

Phil Hodgson
Unit Manager
Lands Titles Office
as delegate of
DEVELOPMENT ASSESSMENT COMMISSION



22 November 2016

Our Ref: H0052562

The Chairman
Development Assessment Commission
136 North Terrace
ADELAIDE SA 5000

Dear Sir/Madam

PROPOSED LAND DIVISION APPLICATION NO: 211/C189/16 AT MARLESTON

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

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

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

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

Yours faithfully

Michael Zoanetti

for MANAGER LAND DEVELOPMENT & CONNECTIONS

SA Water
Level 6, 250 Victoria Square
ADELAIDE SA 5000
Ph (08) 7424 1119
Inquiries Michael Zoanetti
Telephone 7424 1280

6.5 10A McCann Avenue, GLENELG NORTH

Application No 211/1438/2016

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Construction a carport forward of the dwelling
APPLICANT	SA Quality Home Improvements
APPLICATION NO	211/1438/2016
LODGEMENT DATE	24 November 2016
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"> Nil
DEVELOPMENT PLAN VERSION	15 May 2016
MEETING DATE	13 June 2017

RECOMMENDATION(S)

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to REFUSE Development Approval for Application No. 211/1438/2016 by SA Quality Home Improvements to construct a carport forward of the dwelling at 10A McCann Ave, Glenelg North (CT 5805/653) for the following reasons:

- The proposed development is contrary to
 - Design and Appearance Council Wide Objectives 1
Reason: The proposal does not exhibit a high design standard that reinforces the positive aspects of the local environment.
 - Design and Appearance Council Wide Principles of Development Control 13 & 15
Reason: The proposal does not have a co-ordinated appearance that maintains the attractiveness of the locality and the dwelling entry point is not readily perceptible from the public realm.
 - Landscaping, Fences and Walls Council Wide Objectives 2
Reason: The proposal will not be in keeping with the locality or the Desired Character of the Policy Area.
 - Design and Appearance Council Wide Principles of Development Control 21
Reason: The proposal does not have a similar or compatible setback with buildings on adjoining land.
 - Residential Development Council Wide Principles of Development Control 4, 8, 16
Reason: The proposal will detrimentally impact the visual amenity of the site and locality.

- Residential Zone Objective 4
Reason: The proposal does not contribute to the Desired Character of the Zone.
 - Residential Zone Principles of Development Control 5 & 8
Reason: The proposal is not consistent with the Desired Character of the Zone and Policy Area and it will not have a setback that is the same as one of the adjacent buildings.
-

BACKGROUND

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

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

PREVIOUS OR RELATED APPLICATION(S)

211/84/2002 - Pergola

211/284/2000 - Land Division

211/1058/1999 - Two detached dwellings (Demolition of existing dwelling)

SITE AND LOCALITY

The land is irregular in shape and located in the south eastern corner of the McCann Avenue and Orana Avenue intersection. It is formally described as Allotment 31 Deposited Plan 55327 in the area named Glenelg North, more commonly known as 10a McCann Ave, Glenelg North.

With a primary frontage of 16.51m to McCann Ave and a secondary frontage to Orana Ave of 17.18m it results in an area of 334m². There is currently a single storey detached dwelling exhibiting a conventional design and a verandah constructed on the allotment. The dwelling is setback approximately 3.9m from McCann Ave and 3m from Orana Ave.

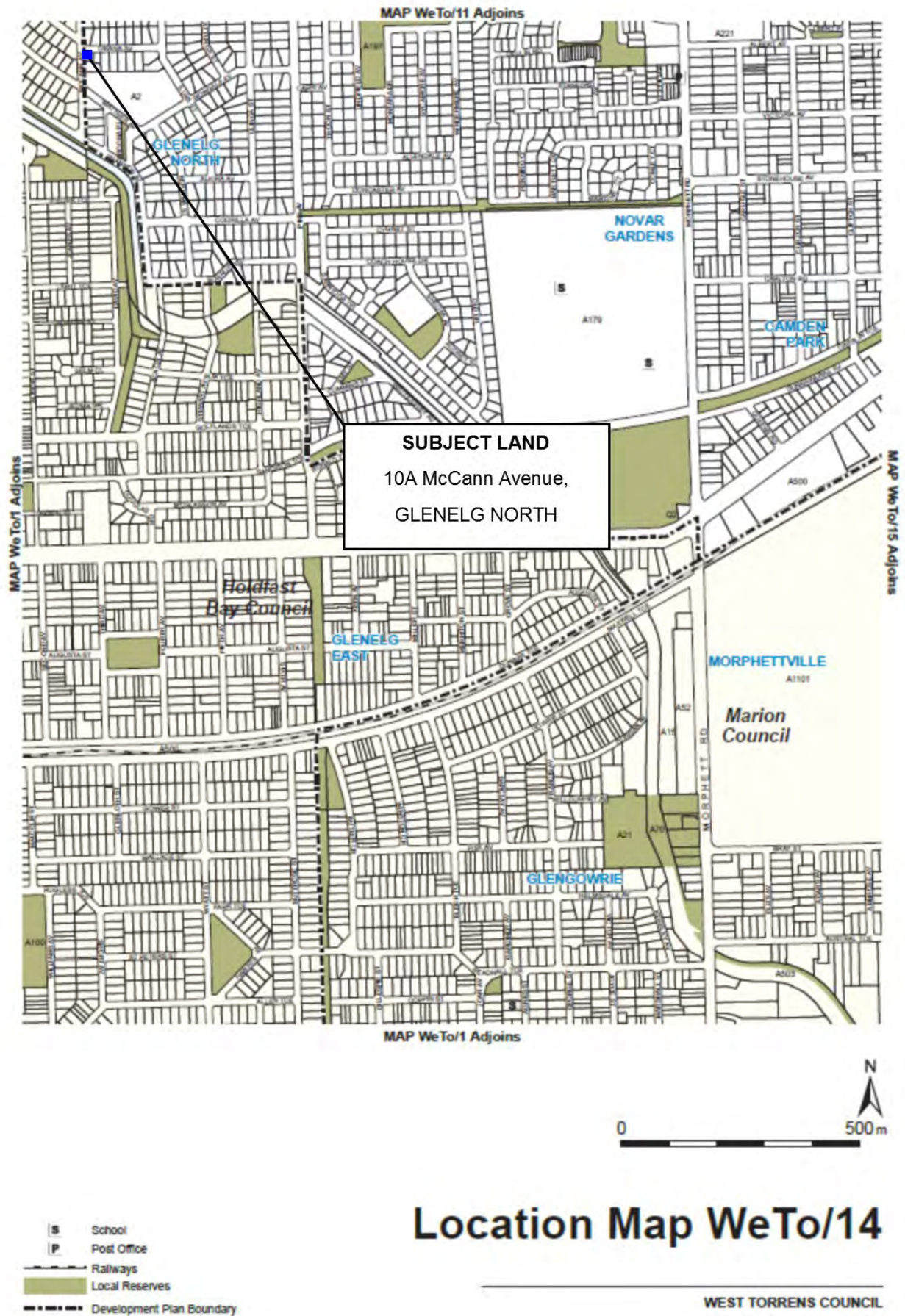
The allotment has a single crossover in the south western corner of the allotment onto McCann Ave. This leads to a double garage which has been built under the main roof of the dwelling.

The allotment is flat and formally landscaped with grass and shrubs. There are two mature street trees in front of the property one on each of the street frontages.

The locality is residential in nature characterised by single storey detached dwellings at low density. There are some examples of infill development on corner allotments such as the subject site. There is a strong character in terms of dwelling setbacks, dwelling design and open vegetated front gardens. All dwellings in the locality have carports or garages located behind the main face of the dwellings and the older dwellings have only a single carport or garage.

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





PROPOSAL

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

"Construction of a carport and verandah forward of the dwelling"

The proposal seeks to construct the carport forward of the dwelling and in front of the existing garage. It will have a depth of 5.6m and a width of 3.65m. It will be built to the front boundary. The verandah will provide a covered area from the carport to the front door.

The carport will be open on three sides and have a pitched roof.

REFERRALS

Internal

- City Assets

City Assets did not raise any concerns with the proposal.

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>		
Crime Prevention	Objectives	1
	Principles of Development Control	1 & 2
Design and Appearance	Objectives	1 & 2
	Principles of Development Control	1, 3, 13 & 15
Landscaping, Fences and Walls	Objectives	2
	Principles of Development Control	6
Residential Development	Objectives	1
	Principles of Development Control	4, 6, 7, 8, 14, 15, 16, 18, 19, 20, 21 & 35
Transportation and Access	Objectives	2
	Principles of Development Control	23, 24, 34 & 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>

<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. 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>	
<i>Objectives</i>	4
<i>Principles of Development Control</i>	1, 4, 5 & 8
<i>Policy Area: Low Density Policy Area 21</i>	
<i>Desired Character Statement:</i> <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). There will be a denser allotment pattern and some alternative dwelling types, such as semi-detached and row dwellings, close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones. Battleaxe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments developed with buildings that have a direct street frontage. In the area bounded by Henley Beach Road, Torrens Avenue and the Linear Park, where the consistent allotment pattern is a significant positive feature of the locality, subdivision will reinforce the existing allotment pattern. Buildings will be up to 2 storeys in height. Garages and carports will be located behind the front façade of buildings. Buildings in the area bounded by Henley Beach Road, Torrens Avenue and the Linear Park will be complementary to existing dwellings through the incorporation of design features such as pitched roofs, eaves and variation in the texture of building materials. Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer. Low and open-style front fencing will contribute to a sense of space between buildings.</i>	
<i>Objectives</i>	1
<i>Principles of Development Control</i>	1 & 2

QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
PRIMARY STREET SETBACK <i>Residential Zone</i> <i>PDC 8</i>	Up to 2m - same as one of the adjacent buildings	0m Does Not Satisfy
SECONDARY STREET SETBACK <i>Residential Zone</i> <i>PDC 9</i>	Vertical wall height - Less than 3m - 2m (min.) - 3m or greater - 3m (min.)	10.5m Satisfies

SIDE/REAR SETBACKS <i>Residential Zone</i> <i>PDC 11</i>	Side No requirement for carports or verandahs	0m
	Rear No requirement for carports or verandahs	13.1m
BUILDING HEIGHT <i>Residential Zone</i> <i>PDC 6</i>	2 storeys or 6m	1 storeys or 2.7m Satisfies
CARPARKING SPACES <i>Transportation and Access</i> <i>PDC 34</i>	Detached, semi-detached, row and multiple dwellings - 2 car-parking spaces required, 1 of which is covered	No change to total number of available car parks Satisfies

QUALITATIVE ASSESSMENT

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

Visual dominance

The proposed carport will be built to the front boundary which will make it approximately 6.5m further forward than the adjacent dwelling at 10 McCann Ave. 10, 10a & 12 are the only dwellings in the locality which face McCann Avenue. The existing dwelling at 10a McCann is built forward of both of the adjoining dwellings.

The Development Plan has several provisions which speak specifically of this type of development, such as:

PDC 16 Garages, carports and residential outbuildings should not dominate the streetscape and not adversely impact on the safety of road users and pedestrians, and be designed within the following parameters:

Parameter	Value
<i>Maximum floor area</i>	<i>60 square metres</i>
<i>Maximum wall height</i>	<i>3 metres</i>
<i>Maximum building height</i>	<i>5 metres</i>
<i>Minimum setback from a primary road frontage</i>	<u>Garages and carports sited no closer to the primary road frontage than any part of its associated dwelling</u> <i>Outbuildings should not protrude forward of any part of its associated dwelling</i>

<i>Minimum setback from a secondary road frontage</i>	<i>0.9 metres or in line with the existing dwelling</i>
<i>Maximum length along the boundary</i>	<i>8 metres or 50 per cent of the length along that boundary (whichever is the lesser)</i>
<i>Maximum frontage width of garage or carport with an opening facing a rear access lane</i>	<i>No maximum</i>
<i>Maximum frontage width of garage or carport opening facing the street</i>	<i>6 metres or 50 per cent of the allotment frontage, whichever is less</i>

The Desired Character statement of the Residential Zone, Low Density policy Area 21 States:

"Garages and carports will be located behind the front façade of buildings."

As the proposal is set 4m forward of the dwelling, it does not meet these provisions.

There are also a number of other provisions which relate to the design and appearance of development such as:

Obj 1 Development of a high design standard and appearance that responds to and reinforces positive aspects of the local environment and built form.

PDC 13 Buildings, landscaping, paving and signage should have a co-ordinated appearance that maintains and enhances the visual attractiveness of the locality.

PDC 21 Except in areas where a new character is desired, the setback of buildings from public roads should:

(a) be similar to, or compatible with, setbacks of buildings on adjoining land and other buildings in the locality

(b) contribute positively to the function, appearance and/or desired character of the locality.

The proposed carport is not considered to respond to or reinforce the local environment and built form as it will be built to the front and side boundary, visually dominate the associated dwelling (especially when viewed from the south) and if approved will allow similar setbacks on adjoining the allotments.

It is acknowledged that there is a single carport and single garage built adjacent the street boundary on the opposite side of McCann Avenue (see aerial image below). However due to the design and orientation of the dwelling, it does not exhibit as much of an imposing visual element as the proposed carport.

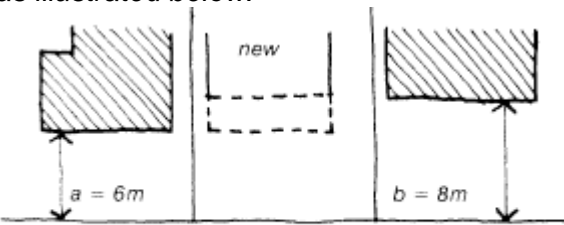


Further, it is not considered that these structures are built forward of the dwelling due to the direction that the dwelling is facing, this has been highlighted by the red arrow in the image above. Also this property is in the City of Holdfast local government area so not governed by the West Torrens Council Development Plan, therefore cannot be cited as an example of why this proposal should be accepted. Council's historic aerial images show that the garage was built between 1949 and 1959. The adjacent lean to carport was built between 1979 and 1989.

Setbacks

The Development Plan and more specifically the Residential Zone has clear guidance as to how close development should be setback from the front boundary. PDC 8 of the Residential Zone states:

PDC 8 *Except where specified in **Medium Density Policy Area 18** and **Medium Density Policy Area 19**, development (including any veranda, porch, etc) should be set back from the primary road frontage in accordance with the following table:*

Setback difference between buildings on adjacent allotments	Setback of new building
Up to 2 metres	<p>The same setback as one of the adjacent buildings, as illustrated below:</p>  <p>When $b - a \leq 2$, setback of new dwelling = a or b</p>
Greater than 2 metres	At least the average setback of the adjacent buildings.

As described in the Quantitative Table above, the adjoining buildings at 10 & 12 McCann Ave are setback 7m & 5.7m respectively. As they have setbacks within 2m of one another, the proposed development should be the same as one of them. The existing dwelling is already at odds with this provision as the portico is located further forward of these adjoining properties with a 3.84m setback.

It is important to note that this provision relates to *any* part of the building, including veranda, porch and the like. The proposed development does not meet this provision.

Visual Impact on Streetscape

The proposed carport will have a detrimental impact on the streetscape as it will be out of character with the adjoining dwellings. It is considered to be a detrimental impact rather than a positive one because it is forward of the dwelling, built to the front boundary and has a different roof pitch to the associated dwelling.

If approved, it will be the first intrusion of such a development within the locality. Should this development gain approval, it will have an effect on future development especially on the adjoining properties. Assessment of an application against PDC 8 shown above, would allow a building on an adjoining allotment to be constructed to the front boundary.

The Design and Appearance section of the Development Plan states:

Obj 1 Development of a high design standard and appearance that responds to and reinforces positive aspects of the local environment and built form.

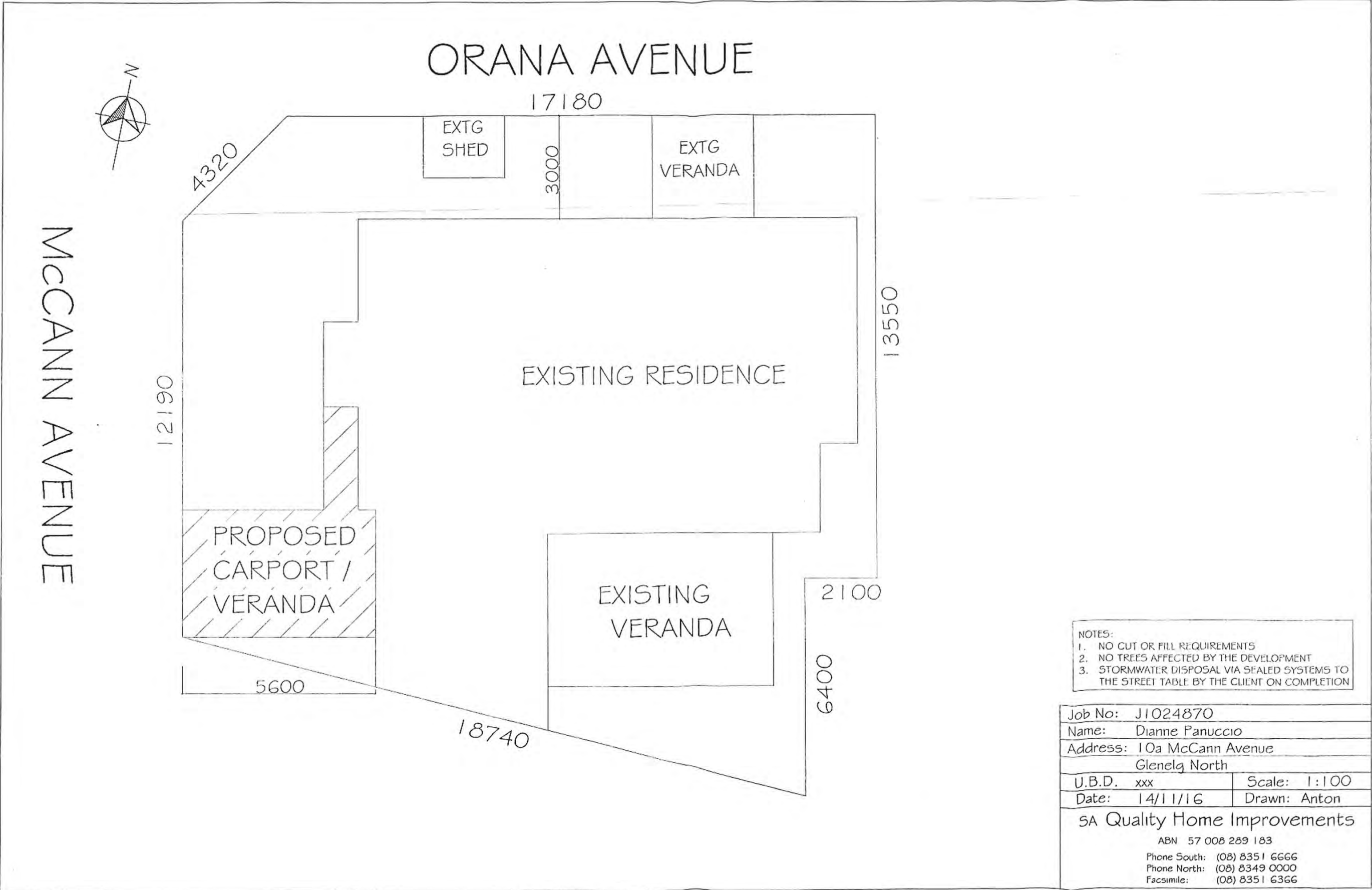
For the reasons given previously, it is not considered that the proposal is achieving this Objective.

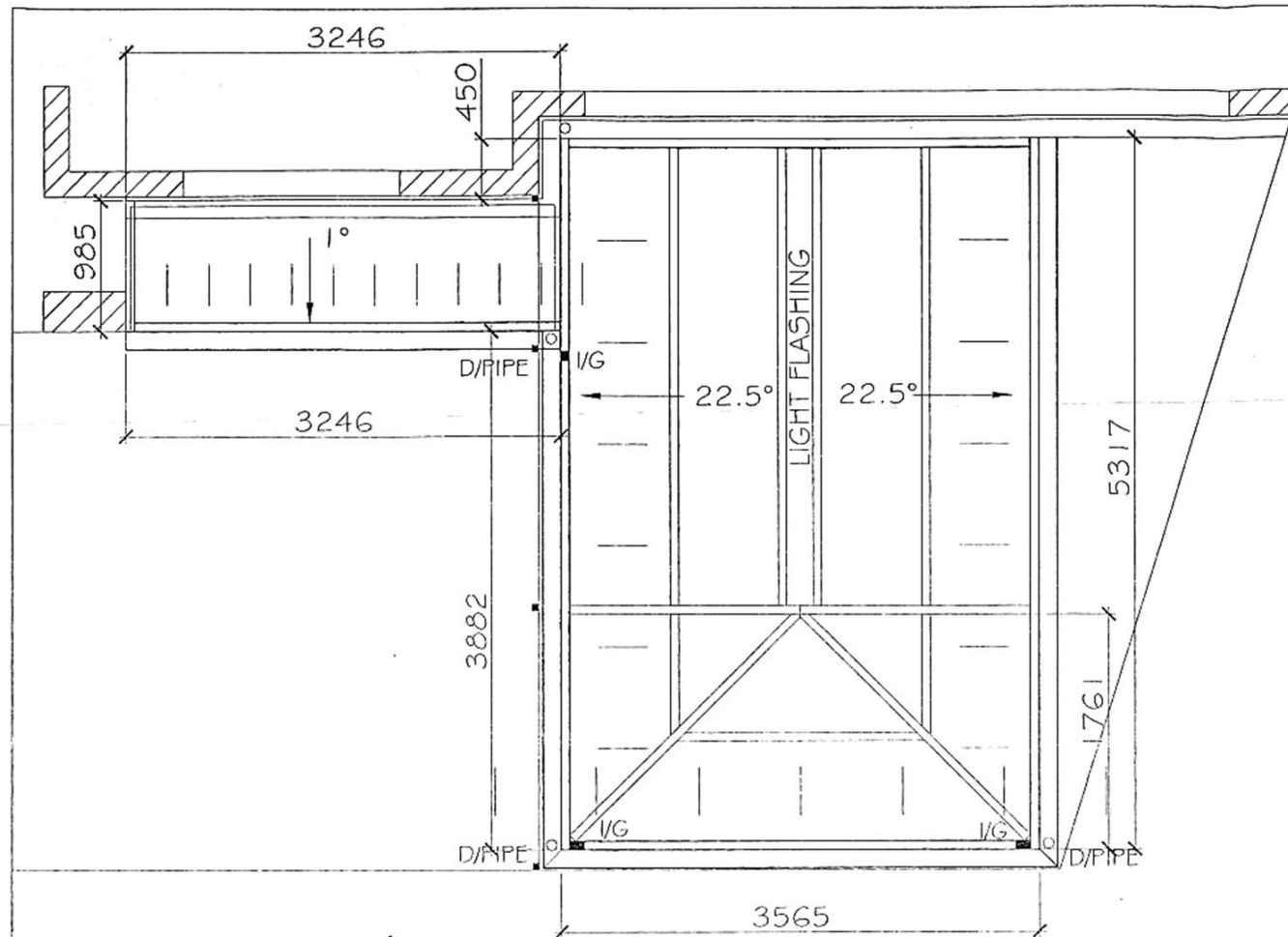
SUMMARY

Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is not considered to be seriously at variance with the Development Plan but on balance, the proposed development does not sufficiently accord with the relevant provisions contained within the West Torrens (City) Development Plan Consolidated 15 May 2017 and as such does not warrant Development Plan Consent.

Attachments

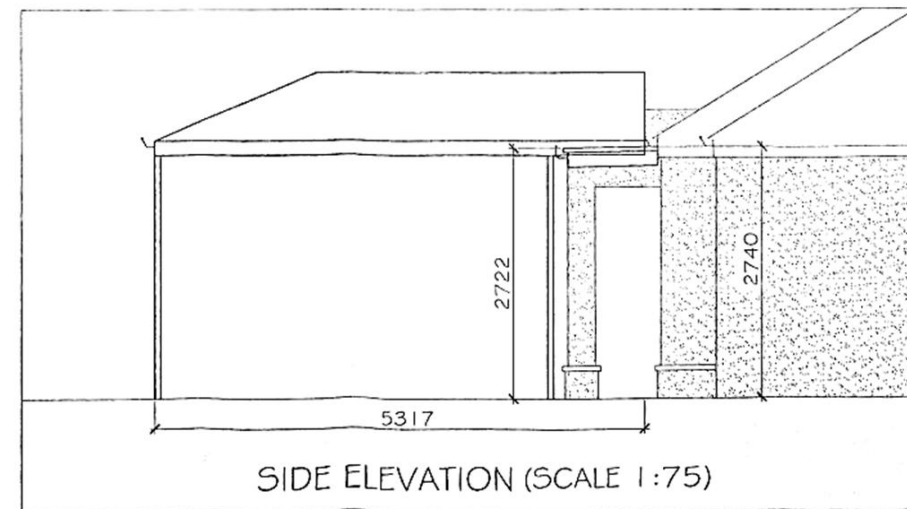
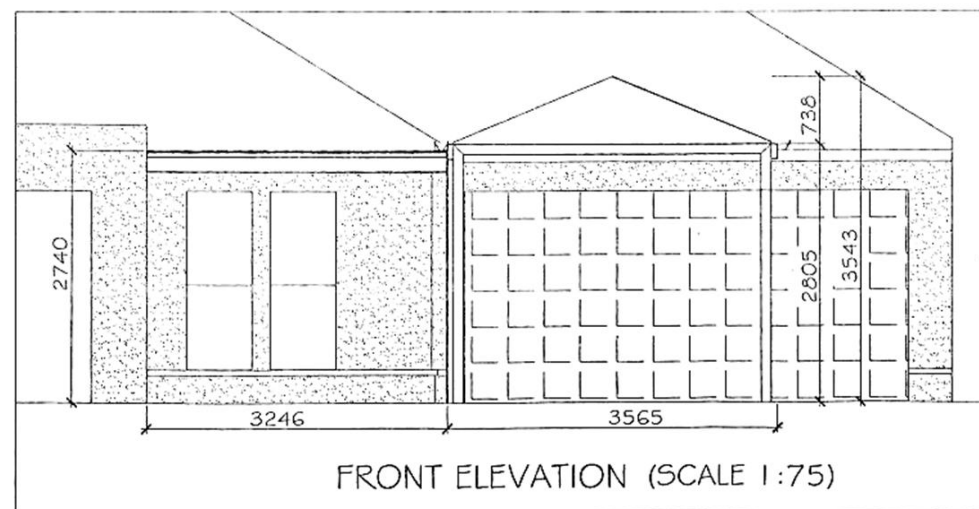
1. Site Plan and Elevations





SCOPE OF WORKS: BASED ON QUOTE ST2610161

1. SAQHI TO SUPPLY AND INSTALL A 22.5° COLORBOND HIPPED CARPORT WITH ADJACENT 1° VERANDA SECTION
2. ATTACHED TO THE EXISTING ROOF FRAME WHICH IS A TIMBER FRAMED CORRUGATED IRON ROOF AT 32° WITH TIMBER FASCIA STARTING AT 2620mm. EXISTING GUTTERS AND DOWNPIPES TO REMAIN
3. ATTACH THE GABLE SECTION VIA RAFTER BRACKETS AND ROOF STRENGTHENERS BOLTED TO THE EXISTING RAFTERS AND THE SKILLION VIA REAR MOUNTED RAFTER BRACKETS BOLTED TO FACE MOUNTED BACK CHANNEL
4. CLASSIC CREAM FRAMEWORK. THE GABLE HAS 158mm x 65mm EDGE BEAMS, 108mm x 65mm PORTALS, HIP AND POSTS (CONCRETED INTO THE GROUND VIA GALV CONNECTORS) AND 65mm x 65mm RECESSED PURLINS. THE SKILLION SECTION HAS 158mm x 65mm EDGE BEAMS
5. CENTRAL LIGHT TRAY AND SCREW COVER FLASHINGS TO THE GABLE SECTION
6. WOODLAND GREY OG GUTTER TO THE GABLE ROOF WITH WOODLAND GREY HFQ TO THE SKILLION SECTION. 75mm Ø PAINTED CLASSIC CREAM DOWNPIPES TO GROUND LEVEL
7. SOLID PAINTED CLASSIC CREAM REAR INFILL
8. TRUE OAK CORRUGATED ROOFING TO THE GABLE SECTION, WOODLAND GREY TOPSIDE WITH CLASSIC CREAM UNDERSIDE.
9. 2 PAN V DECK ROOFING TO THE SKILLION SECTION, WOODLAND GREY TOPSIDE WITH CLASSIC CREAM BELOW
10. WOODLAND GREY BARGE AND RIDGE CAPS
11. CLIENT TO REINSTATE PAVERS AROUND POSTS
12. ALL BUILDERS DEBRIS ASSOCIATED WITH SAQHI WORKS, EXCLUDING DIRT, TO BE REMOVED ON COMPLETION



Job No: J1024870	
Name: Dianne Panuccio	
Address: 10a McCann Avenue	
Glenelg North	
U.B.D. xxx	Scale: 1:50
Date: 14/11/16	Drawn: Anton
SA Quality Home Improvements	
ABN 57 008 289 183	
Phone South: (08) 8351 6666	
Phone North: (08) 8349 0000	
Facsimile: (08) 8351 6366	

6.6 17 Coral Sea Road, FULHAM

Application No 211/1578/2016

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Construction of two (2) single storey dwellings with garage under main roof and demolition of existing dwelling and associated structures
APPLICANT	Russo Design and Construction
APPLICATION NO	211/1578/2016
LODGEMENT DATE	29 December 2016
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) - Street Tree External <ul style="list-style-type: none"> Nil
DEVELOPMENT PLAN VERSION	5 May 2016
MEETING DATE	13 June 2017

RECOMMENDATION(S)

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to REFUSE Development Approval for Application No. 211/1578/2016 by Russo Design and Construction to construct two(2) single storey dwellings with garage under main roof and demolition of existing dwelling and associated structures at 17 Coral Sea Road, Fulham (CT 5652/746) for the following reasons:

- The proposed development is contrary to
 - Council Wide Principles of Development Control 16
Reason: The proposal will largely be dominated by garages, which will not have a positive visual impact on the streetscape.

BACKGROUND

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

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

Division of the subject land for one additional allotment was granted Development Approval by the Development Assessment Panel (DAP) on the 11 April 2017. The boundaries of the allotments as detailed within the plans of this land use application correspond with the boundaries of the recently approved land division application (DA 211/1473/2016).

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 - Development Approval Granted by DAP 11 April 2017.

SITE AND LOCALITY

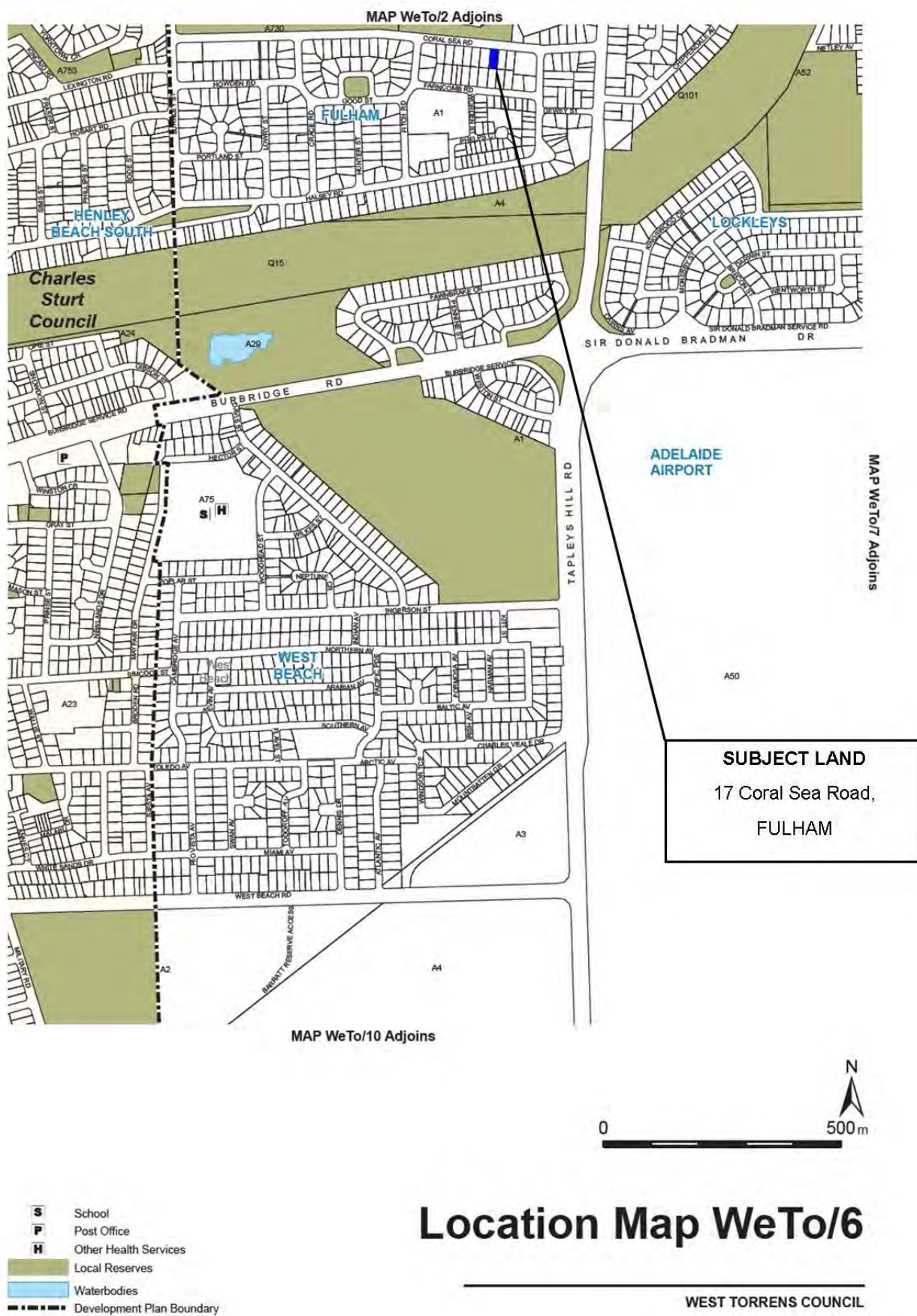
The subject land is formally described as Allotment 347 Deposited Plan 6147 in the area named Fulham, Hundred of Adelaide, Volume 5652 and Folio 746, or more commonly known as 17 Coral Sea Road, Fulham. The subject land has a frontage to Coral Sea Road of 17.7 metres, a depth of 41.15 metres and a site area of 728 square metres. Currently existing on the site is a late 1950's conventional hipped roof dwelling and an outbuilding.

The subject land is located on the southern side of Coral Sea Road, opposite the Coast Watchers Park, Airport Over 50's Social Club and the Scout Association of Australia. Approximately 215 metres east of the subject land is the arterial road, Tapleys Hill Road, and the Local Centre Zone, which contains non-residential uses such as personal service establishments and shops.

The locality comprises a mix of dwellings on allotments of varying sizes constructed predominantly during the 1960s. Whilst the majority of dwellings within the locality are in the form of detached dwellings there are some examples of other dwellings types including a residential flat building at 1/2 - 8/2 Halsey Road. Land layout and allotment pattern in the local area are not homogeneous.

The site and locality are shown on the following maps.





PROPOSAL

The proposed development involves the construction of two (2) single storey detached dwellings, each with a double garage and an alfresco attached to the rear of the dwelling. The internal layout of each dwelling is the same and will contain an open plan living/dining and kitchen area, three bedrooms, one ensuite and walk in wardrobe, one separate bathroom and a laundry.

The façade of each dwelling will be the same. The dwellings will extend from boundary to boundary.

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

PUBLIC NOTIFICATION

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

REFERRALS

Internal

- City Works (Amenity Officer) - Street Tree Impact

Due to the street tree adjacent the site City Works would support the application if only single width crossovers were to be established. The applicant has since amended the proposal so that this concern has been addressed.

There are now no outstanding concerns with the current proposal.

ASSESSMENT

The subject land is located within the Residential Zone and more specifically within the 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, 6 & 8
Design and Appearance	Objectives	1
	Principles of Development Control	1, 2, 3, 4, 9, 12, 13, 14, 15, 21 & 22
Energy Efficiency	Objectives	1 & 2
	Principles of Development Control	1, 2 & 3
Infrastructure	Objectives	1, 2 & 3
	Principles of Development Control	1, 5, 6 & 8
Landscaping, Fences and Walls	Objectives	1 & 2
	Principles of Development Control	1, 2, 3, 4 & 6
Orderly and Sustainable Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1, 3, 5 & 7
Residential Development	Objectives	1, 2 & 4
	Principles of Development Control	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 24, 30 & 31
Transportation and Access	Objectives	2
	Principles of Development Control	23, 24, 25, 30, 32, 33, 34, 35 & 44

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, 6, 7, 8, 10, 11, 12, 13 & 14

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

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

[illegible]

STORAGE <i>Residential Development</i> PDC 30	8m ³ (min)	Not detailed	Not detailed
PRIVATE OPEN SPACE <i>Residential Development</i> PDC 19	<ul style="list-style-type: none"> - 60m² (min.), of which 10m² may comprise balconies, roof patios and the like, provided they have a minimum dimension of 2m. - Minimum dimension 4m. - 16m² (min.) at the rear of side of dwelling, directly accessible from a habitable room. 	59m ² (total) 6.7m (min. dimension) 59m ² (accessed from habitable room) Does Not Satisfy by 1m²	59m ² (total) 6.7m (min. dimension) 59m ² (accessed from habitable room) Does Not Satisfy by 1m²
CARPARKING SPACES <i>Transportation and Access</i> PDC 34	2 car-parking spaces required, 1 of which is covered	3 spaces provided (2 covered in garage) Satisfies	3 spaces provided (2 covered in garage) Satisfies

QUALITATIVE ASSESSMENT

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

Site Frontage

The site frontages were considered by the DAP at the time the associated land division (DA 211/1473/2016) application was deliberated during the 11 April 2017 meeting. The land division was approved so it can be assumed that the deficiency of 1.7% was not considered to be detrimental. In any case the frontage width deficiency of 0.16m is considered to be relatively minor as this difference will not be discernible from the public realm.

Design and Appearance

The proposed dwellings are compatible with existing development within the locality with regards to bulk and scale. In addition, elements of the dwelling style, such as the roof form, materials and finishes of render and brick and square porticos are similar to that of existing dwellings along the streetscape, for example, 13 and 19/19A Coral Sea Road (Residential Development, Principle of Development Control (PDC) 4).

The garage element of the dwellings is contrary to the following provision of the Development Plan:

- Residential Development, PDC 16,

"Garages, carports and residential outbuildings should not dominate the streetscape and not adversely impact on the safety of road users and pedestrians, and be designed within the following parameters:

Parameter	Value
Maximum floor area	60 square metres
Maximum wall height	3 metres
Maximum building height	5 metres
Minimum setback from a primary road frontage	Garages and carports sited no closer to the primary road frontage than any part of its associated dwelling Outbuildings should not protrude forward of any part of its associated dwelling
Minimum setback from a secondary road frontage	0.9 metres or in line with the existing dwelling
Maximum length along the boundary	8 metres or 50 per cent of the length along that boundary (whichever is the lesser)
Maximum frontage width of garage or carport with an opening facing a rear access lane	No maximum
Maximum frontage width of garage or carport opening facing the street	6 metres or 50 per cent of the allotment frontage, whichever is less

The proposed development will result in each dwelling have a garage which has an opening width that is greater than 50% of the respective allotment frontage width. The total door width for each allotment is 4.8metres and half of the allotment frontage width is 4.4metres.

Although the expanse of the garage is broken up by a pillar between the doors and offsetting one door from the other, it is still considered to be a dominant feature given that the total width of the garage component (not just the panel lift doors) comprises 66% of the entire width of each allotment. Due to the narrowness of the allotments, the dwellings are built boundary to boundary. Whilst building boundary to boundary enables the entry/lounge component to be wider to assist with offsetting the garage portion of the dwelling, it doesn't allow for separation between the buildings.

The existing dwellings at 19 Coral Sea Drive, which were approved in 2003, are an excellent example of why the provisions regarding garage width and garage dominance were introduced into the Development Plan.

The proposed dwellings are also setback closer to the street than the dwelling located on the adjoining allotment to the west and the dwelling yet to be built but recently approved to the east (DA 211/4/2017). This heightens the impact of the double garage component of the dwellings as this feature will be more prominent along the streetscape than compared to the majority of other dwellings. The deficiency relating to the front setback is discussed under the upcoming section.

Front Setback

The front setback of the proposed dwellings is closer than the average setback of the buildings on the adjoining properties. The proposed dwellings should be setback 5.5 metres from the front boundary in this instance they are proposed to be setback 4.6 metres resulting in a 1.1metre deficiency.

When considering the front setback more broadly, and comparing it with the front setbacks of other buildings along the streetscape the deficiency is not considered to be a large departure.

This is because the building line along the southern side of Coral Sea Avenue is staggered and towards the eastern end of the street there is structures setback as close as 4metres.

Side Setbacks

Generally the development satisfies the Development Plan provisions with regard to side setbacks, except for the Residential Zone PDC 13 where it is stated that boundary walls should only be constructed along one side boundary. The development will not result in any separation between the proposed dwellings, however, separation to the development on the adjoining allotments is maintained as the buildings are offset from the side boundaries. Maintaining separation between the two proposed dwellings is not considered to be detrimental to the proposal as buildings such as semi-detached dwellings and row dwelling are an envisaged land use within the policy area.

The boundary walls will not cause any unreasonable visual or overshadowing impacts on the adjoining properties as they are either located to abut a simultaneously built wall, are not adjacent any north facing windows, will not obstruct any highly regarded views (as they will be adjacent to the front side portions of the neighboring dwellings), are single storey in height (max 3m) (Design and Appearance PDC3).

Private Open Space

The total amount of private open space provided for each dwelling is deficient by 1 square metre. This deficiency is not considered to be detrimental to the proposal as it is not a considerable amount which will diminish the amenity for the future occupants given that:

- The area provided is overall of a useable size and shape;
- It is located at the rear of the subject land to maintain privacy;
- It is accessible from a main living area;
- It is exclusive of areas of driveways, outbuildings, bin storage areas and the like.

In addition, the subject land is located adjacent the Coast Watcher's Park, a public open space, which will be useable for the occupiers for leisure (Residential Development, PDC18).

Domestic Storage

The Development Plan includes the following PDC with regard to domestic storage:

General Section, Residential Development PDC 31,

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

- (a) a non habitable room of the dwelling*
- (b) a garage, carport or outbuilding*
- (c) an on-site communal facility".*

Whilst there is no specific area or structure indicated on the plans dedicated to domestic storage, a double garage has been proposed where only a single is required, subsequently half of the garage could be considered to be domestic storage space, exceeding the 3m³ minimum requirement.

SUMMARY

The proposed development is an envisaged form of development within the Residential Zone and Low Density Policy Area 21, and is mostly and orderly and functional development. However, garage width and dominance is considered to be contrary to the Development Plan policy with regard to visual amenity.

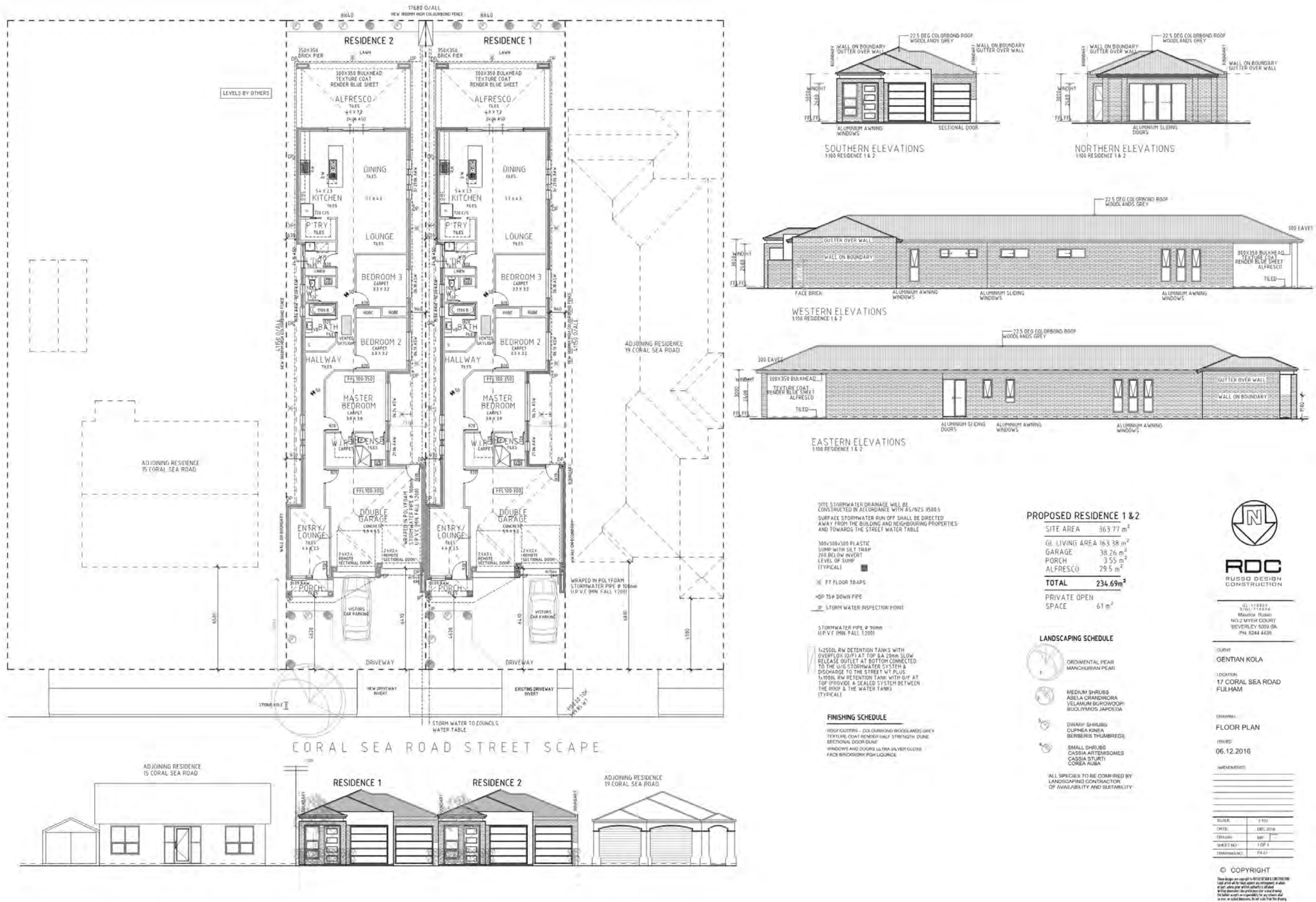
It is acknowledged that there are similar dwellings established in close proximity to the subject allotments (19 and 19A Coral Sea Road), however, in this instance the allotments that support that type of built form are wider (approximately 10 & 11 metres), the buildings do not extend from boundary to boundary, and the front setback of the dwellings are greater so to not be as imposing.

Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is considered to be at variance with the Development Plan. On balance the proposed development does not sufficiently accord with the relevant provisions contained within the West Torrens (City) Development Plan Consolidated 5 May 2016 and does not warrant Development Plan Consent.

Attachments

1. Plans and Details

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6.7 23A Rowells Road, LOCKLEYS

Application No 211/1008/2015/C

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Construction of two (2), two-storey semi-detached dwellings, associated garages and verandahs (alfrescos) and Land Division DAC 211/D020/16 - Creation of one (1) additional Torrens Title allotment and the creation of carriageway easements A & B - AMENDMENT - alteration to dwelling at 23A Rowells Road and further staging to enable 23 & 23A to gain development approval at different times.
APPLICANT	Yogo Design and Consulting Pty Ltd
APPLICATION NO	211/1008/2015/C
LODGEMENT DATE	4 May 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"> ▪ Nil External <ul style="list-style-type: none"> ▪ Nil
DEVELOPMENT PLAN VERSION	25 June 2015
MEETING DATE	13 June 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. 211/1008/2015 by D'Andrea & Associates to undertake the construction of two (2) two-storey semi-detached dwellings, associated garages and verandahs (alfresco)s and Land Division DAC 211/D020/16 - Creation of one (1) additional torrens title allotment and the creation of carriageway easements A & B - AMENDMENT - alteration to dwelling at 23A Rowells Road and further staging to enable 23 & 23A to gain development approval at different times. at No. 23 Rowells Road, Lockleys (CT 5197/849) subject to the following conditions:

DEVELOPMENT PLAN CONSENT
COUNCIL CONDITIONS:

1. 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 any retaining walls shall be designed to accepted engineering standards, and not of timber construction if retaining a difference in ground level exceeding 200mm.
4. That all driveways, parking and manoeuvring areas shall be formed, surfaced with concrete, bitumen or paving, and be properly drained, and shall be maintained in reasonable condition at all times.
5. That all planting and landscaping shall be completed prior to occupation of this development and be maintained in reasonable condition at all times. Any plants that become diseased or die shall be replaced with a suitable species.
6. That the fixed obscure glazing nominated on the upper level north, east and south-facing windows of the dwellings shall be fitted in accordance with the approved plans prior to occupation of the building. The glazing in these windows will be maintained in reasonable condition at all times.
7. Council requires one business day's notice of the following stages of building work:
 - Commencement of building work on site
 - Commencement of placement of any structural concrete
 - Completion of wall and roof framing prior to the installation of linings
 - Completion of building work

**DEPARTMENT OF PLANNING, TRANSPORT & INFRASTRUCTURE (TRANSPORT DIVISION)
CONDITIONS:**

8. The obsolete crossover shall be closed and reinstated to Council standard kerb & gutter at the applicant's expense.
9. All vehicles must enter and exit Rowells Road in a forward direction.
10. Rights of way A & B shall remain clear of any impediments to vehicle manoeuvring (such fences, vegetation, meters and parked cars).
11. Stormwater run-off shall be collected on-site and discharged without jeopardising the safety and integrity of Rowells Road. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's expense.

DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS:

Nil

LAND DIVISION CONSENT**COUNCIL CONDITIONS:**

1. Development is to take place in accordance with the plans prepared by Bartlett Drafting & Development (Drawing GB2115DA, Revision 3, dated 12/02/16 relating to Development Application No. 211/1008/2015 (DAC 211/D020/16).
2. Prior to the issue of Section 51 Clearance to this division approved herein, all existing buildings must be removed from the site.

DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS:

3. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services (SA Water H0042972).

An investigation will be carried out to determine if the connection/s to the development will be costed as standard or non standard.

The internal drains shall be altered to the satisfaction of the SA Water Corporation.

4. Payment of \$6,488 into the Planning and Development Fund (1 allotment @ \$6,488/allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
5. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate Purposes.

BACKGROUND

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

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

Since the refusal of Development Application 211/1083/2014, the Housing Diversity Development Plan Amendment was gazetted on the 18 June 2015, which reduced the specified minimum allotment frontage widths from 12 metres to 9 metres in relation to the subject site.

PREVIOUS OR RELATED APPLICATION(S)

- 211/1083/2014 - Land Division - Torrens title DAC No- 211/D136/14 Create One (1) additional allotment (Refused 10 February, 2015)
- 211/897/2014 - Construction of two single storey detached dwellings, each with single garage and alfresco under main roof (Withdrawn 28 November, 2014).

SITE AND LOCALITY

The subject site is rectangular in shape and is located on the western side of Rowells Road Lockleys, between Hereford Street & Henley Beach Road which is a major transport corridor. It has a frontage width of 17.68 metres to Rowells Road and a depth of 45.72 metres, resulting in an overall site area of approximately 808m².

The site is currently occupied by a 1950's single storey detached dwelling and ancillary outbuildings.

Topographically the site is relatively flat.

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

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

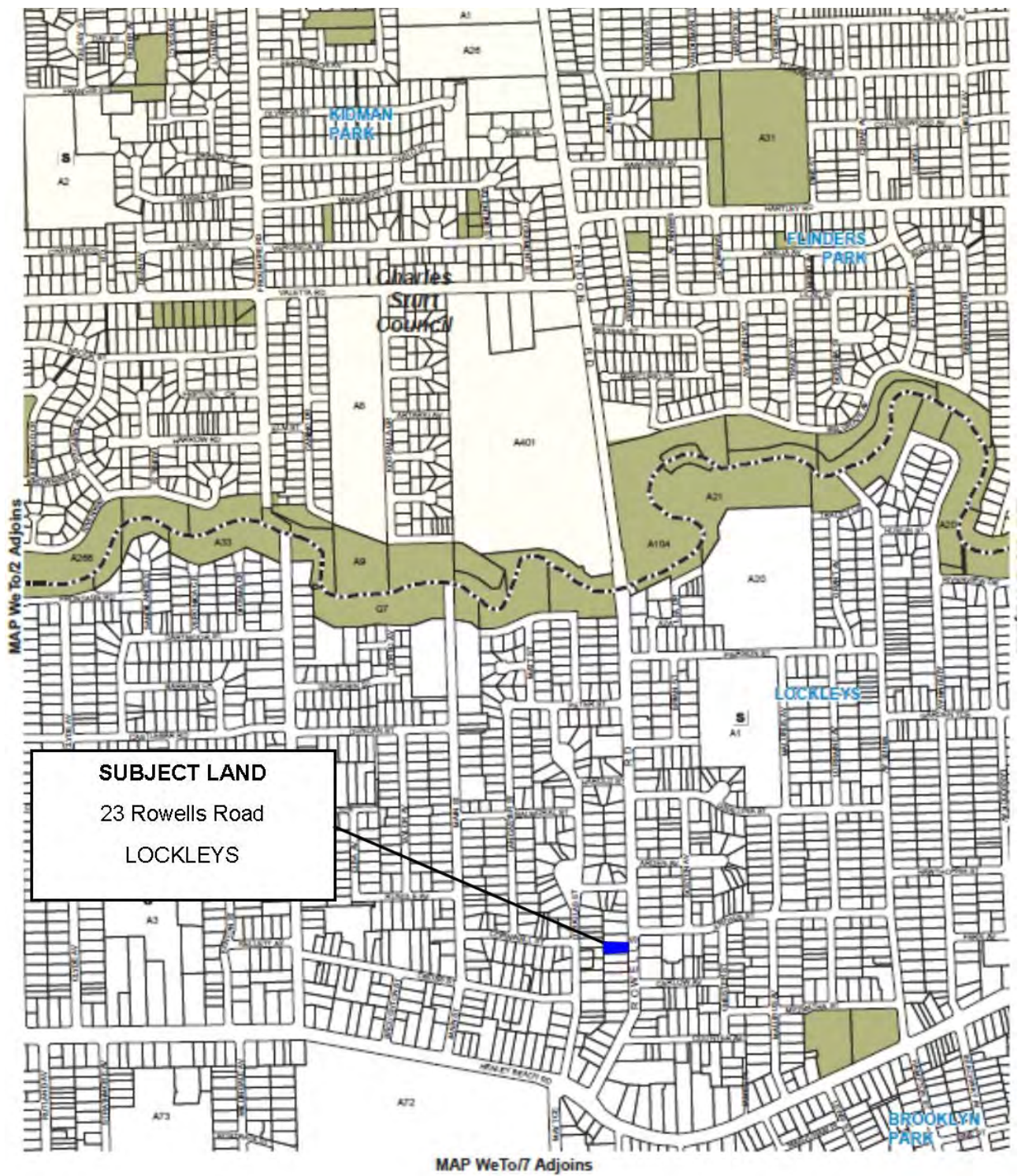
The existing neighbourhood comprises primarily detached dwellings (circa 1950's) constructed of brick, stone or render with pitched and skillion roofs and some newer infill development comprising detached dwellings, semi-detached dwellings and group dwellings. Existing dwellings are predominantly single storey, however there are some examples of two-storey dwellings to a lesser degree in the locality.

All surrounding land uses are residential, with the exception of the former Lockleys Kindergarten located to the south-east of the site.

Areas of allotments within the locality range from 362m² to 1668m² and frontage widths range from approximately 9-37 metres.

The subject site is located within 400 metres of the Local Centre Zone on the corner of Henley Beach Road and Rowells Road.

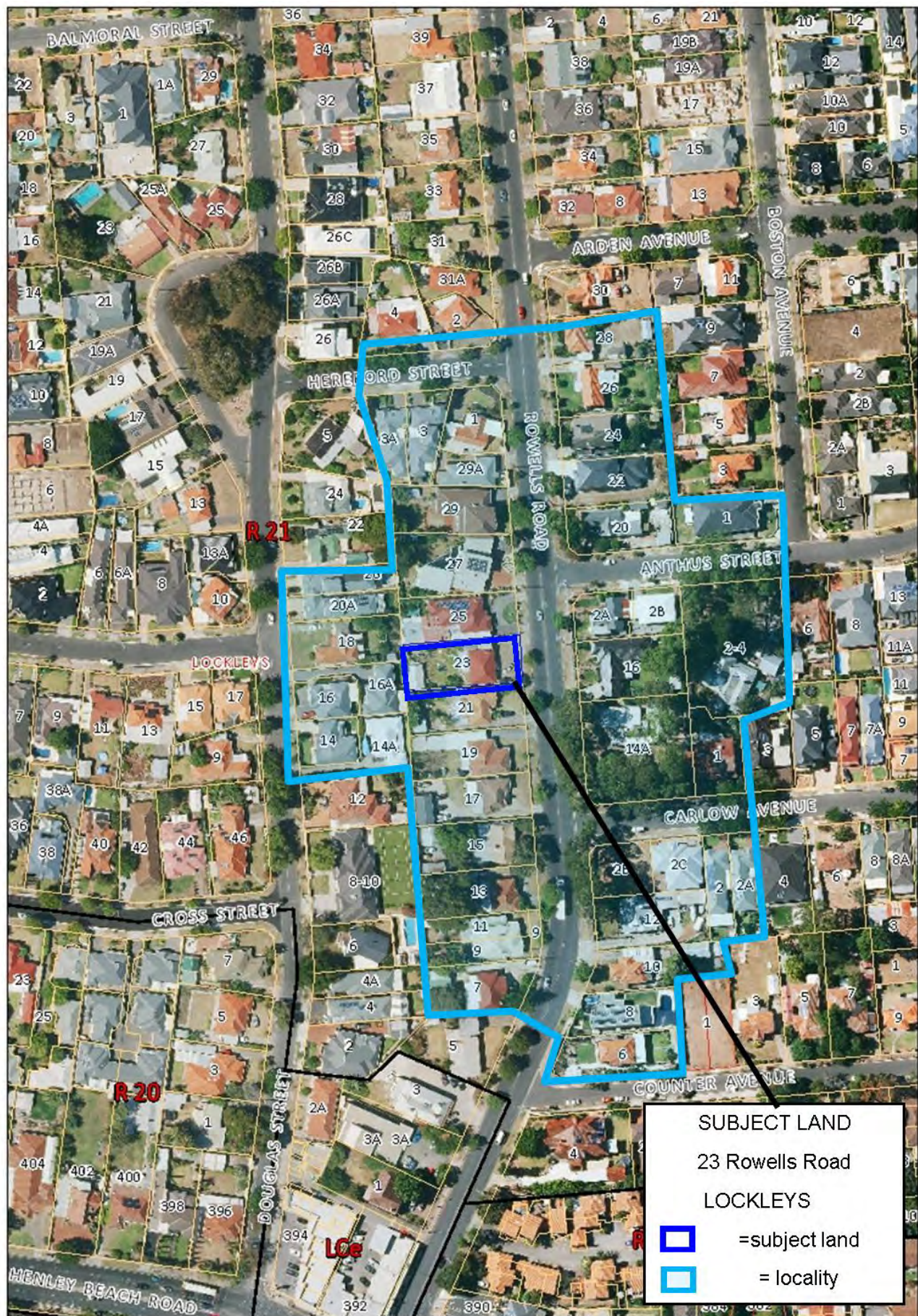
The site and locality are shown on the following maps.



Location Map WeTo/3

-  School
-  Local Reserves
-  Development Plan Boundary

WEST TORRENS COUNCIL
Consolidated - 25 June 2015



PROPOSAL

The current proposal includes the following changes to the existing consent plans:

- Double garage with 5.0m panel lift door (formerly two single wider doors, with the most northern door being set back to give additional articulation to front façade)
- Minor changes to ground floor plan
- Minor changes to upper floor plan
- Staging to enable the two dwellings to gain development approval separately

The currently proposed plans can be found in **Attachment 1**, the previously approved plans can be found in **Attachment 2**.

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 in the Residential Zone of the West Torrens Development Plan.

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>		
Crime Prevention	Objectives	1
	Principles of Development Control	1, 2, 3, 7 & 8
Design and Appearance	Objectives	1 & 2
	Principles of Development Control	1, 2, 3, 9, 10, 12, 13, 14, 15, 21 & 22
Energy Efficiency	Objectives	1 & 2
	Principles of Development Control	1, 2 & 3
Land Division	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 2, 4, 5, 6, 8, 12, 16
Landscaping, Fences and Walls	Objectives	1 & 2
	Principles of Development Control	1, 2, 3, 4 & 6
Orderly and Sustainable Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1 & 3
Residential Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33
Transportation and Access	Objectives	2
	Principles of Development Control	1, 2, 8, 9, 10, 11, 23, 24, 30, 34, 35, 36, 37 & 44

Zone: Residential Zone	
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, 6, 7, 10, 11, 12 & 13
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. 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, please note that none of these dimensions have changed since the previous consent:

DEVELOPMENT PLAN PROVISIONS	STANDARD	PROPOSED
SITE AREA <i>Low Density Policy Area 21</i> <i>PDC 4</i>	Semi-detached dwelling 350m ² (minimum)	404m ² Satisfies
ALLOTMENT AREA <i>Low Density Policy Area 21</i> <i>PDC 6</i>	420m ² (minimum)	404m ² Does Not Satisfy by 4%
FRONTAGE <i>Low Density Policy Area 21</i> <i>PDC 4</i>	Semi-detached dwelling 9m	8.84 metres Does Not Satisfy
PRIMARY STREET SETBACK <i>Residential Zone</i> <i>PDC 8</i>	The same setback as one of the adjacent buildings 9.8m	10.9m Satisfies
SIDE/REAR SETBACKS <i>Residential Zone</i> <i>PDC 11</i>	Side 0/1m (Ground Floor) 2m (Upper Floor) Rear 3m (Ground Floor) 8m (Upper Floor)	Side 0.91m (Ground Floor) Does Not Satisfy 3.85m (Upper Floor) Satisfies Rear 9.1m (Ground Floor) 15.4m (Upper Floor) Satisfies
BUILDING HEIGHT <i>Residential Zone</i> <i>PDC 6</i>	2 storeys	2 storeys Satisfies
INTERNAL FLOOR AREA <i>Residential Development</i> <i>PDC 9</i>	3+ Bedrooms - 100m ² (min.)	Dwellings 1 & 2 - 215m ² each Satisfies

PRIVATE OPEN SPACE <i>Residential Development</i> PDC 19	- 60m ² (min.), of which 8m ² may comprise balconies, roof patios and the like, provided they have a minimum dimension of 2m. - including at least 16m ² directly accessible from habitable room with minimum dimension 4m	Dwelling 1 - 89m ² Dwelling 2 - 89m ² including at least 16m ² directly accessible from habitable room with minimum dimension 4m Satisfies
CARPARKING SPACES <i>Transportation and Access</i> PDC 34	2 spaces per dwelling = 4 car parking spaces	4 car parking spaces Satisfies
OVERLOOKING <i>Residential Development</i> PDC 37	Upper level, windows, balconies, terraces & decks that overlook habitable room windows or private open space require sill height or permanent screen minimum of 1.7m above floor level	Satisfies
OVERSHADOWING <i>Residential Development</i> PDC 10, 11, 12, 13	Protect winter sunlight to adjacent dwellings' north facing windows, private open space and solar panels	Satisfies - Private Open Space Does Not Satisfy - North Facing Window

DISCUSSION

The only change of note to the proposal is the change to the garage.

The garage element of the dwellings is contrary to the following provision of the Development Plan:

- Residential Development, PDC 16,

"Garages, carports and residential outbuildings should not dominate the streetscape and not adversely impact on the safety of road users and pedestrians, and be designed within the following parameters:

Parameter	Value
Maximum floor area	60 square metres
Maximum wall height	3 metres
Maximum building height	5 metres
Minimum setback from a primary road frontage	Garages and carports sited no closer to the primary road frontage than any part of its associated dwelling Outbuildings should not protrude forward of any part of its associated dwelling
Minimum setback from a secondary road frontage	0.9 metres or in line with the existing dwelling
Maximum length along the boundary	8 metres or 50 per cent of the length along that boundary (whichever is the lesser)
Maximum frontage width of garage or carport with an opening facing a rear access lane	No maximum
Maximum frontage width of garage or carport opening facing the street	6 metres or 50 per cent of the allotment frontage, whichever is less

As a result of the amended plan, the proposal now exceeds the maximum frontage width of a garage or carport opening facing the street by 2%. It is not considered that this 2% exceedance within the context of this locality is enough to recommend refusal for this proposal.

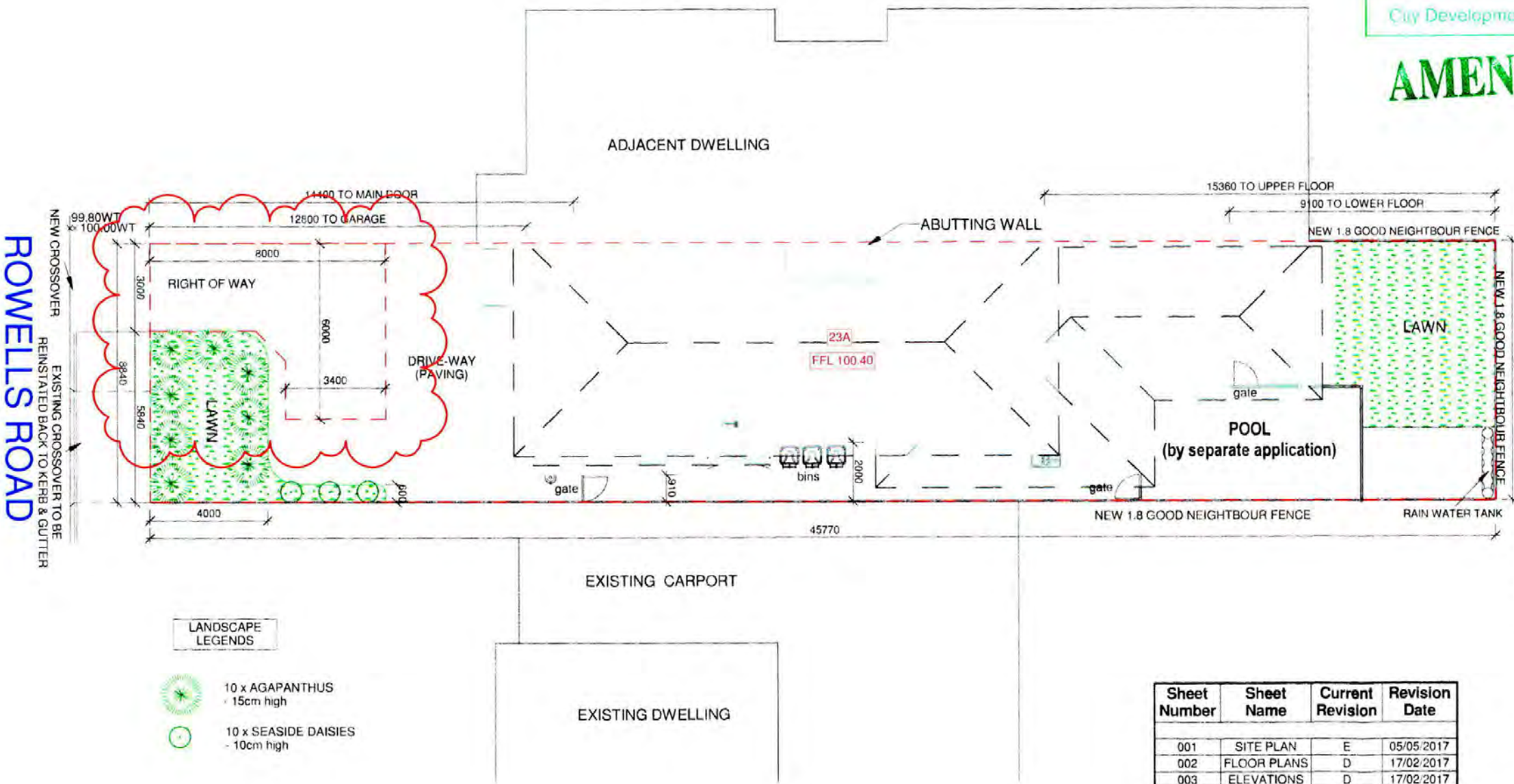
SUMMARY

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. Amended Proposal
2. Original Proposal

PROPOSAL FOR 23A ROWELLS ROAD, LOCKLEYS 5032



City of West Torrens
16 MAY 2017
City Development



AMENDED

YOGO DESIGN & CONSULTING PTY LTD
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T: 08 7230 8410
M: 0433 162 598
ABN: 93 607 056 925

builder & contractor note:
Figured dimensions must be taken in preference to scaled dimensions. All site dimensions and levels are to be verified on site prior to any work being commenced. Any discrepancies should be reported to the designer immediately. All workmanship and materials whether specified or implied must comply with all current and relevant building codes. These drawings must be read in conjunction with the Specification. It should be noted that these documents have been prepared to comply with the building regulations applicable at the time of preparation. It should be noted that the Building Code of Australia is continually updated and amended. Responsibility will only be accepted for compliance with the Building Code of Australia and its referenced standards applicable at the time of document preparation.

No work can commence on this project until full Development Approval under the Development Act 1993 has been obtained, and mandatory notification given to council. Builder and client to verify survey pegs on boundaries prior to any building work commencing. Builder must confirm on-site documents are the current set, by phoning both Architectural and Engineering offices prior to work commencing. Wet area tiling to have 1:80 fall to floor traps, 1:50 fall to shower traps. Tiles to be laid on flexible adhesive with flexible grout.

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revision:				
rev	date	description	drawn	chk
A	16/01/2017	FOR REVIEW	L/D	YQ
B	26/01/2017	FOR REVIEW	L/D	YQ
C	06/02/2017	FOR REVIEW	L/D	YQ
D	17/02/2017	FOR COUNCIL APPROVAL	JW	YQ
E	05/05/2017	FOR COUNCIL APPROVAL	YQ	YQ

Sheet Number	Sheet Name	Current Revision	Revision Date
001	SITE PLAN	E	05/05/2017
002	FLOOR PLANS	D	17/02/2017
003	ELEVATIONS	D	17/02/2017

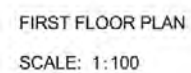
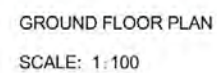
Property Schedule		AREAS	
Name	Area		
23A	404.6 m ²	GFL LIVING	136.4 m ²
	439.3 m ²	FFL LIVING	119.6 m ²
		GARAGE	37.9 m ²
		PORCH	5.8 m ²
		ALFRESCO	13.4 m ²
			313.0 m ²

project:
NEW DWELLING
23 ROWELLS ROAD, LOCKLEYS
SITE PLAN

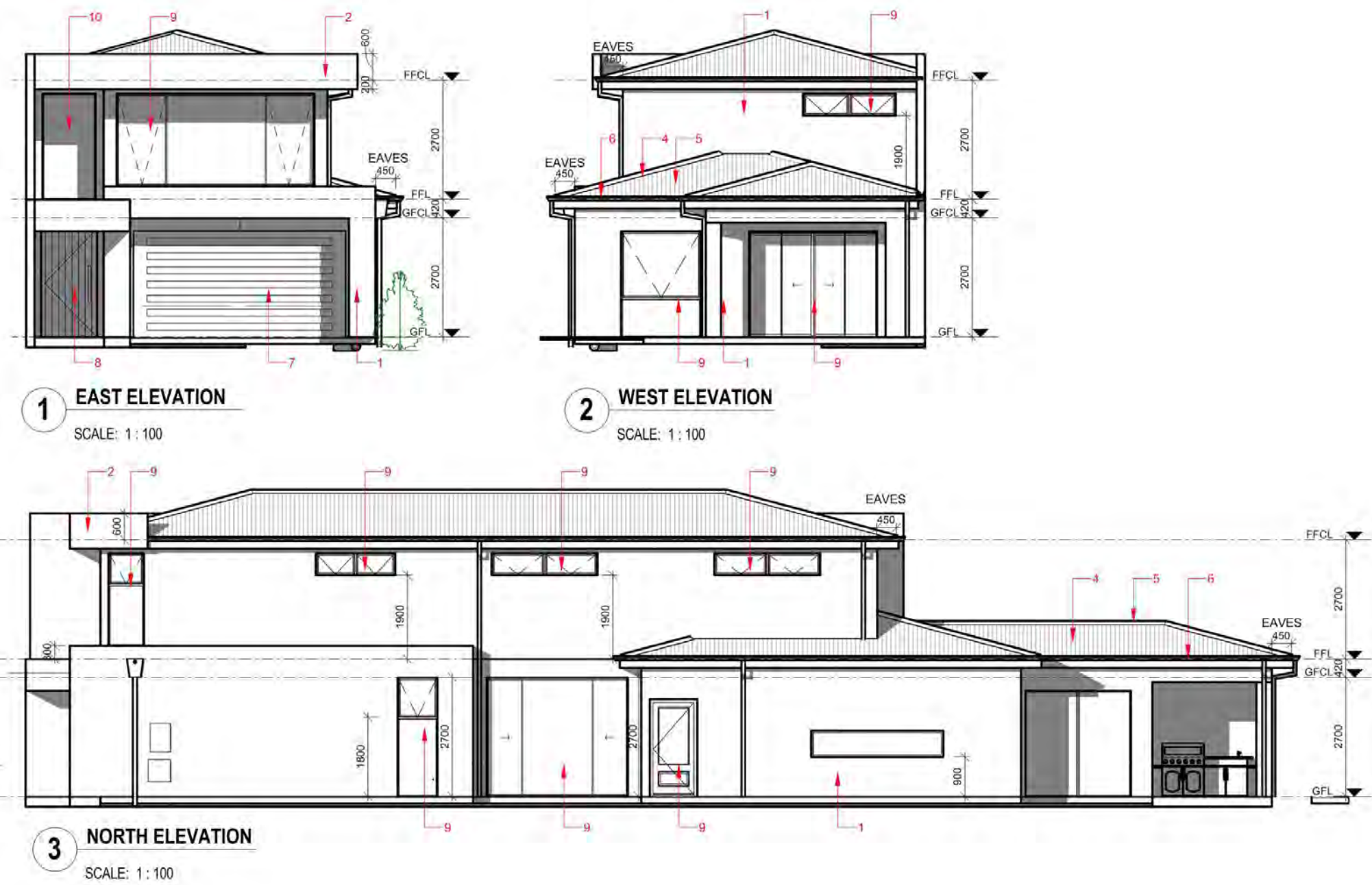
issue:
FOR APPROVAL

project no Y17014	drawing no A001
date issued 05/05/2017	revision E

PLANNING DRAWING



PLANNING DRAWING



- MATERIALS:**
- EXTERNAL WALL:**
- 1. HEBEL CLADDING PAINTED FINISH, 'BROKEN WHITE' (or similar)
 - 2. 800mm PARAPET WALL RENDER FINISH, 'BROKEN WHITE' (or similar)
- ROOF:**
- 4. COLORBOND METAL ROOF SHEETING @15, COLORBOND FINISH 'SHALE GREY' (or similar)
 - 5. METAL CAPPING & FLASHING TO MATCH ROOF FINISH
 - 6. OG GUTTER, COLORBOND 'DARK BROWN'
- DOORS/WINDOWS:**
- 7. GARAGE DOOR: PANEL LIFT GARAGE DOOR, COLORBOND FINISH 'MONUMENT' (or similar)
 - 8. ENTRY DOOR: 1266mm WIDTH PIVOT INTERNAL DOOR, PAINTED FINISH
 - 9. ALUMINIUM FRAMED GLASS DOOR & WINDOWS, POWERCOATED FINISH 'NATURAL STAIN'
 - 10. ALUMINIUM FRAMED FIXED GLASS WINDOW

building designer:



YOGO
design for us

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T: 08 7230 8410
M: 0433 162 598
ABN: 93 607 055 925

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Builder and client to verify survey pegs on boundaries prior to any building work commencing.
Builder must confirm on-site documents are the current set, by phoning both Architectural and Engineering offices prior to work commencing.
Wet area tiling to have 1:50 fall to floor traps. 1:60 fall to shower traps.
Tiles to be laid on flexible adhesive with flexible grout.

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revision:				
rev	date	description	drawn	chk
A	18/01/2017	FOR REVIEW	LJG	YG
B	25/01/2017	FOR REVIEW	LJG	YG
C	06/02/2017	FOR REVIEW	LJG	YG
D	17/02/2017	FOR COUNCIL APPROVAL	JW	YG

project:

NEW DWELLING

23 ROWELLS ROAD, LOCKLEYS

ELEVATIONS

issue:

FOR APPROVAL

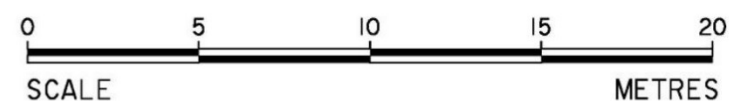
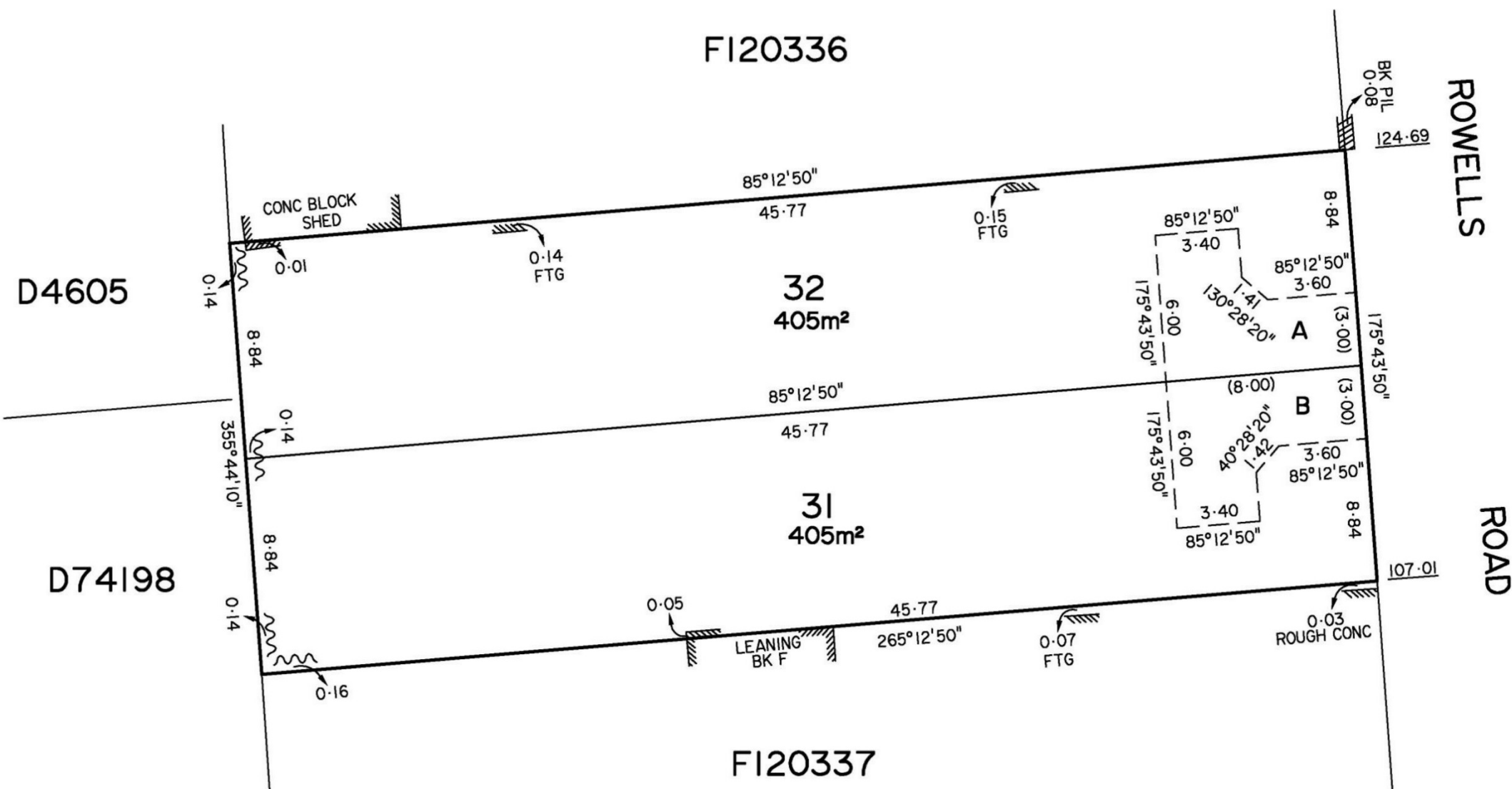
project no:	drawing no:
Y17014	A003
site area:	revision:
404.6m²	1:100 @ A3
date issued:	paper size:
17/02/2017	A3

PLANNING DRAWING

D113717

SHEET 3 OF 3

53962_pland_2_V02_Version_4

ENLARGEMENT A3

management & plans -	BARTLETT Drafting & Development
	PO Box 297 WELLAND SA 5007
	Ph 0418 815 197 Fax 8241 5050 Email - gary.bartlett@bigpond.com
survey -	PYPER LEAKER Surveying Services Pty Ltd
	65 GOODWOOD ROAD, WAYVILLE SA 5034
	Ph 8373 3880 Email - info@pysurvey.com.au
ref GB 2115/7624	Dwg GB 2115LD
Date 28/06/2016	Rev 1

sheet 01 of 01





APR 1985
DWELLING 1

WATERFRONT	216
GAZETTE	412
ALPHASCOPE	233
POSTAGE	55
TOTAL:	283

PHASE DWELLING 2

MINI LIVING:	216
GARAGE:	412
ALFREDOS:	393
PORTICO:	58
TOTAL:	283

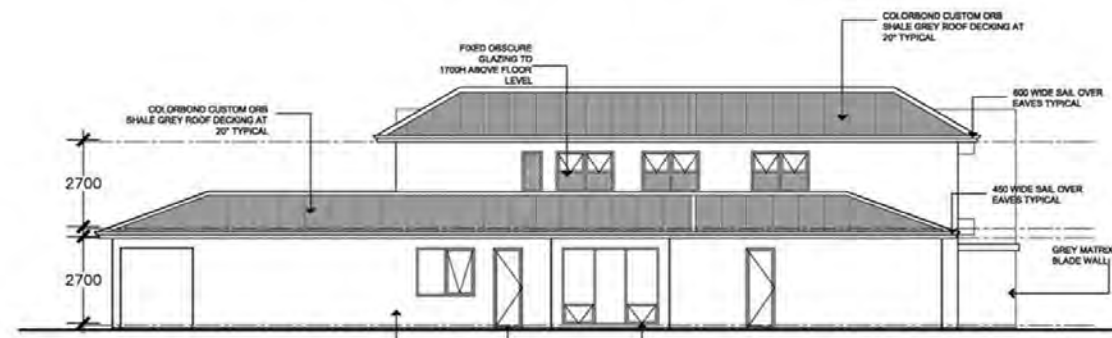
LANDSCAPING SCHEDULE

1. ENGLISH BOX HEDGE (mature height 5H) _____ 
2. SCREEN MASTER (mature height 1.5H) _____ 
3. LAVENDER (mature height 5H) _____ 
4. MANCHURIAN PEAR (mature height 3-4H) _____ 

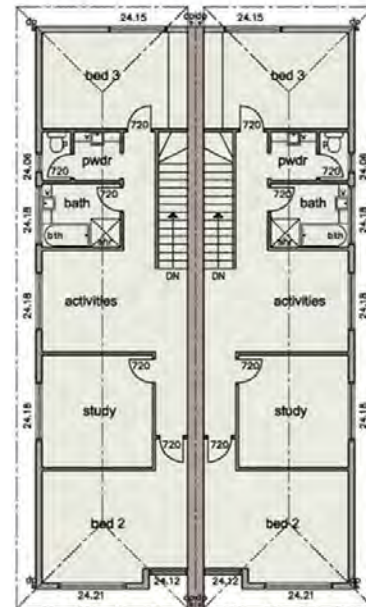
RWT DENOTES 2000 L RAINWATER DETENT TANK 1000 L STORAGE IS LIMITED TO 5

DENOTES 300mm POLYCREAT DUMP

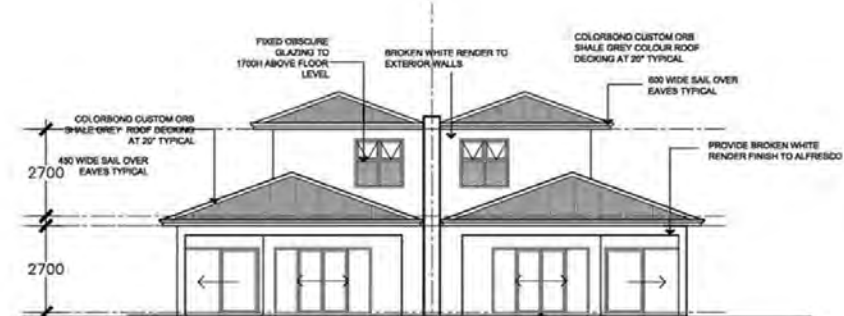
G.I. DENOTES 600 GRATED INLET

streetscape elevation
scale: 1"=100'

elevation 2 + 4



upper floor plan — F-120

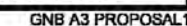


elevation 3

City of West Torrens
12.04.15
Development Plan Consent
Granted Subject to Conditions

D'ANDREA AND ASSOCIATES

BUILDING OUTDOORS



6.8 51 Watson Avenue, NETLEY SA 5037

Application No 211/163/2017

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Combined Application: Land division - Torrens Title; DAC No. 211/D011/17 (Unique ID 56967), Create one(1) additional allotment; and construction of two(2) single-storey dwellings
APPLICANT	Mundy Developments
APPLICATION NO	211/163/2017
LODGEMENT DATE	30/01/2017
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 External <ul style="list-style-type: none"> DAC SA Water
DEVELOPMENT PLAN VERSION	5 May 2016
MEETING DATE	13 June 2017

RECOMMENDATION(S)

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to REFUSE Development Approval for Application No. 211/163/2017 by Mundy Developments for Combined Application: Land division - Torrens Title; DAC No. 211/D011/17 (Unique ID 56967), Create one (1) additional allotment; and construction of two (2)x single-storey dwellings at 51 Watson Avenue, Netley (CT 5629/783) for the following reasons:

The proposed development is contrary to

- Land Division Module Council Wide Objectives 2
Reason: Resulting allotments will not be suitable for intended use
- Land Division Module Council Wide Principles of Development Control 2a & 5
Reason: Resulting allotments will not be suitable for intended use
- Residential Development Module Council Wide Principles of Development Control 30
Reason: Resulting dwellings will not provide sufficient storage
- Residential Zone Objective 4
Reason: Will not contribute to the Desired Character of the Zone
- Residential Zone Principles of Development Control 5 & 8
Reason: Will not contribute to the Desired Character of the Zone
- Low Density Policy Area 20 Objective 1
Reason: Will not contribute to the Desired Character of the Policy Area
- Low Density Policy Area 20 Principles of Development Control 2, 3 & 5
Reason: Will not meet minimum allotment widths

BACKGROUND

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

- 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
- 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 APPLICATIONS

DA 211/1311/2015 - Land Division Torrens Title, DAC No. - 211/D158/15, Create One (1) Additional Allotment - Refused by the DAP on 9 February 2016, an appeal was lodged by the applicant and subsequently withdrawn without going to hearing (see **Attachment 3**). The reasons for refusal were:

The proposed development is contrary to

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

DA 211/1427/2015 - Demolition of existing dwelling and the construction of two detached dwellings - Was submitted as a "residential code" application, Council refused to receive it as such. The applicant appealed this decision to the ERD Court and the Court upheld Council's decision (see **Attachment 4**)

SITE AND LOCALITY

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

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

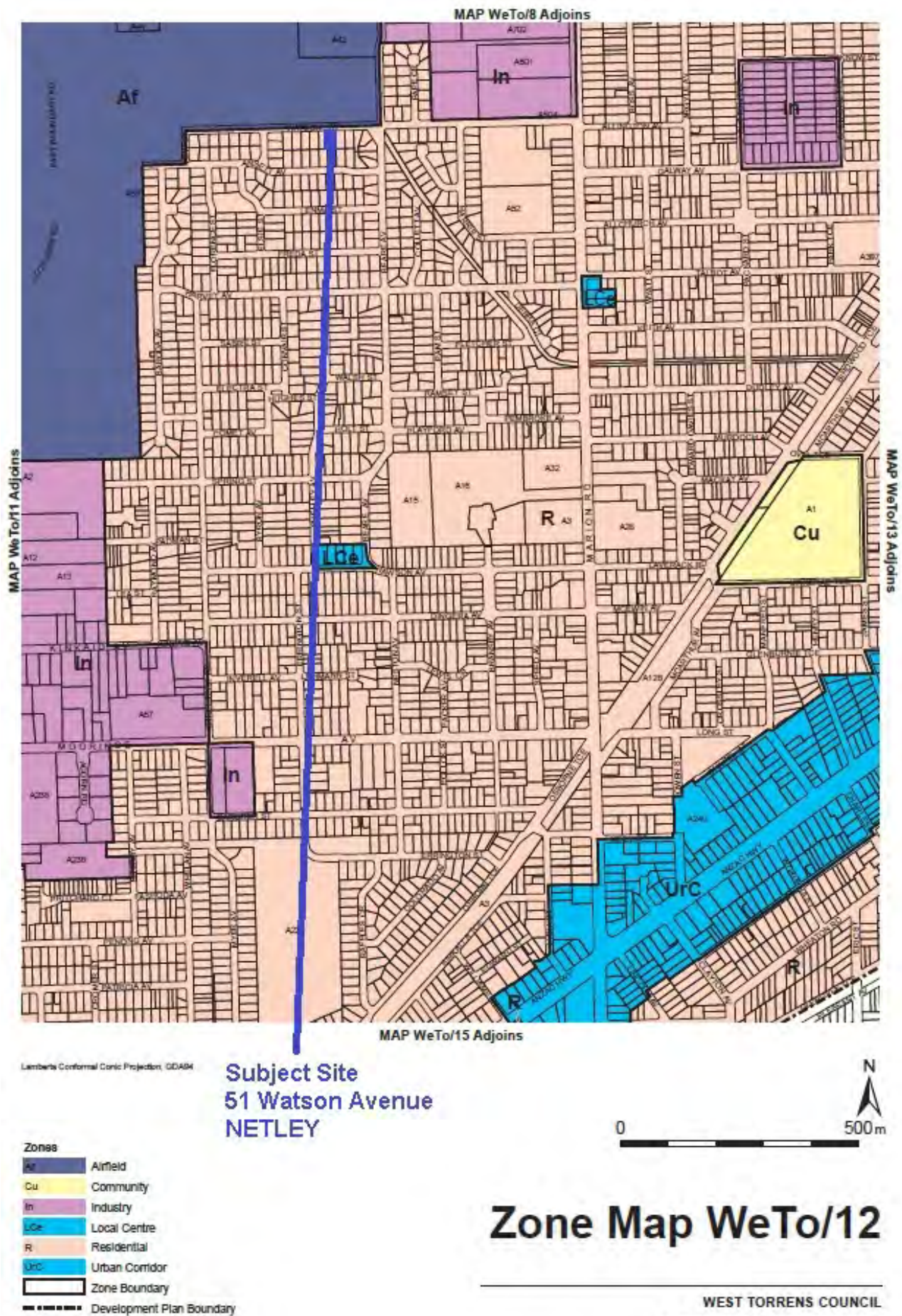
The subject site is located within the Residential Zone and more particularly Residential Policy Area 20. It is located opposite the Adelaide Airport.

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

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

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





PROPOSAL

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

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

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

REFERRALS

Internal

- City Assets & Amenity Officer

Concerns were raised regarding the following matters;

- The accuracy of the originally submitted plans particularly with regard to the location of the street tree

The following concerns remain outstanding;

- Nil

External

Pursuant to Section 37 and Schedule 8 of the Development Act and Regulations, the application was referred to

- Development Assessment Commission & SA Water

No concerns were raised standard conditions were recommended

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

ASSESSMENT

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

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

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

<i>Zone: Residential</i>	
<i>Desired Character:</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>	<i>1, 2, 3 & 4</i>
<i>Principles of Development Control</i>	<i>5 & 7</i>

<i>Policy Area: Residential Policy Area 20</i>	
<i>Desired Character:</i>	
<p><i>Allotments in the policy area will be at low density, accommodating predominantly detached dwellings and some other dwellings types such as semi-detached and group dwellings. There will be a denser allotment pattern close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones. Battleaxe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments developed with buildings that have a direct street frontage.</i></p> <p><i>Buildings will be up to 2 storeys in height. Garages and carports will be located behind the front façade of buildings.</i></p> <p><i>Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer. Low and open-style front fencing will contribute to a sense of space between buildings.</i></p>	
<i>Objectives</i>	<i>1</i>
<i>Principles of Development Control</i>	<i>1, 2, 3 & 5</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
SITE AREA <i>Low Density Policy Area 20</i> <i>PDC 3</i>	Detached Dwelling 340m ² (min.)	351 & 352m ² Satisfies
SITE FRONTAGE <i>Low Density Policy Area 20</i> <i>PDC 3</i>	Detached Dwelling 10m	9.30 & 9.29m Not Satisfied by 7%
PRIMARY STREET SETBACK <i>Residential Zone</i> <i>PDC 8</i>	Up to 2m same as one of the adjacent buildings 7.1m or 7.3m	6.65m Does Not Satisfy 6.4%
SIDE/REAR SETBACKS <i>Residential Zone</i> <i>PDC 11</i>	Side 0/1m (min.)(ground floor) Rear 3m (min.)(ground floor)	0.9m each side Does Not Satisfy by 10% 6.45m Satisfies
BUILDING HEIGHT <i>Residential Zone</i> <i>PDC 6</i>	2 storeys or 6m	1 storey or 3.0m Satisfies
INTERNAL FLOOR AREA <i>Residential Development</i> <i>PDC 9</i>	3+ Bedroom, 100m ² (min.)	144m 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.	60m ² (total) 6.45m (min. dimension) 60m ² (accessed from habitable room) Satisfies

STORAGE <i>Residential Development</i> PDC 30	8m ³	3.5m ³ Does not Satisfy by 56%
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	4 spaces provided 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:

Frontage Widths

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

Primary Street Setback

Watson Avenue has a very consistent street setback, even the existing house on the site (although not perpendicular to the front boundary) has a setback of 8.6m at its closest point to the street. Visual impacts that result from the increased density will be further amplified by the reduced street setback.

Side/Rear Setbacks

PDC 11 seeks side boundary setbacks of a minimum of 1.0m. Whilst the 10% shortfall as proposed with this development is not seen as of itself a reason for refusal, it is considered that the shortfall is a symptom of the proposed narrowness of the allotments.

Storage

The Development Plan includes the following PDC with regard to domestic storage:

General Section, Residential Development PDC 31,

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

- (a) a non habitable room of the dwelling*
- (b) a garage, carport or outbuilding*
- (c) an on-site communal facility".*

There is provision for domestic storage in the garage and the hallway of the dwelling, unfortunately the rear private open space only just achieves the Development Plan's minimums, therefore there is no space left available to install a garden shed or similar without reducing the available private open space.

SUMMARY

The proposed development is an envisaged form of development within the Residential Zone and Low Density Policy Area 20, however, the allotment widths in this very consistent locality is considered to be contrary to the Development Plan policy with regard to subdivision.

Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is considered to be at variance with the Development Plan. On balance the proposed development does not sufficiently accord with the relevant provisions contained within the West Torrens (City) Development Plan Consolidated 5 May 2016 and does not warrant Development Plan Consent.

Attachments

- 1. Proposal & Consultant's Report**
- 2. Referral Responses**
- 3. Previous DAP Report (Land Division)**
- 4. ERD Court Judgement (Nature of Development)**



PROPOSED DEVELOPMENT

51 WATSON AVE, NETLEY

DRAWING LIST	
51WAT-01	COVER SHEET + CONTEXT DRAWING (THIS SHEET)
51WAT-02	NORTH/WEST ELEVATIONS
51WAT-03	SOUTH/EAST ELEVATIONS
51WAT-04	SITE PLAN
51WAT-05	FLOOR PLAN
51WAT-06	SITE DRAINAGE

City & Country Construction Pty Ltd PO BOX 9, BROOKLYN PARK 5032 RECEPTION@BUILDCCC.COM.AU +61 421 347 898
LOCATION
RES 1 + RES 2 51 WATSON AVE NETLEY, SA
PROJECT
51 WATSON AVENUE
DRAWING
51WAT-01
SCALE
1:100
AUTHOR
RYAN MUNDY
DATE
12/4/17
NOTES
REVISED POST RFI

NORTH ELEVATION

1:100

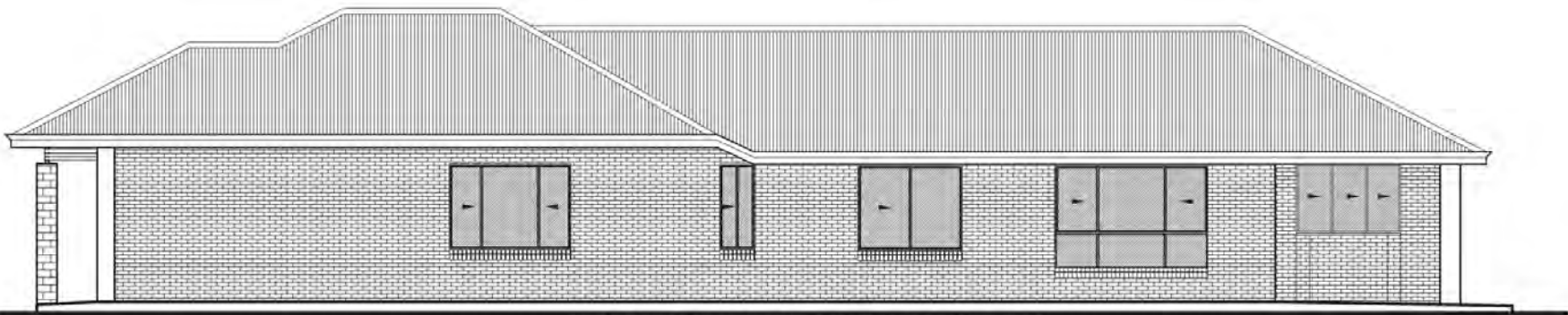
RESIDENCE 1

- Colorbond Woodland Grey orb sheets
- Colorbond Woodland Grey Mossman gutter rofile
- Colorbond Woodland Grey fascias
- 65x16 aluminium powder coated slats (Knotwood Ironbark)
- Littlehampton Block Tuscany blocks to front three pillars
- Meranti timber frames to front elevation only
- Front entry door Hume XN5 (timber, not primed) at 2400 high with Gainsborough Trilock
- Facade other than pillars is rough brick rendered then painted with Weather Guard in Colorbond Classic Cream
- Steel-Line garage door coloured Ironbark with slimline profile

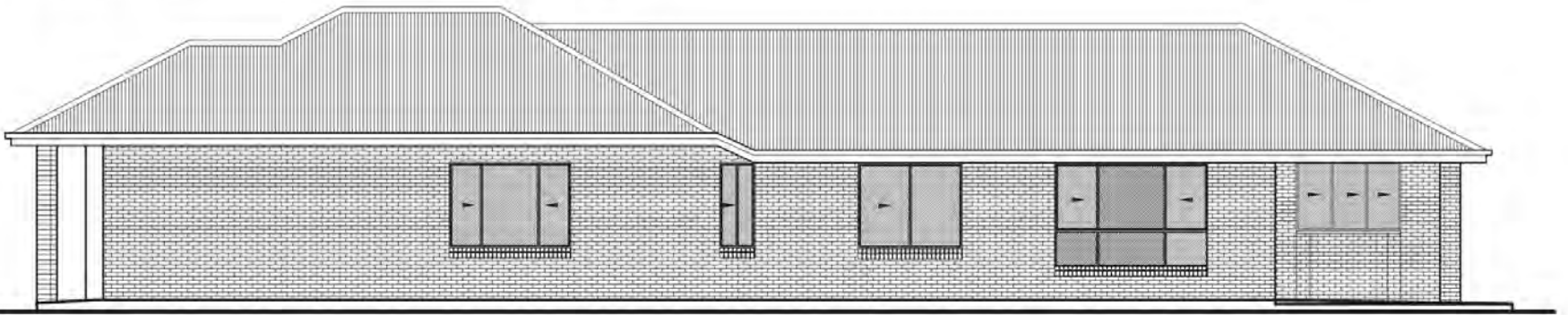


RESIDENCE 2

- Colorbond Shale Grey orb sheets
- Colorbond Shale Grey D-gutter profile
- Colorbond Shale Grey fascias
- Southern Star Shale Grey window frames to entire house
- Front entry door Hume XS45 (primed and painted Shale Grey) at 2400 high with Gainsborough Trilock
- Facade other than pillars is rough brick rendered then painted with Weather Guard low sheen bond white
- Steel-Line garage door coloured Shale Grey with flat-line profile
- Pillars brick with Travertine veneer



PROPOSED RESIDENCE 1 (LEFT WHEN VIEWED FROM STREET)
51 WATSON AVE



PROPOSED RESIDENCE 2 (RIGHT WHEN VIEWED FROM STREET)
51A WATSON AVE

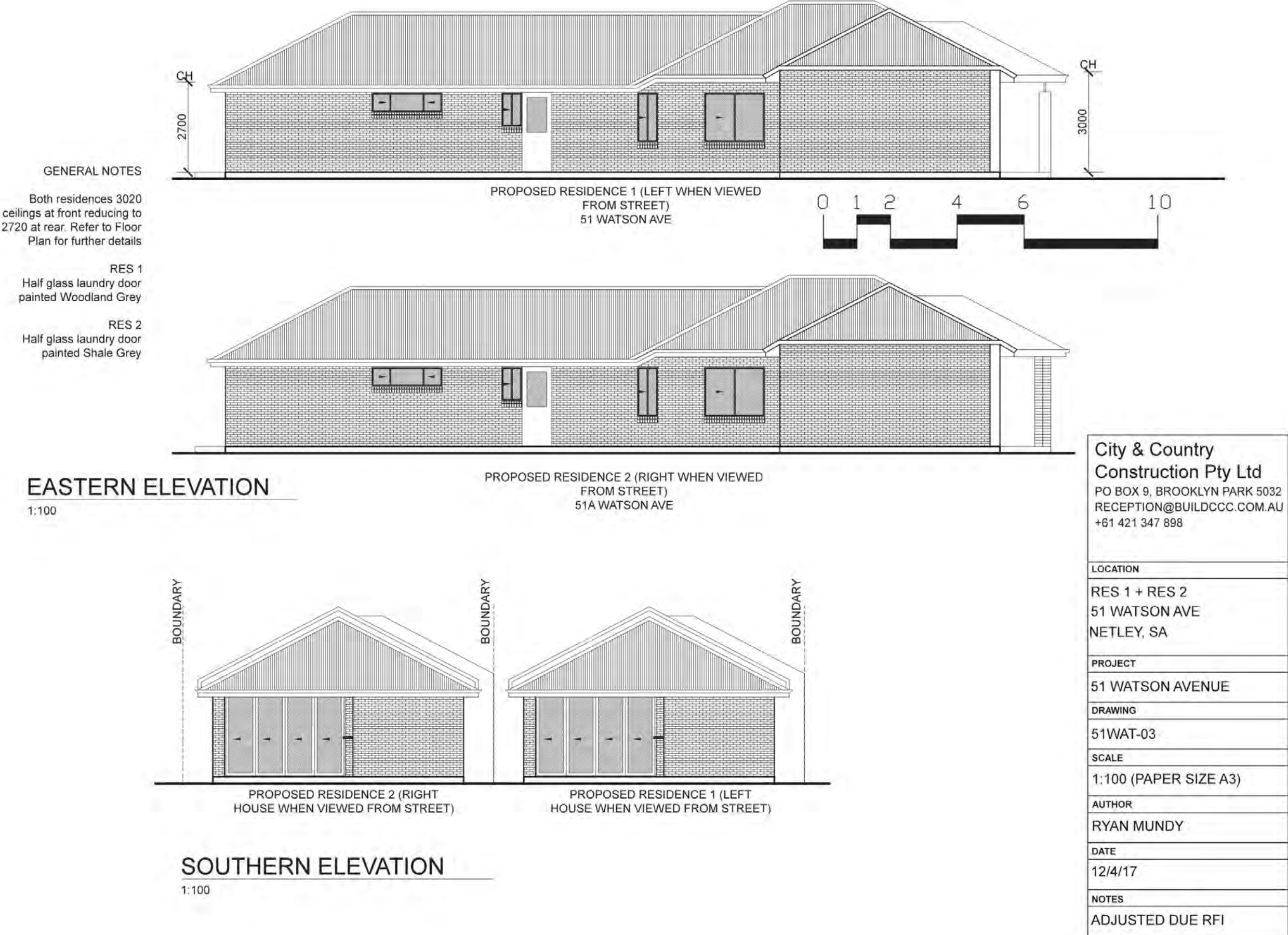
WESTERN ELEVATION

1:100

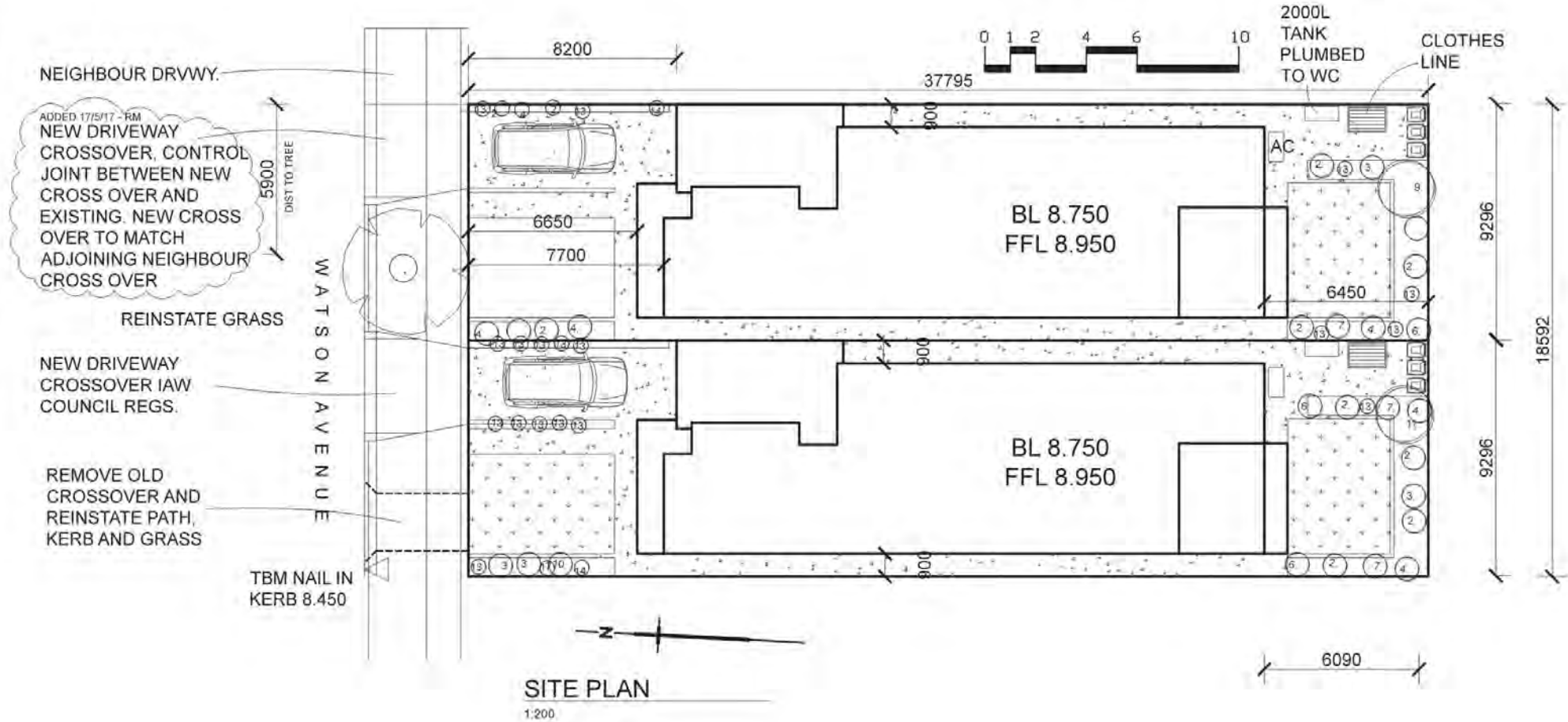
GENERAL NOTES

- RES 1
Littlehampton Tuscany bricks all elevations except facade
Southern Star Woodland Grey window frames all elevations except facade
- RES 2
Littlehampton Textured Cream bricks all elevations except facade
Southern Star Shale Grey window frames all elevations
Continue 'stacker bond' of brick veneer from front blade wall down to the first control joint

City & Country Construction Pty Ltd	
PO BOX 9, BROOKLYN PARK 5032	
RECEPTION@BUILDCCC.COM.AU	
+61 421 347 898	
LOCATION	RES 1 + RES 2
	51 WATSON AVE
	NETLEY, SA
PROJECT	51 WATSON AVENUE
DRAWING	51WAT-02
SCALE	1:100 (PAPER SIZE A3)
AUTHOR	RYAN MUNDY
DATE	12/4/17
NOTES	ADJUSTED DUE RFI



OVERALL SITE:	702.6m²
INDIVIDUAL SITE:	351.3m²
LIVING:	144.0m²
GARAGE:	22.1m²
PORTICO:	6.8m²
ALFRESCO:	14.6m²
TOTAL:	187.6m²
*Above total area does not include 900mm protrusion of slab beyond alfresco area of 3.8m²	
TOTAL SLAB:	191.4m²
ROOF COVERAGE:	209.0m²
ROOF AS PERCENTAGE:	59.5%
PRIVATE OPEN SPACE:	60m²



City & Country Construction Pty Ltd PO BOX 9, BROOKLYN PARK 5032 RECEPTION@BUILDCCC.COM.AU +61 421 347 898
LOCATION
RES 1 + RES 2 51 WATSON AVE NETLEY, SA
PROJECT
51 WATSON AVENUE
DRAWING
51WAT-04
SCALE
PAPER SIZE A3
AUTHOR
RYAN MUNDY
DATE
12/4/2017
NOTES
ADJUSTED DUE RFI

HOUSE

SHED

NON-SIG. TREES

NON-SIG. TREES

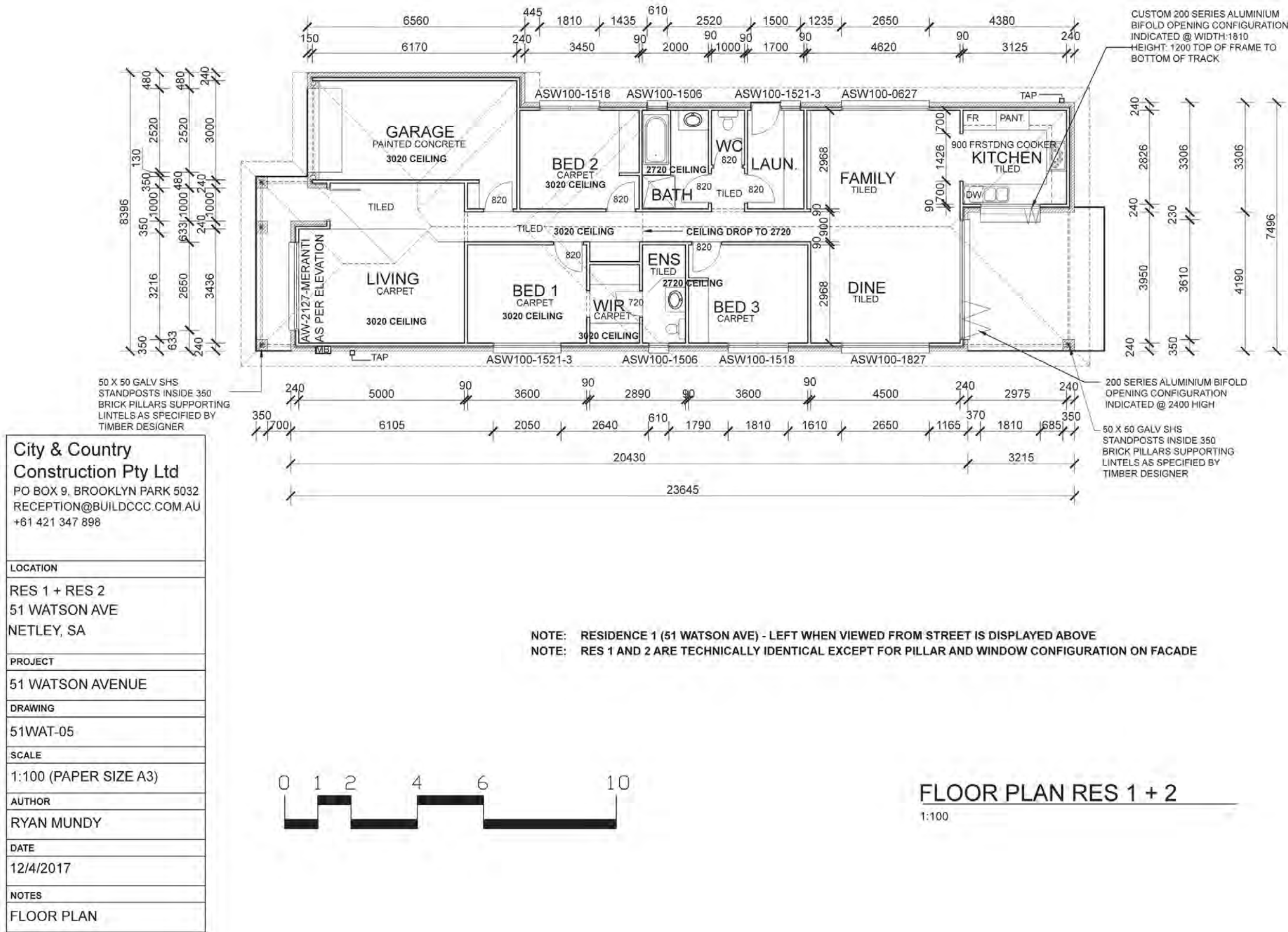
DEMOLITION PLAN

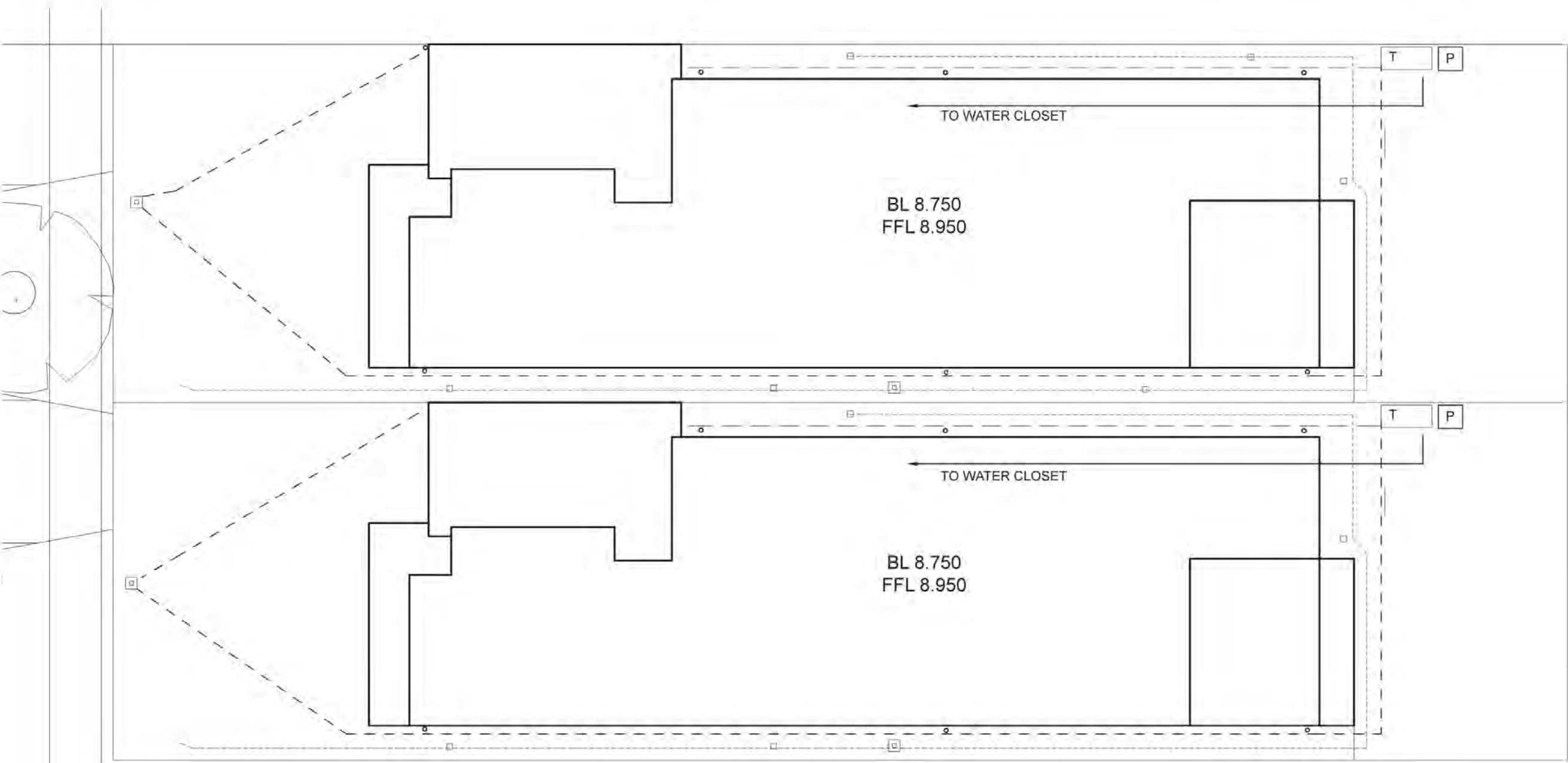
1:500

REMOVE HOUSE AND SHED AND ASSOCIATED FOOTINGS
REMOVE ALL CONCRETE DRIVEWAYS AND PATHS
REMOVE ALL NON-SIGNIFICANT TREES
RETURN BLOCK TO NATURAL CONTOUR
CONTRACTOR ATTENTION DRAWN TO AS2601
CODE OF PRACTICE: DEMOLITION WORK
CODE OF PRACTICE: SAFE REMOVAL OF ASBESTOS

TREE LIST (MS: MED. SHRUB, GC: GROUND COVER, T: TREE, LS: LARGE SHRUB, GI: GIARDENIA)

1. THOMASIA PETALOCALYX	PAPER FLOWER	MS
2. EUTAXIA MICROPHYLLA	COMMON EUTAXIA	MS
3. ENCHYLAENA TOMENTOSA	RUBY SALT BUSH	MS
4. OLEARIA RAMULOSA	TWIGGY DAISY-BUSH	MS
5. CARPOBROTUS ROSSI	NATIVE PIGFACE	GC
6. SCAEVOLA ALBIDA	PALE FANFLOWER	GC
7. GOODENIA VARIA	STICKY GOODENIA	MS
8. KENNEDIA PROSTRATA	RUNNING POSTMAN	GC
9. CALLITRIS GRACILIS	SOUTHERN CYPRESS-PINE	T
10. ENCHYLAENA TOMENTOSA	RUBY SALT BUSH	MS
11. BURSARIA SPINOSA	CHRISTMAS BUSH	LS
12. ACACIA MYRTIFOLIA	MYRTLE WATTLE	MS
13. ENNEAPOGON NIGRICANS	BLACK-HEAD GRASS	GR
14. POA LABILLARDIERI	COMMON TUSSOCK-GRASS	GR
15. DICANTHIUM SERICEUM	SILKY BLUE-GRASS	GR
16. AUSTRODANTHONIA SPP	WALLABY GRASS	GR
17. THEMEDA TRIANDRA	KANGAROO GRASS	GR





- 300X300 SURFACE/SEDIMENT PIT
- FLOOR GRATE TO WATER TABLE (SURFACE RUN OFF)
- T

2050L POLYMER TANK. RETAIN 1050L FOR W.C. REMAINING 1000L DETAINED AND RELEASED THROUGH 20MM OUTLET TO WATER TABLE. TANK TO BE FITTED WITH RAIN-AID MAIN WATER BACK UP + MOSQUITO NET
- P

240V AUTOMATIC PUMP TO W.C. WITH PUMP COVER
- 90 uPVC STORM WATER TO WATER ABLE (SURFACE GRATES)
- 100 PVC STORM WATER ROOF-TO-TANK (PRESSURE FEED)
ADDED 17/5/17 - RM
- 100 x 50 x 2mm GALVANISED RHS ACROSS COUNCIL LAND TO W.T.
- 90 uPVC STORM WATER TO WATER ABLE (TANK OVER FLOW + DOWN PIPES)

<div>City & Country Construction Pty Ltd</div> <div>PO BOX 9, BROOKLYN PARK 5032</div> <div>RECEPTION@BUILDCCC.COM.AU</div> <div>+61 421 347 898</div>	LOCATION	PROJECT	AUTHOR
	RES 1 + RES 2 51 WATSON AVE NETLEY, SA	51 WATSON AVENUE	RYAN MUNDY
		DRAWING	DATE
		DRAINAGE	12/4/17
		SCALE	NOTES
		1:100 (PAPER SIZE A3)	DRAINAGE



PLANNING REPORT

Development Application 211/D011/17

At: 51 Watson Avenue, Netley
For: City and Country Construction Pty Ltd



Prepared by
MasterPlan SA Pty Ltd
ABN 30 007 755 277, ISO 9001:2008 Certified
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January 2017



1.0 INTRODUCTION

This report has been prepared in support of a proposal by City and Country Construction Pty Ltd ('City and Country Construction') to:

- divide one Torrens Title Allotment into Two Torrens Title Allotments; and
- construct two single storey dwellings, one on each of the new Torrens Title Allotments.

This report contains my description of the land in question ('the land'), its surroundings and the proposal as a whole, as well as my assessment of the proposal against what I consider to be the relevant provisions of the West Torrens Council Development Plan ('the Development Plan').



2.0 THE LAND

The land is located on the southern side of Watson Avenue, between Beare Avenue to the east and Butler Street to the west.

The land consists of one allotment only. The allotment to which I refer has a frontage of 18.59 metres to Watson Avenue, a uniform depth of 37.79 metres and an area of 702.51 square metres.

The land presently accommodates a single storey detached dwelling. The dwelling's external walls are made of cream bricks and its hipped roof is covered by concrete tiles.

The dwelling is not a contributory item, or a local or state heritage place.

The dwelling disrupts the existing pattern of development on the southern side of Watson Avenue, as its primary façade does not sit parallel with the northern (front) boundary of the land.

The front yard is informally used to park a courier van and a small truck.

The rear yard contains an implement shed and a handful of trees, none of which appear to be regulated or significant.

The land is accessible via a single crossover to Watson Avenue. The driveway which connects into this crossover leads to an open-sided carport on the western side of the dwelling.

The certificate of title at **Appendix A** indicates that there are no registered easements or encumbrances which could impede or avert the proposal altogether.

Whilst inspecting the land and its surroundings, I noticed, amongst other things, that:

- the overwhelming majority of allotments are occupied by a single storey detached dwelling;
- there are no dwellings on the northern (opposite) side of Watson Avenue;
- there is a vegetated buffer and a bitumen bicycle path between the Adelaide Airport and the opposite side of Watson Avenue;
- there is a small public park approximately 225 metres to the south west of the land; and
- there are two bus stops less than 500 metres to the east of the land.



3.0 THE PROPOSAL

City and Country Construction intends to:

- demolish the existing dwelling;
- divide the land into two Torrens Title Allotments; and
- construct two single storey dwellings, one on each of the new Torrens Title Allotments.

The particulars of the proposal are depicted on the plan of division at **Appendix B**, and the plans and elevations at **Appendix C**.

They are also summarised below.

3.1 Land Division Component

3.1.1 Allotment 101

Allotment 101 will be rectangular in shape.

Allotment 101 will have a frontage of 9.29 metres to Watson Avenue, a uniform depth of 37.79 metres and an area of approximately 351 square metres.

Allotment 101 will be accessible via a new, 2.8 metre wide crossover to Watson Avenue.

Allotment 101 will be devoid of both easements and encumbrances.

3.1.2 Allotment 100

Allotment 100 will be rectangular in shape.

Allotment 100 will have a frontage of 9.30 metres to Watson Avenue, a uniform depth of 37.79 metres and an area of approximately 352 square metres.

Allotment 100 will be accessible via a new, 2.8 metre wide crossover to Watson Avenue.

Allotment 100 will be devoid of both easements and encumbrances.





3.2 Land Use Component

3.2.1 Dwelling 1

The dwelling on Allotment 101, referred to from now on as 'Dwelling 1', is properly described in land use terms as a detached dwelling.

Dwelling 1 will be orientated to Watson Avenue.

Dwelling 1 will contain an open plan kitchen, dining and living room, a separate living area, a master suite, two other bedrooms, a bathroom, a water closet, a laundry and a garage.

The garage will be able to accommodate one car. So too for that matter will the driveway that leads to it.

Dwelling 1 will consist of one floor level only and, when measured from the most prominent ridgeline of its hipped roof to the finished ground level directly below, will not exceed 5.3 metres in height.

The footprint of Dwelling 1 will occupy 191.4 square metres or 54.5 percent of Allotment 101.

Dwelling 1 will be set back 6.65 metres from Watson Avenue, 6.45 metres from the southern (rear) boundary of Allotment 101 and 900 millimetres from the western (side) boundary of Allotment 101.

Although the garage will abut 6.6 metres of the eastern (side) boundary of Allotment 101, the rest of Dwelling 1 will be set back 900 millimetres from this boundary.

Dwelling 1 will come equipped with 60.8 square metres of private open space.

The side and rear walls of Dwelling 1 will be finished with clay bricks, and its primary façade will be rendered and subsequently painted in the Colorbond colour known as 'Classic Cream'.

The pillars supporting the front verandah will be constructed out of clay blocks.

The front door and those window frames facing Watson Avenue will be made out of stained timber.

The hipped roof will be dressed with overlapping sheets of steel. These sheets will be powder coated in the Colorbond colour known as 'Woodland Grey'.

The curtilage of Dwelling 1 will be neatly landscaped with a suitable selection of trees, shrubs and grasses.

Overflow from the tank in the south eastern corner of Allotment 101 and surface water from the exposed aggregate curtilage of Dwelling 1 will be diverted to a sediment pit via an underground system, then released to Watson Avenue in a clean state and at an appropriate rate.

A 1.8 metre high Colorbond fence will be erected along the eastern (side) boundary, southern (rear) boundary and western (side) boundary of Allotment 101.



3.2.2 Dwelling 2

The dwelling on Allotment 100, referred to from now on as 'Dwelling 2', is properly described in land use terms as a detached dwelling.

Dwelling 2 will be orientated to Watson Avenue.

Dwelling 2 will contain an open plan kitchen, dining and living room, a separate living area, a master suite, two other bedrooms, a bathroom, a water closet, a laundry and a garage.

The garage will be able to accommodate one car. So too for that matter will the driveway that leads to it.

Dwelling 2 will consist of one floor level only and, when measured from the most prominent ridgeline of its hipped roof to the finished ground level directly below, will not exceed 5.3 metres in height.

The footprint of Dwelling 2 will occupy 191.4 square metres or 54.4 percent of Allotment 100.

Dwelling 1 will be set back 6.65 metres from Watson Avenue, 6.45 metres from the southern (rear) boundary of Allotment 100 and 900 millimetres from the western (side) boundary of Allotment 100.

Although the garage will abut 6.6 metres of the common (side) boundary between Allotments 101 and 100, the rest of Dwelling 2 will be set back 900 millimetres from this boundary.

Dwelling 2 will come equipped with 60.8 square metres of private open space.

The side and rear walls of Dwelling 2 will be finished with clay bricks, and its primary façade will be rendered and subsequently painted in the Solver colour known as 'Vivid White'.

The pillars supporting the front verandah will be constructed out of stack-bonded concrete bricks.

The front door will be made out of stained timber, and all of the window frames and sliding doors will be made out of powder coated aluminium.

The hipped roof will be dressed with overlapping sheets of steel. These sheets will be powder coated in the Colorbond colour known as 'Shale Grey'.

The curtilage of Dwelling 2 will be neatly landscaped with a suitable selection of trees, shrubs and grasses.

Overflow from the tank in the south eastern corner of Allotment 100 and surface water from the exposed aggregate curtilage of Dwelling 2 will be diverted to a sediment pit via an underground system, then released to Watson Avenue in a clean state and at an appropriate rate.

A 1.8 metre high Colorbond fence will be erected along the eastern (side) boundary, southern (rear) boundary and western (side) boundary of Allotment 100.



4.0 THE DEVELOPMENT PLAN

4.1 Relevant Version

The relevant version of the Development Plan for procedural and assessment purposes was gazetted on Thursday, 21 April 2016 and subsequently consolidated on Thursday, 5 May 2016.

4.2 Policy Area and Zone

The land, under this version of the Development Plan, is located in Low Density Policy Area 20 ('the Policy Area') of the Residential Zone ('the Zone').

4.3 Kind of Development

According to the Procedural Matters Section of the Zone, the division of land is a kind of development that is neither complying nor non-complying. The same can also be said, in this particular instance, for detached dwellings.

Both components of the proposal must, therefore, be assessed and determined together and on their collective merits by the Council in its capacity as the relevant authority.

4.4 Category of Development

According to the Procedural Matters Section of the Zone, one must defer to Schedule 9 of the *Development Regulations 2008* ('the Regulations') to determine the appropriate category.

The land division and land use components of the proposal are captured by Schedule 9, Part 1, Clause 2 (f) of the *Regulations* and Schedule 9, Part 1, Clause 2 (a), Sub-clause (ii) of the *Regulations* respectively. The proposal is, therefore, exempt from any form of public notification.



5.0 ASSESSMENT

5.1 Quantitative Assessment

Tables 1 and 2 overleaf contain my quantitative assessment of the proposal.

Table 1 deals with Allotment 101 and Dwelling 1. Table 2 deals with Allotment 100 and Dwelling 2.

**Table 1 – Quantitative Assessment of Allotment 101 and Dwelling 1**

	Guideline	Proposed	Compliant
Site area	340 square metres	351 square metres	Yes
Frontage width	10 metres	9.29 metres	No
Front setback	6.65 metres	6.65 metres	Yes
Garage setback	6.65 metres	8.2 metres	Yes
Side setbacks	1.0 metre	900 millimetres	No
Rear setback	3.0 metres	6.45 metres	Yes
Site coverage	No maximum	54.5 percent	Not applicable
Internal floor area	100 square metres	166.1 square metres	Yes
Private open space	60 square metres	60.8 square metres	Yes
External wall height	6.0 metres	2.6 metres to 3.3 metres	Yes
Dwelling height	Two storeys	One storey	Yes
Garage opening width	4.65 metres	2.5 metres	Yes
Car parking	Two spaces, one of which is to be covered	Two spaces, one of which is to be covered	Yes

**Table 2 – Quantitative Assessment of Allotment 100 and Dwelling 2**

	Guideline	Proposed	Compliant
Site area	340 square metres	352 square metres	Yes
Frontage width	10 metres	9.3 metres	No
Front setback	6.65 metres	6.65 metres	Yes
Garage setback	6.65 metres	8.2 metres	Yes
Side setbacks	1.0 metre	900 millimetres	No
Rear setback	3.0 metres	6.45 metres	Yes
Site coverage	No maximum	54.4 percent	Not applicable
Internal floor area	100 square metres	166.1 square metres	Yes
Private open space	60 square metres	60.8 square metres	Yes
External wall height	6.0 metres	2.6 metres to 3.3 metres	Yes
Dwelling height	Two storeys	One storey	Yes
Garage opening width	4.65 metres	2.5 metres	Yes
Car parking	Two spaces, one of which is to be covered	Two spaces, one of which is to be covered	Yes



5.2 Qualitative Assessment

My qualitative assessment of the proposal is set out below.

5.2.1 Land Use

Each Torrens Title Allotment is intended to accommodate a detached dwelling. The proposal is, therefore, entirely consistent with the Desired Character Statement for, and Principle 1 of, the Policy Area.

For clarity, the Desired Character Statement to which I refer advises, in part, that *"allotments in the Policy Area will be at low density, accommodating primarily detached dwellings and some other dwelling types such as semi-detached and group dwellings."*

5.2.2 Site Area

Principle 3 of the Policy Area provides quantitative guidance with respect to the area of new allotments for detached dwellings. It recommends that:

- 3 A dwelling should have a minimum site area and a frontage to a public road not less than that shown in the following table:**

- (a) when located 400 metres or more from a centre zone; or
 (b) when located within 400 metres of the Neighbourhood Centre Zone on Marion Road.

Dwelling Type	Site Area	Minimum Frontage
Detached	340 square metres	10 metres
Semi-detached	340 square metres	10 metres
Group	340 square metres	10 metres

The area of Allotments 101 and 100 will exceed the minimum quantitative guideline of 340 square metres by 11 square metres and 12 square metres respectively.



5.2.3 Frontage Width

Principle 3 of the Policy Area also provides quantitative guidance with respect to the frontage width of new allotments for detached dwellings. It recommends that:

- 3 A dwelling should have a minimum site area and a frontage to a public road not less than that shown in the following table:**

- (a) when located 400 metres or more from a centre zone; or
 (b) when located within 400 metres of the Neighbourhood Centre Zone on Marion Road.

Dwelling Type	Site Area	Minimum Frontage
Detached	340 square metres	10 metres
Semi-detached	340 square metres	10 metres
Group	340 square metres	10 metres

The frontage width of Allotments 101 and 100 will fall short of the minimum quantitative guideline of 10 metres by 710 millimetres and 700 millimetres respectively.

I consider this shortfall to be minor and acceptable because it will be barely discernible to the naked eye, the garage openings will account for less than 27 percent of the frontage width of each Allotment, and Principle 5 of the Policy Area allows for lesser frontage widths in instances such as this where the land division and land use components form part of a single development application.

The existence of Principle 5 serves to acknowledge that well positioned and designed dwellings, such as those currently before the Council, are actually capable of overcoming minor shortfalls, particularly when garages are not a dominant feature of the overall development.



5.2.4 Front Setback

Principle 8 of the Zone provides quantitative guidance with respect to the distance between dwellings and their front boundary. It recommends that:

- 8** Except where specified in Medium Density Policy Area 18 and Medium Density Policy Area 19, development (including any verandah, porch, etc.) should be set back from the primary road frontage in accordance with the following table:

Difference between Adjacent Setbacks	Setback of New Building
Up to 2.0 metres	The same as one of the adjacent buildings
Greater than 2.0 metres	The average of the adjacent buildings

Dwellings 1 and 2 will be set back the same distance from Watson Avenue as the dwellings on the adjoining allotments to the east and west of the land (6.65 metres), as sought by Principle 8.

5.2.5 Side Setbacks

Principle 11 of the Zone provides quantitative guidance with respect to the distance between dwellings and their side boundaries. It recommends that:

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

Parameter	Minimum Value
Side boundary setback where the vertical side wall is 3.0 metres or less in height	1.0 metre
Side boundary setback where the vertical side wall measures between 3.0 metres and 6.0 metres in height	2.0 metres

Dwellings 1 and 2 will be set back 100 millimetres less than the recommended distance of 900 millimetres from their respective side boundaries.



Be that as it may, I note that the proposal will still comfortably satisfy the National Construction Code and that the prospective occupant/s will still be able to access their rear yard from their front yard and external laundry door.

I also note that the land falls within the ambit of an area determined by the Minister for the purposes of the 'Residential Code' and that under the 'Residential Code' dwellings may extend, as-of-right, to within 900 millimetres of their side boundaries.

Principles 12 and 13 of the Zone provide quantitative guidance with respect to boundary walls. They recommend that:

- 12 Side boundary walls in residential areas should be limited in length and height to:**
 - (a) minimise their visual impact on adjoining properties;**
 - (b) minimise the overshadowing of adjoining properties.**
- 13 Except where otherwise specified by a policy area, side boundary walls comply with the following:**
 - (b) side boundary walls:**
 - (i) should have a maximum vertical wall height of 3.0 metres;**
 - (ii) should have a maximum length of 8.0 metres;**
 - (iii) should be constructed along one side of the allotment only and no further than 14 metres from the front boundary.**

The garages belonging to Dwellings 1 and 2 will only abut one side boundary. Furthermore, they will not exceed 6.6 metres in length or extend further than 11.1 metres into their respective Allotments.

Whilst the boundary walls will exceed 3.0 metres in height, the additional 200 millimetres of face brickwork is not expected to have an unreasonable visual impact or to cast an unreasonable amount of shadow over the adjoining residential properties.



5.2.6 Rear Setback

Principle 11 of the Zone also provides quantitative guidance with respect to the distance between dwellings and their rear boundary. It recommends that:

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

Parameter	Minimum Value
Rear boundary setback for single storey components of a building	3.0 metres
Rear boundary setback for two or more storey components of a building	8.0 metres

Dwellings 1 and 2 will be set back 3.45 metres in excess of the minimum quantitative guideline of 3.0 metres from their rear boundary.

5.2.7 Site Coverage

The Development Plan does not offer any quantitative guidance as far as the footprint of dwellings in this part of the Zone is concerned. Be that as it may, I note that:

- the footprint of Dwelling 1 will occupy 54.5 percent of the area of Allotment 101;
- the footprint of Dwelling 2 will occupy 54.4 percent of the area of Allotment 100;
- the land, as previously advised, falls within the ambit of an area determined by the Minister for the purposes of the 'Residential Code';
- under the 'Residential Code', dwellings may, subject to their compliance with other stringent criteria, occupy, as-of-right, up to 60 percent of the site upon which they are to be erected; and
- there will still be enough room within the confines of each Allotment for concrete driveways and paths to be poured, clothes to be hung and dried, a rainwater tank to be installed, a functional pocket of private open space to be created, and putrescibles, recyclables and organics to be temporarily stored.



5.2.8 Internal Floor Area

Principle 9 of the 'Residential Development' Module provides quantitative guidance with respect to the internal floor area of dwellings. It recommends that:

9 Residential development should provide a high quality living environment by ensuring the following minimum internal floor areas (including internal storage areas but not including balconies and car parking):

(a)	studio (where there is no separate bedroom):	37 square metres;
(b)	1 bedroom dwelling/apartment:	50 square metres;
(c)	2 bedroom dwelling/apartment:	75 square metres;
(d)	3 or more bedroom dwelling/apartment:	100 square metres.

The internal floor area of Dwellings 1 and 2 will exceed the minimum quantitative guideline of 100 square metres by 44 square metres. This figure does not take into account the garages (22.1 square metres) or the 'alfrescos' (14.6 square metres).

5.2.9 Private Open Space

Principle 19 of the 'Residential Development' Module provides quantitative guidance with respect to the provision of private open space. It recommends that:

19 Dwellings at ground level should provide private open space in accordance with the following table:

Site Area	Minimum Area Overall	Minimum Dimension	Minimum Area at the Rear
< 300 square metres	24 square metres	3.0 metres	16 square metres
300 square metres to 500 square metres	60 square metres	4.0 metres	16 square metres
> 500 square metres	80 square metres	4.0 metres	24 square metres

The private open spaces assigned to Dwellings 1 and 2 will exceed the minimum quantitative guideline of 60 square metres by 0.8 square metres. They will also be accessible from the open plan kitchen, dining and living rooms, as sought by Principle 18 of the 'Residential Development' Module.

In accordance with Principle 20 of the 'Residential Development' Module, the service courtyards containing the air conditioning units, dual-purpose tanks, clothes lines and plastic bins have not been included in this calculation.



5.2.10 External Wall Height

Principle 6 of the Zone provides quantitative guidance with respect to the external wall height of dwellings. It recommends that:

- 6** Except where otherwise specified by a policy area, dwellings and buildings containing dwellings should be designed within the following parameters:

Parameter	Value
Maximum number of storeys	Two storeys
Maximum vertical side wall height	6.0 metres

The external wall height of Dwellings 1 and 2 (2.6 metres to 3.3 metres) will sit comfortably below the maximum quantitative guideline of 6.0 metres.

5.2.11 Dwelling Height

Principle 6 of the Zone also provides quantitative guidance with respect to the overall height of dwellings. It recommends that:

- 6** Except where otherwise specified by a policy area, dwellings and buildings containing dwellings should be designed within the following parameters:

Parameter	Value
Maximum number of storeys	Two storeys
Maximum vertical side wall height	6.0 metres

Dwellings 1 and 2 will only be one storey tall despite the fact that dwellings of up to two storeys in height are envisaged in the Policy Area.



5.2.12 External Appearance

Principles 1, 2 and 12 of the 'Design and Appearance' Module provide guidance with respect to the external appearance of dwellings. They recommend that:

- 1 Buildings should reflect the desired character of the locality while incorporating contemporary designs that have regard to the following:**
 - (a) building height, mass and proportion;
 - (b) external materials, patterns, colours and decorative elements;
 - (c) roof form and pitch;
 - (d) façade articulation and detailing;
 - (e) verandahs, eaves, parapets and window screens.
- 2 The external walls and roofs of buildings should not incorporate highly reflective materials which will result in glare to neighbouring properties or drivers.**
- 12 Buildings (other than ancillary buildings, group dwellings or buildings on allotments with a battle axe configuration) should be designed so that the main façade faces the primary street frontage of the land on which they are situated.**

Dwellings 1 and 2 have been orientated to Watson Avenue. They have also been carefully designed to ensure that all four of their façades are expressive but not overpowering.

The use of contemporary materials and the application of complementary colours will greatly assist in this regard. So too for that matter will the porticos, deep eaves and large expanses of clear glass.

None of the façades will contain any bland or highly reflective surfaces.

The north facing windows will provide the opportunity for passive surveillance to occur.

5.2.13 Access

Principles 23 and 30 of the 'Transportation and Access' Module provide guidance with respect to access. They recommend that:

- 23 Development should have direct access from an all-weather public road.**
- 30 Driveways, access tracks and parking areas should be designed and constructed to:**
 - (a) follow the natural contours of the land;
 - (b) minimise excavation and/or fill;
 - (c) minimise the potential for erosion from runoff;
 - (d) avoid the removal of existing vegetation;
 - (e) be consistent with *Australian Standard AS 2890 Parking Facilities*.

Each Torrens Title Allotment will be accessible via a new crossover to Watson Avenue. Watson Avenue is a sealed, two-way public road which runs parallel to the northern (front) boundary of the land.

The new crossovers will not require the existing 'street tree' to be removed.



5.2.14 Car Parking

Principle 34 of the 'Transportation and Access' Module provides guidance with respect to the provision of on-site parking. It recommends that:

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

According to Table WeTo/2 of the Development Plan, detached dwellings should come equipped with two spaces, one of which is to be covered.

Dwellings 1 and 2 will both come equipped with a single car garage. There will also be enough room along each driveway for another car to be parked.

5.2.15 Stormwater

Principle 10 of the 'Natural Resources' Module provides guidance with respect to the management of stormwater. It recommends that:

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

Dwellings 1 and 2 will come equipped with a dual-purpose tank.

The tanks, which have a capacity of 2,050 litres, will be plumbed to the toilets in the water closets.

Overflow from the tanks and surface water from the exposed aggregate curtilage of Dwellings 1 and 2 will be diverted to sediment pits via an underground system, then released to Watson Avenue in a clean state and at an appropriate rate.



5.2.16 Waste

Principle 6 of the 'Waste' Module provides guidance with respect to the management of waste. It recommends that:

- 6 Development that involves the production and/or collection of waste and/or recyclable material should include designated collection and storage area(s) that are:**
- (a) screened and separated from adjoining areas;
 - (b) located to avoid impacting on adjoining sensitive environments or land uses;
 - (c) designed to ensure that wastes do not contaminate stormwater or enter the stormwater collection system;
 - (d) located on an impervious sealed area graded to a collection point in order to minimise the movement of any solids or contamination of water;
 - (e) protected from wind and stormwater and sealed to prevent leakage and minimise the emission of odours;
 - (f) stored in such a manner that ensures that all waste is contained within the boundaries of the site until disposed of in an appropriate manner.

Dwellings 1 and 2 will come equipped with three plastic bins, one for putrescibles, one for recyclables and one for organics. The bins will be stored atop a concrete base in the south eastern corner of each Allotment and wheeled to the kerb on the southern side of Watson Avenue for collection.

5.2.17 Energy Efficiency

Principle 3 of the 'Energy Efficiency' Module provides guidance with respect to solar energy. It recommends that:

- 3 Development should facilitate the efficient use of photovoltaic cells and solar hot water systems by:**
- (a) taking into account overshadowing from neighbouring buildings;
 - (b) designing roof orientation and pitches to maximise exposure to direct sunlight.

There will be plenty of room on the eastern and western sides of the central ridgelines for the prospective occupants to install photovoltaic cells.

These cells will be able to capture sunlight for most of the day due to the orientation and fall of the roofs, and the fact that neither of the neighbouring dwellings are close or tall enough to pose a problem as far as overshadowing is concerned.



5.2.18 Landscaping

Principle 2 of the 'Landscaping, Fences and Walls' Module provides guidance with respect to landscaping. It recommends that:

- 2 Landscaping should:**
- (a) include the planting of drought tolerant species, including locally indigenous species where appropriate;**
 - (b) be orientated towards the street frontage;**
 - (c) result in the appropriate clearance from powerlines and other infrastructure being maintained.**

The front and rear yards will be neatly landscaped with a suitable selection of trees, shrubs, ground covers and grasses. Consideration has been given to each species' suitability to local conditions, sustainability with little to no supplementary irrigation, aesthetic qualities and propensity to drop leaves.



6.0 CONCLUSION

I have concluded from my detailed and balanced assessment of the proposal that it warrants Development Plan Consent and Land Division Consent because:

- the land will be divided and developed for purposes that are consistent with the objectives and desired character of the Policy Area;
- the frontage width and area of each Torrens Title Allotment will not offend the existing pattern of division in this locality;
- the land is located within walking distance of public transport routes and public open space, making it an ideal location for a greater density of development;
- the siting, height and external appearance of each dwelling is acceptable;
- the prospective occupant/s of each dwelling will have access to more than the recommended amount of private open space;
- safe and convenient access will be provided to each Torrens Title Allotment via new crossovers to Watson Avenue;
- the recommended number of on-site car parking spaces will be provided within the confines of each Torrens Title Allotment;
- the methods proposed to manage stormwater and waste are both effective and environmentally sound;
- the curtilage of both dwellings will be suitably landscaped;
- the dwellings will be energy efficient; and
- it satisfies all but two of the relevant quantitative guidelines.

Fabian Barone MPIA
Bachelor of Urban and Regional Planning

30 January 2017

50238REP01

13 June 2017



Memo

To Janine Lennon
From Jane Teng
Date 16/05/2017
Subject 211/163/2017, 51 Watson Avenue, NETLEY SA 5037

Janine Lennon,

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

1.0 FFL Consideration – Finished Floor Level (FFL) Requirement

Finished floor levels of the proposed dwellings have been adequately addressed in the initial referral provided by City Asset in the memorandum dated 25/03/2017.

2.0 Verge Interaction (with street tree)

- 2.1 City Asset has read the report provided by GTA Consultants (dated 18 April 2017). City Asset does not have any issues with the proposed driveway access to both dwellings as this would allow two parking on-street parking spaces located between the eastern dwelling and the existing crossover.

It has also been proposed for the driveway crossover of the eastern dwelling (detailed in Figure 1, 2 of the GTA letter and Demolition Plan -Dated 12/4/2017) to match onto the existing driveway crossover on the eastern boundary. City Asset has no issues for the 'shared crossover' arrangement, however for the purpose of clarity, we requests that a note to be added on the proposed plan indicating 'new driveway crossover to be matched to existing driveway crossover on the neighbouring land'. The matching of driveway crossover between these two properties will be undertaken by the development applicant.

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

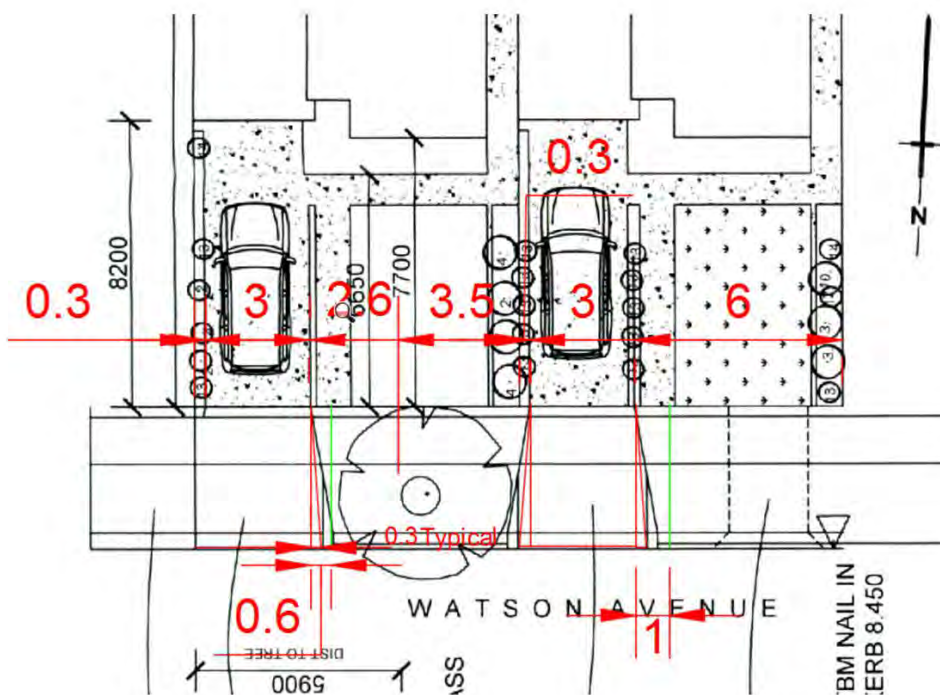
- 2.2 It should also be nominated for the stormwater connection through the road verge area to be constructed of shape and material to satisfy Council's standard requirements. City Asset will support the minimum offset distance of 0.6m from driveway crossover to new stormwater



connections in lieu of the minimum of 1.0m for the eastern dwelling to allow for the minimum 2.0m offset distance for the existing street tree. City Asset typically requires the 300mm flaring on both sides of the crossover on new driveway crossover. The amended demolition plan proposes wider flares on the proposed crossover compared to the typically required of 300mm (see below for information). Therefore, to allow for the new stormwater connection to be able to practically being constructed on the upright kerb and not damaged by traversing vehicles, the new stormwater connection will need to be installed at the minimum 0.6m from the perpendicular line of the driveway crossover.

The proposed stormwater connection can be installed as long as it is 1.0m meter away from the new driveway crossover and existing stobie pole. In addition, City Asset request for the following notes to the new stormwater connections to be added to the proposed development plan.

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





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

3.0 Other Requirements

Garage dimensions and setback, stormwater detention and quality requirements have been adequately addressed in the initial referral provided by City Asset in the memorandum dated 25/03/2017.

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

Regards

Jane Teng
Civil Engineer

Arboricultural Assessment of Street Trees

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 and development of any street tree(s).

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

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

As a result of the proposal initial investigations have identified there will be minor conflict with an existing *Corymbia ficifolia* (red flowering gum) street tree. It is noted for the Eastern most dwelling there is 5.9m from the eastern most property boundary to the *Corymbia ficifolia* (red flowering gum) street tree. With a minimum offset of 2.0m from the street tree this will only leave 3.9m for the crossover and the stormwater outlet.

With the western most dwelling the location off the crossover on the proposed eastern boundary will have an offset from the street tree of 2.3m.

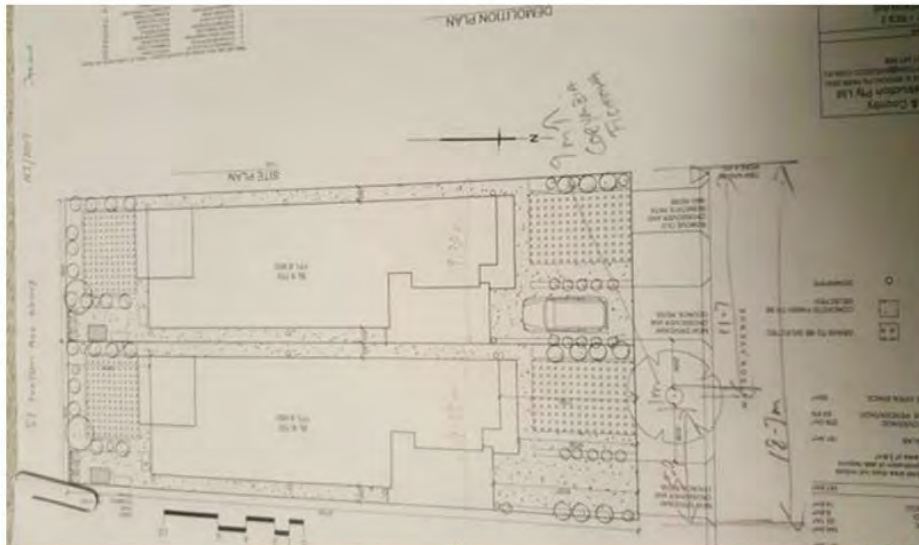
City Works will support the proposal in its current form maintaining a 2.0m offset from the *Corymbia ficifolia* (red flowering gum) street tree for the proposed crossovers and any stormwater connections.

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

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

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

DATE: 14/03/2017





Contact
Telephone

Planning Services
7109 7016



24 February 2017

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

Dear Sir/Madam

**Re: Proposed Development Application No. 211/D011/17 (ID 56967)
By Mundy Developments**

Further to my letter dated 2 February 2017 and to assist the Council in reaching a decision on this application, copies of the reports received by the Commission from agencies that it has consulted have been uploaded for your consideration.

IT IS REQUESTED PURSUANT TO SECTION 33 (1) (c) OF THE DEVELOPMENT ACT, 1993 THAT THE COUNCIL INCLUDE IN ITS DEVELOPMENT APPROVAL THE FOLLOWING REQUIREMENTS OF THE COMMISSION.

1. The financial requirements of the S A Water Corporation shall be met for the provision of water supply and sewerage services. (S A Water H0055345)

The internal drains shall be altered to the satisfaction of the S A Water Corporation.

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

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.

Please upload the Decision Notification Form (via EDALA) following Council's Decision.

Yours faithfully,

A handwritten signature in black ink, appearing to read "Brett Miller", is written over a horizontal line.

Brett Miller
TEAM LEADER – PLANNING SERVICES
as delegate of the
DEVELOPMENT ASSESSMENT COMMISSION
Q:\PLANNINGSERVICES\TEMPLATES\STATEMENTS\ELECTRONIC\TFF2R edala



14 February 2017

Our Ref: H0055345

The Chairman
Development Assessment Commission
136 North Terrace
ADELAIDE SA 5000

Dear Sir/Madam

PROPOSED LAND DIVISION APPLICATION NO: 211/D011/17 AT NETLEY

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

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

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

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

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

Yours faithfully

Michael Zoanetti
for **MANAGER LAND DEVELOPMENT & CONNECTIONS**

SA Water
Level 6, 250 Victoria Square
ADELAIDE SA 5000
Ph (08) 7424 1119
Inquiries Michael Zoanetti
Telephone 7424 1280

6.6 51 Watson Avenue, NETLEY

Application No. 211/1311/2015

DEVELOPMENT APPLICATION DETAILS

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

BACKGROUND

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

- With regard to residential development and land division applications, where at least one proposed allotment and or site does not meet the minimum frontage widths and site areas designated in respective zones and policy areas within the West Torrens Council Development Plan, the application shall be assessed and determined by the DAP.
- All applications where the assessing officer recommends refusal, shall be assessed and determined by the DAP.

PREVIOUS or RELATED APPLICATION

Nil

SITE AND LOCALITY

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

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

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

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

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

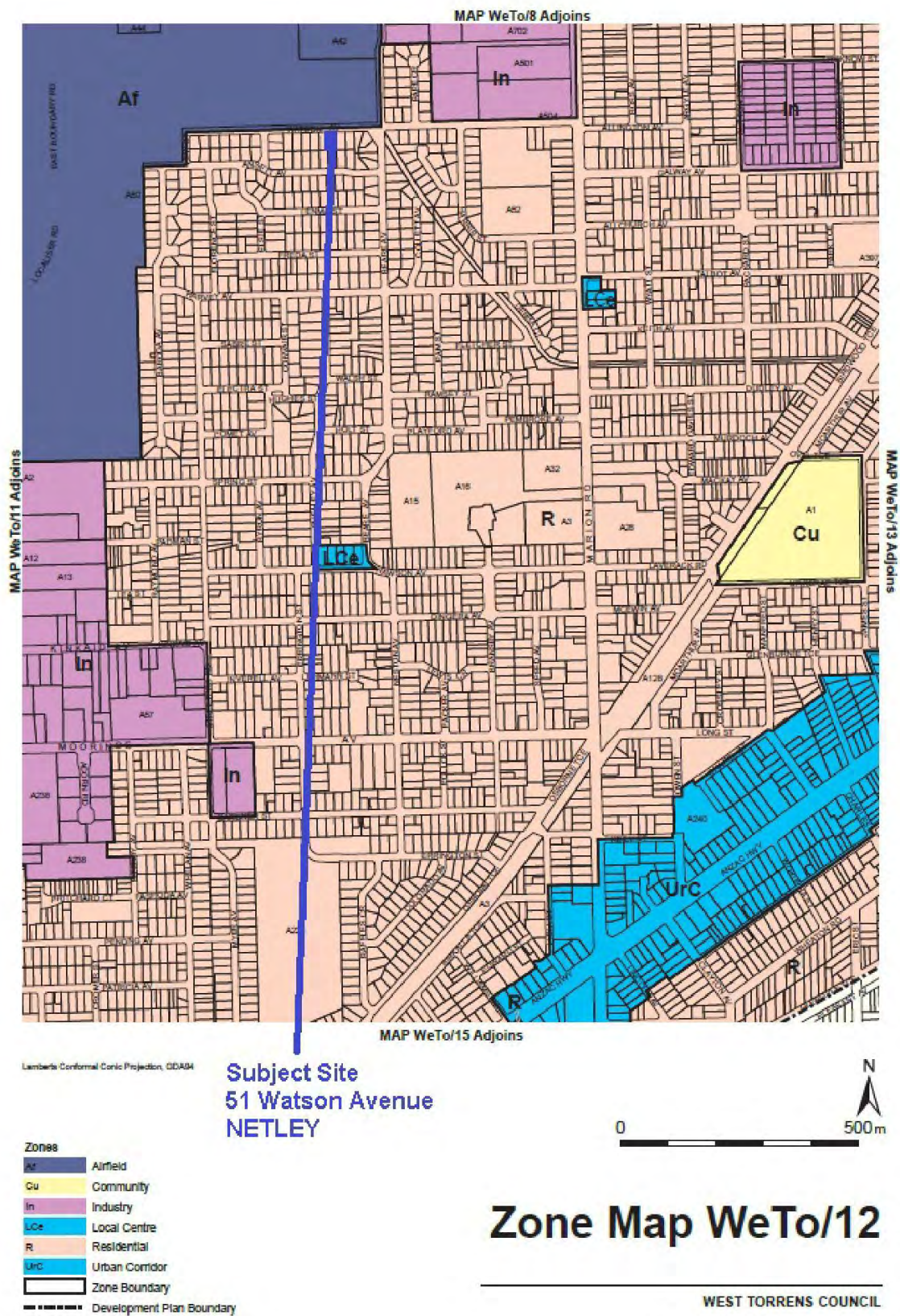
NB - Yellow highlight = less than minimum sought in Development Plan

The site and locality are shown on the following maps:



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9 February 2016

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PROPOSAL

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

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

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

PUBLIC NOTIFICATION

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

REFERRALS

External

- **Development Assessment Commission (DAC) and SA Water**

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

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

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

ASSESSMENT

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

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

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

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

QUANTITATIVE ASSESSMENT

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

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

QUALITATIVE ASSESSMENT

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

Frontage Widths:

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

SUMMARY

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

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

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

RECOMMENDATION

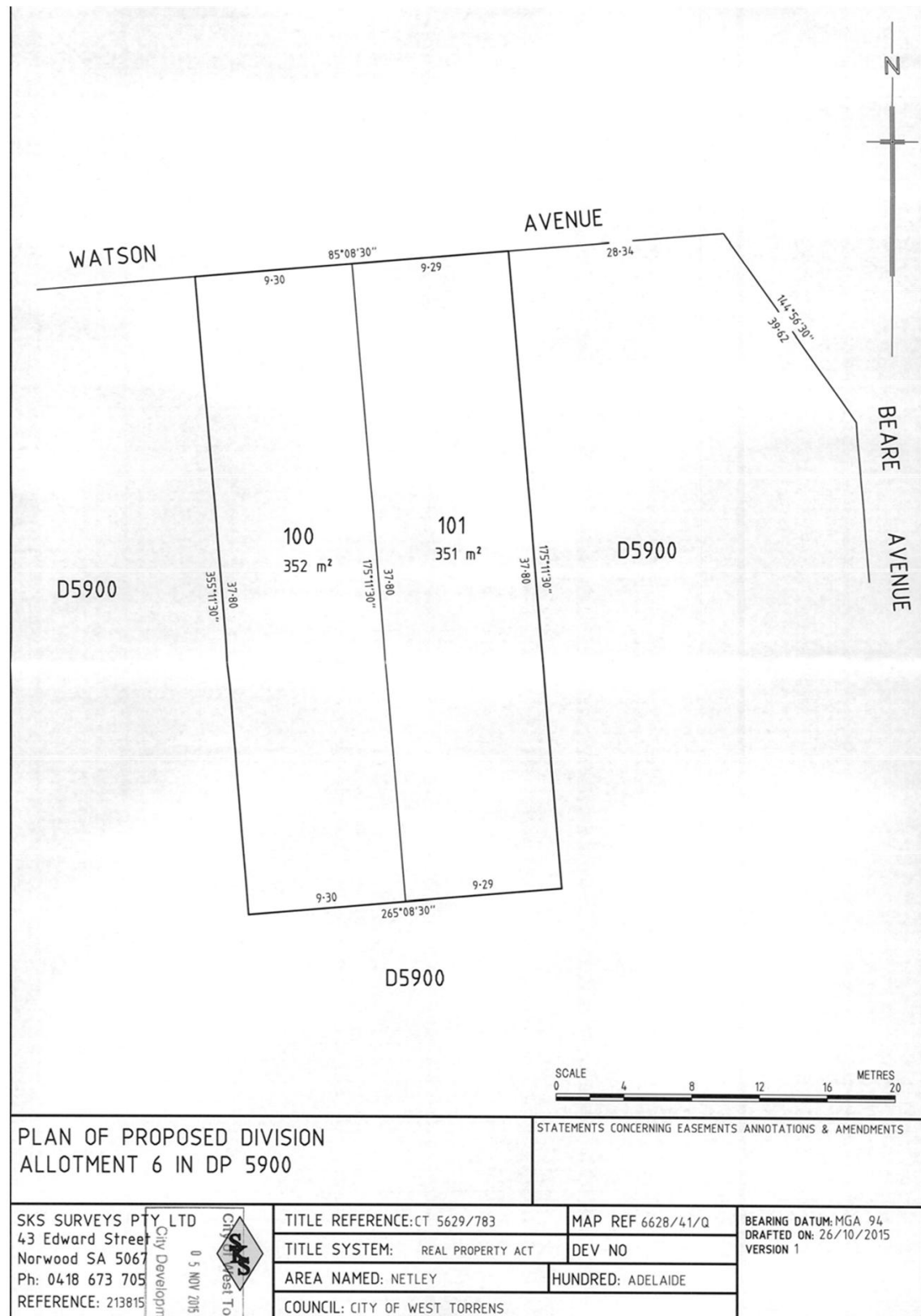
The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to REFUSE Development Approval for Application No. 211/1311/2015 by R/L Mundy Trust to create one additional allotment at 51 Watson Avenue, Netley (CT 5629/783) for the following reasons:

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

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9 February 2016

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ATTACHMENT 1



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ATTACHMENT 2

Contact Lands Titles Office
Telephone 7109 7016



11 November 2015

The Chief Executive Officer
City of West Torrens

Dear Sir/Madam

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

In accordance with Section 33 of the Development Act 1993 and Regulation 29 (1) of the Development Regulations 2008, and further to my advice dated 04 November 2015, I advise that the Development Assessment Commission has consulted with SA Water Corporation (only) regarding this land division application. A copy of their response has been uploaded in EDALA for your consideration. The Commission has no further comment to make on this application, however there may be local planning issues which Council should consider prior to making its decision.

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

1. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.
The alteration of internal drains to the satisfaction of SA Water is required.
An investigation will be carried out to determine if the connection/s to your development will be costed as standard or non-standard
On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.
2. Payment of \$6488 into the Planning and Development Fund (1 allotment(s) @ \$6488/allotment).
Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

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

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

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

Phil Hodgson
Unit Manager
Lands Titles Office
as delegate of

DEVELOPMENT ASSESSMENT PANEL
9 February 2016

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11 November 2015

Our Ref: H0038945

The Chairman
Development Assessment Commission
136 North Terrace
ADELAIDE SA 5000

Dear Sir/Madam

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

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

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

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

An investigation will be carried out to determine if the connection/s to your development will be costed as standard or non-standard

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

Yours faithfully

rosanna francesca

for MANAGER LAND DEVELOPMENT & CONNECTIONS

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

ENVIRONMENT, RESOURCES AND DEVELOPMENT COURT OF SOUTH AUSTRALIA

MUNDY v CITY OF WEST TORRENS

[2016] SAERDC 30

Judgment of Her Honour Judge Cole

29 August 2016

ENVIRONMENT AND PLANNING - ENVIRONMENTAL PLANNING - DEVELOPMENT CONTROL

A private certifier issued a document which, on its face, was a development plan consent and building rules consent for the proposed demolition of an existing building and the construction of two detached dwellings. Prior to the issue of the purported consents, the Council had notified the appellant that the proposed development was not a complying form of development, and that an application would need to be lodged and assessed by the Council. The Council notified the private certifier that it considered the purported development consent to be invalid.

Held: The decisions of the Council were correct. The proposed development was non-complying and the development plan consent issued by the private certifier is invalid. The appeal is dismissed.

Development Act 1993 (SA) ss 35, 39, 86, 89; *Development Regulations 2008* (SA) regs 3, 89, Sch 4, referred to.

Appellant: RYAN MUNDY Counsel: MR T GAME - Solicitor: BOTTEN LEVINSON
Respondent: CITY OF WEST TORRENS Counsel: MR S HENRY SC - Solicitor: NORMAN
WATERHOUSE

Hearing Date/s: 06/06/2016

File No/s: ERD-16-32

B

MUNDY v CITY OF WEST TORRENS
[2016] SAERDC 30

THE COURT DELIVERED THE FOLLOWING JUDGMENT:

1 Mr Mundy obtained from a private certifier a decisions notification form dated 16/1/16 in respect of Development Application Number 211/1427/2015 (the application). The decision notification form said that the private certifier had granted both development plan consent and building rules consent¹ to the development proposed in the application, which was the demolition of an existing dwelling and associated outbuilding and the construction of two single storey dwellings. The land the subject of the application is an allotment in Netley (the land). The City of West Torrens (the Council), on 7 December 2015, had written to Mr Mundy asserting that the proposed development was not a complying form of development and would need to be lodged with the Council for assessment (rather than being assessed by a private certifier for development plan consent). On 27 January 2016, after receiving documents from the private certifier, the Council wrote to the private certifier's business saying that no valid development plan consent had been granted in relation to the proposed development.

2 Mr Mundy has appealed to this Court against the decision of the Council in its letter of 7 December 2015.

The Statutory Regime

3 The *Development Act 1993* (the Act) provides for a system for the regulation of development.

4 The Act provides, in s 89(1) and (2):-

- (1) Subject to this Part, a private certifier may exercise the powers of a relevant authority to make any assessment, require information, give any consent or approval or make any other decision in relation to a proposed development or a particular aspect of a proposed development.
- (2) A private certifier may only exercise a power under subsection (1) to the extent prescribed or authorised by the regulations.

5 The *Development Regulations 2008* (the Regulations) provide, in reg 89:-

- (1) Pursuant to section 89(2) of the Act, a private certifier is authorised to exercise the following functions:-
 - (aaa) the assessment of residential code development and the granting of development plan consent (but not an approval) under section 33(1)(a) of the Act in relation to such development;

¹ Both subject to conditions.

ERDC No. 32 of 2016

2

(aa) in relation to an assessment under paragraph (aaa) (if relevant)—the power of a relevant authority under section 35(1b) of the Act;

(a) the assessment of a development against the Building Rules and, if appropriate, the assignment of a classification under the *Building Code*, and the granting of a building rules consent (but not an approval) under sections 33(1)(b) or 34(2)(d) of the Act, other than where section 36(3) of the Act applies;

...

(g) the imposition of conditions under section 42 of the Act if the private certifier grants a development plan consent or a building rules consent;

6 The Act provides, in s 35(1b)

A development that is assessed by a relevant authority as being a minor variation from *complying* development may be determined by the relevant authority to be *complying* development (and that determination will then have effect for the purposes of this Act).

7 The Regulations provide, in reg 3(6)

In these regulations—

residential code development means any development that is *complying* development under clause 1(2) or (3), 2A, 2B or 2C of Schedule 4.

8 Schedule 4 clause 1(2) relates to the construction or alteration of, or addition to, an outbuilding.

9 Schedule 4 clause 1(3) relates to the construction or alteration of, or addition to, a carport or verandah.

10 Schedule 4 clause 2A relates to the alteration of, or addition to, an existing detached or semi-detached dwelling or a detached dwelling or semi-detached dwelling to be erected in accordance with a development authorisation which has been granted.

11 Schedule 4 Clause 2B relates to new dwellings in any area determined by the Minister and identified by notice in the Gazette.

12 Schedule 4 Clause 2C relates to land division for some residential code development.

13 It is an agreed fact that the land the subject of the application is within an area determined by the Minister for the purposes of clause 2B of Schedule 4 of the Regulations and identified as such by notice in the South Australian Government Gazette dated 27 November 2009 at page 5806.²

² Statement of Agreed Facts para 11 p 3.

ERDC No. 32 of 2016

3

14 Clause 2B may be applicable to the application.

15 Schedule 4, clauses 1(2), 1(3), 2A and 2C are not applicable to the application.

16 The result of these provisions is that, in the event that the proposed development the subject of the application is a complying development under Schedule 4, Clause 2B, then a private certifier is authorised to assess it and grant development plan consent to it pursuant to s 89(1) and (2) of the Act and reg 89(1)(aaa) of the Regulations.

Is the proposed development a complying a complying development under Schedule 4, clause 2B

17 The proposed development comprises the demolition of an existing dwelling and outbuilding and the construction of two single storey dwellings standing independently side by side.³

18 It is an agreed fact that the proposed dwellings each have a site with a frontage of 9.296 metres to Watson Avenue and a site area of approximately 351m² each.⁴ The setback of the eaves of each of the proposed dwellings from Watson Avenue is 6.2 metres.⁵ The average setback of the eaves of the existing dwellings on the adjoining allotments fronting Watson Avenue is 6.65 metres.

19 The plans⁶ show that each dwelling includes a garage with space for one car. The driveway from the edge of the allotment to the face of the garage is 8.2 metres long.

Frontage

20 Schedule 4 clause 2B(5) says:-

Insofar as this clause applies to a site that does not comprise an entire allotment—

- (a) the site, and any balance of the allotment, must each at least meet the minimum site area and any minimum frontage requirements prescribed in the relevant Development Plan...⁷

21 The Development Plan provides that the land is in the Residential Zone, Low Density Policy Area 20. Principle of development control 3 of Policy Area 20 applies to the land and provides that a dwelling should have a minimum frontage to a public road not less than 10 metres.

22 The Development Plan also provides in Table WeTo/1 for the conditions for complying development.⁸

³ See Exhibit A1, Bundle of Plans.

⁴ Statement of Agreed Facts para 25 p 5.

⁵ Statement of Agreed Facts para 29 p 5.

⁶ Exhibit A1, Bundle of Plans.

⁷ Development Plan West Torrens Council consolidated 5 November 2015.

ERDC No. 32 of 2016

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23 Table WeTo/1 provides, as a condition for being complying development, that the site of a detached dwelling, where the site has a regular shape, must have a frontage equal to or greater than 10m.

24 There is no doubt that neither of the sites sought to be created for the dwellings the subject of the application will have a frontage of 10m. Both sites are proposed to have a frontage of 9.296 metres, more than 0.3 metre short of 10 metres.

Site area per dwelling

25 Principle of development control 3 of Policy Area 20 provides for a minimum site area per detached dwelling of not less than 340m². Table WeTo/1 provides for a minimum site area of 380m² as a pre condition to the application being processed as an application for complying development under the Act.

26 It is an agreed fact that each of the sites proposed will have a site area of 351m².⁹

27 The question therefore arises as to whether both principle of development control 3 of Policy Area 20 and Table WeTo/1 “prescribe” a minimum site area for the purposes of Schedule 4 clause 2B(5).

28 Mr Henry SC argued on behalf of the Council that the word “prescribed” means “to lay down in writing or otherwise, as a rule or a course to be followed... to lay down rules, direct or dictate...”. Mr Henry SC argued that the minimum site area in Table WeTo/1 could be described as being “prescribed” in that it establishes a minimum condition for development to be categorised as complying for the purposes of s 35(1) of the Act. In contrast, Mr Henry argued, the minimum site area provided for in principle of development control 3 of Policy Area is not prescribed, but is merely a guideline for a planning assessment. I reject this argument. It interprets the word “prescribed” too narrowly. The fact that it may be possible to obtain consent for a development with a site area below the site area provided for in principle of development control 3 does not mean that principle of development control 3 does not “prescribe” a site area as that word is used in the context of Schedule 4 clause 2B(5). Table WeTo/1 and principle of development control 3(a) both prescribe a minimum site area but for different purposes. Table WeTo/1 prescribes a minimum site area for the purposes of s 35(1) of the Act. Reg 3(6) of the Regulations does not include Table WeTo/1 (or other Development Plan tables like it) when defining residential code development. Principle of development control 3(a) prescribes a minimum site area for Policy Area 20 for use in the

⁸ The Act makes provision for the processing of complying development separately from the provisions with respect to private certifiers.

⁹ Statement of Agreed Facts para 25 p 5.

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planning assessment of proposed developments. This is a “minimum site area...requirements(s) prescribed in the relevant Development Plan...”¹⁰

- 29 The proposed development exceeds the minimum site requirement prescribed in the relevant Development Plan.

Set back

- 30 The Regulations provide, in Schedule 4 clause 2B(6)(a)(i)B, that the following requirements must be met in order for a proposed development to be complying for the purposes of the Schedule.

- (6) The construction of a new detached or new semi-detached dwelling, other than where the dwelling is to be situated on a battle-axe allotment (or as indicated in a preceding subclause), if—

- (a) the dwelling is not being constructed so that any part of the dwelling will be—

- (i) —

...

- (B) in front of the average setbacks of any existing dwellings on any adjoining allotments with the same primary street (or, if there is only 1 such dwelling, the setback of that dwelling),

whichever provides the lesser of 2 distances.

- 31 The parties agree that the setback of the eaves of the proposed dwellings from Watson Avenue will be 6.2 metres, and that the average setback of the eaves of the existing dwellings on the adjoining allotments on Watson Avenue is 6.65 metres. The proposed development does not comply with Schedule 4 clause 2B(6)(a)(i)(B).

Car Parking Spaces

- 32 Schedule 4 clause 2B(6)(i)(ii) of the Regulations provides that the following requirements must be met in order for a proposed development to be complying for the purposes of the Schedule:

- (6) The construction of a new detached or new semi-detached dwelling, other than where the dwelling is to be situated on a battle-axe allotment (or as indicated in a preceding subclause), if—

- (i) in the case of —

...

- (ii) a dwelling that will have 2 or more bedrooms at the completion of the development—the dwelling will have at least 2 car parking spaces, 1 of

¹⁰ Sch 4 clause 2B(5) of the Regulations.

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which is enclosed or covered, or able to be enclosed or covered, and both of which comply with the requirements set out in paragraph (k) in relation to garages and carports

33 The plans show only one car parking space per dwelling, which is within the garages. It was argued by Mr Game, for the appellant, that the driveway could be used as a carparking space and, further, that because the driveway would not be a “garage or carport”, the requirements of Schedule 4 clause 2B(6)(k) would not apply.

34 I reject this argument. It seems to me that the proposal documents speak for themselves, and that only one carparking space per dwelling is to be provided on site. If I am wrong about that, and somehow the planning authority is to infer that the driveway is also a car parking space, then I determine that the provisions of Schedule 4 clause 2B(6)(k) were intended to apply to such a space, notwithstanding that it is not a garage or carport. I think that is plain from the wording of clause 2B(6)(l)(ii) that both of the two carparking spaces are to comply with the requirements set out in paragraph (k) in relation to garages and carports. The driveways in the proposed development do not comply with Schedule 4 clause 2B(6)(k)(i) and (ii).

35 In summary, the proposed development is not a complying development under Schedule 4, clause 2B. It includes two site frontages which are each approximately 0.7 metres under the minimum frontage requirement prescribed in the Development Plan. The setback of both houses will be 0.45m less than required under Schedule 4 clause 2B(6)(a)(i)B. Neither house has two carparking spaces as required for houses with two or more bedrooms. If the driveways can be inferred to be intended as a second carparking spaces, they fail to comply with the requirements of Schedule 4 clause 2B(6)(k)(i) and (ii) and clause 2B(6)(l)(ii).

Can the private certifier rely on s 35(1b)

36 It was argued on behalf of the appellant that the private certifier was able, under s 35(1b) of the Act to assess the proposed development as being “a minor variation from complying development,” and, having made that assessment, to determine the proposed development to be complying development.

37 In his affidavit,¹¹ the private certifier, Mr Meline, set out the process he undertook which resulted in the issuing by him of a document which recorded that development plan consent and building rules consent had been granted by him to the application.

38 Mr Meline said that he was aware of the failure of both sites to meet the frontage requirements.¹² He was also aware of the failure to comply with the set

¹¹ Exhibit A3, Affidavit of Peter David Meline sworn on 19 May 2016.

¹² Exhibit A3, Affidavit of Peter David Meline sworn on 19 May 2016 para 28.

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back requirements on the part of each dwelling.¹³ He did not, however, consider that there was a requirement for a second carparking space for each dwelling under Schedule 4 clause 2B(6)(l) and (k). Mr Meline said:

38. I took the view (and remain of the view) that it is possible to have more than one variance from the qualitative and quantitative provisions in Schedule 4, clause 2B, as long as the development, when viewed as a whole and bearing in mind the nature and extent of the variances, can properly be viewed as a “minor variation” for the purposes of section 35(1)(b) of the Act.

39. Accordingly, having formed the opinion that the Proposed Development was a minor variation from residential code complying development I therefore granted development plan consent to the Application pursuant to section 33(1)(a) of the Act.

39 The meaning of the phrase “a minor variation from complying development” in s 35(1b) is far from clear. In s 39(4), the Act provides that a relevant authority may permit an applicant to vary an application and vary any plans, drawings, specifications or other documents that accompanied an application. In s 39(6), the Act provides:-

Subject to this section, a person may seek the variation of a development authorisation previously given under this Act (including by seeking the variation of a condition imposed with respect to the development authorisation).

40 Mr Henry SC argued that s 35(1b) uses the term “a minor variation from complying development” in the sense of s 39(6). If that is so, then clearly the application is not a minor variation of that kind.

41 Mr Game argued that the phrase referred to a minor failure to meet those criteria which identify complying development mentioned in the definition of residential code development in reg 3(6) of the Regulations. The Macquarie Dictionary¹⁴ defines “variation” as follows:

noun

1. the act or process of varying; change in condition, character, degree, etc.
2. an instance of this.
3. amount or rate of change.
4. a different form of something; a variant.

...

42 In the Act, and in general parlance, a variation implies a pre-existing, usual state. Something must exist before it can be varied. In relation to the proposed development, a complying development under clause 1(2) or (3), 2A, 2B or 2C

¹³ Exhibit A3, Affidavit of Peter David Meline sworn on 19 May 2016 paras 29-37.

¹⁴ Macquarie Dictionary, sixth edition (published October 2013).

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of Schedule 4 of the kind proposed is not possible on the land. The land does not have sufficient frontage or area. A variation from a complying development comprising two houses side by side on their own sites is not physically possible.

43 Even if Mr Game's interpretation of "minor variation" is correct, and s 35(1b) can be taken to be referring to a minor variation from a proposed development which could only exist as an abstract concept, the proposed development is not a minor variation from residential code complying development. The prerequisites provided for residential code complying development in Schedule 4 of the Regulations are quantitatively prescriptive and create a confined class of development. It was clearly not intended to cede to private certifiers the ability to grant development plan consent over residential development beyond that confined class of development. The application was beyond the jurisdiction of a private certifier with respect to the grant of development plan consent. Mr Meline did not consider whether the shortfalls with respect to frontage, set back and car parking, taken together, were "a minor variation" because he did not believe that the proposed development failed to comply with the car parking requirement. He therefore failed to take into account a relevant consideration.

44 The decision by Mr Meline to proceed on the basis that the proposed development was a minor variation from residential code and could therefore be considered to be complying was manifestly unreasonable. The shortfall in frontages alone, at 7% with respect to each site was, by itself, considerably in excess of anything which could be considered minor in the context of the highly prescriptive provisions of Schedule 4 of the Regulations. The combined shortfalls could not reasonably be considered to be minor.

45 The proposed development is not complying on any view of the legislation. It was not residential code development under reg 3(6) of the Regulations. It was not "a minor variation from *complying* development" within the meaning of s 35(1b). A private certifier could not, therefore, grant development plan consent to it under s 89(2)(aaa) of the Act.

Conclusion

46 The appellant has appealed, pursuant to s 86(1)(a), against the decision of the Council that the proposed development was not a complying form of development. That decision was communicated to the appellant by letter of 7 December 2015. The decision of the Council was correct, both for the reason cited by the Council, which was the failure of both sites to meet the minimum frontage requirement for complying development, and for the other reasons set out above.

47 The appeal will be dismissed. There will be a declaration that the purported development plan consent is invalid. Mr Mundy needs to submit the application

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to be processed by the Council with respect to development plan consent should he wish to obtain development approval.

6.9 4 Brook Avenue, PLYMPTON

Application No 211/1471/2016

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Combined application: Land division - Community Title; DAC No. 211/C201/16 (Unique ID 56358); Create three (3) additional allotments; and construction of four two-storey dwellings
APPLICANT	Sandy Lu Investments Pty Ltd
LODGEMENT DATE	1/12/2016
ZONE	Residential
POLICY AREA	Medium Density Policy Area 18
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> ▪ City Assets ▪ Amenity Officer External <ul style="list-style-type: none"> ▪ DAC ▪ SA Water
DEVELOPMENT PLAN VERSION	15 May 2016
MEETING DATE	13 June 2017

RECOMMENDATION(S)

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/1471/2016 by Sandy Lu Investments Pty Ltd to undertake a 1 into 4 lot subdivision and the construction of 4 row dwellings at 4 Brook Ave, Plympton (CT6176/615) subject to the following conditions of consent:

DEVELOPMENT PLAN CONSENT**Council Conditions**

1. Development is to take place in accordance with the plans prepared by Zaina Stacey Development Consultants and A.D'andrea and associates relating to Development Application No. 211/1471/2016 (DAC 211/C201/16) except where varied by any condition(s) listed below.
2. That the finished floor level shall be a minimum of 350 mm above the highest point of the watertable adjacent to the subject site.
3. That all stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:-
 - a. Result in the entry of water into a building; or
 - b. Affect the stability of a building; or
 - c. Create unhealthy or dangerous conditions on the site or within the building; or
 - d. Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.

4. That any retaining walls will be designed to accepted engineering standards, and not of timber construction if retaining a difference in ground level exceeding 200mm.
5. That all driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained, and shall be maintained in reasonable condition at all times.
6. That all landscaping will be planted in accordance with the approved plans prior to the occupancy of the development. Any person(s) who have the benefit of this approval will cultivate, tend and nurture the landscaping, and shall replace any landscaping which may become diseased or die.
7. That the upper level windows of the dwelling will be provided with fixed obscure glass to a minimum height of 1.7 metres above the upper floor level to minimise the potential for overlooking of adjoining properties, prior to occupation of the building. The glazing in these windows will be maintained in reasonable condition at all times.
8. Council requires one business day's notice of the following stages of building work:
 - Commencement of building work on site
 - Commencement of placement of any structural concrete
 - Completion of wall and roof framing prior to the installation of linings
 - Completion of building work

LAND DIVISION CONSENT

Council Conditions

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

DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS:

2. The financial requirements of the SA Water Corporation shall be met for the provision of water and sewerage services (SA Water H0052987).
SA Water advises on receipt of the developer details and site specifications an investigation will be carried out to determine if the connection/s to the development will be costed as standard or non standard.
3. Payment of \$20028 into the Planning and Development fund (3 lots(s) @ \$6676 /lot). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
4. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

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 211/1402/2016 Construction of four (4) two-storey dwellings (withdrawn and combined with this application)

SITE AND LOCALITY

The land is regular in shape and located on the northern side of Brook Avenue in the suburb of Plympton. With a frontage of 21.34m and a depth of 36.58m, the overall area of the land is 800m².

There is currently a conventionally designed single storey detached dwelling on the land. In addition to the dwelling, the site has also been improved with a verandah, carport and domestic outbuilding. The carport and outbuilding are built to the western side boundary.

The allotment is flat and informally landscaped with grass, trees and shrubs. There is a semi-mature street tree and stobie pole in front of the property.

The locality is residential in nature comprised of detached dwellings at low and very low density. There are some examples of infill development where larger allotments have been divided into two, either side by side or in a battle axe configuration. For this reason there is not considered to be a prevailing allotment pattern.

The majority of dwellings in the locality are single storey in height with the exception of the 3 dwellings at 47, 47a & 47b Gray Street, Plympton.

Overall it is considered that the prevailing character of the locality provides a medium to high level of amenity for its residents.





Item 6.9

PROPOSAL

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

"Combined application: Land division - Community Title; DAC No. 211/C201/16 (Unique ID 56358); Create three (3) additional allotments; and construction of four two-storey dwellings"

The proposal is a combined application seeking to subdivide and construct the built form at the same time. The existing Torrens titled allotment will be divided into 4 Community titled allotments and a two storey row dwelling will be constructed upon each allotment.

Two portions of common property have been placed in the SE and SW corner of allotment 1 and 4 respectively. This common property provides an area for shared facilities like water meters, letter boxes and electric meter boxes. This common property has reduced the frontage of lots 1 & 4 by 1m and 0.6m respectively and in turn has meant that the frontages are below the minimum stated in the Policy Area.

Each of the row dwellings will be two storeys and include the following features:

- a single garage;
- three bedrooms;
- open living, kitchen and dining area;
- laundry;
- 2 bathrooms; and
- Alfresco.

REFERRALS

Internal

- City Assets

Concerns were raised regarding the following matters:

- Location and width of driveway crossovers;
- Location of stormwater connection; and
- Vehicle manoeuvring from dwelling 1.

None of these concerns remain as the Applicant responded to them by submitting amended plans which have been agreed to by City Assets.

External

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

- SA Water
 - No concerns were raised and only the standard conditions were imposed
- Development Assessment Commission (DAC)
 - No concerns were raised and only the standard conditions were imposed

ASSESSMENT

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

<u>General Section</u>		
<i>Design and Appearance</i>	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2, 3, 4, 12, 13, 14, 15, 16, 20, 21, & 22
<i>Energy Efficiency</i>	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1 & 2
<i>Land Division</i>	<i>Objectives</i>	1, 2, 3 & 4
	<i>Principles of Development Control</i>	1, 2, 4, 5, 6, 8, 9, 10, 11 & 12
<i>Orderly and Sustainable Development</i>	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 3, 7 & 8
<i>Residential Development</i>	<i>Objectives</i>	1, 2 & 4
	<i>Principles of Development Control</i>	1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 28, 29 & 30
<i>Transportation and Access</i>	<i>Objectives</i>	2
	<i>Principles of Development Control</i>	1, 10, 23, 24, 25, 26, 30, 31, 44 & 45

<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>	
<i>Objectives</i>	1, 2, 3 & 4
<i>Principles of Development Control</i>	1, 5, 6, 7, 8, 11, 18, 20 & 22

Policy Area: Medium Density Policy Area 18	
Desired Character Statement:	
<p>Allotments in this policy area will be at medium density, accommodating a range of dwelling types including residential flat buildings, row dwellings, group dwellings, semi-detached dwellings and some detached dwellings on small allotments. Allotment amalgamation to create larger development sites will occur to maximise the density of development while also achieving integrated design outcomes, particularly within a comfortable walking distance of centre zones. Vehicle access will occur from side streets and new rear public and private laneways wherever possible, also supporting the retention of existing street trees.</p> <p>New buildings will contribute to a highly varied streetscape. Buildings will be up to 3 storeys and provide a strong presence to streets, other than in the part of the policy area in Underdale, Ashford (other than allotments adjacent to Residential Character Ashford Policy Area 22) and allotments bounded by Anzac Highway, Morphett Road and Cromer Street in Camden Park where buildings will be up to 4 storeys. Parking areas and garages will be located behind the front facade of buildings.</p> <p>Buildings on the edge of the policy area which adjoin residential policy areas at lower densities will pay particular attention to managing the interface with adjoining dwellings, especially in terms of the appearance of building height and bulk, and overshadowing.</p> <p>Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer.</p>	
Objectives	1
Principles of Development Control	1, 5, 6 & 8

QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SITE AREA <i>Medium Density Policy Area 18</i> PDC 6	Row Dwelling 150m ² (min.)	194m ² = Lot 1 194m ² = Lot 2 194m ² = Lot 3 195m ² = Lot 4 Satisfies
SITE FRONTAGE <i>Medium Density Policy Area 18</i> PDC 6	Row Dwelling 5m	4.37m = Lot 1 5.3m = Lot 2 5.3m = Lot 3 4.77m = Lot 4 1.6m = Community land Lot 1 Does Not Satisfy by 12.6% & Lot 4 Does Not Satisfy by 4.6%

SITE COVERAGE <i>Medium Density Policy Area 18</i> <i>PDC 5</i>	70% (max.)	68% = Lot 1 70% = Lot 2 70% = Lot 3 68% = Lot 4 Satisfies
PRIMARY STREET SETBACK <i>Medium Density Policy Area 18</i> <i>PDC 5</i>	3m (min.)	4.2m = Lot 1 4.5m = Lot 2 4.5m = Lot 3 4.2m = Lot 4 Satisfies
STORAGE Covered Storage area	8m ³	11.3m ³ = Lot 1 11.3m ³ = Lot 2 11.3m ³ = Lot 3 11.3m ³ = Lot 4 Satisfies
SIDE/REAR SETBACKS <i>Residential Zone</i> <i>PDC 11</i>	Side 0/1m lower level (LL) 2m upper level (UL)	0m = Lot 1 (LL) 1.5m = Lot 1 (UL) 0m = Lot 2 (LL) 0m = Lot 2 (UL) 0m = Lot 3 (LL) 0m = Lot 3 (UL) 0m = Lot 4 (LL) 1.5m = Lot 4 (UL) UL setback of Lot 1 and 4 Does Not Satisfy

<p><i>Medium Density Policy Area 18</i> <i>PDC 5</i></p>	<p>Rear 4m (min.)</p>	<p>3.5m = Lot 1 (LL) 18m = Lot 1 (UL)</p> <p>3.5m = Lot 2 (LL) 19.5m = Lot 2 (UL)</p> <p>3.5m = Lot 3 (LL) 19.5m = Lot 3 (UL)</p> <p>3.5m = Lot 4 (LL) 18m = Lot 4 (UL)</p> <p>Alfresco is 3.5m from rear boundary on each dwelling. Does Not Satisfy</p>
<p>BUILDING HEIGHT <i>Medium Density Policy Area 18</i> <i>PDC 5</i></p>	<p>3 storeys or 12.5m (all other allotments)</p>	<p>2 storeys and 5.85m</p> <p>Satisfies</p>
<p>INTERNAL FLOOR AREA <i>Residential Development</i> <i>PDC 9</i></p>	<p>- 3+ Bedroom, 100m² (min.)</p>	<p>140m² = Lot 1 154m² = Lot 2 154m² = Lot 3 142m² = Lot 4</p> <p>Satisfies</p>
<p>PRIVATE OPEN SPACE <i>Residential Development</i> <i>PDC 19</i></p>	<p><300m² - 24m² (min.), of which 8m² may comprise balconies, roof patios and the like, provided they have a minimum dimension of 2m. - Minimum dimension 3m (excl. balconies). - 16m² (min.) at the rear of side of dwelling, directly accessible from a habitable room.</p>	<p>Lot 1 35m² (total) 5.4m (min. dimension) 35m² (accessed from habitable room)</p> <p>Lot 2 & 3 34m² (total) 5.4m (min. dimension) 35m² (accessed from habitable room)</p> <p>Lot 4 34m² (total) 5.4m (min. dimension) 35m² (accessed from habitable room)</p> <p>Satisfies</p>
<p>CARPARKING SPACES <i>Transportation and Access</i> <i>PDC 34</i></p>	<p>Detached, semi-detached, row and multiple dwellings - 2 car-parking spaces required, 1 of which is covered</p>	<p>2 spaces provided for each dwelling, one of each is covered.</p> <p>Satisfies</p>

QUALITATIVE ASSESSMENT

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

Frontage

The proposed frontage of Lots 1 & 4 do not meet the minimum 5m stated in the Medium Density Policy Area 18 for row dwellings. This is not considered fatal to the application as there is a portion of community land on each of these allotments. When this area is added to the frontage of Lots 1 & 4 it means that they exceed the minimum frontage width.

Lot 1 has a frontage of 4.37m with a 1m wide portion of community land and Lot 4 has a frontage of 4.77m with a 0.6m wide portion of community land. These community land areas are merely lines on the page and will appear as being part of the allotment when viewed in real life.

This community land is required adjacent the front boundary due to SA Water and SA power networks requiring access to their meters.

As the total frontage of the subject land is 21.34m and 4 row dwellings are to be built, the average allotment width is 5.3m.

Side and Rear Setback

The proposed dwellings do not meet the minimum rear or side setbacks as they are taken from the closest point of the dwelling to the respective boundaries.

The rear setback is measured from the alfresco and is 0.5m short of the 4m stated in the Medium Density Policy Area 18. The alfresco has an eave height of 2.7m and is open on three sides.

It should be noted that this Policy Area does not have different rear setbacks for the upper and lower level. The upper level is setback 18m for Lots 1 & 4 and 19.5m for Lots 2 & 3. This provides considerable articulation in the built form, and minimises the visual bulk and scale when viewed from the adjacent properties to the north.

If the alfresco/ verandah were to be built separately to the dwelling, it would not need to comply with the 4m rear setback requirement. For this and the other reasons mentioned above, the alfresco being setback less than 4m from the rear boundary is not considered to be fatal to the application.

The upper level side setbacks of dwelling 1 & 4 do not meet the 2m minimum stated in the Development Plan. There is a portion of the upper level wall that is setback 1.5m from the side boundary. This area is the stairwell and whilst it does contain a window, it is completely obscured and will prevent all overlooking. This section of the wall is only 2.3m long, the remainder of the upper level is setback 2m from the side boundaries.

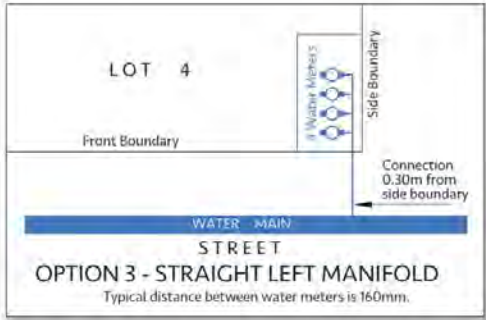
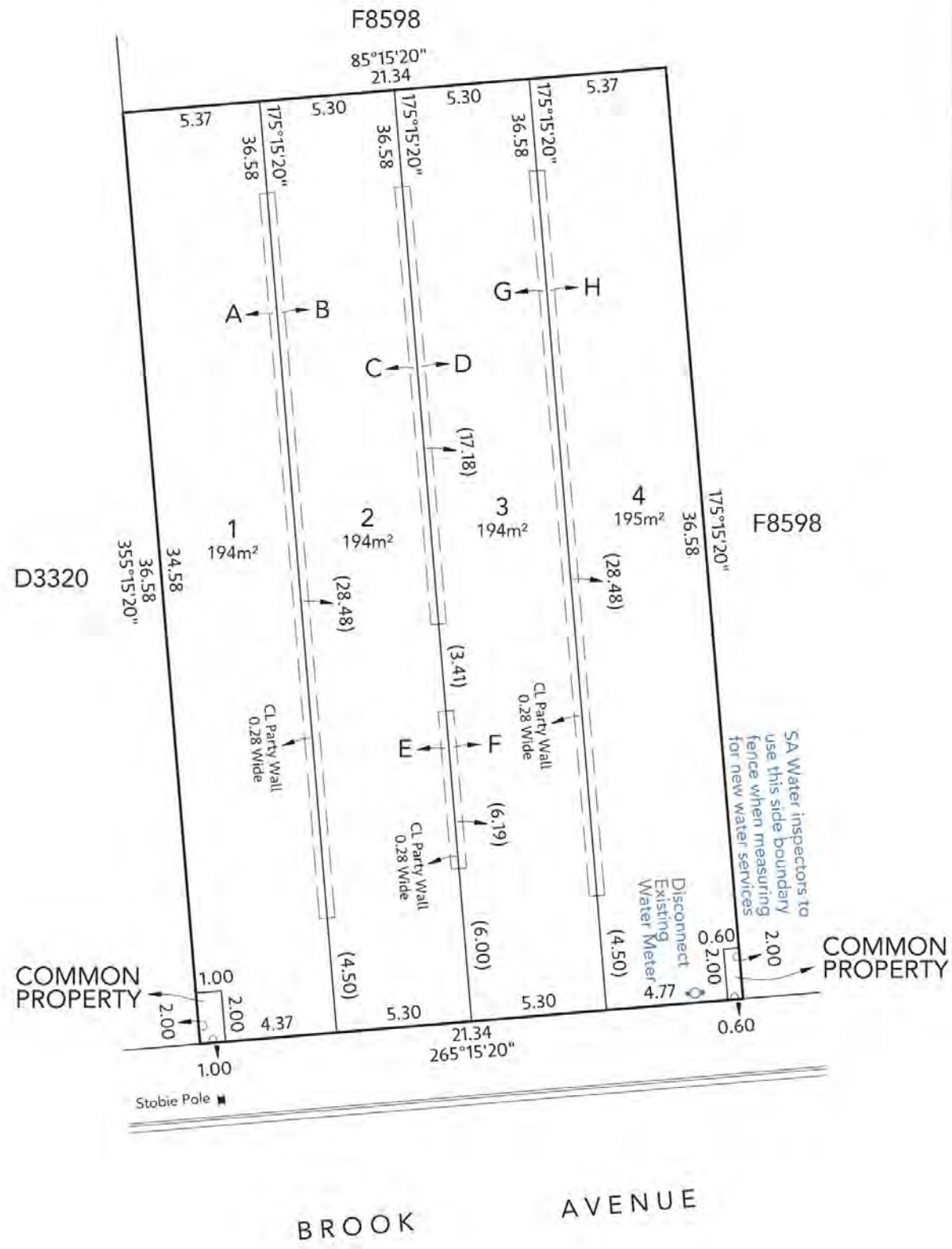
Due to the orientation of the allotments, existing and proposed built form it is not considered that there will be undue overshadowing of the neighbouring properties habitable room windows or POS.

SUMMARY

This is a reasonable and envisaged development within the Zone and Policy Area. The shortfalls in frontage width, rear and side setbacks are all considered minor and will not be detrimental to the desired character of the Zone and Policy Area.

Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is considered to be not seriously at variance with the Development Plan. On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 5 May 2016 and warrants Development Plan Consent.

Attachments**1. Plan of Division, Site Plan and Elevations**



Land division application:
211 / C201 / 16
SHEET 1 OF 1 SHEETS
City of West Torrens

Total area of site: 781m²
Area of reserve provided: 0m²
No. of existing allotments: 1
No. of proposed allotments: 4
No. of additional allotments: 3

Subject land details:
Allotment 127 in F8598

Site Address: 4 Brook Avenue
Suburb: Plympton
Hundred: Adelaide
Title(s): C.T. 6176 / 615

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

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.

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

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

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

SA Water Contact Details
Michael Zaina
Zaina Stacey Pty Ltd
Phone 8379 7979

0 2 4 6 8 10
SCALE 1:200m METRES

A	27/03/2017	Party walls amended as per planning application
	08/11/2016	Original issue
Rev:	Date	Description

ZAINA STACEY
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Email: planning@zainastacey.com

Reference: **16337**



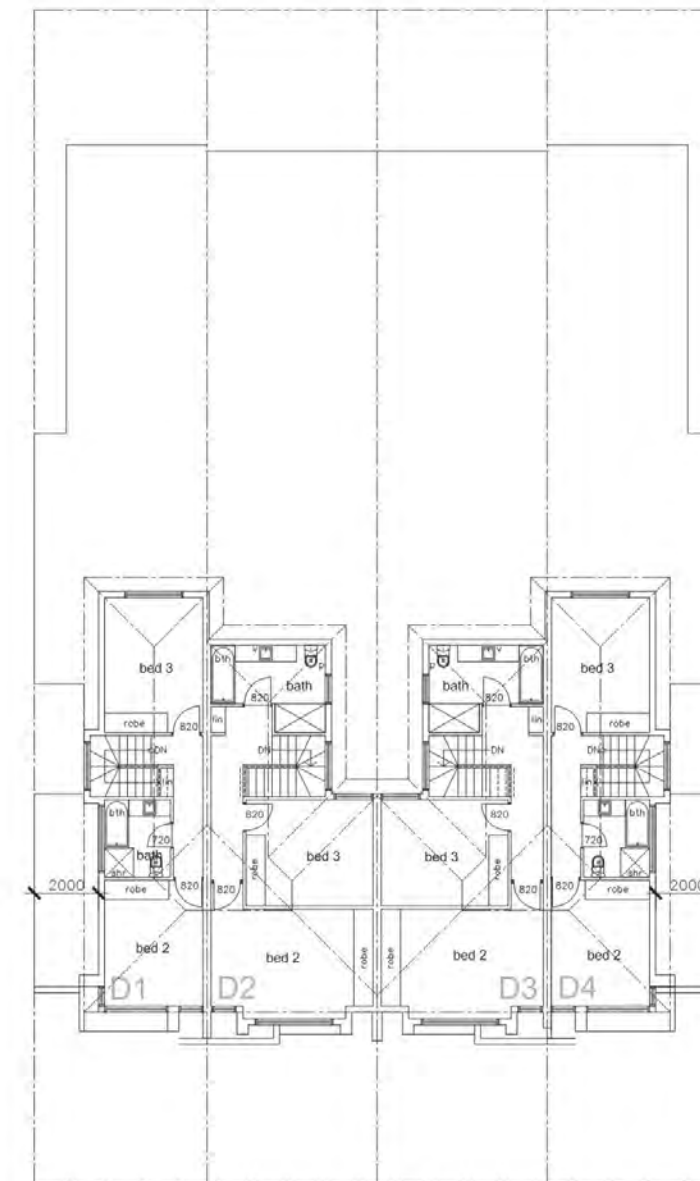
PLANNING - 02-11-2016
REV A - 22-03-17
REV B - 02-06-17

AREAS:	
DWELLING 1	
MAIN LIVING:	52.80
UPPER FLOOR:	47.40
GARAGE:	23.35
PORTRCO:	2.70
ALFRESCO:	13.00
TOTAL:	179.25
DWEELLING 2 & 3	
MAIN LIVING:	98.70
UPPER FLOOR:	58.10
GARAGE:	23.50
PORTRCO:	2.00
ALFRESCO:	13.10
TOTAL:	193.40
DWEELLING 4	
MAIN LIVING:	94.25
UPPER FLOOR:	47.40
GARAGE:	23.00
PORTRCO:	3.80
ALFRESCO:	13.10
TOTAL:	181.35

PROPOSED DEVELOPMENT—







scale: rts



scale 1:100

LANDSCAPING SCHEDULE

1. ENGLISH BOX HEDGE (mature height 5H) _____ 
2. SCREEN MASTER (mature height 1.3H) _____ 
3. LAVENDER (mature height 5H) _____ 
4. MANCHURIAN PEAR (mature height 3-4H) _____ 

REFER TO ENGINEER'S SITE WORKS AND DRAINAGE
PLAN FOR ALL SITE WORKS AND DRAINAGE

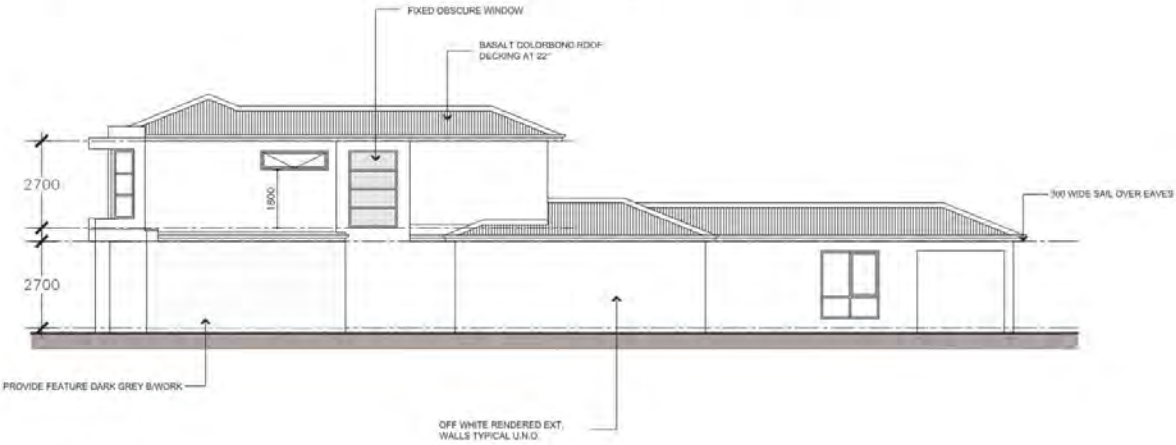
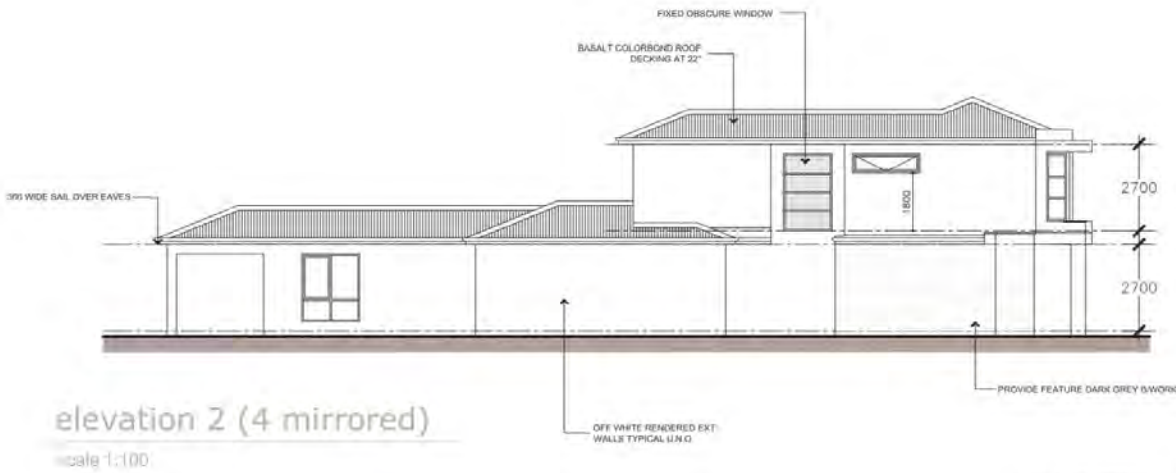
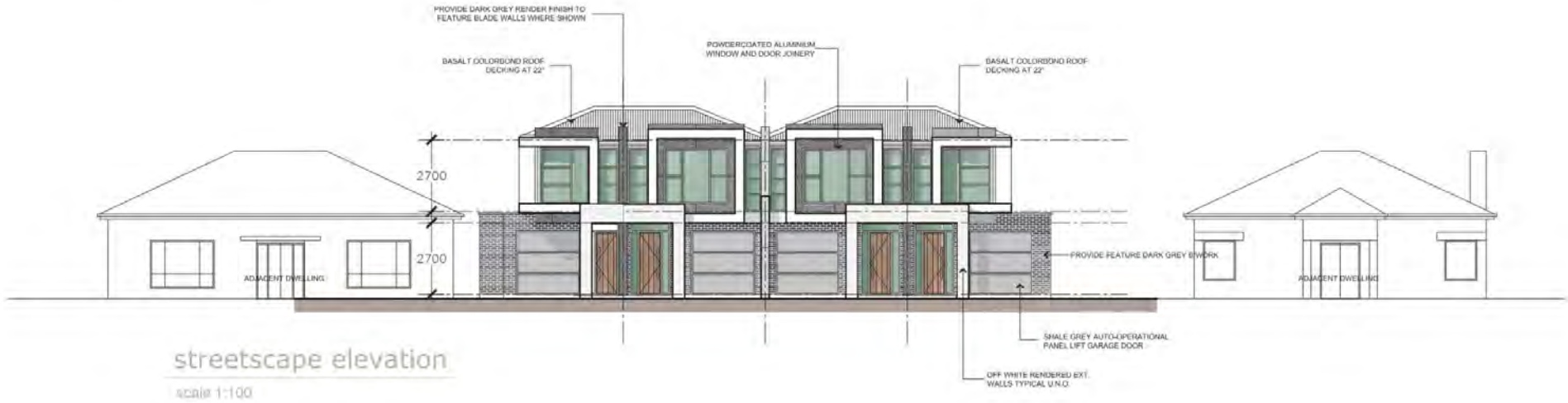
RWT DENOTES RAINWATER DETENTION TANK AS DESIGNED BY ENGINEER TO BE PLUMBED TO WC.

A. D'ANDREA AND ASSOCIATES
BUILDING DESIGNERS

4 BROOKE AVE PLYMPTON

sheet 02 of 02

PLANNING - 02-11-2018
REV A - 22-03-17
REV B - 02-06-17



proposed 4 two storey dwellings at: No. 4 Brooke Ave Plympton

A. D'ANDREA AND ASSOCIATES
BUILDING DESIGNER

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6.10 177 Holbrooks Road, UNDERDALE

Application No 211/1228/2016, 211/1020/2016, 211/1021/2016

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Land division - Torrens Title; DAC No. 211/D163/16 (Unique ID 55879); Create one (1) additional allotment	Construction of a single storey dwelling with double garage under main roof - Dwelling A	Construction of a single storey dwelling with double garage under main roof - Dwelling B
APPLICANT	The Estate of A. Belmonte	Rivergum Homes Pty Ltd	Rivergum Homes Pty Ltd
APPLICATION NO	211/1228/2016 (DAC No 211/D163/16)	211/1020/2016	211/1021/2016
LODGEMENT DATE	29 September 2016	1 September 2016	2 September 2016
ZONE	Residential Zone	Residential Zone	Residential Zone
POLICY AREA	Low Density Policy Area 21	Low Density Policy Area 21	Low Density Policy Area 21
APPLICATION TYPE	Merit	Merit	Merit
PUBLIC NOTIFICATION	Category 1	Category 1	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> ▪ Civil External <ul style="list-style-type: none"> ▪ DAC, SA Water, DPTI 	Internal <ul style="list-style-type: none"> ▪ Civil External <ul style="list-style-type: none"> ▪ DPTI 	Internal <ul style="list-style-type: none"> ▪ Civil External <ul style="list-style-type: none"> ▪ DPTI
DEVELOPMENT PLAN VERSION	5 May 2016	5 May 2016	5 May 2016
MEETING DATE	13 June 2017	13 June 2017	13 June 2017

RECOMMENDATION 1

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out division of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/1228 /2016 by The Estate of A. Belmonte to undertake division of Allotment 38 at 177 Holbrooks Road, Underdale (CT5538/759) 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 must be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.

LAND DIVISION CONSENT

Council Conditions

1. Prior to the issue of clearance to this division approved herein, the existing outbuilding(s) from proposed Allotment 801 & Allotment 802 must be removed.

Development Assessment Commission Conditions

2. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services. (SA Water H0051285). The internal drains shall be altered to the satisfaction of the SA Water Corporation. SA Water advises on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non standard fees. 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 \$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.
4. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

RECOMMENDATION 2

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. 211/1020 /2016 by Rivergum Homes Pty Ltd to undertake Construction of a single storey dwelling with double garage under main roof - Dwelling A at 177 Holbrooks Road, Underdale 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):

Council Conditions

1. The development must be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
2. All driveways, parking and manoeuvring areas must be formed, surfaced with concrete, bitumen or paving, and be properly drained. They must be maintained to the reasonable satisfaction of Council thereafter.
3. All planting and landscaping must be completed within 3 months of the commencement of the use of this development and must be maintained to the reasonable satisfaction of Council. Any plants that become diseased or die must be replaced with suitable species.
4. The construction of a drainage system and the position and manner of discharge of a stormwater drain must not at any time:-
 - a) Result in the entry of water into a building; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within the building; or
 - d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.

Agency Conditions

1. The site shall be served by a single centrally located shared access point direct to/from Holbrooks Road. No additional vehicular access shall be permitted.
2. The shared access shall be a minimum of 6.0 metres in width at the property boundary and incorporate a clear area of 6.0 metres wide by 6.0 metres inbound from the property boundary.
3. All paving associated with the shared access/driveway shall be designed to ensure that there are no level differences between the portion within the subject site and that of 211/1020/16.
4. All paving associated with the shared access/driveway shall be designed to ensure that there are no level differences between the portion within the subject site and that of 211/1021/16.
5. All vehicles shall enter and exit the site in a forward direction.
6. The shared access and on-site manoeuvring areas (including the area in front of the garages long the common boundary) shall remain clear of any impediments to vehicle movements (such as fencing, meters, garden beds and parked vehicles).
7. The obsolete crossover to/from Holbrooks Road shall be reinstated to Council standard kerb and gutter at the applicant's cost prior to habitation of the dwellings.
8. Stormwater runoff shall be collected on-site and discharged without jeopardising the integrity and safety of Holbrooks Road. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

RECOMMENDATION 3

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. 211/1021 /2016 by Rivergum Homes Pty Ltd to undertake Construction of a single storey dwelling with double garage under main roof - Dwelling B at 177 Holbrooks Road, Underdale 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):

Council Conditions

1. The development must be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
2. All driveways, parking and manoeuvring areas must be formed, surfaced with concrete, bitumen or paving, and be properly drained. They must be maintained to the reasonable satisfaction of Council thereafter.
3. All planting and landscaping must be completed within 3 months of the commencement of the use of this development and must be maintained to the reasonable satisfaction of Council. Any plants that become diseased or die must be replaced with suitable species.
4. The construction of a drainage system and the position and manner of discharge of a stormwater drain must not at any time:-
 - a) Result in the entry of water into a building; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within the building; or
 - d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.

Agency Conditions

1. The site shall be served by a single centrally located shared access point direct to/from Holbrooks Road. No additional vehicular access shall be permitted.
2. The shared access shall be a minimum of 6.0 metres in width at the property boundary and incorporate a clear area of 6.0 metres wide by 6.0 metres inbound from the property boundary.
3. All paving associated with the shared access/driveway shall be designed to ensure that there are no level differences between the portion within the subject site and that of 211/1020/16.
4. All paving associated with the shared access/driveway shall be designed to ensure that there are no level differences between the portion within the subject site and that of 211/1021/16.
5. All vehicles shall enter and exit the site in a forward direction.
6. The shared access and on-site manoeuvring areas (including the area in front of the garages long the common boundary) shall remain clear of any impediments to vehicle movements (such as fencing, meters, garden beds and parked vehicles).
7. The obsolete crossover to/from Holbrooks Road shall be reinstated to Council standard kerb and gutter at the applicant's cost prior to habitation of the dwellings.
8. Stormwater runoff shall be collected on-site and discharged without jeopardising the integrity and safety of Holbrooks Road. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

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)

Nil

SITE AND LOCALITY

Allotment 38 fronts Holbrooks Road which is a secondary arterial road. The surrounding location is composed of predominately residential allotments with some commercial development to the south also fronting Holbrooks Road. Residential development is primarily single detached dwellings on individual allotments. The subject site and location are highlighted in the following images:





PROPOSAL

The proposed development involves the division of Allotment 38 [211/D163/16 (Unique ID 558790)] at 177 Holbrooks Road, Underdale and the construction of two (2) single storey dwellings by Rivergum Homes via two separate land use applications (211/1020/2016 & 211/1021/2016).

Allotment 38 is proposed to be divided into two (2) new allotments, proposed Allotment 801 (482m²) and proposed Allotment 802 (485m²).

Each of the single storey dwellings will contain four (4) bedrooms, kitchen/living/meals area, study and two bathrooms. Alfresco & private open space will be located at the rear of each proposed dwelling.

PUBLIC NOTIFICATION

The applications are Category 1 forms of development pursuant to Section 38 and Schedule 9 of the Development Act and Regulations 1993 and the procedural matters of the Residential Zone.

REFERRALS

Internal

- City Assets – Street Tree Assessment (211/1020/2016 & 211/1021/2016)

Support for removal of the street tree was granted.

External

Development application 211/1228/2016 (land division) was referred to:

- Development Assessment Commission
- SA Water
- DPTI

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

The Department of Planning Transport and Infrastructure recommended that the two proposed allotments share a single common driveway to minimise vehicles accesses to an arterial road and that sufficient area should be provided on site to allow vehicles to exit the sites in a forward direction. These issues were addressed as part of the two (2) land use applications which were also referred to DPTI for comment.

Development applications 211/1020/2016 & 211/1021/2016 were referred to the Department of Planning Transport & Infrastructure – Safety & Services Division.

The Department indicated it did not object in principle to the proposed developments (211/1020/2016 & 211/1021/2016) subject to several conditions outlined below and included as part of the recommendation.

- The site shall be served by a single centrally located shared access point direct to/from Holbrooks Road. No additional vehicular access shall be permitted.
- The shared access shall be a minimum of 6.0 metres in width at the property boundary and incorporate a clear area of 6.0 metres wide by 6.0 metres inbound from the property boundary.
- All paving associated with the shared access/driveway shall be designed to ensure that there are no level differences between the portion within the subject site and that of 211/1020/16.

- All paving associated with the shared access/driveway shall be designed to ensure that there are no level differences between the portion within the subject site and that of 211/1021/16.
- All vehicles shall enter and exit the site in a forward direction.
- The shared access and on-site manoeuvring areas (including the area in front of the garages long the common boundary) shall remain clear of any impediments to vehicle movements (such as fencing, meters, garden beds and parked vehicles).
- The obsolete crossover to/from Holbrooks Road shall be reinstated to Council standard kerb and gutter at the applicant's cost prior to habitation of the dwellings.
- Stormwater runoff shall be collected on-site and discharged without jeopardising the integrity and safety of Holbrooks Road. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

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>		
Design and Appearance	Objectives	1
	Principles of Development Control	1, 2, 3, 12, 13, 14, 15, 20, 21, 22, 24
Energy Efficiency	Objectives	1
	Principles of Development Control	1, 2
Infrastructure	Objectives	3
	Principles of Development Control	1
Land Division	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 2, 5
Landscaping, Fences and Walls	Objectives	1 & 2
	Principles of Development Control	1, 2, 3, 4, 5 & 6
Natural Resources	Objectives	1, 2, 3, 4, 5
	Principles of Development Control	1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15
Orderly and Sustainable Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1, 5
Regulated Trees	Objectives	1 & 2
	Principles of Development Control	1, 2 & 3
Residential Development	Objectives	1, 2, 3, 4
	Principles of Development Control	1, 3, 4, 5, 6, 7, 8, 9, 14,, 16, 17, 18, 19, 20, 21, 22, 23, 27, 28, 29, 30, 31, 32, 33
Significant Trees	Objectives	1 & 2
	Principles of Development Control	1, 2, 3, 4 & 5
Transportation and Access	Objectives	2
	Principles of Development Control	1, 2, 8, 9, 10, 11, 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, 44,

Zone: Residential Zone	
<p><i>Desired Character Statement: (extract)</i></p> <p><i>This zone will contain predominantly residential development. There may also be some small-scale nonresidential 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>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	<p><i>1 A residential zone comprising a range of dwelling types, including a minimum of 15 per cent affordable housing.</i></p> <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>
Principles of Development Control	<p><i>1 The following forms of development are envisaged in the zone:</i></p> <ul style="list-style-type: none"> ▪ <i>affordable housing</i> ▪ <i>domestic outbuilding in association with a dwelling</i> ▪ <i>dwelling</i> ▪ <i>dwelling addition</i> ▪ <i>small scale non-residential use that serves the local community, for example: - child care facility - health and welfare service - open space - primary and secondary school - recreation area - shop measuring 250 square metres or less in gross leasable floor area</i> ▪ <i>supported accommodation.</i> <p><i>7 Dwellings should be set back from allotment or site boundaries to:</i></p> <p><i>(a) contribute to the desired character of the relevant policy area</i></p> <p><i>(b) provide adequate visual privacy by separating habitable rooms from pedestrian and vehicle movement.</i></p>

Policy Area: Low Density Policy Area 21											
<p>Desired Character Statement:</p> <p><i>This policy area will have a low density character. In order to preserve this, development will predominantly involve the replacement of detached dwellings with the same (or buildings in the form of detached dwellings).</i></p> <p><i>There will be a denser allotment pattern and some alternative dwelling types, such as semi-detached and row dwellings, close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones. Battleaxe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments developed with buildings that have a direct street frontage. In the area bounded by Henley Beach Road, Torrens Avenue and the Linear Park, where the consistent allotment pattern is a significant positive feature of the locality, subdivision will reinforce the existing allotment pattern.</i></p> <p><i>Buildings will be up to 2 storeys in height. Garages and carports will be located behind the front façade of buildings. Buildings in the area bounded by Henley Beach Road, Torrens Avenue and the Linear Park will be complementary to existing dwellings through the incorporation of design features such as pitched roofs, eaves and variation in the texture of building materials.</i></p> <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 Development that contributes to the desired character of the policy area.										
Principles of Development Control	<p>1 The following forms of development are envisaged specifically in the policy area:</p> <ul style="list-style-type: none"> • affordable housing • domestic outbuilding in association with a dwelling • domestic structure, such as a veranda, porch • <u>detached dwelling</u> • dwelling addition • row dwelling within 400 metres of an existing centre zone • semi detached dwelling within 400 metres of an existing centre zone • small scale non-residential use that serves the local community, for example: - child care facility - health and welfare service - open space - primary and secondary school - recreation area - shop measuring 250 square metres or less in gross leasable floor area • supported accommodation. <p>3 Except when located within 400 metres of a centre zone, a dwelling should have a minimum site area (and in the case of residential flat buildings, an average site area per dwelling) and a frontage to a public road not less than that shown in the following table:</p> <table border="1"> <thead> <tr> <th>Dwelling type</th><th>Site area (square metres)</th><th>Minimum frontage (metres)</th></tr> </thead> <tbody> <tr> <td>Detached</td><td>420 minimum</td><td>12</td></tr> <tr> <td>Semi-detached</td><td>420 minimum</td><td>12</td></tr> </tbody> </table>		Dwelling type	Site area (square metres)	Minimum frontage (metres)	Detached	420 minimum	12	Semi-detached	420 minimum	12
Dwelling type	Site area (square metres)	Minimum frontage (metres)									
Detached	420 minimum	12									
Semi-detached	420 minimum	12									

QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SITE AREA Low Density Policy Area 21 PDC 3	420m ²	Proposed Allotment 801 (482m ²) Proposed Allotment 802 (485m ²) Satisfies
SITE FRONTAGE Low Density Policy Area 21 PDC 3	12m	Proposed Allotment 801: 11.05m Proposed Allotment 802: 11.05m Does Not Satisfy by 8%
STREET SETBACK Residential Zone PDC 8	Same setback as an adjacent building or at least the average of the adjacent buildings	Dwelling A: 11.5m to garage and 9.59 to portico Dwelling B: 11.5m to garage and 9.59 to portico Satisfies
SIDE/REAR SETBACKS Residential Zone PDC 11	Side 1m for vertical wall height less than 3m	Dwelling A northern side setback: 1.06m Dwelling A southern side setback: 1.1m Dwelling B southern side setback: 1.07m Dwelling B northern side setback: 1.1m Garage walls of Dwelling A & B abutting on common boundary: less than 8m Satisfies
	Rear 3m (single storey)	Dwelling A: 4.9m (from Alfresco) Dwelling B: 5.1m (from Alfresco) Satisfies

PRIVATE OPEN SPACE Residential Development PDC 19	60m ² with a minimum dimension of 4m	Dwelling A: 97m ² (approx.) Dwelling B: 99.5m ² (approx.) Satisfies
CARPARKING SPACES Transportation and Access PDC 34 & Table WeTo/2	2 car-parking spaces required one of which is covered	2 provided per dwelling Satisfies

QUALITATIVE ASSESSMENT

In assessing the merits or otherwise of the application, the proposed development generally satisfies the relevant Development Plan provisions with the following comments provided:

Land Use and Zoning

The proposed land use of residential development in the form of two detached dwellings is a suitable land use.

Site Area and Frontage

The proposed allotments will meet the minimum site area requirements for the Low Density Policy Area 21 (greater than 420m²) but will not meet the minimum 12m frontages with both allotments proposed with a frontage of 11.05m, a 7.9% shortfall. This shortfall in minimum frontage is considered a minor departure from the Development Plan and the concurrent land uses applications for two dwellings demonstrate that the sites can be suitably developed for an anticipated land use.

Significant /Regulated Trees

The site plan for Dwelling A shows that a tree is located on the adjacent land to the east with a canopy that extends to the edge of the Alfresco area. There is no information as to whether this tree constitutes a regulated or significant tree or whether the proposed development will have any impact on this existing tree. Given the location of the dwelling is outside the tree canopy it is considered suitable.

Land Division

The proposed land division will create two (2) allotments from the existing one with site areas of Allotment 801 (482m²) and Allotment 802 (485m²). Each proposed allotment will have a site frontage to Holbrooks Road of 11.05m.

A revised proposed plan of division has been submitted that provides free and unrestricted rights of way over the common driveway proposed to Holbrooks Road.

Where land is to be divided, the resultant allotments should be suitable for their intended purpose. While the proposed lots will not meet the 12-metre minimum site frontage for the Low-Density Policy Area 21, they will meet the 420m² minimum site area. The concurrent land use applications demonstrate the two dwellings can be built on the proposed allotments that can meet the Development Plan provisions. It is considered that the proposed allotments are suitable for their intended land use of residential development.

SUMMARY

The proposed division of Allotment 38 [211/D163/16 (Unique ID 558790)] at 177 Holbrooks Road, Underdale and the construction of two (2) single storey dwellings via two separate land use applications (211/1020/2016 & 211/1021/2016) is considered an appropriate land use for the zone and locality in which it is located.

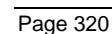
The proposed allotments will measure 482m² & 485m² respectively that meets the minimum site area for detached dwellings within the Low-Density Policy Area 21. The proposed allotments will be marginally below the site frontage requirements of the policy area at 11.05m, which is considered a minor departure from the Development Plan provisions.

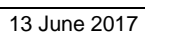
Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is considered not seriously at variance with the Development Plan.

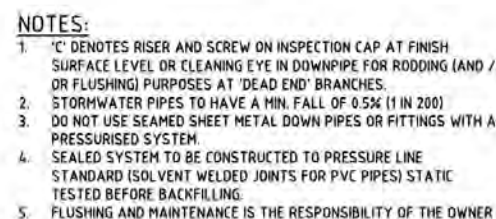
On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 5 May 2016 and warrants Development Plan Consent.

Attachments

1. Land Division plan
2. Civil Plan - Dwelling A
3. Floor plan and elevations - Dwelling A
4. Civil Plan - Dwelling B
5. Floor plan and elevations - Dwelling B







NOTES:

1. PIPE FALLING BY GRAVITY: Ø90 uPVC DOWNPIPE CONNECTIONS
SEALED SYSTEM: Ø100 uPVC DOWNPIPE CONNECTIONS

2. ALL STORMWATER PIPES SHALL BE LAID AS PER AS 3500 TO ACHIEVE MINIMUM COVER AND GRADE (0.5% MIN) U.N.O. IF COVER CAN NOT BE ACHIEVED ENCASE PIPE IN 100 THICK CONCRETE.

3. SUMPS, GRATINGS & MH'S SHALL BE 300SQ (UNO) WITH WALLS & FLOORS OF 100 THICK CONCRETE, REINFORCED WITH SL72 FABRIC CENTRAL + AN APPROVED COVER/GRATE & FRAME.

4. WHERE SUMPS/GRATES OR THE LIKE ARE CAST INTO A CONCRETE SLAB, PROVIDE 2-N/2 CRACK CONTROL BARS AT THE CORNERS OF SUCH CAST-IN ITEMS. BARS ARE TO BE 1000 LONG AND TIED TO THE TOP LAYER OF SLAB REINFORCEMENT.

5. BEDDING AND BACK-FILLING AROUND STORMWATER PIPES SHALL CONFORM TO AS 3725-1989.

6. BEDDING SAND FOR STORMWATER PIPES SHALL BE COARSE, FREE FLOWING PIT SAND, WITH A PLASTICITY INDEX LESS THAN 5. THE MATERIAL SHALL BE CLEAN WITH 100% PASSING THE 6.7MM SIEVE AND NOT GREATER THAN 10% PASSING A 0.075MM SIEVE. IT SHALL HAVE A MINIMUM COMPACTED DEPTH OF 75MM.

7. BOUNDARY LOCATIONS ARE BASED ON FENCES/STAKES ONLY. IT IS RECOMMENDED THAT AN IDENTIFICATION SURVEY BE DONE TO ESTABLISH TRUE BOUNDARIES.

8. PROVIDE LAGGING TO ALL PIPE PENETRATIONS THROUGH FOOTING BEAMS.
UP TO H1 CLASS SITE: 20MM THICK LAGGING
H2-E CLASS SITE: 40MM THICK LAGGING

9. SEWER & STORMWATER CONNECTIONS FOR THIS SITE:
UP TO H1 CLASS SITE: FLEXIBLE CONNECTIONS NOT REQUIRED
H2-E CLASS SITE: FLEXIBLE CONNECTIONS ARE REQUIRED

10. "☐" DENOTES 1000LITRE RETENTION TANK. IN ACCORDANCE WITH THE AMENDED REQUIREMENTS OF THE BCA ENSURE TANK WATER IS

(a) PLUMBED TO AT LEAST A WATER CLOSET OR A WATER HEATER OR ALL LAUNDRY COLD WATER OUTLETS.

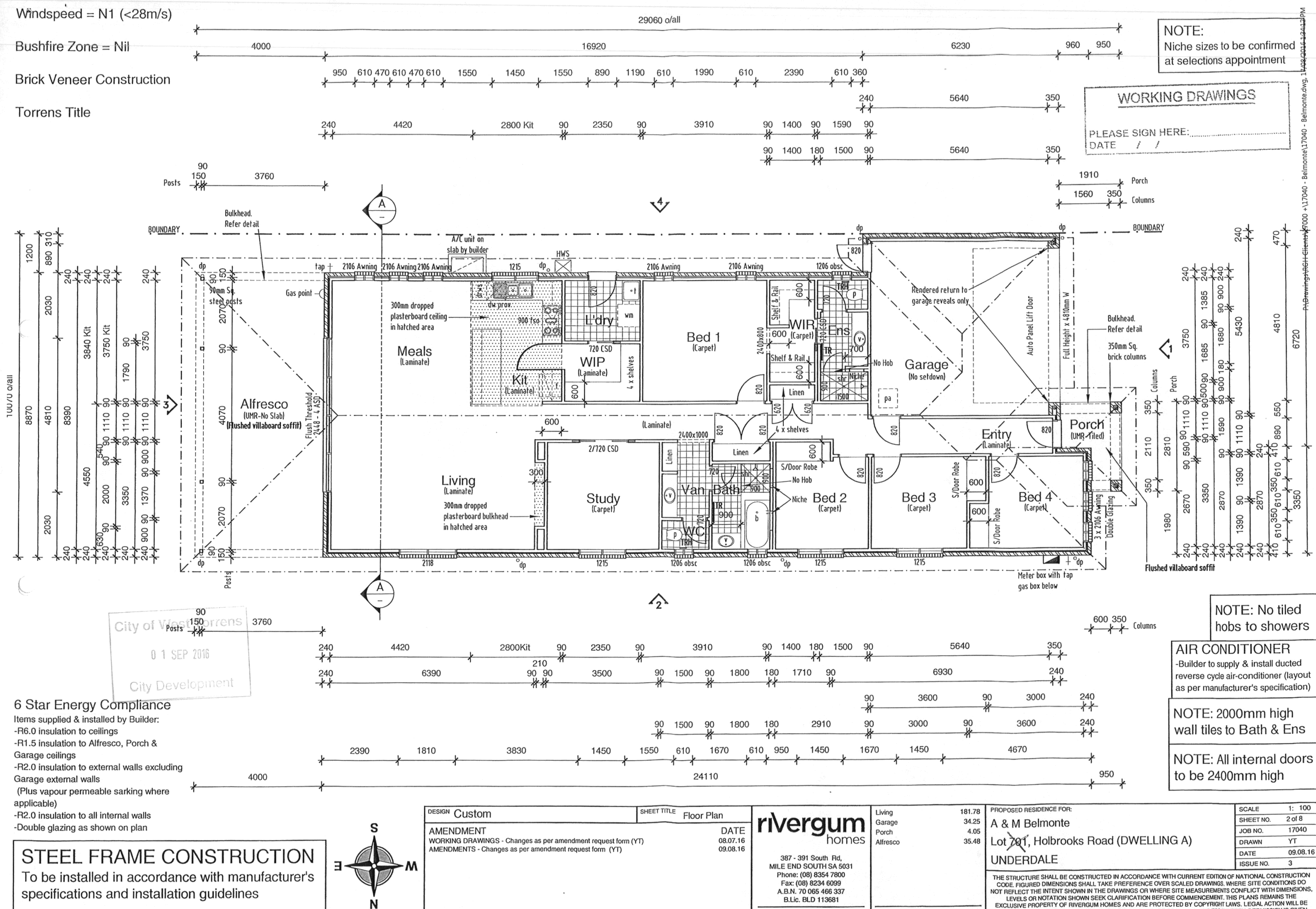
(b) THE INLET AND OVERFLOW OF THE TANK MUST BE FITTED WITH MOSQUITO-PROOF, NON DEGRADABLE SCREENS FORMED FROM Ø0.315MM MATERIAL AND HAVE A MINIMUM OF 6X7 OPENINGS SQCM.

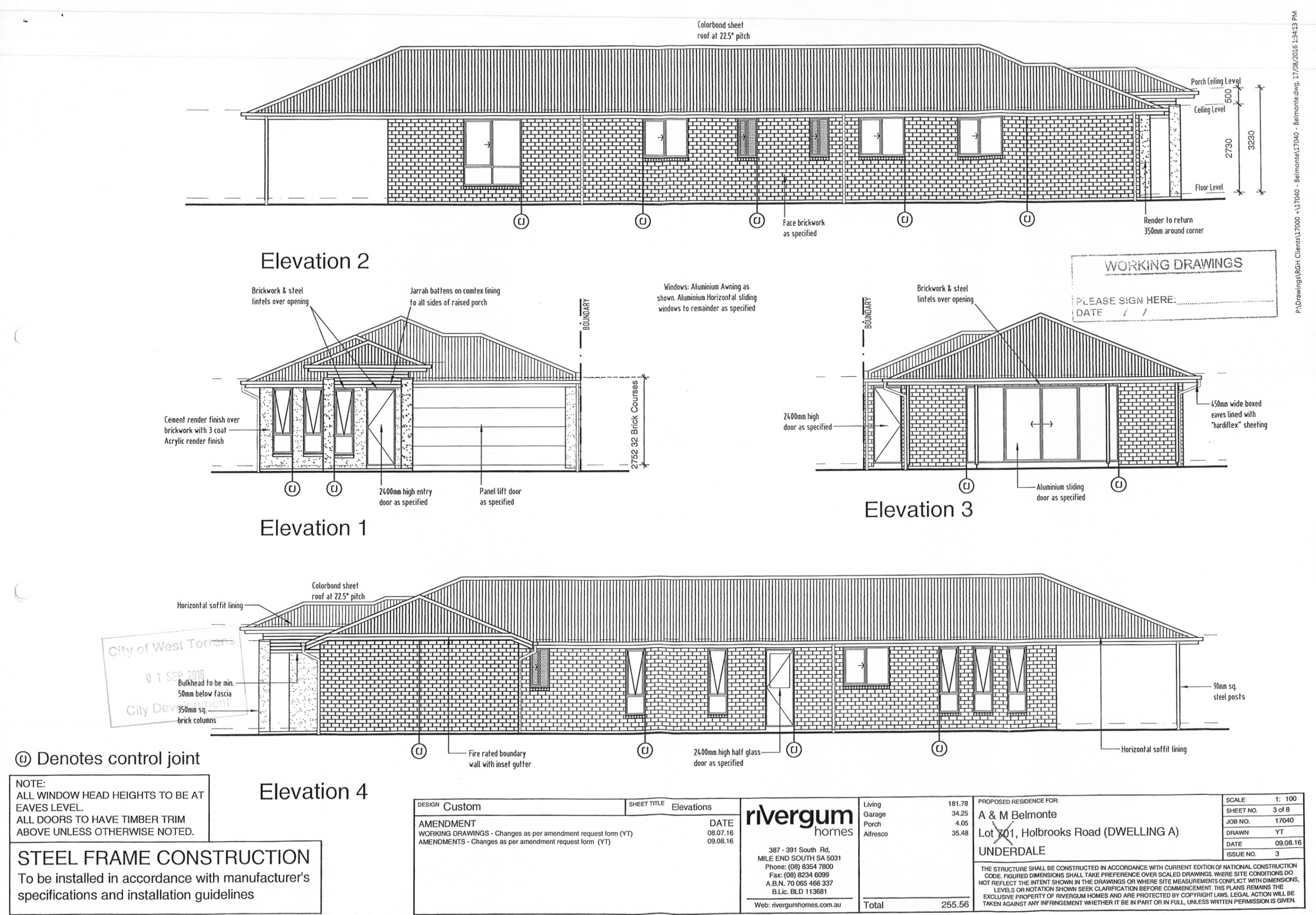
BUILDER TO PROVIDE RAINWATER DUAL WATER SYSTEM PROVISION TO WC

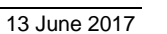


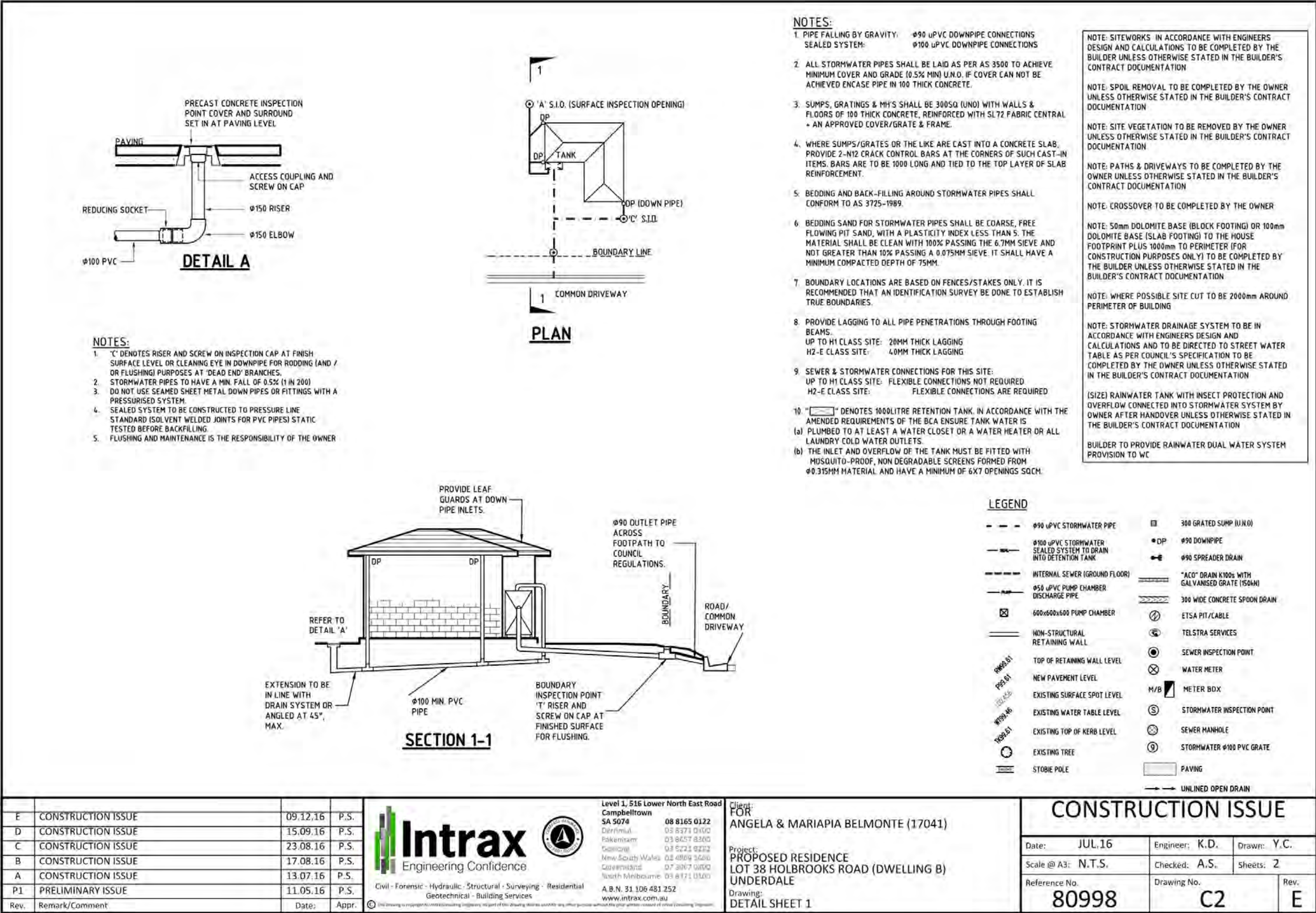
	90 PVC STORMWATER PIPE		300 GRATED SUMP (U.N.O.)
	100 PVC STORMWATER SEALED SYSTEM TO DRAIN INTO DETENTION TANK		90 DOWNPIPE
	INTERNAL SEWER (GROUND FLOOR)		90 SPREADER DRAIN
	90 PVC PUMP CHAMBER DISCHARGE PIPE		"ACC" DRAIN 100% WITH GALVANISED GRATE (150MM)
	600x600x600 PUMP CHAMBER		300 WIDE CONCRETE SPOON DRAIN
	NON-STRUCTURAL RETAINING WALL		ETSA PIT/CABLE
	TOP OF RETAINING WALL LEVEL		TELSTRA SERVICES
	NEW PAVEMENT LEVEL		SEWER INSPECTION POINT
	EXISTING SURFACE SPOT LEVEL		WATER METER
	EXISTING WATER TABLE LEVEL		METER BOX
	EXISTING TOP OF KERB LEVEL		STORMWATER INSPECTION POINT
	EXISTING TREE		SEWER MANHOLE
	STOBIE POLE		STORMWATER 100 PVC GRATE
	PAVING		UNLINED OPEN DRAIN

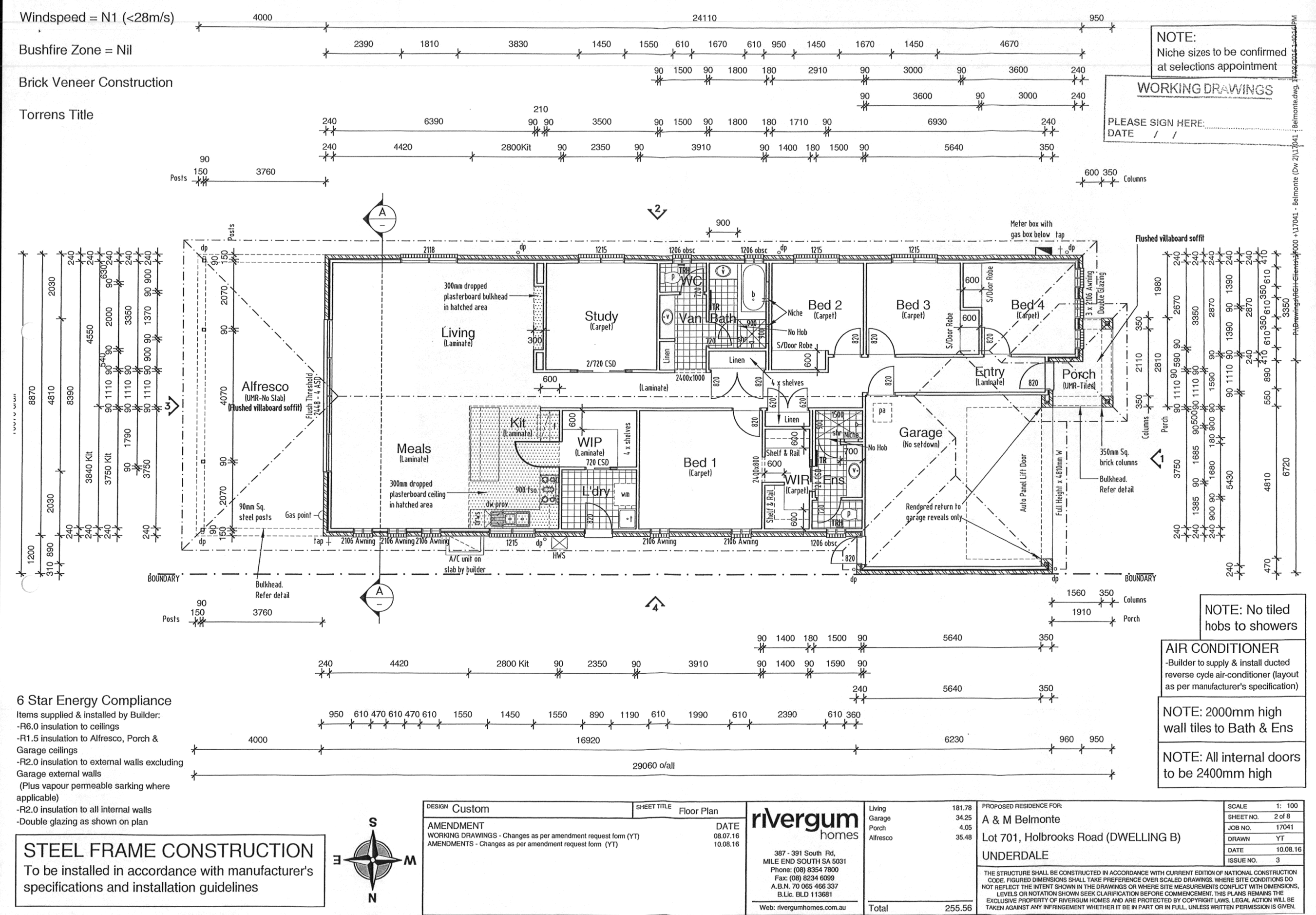
Date: JUL.16	Engineer: K.D.	Drawn: J.X.
Scale @ A3: N.T.S.	Checked: A.S.	Sheets: 2
Reference No. 80996	Drawing No. C2	Revised No.





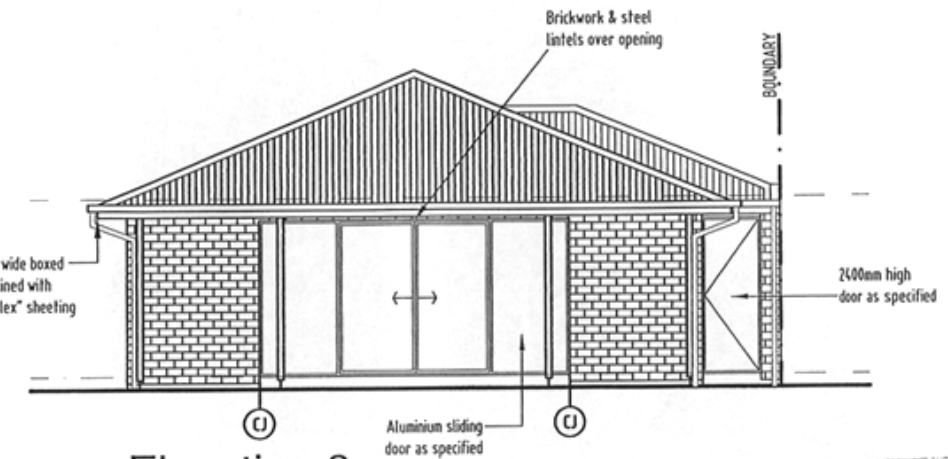




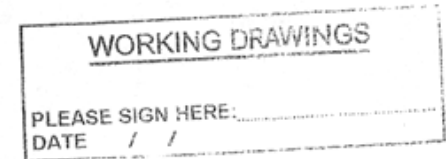




Elevation 1



Elevation 3



NOTE:
ALL WINDOW HEAD HEIGHTS TO BE AT
EAVES LEVEL.
ALL DOORS TO HAVE TIMBER TRIM
ABOVE UNLESS OTHERWISE NOTED.

STEEL FRAME CONSTRUCTION
To be installed in accordance with manufacturer's specifications and installation guidelines

Elevation 4

DESIGN	Custom	SHEET TITLE	Elevations	<div>rivergum homes</div> <div>387 - 391 South Rd, MILE END SOUTH SA 5031 Phone: (08) 8354 7800 Fax: (08) 8234 6099 A.B.N. 70 065 466 337 B.Lic. BLD 113681</div> <div>Web: rivergumhomes.com.au</div>	Living	181.78	PROPOSED RESIDENCE FOR:	SCALE	1: 100
AMENDMENT		DATE			Garage	34.25	A & M Belmonte	SHEET NO.	3 of 8
WORKING DRAWINGS - Changes as per amendment request form (YT)		08.07.16			Porch	4.05	Lot 701, Holbrooks Road (DWELLING B)	JOB NO.	17041
AMENDMENTS - Changes as per amendment request form (YT)		10.08.16			Allresco	35.48	UNDERDALE	DRAWN	YT
							THE STRUCTURE SHALL BE CONSTRUCTED IN ACCORDANCE WITH CURRENT EDITION OF NATIONAL CONSTRUCTION CODE. FIGURED DIMENSIONS SHALL TAKE PREFERENCE OVER SCALED DRAWINGS. WHERE SITE CONDITIONS DO NOT REFLECT THE INTENT SHOWN IN THE DRAWINGS OR WHERE SITE MEASUREMENTS CONFLICT WITH DIMENSIONS, LEVELS OR NOTATION SHOWN SEEK CLARIFICATION BEFORE COMMENCEMENT. THIS PLANS REMAINS THE EXCLUSIVE PROPERTY OF RIVERGUM HOMES AND ARE PROTECTED BY COPYRIGHT LAWS. LEGAL ACTION WILL BE TAKEN AGAINST ANY INFRINGEMENT WHETHER IT BE IN PART OR IN FULL, UNLESS WRITTEN PERMISSION IS GIVEN.	DATE	10.08.16
					Total	255.56		ISSUE NO.	3

6.11 17 Poynton Street, COWANDILLA

Application No 211/1078/2016 and 211/1407/2016

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Land division - Community Title; DAC No. 211/C188/16 (Unique ID 56204); Create one (1) additional allotment	Demolition of existing carport and alterations to existing dwelling including carport addition. Construction of new single storey group dwelling with garage under main roof.
APPLICANT	Mr Israa Jumaah	Esmond Fok
APPLICATION NO	211/1407/2016	211/1078/2016
LODGEMENT DATE	02 November 2016	09 September 2016
ZONE	Residential Zone	Residential Zone
POLICY AREA	Low Density Policy Area 20	Low Density Policy Area 20
APPLICATION TYPE	Merit	Merit
PUBLIC NOTIFICATION	Category 1	Category 1
REFERRALS	External <ul style="list-style-type: none"> Development Assessment Commission SA Water Corporation 	Internal <ul style="list-style-type: none"> Engineering - City Assets
DEVELOPMENT PLAN VERSION	05 May 2016	05 May 2016
MEETING DATE	13 June 2017	13 June 2017

RECOMMENDATION 1

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent and Land Division Consent for Application No. 211/1407/2016 by Mr Israa Jumaah to undertake Land division - Community Title; DAC No. 211/C188/16 (Unique ID 56204); Create one (1) additional allotment at 17 Poynton Street, Cowandilla (CT 5679/616) subject to the following conditions of consent.

DEVELOPMENT PLAN CONSENT**Council Conditions**

- The division shall take place in accordance with the approved plan prepared by Andrew Butcher Project Management (Plan Reference ABPM01775dwg02rev00 - dated 31/10/2016)

LAND DIVISION CONSENT**Council Conditions**

- Prior to the issue of clearance, any buildings that cross authorised allotment boundaries shall be removed.

Development Assessment Commission and SA Water Corporation Conditions

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

The developer must advise SA Water the preferred servicing option.

Information can be found at: <http://www.sawater.com.au/developers-and-builders/building,-developing-and-renovating-your-property/subdividing/community-title-development-factsheets-and-information> On receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non-standard fees.

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

RECOMMENDATION 2

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/1078/2016 by Esmond Fok to undertake "Demolition of existing carport and alterations to existing dwelling including carport addition as well as construction of new single storey group dwelling with garage under main roof" at 17 Poynton Street, Cowandilla (CT 5679/616) subject to the following conditions of consent.

Council Conditions

1. The development shall be undertaken and completed in accordance with the plans and information detail in the application except where varied by any condition(s) listed below.
2. The finished floor level of the authorised dwelling shall be 100.45 in accordance with the Site Works Plan prepared by Residential, Commercial, Industrial Consulting Engineers (Job Number C22054 - Dated 27 August 2016).
3. 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 owners; and not flow across footpaths or public ways.

4. The subject land is located within an area depicted within AS2021 as being exposed to an Australian Noise Exposure Forecast of 25. The development shall be completed in accordance with the 'Acoustic Design Report' prepared by Resonate Acoustics (Reference A17229RP1, Revision 0, dated Friday 31 March 2017).
5. 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.

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.

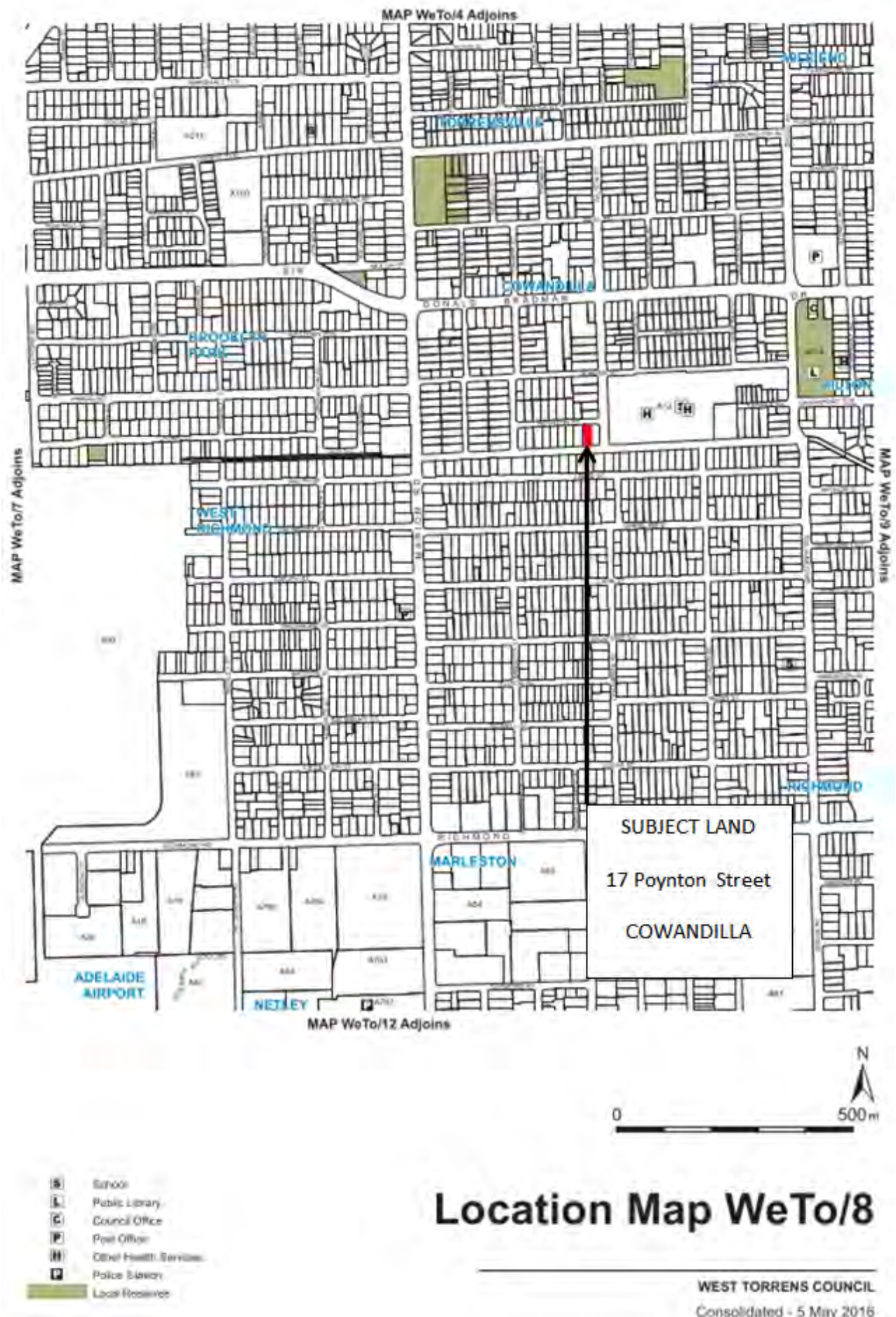
PREVIOUS OR RELATED APPLICATION(S)

Application Number	Nature of Development	Decision	Reason
211/744/2015	Construction of three (3) two storey dwellings each including a garage under the main roof	Refused	Additional information not provided.

SITE AND LOCALITY

The site has an approximate area of 814 square metres with frontage to Poynton Street of 17.9 metres. The site slopes up from Poynton Street toward the rear of the allotment and currently comprises a detached dwelling with carport and verandah. The site is subject to "up to 100 millimetres" of flooding during a 1 in 100 year recurrence interval.

The locality is characterised by low-density residential development. Some allotments within the locality have been divided and have a "battle-axe" form. Cowandilla Primary School is situated to the east. The site abuts a drainage channel to the south.





PROPOSAL

Development Number - 211/1078/2016 - Demolition of existing carport and alterations to existing dwelling including carport addition as well as construction of new single storey group dwelling with garage under main roof.

Development Number - 211/1407/2016 - Land division - Community Title; create one (1) additional allotment

The relevant plans and details form **Attachment 1**.

REFERRALS

Internal

- Engineering - City Assets

External

- Development Assessment Commission
- SA Water Corporation

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

ASSESSMENT

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

<u>General Section</u>		
<i>Design and Appearance</i>	<i>Objectives</i>	1 and 2
	<i>Principles of Development Control</i>	1, 2, 3, 4, 9, 10, 12, 13, 14, 15, 21 and 22
<i>Hazards</i>	<i>Objectives</i>	1, 2 and 4
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6 and 7
<i>Land Division</i>	<i>Objectives</i>	1, 2, 3 and 4
	<i>Principles of Development Control</i>	1, 2, 4, 5, 6, 7, 8, 9, 10, 11 and 12
<i>Landscaping, Fences and Walls</i>	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 3, 4 and 6
<i>Orderly and Sustainable Development</i>	<i>Objectives</i>	1, 2, 3, 4 and 5
	<i>Principles of Development Control</i>	1, 3, 5, 7 and 8
<i>Residential Development</i>	<i>Objectives</i>	1, 2, 3 and 4
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 28, 29, 30 and 31
<i>Transportation and Access</i>	<i>Objectives</i>	1, 2 and 4
	<i>Principles of Development Control</i>	1, 2, 8, 10, 11, 23, 24, 25, 26, 34, 35, 36, 37, 40, 41, 43 and 44
<i>Waste</i>	<i>Objectives</i>	1 and 2
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5 and 6

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

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

QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
ALLOTMENT AREA Low Density Policy Area 20 PDC 5	340m ²	Lot 1 = 286m ² Lot 2 = 392m ² Lot 1 does not satisfy by 15.9%
SITE FRONTAGE Low Density Policy Area 20 PDC 4 & 5	10m (application not combined with land division)	Lot 1 = 0m Lot 2 = 11.98m Lot 1 does not satisfy
MAXIMUM NUMBER OF STOREYS Residential Zone PDC 6	Two-Storeys	Lot 1 = One Storey Lot 2 = One Storey (Unchanged) Satisfies
MAXIMUM SIDE WALL HEIGHT Residential Zone PDC 6	6m (measured from the natural ground level)	Lot 1 = 2.7m Lot 2 = Unchanged Satisfies
STREET SETBACK Residential Zone PDC 8	The average setback of adjacent buildings.	Lot 1 = 28m Lot 2 = Unchanged Satisfies
SIDE/REAR SETBACKS Residential Zone PDC 11	1m (vertical side wall 3m or less in height) 3m (for single storey components)	Lot 1 = 1.1m and 3.7m Lot 2 = Unchanged Satisfies Lot 1 = 4.8m Lot 2 = 3.2m Satisfies

PRIVATE OPEN SPACE Residential Development PDC19	24m ² , minimum dimension 3m for allotments under 300m ² 60m ² , minimum dimension 4m for allotments between 300m ² and 500m ²	Lot 1 = 84.9m ² Lot 2 = 31.6m ² Satisfies
LANDSCAPING Module: Landscaping, Fences & Walls PDC: 4	10%	25.3% Satisfies
CARPARKING SPACES Transportation and Access PDC 34	2 car-parking spaces per dwelling, 1 covered	Lot 1 = 2, 1 covered Lot 2 = 2, 1 covered Satisfies
STORAGE Residential Development PDC 31	8m ³	Lot 1 = 0m ³ (proposed dwelling) Lot 2 = 0m ³ (existing dwelling) Does Not Satisfy
BATTLE-AXE DRIVEWAY WIDTH Land Division PDC 7	4m	3.5m Does Not Satisfy

QUALITATIVE ASSESSMENT

In assessing the merits or otherwise of the application, the following matters are also relevant as discussed under the following sub headings:

Bulk and Scale

The proposed dwelling would be consistent with low-density building forms elsewhere in the locality. The proposal would be single storey with typical external materials and finishes. The boundary garage wall would have an eave height of 2.7 metres and a length of 6.1 metres. The dwelling would be articulated by its shape as well as windows and doors. The proposed bulk and scale are expected within the zone and policy area.

Stormwater and Flooding

Stormwater from the site would be directed and discharged to Poynton Street without

- a) Resulting in the entry of water into a building
- b) Affecting the stability of a building
- c) Creating unhealthy or dangerous conditions
- d) Discharging onto the land of an adjoining owner.

Portions of the site may be subject to 100mm of flooding from Keswick and Brown Hill Creek flood plain during a 1 in 100 year rainfall event. Allowing for the necessary freeboard, the proposed floor level would ensure safety from anticipated flood levels.

Aircraft Noise

The site is outside the area affected by aircraft noise as shown on 'Overlay Map WeTo/8 - Development Constraints' however is predominantly subject to an ANEF (Australian Noise Exposure Forecast) of 25.

It is acknowledged that the proposal is situated within an established residential area that envisages low-density residential development.

Development within areas affected by aircraft noise should be consistent with 'Australian Standard AS2021 - Acoustics - Aircraft Noise Intrusion - Building Siting and Construction'. The applicant has provided an 'Aircraft Noise Assessment'. By adopting the "appropriate form of construction" as outlined within the report, compliance with the relevant Australian Standard will be satisfied. A condition to this effect is appropriate should planning consent be granted.

Site Storage

Each dwelling should incorporate a minimum storage area of 8 cubic metres for goods and chattels. Neither dwelling has identified specific storage areas however it is acknowledged that each dwelling has excess private open space that could be used for external storage space. In addition, the roof space of either dwelling could be utilised for storage if required.

Land Division

The land division application and corresponding built form application are not formally combined. Nor is the site within 400 metres of a centre zone. As such, land division should create allotment/site areas greater than 340 square metres with a minimum frontage width of 10 metres.

Proposed allotment 1 has been shaped with regard to preserving the exiting dwelling on proposed allotment 2. As such, allotment 1 would have an area of 286 square metres and technically has no frontage to a public road given proposed "common property". Allotment 1 therefore fails to achieve minimum requirements.

Proposed allotment 2 satisfies Development Plan requirements with an area of 392 square metres and a frontage to Poynton Street of 11.98 metres.

The Desired Character of Low Density Policy Area 20 states *"Allotments in the policy area will be at low density" and "Battle-axe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments developed with buildings that have direct street frontage"*.

Within the locality "battle-axe subdivision" has occurred between 3/3A, 10/10A, 11/11A, 13/13A and 14/14A Poynton Street. In addition "battle-axe subdivision" has occurred nearby at 45A Wilson Street.

32 Turner Street and 53 Wilson Street have also been divided however have resulted from corner allotments with benefit of road frontage.

Existing "battle-axe" allotments within the locality fail to achieve minimum frontage requirements and have resulted in additional driveway crossovers from Poynton Street. In these circumstances the driveway would form 'common property' and thus an additional driveway would not be required.

Other than 3A and 14A Poynton Street, allotments within the locality achieve minimum allotment sizes. Notwithstanding this, Poynton Street, particularly the southern side, is largely characterised by divided allotments, some of which are battle-axe. Although the Development Plan indicates "*Battle-axe subdivision will not occur*", the proposal would largely replicate an existing sub-division pattern that features frequently within the locality. The proposal would also replicate the division at 3/3A Poynton Street of similar circumstances.

The applicant, via the built form proposal, has demonstrated that undersized lot 1 is capable of satisfying quantitative requirements despite not achieving the minimum allotment size. In addition, the proposal would not adversely impact the low-density character or amenity of the locality, partly due to the neighbouring sub-division pattern between 19 Poynton Street and 53 Wilson Street and the drainage channel that separates allotments to the south.

SUMMARY

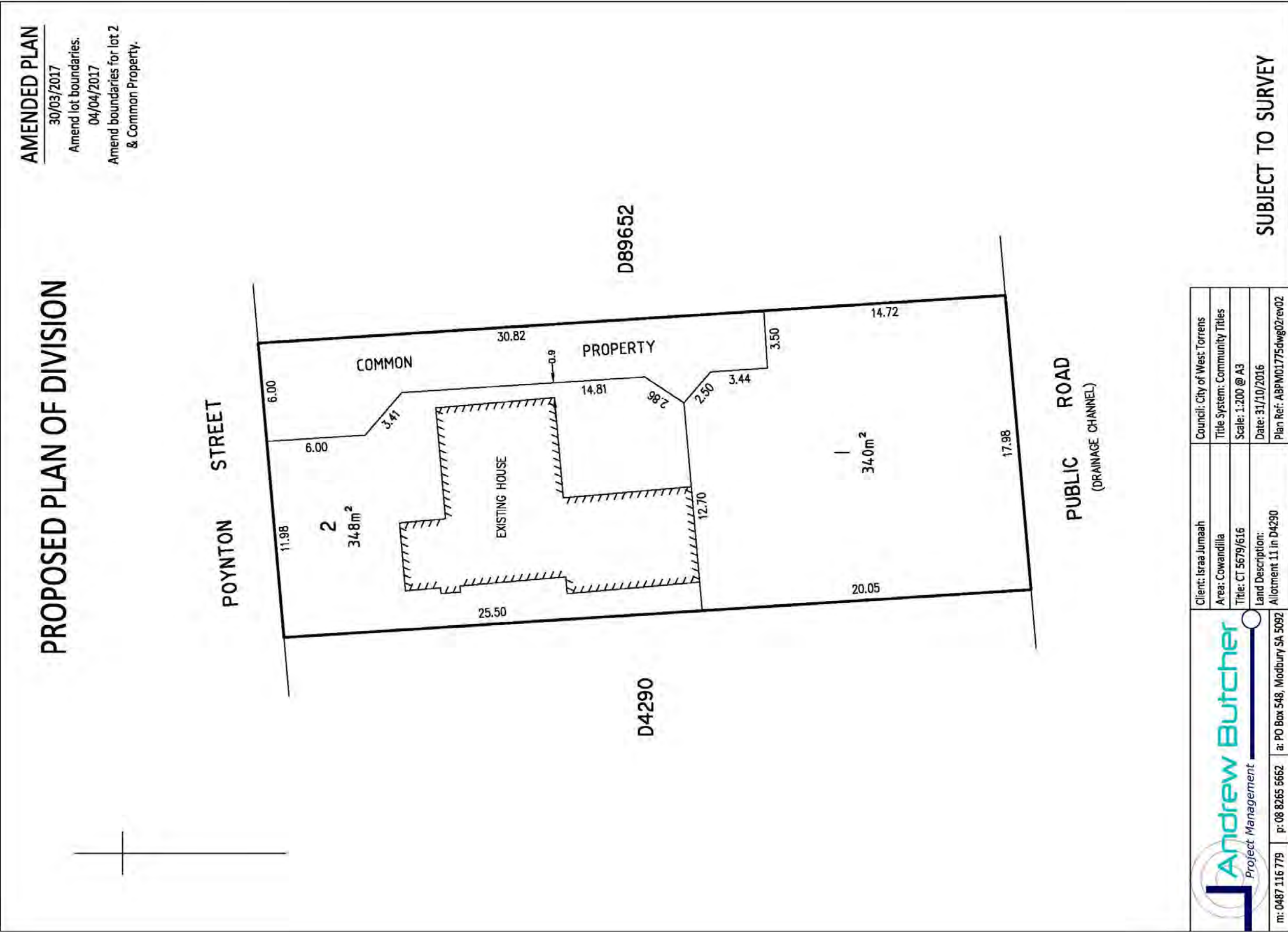
Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is considered to be not seriously at variance with the Development Plan.

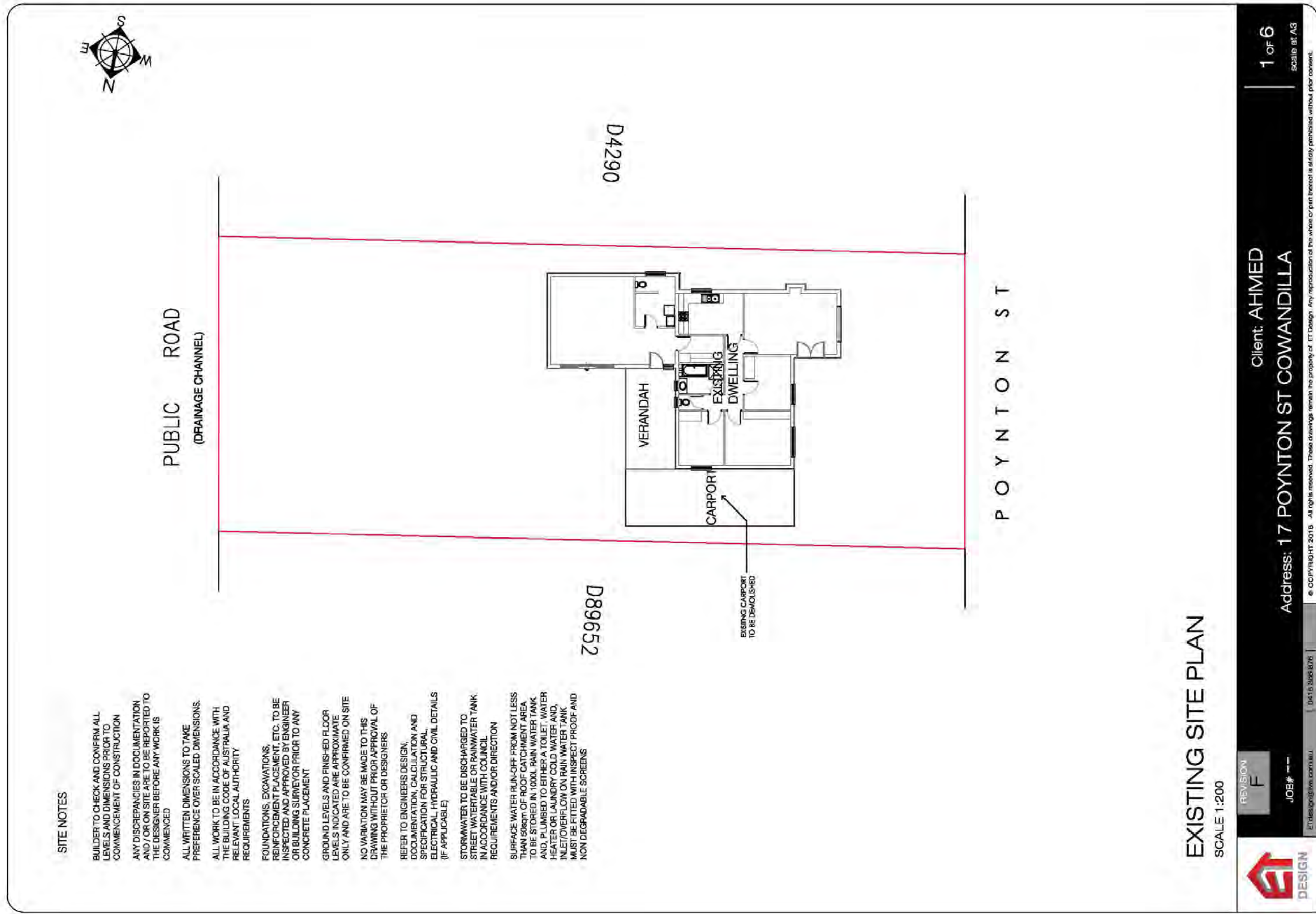
- Proposed Allotment 1 is suitable for its intended residential purpose.
- The proposal would not detrimentally affect the surrounding low density character or amenity.
- The proposed sub-division pattern is frequent within the locality despite being contrary to Low Density Policy Area 20

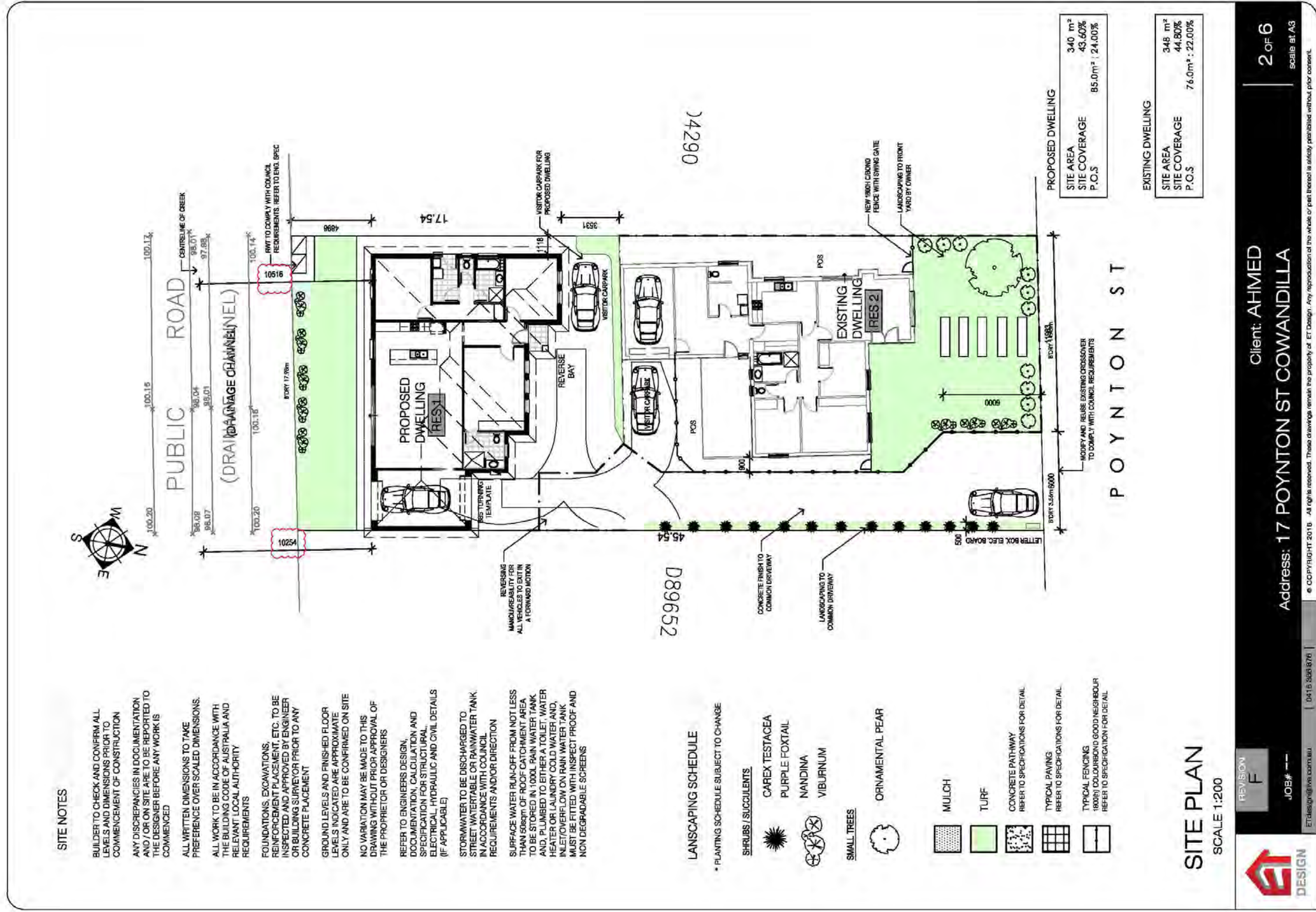
On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 05 May 2016 and warrants Development Plan Consent.

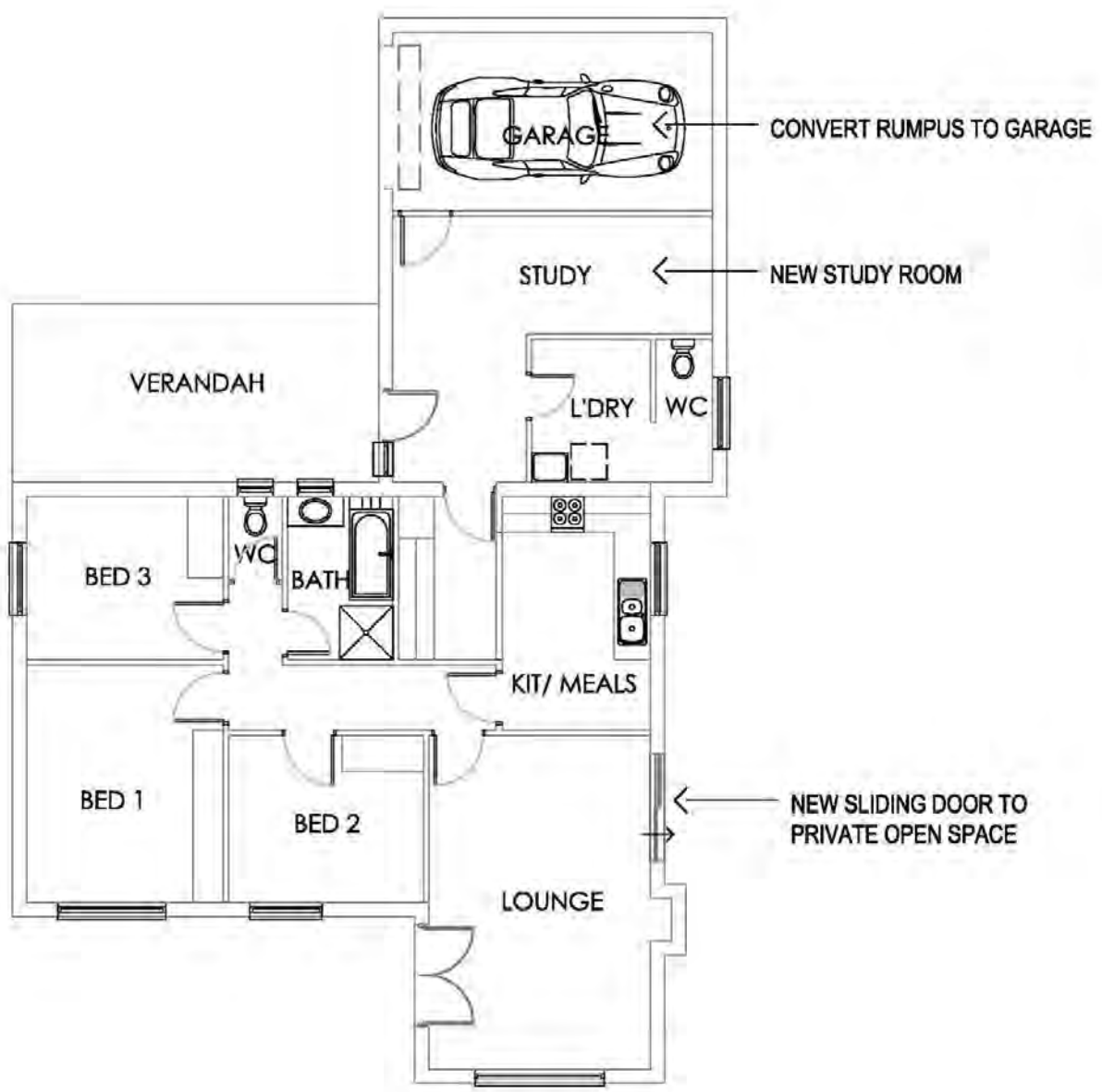
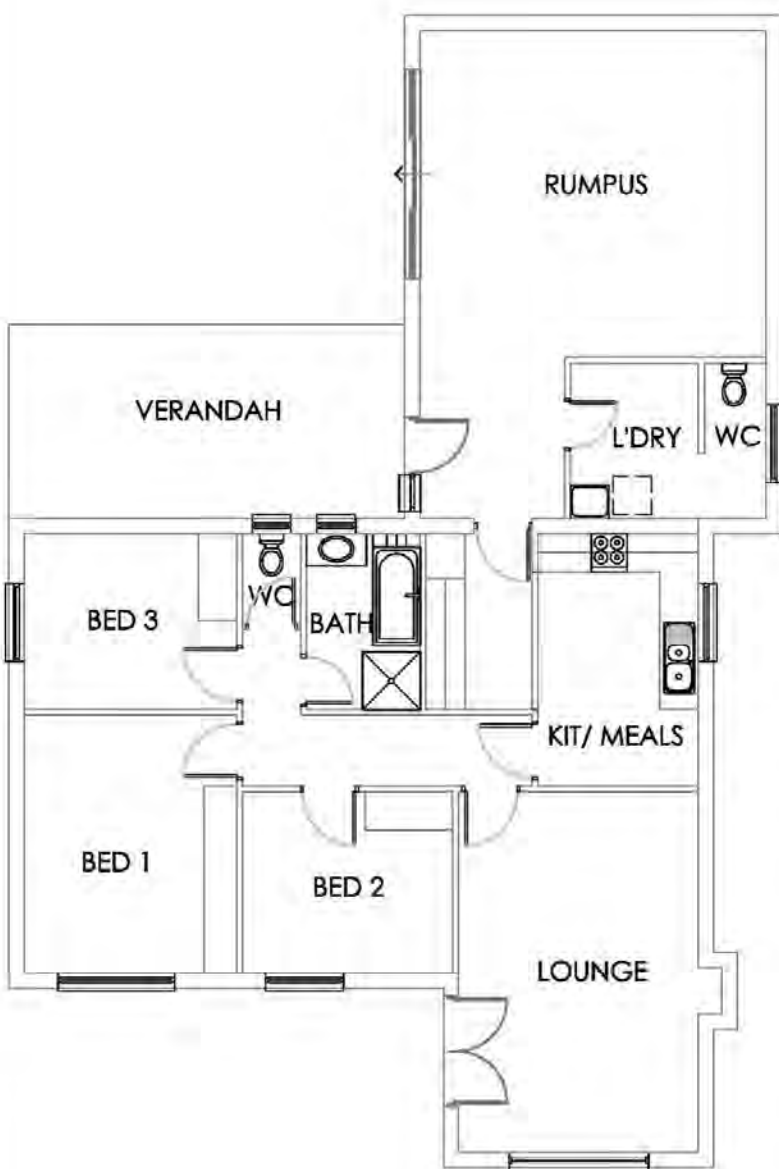
Attachments

1. Plans and details
2. Referral Comments









FLOOR PLAN - RES 2
(EXISTING DWELLING WITH ALTERATIONS)
SCALE 1:100

Client: AHMED
Address: 17 POYNTON ST COWANDILLA

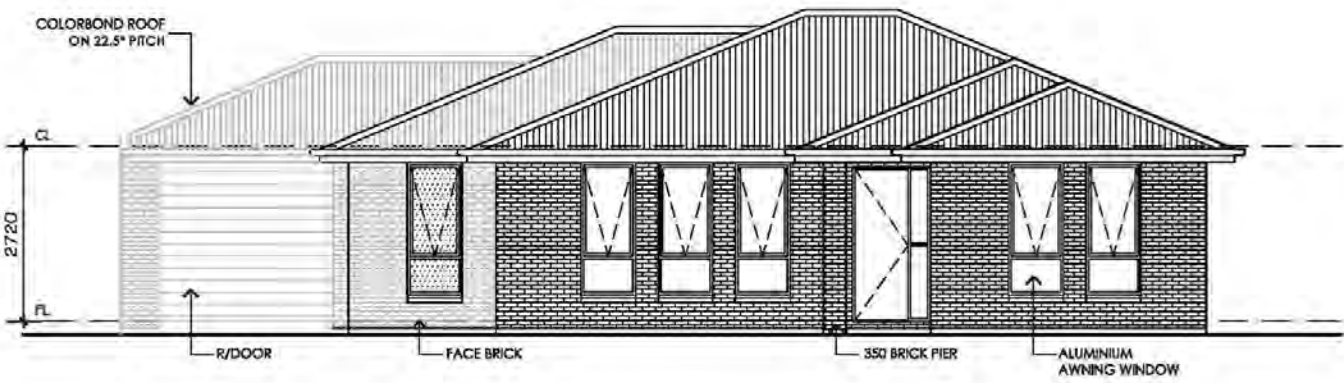
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REVISION
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JOB# --
ETDdesign@wa.com.au

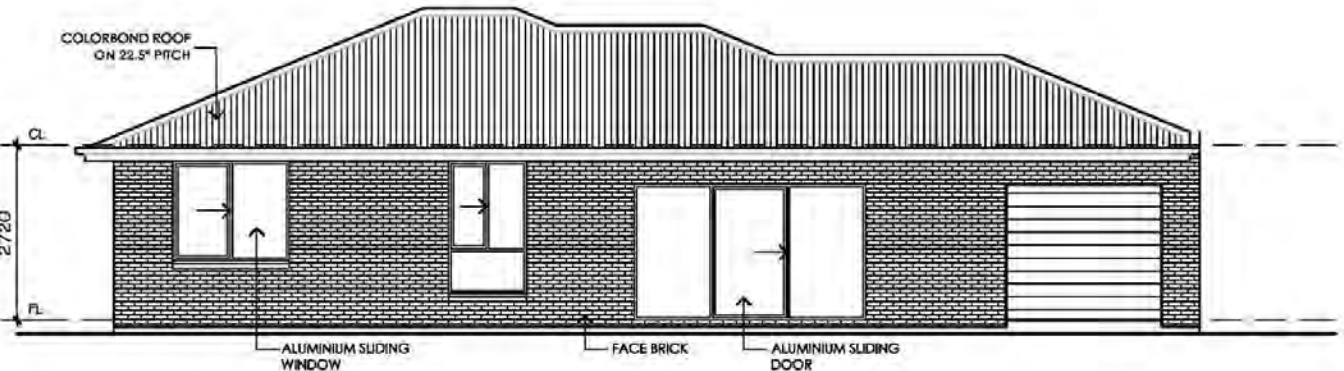
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DESIGN



FRONT ELEVATION
SCALE 1:100



REAR ELEVATION
SCALE 1:100

5 OF 6
SCALE: A3

Client: AHMED
Address: 17 POYNTON ST COWANDILLA

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REVISION
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JOB# --

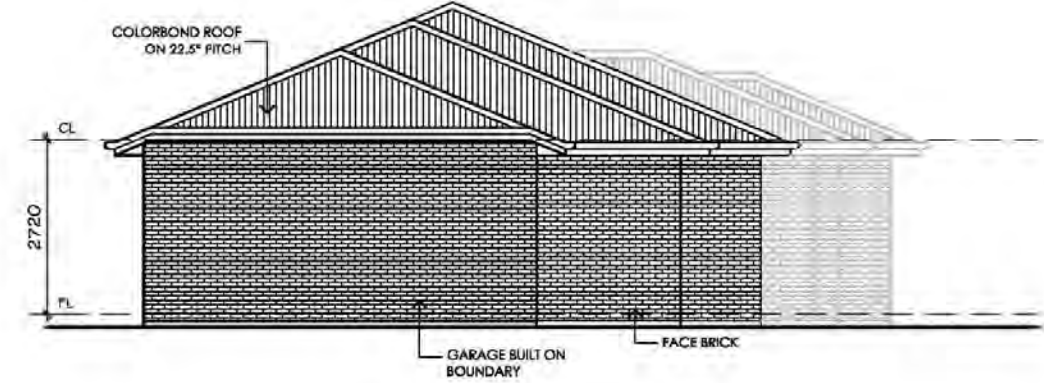
ETDesign@me.com.au

0415 328 876

DESIGN



SIDE ELEVATION
SCALE 1:100



SIDE ELEVATION
SCALE 1:100

6 OF 6
SCALE: A3

Client: AHMED
Address: 17 POYNTON ST COWANDILLA

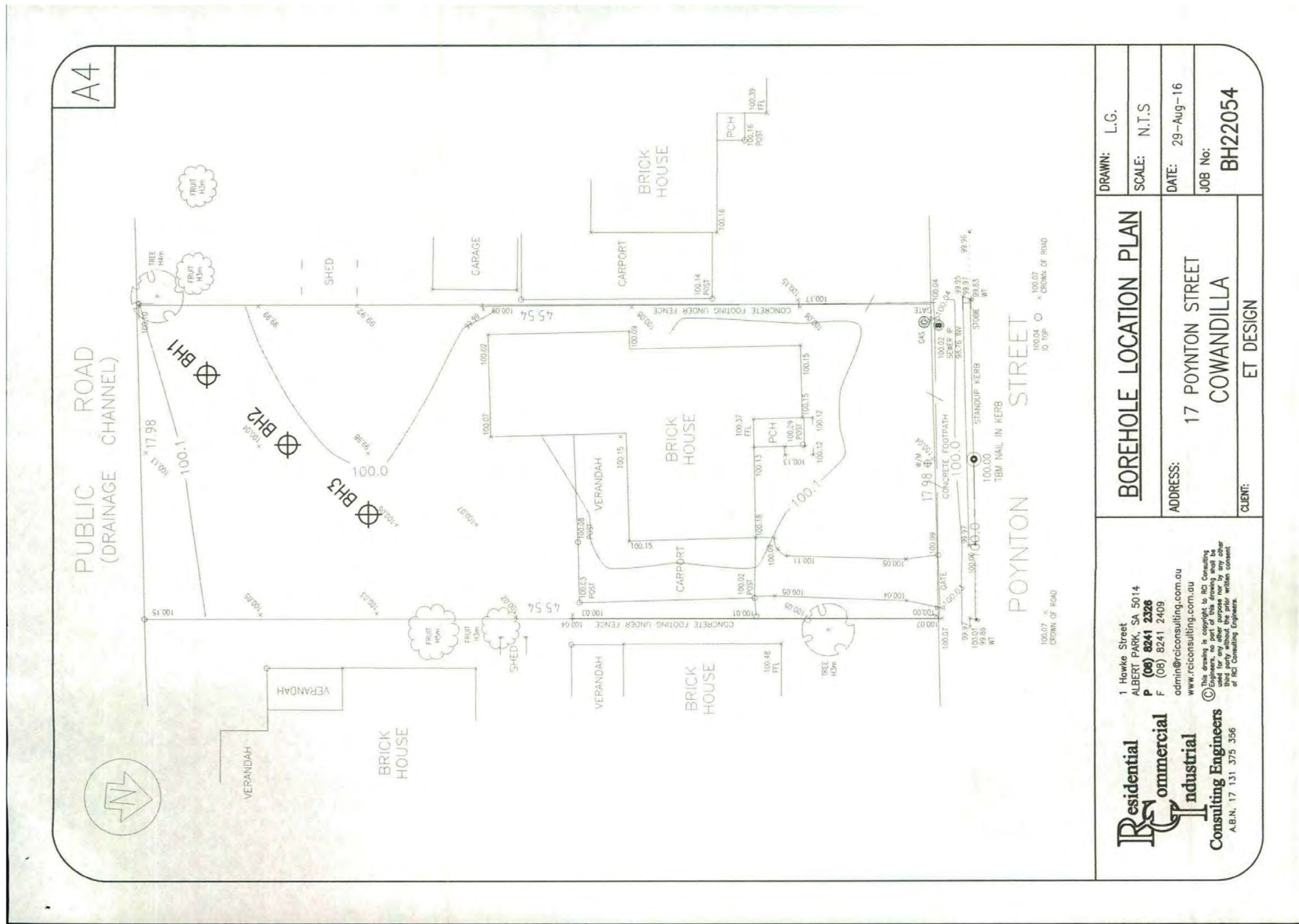
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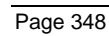
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REVISION
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JOB# --

ETdesign@me.com.au









**17 Poynton Street Aircraft Noise
Assessment
Acoustic Design Report**


Report Date: Friday, 31 March 2017
Reference: A17229RP1, Revision 0

17 Poynton Street Aircraft Noise Assessment
Acoustic Design Report
A17229RP1 Revision Draft

Resonate
acoustics

www.resonateacoustics.com

Document Information

Project	17 Poynton Street Aircraft Noise Assessment	
Client	Israa Jumaah	
Report title	Acoustic Design Report	
Project Number	A17229	
Author	Sam Fotheringham Acoustic Engineer p+61 8 8155 5888 m+61 411 164 105 sam.fotheringham@resonateacoustics.com	
Reviewed by	Deb James	

Revision Table

Report revision	Date	Comments
Draft	31 March 2017	First Issue

A Adelaide • Melbourne • Sydney • Brisbane • Perth • Dublin

17 Poynton Street Aircraft Noise Assessment
Acoustic Design Report
A17229RP1 Revision Draft

Resonate
acoustics

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Glossary

A-weighting	A spectrum adaption that is applied to measured noise levels to represent human hearing. A-weighted levels are used as human hearing does not respond equally at all frequencies.
dB	Decibel—a unit of measurement used to express sound level. It is based on a logarithmic scale which means a sound that is 3 dB higher has twice as much energy. We typically perceive a 10 dB increase in sound as a doubling of that sound level.
dB(A)	Units of the A-weighted sound level.
Frequency (Hz)	The number of times a vibrating object oscillates (moves back and forth) in one second. Fast movements produce high frequency sound (high pitch/tone), but slow movements mean the frequency (pitch/tone) is low. 1 Hz is equal to 1 cycle per second.
L_{90}	Noise level exceeded for 90 % of the measurement time. The L_{90} level is commonly referred to as the background noise level.
L_{eq}	Equivalent Noise Level—Energy averaged noise level over the measurement time.
L_{max}	The maximum instantaneous noise level.
Night	Between 10.00 p.m. on one day and 7.00 a.m. on the following day as defined in the Noise EPP

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1 Introduction

This report outlines indicative design advice for a new single storey residential premise (Res 1) at 17 Poynton Street, Cowandilla, to control aircraft noise intrusion within the requirements of the Australian Standard AS 2021 – *Acoustics – Aircraft Noise Intrusion – Building Siting and Construction* (AS 2021). The proposed site is located in the area affected by aircraft noise in accordance with West Torrens Council Development Plan, for which an aircraft noise assessment in accordance with AS 2021 is required.

Potential aircraft noise intrusion into the development has been assessed in accordance with AS 2021 for a single storey residential premise. Indicative requirements to achieve compliance with the provisions of AS 2021 and requirement of the Development Plan relating to aircraft noise are provided.

Note that an assessment for the existing dwelling at 17 Poynton Street (Res 2) has not been conducted. This is due to the existing design of building remaining almost identical with the proposed changes to the whole property.

2 Development Plan

The proposed development is located within the West Torrens Council area, and it must have regard to the West Torrens Council Development Plan.

The site is located in a Residential Zone, Policy Area 20 (Low Density Policy Area). There are no Principles of Development Control (PDC) in this zone or policy area relating to aircraft noise. There are some Council Wide objectives relating to buildings near airfields that are applicable, and these are outlined below.

For Buildings near Airfields:

- PDC 6 Development within areas affected by aircraft noise should be consistent with *Australian Standard AS2021 - Acoustics - Aircraft Noise Intrusion - Building Siting and Construction*.

3 Noise Criteria

3.1 Aircraft noise impact

Assessment of the impact of aircraft noise on building sites is undertaken under Australian Standard (AS) 2021–2015.¹ Under AS 2021, the acceptability of building sites is dependant on the ANEF (Australian Noise Exposure Forecast) zone that it is located in. The relevant zones for different building types are shown in Table 1.

Table 1 Extract from AS 2021 - Building site acceptability based on ANEF zones

Building type	ANEF zone of site		
	Acceptable	Conditionally acceptable	Unacceptable
House, home unit, flat, caravan park	< 20 ANEF	20 – 25 ANEF	>25 ANEF
Hotel, motel, hostel	< 25 ANEF	25 – 30 ANEF	>30 ANEF
School, university	< 20 ANEF	20 – 25 ANEF	>25 ANEF
Hospital, nursing home	< 20 ANEF	20 – 25 ANEF	>25 ANEF
Public building	< 20 ANEF	20 – 30 ANEF	>30 ANEF
Commercial building	< 25 ANEF	25 – 35 ANEF	>35 ANEF
Light industrial	< 30 ANEF	30 – 40 ANEF	>40 ANEF
Other industrial	Acceptable in all ANEF zones		

It is proposed that the site will be used for a new single storey residential premise and therefore would be classified as a house or home unit building. The building site is located on the ANEF 25 contour for Adelaide Airport (ANEF 2034). The location of the site in relation to the ANEF is shown in Figure 1.

Based on the requirements of AS 2021 and Table 1, the site is conditionally acceptable for houses. This requires appropriate acoustic treatments to the facade to control aircraft noise ingress

¹ Australian Standard 2021–2000 *Acoustics—Aircraft noise intrusion—Building siting and construction*

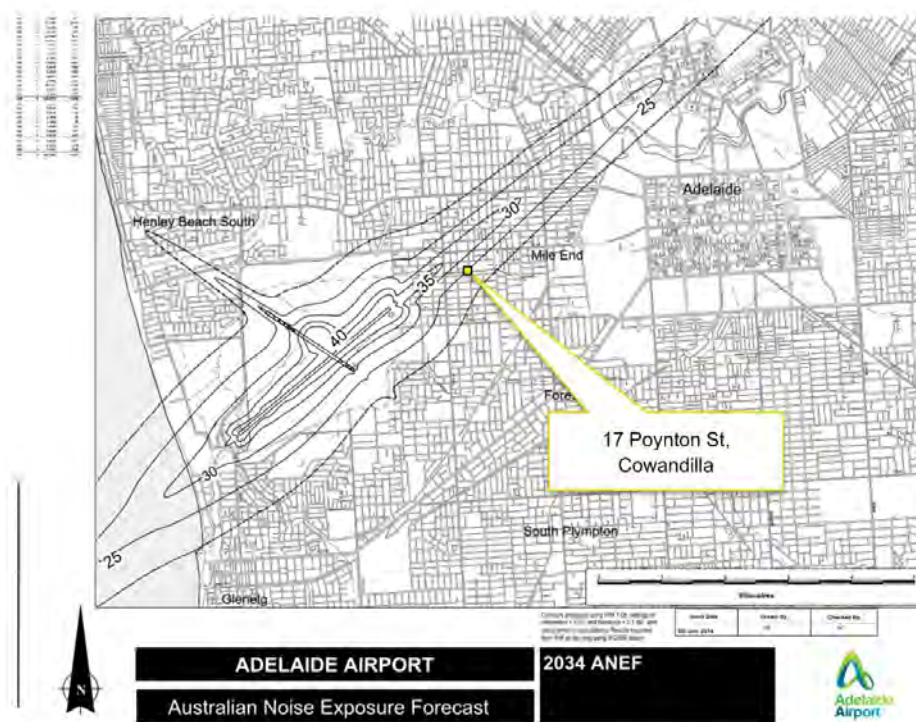


Figure 1 Adelaide Airport 2034 ANEF (excerpt from Adelaide Airport Master Plan 2014)

3.2 AS 2021—Internal noise levels

AS 2021 provides indoor design sound levels for the determination of the required aircraft noise reduction. Appropriate design internal noise criteria are outlined in Table 2

Table 2 AS 2021 indoor design sound levels

Room types	Indoor design sound level, L_{Smax} dB(A)
Sleeping areas, dedicated lounges	50
Other habitable spaces	55
Bathrooms, toilets, laundries	60

4 Aircraft types and noise levels

The aircraft types and noise levels at the site have been determined based on proposed fleet mix for 2034 of Adelaide Airport Master Plan 2014 and in accordance with AS 2021, and they are presented in Table 3.

Table 3 Aircraft noise levels

Aircraft category	Aircraft type	Aircraft noise level, dB(A)		Percentage of movements ⁽¹⁾
		Departures	Arrivals	
A380	A380 – 800	85	77	0.3
Large Wide Bodied (LWB)	B777 – 300 ER A350 – 900	87	79	2
Medium Wide Bodied (MWB)	A330 – 300 A330 – 200	87	77	1.4
Medium Wide Bodied (MWB)	Boeing B787 – 900, Boeing B787 – 800	82	74	6.3
Large Narrow Bodied (LNB) and Other Categories	B737-800 A320 and other aircraft types	86	77	.90

Note: (1) The percentage of movements is based on information provided in the Adelaide Airport Master Plan 2014, proposed fleet mix for 2034.

5 Facade requirements

The required Aircraft Noise Reduction (ANR) for different living spaces are outlined in Table 4.

Table 4: Required ANR

Room types	ANR, dB(A)
Sleeping areas, dedicated lounges	39
Other habitable spaces	34
Bathrooms, toilets, laundries	29

The proposed kitchen/living area has been designated as 'other habitable spaces' for the noise assessment.

The indicative facade constructions for a typical single storey residential premises to achieve compliance with AS2021 during 100% of flight activity are outlined in Table 5.

Table 5 Indicative facade constructions and acoustic rating to achieve compliance with 100% flight activity

Facade element	R _w	Appropriate form of construction
External Windows – Ensuite, Bathroom, Toilet, Laundry & Entrance	30	<ul style="list-style-type: none"> 6.38 mm glass fixed, awning or sliding window with high quality rubber seals around the perimeter⁽¹⁾
External Windows – Bed 1, Bed 2 & Bed 3	39	<ul style="list-style-type: none"> 10.5mm VLam Hush Glass awning window with high quality rubber seals around the perimeter and operable element⁽¹⁾ OR Proprietary openable double glazed window with minimum R_w 39
External Windows – Kitchen/Living	32	<ul style="list-style-type: none"> 10.38 mm laminated glass sliding window with high quality rubber seals around the perimeter
Glazed sliding door	32	<ul style="list-style-type: none"> 10.38 mm laminated glazed sliding doors. Airtight seal created using pile weather stripping with a flexible fin such as Raven 'Glidefin' or Schlegel 'Finseal T-slot, installed on: <ul style="list-style-type: none"> head and floor jamb leading edge door jamb trailing edge of the sliding door
External Door – Entrance & Laundry	30	<ul style="list-style-type: none"> 40 mm solid core door, High quality rubber contact seals for the head and the jambs acoustically equivalent to Kilargo IS7080si or Raven RP10 Dropdown seal at the bottom acoustically equivalent to Raven Kilargo IS8010si or RP8si
External Walls	54	<ul style="list-style-type: none"> Brick veneer wall Studs with gap to the masonry 1x10 mm plasterboard to the inside Minimum 50 mm of 32kg/m³ insulation Junctions all sealed and no wall ventilation.
Roof & Ceiling	48	<ul style="list-style-type: none"> Metal deck roofing Pitched roof 2x10 mm plasterboard ceiling on resilient mounts to underside of roof trusses Minimum 50 mm of 32kg/m³ insulation over the ceiling.

(1) A suitable manufacturer would be Capral Aluminium Limited.

6 Conclusion

This report outlines indicative constructions to control aircraft noise intrusion for the proposed single storey residential premises at 17 Poynton Street, Cowandilla.

In summary, by adopting the facade constructions (or acoustically equivalent) outlined in this report, compliance with the requirements of Australian Standard AS2021 – *Acoustics – Aircraft Noise Intrusion – Building Siting and Construction* will be satisfied.

Contact
Telephone (08) 71097016
Facsimile (08) 83030604



24 April 2017

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

Dear Sir/Madam

**Re: Proposed Application No. 211/C188/16 (56204) Amended Plan 4/4/17
for Land Division (Community Title Plan) by Israa Jumaah**

I refer to the enclosed application received at this office and advise that the Development Assessment Commission has no report to make to Council in accordance with Regulation 29 of the Development Regulations.

The Commission is of the view that there are no planning impacts of State significance associated with the application, and accordingly have only consulted with the SA Water Corporation pursuant to Regulation 29 (3).

While the Commission is making no report on the application, there may be local planning issues which Council should consider prior to making its decision on the application.

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

1. The financial requirements of the SA Water Corporation shall be met for the provision of water and sewerage services (SA Water H0052450).
SA Water advises on receipt of the developer details and site specifications an investigation will be carried out to determine if the connection/s to the development will be costed as standard or non standard.
2. Payment of \$6676 into the Planning and Development fund (1 lots(s) @ \$6676 /lot). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

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

For SA Water to assess this application, the developer must advise SA Water the preferred servicing option. Information can be found at: <http://www.sawater.com.au/developers-and-builders/building,-developing-and-renovating-your-property/subdividing/community-title-development-factsheets-and-information> For queries call SAW Land Developments on 74241119

IT IS ALSO REQUIRED THAT COUNCIL PROVIDE THE DEVELOPMENT ASSESSMENT COMMISSION WITH:

- a) the date on which any existing building(s) on the site were erected (if known);
- b) the postal address of the site; pursuant to Regulation 60 (4) (b) (ii).

IT IS RECOMMENDED THAT THIS INFORMATION BE INCORPORATED INTO COUNCIL'S ADVICE WHEN REPORTING THAT THEIR REQUIREMENTS (IF ANY) HAVE BEEN FULLY SATISFIED.

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

Yours faithfully

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

Phil Hodgson
Unit Manager
Land titles Office
As delegate of the
DEVELOPMENT ASSESSMENT COMMISSION



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

07 April 2017

Our Ref: H0052450

The Chairman
Development Assessment Commission
136 North Terrace
ADELAIDE SA 5000

Dear Sir/Madam

PROPOSED LAND DIVISION APPLICATION NO: 211/C188/16 AT COWANDILLA SA 5033

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

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

The developer must advise SA Water the preferred servicing option. Information can be found at: <http://www.sawater.com.au/developers-and-builders/building,-developing-and-renovating-your-property/subdividing/community-title-development-factsheets-and-information> On receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non standard fees.

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

Yours faithfully

Michael Zoanetti
for **MANAGER LAND DEVELOPMENT & CONNECTIONS**



Memo

To Kelly Briton-Jones
From Baskar Kannappan
Date
Subject 211/1078/2016, 17 Poynton Street, COWANDILLA SA 5033

Kelly Briton-Jones,

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

1.0 *Offset from adjacent creek*

- 1.1 Council requires all new elements of this development to be located a minimum of 10.0 m from the centreline of the adjacent creek.

The latest plans (ET Design - Revision D) indicate that the proposed dwelling will be a minimum of 10m from the centreline of the creek and therefore is acceptable.

2.0 *Traffic Comments*

- 2.1 Vehicle manoeuvrability in the latest plans (ET Design - Revision D) show that acceptable vehicle manoeuvrability will be achieved.
- 2.2 As the access driveway will service more than one property at the rear, the driveway corridor to the site will require widening to a minimum of 5.5m wide pavement width (+ 300mm offset from fences/walls/boundary) for the first 5.0m into the site to permit the passing of entering and exiting traffic. The proposed driveway falls short of this requirement. There appears to be too much landscaping proposed in this driveway area.

It is recommended that the driveway servicing the rear of the subject site be revised to the required dimensions indicated above. Revised plans showing a driveway that satisfies the above provisions should be provided to Council.



3.0 *Verge Interaction*

- 3.1 In association with new development, driveways and stormwater connections through the road verge need to be located and shaped such that they appropriately interact with and accommodate existing verge features in front of the subject and adjacent properties.

New driveways and stormwater connections are required to be located a minimum 1.0 metre offset from other existing or proposed driveways, stormwater connections, stobie poles, street lights, side entry pits and pram ramps, etc. (as measured at the front property boundary).

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

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

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

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

4.0 *Flood Consideration – Finished Floor Level (FFL) Requirement – up to 100mm Zone*

- 4.1 Portions of the development are located within the 'up to 100mm' area of flood effect from Keswick and Brown Hill Creek flood plain mapping as nominated in Council's Development Plan.

Investigation indicates that the physical flood depth within the portions of the allotment proposed to be developed is approximately 100mm and making allowance for the necessary freeboard (200mm) over and above the flood level, the minimum finished floor level (FFL) for the proposed development, to protect from flood inundation, would need to be in the vicinity of 300mm above the existing natural site levels within the footprint of the development.

- 4.2 Council also seeks to ensure that the FFL of all new development is protected from inundation when considering a 350mm stormwater flow depth in the adjacent street watertable.



This is typically achieved through establishing the FFL of new development a minimum of 350mm above the highest adjacent street water table.

In association with the above proposed development, no site or road verge level information has been provided and as such it is impossible to determine if the proposal will satisfy the above consideration.

Simply conditioning that a development satisfy this consideration can have its complications with regards to the ultimately required level of the development in relation to neighbouring properties and the related planning considerations this brings about. It may also bring about the necessity for alterations to the design of the development which are outside of the expectations of the applicant (for example; requiring step(s) up from existing buildings to additions).

To enable an accurate determination of the required minimum FFL, detailed survey information for the site and adjacent road verge survey information is required to be submitted by the applicant.

Regards

Baskar Kannappan

6.12 34A & 34B Ebor Avenue, MILE END

Application No 211/529/2017 (DAC No - 211/D070/17)

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Land division - Torrens Title; DAC No. 211/D070/17 (Unique ID 57868); Create one (1) additional allotment
APPLICANT	J A Fountain
APPLICATION NO	211/529/2017
LODGEMENT DATE	9 May 2017
ZONE	Residential Zone
POLICY AREA	Cowandilla / Mile End West Character Policy Area 23
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> ▪ Nil External <ul style="list-style-type: none"> ▪ SA Water & DAC
DEVELOPMENT PLAN VERSION	5 May 2016
MEETING DATE	13 June 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. 211/529/2017 by J A Fountain to undertake Land Division at 34A & 34B Ebor Avenue, Mile End (CT1115/82) subject to the following conditions of consent:

DEVELOPMENT PLAN CONSENT**Council Conditions**

1. Development is to take place in accordance with the plans prepared by State Surveys relating to Development Application No. 211/529/2017 (DAC 211/D070/17).

LAND DIVISION CONSENT**Council Conditions**

1. The residential sole occupancy units (Class 1A - dwellings, townhouses etc. & Class 2 - flats, units, apartments etc.) are required to be fire separated in accordance with Part 3.7.1.8 of the BCA or Appendix F.3 of the South Australian Housing Code.
 - Evidence must be submitted to Council to verify compliance with the above (attached is a form to be completed demonstrating the required compliance);
 - If the fire separation does not exist, an application for Building Rules Consent under the Development Act 1993 shall be lodged with Council (or Private Certifier) and Development Approval shall be issued prior to the commencement of building work. A Schedule 19A - Statement of Compliance from the builder (building supervisor), shall be submitted to Council upon completion of the work.

Evidence that fire separation of the units is in place shall be submitted to Council prior to the issue of Section 51 Clearance.

Development Assessment Commission Conditions

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

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

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

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

2. Payment of \$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.

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)

Nil

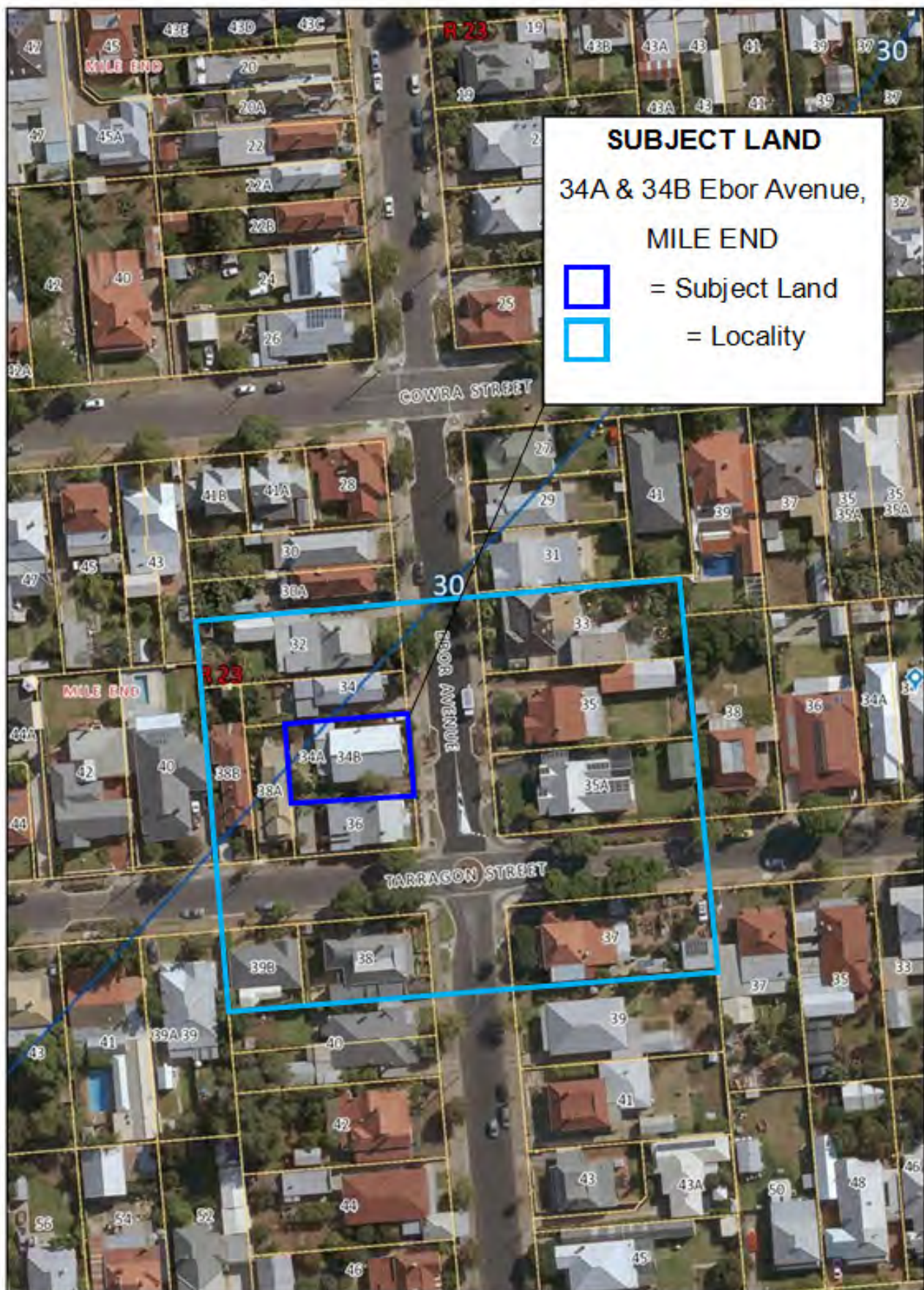
SITE AND LOCALITY

The subject site is located along the western side of Ebor Avenue, and has an east - west orientation. The land is described as Allotment 7 Filed Plan 144035 as contained in Certificate of Title Volume 5779 Folio 273. The allotment is rectangular in shape and has a total site area of 501.7m². There are no easements or regulated trees affecting the site.

The subject land contains a single storey building that is utilised as two separate occupancy units. Each unit has its own address and therefore the land is listed as 34A Ebor Avenue, Mile End and 34B Ebor Avenue, Mile End. The dwellings however present as a single dwelling to the street. Each dwelling unit is accessed via an individual vehicle crossover provided on either side of the building. There is no on street parking available directly in front of the site due to the location of traffic calming measure in the form of a wide landscaped verge.

The subject site is located within Character Policy Area 23 and this is evident by the predominance of character style dwellings within the locality. Particularly Bungalows, Villas and Cottages are located within the immediate locality of the subject site. Another feature of the immediate locality is that the existing allotment pattern is varied, with smaller allotments distinguishing this area from the Policy Area at large where, on average, allotments are both larger and wider.

For the site and locality details, refer to the following maps.





PROPOSAL

The applicant seeks to divide the existing land into two allotments. This will formalise the existing arrangement on site whereby one building is currently utilised as two separate dwelling units. Each unit has frontage and exclusive access to a public street and therefore the new allotments will be Torrens Title allotments with a party wall easement over the common boundary.

For a copy of the plans and supporting documentation, refer to **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, Schedule 9 of the Development Regulations 2008, Part 1 (2(f)) and procedural matters of the West Torrens Council Development Plan.

REFERRALS

External

The application was referred to:

- Development Assessment Commission
- SA Water

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

ASSESSMENT

The subject land is located within the Residential Zone and more specifically within Cowandilla/ Mile End West Character Policy Area 23 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, 4, 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, 5, & 6
<i>Residential Development</i>	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 3, 4, & 5

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

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

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

<i>Objectives</i>	1, 2, 3 & 4
<i>Principles of Development Control</i>	1, 5, 17, 18, 19, 22

Policy Area: Character Policy Area 23

Desired Character Statement:

The policy area will contain predominantly detached dwellings and semi-detached dwellings. There will also be some small-scale non-residential activities such as offices, shops and consulting rooms in certain locations. Non-residential activities will be complementary to surrounding dwellings.

Allotments will vary in size from low density to very low density and are generally deep, with narrow frontages to main streets. Subdivision will reinforce the existing allotment pattern which is a significant positive feature of the policy area.

There will be a unity of built-form, particularly as viewed from the street, where all new development is complementary to the key character elements of Victorian-era villas, cottages, inter-war bungalows, Spanish mission and Dutch colonial-style dwellings, rather than dominating or detracting from them. Key elements of this character include pitched roofs, verandas /porticos and masonry building materials. There will be predominantly one storey buildings, with some two storey buildings designed in a manner that is complementary to the single storey character of nearby buildings. Setbacks will be complementary to the boundary setbacks of older dwellings in the policy area, preserving considerable space in private yards for landscaping.

There will be no garages/carports forward of the main facade of buildings. Fencing forward of dwellings will be low to provide views of built-form that define the character of the policy area. Any driveway crossovers will be carefully designed and located to ensure the preservation of street trees which have an important positive impact on the streetscape.

<i>Objectives</i>	1
<i>Principles of Development Control</i>	1, 2 & 3

QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
ALLOTMENT AREA Character Policy Area 23 PDC 3	270m ² (East of Bagot Avenue)	Lot 701 - 251m ² Lot 702 - 251m ² Does Not Satisfy by 7%
SITE FRONTAGE Residential Zone PDC 22	N/A - to be consistent with the existing pattern and scale of allotments	Lot 701 - 9.14m Lot 702 - 9.15m Satisfies

QUALITATIVE ASSESSMENT

In assessing the merits or otherwise of the application, the following commentary is provided:

Site Area & Frontage

The land division application fails to satisfy Policy PDC 3 as the proposed allotments will not have an area greater than 270 square metres (where located east of Bagot Avenue). It is noted however that the desired character for Character Policy Area 23 states that *'subdivision will reinforce the existing allotment pattern which is a significant feature of the policy area'*. Within the immediate vicinity of the subject site, the allotment pattern is varied with small, narrow allotments common along the western side of Ebor Avenue. Additionally, Character Policy Area 23 does not stipulate a minimum frontage width for new allotments. Within the Residential Zone however, PDC 22 states that *'the division of land should only occur where it will be consistent with the existing pattern and scale of allotments'*. In undertaking a review of the frontages of the allotments within the area, particularly those located adjacent to the subject site and west of Ebor Street, it appears that the minimum frontage width is 8.5 metres. It is therefore considered that the proposed land division is consistent with the existing pattern of allotments as the land division proposes frontage widths of 9.14 metres and 9.15 metres.

It is also recognised that the proposed land division is to formalise an existing arrangement whereby one building is currently utilised as two separate dwelling units. This arrangement is actually encouraged by the Development Plan as per PDC 19 of the Residential Zone which states in regard to the Character Policy Areas that *'the conversion of an existing dwelling into two or more dwellings may be undertaken provided that the building and front yard retain the original external appearance to the public road'*. The existing dwelling has long been converted into two dwellings while continuing to be presented as one dwelling to the street. The subject development application is to formalise this arrangement on the land title by creating two allotments with party wall rights along the common boundary. This application will have no impact on the external appearance of the dwelling or the presentation of the dwelling to the street. It is considered therefore that the proposed land division reinforces the desired character of the Character Policy Area 23 as the development preserves the existing streetscape.

SUMMARY

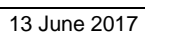
Whilst the proposed development falls short of the minimum site area provisions, the proposed allotments reinforce the existing allotment pattern and allow the existing dwelling to retain its current presence to the street. These elements are noted as being significant positive features of the Character Policy Area 23 and the Residential Zone, and therefore on balance it is considered that the proposed land division has sufficient regard to the desired character of the locality and warrants consent.

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

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

Attachments

- 1. Plan of Division**
- 2. Referral Reports**



Contact: Lands Titles Office
Telephone 7109 7018



20 May 2017

The Chief Executive Officer
City of West Torrens

Dear Sir/Madam

Re: Proposed Application No. 211/D070/17 (ID 57868)
for Land Division by Mr John Fountain

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 02 May 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 \$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".

Phil Hodgson
Unit Manager
Lands Titles Office



20 May 2017

Our Ref: H0058613

The Chairman
Development Assessment Commission
136 North Terrace
ADELAIDE SA 5000

Dear Sir/Madam

PROPOSED LAND DIVISION APPLICATION NO: 211/D070/17 AT MILE END

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

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

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

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

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

Yours faithfully

ANN BOND
for **MANAGER LAND DEVELOPMENT & CONNECTIONS**

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

6.13 50 Torrens Avenue, LOCKLEYS

Application No 211/133/2017

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Removal of a Significant Tree
APPLICANT	Lidia Morizzi
APPLICATION NO	211/133/2017
LODGEMENT DATE	08 February 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"> ▪ Independent Arborist External <ul style="list-style-type: none"> ▪ Nil
DEVELOPMENT PLAN VERSION	05 May 2016
MEETING DATE	13 June 2017

RECOMMENDATION(S)

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to REFUSE Development Approval for Application No. 211/133/2017 by Lidia Morizzi to remove a significant tree at 50 Torrens Avenue, Lockleys (CT 5134/706) for the following reasons:

1. The proposed development is contrary to
 - Council Wide, Significant Trees Objective 1
Reason: The proposal does not conserve a significant tree that provides important aesthetic and environmental benefit
 - Council Wide, Significant Trees Principles of Development Control 1
Reason: The proposal would not preserve a significant tree that
 - a) makes an important contribution to the character and amenity of the local area.
 - b) represents an important habitat for native fauna
 - c) is important to the maintenance of biodiversity in the local environment
 - d) forms a notable visual element to the landscape of the local area.
 - Council Wide, Significant Trees Principles of Development Control 3
Reason: The significant tree
 - a) is not diseased
 - b) does not have a short life expectancy
 - c) does not represent an unacceptable risk to public or private safety
 - d) is not threatening to cause substantial damage to a substantial building or structure of value
 - e) other remedial treatments and measures are available

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

PREVIOUS OR RELATED APPLICATIONS

Application Number	Nature of Development	Decision	Reason
211/254/2013	Land Division to create 1 additional allotment	Refused	<p>The proposed development is contrary to</p> <ul style="list-style-type: none"> • Council Wide <ul style="list-style-type: none"> ○ Land Division Objective 2 ○ Land Division Principle of Development Control 2, 4, 7, 8 ○ Residential Development Principle of Development Control 7, 26, 27 ○ Significant Trees Principle of Development Control 5 ○ Transportation and Access Principle of Development Control 33 • Residential Zone Objective 4 • Residential Zone Principle of Development Control 6 • Policy Area 20 Objective 1 • Policy Area 20 Principles of Development Control 1 and 2
211/922/2012	Removal of Significant Tree	Refused - Dismissed on appeal to the ERD Court	<p>The proposed development is contrary to:</p> <p><i>Significant Trees Objective 1</i> Reason: Proposal seeks to remove notable tree which contributes to the amenity of the locality.</p> <p><i>Significant Trees Principles of Development Control 1</i> Reason: The tree has attributes that should be preserved</p> <p><i>Significant Trees Principles of Development Control 2</i> Reason: Development should have minimum adverse effect on the health of a significant tree.</p> <p><i>Significant Trees Principles of Development Control 3</i> Reason: The tree's life expectancy is not short, the tree does not represent an unacceptable risk to public or private safety, or is causing or threatening to cause substantial damage to a substantial building or structure of value.</p>

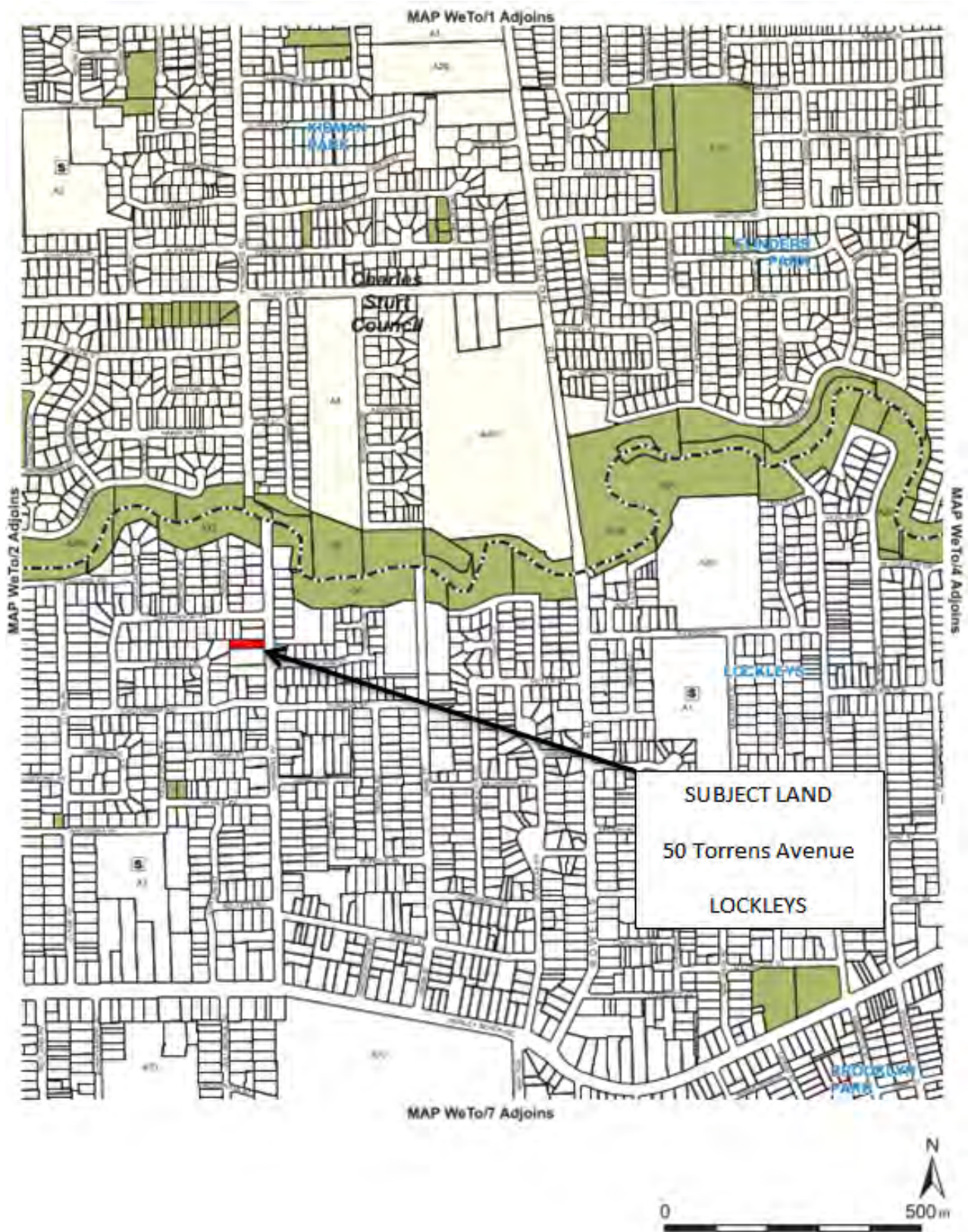
211/876/2012	Construction of Carport (forward of dwelling)	Refused	<p>The proposed development is contrary to:</p> <p><i>General Section: Design and Appearance Principle of Development Control 16</i> Reason: The proposed is not set back a sufficient distance from the front allotment boundary to contribute to and enhance the existing streetscape character.</p> <p><i>Residential Development Principle of Development Control 26</i> Reason: The proposed development will detract from the amenity of the streetscape. It is located directly in front of the dwelling entrance and in the middle of the dwelling facade. This is a dominating feature of the allotment as it breaks up the frontage of the dwelling.</p> <p><i>Residential Development Principle of Development Control 27</i> Reason: The proposed carport is not setback the suggested minimum distance from the front boundary.</p> <p><i>Zone Section: Residential Zone Principle of Development Control 6</i> Reason: Inconsistent with existing neighbourhood character with respect to street setbacks.</p> <p><i>Policy Area: Residential Policy Area 20 Principle of Development Control 1</i> Reason: Inconsistent with existing neighbourhood character with respect to street setbacks.</p>
211/1285/2011	Demolition of garage/carport for the construction of verandah and internal alterations	Development Approval Granted	Subject to conditions

SITE AND LOCALITY

The site is 50 (lot 6) Torrens Avenue, Lockleys located on the western side of Torrens Avenue with a frontage of 18.2 metres, a depth of 69.1 metres and an area of 1,231 square metres. The site comprises a detached dwelling, associated structures and significant trees.

The site and 10 Barrow Crescent are under the same ownership. Internal fences between the properties do not match allotment boundaries with much of the rear garden of the site used as the private open space for 10 Barrow Crescent. Portion of the site parallel with the northern boundary is also used to provide vehicle access from 10 Barrow Crescent to Torrens Avenue.

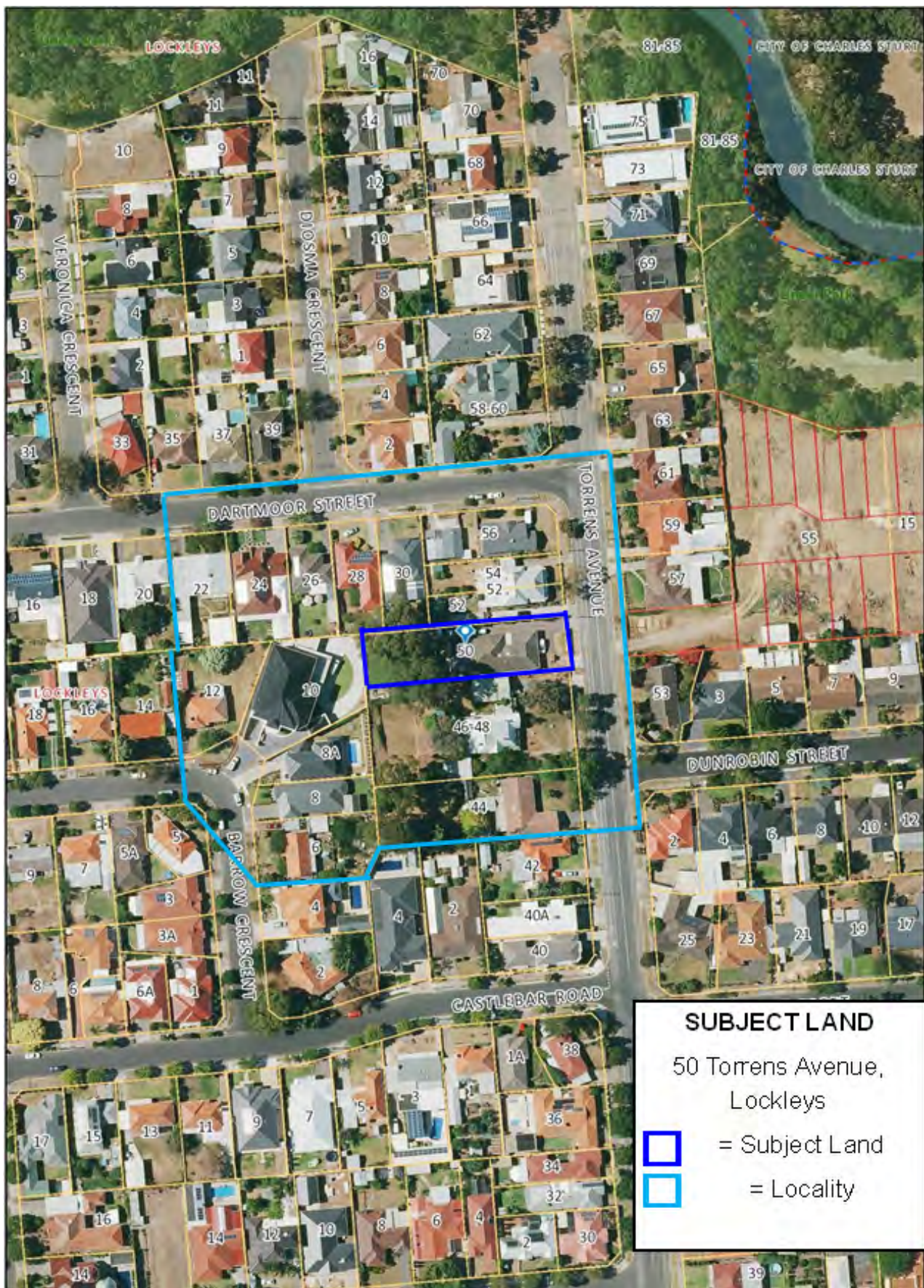
The locality is characterised by low-density residential development predominantly one to two storeys in height. A local heritage place (House - overall external form) neighbours the site at 46-48 Torrens Avenue.



Location Map WeTo/3

- School
- Local Reserves
- Development Plan Boundary

WEST TORRENS COUNCIL
Consolidated - 5 May 2016



PROPOSAL

The proposal is for removal of a significant tree. The species has been identified as *Eucalyptus Camaldulensis* (River Red Gum).

Relevant plans and correspondence form **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 as well as the procedural matters of the City of West Torrens Development Plan.

REFERRALS

Internal

- Council's Independent Arborist

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

ASSESSMENT

The subject land is located within the Residential Zone and more particularly, 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>		
Significant Trees	Objectives	1 and 2
	Principles of Development Control	1 and 3

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

Policy Area: Low Density Policy Area 21	
Desired Character Statement:	
<p>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).</p> <p>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.</p> <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.</p> <p>Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer. Low and open-style front fencing will contribute to a sense of space between buildings.</p>	
Objectives	1
Principles of Development Control	2

Significant Trees

The Residential Zone and Low Density Policy Area 21 suggest a desire to preserve and provide landscaping to enhance the appearance of buildings from the street as viewed by pedestrians and to reduce heat loads in summer.

More particularly, General Section, Significant trees provides the following relevant objective and principles.

Objective 1: The conservation of significant trees, in Metropolitan Adelaide, that provide important aesthetic and environmental benefit.

Principle 1: Development should preserve the following attributes where a significant tree demonstrates at least one of the following attributes:

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

Principle 3: Significant trees should be preserved, and tree-damaging activity should not be undertaken, unless:

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

The tree is considered to provide an aesthetic and environmental benefit that contributes to the character and amenity of the local area. The tree is visually notable when viewed from sections of Torrens Avenue, Dartmoor Street and Barrow Crescent due to its height and canopy.

Council's independent arborist has confirmed the following

- 1) The tree is a qualifying significant tree that
 - makes an important contribution to the character and amenity of the local area
 - represents an important habitat for native fauna
 - is important to the maintenance of biodiversity in the local environment
 - forms a notable visual element to the landscape of the local area.
- 2) The tree is in good health and has good levels of vitality
- 3) The tree does not have a short life expectancy
- 4) The tree structure is good.
- 5) The risk posed by branch failure to persons or property at 30 Dartmoor Street, Lockleys has been determined as being low
- 6) No evidence of damage to the residence or other substantial structures of value was found.

The applicant has not demonstrated that there is a special reason justifying the trees removal or that there is an unacceptable risk that cannot be reduced by reasonable remedial measures. Council's independent arborist has recommended that the tree be pruned to reduce branch overhang by 10-20% and the tree be monitored regularly to determine any change to the level of risk. Currently the degree of risk posed by this tree is within acceptable bounds.

SUMMARY

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

On balance the proposed development does not sufficiently accord with the relevant provisions contained within the West Torrens (City) Development Plan Consolidated 05 May 2016 and does not warrant Development Plan Consent.

Attachments

- 1. Plans, photographs and details**
- 2. Council's Independent Arborist Report**

Regulated and Significant tree proposal

Civic Centre
165 Sir Donald Bradman Drive
Hilton, SA 5033
Tel (08) 8416 6333
Fax (08) 8443 5709
Email csu@wtcc.sa.gov.au
Website westtorrens.sa.gov.au



Property No:		Lot No: 700069513		Street: DARTMOOR	
Title: MS	Given name: Lidia		Family name: Monizzi		
Company name:					
Address: 30 Dartmoor Street Lockleys SA					
Telephone		Mobile	Fax	P/Code: 5032	
				Email address	
1. Details of tree					
Girth/circumference of trunk 1m above natural ground level:					
Height of tree: 6 metres					
Spread of tree: 2 trees close together. 8 metres					
Type or species of tree: Gum Tree					
2. Site plan					
Please attach site plan scale not less than 1:200.					
3. Photograph					
Yes <input checked="" type="checkbox"/> If yes provide details No <input type="checkbox"/>					
4. Details of the proposed activity you want to undertake affecting the regulated/significant tree					
Would like the removal of gum trees on adjoining property as causes risk of house damage & human life as limbs fall at random whether alive or dead. Constant maintenance all year round.					
5. Is the tree, or does the tree appear to be diseased?					
Yes <input type="checkbox"/> If yes provide details No <input checked="" type="checkbox"/>					
An arborist report undertaken by council as the owner wanted them removed but as healthy council declined. Risk to other properties.					

6. Does the tree represent an unacceptable risk to public or private safety?Yes ☒ If yes provide details No ☐

Falling limbs and size of trees causing property damage + risk to family safety

7. If you answer yes to - do 6, 7 or 8, have all other remedial steps been determined ineffective by a suitably qualified professional?

Yes in your possession.

8. Is the tree causing or threatening to cause substantial damage to a building or structure of value?Yes ☒ If yes provide details No ☐

Lifting pavers + concrete and fence is falling because of root spread.

9. Has specialist advice been obtained (from a qualified arboriculturalist, botanist or horticulturalist)?Yes ☒ No ☐

If yes please attach the information.

10. If your application involves the division of land, is it likely that the application will result in substantial 'tree-damaging' activity to a regulated/significant tree(s).Yes ☐ If yes provide details No ☒

Signed:

Dionigi

YOU - De 2400

Date: 7/02/17.

7/02/17



Property No:		Lot No:		Street:	
Title: ms	Given name: Lidia		Family name: Mart331		
Company name:					
Address: 30 Dartmoor Street					
Lookleys SA					P/Code: 5032
Telephone	Mobile	Fax	Email address		
1. Details of tree					
Girth/circumference of trunk 1m above natural ground level: more than 2 metres					
Height of tree: 40 feet (12.3 metres)					
Spread of tree: (2 trees together) 5 metres each					
Type or species of tree: River Red Gum					
2. Site plan					
Please attach site plan scale not less than 1:200.					
3. Photograph					
Yes <input checked="" type="checkbox"/> If yes provide details No <input type="checkbox"/>					
4. Details of the proposed activity you want to undertake affecting the regulated/significant tree					
1) Removal of tree (preferred)					
2) Pruning Lopping to maintain dead branches. This will encourage growth which is not preferred					
5. Is the tree, or does the tree appear to be diseased?					
Yes <input type="checkbox"/> If yes provide details No <input type="checkbox"/>					
No idea as could have white ants					
Refer to arborist report in your possession. (2013, 4 approx)					
(Needs to be reassessed)					

6. Does the tree represent an unacceptable risk to public or private safety?	
Yes <input checked="" type="checkbox"/>	If yes provide details
Risk to occupants safety (downfall) Risk to structural integrity of shed and house. Unwanted mess all year round	
7. If you answer yes to - do 6, 7 or 8, have all other remedial steps been determined ineffective by a suitably qualified professional?	
Reports have been filed by the council by an arborists to ascertain health of tree. previously (2014 approx)	
8. Is the tree causing or threatening to cause substantial damage to a building or structure of value?	
Yes <input checked="" type="checkbox"/>	If yes provide details
Contaminating water tank Roots lifting pavers and fast making fence unstable. Damaging shed and if branch fell could take out back end of house.	
9. Has specialist advice been obtained (from a qualified arboriculturalist, botanist or horticulturalist)?	
Yes <input checked="" type="checkbox"/>	If yes please attach the information.
IN YOUR POSSESSION	
10. If your application involves the division of land, is it likely that the application will result in substantial 'tree-damaging' activity to a regulated/significant tree(s).	
Yes <input type="checkbox"/>	If yes provide details
No <input checked="" type="checkbox"/>	
Signed: <i>[Signature]</i>	
Date: 24 / 1 / 2017	

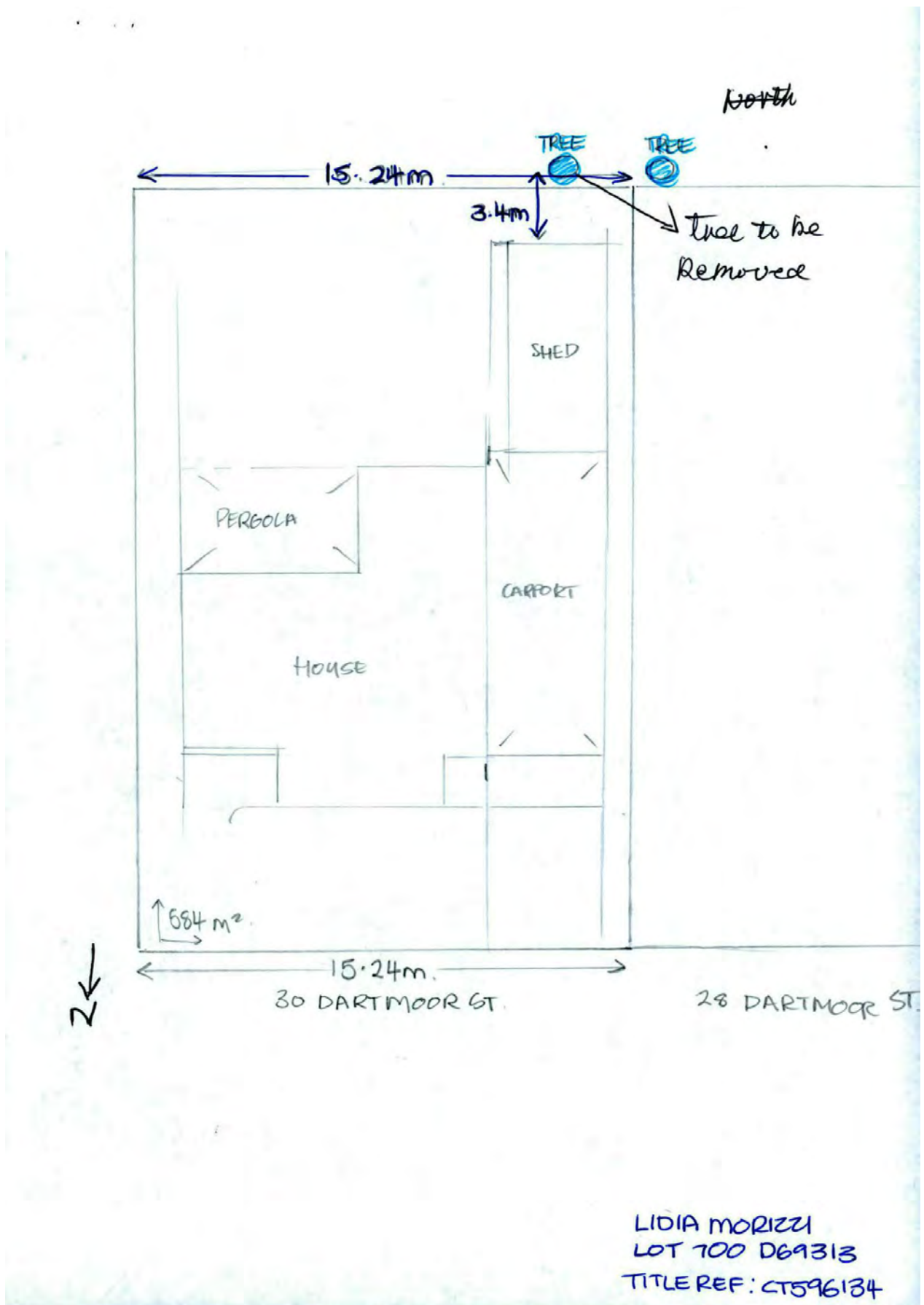
P.T.O
for more
info.

With recent storm activity the trees branches have become a risk to my family, property and making backyard useless to have any kind of function. The mess that the trees create all year round. is constant.

I fear for the dog's safety as well as when the wind blows you can never know when one branch/limb is going to fall, dead or alive they can fall at any time. (branches)

I can see that the damage to the fence and pavers and possible concrete/shed is continuing to get worse due to the roots.

It doesn't help that the land owner on which the trees resides places his builders fences against my fence making it lean even more. Also the shed is not a specified distance from my fence (1 metre). He is a builder who uses his residential address as a yard for his work equipment



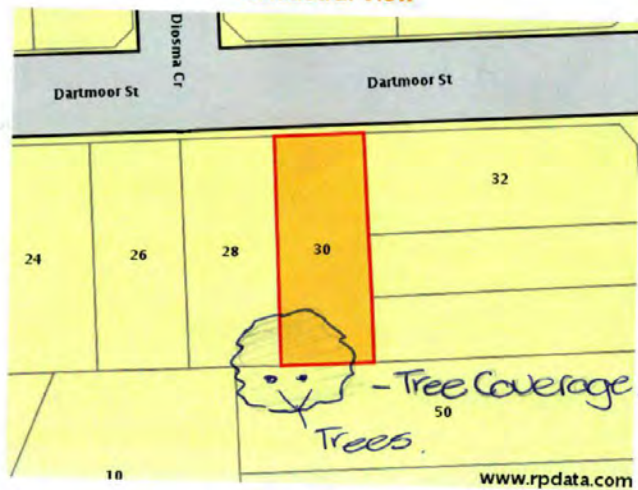
30 Dartmoor Street Lockleys SA 5032



Aerial View



Cadastral View



Cum Trees.

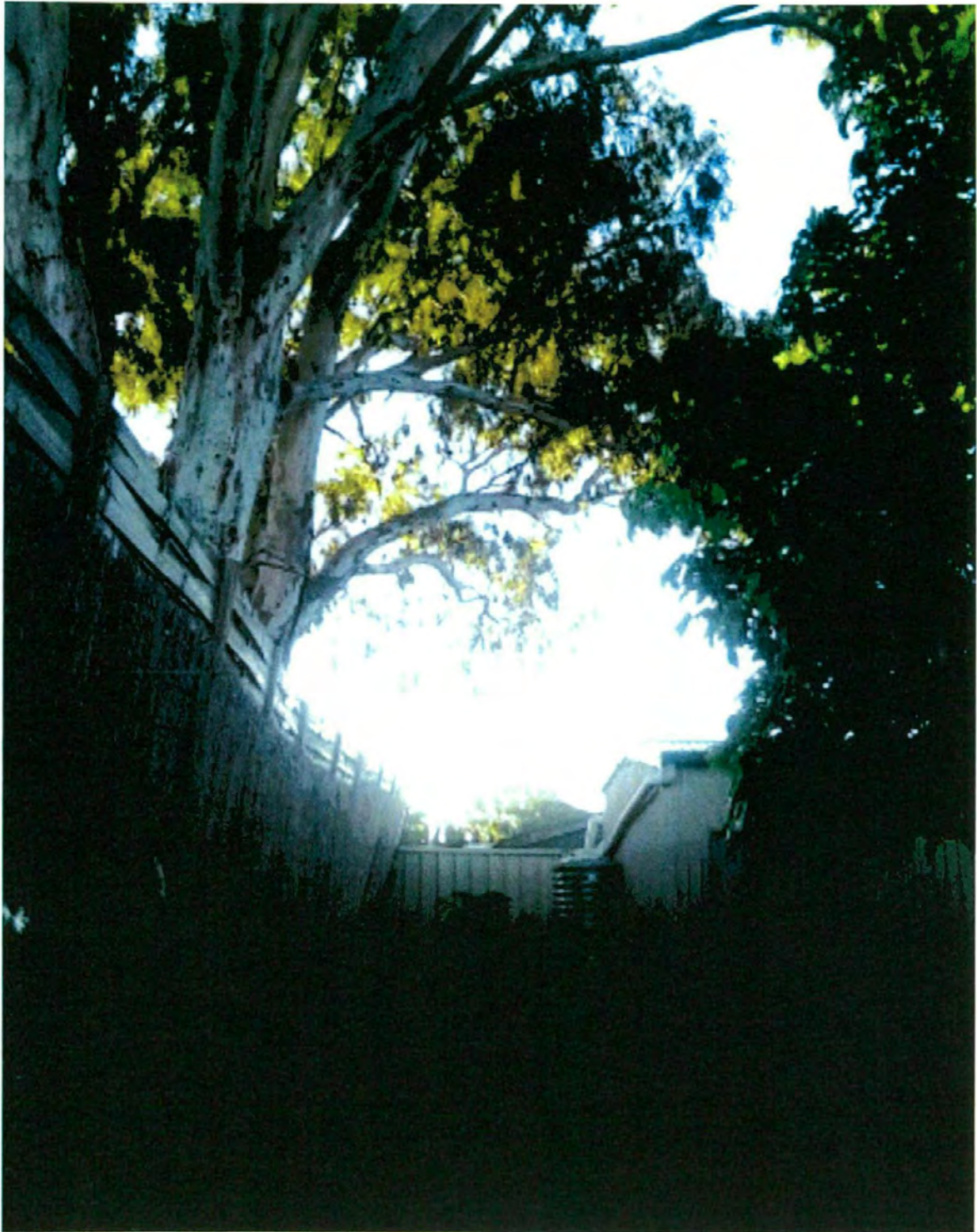


30 Dartmoor St, Lockleys.

30 Dartmoor Street, Lockleys



30 Partmoor St, Lockleys



Barrow Crescent, Hockleys.



Phil Harnett

From: Kym Knight
Sent: Monday, 8 May 2017 10:55 AM
To: Phil Harnett
Subject: RE: FW: Development Number 211/133/2017 - 50 Torrens Avenue, Lockleys - Tree Removal

Hi Phil

Sorry for the delay in getting back. I've been away on a short holiday and at an Arb Aust. conference in Canberra.

I did try to contact the property owner prior to going to the site and left a message. Her neighbour at 28 Dartmoor was home and I met with him and he showed me into the property at 30 Dartmoor.

The information does not change the conclusions in my report dated 18 April 2017

Regarding the supplied images;

- The property owner is responsible for managing all aspects of their property including litter on the roof. It is not a valid reason for tree removal.
- The minor paving disruption is not proven to be caused by the growth of tree roots. Even if it is as a result of tree root growth, the damage is of a very minor nature and does not meet the criteria for tree removal. The property owner should relay the pavers back to level if they are concerned. It is likely the pavers are not laid on a properly prepared sub-base and this should be resolved at the same time.
- The leaning fence seems to be caused by the neighbour stacking materials against the fence. This is not a tree issue and she should take this up with the neighbour.

With regard to risk my assessment of the situation showed the tree had a low risk categorization and so does not meet the criteria for tree removal. This does not mean the property owner could not apply to council to conduct minor risk mitigation pruning.

Regards

Kym Knight
Consulting Arborist
Adv Dip Arboriculture, Adv Cert Arboriculture, Adv Cert Horticulture
ISA Certified Arborist AU -0001.
Member ISAAC, SASA, AIH



PO Box 51 Smithfield SA 5114

From: Phil Harnett
Sent: Monday, 1 May 2017 9:24 AM
To: Kym Knight
Subject: FW: FW: Development Number 211/133/2017 - 50 Torrens Avenue, Lockleys - Tree Removal

Hello Kym

Regarding Development Number 211/133/2017 at 50 Torrens Avenue, Lockleys can you review the email below and photos attached from Lidia and confirm whether this information changes the conclusions of your report dated 18 April 2017.

Happy to discuss if needed.

Kind Regards

Phil Harnett
Senior Development Officer - Planning
City of West Torrens
165 Sir Donald Bradman Drive
Hilton SA 5033

From: Lidia Morizzi
Sent: Sunday, 30 April 2017 6:30 PM
To: Phil Harnett
Subject: Re: FW: Development Number 211/133/2017 - 50 Torrens Avenue, Lockleys - Tree Removal

Good evening Phil,

I would like to offer supporting information prior to proceeding to the Development Assessment Panel for decision. I have attached photos to show lifting of pavers at the back of my property and a leaning fence caused by the trees and construction equipment which is not helping my situation by the owner of Barrow Cres. The damage from the "healthy trees is ruining the guttering of my property, every year the blossom and leaves accumulate so much that I have water leaking through my kitchen down-lights.

When the contractor came to assess the trees I was not at home as I work. No prior call was made to give me some indication as to a time he was arriving to make the assessment. I would have made time to meet if given notice so I could show in more detail the damage and plead my case.

I have no doubt the trees are healthy and thriving which makes them even more dangerous as their growth is continuing which makes for more destructive activity in the future. They may have been ok in the past but with residential growth they are a hazard to life. This is also affecting my ability to sell the property in the future as no one wants the maintenance that come with trees of this size.

I am available on my mobile during work hours.
Thanks Lidia

On Mon, Apr 24, 2017 at 3:31 PM, Phil Harnett wrote:

Hello Lidia

Further to our telephone discussion, I sent the email below to your work address.

Kind Regards

Phil Harnett

Senior Development Officer - Planning

City of West Torrens

165 Sir Donald Bradman Drive

Hilton SA 5033

From: Phil Harnett

Sent: Monday, 24 April 2017 3:21 PM

To: 'lidiam

Subject: Development Number 211/133/2017 - 50 Torrens Avenue, Lockleys - Tree Removal

Dear Lidia

Council has received your Development Application (211/133/2017) for removal of a significant tree at 50 Torrens Avenue, Lockleys. As part of the assessment Council has received an arborists opinion. The arborist report concludes

- The tree is in good health and does not have a short life-expectancy
- The tree structure is good and the risk of branch failure is low.
- No evidence of damage to substantial structures could be found.

The Council's Development Plan aims to preserve and conserve significant trees and thus any removal must be properly justified with all remedial treatments firstly considered. Any risk presented by the tree may be mitigated via pruning and monitoring risk or changes presented by the tree.

Given the arborists conclusions, I am unable to support your application for the tree's removal in this circumstance. Therefore the application would need to be presented to the Councils Development Assessment Panel for decision. Your options are

1. Withdraw the application given a recommendation for refusal, or
2. Supply further supporting information prior to proceeding to the Development Assessment Panel for decision.

Please let me know how you wish to proceed via return email. I am happy to discuss and explain further if needed.

If you have any queries do not hesitate to contact me.

Kind Regards

Phil Harnett

Senior Development Officer - Planning

City of West Torrens

165 Sir Donald Bradman Drive

Hilton SA 5033

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managing
trees in the
urban
landscape

TREE REPORT

**Re: DA 211/133/2017
30 Dartmoor Street
Lockleys**

City of West Torrens

24 APR 2017

City Development

Prepared for:

Phil Harnett
Senior Development Officer - Planning
City of West Torrens
165 Sir Donald Bradman Drive
Hilton SA 5033

18th April 2017

Prepared by:

Kym Knight
Consulting Arborist
Tree Environs Pty Ltd

PO Box 57
Smithfield SA 5114

Ph: 08 8254 2066
Fax: 08 8254 2097

info@treeenvirons.com.au
www.treeenvirons.com.au

ABN 52 600 400 100

City of West Torrens DA review – 30 Dartmoor Street Lockleys April 2017

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City of West Torrens DA review – 30 Dartmoor Street Lockleys April 2017

Introduction

Brief

- Assess a tree overhanging the rear boundary of 30 Dartmoor Street Lockleys (tree located in 50 Torrens Avenue, Lockleys) to determine if the significant tree meets the criteria for removal as per the City of West Torrens *Development Plan*.
- Prepare a report on the findings of the assessment.

Qualifications

I have based this report on my education, experience, ongoing training, site observations and the information provided to me. I have 37 years' experience in the field of arboriculture. A summary of my qualifications includes:

- Advanced Certificate of Amenity Horticulture. Brookway Park. SA (1984)
- Advanced Certificate of Arboriculture. VCAH, Burnley Vic. - Dux (1994)
 - Awarded the Burnley prize for Arboriculture.
 - Awarded the Arbor Co prize for outstanding achievement in Arboriculture.
- Advanced Diploma of Horticulture - Arboriculture. Hortus Australia (1999).
- ISA Certified Arborist - International Society of Arboriculture. AU-0001. I have maintained Continuing Professional Development with this certification.
- Tree Risk Assessment Qualification - International Society of Arboriculture (2013)
- I am a registered consulting arborist with Arboriculture Australia. I have maintained Continuing Professional Development with this certification.

Documents and information provided

I was provided with the following documents to assist me in the preparation of this report;

- A copy of the Development application 211/133/2017 prepared by the property owner.

Relevant background information

I have previously assessed the subject tree in relation to another matter - Papalia v City of West Torrens (ERD-12-350) dated 21/03/13.

I assessed the subject tree to determine its legal status, health, structural condition, potential for branch/stem failure and associated risks.

I provided a report on tree condition and indicated the tree did not meet the removal requirements for significant trees as detailed in the City of West Torrens *Development Plan*.

The ERD Court judgement upheld the Councils decision to refuse the tree owners application to have the tree removed.

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Image above: The subject tree as viewed from 30 Dartmoor Street Lockleys. The tree is healthy and actively growing. The strongly ascending crown is well-structured; largely defect free and has no notable history of branch failure.

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Observations

Site visit

My assessment of the tree was undertaken on the 10th of April 2017.

I conducted a level 2^a ground based visual tree assessment^b (VTA) of the subject tree.

My assessment was confined to what could be seen from within the rear yards of 28 & 30 Dartmoor Street Lockleys.

The conditions at the time of my assessment were partly cloudy, with good visibility.

This report is concerned with the easternmost of two large trees within close proximity of one another.

This report does not take into account the other tree except where the tree directly impacts on the subject tree.

Species

The subject tree is a *Eucalyptus camaldulensis* – River Red Gum

The River Red Gum is the most widespread species of eucalypt in Australia, occurring in every Mainland State. It is notably a tree of riverine sites whether of permanent or seasonal water, often extending to adjoining floodplains and into the slopes of the Mt Lofty Ranges in SA. The variety '*camaldulensis*' is a medium sized woodland tree (up to 45m) with a short, thick bole, smooth bark in irregular plates of varying colour, rough bark at the base, and large open crown, often without a lignotuber. It is distinguished by the opercula which are normally strongly beaked. This variety dominates the Murray-Darling river systems. It also occurs on lower Eyre Peninsula, Kangaroo Island, Yorke Peninsula, the south-east of South Australia and the adjacent Glenelg River system as well as the intervening plains of western Victoria and streams as far east as Sale in eastern Victoria. It also naturally occurs in the hills of the Mt Lofty Ranges and Plains around Adelaide and the south east of South Australia. Annual rainfall for the Murray Darling form is between 325-750mm. It is indigenous to many parts of Adelaide^c.

A section of the rear yard close to the tree at 30 Dartmoor Street Lockleys. The image shows minor lifting of paving in a low use area and a small crack in the rear retaining wall (circled).



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Tree data

Location	The property is located in a residential area. The tree is growing in 50 Torrens Avenue Lockleys ~1.0m from the boundary fence with 30 Dartmoor Street and ~4m from the SW corner of the Dartmoor Street property.
Trunk circ. at 1.0m	5.1m ⁺ - Measurement taken on 5/03/13.
Tree age	~70 years
Tree health	Good – Moderately dense crown of healthy foliage. Good levels of vitality. A small number of small diameter dead branches were present overhanging the property. Maximum size of these branches is ~1.5m long x ~25mm diameter.
Tree structure	Good – Single trunk branching from ~4.5m to form an upright well-structured crown. No obvious bark inclusions ^o or other defects were visible. There have been no previous branch failures of note (1 x ~30mm diameter live branch & 1 x ~50mm diameter dead branch). Stem and branch taper ^e are good. Lateral branches are well distributed along the length of the primary branches and stems. The author has prior knowledge of a bark inclusion and a small pocket of decay previously reported on at the base of a ~46cm diameter primary branch extending over the property at 30 Dartmoor Street from a level 3 climbing assessment conducted in 2013. The health and form of this branch and the surrounding crown have not changed since the 2013 assessment. There are no signs of adaptive growth that would indicate a potential structural weakness is developing.
Life expectancy	>50 years
Property damage	I found no evidence of substantial damage to a substantial structure of value. Minor paving damage was noted immediately adjacent to the tree behind the garden shed. There is a small crack adjacent to the tree trunk in a low masonry retaining wall that extends along the length of the rear boundary fence.

Legal status

This tree qualifies as a significant tree^f under the *Development Act 1993*.

In my opinion this tree has four attributes of significance as per City of West Torrens *Development Plan* (consolidated 5th May 2016).

Significant trees - PDC 1. Development should preserve the following attributes where a significant tree demonstrates at least one of the following:

- (a) makes an important contribution to the character or amenity of the local area
- (c) represents an important habitat for native fauna
- (e) is important to the maintenance of biodiversity in the local environment
- (f) forms a notable visual element to the landscape of the local area



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Appraisal

The tree provides a wide range of important values and benefits to the locality and community. It forms part of a group of 3 trees of the same species.

The tree is growing in relatively good circumstances, with good growing conditions and minimal overhang of the residence at 30 Dartmoor Street.

I found no evidence of changes in tree health and structure of note. The tree remains in good condition.

There are no indications of surrounding site use or occupancy level changes since my previous risk assessment in 2013.

The crown of the subject tree overhangs the rear yard of 30 Dartmoor Street by ~11.5m. The rear wall of the residence is ~10m from the tree. Only the tips of branches from the tree overhang the residence.

Tree risk assessment

The International Society of Arboriculture *Tree risk assessment* method has been used to determine the risk posed by this tree at the site to persons and property over the defined tree assessment timeframe (1 years) during 'normal'⁹ weather conditions.

I am a qualified user of the ISA Tree Risk Assessment method. More information about this method can be found in the *Best Management Practices – Tree Risk Assessment* (Companion Publication to American Standard ANSI A300 Part 9: - *Tree Shrub and other woody plant management – Standard Practices (Tree risk assessment a. Tree structure assessment)*) published by The International Society of Arboriculture 2011 **AND** *Tree Risk Assessment Manual* International Society of Arboriculture, Champaign, Illinois, USA 2013.

Tree risk is calculated in 2 steps:

Part 1- Likelihood matrix

$$\begin{array}{c} \text{The likelihood of a failure occurring} \\ \times \\ \text{The likelihood of the failure impacting a target} \end{array}$$

Factors taken into account during the visual tree assessment include the location of targets relative to the tree condition of concern, surrounding site factors, tree age, health and vigour, species profile, response growth^h, loads on the defect, history of failureⁱ and the likelihood of failure^j. The target occupancy rate^k, branch fall characteristics and factors that may protect the target are also considered^l.



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The likelihood matrix below is used to determine the likelihood of branch failure impacting the targets:

Likelihood of failure	Likelihood of impacting target			
	Very low	Low	Medium	High
<i>Imminent</i>	Unlikely	Somewhat likely	Likely	Very likely
<i>Probable</i>	Unlikely	Unlikely	Somewhat likely	Likely
<i>Possible</i>	Unlikely	Unlikely	Unlikely	Somewhat likely
<i>Improbable</i>	Unlikely	Unlikely	Unlikely	Unlikely

The likelihood of failure and impact of the 46cm primary branch on the dwelling or shed is
possible x high = somewhat likely

The likelihood of failure and impact of the 46cm primary branch on a person inside the dwelling is
possible x low = unlikely

The likelihood of failure and impact of the 46cm primary branch on a person using the rear yard is
possible x low = unlikely

Part 2 – Risk rating matrix

The likelihood of failure and impact
(carried over from part 1)

x

The consequences of the failure

The consequences^m are determined by a complex of all the variable factors at the site. These include the size of the tree part of concern, fall characteristics, factors that may protect the target, the level of damage or injury that could be expected and the significance of the target value, be it monetary or otherwise. The risk rating matrix is used to assign an overall tree risk rating.

Likelihood of failure & impact	Consequences			
	Negligible	Minor	Significant	Severe
<i>Very Likely</i>	Low	Moderate	High	Extreme
<i>Likely</i>	Low	Moderate	High	High
<i>Somewhat likely</i>	Low	Low	Moderate	Moderate
<i>Unlikely</i>	Low	Low	Low	Low

The overall risk posed by the 46cm primary branch failing onto the dwelling or shed is
somewhat likely x minor = low

The overall risk posed by the 46cm primary branch failure injuring a person inside the dwelling is
unlikely x minor = low

The overall risk from the stem failure injuring a person in the rear yard is
unlikely x severe = low

The overall tree risk ratingⁿ for this tree is low.



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Risk mitigation options

A variety of risk mitigation options will be available depending on circumstances. Whether a client chooses to mitigate risk depends on their perception of risk and what level of risk they find acceptable, as well as the cost, aesthetics and inconvenience of mitigation.

Where the risk posed by the tree is considered to be low, pruning works or other risk mitigation options may not be necessary to reduce risk. However, depending on the risk tolerance of the tree owner/manager, some tree pruning works or other risk mitigation strategies could be implemented in an effort to maintain a low level of risk.

Where provided, tree pruning recommendations will vary depending on circumstances and species and may include maintenance pruning designed to improve tree form and reduce the impact of the tree on its surroundings.

Suitable options to mitigate the risk are listed below. Any or all of these options may be implemented depending on the tree owner/managers' acceptable risk levels.

- Pruning – Recommendations for maintenance pruning have been provided. Maintenance pruning is intended to improve or preserve tree form by reducing the likelihood of failure of the subject tree parts. Pruning may have flow on effects by reducing future risks in some cases.
 - Reduce branches overhanging the property by 10-20% at best options and thin by 10%. Maximum diameter of branches to be removed is 50mm diameter.
- Monitoring – The risk assessment conducted is valid for a period of 12 months. As the risk categorization for the tree has been assessed as low, the tree could reasonably be re-assessed in 2-3 years.
 - If sudden changes are observed in the tree/s, or significant changes affect the growing environment, or there are significant use factor changes within the target area before that time, affected trees should be re-assessed.
 - Assessments should be conducted by experienced AQF level 5 or higher arborists.

Following the implementation of any or all of these mitigation options the residual risk will remain at low.



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Conclusions

1. Based on my assessment of this tree the application for its removal fails to meet any of the required criteria in the City of West Torrens *Development Plan*.
2. The subject *Eucalyptus camaldulensis* is a qualifying significant tree with 4 additional attributes of significance as per the City of West Torrens *Development Plan* PDC 1 (a) (c) (e) & (f).

Development should preserve these attributes.

3. The tree is in good health and has good levels of vitality. It does not have a short life expectancy.

On this basis the tree does not meet the criteria in the City of West Torrens *Development Plan*.

Significant trees

PDC 3 Significant trees should be preserved, and tree-damaging activity should not be undertaken, unless:

(a) in the case of tree removal, where at least one of the following apply:

(i) the tree is diseased and its life expectancy is short

4. Tree structure is good. The risk posed by branch failure to persons or property at 30 Dartmoor Street Lockleys has been determined to be low using the ISA Tree risk assessment method.

On this basis the tree does not meet the criteria in the City of West Torrens *Development Plan*.

Significant trees

PDC 3 Significant trees should be preserved, and tree-damaging activity should not be undertaken, unless:

(a) in the case of tree removal, where at least one of the following apply:

(ii) the tree represents an unacceptable risk to public or private safety.



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5. I found no evidence of damage to the residence or other substantial structures of value.


On this basis the tree does not meet the criteria in the City of West Torrens *Development Plan*.

Significant trees

PDC 3 Significant trees should be preserved, and tree-damaging activity should not be undertaken, unless:

(b) the tree is shown to be causing or threatening to cause substantial damage to a substantial building or structure of value

Risk mitigation options have been provided should the owners of 30 Dartmoor Street Lockleys wish to take risk mitigation action.



Kym Knight.
Adv. Dip. Arboriculture
Adv. Cert. Arboriculture
Adv. Cert Horticulture
ISA Certified Arborist. AU 0001A.
Member MAIH., ISA., Arb. Aust., SASA.



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Endnotes

^a Tree and risk assessments can be conducted at different levels and may employ various methods and tools. The level of assessment applied should be appropriate for the circumstances.

Level 1 - Limited visual assessment.

- A visual assessment from a specified perspective, near specified targets.
- The aim is to identify obvious defects or specified conditions.
- Typically identifies trees with imminent or probable likelihood of failure.
- This is the fastest and least thorough form of assessment intended for larger populations of trees.
- This can be carried out as a walkover, drive-by or fly-over inspection.

Level 2 - Standard assessment.

- A level 2 assessment is a detailed ground based visual tree inspection of a tree and its surroundings.
- The use of simple tools (mallet, binoculars, probes, spades), may be required.
- In some instances only limited information may be gained on specific internal, below ground or upper crown factors.
- For the majority of tree assessments the standard assessment provides adequate information to guide tree management.

Level 3 - Advanced assessment.

- A level 3 assessment is performed to provide detailed information about specific tree parts, defects, targets or site conditions.
- This assessment is usually conducted after a standard assessment has undertaken if additional information is required and with the approval of the client.
- Specialised equipment is often required for advanced assessment.
- The assessments are generally more time intensive and expensive.
- Advanced assessment techniques may include; aerial inspection, detailed target analysis, detailed site evaluation, decay testing, health evaluation, root inspection, tree stability monitoring and load testing.

NOTE: If tree condition cannot be adequately assessed at the specified level a higher level of assessment may be required.

^b A visual tree assessment (VTA) is an analytical process undertaken by a qualified Arborist or other suitably trained person to determine the structural soundness of a tree. Biological and mechanical components of trees are assessed, including tree health; presence of pests and diseases, die-back, foliage density and distribution, and vitality; growth rate, wound wood development and the trees capacity to respond to improved conditions. Mechanical components include trunk lean, crown bias, bark inclusions, wounds, hollowing, trunk bulges, ribs, cracks, branch form, failure history, pruning history, condition of trunk flare, and other existing defects. All these factors are examined to determine if internal weaknesses or abnormalities may be present. If abnormalities are detected, we may conduct further investigations using a range of tools. These include soft faced sounding mallets, long thin drill bits, Resistograph, Sonic Tomograph, Air spade and other tools as required. Ref: Mattheck, Claus & Breloer, Helga. *The Body Language of Trees. A Handbook for Failure Analysis*. Department of the Environment. London 1997.

^c Boland, D., Brooker, M., Chippendale, G., Hall, N., Hyland, B., Johnston, R., Kleinig, D., McDonald, M. and Turner, J *Forest Trees of Australia - Fifth Edition* CSIRO Publishing 2006 and Centre for Plant Biodiversity



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Research (2006)- Contributors: AV Slee, MIH Brooker, SM Duffy, JG West *EUCLID – Eucalypts of Australia* Interactive CD ROM. Nicolle, D (1997). *Eucalypts of South Australia*.

^d Included Bark Crotches are potential structural weaknesses that occur in trees between the main stem and a branch or between stems of equal size (co dominant stems). Bark between the stems turns downwards and prevents the interlocking of wood fibres rather than upwards (as in structurally sound crotches) to form a branch bark ridge. This defect is under genetic control and may be repeated throughout the tree, or occur in only one crotch. The position of an included bark crotch in the main framework plays an important part in the tree's overall structural stability. Low included bark crotches may be more serious than those higher in a tree. Depending upon the severity of the defect, the tree's age and the species involved, it may be possible to prune the affected portion and/or install protective cables in trees with bark inclusions in order to reduce the risk of failure. Bark inclusions that do not display signs of structural instability, or occur in species known to be resistant to IBC failure and/or are in trees at sheltered locations are unlikely to fail and may not warrant Arboricultural intervention.

^e Taper in roots, stems and branches is the decrease in diameter along a given length. Adaptive growth describes the branch's responses in the cambium to mechanical forces and gravitational effects so there is a uniform distribution of mechanical stresses. Taper develops as a consequence of a range of these forces and the distribution of lower order branches. A lack of taper along a stem or branch may increase the probability of failure. Lonsdale, D. *Principles of Tree Hazard Assessment and Management* Department of Environment, Transport and the Regions, London 1999.

^f **Significant tree** means (as defined in Section 4 Interpretation (1) of the *Development (Regulated Trees) Amendment Act 2009*)

(a) a tree declared to be a significant tree, or a tree within a stand of trees declared to be significant trees, by a Development Plan (whether or not the tree is also declared to be a regulated tree, or also falls within a class of trees declared to be regulated trees, by the regulations); or

(b) a tree declared to be a regulated tree by the regulations, or a tree within a class of trees declared to be regulated trees by the regulations that, by virtue of the application of prescribed criteria, is to be taken to be a significant tree for the purposes of this Act;

6A—Regulated and significant trees (as defined in the *Development (Regulated Trees) Variation Regulations 2011*)

- (1) Subject to this regulation, the following are declared to constitute classes of regulated trees for the purposes of paragraph (a) of the definition of **regulated tree** in section 4(1) of the Act, namely trees within the designated area under subregulation (3) that have a trunk with a circumference of 2 metres or more or, in the case of trees with multiple trunks, that have trunks with a total circumference of 2 metres or more and an average circumference of 625 millimetres or more, measured at a point 1 metre above natural ground level.
- (2) Subject to this regulation—
 - (a) a prescribed criterion for the purposes of paragraph (b) of the definition of **significant tree** in section 4(1) of the Act is that a regulated tree under subregulation (1) has a trunk with a circumference of 3 metres or more or, in the case of a tree with multiple trunks, has trunks with a total circumference of 3 metres or more and an average circumference of 625 millimetres or more, measured at a point 1 metre above natural ground level; and
 - (b) regulated trees under subregulation (1) that are within the prescribed criterion under paragraph (a) are to be taken to be significant trees for the purposes of the Act.

^g Tree failures during 'normal' weather conditions (storms of similar strength occurring one to many times annually) are often predictable and preventable. However any tree, containing weaknesses or not, will fail if forces applied exceed the strength of the tree or its parts.



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^h **Reaction wood (or response growth)** is a type of wood that is usually laid down in wider annual increments than ordinary wood, commonly in an asymmetric or elliptical shaped cross-section. In broad leaved trees a type of reaction wood known as **tension wood** develops. It has high tensile strength and resists elongation far more than ordinary wood. Tension wood develops along the tops of branches in response to gravity in most broad leaved species, as well as at the sides of vertical trunks and branches of broad leaved and coniferous trees in response to swaying movement or bending stress. **Compression wood** forms on the underside of branches in Coniferous trees and on the compression side of vertical trunks and branches in any tree in response to tree movement and stresses. Both 'Tension' and 'Compression' wood provide the tree with increased structural strength. The development of these tissues can also indicate structural instability when combined with defects, decay or wounding. Whether or not trees with such tissues are considered to indicate weakness or strength depends upon many factors, including species characteristics, tree form, growing conditions, growth rates and tree health generally.

- Mattheck, Claus & Breloer, Helga. *The Body Language of Trees. A Handbook for Failure Analysis*. Department of the Environment. London 1997.
- Debenham, C. *The Language of Botany Society for Growing Australian Plants*.
- Shigo, Alex. *Modern Arboriculture, a systems approach to the care of trees*. Shigo and Trees, Associates 1991.
- Harris, R. Clark J. R. Matheny N. P. *Arboriculture: Integrated management of landscape trees, shrubs and vines*. ISBN 0-13-044280-1 4th Edition 2004 Prentice Hall, Inc.

ⁱ Prior evidence of limb or leader failure in the form of branch stubs, cracked limbs, limb failure scars or hanging limbs (history of failure) is a good indicator as to the future structural behaviour of a tree. Similarly the absence of these problems is a good sign as to the likely structural performance of a tree in the future.

^j **Likelihood of failure.** The likelihood that a defective tree part will fail within the specified timeframe. (*Tree Risk Assessment Manual* – International Society of Arboriculture 2013; p122).

Improbable: The tree or branch is not likely to fail during normal weather conditions and may not fail in many severe weather conditions within the specified timeframe.

Possible: Failure could occur, but it is unlikely during normal weather conditions within the specified timeframe.

Probable: Failure may be expected under normal weather conditions within the specified timeframe.

Imminent: Failure has started or is most likely to occur in the near future, even if there is no significant wind or increased load. This is an infrequent occurrence for a risk assessor to encounter and may require immediate action to protect people from harm.

^k **ISA Occupancy rates** – The amount of time one or more targets are within the target zone. (*Tree Risk Assessment Manual* – International Society of Arboriculture 2013, pp 39-42)

Rare

- Sites not commonly used by people.
- Areas well away from actively used parts of sites.

Occasional

- Infrequent or irregular use. Country roads, low use foot paths, low use sections of parks.
- Seldom used areas, frequently used for short periods. Cemeteries, low use areas where special events occur.

Frequent

- The target zone is occupied for a large portion of the day or week, e.g., suburban streets that receive moderate volumes of traffic, car parks or facilities that are open during the daytime only, sidewalks in shopping areas, and busy delivery areas.

Constant

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- Targets are present at nearly all times, 24hrs/day, 7 days/week. Can include static immovable targets (buildings) or a steady stream of targets, moving through the target zone.

^l Targets and likelihood of impact. The likelihood of a failed tree or tree part impacting a target of concern. (*Tree Risk Assessment Manual* – International Society of Arboriculture 2013, p42).

Very Low

- The likelihood of the failed tree or part impacting the target is remote.
- Rarely used sites fully exposed to the assessed tree, or occasionally used sites partially protected by other trees or structures.
- Examples include a rarely used trail in a rural area or occasionally used area that has some protection against being struck by the tree failure.

Low

- It is not likely that the failed tree or part will impact the target.
- This is the case in an occasionally used area that is fully exposed to the assessed tree, a frequently used area that is partially exposed to the assessed tree or a constant target that is well protected from the assessed tree.
- Examples include a little-used service road next to the tree, or a frequently used public street that is protected by another tree.

Medium

- The failed tree or part is as likely to impact the target as not.
- This is the case in a frequently used area that is fully exposed on one side to the assessed tree, or a constantly occupied area that is partially protected from the assessed tree.
- Examples include a suburban street next to the assessed tree or a house that is partially protected from the assessed tree by an intervening tree.

High

- The failed tree or part is will most likely impact the target.
- This is the case when a fixed target is fully exposed to the likely failure or the likely failure is over a high-use road or walkway.

^m **ISA Consequences of damage.** The consequences of failures can be categorized using the following guidelines

(*Tree Risk Assessment Manual* – International Society of Arboriculture 2013, pp 126-127)

Negligible consequences are those that involve low-value property damage or disruption that can be replaced or repaired; they do not involve personal injury. Examples of negligible consequences include:

- A small branch striking a fence
- A medium-sized branch striking a shrub bed
- A large part striking a structure and causing low monetary damage
- Disruption of power to landscape lighting

Minor consequences are those that involve low to moderate property damage, small disruptions to traffic or communication utility, or very minor injury. Examples of minor consequences include:

- A small branch striking a house roof from a high height
- A medium sized branch striking a deck from a moderate height
- A large part striking a structure and causing moderate monetary damage
- Short-term disruption of power at a service drop to a house
- Temporary disruption of traffic on a neighbourhood street

Significant consequences are those that involve property damage of a moderate to high value, considerable disruption, or personal injury. Examples of significant consequences include:

- A medium sized part striking an unoccupied new vehicle from a moderate or high height

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- A large part striking a structure resulting in high monetary damage
- Disruption of distribution primary or secondary voltage power lines, including individual services and street lighting circuits
- Disruption of traffic on a secondary street

Severe consequences are those that could involve serious personal injury or death, damage to high value property, or disruption of important activities. Examples of severe consequences include:

- Injury to a person that may result in hospitalisation
- A medium sized part striking an occupied vehicle
- A large part striking an occupied house
- Serious disruption of high voltage distribution and transmission power line
- Disruption of arterial traffic or motorways

ⁿ **Levels of Risk.** In the tree risk assessment matrix, four terms are used to define levels of risk: *low*, *moderate*, *high* and *extreme*. These risk ratings are used to communicate the level of risk and to assist in making recommendations to the owner or risk manager for mitigation and inspection frequency. The priority for action depends on the risk rating and risk tolerance of the owner or manager.

Extreme: The extreme-risk category applies in situations where failure is *imminent* with a *high* likelihood of impact and the consequences of the failure are *severe*. The tree risk assessor should recommend that mitigation measures be taken as soon as possible. In some cases, this may mean immediate restriction of access to the target zone area to avoid injury to people.

High: High-risk situations are those for which consequences are *significant* and likelihood is *very likely* or *likely*, or consequences are *severe* and likelihood is *likely*. This combination of likelihood and consequence indicates that the tree risk assessor should recommend mitigation measures be taken. The decision for mitigation and timing of treatment depends on the risk tolerance of the tree owner or risk manager. In populations of trees, the priority of high-risk trees is second only to extreme-risk trees.

Moderate: Moderate-risk situations are those for which consequences are *minor* and likelihood is *very likely* or *likely*, or likelihood is *somewhat likely* and consequences are *significant* or *severe*. The tree risk assessor may recommend mitigation and/or retaining or monitoring. The decision for mitigation and timing for treatment depends on the risk tolerance of the tree owner or manager. In populations of trees, moderate-risk trees represent a lower priority than high- or extreme-risk trees.

Low: The low-risk category applies when consequences are *negligible*, when likelihood is *unlikely*, or consequences are *minor* and likelihood is *somewhat likely*. Mitigation or maintenance measures may be appropriate for some trees, but the priority for action is low. Tree risk assessors may recommend retaining and monitoring these trees, as well as mitigation that does not include removal of the tree. Mitigation treatments may reduce risk or future risk, but the categorised risk rating is already at the lowest level.

(*Tree Risk Assessment Manual* – International Society of Arboriculture 2013, p130).



6.14 50 Torrens Avenue, LOCKLEYS

Application No 211/134/2017

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Removal of a Significant Tree
APPLICANT	Zhou You-De (Johnny)
APPLICATION NO	211/134/2017
LODGEMENT DATE	08 February 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"> ▪ Independent Arborist External <ul style="list-style-type: none"> ▪ Nil
DEVELOPMENT PLAN VERSION	05 May 2016
MEETING DATE	13 June 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. 211/134/2017 by Zhou You-De (Johnny) to remove a significant tree at 50 Torrens Avenue, Lockleys (CT 5134/706) for the following reasons:

- The proposed development is contrary to
 - Council Wide, Significant Trees Objective 1
Reason: The proposal does not conserve a significant tree that provides important aesthetic and environmental benefit
 - Council Wide, Significant Trees Principles of Development Control 1
Reason: The proposal would not preserve a significant tree that
 - makes an important contribution to the character and amenity of the local area.
 - represents an important habitat for native fauna
 - is important to the maintenance of biodiversity in the local environment
 - forms a notable visual element to the landscape of the local area.
 - Council Wide, Significant Trees Principles of Development Control 3
Reason: The significant tree
 - is not diseased
 - does not have a short life expectancy
 - does not represent an unacceptable risk to public or private safety
 - is not threatening to cause substantial damage to a substantial building or structure of value
 - other remedial treatments and measures are available

BACKGROUND

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

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

PREVIOUS OR RELATED APPLICATIONS

Application Number	Nature of Development	Decision	Reason
211/254/2013	Land Division to create 1 additional allotment	Refused	<p>The proposed development is contrary to</p> <ul style="list-style-type: none"> • Council Wide <ul style="list-style-type: none"> ○ Land Division Objective 2 ○ Land Division Principle of Development Control 2, 4, 7, 8 ○ Residential Development Principle of Development Control 7, 26, 27 ○ Significant Trees Principle of Development Control 5 ○ Transportation and Access Principle of Development Control 33 • Residential Zone Objective 4 • Residential Zone Principle of Development Control 6 • Policy Area 20 Objective 1 • Policy Area 20 Principles of Development Control 1 and 2
211/922/2012	Removal of Significant Tree	Refused	<p>The proposed development is contrary to:</p> <p><i>Significant Trees Objective 1</i> Reason: Proposal seeks to remove notable tree which contributes to the amenity of the locality.</p> <p><i>Significant Trees Principles of Development Control 1</i> Reason: The tree has attributes that should be preserved</p> <p><i>Significant Trees Principles of Development Control 2</i> Reason: Development should have minimum adverse effect on the health of a significant tree.</p>

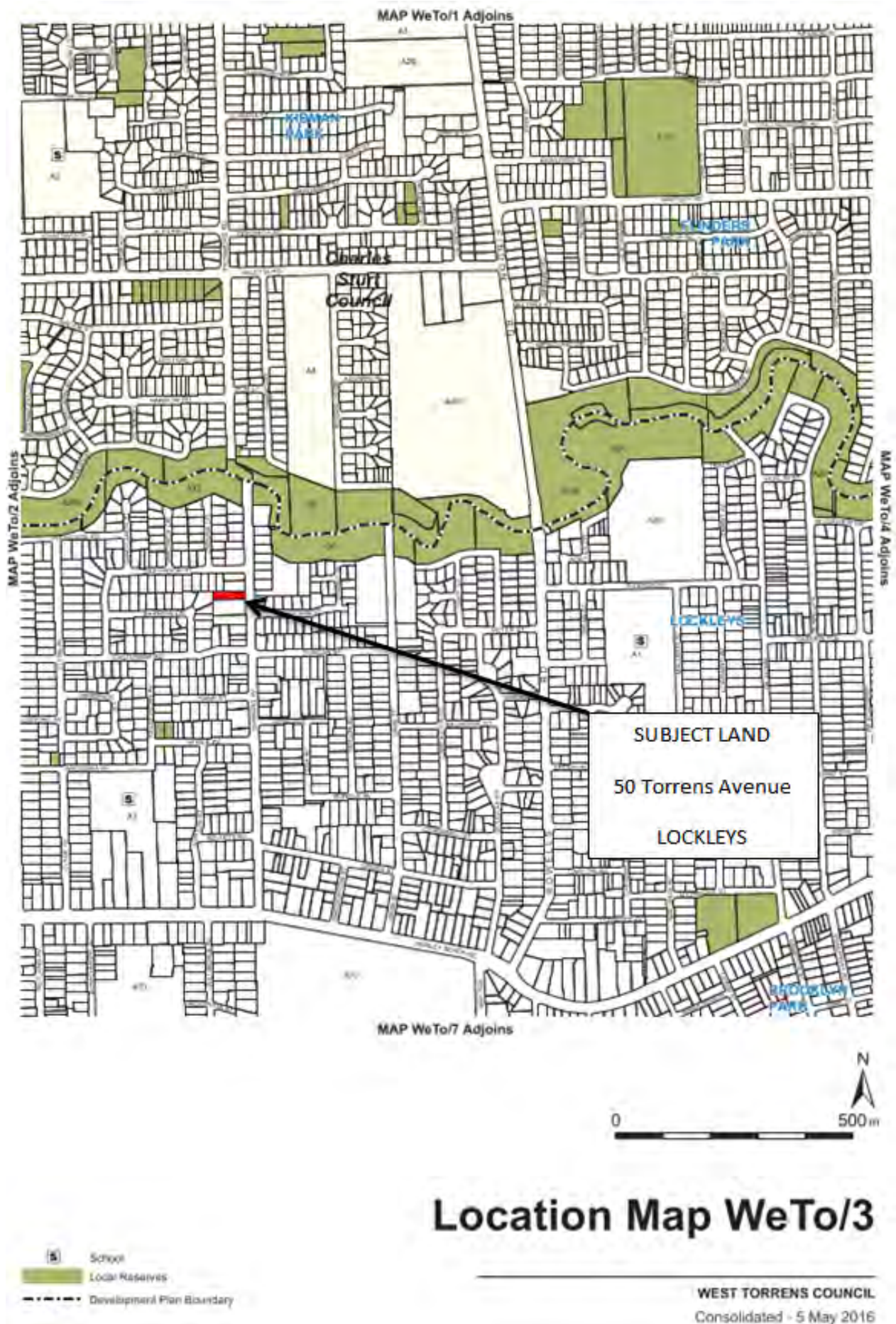
			<p><i>Significant Trees Principles of Development Control 3</i> Reason: The tree's life expectancy is not short, the tree does not represent an unacceptable risk to public or private safety, or is causing or threatening to cause substantial damage to a substantial building or structure of value.</p>
211/876/2012	Construction of Carport (forward of dwelling)	Refused	<p>The proposed development is contrary to:</p> <p><i>General Section: Design and Appearance Principle of Development Control 16</i> Reason: The proposed is not set back a sufficient distance from the front allotment boundary to contribute to and enhance the existing streetscape character.</p> <p><i>Residential Development Principle of Development Control 26</i> Reason: The proposed development will detract from the amenity of the streetscape. It is located directly in front of the dwelling entrance and in the middle of the dwelling facade. This is a dominating feature of the allotment as it breaks up the frontage of the dwelling.</p> <p><i>Residential Development Principle of Development Control 27</i> Reason: The proposed carport is not setback the suggested minimum distance from the front boundary.</p> <p><i>Zone Section: Residential Zone Principle of Development Control 6</i> Reason: Inconsistent with existing neighbourhood character with respect to street setbacks.</p> <p><i>Policy Area: Residential Policy Area 20 Principle of Development Control 1</i> Reason: Inconsistent with existing neighbourhood character with respect to street setbacks.</p>
211/1285/2011	Demolition of garage/carport for the construction of verandah and internal alterations	Development Approval Granted	Subject to conditions

SITE AND LOCALITY

The site is 50 (lot 6) Torrens Avenue, Lockleys located on the western side of Torrens Avenue with a frontage of 18.2 metres, a depth of 69.1 metres and an area of 1,231 square metres. The site comprises a detached dwelling, associated structures and significant trees.

The site and 10 Barrow Crescent are under the same ownership. Internal fences between the properties do not match allotment boundaries with much of the rear garden of the site used as the private open space for 10 Barrow Crescent. Portion of the site parallel with the northern boundary is also used to provide vehicle access from 10 Barrow Crescent to Torrens Avenue.

The locality is characterised by low-density residential development predominantly one to two storeys in height. A local heritage place (House - overall external form) neighbours the site at 46-48 Torrens Avenue.





PROPOSAL

The proposal is for removal of a significant tree. The species has been identified as *Eucalyptus Camaldulensis* (River Red Gum).

Relevant plans and correspondence form **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 as well as the procedural matters of the City of West Torrens Development Plan.

REFERRALS

Internal

- Council's Independent Arborist

A full copy of the relevant report(s) is/are attached, refer **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>		
Significant Trees	Objectives	1 and 2
	Principles of Development Control	1 and 3

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

Policy Area: Low Density Policy Area 21	
Desired Character Statement:	
<p>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).</p> <p>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.</p> <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.</p> <p>Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer. Low and open-style front fencing will contribute to a sense of space between buildings.</p>	
Objectives	1
Principles of Development Control	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:

Significant Trees

The Residential Zone and Low Density Policy Area 21 suggest a desire to preserve and provide landscaping to enhance the appearance of buildings from the street as viewed by pedestrians and to reduce heat loads in summer.

More particularly, General Section, Significant trees provides the following relevant objective and principles.

Objective 1: The conservation of significant trees, in Metropolitan Adelaide, that provide important aesthetic and environmental benefit.

Principle 1: Development should preserve the following attributes where a significant tree demonstrates at least one of the following attributes:

- (a) makes an important contribution to the character or amenity of the local area; or*
- (b) is indigenous to the local area and its species is listed under the National Parks and Wildlife Act 1972 as a rare or endangered native species*
- (c) represents an important habitat for native fauna*
- (d) is part of a wildlife corridor of a remnant area of native vegetation*

(e) is important to the maintenance of biodiversity in the local environment

(f) forms a notable visual element to the landscape of the local area.

Principle 3: Significant trees should be preserved, and tree-damaging activity should not be undertaken, unless:

(a) in the case of tree removal, where at least one of the following apply:

- (i) the tree is diseased and its life expectancy is short*
- (ii) the tree represents an unacceptable risk to public or private safety*
- (iii) the tree is within 20 metres of a residential, tourist accommodation or habitable building and is a bushfire hazard within a Bushfire Prone Area*

(b) the tree is shown to be causing or threatening to cause substantial damage to a substantial building or structure of value

(c) all other reasonable remedial treatments and measures have been determined to be ineffective

(d) it is demonstrated that all reasonable alternative development options and design solutions have been considered to prevent substantial tree-damaging activity occurring

(e) in any other case, any of the following circumstances apply:

- (i) the work is required for the removal of dead wood, treatment of disease, or is in the general interests of the health of the tree*
- (ii) the work is required due to unacceptable risk to public or private safety*
- (iii) the tree is shown to be causing or threatening to cause damage to a substantial building or structure of value*
- (iv) the aesthetic appearance and structural integrity of the tree is maintained*
- (v) it is demonstrated that all reasonable alternative development options and design solutions have been considered to prevent substantial tree-damaging activity occurring.*

The tree is considered to provide an aesthetic and environmental benefit that contributes to the character and amenity of the local area. The tree is visually notable when viewed from sections of Torrens Avenue, Dartmoor Street and Barrow Crescent due to its height and canopy.

Council's independent arborist has confirmed the following

- 1) The tree is a qualifying significant tree that
 - makes an important contribution to the character and amenity of the local area
 - represents an important habitat for native fauna
 - is important to the maintenance of biodiversity in the local environment
 - forms a notable visual element to the landscape of the local area.
- 2) The tree is in good health and has good levels of vitality
- 3) The tree does not have a short life expectancy
- 4) The tree structure is good.
- 5) The risk posed by branch failure to persons or property at 28 Dartmoor Street, Lockleys has been determined as being low
- 6) No evidence of damage to the residence or other substantial structures of value was found.

The applicant has not demonstrated that there is a special reason justifying the trees removal or that there is an unacceptable risk that cannot be reduced by reasonable remedial measures. Council's independent arborist has recommended that the tree be pruned to reduce branch overhang by 5-10% and the tree be monitored regularly to determine any change to the level of risk. Currently the degree of risk posed by this tree is within acceptable bounds.

SUMMARY

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

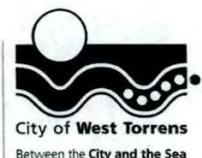
On balance the proposed development does not sufficiently accord with the relevant provisions contained within the West Torrens (City) Development Plan Consolidated 05 May 2016 and does not warrant Development Plan Consent.

Attachments

- 1. Plans, photographs and details**
- 2. Council's Independent Arborist Report**

Regulated and Significant tree proposal

Civic Centre
165 Sir Donald Bradman Drive
Hilton, SA 5033
Tel (08) 8416 6333
Fax (08) 8443 5709
Email csu@wtcc.sa.gov.au
Website westtorrens.sa.gov.au

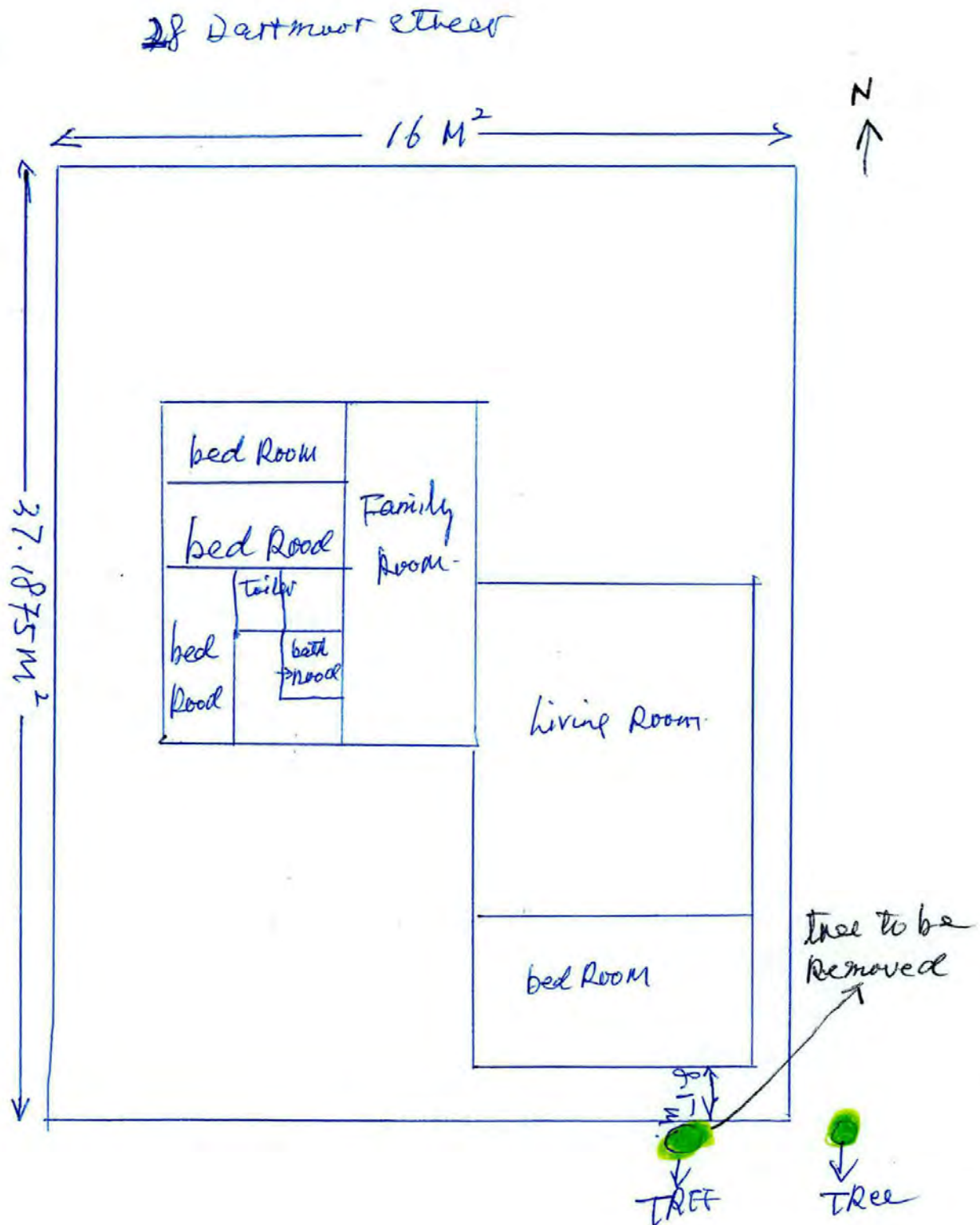


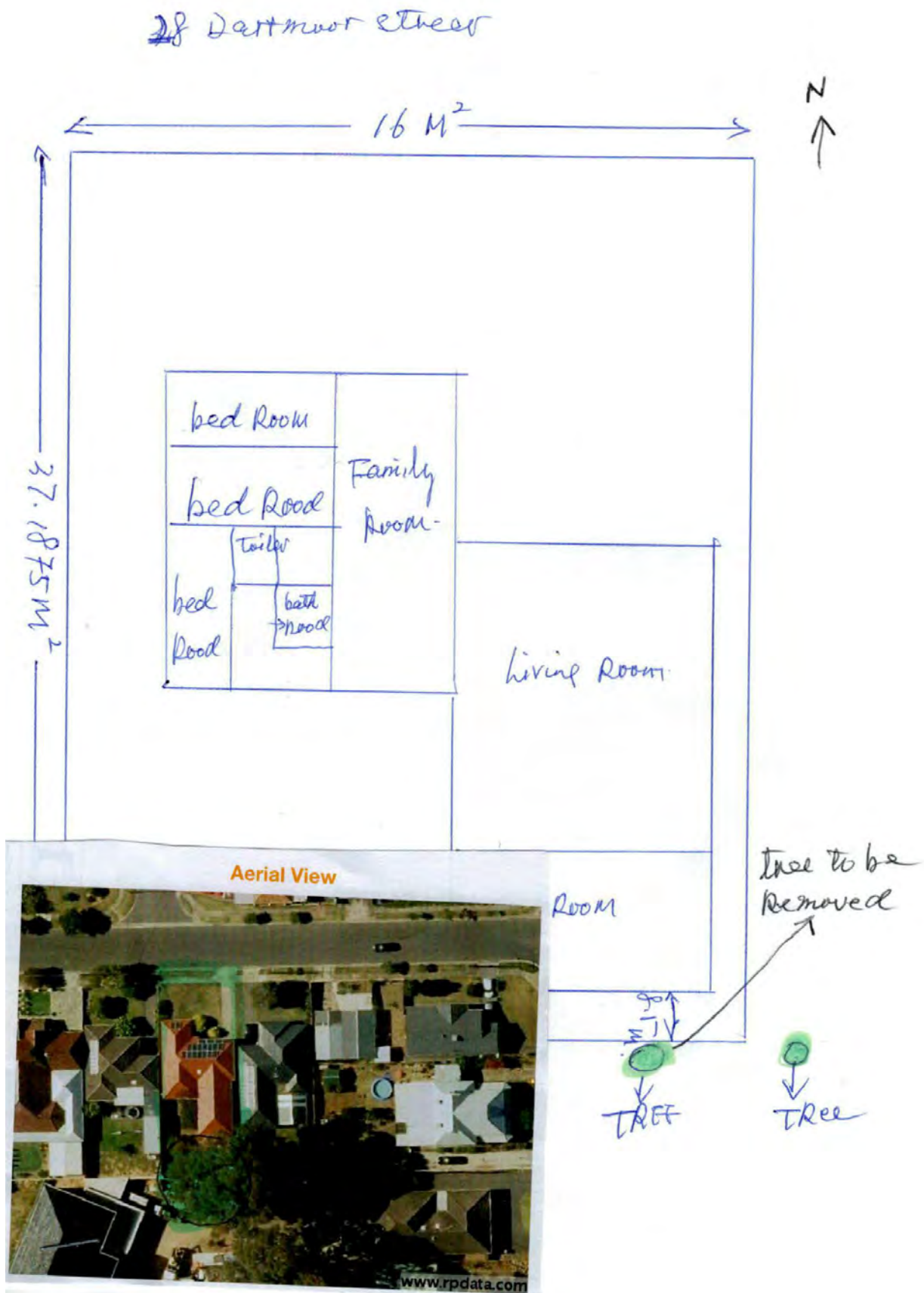
Property No: 28		Lot No:	Street: Dartmoor Street	
Title: Mr	Given name: You-De (Johnny)	Family name: Zhou		
Company name:				
Address: 28 Dartmoor Street Hockleys				P/Code: 5032
Telephone	Mobile	Fax	Email address	
		8		
1. Details of tree				
Girth/circumference of trunk 1m above natural ground level:				
Height of tree:				
Spread of tree:				
Type or species of tree: River Red Gum				
2. Site plan				
Please attach site plan scale not less than 1:200.				
3. Photograph				
Yes <input type="checkbox"/> If yes provide details No <input type="checkbox"/>				
4. Details of the proposed activity you want to undertake affecting the regulated/significant tree				
Fully Remove Tree of Gum Trees on adjoining property				
5. Is the tree, or does the tree appear to be diseased?				
Yes <input checked="" type="checkbox"/> If yes provide details No <input type="checkbox"/>				
I think it has termites which affects my house				

6. Does the tree represent an unacceptable risk to public or private safety?	
Yes <input checked="" type="checkbox"/>	If yes provide details
No <input type="checkbox"/>	
The limbs over hang my bedrooms and we are scared of failure of the limbs	
7. If you answer yes to - do 6, 7 or 8, have all other remedial steps been determined ineffective by a suitably qualified professional?	
yes	
8. Is the tree causing or threatening to cause substantial damage to a building or structure of value?	
Yes <input checked="" type="checkbox"/>	If yes provide details
No <input type="checkbox"/>	
my home and safety my children	
9. Has specialist advice been obtained (from a qualified arboriculturalist, botanist or horticulturalist)?	
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If yes please attach the information.	
10. If your application involves the division of land, is it likely that the application will result in substantial 'tree-damaging' activity to a regulated/significant tree(s).	
Yes <input type="checkbox"/>	If yes provide details
No <input checked="" type="checkbox"/>	
Signed: You-De Zhou	
Date: 06/02/2017	

Reinigi

6/2/17













Phil Harnett

From: Phil Harnett
Sent: Monday, 8 May 2017 12:07 PM
To: 'youzhou2@hotmail.com'
Subject: FW: Development Number 211/134/2017 - 50 Torrens Avenue, Lockleys - Tree Removal

Dear Zhou you-de

I am yet to receive a response to the email below. Please advise whether you wish to supply further information or withdraw your application. If not, I will progress the application to the next possible Development Assessment Panel meeting for decision.

Kind Regards

Phil Harnett
Senior Development Officer - Planning
City of West Torrens
165 Sir Donald Bradman Drive
Hilton SA 5033

From: Phil Harnett
Sent: Monday, 24 April 2017 3:24 PM
To: 'youzhou2@hotmail.com'
Subject: Development Number 211/134/2017 - 50 Torrens Avenue, Lockleys - Tree Removal

Dear Zhou you-de

Council has received your Development Application (211/134/2017) for removal of a significant tree at 50 Torrens Avenue, Lockleys. As part of the assessment Council has received an arborists opinion. The arborist report concludes

- The tree is in good health and does not have a short life-expectancy
- The tree structure is good and the risk of branch failure is low.
- No evidence of damage to substantial structures could be found.

The Council's Development Plan aims to preserve and conserve significant trees and thus any removal must be properly justified with all remedial treatments firstly considered. Any risk presented by the tree may be mitigated via pruning and monitoring risk or changes presented by the tree.

Given the arborists conclusions, I am unable to support your application for the tree's removal in this circumstance. Therefore the application would need to be presented to the Councils Development Assessment Panel for decision. Your options are

1. Withdraw the application given a recommendation for refusal, or
2. Supply further supporting information prior to proceeding to the Development Assessment Panel for decision.

Please let me know how you wish to proceed via return email. I am happy to discuss and explain further if needed.

If you have any queries do not hesitate to contact me.

Kind Regards

Phil Harnett
Senior Development Officer - Planning
City of West Torrens
165 Sir Donald Bradman Drive
Hilton SA 5033



managing
trees in the
urban
landscape

TREE REPORT

**Re: DA 211/134/2017
28 Dartmoor Street
Lockleys**



Prepared for:

Phil Harnett
Senior Development Officer - Planning
City of West Torrens
165 Sir Donald Bradman Drive
Hilton SA 5033

18th April 2017

Prepared by:

Kym Knight
Consulting Arborist
Tree Environs Pty Ltd

PO Box 51
Smithfield NSW 1511

Ph: 02 9254 2055
Fax: 02 9254 2423

info@tree-environs.com
www.tree-environs.com

ABN 97 620466731

City of West Torrens DA review – 28 Dartmoor Street Lockleys April 2017

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City of West Torrens DA review – 28 Dartmoor Street Lockleys April 2017

Introduction

Brief

- Assess a tree overhanging the rear boundary of 28 Dartmoor Street Lockleys (tree located in 50 Torrens Avenue, Lockleys) to determine if the significant tree meets the criteria for removal as per the City of West Torrens *Development Plan*.
- Prepare a report on the findings of the assessment.

Qualifications

I have based this report on my education, experience, ongoing training, site observations and the information provided to me. I have 37 years' experience in the field of arboriculture. A summary of my qualifications includes:

- Advanced Certificate of Amenity Horticulture. Brookway Park. SA (1984)
- Advanced Certificate of Arboriculture. VCAH, Burnley Vic. - Dux (1994)
 - Awarded the Burnley prize for Arboriculture.
 - Awarded the Arbor Co prize for outstanding achievement in Arboriculture.
- Advanced Diploma of Horticulture - Arboriculture. Hortus Australia (1999).
- ISA Certified Arborist - International Society of Arboriculture. AU-0001. I have maintained Continuing Professional Development with this certification.
- Tree Risk Assessment Qualification - International Society of Arboriculture (2013)
- I am a registered consulting arborist with Arboriculture Australia. I have maintained Continuing Professional Development with this certification.

Documents and information provided

I was provided with the following documents to assist me in the preparation of this report;

- A copy of the Development application 211/134/2017 prepared by the property owner.

**City of West Torrens DA review – 28 Dartmoor Street Lockleys
April 2017**

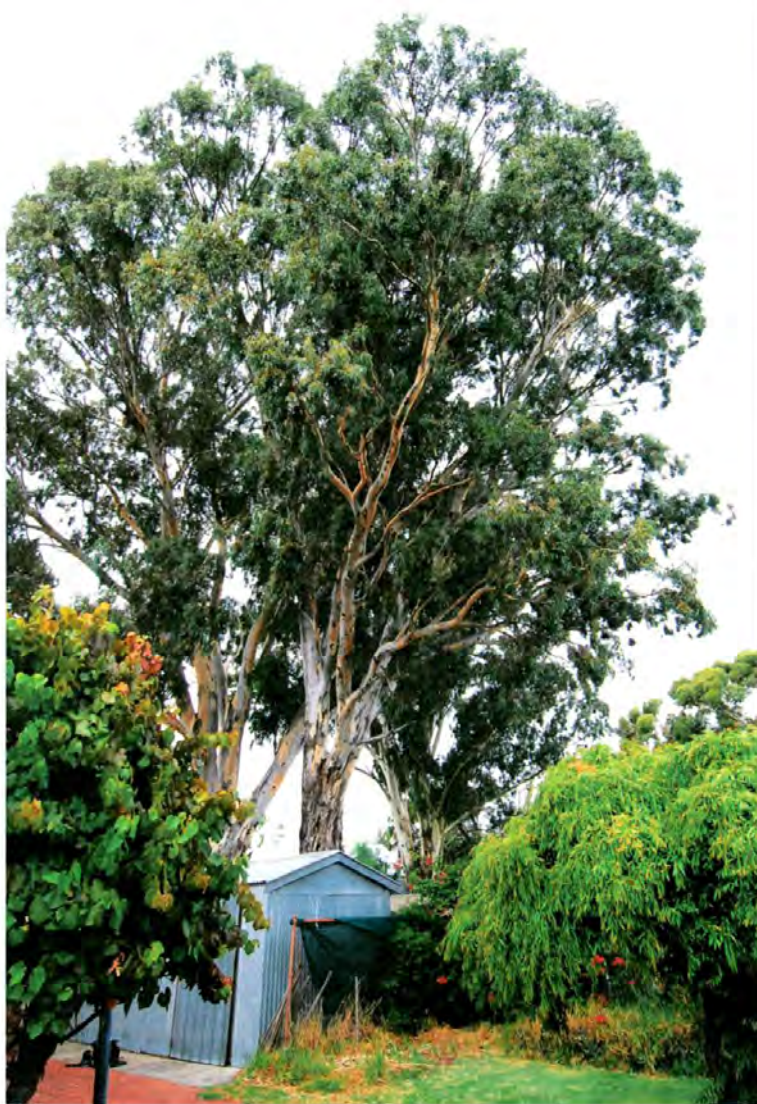


Image above: The subject tree (behind the apex of the shed) as viewed from the rear yard at 28 Dartmoor Street Lockleys. The subject tree occurs in close proximity to a larger tree to the east resulting in a crown bias to the west. It is healthy and actively growing.

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Observations

Site visit

My assessment of the tree was undertaken on the 10th of April 2017.

I conducted a level 2^a ground based visual tree assessment^b (VTA) of the subject tree in the presence of the property owner.

My assessment was confined to what could be seen from within the rear yards of 28 & 30 Dartmoor Street Lockleys.

The conditions at the time of my assessment were partly cloudy, with good visibility.

This report is concerned with the westernmost of two large trees within close proximity of one another.

This report does not take into account other trees except where they impact the subject tree.

Species

The subject tree is a *Eucalyptus camaldulensis* – River Red Gum

The River Red Gum is the most widespread species of eucalypt in Australia, occurring in every Mainland State. It is notably a tree of riverine sites whether of permanent or seasonal water, often extending to adjoining floodplains and into the slopes of the Mt Lofty Ranges in SA. The variety 'camaldulensis' is a medium sized woodland tree (up to 45m) with a short, thick bole, smooth bark in irregular plates of varying colour, rough bark at the base, and large open crown, often without a lignotuber. It is distinguished by the opercula which are normally strongly beaked. This variety dominates the Murray-Darling river systems. It also occurs on lower Eyre Peninsula, Kangaroo Island, Yorke Peninsula, the south-east of South Australia and the adjacent Glenelg River system as well as the intervening plains of western Victoria and streams as far east as Sale in eastern Victoria. It also naturally occurs in the hills of the Mt Lofty Ranges and Plains around Adelaide and the south east of South Australia. Annual rainfall for the Murray Darling form is between 325-750mm. It is indigenous to many parts of Adelaide^c.

Tree data

Location	The property is located in a residential area. The tree is growing in 50 Torrens Avenue Lockleys ~1.5m from the northern boundary fence and immediately adjacent to the SE corner of 28 Dartmoor Street.
Trunk circ. at 1m	>4.0m (4.061m in 2012)
Tree age	~60-70 years
Tree health	Good – Moderately dense crown of healthy foliage. Good levels of vitality. Minor damage to the lower trunk and at isolated higher points in the crown caused by periodic wood borer predation. A small number of small diameter dead branches were present overhanging the property.

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Tree structure	<p>Good – The single trunk has a slight lean to the west, dividing into several stems from 4.5m to form an irregular upright crown biased to the west as a result of the presence of a larger tree to the east. The upright northern stem extends just over the northern boundary, while the somewhat smaller WNW stem extends over the rear SE corner of the property at 28 Dartmoor Street. No obvious bark inclusions^d or other notable defects were visible in the main structure of the tree.</p> <p>A ~100mm diameter area of chewed bark is present on the NW side of the northern stem at ~10m at a point where it is ~200mm in diameter. The damage affects the surface bark only. There are no adaptive growth^e responses to indicate internal wood decay, hollowing or other weaknesses present around the damaged area.</p> <p>There have been no previous branch failures of note from the tree (1 x <100mm diameter dead branch and several small diameter dead branches). Stem and branch taper^f are generally good throughout the crown. Lateral branches are well distributed along the length of the primary branches and stems.</p> <p>The WNW stem is slightly over-extended but otherwise has good form.</p>
Life expectancy	>50 years
Property damage	<p>I found no evidence of substantial damage to a substantial structure of value.</p> <p>Minor paving disruption was noted between the residence and the garden shed. Some of the damage is not related to tree root growth (areas of subsidence).</p>



The rear yard at 28 Dartmoor Street showing the proximity of the subject tree (black arrow) to the shed and residence.

City of West Torrens DA review – 28 Dartmoor Street Lockleys April 2017

Legal status

This tree qualifies as a significant tree⁹ under the *Development Act 1993*.

In my opinion this tree has four attributes of significance as per City of West Torrens *Development Plan* (consolidated 5th May 2016).

Significant trees - PDC 1. Development should preserve the following attributes where a significant tree demonstrates at least one of the following:

- (a) makes an important contribution to the character or amenity of the local area
- (c) represents an important habitat for native fauna
- (e) is important to the maintenance of biodiversity in the local environment
- (f) forms a notable visual element to the landscape of the local area

Appraisal

The tree provides a wide range of important values and benefits to the locality and community. It forms part of a group of 3 trees of the same species.

This is an actively growing, healthy specimen with good structure, no history of failure and no defects of note.

The tree is growing in relatively good circumstances, with good growing conditions and minimal overhang of the residence at 28 Dartmoor Street.

The crown overhangs the rear yard by ~8.5m and the roof of the residence by ~0.5m. A small shed between the tree and the residence is beneath the crown.

Tree risk assessment

The International Society of Arboriculture *Tree risk assessment* method has been used to determine the risk posed by this tree at the site to persons and property over the defined tree assessment timeframe (1 years) during 'normal^h' weather conditions.

I am a qualified user of the ISA Tree Risk Assessment method. More information about this method can be found in the *Best Management Practices – Tree Risk Assessment* (Companion Publication to American Standard ANSI A300 Part 9: - *Tree Shrub and other woody plant management – Standard Practices (Tree risk assessment a. Tree structure assessment)*) published by The International Society of Arboriculture 2011 **AND** *Tree Risk Assessment Manual* International Society of Arboriculture, Champaign, Illinois, USA 2013.



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Tree risk is calculated in 2 steps:

Part 1- Likelihood matrix

The likelihood of a failure occurring
x
The likelihood of the failure impacting a target

Factors taken into account during the visual tree assessment include the location of targets relative to the tree condition of concern, surrounding site factors, tree age, health and vigour, species profile, response growth^l, loads on the defect, history of failure^l and the likelihood of failure^k. The target occupancy rate^l, branch fall characteristics and factors that may protect the target are also considered^m.

The property owner was particularly concerned with the possibility of the northern stem falling into his property affecting persons and/or the residence. As a result I have applied the risk assessment process to this part of the tree despite it not being the part most likely to fail.

The part of the tree most likely to fail during normal weather conditions are branches <100mm diameter.

The likelihood matrix below is used to determine the likelihood of branch or stem failure impacting the target/s;

Likelihood of failure	Likelihood of impacting target			
	Very low	Low	Medium	High
<i>Imminent</i>	Unlikely	Somewhat likely	Likely	Very likely
<i>Probable</i>	Unlikely	Unlikely	Somewhat likely	Likely
<i>Possible</i>	Unlikely	Unlikely	Unlikely	Somewhat likely
<i>Improbable</i>	Unlikely	Unlikely	Unlikely	Unlikely

The likelihood of failure and impact of the northern stem on the dwelling or shed is
improbable x high = unlikely

The likelihood of failure and impact of the northern stem on a person inside the dwelling is
improbable x very low = unlikely

The likelihood of failure and impact of the northern stem on a person using the rear yard is
improbable x low = unlikely

The likelihood of failure and impact of a <100mm diameter branch on the dwelling or shed is
possible x medium = unlikely

The likelihood of failure and impact of <100mm diameter branch on a person inside the dwelling is
possible x very low = unlikely

The likelihood of failure and impact of <100mm diameter branch on a person using the rear yard is
possible x low = unlikely

City of West Torrens DA review – 28 Dartmoor Street Lockleys April 2017

Part 2 – Risk rating matrix

The likelihood of failure and impact
(carried over from part 1)

x

The consequences of the failure

The consequences⁹ are determined by a complex of all the variable factors at the site. These include the size of the tree part of concern, fall characteristics, factors that may protect the target, the level of damage or injury that could be expected and the significance of the target value, be it monetary or otherwise. The risk rating matrix is used to assign an overall tree risk rating.

Likelihood of failure & impact	Consequences			
	Negligible	Minor	Significant	Severe
Very Likely	Low	Moderate	High	Extreme
Likely	Low	Moderate	High	High
Somewhat likely	Low	Low	Moderate	Moderate
Unlikely	Low	Low	Low	Low

The overall risk posed by the northern stem failing onto the dwelling or shed is
unlikely x minor = low

The overall risk posed by the northern stem failure injuring a person inside the dwelling or shed is
unlikely x severe = low

The overall risk posed by the northern stem failure injuring a person in the rear yard is
unlikely x severe = low

The overall tree risk rating⁹ for this tree is low for all parts.

Risk mitigation options

A variety of risk mitigation options will be available depending on circumstances. Whether a client chooses to mitigate risk depends on their perception of risk and what level of risk they find acceptable, as well as the cost, aesthetics and inconvenience of mitigation.

Where the risk posed by the tree is considered to be low, pruning works or other risk mitigation options may not be necessary to reduce risk. However, depending on the risk tolerance of the tree owner/manager, some tree pruning works or other risk mitigation strategies could be implemented in an effort to maintain a low level of risk.

Where provided, tree pruning recommendations will vary depending on circumstances and species and may include maintenance pruning designed to improve tree form and reduce the impact of the tree on its surroundings.

Suitable options to mitigate the risk are listed below. Any or all of these options may be implemented depending on the tree owner/managers' acceptable risk levels.

City of West Torrens DA review – 28 Dartmoor Street Lockleys April 2017

- Pruning – Recommendations for maintenance pruning have been provided. Maintenance pruning is intended to improve or preserve tree form by reducing the likelihood of failure of the subject tree parts. Pruning may have flow on effects by reducing future risks in some cases.
 - Reduce branches overhanging the property by 5-10% at best options and thin by 10%. Maximum diameter of branches to be removed is 30mm diameter.
- Monitoring – The risk assessment conducted is valid for a period of 12 months. As the risk categorization for the tree has been assessed as low, the tree could reasonably be re-assessed in 2-3 years.
 - If sudden changes are observed in the tree/s, or significant changes affect the growing environment, or there are significant use factor changes within the target area before that time, affected trees should be re-assessed.
 - Assessments should be conducted by experienced AQF level 5 or higher arborists.

Following the implementation of any or all of these mitigation options the residual risk will remain at low.

Conclusions

1. Based on my assessment of this tree the application for its removal fails to meet any of the required criteria in the City of West Torrens *Development Plan*.
2. The subject *Eucalyptus camaldulensis* is a qualifying significant tree with 4 additional attributes of significance as per the City of West Torrens *Development Plan* PDC 1 (a) (c) (e) & (f).

Development should preserve these attributes.

3. The tree is in good health and has good levels of vitality. It does not have a short life expectancy.

On this basis the tree does not meet the criteria in the City of West Torrens *Development Plan*.

Significant trees

PDC 3 *Significant trees should be preserved, and tree-damaging activity should not be undertaken, unless:*

(a) in the case of tree removal, where at least one of the following apply:

(i) the tree is diseased and its life expectancy is short

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4. Tree structure is good. The risk posed by branch failure to persons or property at 28 Dartmoor Street Lockleys has been determined to be low using the ISA Tree risk assessment method.

On this basis the tree does not meet the criteria in the City of West Torrens *Development Plan*.

Significant trees

PDC 3 Significant trees should be preserved, and tree-damaging activity should not be undertaken, unless:

(a) in the case of tree removal, where at least one of the following apply:

(ii) the tree represents an unacceptable risk to public or private safety.

5. I found no evidence of damage to the residence or other substantial structures of value.

On this basis the tree does not meet the criteria in the City of West Torrens *Development Plan*.

Significant trees

PDC 3 Significant trees should be preserved, and tree-damaging activity should not be undertaken, unless:

(b) the tree is shown to be causing or threatening to cause substantial damage to a substantial building or structure of value

Risk mitigation options have been provided should the owners of 28 Dartmoor Street Lockleys wish to take risk mitigation action.

Kym Knight.
Adv. Dip. Arboriculture
Adv. Cert. Arboriculture
Adv. Cert Horticulture
ISA Certified Arborist. AU 0001A.
Member MAIH., ISA., Arb. Aust., SASA.



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Endnotes

^a Tree and risk assessments can be conducted at different levels and may employ various methods and tools. The level of assessment applied should be appropriate for the circumstances.

Level 1 - Limited visual assessment.

- A visual assessment from a specified perspective, near specified targets.
- The aim is to identify obvious defects or specified conditions.
- Typically identifies trees with imminent or probable likelihood of failure.
- This is the fastest and least thorough form of assessment intended for larger populations of trees.
- This can be carried out as a walkover, drive-by or fly-over inspection.

Level 2 - Standard assessment.

- A level 2 assessment is a detailed ground based visual tree inspection of a tree and its surroundings.
- The use of simple tools (mallet, binoculars, probes, spades), may be required.
- In some instances only limited information may be gained on specific internal, below ground or upper crown factors.
- For the majority of tree assessments the standard assessment provides adequate information to guide tree management.

Level 3 - Advanced assessment.

- A level 3 assessment is performed to provide detailed information about specific tree parts, defects, targets or site conditions.
- This assessment is usually conducted after a standard assessment has undertaken if additional information is required and with the approval of the client.
- Specialised equipment is often required for advanced assessment.
- The assessments are generally more time intensive and expensive.
- Advanced assessment techniques may include; aerial inspection, detailed target analysis, detailed site evaluation, decay testing, health evaluation, root inspection, tree stability monitoring and load testing.

NOTE: If tree condition cannot be adequately assessed at the specified level a higher level of assessment may be required.

^b A visual tree assessment (VTA) is an analytical process undertaken by a qualified Arborist or other suitably trained person to determine the structural soundness of a tree. Biological and mechanical components of trees are assessed, including tree health; presence of pests and diseases; die-back, foliage density and distribution, and vitality; growth rate, wound wood development and the trees capacity to respond to improved conditions. Mechanical components include trunk lean, crown bias, bark inclusions, wounds, hollowing, trunk bulges, ribs, cracks, branch form, failure history, pruning history, condition of trunk flare, and other existing defects. All these factors are examined to determine if internal weaknesses or abnormalities may be present. If abnormalities are detected, we may conduct further investigations using a range of tools. These include soft faced sounding mallets, long thin drill bits, Resistograph, Sonic Tomograph, Air spade and other tools as required. Ref: Mattheck, Claus & Breloer, Helga. *The Body Language of Trees. A Handbook for Failure Analysis*. Department of the Environment. London 1997.

^c Boland, D., Brooker, M., Chippendale, G., Hall, N., Hyland, B., Johnston, R., Kleinig, D., McDonald, M. and Turner, J *Forest Trees of Australia - Fifth Edition* CSIRO Publishing 2006 and Centre for Plant Biodiversity

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Research (2006)- Contributors: AV Slee, MIH Brooker, SM Duffy, JG West *EUCLID – Eucalypts of Australia* Interactive CD ROM. Nicolle, D (1997). *Eucalypts of South Australia*.

^d Included Bark Crotches are potential structural weaknesses that occur in trees between the main stem and a branch or between stems of equal size (co dominant stems). Bark between the stems turns downwards and prevents the interlocking of wood fibres rather than upwards (as in structurally sound crotches) to form a branch bark ridge. This defect is under genetic control and may be repeated throughout the tree, or occur in only one crotch. The position of an included bark crotch in the main framework plays an important part in the tree's overall structural stability. Low included bark crotches may be more serious than those higher in a tree. Depending upon the severity of the defect, the tree's age and the species involved, it may be possible to prune the affected portion and/or install protective cables in trees with bark inclusions in order to reduce the risk of failure. Bark inclusions that do not display signs of structural instability, or occur in species known to be resistant to IBC failure and/or are in trees at sheltered locations are unlikely to fail and may not warrant Arboricultural intervention.

^e Tree growth is adaptive, influenced by the loads, environment and availability of essential resources. Response growth, a form of adaption, is the production of new wood in response to damage or additional loads to compensate for higher strain (deformation) in outermost fibres; it includes reaction wood, flexure wood & wound wood.

^f Taper in roots, stems and branches is the decrease in diameter along a given length. Adaptive growth describes the branch's responses in the cambium to mechanical forces and gravitational effects so there is a uniform distribution of mechanical stresses. Taper develops as a consequence of a range of these forces and the distribution of lower order branches. A lack of taper along a stem or branch may increase the probability of failure. Lonsdale, D. *Principles of Tree Hazard Assessment and Management* Department of Environment, Transport and the Regions, London 1999.

^g **Significant tree** means (as defined in Section 4 Interpretation (1) of the *Development (Regulated Trees) Amendment Act 2009*)

(a) a tree declared to be a 'significant tree, or a tree within a stand of trees declared to be significant trees, by a Development Plan (whether or not the tree is also declared to be a regulated tree, or also falls within a class of trees declared to be regulated trees, by the regulations); or

(b) a tree declared to be a regulated tree by the regulations, or a tree within a class of trees declared to be regulated trees by the regulations that, by virtue of the application of prescribed criteria, is to be taken to be a significant tree for the purposes of this Act;

6A—Regulated and significant trees (as defined in the *Development (Regulated Trees) Variation Regulations 2011*)

- (1) Subject to this regulation, the following are declared to constitute classes of regulated trees for the purposes of paragraph (a) of the definition of **regulated tree** in section 4(1) of the Act, namely trees within the designated area under subregulation (3) that have a trunk with a circumference of 2 metres or more or, in the case of trees with multiple trunks, that have trunks with a total circumference of 2 metres or more and an average circumference of 625 millimetres or more, measured at a point 1 metre above natural ground level.
- (2) Subject to this regulation—
 - (a) a prescribed criterion for the purposes of paragraph (b) of the definition of **significant tree** in section 4(1) of the Act is that a regulated tree under subregulation (1) has a trunk with a circumference of 3 metres or more or, in the case of a tree with multiple trunks, has trunks with a total circumference of 3 metres or more and an average circumference of 625 millimetres or more, measured at a point 1 metre above natural ground level; and
 - (b) regulated trees under subregulation (1) that are within the prescribed criterion under paragraph (a) are to be taken to be significant trees for the purposes of the Act.

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^h Tree failures during 'normal' weather conditions (storms of similar strength occurring one to many times annually) are often predictable and preventable. However any tree, containing weaknesses or not, will fail if forces applied exceed the strength of the tree or its parts.

ⁱ **Reaction wood (or response growth)** is a type of wood that is usually laid down in wider annual increments than ordinary wood, commonly in an asymmetric or elliptical shaped cross-section. In broad leaved trees a type of reaction wood known as **tension wood** develops. It has high tensile strength and resists elongation far more than ordinary wood. Tension wood develops along the tops of branches in response to gravity in most broad leaved species, as well as at the sides of vertical trunks and branches of broad leaved and coniferous trees in response to swaying movement or bending stress. **Compression wood** forms on the underside of branches in Coniferous trees and on the compression side of vertical trunks and branches in any tree in response to tree movement and stresses. Both 'Tension' and 'Compression' wood provide the tree with increased structural strength. The development of these tissues can also indicate structural instability when combined with defects, decay or wounding. Whether or not trees with such tissues are considered to indicate weakness or strength depends upon many factors, including species characteristics, tree form, growing conditions, growth rates and tree health generally.

- Mattheck, Claus & Breloer, Helga. *The Body Language of Trees. A Handbook for Failure Analysis*. Department of the Environment. London 1997.
- Debenham, C. *The Language of Botany Society for Growing Australian Plants*.
- Shigo, Alex. *Modern Arboriculture, a systems approach to the care of trees*. Shigo and Trees, Associates 1991.
- Harris, R. Clark J. R. Matheny N. P. *Arboriculture: Integrated management of landscape trees, shrubs and vines*. ISBN 0-13-044280-1 4th Edition 2004 Prentice Hall, Inc.

^j Prior evidence of limb or leader failure in the form of branch stubs, cracked limbs, limb failure scars or hanging limbs (history of failure) is a good indicator as to the future structural behaviour of a tree. Similarly the absence of these problems is a good sign as to the likely structural performance of a tree in the future.

^k **Likelihood of failure.** The likelihood that a defective tree part will fail within the specified timeframe. (*Tree Risk Assessment Manual* – International Society of Arboriculture 2013, p122).

Improbable: The tree or branch is not likely to fail during normal weather conditions and may not fail in many severe weather conditions within the specified timeframe.

Possible: Failure could occur, but it is unlikely during normal weather conditions within the specified timeframe.

Probable: Failure may be expected under normal weather conditions within the specified timeframe.

Imminent: Failure has started or is most likely to occur in the near future, even if there is no significant wind or increased load. This is an infrequent occurrence for a risk assessor to encounter and may require immediate action to protect people from harm.

^l **ISA Occupancy rates** – The amount of time one or more targets are within the target zone. (*Tree Risk Assessment Manual* – International Society of Arboriculture 2013, pp 39-42)

Rare

- Sites not commonly used by people.
- Areas well away from actively used parts of sites.

Occasional

- Infrequent or irregular use. Country roads, low use foot paths, low use sections of parks.
- Seldom used areas, frequently used for short periods. Cemeteries, low use areas where special events occur.

Frequent



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- The target zone is occupied for a large portion of the day or week, e.g., suburban streets that receive moderate volumes of traffic, car parks or facilities that are open during the daytime only, sidewalks in shopping areas, and busy delivery areas.

Constant

- Targets are present at nearly all times, 24hrs/day, 7 days/week. Can include static immovable targets (buildings) or a steady stream of targets, moving through the target zone.

^m Targets and likelihood of impact. The likelihood of a failed tree or tree part impacting a target of concern. (*Tree Risk Assessment Manual* – International Society of Arboriculture 2013, p42).

Very Low

- The likelihood of the failed tree or part impacting the target is remote.
- Rarely used sites fully exposed to the assessed tree, or occasionally used sites partially protected by other trees or structures.
- Examples include a rarely used trail in a rural area or occasionally used area that has some protection against being struck by the tree failure.

Low

- It is not likely that the failed tree or part will impact the target.
- This is the case in an occasionally used area that is fully exposed to the assessed tree, a frequently used area that is partially exposed to the assessed tree or a constant target that is well protected from the assessed tree.
- Examples include a little-used service road next to the tree, or a frequently used public street that is protected by another tree.

Medium

- The failed tree or part is as likely to impact the target as not.
- This is the case in a frequently used area that is fully exposed on one side to the assessed tree, or a constantly occupied area that is partially protected from the assessed tree.
- Examples include a suburban street next to the assessed tree or a house that is partially protected from the assessed tree by an intervening tree.

High

- The failed tree or part is will most likely impact the target.
- This is the case when a fixed target is fully exposed to the likely failure or the likely failure is over a high-use road or walkway.

ⁿ **ISA Consequences of damage.** The consequences of failures can be categorized using the following guidelines (*Tree Risk Assessment Manual* – International Society of Arboriculture 2013, pp 126-127)

Negligible consequences are those that involve low-value property damage or disruption that can be replaced or repaired; they do not involve personal injury. Examples of negligible consequences include:

- A small branch striking a fence
- A medium-sized branch striking a shrub bed
- A large part striking a structure and causing low monetary damage
- Disruption of power to landscape lighting

Minor consequences are those that involve low to moderate property damage, small disruptions to traffic or communication utility, or very minor injury. Examples of minor consequences include:

- A small branch striking a house roof from a high height
- A medium sized branch striking a deck from a moderate height
- A large part striking a structure and causing moderate monetary damage
- Short-term disruption of power at a service drop to a house
- Temporary disruption of traffic on a neighbourhood street



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Significant consequences are those that involve property damage of a moderate to high value, considerable disruption, or personal injury. Examples of significant consequences include:

- A medium sized part striking an unoccupied new vehicle from a moderate or high height
- A large part striking a structure resulting in high monetary damage
- Disruption of distribution primary or secondary voltage power lines, including individual services and street lighting circuits
- Disruption of traffic on a secondary street

Severe consequences are those that could involve serious personal injury or death, damage to high value property, or disruption of important activities. Examples of severe consequences include:

- Injury to a person that may result in hospitalisation
- A medium sized part striking an occupied vehicle
- A large part striking an occupied house
- Serious disruption of high voltage distribution and transmission power line
- Disruption of arterial traffic or motorways

° **Levels of Risk.** In the tree risk assessment matrix, four terms are used to define levels of risk: *low*, *moderate*, *high* and *extreme*. These risk ratings are used to communicate the level of risk and to assist in making recommendations to the owner or risk manager for mitigation and inspection frequency. The priority for action depends on the risk rating and risk tolerance of the owner or manager.

Extreme: The extreme-risk category applies in situations where failure is *imminent* with a *high* likelihood of impact and the consequences of the failure are *severe*. The tree risk assessor should recommend that mitigation measures be taken as soon as possible. In some cases, this may mean immediate restriction of access to the target zone area to avoid injury to people.

High: High-risk situations are those for which consequences are *significant* and likelihood is *very likely* or *likely*, or consequences are *severe* and likelihood is *likely*. This combination of likelihood and consequence indicates that the tree risk assessor should recommend mitigation measures be taken. The decision for mitigation and timing of treatment depends on the risk tolerance of the tree owner or risk manager. In populations of trees, the priority of high-risk trees is second only to extreme-risk trees.

Moderate: Moderate-risk situations are those for which consequences are *minor* and likelihood is *very likely* or *likely*, or likelihood is *somewhat likely* and consequences are *significant* or *severe*. The tree risk assessor may recommend mitigation and/or retaining or monitoring. The decision for mitigation and timing for treatment depends on the risk tolerance of the tree owner or manager. In populations of trees, moderate-risk trees represent a lower priority than high- or extreme-risk trees.

Low: The low-risk category applies when consequences are *negligible*, when likelihood is *unlikely*, or consequences are *minor* and likelihood is *somewhat likely*. Mitigation or maintenance measures may be appropriate for some trees, but the priority for action is low. Tree risk assessors may recommend retaining and monitoring these trees, as well as mitigation that does not include removal of the tree. Mitigation treatments may reduce risk or future risk, but the categorised risk rating is already at the lowest level.

(*Tree Risk Assessment Manual* – International Society of Arboriculture 2013, p130).



6.15 10 Aldridge Terrace, MARLESTON

Application No 211/501/2017 (DAC No. 211/D069/2017)

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Land division - Torrens Title; DAC No. 211/D069/17 (Unique ID 57851); Create one (1) additional allotment
APPLICANT	M Magoulas
APPLICATION NO	211/501/2017
LODGEMENT DATE	4 May 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 Assets External <ul style="list-style-type: none"> ▪ Nil
DEVELOPMENT PLAN VERSION	5 May 2016
MEETING DATE	13 June 2017

RECOMMENDATION(S)

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/501 /2017 by M Magoulas to undertake land division at 10 Aldridge Terrace, Marleston (CT5721/776) subject to the following conditions of consent:

DEVELOPMENT PLAN CONSENT**Council Conditions**

1. Development is to take place in accordance with the plans prepared by Elite Land Solutions relating to Development Application No. 211/501/2017 (DAC 211/D069/17).

LAND DIVISION CONSENT**Council Conditions**

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

Development Assessment Commission Conditions

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

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

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

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

2. Payment of \$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.

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)

Nil

SITE AND LOCALITY

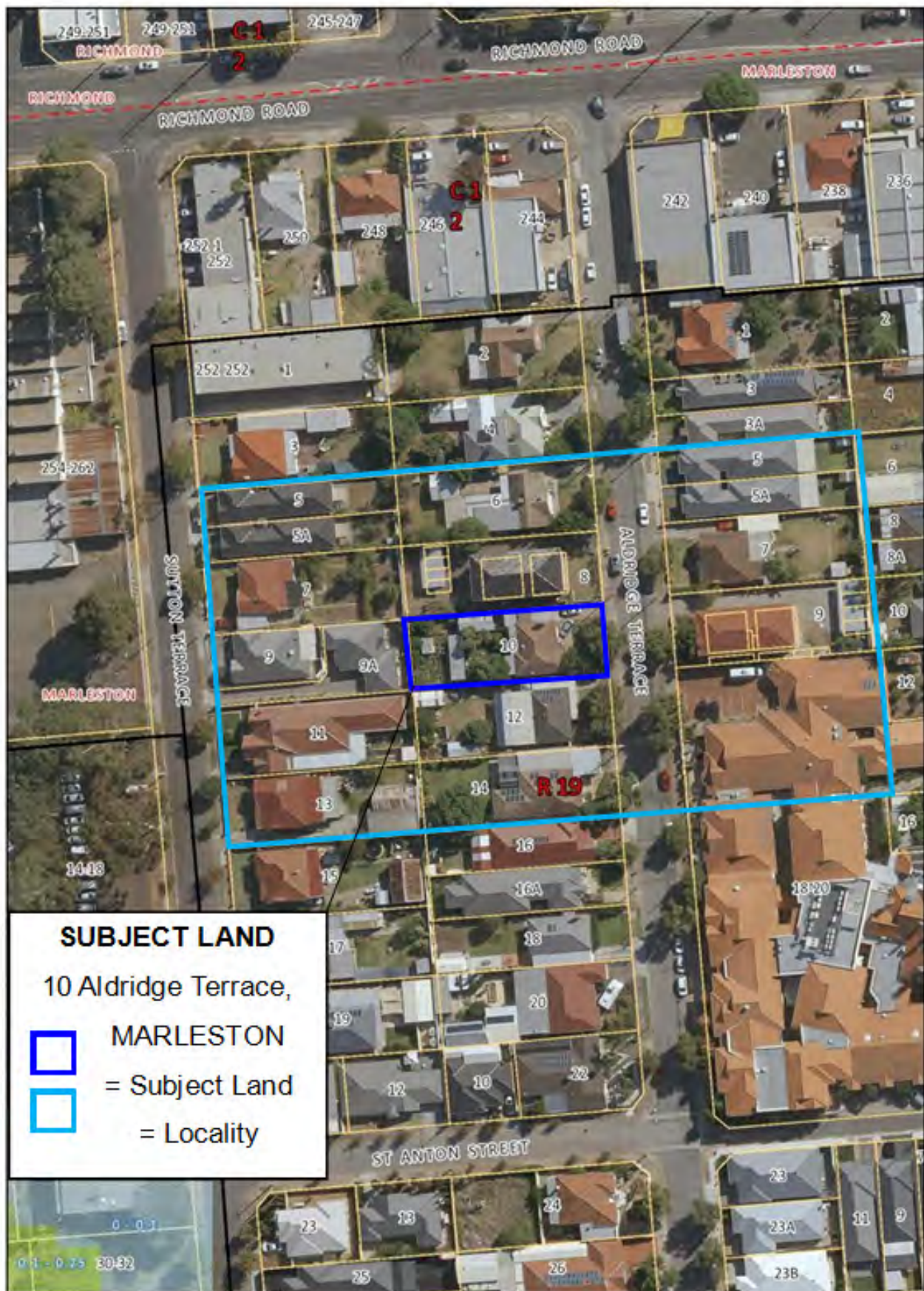
The subject site is located along the western side of Aldridge Terrace and is approximately 100 metres south of Richmond Road. The land is described as Allotment 152 Deposited Plan 3838 as contained in Certificate of Title Volume 5721 Folio 776. The allotment is rectangular in shape with a total site area of 714m². There are no easements or regulated trees affecting the site.

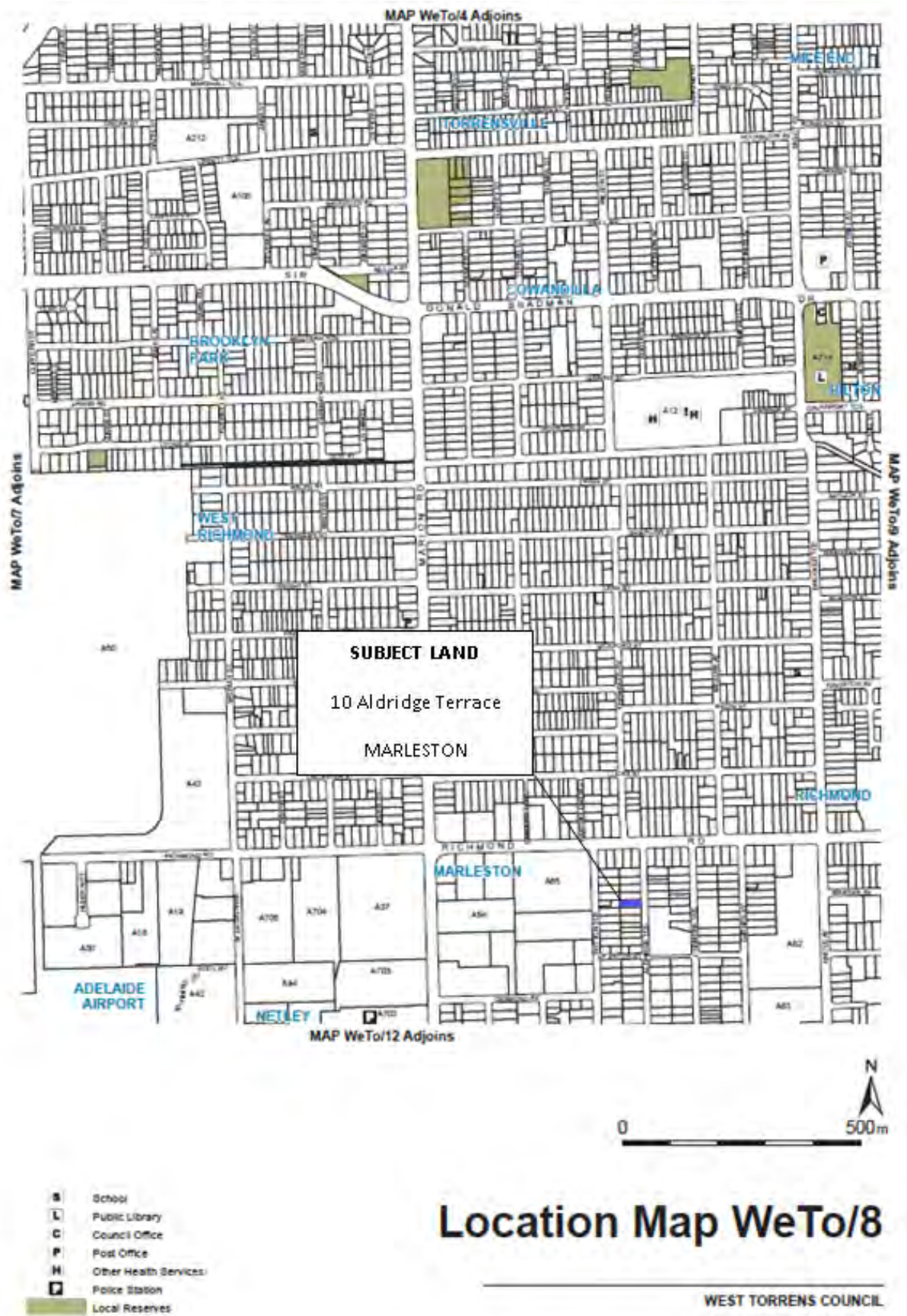
The site contains a single storey detached dwelling with associated outbuildings. Vehicle access to the site is achieved via an existing crossover near the northern common boundary. There is one street tree located to the front of the site.

The site is located within the Residential Zone and more specifically within the Medium Density Policy Area 19. As such the immediate locality is residential in nature with a mix of dwelling types including detached, semi-detached dwellings and residential flat buildings. Sporadic infill development has taken place within the locality, resulting in a range of allotment sizes.

An aged care facility is located south east of the subject site and a variety of industrial and commercial uses are located along Richmond Road to the north and Sutton Terrace to the west.

For site and locality details, refer to the following maps.





PROPOSAL

The applicant seeks to divide the subject land into two (2) Torrens Title allotments. Both allotments will be exclusive and have frontage onto Aldridge Terrace.

For a copy of the plans and supporting documentation including indicative dwelling site plan, refer to **Attachment 1**.

PUBLIC NOTIFICATION

The application is a Category 1 form of development pursuant to Section 38 of the Development Act, Schedule 9 Part 1 (2(f)) of the Development Regulations 2008 and Procedural Matters of the West Torrens Council Development Plan.

REFERRALS

Internal

- City Assets (Engineering)
- City Works (Arboricultural)

The following matters were raised as part of their response;

- Crossover to Lot 300 - By taking into consideration the offset distance requirements from the existing tree (2.0m minimum) and stobie pole (1.0m minimum), there is sufficient room to accommodate a single driveway corridor on the northern boundary.
- Crossover to Lot 301 - By taking into consideration the offset distance requirements from the existing tree (2.0m minimum) and existing neighbouring driveway crossover (1.0m minimum), there is sufficient room to accommodate a single driveway corridor on the southern boundary.
- City Works support the proposal, requiring a minimum offset of 2000mm from the existing street tree (Bottle Brush). For Lot 301, the street tree is located just 3700mm from the adjoining property therefore to maintain an offset of 2000mm from the nominated street tree, the Telstra pit located within the verge will require relocating or have a trafficable cover placed over it to allow for a vehicle crossing place.

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

External

- Development Assessment Commission
- SA Water

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 the Medium Density Policy Area 19 as described in the West Torrens Council Development Plan. The main provisions of the Development Plan which relate to the proposed development are as follows:

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

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

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

QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
ALLOTMENT AREA Medium Density Policy Area 19 PDC 4	270m ²	Lot 300 - 357m ² Lot 301 - 357m ² Satisfies
SITE FRONTAGE Medium Density Policy Area 19 PDC 4	9m	Lot 300 - 8.07m Lot 301 - 8.08m Does Not Satisfy by 10%

QUALITATIVE ASSESSMENT

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

Frontage

The Medium Density Policy Area 19 requires a 9 metre minimum frontage regardless of dwelling type; whether the land division application is combined with the built form application; or the site is located within 400 metres of a centre zone. The proposed land division application however fails to satisfy this minimum 9 metre frontage requirement.

In investigating the options to subdivide the subject site given its size and dimensions, the only other possibility would be to create a battle-axe allotment. In terms of the ability for dwellings to directly front onto a street, passive surveillance, driveway lengths, and impacts to the amenity of the adjoining dwellings, the proposed land division should be preferred over a battle-axe allotment configuration. Furthermore, the frontage for the two proposed allotments is consistent with frontages of other dwellings within the area. The table below lists those properties and provides an insight into the varied character of the area.

Address	Dwelling Type	Approximate Site Area	Approximate Frontage
3 Aldridge Terrace	Detached	357m ²	8.07m
3A Aldridge Terrace	Detached	357m ²	8.08m
5 Aldridge Terrace	Semi-detached	357m ²	8.07m
5A Aldridge Terrace	Semi-detached	357m ²	8.08m
8 Aldridge Terrace	Residential Flat Building with 4 units	714m ² (total) 178.5m ² (average)	16.15m
9 Aldridge Terrace	Residential Flat Building with 4 units	714m ² (total) 178.5m ² (average)	16.15m
5 Sutton Terrace	Detached	357m ²	8.07m
5A Sutton Terrace	Detached	357m ²	8.08m
9 Sutton Terrace	Detached	304m ²	12.15m
9A Sutton Terrace	Group Dwelling - battle - axe site	410m ²	4m
8 Cudmore Terrace	Detached	357m ²	8.07m
8 Cudmore Terrace	Detached	357m ²	8.08m

It is also noted that the DAP, at the meeting held 9 May 2017, approved a combined land division and built form proposal for 3 Cudmore Terrace, where the frontage of one of the new allotments is 8.07 metres.

The applicant has also provided a copy of the indicative dwellings site plan to demonstrate that both of the proposed allotments will be capable of containing suitably sized detached dwellings. Please refer to Attachment 1 for a copy of this plan.

Whilst the front of the subject site falls within 400 metres to a Centre Zone the majority of the site is outside the 400 metres. It can be argued however that there are a variety of facilities (takeaway food options, shops, places of employment etc.) within the broader locality, but outside the Centre Zone, which has resulted in the locality being a desirable location for a denser urban living environment. The site is also located within 400 metres of Marion Road, Grove Avenue and Richmond Road where, among other facilities, a regular bus service operates. It is also noted that having a site that is just over 400 metres from a Centre Zone should not deter those who are willing to walk to the centre.

Given that the subject site is ideal for medium density development, and the proposed allotments will be identical to other allotments within the locality, the subject land division proposal is considered to satisfy the desired character of the Medium Density Policy Area 19.

SUMMARY

Whilst the proposed development falls short of the minimum site frontage provisions, the proposed allotments will be identical to other existing properties within the locality. Additionally, both allotments will be exclusive and have direct frontage onto Aldridge Terrace. As such it is considered that the proposed development will be consistent with the desired character of the Medium Density Policy Area 19.

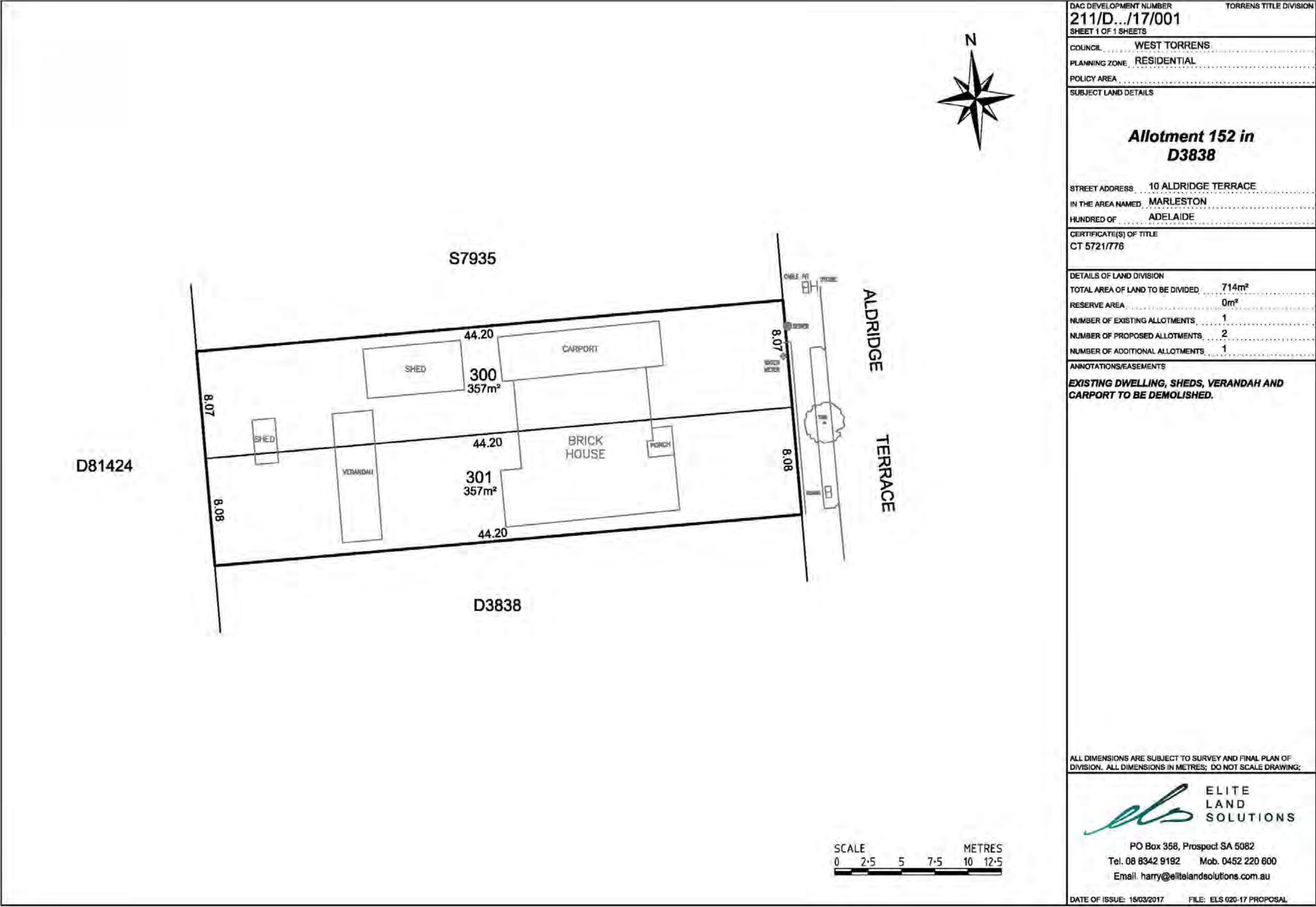
Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is considered to be not seriously at variance with the Development Plan.

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

Attachments

- 1. Proposal plan & associated documentation**
- 2. Internal Referral Responses**
- 3. External Referral Responses**

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BOUNDARY/SURVEY NOTE:

THIS DRAWING IS INTENDED FOR INDICATIVE BUILDING SETOUT PURPOSES ONLY:

REFER CIVIL ENGINEER / SURVEYOR DRAWINGS FOR SITE LEVELS, CONTOURS, BENCH MARKS, SERVICE LOCATIONS, & EARTHWORK DESIGN.

FINAL BOUNDARY & BUILDING SETOUT SHALL BE CONFIRMED & CERTIFIED BY LICENSED SURVEYOR PRIOR TO ANY CONSTRUCTION.

TORRENS TITLE		
SITE	COVERAGE	m2
SITE AREA -		356.88m ²
LIVING AREA -		128.40m ²
PRIVATE OPEN SPACE -		109.86m ²
ROOF AREA -		180.23m ² (50.50%)
TOTAL FOOTPRINT -		152.13m ²
SITE COVERAGE %		42.63%

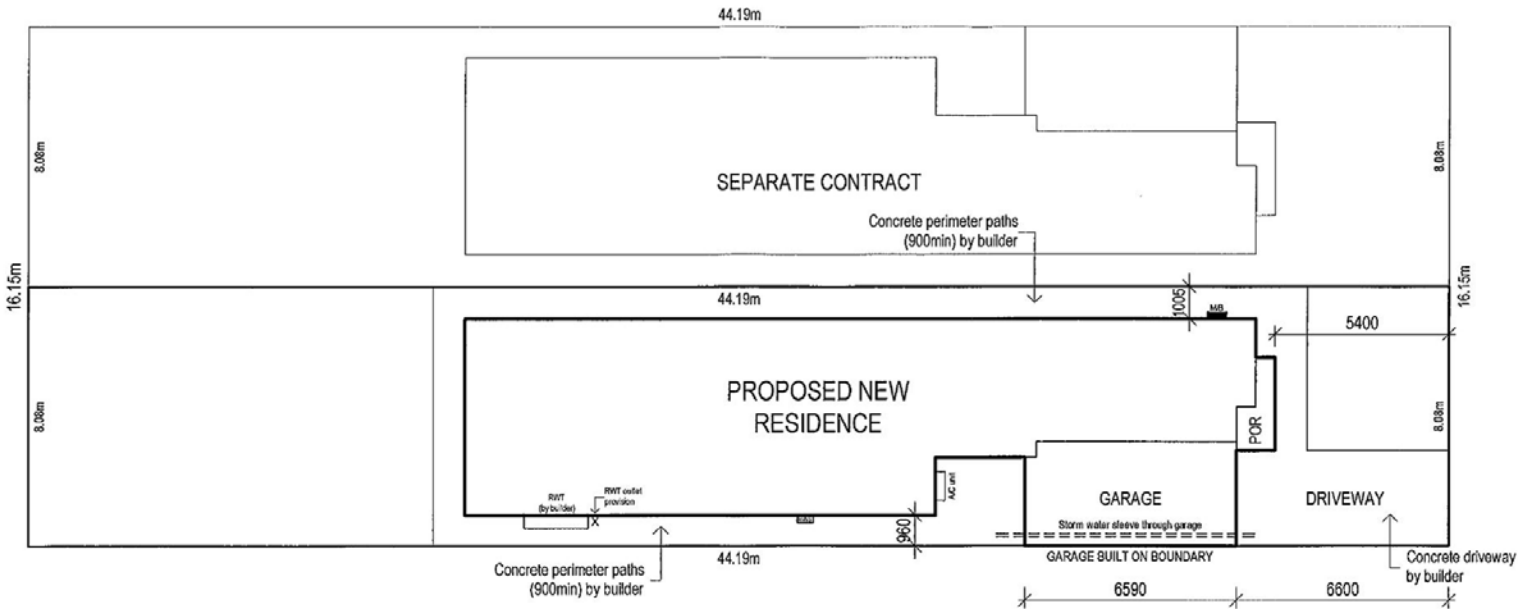
- NOTE:
CONSTRUCTION OF BRUSH FENCING NOT PERMITTED WITHIN 3m OF PROPOSED BUILDING
- NOTE:
Freestanding water tap to be located over flood gully with engineering
- NOTE:
Rainwater Tank as per council requirements, connected to one WC by BUILDER
- Builder to allow for first fix plumbing provision for a rainwater run plumbed to one WC & a mains water point for change over device.

WORKING DRAWINGS

SIGNATURE: *[Signature]* DATE: 30/3/17


SIGNATURE: *[Signature]* DATE: *[Signature]*

RESCODE COMPLIANT



ALDRIDGE TERRACE

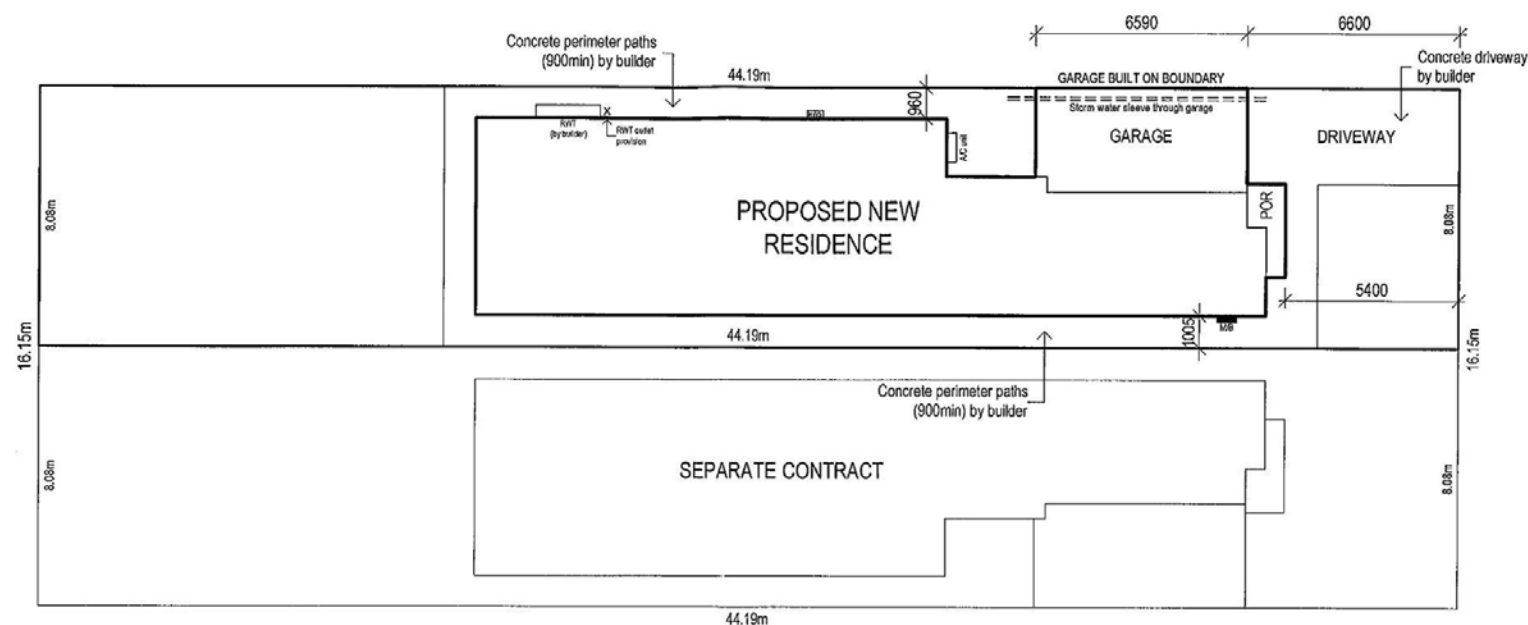
01 SITE PLAN

<div><p>Adelaide Designer Homes</p><p>WE'LL POINT YOU IN THE RIGHT DIRECTION</p><p>51 BEULAH ROAD, NORWOOD S.A 5067 PH (08) 8211 0100 FAX (08) 8363 7823 B.L.D No. 219736 ABN. 86135004812</p><p><small>COPYRIGHT 2010 © REPRODUCTION IN PART OR WHOLE FORBIDDEN</small></p></div>	<p>FIGURE DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALE DRAWINGS. CONTRACTORS TO VERIFY DIMENSIONS AND LEVELS PRIOR TO COMMENCEMENT OF ANY BUILDING WORK.</p> <p>THIS RESIDENCE IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE SOUTH AUSTRALIAN HOUSING CODE, B.C.A.2014 AND RELEVANT LOCAL AUTHORITY REQUIREMENTS</p> <p>THESE DRAWINGS ARE THE EXCLUSIVE PROPERTY OF ADELAIDE DESIGNER HOMES.</p> <p>© - SMOKE DETECTORS HARDWIRED TO CONSUMER MAINS WITH 9V BATTERY BACKUP IN ACCORDANCE WITH AS 3786.1993.</p>	<table><tr><th>SPECIFICATION</th><th>AREAS</th><th>NOTES</th></tr><tr><td>LIFESTYLE</td><td>LIVING 128.40m² GARAGE 21.18m² PORCH 2.55m²</td><td>WINDOW SIZES ALL HEIGHT X WIDTH WINDOWS/DOORS ALL SINGLE GLAZED</td></tr><tr><td>CONSULTANT</td><td>TOTAL 152.13m²</td><td>ROOF MATERIAL COLORBOND WINDOW H/ HEIGHT 2100 DOOR HEIGHT 2100 INT DOOR HEIGHT 2100 ROOF PITCH 25° CEILING HEIGHT 2700 EAVES WIDTH 450</td></tr></table>	SPECIFICATION	AREAS	NOTES	LIFESTYLE	LIVING 128.40m ² GARAGE 21.18m ² PORCH 2.55m ²	WINDOW SIZES ALL HEIGHT X WIDTH WINDOWS/DOORS ALL SINGLE GLAZED	CONSULTANT	TOTAL 152.13m ²	ROOF MATERIAL COLORBOND WINDOW H/ HEIGHT 2100 DOOR HEIGHT 2100 INT DOOR HEIGHT 2100 ROOF PITCH 25° CEILING HEIGHT 2700 EAVES WIDTH 450	<table><tr><th>CLIENT</th></tr><tr><td>MAGOULAS Ioannis & Despina Koufalakis</td></tr><tr><td>ADDRESS No. 10 (residence 1 of 2) Aldridge Terrace MARLESTON, SA</td></tr></table>	CLIENT	MAGOULAS Ioannis & Despina Koufalakis	ADDRESS No. 10 (residence 1 of 2) Aldridge Terrace MARLESTON, SA	<table><tr><th>SCALE</th><th>REVISION</th><th>DATE</th></tr><tr><td>1:200</td><td></td><td>15/03/17</td></tr><tr><th>REV</th><th>DATE</th><th>NOTES</th></tr><tr><td>A</td><td></td><td></td></tr><tr><td>B</td><td></td><td></td></tr><tr><td>C</td><td></td><td></td></tr><tr><td>D</td><td></td><td></td></tr><tr><td>E</td><td></td><td></td></tr><tr><td>F</td><td></td><td></td></tr></table>	SCALE	REVISION	DATE	1:200		15/03/17	REV	DATE	NOTES	A			B			C			D			E			F		
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FINAL BOUNDARY & BUILDING SETOUT SHALL BE CONFIRMED
& CERTIFIED BY LICENSED SURVEYOR PRIOR TO ANY
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SITE COVERAGE	m2
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TOTAL FOOTPRINT -	152.13m ²
SITE COVERAGE %	42.63%

Builder to allow for first fix plumbing provision for a rainwater run plumbed to one WC & a mains water point for change over device.



ALDRIDGE TERRACE



RESCODE COMPLIANT

01 SITE PLAN



THESE DRAWINGS ARE THE EXCLUSIVE PROPERTY OF
ADELAIDE DESIGNER HOMES.

③ • SMOKE DETECTORS HAROWIRED TO CONSUMER
MAINS WITH 9V BATTERY BACKUP IN
ACCORDANCE WITH AS 3786 1993.

SPECIFICATION	AREAS	NOTES
LIFESTYLE	LIVING 128.40M ² GARAGE 21.18M ² PORCH 2.55M ²	WINDOW SIZES ALL HEIGHT X WIDTH WINDOWS/DOORS ALL SINGLE GLAZED CEILING INSULATION R4.0 EXT WALL INSULATION R2.0
CONSULTANT		ROOF MATERIAL COLORBOND WINDOW I/H HEIGHT 2100 DOOR HEIGHT 2100 INT DOOR HEIGHT 2100 ROOF PITCH 25° CEILING HEIGHT 2700 EAVES WIDTH 450
Danny ELDER	TOTAL 152.13M ²	90MM ZINCALUME COATED STEEL FRAME WIND SPEED CATEGORY N1

CLIENT
MAGOULAS Ioannis & Despina Koufalakis
ADDRESS
No. 10 (residence 2 of 2) Aldridge Terrace MARLESTON, SA

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Memo

To Chelsea Spangler
From Jane Teng
Date 25/05/2017
Subject 211/501/2017, 10 Aldridge Terrace, MARLESTON SA 5033

Chelsea Spangler,

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

1.0 Flood Consideration – Finished Floor Level (FFL) Requirement

The proposed development is not within the area of flood effect from Keswick and Brown Hill Creek flood plain mapping as nominated in Council's Development Plan. However, Council seeks to ensure that the FFL of all new development is protected from inundation when considering a 350mm stormwater flow depth in the adjacent street watertable.

This is typically achieved through establishing the FFL of new development a minimum of 350mm above the highest adjacent street water table.

2.0 Verge Interaction (with street tree)

In association with new development, driveways and stormwater connections through the road verge need to be located and shaped such that they appropriately interact with and accommodate existing verge features in front of the subject and adjacent properties. Any new driveway access shall be constructed as near as practicable to 90 degrees to the kerb alignment (unless specifically approved otherwise) and must be situated wholly within the property frontage.

New driveways and stormwater connections are required to be located a minimum 1.0 metre offset from other existing or proposed driveways, stormwater connections, stobie poles, street lights, side entry pits and pram ramps, etc. (as measured at the front property boundary).

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



Lot 300:

Based on the proposed land division plan of the subject site, the allotment will only accommodate a single driveway corridor at the minimum width of 3.0m. By taking into consideration the offset distance requirements from the existing tree (2.0m minimum) and stogie pole (1.0m minimum), a minimum width of 5.07m will be sufficient to accommodate a single driveway corridor on the northern boundary.

Lot 301:

Based on the proposed land division plan of the subject site, the allotment will only accommodate a single driveway corridor at the minimum width of 3.0m. By taking into consideration the offset distance requirements from the existing tree (2.0m minimum) and existing neighbouring driveway crossover (1.0m minimum), a minimum width of 3.5m will be sufficient to accommodate a single driveway corridor on the southern boundary,



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

Regards

Jane Teng
Civil Engineer

Chelsea Spangler

From: Enio Trombetta
Sent: Monday, 29 May 2017 4:31 PM
To: Chelsea Spangler
Cc: Rick Holmes
Subject: RE: 211/501/2017 - 10 Aldridge Tce, Marlestone - Referral

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Chelsea,

Thank you, that sounds good. I have been unable to access Pathway today so a formal referral response will be difficult. Are you happy with an email?

Arboricultural Assessment of Street Trees

Development Application No: 211/501/2017

Assessing Officer: Chelsea Spangler
Site Address: 10 Aldridge Terrace, Marlestone SA 5033

FROM THE TECHNICAL OFFICER

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

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

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

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

As a result of the proposed land division on Aldridge Terrace, City Works will support the proposal, requiring a minimum offset of 2.0m from the existing *Callistemon species* (Bottle Brush) street tree.

Please note, Lot 301 has the street tree located just 6700mm from the adjoining property therefore to maintain an offset of 2000mm from the above nominated street tree, the Telstra pit located within the verge will require relocating or have a trafficable cover placed over it for a vehicle crossing place to be approval and satisfy criteria set by City Works.

Additionally for Lot 300 the street tree will require an minimum offset of 2000mm free of all services and/or any vehicle crossing place for City Works to supported the proposal.

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

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

I trust this explains the situation should you require any additional information please do not hesitate to contact the undersigned.

Kind regards,

Enio Trombetta
Technical Officer Arboriculture
City of West Torrens
165 Sir Donald Bradman Drive
Hilton SA 5033

From: Chelsea Spangler
Sent: Monday, 29 May 2017 3:57 PM
To: Enio Trombetta
Subject: RE: 211/501/2017 - 10 Aldridge Tce, Marlestone - Referral

Hi Enio,

Thanks for your comments.

I just had a quick chat with Jane regarding the Telstra pit. Ultimately Jane advised that as the Telstra pit is not a Council Asset, she cannot provide comment but essentially it is implied that it is up to the developer/ owner to liaise with Telstra to either relocate the pit or place a trafficable cover over the pit. I have contacted the applicant to make them aware of this especially as it could result in additional costs in the future. I advised that Council do not support the removal of the tree in case this was their intention. The applicant (who is the surveyor in this case) advised that to the best of his knowledge is that the crossover is to be over the Telstra pit ie near the southern boundary and not near the tree. This was based on draft proposal plans he has seen for the dwellings.

Hopefully this addresses your concerns?

Kind regards

Chelsea Spangler
Development Officer
City of West Torrens
165 Sir Donald Bradman Drive
Hilton SA 5033

Contact Lands Titles Office
Telephone 7109 7018



18 May 2017

The Chief Executive Officer
City of West Torrens

Dear Sir/Madam

Re: Proposed Application No. 211/D069/17 (ID 57851)
for Land Division by Mr Mark Magoulas

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 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.
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".

Phil Hodgson
Unit Manager
Lands Titles Office



18 May 2017

Our Ref: H0058489

The Chairman
Development Assessment Commission
136 North Terrace
ADELAIDE SA 5000

Dear Sir/Madam

PROPOSED LAND DIVISION APPLICATION NO: 211/D069/17 AT MARLESTON

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

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

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

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

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

Yours faithfully

ANN BOND

for MANAGER LAND DEVELOPMENT & CONNECTIONS

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

6.16 24 Howard Street, UNDERDALE

Application No 211/1509/2016

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Land division - Torrens Title; DAC No. 211/D207/16 (Unique ID 56428); Create one (1) additional allotment
APPLICANT	Mr Chris Staak
LODGEMENT DATE	23 November 2016
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"> ▪ Council's Independent Arborist ▪ City Assets - Engineering External <ul style="list-style-type: none"> ▪ Development Assessment Commission ▪ South Australian Water Corporation
DEVELOPMENT PLAN VERSION	05 May 2016
MEETING DATE	13 June 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. 211/1509/2016 by Mr Chris Staak to undertake Land division - Torrens Title; DAC No. 211/D207/16 (Unique ID 56428); Create one (1) additional allotment at 24 Howard Street, Underdale (CT 5666/808) subject to the following conditions of consent:

DEVELOPMENT PLAN CONSENT**Council Conditions**

1. The development shall take place in accordance with the plans prepared by Andrew and Associates (Reference 216280-1) relating to Development Application Number 211/1509/2016 (211/D207/16)

LAND DIVISION CONSENT**Council Conditions**

1. Prior to the issue of clearance to this division, all buildings shall be removed from the proposed allotments.

Development Assessment Commission and South Australian Water Corporation Conditions

2. Payment of \$6676 into the Planning and Development Fund (1 allotment(s) @ \$6676/allotment).

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

3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.
4. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.

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

On 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.

Note: The site includes two significant trees. Any work undertaken on the site should ensure the health of each tree is preserved.

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.

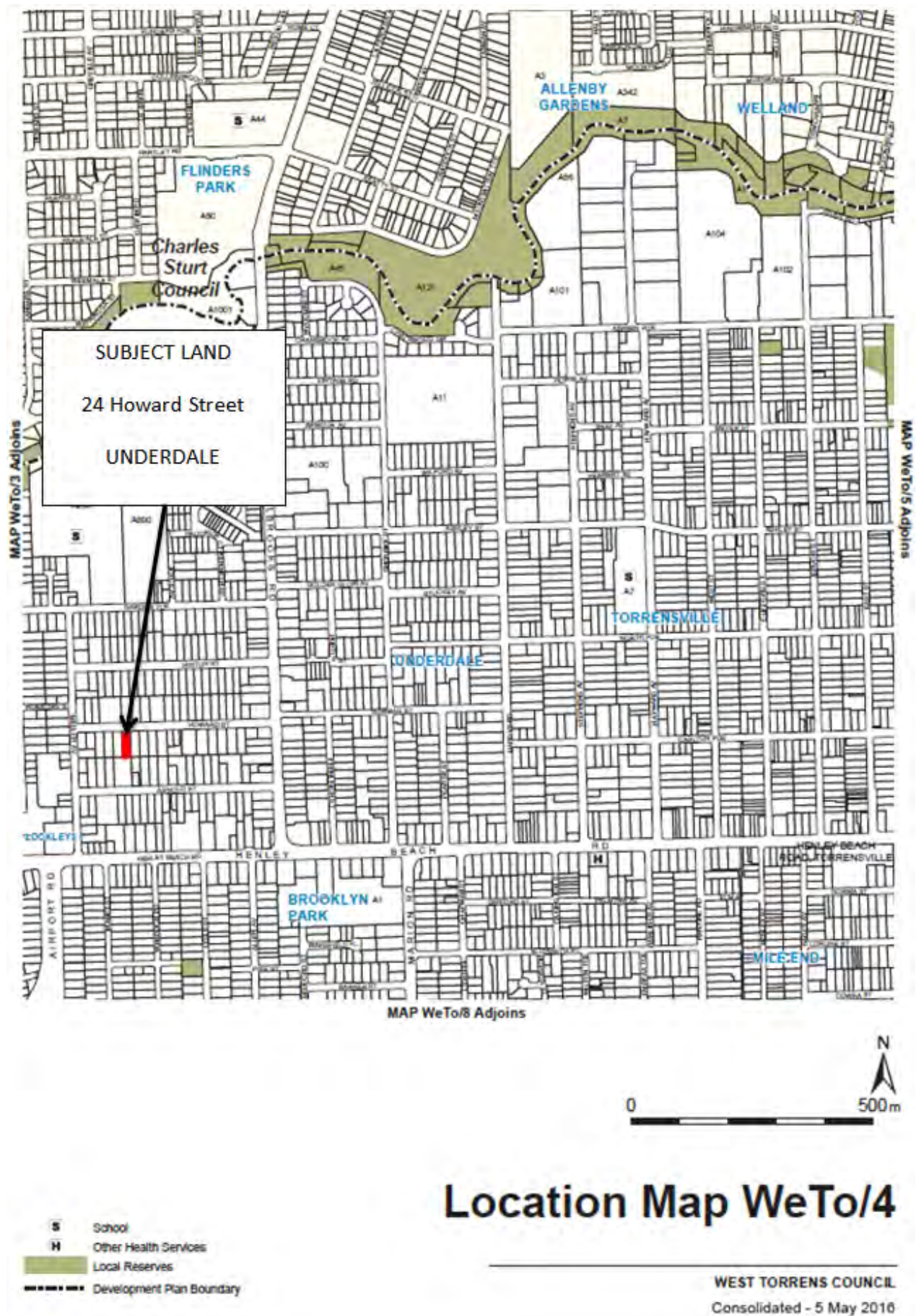
PREVIOUS OR RELATED APPLICATION

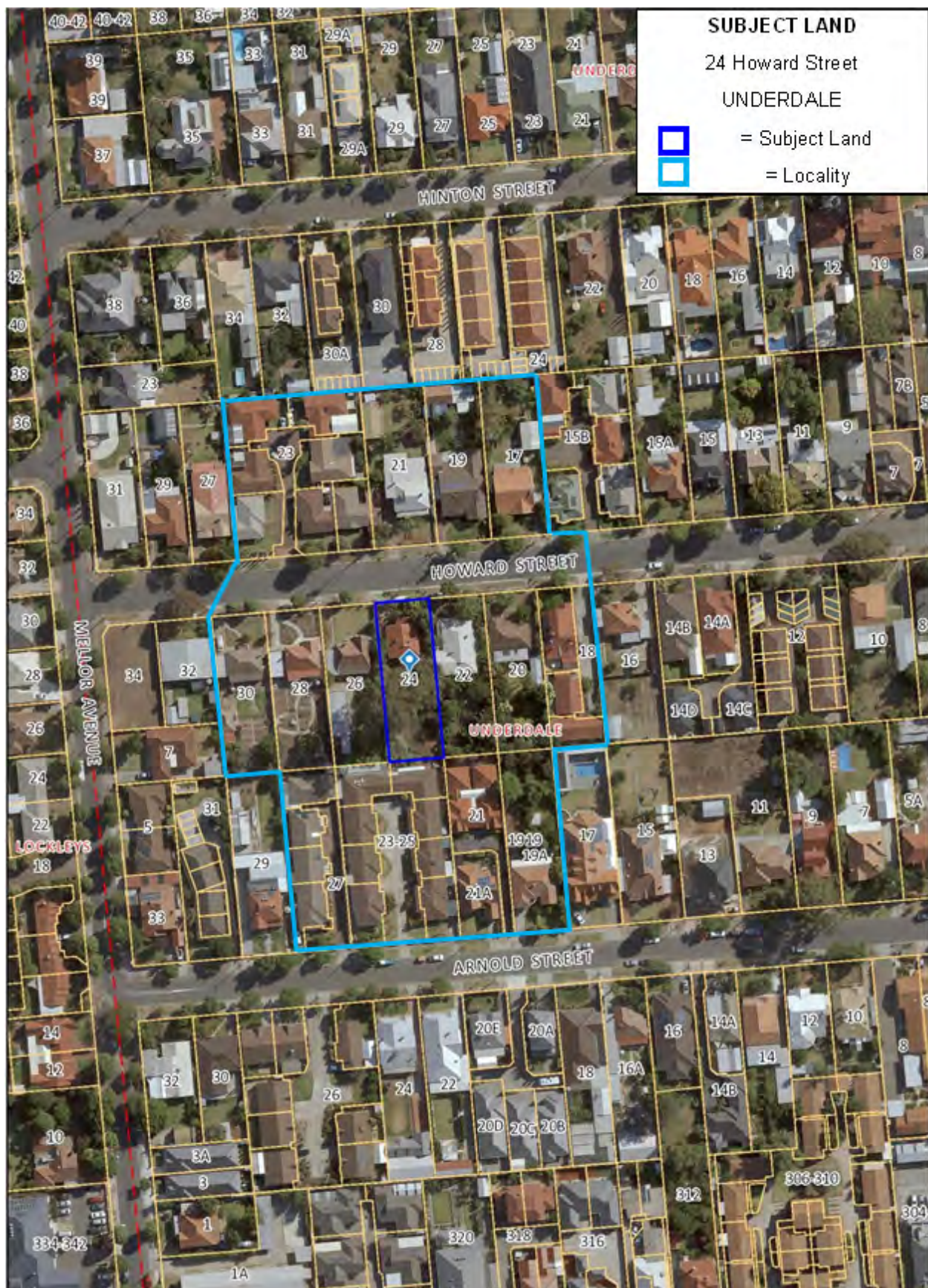
Application Number	Nature of Development	Decision
211/1031/2016	Removal of Significant Tree (River Red Gum)	Development Approval Granted

SITE AND LOCALITY

The site is 24 Howard Street, Underdale which has a frontage of 18.2 metres, a depth of 53.3 metres and an area of 976 square metres. The site is located on the southern side of Howard Street and comprises a detached dwelling, outbuildings and two significant trees.

The locality is characterised by low density residential development. The pattern of division is predominantly rectangular however some community title divisions with irregular shaped allotments are also nearby. Low Density Policy Area 21 is situated directly to the north, with Howard Street being the policy area boundary.





PROPOSAL

The proposal is for a Torrens Title land division to create 1 additional allotment.

A full copy of relevant plans and details forms **Attachment 1**.

REFERRALS

Internal

- Council's Independent Arborist
- City Assets - Engineering

External

- Development Assessment Commission
- South Australian Water Corporation

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

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>		
Land Division	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 2, 3, 4, 5, 6 & 8
Significant Trees	Objectives	1 & 2
	Principles of Development Control	1, 2, 3, 4 & 5

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

<i>Objectives</i>	1, 2 and 4
<i>Principles of Development Control</i>	1 and 5

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

QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
ALLOTMENT AREA Low Density Policy Area 20 Principle 5	340m ²	Lot 40 = 488m ² Lot 41 = 488m ² Satisfies
SITE FRONTAGE Low Density Policy Area 20 Principle 5	10m	Lot 40 = 9.15m Lot 41 = 9.14m Does Not Satisfy by 8.5% and 8.6%

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:

Significant Trees

The site includes two significant trees (River Red Gums).

The Development Plan suggests a desire to preserve and provide landscaping to enhance the appearance of buildings from the street as viewed by pedestrians and to reduce heat loads in summer.

More particularly, General Section, Significant trees provides the following.

Objective 1: The conservation of significant trees, in Metropolitan Adelaide, that provide important aesthetic and environmental benefit.

Principle 5: Land should not be divided or developed where the division or development would be likely to result in a substantial tree-damaging activity occurring to a significant tree.

The arborist report provided by the applicant found that each tree is in a "fair" condition with a life expectancy greater than 20 years. In addition, the arborist report concludes that an encroachment into the Tree Protection Zone may be possible, subject to the following recommendations.

1. Detailed non-destructive root investigation works carried out under strict supervision of a project arborist
2. A full Arboricultural Impact Assessment and Tree Protection Plan be prepared and subsequently implemented on site prior to the commencement of any works
3. Consideration of alternative foundation designs where encroachment into the Tree Protection Zone is proposed.
4. Approved tree protection requirements be clearly identified during the project tender process
5. Any areas of proposed hard standing within the Tree Protection Zone are to be formed using a no-dig technique and pervious paving to allow for the continued filtration into the tree's root zones.

These recommendations are based on a 6 metre setback from the subject trees however it is acknowledged that this setback could be increased.

Council's independent arborist has confirmed that each tree

1. Makes an important contribution to the character and amenity of the local area
2. Represents an important habitat for native fauna
3. Is part of a wildlife corridor of a remnant area of native vegetation
4. Is important to the maintenance of biodiversity in the local environment
5. Forms a notable visual element to the landscape.

Council's independent arborist has advised that a 6 metre setback from the trunk of either tree, as indicated by the applicant, is not within the tolerable limits of the tree as the location of the dwelling could sever or compact a large portion of the trees root system. Notwithstanding this, alternate design methodologies could be implemented to expose possible roots without damage. If no structural roots are located at the indicated 6 metres, then construction could be undertaken. Alternatively, any proposed dwelling could adopt an "above-grade pier and beam footing" or be setback further to reduce encroachment and potential impact.

It is important to acknowledge that the dwelling plans submitted by the applicant are only indicative. Subject to the following, the land division would not likely result in a substantial tree-damaging activity occurring.

1. An appropriate design potentially reducing dwelling encroachment into the Tree Protection Zone beyond 6 metres,
2. Non-destructive root investigations,
3. Full arboriculture impact assessments,
4. Tree protection plans,
5. Possible alternative foundations
6. Use of pervious paving where hard-stand is proposed within the Tree Protection Zone.

Land Division

The proposed land division is not combined with an application for dwellings and thus land division should create allotments with an area greater than 340 square metres and with a minimum frontage width of 10 metres.

Proposed allotments are both 488 square metres and therefore achieve the recommended minimum allotment area.

Allotment 40 would have a frontage width of 9.15 metres whilst allotment 41 would have a frontage width of 9.14 metres. As such, both allotments fail to achieve the recommended minimum frontage width.

Land should not be divided if the size, shape, location, slope or nature of the land makes any of the allotments unsuitable for their intended use. Despite the shortfall, the frontages proposed remain a suitable width for residential development. This has been demonstrated by the indicative site and floor plan which confirm (subject to arborist recommendations) each allotment can reasonably accommodate a dwelling with a floor area up to 216.5 square metres. In addition, minimum frontage provisions allowing 9 meters in other policy areas further confirm that the proposed width is capable of accommodating detached dwellings.

Although the original pattern of division is largely intact throughout the locality, numerous community title land divisions have introduced a range of allotment shapes and areas throughout the wider locality. Low Density Policy Area 20 simply desires low density allotments, not preservation of the existing allotment pattern. The reduced frontages are not considered detrimental to the low density character within the streetscape. Although not strictly in accordance with the Development Plan, the proposed frontage shortfall is acceptable.

SUMMARY

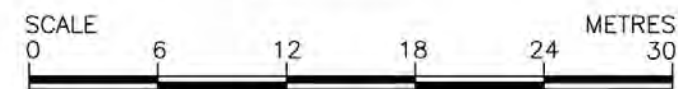
Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is considered to be not seriously at variance with the Development Plan.

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

Attachments

1. **Plans and applicant's arborist report**
2. **Referral Comments, including Independent Arborist Report**

Plan of Division for Development Approval
HUNDRED OF ADELAIDE
ALLOTMENT 16 IN D2588
OF PT SEC 97
 in the area named
UNDERDALE



C.T. 5666/808

SUBJECT TO SURVEY
 EXISTING STRUCTURES TO BE REMOVED

Registered Proprietor : PUBLIC TRUSTEE
 Applicant : C STAAK (as contractual purchaser)

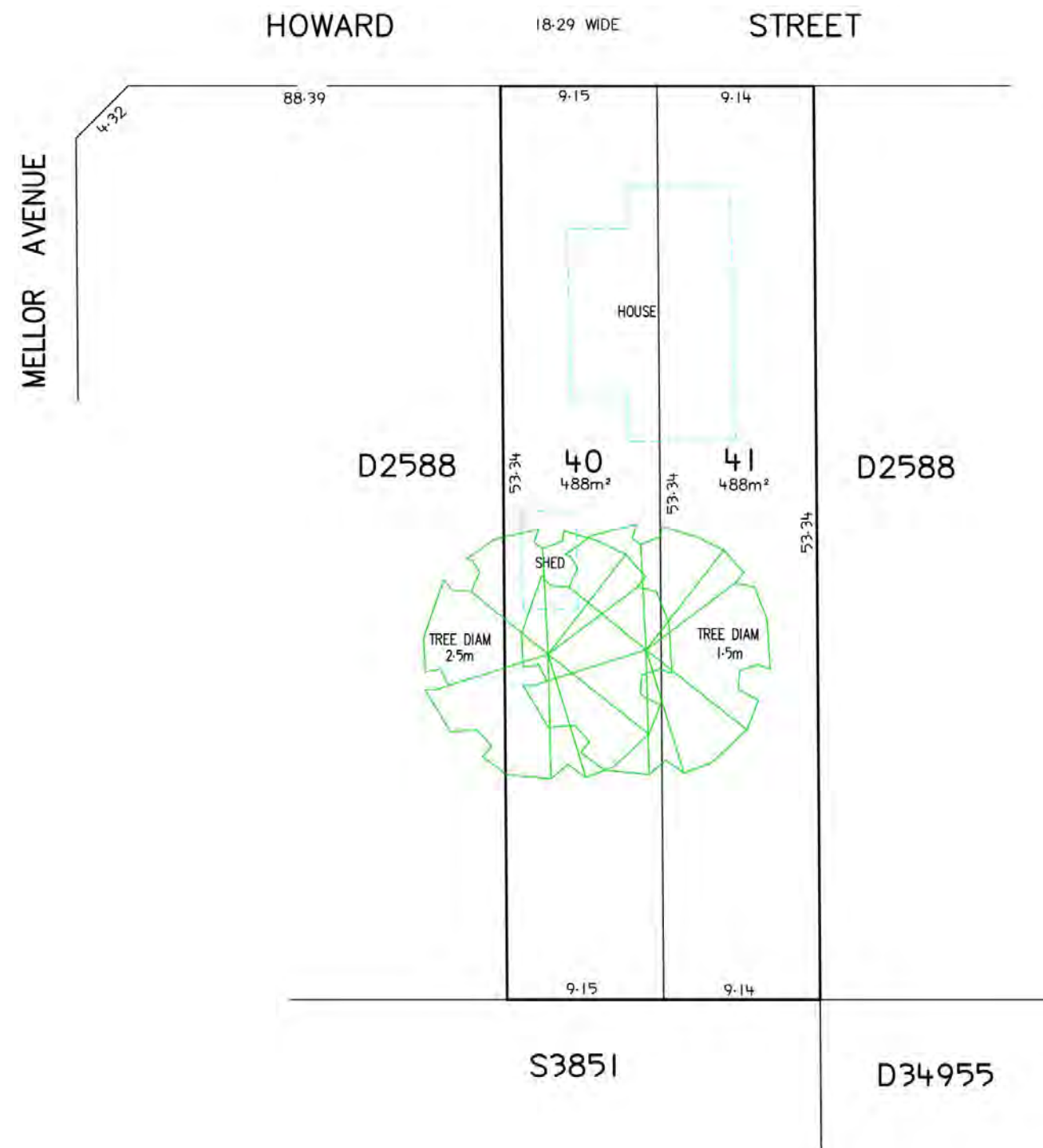
**ANDREW
 & ASSOCIATES**

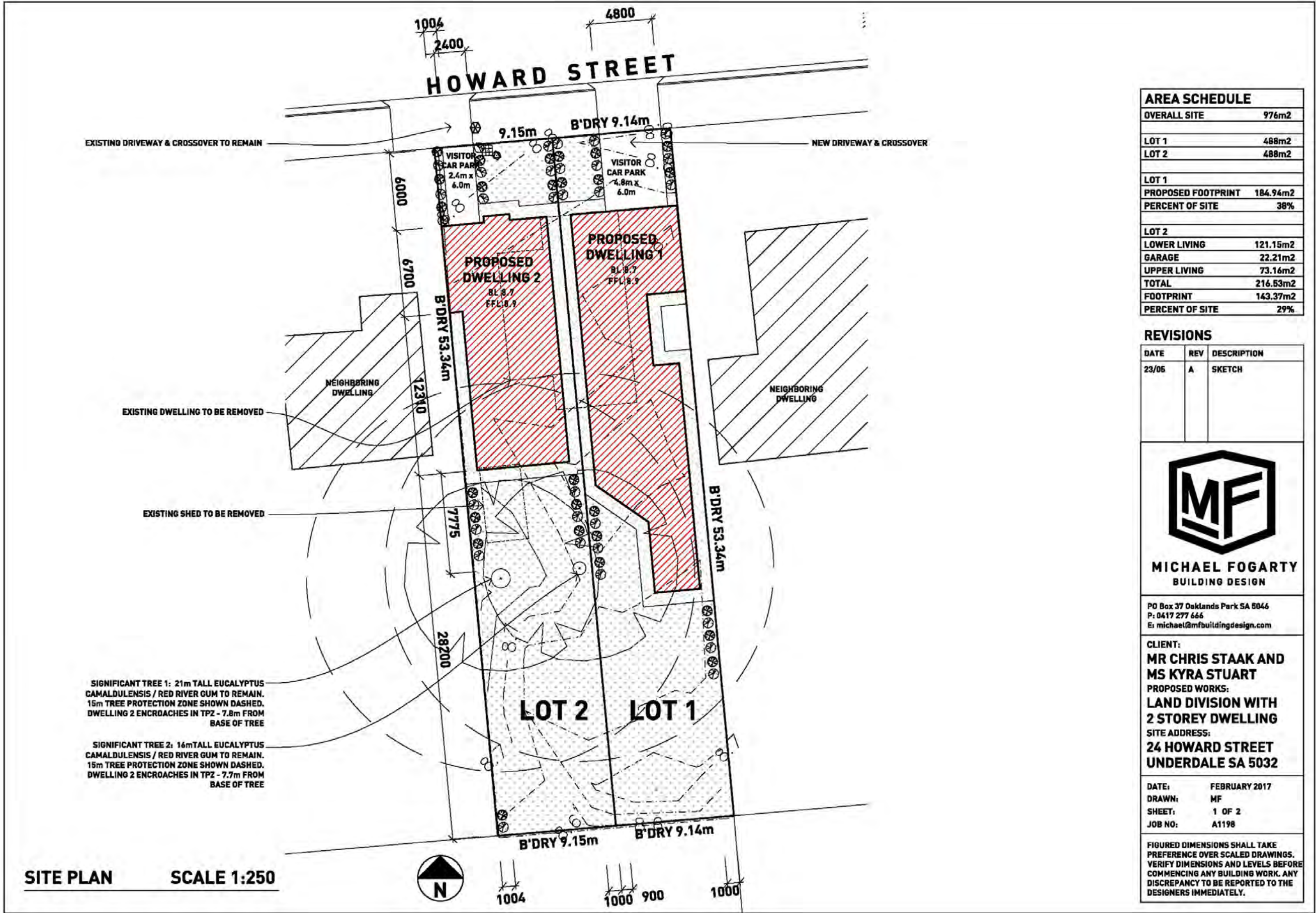
SURVEYORS &
 DEVELOPMENT CONSULTANTS

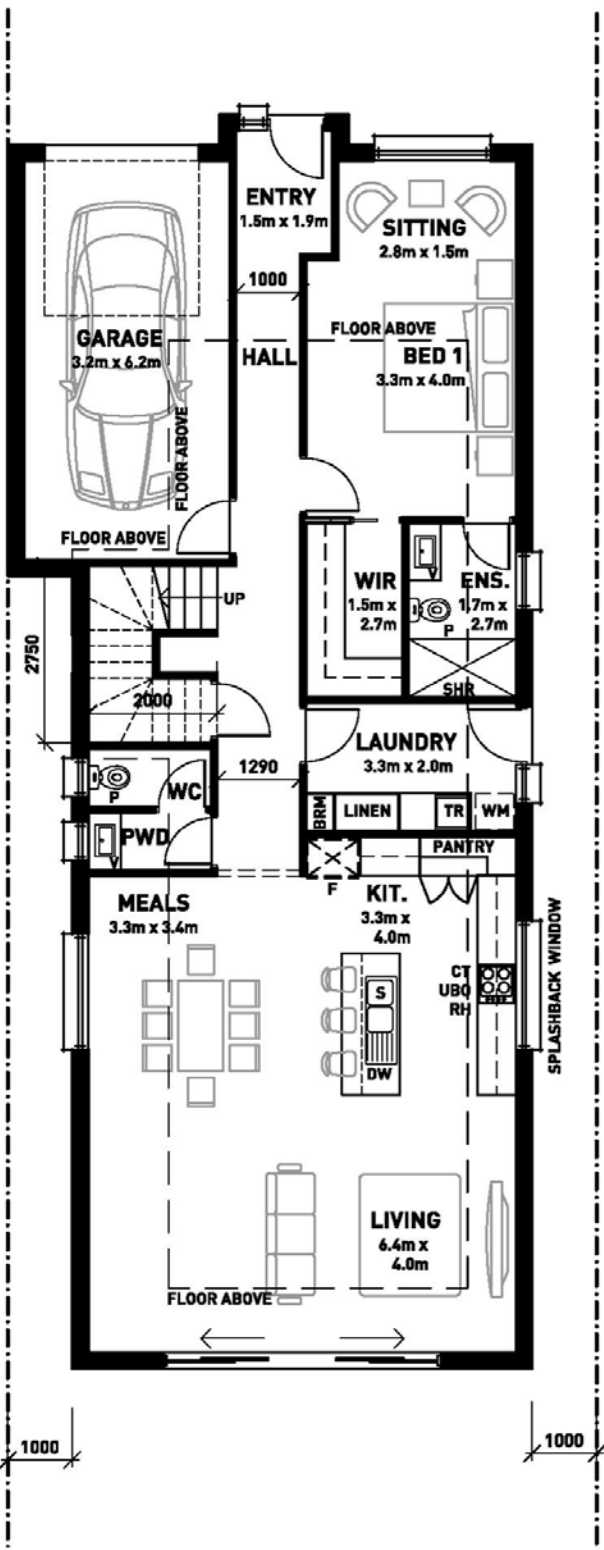
311 Angas Street Adelaide SA 5000 | 34 Victoria Street Victor Harbor SA 5211
 Telephone: 8232 1954 Facsimile: 8232 7678 | Telephone: 8552 4480

Reference : 216280-1

Development No.
 City of West Torrens

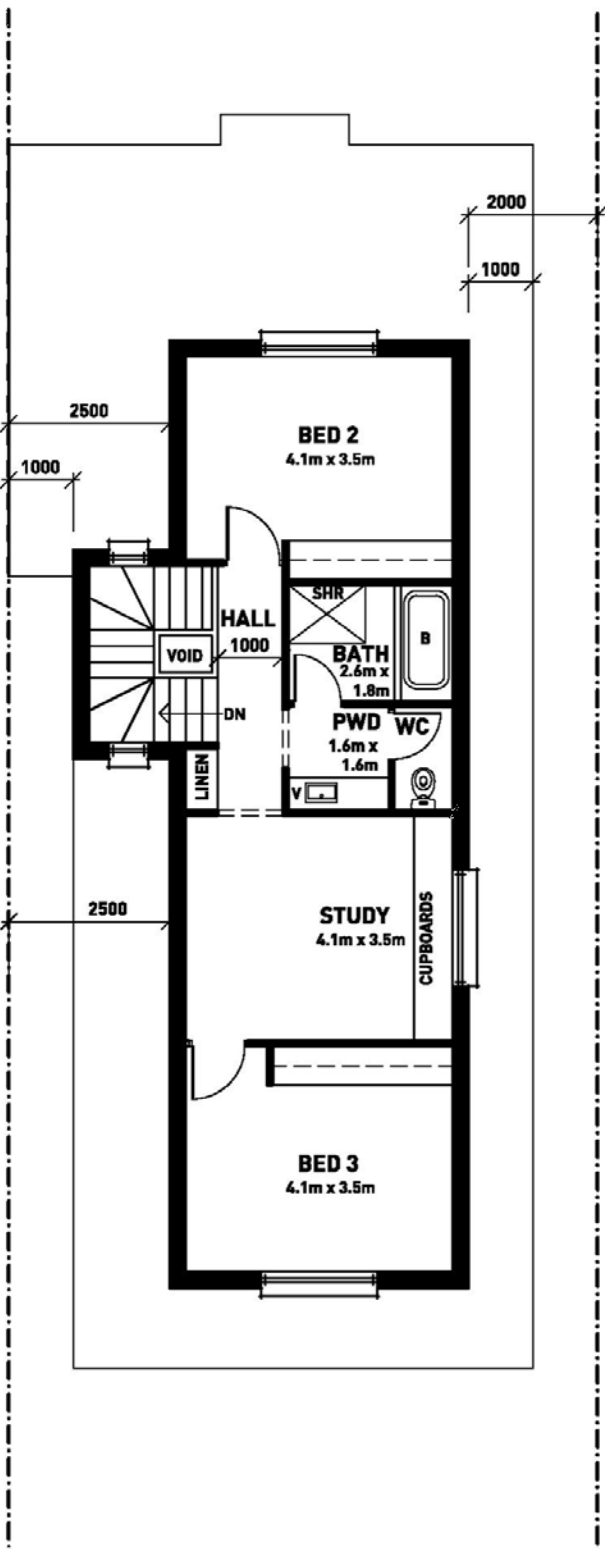






PROPOSED FLOOR PLAN
DWELLING 2 - LOWER LEVEL

SCALE 1:100



PROPOSED FLOOR PLAN
DWELLING 2 - UPPER LEVEL

SCALE 1:100

BUILDING SCHEDULE

- FLOOR:**
CONCRETE SLAB
FLOATING TIMBER FLOOR OVER
TIMBER FRAMED FLOORING FOR UPPER LEVEL
- WALLS:**
TIMBER FRAME WITH BRICK VENEER CONSTRUCTION
FACE BRICK TBC
CEILING HEIGHT - 2700 mm - TBC
- ROOF:**
COLORBOND CUSTOM ORB ROOF SHEETING
PITCH 22.5°
COLORBOND STEEL GUTTER & FASCIA
- WINDOWS:**
POWDERCOATED ALUMINIUM AWNING

REVISIONS

DATE	REV	DESCRIPTION
23/05	A	SKETCH



MICHAEL FOGARTY
BUILDING DESIGN

PO Box 37 Oaklands Park SA 5046
P: 0417 277 666
E: michael@mfbuildingdesign.com

CLIENT:
MR CHRIS STAAK AND
MS KYRA STUART
PROPOSED WORKS:
LAND DIVISION WITH
2 STOREY DWELLING
SITE ADDRESS:
24 HOWARD STREET
UNDERDALE SA 5032

DATE: FEBRUARY 2017
DRAWN: MF
SHEET: 2 OF 2
JOB NO: A1198

FIGURED DIMENSIONS SHALL TAKE
PREFERENCE OVER SCALED DRAWINGS.
VERIFY DIMENSIONS AND LEVELS BEFORE
COMMENCING ANY BUILDING WORK. ANY
DISCREPANCY TO BE REPORTED TO THE
DESIGNERS IMMEDIATELY.

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Phone 0416929717
Fax 8395 9024
9 Armiger Court
Holden Hill
SA 5088

consultant@treevision.com.au

Written by:
Duncan McGregor
BSc For, AATech Cert, MICFor

Preliminary Arboricultural Impact Assessment



Prepared For: Chris Staak, ESO Surveyors
Site Location: 24 Howard Street, Underdale
Council Area: City of West Torrens

17 March 2017

Preliminary Arboricultural Impact Assessment

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17 March 2017

Preliminary Arboricultural Impact Assessment

1.0 Introduction

This Preliminary Arboricultural Impact Assessment relates to trees growing within a proposed residential development site at 24 Howard Street, Underdale.

The report has been commissioned by Chris Staak of ESO Surveyors in support of a development for proposed new residential dwellings at 24 Howard Street, Underdale.

The survey and report set out to achieve the following objectives:

- To assess the suitability of retention of trees on site in relation to AS 4970-2009, Protection of Trees on Development Sites.
- To assess the arboricultural implications of the proposed development.

The survey has been based on a brief visual inspection of the trees carried out from the ground by Mr Duncan McGregor on 10 March 2017. Weather at the time of the survey was dry and sunny.

The inspection was carried out from within the confines of the site and adjacent public highways. Neighbouring property was not entered.

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Preliminary Arboricultural Impact Assessment

1.1 Caveat Emptor

This report is the result of an arboricultural inspection of both the site and trees in question.

The trees were inspected from ground level; a climbing inspection was not performed.

A brief assessment of the current condition of the trees are made and any issues relating to the tree's current health and structural integrity in view of any proposed development and the impact that may affect public safety, structures of value or loss of amenity value are brought forward.

These findings are interpreted and the best course of action to abate these concerns is provided.

No subsurface inspection was conducted and no soil samples were taken for analysis.

No decay detection equipment was used in assessment of the trees and no tissue samples taken for analysis.

This report is limited to the time of inspection and reflects the trees as found on the day of assessment. Modifications and changes to the site conditions or surrounding environment due to impacts from construction work; landscaping, weather and pruning works or other issues may alter the findings of this report.

The findings presented in this assessment are limited to no more than two months upon receipt of this report. Any modification to the site, development proposal or the tree itself will render the findings of this report inaccurate.

All information contained within this report is predicated on material, documents and plans made available by the client or other parties and deemed to be from an accurate source. Tree Vision Arboricultural Consultants hold no responsibility for inaccuracies within the materials or information provided.



17 March 2017

Preliminary Arboricultural Impact Assessment

2.0 Tree Survey Methodology

All substantial trees within the site boundaries have been measured and briefly assessed. Shrubs and very small trees have not been included. Those trees identified for removal have also not been included as part of the assessment.

A total of two (2) trees were briefly assessed. A number of other trees were also present on the site at the time of the survey and it is understood that no approval is required for their removal.

The two (2) subject trees have been deemed 'Significant' trees pursuant to the definition contained within the SA Development Act 1993. The subjects trees have been identified as potentially being impacted by the proposed development and further have been highlighted for retention into the new design proposal and integral to the overall development.

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Preliminary Arboricultural Impact Assessment

3.0 Site Description

3.1 Site Boundaries and Location

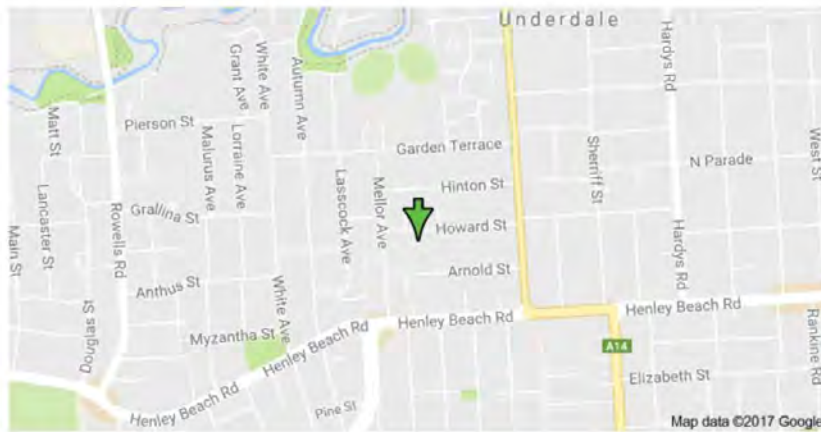


Figure 1 – above shows site location in relation to major arterial, residential roads.



Figure 2 - above shows an aerial image of the site subject to survey and assessment taken in January 2010. The approximate boundaries of the survey area are indicated in red.

The site boundaries are well defined by existing boundary fencing on all sides.

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Preliminary Arboricultural Impact Assessment

3.2 Tree Cover

The two (2) trees that are the subject of this assessment are noticeable specimens within the centre of the site. The trees on the site are considered to be maturing and as such new tree planting should be considered in order to ensure a sustainable tree population on the site.

The two (2) subject trees have been identified as 'significant'. Additional trees on the site have not been assessed as part of this assessment as it is believed no approval is required for their removal.

The remaining trees on the site when measured at a height of 1metre above ground level are less than 2metres in circumference and are therefore not protected under the terms of the SA Development Act 1993.

The subject trees have been integrated into the design of the proposed development and consideration has been given to their successful retention on the site.



Figure 3 - shows an aerial image of the site subject to survey and assessment taken in January 2010. The approximate locations of the subject trees are indicated in red.

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Preliminary Arboricultural Impact Assessment

4.0 Preliminary Tree Assessment

Tree 1

Tree Number	Species	Height (m)	Circumference at 1m (m)	Diameter at 1.4m (cm)	Age Class	Physiological Condition	Structural Condition	Life expectancy (years)	Comments
1	<i>Eucalyptus camaldulensis</i> / River Red Gum	21	4.15	130	M	Fair	Fair	>20	Partly one sided away from the neighbouring property to the west.

Tree 2

Tree Number	Species	Height (m)	Circumference (m)	Diameter at 1.4m (cm)	Age Class	Physiological Condition	Structural Condition	Life expectancy (years)	Comments
2	<i>Eucalyptus camaldulensis</i> / River Red Gum	16	3.13	95	M	Fair	Fair	>20	Crown bias east, heavily suppressed by tree 1

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24 Howard Street, Underdale

17 March 2017

Preliminary Arboricultural Impact Assessment

5.0 Arboricultural Impact Assessment

This report has been produced for the purpose of providing best practice guidelines for tree protection measures in accord with Australian Standard 4970-2009 'Protection of trees on development sites'.

5.1 Tree Protection Zones

The principle means of protecting trees on development sites is the Tree Protection Zone (TPZ). The TPZ is a combination of the root area and crown area of the tree(s) that requires protection. This area is isolated from construction disturbance in order to maintain the long-term viability of the tree(s). The TPZ incorporates the Structural Root Zone (SRZ).

The design proposal may require modifications to the TPZ in order to allow for the development. Encroachment within the optimal TPZ through trenching, excavation and compaction filling maybe possible although it is likely further investigative works will need to be undertaken in order to assess the potential impacts.

Should the overall area of encroachment into the TPZ be less than 10% of the total area and outside the SRZ then it is generally considered that the impact on the tree is minimal and within the tolerable limits of the tree and as such investigative root zone excavations may not be necessary. The area lost to this encroachment should be compensated for elsewhere and must be contiguous with the TPZ. Variations to the Tree Protection Plan must be made by the project arborist considering all relevant factors listed in clause 3.3.4 of the Australian Standard.

Should the design proposal require an encroachment of more than 10% into the total area of the TPZ or within the SRZ the project arborist must demonstrate that the tree will remain viable. The area lost to this encroachment should be compensated for elsewhere and must be contiguous with the TPZ. It is likely non-destructive diagnostic root zone excavations may need to be undertaken and consideration given to clause 3.3.4 of the Australian Standard.

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Preliminary Arboricultural Impact Assessment

5.2 Structural Root Zone

The Structural Root Zone (SRZ) is a calculated area around the tree required for tree stability. The SRZ only needs to be calculated in the cases where major encroachment into the Tree Protection Zone (TPZ) is proposed.

Generally no development activities are permitted within this zone.

5.3 Tree Protection Zone Calculations

In order to calculate the Tree Protection Zone (TPZ) a measurement of the stem Diameter at applied:

$$DBH \times 12 = TPZ (Tree Protection Zone)$$

As stated in clause 3.2 of the Australian Standard AS 4970 that the maximum TPZ area should not be less than 2metres or more that 15metres radius from the centre of the tree except in cases where crown protection is required.

In the case of palms, monocots, cyads and tree ferns the TPZ should not be less than 1 metre outside the crown spread of the tree.

The optimal Tree Protection Zones (TPZ) and Structural Root Zones (SRZ) are measured radially from the centre of the tree.

Table 1: Tree Protection Zones

	Tree No. 1	Tree No. 2
TPZ (radius)	15m	15m
TPZ (area)	707 m ²	707 m ²
SRZ (radius)	3.90m	3.48m



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Preliminary Arboricultural Impact Assessment

5.4 Tree Protection Zone Encroachment Considerations

Encroachment into the Tree Protection Zone (TPZ) will be calculated based on information obtained from the plans provided by the client, the tree assessment, the site survey and guidelines contained within the standard.

The proposed lines of encroachment are calculated and the area of encroachment subtracted from the overall area of the optimal TPZ and a percentage result achieved. In this instance the total area of encroachment provided for under the Australian standard is shown below:

Tree Number	Total TPZ Area	Minor encroachment 10% of total area
1	707 m ²	70 m ²
2	707 m ²	70 m ²

It is generally considered that an area of over excavation is required when undertaking a development of this type should standard strip type footings be proposed.

In determining the potential impacts of encroachment into the TPZ the project arborist is to consider the following (clause 3.3.4 AS 4970-2009):

1. Root Location and distribution
2. Loss of root mass
3. Species tolerance to root loss
4. Tree age, vigour and size
5. Tree lean and stability
6. Soil characteristics, topography and drainage
7. Root restricting existing / past structures / obstacle
8. Design factors

17 March 2017

Preliminary Arboricultural Impact Assessment

6.0 Recommendations

Having assessed the trees and calculated the Tree Protection Zones for each tree I have the following recommendations. These recommendations are based on the plans supplied by the client in an email dated 2 March 2017. Typically, these plans show a proposed setback of 6 metres from the trees to the proposed new dwellings.

1. The proposed development is to be located on a part of the site where it will have the least impact on the retained, significant trees.
2. A proposed setback of 6 metres from each of the subject trees provides a 25% encroachment into both of the respective Tree Protection Zones (TPZ). Under section 3.3.3 of the Australian Standard 4970-2009 Protection of trees on Development Sites, this is considered major encroachment.
3. Where a minor 10% encroachment into the Tree Protection Zone (TPZ) is unavoidable adequate space be provided elsewhere on the site to offset this encroachment, contiguous with the TPZ.
4. Any proposed encroachment beyond 10% maybe possible subject to detailed, non-destructive root investigation works. These works are to be carried out under the strict supervision of the project arborist. The project arborist is to provide a report on the findings and suitability or not of any additional encroachment into the TPZ.
5. Upon submission of the development application for the proposed development an appropriate and full Arboricultural Impact Assessment and Tree Protection Plan are to be prepared and subsequently implemented on site prior to the commencement of works on site.
6. Consideration should be given to the use of alternative foundation designs where encroachment into the TPZ is proposed. An alternative to the usual strip foundations should be sought to further minimize the impacts on the significant trees.

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Preliminary Arboricultural Impact Assessment

7. The approved tree protection requirements are to be clearly identified during the project tender process. A contractual agreement is to be drawn up with the accepted tenderers which outlines their responsibility and ensures contractor compliance. A copy of the Tree Protection Plan is to be made available during the tender process.
8. Any areas of proposed hard standing within the TPZ are to be formed using a no-dig technique and pervious paving to allow for the continued filtration into the tree's root zones.
9. Appointment of a project arborist at the start of the project to help ensure the successful retention and protection of the trees during the development works.

I thank you for the opportunity to provide this report and trust that it meets your requirements. If any further information or clarification is required please do not hesitate to contact me.

Duncan McGregor

BSc For, AATech Cert, MICFor



Consulting Arborist

Date: 17 March 2017



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24 Howard Street, Underdale

Arboricultural Assessment of Non-Council Owned Significant Tree/s

Development Application No: **211/1509/2016**

Referral Due Date:

Assessing Officer: **Phil Harnett**
Site Address: **24 HOWARD STREET, UNDERDALE 5032**
Certificate of Title: **CT-**
Description of Development **Land sub-division and development of two dwellings surrounding two significant trees**

To be completed by: **CONSULTANT ARBORIST**

SPECIES & COMMON NAME: **Tree 1- *Eucalyptus camaldulensis* (River Red Gum)**

TOTAL CIRCUMFERENCE: **4150mm**

MULTI-TRUNK: **No**

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

OBJECTIVE 1

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

OBJECTIVE 2:

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

PDC 1:

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

- (a) Makes an important contribution to the character or amenity of the local area; or it*
Yes
- (b) Is indigenous to the local area and its species is listed under the National Parks and Wildlife Act 1972 as a rare or endangered native species*
No
- (c) Represents an important habitat for native fauna*
Yes
- (d) Is part of a wildlife corridor or a remnant area of native vegetation*
Yes
- (e) Is important to the maintenance of biodiversity in the local environment*
Yes
- (f) Forms a notable visual element to the landscape of the local area*
Yes

PDC 2:

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

PDC 3:

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

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

PDC 4:

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

PDC 5

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

SPECIES & COMMON NAME: Tree 2- *Eucalyptus camaldulensis* (River Red Gum)

TOTAL CIRCUMFERENCE: 3150mm

MULTI-TRUNK: No

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

OBJECTIVE 1

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

OBJECTIVE 2:

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

PDC 1:

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

- (g) Makes and important contribution to the character or amenity of the local area; or it*
Yes
- (h) Is indigenous to the local area and its species is listed under the National Parks and Wildlife Act 1972 as a rare or endangered native species*
No
- (i) Represents an important habitat for native fauna*
Yes
- (j) Is part of a wildlife corridor of a remnant area of native vegetation*
Yes
- (k) Is important to the maintenance of biodiversity in the local environment*
Yes
- (l) Forms a notable visual element to the landscape of the local area*
Yes

PDC 2:

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

PDC 3:

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

- (f) In the case of tree removal, where at least one of the following apply:*
 - a. The tree is diseased and its life expectancy is short*
No
 - b. The tree represents an unacceptable risk to public or private safety*
No
 - c. The tree is within 20metres of a residential, tourist accommodation or habitable building and is a bushfire hazard within a Bushfire Prone Area*
No
- (g) The tree is shown to be causing or threatening to cause substantial damage to a substantial building or structure of value*
No
- (h) All other reasonable remedial treatments and measures have been determined to be ineffective*
No

- (i) *It is demonstrated that all reasonable alternative development options and design solutions have been considered to prevent substantial tree-damaging activity occurring.* **No**
- (j) *In any other case, and of the following circumstances apply:*
- a. *The work is required for the removal of dead wood, treatment of disease, or is in the general interest of the health of the tree*
No
 - b. *The work is required due to unacceptable risk to public or private safety*
No
 - c. *The tree is shown to be causing or threatening to cause damage to a substantial building or structure of value*
No
 - d. *The aesthetic appearance and structural integrity of the tree is maintained*
Yes
 - e. *It is demonstrated that all reasonable alternative development options and design solutions have been considered to prevent substantial tree-damaging activity occurring*
No

PDC 4:

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

PDC 5

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

ADDITIONAL COMMENTS:

As requested, a site inspection was carried out on two (2) significant *Eucalyptus camaldulensis* (River Red Gums) located within the private rear yard of 24 Howard Street, Underdale. Plans assessed include sketched site plans from Michael Fogarty Building Design. I provide comments as follow:

The Structural Root Zone (SRZ) is the area around a tree required to protect the tree's stability. Generally, no development activities are permitted within this zone. To calculate this zone, a measurement is made of the diameter of the main stem, when measured just above the root buttress. Using the formula contained within the Standard: $(D \times 50)^{0.42} \times 0.64 = \text{SRZ}$; the following calculations have been made:

Tree 1: $\text{SRZ} = (1.46 \times 50)^{0.42} \times 0.64 = 3.88$ metres measured as a radius from the centre of the tree base.

Tree 2: $\text{SRZ} = (1.06 \times 50)^{0.42} \times 0.64 = 3.39$ metres measured as a radius from the centre of the tree base.

The TPZ or Optimal Tree Protection Zone is the principal means of protecting the tree and is calculated using the formula $\text{TPZ} = \text{DBH (diameter @ 1.4 metres above ground level)} \times 12$. The following calculations have been made:

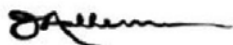
Tree 1: TPZ = $1.30 \times 12 = 15$ metres measured as a radius from the centre of the tree base which is the maximum distance allowed

Tree 2: TPZ = $0.95 \times 12 = 11.4$ metres measured as a radius from the centre of the tree base.

This creates a TPZ area of 706.86m² for Tree 1 and 408.28m² for Tree 2. The development proposal states that the current dwelling and all structures will be demolished and the property will be subdivided. As per the sketched site plan (shown below), a two storey dwelling will be constructed on the western block, northwest of Tree 1. The closest point of this construction appears to be 6 metres from the base of the subject tree. Therefore, the incursion area into the TPZ is 178.35m² which creates an encroachment of 25.13%.

This large encroachment is not within the tolerable limits of the tree as the location of the proposed dwelling could sever or compact a large portion of the trees root system. As such alternative design methodologies will need to be implemented. The use of an Airspade or Hydravac System could be used in this situation. These systems use high pressure air to excavate soil and expose possible roots without damage. If no structural roots are located at the desired distance of 6 metres, then construction could be undertaken.

Alternatively, the proposed dwelling could be set back further from the tree to create a smaller TPZ encroachment or constructed using above-grade pier and beam footings. This construction method is far less invasive than traditional concrete foundations and could be located closer to the subject trees.



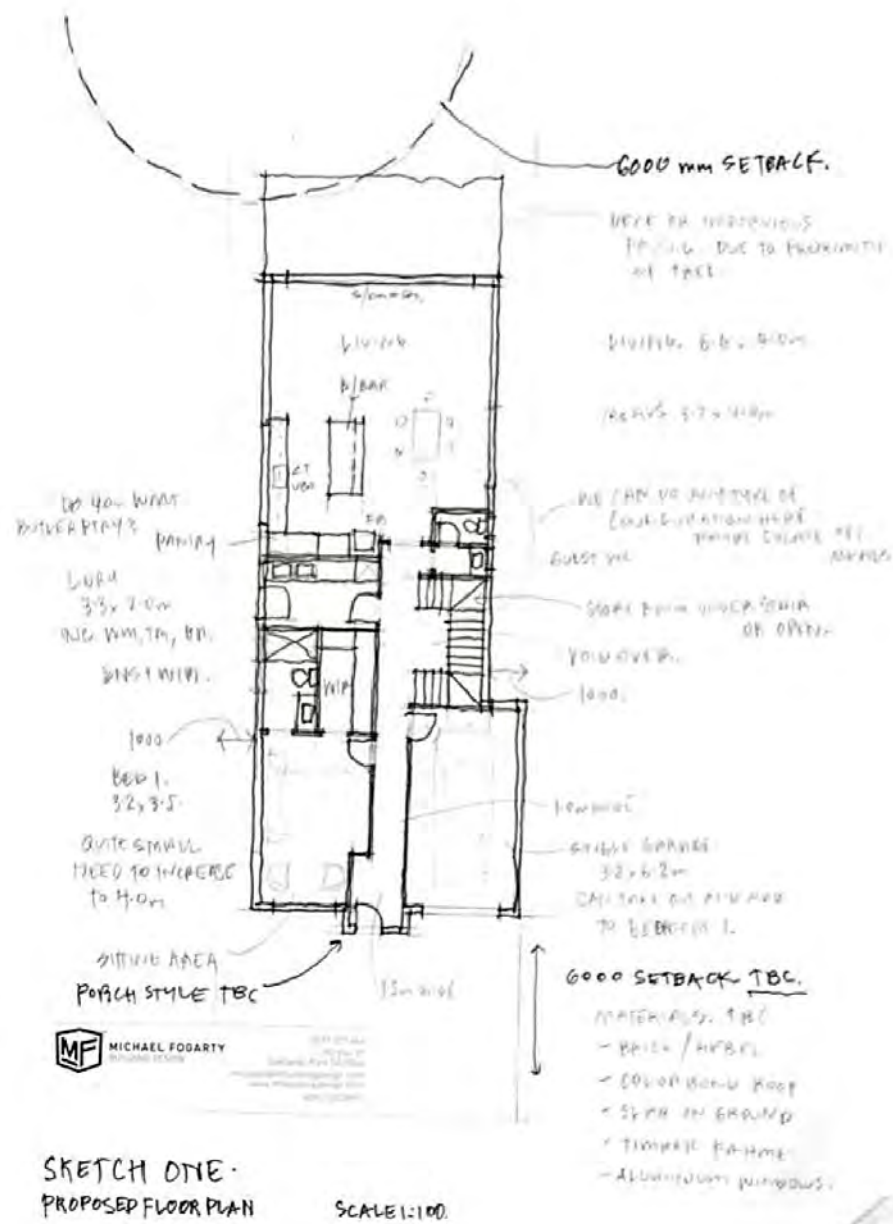
JARRAD ALLEN

CALYPSO TREE CO

DATE: 11/05/17

PHOTO's ATTACHED:

Figure 1 (above): subject trees when viewed from the south. Tree 1 is the larger tree to the west. Tree 2 to the east. Proposed development is to take place north of the subject trees.





Memo

To Phil Harnett
From Ming Siow
Date 17/2/17
Subject 211/1509/2016, 24 Howard Street, UNDERDALE SA 5032

Phil Harnett,

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

1.0 General Comments

- 1.1 I note that the proposed land division will be able to accommodate a minimum of a single width crossover for each allotment.
- 1.2 The subject site is less than 1000m² and therefore will not require stormwater detention measures.

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

Regards

Ming Siow

Contact: Lands Titles Office
Telephone 7109 7016



20 December 2016

The Chief Executive Officer
City of West Torrens

Dear Sir/Madam

Re: Proposed Application No. 211/D207/16 (ID 56428)
for Land Division by Mr Chris Staak

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

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

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

Phil Hodgson
Unit Manager
Lands Titles Office
as delegate of



20 December 2016

Our Ref: H0053367

The Chairman
Development Assessment Commission
136 North Terrace
ADELAIDE SA 5000

Dear Sir/Madam

PROPOSED LAND DIVISION APPLICATION NO: 211/D207/16 AT UNDERDALE

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

TANIA HORVAT

for **MANAGER LAND DEVELOPMENT & CONNECTIONS**

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

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) 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.

as this matter is before the Environment Resources and Development Court and it is a requirement of the Court that matters are kept confidential until such time as a compromise is reached or the matter proceeds to a hearing.

RECOMMENDATION(S)

It is recommended to Development Assessment Panel that:

1. On the basis that this matter is before the Environment Resources and Development Court so any disclosure would prejudice the position of Council, the Development Assessment Panel orders pursuant to Section 56A(12)(a) of the *Development Act 1993*, that the public, with the exception of the Chief Executive Officer, members of the Executive and Management Teams, City Development staff in attendance at the meeting, and meeting secretariat staff, and other staff so determined, be excluded from attendance at so much of the meeting as is necessary to receive, discuss and consider in confidence, information contained within the confidential reports submitted by the Chief Executive Officer.
2. At the completion of the confidential session the meeting be re-opened to the public.

7.2 12 Lowry Street, FULHAM

Application No. 211/1166/2016

Reason for Confidentiality

It is recommended that this Report be considered in CONFIDENCE in accordance with Section 56A(12)(a) (vii) 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.

as this matter is before the Environment Resources and Development Court and it is a requirement of the Court that matters are kept confidential until such time as a compromise is reached or the matter proceeds to a hearing.

RECOMMENDATION(S)

It is recommended to Development Assessment Panel that:

1. On the basis that this matter is before the Environment Resources and Development Court so any disclosure would prejudice the position of Council, the Development Assessment Panel orders pursuant to Section 56A(12)(a) of the *Development Act 1993*, that the public, with the exception of the Chief Executive Officer, members of the Executive and Management Teams, City Development staff in attendance at the meeting, and meeting secretariat staff, and other staff so determined, be excluded from attendance at so much of the meeting as is necessary to receive, discuss and consider in confidence, information contained within the confidential reports submitted by the Chief Executive Officer.
2. At the completion of the confidential session the meeting be re-opened to the public.

8 SUMMARY OF COURT APPEALS

8.1 Summary of Court Appeals

Brief

Monthly statistics are provided for the information of the Panel in relation to:

1. any matters being referred to the Development Assessment Commission (DAC); and
2. any planning appeals before the Environment, Resources and Development Court (ERDC) and their status.

RECOMMENDATION

The Development Assessment Panel receive and note the information.

The current status is listed as follows:

Matters pending determination by DAC

Reason for referral	DA number	Address	Description of development
Section 49	211/722/2016	Lot 2 West Beach Road, WEST BEACH	Change of use to function room
Schedule 10	211/136/2015	134-136 Anzac Highway, GLANDORE	On The Run redevelopment
Section 49	211/1155/2012/A	Lot 2 West Beach Road, WEST BEACH	Amendment to condition regarding lighting
Section 49	211/54/2017	370 South Road, RICHMOND	Permanent installation of 5 shipping containers for storage
Concurrence	211/1466/2016	466-480 South Road, MARLESTON	Childcare centre
Section 49	211/507/2017	Lot 2 West Beach Road, WEST BEACH	Permanent installation of 2 shipping containers for office & storage
Section 49	211/506/2017	Rail corridor adjacent to 45 Lindsay Street, Plympton	Removal of regulated tree
Section 49	211/370/2017	11-13 Desmond Avenue, MARLESTON	Change of use to distribution centre

Development Application appeals before the ERDC

DA Number	Address	Reason for Appeal	Description of Development	Status
211/476/2015/2 & 211/476/2015/3	452 Henley Beach Road, LOCKLEYS	Applicant appealed DAP refusal	Retirement village	Hearing 15-17 May 2017
211/354/2016	17-19 Arthur Street, RICHMOND	Applicant appealed DAP refusal	Construct two residential flat buildings containing eight dwellings	Finalised
211/1500/2015	8 Packard Street, NORTH PLYMPTON	Applicant appealed DAP refusal	Construct a residential flat building containing six dwellings	Conciliation Plan pending
211/486/2016	24 Garfield Avenue, KURRALTA PARK	Applicant appealed DAP refusal	Construct a residential flat building containing seven dwellings	Finalisation of compromise pending
211/791/2016	21 Fulham Park Drive, LOCKLEYS	Applicant appealed DAP refusal	Land division & two dwellings	Withdrawn
211/1166/2016	12 Lowry Street, FULHAM	Applicant appealed DAP refusal	Land division & two dwellings	Compromise Plans presented to June DAP
211/1215/2016	21 Bickford Street, RICHMOND	Applicant appealed DAP refusal	Reg Tree removal	Conciliation Conference 20 June 2017
211/1079/2016 211/1295/2016	6 Kimber Terrace, KURRALTA PARK	Applicant appealed DAP refusal	Construct a residential flat building containing FOUR dwellings	Compromise Plans presented to June DAP

SUMMARY

The information requested by the Panel has been provided for information purposes.

Attachments

Nil

9 MEETING CLOSE