

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, 14 FEBRUARY 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 10 January 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 12 Lowry Street, FULHAM

Application No 211/1166/2016

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Combined Application: Land division - Torrens Title; DAC No. 211/D145/16 (Unique ID 55704), Create one(1) additional allotment; and construction of two (2), single-storey detached dwellings with carports under main roof (Staged Application; stage 1 land division and stage 2 land use)
APPLICANT	Adrian Sheridan
APPLICATION NO	211/1166/2016 (DAC - 211/D145/16)
LODGEMENT DATE	14 September 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 (Engineering) External <ul style="list-style-type: none"> Development Assessment Commission SA Water Corporation
DEVELOPMENT PLAN VERSION	05 May 2016
MEETING DATE	14 February 2017

RECOMMENDATION

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to REFUSE Development Plan Consent and Land Division Consent for Application No. 211/1166 /2016 by Mr Adrian Sheridan to undertake land division - Torrens title; DAC No. 211/D145/16 (Unique ID 55704), Create one(1) additional allotment; and construction of two (2), single-storey detached dwellings with carports under main roof (Staged Application; stage 1 land division and stage 2 land use) at 12 Lowry Street, Fulham (CT 5655/510) for the following reasons:

The proposed development is contrary to:

- Low Density Policy Area 21, Principles of Development Control 3 & 6
Reason: Neither allotment achieves the minimum site area or the minimum frontage to a public road.

BACKGROUND

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

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

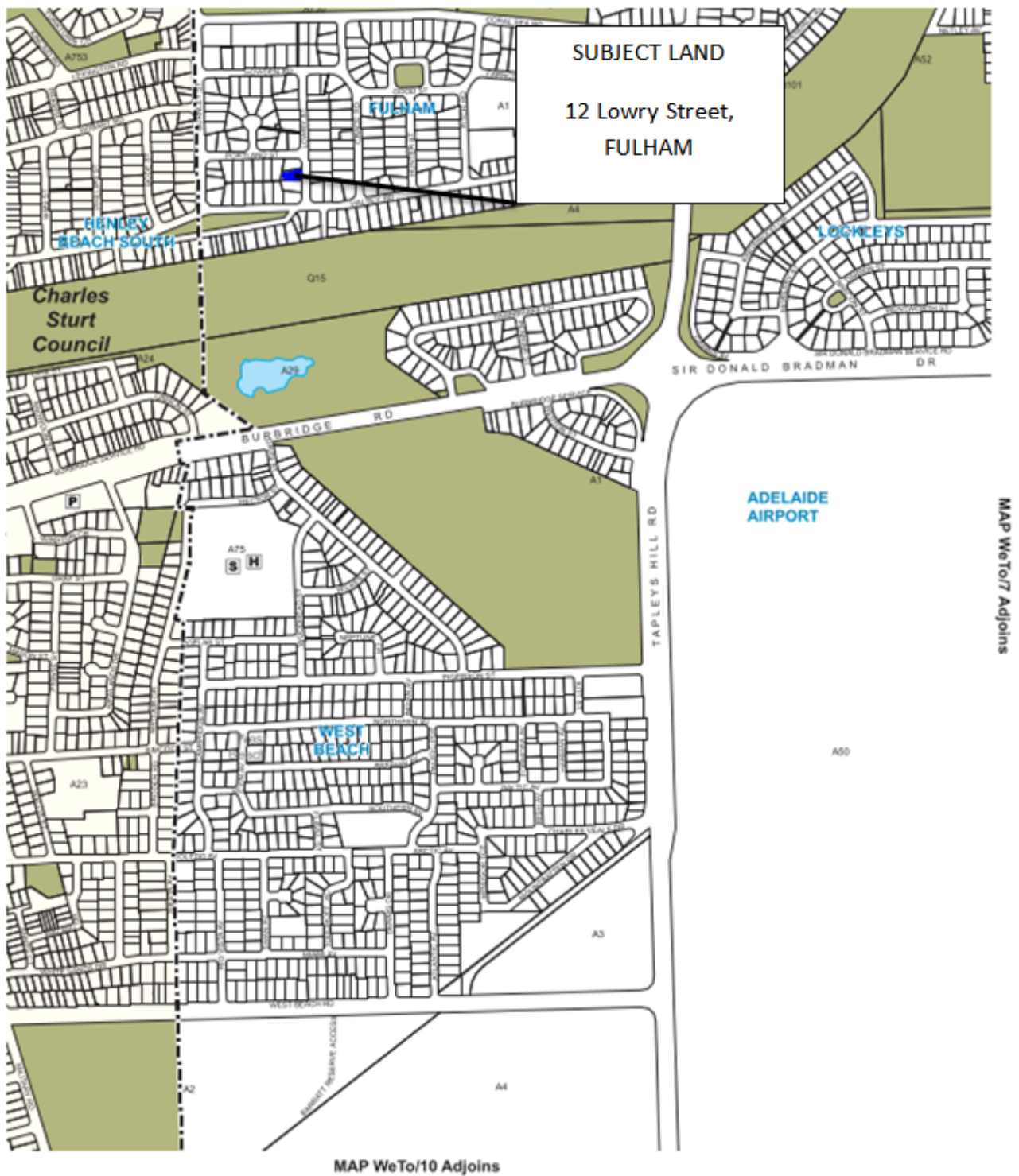
SITE AND LOCALITY

The site is approximately 743 square metres in area and is an unusual shape being wider at the street frontage and gradually narrowing toward the rear. The site currently contains a detached dwelling with associated garage, verandah and outbuildings. An easement traverses the site parallel with the rear boundary and is used for sewerage purposes. The site is approximately 480 metres from the nearest centre zone (Local Centre Zone - Henley Beach Road).

The locality is characterised by detached dwellings on wide, deep allotments. Approximate site frontages and allotment/site areas within the locality are listed below.

Address	Approximate Site Area (square metres)	Approximate Frontage (metres)
10 Lowry Street (corner property)	660	17m and 28.3m
13 Lowry Street	821	20.1m
14 Lowry Street	730	21.9m
15 Lowry Street	796	19.9m
16 Lowry Street (corner property)	663	17.9m and 29.46m
17 Lowry Street	722	21.3m
72 Halsey Road (corner property)	863	22.3m and 32.4m
74 Halsey Road	770	20.2m
1 Portland Street	755	23m





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

Location Map WeTo/6

WEST TORRENS COUNCIL
Consolidated - 5 May 2016

PROPOSAL

The proposal includes:

- Land division to create one additional allotment.
- Two detached dwellings both with carports under the main roof.

The plans, certificate of title and supporting reports/information form **Attachment 1**.

REFERRALS

Internal

- City Assets (Engineering)

Concerns were raised regarding the following matters;

- Finished Floor Levels
- Crossover to Dwelling 1

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 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
	<i>Principles of Development Control</i>	1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 21 & 22
<i>Infrastructure</i>	<i>Objectives</i>	1 & 3
	<i>Principles of Development Control</i>	1, 3, 5, 6, 8 & 9
<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>Landscaping, Fences and Walls</i>	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 3 & 4
<i>Orderly and Sustainable Development</i>	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 3, 5 & 7
<i>Residential Development</i>	<i>Objectives</i>	1, 2, 4 & 5
	<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, 27, 28, 29 & 31
<i>Transportation and Access</i>	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2, 8, 10, 11, 23, 24, 34, 35, 36 & 44

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

Policy Area: Low Density Policy Area 21	
<i>Desired Character Statement:</i>	
<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. Battle-axe 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>	
<i>Objectives</i>	1
<i>Principles of Development Control</i>	1, 2, 3 and 6

QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SITE AREA Low Density Policy Area 21 PDC 4	420m ²	<p>Lot 501 (Dwelling 1) - 387m² (7.8% shortfall)</p> <p>Lot 502 (Dwelling 2) - 356m² (15.23% shortfall)</p> <p>Does Not Satisfy</p>
ALLOTMENT AREA Low Density Policy Area 21 PDC 6	420m ²	<p>Lot 501 - 387m² (7.8% shortfall)</p> <p>Lot 502 - 356m² (15.23% shortfall)</p> <p>Does Not Satisfy</p>
SITE FRONTAGE Low Density Policy Area 21 PDC 6	12m	<p>Lot 501 - 11.43m (4.75% shortfall)</p> <p>Lot 502 - 11.43m (4.75% shortfall)</p> <p>Does Not Satisfy</p>
STREET SETBACK Residential Zone PDC 8	Same setback as one of the adjacent buildings.	<p>Existing Dwelling Setbacks</p> <p>10 Lowry Street = 7.0m up to 10m</p> <p>14 Lowry Street = 7.0m up to 9.8m</p> <p>Proposed Dwellings</p> <p>Lot 501 (Dwelling 1) - 5.1m up to 7.5m</p> <p>Lot 502 (Dwelling 2) - 5.1m up to 9.1m</p> <p>Does Not Satisfy</p>

SIDE/REAR SETBACKS Residential Zone PDC 11	Side boundary setback where the vertical side wall is 3m or less in height = 1m	Lot 501 (Dwelling 1) - 0.9m and 0.9m Lot 502 (Dwelling 2) - 0.9m and 1.01m Does Not Satisfy
SIDE/REAR SETBACKS Residential Zone PDC 11	Rear boundary setback for single storey components = 3m	Lot 501 (Dwelling 1) - 8.2m Lot 502 (Dwelling 2) - 6m Satisfies
PRIVATE OPEN SPACE Residential Development PDC 19	300-500m ² 60m ² min. (min dimension 4m accessed from internal living area)	Lot 501 (Dwelling 1) - 61.83m ² Lot 502 (Dwelling 2) - 72.47m ² Satisfies
CARPARKING SPACES Transportation and Access PDC 34	2 car-parking spaces, 1 of which is covered, are required	Lot 501 (Dwelling 1) - 2 spaces, 1 covered Lot 502 (Dwelling 2) - 2 spaces, 1 covered Satisfies
CARPORT MAXIMUM FLOOR AREA Residential Development PDC 16	60m ²	Lot 501 (Dwelling 1) - 20.36m ² Lot 502 (Dwelling 2) - 20.36m ² Satisfies
CARPORT MAXIMUM WALL HEIGHT Residential Development PDC 16	3m	Lot 501 (Dwelling 1) - 3m Lot 502 (Dwelling 2) - 3m Satisfies
CARPORT MINIMUM SETBACK FROM PRIMARY ROAD FRONTAGE Residential Development PDC 16	No closer to the primary road than any part of its associated dwelling	Satisfies

CARPORT MAXIMUM LENGTH ALONG BOUNDARY Residential Development PDC 16	8m or 50% of the length along that boundary, whichever is less	Lot 501 (Dwelling 1) - 6.7m Lot 502 (Dwelling 2) - 6.7m Satisfies
CARPORT MAXIMUM FRONTAGE WIDTH Residential Development PDC 16	6m or 50% of the allotment frontage, whichever is less.	Lot 501 (Dwelling 1) - 3m Lot 502 (Dwelling 2) - 3m Satisfies

QUALITATIVE ASSESSMENT

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

Land Use and Zoning

The land currently comprises a detached dwelling. Dwellings are envisaged within the Residential Zone and detached dwellings are envisaged within Low Density Policy Area 21. The proposed land use is therefore appropriate to the zone and policy area.

Land Division

The subject land is not located within 400 metres of a centre zone. Therefore, the minimum allotment area and site area required for a detached dwelling is 420 square metres with a minimum frontage of 12 metres.

Allotment 501 and Dwelling 1 would have an allotment and site area of 387 square metres and a frontage to Lowry Street of 11.43 metres. This results in a 7.8% (33 square metres) shortfall in allotment and site area, and a 4.75% shortfall in frontage.

Allotment 502 and Dwelling 2 would have an allotment and site area of 356 square metres and a frontage to Lowry Street of 11.43 metres. This results in a 15.23% (64 square metres) shortfall in allotment and site area, and a 4.75% shortfall in frontage.

The majority of allotments within the locality have broad frontages (below 24 metres) that could not be divided to achieve minimum frontages of 12 metres. The frontage shortfalls for each proposed allotment are 570 millimetres (1.14 metres total across both allotments). Proposed frontages are not significantly dissimilar to the allowable minimums specified by the policy area however the proposal would introduce a lesser frontage width that is not encouraged by the Development Plan and is inconsistent with existing allotment frontages throughout the locality.

Allotment and site area discrepancies are significantly at variance with the minimum 420 square metres anticipated for the locality. With the exception of 72 Halsey Road (corner allotment), allotments within the locality could not be individually divided to achieve the 420 square metre allotments anticipated by the Development Plan. As per the Desired Character of the Residential Zone, 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.

As presented by the applicant, a reduced allotment or site area is not readily noticeable when viewed from the streetscape. Although the proposed development, as combined (land division and dwelling), may appear sympathetic to the streetscape and neighbouring amenity, the introduction of undersized allotments is inconsistent with the present and prevailing low density character and would not reinforce existing allotment patterns or those anticipated by the Development Plan.

It is acknowledged that denser allotment patterns (minimum site areas of 350 square metres, minimum frontages of 9 metres) including some alternative dwelling types are desired close (within 400 metres) to centre zones. The site is approximately 480 metres from the nearest centre zone (Local Centre Zone - Henley Beach Road). Allotment patterns between the subject land and the 400 metre radius around the nearest centre zone maintain an allotment pattern that is consistent with the locality surrounding the site. In addition, the vast majority of allotments throughout the wider locality achieve minimums prescribed by the Development Plan.

Bulk and Scale

The proposed dwellings will be single-storey with typical eave heights and a 25 degree roof pitch. The façades are stepped and articulated with windows, doors and a porch. The proposal is of a low bulk and scale typical of single-storey residential development. Each dwelling would reflect a low density character.

Setbacks

The maximum side boundary shortfall would be 0.1 metres which is considered acceptable. Rear setbacks satisfy Development Plan requirements.

Setbacks from the front boundary have been amended (increased) by the applicant however should be the same as one of the adjacent buildings. 10 Lowry Street is a corner property and the associated detached dwelling is angled with a staggered facade. 10 Lowry Street therefore has a varied setback ranging from approximately 7 metres up to 10 metres. 14 Lowry Street has a staggered façade with the approximate front setback ranging from 7 metres up to 9.8 metres.

The angle of the front property boundary and the staggered nature of proposed facades mean each proposed dwelling would also have varied front setbacks. Dwelling 1 would be setback 5.1 metres up to 7.5 metres. Dwelling 2 would be setback 5.1 metres up to 9.1 metres. This results in an average setback of 6.3 metres and 7.1 metres for each respective dwelling.

Being a corner property, 72 Halsey Road, Fulham has an approximate setback of 1.4 metres from Lowry Street. 15 and 17 Lowry Street (opposite the proposal) have approximate front setbacks of 5.6 and 5.7 metres. These dwellings are situated within the locality of the proposed development.

Whilst not strictly in accordance with the Development Plan, the amended front setback is considered acceptable given the surrounding context. As each proposed dwelling will neighbour the other it must be acknowledged that each front setback will be consistent with the neighbouring proposed dwelling if approved. As such, the proposal will somewhat achieve minimum front setback requirements.

Colours and Materials

Each dwelling would have a colorbond roof and the façade walls would have a rendered finish. External materials and finishes are low-light reflective and typical of residential buildings. External materials and finishes are sympathetic to the surrounding character and therefore preserve existing amenity.

Site Coverage and Open Space

Dwelling 1, situated on allotment 501 would result in total site coverage of 45.4%. Dwelling 2, situated on allotment 502 would result in total site coverage of 50.3%. Suitable private open space is provided to each dwelling however much is affected by the rear sewer easement.

Despite the easement, acceptable locations (not over the easement) are available for a 1,000 litre rain water tank (Building Code requirement). The length of each carport provides some space for storage without diminishing required car parking spaces.

Stormwater

Stormwater should be capable of being drained safely and efficiently from each proposed allotment and disposed of from the land in an environmentally sensitive manner. Stormwater from each dwelling would be contained within each corresponding proposed allotment and be drained to Lowry Street via a 1,000 litre rain water tank. Stormwater would not discharge onto a neighbouring allotment. The proposed method of stormwater disposal is appropriate and acceptable.

SUMMARY

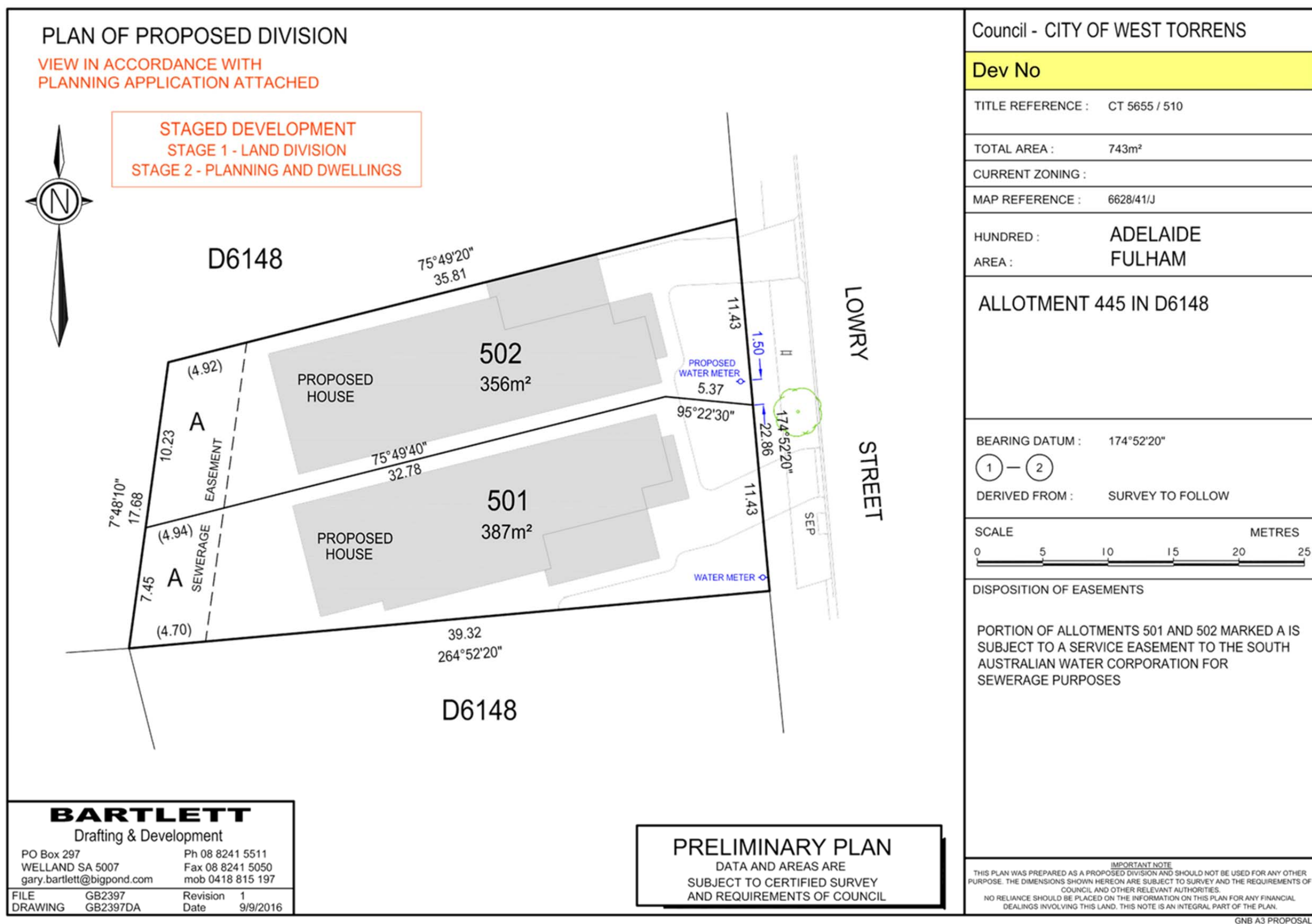
In this circumstance, although somewhat justified by the proposed built form, reduced allotment/site areas, as proposed, are not justified by the Development Plan or by the existing character of the locality. Proposed allotment/site areas are considered to be significantly at variance with Principles of Development Control 3 and 6 within Low Density Policy Area 21.

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.

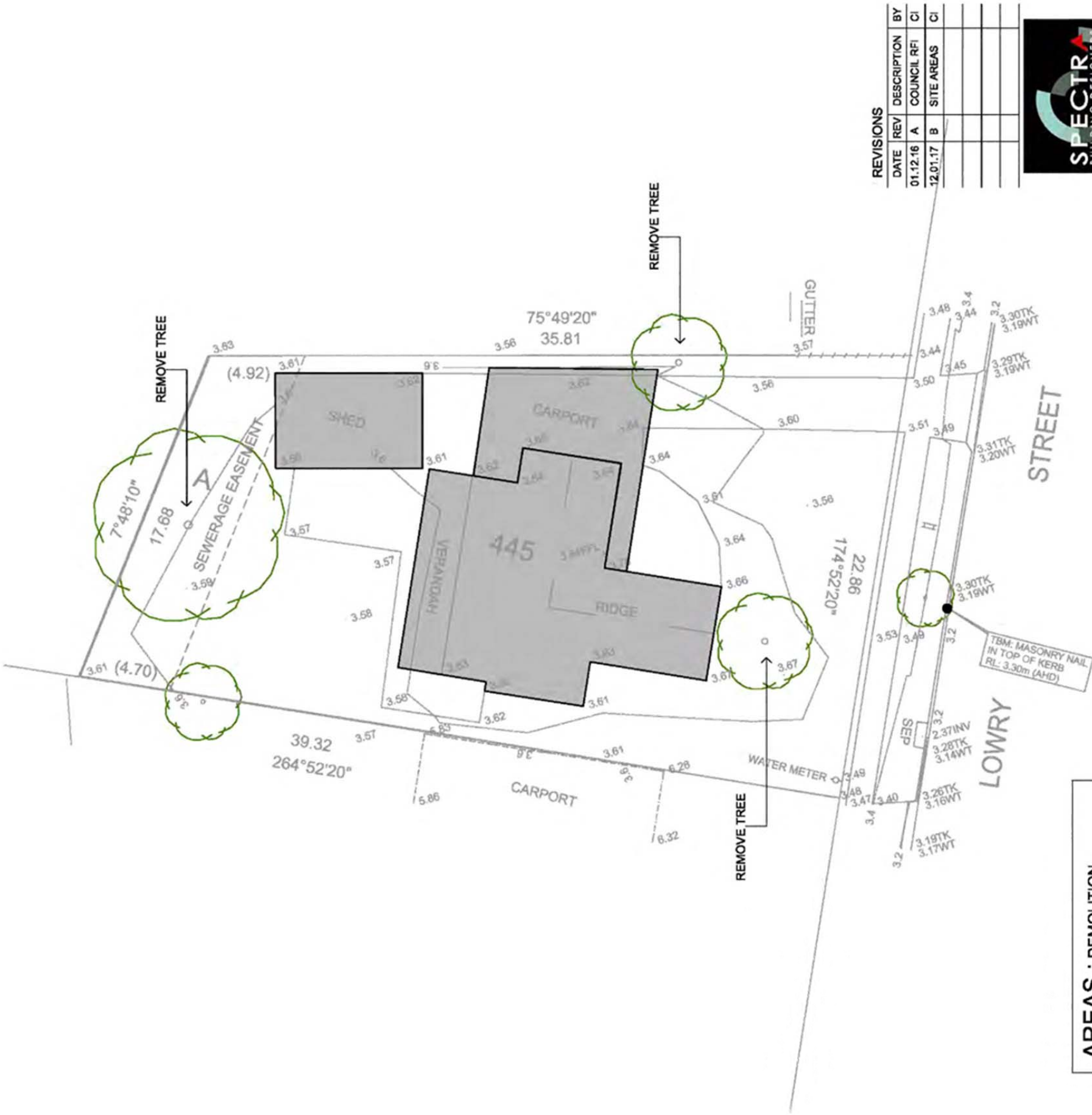
On balance the proposed development does not sufficiently accord with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 05 May 2016 and does not warrant Development Plan Consent.

Attachments

1. Plans and supporting reports/information
2. Referral comments



FOR PLANNING APPROVAL



DEMOLITION PLAN
SCALE 1:200
DEMOLITION OF STRUCTURE TO BE IN
ACCORDANCE WITH AS2601-2011

FOR PLANNING APPROVAL
LANDSCAPING:

GENERAL NOTES

PROPOSED BUILDING IS TO BE CONSTRUCTED OF STANDARD BRICK CONSTRUCTION COMPRISING OF 110mm THK.BRICKWORK 40mm CAVITY AND 90mm TIMBER STUD WALL LINED WITH 10mm PLASTERBOARD WALL LINING. VILLABOARD TO WET AREAS.

ALL EXPOSED TIMBER MEMBERS AND FIXINGS ARE TO BE ADEQUATELY TREATED WITH PRESERVATIVE IN ACCORDANCE WITH AS 1604

VERIFY ALL FINISHED LEVELS BEFORE THE COMMENCEMENT OF ANY BUILDING WORK.

TERMITE PROTECTION SHALL COMPLY WITH AS3660.1, PROVIDE CERTIFICATE IN ACCORDANCE WITH AS3660.1 STATING METHOD OF APPLICATION AND CERTIFICATE OF COMPLETION.

ROOF CONTRACTOR SHALL PROVIDE ALL NECESSARY FLASHINGS, CAPPINGS AND OTHER ITEMS REQUIRED TO MAKE THE ROOF WATERTIGHT AND COMPLETE.

BUILDER TO CHECK AND CONFIRM ALL SITE AND SET OUT DIMENSIONS PRIOR TO COMMENCEMENT OF CONSTRUCTION.

REFER TO ENGINEERS DOCUMENTATION FOR DETAILS ON FOOTINGS, STRUCTURE, SITEWORKS AND STORMWATER DETAILS.

ALL GLAZING TO COMPLY WITH AS 1288-2006

ALL GLAZING IS TO BE SUPPLIED AND INSTALLED IN ACCORDANCE WITH AS 1288.1

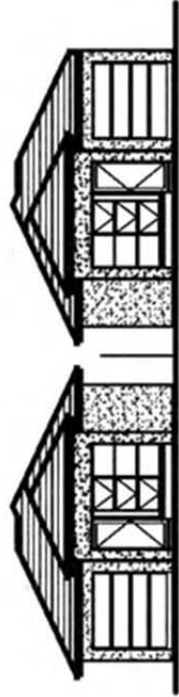
ALL SANITARY, PLUMBING, DRAINAGE & ELECTRICAL WORK TO BE CARRIED OUT BY FULLY QUALIFIED AND LICENSED TRADESPERSONS.

ALL ELECTRICAL WORK CARRIED OUT, TO BE IN ACCORDANCE WITH AS 3000.

THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER DRAWINGS, DOCUMENTS, SCHEDULES AND SPECIFICATIONS

ALL STEEL WORK TO COMPLY WITH BCE.C & C.GART 3.4.2.

ALL WET AREA DETAILS TO COMPLY WITH AS 3740 MINISTERS SPECIFICATION SA F1.7 (COMPLY WITH CURRENT SPECIFICATIONS AND DETAILS)



STREETSCAPE
SCALE 1:200

TREES	
1	Prunus Considiosa 'Nigra' HELMFAstigala
2	Pyrus Usuriensis
SHRUBS	
3	Mahonia Aquatfolium
4	Pitosporum Tenuifolium
5	Nandina Domestica
6	knobby club rush
GROUND COVER	
7	Agapanthus 'Baby Blue'
8	Agapanthus 'Snow White'
9	Adella 'Francos Mason'
10	Phormium Tenax 'Maiden'
11	Rosmarinus Officinalis 'Lockwood De Forest'
12	Lavandula Avonview 'Avonview Lavandar'
13	Jeffries forever black natural mulch

AREAS:	
DWELLING 1	
LIVING	149.47 sq.m.
CARPORT	20.83 sq.m.
PORCH	5.40 sq.m.
TOTAL	175.70 sq.m.
WIDTH	8.590 m
DEPTH	23.610 m
SITE AREA	387.00 sq.m.
P.O.S.	61.83 sq.m.

AREAS:	
DWELLING 2	
LIVING	153.11 sq.m.
CARPORT	20.83 sq.m.
PORCH	5.40 sq.m.
TOTAL	179.34 sq.m.
WIDTH	8.590 m
DEPTH	23.610 m
SITE AREA	356.00 sq.m.
P.O.S.	72.47 sq.m.

REVISIONS

DATE	REV	DESCRIPTION	BY
01.12.16	A	COUNCIL RFI	CI
12.01.17	B	SITE AREAS	CI



SUITE 1, GROUND LEVEL, 158 PORT ROAD
HINDMARSH, S.A. 5007
Telephone +61 8 8338 2211 Facsimile +61 8 8338 2148

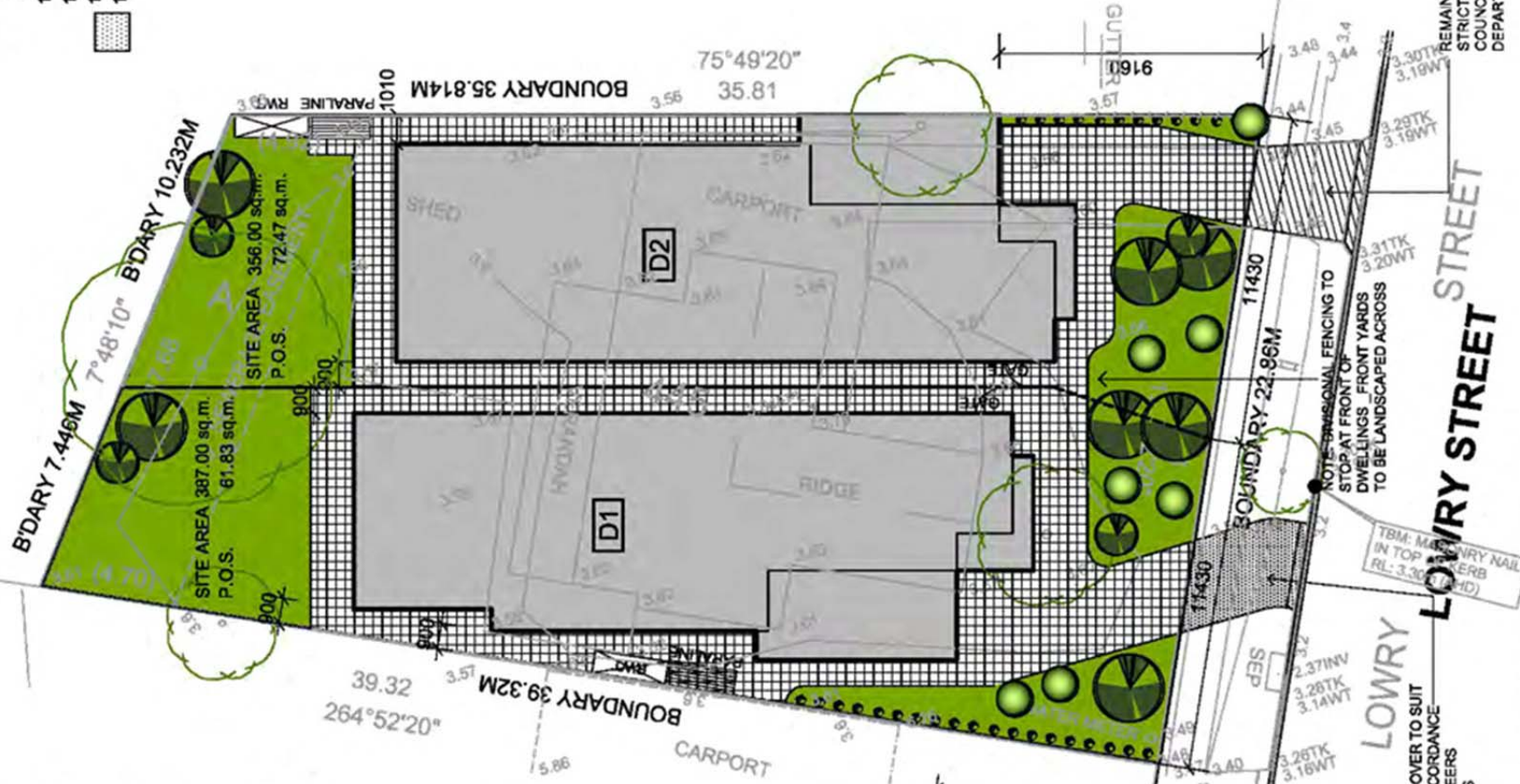
PROJECT
PROPOSED RESIDENTIAL
DEVELOPMENT

AT: 12 LOWRY STREET,
FULHAM

CLIENT
A. SHERIDAN

DESIGNER	DATE
CI / PC	APR. 2016
SCALE	COPYRIGHT
1:200@A3	
PROJECT NO.	SHEET NO.
37.2016	PA 01 OF 06

Conditions are to verify all dimensions and levels on the job before commencing any work or making shop drawings. Figured dimensions shall take preference over scaled dimensions and any discrepancy shall be reported to the Designer immediately.



CONSTRUCTION MATERIALS:

STANDARD BRICK VENEER CONSTRUCTION WITH
SELECTED RENDER FINISH

COLORBOND OR SIMILAR ON 25° PITCH

ALUMINIUM WINDOWS AND DOORS

CONCRETE SLAB BRICK PAVING AND DRIVEWAY



SITE PLAN

SCALE 1:200

SITEWORKS, DRAINAGE AND LEVELS
ARE TO BE AS PER ENGINEERING
DESIGN AND DOCUMENTATION.

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

Please note that stormwater connections through the road verge are to be constructed of shape and material to satisfy Council's standard requirements

PROVIDE NEW CROSSOVER TO SUIT
NEW DWELLING IN ACCORDANCE
WITH COUNCIL ENGINEERS
DEPARTMENT DETAILS

REMAIN EXISTING CROSSOVER IN
STRICT ACCORDANCE WITH
COUNCIL'S ENGINEERING
DEPARTMENT REQUIREMENTS.

NOTE: TRANSFER FENCING TO
STOP AT FRONT OF
DWELLINGS FRONT YARDS
TO BE LANDSCAPED ACROSS

TBM: MAINS DRAIN NAIL
IN TOP OF CURB
RL: 3.300 (AS 190)

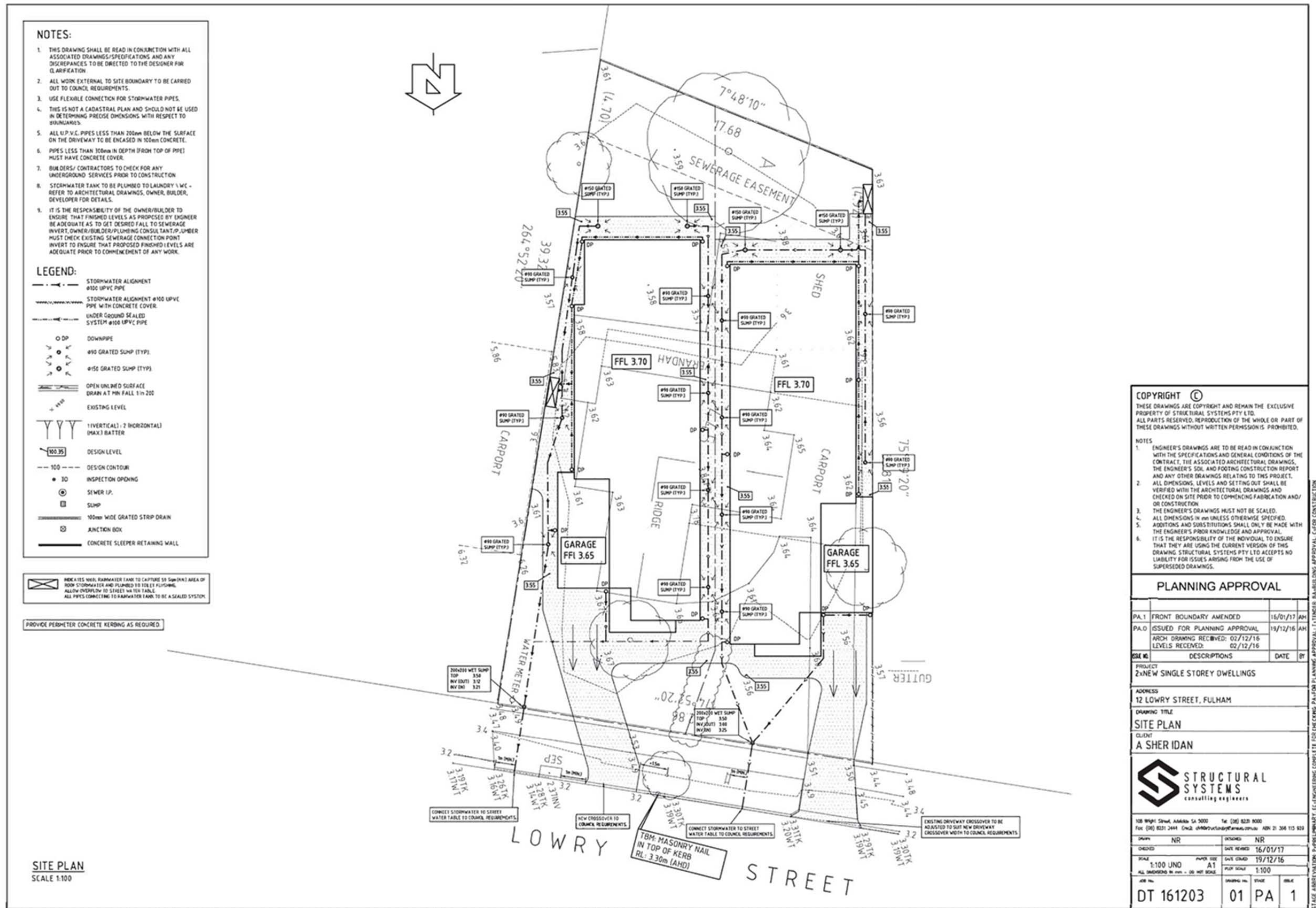




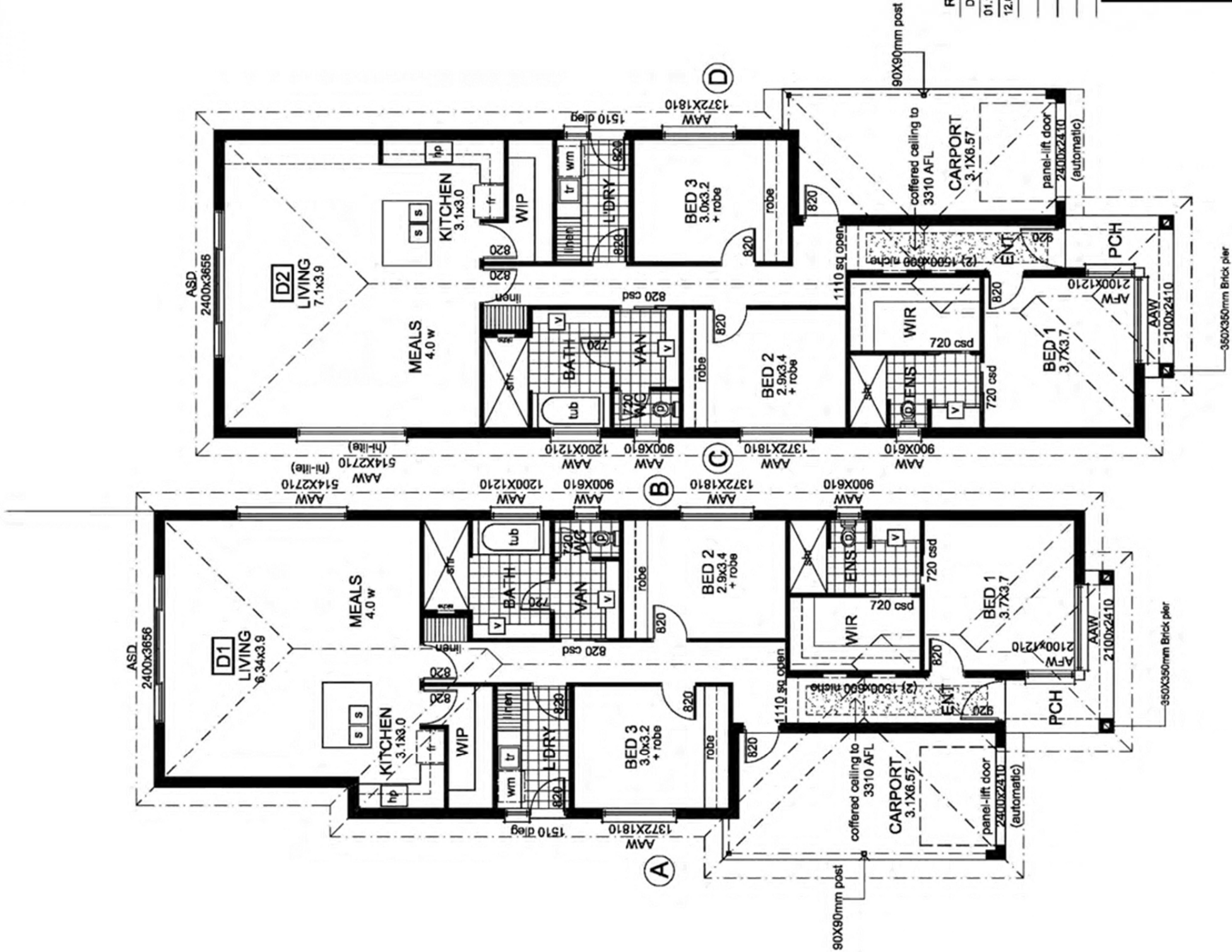
LOCALITY PLAN

SCALE 1:400

SITEWORKS, DRAINAGE AND LEVELS
ARE TO BE AS PER ENGINEERING
DESIGN AND DOCUMENTATION.



FOR PLANNING APPROVAL



FLOOR PLAN
SCALE 1:100

REVISIONS			
DATE	REV	DESCRIPTION	BY
01.12.16	A	COUNCIL RFI	CI
12.01.17	B	SITE AREAS	CI



SUITE 1, GROUND LEVEL, 168 PORT ROAD
HINDMARSH, S.A. 5007
Telephone +61 8 8338 2211 Facsimile +61 8 8338 2148

PROJECT
PROPOSED RESIDENTIAL
DEVELOPMENT
AT: 12 LOWRY STREET,
FULHAM

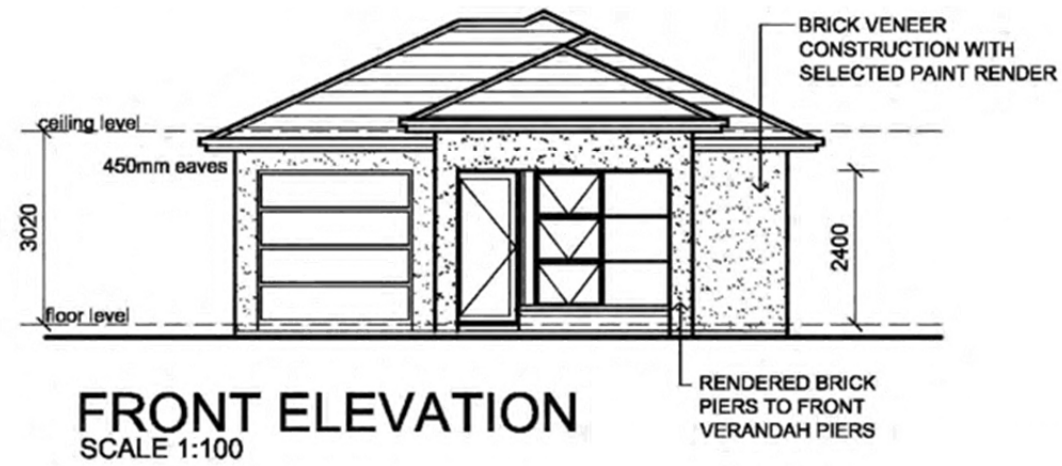
CLIENT
A. SHERIDAN

DRAWN	DATE
CI / PC	APR. 2016
SCALE	COPYRIGHT
1:100@A3	
PROJECT NO.	SHEET NO.
37.2016	PA 04 OF 06

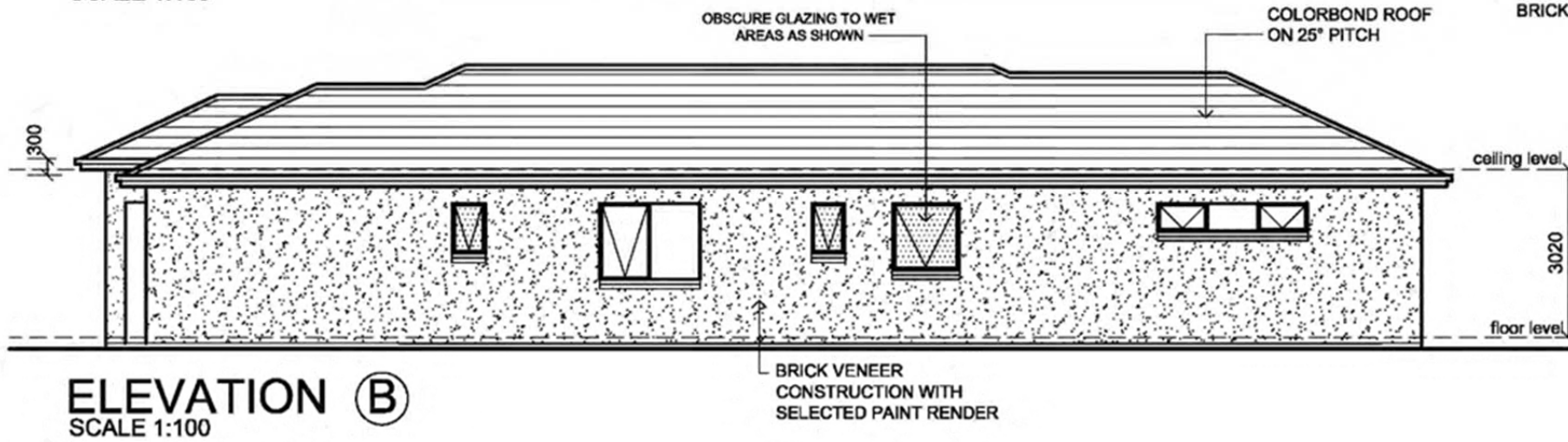
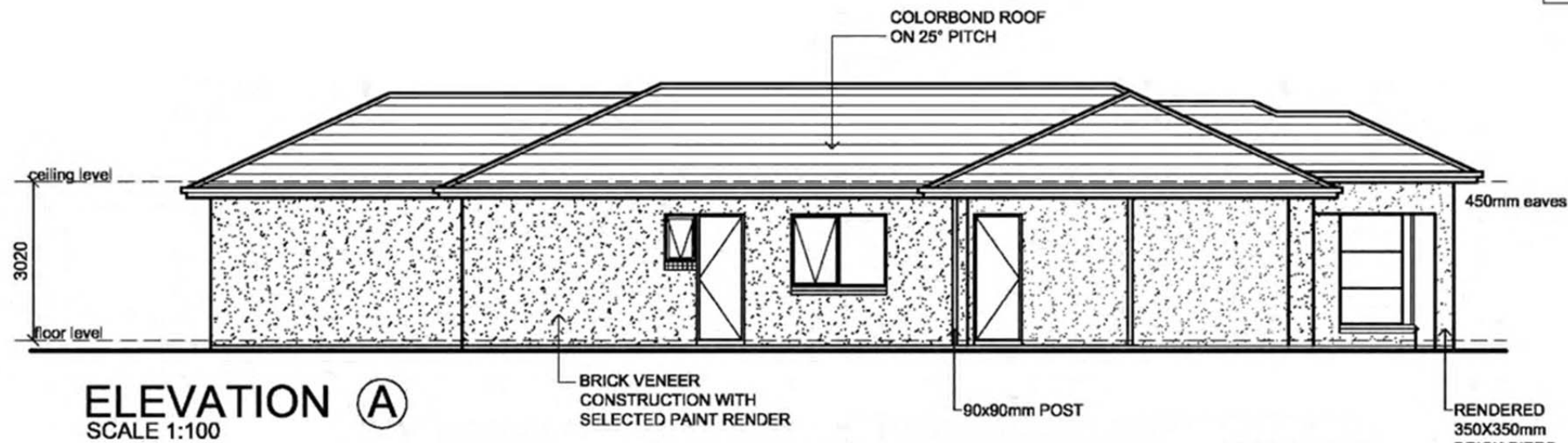
Constructors are to verify all dimensions and levels on the job before commencing any work or making shop drawings. Figured dimensions shall take preference over scaled dimensions and any discrepancy shall be reported to the Designer immediately.

FOR PLANNING APPROVAL

DWELLING 1



NOTE: ALL DOORS AND
WINDOWS 2.4M HEAD
HEIGHT, UNLESS SPECIFIED



REVISIONS

DATE	REV	DESCRIPTION	BY
01.12.16	A	COUNCIL RFI	CI
12.01.17	B	SITE AREAS	CI



SUITE 1, GROUND LEVEL, 150 PORT ROAD
HINDMARSH, S.A. 5007
Telephone +61 8 8338 2211 Facsimile +61 8 8338 2188

PROJECT
PROPOSED RESIDENTIAL
DEVELOPMENT

AT: 12 LOWRY STREET,
FULHAM

CLIENT
A. SHERIDAN

DRAWN
CI / PC

DATE
APR. 2016

SCALE
1:100@A3

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PROJECT NO.
37.2016

SHEET NO.
PA 05 OF 06

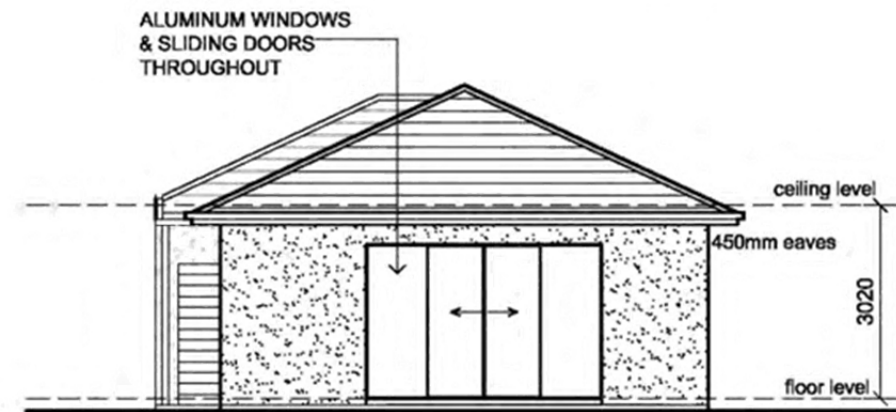
Contractors are to verify all dimensions and levels on the job before commencing any work or making shop drawings. Figured dimensions shall take preference over scaled dimensions and any discrepancy shall be reported to the Designer immediately.

FOR PLANNING APPROVAL

DWELLING 2

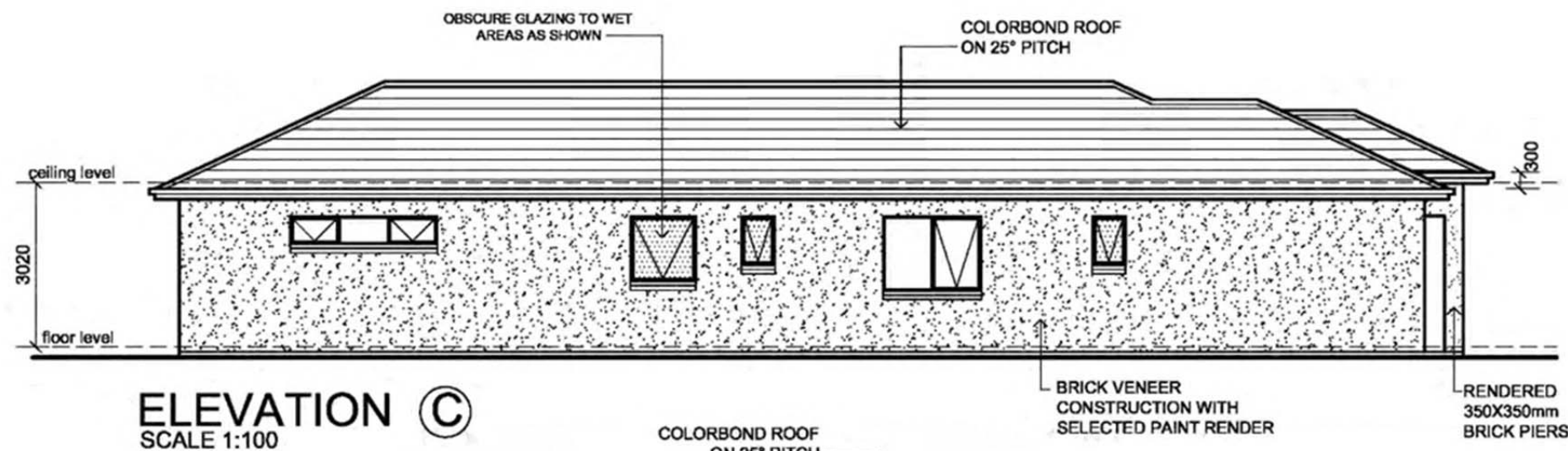


FRONT ELEVATION
SCALE 1:100

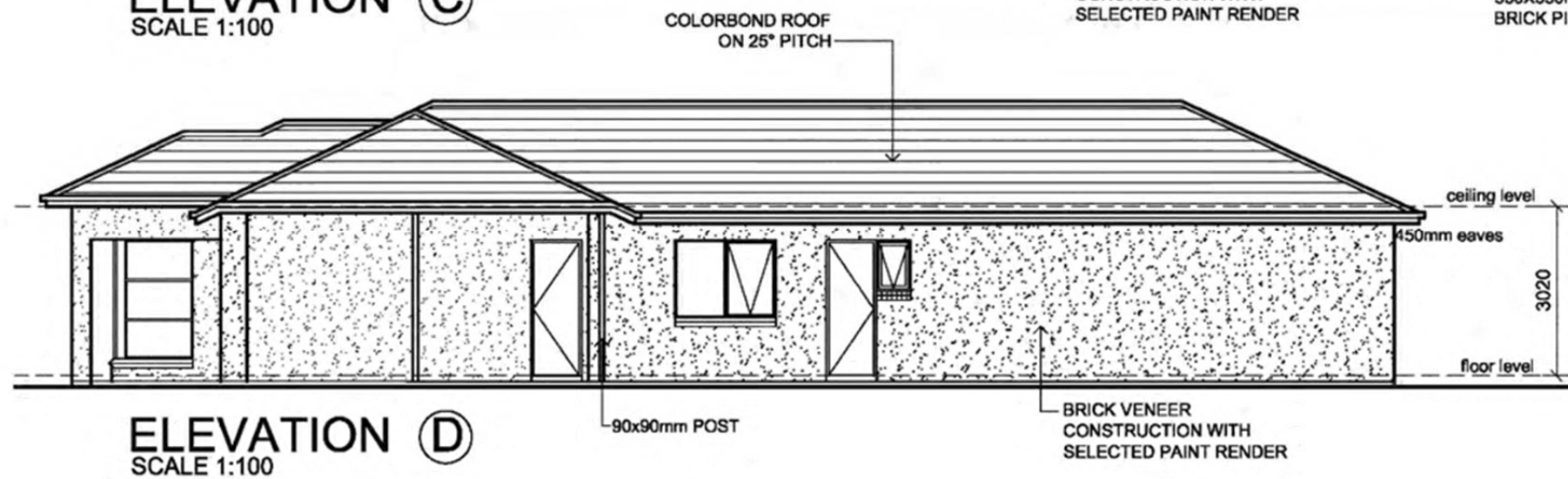


REAR ELEVATION
SCALE 1:100

NOTE: ALL DOORS AND
WINDOWS 2.4M HEAD
HEIGHT, UNLESS SPECIFIED



ELEVATION C
SCALE 1:100



ELEVATION D
SCALE 1:100

REVISIONS

DATE	REV	DESCRIPTION	BY
01.12.16	A	COUNCIL RFI	CI
12.01.17	B	SITE AREAS	CI



SUITE 1, GROUND LEVEL, 150 PORT ROAD
HINDMARSH, S.A. 5007
Telephone +61 8 8338 2211 Facsimile +61 8 8338 2188

PROJECT
PROPOSED RESIDENTIAL
DEVELOPMENT
AT: 12 LOWRY STREET,
FULHAM

CLIENT
A. SHERIDAN

DRAWN CI / PC	DATE APR. 2016
SCALE 1:100@A3	COPYRIGHT
PROJECT NO. 37.2016	SHEET NO. PA 06 OF 06

Contractors are to verify all dimensions and levels on the job before commencing any work or making shop drawings. Figured dimensions shall take preference over scaled dimensions and any discrepancy shall be reported to the Designer immediately.



HEYNEN
PLANNING CONSULTANTS

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16 June 2016

City of West Torrens
ATT: Planning Department
165 Sir Donald Bradman Drive
HILTON SA 5033

ATT: Planning Department

RE: 12 LOWRY STREET FULHAM

Please find attached the following planning drawings pertaining to two (2) detached dwellings at 12 Lowry Street Fulham:

- o Development application form;
- o Electricity declaration form;
- o Certificate of Title;
- o Cheque for payment of the base lodgement fee; and
- o Site plan, locality plan, demolition plan, floor plan and elevations, prepared by Spectra Building Designers (6 pages, dated April 2016).

By way of summary, the proposal is for two single storey detached dwellings on a site with frontage to Lowry Street of 22.86 m and a site area of 743 m². At this stage planning consent only is sought. Can you please advise of the outstanding Council fees payable.

Each proposed new dwelling incorporates the following components:

- o Rendered brick construction;
- o Traditional form 25 degree pitched Colorbond roof;
- o 3.0 m ceilings;
- o One carport and one visitor car parking space per dwelling;
- o Entry and porch;
- o Combined meals/kitchen/living area;
- o Laundry;
- o Three bedrooms, with ensuite and walk in robe to bedroom 1; and
- o Second bathroom.

In terms of spatial characteristics, I note that the site is located on a local road, and is within 120 metres from an Open Space Zone and 480 metres to public transport on Henley Beach Road and 430 metres to Burbridge Road. The site is also 160 metres from Burnley Street, the western side of which is located within the City of Charles Sturt. It is my opinion that the site is therefore highly suited to facilitating an increase in residential density due to its close proximity to public transport routes, open space and recreation.

Locality

As illustrated in Figure 1 the locality is generally moderate in size and regular in shape as a result of the adjoining residential land use, street pattern and proximity to open space.

The key attributes within the locality are range of allotment shapes, medium level of landscaping and semi mature to mature vegetation to the roadside and open space.

The availability of open space and public transport along with the suburban context ensures a medium level of amenity is achieved.

Figure 1: Locality Map



To assist Councils assessment of the development application, the applicant has also requested that I provide a brief planning opinion on the proposed development.

Having reviewed the Development Plan and the characteristics of the locality, the merit of the proposal can be expressed by considering three key questions.

1. Does the proposal accord with the Desired Character for the Zone and Policy Area?

The site is located within the Residential Zone, Low Density Policy Area 21 which includes the following provisions of relevance: (my underlining added for clarity)

Residential Zone

Objective 2 Dwellings of various types at very low, low and medium densities.

Objective 3 Increased dwelling densities in close proximity to centres, public transport routes and public open spaces.

Low Density Area 21

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

Desired Character

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). 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.

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

The development responds favourably to the above Objectives and Desired Character statements as evidenced by the following characteristics:

- the proposal maintains dwellings of low density;
- the proposed detached dwellings are consistent with the form of development envisaged;
- the presentation of landscaping and minimal garaging (21% of primary street frontage) to the street frontage reinforces the pattern of traditional "front yards" while contributing to a sensitive increase in residential density within close proximity to existing services, transport and open space.

Accordingly, the development is clearly consistent with the form and design outcomes sought for the Residential Zone and Policy Area 21.

2. Is the density of the proposal appropriate?

Policy Area 21 *Desired Character* notes that "low density" dwellings are appropriate for the site and accordingly the single storey detached dwelling reinforces the intent of Policy Area 21. In relation to the concept of density the State Government publication "*Understanding Residential Densities: A Pictorial Handbook of Adelaide Examples November 2006*" ("Density Handbook") defines low density allotments as those ranging from 295 m² to 588 m². In this regard, the proposed allotments of 355 m² and 386 m² comfortably fit within the "low density" guideline.

I also note that PDC 3 of Policy Area 21 guides that allotments should have a minimum site area of 420 m². In this regard the allotments of 355 m² and 386 m² are numerically below PDC 3. However, I am aware that PDC 6 seeks for sites areas greater than 420 m² and with frontages in excess of 12 metres, unless the land division is combined with an application for

dwelling or follows an approval for dwellings on the site. In this instance the application is for dwellings, with a land division to follow, and therefore it is my opinion that PDC 6 allows for consideration of allotments under 420 m² when dwellings “tie-in” with the land division to enable the proposals to maintain the scale and appearance sought as a “complete package”.

While the site areas proposed remain below the guideline contained within Policy Area 21 PDC 3, I am conscious of the following highly instructive statement in the matter of *AG Building and Developments Pty Ltd v City of Holdfast Bay & Tanti* [2009] SASC 11:

“...it does not follow that because some minimum quantitative standards or guidelines are not met, the proposal must be rejected.”

In relation to the proper assessment process in the above matter it was also noted:

“It required an assessment not of particular issues in watertight compartments, but rather as part of a single complex planning problem – whether the proposal as a whole should be approved.”

Upon consideration of the shortfall in site area I am mindful of the decision in the matter of *Simmons v City of Mitcham* [2010] SAERDC 37 which stated:

64 Do the aspects that are not consistent have any important or significant consequences for residential character or amenity of the locality? ... The square shape of lots will not be evident except on an aerial view and has no negative consequences or cause difficulties...

While I note that the proposed sites are not “square shape” (i.e. a rectangular/parallelogram shape is maintained), the comment in the *Simmons* matter highlights that beyond the front façade of a dwelling it is difficult to define the depth of an allotment, particularly when a shortfall of 4 to 6 metres is to be viewed from a distance of at least 35 metres away.

Turning to the appropriateness and suitability of the proposal within the locality its “appropriateness” should not be confused with “sameness”. In my view the correct “test” is whether the proposed development will sit in “harmony” within the locality having regard to the context of the Residential Zone and Policy Area 21. In this regard it is not necessary or desirable for a development to repeat, or be the same as surrounding development, but it should be capable of existing in harmony with surrounding development. In *Project Venture Developments v Pittwater Council* [2005] NSWLEC 191, I note that the Court observed (my underlining added):

“The most apposite meaning [of “compatibility”] in an urban design context is capable of existing together in harmony....It is generally accepted that buildings can exist together in harmony without having the same density, scale or appearance, though as the difference in these attributes increases, harmony is harder to achieve...”

In general terms, the proposed development progresses towards the broad policy expectations and the Desired Character sought by the Residential Zone and Policy Area 21 which seeks detached dwellings on low density allotments, of which the proposal achieves in full.

With respect to the consideration of density, this assessment approach is relevant as this planning concept has regularly been described as more than simply a numerical exercise, see for example the matter between *Nadebaum and the City of Mitcham* [1995] EDLR 587 which defined density as depending... *“upon a variety of factors, the principal of these being the other dimensions of the allotments concerned, the design of the proposed dwellings and the character of the locality”*.



The proximity of the subject land to the adjoining Policy Area 16 has an important role to play having regard to the following judgements of various Commissioners of the Environment, Resources and Development Court [emphasis added].

18 The second question has been the subject of judicial consideration on a number of occasions, and it is by now established law that, when considering a development on the periphery of a zone, and abutting another zone having a different character, the relevant planning authority (and, by inference, this Court) is entitled to have regard to conditions (both visual and physical) which may be created by the conjunction of two different types of zone. As Jacobs J. held in Papadopoulos v City of Woodville (1985) 39 SASR 569 (at 575):

"... it must be remembered that zone boundaries are only lines on a map, and the residential integrity of a residential zone at its perimeter might be very different from its residential integrity elsewhere..."

the reasonable planning notion (District Council of Tanunda v Davis and Ors [1985] 39 SASR 578 at page 581), of a transition of character and policies, in this case site areas/dwelling density extending westward (on the northern side of Brigalow Avenue) away from the commercial zone where medium density development has occurred on 420 square metre site areas; which might reasonably see proposed allotment 6 remain at 550 square metres, proposed allotment 5 being increased to at least 600 square metres (which would require a 19.7 metre frontage, given the fixed depth), and proposed allotment 7 being reduced to 700 square metres (though this would necessitate demolition of the dwelling at 8 Brigalow Avenue);

(Wright v City of Mitcham No. ERD-02-624, ERD-03-404 [2003] SAERDC 132 (23 December 2003) in accord with case law as I understand it, noting there to be some variation, I have approached decision making in this matter mindful of the following:

As previously noted the subject site is within close proximity to the "Mid Suburban Policy Area 16" where minimum frontages of 8 metres for semi-detached dwellings (and detached dwelling if within the Residential Code "determined area") and 10 metres (for detached dwellings) are prescribed. These frontages, and in the case of sites within the "determined Area" pertaining to the Residential Code, frontages that are available "as of right" are between 20% and 50% less than the 12 metre frontage which is prescribed several dwellings away at the subject site. These "lines on a map" will again be very difficult for passers-by to distinguish and the proposed 11.43 metres frontages in my opinion provide an entirely appropriate "transition" from the adjacent Policy Area.

I also note site areas are substantially smaller within Mid Suburban Policy Area 16 with allotments of 350 m² for semi-detached dwellings (and detached dwelling if within the Residential Code "determined area") and 400 m² for detached dwellings¹ of which the proposal is commensurate with.

Upon further review it is apparent that the subject site is unique within the locality with its "wider than average" frontage² as a result of the historic land division pattern within the area. This creates a unique situation where the merit of this proposal does not "open the door" for subsequent approvals within the area.

In summary when the 11.41 metre wide frontage is viewed from the street it will be very difficult to ascertain the shortfall from the 12 metre provision within the Development Plan,

¹ 350 m² for corner sites

² When considered against the majority of allotments within the area which provide frontages of approximately 17.3 metres

while the open single storey nature of the proposed dwellings and the landscaped open front gardens further reinforce the suburban nature of the proposal.

3. Are key design criteria achieved?

A brief summary of the appropriateness of the dwellings is provided below. For brevity only the key planning criteria have been addressed below, with adherence to other criteria being self-evident.

At the forefront of consideration the front boundary setback is highly consistent with the dwellings located to the north and south of the proposal and is cognisant with PDC 8 of the Residential Zone. Likewise side boundary setbacks are consistent with the locality and commensurate with the Residential Zone provisions. The rear boundary setbacks comfortably exceed PDC 11 while building on the boundary is limited and proposed in a manner highly consistent with the area while achieving the standard of PDC 13 of the Residential Zone.

Private open space comfortably exceeds the standard of PDC 19 within the General Section *Residential Development* as too off street car parking requirements exceed the provision sought by *Table WeTo/2*.

Summary

In summary, the proposed dwellings are highly consistent with the Zone provisions and the Desired Character enabling them to maintain the intent sought for residential dwellings with a low density suburban feel.

The shortfall in site area and marginal shortfall in site frontage when considered within the unique shaped allotment and the adjoining transitional nature of the locality provides a development which is highly appropriate.

Should you have any queries please contact me at your convenience.

Yours faithfully



Gregg Jenkins
BUrbRegPlan(Hons)
Heynen Planning Consultants



HEYDEN
PLANNING CONSULTANTS

E: info@heyden.com.au
P: 0800 000 000
F: 08 8388 8200
170 BTH St
Adelaide SA 5000

ABN 54 102 001 000

21 September 2016

City of West Torrens
ATT: Planning Department
165 Sir Donald Bradman Drive
HILTON SA 5033

ATT: Planning Department

RE: 12 LOWRY STREET FULHAM DA 211/D145/16

Please find below my summary of the planning merit displayed by the land division and associated dwelling plans pertaining to 12 Lowry Street Fulham.

By way of summary, the proposal is now to be assessed as an integrated land use and land division application. Can you please advise of the outstanding Council fees payable at your earliest convenience.

I am aware that Bartlett Drafting and Development have lodged the land division application through EDALA on 14 September 2016 and the application has been assigned DA 211/D145/16. The dwelling plans by Spectra Building Designers have also been uploaded as a miscellaneous document, these documents are referenced hereafter:

Please formally withdraw DA 211/730/2016 (land use application) as the dwellings are now to be considered in conjunction with the land division as an integrated application.

I have attached within this package my previous planning report (dated 16 June 2016) which was provided along with the land use application as I believe the content is still highly relevant and the dwellings are an appropriate form of development within the locality.

Additionally, please find below a brief summary outlining the merit of the integrated application.

Turning to the City of West Torrens Development Plan I am aware that Policy Area 21 provides a quantitative standard for dwellings to achieve a minimum site area of 420 m² and 12 metre minimum frontages for dwellings (versus the proposed frontages of 11.43 metres and 387 m² and 356 m²). Furthermore I am aware that PDC 6 of Policy Area 21 clearly provides additional guidance for a land division and dwelling application, as is the case with 12 Lowry Street, with the following provided below for clarity (my underlining added for emphasis):

PDC 6 Land division should create allotments with an area of greater than 420 square metres and a minimum frontage width of 12 metres, other than where the land division is combined¹ with an application for dwellings or follows an approval for dwellings on the site.

¹ The term "combined" does not specifically seek for an integrated application, however in this instance the application is integrated and therefore "combined".

It is evident that PDC 6 clearly provides an incentive for an integrated land use and land division application. That is, PDC 6 should consider allotments under that of PDC 3 when “combined” and PDC 6 represents good planning practice due to the efficiency and function brought about by the design and development of both elements in unison.

To this point, and upon review of recent DAP minutes, I am aware of DA 211/D063/16 which involved a 1 into 2 land division for 5 Lowry Street, which was recommended for approval and subsequently approved at the August 2016 DAP meeting. In this instance a stand-alone land division was approved. The 8.69 and 8.68 m wide allotments with site areas of 357 m² and 358 m² each were able to call up the reduced frontage and site area offered by PDC 4 noting the site is within 400 metres of a centre zone, some 390 metres away.

The importance of 5 Lowry Street, and the approved 8.69 and 8.68 m wide allotments with site areas of 357 m² and 358 m² allotments is that the 400 m from a centre zone “dispensation clause” must be considered along with the resultant streetscape and locality along with the minimum site area guide and the benefit sought by PDC 6.

It is clear that Policy Area 21 seeks for low density housing, detached dwellings and a suburban form of dwellings, all of which the proposal for 12 Lowry Street is able to achieve.

Notably the cohesiveness of the streetscape of Lowry Street must also be considered. For example, it would be undesirable to have a situation where Lowry Street becomes “two sided”, that is where house numbers 1, 2, 3, 4, 5, 6, 7 and 8 (and potentially 1A, 2A, 3A, 4A, 5A, 6A, 7A and 8A all present with 9 metre frontages², and numbers 9 through to 16 all retain their existing frontages of between approximately 17 metres and 22.86 metres as a result of their exclusion from the 400 metres from a centre zone provision³. It would be reasonable and good planning practice therefore to seek allotment frontages that produce a cohesive streetscape, rather than a distinct line in the street where the 400 m zone ends which will create a distinct and undesirable appearance to Lowry Street where frontages range from 8.68 metres⁴ to 22.86 metres for the subject site.

Before further considering this point further I am conscious that a quantitative departure should not automatically prove fatal to the planning merit of development. In this regard the *AG Building* matter referred to earlier is again highly instructive.

“...it does not follow that because some minimum quantitative standards or guidelines are not met, the proposal must be rejected.”

In relation to the proper assessment process in the *AG Building* matter it was also noted:

“It required an assessment not of particular issues in watertight compartments, but rather as part of a single complex planning problem – whether the proposal as a whole should be approved.”

Considering the density of the proposed development in conjunction with the density of properties located within the locality, but outside of a 400 m distance from a zone, is consistent with the judgement in the matter of *Papadopoulos v City of Woodville* (1985)

² Subject to compliance with the 350 m² site area minimum and 9 m frontage minimum

³ Apart from an amalgamation of sites these dwellings would retain their existing frontages

⁴ As approved at 5 Lowry Street



39 SASR 569 (at 575) which reinforces the requirement to assess the proposed development within the context of the transitional role of the locality:

".... it must be remembered that zone boundaries are only lines on a map, and the residential integrity of a residential zone at its perimeter might be very different from its residential integrity elsewhere..."

Again, the proposed development will perpetuate the character of the locality and despite the physical departure from the arbitrary 400 m distance from a centre zone the detached dwellings are entirely appropriate within the context of the locality.

As previously discussed PDC 6 is clear that it provides for a departure for allotments with frontages less and site areas less than that prescribed by PDC 3 when a dwelling is combined with a land division. In this instance PDC 6 can be used by Council to manage the streetscape by "tying-in" the land division and the dwelling application, giving assurance to Council that the dwellings will maintain the suburban character sought, whilst creating a sensible inclusion of the northern end of Lowry Street where the 400 m from a centre provision applies. That is from a practical sense the demand and the ability to walk from Lowry Street to a centre zone, and the benefit of the services of a centre zone remain functionally the same regardless of the location of a site on Lowry Street.

Summary

In summary, the proposed dwellings are highly consistent with the zone provisions and the desired character of Policy Area 21, enabling the detached dwellings to achieve a low density suburban appearance while the land division allows for the traditional pattern of development sought to be maintained.

The shortfall in site area and marginal shortfall in site frontage⁵ when considered within the unique shaped allotment and the adjoining transitional nature of the locality provides a development which is highly appropriate. The locality is ideally suited to a slight increase in residential density, particularly when the individual nature of the allotment is considered.

Finally, in my opinion consideration must be given to PDC 6 which clearly prescribes that allotments under 420 m² and frontages under a width of 12 metres are appropriated when a land division is combined with an application for dwellings.

Should you have any queries please contact me at your convenience.

Yours faithfully



Gregg Jenkins
BUrbRegPlan (Hons)
Heynen Planning Consultants

⁵ When considered directly against the provision of PDC which is expressly for dwellings, not that of PDC 6 which considers a combined application.

Contact Lands Titles Office
Telephone 7109 7016



10 October 2016

The Chief Executive Officer
City of West Torrens

Dear Sir/Madam

Re: Proposed Application No. 211/D145/16 (ID 55704)
for Land Division by Mr Adrian Sheridan

In accordance with Section 33 of the Development Act 1993 and Regulation 29 (1) of the Development Regulations 2008, and further to my advice dated 21 September 2016, I advise that the Development Assessment Commission has consulted with SA Water Corporation (only) regarding this land division application. A copy of their response has been uploaded in EDALA for your consideration. The Commission has no further comment to make on this application, however there may be local planning issues which Council should consider prior to making its decision.

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

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

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

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

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

Phil Hodgson
Unit Manager
Lands Titles Office

as delegate of
DEVELOPMENT ASSESSMENT COMMISSION



10 October 2016

Our Ref: H0050762

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 rita demusso
Telephone 7424 1119

PROPOSED LAND DIVISION APPLICATION NO: 211/D145/16 AT FULHAM

In response to the abovementioned proposal, I advise that pursuant to Section 33 of the Development Act it is necessary for the developer to satisfy this Corporation's requirements, which are listed below. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.

The 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

rita demusso

for MANAGER LAND DEVELOPMENT & CONNECTIONS

6.2 5 Tyson Street, ASHFORD

Application No 211/1281/2016

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Land division - Torrens Title; DAC No. 211/D171/16 (Unique ID 55927); Create one (1) additional allotment
APPLICANT	Maurice John Wilcox
LODGEMENT DATE	05 October 2016
ZONE	Urban Corridor Zone
POLICY AREA	Boulevard Policy Area 34
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1 - No public notification
REFERRALS	Internal <ul style="list-style-type: none"> City Assets - Engineering Arboriculture Officer - Arborist External <ul style="list-style-type: none"> Development Assessment Commission South Australian Water Corporation Department of Planning, Transport and Infrastructure - Transport Services Division
DEVELOPMENT PLAN VERSION	05 May 2016
MEETING DATE	14 February 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. 211/1281/2016 by Mr Maurice John Wilcox to undertake land division at 5 (allotment 97) Tyson Street, Ashford (CT 5749/419) for the following reasons:

The proposed development is contrary to

- Urban Corridor Zone Objective 1
Reason: The proposal would not facilitate medium and high density land uses.
- Urban Corridor Zone Objective 9
Reason: The proposal would not contribute to the desired character of the Urban Corridor Zone in that it will not facilitate medium density (45-70 dwellings per hectare) or high density (70-200 dwellings per hectare) residential development of 3 or more storeys, but would rather facilitate a detached dwelling.
- Urban Corridor Zone Principles of Development Control 5
Reason: The proposal would not facilitate a minimum net residential site density of 100 dwellings per hectare. The proposal would result in a net density of 25.6 or 27.3 dwellings per hectare
- Urban Corridor Zone Principles of Development Control 23
Reason: The proposal is of a size and configuration that does not ensure the objectives of the zone can be achieved.

- Boulevard Policy Area 34 Objective 1
Reason: The proposal would not facilitate medium and high density land uses.
- Boulevard Policy Area 34 Objective 4
Reason: The proposal would not contribute to the desired character of the policy area in that it will not facilitate medium and high densities and would compromise the ability to achieve the desired transformation of the policy area by facilitating a form and configuration of development that is not desired.
- Boulevard Policy Area 34 Principles of Development Control 2
Reason: The proposal would facilitate lower density residential development such as a detached dwelling.
- Council Wide, Land Division Principle of Development Control 7
Reason: Allotment 972, which is in the form of a battle-axe configuration, would not provide a driveway 'handle' with a minimum width of 4 metres.
- Council Wide, Orderly and Sustainable Development Objective 4
Reason: The proposal would prejudice the achievement of the provisions of the Development Plan
- Council Wide, Orderly and Sustainable Development Principle of Development Control 1
Reason: The proposal would prejudice the development of the Urban Corridor Zone for its intended purpose.

BACKGROUND

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

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

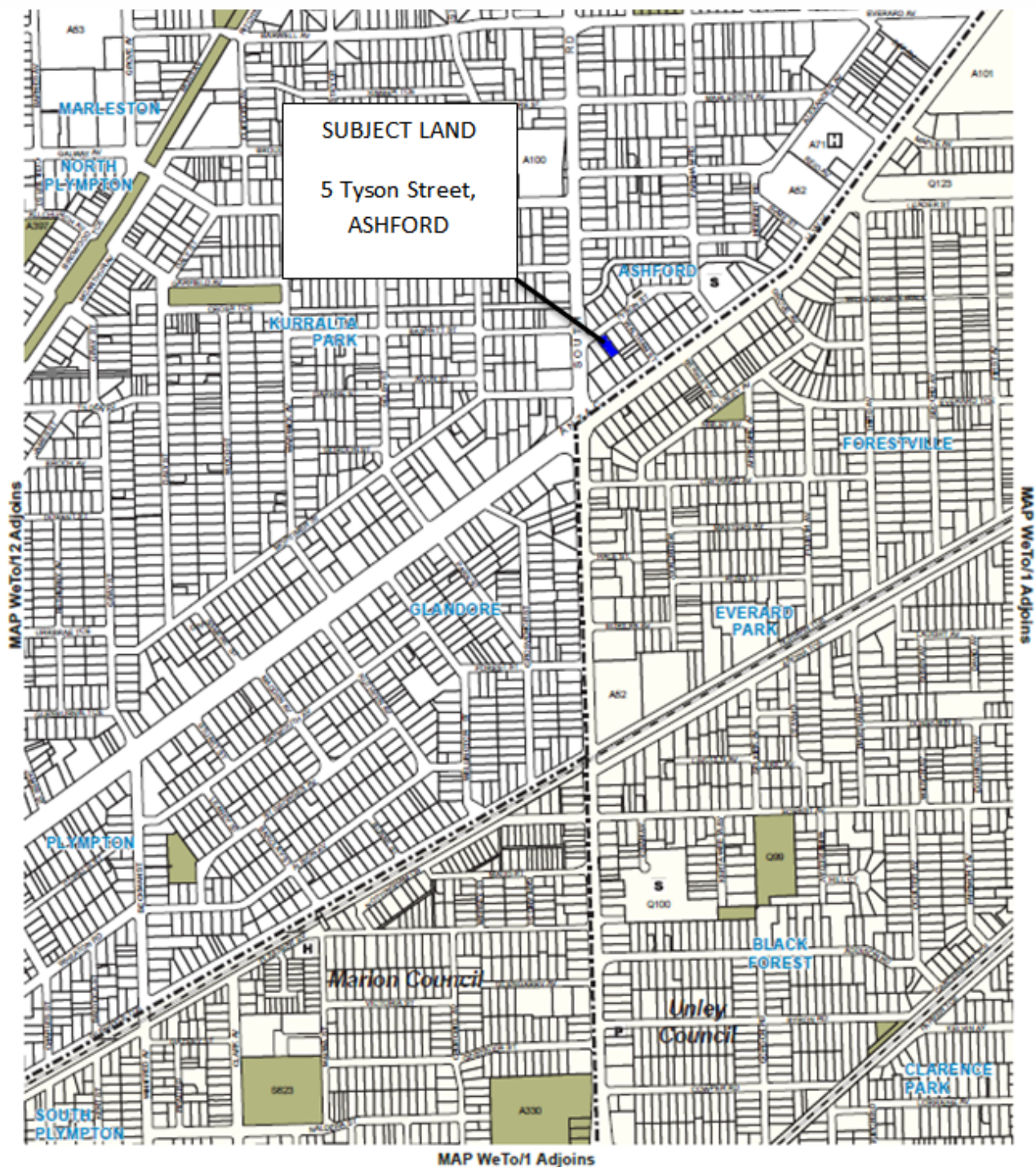
SITE AND LOCALITY

The site is a rectangular shaped allotment that currently contains a detached dwelling with associated carport and outbuilding. The site has frontage and gains vehicular access from Tyson Street. Two street-trees and an electrical pole are situated adjacent the site frontage on Tyson Street.

The site is situated within the Urban Corridor Zone, Boulevard Policy Area 34, an Affordable Housing Designated Area and a Noise and Air Emissions Designated Area. The majority of the site is subject to 100mm of flooding during a 1 in 100 year Average Recurrence Interval rainfall event.

The locality is characterised by commercial and residential land uses in close proximity to South Road and Anzac Highway, both primary arterial roads that accommodate public transport. The Residential Zone and Medium Density Policy Area 19 are situated adjacent the subject land to the north, with Tyson Street being the zone/policy area boundary. Ashford Character Policy Area 22, characterised by inter-war bungalows and tudor-style dwellings, is situated approximately 37 metres from the subject land to the north-east. A car park travelling between Tyson Street and Anzac Highway, associated with a commercial 'Bulky Goods Outlet' (the Home Ideas Centre) abuts the subject land to the west.





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

Location Map WeTo/13

WEST TORRENS COUNCIL
Consolidated - 5 May 2016

PROPOSAL

The proposal includes land division to create one additional allotment. As per the plan of division, allotment 972 would be in the form of a 'battle-axe' shaped allotment.

Relevant plans and details form **Attachment 1**.

REFERRALS

Internal

- City Assets - Engineering
- Arboriculture Officer - Arborist

Concerns were raised regarding the following matters;

- Minimum driveway width should be 3.6m however 3.3 is acceptable given location of dwelling.
- New driveways and stormwater connections to be 1 metre away from existing driveways, stormwater connections, electrical poles, street lights, side entry pits and pram ramps.
- New driveways and stormwater connections to be 2 metres away from existing street trees.
- The health, structure, form, useful life expectancy, and age of the street tree to be removed has been considered and removal is support subject to the payment of \$1526.00 into Council's annual greening program.

External

- Development Assessment Commission
- South Australian Water Corporation
- Department of Planning, Transport and Infrastructure - Transport Services Division

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

ASSESSMENT

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

<u>General Section</u>		
Infrastructure	Objectives	1, 2 & 3
	Principles of Development Control	1, 3, 4, 5, 6, 8 & 9
Land Division	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 2, 3, 4, 5, 6, 7, 8, 11, 12 & 16
Orderly and Sustainable Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1, 3 & 5
Residential Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1, 2 & 3

Zone: Urban Corridor Zone
Desired Character Statement:
<p>This zone will contain an innovative mix of medium density (45-70 dwellings per hectare) and high density (70-200 dwellings per hectare) residential development, together with community and employment land uses, along the Port Road, Anzac Highway and Henley Beach Road corridors. The combination of land uses will vary within these corridors. Some locations will contain a genuine land use mix with ground floor shops, restaurants and offices, and upper level residential, while other areas will give primacy to residential development. Other parts of the zone will have a strong employment focus.</p>

The function of main roads in the zone, particularly Port Road and Anzac Highway, as major transport corridors will be protected by providing access to allotments from secondary road frontages and rear access ways as much as possible. Parking areas will be consolidated, shared (where possible) and screened from the street or public spaces. Allotments with car parking fronting Port Road, Anzac Highway and Henley Beach Road will be redeveloped with built form closer to the road and reconfigured car parking areas.

As one of the key zones in the City of West Torrens where there will be transformation in built form, new buildings will be recognised for their design excellence. These buildings will establish an interesting pedestrian environment and human-scale at ground level through careful building articulation and fenestration, verandas, balconies, canopies and landscaping. In general, the greatest height, mass and intensity of development will be focussed at the main road frontage. Buildings of 3 or more storeys will be the predominant built form. It is for these reasons that dwellings other than detached dwellings will be the predominant form of residential development.

Overlooking, overshadowing and noise impacts will be moderated through careful design. Impacts on adjoining zones where development is lower in scale and intensity will be minimised through transition of building heights and setbacks, judicious design and location of windows and balconies, and the use of landscaping. The transition of building heights and setbacks, and judicious design is especially important adjacent Character Policy Areas, including those Character Policy Areas at Glandore and Ashford. The use of blank walls in these transitional areas, especially at the rear and side of allotments, will be avoided. Plant and service equipment will be enclosed and screened from view from the street and neighbouring allotments.

Where buildings are set back from main roads, landscaping will contribute to a pleasant pedestrian environment and provide an attractive transition between the public and private realm. Large scale development in the zone will facilitate the establishment of areas of communal and public open space, and create links with existing movement patterns and destinations in the zone. Front fencing in the zone will be kept low and/or visually permeable.

Some parts of the zone, including allotments in Thebarton and Keswick, are potentially contaminated because of previous and current industrial activities. In these circumstances, development is expected to occur on a precautionary basis if site contamination investigations identify potential site contamination, particularly where it involves sensitive uses such residential development.

The Thebarton brewery has potential to cause nuisance to future users and residents within this zone through noise and odour. To mitigate potential adverse impacts, residential development north of Smith Street that is likely to be sensitive to brewery operations should generally be avoided unless interface mitigation measures have been implemented (or will be implemented within an acceptable period) such that the anticipated impacts are within acceptable limits.

Noise and air amenity with the zone is not expected to be equivalent to that expected from living in a purely residential zone.

<i>Objectives</i>	1, 2, 3, 4, 5, 6, 7 and 9
<i>Principles of Development Control</i>	1, 4, 5 and 23

Policy Area: Boulevard Policy Area 34	
Desired Character Statement:	
<p>The policy area will contain a mix of land uses that complement the function of Port Road as a strategic transport route linking central Adelaide with the north western suburbs, and Anzac Highway linking central Adelaide with Glenelg.</p> <p>The redevelopment of existing commercial and industrial allotments into medium-to-high scale, mixed-use development will occur. Where development has a mix of land uses, non-residential activities such as shops, offices and consulting rooms will be located on lower levels with residential land uses above. In order to achieve the desired transformation of the policy area, dwellings other than detached dwellings will be the predominant form of residential development.</p> <p>A mix of complementary land uses will assist in extending the usage of the policy area beyond normal working hours to enhance its vibrancy and safety.</p> <p>Development will take place at medium and high densities, at a scale that is proportionate to the width of Port Road and Anzac Highway respectively. To achieve this, development will take place on large, often amalgamated allotments. Vehicle access points will be located off side streets and new rear laneways where possible, so that vehicle flows, safety and efficient pedestrian movement along Port Road and Anzac Highway are maintained.</p> <p>Pedestrian areas will be enhanced to maximise safety and strong links will be made between development and tram stops along Port Road, and Bonython Park.</p> <p>While the use and address of buildings will be designed to be easily interpreted when driving in a vehicle, the footpath will be sheltered with awnings, verandas and similar structures.</p> <p>Buildings of up to eight storeys will have a strong presence to Port Road and Anzac Highway. At lower levels, buildings will have a human scale through the use of design elements such as balconies, verandas and canopies. Development on corner allotments will enhance the gateway function of such corners by providing strong, built-form edges combined with careful detailing at a pedestrian scale to both street frontages.</p> <p>Podium elements, where higher floors of the building are set back further than lower level floors, may be used to improve air quality (through greater air circulation), as well as enhancing solar access, privacy and outlook for both the residents of the building and neighbours.</p> <p>Buildings along Port Road will have zero setback from the front boundary in order to establish a strong and imposing presence to the road, while short front setbacks along Anzac Highway will allow for some landscaping to contribute to a more open landscaped character.</p> <p>On-site vehicle parking will not be visible from Port Road and Anzac Highway, by locating parking areas behind building façades and shielding undercroft parking areas with landscaping and articulated screens.</p>	
Objectives	1, 2, 3 and 4
Principles of Development Control	1, 2 and 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
MINIMUM NET RESIDENTIAL SITE DENSITY PDC 5	100 dwellings per hectare	$\text{(Hectare / Site Area)} \times \text{number of dwellings} = \text{net residential site density}$ $\text{Proposed allotment 971} = 415\text{m}^2$ $\text{Proposed allotment 972} = 365\text{m}^2$ $\text{Total} = 780\text{m}^2$ $(10,000 / 365) \times 1 = 27.3 \text{ dwellings per hectare net}$ $(10,000 / 780) \times 2 = 25.6 \text{ dwellings per hectare net}$ <p>Does Not Satisfy</p> <p>Either way the net residential site density is calculated, the proposal does not satisfy PDC 5 of the Urban Corridor Zone</p>

QUALITATIVE ASSESSMENT

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

Land Use and Zoning

The submitted plan of division shows an indicative dwelling on proposed allotment 972. This indicative dwelling, if proposed, would be defined as a detached dwelling as per the Development Regulations 2008.

The Urban Corridor Zone seeks a transformation in built form and desires medium and high density residential development together with community and employment land uses along Anzac Highway. Generally, the greatest height, mass and intensity of development will be focussed at the main road frontage with a transition down in scale and intensity at the zone boundary. Buildings of 3 or more storeys will be the predominant built form. Detached dwellings are not desired within the zone.

Boulevard Policy Area 34 desires a mix of land uses at medium and high densities that do not compromise transport corridors such as Anzac Highway. To achieve the desired transformation of Boulevard Policy Area 34, dwellings other than detached dwelling will be the predominant form of residential development. In addition, development will take place on large, often amalgamated allotments.

To achieve zone objectives and the desired character, the Urban Corridor Zone provides principles written to achieve minimum densities and prevent under-development. In the context of Boulevard Policy Area 34, development should achieve each of the following.

- Minimum net residential site density of 100 dwellings per hectare
- Minimum 3 storey building height
- Minimum 2 metre setback from Tyson Street
- No minimum setback from rear boundary
- No minimum setback from side boundaries for components of buildings up to 2 storeys
- 3 metre setback from side boundaries for components of buildings above 2 storeys

Essentially, land division should create allotments that ensure these minimums can be achieved.

Principle of Development Control 2 within Boulevard Policy Area 34 states that residential development should create a medium-to-high density urban environment incorporating residential flat buildings and dwellings in mixed-use buildings, not lower density residential development such as detached dwellings.

To achieve desired densities close to transport corridors, detached dwellings are not desired or envisaged within the zone whilst residential flat buildings are.

The size (365m² total, 265.5m² excluding driveway) and configuration of proposed allotment 972 are not conducive to accommodating residential flat buildings or residential development at the density desired by the zone and policy area. The proposed development does not ensure the objectives of the zone or policy area can be achieved. The subsequent form of low-density residential development anticipated for proposed allotment 972 is not desired or envisaged within the zone or policy area.

Although possibly sympathetic to existing residential development nearby, the proposal would inhibit the transformation of the zone and policy area and would prejudice the achievement of Development Plan provisions. The proposed land division would entrench a low-density land use that is considered inappropriate for the site and in the context of the Development Plan. The anticipated form of residential land use is therefore considered inappropriate.

Land Division

Proposed allotment 972 is in the form of a 'battle-axe' configuration. In accordance with 'General Section' Principle of Development Control 7, allotment 972 should therefore achieve each of the following.

- a) have an area of at least the minimum site area specified by the zone, policy area or precinct (excluding the area of the 'handle' of such an allotment)
 - i. provide for an access onto a public road, with the driveway 'handle' being not less than:
 - ii. 4 metres in width to facilitate landscape planting along the driveway, and
 - iii. 5.5 metres for at least the first 5 metres of the driveway for an allotment accommodating two or more dwellings to allow vehicles to pass safely.
- b) contain sufficient area on the allotment for a vehicle to turn around to enable it to egress the allotment in a forward direction.

- c) not be created where it would lead to multiple access points onto a road which would dominate or adversely affect the amenity of the streetscape (for example through the loss of mature street trees, on-street parking or pedestrian safety).
- d) be avoided where their creation would be incompatible with the prevailing pattern of development.

The zone and policy area do not specify a minimum site area and the proposal would not result in multiple access points that would adversely affect the amenity of the streetscape.

To ensure sufficient turn-around area, the plan of division would need to be amended to widen the corner 'cut-off' of the proposed driveway at the southern end.

Given the wall of the existing dwelling, the driveway handle would have a width of 3.3 metres, failing to achieve the minimum width of 4 metres as specified by the Development Plan. In addition, the gutters and eaves of the existing dwelling are proposed to overhang allotment 972 in an easement. This arrangement is considered dis-orderly.

The prevailing allotment pattern is that of rectangular shaped allotments however several community titled, battle-axe type arrangements exist nearby. Although not applicable to the subject land, Ashford Character Policy Area 22, situated approximately 37 metres from the subject land to the north-east aims to reinforce existing allotment pattern of wide and deep allotments.

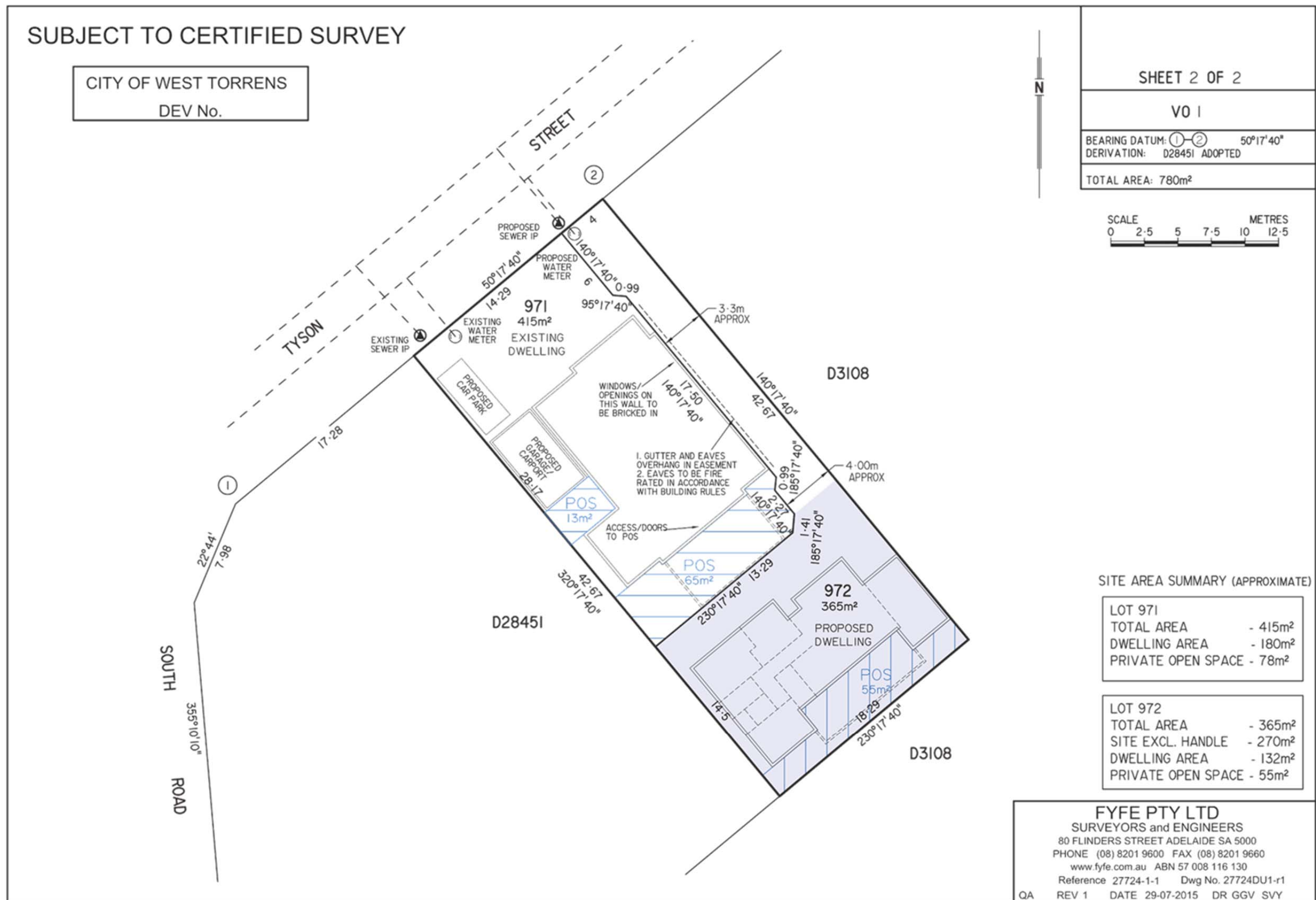
SUMMARY

Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is considered to be 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 05 May 2016 and does not warrant Development Plan Consent.

Attachments

1. **Plan and Correspondence**
2. **Referral Comments**



Phil Harnett

From: Stephen Rhodes <stephen.rhodes@fyfe.com.au>
Sent: Friday, 9 December 2016 10:26 AM
To: Phil Harnett
Subject: 27724-1 5 Tyson Street, Ashford - Development Number 211/1281/2016 (DAC 211/D171/16)

Importance: High

Hi Phil

Thanks for your email regarding the above land division at Ashford.
Please see below our responses are below in red – trust this is suitable.

Thanks...

Stephen Rhodes
Fyfe Pty Ltd
T +61 8 8201 9695
M +61 400 366 055

From: Sue Hogan
Sent: Thursday, 8 December 2016 2:26 PM
To: Stephen Rhodes
Subject: FW: 27724-1 5 Tyson Street, Ashford - Development Number 211/1281/2016 (DAC 211/D171/16)
Importance: High

Sue Hogan
Fyfe Pty Ltd
T +61 8 8201 9697

From: Phil Harnett [mailto:pharnett@wtcc.sa.gov.au]
Sent: Thursday, 8 December 2016 12:19 PM
To: edala
Subject: 5 Tyson Street, Ashford - Development Number 211/1281/2016 (DAC 211/D171/16)

Hello Stephen

Regarding Development Number 211/1281/2016 (DAC 211/D171/16) for 5 Tyson Street, Ashford, please consider and respond to each of the following.

1. It is understood that the 'proposed dwelling' and 'proposed garage/carport' are indicative only and do not form part of the application. Is this correct?
YES, this is only to demonstrate possible land use.
2. In accordance with Boulevard Policy Area 34, PDC 2 states that residential development should create a medium to high density urban environment incorporating residential flat buildings and dwellings in mixed-use buildings, not lower density residential development such as detached dwellings. Furthermore, the desired character of the urban corridor zone states that dwellings other than detached dwellings will be the predominant form of residential development.

As indicated, the proposal would accommodate a detached dwelling. Please consider and address these provisions.

This proposal has been prepared and submitted on the basis that;

- a) it complies with the above requirement *medium to high density urban environment incorporating residential flat buildings*;
- b) it is similar in nature to the existing area and proposed other developments in the vicinity (recently 2 Tyson Street, Ashford)
- c) it proposes a new dwelling & retains the existing house while meeting the requirements for private open space and vehicle movements.

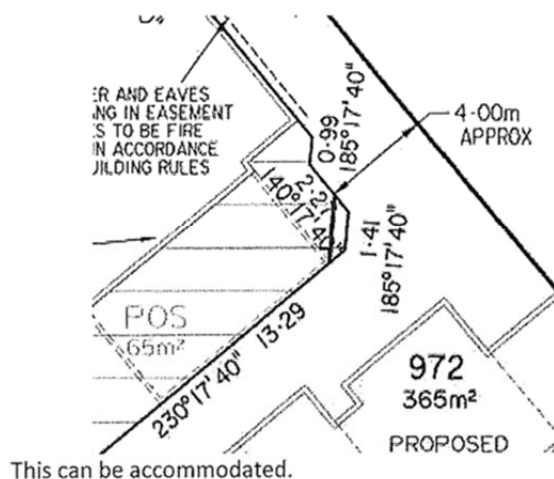
3. In accordance with 'General Section - Land Division', PDC 7 states that allotments in the form of a battle-axe configuration should

- provide for an access onto a public road, with the driveway 'handle' being not less than 4 metres in width to facilitate landscape planting along the driveway,
- be avoided where their creation would be incompatible with the prevailing pattern of development.

Please consider and address this provision.

The proposal makes the driveway as wide as possible, widening it to 4 metres where the space is available.

4. Vehicles attending the indicative dwelling, shown in the new allotment, would not be able to exit in a forward direction. An increased corner 'cut-off' to allow more space for vehicles to turn around is therefore recommended.



This can be accommodated.

5. The submitted plan states 'gutter and eaves overhang (of the existing dwelling) in easement' over proposed allotment 972 however nothing is listed in 'easement details'. The gutter and eave overhang is not considered orderly. All components of the existing dwelling should be contained within its respective allotment.

Please consider and respond to this matter.

The developer may consider reconstructing the eave and gutter if Council insists.

6. In accordance with 'General Section - Interface between Land Uses', PDC's 4 and 5, residential development adjacent non-residential land uses should be located, designed and/or sited to protect residents and should not conflict with lawfully existing developments and land uses desired for the zone.

As indicated, the proposed allotment would accommodate a detached dwelling. Please consider and address these provisions.

See responses in #2 above.

We also understand that Council would be assessing this application on the merits of the plans submitted.

7. Driveways and stormwater connections through a road verge need to accommodate existing verge features in front of the subject and adjacent properties. New driveways and stormwater connections must be located

1 metre from other existing or proposed driveways, stormwater connections, electrical poles, street lights, side entry pits and pram ramps, etc. In addition, new features must be located 2 metres from existing street trees, although a lesser offset may be acceptable in some circumstances.

The 'proposed garage/carport' and 'proposed car park' indicate the expected location of a new driveway to service the existing dwelling. The expected location would require the removal of a street tree, possible relocation of a water metre and would be located in close proximity to an electrical pole.

All options should be considered to preserve the tree, however if to no avail, Council will accept the removal of the street tree subject to the payment of a fee (\$1526.00) prior to the commencement of work. The fee is invested into Council's annual greening program.

It is proposed that an application for the removal of any street trees would be lodged after Council's approval of the land division.

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

This is understood.

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

Email: pharnett@wtcc.sa.gov.au

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Maurice Wilcox
5 Tyson Street
Ashford South Australia 5000
Telephone: 0401434778
wilcoxmaurice@yahoo.com.au

Ref: 211/1281/2016

19/01/2017

Attention: John Woodward

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

Dear John

Development Number 211/1281/2016 - 5 Tyson Street, Ashford

I refer to:

- Development Number 211/1281/2016 - 5 Tyson Street, Ashford; and
- Development Number 211/1435/2016 - 2 Tyson Street, Ashford

I have been a resident of Ashford for approximately three years along with my two young children and wife. We are a young professional couple who were attracted by its character and proximity to the city where we work for Santos.

During our time in the neighbourhood we had noticed numerous examples in the area of people undertaking hammerhead developments (Alexander Avenue etc) which we thought is a good way to increase density but retain character. Taking this into consideration, we decided to submit an application (refer 211/1281/2016) to subdivide our backyard and retain our bungalow as it had only recently been extended and renovated.

As set out in the attached comments by Council (refer Appendix 1), it appears Council is not looking to retain the character of Ashford and is promoting high density development most notably from professional developers as demonstrated by application 211/1435/2016 directly across the street from our property which is seeking to build four townhouses on a 600 m2 block with no reference to character or traffic issues. In essence, Council leaves me with only one development option, knock down our house and build townhouses which conform to the planning policy.

It appears on face value that we are being grouped in with the properties that front Anzac Highway and/or South Road which I can understand should be developed along a major corridor. We are not on a major corridor and have a beautiful renovated bungalow in a quaint tree lined street.

Maurice Wilcox
5 Tyson Street
Ashford South Australia 5000
Telephone: 0401434778
wilcoxmaurice@yahoo.com.au

In addition to the ruling against the prevailing policy, there is no consideration being given to our proximity to the Ashford Character area policy (some 200 metres from our house) which is obviously designed to protect Ashford's character in the backstreets.

I believe our application will be presented to Council's DAP on the 14th of February with a recommendation for refusal. I would most appreciate an opportunity in advance of this meeting to speak with yourself and discuss these issues. Most notably I would like the assessment of our application reconsidered against the character area principles and not those applied to the urban corridor.

Yours sincerely



Maurice Wilcox
5 Tyson Street
Ashford South Australia 5000
Telephone: 0401434778
wilcoxmaurice@yahoo.com.au

cc: Phil Hartnett, Stephen Rhodes

Contact Planning Services
Telephone 7109 7016



8 November 2016

City Manager
City of West Torrens
165 Sir Donald Bradman Dr.
HILTON SA 5033

Dear Sir/Madam

**Re: Proposed Development Application No. 211/D171/16 (ID 55927)
 By Maurice John Wilcox**

Further to my letter dated 14 October 2016 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 SA Water Corporation shall be met for the provision of water and sewerage services. (SA Water H0051509)

The internal drains shall be altered to the satisfaction of the SA Water Corporation.

2. Payment of \$6676.00 into the Planning and Development fund (1 allotment(s) @ \$6676.00 /allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

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

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.

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
Q:\PLANNINGSERVICES\TEMPLATES\STATEMENTS\ELECTRONIC\TFF2R edala



31 October 2016

Our Ref: H0051509

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 ANN BOND
Telephone 7424 1119

PROPOSED LAND DIVISION APPLICATION NO: 211/D171/16 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.

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

In reply please quote 2016/00300, Process ID: 424897
Enquiries to Matthew Small
Telephone 8226 8387
Facsimile (08) 8226 8330
E-mail dpti.luc@sa.gov.au



Government of South Australia
Department of Planning,
Transport and Infrastructure

**SAFETY AND SERVICE –
Traffic Operations**

GPO Box 1533
Adelaide SA 5001

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

ABN 92 366 288 135

19/10/2016

The Presiding Member
Development Assessment Commission
GPO Box 1815
ADELAIDE SA 5001

Dear Sir,

REGULATION 29 (LAND DIVISION) - CONSULTATION RESPONSE

Development No.	211/D171/16
Applicant	Maurice John Wilcox
Location	5 Tyson Street, Ashford
Proposal	Land Division (1 into 2)

I refer to the above development application forwarded to the Safety and Service Division of the Department of Planning, Transport and Infrastructure (DPTI) in accordance with Regulation 29(3) of the *Development Regulations 2008*. The proposed development involves a land division, which the Development Assessment Commission believes warrants consultation with DPTI.

The following response is provided in accordance with Regulation 29(3) of the *Development Regulations 2008*.

THE PROPOSAL

This application proposes one additional allotment at the rear of the site, with the existing dwelling to remain on the subject land.

CONSIDERATION

Both the State and Federal Governments have indicated clear commitments to develop a non-stop North-South Corridor for Adelaide. While funding commitments have been made to construct the corridor at Darlington, Torrens Road to River Torrens and the Northern Connector sections, the nature and timing of potential improvements to the unfunded sections of South Road have yet to be determined, and any potential future land requirements are unknown.

Whilst the subject site abuts Tyson Street, a local road under the care, control and management of the City of West Torrens, the property is also located in close proximity to the recently upgraded Gallipoli Underpass (which will eventually be integrated into the future non-stop North-South Corridor). Given that the nearby section of South Road has been upgraded to a non-stop road, the footprint in the vicinity of the subject property will not substantially change once integrated within the future North-South Corridor.

10923083

Information about the 10 Year Delivery Strategy for the North-South Corridor can be found in the Scoping Report released on 18 May 2015 and is available at www.infrastructure.sa.gov.au/nsc/10yds. Further information on the North-South Corridor can be obtained at www.infrastructure.sa.gov.au/nsc or if you would like to speak to a member of the North-South Corridor team, please email northsouthcorridor@sa.gov.au or call 1300 951 145.

CONCLUSION

Notwithstanding the above, DPTI raises no objection in-principle to this plan of division.

Yours sincerely,


 **MANAGER, TRAFFIC OPERATIONS**
for **COMMISSIONER OF HIGHWAYS**

6.3 23 Mortimer Street, KURRALTA PARK

Application No 211/1510/2016 & 211/1217/2016

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Land Division - Torrens Title; DAC No. 211/D205/16 Unique ID 56406); Create four (4) additional allotments	Construction of five (5) two-storey row dwellings with garages under main roof.
APPLICANT	State Surveys	Yogo Design & Consulting Pty Ltd
APPLICATION NO	211/1510/2016	211/1217/2016
LODGEMENT DATE	9/12/2016	17/10/2016
ZONE	Residential Zone	Residential Zone
POLICY AREA	Residential Medium Density - Policy Area 18	Residential Medium Density - Policy Area 18
APPLICATION TYPE	Merit	Merit
PUBLIC NOTIFICATION	Category 1	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> ▪ Nil External <ul style="list-style-type: none"> ▪ DAC ▪ SA Water 	Internal <ul style="list-style-type: none"> ▪ City Assets ▪ Amenity Officer External <ul style="list-style-type: none"> ▪ Nil
DEVELOPMENT PLAN VERSION	5 May 2016	5 May 2016
MEETING DATE	14 February 2017	14 February 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. 211/1510/2016 by State Surveys to undertake Land Division - Torrens Title; DAC No. 211/D205/16 (Unique ID 56406) Create four (4) additional allotments at 23 Mortimer Street, Kurralta Park (CT5343/319) 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. 211/1510/2016 (DAC 211/D205/16).

LAND DIVISION CONSENT

Council Conditions

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

Development Assessment Commission Conditions

2. The financial requirements of 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 the 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 \$26704 into the Planning and Development Fund (4 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.

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. 211/1217/2016 by Yogo Design & Consulting to undertake Construction of five (5) two-storey row dwellings with garages under main roof at 23 Mortimer Street, Kurralta Park (CT5343/319) 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. That the development shall be undertaken and completed in accordance with the amended plans dated 12/01/2017 and information detailed in this application except where varied by any condition(s) listed below.
2. That the finished floor levels shall be as provided on 'Site Plan' (YOGO Design & Consulting - Rev C - Project No. Y160714 - Drawing No. A003, received by City of West Torrens 12 Jan 2017).
3. That any retaining walls will be designed to accepted engineering standards, and not of timber construction if retaining a difference in ground level exceeding 200mm.
4. That all stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage shall not at any time:-
 - Result in the entry of water into a building; or
 - Affect the stability of a building; or
 - Create unhealthy or dangerous conditions on the site or within the building; or
 - Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
5. That all driveways, parking and manoeuvring areas shall be formed (surfaced with concrete, bitumen or paving) and properly drained, and shall be maintained in a reasonable condition at all times.
6. That the total build-up of the site level (excluding the building envelope) above existing ground level shall not exceed 400mm at any point.

7. That all landscaping shall be planted in accordance with the approved plans prior to the occupancy of the development. Any person(s) who have the benefit of this approval shall cultivate, tend and nurture the landscaping, and shall replace any landscaping which may become diseased or die.
 8. That the upper level north, east and west facing windows of the dwellings will be provided with fixed obscure glass to a minimum height of 1.7 metres above the upper floor level to minimise the potential for overlooking of adjoining properties, prior to occupation of the building. The glazing in these windows will be maintained in reasonable condition at all times.
 9. 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:

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

PREVIOUS OR RELATED APPLICATION(S)

Nil

SITE AND LOCALITY

The subject land is described as Allotment 135 Deposited Plan 3202 in the area named Kurralta Park Hundred of Adelaide, as contained in Certificate of Title Volume 5343 Folio 319. The land is more commonly known as 23 Mortimer Street, Kurralta Park.

The subject land is an irregular shaped allotment of 808.9m² in area, located on the northern side of Mortimer Street. The land has a street frontage of 47.27m and a depth to the deepest point of the allotment of 27.60m. The land currently contains a 1940s single storey red brick bungalow featuring an arched portico with a low red brick wall and established front garden. Topographically the land is relatively flat.

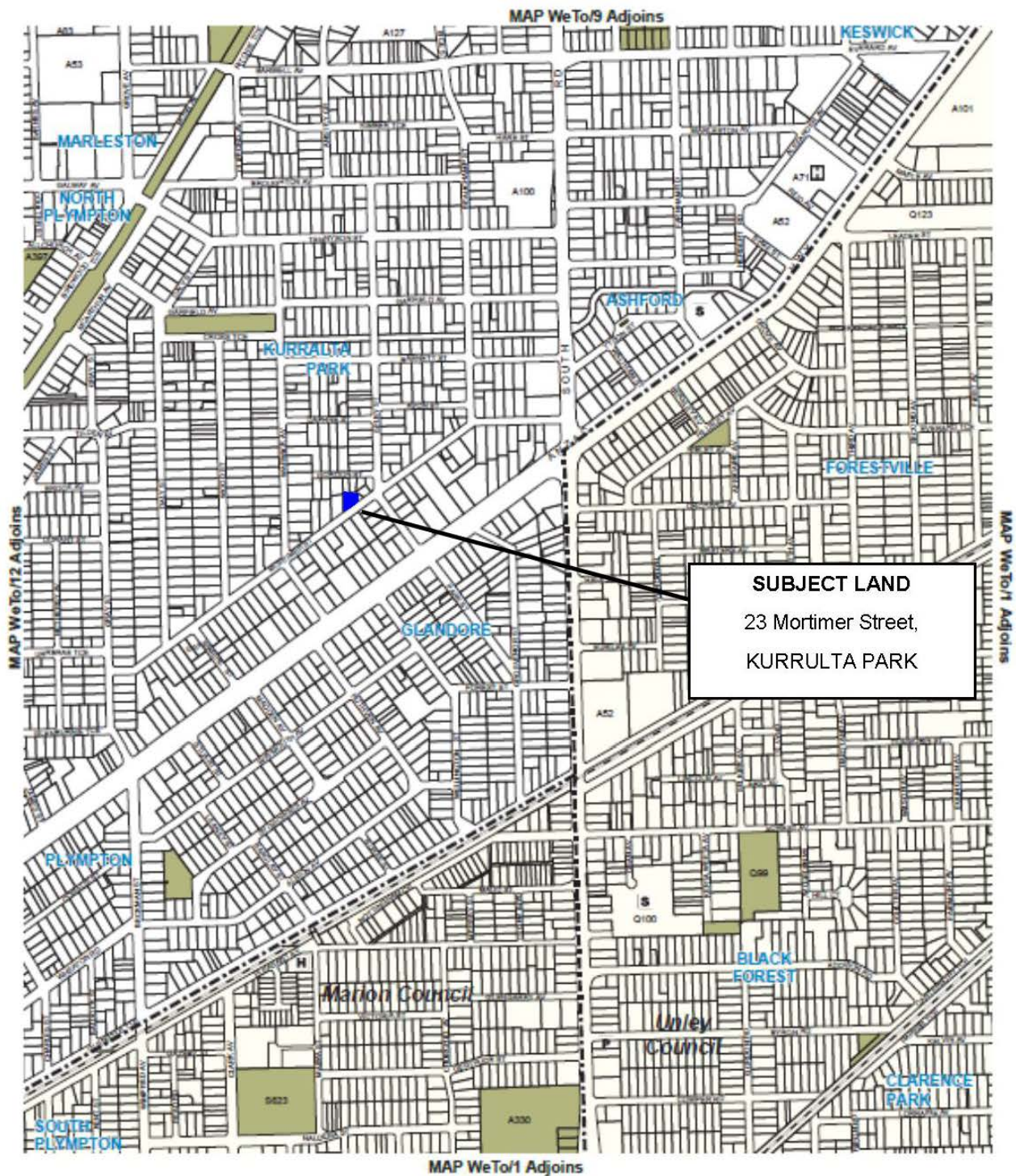
There are two street trees, a stobie pole and a no stopping sign to the north and adjacent the subject site and currently vehicle access is provided via a double crossover to the west of the allotment boundary.

The subject land is located within the Residential Zone, and more specifically Policy Area 18. The subject site abuts the Urban Corridor Zone to the south-east, is approximately 140m north of Anzac Highway and approximately 200m north east of a District Centre Zone, which contains the Kurralta Park Shopping Centre.

The locality has seen an increased trend of medium density developments since the 1960s including residential flat buildings between 2-7 storeys high on nearby Anzac Highway and large two-storey residential flat buildings further north and south on Mortimer Street. Many other examples of housing styles and dwelling types exist in the area from early 1920s single storey detached bungalows to 1950s Spanish mission, dutch gable and tudor variations to recent two storey dwellings, making for a diverse streetscape.

The site and locality are shown on the following maps.





Location Map WeTo/13

WEST TORRENS COUNCIL
Consolidated - 5 May 2016

PROPOSAL

The proposal includes two separate applications; one for land division and one for the built form.

The land division involves the creation of four additional Torrens Title allotments.

Allotment 1 will have an area of 174.3 m²

Allotment 2 will have an area of 176.1m²

Allotment 3 will have an area of 166.2m²

Allotment 4 will have an area of 144.3m²

Allotment 5 will have an area of 148.0m²

Land division plans are included as **Attachment 1**.

The built form is the construction of five, two-storey row dwellings, each with single garage accessed from Mortimer Street, with a kitchen, living, laundry and two bathrooms on the ground floor. In addition, allotments 2-4, will have a sitting area, additional storage space, greater private open space and larger dining areas.

The upper floors will contain three bedrooms each with built in robes, with allotments 2-4 having a second bathroom and a balcony to the front of the dwellings, facing south.

Built form plans are included as **Attachment 2**.

PUBLIC NOTIFICATION

Both Development Applications are Category 1 form of development pursuant to Section 38 and Schedule 9 of the Development Act and Regulations.

REFERRALS

Internal

- **Amenity Officer**

As a result of the proposed crossover for Allotment 5, City Works has agreed to the removal of one street tree.

- **City Assets**

The original plans had a combined crossover width of 4.5m for Allotments 3 and 4. This has since been amended to the required 6m width.

Visitor spaces for Allotments 2-4 were less than 3m wide. This has since been amended to the required 3m width.

External

- **DAC & SA Water**

No objections. Application subject to standard DAC and SA Water conditions.

ASSESSMENT

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

<u>General Section</u>		
Crime Prevention	Objectives	1
	Principles of Development Control	1, 2, 3, 6, 7 & 8
Design and Appearance	Objectives	1 & 2
	Principles of Development Control	1, 2, 3, 5, 9, 10, 12, 13, 14, 15, 16, 17, 18 & 19
Land Division	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 2, 4, 5, 6, 8 & 12
Landscaping, Fences and Walls	Objectives	1
	Principles of Development Control	1, 2, 3, 4, 5 & 6
Orderly and Sustainable Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1, 3 & 5
Residential Development	Objectives	1, 2, 3, 4
	Principles of Development Control	1, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 27, 28, 29, 30
Transportation and Access	Objectives	2
	Principles of Development Control	1, 2, 8, 9, 10, 11, 14, 23, 24, 30, 32, 34, 35, 36, 37, 40, 41, 44, 45,

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

QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SITE AREA Medium Density Policy Area 18 PDC 6	Row Dwelling 150m ² (minimum)	<p>Dwelling 1: 174m² Satisfies</p> <p>Dwelling 2: 176m² Satisfies</p> <p>Dwelling 3: 166m² Satisfies</p> <p>Dwelling 4: 144m² Does Not Satisfy by 4%</p> <p>Dwelling 5: 148m² Does Not Satisfy 1.14%</p>

SITE FRONTAGE Medium Density Policy Area 18 PDC 6	5m	Dwelling 1: 15.5m Dwelling 2: 6.8m Dwelling 3: 6.8m Dwelling 4: 6.8m Dwelling 5: 11.37m Satisfies
SITE COVERAGE Medium Density Policy Area 18 PDC 6	70%	Dwelling 1: 45.8% Dwelling 2: 48.8% Dwelling 3: 51.7% Dwelling 4: 59.7% Dwelling 5: 53.9% Satisfies
STREET SETBACK Medium Density Policy Area 18 PDC 6	3m (minimum)	Dwelling 1: 2m Dwelling 2: 2.3m Dwelling 3: 2.3m Dwelling 4: 2.3m Dwelling 5: 2m Does Not Satisfy by 23.7-33.4%
SIDE/REAR SETBACKS Residential Zone PDC 11 Medium Density Policy Area 18 PDC 5	Side 0/1m (Ground Floor) 2m (Upper Floor) Rear 4m (minimum)	0m (lower level) Dwelling 1: 1.2m (upper level) Dwelling 5: 1m (upper level) Does Not Satisfy by 40-50% Dwelling 1: western side 1m Does Not Satisfy by 75% eastern side 6m Satisfies Dwelling 2: western side 7.4m Satisfies eastern side 4.2m Satisfies Dwelling 3: eastern side 7.3m Satisfies western side 4.3m Satisfies Dwelling 4: eastern side 4.2m Satisfies western side 1.2m Does Not Satisfy by 70% Dwelling 5: eastern side 3m Does Not Satisfy by 25% western side 0m Does Not Satisfy by 100%

BUILDING HEIGHT Medium Density Policy Area 18 PDC 5	3 storeys or 12.5m	2 storeys (7.5m) Satisfies
INTERNAL FLOOR AREA Module: Residential Development PDC 9	3 bedroom - 100m ² (minimum)	116.1m ² (Dwelling 1 & 5) 141.1m ² (Dwelling 2, 3 & 4) Satisfies
PRIVATE OPEN SPACE Residential Development PDC 19	24m ² with a minimum dimension of 3m	Dwelling 1: 19.8m ² Does Not Satisfy by 17.5% Dwelling 2: 51m ² Satisfies Dwelling 3: 42m ² Satisfies Dwelling 4: 21m ² Does Not Satisfy by 12.5% Dwelling 5: 19m ² Does Not Satisfy by 20.09%
LANDSCAPING Module: Landscaping, Fences & Walls PDC: 4	10%	30% Satisfies
CARPARKING SPACES Table WE To/2 Off Street Vehicle Parking Requirements	2 car-parking spaces required	2 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:

Setbacks

The Medium Density Policy Area calls for dwelling setbacks to be designed within front and rear setbacks of 3 and 4 metres respectively. The proposal contains shortfalls in front setback but as discussed below, these are not considered fatal to the application.

In the context of the locality, there are some original sized allotments containing single storey detached dwellings such as adjacent the site at 25 Mortimer Street that features a front setback of approximately 6m, however 21 Mortimer Street, also containing a single storey dwelling, has a front setback of approximately 4m. Further north, recent developments at 19A Mortimer Street show a front setback of 2.10m for a single storey detached dwelling, and 2.67m at 15 Mortimer Street with an average of approximately 5m on the southern side of Mortimer Street. In the wider locality, surrounding streets Selby Street and Gorden Street have examples of short setbacks of 3.8m and 2.65m at 7 Selby Street and 1A Gorden Street, respectively.

In addition to short front setbacks, the predominant dwelling types in this area are residential flat buildings, row dwellings or semi-detached dwellings many of which are of a medium to high density development with small front yards and some landscaping, making for a busy streetscape where short front setbacks as demonstrated in this proposal would not be out of character.

In the proposal the closest part of Dwellings 1 and 5 are setback 2.1m the street, whereas the centre dwellings, Dwellings 2-4 are setback 2.64m with the carport opening setback at 3.64m, further reducing the potential bulk and scale impact of the dwellings to the street and locality.

With the carports being setback further from the front façade and the proposal incorporating a variety of building materials and windows the development would add interest to the view from the street. Entries to the dwellings are orderly and visible from the street to facilitate passive surveillance of the street and front areas.

The side and rear setbacks are also short for the row dwellings where Dwellings 1 and 5 require an additional 1m setback from the corner of the carports and 1m setback for the upper level. As shown in the drawings, the shape of the allotment means that the side and rear setbacks are on an angle and therefore staggered and flare further out along the boundary toward the street.

Therefore the setbacks are only lacking for small portions of the proposal where corners of Dwellings 1 and 5 are at the closest point of the boundary.

Private Open Space

Where Dwellings 1, 4 and 5 are short of the rear open space requirement of 24m², the shortfall is approximately 4m², 3m² and 5m² respectively, excluding rainwater tanks and bin storage.

The irregularly shaped allotment presents a challenge to achieving the minimum rear open space requirements of 24m², however while there is a shortfall it is not considered fatal to the development as the private open space provided is a sufficient area and shape to be functional, taking into consideration the location of the dwelling and the dimension of the site. Further, while Dwellings 1 and 5 are short of rear open space, the front and sides of these dwellings provide additional areas for gardening and landscaping to reduce heat loading around the buildings.

In addition, the lower level floor space incorporates living room spaces that open directly to rear and side private areas with room for further landscaping, domestic bin storage, water tanks and other utilities sufficient for a dwelling of this size. On merit, the proposal achieves a balance of indoor living space and outdoor private space that can be expected of a dwelling type that is envisaged for this zone.

Site Area and Frontage

As noted in the quantitative assessment, there is a minor shortfall in site area for Dwellings 4 and 5 by 6m² and 2m² respectively. The frontages to each proposed dwelling are in excess of the minimum 5m, and twice the minimum requirement for Dwelling 5. It is considered that while there is a minor shortfall in site area, this shortfall would be imperceptible to the street and surrounding properties and would not pose a long term impact upon the character of the locality. Further, the length of the southern boundary abutting Mortimer Street provides the proposed dwellings with wider than required frontage, which is considered to reduce the impact of bulk and scale on the street.

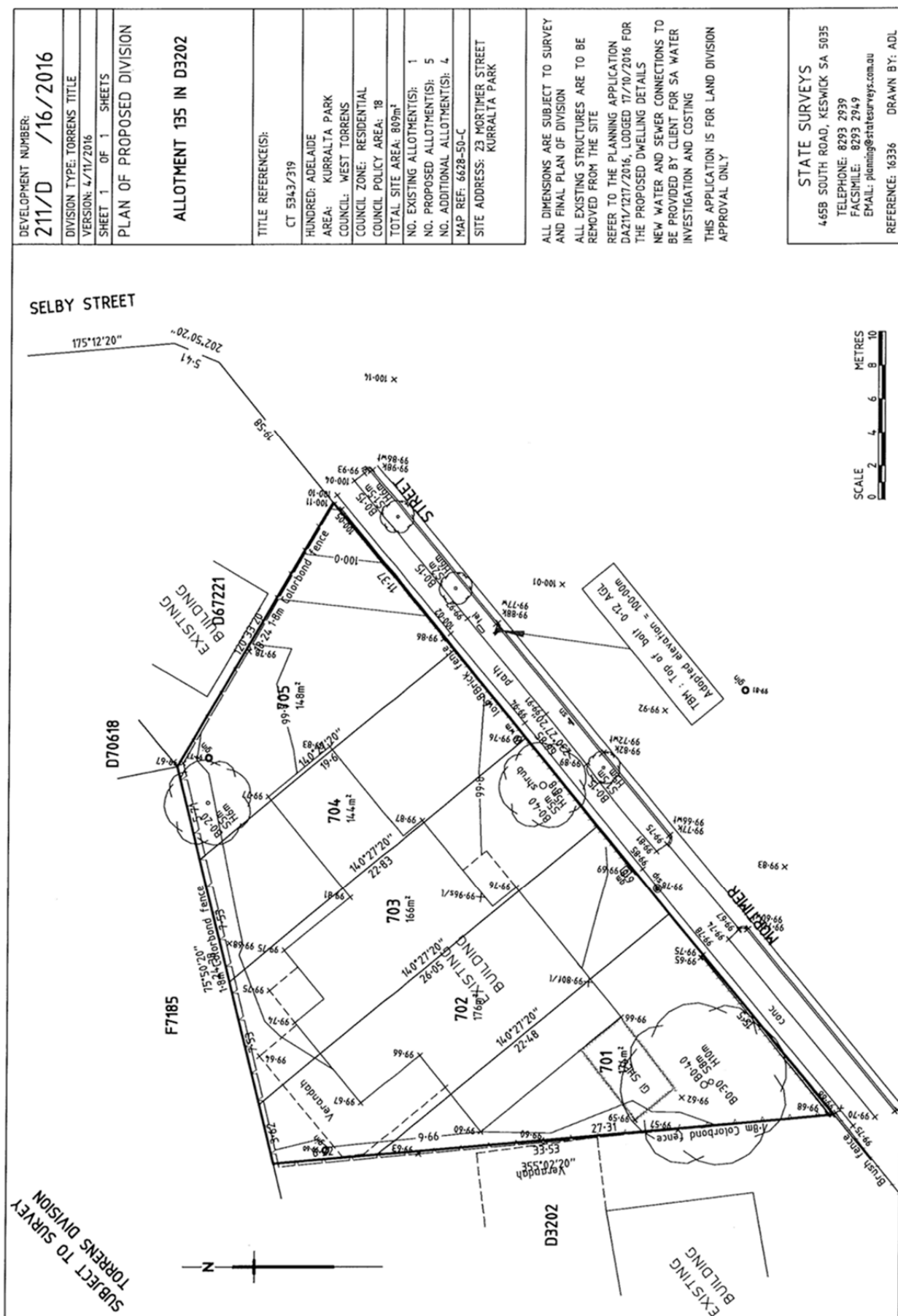
SUMMARY

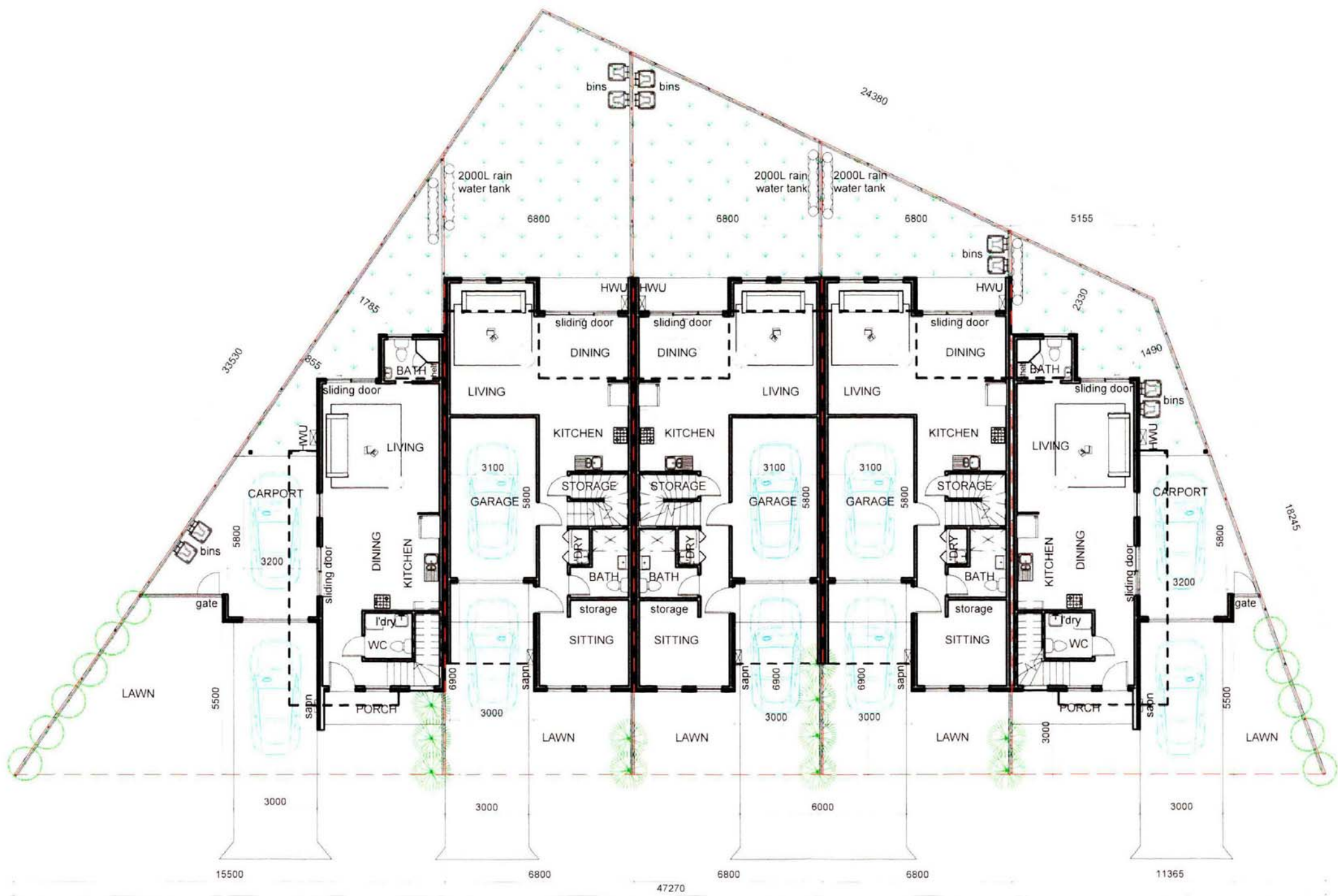
The proposed development incorporates a variety of building materials and setback distances, buffered by landscaping and a considerable amount of articulation. The façade incorporates a range of window sizes on both the lower and upper level enabling passive surveillance of the street and of a design that will contribute to a highly varied streetscape. Row dwellings are envisaged in this Policy Area, and given the proximity to centre zones, this is an example of a higher density development that is appropriate for the 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. Land Division Plan**
- 2. Built Form Plans**





1 GROUND FLOOR PLAN
SCALE: 1 : 150

PLANNING DRAWING

building designer:



YOGO DESIGN & CONSULTING PTY LTD
Suite 808, 147 Pirie Street, Adelaide
E: yogodesignconsulting@gmail.com
T: 08 7230 8410
M: 0433 162 598
ABN: 93 607 055 925

builder & contractor note:

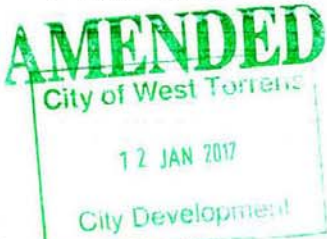
Figured dimensions must be taken in preference to scaled dimensions. All site dimensions and levels are to be verified on site prior to any work being commenced. Any discrepancies should be reported to the designer immediately. All workmanship and materials whether specified or implied must comply with 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 upgraded 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. 1:60 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	06/07/16	CLIENT REVIEW	JW	YG
B	27/07/16	CLIENT REVIEW	JW	YG
C	02/08/16	CLIENT REVIEW	JW	YG
D	06/01/17	FOR APPROVAL	JW	YG



project:

5 DOUBLE STOREY ROW DWELLINGS

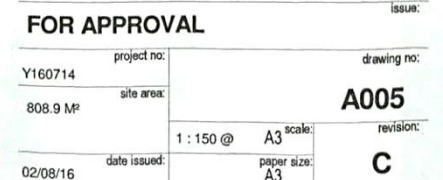
23 Mortimer St, Kurrallta Park

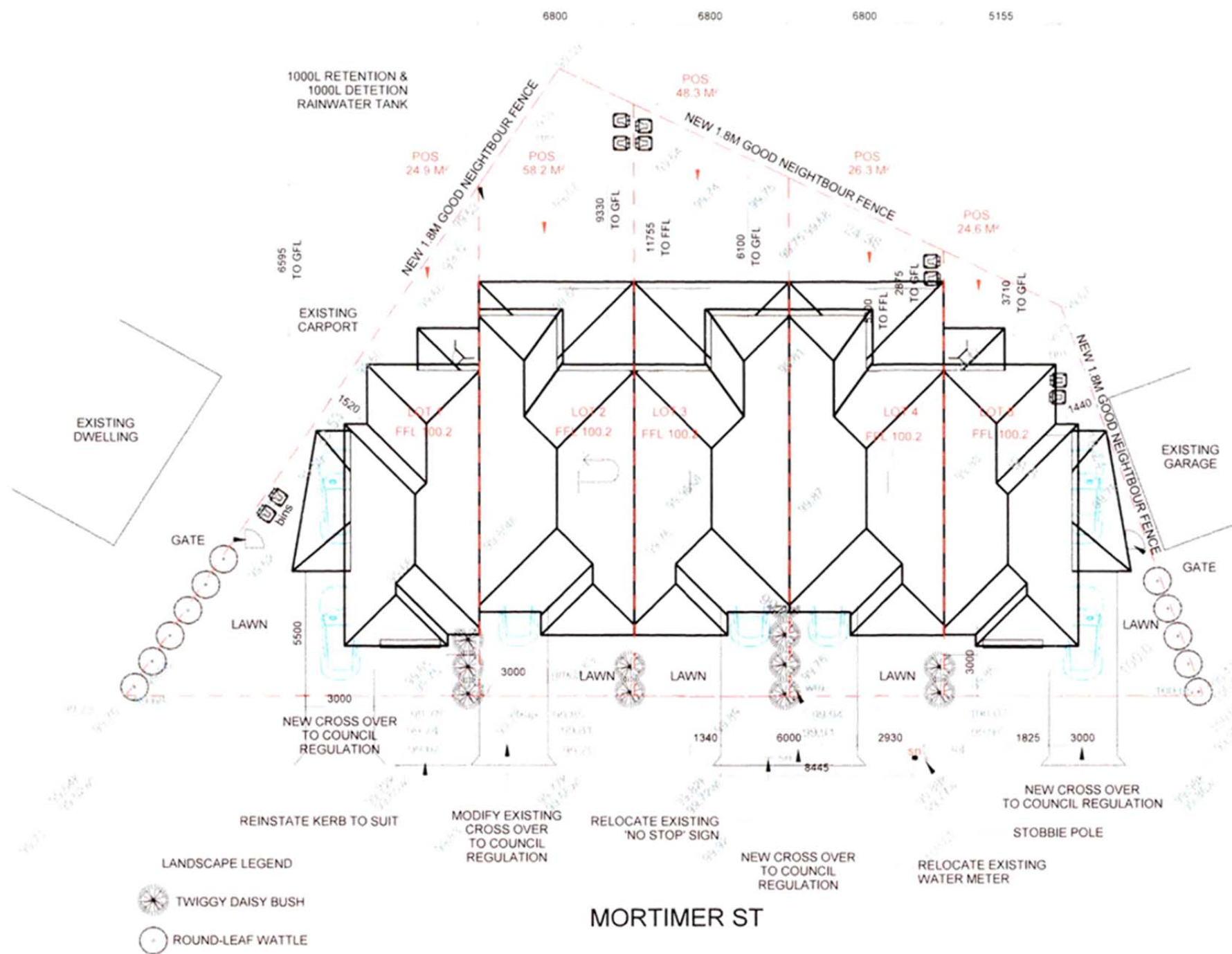
GROUND FLOOR PLAN

issue:

FOR APPROVAL

project no:	Y160714	drawing no:	A004
site area:	808.9 M ²	revision:	D
date issued:	06/01/17	scale:	1 : 150 @ A3
		paper size:	A3





1 SITE PLAN
SCALE: 1:200

building designer:



YOGO DESIGN & CONSULTING PTY LTD
Suite 808, 147 Pirie Street, Adelaide
E: yogodesignconsulting@gmail.com
T: 08 7230 8410
M: 0433 162 598
ABN: 93 607 055 925

Property Schedule

Name	Area
LOT 1	174.3 m²
LOT 2	176.1 m²
LOT 3	166.2 m²
LOT 4	144.3 m²
LOT 5	148.0 m²
Grand total	808.9 m²

LOT 1 AREA (same as LOT 5)

GFL	55.4 m²
FFL	60.7 m²
CARPORT	18.9 m²
PORCH	5.5 m²
	140.6 m²

LOT 2 AREA (same as LOT 3&4)

GFL	64.7 m²
FFL	76.4 m²
GARAGE	17.4 m²
BALCONY	5.6 m²
Verandah	3.9 m²
	167.9 m²

builder & contractor note:

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revision:

rev.	date	description	drawn	chk
A	05/07/16	CLIENT REVIEW	JW	YG
B	27/07/16	CLIENT REVIEW	JW	YG
C	02/08/16	CLIENT REVIEW	JW	YG

AMENDED

LOT 1
SITE COVERAGE=79.9/174.3=45.8%
LOT 2
SITE COVERAGE=86.0/176.1=48.8%
LOT 3
SITE COVERAGE=86.0/166.2=51.7%
LOT 4
SITE COVERAGE=86.0/144.3=59.7%
LOT 5
SITE COVERAGE=79.9/148=53.9%

project:

5 DOUBLE STOREY ROW DWELLINGS

23 Mortimer St, Kurralta Park

SITE PLAN

issue:

FOR APPROVAL

project no	drawing no
Y160714	A003
site area	scale
808.9 m²	1:200 @ A3
date issued	paper size
02/08/16	A3
revision	
C	

PLANNING DRAWING

building designer:

YOGO
design for us

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Suite 808, 147 Pirie Street, Adelaide
E: yogodesignconsulting@gmail.com
T: 08 7230 8410
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ABN: 93 867 055 925

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Wet area tiling to have 180 fall to floor traps, 180 fall to shower traps.
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C	02/08/16	CLIENT REVIEW	JW	YD

City of West Torrens

01 NOV 2016

City Development

Sheet Number	Sheet Name	Current Revision	Revision Date
000	COVER SHEET	C	02/08/16
001	DEMOLITION PLAN	C	02/08/16
002	SUB-DIVISION PLAN	C	02/08/16
003	SITE PLAN	C	02/08/16
004	GROUND FLOOR PLAN	C	02/08/16
005	FIRST FLOOR PLAN	C	02/08/16
006	ELEVATIONS	C	02/08/16
007	ELEVATIONS	C	02/08/16

PLANNING DRAWING

project:

5 DOUBLE STOREY ROW DWELLINGS

23 Mortimer St, Kurralta Park

COVER SHEET

issue:

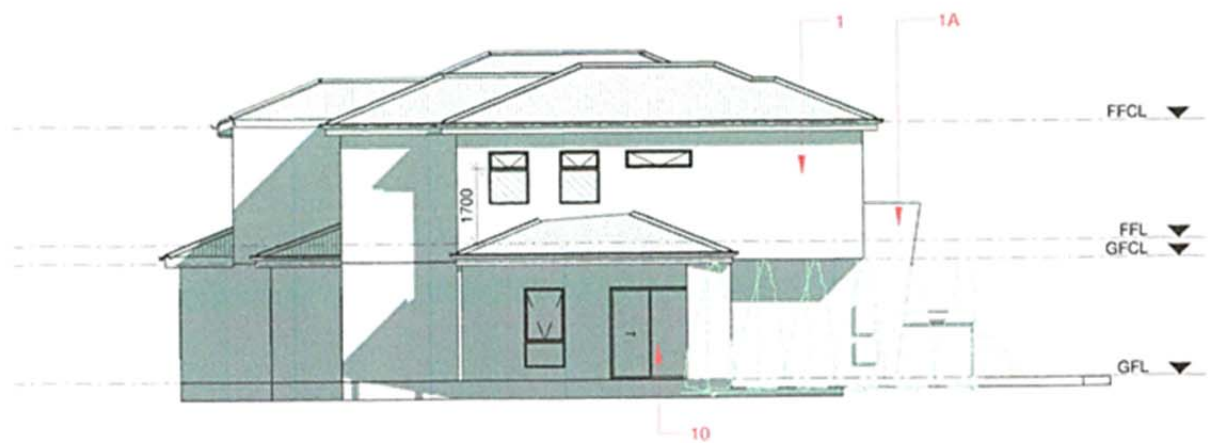
FOR APPROVAL

project no:	drawing no:
Y160714	A000
site area:	revision:
808.9 M ²	C
date issued:	scale:
02/08/16	A3
paper size:	
A3	





1 NORTH ELEVATION
SCALE: 1 : 150



2 WEST ELEVATION
SCALE: 1 : 150

MATERIALS:

EXTERNAL WALL:

- 1. POWER PANEL WITH ACRYLIC TEXTURE & PAINTED FINISH 'RESENE QUARTER SPANISH WHITE' (or similar)
- 1A. POWER PANEL WITH ACRYLIC TEXTURE & PAINTED FINISH 'ITO' (or similar)
- 1B. Scyon™ Axon™ cladding 133MM, PAINTED FINISH 'INTERGRAIN NaturalStain' (or similar)

- 2A. Scyon™ Axon™ cladding 400MM, PAINTED FINISH 'TAVERN' (or similar)
- 2B. Scyon™ Axon™ cladding 400MM, PAINTED FINISH 'SAGO QUARTER' (or similar)

- 3. TIMBER SLATS
- 4. 1000MM GLASS FRAMELESS BALUSTRADE

ROOF

- 5. COLORBOND METAL ROOF SHEETING @ 22.5, COLORBOND FINISH 'MONUMENT' (or similar)
- 6. METAL CAPPING & FLASHING TO MATCH ROOF FINISH
- 7. OG GUTTER, COLORBOND 'DARK BROWN'

DOORS/WINDOWS:

- 8. ENTRY DOOR: SOLID CORE TIMBER FRAMED DOOR, PAINTED FINISH
- 9. GARAGE DOOR: PANEL LIFT GARAGE DOOR, COLORBOND FINISH 'BUSHLAND' (or similar)
- 10. ALUMINIUM FRAMED GLASS DOOR & WINDOWS, POWERCOATED FINISH 'NIGHT SKY'

building designer:



YOGO
design for us

YOGO DESIGN & CONSULTING PTY LTD
Suite 808, 147 Pirie Street, Adelaide
E: yogodesignconsulting@gmail.com
T: 08 7230 8410
M: 0433 162 598
ABN: 93 607 055 925

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 upgraded 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 180 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	06/02/18	CLIENT REVIEW	JW	YO
B	27/02/18	CLIENT REVIEW	JW	YO
C	02/08/18	CLIENT REVIEW	JW	YO

project:

5 DOUBLE STOREY ROW DWELLINGS

23 Mortimer St, Kurraltia Park

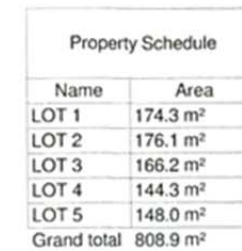
ELEVATIONS

issue:

FOR APPROVAL

project no:	drawing no:
Y160714	A007
site area:	revision:
808.9 M ²	C
date issued:	scale:
02/08/16	1 : 150 @ A3
	paper size:
	A3

PLANNING DRAWING



City of West Toronto
01 NOV 2015
City Developer: [illegible]

PLANNING DRAWING

design for us

[illegible]

project no:	drawing no:	
Y160714	A002	
site area	revision:	
808.9 MP	1 : 200 @ A3 scale	C
date issued:	paper size:	
02/08/16	A3	

building designer:



YOGO

design for us

YOGO DESIGN & CONSULTING PTY LTD

Suite 808, 147 Pirie Street, Adelaide

E: yogodesignconsulting@gmail.com

T: 08 7230 8410

M: 0433 162 598

ABN: 93 607 055 925

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 upgraded 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. 1.80 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	06/01/17	FOR APPROVAL	JW	YG

City of West Torrens

12 JAN 2017

City Development

Project

5 DOUBLE STOREY ROW DWELLINGS

23 Mortimer St, Kurralta Park

address

23 Mortimer St, Kurralta Park

drawing title

SUN STUDY

issue:

FOR APPROVAL

project no:

Y160714

site area:

808.9 MP

date issued:

06/01/17

drawing no:

A008

scale:

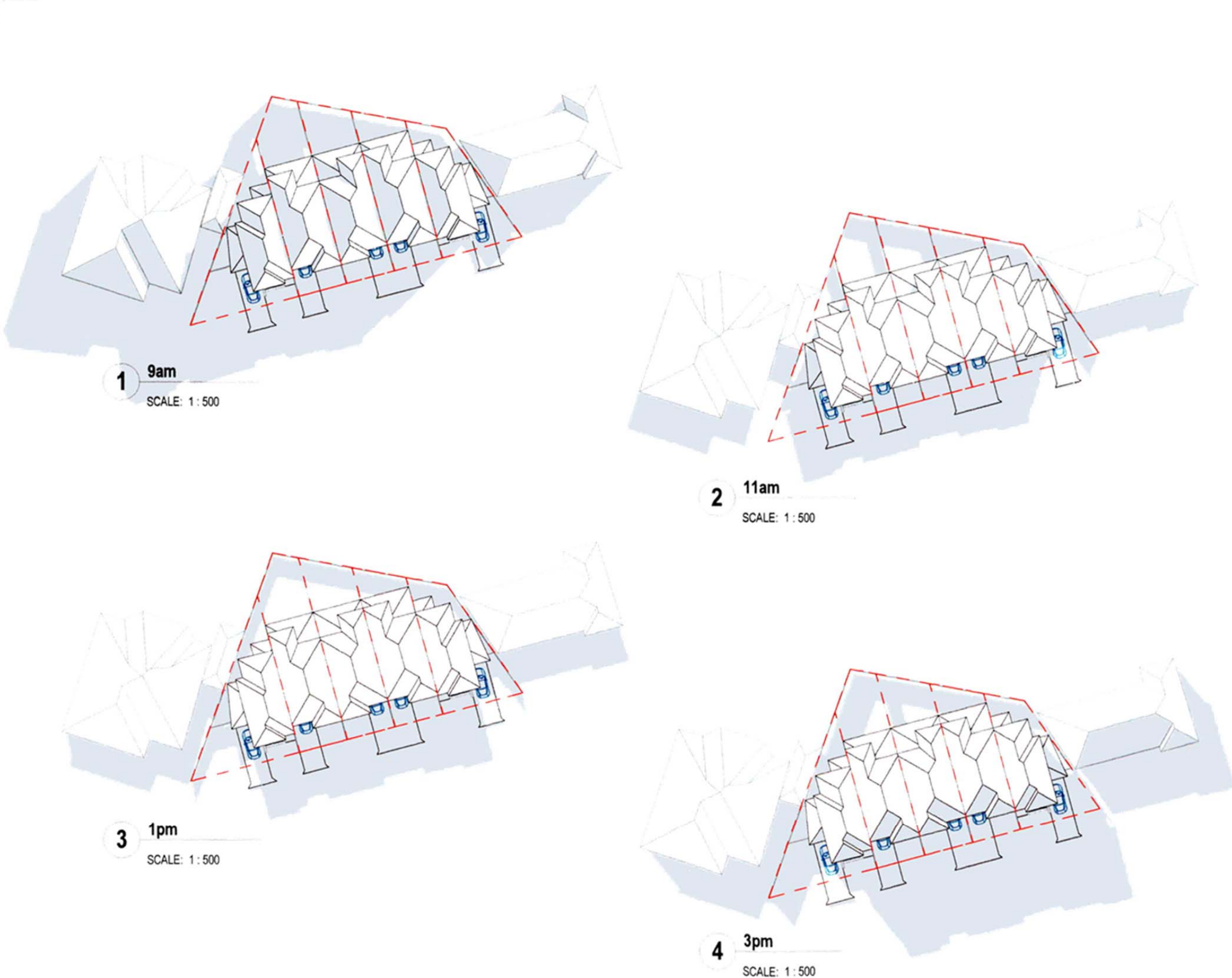
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paper size:

A3

revision:

A



PLANNING DRAWING

6.4 4 Coralie Street, PLYMPTON

Application No 211/792/2016

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Land division - Torrens Title; DAC No. 211/D098/16 (Unique ID 54782); Create one (1) additional allotment
APPLICANT	Dimitrios Bonaros
APPLICATION NO	211/792/2016
LODGEMENT DATE	14 July 2016
ZONE	Residential Zone
POLICY AREA	Medium Density Policy Area 18
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> ▪ Civil Engineer (City Assets) - Traffic, Stormwater, Verge Interaction & New crossover External <ul style="list-style-type: none"> ▪ SA Water ▪ Development Assessment Commission (DAC)
DEVELOPMENT PLAN VERSION	5 May 2016
MEETING DATE	14 February 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. 211/792/2016 by Dimitrios Bonaros to undertake Land division - Torrens Title; DAC No. 211/D098/16 (Unique ID 54782); Create one(1) additional allotment at 4 Coralie Street (CT5070/805) 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 Pyper Leaker Surveying Services relating to Development Application No. 211/792/2016 (DAC 211/D098/16).

LAND DIVISION CONSENT

Council Conditions

1. That prior to the issue of clearance to the division approved herein, the carport and outbuilding on Allotment 81 shall be removed and a covered parking space associated with the existing dwelling shall be constructed on Allotment 80. For this purpose, a separate application for both demolition and construction shall be submitted for the determination and consideration by Council.

Development Assessment Commission Conditions

2. The financial requirements of SA Water shall be met for the provision of water supply and sewage 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 developer/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.
3. 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.
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)

Nil

SITE AND LOCALITY

The subject land is located on the southern side of Coralie Street approximately 76 metres west of its intersection with Beckman Street, has a frontage of 20.12 metres to Coralie Street, a depth of 48.64 metres and an area of 978.64 square metres. 1940 Spanish Mission style dwelling with associated structures such as a verandah to the rear of the dwellings, carport and outbuilding exist on the land. Much like many of the older dwellings within the locality the dwelling has a generous setback from the front boundary and a neat open landscaped front yard.

The locality is residential in nature comprising a mix of single storey and two storey dwellings. A two storey group dwelling complex is directly opposite the subject land at 7 Coralie Street. Whilst there are several older dwellings (around 1950's) that have been maintained on their original allotments, the land pattern within the locality is varied due to the replacement of older housing stock. The land pattern is highly varied and includes, group dwellings, semi-detached dwellings, and residential flat buildings.

The site and locality are shown on the following photo and maps:







Location Map WeTo/13

WEST TORRENS COUNCIL
Consolidated - 5 May 2016

PROPOSAL

The Applicant is seeking approval for land division which will result in the creation of one additional allotment, this will be in the form of a battle axe allotment. The division will be Torrens titled as the proposed allotments will be independent of one another.

Proposed Allotment 80 will have a frontage to Coralie Street of 15.3 metres, a depth of 34.4 metres and a total area of 578 square metres. The existing dwelling will remain on this allotment but the carport and outbuilding will be required to be removed to accommodate the division. Vehicle access to this site will be gained via an existing crossover and driveway along the western boundary.

Proposed Allotment 81 is a battle axe shaped allotment with the handle of the driveway being 4.82 metres wide at the street boundary and 31.64 metres in length. The total allotment size is 392 square metres, or, approximately 264 square metres, excluding the driveway handle.

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

PUBLIC NOTIFICATION

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

REFERRALS

Internal

The application was referred to the City Assets Department. They had concerns with the potential ability for adequate manoeuvrability of vehicles on proposed Allotment 81. These concerns have been resolved through the alteration of the northern most boundary, this has increased the area and provided better opportunity for a future dwelling to be designed with adequate turning circles.

The recommendation for the width of the driveway at the street was adopted by the applicant to enable the stormwater outlet for a future dwelling to maintain suitable offsets to existing street infrastructure and provide enough space for water metre/s, letter box/es and the like.

No concerns initially raised with the applicant remain outstanding.

External

DAC and 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 full copy of the relevant report(s) are attached, refer **Attachment 2**.

ASSESSMENT

The subject land is located within the Residential Zone and more 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>		
Infrastructure	Objectives	1, 2 & 3
	Principles of Development Control	1, 2, 3, 4, 5, 6, 8 & 16
Orderly and Sustainable Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1, 3 & 7
Residential Development	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 2 & 3
Land Division	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 2, 4, 5, 6, 7 & 8
Transportation and Access	Objectives	2
	Principles of Development Control	1, 23, 24 & 30

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> <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	1 - 4
Principles of Development Control	1 & 5

Policy Area: Medium Density Policy Area 18	
<p><i>Desired Character Statement:</i></p> <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>	

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

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

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

Objectives	1
Principles of Development Control	1 (Land Use), 1 (Form and Character), 4, 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	
		Allotment 80	Allotment 81
ALLOTMENT AREA Medium Density Policy Area 18 PDC 8	250m ²	578m ² Satisfies	264m ² (excluding the handle) Satisfies
ALLOTMENT FRONTAGE Medium Density Policy Area 18 PDC 8	9m	15.30m Satisfies	4.82m Does not satisfy by 46%

QUALITATIVE ASSESSMENT

Site Frontage

A decision on the application is required to be made by the Development Assessment Panel as the Administration does not have the delegation to make decisions on applications which will result in an allotment being created that is greater than 5% deficient of either the site area or site frontage specified within the relative Policy Area. In this instance, as the additional allotment being created (Allotment 81) is in the form of a battle axe, the frontage is effectively only for the purpose of the driveway and is 4.82 metres wide. Medium Density Policy Area 18, Principle of Development Control (PDC) 8 requires allotments to have a frontage width of a minimum of 9 metres, the proposed development does not satisfy the minimum frontage width required.

The desired character of Medium Density Policy Area 18 specifically seeks the development of group dwellings and given that many group dwellings are in the form of a battle axe arrangement a 7 to 9 metre frontage for the associated driveway could be considered excessive and unnecessary. This Policy Area does not list battle axe allotments as an undesired form of development.

The proposed land division is considered to be appropriate as it contributes to the achievement of the Desired Character, by providing allotments that satisfy the minimum site areas, it increases the amount of development of the site and provides opportunity for development of envisaged residential dwelling types, in a functional manner.

SUMMARY

The development proposes one allotment with a site frontage that does not satisfy the minimum specified within the Policy Area. However, it is acknowledge that a group dwelling is an envisaged form of development a group dwelling generally results in the creation of a shared driveway with dimensions that are similar to what is proposed. Therefore, the specification of a frontage width measurement for group dwellings is somewhat ambiguous in this instance.

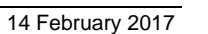
Overall, the proposed development is supported and envisaged in the Medium Density Policy Area 18.

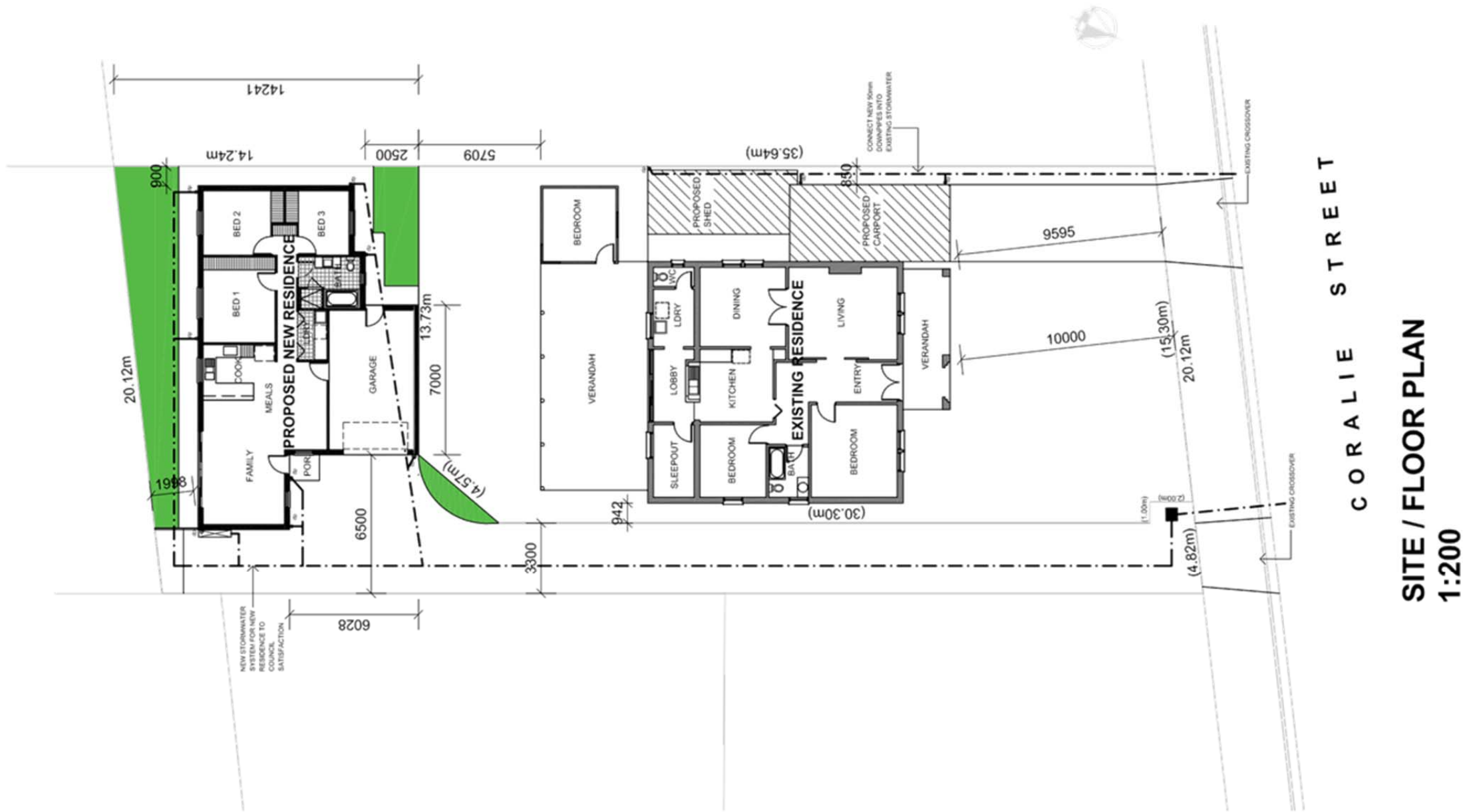
Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is considered to be not seriously at variance with the Development Plan.

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

Attachments

- 1. Plan of Division**
- 2. DAC & SA Water Response**





LEVEL 1-159 PORT ROAD
HINDMARSH, S.A. 5007
Telephone +61 8 8338 2211 Facsimile +61 8 8338 2188

PROJECT
PROPOSED RESIDENTIAL
DEVELOPMENT

4 CORALIE STREET
PLYMPTON

CLIENT
D BONAROS

Drawn	Date
FB	DEC.2016
Scale	Copyright
1:100	
Project No.	Sheet No.
80.2016A	SK 01

Contractors are to verify all dimensions and levels on the job before commencing any work or making shop drawings. Figured dimensions shall take preference over scaled dimensions and any discrepancy shall be reported to the Designer immediately.

Contact Lands Titles Office
Telephone 7109 7016



09 July 2016

The Chief Executive Officer
City of West Torrens

Dear Sir/Madam

Re: Proposed Application No. 211/D098/16 (ID 54782)
for Land Division by Mr Dimitrios Bonaros

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

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

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

Phil Hodgson
Unit Manager
Lands Titles Office



09 July 2016

Our Ref: H0047591

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 James Ettridge
Telephone 74241119

PROPOSED LAND DIVISION APPLICATION NO: 211/D098/16 AT PLYMPTON

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

James Ettridge

for MANAGER LAND DEVELOPMENT & CONNECTIONS

7 CONFIDENTIAL REPORTS OF THE CHIEF EXECUTIVE OFFICER

7.1 16 Warwick Avenue, KURRALTA PARK

Application No. 211/881/2015

Reason for Confidentiality

It is recommended that this Report be considered in CONFIDENCE in accordance with Section 56A(12)(a) (vii) and (viii) of the *Development Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (vii) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.
- (viii) legal advice.

as this matter is before the Environment Resources and Development Court and it is a requirement of the Court that matters are kept confidential until such time as a compromise is reached or the matter proceeds to a hearing.

RECOMMENDATION(S)

It is recommended to the 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

Development Application appeals before the ERDC

DA Number	Address	Reason for Appeal	Description of Development	Status
211/875/2015 211/926/2016	23 Wood Street, KURRALTA PARK	Appeal by third party against decision & Applicant appealed DAP refusal	Construct a residential flat building containing five dwellings	Joinder Pending
211/391/2016	3 Castlebar Road, LOCKLEYS	Applicant appealed DAP refusal	Carport forward of dwelling	Conciliation Process
211/476/2015/2 & 211/476/2015/3	452 Henley Beach Road, LOCKLEYS	Applicant appealed DAP refusal	Retirement village	Conciliation Process
211/44/2016	100 Main Street, LOCKLEYS	Applicant appealed DAP refusal	Eight dwellings	Conciliation Process

211/881/2015	16 Warwick Avenue, KURRALTA PARK	Applicant appealed DAP refusal	Land division & two additional dwellings	Joinder Pending
211/354/2016	17-17 Arthur Street, RICHMOND	Applicant appealed DAP refusal	Construct two residential flat buildings containing eight dwellings	Joinder Pending
211/1500/2015	8 Packard Street, NORTH PLYMPTON	Applicant appealed DAP refusal	Construct a residential flat building containing six dwellings	Preliminary Conference

SUMMARY

The information requested by the Panel has been provided for information purposes.

Attachments

Nil

9 MEETING CLOSE