

CITY OF WEST TORRENS



# Notice of Panel Meeting

Notice is Hereby Given that a Meeting of the  
**COUNCIL ASSESSMENT PANEL**

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

on

**TUESDAY, 11 SEPTEMBER 2018  
at 5.00pm**

**Donna Ferretti  
Assessment Manager**

## **City of West Torrens Disclaimer**

### **Council Assessment Panel**

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

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

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

That the Minutes of the meeting of the Council Assessment Panel held on 14 August 2018 be confirmed as a true and correct record.

**5 DISCLOSURE STATEMENTS**

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

A member of a Council Assessment Panel who has a direct or indirect personal or pecuniary interest in a matter before the Council Assessment Panel (other than an indirect interest that exists in common with a substantial class of persons) –

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

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

## 6 REPORTS OF THE ASSESSMENT MANAGER

### 6.1 20 Wood Street, KURRALTA PARK

Application No 211/255/2018 & 211/131/2018

Appearing before the Panel will be:

Representors: **Ross Boyd** of 2/23 Daly Street, Kurralta Park wishes to appear in support of the representation.

**Steve and Voula Haliabalias** of 21 Wood Street, Kurralta Park wish to appear in support of the representation.

Applicant/s **Philip Harnett** of URPS on behalf of Zybek Consulting and Management wishes to appear to respond to the representations.

#### DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Land Division - Community Title; Create four (4) additional allotments and common property	Demolition of existing dwelling and ancillary structures and construction of a two storey residential flat building comprising five (5) dwellings with landscaping and retaining walls and fencing along the boundary (maximum combined height of 2.7 metres)
APPLICANT	Wood Street Development c/- Cavallo Forest & Associates	Zybek Consulting and Management
APPLICATION NO	211/255/2018	211/131/2018
LODGEMENT DATE	7 March 2018	14 February 2018
ZONE	Residential	Residential
POLICY AREA	Medium Density Policy Area 18	Medium Density Policy Area 18
APPLICATION TYPE	Merit	Merit
PUBLIC NOTIFICATION	Category 1	Category 2
REFERRALS	Internal <ul style="list-style-type: none"> <li>▪ Nil</li> </ul> External <ul style="list-style-type: none"> <li>▪ DAC</li> <li>▪ SA Water</li> </ul>	Internal <ul style="list-style-type: none"> <li>▪ City Assets</li> </ul> External <ul style="list-style-type: none"> <li>▪ Nil</li> </ul>
DEVELOPMENT PLAN VERSION	6 February 2018	6 February 2018

## BACKGROUND

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

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

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

## PREVIOUS OR RELATED APPLICATION(S)

DA 211/1450/2016 Construction of five (5) two storey dwellings with garage under main roof - (application withdrawn).

The Council Assessment Panel (CAP) should be made aware that the land division and built form proposals that are to be considered within this report are substantively the same as the land division and built form proposals (applications 211/905/2017 and 211/731/2017) recently approved by the CAP at its meeting on 12 June 2018. The site of this approved development is located at 16 Warwick Avenue, Kurralta Park which is 80 metres (m) away from the subject land and is also within the same zone and policy area.

## SITE AND LOCALITY

The subject land comprises a single allotment that is commonly known as 20 Wood Street, Kurralta Park. The land is formally described in Certificate of Title Volume 5488 Folio 684, comprising Allotment 65 in Deposited Plan 1983 in the area named Kurralta Park, Hundred of Adelaide. There are no easements, encumbrances or Land Management Agreements affecting the land.

The subject allotment is rectangular in shape with an 18.3m wide frontage to Wood Street and a total area of 903.2 square metres (m<sup>2</sup>). Currently occupying the land is a single storey brick dwelling and an outbuilding within the rear yard. The land is naturally flat and does not contain any Regulated Trees.

The land is located approximately 160m north of the Kurralta Park shopping centre and a further 100m from Anzac Highway. The South Road corridor is approximately 600m to the east and the Council owned Weigall Reserve is 350m to the west.

The locality comprises an established residential area with a mixed built form character. Existing development includes detached and semi-detached dwellings, group dwellings and residential flat buildings up to two storeys in height and at low to medium densities. Recently constructed two storey infill development is evident on Woods Street and Warwick Avenue. A diverse allotment pattern is therefore observed within the locality with recent subdivision resulting in narrower street frontages of around 10m.

The site and locality are shown on the following aerial image and locality plan.







## PROPOSAL

The proposed development is summarised as follows:

### 211/255/2018

This application is for a Community Title land division to create four (4) additional allotments. The proposed allotments have the following site areas and frontages:

Lot	Site Area	Frontage
1	127m <sup>2</sup>	N/A
2	111m <sup>2</sup>	N/A
3	111m <sup>2</sup>	N/A
4	111m <sup>2</sup>	N/A
5	112m <sup>2</sup>	N/A
Common Property	331.2	18.29m

A common property allotment is to be provided for shared driveway access.

### 211/131/2018

This application seeks the construction of a two storey residential flat building containing a total of five (5) dwellings.

The eastern end of the building (Dwelling 1) is designed to address the road frontage with feature tile walls, linear cladding and fenestration on both levels. The main front wall is setback 3.3m from the road boundary, with the feature walls projecting further forward by only 280mm. The remaining four dwellings within the building are designed and orientated to front onto a new common driveway that follows the southern side boundary.

The proposed building is designed with a common architectural style and form with facades that include modular projections, rear balconies, porticos and pitched roofs. External materials and finishes include linear and rendered wall cladding, feature tile walls, black aluminium frame windows and doors, and colorbond roof sheeting finished in Woodland Grey or similar.

A combined retaining wall and good neighbour fence with a maximum height of 2.7m is to be constructed along the side and rear boundaries. A mix of landscaping will be provided along the road frontage and common driveway and within each courtyard and balcony.

Refer to **Attachment 1** for the plan of division and **Attachment 2** for a copy of the dwelling plans.

## PUBLIC NOTIFICATION

The application for the residential flat building (211/339/2017) is assigned to Category 2 for public notification purposes pursuant to Section 38 of the *Development Act 1993* and Schedule 9, Part 2, 18(a) of the *Development Regulations 2008*.

<b>Properties notified:</b>	35 properties were notified during the Category 2 public notification process.
<b>Representations:</b>	Two (2) valid representations were received (two representations were received outside of the notification period)
<b>Representors</b>	<ul style="list-style-type: none"> <li>Ross Boyd</li> <li>Steve and Voula Haliabalias</li> </ul>

<b>Summary of representor issues</b>	<ul style="list-style-type: none"> <li>• Noise and disturbance</li> <li>• Loss of privacy</li> <li>• Increased traffic</li> <li>• Overshadowing</li> <li>• Over-development</li> <li>• Visual impact / building bulk</li> <li>• Insufficient private open space</li> <li>• Loss of vegetation</li> <li>• Sewer and stormwater infrastructure</li> <li>• Insufficient storage</li> <li>• Impact on safety</li> </ul>
<b>Applicant's response</b>	<ul style="list-style-type: none"> <li>• Policy area seeks a shift to medium density and envisages residential flat buildings at the density proposed</li> <li>• Satisfies all setback and height requirements</li> <li>• Satisfies private open space and site coverage requirements</li> <li>• Incorporates landscaping that exceeds requirements</li> <li>• All upper level side and rear facing windows and balconies will be obscured up to 1.7m above finished floor level</li> <li>• Shadow diagrams show neighbouring properties will receive sufficient sunlight</li> <li>• SA Water and Council are satisfied that sewer and stormwater infrastructure is adequate</li> <li>• Sufficient storage is provided in all dwellings</li> <li>• No evidence that proposal will be unsafe in relation to noise or emissions</li> </ul>

Refer to **Attachment 3** for a copy of the representations and the applicant's response to the representations.

## REFERRALS

### Internal

#### City Assets

The land use application was referred to City Assets for advice on finished floor levels, driveway access/verge interaction, vehicular manoeuvrability, waste management and stormwater management. Initial concerns raised have been resolved by way of an amended site works and drainage plan. City Assets are now satisfied with the proposal subject to the inclusion of conditions that are outlined in the recommendation.

### External

#### State Commission Assessment Panel (SCAP)

SCAP raised no concerns with the proposal. Standard conditions of consent have been included in the recommendation.

#### SA Water

SA Water raised no concerns with the proposal. Standard conditions of consent have been included in the recommendation.

A full copy of the relevant advice and reports is contained in **Attachment 4**.

## RELEVANT DEVELOPMENT PLAN PROVISIONS

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 6 February 2018). The main provisions of the Development Plan which relate to the proposed development are as follows:

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



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

<b>Policy Area: Medium Density Policy Area 18</b>	
<b>Desired Character Statement:</b>	
<p><i>"Allotments in this policy area will be at medium density, accommodating a range of dwelling types including 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>	
<b>Objectives</b>	1
<b>Principles of Development Control</b>	1, 4, 5, 6 & 8

**QUANTITATIVE STANDARDS**

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

<b>DEVELOPMENT PLAN PROVISIONS</b>	<b>STANDARD</b>	<b>ASSESSMENT</b>
SITE AREA <i>Medium Density Policy Area 18</i> <i>PDCs 7&amp;8</i>	150m <sup>2</sup> (minimum for residential flat building)  250m <sup>2</sup> (minimum for land division)	114m <sup>2</sup> (average)  <b>Does not Satisfy</b>
SITE FRONTAGE <i>Medium Density Policy Area 18</i> <i>PDCs 6&amp;8</i>	15m (minimum for complete building)  9m (minimum for land division)	18.3m  <b>Satisfies</b>
SITE COVERAGE <i>Medium Density Policy Area 18</i> <i>PDC 5</i>	70% (maximum)	46%  <b>Satisfies</b>
PRIMARY STREET SETBACK <i>Medium Density Policy Area 18</i> <i>PDC 5</i>	3m (minimum)	3m  <b>Satisfies</b>
SIDE SETBACKS <i>Residential Zone</i> <i>PDC 11</i>	<u>Ground floor</u> 1m (minimum)  <u>Upper floor</u> 2m (minimum)	<u>Ground floor</u> 1m  <u>Upper floor</u> 3m  <b>Satisfies</b>
REAR SETBACK <i>Medium Density Policy Area 18</i> <i>PDC 5</i>	4m (minimum)	4m  <b>Satisfies</b>
BUILDING HEIGHT <i>Medium Density Policy Area 18</i> <i>PDC 5</i>	3 storeys or 12.5m (maximum)	2 storeys (6.8m)  <b>Satisfies</b>

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
PRIVATE OPEN SPACE <i>Medium Density Policy Area 18</i> <i>PDC 7</i>	24m <sup>2</sup> 3m (minimum dimension)	36m <sup>2</sup> - dwelling 1 30m <sup>2</sup> - dwellings 2-5  3m (minimum dimension for all dwellings)  <b>Satisfies</b>
CARPARKING SPACES <i>Transportation and Access</i> <i>PDC 34</i>  <i>Table WeTo/2</i>	11.25 (required)	10 spaces (no visitor parking)  <b>Partially satisfies</b>
LANDSCAPING <i>Module: Landscaping, Fences &amp; Walls</i> <i>PDC 4</i>	10% (minimum)	11.1%  <b>Satisfies</b>
DOMESTIC STORAGE <i>Site Facilities and Storage</i> <i>PDC 4</i>	8m <sup>3</sup> (minimum)	3.2m <sup>3</sup> within garages 5.25m <sup>3</sup> stores within common area  <b>Satisfies</b>

## ASSESSMENT

In assessing the merits or otherwise of the application, the proposed development is discussed under the following sub headings:

### Land Division

The proposed Community Title land division will create five community lots that correspond to the layout of the five proposed dwellings, together with a common property driveway along the southern side of the site, common landscaping and storage areas.

For land division proposal, Principle of Development Control (PDC) 8 of Medium Density Policy Area 18 prescribes a minimum site area of 250m<sup>2</sup>, unless where combined with an application for dwellings. On this basis, and when considered in isolation, the land division demonstrates a significant shortfall in site areas. However, the frontage for the residential flat building satisfies this principle as it is greater than 15m in width.

PDC 6 of the same policy area is seeking a minimum 'average' site area of 150m<sup>2</sup> for dwellings within a residential flat building. The density of the proposed development achieves an average site area per dwelling of 114m<sup>2</sup> - an average shortfall per dwelling of 36m<sup>2</sup>.

The intent of minimum allotment sizes is to achieve a residential density that is consistent with the desired character for the area. The Desired Character for Medium Density Policy Area 18 is for allotments to be at medium densities. On the basis of the land having a total area of 903.2m<sup>2</sup>, the 'net' residential density of the development has been calculated at 55 dwellings per hectare. As defined by the *Planning Strategy for Metropolitan Adelaide (30 Year Plan for Greater Adelaide - 2017 Update)*, the proposed development is of 'medium' density.

Notwithstanding the allotment size shortfall, it has been demonstrated by the built form proposal that the allotments are large enough for the proposed dwellings to reasonably satisfy the relevant quantitative requirements relating to building height and scale, private open space, site coverage and vehicle access and manoeuvrability. Accordingly, the deficiencies in allotment/site areas are considered to be acceptable.

### **Dwelling Density and Desired Character**

The Desired Character for Medium Density Policy Area 18 envisages medium density development that includes *"a range of dwelling types including residential flat buildings, row dwellings, group dwellings, semi-detached dwellings and some detached dwellings on small allotments"*.

As previously considered, the proposed development has an average dwelling site area that is less than what is desired within the policy area. This average has been calculated by removing all common areas. It is noted that the average site area including the common areas is 180m<sup>2</sup>.

There are many allotments within the locality that accommodate a similar form and density of development to that proposed. The following examples are all within 200m of the subject land:

<b>Address</b>	<b>Average site area (m<sup>2</sup>)</b>	<b>Net density (dwellings/hectare)</b>
15 Warwick Avenue	58	89
16 Warwick Avenue (Recently approved by CAP)	114m <sup>2</sup>	55
19 Warwick Avenue	147	47
25 Warwick Avenue	154	38
27 Warwick Avenue	125	48
23 Wood Street	115	58
27 Mortimer Street	112	48
42 Mortimer Street	35	101
44 Mortimer Street	53	100
10 Gordon Street	67	94

The subject land is located within 160m of the Kurralta Park shopping centre and a further 100m from Anzac Highway, which has high frequency public transport (bus and tram) routes. This places the land within a locality that is identified by the Development Plan as being appropriate for medium density development of the type proposed.

As considered in more detail below, the shortfall in the average site area is not considered to compromise the spatial and functional characteristics of the development in terms of the built form relationship with adjoining properties, on-site car parking and vehicle manoeuvrability or the internal amenity for future occupants.

From a streetscape perspective, the dwellings do not appear cramped or visually overbearing due to a high level of articulation coupled with a modest building height. Whilst the allotments for the dwellings are less than the desired 150m<sup>2</sup>, this shortfall would not be readily perceivable as the allotments and associated dwellings are positioned and oriented internally. Similarly, there would be no material consequences for the development pattern as significant infill development has already occurred throughout the locality (as previously noted), with several recent instances of two storey group dwellings and residential flat buildings on relatively small battle-axe allotments.

The overall dwelling density and allotment layout of the proposal is considered to be compatible with the existing and desired built form characteristics of the locality.

## **Setbacks**

### ***Front and rear setbacks***

The front setback for dwellings in Medium Density Policy Area 18 should be a minimum of 3m as recommended by PDC 5. The main front wall is setback 3.3m from the road boundary, with only a small section of the feature walls projecting further forward by 280mm. The front building setbacks are therefore acceptable and are complemented by a well-articulated building façade and extensive landscaping along the frontage.

The rear setback for dwellings within the policy area should be at least 4m. The proposed development meets this requirement.

### ***Side setbacks***

The design of the proposed development has sections of the ground level located within 1m of the northern side boundary. On the southern side, the garages and front entrances of the dwellings are setback at a distance of 6m. The ground level boundary setbacks satisfy PDC 11 of the Residential Zone module.

Similarly, the setbacks to the upper floors meet the minimum setback requirement of 2m as the north-facing walls would have a 3m boundary offset. While the balconies of the dwellings are setback only 1.5m, the reduced separation to the adjoining property would be sufficiently offset by the variations in the facades and the inclusion of planting boxes on each balcony to soften the privacy screening.

## **Design and Appearance**

The proposed development is positioned amongst a variety of dwelling types, sizes and styles, including single storey detached dwellings, group dwellings and residential flat buildings, some of modern appearance.

The proposed building is designed with a common architectural style and form with articulated facades that include modular projections, rear balconies, porticos and pitched roofs. External materials and finishes include linear and rendered wall cladding, feature tile walls, black aluminium frame windows and doors and colorbond roof sheeting finished in Woodland Grey or similar.

The façades include windows to both the ground and upper floors that facilitate passive surveillance of the adjacent public space and the dwelling entrances are readily identifiable and accessible from the road frontage and vehicle parking areas.

The southern and northern elevations of the building have some element of repetition, however this will not be apparent from the street. The walls are also recessed at certain points to break up the building mass and proportions. The design also incorporates several different materials and colour variations that add visual interest.

In terms of internal dwelling design, the living rooms have an outlook to private space, reasonable access to sunlight given the north-facing living areas, and internal floor areas that would provide functional living environments.

The Desired Character and PDC 5 of the Medium Density Policy Area 18 envisage building heights up to three storeys or 12.5m above ground level. The proposal is for a two storey building with a maximum height of 6.8m. It is noted that the locality contains many single storey buildings, however it is also important to acknowledge that this policy area is seeking a transition to medium density built forms of up to three storeys. The proposed building height is therefore considered appropriate.

Overall, the design and appearance of the proposed development is considered to adequately address the relevant provisions of the Development Plan, and in particular Objective 1 and PDCs 1, 2 and 5 of the Design and Appearance module.

### **Car Parking**

All of the proposed dwellings are provided with a double garage in accordance with PDC 34 of the Transportation and Access module.

In addition to the resident parking, *Table WeTo/2 – Off Street Vehicle Parking Requirements* prescribes an additional requirement of 0.25 spaces per dwelling for a residential flat building (for visitors). As there would be five dwellings within the development, there is a requirement for one additional car park. It is considered that this one space shortfall would not adversely affect the existing flow and safety of vehicular traffic on the surrounding road network as there is sufficient area immediately in front of the site for at least one (possibly two) on-street car park(s) for visitors. This has been supported by Council's City Assets department.

Accordingly, there is considered to be sufficient on-site car parking to meet the anticipated demand generated by the proposed development.

### **Landscaping**

The proposal is considered to meet the minimum landscaping requirement of 10 percent of the site. The applicant has provided a comprehensive landscaping scheme for the development that includes a variety of tree, shrub and grass plantings to common areas at the front and rear of the site and along the driveway. The rear courtyard and balcony for each dwelling will also be landscaped to enhance the internal amenity of the development. PDC 4 of the Landscaping, Fences and Walls module is therefore satisfied.

Landscaping along the southern side of the driveway is a nominal strip of 300mm to ensure that appropriate access and on-site manoeuvrability is achieved. Planting within this strip will consist of clumping and strappy plantings that are low-maintenance and will provide effective softening of the fence line and adjoining driveway area.

The landscaping beds proposed at the front and rear of the site will be large enough to facilitate deeper-rooting plants and trees as specified within the planting scheme and will assist in providing areas for drainage. The proposed landscaping will maximise shade and shelter, soften the built form and hard paved surfaces and enhance the overall appearance and amenity of the development in accordance with PDC 1 of the Landscaping, Fences and Walls module.

### **Private Open Space**

The proposed dwellings will be provided with at least 30m<sup>2</sup> of private open space, which satisfies PDC 19 of the Residential Development module. The ground level courtyards and upper level balconies of all dwellings achieve the minimum dimension guidelines and are therefore considered acceptable.

**Overlooking**

The development has been designed with all side and rear upper storey windows having either raised sills or fixed obscure glazing to a height of 1.7m above the floor level. The east and south-facing upper level windows of Dwelling 1 do not include these treatments due to the proposed orientation. This is considered reasonable as it will facilitate passive surveillance of the street. Direct views from the rear balconies will be restricted by either 1.7m high planter boxes or obscure privacy screens.

The proposed privacy measures are considered adequate in preventing 'direct' views from the balcony and upper storey windows into the habitable room windows and yard areas of adjoining properties. The proposal therefore satisfies PDC 27 of the Residential Development module.

**Overshadowing**

Given the two storey scale of the proposed building and the east to west orientation of the subject land, it is reasonable to expect that some shadow would be cast over the adjoining properties to the south, particularly during winter months.

The applicant has provided shadow diagrams showing that the shadow cast over the adjoining property at 18 Wood Street would primarily affect the northern side of the dwelling which does not appear to contain window openings to the main living areas within the dwelling. It also appears that the area between the side of the dwelling and the boundary is used as a small service area with a pergola structure and rainwater tank.

The diagrams confirm that the rear yard of the adjoining dwelling would receive at least two hours of natural light from 12.00pm onwards during winter, as required under PDC 11 of the Residential Development module.

**Stormwater Management**

Stormwater runoff from roofs is to be directed to a retention 3,000 litre rainwater tank for each dwelling. Overflow from the rainwater tanks will be discharged to the street water table in accordance with Council's standard requirements. City Assets has confirmed that the retention capacities are acceptable.

The subject land is not situated within a flood hazard area.

**Waste Collection**

The proposed development can adequately cater for on-street waste collection with sufficient verge space available. A private waste contractor is therefore not required. This satisfies Council's requirements and is consistent with Objective 2 of the Waste module.

**SUMMARY**

When balanced against the existing site and locality characteristics and the Desired Character for Medium Density Policy Area 18, the proposed division of land and associated residential development is considered to be an orderly and desirable form of development.

The dwelling density and allotment layout of the proposal sufficiently accords with the Desired Character and is compatible with the changing pattern and built form characteristics of the locality. With the exception of the site area shortfalls, the proposal satisfies the relevant quantitative provisions of the Development Plan.

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

On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 6 February 2018 and warrants Development Plan Consent.

## **RECOMMENDATION 1**

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent, Land Division Consent and Development Approval for Application No. 211/255/2018 by Wood Street Development c/- Cavallo Forest & Associates to undertake Land Division - Community Title; Create four (4) additional allotments and common property at 20 Wood Street, Kurralta Park (CT 5488/684) subject to the following conditions of consent:

### **Development Plan Consent Conditions**

1. That the development shall be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
2. All existing buildings on the land shall be removed prior to the issue of clearance to this land division approved herein.

### **Land Division Consent Conditions**

### **Council Requirements**

Nil

### **State Commission Assessment Panel Requirements**

3. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services (SA Water H0061890).

For SA Water to assess this application, the developer must advise SA Water the preferred servicing option. Information can be found at: <http://www.sawater.com.au/developers-and-builders/building-developing-and-renovating-your-property/subdividing/community-title-development-factsheets-and-information>. For queries call SAW Land Developments on 74241119. An investigation will be carried out to determine if connections to the development will be standard or nonstandard.

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

4. Payment of \$27,320 into the Planning and Development fund (4 lots @ \$6,830/lot). Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (7109 7018), by cheque payable to the State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person by cheque or card, at Level 5, 50 Flinders Street, Adelaide.
5. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel for Land Division Certificate purposes.



## RECOMMENDATION 2

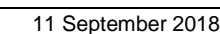
The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/131/2018 by Zybek Consulting and Management to undertake demolition of the existing dwelling and ancillary structures and construction of a two storey residential flat building comprising five (5) dwellings with landscaping and retaining walls and fencing along the boundary (maximum combined height of 2.7 metres) at 20 Wood Street, Kurralta Park (CT 5488/684) subject to the following conditions of consent:

### Development Plan Consent Conditions

1. That the development shall be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
2. All stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and, for this purpose, stormwater drainage will not at any time:
  - a) Result in the entry of water into a building; or
  - b) Affect the stability of a building; or
  - c) Create unhealthy or dangerous conditions on the site or within the building; or
  - d) Flow or discharge onto the land of an adjoining owner; or
  - e) Flow across footpaths or public ways.
3. The stormwater connection through the road verge area shall be constructed of shape and material to satisfy Council's standard requirements as follows:
  - 100 x 50 x 2mm RHS Galvanised Steel; or
  - 125 x 75 x 2mm RHS Galvanised Steel; or
  - Multiples of the above.
4. A 3,000 litre stormwater collection and reuse tank and associated plumbing to service the toilets and laundry is to be installed and operational for each dwelling prior to occupation of the development.
5. All driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained prior to occupation, and shall be maintained in reasonable condition at all times to the satisfaction of Council.
6. That all landscaping shall be planted in accordance with the approved plans (Landscape Layout Plan and Landscape Concept Design Plan dated 15/05/2018 prepared by LCS Landscapes) within three (3) months of the occupancy of the development. Any person(s) who have the benefit of this approval will cultivate, tend and nurture the landscaping and shall replace any plants which may become diseased or die.
7. That the upper storey windows on the northern and western elevations of all dwellings shall be fitted with fixed obscure glass or raised sills 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 shall be maintained to the satisfaction of Council at all times.
8. The balustrades of all dwelling balconies shall include either solid planter boxes or fixed obscure screens to a minimum height of 1.7 metres from the upper floor level that shall be installed prior to occupation of the development.
9. No above-ground structures, such as letterboxes, service meters or similar are to be installed within the common driveway entrance and passing area.
10. The existing crossover which will be made redundant is to be reinstated to vertical kerb prior to the completion of building works at the applicant's expense.

## **Attachments**

- 1. Plan of Division**
- 2. Dwelling Proposal Plans & Supporting Documents**
- 3. Copy of Representations & Response to Representations**
- 4. Internal & Agency Referral Responses**

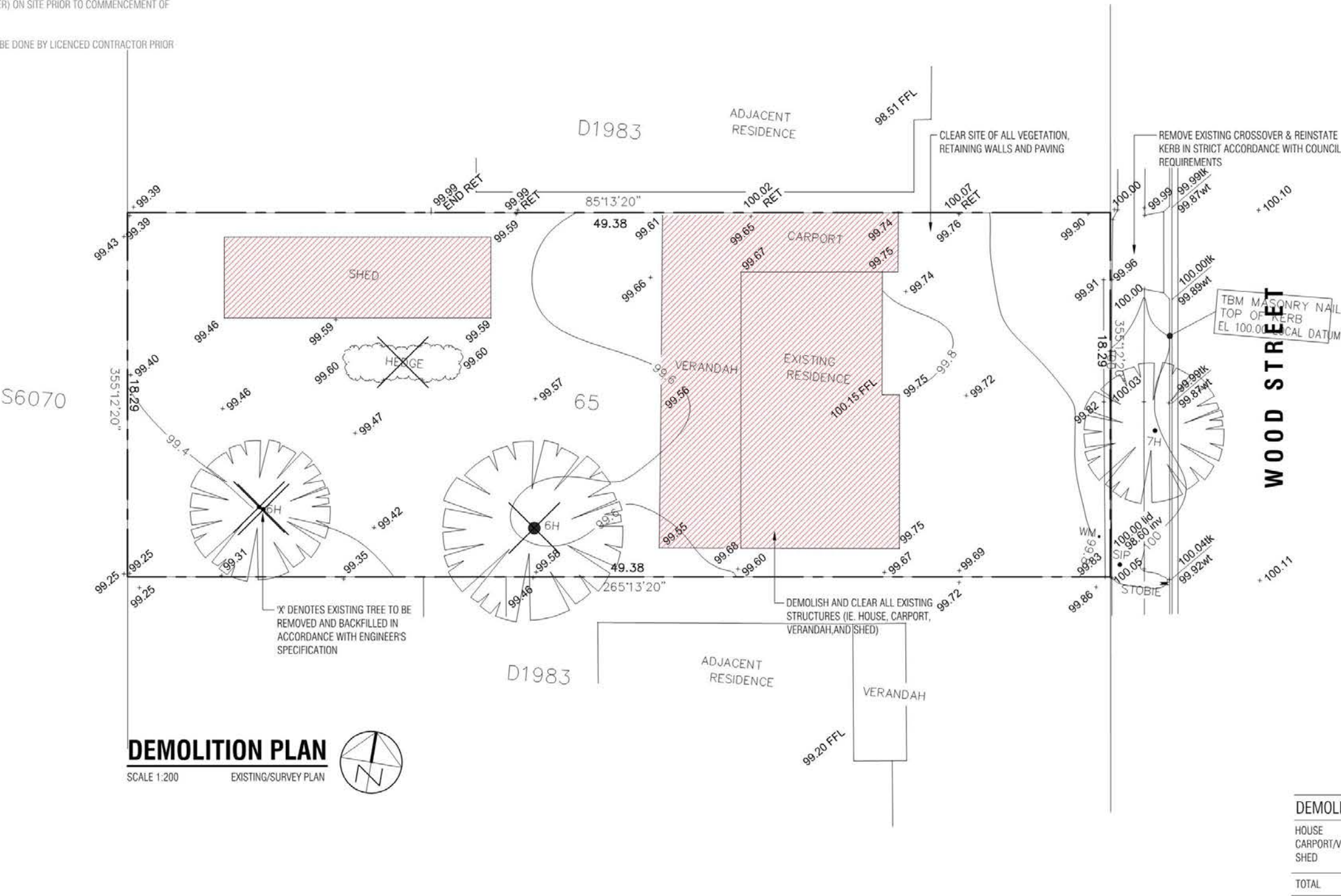


DEMOLITION NOTE:

DEMOLITION CONTRACTOR TO CLEAR AWAY ALL REDUNDANT MATERIALS AND LEVEL GROUND WHERE SLABS & FOOTINGS HAVE BEEN LOCATED.

CONTRACTOR TO CHECK LOCATION OF ALL SERVICES (ELECTRICAL, PLUMBING, STORMWATER, TELEPHONE & SEWER) ON SITE PRIOR TO COMMENCEMENT OF WORK.

ALL TERMINATION OF SERVICES TO BE DONE BY LICENCED CONTRACTOR PRIOR TO DEMOLITION WORKS.



Contractors to verify all dimensions prior to commencement of any building work. Figured dimensions shall take preference over scaled dimensions and any discrepancy shall be reported to the designer immediately. These drawings are the exclusive property of Verrocchi Building Design. Any reproduction without written authority is prohibited. Copyright ©	rev	date	description	notes	<b>verrocchi</b> buildingdesign	project: WOOD STREET DEVELOPMENT	date: NOV 2017	drawn by: LD
	A	7/12	CONCEPT DRAWINGS					
	B	2/2	PLANNING DRAWINGS					
	C	8/2	AMENDED AS PER URPS REQUEST					
	D	12/5	SHADOWS AND MINOR AMENDMENTS					
PLANNING DRAWINGS	E	3/7	FENCE ELEVATIONS		128a Mooringe Ave North Plympton 5037 m. 0407 820 946 e: dino.verocchi@gmail.com	at: 20 WOOD STREET KURRALTA PARK SA 5037	scale: 1:200	drawing no: 01
						client: ZYBEK CONSULTING	project no: ZYB.074	sheet size: A3



RWT NOTE:

1000 LITS (MIN) RWT COLLECTING 50M<sup>2</sup> ROOF CATCHMENT AREA. PLUMBED TO EITHER TOILET, HOT WATER SYSTEM OR ALL LAUNDRY COLD WATER OUTLETS. RWT MUST BE FITTED WITH OVERFLOW DEVICE. INLET & OVERFLOW MUST BE FITTED WITH MOSQUITO-PROOF SCREENS. MUST COMPLY WITH BCA REQUIREMENTS.

BOUNDARY/SURVEY NOTE:

THIS DRAWING IS INTENDED FOR INDICATIVE BUILDING SETOUT PURPOSES ONLY. REFER TO CIVIL ENGINEER / SURVEYOR DRAWINGS FOR SITE LEVELS, CONTOURS, BENCH MARKS, SERVICE LOCATIONS, & EARTHWORK DESIGN. FINAL BOUNDARY & BUILDING SETOUT SHALL BE CONFIRMED & CERTIFIED BY LICENSED SURVEYOR PRIOR TO ANY CONSTRUCTION.

BRUSH FENCE NOTE:

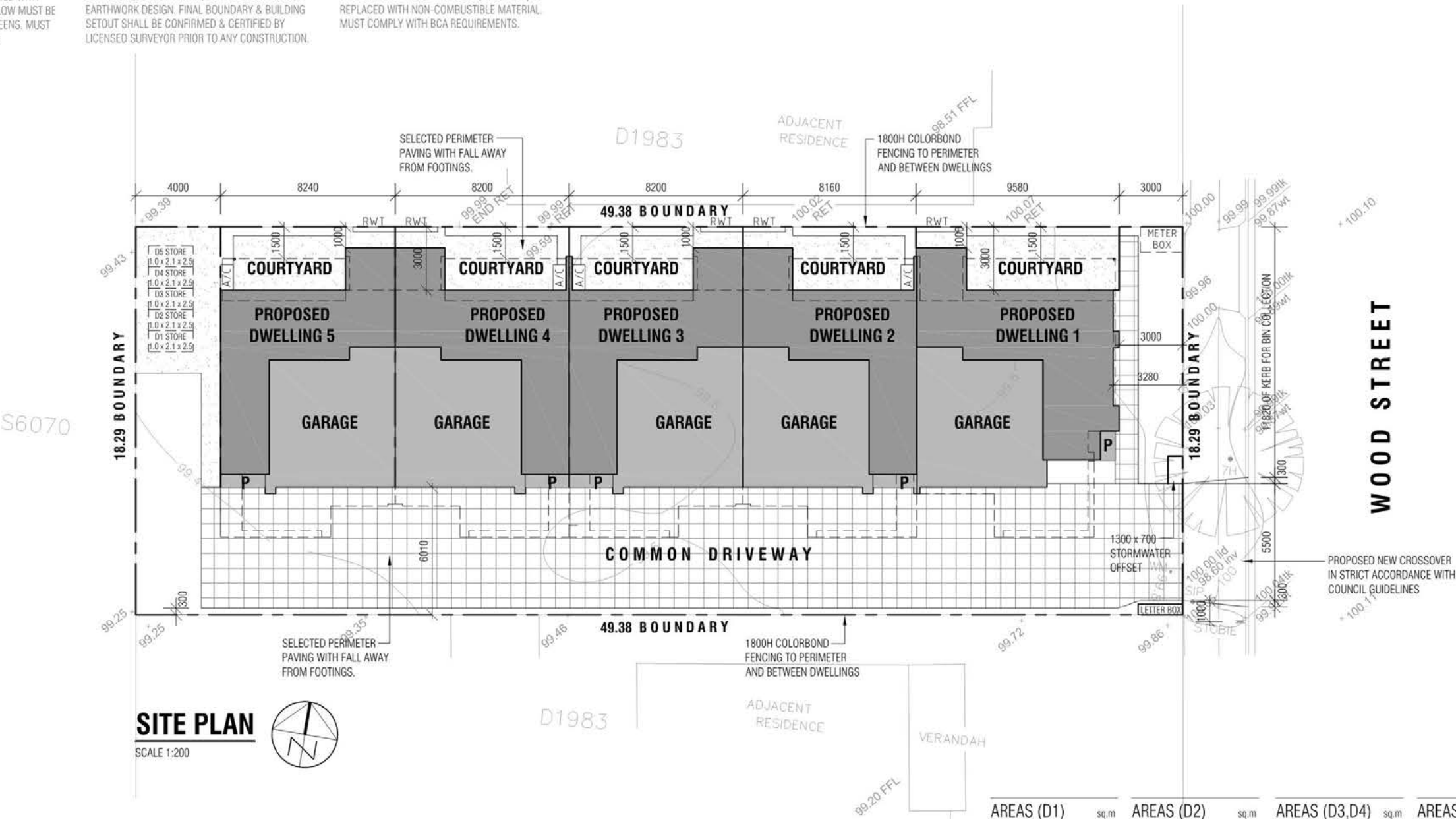
THERE WILL NOT BE ANY BRUSH FENCES WITHIN 3MTRS OF THE PROPOSED BUILDING WORKS. ANY BRUSH FENCES WITHIN 3 METRES OF THE DWELLING ARE TO BE REMOVED (BY OWNER) & REPLACED WITH NON-COMBUSTIBLE MATERIAL. MUST COMPLY WITH BCA REQUIREMENTS.

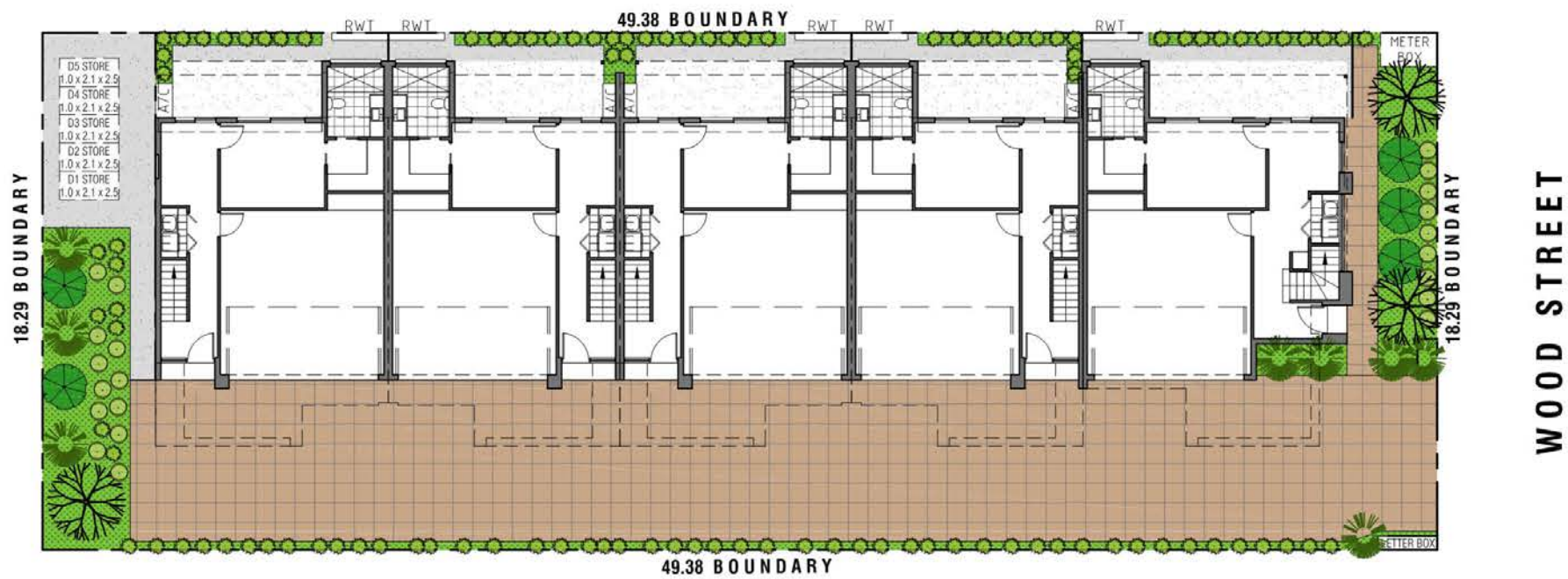
STORMWATER NOTE:

REFER TO ENGINEER'S DRAINAGE PLAN FOR ALL LEVEL, RETAINING WALLS & STORMWATER DRAINAGE DESIGN.

PARTY WALL NOTE:

COMMON STRUCTURAL PARTY WALL BETWEEN ALL DWELLINGS. PARTY WALL IS A SHARED WALL WITH RECIPROCAL RIGHTS.





INDICATIVE LANDSCAPE PLAN

SCALE 1:200 REFER TO LCS DRAWINGS FOR PLANT LOCATIONS/SPECIES



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	A	7/12	CONCEPT DRAWINGS				date: NOV 2017	drawn by: LD	
	B	2/2	PLANNING DRAWINGS				scale: 1:200	drawing no: 03	
	C	8/2	AMENDED AS PER URPS REQUEST				project no:	sheet size:	
	D	12/5	SHADOWS AND MINOR AMENDMENTS				client: ZYBEK CONSULTING	ZYB.074	A3

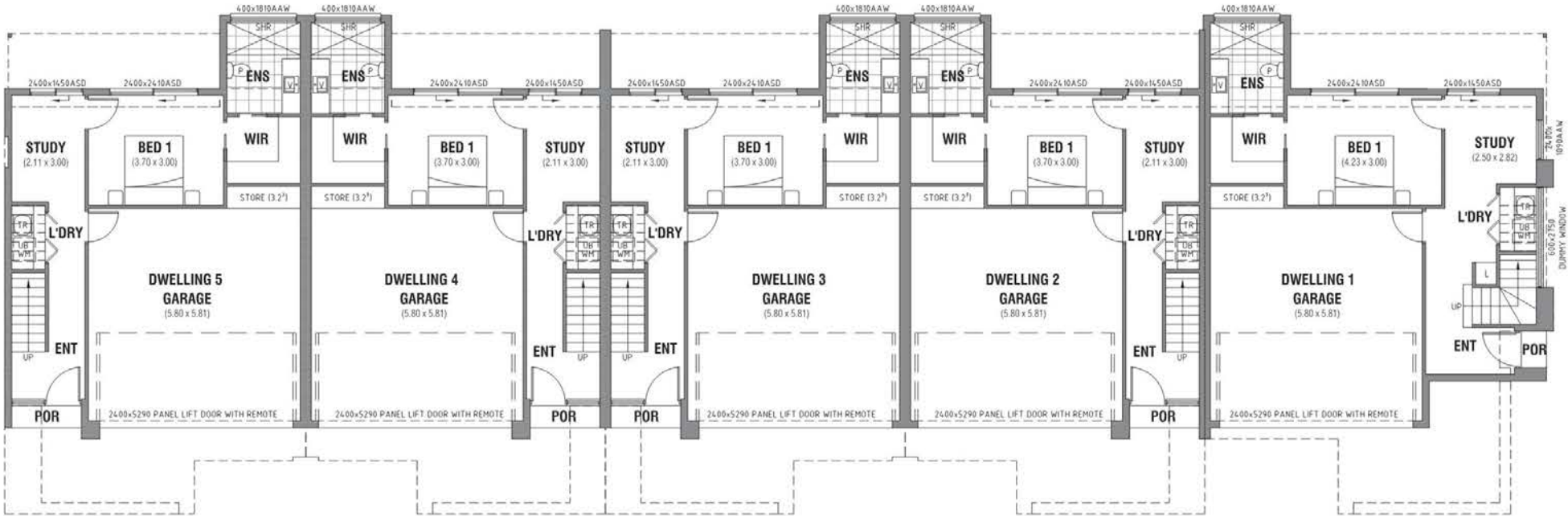


LEGEND:

- S STAINLESS STEEL SINK
- HP HOT PLATE
- UBO UNDER BENCH OVEN
- WD WALL DOWN
- RH RANGE HOOD
- DW DISHWASHER
- F REFRIGERATOR
- FR FREEZER
- PTRY PANTRY
- SHR SHOWER
- B BATH
- FSR FREESTANDING BATH
- L LINEN
- WM WASHING MACHINE
- UBWM UNDER BENCH WASHING MACHINE
- UBD UNDER BENCH DRYER
- TR TROUGH
- LC LAUNDRY CHUTE
- F FAN
- V VANITY
- BCB BROOM CUPBOARD
- ST STORAGE
- RA ROOF ACCESS 600x600
- SL SKY LIGHT
- SB SWITCH BOARD
- DP DOWNPIPE
- DFS DOWNPIPE WITH SPREADER
- RH RAIN HEAD
- RWT RAIN WATER TANK
- SA SMOKE ALARM HARD WIRED IN ACCORDANCE WITH AS3786 AND TO BE INTERCONNECTED WHEN TWO OR MORE SMOKE ALARMS ARE REQUIRED.
- EF EXHAUST FAN - CEILING MOUNTED DUCTED TO OUTSIDE AIR, CONNECTED TO LIGHT SWITCH OPERATION.
- CU CONTROL JOINTS AS PER ENGINEERS REPORT

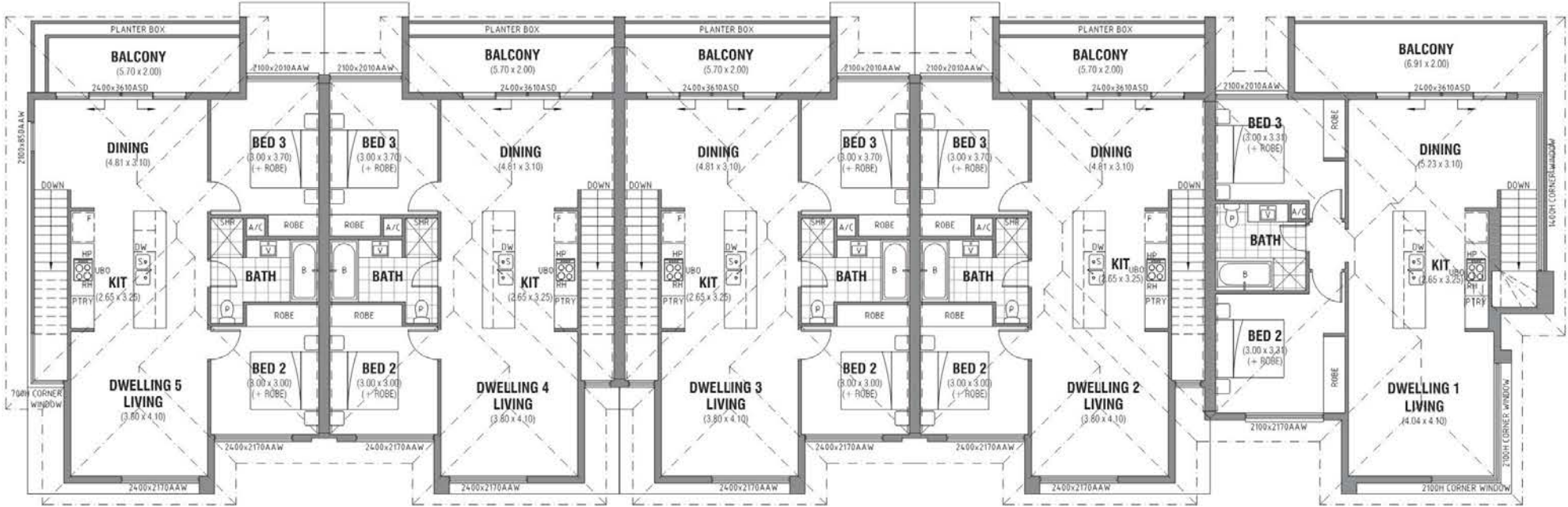
PARTY WALL NOTE:

COMMON STRUCTURAL PARTY WALL BETWEEN ALL DWELLINGS. PARTY WALL IS A SHARED WALL WITH RECIPROCAL RIGHTS.



GROUND FLOOR PLANS

SCALE 1:100



FIRST FLOOR PLANS

SCALE 1:100



AREAS (D1)

	Sq.m
LIVING	49.14
U.LIVING	86.22
GARAGE	37.28
BALCONY	14.38
PORCH	0.94
TOTAL	190.96

SITE: 180.63  
P.O.S. 35.36  
SITE COVERAGE: 48.36%

AREAS (D2)

	Sq.m
LIVING	42.69
U.LIVING	84.13
GARAGE	37.26
BALCONY	12.02
PORCH	1.28
TOTAL	177.38

SITE: 180.63  
P.O.S. 29.57  
SITE COVERAGE: 44.97%

AREAS (D3,D4)

	Sq.m
LIVING	42.69
U.LIVING	83.99
GARAGE	37.26
BALCONY	12.02
PORCH	1.24
TOTAL	177.20

SITE: 180.63  
P.O.S. 29.57  
SITE COVERAGE: 44.95%

AREAS (D5)

	Sq.m
LIVING	42.80
U.LIVING	84.32
GARAGE	37.26
BALCONY	11.88
PORCH	1.26
TOTAL	177.52

SITE: 180.63  
P.O.S. 29.55  
SITE COVERAGE: 45.02%

REV	DATE	DESCRIPTION	NOTES
A	7/12	CONCEPT DRAWINGS	
B	2/2	PLANNING DRAWINGS	
C	8/2	AMENDED AS PER URP REQUEST	
D	12/5	SHADOWS AND MINOR AMENDMENTS	
PLANNING DRAWINGS			

verracchi building design

WOOD STREET DEVELOPMENT

date: NOV 2017 drawn by: LD

at: 20 WOOD STREET

KURRALTA PARK SA 5037

client: ZYBEK CONSULTING

project no: ZYB.074

scale: 1:100

drawing no: 04

sheet size:

A2

128a Moorings Ave North Plympton 5037  
m: 0407 820 946 e: dina.verracchi@gmail.com



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rev	date	description		
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D	12/5	SHADOWS AND MINOR AMENDMENTS		
PLANNING DRAWINGS				

verrocchi**building**design

128a Moorings Ave North Plympton 5037  
m: 0467 820 946 e: dina.verocchi@gmail.com

project:  
WOOD STREET DEVELOPMENT

at: 20 WOOD STREET  
KURRALTA PARK SA 5037

client: ZYBEK CONSULTING

date: NOV 2017

scale: 1:100

project no: ZYB.074

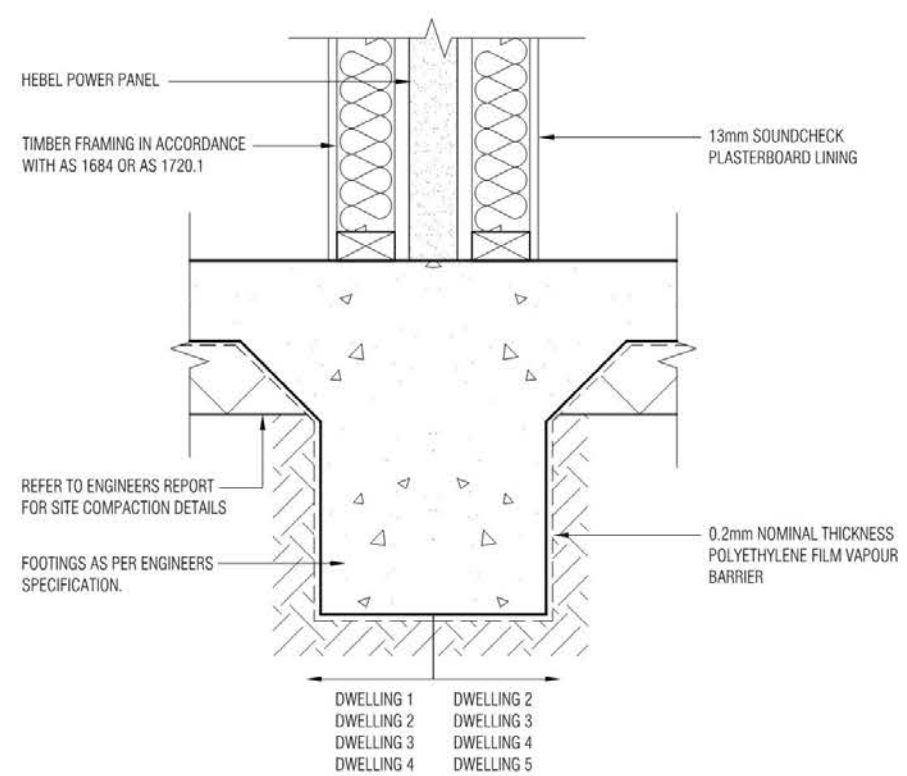
drawn by: LD

drawing no: 05

sheet size: A2



**PARTY WALL NOTE:**  
COMMON STRUCTURAL PARTY WALL  
BETWEEN ALL DWELLINGS. PARTY WALL IS A  
SHARED WALL WITH RECIPROCAL RIGHTS.

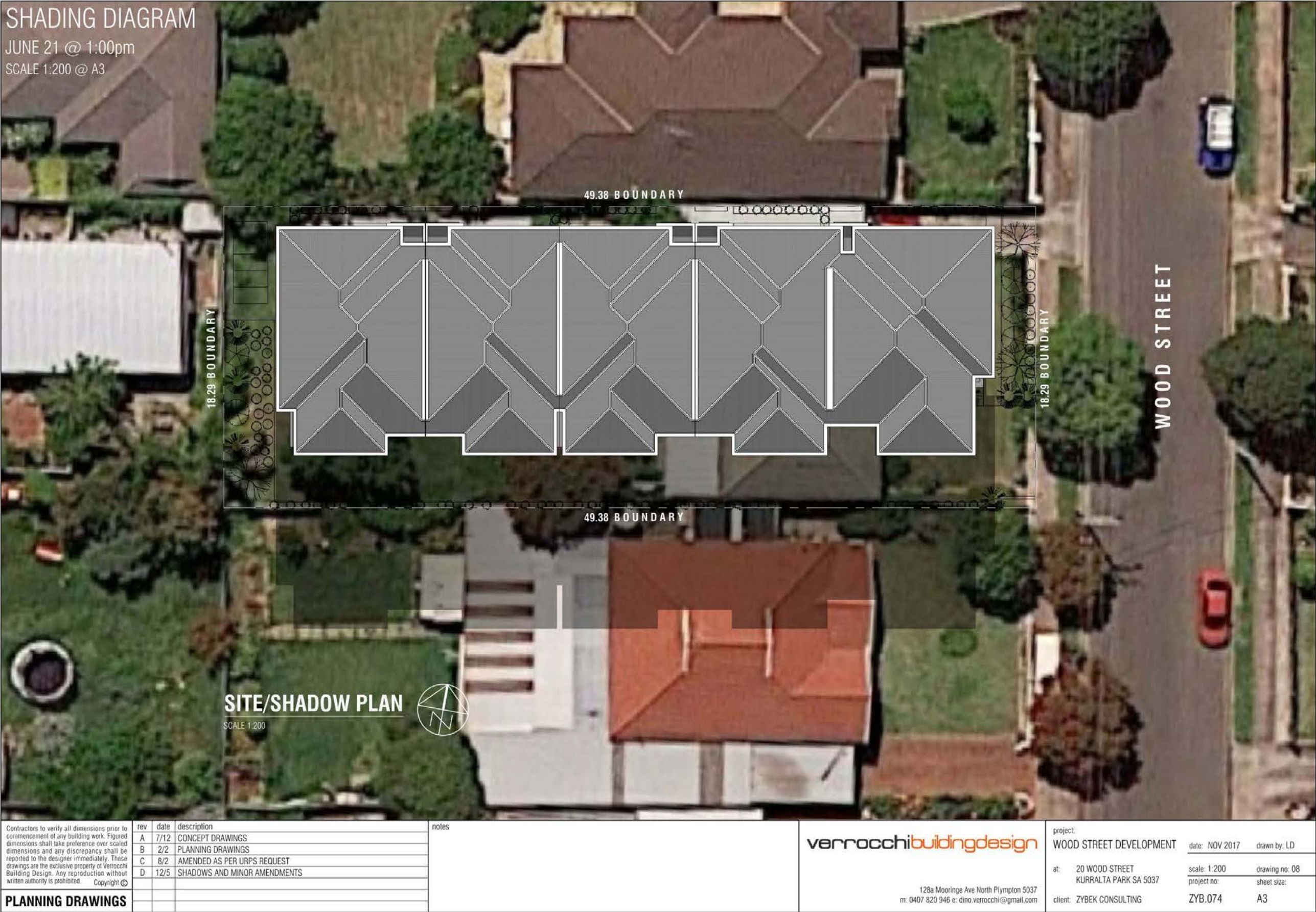


**TYPICAL HEBEL PARTY WALL/SLAB DETAIL**  
SCALE 1:10

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	A	7/12	CONCEPT DRAWINGS			date: NOV 2017	drawn by: LD	
	B	2/2	PLANNING DRAWINGS			at: 20 WOOD STREET KURRALTA PARK SA 5037	scale: 1:10	drawing no: 06
	C	8/2	AMENDED AS PER URPS REQUEST			project no:	sheet size:	
	D	12/5	SHADOWS AND MINOR AMENDMENTS			client: ZYBEK CONSULTING	ZYB.074	A3
PLANNING DRAWINGS								



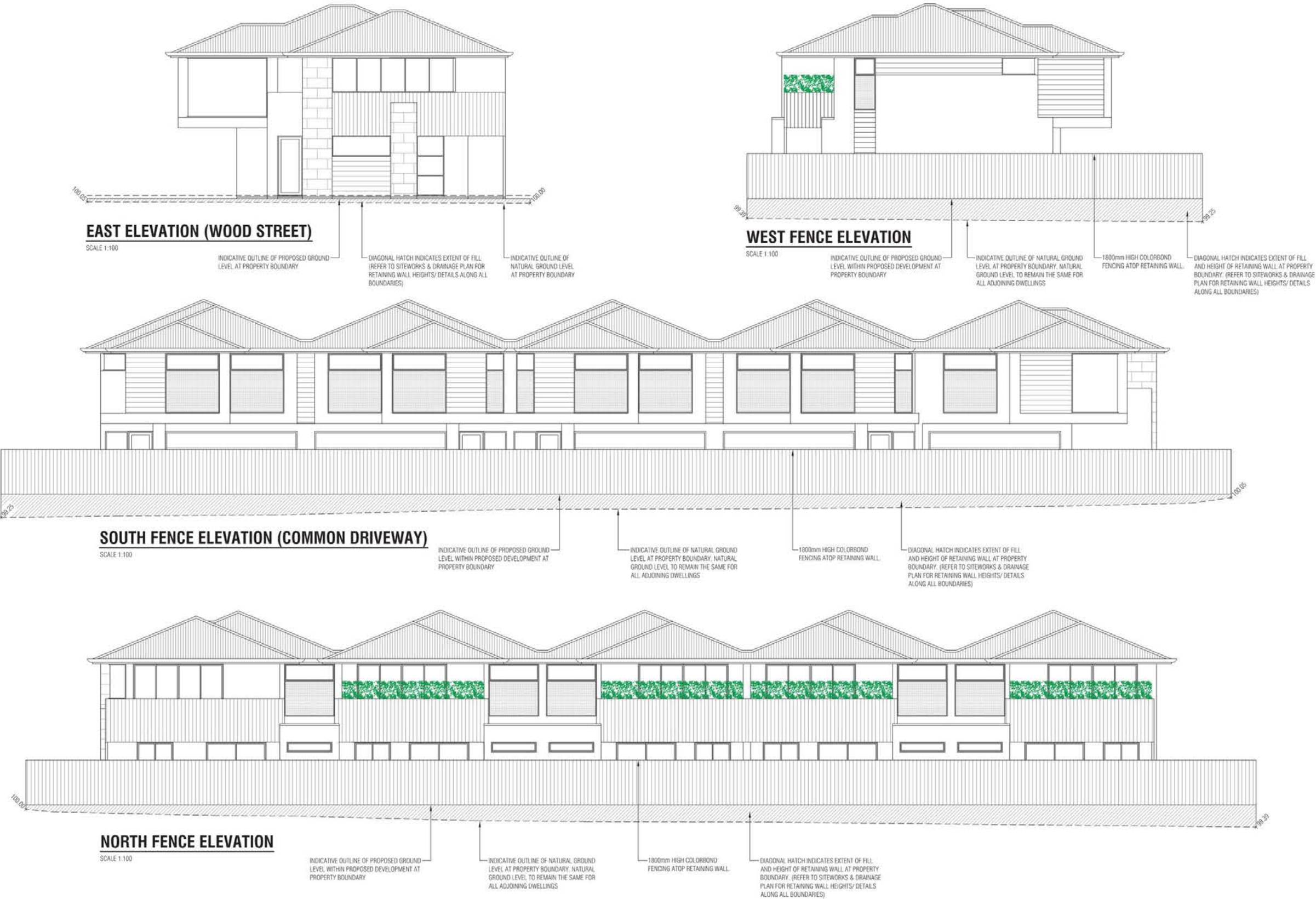




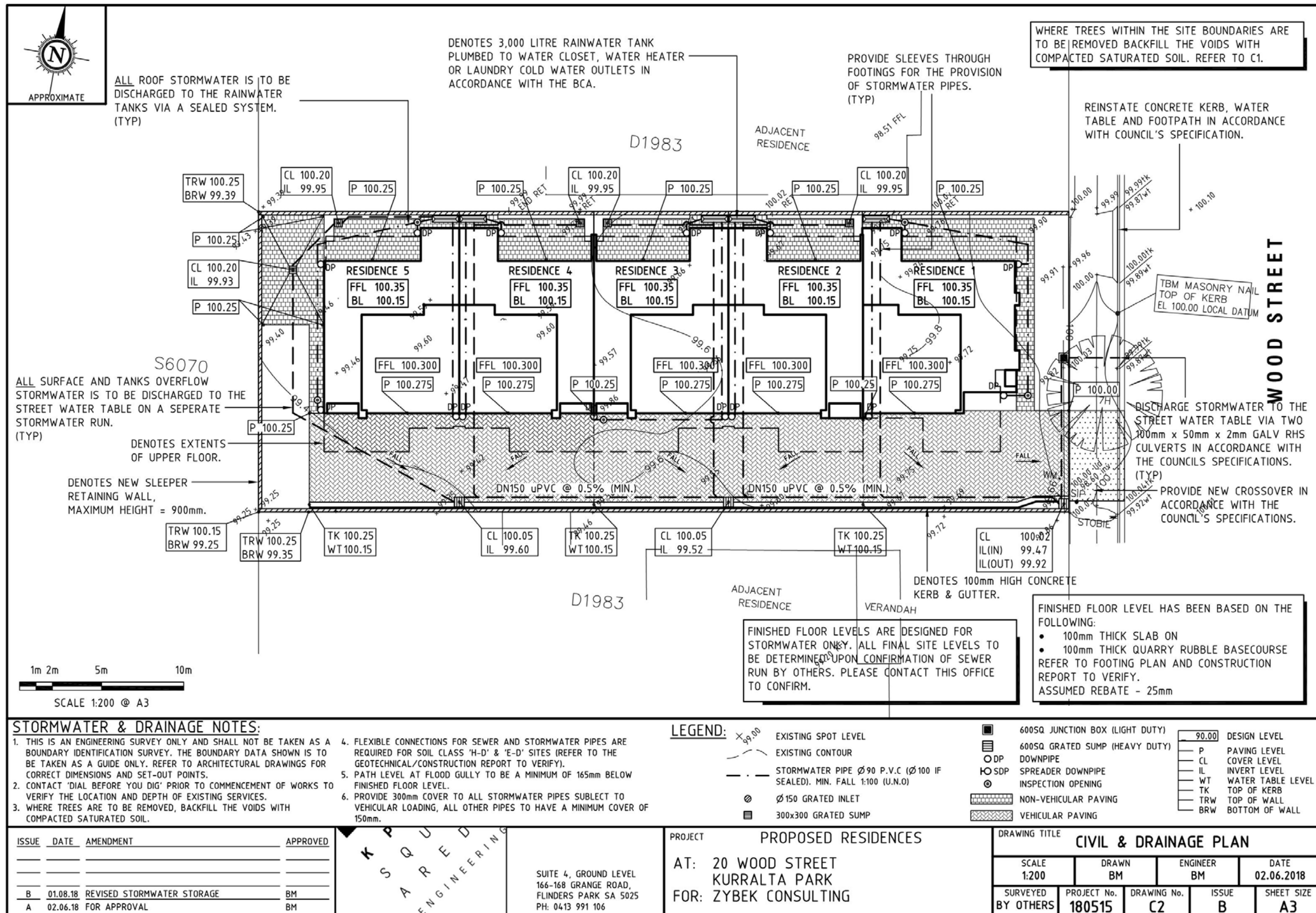








Contractor to verify all dimensions prior to commencement of any building work. Figure dimensions shall take preference over stated dimensions and any discrepancy shall be reported to the designer immediately. These drawings are the exclusive property of Verracchi Building Design. Any reproduction without written authority is prohibited. Copyright ©			notes		<div>verrocchi<b>building</b>design</div> <div>128a Moorings Ave North Plympton 5037 m: 0407 620 946 e: dino.verrocchi@gmail.com</div>	project: WOOD STREET DEVELOPMENT			date: NOV 2017	drawn by: LD
PLANNING DRAWINGS	REV	DATE	DESCRIPTION			at: 20 WOOD STREET KURRALTA PARK SA 5037	scale: 1:100	drawing no: 10	project no: ZYB.074	sheet size: A2
	A	7/12	CONCEPT DRAWINGS							
	B	2/7	PLANNING DRAWINGS							
	C	8/2	AMENDED AS PER LURPS REQUEST							
	D	12/5	SHADOWS AND MINOR AMENDMENTS							
	E	3/7	FENCE ELEVATIONS							



Ref: 2017-0459

8 February 2018

Ms Rachel Knuckey  
Co-Ordinator City Development  
City of West Torrens  
165 Sir Donald Bradman Drive  
**HILTON SA 5033**



Suite 12  
154 Fullarton Road  
ROSE PARK SA 5067

08 8333 7999  
[www.urps.com.au](http://www.urps.com.au)  
ABN 55 640 546 010

Dear Rachel

**20 Wood Street, Kurralta Park – Residential flat building comprising 5 dwellings**

URPS has been engaged by the applicant in the matter described above, to provide planning advice and assistance and prepare this supporting statement.

A description of the proposal, its land and locality, and an appraisal of the proposal's performance against the most pertinent planning provisions, is set out below.

**Subject land and locality**

The subject land is a rectangular shaped allotment with a frontage to Wood Street of 18.29 metres and a depth of 49.38 metres forming a total area of 903.16 square metres.

Currently a detached dwelling, carport and outbuilding are situated on the subject land. The land is reasonably flat.

The locality comprises a mix of residential-type development including detached dwellings and residential flat buildings.

Of relevance to this assessment the Urban Corridor Zone, District Centre Zone and Local Centre Zone are situated nearby, to the south. Each of these zones envisage some form of commercial-type development including shops, offices etc.

**Proposal**

The proposal is for a residential flat building comprising 5 dwellings each, with a garage under the main roof and a detached outbuilding for storage purposes. The development would involve the demolition of existing buildings and structures to accommodate the proposal.

The proposed dwellings will have contemporary styling and feature articulated façades to all elevations characterised by a mix of materials, textures and finishes and various cladding types throughout.

Vehicle access to all dwellings will be provided from Wood Street in the form of a common driveway. The driveway will be positioned carefully to avoid street tree removal.

shaping great communities



Landscaping will be undertaken throughout the site, particularly along the Wood Street frontage to reinforce the leafy appearance of the streetscape. A landscape schedule is provided in the proposal plans.

### Procedural matters

As per the West Torrens Development Plan (consolidated 30 May 2017) the subject land is situated within the Residential Zone (the zone) and Medium Density Policy Area 18 (the policy area).

Residential flat buildings are neither “complying” nor “non-complying” forms of development in the zone and therefore the proposal is to be assessed on its merits.

The proposal is for “a building of 2 storeys comprising dwellings” and therefore is a Category 2 form of development for public notification purposes, in accordance with Schedule 9, Clause 18(a) of the *Development Regulations 2008*.

### Planning assessment

In my view, the most pertinent planning considerations are as follows:

- Land Use and Density.
- Site Areas and Frontage.
- High Quality Living Environment.
- Setbacks.
- Building Height.
- Design and Appearance.
- Private Open Space.
- Site Coverage.
- Overshadowing.
- Overlooking.
- Car Parking.
- Storage.

### Land Use and Density

A dwelling is specifically envisaged in the zone and a residential flat building is specifically envisaged within the policy area.

The Desired Character of the policy area states:

**Allotments will be at medium density, accommodating a range of dwelling types including residential flat buildings.**

Principle 4 of the policy area states:

**Medium density development that achieves gross densities of between 23 and 45 dwellings per hectare (which translates to net densities of between 40 and 67 dwellings per hectare, where net density can be calculated by**



dividing 10000 by the site area and multiplying that number by the number of proposed dwellings for the site) should be in the form of 2 to 4 storey buildings.

The allotment is approximately 903.16 square metres in area. The proposal will achieve a net density equivalent of 55 dwellings per hectare. Such a density is consistent with what is considered “medium density” by the policy area and the 30 Year Plan for Greater Adelaide.

The proposed land use and density satisfy the land use and general density standards of the Development Plan.

#### *Site Areas and Frontage*

Principle 6 within the policy area states that a dwellings within a residential flat building should have an average site area of 150 square metres. The complete building should have a minimum frontage to Wood Street of 15 metres.

The Development Plan does not provide guidance that explains how site area or frontage should be calculated. It is common practice to divide the area of the entire allotment by the number of dwellings proposed.

In this circumstance, common property would cover vehicle manoeuvring areas, particularly landscaped spaces and external storage areas. The common property would not act as, or appear to be, a public lane or street.

The common property would appear to be a private driveway for occupants and visitors of each dwelling and would typically be used as private space, albeit common for occupants of the development.

Given the above circumstances, it appears appropriate to calculate average site areas as an average of the total area of the land, including common property, as these spaces are intended to be privately used by all future occupants or residents of the proposed development.

The intent of a “minimum site area” is considered to ensure that each dwelling is provided with a high quality living environment with appropriate open space and landscaping to prevent the appearance of over-development. The intent of “minimum frontage” is considered to ensure an appropriate streetscape presentation (i.e. appropriate areas for landscaping and spacing between dwellings).

The site has a total area of approximately 903.16 square metres. Including common property, the proposal would present an average site area of 180.6 square metres per dwelling to satisfy the Development Plan guideline.

The site would have a frontage to Garfield Avenue of 18.29 metres. The frontage width satisfies the Development Plan. Overall the shape of this allotment is functional for its intended purpose as a site for medium density housing.

Setting aside the quantitative discussion above, importantly, the proposal presents to the streetscape with a contemporary built form that is well spaced with sufficient boundary setbacks.

Each dwelling achieves a high quality living environment as discussed further below. Even if alternate views are adopted on the numerical standards, any perceived departures are not considered to diminish the overall planning merits of the proposal for reasons generally set out below

### High Quality Living Environment

General Section, residential development, Principle 9 states:

**Residential development should provide a high quality living environment by ensuring minimum internal floor areas are achieved.**

Based on 3 bedrooms, each dwelling should have a minimum 100 square metres of internal floor area excluding balconies and car parking.

Each proposed dwelling would have a floor area exceeding 100 square metres and therefore provides a “high quality living environment” in the context of the Development Plan standards.

### Setbacks

Principle 5 within the policy area guides the setback of dwellings from the primary road frontage and back boundary, which should be 3 and 4 metres respectively.

Principle 11 within the Residential Zone guides side boundary setbacks dependent upon building height.

Where the vertical wall height is 3 metres or less, a 1 metre setback is appropriate. Where the vertical wall measures between 3 and 6 metres, a 2 metre setback is appropriate.

	Development Plan Parameter (metres)	Dwelling 1 (metres)	Dwelling 2 (metres)	Dwelling 3 (metres)	Dwelling 4 (metres)	Dwelling 5 (metres)
<b>Setback from Primary Road Frontage</b>	3	3 up to 3.2	N/A	N/A	N/A	N/A
<b>Setback from Rear Boundary</b>	4	N/A	N/A	N/A	N/A	4
<b>Walls up to 3m - Setback from Side Boundaries</b>	1	1 and 6	1 and 6	1 and 6	1 and 6	1 and 6
<b>Walls between 3m and 6m - Setback from Side Boundaries</b>	2	3 and 4	3 and 4	3 and 4	3 and 4	3 and 4
<b>Satisfies Development Plan?</b>		✓	✓	✓	✓	✓

Front and rear setbacks satisfy the Development Plan.

The side boundaries are considered the northern and southern boundaries, which also form a side boundary of 18 and 22 Wood Street neighbouring the subject land. Ground and upper level side wall setbacks satisfy the Development Plan and in fact, have a **greater setback** than that required by the Development Plan.

The balconies will partly protrude from the upper level setback. Each balcony will have a balustrade height that is approximately 4.7 metres above ground level and be setback 1 metre from the northern boundary.

The balconies will not overshadow or impact upon privacy given the obscured glass balustrades which extends 1.7 metres above the finished floor level of each balcony. The balconies also articulate the northern elevation providing a mix of materials, finishes and setbacks.

The proposed setbacks are considered to be acceptable and are not detrimental to neighbouring amenity or the streetscape particularly given the intent of the policy area and the anticipated 3 storey height allowance.

### **Building Height**

The desired character within the policy area states:

**New buildings will contribute to a highly varied streetscape. Buildings will be up to 3 storeys and provide a strong presence to streets.**

In addition, Principle 5 within the policy area guides maximum building heights up to 3 storeys or 12.5 metres.

The proposal is 2 storeys with an approximate total building height of 7.5 metres. This is 5 metres lower than the height allowed in the policy area.

Although the locality is predominantly characterised by single storey buildings, it is important to acknowledge the intended transition to medium density development and the desire for a highly varied streetscape potentially up to 3 storeys in height.

The proposed building height is appropriate in the context of the Development Plan and the transitional nature of PA18.

### **Design and Appearance**

The building will have a contemporary appearance with a building height and mass that is lower than expected in the policy area. Each elevation is to be articulated using a mix of external colours, materials, textures and setbacks. Each dwelling has a pitched Colorbond roof with a 22.5 degree pitch to minimise roof mass.

Windows, doors and design features are proportionate to the proposed building's scale. Entrance doors and garages are clearly legible when viewed from the street.

The building would project back into the allotment at a consistent two storey height. The Development Plan does not impose limitations upon the depth of a building, other than rear setback guidelines.



### Private Open Space

General Section, Residential Development, Principle 19 guides minimum private open space dependant on the site area of each dwelling. In this circumstance, minimum site areas are below 300 square metres and therefore a minimum 24 square metres of private open space should generally be provided.

Ground level private open space should have a minimum dimension of 3 metres. 8 square metres of the private open space may comprise balconies provided they have a minimum dimension of 2 metres.

Each dwelling achieves minimum private open space guidelines as displayed in the table below.

Dwelling	Ground Level Private Open Space (square metres)	Minimum Dimension (metres)	Balcony Private Open Space (square metres)	Balcony Minimum Dimension (metres)	Total Private Open Space (square metres)
1	21.57	3	14	2	35.57
2	17.23	3	10.78	2	28.01
3	17.55	3	10.58	2	28.13
4	17.55	3	10.58	2	28.13
5	17.67	3	10.58	2	28.25

### Site Coverage

Principle 5 within the policy area guides a maximum site coverage of 70 percent. The site coverage is defined by Principle 5 as the area of the site covered by the ground floor level of a building including the dwellings, garage, carport and outbuilding but excluding unroofed balconies, verandahs and pergolas.

The site coverage over the land is therefore 47.4 percent. This is 22.5 percent lower than the allowable site coverage.

### Overshadowing

Development should ensure that north-facing windows to habitable rooms of existing dwellings receive at least 3 hours of direct sunlight over a portion of their surface between 9:00am and 5:00pm on 21 June (winter solstice). In addition development should ensure ground level open space receives direct sunlight for a minimum of 2 hours between 9:00am and 3:00pm on 21 June.

The land is orientated from east to west. Given the proposed total building height (7.5 metres) relative to proposed upper level setback from southern boundary (4 metres), the proposal is unlikely to overshadow 18 Wood Street.

Any overshadowing upon neighbouring properties would be limited to early mornings and late afternoons.

In any circumstance, the proposal would not unreasonably overshadow in the context of the Development Plan.

### Overlooking

Side and rear-facing upper level windows and balconies will comprise obscured glass up to 1.7 metres above finished floor level to prevent overlooking and maximise visual privacy as guided by General Section, Residential Development, Principle 27.

### Car Parking

A residential flat building should provide two car parking spaces per dwelling, one of which is covered, plus an additional 0.25 car parking spaces per dwelling. Based on 5 dwellings, 11 on-site car parking spaces should generally be made available for occupants and visitors for this proposal.

The proposal has 10 on-site car parking spaces which is suitable for the occupants of each dwelling. It is acknowledged that the Development Plan guides that 1 on-site visitor car parking space should be provided.

In support of the 1 space car parking shortfall, it is worthy to note the following:

- The proposal now retains 11.82 metres of the overall frontage as upright kerb. This is the equivalent of 2 on-street car parking spaces.
- Demand for visitor car parking is typically at night time (during the week) and on weekends.
- The land is approximately 200 metres from a bus stop.
- The land is approximately 160 metres from a District Centre Zone which provides a range of commercial land uses nearby and accommodates large public parking areas.
- The land is approximately 140 metres from an Urban Corridor Zone which provides a range of commercial land uses nearby.
- Each dwelling is capable of storing a bicycle to encourage alternate transport methods.

The proposal shortfall of one parking spaces is not considered to be unreasonable in the circumstances.

### Storage

General Section, Residential Development, Principle 31 states:

**A dwelling should incorporate a minimum storage area of 8 cubic metres for goods and chattels, other than food and clothing, within at least one of the following**

- a) A non-habitable room of the dwelling.**
- b) A garage, carport or outbuilding.**
- c) An on-site communal facility.**

Each dwelling would be provided with an outbuilding that provides 8 cubic metres of storage. In addition, storage areas are disbursed through each dwelling and bedrooms would also have built-in/walk-in robes.

Proposed storage areas satisfy minimum Development Plan guidelines.

## Conclusion

Understanding the transitional intent from low to medium density housing, the proposal achieves the desired outcomes of the Zone and Policy Area.

The proposed allotment sizes reasonably support the proposed dwellings which are specifically envisaged by the Policy Area and provide a high quality living environment for their future occupants.

For the following reasons, we feel that the proposal has substantial planning merit and warrants Development Plan Consent:

- Residential flat buildings are a specifically envisaged use in the Zone and Policy Area.
- The proposal achieves a medium density of 55 dwellings per hectare to satisfy the density sought by the Policy Area.
- The proposal would present an average site area of 180.6 square metres per dwelling, 30.6 square metres larger than the average guided by the policy area.
- The subject land has a frontage of 18.29 metres, 3.29 metres larger than the minimum guided by the policy area.
- Each proposed dwelling would have a floor area exceeding 100 square metres and therefore provides a "high quality living environment".
- The proposal achieves minimum front and rear setback guidelines.
- The proposal would not impose undue overshadowing or overlooking onto any dwellings nearby.
- The proposal would have a maximum building height of 7.5 metres, 5 metres lower than the maximum guided by the policy area.
- Each dwelling achieves minimum private open space guidelines.
- Each dwelling exceeds minimum storage guidelines.

In my view, the proposal exhibits sound planning merit and contributes to the achievement of the Zone and Policy Area infill objectives.

For all the above reasons planning consent is merited.

Please do not hesitate to contact the undersigned on 8333 7999 if you wish to discuss this matter further.

Yours sincerely



Phil Harnett  
**Associate**



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

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

DEVELOPMENT No. 211/131/2018  
PROPERTY ADDRESS: 20 Wood Street, KURRALTA PARK SA 5037

YOUR FULL NAME	ZUZANA HULJAK
YOUR ADDRESS	1/23 Daly St Kurralta Park 5037
YOUR PHONE No.	[REDACTED]
YOUR EMAIL	[REDACTED]
NATURE OF INTEREST	property next to us <small>(eg. Adjoining resident, owner of land in the vicinity etc.)</small>

REASON/S FOR REPRESENTATION

City of West Torrens  
23 JUL 2018  
City Development

MY REPRESENTATIONS WOULD BE OVERCOME BY  
(state action sought)

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

I DO NOT WISH TO BE HEARD ☐

I DESIRE TO BE HEARD PERSONALLY - see letter attached ☒

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

SIGNED

DATE 23/07/2018

Responsible Officer: Sonia Gallarelli  
Ends: Monday 23 July 2018

If space insufficient, please attach sheets - NO TWO STORY DWELLINGS !!

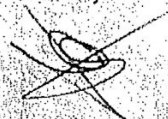
the subject land 20 Wood St Kurralta Park 5037, subject to development

23/07/2018

I live in Unit 1, 23 Daly St Kurralta Park. The two story development to me would mean;

- 1) More backyard noise, so rather than 4-6 people back yard noise, with development of 5 units the noise would increase to 5-15 people. Will I get a rate discount because I will have to put up with more noise??
- 2) When I walk out of my unit, to my left I currently enjoy an unobstructed view of the sky, a two story dwellings will obstruct my view of nature I have enjoyed for the past 10 years. This will also impact on our garden in 23 Daly St, the sun will be abstracted!
- 3) Privacy will be lost! Two stories = looking in my front yard and my back yard! This also means the value of my property reduces!
- 4) Cramping more people on a property where one house use to be means more and more and more traffic in the area/shops/roads.
- 5) Stop cramping more and more people in Kurralta Park! But of course you do not care, it's all about increasing the amount of rate payers in the area.

Zuzana Huljak



1/23 Daly St

Kurralta Park

5037

NO 2 - story dwelling!



City of West Torrens

23 JUL 2018

City Development  
10STATEMENT OF REPRESENTATION  
Pursuant to Section 38 of the Development Act, 1993Chief Executive Officer  
City of West Torrens  
165 Sir Donald Bradman Drive  
HILTON 5033DEVELOPMENT No.  
PROPERTY ADDRESS:21/131/2018  
20 Wood St, Kurratta Pk SA 5037.

YOUR FULL NAME	Steve and Voula Haliabalas
YOUR ADDRESS	21 Wood St, Kurratta Pk
YOUR PHONE No	[REDACTED]
YOUR EMAIL	[REDACTED]
NATURE OF INTEREST	Adjoining Resident <small>(eg. Adjoining resident, owner of land in the vicinity etc.)</small>

REASON/S FOR REPRESENTATION

PLEASE SEE ATTACHED

MY REPRESENTATIONS WOULD BE OVERCOME BY  
(state action sought)A lesser development of the site.  
For example 3 single storey dwellings.

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

I DO NOT WISH TO BE HEARD ☐

I DESIRE TO BE HEARD PERSONALLY ☒

I DESIRE TO BE REPRESENTED BY ☒ (PLEASE SPECIFY)

SIGNED

[Signature]

DATE 23/7/18

Responsible Officer:  
Ends: Friday

If space insufficient, please attach sheets

## Reasons for Representation

This proposed development will result in an over development of the site which is not in accordance with the desired character for the zone as set out in the Development Plan. The bulk and scale of the proposed development is overbearing. There is a lack of open space, insufficient car parking on the site, insufficient storage, and a lack of adequate vegetation. This development will create overshadowing issues, privacy issues, traffic and noise issues, parking issues to name a few.

No neighbourhood characteristic has been taken into consideration (ie lot size and shape, topography, streetscape, architectural style, landscaping, building form, height, location and size of private open space, front setbacks, side and rear setbacks etc)

### OVERSHADOWING

The height of the proposed development will result in overshadowing. The overshadowing that will result from such a development will limit the use of backyards, make solar panels ineffective and will overall impact any vegetation growth obsolete. The loss of light is unacceptable. The overshadowing would be in contradiction of council policy.

### OVERLOOKING & PRIVACY

The proposed development will be overlooking into our home and also that of our surrounding neighbours. The proposed development has in no way been designed to minimise overlooking of our property and that of our surrounding neighbours. This will result in a total invasion of privacy. Our use of our backyard will be further restricted. What is the point of having it if we cannot use it privately. This will have a major impact on the way we use our home and garden.

The council under the Human Rights Act has a responsibility to ensure that we have a right to peaceful enjoyment of all of our possessions which includes our home and gardens.

### OVERDEVELOPMENT

The proposed development is a gross overdevelopment on this site and amounts to serious "cramming" in such an area. The proposed development not only will have an adverse impact on the character of the neighbourhood but also the residential amenity of the neighbours. The maximum site coverage we believe has exceeded the allowable maximum. The amount of hard surface also impacts on the amount of stormwater runoff. The proposed development involves a total loss of garden land to be replaced with "concrete slabs"

### PRIVATE OPEN SPACE

This development has minimal private open space and we believe is totally inadequate for this development. We believe is in contravention of council policy.

### VISUAL BULK

Visually this development is an eyesore taking away from the richness and character of this beautiful street. The development is very unattractive over bearing, out of scale and out of character in comparison with the current existing development of the street. Such high density in this street is very much not suited, The current form, size and character of established homes in Wood Street has not been taken into account This development surrounds single storey developments. All we will be able to see is massive slabs of concrete. This development makes a mockery of the character and richness of the area. It is not the desired character of the zone, it does not fit in with the streetscape and as such a total inappropriate development.

The proposed development will also result in an excessive building bulk adjacent to existing residential properties, resulting in an un-neighbourly and overbearing impact detrimental to the visual outlook and amenities of us and our neighbours. Such a development is of no benefit to any of the current residents of Wood Street.

Such a large bulky building will impact on the outlook of our neighbours and us and will dominate our private open space.

### TRAFFIC

The proposed development currently has insufficient car parking spaces. There is no visitor carpark. The residents will not be able to utilise their garages as getting the vehicles in and out will be virtually impossible. This will render them useless and as a result residents will park in the street creating further congestion and parking issues. This is already evident with a similar development at 23 Wood Street. The street is already congested with surplus cars, adding more cars into the street will just exasperate the current situation. This also equates to another loss of a valuable residential amenity.

The traffic that this proposed development will generate cannot be safely and conveniently accommodated by the existing street networks

### PLANTS AND VEGETATION

Loss of vegetation will significantly impact on neighbourhood character and the landscape and environmental quality of our area. The proposed development does not respect nor reflect the neighbourhood character. The proposed vegetation for this development is minimal at best.

Gone will be the beautiful green trees and plants only to be replaced with concrete.

Increased urbanisation of the natural environment will impact on existing shrubs and mature trees, destroying the environmental quality of the area, and will also pose a risk to properties and adjoining properties due to a reduction in natural drainage, increasing run-off or seepage and potential structural issues,

### HEATING

The bulk and size of this development and as a result the concrete required will equate to that of a sauna with no trees or plants to detract from this.

### SEWERAGE

The current public sewers are inadequate for such a development and no provisions have been made to amend to accommodate the proposed development.

### STORMWATER

There is no mention of infrastructure or stormwater management. There is no provision for an onsite storm water detention system to reduce storm water discharge. Is the council going to upgrade the current stormwater facilities? The amount of hard surface also impacts on the amount of stormwater runoff.

### STORAGE

The proposed storage is inadequate and insufficient for the proposed development.

### AIR & NOISE POLLUTION

The proposed development will potentially see a further 10 or more vehicles in a 900sqm vicinity. Emissions from so many vehicles in such a confined space will result in a significant source of air pollution. This may adversely affect the health and wellbeing of my children and family and also that of our surrounding neighbours.

The proposed development of five double storey townhouses will result in noise pollution. This will also cause environmental harm. Noise generation the likes of this will result in a significant loss of amenity which we believe do not comply with the standards set up by The Environmental Protection Authority in residential areas of acceptable noise levels.

### SECURITY & SAFETY

The proposed development only allows for a single driveway and does not allow for any "back entry". As a result the safety of surrounding homes is greatly compromised especially in the event of a fire or another emergency due to the restricted access.

The proposed development cannot be adequately serviced.

As a result of massive overdevelopment in Kurralta Park theft and break ins have increased dramatically. Our cars have been broken into, property stolen. What is next? The police can verify the increase of reported cases.

The proposed development is inappropriate would demonstrably harm the amenities enjoyed by local residents, in particular safe and available on-road parking, valuable green space, privacy and the right to enjoy a quiet and safe residential environment. The development that is proposed is suitable to city living only.

The council has to maintain its efforts to protect its heritage built form in the face of the state government's planning reforms that are contrary to the Council's agreed development plan

We implore you to NOT ALLOW the proposed development to proceed for the issues outlined above and many others

Ref: 2017-0459

8 August 2018

Ms Sonia Gallarello  
Development Officer – Planning  
City of West Torrens  
165 Sir Donald Bradman Drive  
**HILTON SA 5074**



**URPS**  
Suite 12  
154 Fullarton Road  
ROSE PARK SA 5067

08 8333 7999  
www.urps.com.au  
ABN 55 640 546 010

Dear Sonia

**Response to Representations – 20 Wood Street, Kurralta Park – Development Number 211/131/2018**

Thank you for your email dated 24 July 2018 advising of the category 2 representation received regarding the above project.

Following the request of Zybek Consulting and Management, I provide you with my response to these representations as follows.

**Summary of Representation**

The following representations were received after public notification.

Representor	Address
Zuzana Huljak	1/23 Daly Street, Kurralta Park
Steve and Voula Haliabalas	21 Wood Street, Kurralta Park

A response to the representations is provided in the subheadings below.

**Land Use and Density**

It is acknowledged that the locality currently has a low-density character, however it must also be acknowledged that the policy area seeks a shift to medium density development.

The emerging medium density character will see smaller allotments and varying building forms that are typically very different to traditional detached dwellings.

As per Principle 1 within the policy area, residential flat buildings are a specifically envisaged dwelling type.

As per the Desired Character within the policy area, allotments will be at medium density, accommodating a range of dwelling types including residential flat buildings.

shaping great communities

With respect to the proposal's performance against the relevant density standards:

- The proposal will increase the net density of the site from 11 dwellings per hectare to approximately 55 dwellings per hectare.
- The proposal therefore achieves a medium density (that being between 40 and 67 dwellings per hectare) as guided by Principle 4 within the policy area.

The proposed land use and density are therefore appropriate for the subject locality in accordance with the Development Plan.

In my view the proposal is not an "overdevelopment" of the land because the proposal:

- Provides a medium density development which satisfies the density standards of the policy area.
- Has an adequate road frontage width for this kind of development.
- Features generally spacious setbacks from side and rear boundaries.
- Features articulated facades that avoids the appearance of blank lengthy walls.
- Has a building height which is 5.7 metres (45.6%) below that allowed by the policy area.
- Features site coverage of 46 percent which is 24 percent lower than the 70 percent site coverage maximum.
- Incorporates sufficient levels of private open space for each dwelling.
- The dwellings are interspersed with landscaping that exceeds 10 percent of the development site.

As elaborated further in this response to representations, the overall form of development is acceptable in that it does not manifest into any serious planning impacts upon adjoining land or the streetscape.

#### *Desired Character*

One of the representors states that *"the development is... out of character in comparison with the current existing development of the street"*.

The land is not situated within a historic character or historic conservation area and no heritage listed buildings are situated within the locality. The policy does not seek for retention of the existing building character. Rather, the desired character of the policy area states:

**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.**

In addition, Principle 5 within the Policy Area guides maximum building heights up to three storeys or 12.5 metres.

The policy area clearly seeks a transition from the existing low-density character. Rather than reflecting the existing character, the policy area seeks:

- A highly varied streetscape.
- Buildings up to 3 storeys (and up to 4 storeys in other areas) with a strong presence to streets.



The proposed building is contemporary and different to traditional building forms within Wood Street and the locality. However, this kind of development specifically satisfies the policy area by presenting variation to the streetscape.

The proposed building will be 2 storeys with an approximate total height of 6.8 metres. The proposed height is therefore 5.7 metres, or 45.6%, below the allowable maximum building height prescribed in the policy area.

### *Design and Appearance*

One of the representors has stated *"the development is... out of scale and character in comparison to the current existing development of the street"*.

As previously mentioned, the desired character of the policy area states:

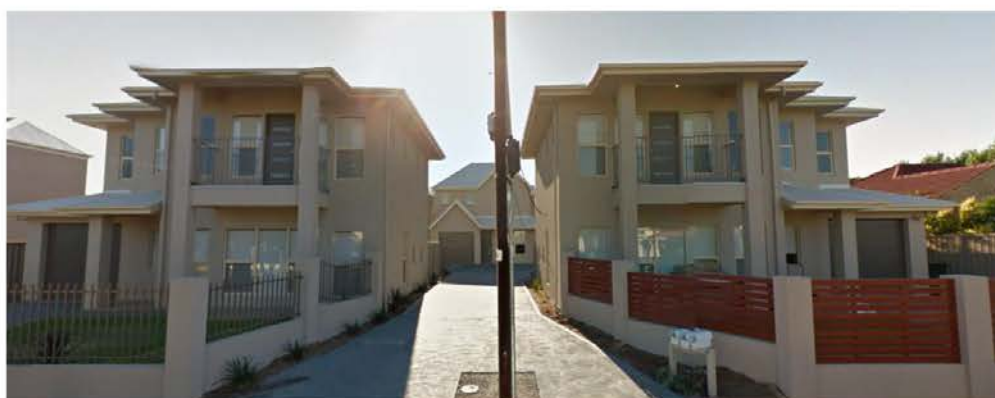
**New buildings will contribute to a highly varied streetscape.**

In addition, the land is not situated within a historic character or historic conservation area and no heritage listed buildings are situated within the locality.

The building will have a contemporary appearance. The building height and mass is 5.7 metres (45.6%) lower than what is possible in the Policy Area.

The architectural style is different to traditional detached dwellings within Warwick Avenue however is not dissimilar to modern residential flat buildings of the current era.

Although not traditional, two storey dwellings are situated nearby as per image 1 below.



**Image 1: 35 Warwick Avenue, Kurralta Park.**

As guided by the Development Plan, each elevation of the proposal will be articulated using a mix of external colours, materials, textures and setbacks that will provide shadowing to each façade. Side facing garage doors will not dominate the streetscape and are proportionate to the building and its articulating features.

The proposal satisfies the Development Plan from a design and appearance perspective and is of a scale that is appropriate and consistent with the types and scale of housing envisaged by the policy area.



### Setbacks

One of the representors has raised concern with setbacks.

Proposed setbacks are shown in the table below.

	Development Plan Parameter (metres)	Dwelling 1 (metres)	Dwelling 2 (metres)	Dwelling 3 (metres)	Dwelling 4 (metres)	Dwelling 5 (metres)
<b>Setback from Primary Road Frontage</b>	3	3	N/A	N/A	N/A	N/A
<b>Setback from Rear Boundary</b>	4	N/A	N/A	N/A	N/A	4.05
<b>Walls up to 3m – Setback from Side Boundaries</b>	1	1 and 6	1 and 6	1 and 6	1 and 6	1 and 6
<b>Walls between 3m and 6m – Setback from Side Boundaries</b>	2	3 and 3.7	3 and 3.7	3 and 3.7	3 and 3.7	3 and 3.7
<b>Satisfies Development Plan?</b>		✓	✓	✓	✓	✓

Front and rear setbacks fully satisfy the Development Plan.

Ground and upper level side wall setbacks satisfy the Development Plan and in fact have a greater setback than that required by the Development Plan.

The balconies will partly protrude from the upper level northern side setback with a total balustrade height that is approximately 4.7 metres above ground level. The edge of each balcony will be setback 1.5 metres from the northern boundary. The balconies will therefore encroach into the Development Plan setback parameter however are staggered with much of the building exceeding Development Plan setback guidelines.

The balconies will not overshadow neighbouring properties or impact upon privacy given the balustrades and planter boxes which extend 1.7 metres above the finished floor level of each balcony. The balconies also articulate the northern elevation providing a mix of materials, finishes and setbacks.

The proposed setbacks are considered to be acceptable and are not detrimental to neighbouring amenity or the streetscape, particularly when considered in the context of the development forms envisaged by the policy area.

### Private Open Space

One of the representors has stated that the development has “*minimal private open space*”.

General Section, Residential Development Principle 19 guides minimum private open space dependant on the site area of each dwelling. In this circumstance, minimum site areas are below 300 square metres and therefore a minimum 24 square metres of private open space should generally be provided. Ground level private open space should have a minimum dimension of 3 metres. 8 square metres of the private open space may comprise a balcony provided the balcony has a minimum dimension of 2 metres.

Proposed Private Open Space is displayed in the table below.

	Dwelling 1	Dwelling 2	Dwelling 3	Dwelling 4	Dwelling 5
<b>Ground Level Private Open Space (square metres)</b>	21.5	17.55	17.55	17.55	17.67
<b>Minimum Dimension – Ground Level Private Open Space (metres)</b>	3	3	3	3	3
<b>Balcony Private Open Space (square metres)</b>	14.38	12.02	12.02	12.02	11.88
<b>Minimum Dimension – Balcony Private Open Space (metres)</b>	2	2	2	2	2
<b>Total Private Open Space Area (square metres)</b>	35.95	29.57	29.57	29.57	29.55
<b>Satisfies Development Plan?</b>	✓	✓	✓	✓	✓

Each dwelling is provided with private open space that satisfies the Development Plan.

### Landscaping

One of the representations has raised concern with the loss of vegetation.

The land does not comprise regulated trees and the locality does not comprise special environmental qualities. The land is largely covered in manicured grass with very few trees.

General Section, Landscaping, Fences and Walls Principle 4 states:

**A minimum of 10 per cent of a development site should be landscaped. The development site refers to the land which incorporates a development and all the features and facilities associated with that development, such as outbuildings, driveways, parking areas, landscaped areas, service yards and fences. Where a number of buildings or dwellings have shared use of such features and facilities, the development site incorporates all such buildings or dwellings and their shared features and facilities.**

Including private open space areas and general landscaping throughout the allotment, the development approximately 17% of the development site for ground level landscaping. This excludes planter boxes elevated on balconies.

In the context of the above Development Plan guideline, the proposal provides sufficient space for landscaping.

#### **Privacy**

Some of the representors have raised concern about the lack of privacy presented by the upper level of the proposal.

General Section, Residential Development, Principle 27 states:

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

All upper level side and rear facing windows and/or balconies will be obscured up to 1.7 metres above the internal finished floor level by using either obscured glass or balustrades and planter boxes. The proposal satisfies Principle 27.

The north facing balcony of dwelling 1 has an approximate balustrade height of 1 metre. This is because the balcony overlooks the front garden of 22 Wood Street which is visible to the public and is not private. The applicant is willing to accept a condition that this balcony be obscured to a height of 1.7 metres should the CAP (Council Assessment Panel) feel it is appropriate.

The proposal satisfies the Development Plan with respect to neighbouring privacy.

#### **Overshadowing**

One of the representors has stated that overshadowing will limit the use of backyards and will make solar panels ineffective.

General Section, Residential Development Principles 10, 11 and 12 state:

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

- (a) windows of habitable rooms, particularly living areas**
- (b) ground-level private open space**
- (c) upper-level private balconies that provide the primary open space area for any dwelling**

- (d) access to solar energy.

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

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

- (a) half of the existing ground-level open space
- (b) 35 square metres of the existing ground-level open space (with at least one of the area's dimensions measuring 2.5 metres).

The subject land and neighbouring allotments travel east to west from Wood Street.

22 Wood Street is situated north of the proposed development and would not be overshadowed by the proposal given the northern path of the sun.

18 Wood Street is situated south of the subject land and would receive some shadowing on June 21 (winter solstice). It is important to note that 18 Wood Street does not have solar panels on their roof.

Shadow diagrams have been prepared and submitted to council that portray the shadow cast as at 21 June (winter solstice) at the following times:

- 9:00am
- 1:00pm
- 3:00pm

The shadow diagrams reveal that some overshadowing will occur on 21 June (winter solstice). For the majority of the year, the sun will be higher in the sky and the development will not overshadow to the same extent.

It must also be acknowledged that:

- The upper level component is setback approximately 3.7 metres from the boundary shared with 18 Wood Street. This exceeds the minimum Development Plan guideline by 1.7 metres, almost 50 percent.
- The development is within a policy area that allows three-storey development up to 12.5 metres. The proposed building will be 2 storeys with an approximate total height of 6.8 metres. The proposed height is therefore 5.7 metres, or 45.6%, below the allowable maximum building height prescribed in the policy area.

Acknowledging the Development Plan and the intent of the policy area, neighbouring properties will receive sufficient sunlight.



### Site Coverage

One of the representors has indicated that they believe the proposal exceeds maximum site coverage.

Principle 5 of the Policy Area guides a maximum site coverage of 70 percent. Principle 5 defines site coverage as *“the area of a site covered by the ground floor level of a building, including the dwelling, garage, carport and outbuilding, but excluding unroofed balconies, verandas and pergolas”*.

The relevant floor areas of each dwelling are shown in the table below.

	Dwelling 1	Dwelling 2	Dwelling 3	Dwelling 4	Dwelling 5
<b>Ground Floor Living (square metres)</b>	49.14	42.69	42.6	42.6	42.8
<b>Garage (square metres)</b>	37.2	37.2	37.2	37.2	37.2
<b>Storage (square metres)</b>	2.1	2.1	2.1	2.1	2.1
<b>Total (square metres)</b>	88.4	81.9	81.9	81.9	82.1

The ground floor area of each dwelling is not large and is reasonable in providing a high quality living environment for future occupants.

The entire building and the associated storage spaces present a total site coverage of 46 percent. This is 24 percent less than the 70 percent maximum site coverage allowed by Principle 5.

The proposed site coverage is completely appropriate in the context of the policy area.

### Car Parking

One of the representors has stated that the development has insufficient car parking.

The proposal has 10 on-site car parking spaces which is suitable for the occupants of each dwelling. It is acknowledged that the Development Plan guides that 1 on-site visitor car parking space should be provided.

The proposal has been designed to maximise available on-street car parking by retaining approximately 11.8 metres of upright kerb in front of dwelling 1.

In support of the 1 space car parking shortfall, it is worthy to note the following:

- The proposal retains 11.8 metres of the overall frontage as upright kerb. This is the equivalent of 2 on-street car parking spaces directly in front of the subject land.
- Demand for visitor car parking is typically at night time (during the week) and on weekends.
- The land is approximately 150 metres from a bus stop and therefore public transport usage is viable.
- The land is approximately 160 metres from a District Centre Zone that accommodates a variety of established shops and encourages walking.

- The land is approximately 140 metres from an Urban Corridor Zone.
- Each dwelling is capable of storing a bicycle.

For these reasons, proposed on-site car parking is sufficient.

#### **Noise and Air Pollution**

One of the representors has stated *"emissions from so many vehicles in such a confined space will result in a significant source of air pollution"*.

General Section, Interface between Land Uses, Principle 1 states:

**Development should not detrimentally affect the amenity of the locality or cause unreasonable interference through any of the following:**

- (a) the emission of effluent, odour, smoke, fumes, dust or other airborne pollutants**
- (b) noise**
- (c) vibration**
- (d) electrical interference**
- (e) light spill**
- (f) glare**
- (g) hours of operation**
- (h) traffic impacts.**

The proposed land use is strictly residential and at a density that is envisaged by the zone and policy area. As such, any noise, odour, smoke, fumes or air pollution will be likened to general domestic uses at the density anticipated by the Development Plan.

Any vehicles accessing the property will be domestic in nature. The driveway will be formed with concrete or paving to ensure a safe and durable surface that is largely free from mud and dust. A fence of a typical height will distinguish the allotment boundaries, separate the land from neighbouring properties and assist in containing vehicle lights and glare. Vehicle movement using the driveway will be very slow.

Any fixed lighting will be directed to prevent light spill.

The land use will not generate vibration or electrical interference.

There is no evidence to suggest that the proposal will present unreasonable emissions or noise levels.

#### **Sewerage**

One of the representors has stated *"the current public sewers are inadequate for such a development"*.

A land division application that reflects the proposal has been lodged with the City of West Torrens. The South Australian Water Corporation is a referral body as part of the land division's assessment. Council has

not received advice from the South Australian Water Corporation that suggests existing sewer services are unsuitable for 5 additional allotments as proposed.

The proposed development will be appropriately serviced in accordance with the Development Plan.

#### **Stormwater Management**

One of the representors has stated *"There is not mention of infrastructure or stormwater management"*.

This must have been missed by the representor. A Civil and Drainage Plan prepared by KP Squared Engineering was submitted to the council.

To address engineering comments received via email dated 27 July 2018, we now attach an amended Civil and Drainage Plan prepared by KP Squared Engineering (revision B dated 01.08.18).

#### **Storage**

One of the representors has stated *"the proposed storage is inadequate and insufficient for the proposed development"*.

General section, residential development, Principle 31 states:

**A dwelling should incorporate a minimum storage area of 8 cubic metres for goods... within... a non-habitable room of the dwelling, a garage, carport or outbuilding.**

Each dwelling would be provided with a detached storage area (5.25m<sup>3</sup>) at the western end of the development as well as a storage area within each garage (3.2m<sup>3</sup>). Together, these areas comprise 8.45 cubic metres of storage space for each dwelling. In addition, bedrooms would have built-in/walk-in robes.

The proposal satisfies the Development Plan with regard to storage.

#### **Conclusion**

I trust I have addressed, in sufficient detail, the concerns raised by the representors. I confirm that I will be available to appear at the CAP (Council Assessment Panel) meeting to respond to the verbal representations.

In the meantime, we look forward to your support acknowledging that this application has sufficient planning merit in order to warrant Development Plan Consent.

If you have any questions in respect of this matter, please feel free to call me on 8333 7999.

Yours sincerely



Philip Harnett  
**Associate**



Contact Planning Services  
Telephone 7109 7016  
Email [dldtipdclearanceletters@sa.gov.au](mailto:dldtipdclearanceletters@sa.gov.au)



23 March 2018

The Chief Executive Officer  
City of West Torrens

Dear Sir/Madam

**Re: Proposed Application No. 211/C027/18 (ID 61027)**  
**for Land Division by Wood Street Development**

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 08 March 2018, I advise that the State Commission Assessment Panel (SCAP) 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 State Commission Assessment Panel 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).

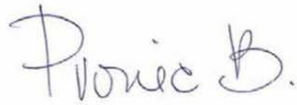
1. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.  
For SA Water to assess this application, the developer must advise SA Water the preferred servicing option. Information can be found at: <http://www.sawater.com.au/developers-and-builders/building,-developing-and-renovating-your-property/subdividing/community-title-development-factsheets-and-information> For queries call SAW Land Developments on 74241119. An investigation will be carried out to determine if connections to the development will be standard or nonstandard.  
The developer must inform potential purchasers of the community lots of the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to the owner/applicant.
2. Payment of \$27320 into the Planning and Development Fund (4 allotment(s) @ \$6830/allotment).  
Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (7109 7018), by cheque payable to the Department of Planning, Transport and Infrastructure and marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 50 Flinders Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel 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.**

Yours faithfully



A handwritten signature in blue ink, appearing to read "Prokic B." with a stylized flourish at the end.

Biljana Prokic  
**Land Division Coordinator - Planning Services**  
as delegate of  
**STATE COMMISSION ASSESSMENT PANEL**



23 March 2018

Our Ref: H0070128

The Chairman  
State Commission Assessment Panel  
50 Flinders St  
ADELAIDE SA 5000

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

Dear Sir/Madam

**PROPOSED LAND DIVISION APPLICATION NO: 211/C027/18 AT KURRALTA PARK**

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

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

For SA Water to assess this application, the developer must advise SA Water the preferred servicing option. Information can be found at: <http://www.sawater.com.au/developers-and-builders/building,-developing-and-renovating-your-property/subdividing/community-title-development-factsheets-and-information> For queries call SAW Land Developments on 74241119. An investigation will be carried out to determine if connections to the development will be standard or nonstandard.

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

Yours faithfully

JOSIE BONNET  
**for MANAGER LAND DEVELOPMENT & CONNECTIONS**

## Preliminary Traffic, Flooding & Stormwater Assessment

**Development Application No: 211/131/2018**

**Assessing Officer:** Sonia Gallarello  
**Site Address:** 20 Wood Street, KURRALTA PARK SA 5037  
**Certificate of Title:** CT-5488/684  
**Description of Development** Demolish existing dwelling and associated structures, and construct a two-storey residential flat building comprising five (5) dwellings, rear verandahs and landscaping and retaining wall and fencing along the boundary (maximum combined height of 2.7 metres)

### TO THE TECHNICAL OFFICER - CITY ASSETS

Please provide your comments in relation to:

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

.....  
.....

**PLANNING OFFICER - Sonia Gallarello**

**DATE 25 July, 2018**



## Memo

To Sonia Gallarello  
From Ming Siow  
Date 25/07/2018  
Subject 211/131/2018, 20 Wood Street, KURRALTA PARK SA 5037

Sonia Gallarello,

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

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

- 1.1 In accordance with the 'Civil & Drainage Plan' (KP Squared - Project No. 180515 - Drawing No. C2 0 Issue A), the FFLs of the proposed development (100.30 minimum) have been assessed as satisfying minimum requirements (100.30 minimum) in consideration of street and/or flood level information.

### **2.0 Verge Interaction (with street tree)**

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

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

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

- 2.2 The proposed stormwater connection location does not satisfy the above requirements.

**Revised plans satisfying the requirements should be provided to Council.**





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

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

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

### 3.0 Stormwater Management

*NOTE: While calculations have been provided, the detention 'target' used does not comply with the below comments. The applicant should consider the below 'alternate solution' as an option.*

- 3.1 For this scale and nature of proposed development, Council's City Assets Department would consider acceptable an alternate approach to the provision of conventional stormwater detention calculations and implementation.

This alternate solution would provide improved sustainable supply to water to the ultimate homeowner and at the same time, collect and use the majority of the roof stormwater generated by the properties. In this alternate stormwater management proposal, the following arrangements should be notated for each dwelling within the development.

- Installation of a 3,000 litre rainwater tank (no detention element).
- Rainwater tank plumbed to deliver recycled water all toilets and laundry cold water outlet. (Can also be connected to Hot Water Service if desired).
- A minimum of 90% of the dwelling roof area is to have its stormwater runoff directed to the rainwater tank.
- Mains water backup, pump and plumbing arrangements as typically required to support such an installation are to be compliant with the standard Building Code requirements associated with a compulsory rainwater tank installation.
- The stormwater collection and re-use system is to be installed and operational prior to occupancy of the dwelling.

In association with a development where the applicant has nominated this approach, it is recommended that a condition similar to the following be included with any approval;



- Prior to occupancy of a dwelling, the 3000 litre stormwater collection & reuse tank and associated plumbing to service all toilets and laundry is to be installed and operational.

Should the applicant not desire to utilise the above alternate arrangement for stormwater management, then the applicant would be requested to demonstrate through satisfactory calculations and design for conventional stormwater detention. These works to limit the peak discharge rate for the site critical 20 year ARI storm event to equivalent to a predevelopment arrangement with a 0.25 runoff coefficient.

**It is recommended that revised plans and supporting calculations (if necessary) clearly and accurately indicating satisfaction of the above criteria be provided to Council.**

Regards

**Ming Siow**

## 6.2 26 Kingston Avenue, RICHMOND

Application No 211/466/2018 & 211/1553/2016

Appearing before the Panel will be:

Representors: **Mr Anton Gustinic** of 5/26 Holder Avenue, Richmond wishes to appear in support of the representation.

**Ms Carol Marie Noble** of 28 Holder Avenue, Richmond wishes to appear in support of the representation.

Applicant **Kim Lao** of 90 Brooker Terrace, Richmond wishes to appear to respond to the representations.

### DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Combined application: Land division - Torrens Title; SCAP No. 211/D048/18; Creating one additional allotment and the construction of a two storey detached dwelling	Combined Application: Land division - Community Title; DAC No. 211/C217/16, Creating two additional allotments and common property; and the construction of a two storey residential flat building containing two dwellings
APPLICANT	Mr Kim Lao	Mr Kim Lao
APPLICATION NO	211/466/2018	211/1553/2016
LODGEMENT DATE	11/5/2018	20/12/2016
ZONE	Residential Zone	
POLICY AREA	Medium Density Policy Area 19	
APPLICATION TYPE	Merit	Merit
PUBLIC NOTIFICATION	Category 1	Category 2
REFERRALS	Internal <ul style="list-style-type: none"> <li>City Assets</li> <li>Amenity Officer</li> </ul> External <ul style="list-style-type: none"> <li>SCAP</li> <li>SA Water</li> </ul>	Internal <ul style="list-style-type: none"> <li>City Assets</li> <li>Amenity Officer</li> </ul> External <ul style="list-style-type: none"> <li>SCAP</li> <li>SA Water</li> </ul>
DEVELOPMENT PLAN VERSION	2 February 2018	5 November 2015

### BACKGROUND

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

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

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

## PREVIOUS RELATED APPLICATIONS

- 211/307/2017 Construct a two storey dwelling with double carport and verandah under main roof to rear of existing dwelling (withdrawn).
- 211/412/2017 Land division - Community Title; DAC No. 211/C050/17; Create one (1) additional allotment (refused).

The current applications are the result of negotiations held during the appeal of the previously refused land division application 211/412/2017. This application sought retention of the existing dwelling whilst developing the remainder of the allotment. This imposed considerable constraints on the proposed allotments and ultimately could not be supported by Council.

## SITE AND LOCALITY

The subject site is regular in shape and located on the southern side of Kingston Avenue. With a frontage of 18.3 metres (m), a depth of 45.7m, the overall site area is 836.2 square metres (m<sup>2</sup>).

The site currently contains a single storey detached dwelling, carport and verandah. All of these structures will need to be removed in order to facilitate the proposed development.

Vehicular access to the property is currently obtained via a crossover located at the north eastern corner of the allotment. There is a street tree and street sign located in front of the subject site, east of the existing crossover.

The site is informally but well vegetated with numerous trees, shrubs and vines growing in the front and rear yards of the property. The site and neighbouring allotment do not contain any Regulated or Significant trees.

The existing fencing varies in height from between 1.3m to 1.8m above ground level. The 1.8m high fencing is located on the common boundary between 26 and 28 Kingston Avenue. The 1.5m high fence is located on the common boundary between 26 and 24 Kingston Avenue/ 24 Holder Avenue. The 1.3m high fence is along the rear southern boundary.

The locality is predominantly residential in nature comprised of detached dwellings, semi-detached dwellings and residential flat buildings. The variety of housing has impacted on the streetscape by way of a variety of frontage widths and dwellings setbacks across the locality. The older single storey dwelling stock is being gradually replaced with higher density infill development.

The Industry Zone is located east and south of the subject site.

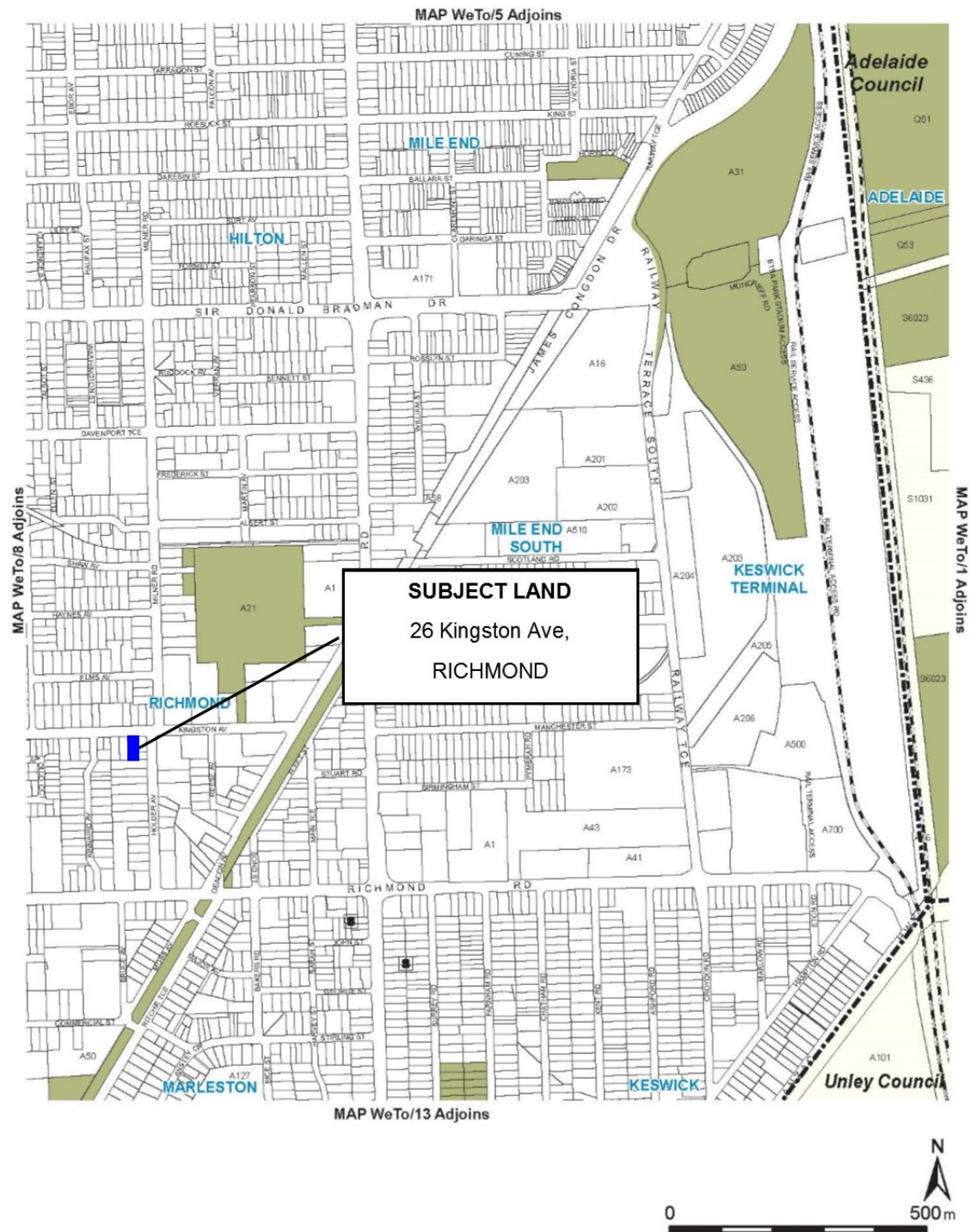
The site and locality are located within a flood prone area, with an expected flood depth of 0.5m during a 1 in 10 ARI storm event.

The site and locality is shown on the following aerial image and locality plan.









## Location Map WeTo/9

- School
- Railways
- Local Reserves
- Development Plan Boundary

WEST TORRENS COUNCIL  
Consolidated - 6 February 2018

## PROPOSAL

### 211/466/2018

This application seeks to divide the current allotment into two Torrens titled allotments and then construct a detached dwelling on the front allotment (Lot 801). This allotment will have a frontage of 11.5m, a depth of 23.2m and an overall area of 320m<sup>2</sup>.

The rear allotment (Lot 802) is to be left as a development lot which will be further divided as part of the second application.

The proposed dwelling is a five bedroom, two storey detached dwelling. It has a double garage, open plan living, dining and kitchen area and alfresco. The dwelling will be clad in red face brick with a grey Colorbond sheet metal roof.

The dwelling is of a contemporary design exhibiting a pitched roof without eaves, and face brick walls. A new crossover will be required at the eastern side of the site. The driveway will narrow from the double garage to the crossover in order to provide a setback from the existing street tree.

A basic landscaping plan has been provided that shows the front garden will be treated with a lawned area, tree and a path bordered with small plants.

### 211/1553/2016

This application seeks to divide the development lot created by the previous application, into two community titled lots along with common property serving as a driveway access.

The proposed community lots, Lot 902 and Lot 903, will have areas of 157m<sup>2</sup> and 158m<sup>2</sup> respectively.

Each of these allotments will accommodate one of the two dwellings comprising the two storey residential flat building. These dwellings are a mirror image of one another and will contain three bedrooms, an open plan living, dining and kitchen area and double garage.

A basic landscaping plan has been provided showing that the garden beds along the driveway will be planted with Dianella revolute, ice berg roses in front of the residential flat building and Enchylaena tomentose in a small garden bed on the western boundary.

A full copy of the relevant plans and documentation for both applications is contained in **Attachments 1 and 2.**

## PUBLIC NOTIFICATION

The residential flat building application is a Category 2 form of development pursuant to Schedule 9 of the Development Regulations.

<b>Properties notified:</b>	32 properties were notified during the public notification process.
<b>Representations:</b>	Two representations were received.
<b>Persons wishing to be heard:</b>	Two representors identified that they wish to address the Panel. <ul style="list-style-type: none"> <li>• Mr Anton Gustinic; and</li> <li>• Ms Carol Marie Noble.</li> </ul>

<b>Summary of Representations:</b>	<p>Concerns were raised regarding the following matters:</p> <ul style="list-style-type: none"> <li>• Overlooking (from a number of vantage points) and associated privacy issues;</li> <li>• Two storey not aesthetically appealing; and</li> <li>• Fence height should be extended to 2.5m in height.</li> </ul>
<b>Applicant's response</b>	<ul style="list-style-type: none"> <li>• Overlooking from the upper level windows has been controlled with fixed obscured glazing of the windows to 1.7m above floor level;</li> <li>• Two storey development is supported in the zone and policy area and many examples can be found in the locality;</li> <li>• Prepared to extend the fence height to above eye level to prevent overlooking if necessary, but a 2.5m height fence is too high;</li> <li>• The fence will remain as is unless the survey discovers that it has not been built on the boundary.</li> </ul>

A copy of the representations and the applicant's response is contained in **Attachment 3**.

## REFERRALS

### Internal

#### City Assets

Concerns were raised regarding the following matters;

- Crossover width;
- Vehicle movements at the rear of the site;
- Stormwater disposal; and
- Finished floor level being above anticipated flood level.

All of these concerns have been resolved by the provision of amended plans.

#### Amenity Officer

- The Amenity Officer supports the proposal subject to the crossover for Lot 801 being a minimum 1.5m from the street tree. This has been added as a condition to the Staff Recommendation.

A full copy of the relevant reports for both applications is contained in **Attachment 4**.

### External

#### SCAP

SCAP did not raise any concerns and has imposed its standard suite of conditions.

#### SA Water

SA Water did not raise any concerns and has imposed its standard suite of conditions.

A full copy of the relevant reports is contained in **Attachment 5**.



## ASSESSMENT

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

<u>General Section</u>		
Design and Appearance	Objectives	1 & 2
	Principles of Development Control	1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, & 20
Energy Efficiency	Objectives	1 & 2
	Principles of Development Control	1, 2 & 3
Hazards	Objective	4
	Principles of Development Control	1, 2, 3, 4, 5, 6 & 7
Land Division	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 2, 4, 5, 6, 7, 8 & 12
Landscaping, Fences and Walls	Objectives	1 & 2
	Principles of Development Control	1, 2, 3, 4 & 6
Orderly and Sustainable Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1, 3, 5, 6 & 7
Residential Development	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30 & 31
Transportation and Access	Objective	2
	Principles of Development Control	1, 2, 8, 10, 11, 14, 23, 24, 30, 32, 34, 35, 36, 40, 41, & 44
Waste	Objective	1
	Principles of Development Control	1, 2, 3, 4, 5, 6 & 7

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

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

## RELEVANT DEVELOPMENT PLAN PROVISIONS

Both applications are assessed for consistency with the prescriptive requirements of the Development Plan as outlined in the table below:

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
<b>SITE AREA</b> <i>Medium Density Policy Area 1</i> <i>PDC 5 (within 400m of centre)</i>	250m <sup>2</sup> (minimum for detached dwelling)  150m <sup>2</sup> (average for residential flat building)	320m <sup>2</sup> (Lot 801)  157m <sup>2</sup> (Lot 902) 158m <sup>2</sup> (Lot 903)  <b>Satisfies</b>
<b>SITE FRONTAGE</b> <i>Medium Density Policy Area 19</i> <i>PDC 5 (within 400m of centre)</i>	9m (minimum for detached dwelling)  15m (minimum for residential flat building)	11.5m (Lot 801) <b>Satisfies</b>  5.5m (Lots 902 & 903)  <b>Does Not Satisfy</b>
<b>SITE COVERAGE</b> <i>Medium Density Policy Area 19</i> <i>PDC 3</i>	60% (maximum)	46% (Lot 801) 64% (Lot 902) 64% (Lot 903)  42% (total for all structures)  <b>Satisfies</b>

PRIMARY STREET SETBACK <i>Medium Density Policy Area 19</i> PDC 3	3m (minimum)	3m (Lot 801)  <b>Satisfies</b>
REAR SETBACKS <i>Medium Density Policy Area 19</i> PDC 3	6m (minimum)	3m (Lot 801) 4.2m (Lot 902) 4.2m (Lot 903)  <b>Does Not Satisfy</b>
SIDE SETBACKS <i>Residential Zone</i> PDC 11	<u>Ground floor</u> 1m (minimum) (0m for maximum of 8m)  <u>Upper floor</u> 2m (minimum)	<u>Ground floor</u> 0m for 6.4m (Lot 801) 1m (Lot 902) 1m (Lot 903)  <u>Upper floor</u> 2m (Lot 801) 2m (Lot 902) 2m (Lot 903)  <b>Satisfies</b>
BUILDING HEIGHT <i>Medium Density Policy Area 19</i> PDC 3	2 storeys or 8.5m (maximum)	2 storeys (Lot 801) 2 storeys (Lot 902) 2 storeys (Lot 903)  <b>Satisfies</b>
INTERNAL FLOOR AREA <i>Residential Development</i> PDC 9	100m <sup>2</sup> (minimum)	237m <sup>2</sup> (Lot 801) 140m <sup>2</sup> (Lot 902) 140m <sup>2</sup> (Lot 903)  <b>Satisfies</b>
PRIVATE OPEN SPACE <i>Residential Development</i> PDC 19	<u>Lots &lt;300m<sup>2</sup></u>  24m <sup>2</sup> (minimum) 3m (minimum dimension) 16m <sup>2</sup> (minimum directly accessible from a habitable room)  <u>Lots 300-500m<sup>2</sup></u>  60m <sup>2</sup> (minimum) 4m (minimum dimension) 16m <sup>2</sup> (minimum directly accessible from a habitable room)	<u>Lots 902 &amp; 903</u>  30m <sup>2</sup> (total) 4.2m (minimum dimension) 30m <sup>2</sup> (accessed from habitable room)  <u>Lot 801</u>  70m <sup>2</sup> (total) 4m (minimum dimension) 60m <sup>2</sup> (accessed from habitable room)  <b>Satisfies</b>

LANDSCAPING <i>Landscaping, Fences and Walls</i> PDC 4	10%	14%  <b>Satisfies</b>
STORAGE <i>Residential Development</i> PDC 31	8m <sup>3</sup> (min.)	11m <sup>3</sup> (all lots)  <b>Satisfies</b>
CAR PARKING SPACES <i>Table WeTo/2</i>	6 spaces (3 covered) + 1 visitor park	8 covered spaces 2 visitor spaces  <b>Satisfies</b>

## ASSESSMENT

In assessing the merits or otherwise of the application, the proposed development is discussed under the following sub headings:

### Site Area and Frontage

There is a variety of allotment shapes and sizes within the locality as a result of infill development that has responded to rezoning facilitating higher densities. The allotment character of the locality is mainly derived from large rectangular shaped allotments with direct frontage to a public road. However there are increasing numbers of residential flat buildings across the locality that essentially meet the Desired Character of Medium Density Policy Area 19 seeking greater densification.

The proposed development will create three allotments where there was previously one. This results in a dwelling density of 35 dwellings per hectare which is consistent with the definition of 'medium density development' cited in both the Planning Strategy (the 30-Year Plan update) and the State Government's "Understanding Residential Densities Handbook".

The applications have been separated in order to create a Torrens titled allotment for the detached dwelling at the front of the subject land. This division results in a development lot, in the shape of a battle-axe, which fails to meet the minimum frontage width of 9m sought by PDC 7 of Medium Density Policy Area 19. This is not considered fatal to the application as battle-axe allotments are contemplated in the policy area.

The Community Title division seeks to create two residential allotments and common property. The residential allotments will have areas of 157m<sup>2</sup> and 158m<sup>2</sup>. Neither of these allotments will have a frontage to a public street. Each allotment will contain one of the dwellings that together comprise the residential flat building. PDC 5 of Medium Density Policy Area 19 calls for a minimum frontage width of 15m for residential flat buildings. This has not been achieved as the allotments do not have a direct frontage to a public road. Accordingly, PDC 5 is technically not applicable in this instance.

### Setbacks

The front and side boundary setbacks of the proposed dwellings achieve the respective zone and policy area setback requirements. However none of the proposed dwellings meet the rear setback requirement of 6m sought by PDC 3 of Medium Density Policy Area 19, which applies to both the ground floor and upper levels.



At its closest point (the ground floor alfresco) the proposed detached dwelling will be setback 3m from the rear boundary. The closest ground floor wall to the rear boundary is that of Bedroom 5, which is to be setback 3.9m from this boundary. The upper level of the detached dwelling will be setback 6.3m from the rear boundary.

The dwellings in the proposed residential flat building are a mirror image of one another and have consistent setbacks. The rear ground floor wall of both dwellings will be setback 4.2m from the rear boundary. The upper level of both dwellings will be setback 6m from the rear boundary, meeting the policy area requirement.

The deficiency in rear setbacks of the proposed dwellings is not considered fatal to the application for the followings reasons:

- The staggered built form provides some articulation and helps to break up the bulk and scale of the buildings;
- Impacts such as overshadowing are not generated by the ground floor of these dwellings;
- A 6m rear setback is considered onerous as it is the largest setback requirement of any of the residential policy areas, despite this policy area allowing some of the smallest allotment sizes in the City;
- There is sufficient private open space (POS) provided for each dwelling;
- There is sufficient separation between the proposed dwellings and neighbouring properties; and
- There are numerous other examples of dwellings in the locality that do not achieve a 6m rear setback.

### **Bulk and Scale**

PDC 3 of Medium Density Policy Area 19 states that dwellings should not exceed 2 storeys or 8.5m in height. The Desired Character of the policy area similarly supports two storey development. Each of the proposed dwellings is two storey with a maximum building height of 7.2m thereby meeting the above provisions. Accordingly, the representors' concern that two storey buildings should not be built in this location is unrealistic and at odds with the Development Plan.

While it is acknowledged that the proposed buildings are large and bulky in appearance, there has been some attempt to introduce articulation between the ground and upper floors of each dwelling via the use of contrasting colours and placement of windows.

The residential flat building includes two open single-width carports positioned side by side on the ground floor. These open recesses help reduce the visual mass of the building on the northern (front) and southern (rear) facades. The northern façade is well articulated with the carport entrance, front door and front wall all setback at varying distances. The placement of the upper level of the northern façade also provides shade and depth to the ground floor below. The southern façade has been articulated by having the first floor setback 1.8m further than the ground floor. Since the more visually prominent upper level of these dwellings is setback a minimum of 6m from the rear boundary, it is considered that they will not cause undue bulk and scale impacts upon adjoining properties.

The detached dwelling is also articulated by having the first floor set further back from the boundaries than the ground floor. It is acknowledged that the western elevation - a straight wall with three windows - lacks detail and visual interest. However this is not considered fatal to the application as there will also be a fence and landscaping between the wall and the common driveway. The dwelling west of the subject land will not be significantly impacted by this elevation as it currently has a 17m long carport built along the boundary. This, together with the proposed 4.9m setback from this boundary, helps mitigate the impact.

## Design and Appearance

The proposed dwellings exhibit consistency, without being too repetitious, through a palette of colours and materials. The detached dwelling will be finished in red face brick on both ground and upper levels, whereas the residential flat building will be face brick on the ground floor and rendered on the upper level. This mix of colour and materials adds visual interest and helps to reduce the bulk and scale of the proposed development. Further, these materials complement other built form in the locality and do not require regular maintenance to keep them looking respectable (unlike timber and painted surfaces).

As previously mentioned, the design of the dwellings is contemporary, exhibiting a built form that is increasingly common across the Council's medium density policy areas. This includes a Colorbond roof at a 25° pitch, aluminium frame windows, face brick and rendered surfaces with little detailing.

Objective 1 of the Design and Appearance module calls for development to be of a high design standard that responds to and reinforces the positive aspects of the local environment and built form. As there is such a variety of built form in the locality, it is considered that the proposed development satisfies this Objective as it incorporates (and is sympathetic to) basic elements prominent in the locality, such as pitched roofs, face brick, habitable windows addressing the street and landscaped front gardens.

## Overlooking

Both representors raised concerns with the potential for overlooking into their property. The representor living at 28 Holder Avenue (a two storey dwelling) is concerned about overlooking from both the ground floor and upper level. It is noted that in this location, the existing fence is 1.5m in height. Due to the subject land being located in a flood prone area, the finished floor levels will be 420mm higher than the existing ground level. The applicant has acknowledged that there may be some overlooking as a result and has stated that he is prepared to raise the fence to above eye level if required.

There are three windows on the ground floor eastern elevation of the residential flat building, two of which are to be obscured as they are in the bathroom and toilet. The third window is unobscured and in the kitchen. This window is 1m wide and 1.2m high and located above the kitchen sink. It is this kitchen window that the representor is concerned about as it faces the laundry door and private open space of 28 Holder Avenue. As the laundry is not a habitable room, it is not afforded any protection by Development Plan policy. However, PDC 10 of the Design and Appearance module states that development should minimise direct overlooking of habitable rooms and POS.

The applicant has acknowledged the possibility of overlooking and has agreed to raise the fence above eye level. The 2.5m fence height suggested by the representor is considered to be excessive given that such a fence would overshadow the representor's POS in the afternoon. As overlooking from the kitchen window can be easily resolved by extending the fence height, a reserved matter requesting plans and details of a higher fence has been added to the staff recommendation.

It is considered that the concerns relating to the potential overlooking from the first floor windows have been overcome by the installation of fixed obscured glazing to 1.7m above the floor level.

## Landscape Assessment

PDC 4 of the Landscaping, Fences and Walls module seeks a minimum of 10% of the site devoted to landscaping. The plans submitted include basic landscaping details that demonstrate that 14% of the overall site will be landscaped with:

- Dianella revolutas, Iceberg roses and Enchylaena Tomentosas to be planted along the common driveway; and
- Lawn, a tree and small shrubs to be planted in the front yard of the detached dwelling.

It is considered that there is sufficient space to plant additional vegetation to offset the extent of hard paved surfaces, however the plans do not provide sufficient detail to facilitate this. Should the CAP be minded to support the proposal, a reserved matter has been added to the staff recommendation requiring a detailed landscaping plan to be provided and assessed.

## SUMMARY

The proposed development is considered to be a reasonable and envisaged development within the zone and policy area which meets most of the relevant policy provisions. The deficiencies in rear setbacks and allotment frontages are considered minor and not significant enough to warrant a refusal.

While there are some concerns relating to bulk and scale, landscaping and overlooking, these are not considered fatal to the proposal with the landscaping and overlooking issues easily resolved by way of additional detail and information. Administration have discussed the reserved matters with the applicant who is generally supportive of them.

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

On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 5 November 2016 and 2 February 2018 and warrants Development Plan Consent and Land Division Consent.

## RECOMMENDATION 1

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent and Land Division Consent for Application No. 211/466/2018 by Mr Kim Lao to undertake a combined application: Land division - Torrens Title; SCAP No. 211/D048/18; Creating one additional allotment and the construction of a two storey detached dwelling at 26 Kingston Avenue, Richmond (CT 5558/607) subject to the following conditions of consent and reserved matter:

### Reserved Matter

1. A detailed landscaping plan, to the satisfaction of Council, shall be submitted prior to the issue of Development Approval.

### Development Plan Consent Conditions

1. Development is to take place in accordance with the plans prepared by State Surveys and Kim Heng Lao relating to Development Application No. 211/466/2018 (SCAP 211/D048/18).

2. All stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and, for this purpose, stormwater drainage shall not at any time:-
  - a) Result in the entry of water into a building; or
  - b) Affect the stability of a building; or
  - c) Create unhealthy or dangerous conditions on the site or within the building; or
  - d) Flow or discharge onto the land of an adjoining owner; or
  - e) Flow across footpaths or public ways.
3. All driveways, parking and manoeuvring areas shall be formed (surfaced with concrete, bitumen or paving) and properly drained, and shall be maintained in a reasonable condition at all times.
4. 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.
5. The proposed crossover for Lot 801 shall be setback a minimum of 1.5m from the street tree.
6. That the upper level windows of the dwelling facing south, east and west, shall be provided with fixed obscure glass to a minimum height of 1.7 metres above the upper floor level to minimise the potential for overlooking of adjoining properties, prior to occupation of the building. The glazing in these windows shall be maintained in a reasonable condition at all times.

### **Land Division Consent Conditions**

#### **Council Requirements**

Nil

#### **SCAP Requirements**

7. 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.

8. 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.
9. Payment of \$6830 into the Planning and Development Fund (1 allotment(s) @ \$6830/allotment). Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (7109 7018), by cheque payable to the Department of Planning, Transport and Infrastructure and marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001, or in person at Level 5, 50 Flinders Street, Adelaide.
10. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel for Land Division Certificate purposes.



## RECOMMENDATION 2

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent and Land Division Consent for Application No. 211/1553/2016 by Mr Kim Lao to undertake a combined application: Land division - Community Title; DAC No. 211/C217/16; Creating two additional allotments and common property; and the construction of a two storey residential flat building containing two dwellings at 26 Kingston Avenue, Richmond (CT 5558/607) subject to the following conditions of consent and reserved matter:

### Reserved Matters

1. A detailed landscaping plan, to the satisfaction of Council, shall be submitted prior to the issue of Development Approval.
2. A site plan and elevation plan of the new fence shall be provided to Council prior to the issue of Development Approval.

### Development Plan Consent Conditions

1. Development is to take place in accordance with the plans prepared by State Surveys and Kim Heng Lao relating to Development Application No. 211/1553/2018 (DAC 211/C217/16).
2. That all stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and, for this purpose, stormwater drainage shall not at any time:-
  - a) Result in the entry of water into a building; or
  - b) Affect the stability of a building; or
  - c) Create unhealthy or dangerous conditions on the site or within the building; or
  - d) Flow or discharge onto the land of an adjoining owner; or
  - e) Flow across footpaths or public ways.
3. That all driveways, parking and manoeuvring areas shall be formed (surfaced with concrete, bitumen or paving) and properly drained, and shall be maintained in a reasonable condition at all times.
4. That all 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.
5. That the upper level windows of the dwellings, shall be provided with fixed obscure glass to a minimum height of 1.7 metres above the upper floor level to minimise the potential for overlooking of adjoining properties, prior to occupation of the building. The glazing in these windows shall be maintained in a reasonable condition at all times.

### Land Division Consent Conditions

### Council Requirements

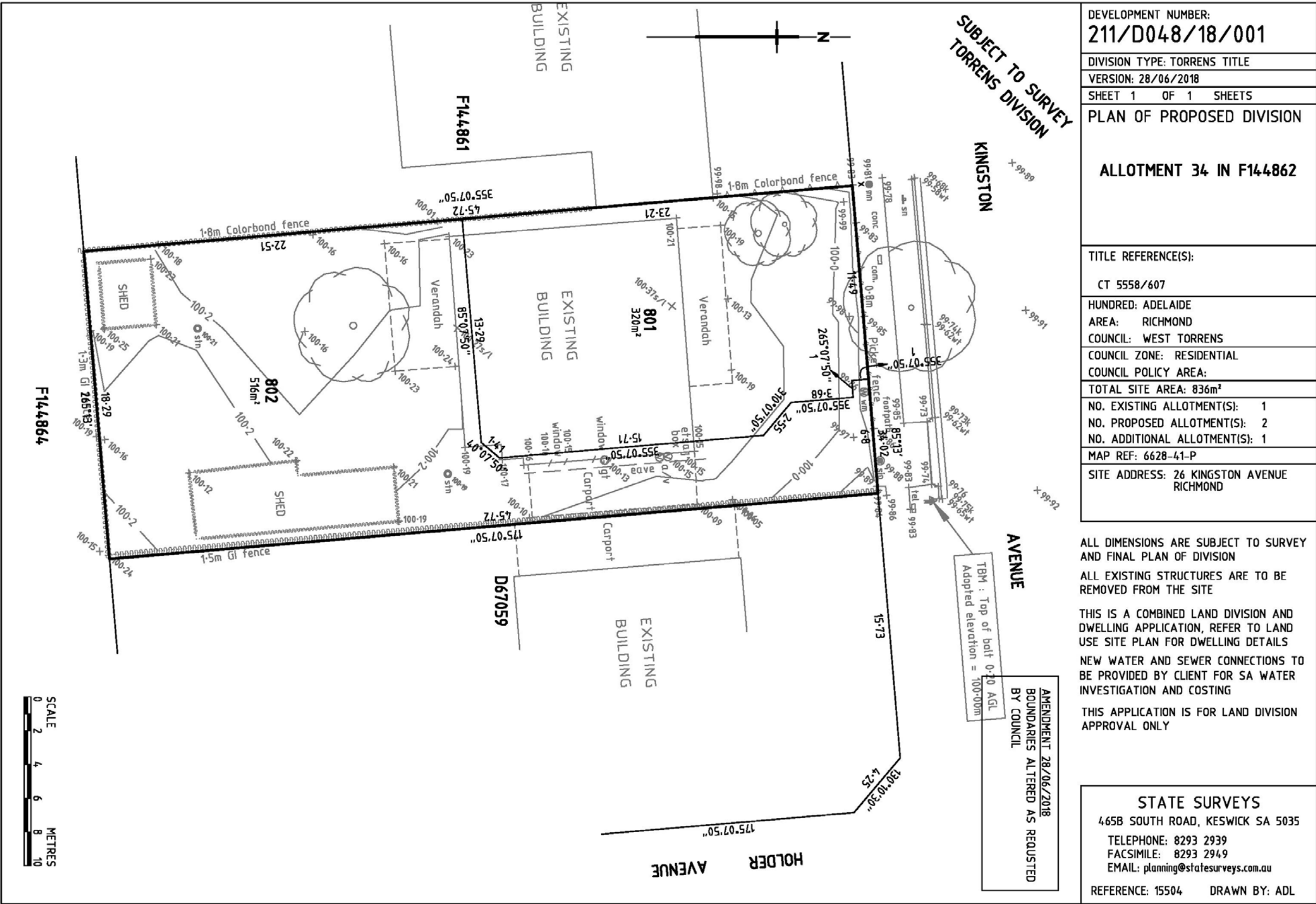
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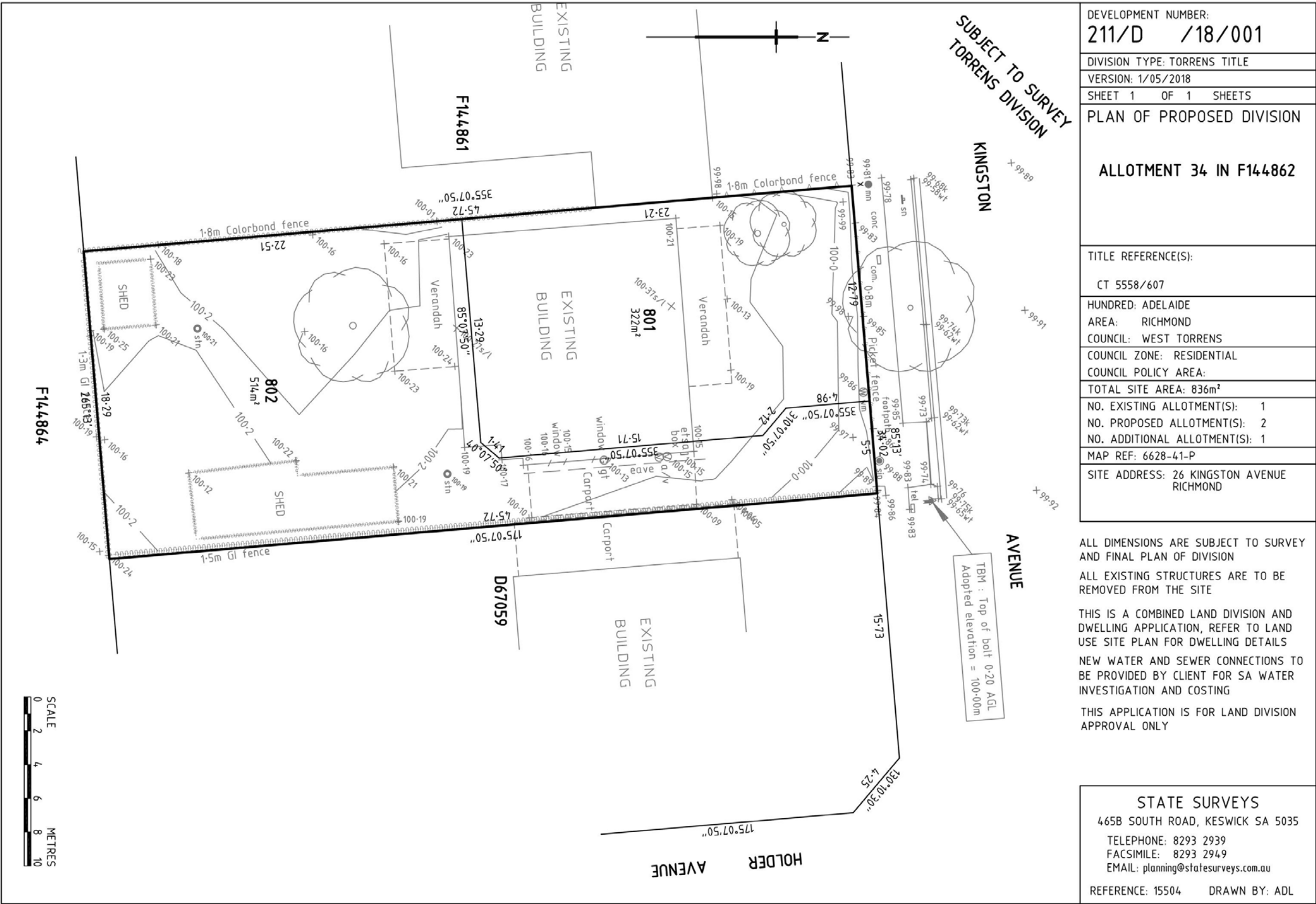
**SCAP Requirements**

6. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services. (S A Water H0053936) SA Water Corporation further advise that the developer should inform potential purchasers of the community lots in regards to the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at FULL cost to the owner/applicant.
  7. Payment of \$6676 into the Planning and Development Fund (1 allotment/s @ \$6676 allotment). Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (7109 7018), by cheque payable to the State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, by cheque or credit card at Level 5, 50 Flinders Street, Adelaide.
  8. 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.
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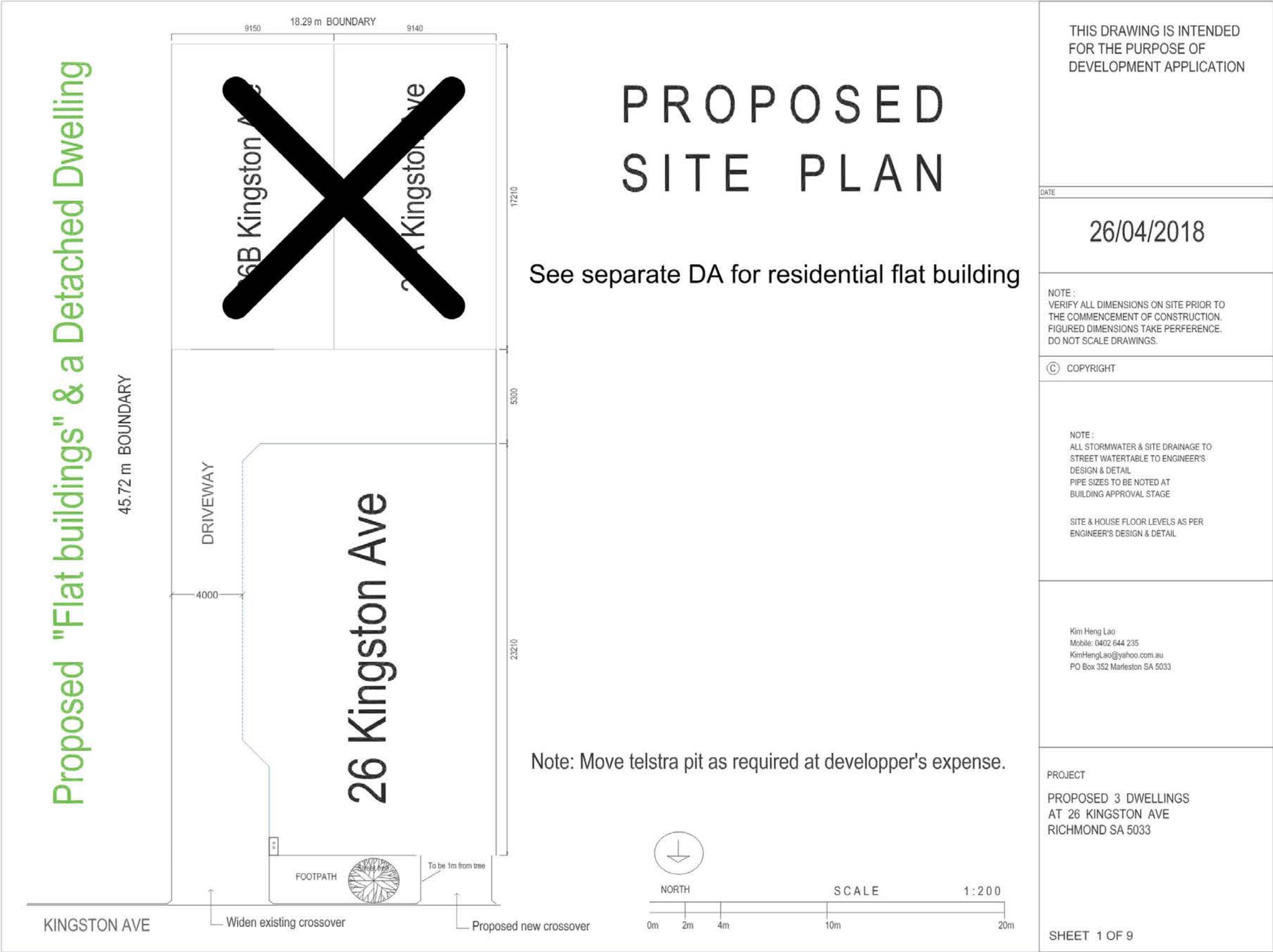
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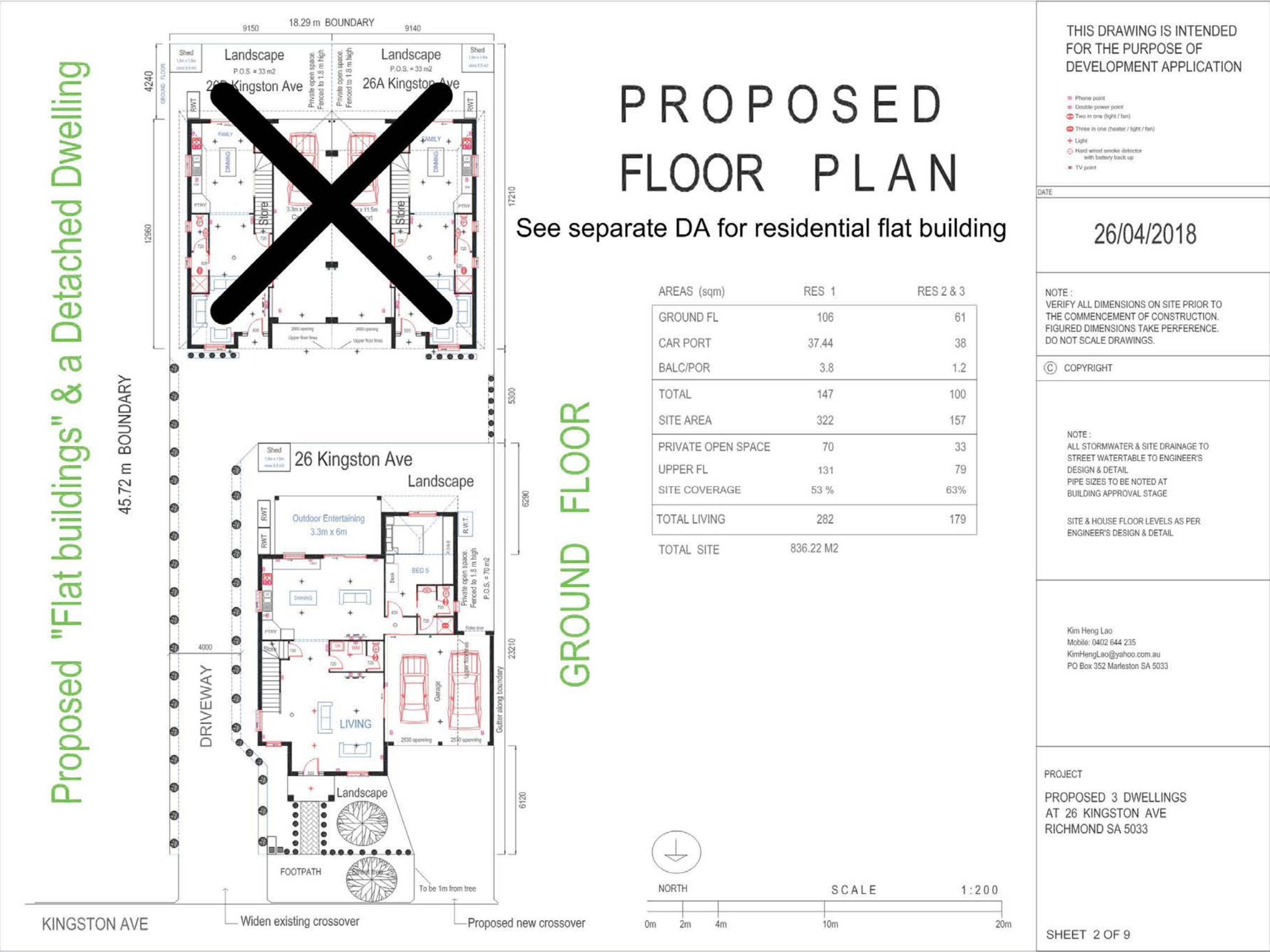
1. **Plan of division and built form plans (211/466/2018)**
2. **Plan of division and built form plans (211/1553/2016)**
3. **Representations and response to representations**
4. **Internal referrals**
5. **External referrals**

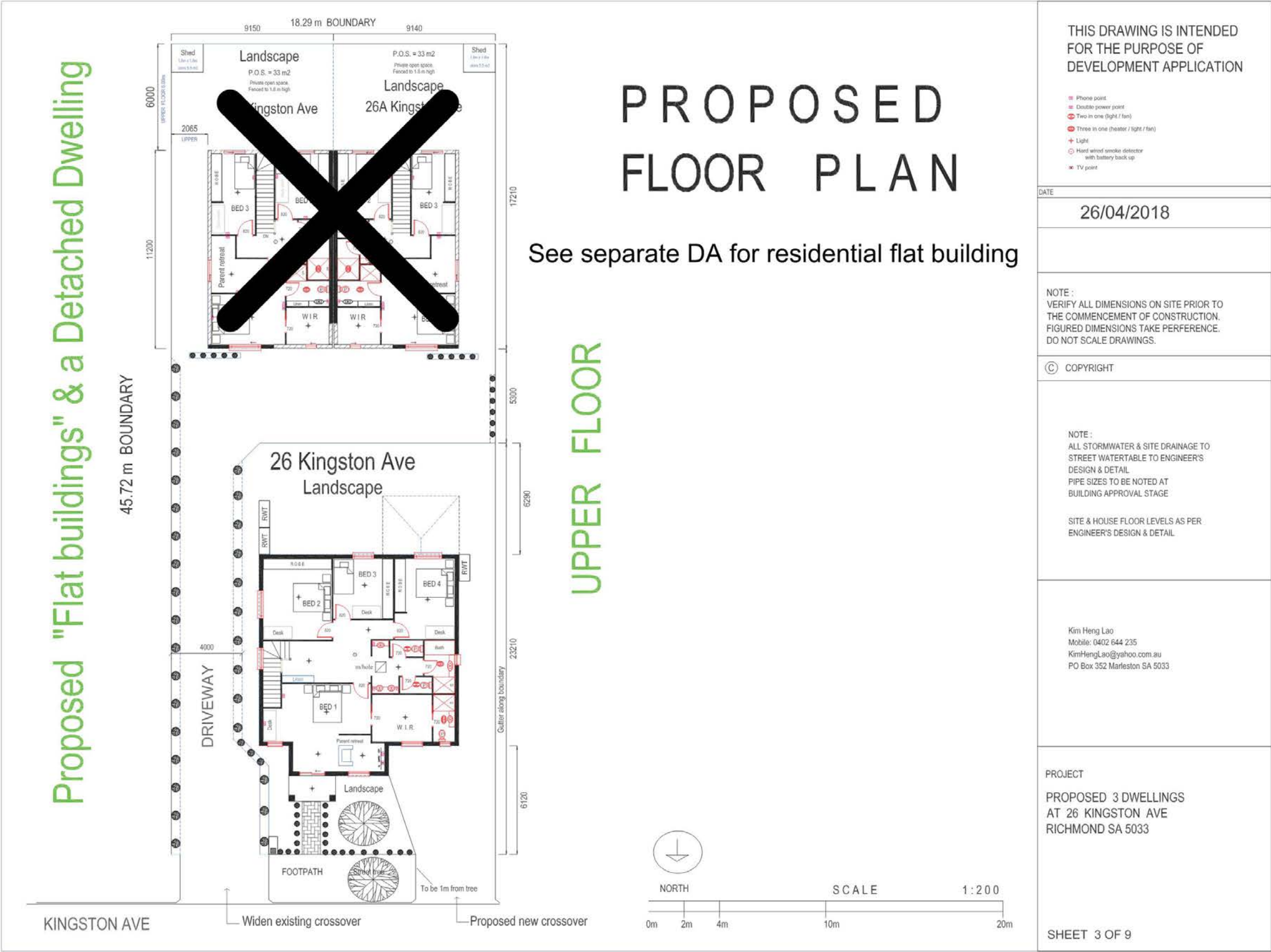




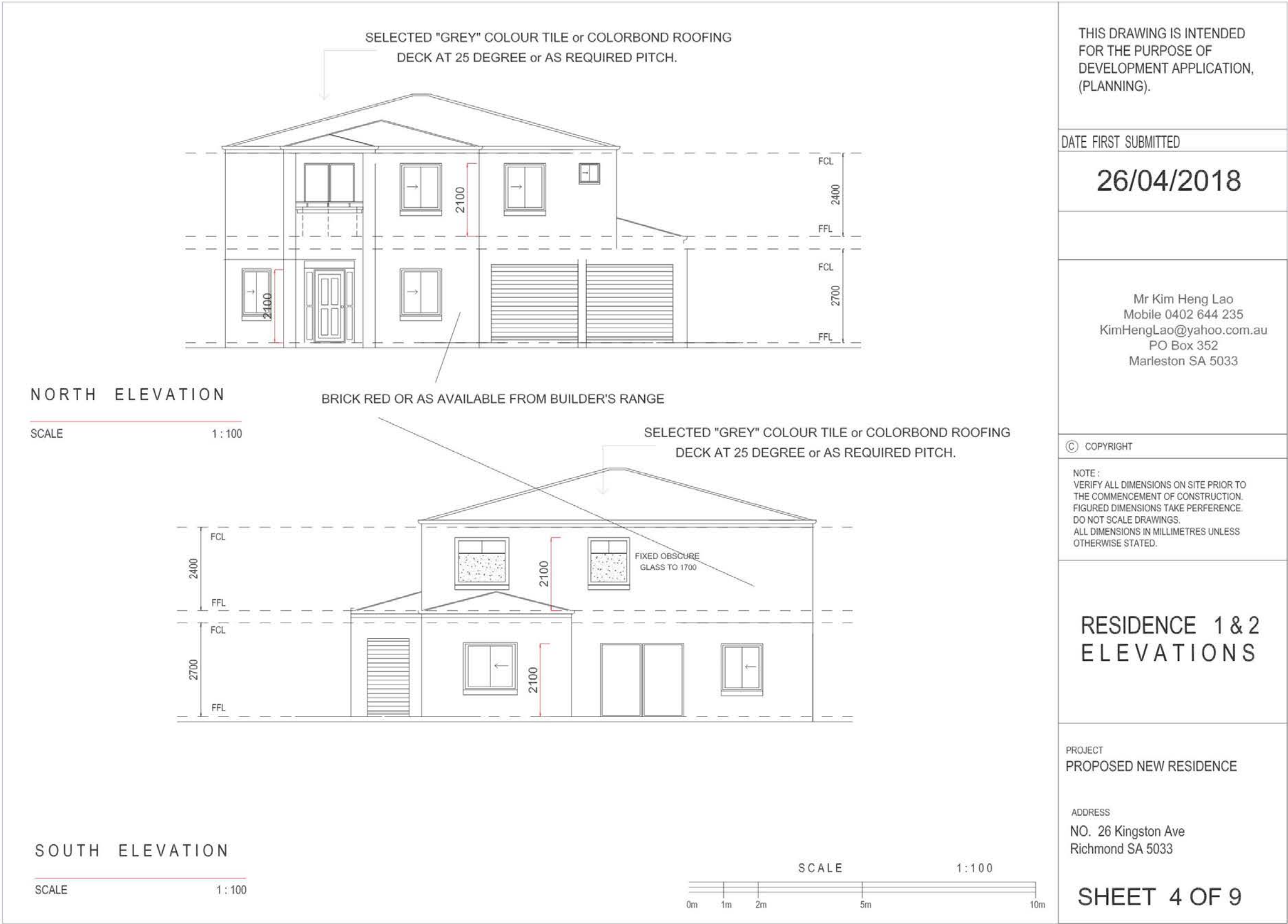




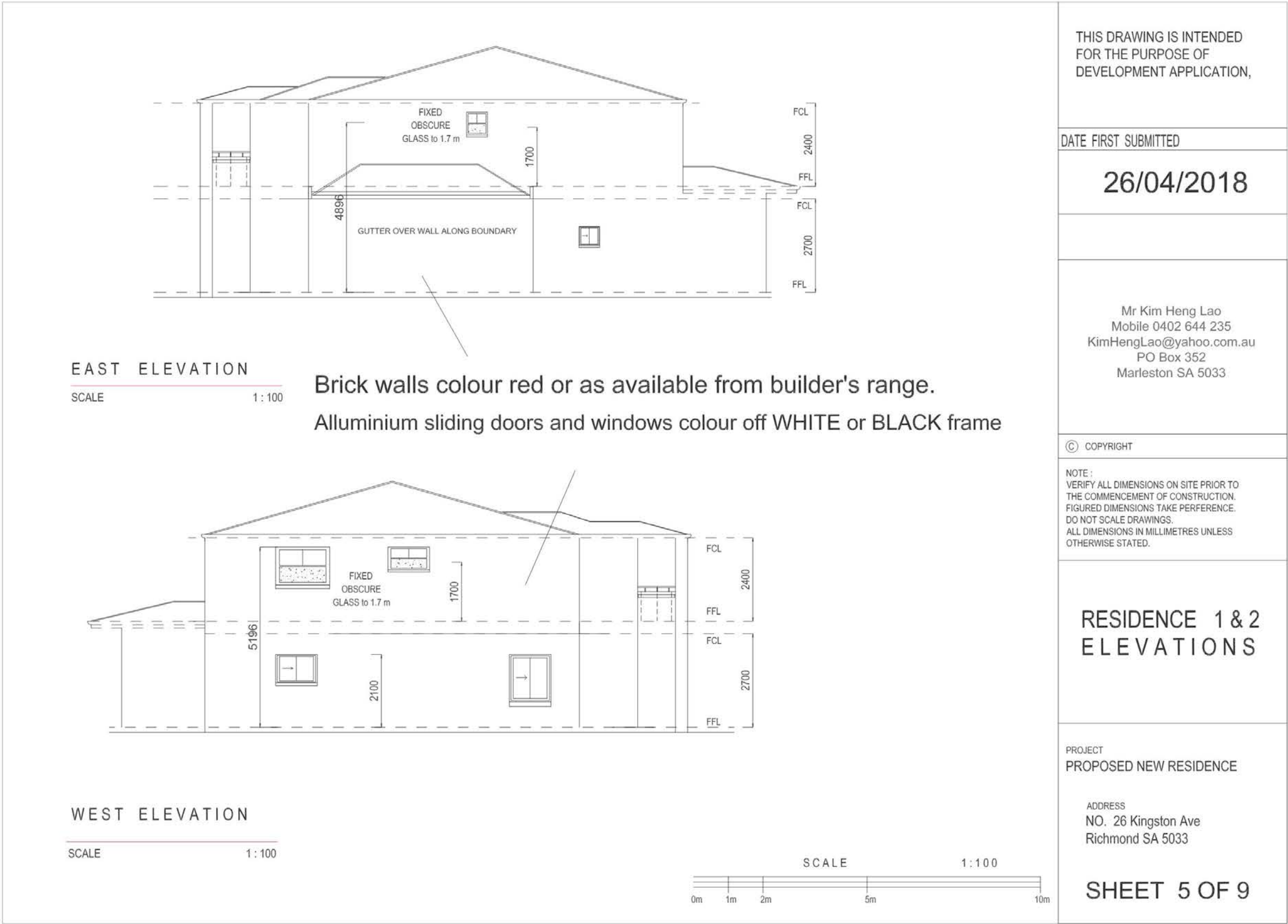


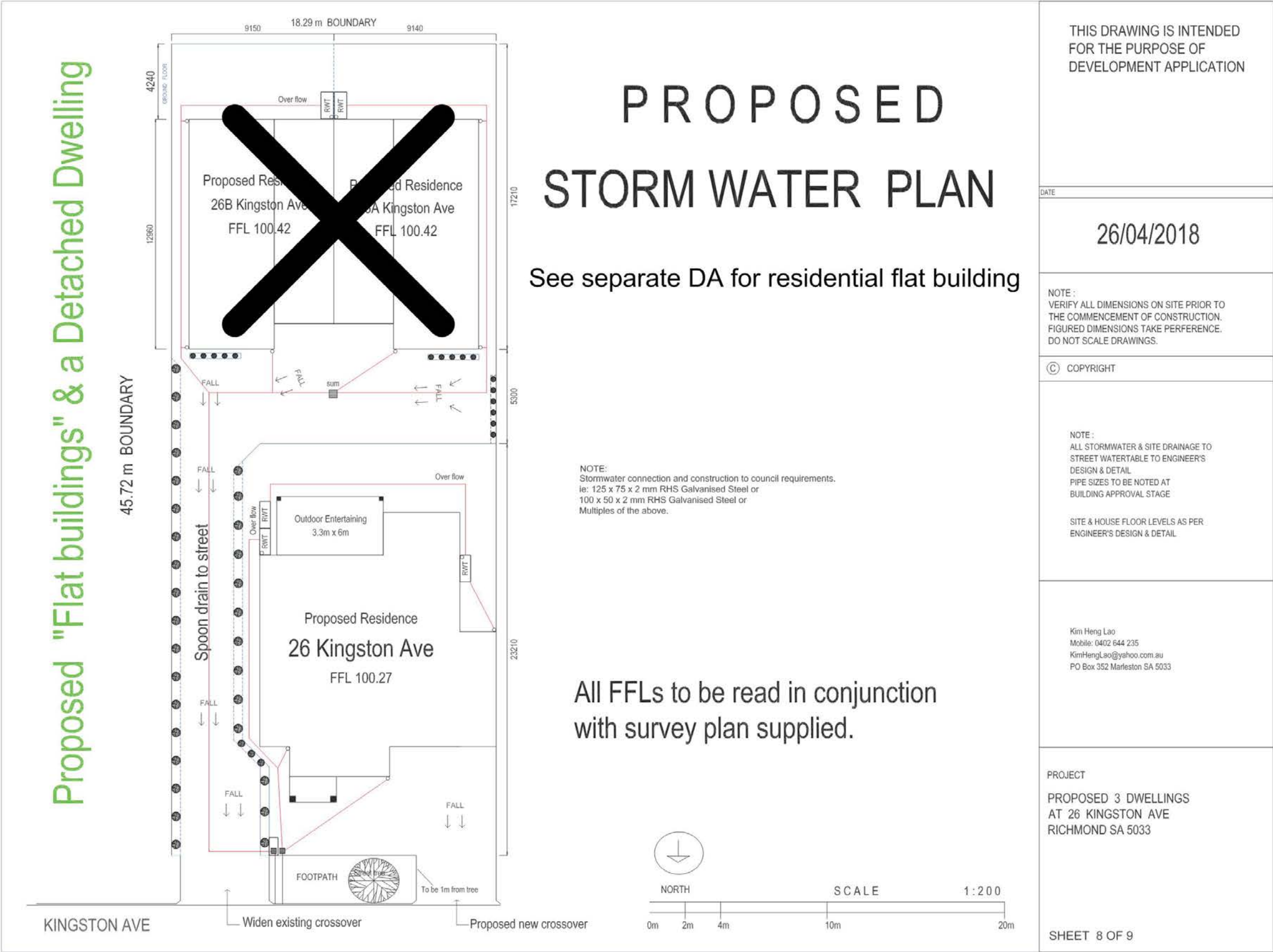


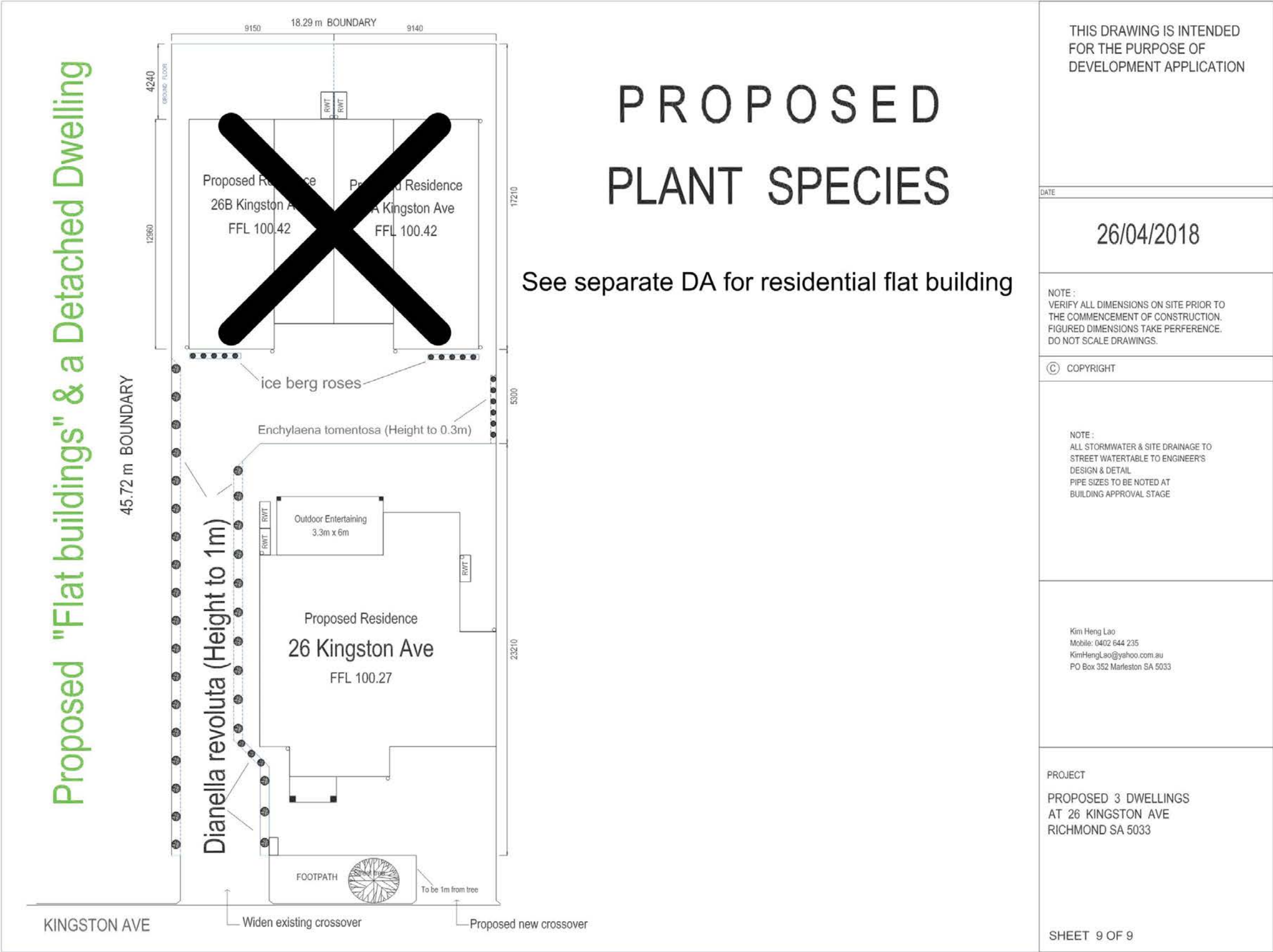














Government of South Australia  
Department of Planning,  
Transport and Infrastructure

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<b>Date/Time</b>	25/11/2016 08:31AM
<b>Customer Reference</b>	15504
<b>Order ID</b>	20161125000591
<b>Cost</b>	\$27.75

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**Notations on Plan**

NIL

**Registrar-General's Notes**

NIL

**Administrative Interests**

NIL

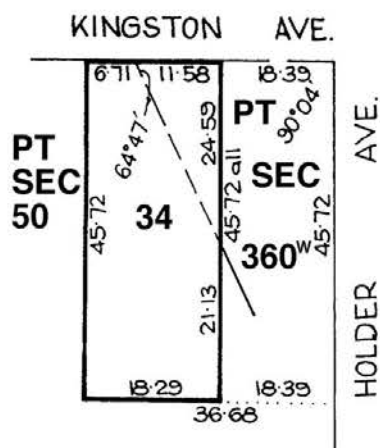




Government of South Australia  
Department of Planning,  
Transport and Infrastructure

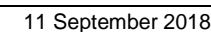
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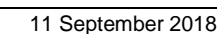
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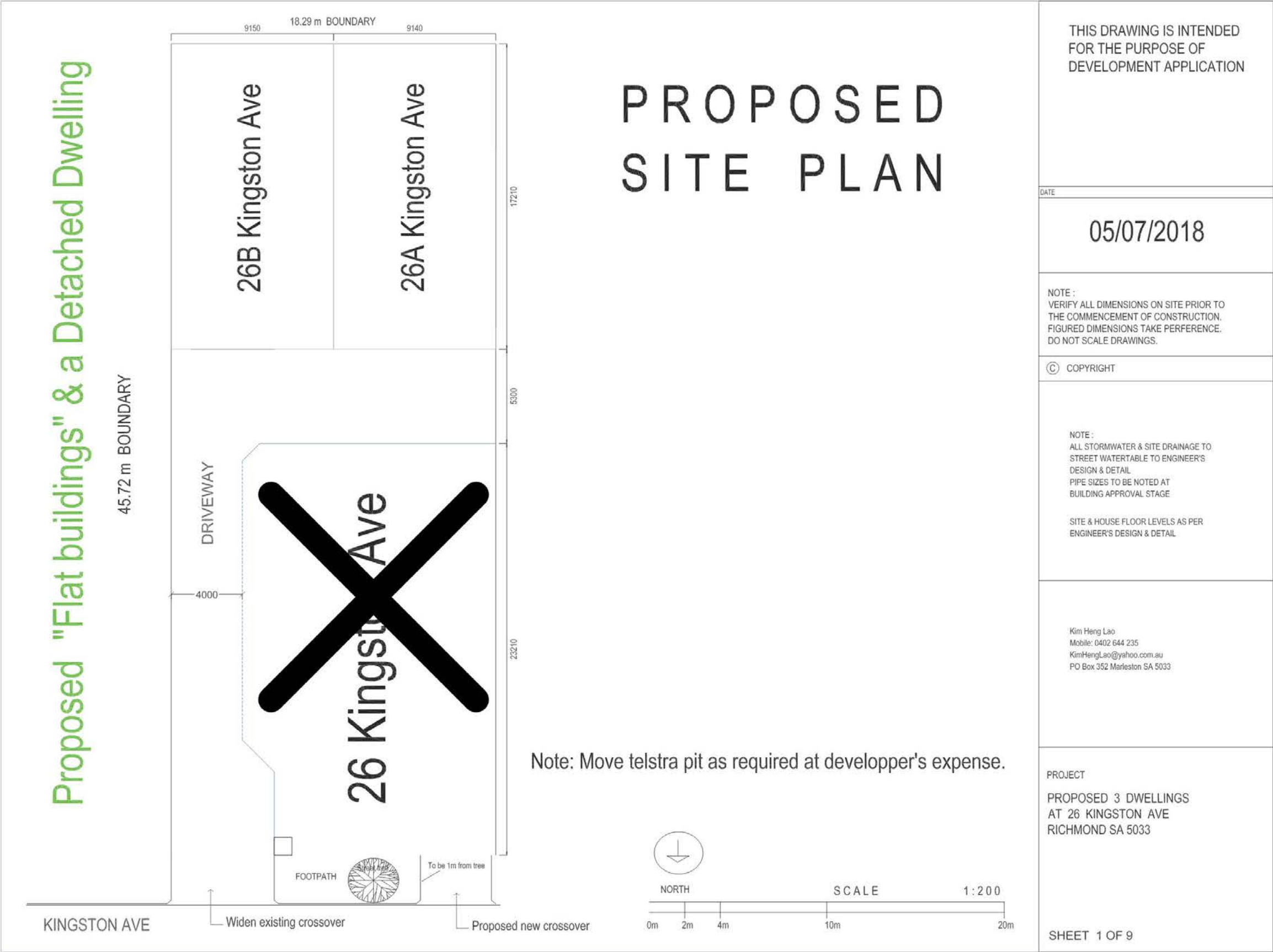


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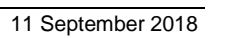
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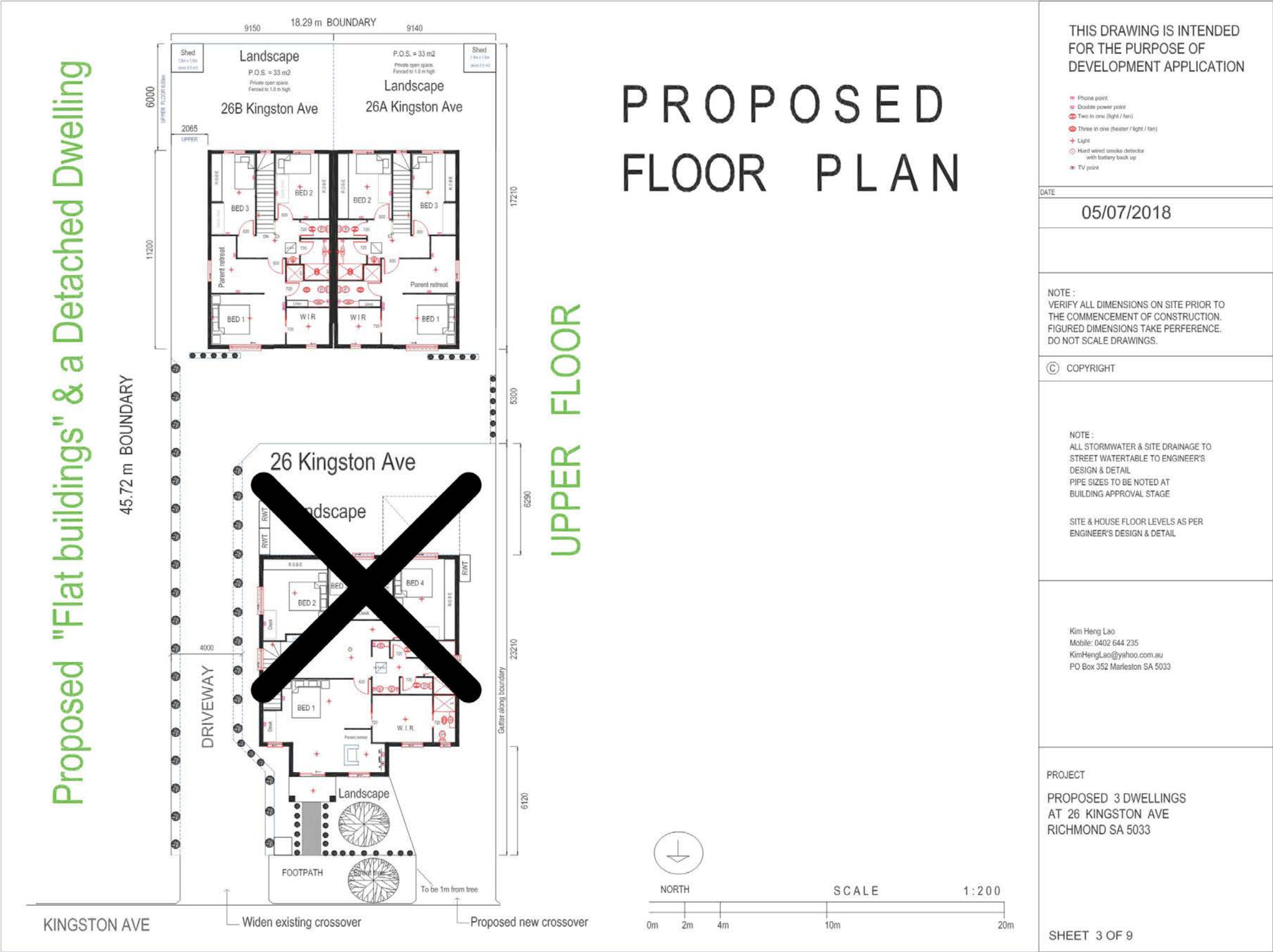


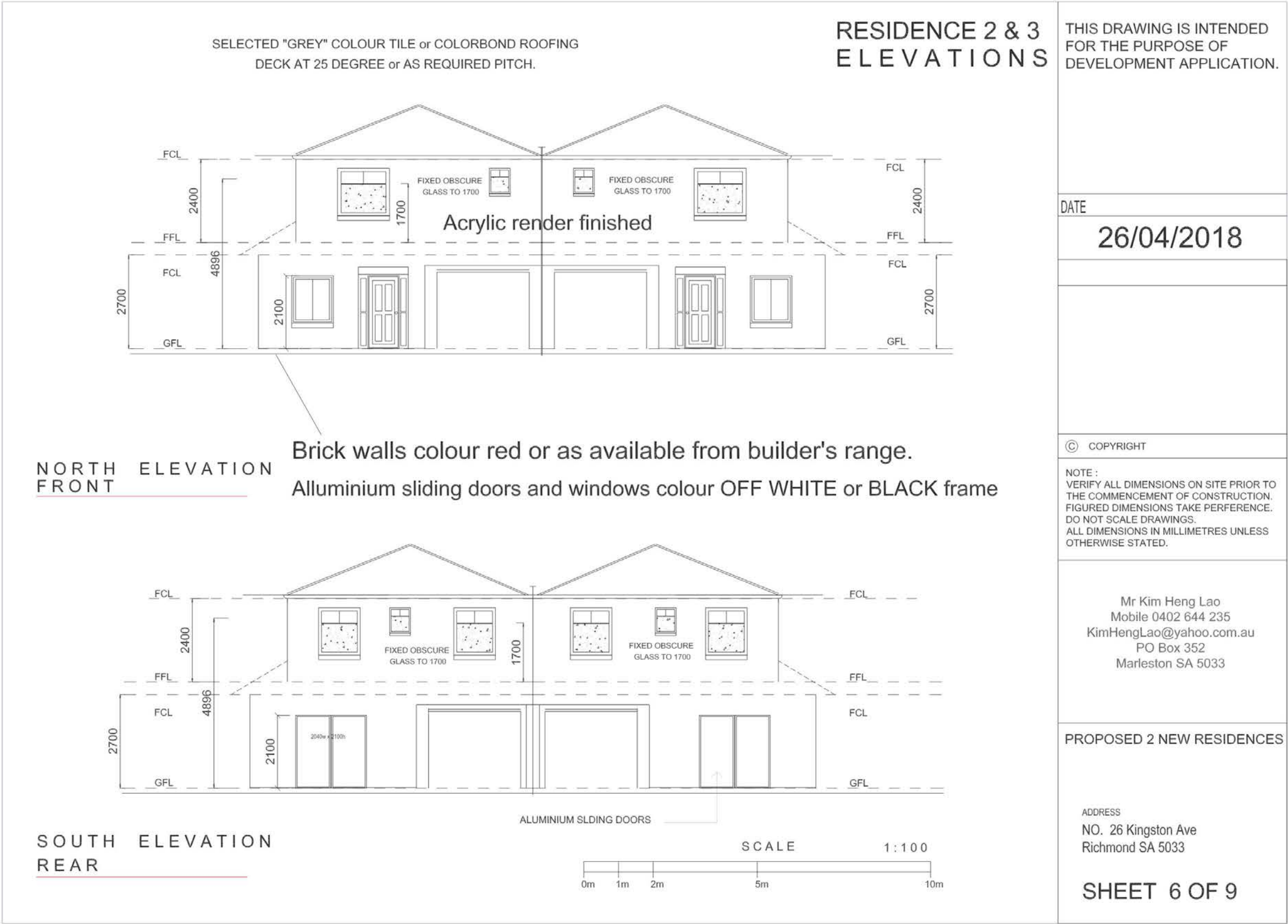




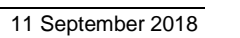




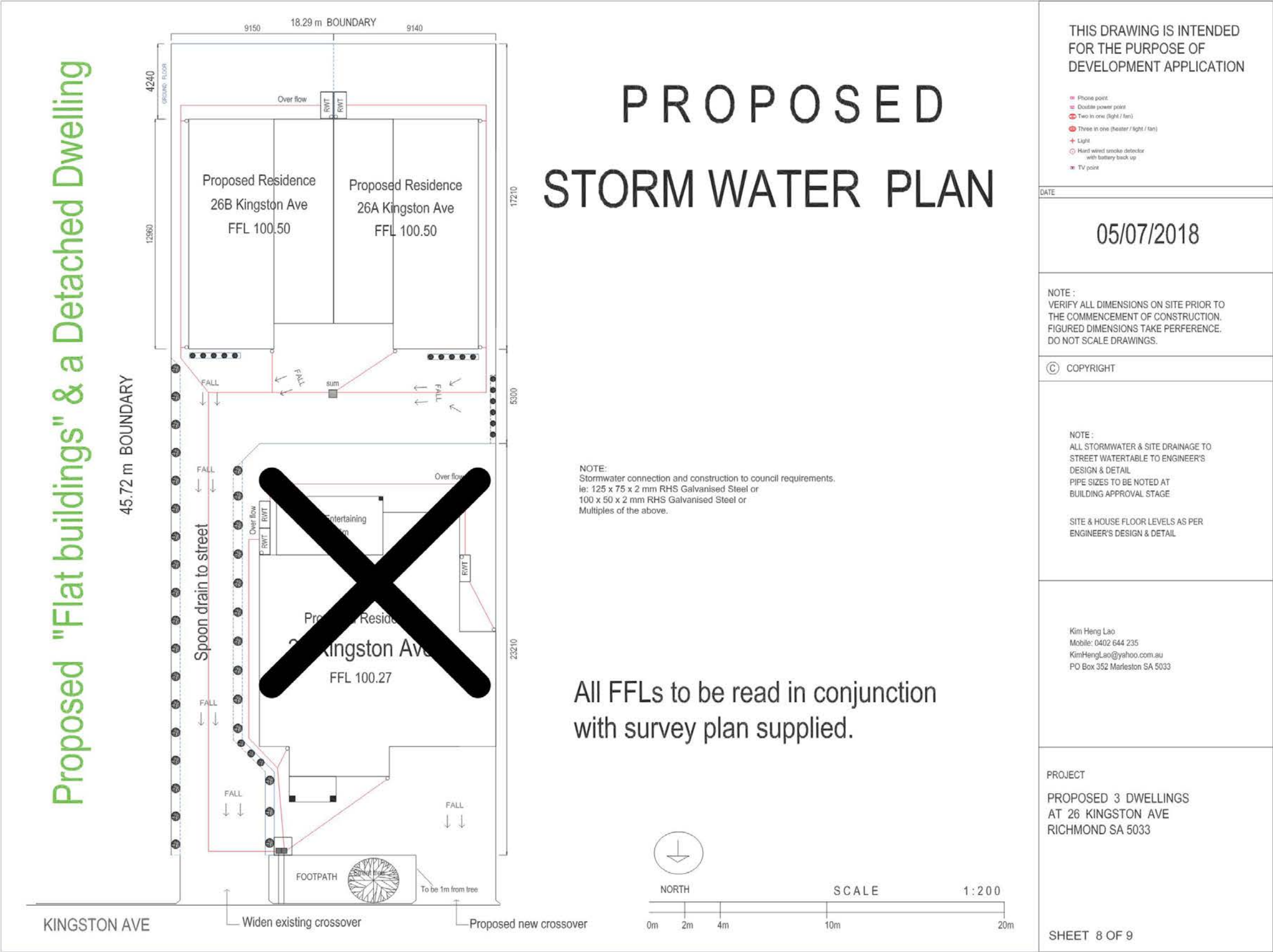


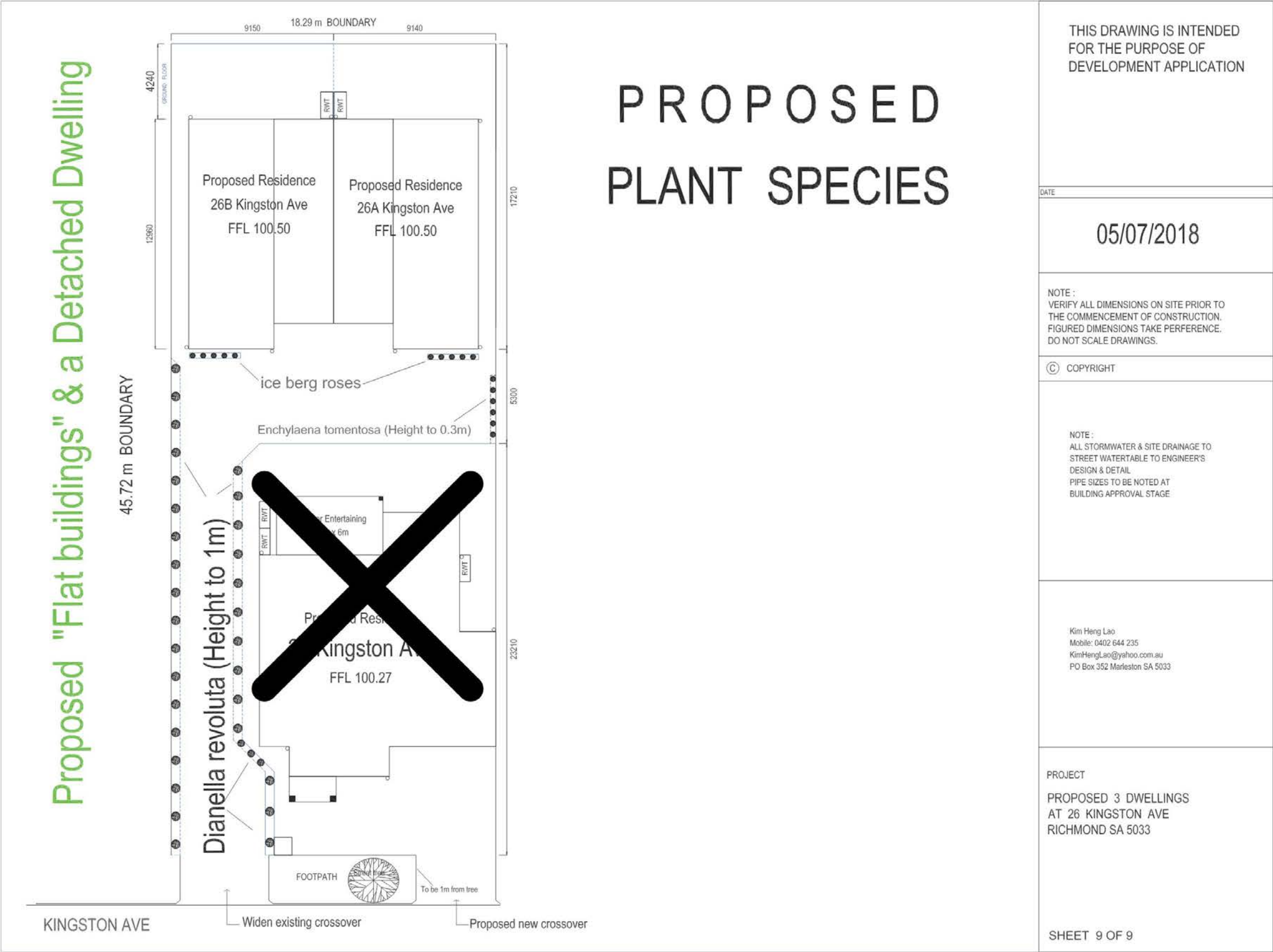






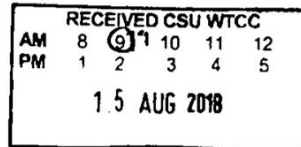






**STATEMENT OF REPRESENTATION**  
**Pursuant to Section 38 of the Development Act 1993**

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



DEVELOPMENT No. 211/1553/2016  
 PROPERTY ADDRESS: 26 Kingston Avenue, RICHMOND SA 5033

YOUR FULL NAME	CAROL MARIE NOBLE
YOUR ADDRESS	28 HOLDER AVE RICHMOND SA 5033
YOUR PHONE No	[REDACTED]
YOUR EMAIL	[REDACTED]
NATURE OF INTEREST	owner + resident adjoining 26B. Kingston (eg. Adjoining resident, owner of land in the vicinity etc.)
REASON/S FOR REPRESENTATION Concerns re lower level windows facing into my (small) backyard. as please see attachment &	
MY REPRESENTATIONS WOULD BE OVERCOME BY (state action sought) Communication + negotiation re fence height as it seems a fence will remain between the properties (unlike previous proposal.)	

City of West Torrens  
 16 AUG 2018  
 City Development

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

I DO NOT WISH TO BE HEARD

I DESIRE TO BE HEARD PERSONALLY

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

(PLEASE SPECIFY)

☒ - unless necessary  
☐  
☐

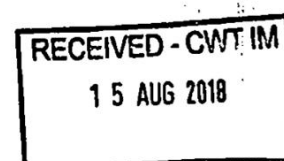
SIGNED

DATE

14/8/18

Responsible Officer: Jordan Leverington  
 Ends: Wednesday 15 August 2018

If space insufficient, please attach sheets



## STATEMENT OF REPRESENTATION - ATTACHMENT TO DEVELOPMENT 211/1553/2016

PROPERTY ADDRESS ..... 26 KINGSTON AVE RICHMOND SA 5033

From Carol Noble 28 Holder Ave Richmond SA 5033

Regarding the proposed building 26B Kingston Ave adjoining my property 28 Holder Ave

I am concerned re the lower level 3 windows facing into my "backyard", being a small area and my only entertaining/recreational area. The proposed building will have on ground floor both a toilet and a shower window facing directly to my sliding glass dining room door which is used often by ourselves and guests during the day and evening. This may cause privacy issues for the prospective new home owner/tenant and ourselves as these buildings are quite close to each other. Also the proposed kitchen window along the same side will face directly to my laundry door, only a few metres away. Upper level plan shows a fixed window (lower-half pictured obscure glass), I would feel happier knowing this window would be total obscure glass, for my yard privacy and also that window would be opposite (from my calculations, not directly though) to our upper level main bathroom window (which is frosted glass).

By the current proposed plan, it appears that the house is planned to be approximately 1metre from the boundary (previous proposal the house was to be built onto the boundary) therefore I am presuming that the existing fence will remain, so my concern re lower level windows may be addressed by extending the fence height to (?) at least 2.5metres. ( I objected to the previous development proposal due to building directly on the boundary and the impact that would have on my property.)

I ask that the developer communicate with me and that we can negotiate an outcome which we will both be satisfied with. I look forward to the existing shed to be gone! It is over run with a horrible prickly creeper, now mostly dead but regenerating again, and has been a haven for rats (not so much the last few years) and nesting pigeons.

Thank you for your consideration





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

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

City of West Torrens

10 AUG 2018

City Development

DEVELOPMENT No. 211/1553/2016  
 PROPERTY ADDRESS: 26 Kingston Avenue, RICHMOND SA 5033

YOUR FULL NAME	Mr. ANTON GUSTINCIC
YOUR ADDRESS	5/26 HOLDER AVE, RICHMOND 5033.
YOUR PHONE No	[REDACTED]
YOUR EMAIL	[REDACTED]
NATURE OF INTEREST	(eg. Adjoining resident, owner of land in the vicinity etc.)
REASON/S FOR REPRESENTATION	I DO NOT WISH FOR A DOUBLE STORY DWELLING TO BE BUILT OVERLOOKING MY PROPERTY AS I FEEL LIKE IT IS AESTHETICALLY NOT PLEASING TO THE EYE & I DO NOT FEEL LIKE IT WOULD FIT IN THE CHARACTER OF THE AREA.
MY REPRESENTATIONS WOULD BE OVERCOME BY (state action sought)	/

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

I DO NOT WISH TO BE HEARD ☐

I DESIRE TO BE HEARD PERSONALLY ☒

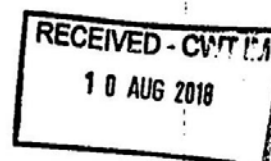
I DESIRE TO BE REPRESENTED BY \_\_\_\_\_ ☐

(PLEASE SPECIFY)

SIGNED

DATE

8/8/18 Anton Gustincic



Responsible Officer: Jordan Leverington  
 Ends: Wednesday 15 August 2018

If space insufficient, please attach sheets

To Carol Marie Noble  
28 Holder Ave  
Richmond SA 5033

1- For the lower level 3 windows:

I am prepare to extend the fence to above eyes level from the inside of the ground floor, but I do think that 2.5 meter may be too high.

2- For the upper window it is going to be obscured to 1.7m from finished floor level, but can make it all obscured on the same window as per drawing submitted.

3- Regarding the fence

The fence can be remained as is, but subject to survey, it may need to be rectified at some stage if it is not on boundary!

To Mr Anton Gustincic  
5/26 Holder Ave  
Richmond SA 5033

I am understood of your concern that the upper floor level overlooking your yard, but council already addressed that concern in the development control. ie All upper floor window will be built with fix obscured glass to 1.7 meter from the finished floor level from the inside!

You also mention in your statement that you don't want to see double storey building and that it doesn't please the eyes. But this land is in medium density zoning, and as such it allows people to build double storey home. And your neighbour on number 28 Holder Ave already on double storey and many other near by already constructing double storey houses.

So, whether you like it or not, all new development either on your own land or someone's else is going to be multi-storey building.

## Preliminary Traffic, Flooding & Stormwater Assessment

**Development Application No:** 211/1553/2016

**Assessing Officer:** Jordan Leverington  
**Site Address:** 26 Kingston Avenue, RICHMOND SA 5033  
**Certificate of Title:** CT-5558/607  
**Description of Development:** Combined Application: Land division - Community Title; DAC No. 211/C217/16 (Unique ID 56594), Creating two additional allotments; and the construction of a residential flat building containing two dwellings

### TO THE TECHNICAL OFFICER - CITY ASSETS

Please provide your comments in relation to:

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

.....  
.....

**PLANNING OFFICER - Jordan Leverington      DATE    12 June, 2018**





---

## Memo

To Jordan Leverington  
From Jane Teng  
Date 12/06/2018  
Subject 211/1553/2016, 26 Kingston Avenue, RICHMOND SA 5033

Jordan Leverington,

The following City Assets Department comments are provided with regards to the assessment of the above development application. Based on the annotation on the amended plan (dated 26/04/18) indicating the front dwelling (26 Kingston Ave) has been incorporated under a separate DA file, the assessment for the front dwelling and its associated serviceability requirements is therefore not reassessed.

### **1. Flood Consideration – Finished Floor Level (FFL) Requirement – up to 100mm Zone**

This development is predominantly located within the 'up to 100mm' area of flood effect from Keswick and Brown Hill Creek flood plain mapping as nominated in Council's Development Plan.

Investigation indicates that the physical flood depth within the portions of the allotment proposed to be developed is approximately 100mm and making allowance for the necessary freeboard (200mm) over and above the flood level, the minimum finished floor level (FFL) for the proposed development, to protect from flood inundation, would need to be in the vicinity of 300mm above the existing natural site levels within the footprint of the development.

Based on the survey information provided on the 'State Surveys Pty Ltd, Job No: 15504, Drawn: 17.12.15), the minimum finished levels (FFL) required for the proposed development are:

- Residential 26A :100.50m
- Residential 26B :100.50m

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

### **2. Verge Interaction (with street tree)**

In association with new development, driveways and stormwater connections through the road verge need to be located and shaped such that they



appropriately interact with and accommodate existing verge features in front of the subject and adjacent properties.

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

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

The proposed 'Detail Survey' undertaken State Surveys Pty Ltd ( Job No: 15504, Drawn: 17.12.15) indicates the location of an existing non-trafficable communications pit in the vicinity of the proposed driveway of the allotment. It would be the responsibility of the applicant to ensure that service standards and financial requirements are met with the relevant service authority.

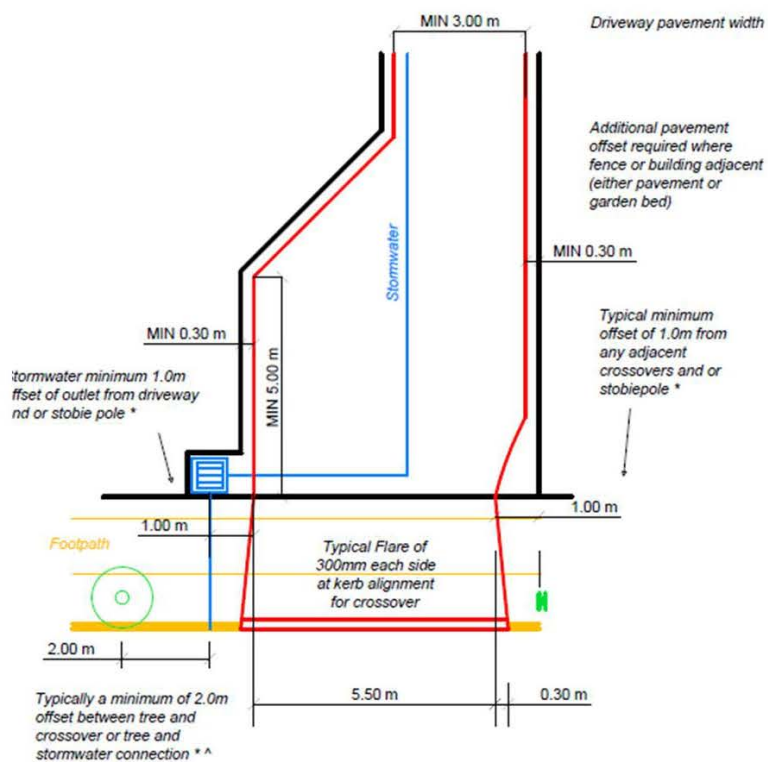
**It is recommended that revised plans indicating satisfaction to the above requirements, particularly the locations should be provided to Council.**

### **3. Driveway Access layout**

#### **3.1. Main Driveway**

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

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

**NOTES:**

- \* Distance as measured along alignment of front property boundary  
^ Must be deemed to comply by Council's Technical Officer (Amenity)

**4. Vehicle manoeuvrability**

Please refer City Assets e-mail advice dated Wednesday, 28 March 2018 2:35 PM for details.



### **5. Carport Dimensions**

There are no major concern associated with the above element.

### **6. Stormwater Detention and Quality Requirements**

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

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

Regards

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



## Arboricultural Assessment of Street Trees

Development Application No: **211/1553/2016**

**REFERRAL DUE DATE:** 21/8/2018

Assessing Officer: **Jordan Leverington**  
Site Address: **26 Kingston Avenue, RICHMOND SA 5033**  
Certificate of Title: **CT-5558/607**  
Description of Development **Combined Application: Land division - Community Title; DAC No. 211/C217/16 (Unique ID 56594), Creating two additional allotments; and the construction of a two storey residential flat building containing two dwellings**

### TO THE TECHNICAL OFFICER – CITY ASSETS

Please provide your comments in relation to:

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

PLANNING OFFICER - Jordan Leverington

DATE

20 August 2018

### FROM THE TECHNICAL OFFICER

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

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

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

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

**As a result of the initial investigations it has been identified there will be a conflict with an existing *Lophostomen confertus* (Queensland brush box) street tree for the western most proposed crossover location to access the front dwelling.**

In this instance City Operations will require an offset of 1.5 m measured from the western side of the street tree for this proposal to be supported.

It is noted that there is a fibre optic cable pit located 4.0m inside the western property boundary.

There is no conflict with the existing street tree for the eastern most proposed crossover location to access the rear dwellings.

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

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

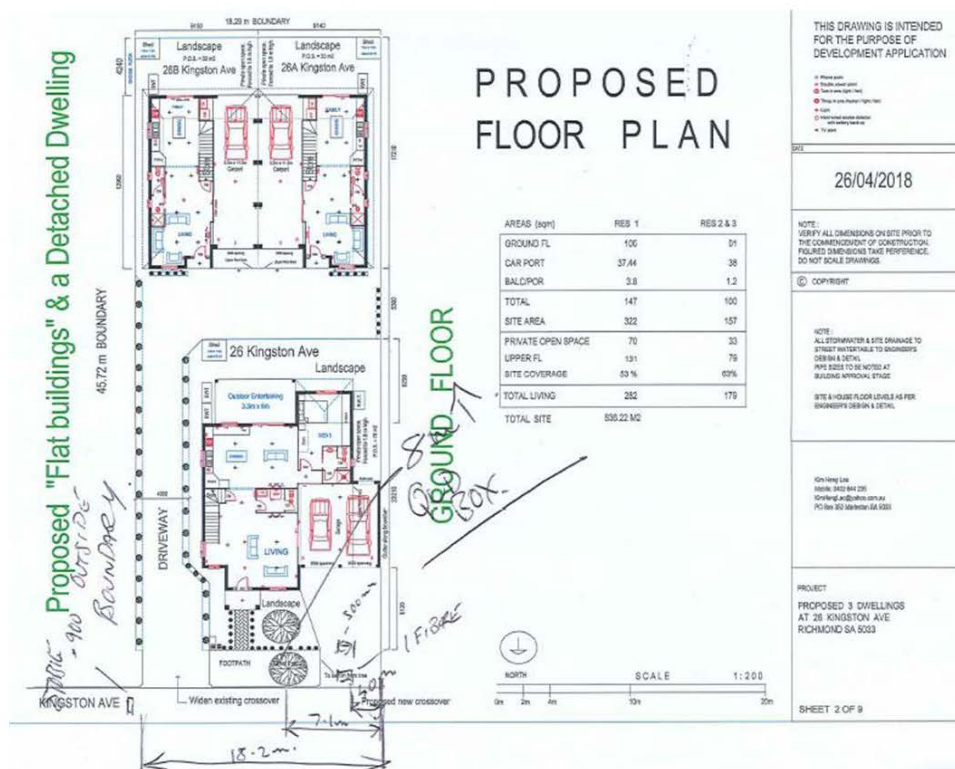
**Rick Holmes**  
**Arboriculture Officer**  
**165 Sir Donald Bradman Drive**  
**Hilton SA 5033**

**Telephone: 8416 6333**

**Fax: 8443 5709**

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

**DATE: 22/08/2018**













## Preliminary Traffic, Flooding & Stormwater Assessment

**Development Application No:** 211/466/2018

**Assessing Officer:** Jordan Leverington  
**Site Address:** 26 Kingston Avenue, RICHMOND SA 5033  
**Certificate of Title:** CT-5558/607  
**Description of Development:** Land division - Torrens Title; SCAP No. 211/D048/18;  
Create one (1) additional allotment

### TO THE TECHNICAL OFFICER - CITY ASSETS

Please provide your comments in relation to:

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

.....  
.....

**PLANNING OFFICER - Jordan Leverington**      **DATE**    2 July, 2018



## Memo

To Jordan Leverington  
From Ming Siow  
Date 02/07/2018  
Subject 211/466/2018, 26 Kingston Avenue, RICHMOND SA 5033

Jordan Leverington,

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

NOTE: I have not commented on the proposed land use plan as I understand that this development application is only for the creation of a new allotment.

### 1.0 Driveway Access

- 1.1 As the proposed double driveway will service more than one property at the rear, the driveway corridor to the site will require widening to a minimum of 5.5m wide pavement width (**+ 300mm offset from fences/walls/boundary**) for the **first 5.0m** into the site to permit the passing of entering and exiting traffic. The proposed land division would NOT be able to accommodate this requirement. Please refer to the attached sketch for a typical layout.

**It is recommended that the dimensions of the proposed land division be adjusted to accommodate the above driveway requirement.**

- 1.2 It is also important to ensure that the functionality of this driveway entrance and passing area is not compromised by the installation of letterboxes, above ground service metres, proposed stormwater connections or similar. The provided plans should indicate a suitable location for letterboxes and meters that would satisfy this requirement.

### 2.0 Verge Interaction (with street tree)

- 2.1 In association with new development, driveways and stormwater connections through the road verge need to be located and shaped such that they appropriately interact with and accommodate existing verge features in front of the subject and adjacent properties. Any new driveway access shall be constructed as near as practicable to 90 degrees to the kerb alignment (unless specifically approved otherwise) and must be situated wholly within the property frontage.





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

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

- 2.2 Allowance should be made in the creation of the new allotment to satisfy the above verge offset requirements. Currently there would be no suitable location for stormwater connection location(s) for the new allotment.

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

### **3.0 Traffic Comments**

- 3.1 In order to accommodate vehicle manoeuvrability for the future proposed dwellings in the new allotment, the rear corner cut-off (south eastern corner) for Lot 801 should be increased to 2m by 2m.

**Revised plans showing satisfaction to the above should be provided to Council.**

Regards

**Ming Siow**





# STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

Contact Planning Services  
Telephone 7109 7016  
Email [dldptipdclearanceletters@sa.gov.au](mailto:dldptipdclearanceletters@sa.gov.au)

12 July 2018

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

State Commission  
Assessment Panel

Level 5  
50 Flinders Street  
Adelaide SA 5000

Dear Sir/Madam

GPO Box 1815  
Adelaide SA 5001

**Re: Proposed Development Application No.211/C217/16 (ID 56594) – Amended Plan (6/7/2018)  
for Land Division (Community Title Plan) by Kim Lao**

08 7109 7061

Further to my letter dated 28 December 2016 and to assist the Council in reaching a decision on this application, copies of the reports received by the State Commission Assessment Panel (SCAP) 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 SCAP.**

1. The financial requirements of the S A Water Corporation shall be met for the provision of water supply and sewerage services. (S A Water H0053936)

S A Water Corporation further advise that the developer should inform potential purchasers of the community lots in regards to the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at FULL cost to the owner/applicant.

2. Payment of \$6676 into the Planning and Development Fund (1 allotment/s @ \$6676 /allotment). Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (7109 7018), by cheque payable to the State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, by cheque or credit card at Level 5, 50 Flinders Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

For SA Water to assess this application, the developer must advise SA Water the preferred servicing option. Information can be found at: <http://www.sawater.com.au/developers-and-builders/building,-developing-and-renovating-your-property/subdividing/community-title-development-factsheets-and-information>. For queries call SAW Land Developments on 74241119.

**IT IS ALSO REQUIRED THAT COUNCIL PROVIDE THE SCAP WITH:**

- a) the date on which any existing building(s) on the site were erected (if known);
- b) the postal address of the site; and
- c) a copy of its Decision Notification Form (via EDALA) pursuant to Regulations 60 (4) (b) ii and 44 respectively.

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

Yours faithfully,

Biljana Prokic  
LAND DIVISION COORDINATOR – PLANNING SERVICES  
as delegate of the  
STATE COMMISSION ASSESSMENT PANEL  
Q:\PLANNINGSERVICES\TEMPLATES\STATEMENTS\ELECTRONIC\TFF2R-CT



Contact  
Telephone  
Email

Planning Services  
7109 7016  
[ddptipdclearanceletters@sa.gov.au](mailto:ddptipdclearanceletters@sa.gov.au)

State Commission  
Assessment Panel

Level 5  
50 Flinders Street  
Adelaide SA 5000

12 July 2018

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

GPO Box 1815  
Adelaide SA 5001

08 7109 7061

Dear Sir/Madam

**Re: Proposed Development Application No.211/D048/18 (ID 61612) – Amended Plan (28/6/2018)  
for Land Division by Kim Lao**

Further to my letter dated 24 May 2018 and to assist the Council in reaching a decision on this application, copies of the reports received by the State Commission Assessment Panel (SCAP) 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 SCAP.**

1. The financial requirements of the S A Water Corporation shall be met for the provision of water supply and sewerage services. (S A Water H0072167)

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

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

2. Payment of \$6830 into the Planning and Development Fund (1 allotment/s @ \$6830 /allotment). Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (7109 7018), by cheque payable to the State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, by cheque or credit card at Level 5, 50 Flinders Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

**Please upload the Decision Notification Form (via EDALA) following Council's Decision.**

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Biljana B.'.

Biljana Prokic  
**LAND DIVISION COORDINATOR – PLANNING SERVICES**  
as delegate of the  
**STATE COMMISSION ASSESSMENT PANEL**  
Q:\PLANNINGSERVICES\TEMPLATES\STATEMENTS\ELECTRONIC\TFF2R edala



10 July 2018

Our Ref: H0072167

The Chairman  
State Commission Assessment Panel  
50 Flinders St  
ADELAIDE SA 5000

Dear Sir/Madam

**PROPOSED LAND DIVISION APPLICATION NO: 211/D048/18 AT RICHMOND**

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 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**

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



10 July 2018

Our Ref: H0053936

The Chairman  
State Commission Assessment Panel  
50 Flinders St  
ADELAIDE SA 5000

Dear Sir/Madam

**PROPOSED LAND DIVISION APPLICATION NO: 211/C217/16 AT RICHMOND**

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

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

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

Yours faithfully

rita demusso

**for MANAGER LAND DEVELOPMENT & CONNECTIONS**

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



**6.3 25-29 Lipsett Terrace, BROOKLYN PARK**

Application No 211/157/2018

**DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Construction of 7 single storey residential flat buildings each comprising 2 dwellings, and a two storey residential flat building incorporating 12 apartments with associated undercroft car parking, site works, perimeter fencing, landscaping and internal access roads (within existing Retirement Village) - to be undertaken in stages - Stage 1 comprising the 7 single storey residential flat buildings and associated infrastructure (Stage 1 A - footings and infrastructure only) (Stage 1B - superstructure) and Stage 2 two storey residential flat building comprising 12 dwellings with associated car parking.  Operative period of consent for Stage 2 commencement of works to be 3 years with completion within 5 years
APPLICANT	Mr David Romaldi
LODGEMENT DATE	20 February 2018
ZONE	Residential Zone
POLICY AREA	Low Density Policy Area 20
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 3
REFERRALS	Internal <ul style="list-style-type: none"> <li>▪ City Assets</li> </ul> External <ul style="list-style-type: none"> <li>▪ Nil</li> </ul>
DEVELOPMENT PLAN VERSION	6 February 2018

**BACKGROUND**

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

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

The proposal represents the next stage in the overall development of the Acacia retirement village. Previous stages of the retirement village were dealt with in DA 211/882/2013, which involved:

*Construction of twenty five (25) dwellings comprising eight (8) single storey semi-detached dwellings, two (2) single storey residential flat buildings (each containing two (2) dwellings), a single storey building containing a three bedroom dwelling and community centre and a two storey residential flat building containing twelve (12) dwellings.*

Previous or related applications relevant to the retirement village development include the following:

- |               |  |
|---------------|--|
| 211/1154/2011 | Land Division - Community Title creating ten (10) additional allotments (Development Plan Consent issued 18 June, 2012). |
| 211/372/2012  | Land Division - Torrens Title creating eight (8) additional allotments (Development Approval issued 18 June, 2012).      |
| 211/890/2013  | Demolition of existing single storey residential building (Development Approval issued 3 September, 2013).               |

## **SITE AND LOCALITY**

The subject land is currently vacant and has a total area of 4,185 square metres (m<sup>2</sup>) and dimensions of approximately 60 metres (m) north to south and 62m east to west. The site is bounded to the north by the private gated entry avenue to the existing retirement village. This private roadway will also provide vehicle access to the proposed development. The subject site is bounded to the south by Lipsett Terrace, to the east by Anna Street and to the west by existing dwellings.

The subject land is located approximately 5 kilometres to the west of the Adelaide CBD and approximately 1.5 kilometres north-east of Adelaide Airport. Lipsett Terrace runs through a predominantly residential neighbourhood connecting Marion Road in the east to Airport Road in the west. On-street parking is available on both sides of the carriageway, subject to controls in the vicinity of the Brooklyn Park Private Kindergarten and child care centre.

The locality is generally residential in nature, characterised by a range of dwelling types and sizes. To the north of the subject site, Marshall Terrace contains a mix of established and more recent single storey dwellings addressing the street frontage. On properties south and west of the subject site there are typical examples of the established housing stock in the area being single storey dwellings on moderate sized allotments.

Further west of and connected to the subject site by the private village access roadway, the Acacia Villages development comprises communal facilities featuring the restored heritage place which acts as the communal hall. These facilities include a library, pool table, lounges and mini theatre, along with a pool and community gardens. To the north a retirement living building has been approved, comprising 12 apartments over 2 levels plus undercroft car parking, with a total building height to roof of 10.3m above ground level. This approved building is yet to commence construction.

Other non-residential uses along Lipsett Terrace, include the Brooklyn Park Private Kindergarten across Anna Street to the east of the subject land, and further east St. John Bosco Catholic School.

Directly south of the subject land, is the former Adelaide College of Divinity, which has recently been the subject of a change of use to an early learning centre and primary school (approved by the CAP in May 2018). This site is occupied by a two storey building with a wide frontage to Lipsett Terrace behind a landscaped setback.

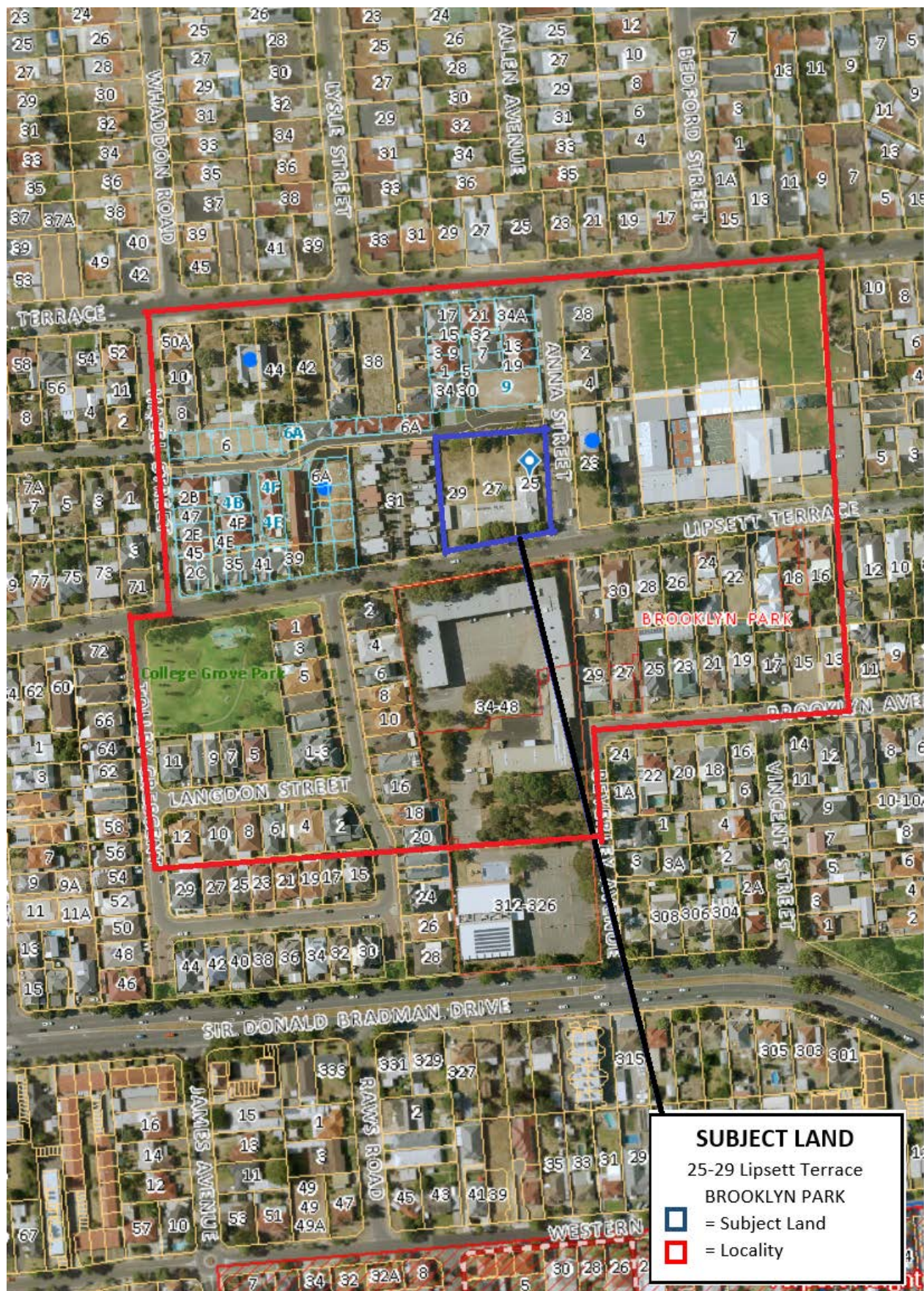
Open space is provided within the locality in the form of the Council reserve at the corner of Lipsett Terrace and Tolley Crescent, within 100m of the subject land. Public transport bus services are provided on Sir Donald Bradman Drive, approximately 200 metres south of the subject land, and Marion Road, approximately 300 metres east of the subject land.



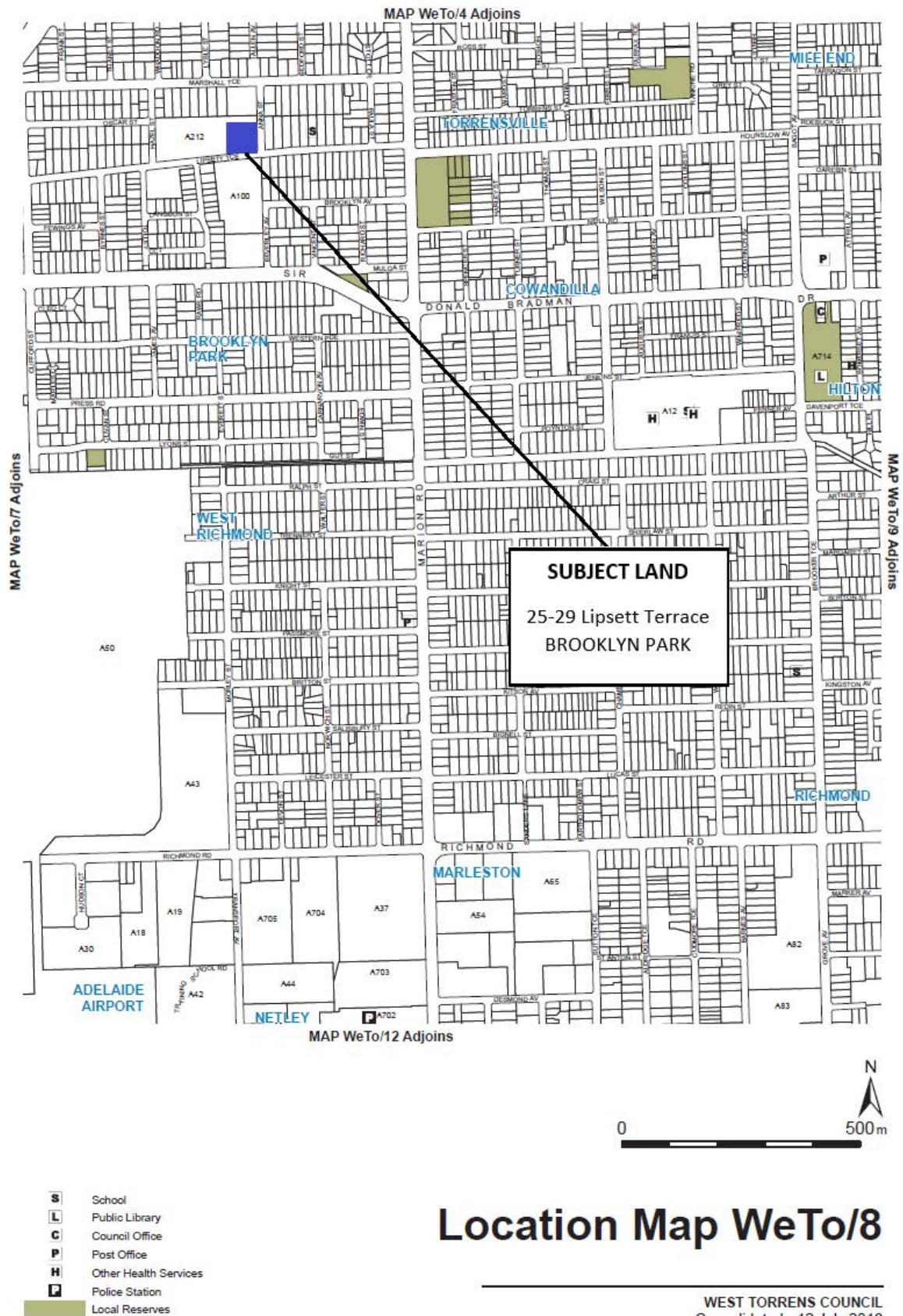
**View of subject land along Lipsett Terrace**

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









## PROPOSAL

The proposed development comprises the following elements:

- Seven (7) single storey residential flat buildings, each comprising two (2) dwellings. Each dwelling includes a living/dining area, kitchen, two bedrooms, study/sitting room, entry porch, private open space area and one (1) covered and one (1) visitor car parking space. These dwellings are intended as independent living units.

Each unit will feature walls and trim of selected clay face brick, with additional trim of textured render. Porticos and gables will be of painted cladding, with powder coated aluminium window frames. Roofing will be of Colorbond steel, alternating between "Woodland Grey" and "Manor Red" on different duplex buildings.

- A two storey residential flat (or apartment) building containing twelve (12) dwelling units fronting Anna Street. Each unit includes a living/dining area, kitchen, two bedrooms and balcony. The building is serviced by an undercroft car park incorporating seventeen (17) car parking spaces, storage cages, bin room, lift and stairs, accessed off the Right of Way (ROW). The private open space areas/balconies for each dwelling ranges between 6.5m<sup>2</sup> and 10m<sup>2</sup> in area.

This building will have walls constructed of "Olde Red" PGH brick, with alternative Austral "Unwind" brick to feature walls or trims. Other feature walls will be of textured render, with painted cladding to balcony feature frames and wall infill panels. Roof plant will be screened behind pre-finished metal louvres of Woodland Grey. Window frames will be of powder coated aluminium, and balconies of natural aluminium anodised framed clear glass. The apartment building roof will be of Colorbond Steel in "Woodland Grey".

A common store is provided at undercroft level. Each apartment will be allocated 7.81m<sup>3</sup> of space within the common store room which, combined with the within-apartment storage, will provide between 8.8m<sup>3</sup> and 9.5m<sup>3</sup> of storage space for each apartment.

- Fencing along Lipsett Terrace and Anna Street will be to a maximum height of 1.8m and will be of proprietary precast or rendered masonry painted in Solver "Coorong Sands", with infill panels of tubular metal in powder coated black, timber slats with clear paint finish or Colorbond steel in "Woodland Grey".
- Landscaping is proposed throughout the site.

It is proposed that the development will be undertaken in the following stages:

Stage 1A	footings and infrastructure for the 14 proposed independent living retirement units;
Stage 1B	superstructure for the 14 proposed independent living retirement units; and
Stage 2	the proposed residential flat building comprising twelve apartment units.

The applicant has also requested that any Development Plan Consent reflects this staging and that it should allow for:

- the commencement and completion of Stages 1A and 1B within the customary period of 12 months and 3 years respectively following Development Approval (unless Council extends this period); and
- the commencement and completion of Stage 2 within a period of 3 years and 5 years respectively following Development Approval (unless Council extends this period).

The relevant plans and documents are contained in **Attachment 1 - under separate cover**.

## PUBLIC NOTIFICATION

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

<b>Properties notified:</b>	36 properties were notified during the public notification process.
<b>Representations:</b>	No representations were received

## REFERRALS

### Internal

#### City Assets

Concerns were raised regarding the following matters:

- Finished Floor Levels (FFL) of dwellings and undercroft car park;
- Stormwater management in relation to undercroft inundation and water quality; and
- Waste management.

Concerns over the waste management arrangements have been worked through with the applicant and satisfactorily resolved. There are a number of stormwater issues yet to be resolved but have been addressed through two reserved matters noted as part of the recommendation.

A full copy of the relevant report is contained in **Attachment 2 - under separate cover**.

## RELEVANT DEVELOPMENT PLAN PROVISIONS

The dwellings forming part of a retirement village complex constitute 'dwellings' as defined under the Development Regulations. Notwithstanding the West Torrens Council Development Plan clearly distinguishes this form of accommodation and identifies 'supported accommodation', which includes retirement villages, as a particular category of residential development to be assessed with reference to provisions within the Supported Accommodation, Housing for Aged Persons and People with Disabilities module. However, apart from these provisions, the relevant zone and policy area provisions do not specifically address this form of development. As a result, specific design policies for retirement villages and supported accommodation are not included in the Development Plan.

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

<u>General Section</u>		
Crime Prevention	Objectives	1
	Principles of Development Control	1, 2, 3, 4, 5, 6, 7, 8, 9 & 10
Design and Appearance	Objectives	2
	Principles of Development Control	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 & 20
Energy Efficiency	Objectives	1 & 2
	Principles of Development Control	1, 2, 3 & 4
Hazards	Objectives	8 & 9
	Principles of Development Control	3 & 13
Landscaping, Fences and Walls	Objectives	1 & 2
	Principles of Development Control	1, 2, 3, 4 & 6

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

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



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

## ASSESSMENT

In assessing the merits or otherwise of the application, the proposed development is discussed under the following sub headings.

### Site Contamination

In accordance with Environment Protection Authority (EPA) requirements, a site history report was required to be undertaken in the first instance as the subject land had previously been occupied by non-residential uses. This initial report concluded the following:

*'No visual or olfactory signs of contamination were observed during the site visit; however, the site history research shows that there is potential for the site to have been previously occupied by a land use that had the potential to contaminate the site (market gardening).'*

*'The likelihood of gross or widespread soil contamination existing in shallow soils and/or groundwater at this site at concentrations likely to preclude the proposed land use is likely to be low. However, it is recommended that screening level soil sampling and chemical testing for select analytes of interest be conducted to further inform this assessment after demolition of the existing buildings and prior to commencement of construction works.'*

As a consequence of that initial assessment, further analysis was undertaken in the form of a site assessment. This analysis concluded that the likelihood of contaminates was low and no further remediation or detailed assessment was required, as cited below:

*'Based on the results obtained from this assessment, the risk of significant gross or widespread soil or groundwater contamination at the site being present with the potential to preclude the proposed development or to be considered a significant environmental or human health risk is low. On this basis, it is our opinion that there is no obvious requirement for remediation works or more detailed assessment.'*

Given the above, it is considered that the site is suitable for residential purposes and the proposal reasonably accords with Principle of Development Control (PDC) 13 of the Hazards module.

## Land Use and Zoning

Dwellings and supported accommodation are acceptable and envisaged forms of development in the Residential Zone. Objectives 1-3 and PDC 1 of the Residential Zone seek a range of dwelling types and dwelling densities, with densities expected to increase in close proximity to centres, public transport routes and public open spaces. The proposed development proposes dwellings in the form of a retirement village which is consistent with the intended land use. It also meets the form of development sought by Objective 1 and PDC 1 of the Supported Accommodation, Housing for Aged Persons and People with a Disability module in that the proposed retirement village is located:

- within walking distance to shops, community services and public transport;
- where the movement of residents is not impaired by the gradient of the subject land;
- where residents of the proposed village can readily interact with other sections of the community (it is located close to schools and dwellings occupied by a diversity of households); and
- in close proximity to public and private open space and landscaping.

The applicant has stated that the proposed retirement village offers independent living units with limited on-site services. It is therefore at the lower end of dependency scale with occupants able to avail themselves of a number of neighbourhood centres and public spaces in close proximity to the subject site. The subject land is located approximately 350-400m from a bus stop on Marion Road with direct bus services to key services and facilities within West Torrens, the Adelaide CBD, the Marion Regional Centre and the wider metropolitan area. It is also within 500m of a centre (including a supermarket) on Henley Beach Road (although this is within the Urban Corridor Zone).

The proposed retirement village also includes many of the desired design elements cited in the Supported Accommodation, Housing for Aged Persons and People with a Disability module including:

- ground level access and lifts in the residential flat buildings;
- single storey dwelling units with usable areas of private open space at ground level; and
- access to a range of community facilities located in the western portion of the retirement village.

Overall, it is considered that the use of the proposed development as a supported accommodation facility is appropriate and satisfies the relevant provisions of the Development Plan.

## Site Areas

PDC 3 of Low Density Policy Area 20 seeks an average site area of 340m<sup>2</sup> for detached, semi-detached and group dwellings. No minimum standard is provided for a residential flat building as this form of development is not generally envisaged in the policy area.

That said, the proposed development provides for an average site area of 145.8m<sup>2</sup> per dwelling which is marginally smaller than the standard for residential flat buildings (150m<sup>2</sup> average per dwelling) sought in other policy areas. This shortfall is considered to be acceptable as it is not detrimental to the orderly and sustainable function of the development and its specific purpose in providing housing for the aged for the following reasons:

- the proposal provides well designed dwellings that maintain the low scale built form character along each road frontage;
- the proposed two storey residential flat building is less than three storeys in height and consistent with a previously approved apartment building within the complex;
- the proposed single storey dwellings are consistent with the low scale character and context of the locality and as sought by PDC 1(d) of the Supported Accommodation, Housing for Aged Persons and People with Disabilities module;

- the proposal comprises a form of infill development on a large site which is contemplated in Low Density Policy Area 20;
- all dwellings are setback an appropriate distance from road frontages and internal and side/rear boundaries ensuring minimal visual intrusion and overshadowing impacts on adjoining residential properties;
- given the orientation and size of the site, the siting of dwellings and respective private open space areas, and the spatial separation achieved between each building, there will be minimal visual and overshadowing impacts internally within the proposed development; and
- one car space for every dwelling is provided in accordance with Table WeTo/2 - Off Street Vehicle Parking Requirements. While there is no requirement to provide visitor car parking, the proposal provides sufficient space in the driveway of each street/right-of-way fronting dwelling to accommodate a visitor car space. Furthermore, there is an abundant supply of on-street car parking adjoining the site that could also be utilised by visitors.

While the proposal does not strictly achieve the minimum site areas stipulated in the policy area, it appropriately plans for the projected increase in the number and proportion of elderly people in the City of West Torrens and responds to the predominant preference of older people to remain living in their existing community. The scale and range of housing for the aged, as proposed, ensures that older people within the community will have access to smaller housing products that are affordable, providing opportunities for these people to downsize from larger dwellings/allotments and successfully age in place.

### **Built Form/Visual Appearance**

The 14 independent living units will be constructed as 7 single-storey duplex buildings. Each dwelling incorporates a variety of colours, finishes, materials and a level of articulation to make the buildings visually interesting and appealing. The overall form, scale and height of these dwellings is consistent with surrounding residential development.

The proposed residential flat (apartment) building presents as a two storey building with a maximum height of 11m (to roof ridgeline and 7.7m to eaves) and undercroft parking. The overall height and scale of the building is similar to a previously approved building within the retirement village, located immediately to the north and is consistent with the Desired Character for Low Density Policy Area 20 which seeks buildings up to two storeys. The proposed apartment building has appropriate levels of articulation with protruding elements and balconies that integrate well with the existing character of the Acacia Village and the wider locality.

On balance, it is considered that the design and appearance of both the single storey dwellings and apartment building is consistent with other residential development in the locality and consistent with the relevant Development Plan provisions relating to Visual Appearance and Built Form.

### **Overlooking and Overshadowing**

There is potential for overlooking from the proposed apartment building to the independent dwelling units immediately to the west and south. A condition of approval to restrict overlooking has been included in the recommendation to ensure that the proposal accords with the relevant provisions of the Development Plan.

While it acknowledged that the independent living units immediately south of the apartment building will be overshadowed for substantial periods during the winter solstice, the impact will be contained entirely within the proposed development.

## Private Open Space

The Supported Accommodation, Housing for Aged Persons and People with Disabilities module of the Development Plan does not stipulate a quantitative guideline for private open space associated with supported accommodation. Rather PDC 1(e) encourages such development to be *'provided with public and private open space and landscaping*. Further to this, PDC 2(a) and (b) encourage internal communal and private areas that are usable for residents and visitors.

The private open spaces of the ground level dwellings and apartments fall marginally short of that for traditional residential development forms. Given that these dwellings have an average site area substantially less than 270m<sup>2</sup> and will have access to community and recreational facilities within the retirement village site, it is considered that the proposed areas of private open space are sufficient to meet the needs of the elderly occupants and visitors. Each of the independent living units is provided with between 24m<sup>2</sup> and 65m<sup>2</sup> of private open space. Accordingly, it is considered that the proposal reasonably accords with the relevant provisions relating to private open space for supported accommodation.

## Traffic and Parking

Each of the 14 independent living units will be provided with a single enclosed garage accessed via a shared driveway. Twelve of the new dwellings will have vehicle access from the existing private entry avenue, either directly or via a new internal access road. Two of the new dwellings will have direct secure vehicle access to Anna Street. The undercroft level of the apartment building is accessible via a ramp from the new internal access roadway. The car park will provide 12 resident car parking spaces and 5 visitor car parking spaces, one of which will be a designated disabled parking space. Based on the requirements contained in Table WeTo/2 *Off Street Parking Requirements*, the proposal is required to provide 26 parking spaces. The proposal provides for 43 spaces which is well in excess of the minimum number required. The proposal is therefore considered to accord with the relevant provisions in the Transportation and Access module.

## Stormwater

As noted, issues with respect to stormwater management have yet to be resolved. However these matters can be addressed by way of the reserved matters included in the staff recommendation should the Panel be of a mind to support the proposal.

## Waste Management

The applicant has provided a Waste Management Plan confirming that a private contractor (Solo Resource Recovery) will collect all waste generated by resident households on the site once a week.

The independent living unit bins will be stored on their respective sites, while bins associated with the apartment building will be stored within the common refuse area in the undercroft car park. Each of the independent living units will be provided with two (2) 240 litre bins, one for general waste, and one for recycling. The apartment building will be provided with nine (9) 240 litre general waste bins, and three (3) 240 litre recycling bins. These bins will be wheeled out from the storage area by ground staff and placed along the internal roadway for collection.

The application was referred to City Assets for comment and all issues have been resolved and the proposed method of collection is considered to be appropriate. On this basis, it is considered that Waste Management matters have been satisfactorily resolved in accordance with relevant Council policies and standards.

## Landscaping

The applicant has submitted a detailed landscaping plan that incorporates a number of species, trees, hedges and smaller shrubs to be planted along the street frontage, side boundaries of buildings and within the private open space areas of the independent living units. The landscaping is considered to enhance the overall appearance of the land and buildings and will assist in softening the appearance of the proposed development as some species will grow several metres high and are known to have reasonably dense foliage, thus breaking up the appearance of the built form.



## SUMMARY

When considered alongside the existing site and locality characteristics and the Desired Character for Low Density Policy Area 20, the proposed development of residential flat buildings for the purposes of retirement living is considered to be both orderly and desirable.

The use of the land for residential purposes is consistent with the uses envisaged within the zone while the built form sufficiently accords with the desired character and is compatible with the built form characteristics of the wider locality. While the proposal will generate some overshadowing impact for residents of two of the independent living units, this is considered to be acceptable on an on-balance basis.

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

On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 6 February 2018 and warrants Development Plan Consent.

## RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/157 /2018 by Mr David Romaldi to undertake: Construction of 7 single storey residential flat buildings, each comprising 2 dwellings; and a two storey residential flat building incorporating 12 apartments with associated undercroft car parking, site works, perimeter fencing, landscaping and internal access roads (within existing Retirement Village). To be undertaken in stages with Stage 1 comprising the 7 single storey residential flat buildings and associated infrastructure (Stage 1 A - footings and infrastructure only) (Stage 1B - superstructure) and Stage 2 comprising the two storey residential flat building comprising 12 dwellings with associated car parking.

The operative period of consent for Stage 2 commencement of works is to be 3 years and completion within 5 years, at 25-29 Lipsett Terrace Brooklyn Park (CT 6106/87, 88 and 89) subject to the following conditions of consent and reserved matters:

### Reserved Matters:

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

1. Detailed plans and supporting calculations for Stormwater Quality Improvement measures (including demonstrating offset of measures from earlier stage of works to be impacted by new works).
2. Detailed plans and supporting calculations for Stormwater Quantity measures (including demonstrating offset of measures from earlier stage of works to be impacted by new works).
3. Details of the retaining wall measures proposed to be established around the undercroft parking area to prevent inundation flows.

### Council Conditions

1. The development shall be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any conditions listed below.
2. The proposed areas for landscaping must be established on the site in accordance with the approved plan prior to the occupation of the dwellings and must be maintained in good condition at all times. Any such landscaping must be replaced if it dies or becomes seriously diseased.

3. All lighting of internal driveways and communal areas on site shall be designed and installed so that light is directed downwards and towards the site to prevent light spill beyond the site boundaries and so as to not create glare and nuisance to adjoining properties and to motorists and pedestrians on adjoining roads in accordance with the relevant Australian Standards.
  4. All stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and, for this purpose, stormwater drainage will not at any time:
    - a) Result in the entry of water into a building; or
    - b) Affect the stability of a building; or
    - c) Create unhealthy or dangerous conditions on the site or within the building; or
    - d) Flow or discharge onto the land of an adjoining owner; or
    - e) Flow across footpaths or public ways.
  5. The common refuse area must be designed and maintained at all times as follows:
    - a) Covered at all times to prevent the dispersal by wind and the of entry of storm water and vermin;
    - b) Sealed to prevent leakage;
    - c) Located on a hard stand area; and
    - d) Adequately screened from public view.
  6. The refuse bins are to be collected by a private contractor on the subject land between the hours of 7am to 7pm Monday to Saturday, 9am to 6pm Sundays and with no collection to occur on Public Holidays.
  7. Any existing driveway crossovers that become redundant as a result of the development must be reinstated to match the existing kerb profile along the road frontage of the property.
  8. Driveways, parking and manoeuvring areas shall be formed, surfaced with concrete, bitumen or paving, and be properly drained, and shall be maintained in a reasonable condition at all times.
  9. That all car parking spaces shall be line marked, in accordance with the approved plans and in accordance with Australian Standard 2890.1, 2004 Parking Facilities, Part 1, Off Street Car Parking, prior to the occupation of the proposed development. Line marking and directional arrows shall be clearly visible at all times.
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## **Attachments**

1. **Plans and documentation (under separate cover)**
2. **City Assets Response to Initial Plans (under separate cover)**

**6.4 156 Richmond Road, MARLESTON**

Application No 211/217/2018

**DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Change of use from office/showroom to motor repair station and associated retail showroom
APPLICANT	Mr Jim Pantzikas
LODGEMENT DATE	8 March 2018
ZONE	Commercial Zone
POLICY AREA	Arterial Roads Policy Area 1
PRECINCT	Precinct 2 Richmond Road
APPLICATION TYPE	Non-complying
PUBLIC NOTIFICATION	Category 3
REFERRALS	Internal <ul style="list-style-type: none"> <li>▪ City Assets</li> </ul> External <ul style="list-style-type: none"> <li>▪ DPTI</li> </ul>
DEVELOPMENT PLAN VERSION	6 February 2018
RECOMMENDATION	Support with conditions

**BACKGROUND**

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

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

**PREVIOUS RELATED APPLICATIONS**

- 211/178/2002 Construct two warehouses with ancillary offices together with car parking and landscaping (approved).
- 211/999/2004 Change of Use from Office and Warehouse to Office, Warehouse and Shop (approved).
- 211/786/2018 Installation of signage (under assessment).

**SITE AND LOCALITY**

The subject site is regular in shape and located on the southern side of Richmond Road. It is formally known as allotment 174 in Filed Plan 19283 in the area named Marleston, Hundred of Adelaide, more commonly known as 156 Richmond Road, Marleston.

With a primary frontage of 19.2 metres (m) and a depth of 35.9m, the overall site area is 690 square metres (m<sup>2</sup>). The site currently contains a large industrial building built to the eastern, southern and western boundaries. This building and the building immediately east are a mirror image of one another. These buildings share a car park. There are reciprocal party wall rights between these buildings and also reciprocal rights of way through the car park. The car park and access points have been set up to provide a safe one way movement. Access is available through the eastern crossover and egress through the western crossover.

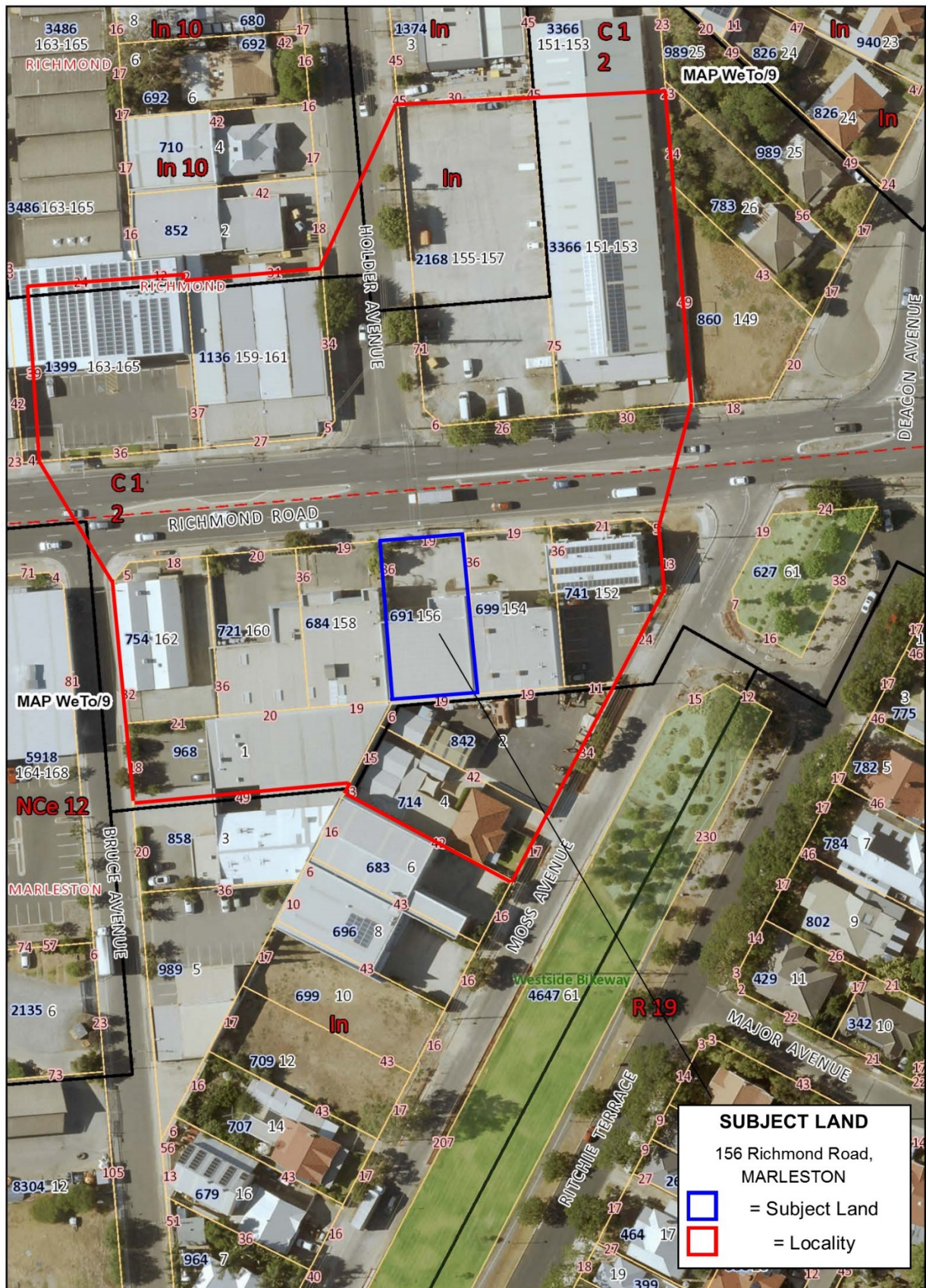
The car park is located between the building and the front boundary. The periphery of the carpark is currently landscaped with palm trees and small bushes.

The locality is mixed use in nature comprising commercial, office and industrial land uses. The subject site is located within the Commercial Zone and immediately north of the Industrial Zone. The wider locality, to the east and west, also includes the Neighbourhood Centre Zone and Residential Zone.

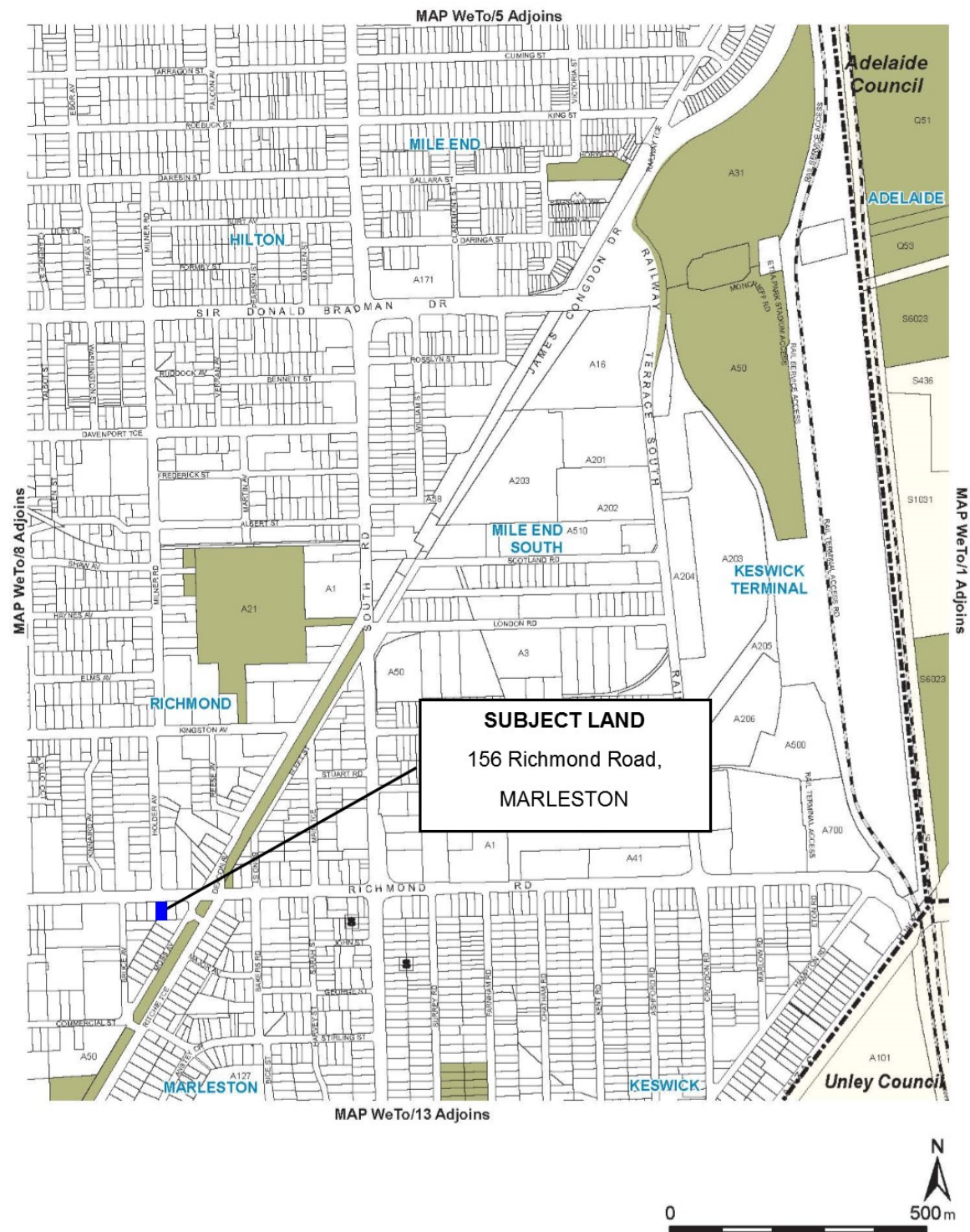
In this location, Richmond Road is a secondary arterial road under the care and control of the Commissioner of Highways.

The site and locality are shown on the following aerial image and locality map.









## Location Map WeTo/9

- School
- Railways
- Local Reserves
- Development Plan Boundary

WEST TORRENS COUNCIL  
Consolidated - 6 February 2018

## PROPOSAL

The proposal seeks to change the use of the site from an office and showroom to a motor repair station and associated retail showroom. The site will be occupied by Wheel and Tyre Kingdom; a company that sells predominantly wheels and tyres, but also undertakes the following activities:

- vinyl wrapping;
- window tinting;
- suspension upgrade and repairs; and
- wheel machining and repairs.

There will usually be two staff on site with the possibility of a third during peak periods. The business will operate between 8:30am and 5pm, Monday to Saturday.

Due to the nature of the business, most vehicles will be driven to and from the site. Tyres and wheels will be delivered by small pick-up trucks and all loading and unloading will be undertaken within the existing building.

There are seven car parks available in front of the existing building. These car parks are located within a larger parking area shared between 154 and 156 Richmond Road. The proposal also includes five car parks within the existing building.

No additional signage has been proposed as part of this application.

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

## NON-COMPLYING

The application is a non-complying form of development, due to a Motor Repair Station being listed as a non-complying use in the procedural matters section of the Commercial Zone. The applicant has provided a Statement of Effect pursuant to Regulation 17 of the *Development Regulations 2008*, which is contained within **Attachment 2**.

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

The Statement of Effect outlines that the proposal:

- will create a small number of job opportunities for the local area;
- that the main environmental impact - being the disposal of used tyres - is to be managed by their regular removal from the site and subsequent processing at an Environment Protection Authority (EPA) licensed premises; and
- that there will be no dangerous goods or chemicals stored on the site.

Should the CAP resolve to approve the application, the concurrence of the SCAP is required. Alternatively, should the CAP refuse the application, no appeal rights are afforded the applicant.

## PUBLIC NOTIFICATION

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

<b>Properties notified:</b>	32 properties were notified during the public notification process.
<b>Representations:</b>	No representations were received.
<b>Persons wishing to be heard:</b>	N/A
<b>Summary of Representations:</b>	N/A

## REFERRALS

### Internal

#### City Assets

Concerns were raised regarding the potential parking demand, the amount of parking available on the site and the size of vehicles servicing the site.

These concerns have been resolved by way of a floor plan being submitted by the applicant confirming that:

- service vehicles will be limited in size to a small rigid vehicle; and
- adequate parking is provided both outside and inside the building.

A copy of the relevant reports is contained within **Attachment 3**.

### External

#### DPTI

DPTI did not raise any objections with the proposal but have recommended a series of conditions should the application be supported.

A copy of the relevant report is contained within **Attachment 4**.

## RELEVANT DEVELOPMENT PLAN PROVISIONS

The subject land is located within the Commercial Zone, Arterial Roads Policy Area 1 and Precinct 2 Richmond Road, 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>Centres and Retail Development</i>	<i>Objectives</i>	2 & 6
	<i>Principles of Development Control</i>	6 & 7
<i>Interface between Land Uses</i>	<i>Objectives</i>	1, 2 & 3
	<i>Principles of Development Control</i>	1, 2 & 8
<i>Orderly and Sustainable Development</i>	<i>Objectives</i>	1, 2, 3 & 4
	<i>Principles of Development Control</i>	1, 5 & 6
<i>Transportation and Access</i>	<i>Objectives</i>	2
	<i>Principles of Development Control</i>	1, 2, 8, 13, 18, 23, 24, 26, 27, 28, 34, 35 & 36



<b>Zone: Commercial Zone</b>	
<b>Desired Character Statement: N/A</b>	
<b>Objectives</b>	1 & 2
<b>Principles of Development Control</b>	1, 2 & 3

<b>Policy Area: Arterial Roads Policy Area 1</b>	
<b>Desired Character Statement:</b> <i>This policy area will accommodate a wide range of commercial and light industrial uses. It is envisaged that the appearance of commercial development within the policy area will be improved through the redevelopment and upgrading of existing development sites. Development site refers to the land which incorporates a development and all the features and facilities associated with that development, such as outbuildings, driveways, parking areas, landscaped areas, service yards and fences. Where a number of buildings or dwellings have shared use of such features and facilities, the development site incorporates all such buildings or dwellings and their shared features and facilities.</i>	
<b>Objective</b>	1
<b>Principles of Development Control</b>	1, 2 & 4

<b>Precinct: Precinct 2 Richmond Road</b>	
<b>Desired Character Statement:</b> <i>This precinct will accommodate light industry, service industry and warehouses and the office components of these uses. Development facing Richmond Road will be of high quality and well landscaped. Large scale development up to three storeys is envisaged on the northern side of Richmond Road, east of Railway Terrace intersection, with development of reduced height further west of the precinct. Front setbacks on the north side of Richmond Road east of the point opposite Surrey Road will be extensively landscaped.</i>	
<b>Principles of Development Control</b>	18, 19, 20 & 25

## QUANTITATIVE STANDARDS

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
OFFICE AREA <i>Commercial Zone</i> <i>PDC 19</i>	30% of gross leasable floor area (maximum)	16% <b>Satisfies</b>
CAR PARKING SPACES <i>Table WeTo/2</i>	8 spaces (minimum)	12 spaces provided <b>Satisfies</b>

## ASSESSMENT

In assessing the merits or otherwise of the application, the proposed development has been discussed under the following sub headings:

### Motor Repair Station - Definition

Although the proposed land use is different to that which is commonly attributed to a motor repair station, it nevertheless meets the definition of a motor repair station as defined in Schedule 1 of the *Development Regulations 2008* which states:

*motor repair station means any land or building used for carrying out repairs (other than panel beating or spray painting) to motor vehicles*

The applicant has indicated that the proposed use will involve the replacement of tyres, wheels and suspension and the repair of tyres and wheels. These aspects of the proposal are considered to meet the definition of a motor repair station.

### Land Use and Zoning

It is unclear why PDC 1 of the Commercial Zone envisages land uses such as light industry, motor vehicle related businesses (other than wrecking yards), service trade premises and petrol filling stations, but lists motor repair stations as non-complying and therefore generally inappropriate. The inclusion of a motor repair station in the list of non-complying land uses is a local inclusion, meaning that while this zone is normally anticipated to include such a land use, Council has chosen to specifically discourage it in this location.

There is a clear policy tension in this zone, evidenced most acutely by the reasonable expectation that tyre retailing/servicing land uses would normally locate along arterial roads such as Richmond Road, yet the Desired Character for Precinct 2 Richmond Road does not support such a use. In this precinct, the desired character seeks light industrial, service industry and warehouse land uses yet the subject site is currently surrounded by bulky goods outlets, retail sales and manufacturing land uses. It could be argued nonetheless that the proposed use displays attributes that are similar to light industrial uses, however there is little guidance provided in the Development Plan as to why motor repair stations are not supported in the precinct or the zone more generally.

That said, in determining whether the proposed motor repair station is a suitable use in the locality, it is important to consider the impact it will have on the existing and desired character.

Given the presence of other commercial and retail land uses in the locality and the scale of the proposed use, it is considered that the operation of the proposed motor repair station is unlikely to have a detrimental effect on the character of the locality. It will operate during normal business hours as well as Saturday between 8:30am and 5pm, which is consistent with other businesses operating in the locality. Further, the activities involved with the proposed use are not considered to cause unreasonable odour, smoke, fumes, dust, noise, vibration, light spill or glare. There will be some noise generated from hand held tools, but the impact from this will be mitigated by these activities being undertaken from within the workshop. Accordingly, the proposed motor vehicle repair station is considered to satisfy Objectives 1, 2 and 3 and PDCs 1 and 2 of the Interface between Land Uses module of the Development Plan.

It is also worth noting that no representations were received during the public notification period. This is of particular importance as the proposed land use has been operating (unapproved) for several months. Although there is a concern that the development has occurred without approval, it has allowed neighbouring properties and administration to experience how the site operates.

## Car parking

Car parking is often a point of contention between neighbouring properties and land uses. This is not considered to be an issue in relation to this proposal as it has been suitably demonstrated that there is sufficient on site car parking to accommodate the anticipated demand. In addition, there is some on street car parking available in front of the subject site, albeit limited between the hours of 4pm - 6pm by a bike lane that operates along Richmond Road.

Table WeTo/2 states that the proposed land use should have the greater of 4 spaces per bay or 2 spaces per 100m<sup>2</sup> of total floor area. The proposal includes 2 bays and has a total floor area of 391m<sup>2</sup>, which equates to a parking demand of eight spaces. The proposal has five car parks within the building and seven located in front of the building. Therefore the proposal exceeds the amount of parking desired by the Development Plan.

The car park will continue to operate in its current form with access through the neighbouring property to the east and egress through the subject site. There are reciprocal rights of way allowing the business at 154 Richmond Road to have customers enter through their site and leave through the subject site. This arrangement is supported by both City Assets and DPTI.

## Waste

Used tyres will comprise the majority of waste generated at the site. These tyres will be stored within the building and collected two or three times a week by a small rigid vehicle, and subsequently processed/recycled at an Environment Protection Authority (EPA) licensed premises.

## SUMMARY

The proposed change of land use to a motor repair station and associated retail showroom is considered to be an orderly form of development that will not be detrimental to the existing or desired character of the locality. The use is considered to be of an appropriate scale and is not expected to cause any unreasonable nuisance to adjoining properties.

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

On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 2 February 2018 and warrants Development Plan Consent subject to the concurrence of SCAP.

## RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/217/2018 by Mr Jim Pantzikas to undertake a change of use from office/showroom to motor repair station and associated retail showroom at 156 Richmond Road, Marleston (CT 5951/705) subject to the concurrence of State Commission Assessment Panel and the following conditions of consent:

## Council Conditions

1. The development shall be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
2. All driveways, car parking spaces, manoeuvring areas and landscaping areas shall not be used for storage or display of materials or goods, including waste products and refuse.
3. No materials or equipment shall be stored outdoors.

4. The hours of operation of the premises shall not exceed the following periods:  
8:30am to 5:00pm Monday to Saturday inclusive.
5. All vehicular repairs and maintenance shall be undertaken within the confines of the building.
6. No spray painting or panel beating shall occur on the subject site without prior approval from Council.
7. With the exception of tyre changing, wheel repair and suspension installation no general servicing or repair of vehicles shall occur on the subject site without prior approval from Council.

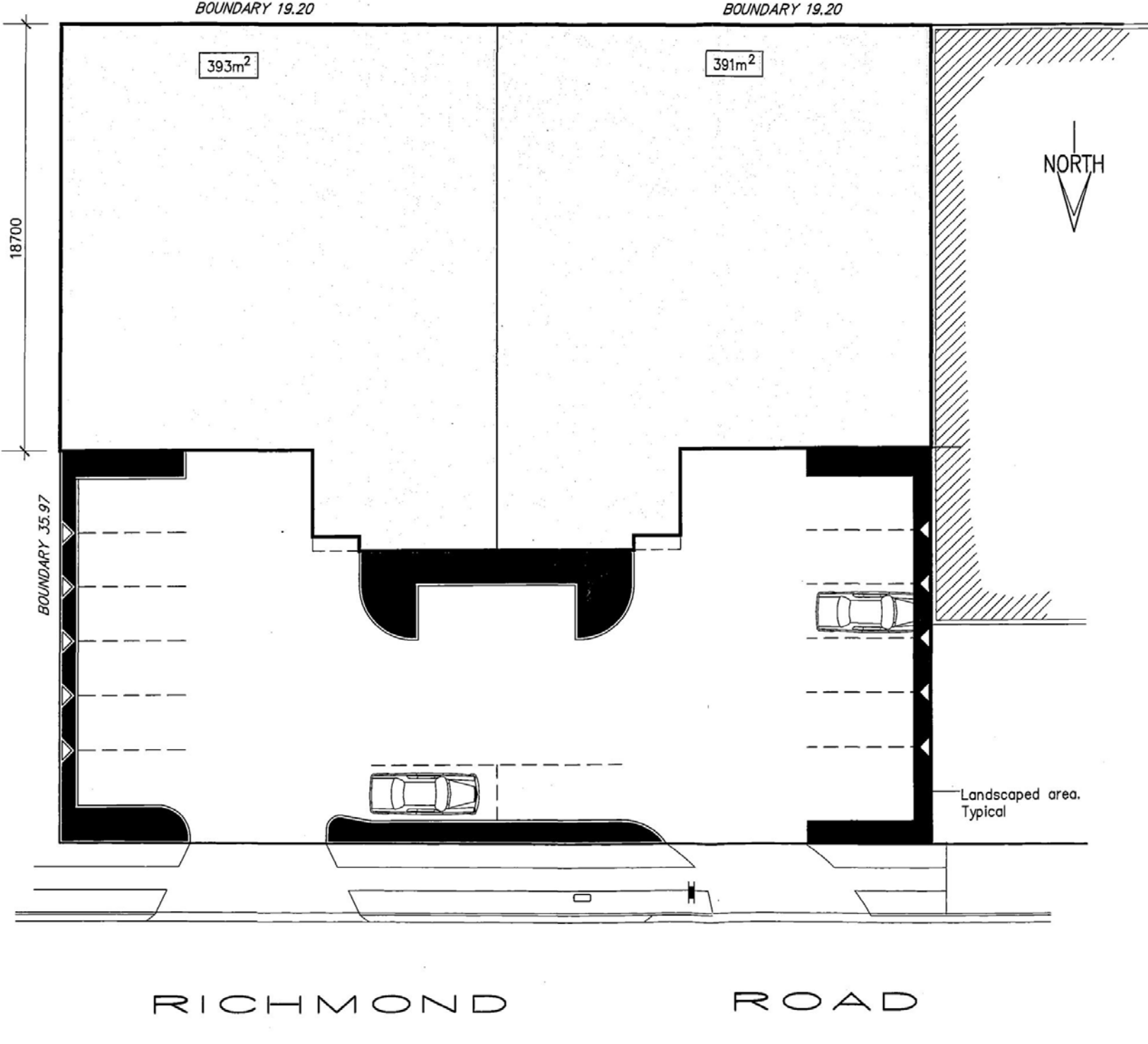
**Conditions imposed upon recommendation of the Department of Planning Transport and infrastructure (DPTI)**

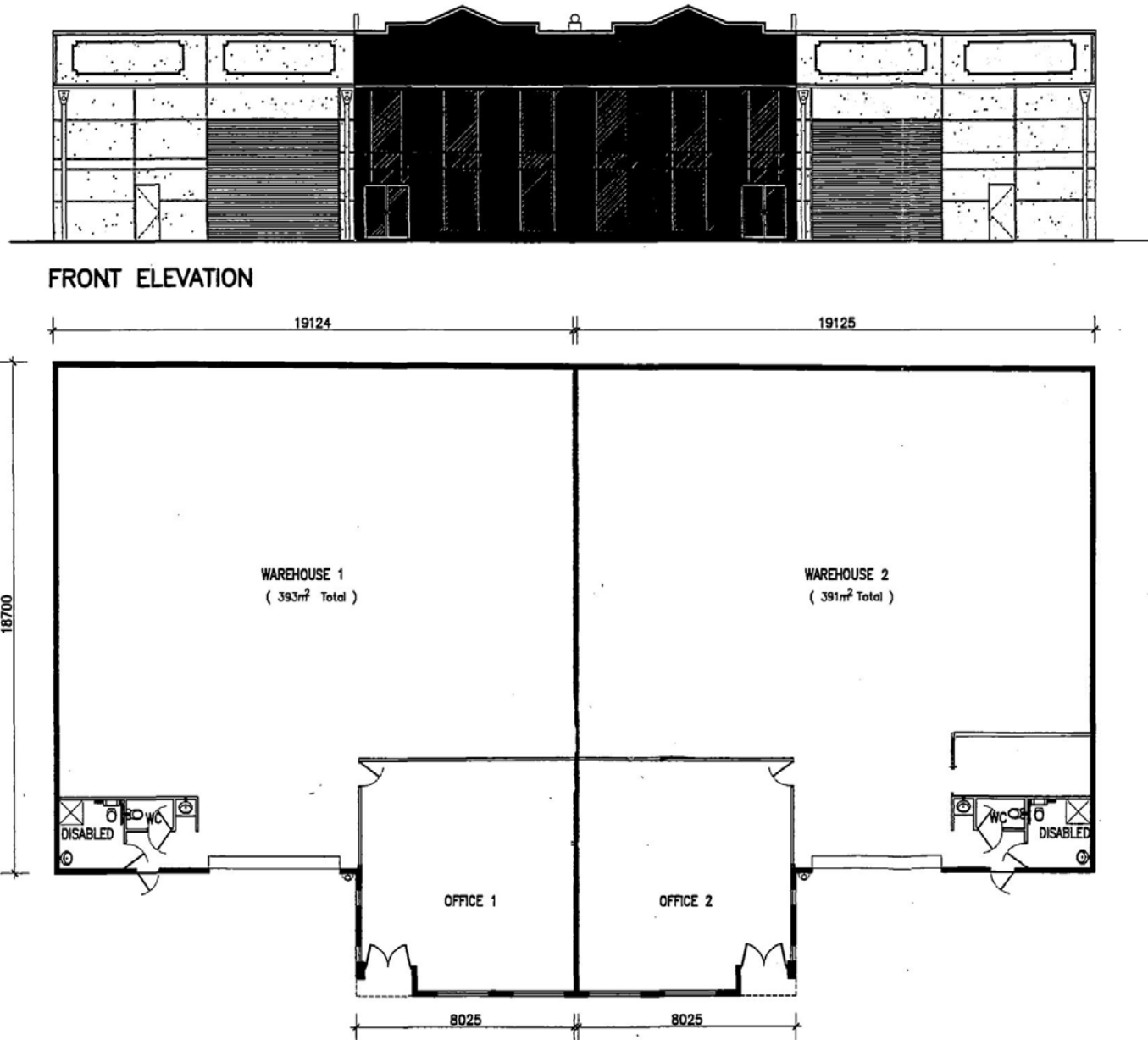
8. All vehicles shall enter and exit in a forward direction.
9. All vehicular access to/from the site shall be gained via the existing access points to/from Richmond Road. The eastern crossover shall operate as an ingress and the western crossover shall operate as an egress. The access points and internal driveways shall be signed/line marked to reinforce the desired one-way flow through the site.
10. All car park aisles and vehicle manoeuvring area shall remain clear of any impediments to vehicle movements
11. Stormwater run-off shall be collected on site and discharged without jeopardising the integrity and safety of Richmond Road. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

**Attachments**

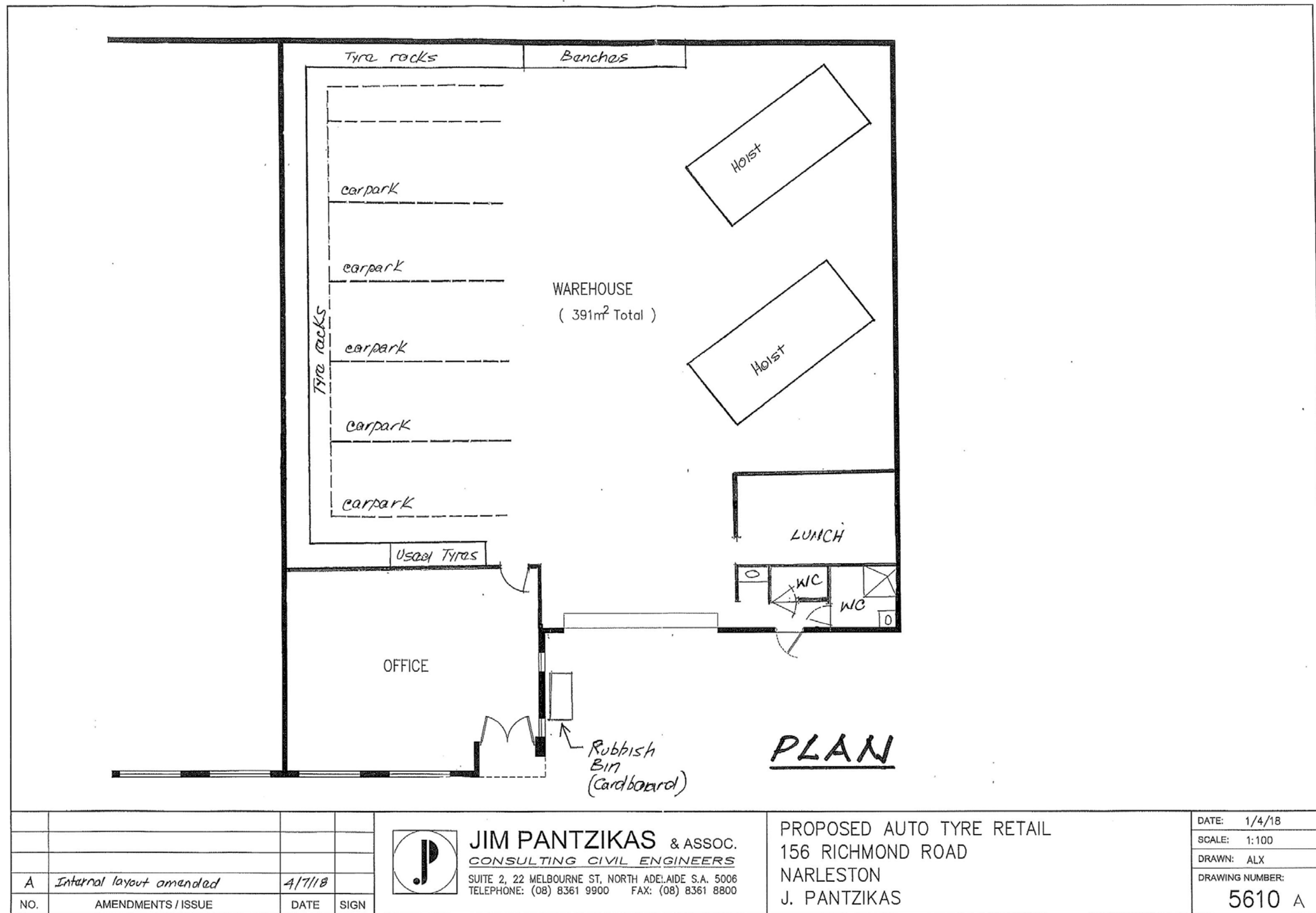
1. **Plans and CT**
2. **Statement of Effect**
3. **City Assets Referral**
4. **DPTI referral**







SITE: 154 & 156 RICHMOND RD.  
MARLESTON





# Title Register Search

## LANDS TITLES OFFICE, ADELAIDE

Issued pursuant to the Real Property Act 1886

REGISTER SEARCH OF CERTIFICATE OF TITLE \* VOLUME 5951 FOLIO 705 \*

COST : \$15.50 (GST exempt )	PARENT TITLE : CT 5831/734 & OTHERS
REGION : FAX 82310286	AUTHORITY : TG 10276326
AGENT : EGAN BOX NO : 055	DATE OF ISSUE : 21/10/2005
SEARCHED ON : 01/11/2005 AT : 15:41:01	EDITION : 1

### REGISTERED PROPRIETORS IN FEE SIMPLE

TECHCREST PTY. LTD. OF 1 UNDIVIDED 2ND PART AND KERTAWEEETA PTY. LTD. OF 1 UNDIVIDED 2ND PART BOTH OF C/- 35 HECTORVILLE ROAD HECTORVILLE SA 5073

### DESCRIPTION OF LAND

ALLOTMENT 174 FILED PLAN 19283  
IN THE AREA NAMED MARLESTON  
HUNDRED OF ADELAIDE

### EASEMENTS

SUBJECT TO PARTY WALL RIGHTS OVER THE LAND MARKED A (TG 10276326)  
SUBJECT TO A FREE AND UNRESTRICTED RIGHT OF WAY OVER THE LAND MARKED C  
TOGETHER WITH PARTY WALL RIGHTS OVER THE LAND MARKED B (TG 10276326)  
TOGETHER WITH A FREE AND UNRESTRICTED RIGHT OF WAY OVER THE LAND MARKED D

### SCHEDULE OF ENDORSEMENTS

NIL

### NOTATIONS

DOCUMENTS AFFECTING THIS TITLE

NIL

### REGISTRAR-GENERAL'S NOTES

NIL

Page 1 of 2

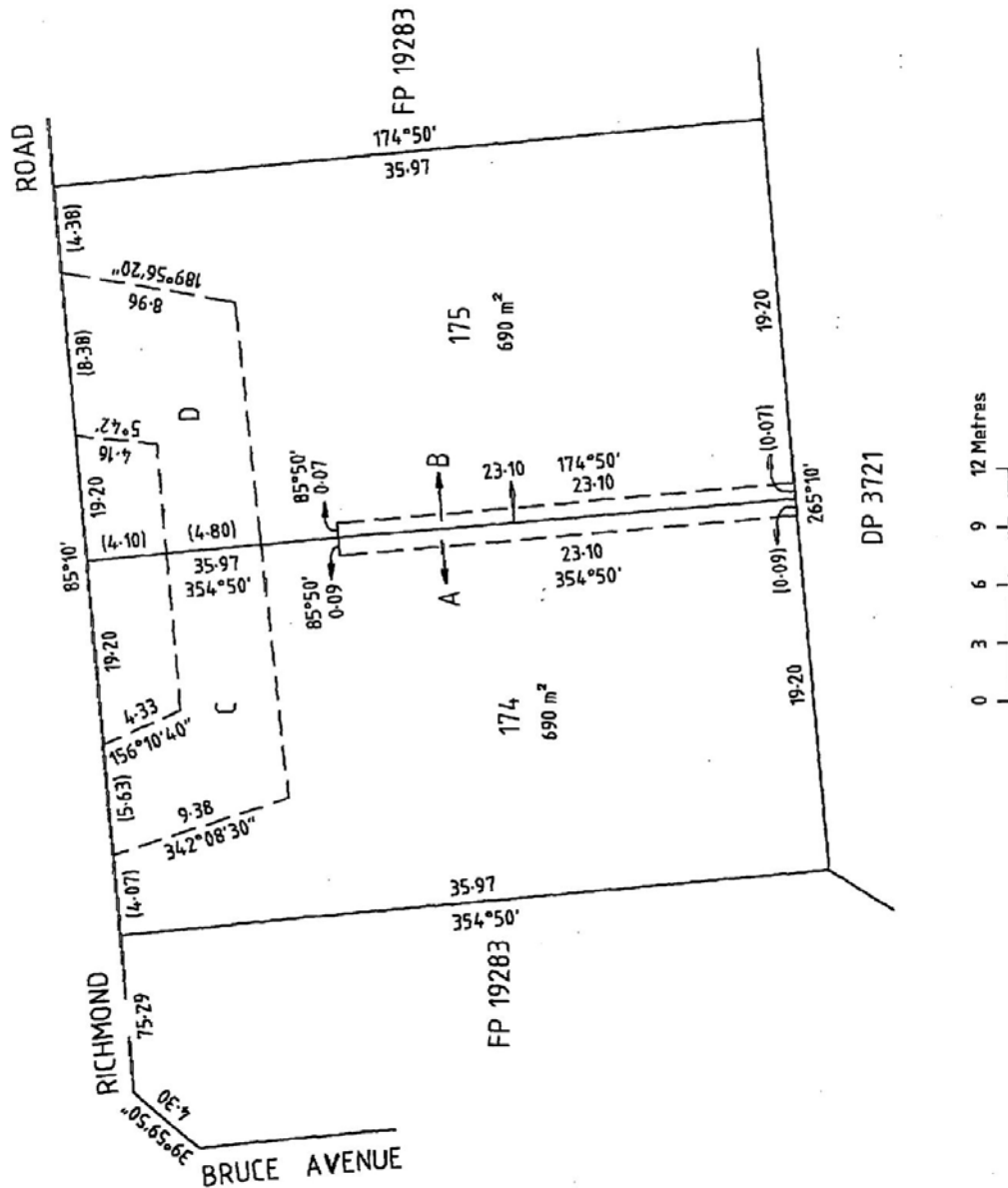
END OF TEXT.

Warning: The information appearing under notations has not been formally recorded in the Register Book and the provisions of the Real Property Act 1886 do not extend thereto.

01/11 '05 TUE 15:41 [TX/RX NO 8119] 001



LANDS TITLES OFFICE ADELAIDE SOUTH AUSTRALIA  
 DIAGRAM FOR CERTIFICATE OF TITLE VOLUME 5951 FOLIO 705  
 SEARCH DATE : 01/11/2005 TIME: 15:41:01



Page 2 of 2

01/11 '05 TUE 15:41 [TX/RX NO 8119] 002



**STATEMENT OF EFFECT**  
**156 RICHMOND ROAD, MARLESTON**

CHANGE OF USE FROM SERVICE TRADE PREMISES TO RETAIL TYRE OUTLET

Prepared for:  
J. Pantzikas

Date:  
31.05.2018



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#### Document Control

Revision	Description	Author	Date
V1	Draft	TK	29/05/2018
V2	Final	TK	31/05/2018

REF 0310 | 31 May 2018





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## 1. INTRODUCTION

This Statement of Effect examines a proposal to change the use of the existing building at 156 Richmond Road from 'service trade premises' (building materials) to 'motor repair station' (retail tyre outlet).

Pursuant to Development Regulation 17(3)(b) the City of West Torrens has resolved to proceed with an assessment of the application. Accordingly, this Statement is provided pursuant to Development Regulation 17(4).

As required by Development Regulation 17(5) this Statement includes:

- (a) A description of the nature of the development and the nature of its locality; and
- (b) A statement as to the provisions of the Development Plan which are relevant to the assessment of the proposed development; and
- (c) An assessment of the extent to which the proposed development complies with the provisions of the Development Plan; and
- (d) An assessment of the expected social, economic and environmental effects of the development on its locality; and
- (e) Any other information specified by the relevant authority when it resolves to proceed with an assessment of the application (being information which the relevant authority reasonably requires in the circumstances of the particular case).

In preparing this Statement I have examined copies of the development application and associated documentation, viewed the site and its locality and considered the most relevant provisions of the West Torrens Council Development Plan consolidated 6 February 2018.

For the purposes of paragraph (e) above, it is noted that the City of West Torrens does not specify that any other information be included in this Statement.



## 2. DESCRIPTION OF PROPOSED DEVELOPMENT

The proposed development involves the change of use of the existing building from the display and sale of building materials ("service trade premises") to a retail tyre outlet including sale and fitting of tyres and wheels ("motor repair station").

The hours of operation will be 8.30 a.m. to 5.00 p.m. Monday to Saturday. At this stage it is anticipated that the maximum staff at any one time will be three (3).

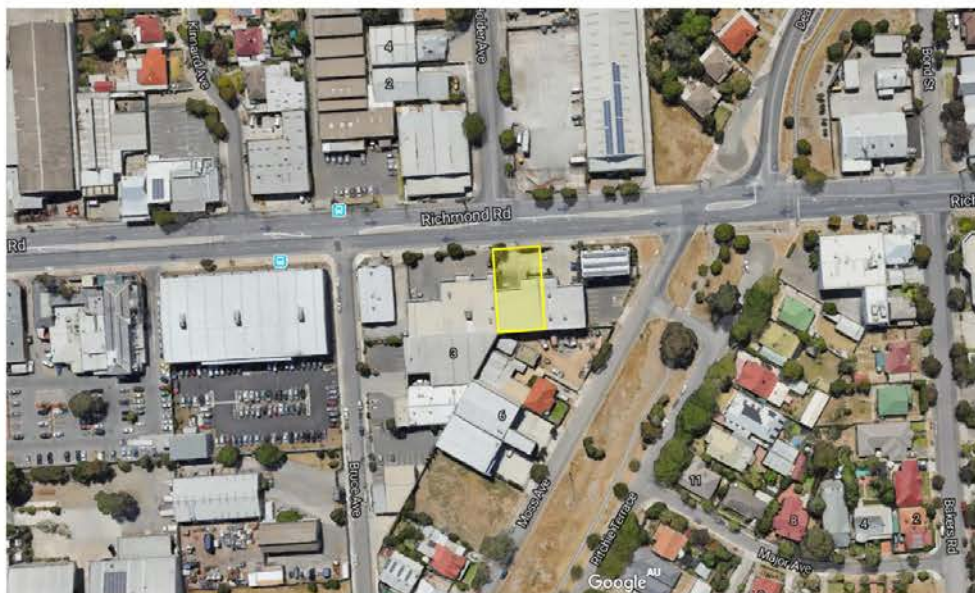
Vehicle access/egress will be maintained by way of the existing crossovers off Richmond Road which allows for a clockwise one-way flow through traffic system which provides for the safe and efficient movement of vehicles.

The existing car parking area will be maintained and an additional five (5) spaces will be provided within the building.

## 3. NATURE OF SITE AND LOCALITY

The subject land is located on the southern side of Richmond Road between Bruce and Moss Avenues and directly opposite Holder Avenue, has a frontage of 19.2 metres to Richmond Road, a depth of 35.97 metres and an area of 690 square metres. A single storey building previously used for the display and sale of building materials but now used as a retail tyre outlet, without consent, is existing on the land. In accordance with established law no weight should be placed on the fact that the use has commenced without consent (*Kouflidis and Jenquin Pty Ltd v Corporation of the City of Salisbury* [1982] 29 SASR 321). Although, the fact that the use exists, reduces to some degree, any speculation about its likely impacts.

Figure 3.1 Subject Site and Locality.



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The subject site shares reciprocal free and unrestricted Rights of Way with the adjoining site at No. 154 Richmond Road which, as noted above, allows for a one-way flow through traffic system.

The locality is predominantly commercial in character with the nearest dwellings being located approximately 100 metres to the north in Holder Avenue and to the south/south-east in Moss Avenue and Ritchie Terrace.

Adjoining the subject land immediately to the east is the Toser, Kit Ezi Kitchens outlet. Along this same side of Richmond Road in the direction of Moss Avenue is the Haese Mathematics building.

Immediately to the west is the MM Electrical wholesale warehouse specialising in the distribution of electrical component products.

Further along this same side of Richmond Road in a westerly direction is a vacant showroom and Bounce Inc. is located on the western corner of Richmond Road and Bruce Avenue.

Directly opposite the subject land on the northern side of Richmond Road is a mix of commercial premises including Flowers Everywhere, Wohlers, Honeywell and Dogtainers.

#### 4. RELEVANT PROVISIONS OF THE DEVELOPMENT PLAN

The subject land is within the Commercial Zone and more particularly Arterial Road Policy Area 1, Precinct 2 Richmond Road under the West Torrens Council Development Plan consolidated on 6 February 2018.

The following provisions of the Plan are considered most relevant to the assessment of the proposed development.

##### GENERAL SECTION

###### *Advertisements*

Objectives 1 - 3.

PDC's: 1, 2, 4, 5, 7, 8, 10, 11 and 14 - 18.

###### *Crime Prevention*

Objective: 1.

PDC's: 1 - 4, 6, 7 and 10.

###### *Hazards*

Objective: 4.

PDC's: 4 - 6 and 7.

###### *Interface between Land Uses*

Objectives: 1 - 3.

PDC's: 1, 2 and 8.



#### *Orderly and Sustainable Development*

Objectives 1-5.

PDC's: 1, 3 and 5.

#### *Transportation and Access*

Objective: 2.

PDC's: 2, 8, 13, 14, 20, 21, 23, 24, 26, 32, 34 - 36 and 40 - 42.

#### *Waste*

Objectives: 1 and 2.

PDC's: 1 - 3, 5 and 6.

#### **COMMERCIAL ZONE**

Objectives: 1 and 2.

PDC's: 1 and 2.

#### **ARTERIAL ROAD POLICY AREA 1**

Objective: 1.

PDC's: 1 and 2.

#### **PRECINCT 2 RICHMOND ROAD**

PDC: 18.

## **5. PLANNING ASSESSMENT**

### **5.1 LAND USE AND ZONING**

The Commercial Zone lists the forms of development envisaged in the Zone. The list includes "*motor vehicle related business other than wrecking yard.*" However, a "motor repair station" is also listed as being a non-complying form of development where located within Arterial Roads Policy Area 1 except where located within Precinct 1 Intersection or Precinct 6 South Road (Mile End South).

On the face of it this makes no sense and it may reasonably be argued that an error may have occurred in the drafting of the Plan as we say it would not have been intended that a development would be both envisaged and non-complying at the same time. It also appears somewhat incongruous to suggest that motor vehicle repairs, generally accepted as being the mechanical repair of motor vehicles, otherwise listed as non-complying and together with attendant traffic implications, be encouraged at major intersections (Precinct 1) noting that both Richmond and South Roads are Strategic Transport Routes and primary arterial roads at the intersection.

In this instance it appears that the envisaged and specifically envisaged land uses in the respective Precincts are more a reflection of what is existing rather than a future directions guide.

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Further, it is accepted law that it is undesirable to attempt to apply definitions in the Development Regulations 2008, as amended, in a rigid and inflexible manner. The kinds of development mentioned in a Development Plan are not to be viewed as boxes or watertight compartments into which every proposed development may or may not fit. Each development must be viewed in a practical and common sense way.

In this instance it seems to us that a relevant line of enquiry is *"how would the reasonable person interpret this uncertainty?"* We say that the reasonable person would conclude that in applying the above principles to the current proposal it may validly be argued that the fitting of tyres and wheels is not motor repairs in the generally accepted sense and, notwithstanding the definition, is more akin to light industry which includes the repair of any article, ship or vessel. Light industry is specifically envisaged in the Precinct.

Notwithstanding the above, the Courts have recognised that whilst a non-complying development has to be assessed differently from a procedural aspect, the development in all other respects stands to be assessed on its merits as a matter of planning judgement; noting that the main focus of the Zone is the promotion of a range of commercial and business land uses.

## 5.2 ADVERTISEMENTS

There will be no additional advertisements only changes to the content of existing advertisements to reflect the new use.

## 5.3 CRIME PREVENTION

The present proposal achieves all crime prevention principles where relevant.

## 5.4 HAZARDS

The subject land is shown to be within an area affected by a 1-in-100 year average return interval flood event. However, no alterations are being made to the building or site levels and, accordingly, existing levels of risk to persons and property are maintained.

## 5.5 INTERFACE BETWEEN LAND USES

The Development Plan speaks in various ways of minimising adverse impacts and conflict between land uses. In this regard we say that the proposed development satisfies, to an acceptable level, those provisions which are intended to ensure, all things being equal, that the proposed development sits comfortably and responds appropriately to its context having due regard to its neighbours and the locality in general.

In essence, the proposed development achieves adequate levels of compatibility between existing and potential future land uses.

## 5.6 ORDERLY AND SUSTAINABLE DEVELOPMENT

Commercial development of the kind proposed is typically located along main roads to take advantage of the exposure and relative ease of access.

In this instance it is considered that the proposed development:

- is supportive of the local community by improving the range of services available;



- is orderly and compact enabling the efficient and effective use of existing infrastructure;
- will not prejudice the achievement of the provisions of the Development Plan;
- does not jeopardise the continuance of adjoining authorised land uses; and
- is orderly and economic and maintains a safe and convenient environment.

In this regard it is considered that this relatively low key/low impact form of development is orderly and sustainable.

### 5.7 TRANSPORTATION AND ACCESS

PDC 34, General Section, Transportation and Access, recommends that development should provide off street parking in accordance with the rates set out in Table WeTo/2 – Off Street Vehicle Parking Requirements.

Based on Table WeTo/2 the recommended parking provision has been calculated at eight (8) spaces, being 4 spaces per service bay.

In this instance a total of twelve (12) spaces are available, including 5 spaces within the building and 7 within the established parking area to the front of the building.

PDC 24, General Section, Transportation and Access provides that development should be provided with safe and convenient access which, inter alia:

- avoids unreasonable interference with the flow of traffic on adjoining roads;
- accommodates the type and volume of traffic likely to be generated; and
- is sited and designed to minimise any adverse impacts on the occupants of and visitors to neighbouring properties.

In this instance, and as noted above, the current access/egress arrangements allow for a clockwise flow through traffic system which facilitates the safe and efficient movement of vehicles.

### 5.8 WASTE

Existing sewage services will be maintained.

End of life tyres, being the principal waste product, will be collected 2 - 3 times per week and disposed of to those involved in the reprocessing of tyre rubber. These collections will be made by a small rigid vehicle.

## 6. ASSESSMENT OF EXPECTED SOCIAL, ECONOMIC AND ENVIRONMENTAL EFFECTS

One of the many challenges facing South Australia is unemployment and more particularly youth unemployment.

The present proposal will make a positive contribution, albeit in a small way, to creating increased employment opportunities, building a stronger sense of community spirit.

The financial investment in this project will maintain the prosperity of this particular area of the City, as opposed to buildings remaining vacant, and encourage confidence in those investing in the City's continued overall prosperity.



As noted above the main waste product, being end of life tyres will be collected on a regular basis and distributed to those involved in the reprocessing of tyre rubber.

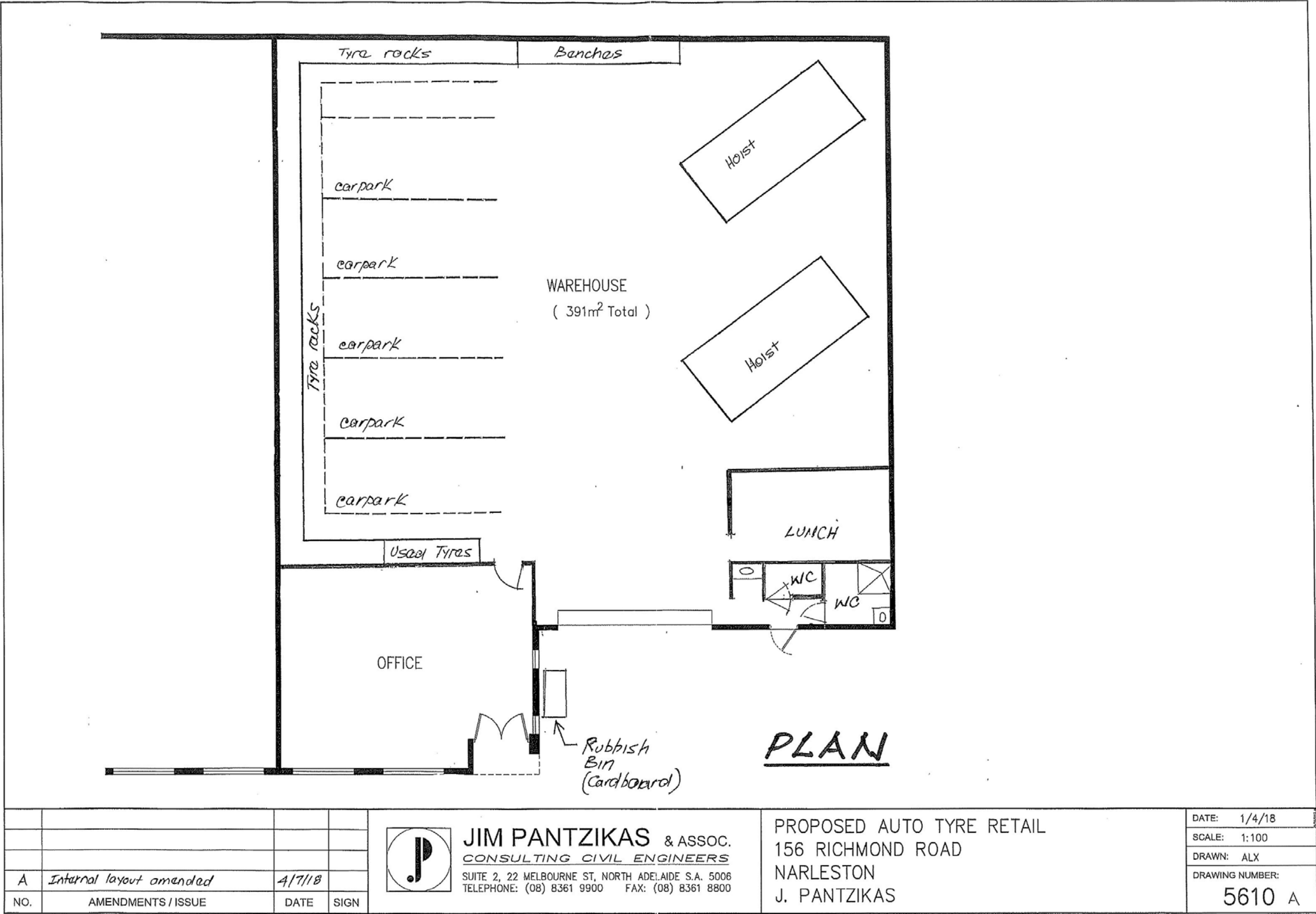
The proposed development:

- respects and responds appropriately to the social, economic and environmental needs of the community;
- presents a building and environs which are safe, secure and accessible for all users;
- will not cause nuisance; and
- is consistent with the use and character of the locality.

In these circumstances it is considered that there will be no adverse social, economic or environmental effects. In fact, all such effects will be positive and benefit the community as a whole.

## 7. CONCLUSION

Having regard to the nature of the site and its factual context and in consideration of the relevant provisions of the West Torrens Council Development Plan consolidated 6 February 2018 we say that the proposed development is not seriously at variance with the provisions of the Plan and is a reasonable form of development that warrants support.





## Preliminary Traffic, Flooding & Stormwater Assessment

**Development Application No:** 211/217/2018

**Assessing Officer:** Jordan Leverington  
**Site Address:** 156 Richmond Road, MARLESTON SA 5033  
**Certificate of Title:** CT-5951/705  
**Description of Development:** Change of use from office/showroom to motor repair station and associated retail showroom

### TO THE TECHNICAL OFFICER - CITY ASSETS

Please provide your comments in relation to:

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

.....  
.....

**PLANNING OFFICER - Jordan Leverington**      **DATE**    **12 April, 2018**



## Memo

To Jordan Leverington  
From Jane Teng  
Date 12/04/2018  
Subject 211/217/2018, 156 Richmond Road, MARLESTON SA 5033

Jordan Leverington,

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

### **1.0 Traffic Comments**

The proposal is for a change of use from office/showroom to motor repair station and associated retail showroom.

The proposal plan does not identify the floor area for the retail showroom and the number of work bays to be provided. In particular, the number of work bays is critical to the assessment of the adequacy of parking for the development. I recommend that the Applicant be requested to confirm the above details.

The title plan for the subject site and 154 Richmond Road shows shared access arrangements between the two properties. It would appear that the subject site would have access to 7 parking spaces on-site. Limited by such a parking provision, it would seem to me that 1-2 work bays may only be possible, if the parking impact is to remain 'neutral', comparing existing use to the proposed use. However, this would also depend on what the floor area for the retail showroom would be.

Given the relatively small size of the building, it would seem to me that the existing use may have been originally designed to accommodate small rigid trucks only. The Applicant would need to provide information on what the likely largest service vehicle would be so that, if approval is contemplated, a condition restricting service vehicle size and access times could be included.

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

Regards

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

In reply please quote 2018/01931/01, Process ID: 526405  
Enquiries to Vittorio Varricchio  
Telephone (08) 8226 8393  
E-mail dpti.luc@sa.gov.au



Government of South Australia

Department of Planning,  
Transport and Infrastructure

DEVELOPMENT DIVISION  
Transport Assessment  
and Policy Reform

GPO Box 1533  
Adelaide SA 5001

ABN 92 366 288 135

25 July 2018

Mr Jordan Leverington  
City of West Torrens  
165 Sir Donald Bradman Drive  
HILTON SA 5033

Dear Mr Leverington

#### SCHEDULE 8 - REFERRAL RESPONSE

Development No.	211/217/18
Applicant	Jim Pantzikas
Location	156 Richmond Road, Marleston
Proposal	Change of use from office/showroom to motor repair station

I refer to the above development application forwarded to the Commissioner of Highways (CoH) in accordance with Section 37 of the *Development Act 1993*. The proposed development involves development adjacent a main road as described above.

The following response is provided in accordance with Section 37(4)(b) of the *Development Act 1993* and Schedule 8 of the *Development Regulations 2008*.

#### THE PROPOSAL

The application proposes to change the use of the subject site to a motor repair station, with the retention of the existing access points to/from Richmond Road.

#### CONSIDERATION

The subject site abuts Richmond Road, an arterial road under the care, control and management of the CoH. This section of Richmond Road is identified as a Primary Freight Route and a High Frequency Public Transport Corridor within the Department of Planning, Transport and Infrastructure's (DPTI) *'A Functional Hierarchy for South Australia's Land Transport Network'*. At this location Richmond Road carries approximately 23,000 vehicles per day (6.5% commercial vehicles) and is gazetted for 26-metre B-Double vehicles.

#### Access

The subject site currently has two crossovers to/from Richmond Road. The application proposes to retain both crossovers to serve the site. DPTI has been informed by the applicant that it is intended to utilise the eastern crossover as an ingress and the western crossover as an egress to provide a one-way flow through the site. This access arrangement is acceptable to DPTI provided the access points and internal driveways are signed/linemarked to reinforce the desired one-way flow through the site.

#12906443

DPTI has received a Statement of Effect from Jim Pantzikas & Associates, dated 26 February 2018, regarding the application. The report states that the development would employ between 2-3 staff members with no more than 3 customers on-site at a time. The largest vehicle expected on-site is a small pickup truck, with all un-loading being undertaken within the buildings.

### **Car parking**

Council should ensure the proposed development provides sufficient on-site car parking designed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009. It should also be noted that on-street parking adjacent the site is restricted and overflow parking may be required to utilise the local road network.

### **CONCLUSION**

DPTI does not object in-principle to the proposed development, subject to the planning authority attaching the following conditions to any approval:

1. All vehicles shall enter and exit the site in a forward direction.
2. All vehicular access to/from the site shall be gained via the existing access points to/from Richmond Road. The eastern crossover shall operate as an ingress and the western crossover shall operate as an egress. The access points and internal driveways shall be signed/linemarked to reinforce the desired one-way flow through the site.
3. All car park aisles and vehicle manoeuvring areas shall remain clear of any impediments to vehicle movements.
4. Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of Richmond Road. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

Yours sincerely



**MANAGER, TRANSPORT ASSESSMENT AND POLICY REFORM**  
for COMMISSIONER OF HIGHWAYS

A copy of the decision notification form should be forwarded to [dpti.developmentapplications@sa.gov.au](mailto:dpti.developmentapplications@sa.gov.au)

#12906443



**6.5 49 Morphett Road CAMDEN PARK**

Application No 211/463/2017 &amp; 211/339/2017

**DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Land division - Community Title; DAC No. 211/C063/17; Create three (3) additional allotments and common property	Demolition of existing dwelling and associated structures and construction of two (2) two-storey dwellings with garages under main roof and one (1) two storey residential flat building containing two (2) dwellings with garages under main roof and construction of 2.1 metre high masonry front fence
APPLICANT	CityLux Construction Pty Ltd	Chris Wates Architect
APPLICATION NO	211/463/2017	211/339/2017
LODGEMENT DATE	12 April 2017	27 March 2017
ZONE	Residential Zone	Residential Zone
POLICY AREA	Low Density Policy Area 20	Low Density Policy Area 20
APPLICATION TYPE	Merit	Merit
PUBLIC NOTIFICATION	Category 1	Category 2
REFERRALS	Internal <ul style="list-style-type: none"> <li>City Assets</li> </ul> External <ul style="list-style-type: none"> <li>SCAP</li> <li>SA Water</li> </ul>	Internal <ul style="list-style-type: none"> <li>City Assets</li> <li>Amenity Officer</li> </ul> External <ul style="list-style-type: none"> <li>DPTI</li> </ul>
DEVELOPMENT PLAN VERSION	5 May 2016	5 May 2016

**BACKGROUND**

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

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

**SITE AND LOCALITY**

The subject land comprises a single allotment with frontage to Morphett Road, Camden Park.

The subject land is formally described in Certificate of Title Volume 5663 Folio 862, comprising Allotment 265 in Filed Plan 7043, in the area named Camden Park, Hundred of Adelaide. There are no easements, encumbrances or Land Management Agreements affecting the land.

The allotment is rectangular in shape with a 19.2 metres (m) frontage width to Morphett Road and a total area of 936.4 square metres (m<sup>2</sup>). Currently occupying the land is a single storey brick dwelling and several structures at the rear of the dwelling that have been used as horse stables.

The land is naturally flat and does not contain any Regulated Trees.

The locality comprises an established residential area with a mixed built form character. Existing development includes detached and semi-detached dwellings, group dwellings and residential flat buildings up to two storeys in height and at low to medium densities. A diverse allotment pattern is observed within the locality, particularly along the Morphett Road corridor to the north and south and east of Morphett Road on land bound by Victoria Avenue and Stonehouse Avenue.

The amenity of the locality is considered to be moderate due to the diverse development pattern, mixed housing stock and significant traffic volumes along Morphett Road.



**The subject land viewed from Morphett Road**



**The subject land and adjoining property at 51 Morphett Road**



The site and locality are shown on the following aerial image and locality plan.







## Location Map WeTo/14

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

WEST TORRENS COUNCIL  
Consolidated - 5 May 2016



## PROPOSAL

The proposed development is summarised as follows:

### 211/463/2017

The application involves a Community Title land division to create three (3) additional allotments and common property. The proposed allotments have the following site areas and frontages:

Lot	Site Area	Frontage
1	168m <sup>2</sup>	6.6m
2	168m <sup>2</sup>	6.6m
3	183m <sup>2</sup>	N/A
4	183m <sup>2</sup>	N/A
Common Lot	234m <sup>2</sup>	6.0m

A common property allotment is to be provided for shared driveway access.

### 211/339/2017

This application seeks the construction of two (2) two storey residential flat buildings containing a total of four (4) dwellings.

Dwellings 1 and 2 are located at the front of the allotment and are designed to address the road frontage. The main front walls of the dwellings are setback 6m from the road boundary, with the front upper level balconies projecting 2m further forward. The garages are to be located at the rear under the main roof of the dwellings (i.e. rear loaded). Dwellings 3 and 4 are located toward the rear of the allotment in a battleaxe arrangement and are designed and orientated to front onto a new common driveway.

The proposed dwellings are designed with a common architectural style and form. The dwellings are modern, with relatively simple facades that include either front balconies or porticos, recessed upper levels and pitched roofs. External materials and finishes include rendered wall cladding in grey and brown colours, black aluminium frame windows and doors and colorbond® metal roof sheeting finished in Woodland Grey.

A 2.1m high masonry wall and gate it is to be constructed along the Morphet Road frontage for security and noise attenuation purposes. Landscaping will also be provided within the front and rear yards and within the common driveway.

Refer to **Attachment 1** for the plan of division and **Attachment 2** for a copy of the dwelling plans.

## PUBLIC NOTIFICATION

The application for the residential flat buildings (211/339/2017) is assigned to Category 2 for public notification purposes pursuant to Section 38 of the *Development Act 1993* and Schedule 9, Part 2, 18(a) of the *Development Regulations 2008*.

<b>Properties notified:</b>	Thirty-five (35) properties were notified during the Category 2 public notification process.
<b>Representations:</b>	Two (2) representations were received.
<b>Persons wishing to be heard</b>	<ul style="list-style-type: none"> <li>• A Reidy</li> <li>• D Kerrigan</li> </ul>

<b>Summary of representations</b>	<ul style="list-style-type: none"> <li>• Overlooking</li> <li>• Overshadowing</li> <li>• Visual impact</li> </ul>
<b>Applicant's response</b>	In response to the representations, the applicant has amended the proposal plans and discussed matters of overlooking and overshadowing with the representors. Both of the representors have subsequently withdrawn their request to be heard by the Panel.

Refer to **Attachment 3** for a copy of the representations.

## REFERRALS

### Internal

#### City Assets

City Assets comments are summarised as follows:

- Finished floor levels satisfy the minimum requirements in consideration of street and/or flood level information;
- The existing crossover will be made redundant and should be reinstated to vertical kerb prior to the completion of any building works at the applicant's expense;
- The proposed driveway will require the removal of one street tree adjacent to this property. The tree in question has been assessed and considered acceptable to be removed;
- The revised vehicle access and manoeuvrability satisfy the requirements of the relevant Australian Standard (AS/NZS 2890.1:2004);
- Development Plan requirements for parking are satisfied; and
- No stormwater detention and water quality provisions are required for the site as the proposed development does not fall under the development category requiring stormwater discharge restriction and water quality treatment.

### External

#### DPTI

DPTI does not object in-principle to the proposed application although it is noted that Council will need to consider the acceptability of the proposed access location given that it appears to not comply with AS/NZS2890.1:2004.

#### SA Water

SA Water has raised no concerns with the proposal. The developer will be required to meet the requirements of SA Water for the provision of water and sewerage services. Standard conditions of consent have been recommended.

#### State Commission Assessment Panel (SCAP)

SCAP has raised no concerns with the proposal. Standard conditions of consent have been recommended.

A full copy of the relevant reports is contained in **Attachment 4**.

## RELEVANT DEVELOPMENT PLAN PROVISIONS

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

<u>General Section</u>		
Crime Prevention	Objectives	1
	Principles of Development Control	1, 2, 3, 5, 6, 7, 8
Design and Appearance	Objectives	1 & 2
	Principles of Development Control	1, 2, 3, 4, 5, 9, 10, 11, 12, 13, 14, 15, 16, 20 & 21
Energy Efficiency	Objectives	1 & 2
	Principles of Development Control	1, 2, & 3
Infrastructure	Objectives	1, 2, & 3
	Principles of Development Control	1, 3, 4, 5, 6, 8, 9, 10, 14 & 16
Interface between Land Uses	Objectives	1 & 2
	Principles of Development Control	1, 2, 3, & 4
Land Division	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 2, 4, 5, 6, 7, 8, 12, & 16
Landscaping, Fences and Walls	Objectives	1 & 2
	Principles of Development Control	1, 2, 3, 4 & 6
Orderly and Sustainable Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1, 3, 5, 6, 7 & 8
Residential Development	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 18, 19, 20, 21, 24, 27, 28, 29, 30 & 31
Siting and Visibility	Objectives	1
	Principles of Development Control	1, 2, 4, 5, 7 & 8
Transportation and Access	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 2, 8, 9, 10, 11, 13, 14, 18, 20, 21, 22, 23, 24, 25, 30, 32, 33, 34, 35, 36, 37, 39, 40, 41, 43, 44 & 45

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

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

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

Objectives	1, 2, 3 & 4
Principles of Development Control	1, 2, 5, 6, 7, 9, 10, 11, 12, 13 & 14

#### **Policy Area: Low Density Policy Area 20**

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

*Allotments in the policy area will be at low density, accommodating predominantly detached dwellings and some other dwellings types such as semi-detached and group dwellings. There will be a denser allotment pattern close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones. Battleaxe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments developed with buildings that have a direct street frontage.*

*Buildings will be up to 2 storeys in height. Garages and carports will be located behind the front façade of buildings.*

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

Objectives	1
Principles of Development Control	1, 2, 4 & 5

### **QUANTITATIVE STANDARDS**

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

<b>DEVELOPMENT PLAN PROVISIONS</b>	<b>STANDARD</b>	<b>ASSESSMENT</b>
ALLOTMENT/SITE AREA <i>Low Density Policy Area 20</i> PDCs 4 & 5	300m <sup>2</sup> (minimum site area within 400m of centre zone)	Dwellings 1&2 - 168m <sup>2</sup> Dwellings 3&4 - 183m <sup>2</sup>  <b>Does Not Satisfy</b>
SITE FRONTAGE <i>Low Density Policy Area 20</i> PDCs 4 & 5	9m (minimum site frontage)	Dwellings 1&2 - 6.6m Dwellings 3&4 - 6.0m  <b>Does Not Satisfy</b>



SITE COVERAGE	Not specified	Dwellings 1&2 - 63% Dwellings 3&4 - 56%  <b>Acceptable</b>
STREET SETBACK <i>Residential Zone</i> <i>PDC 8</i>	Average of the adjacent buildings - 5.5m	Dwellings 1&2 - 6m Dwellings 3 & 4 - N/A  <b>Satisfies</b>
REAR SETBACK <i>Residential Zone</i> <i>PDC 11</i>	3m (minimum single storey) 8m (minimum two storey)	Dwellings 3&4 - 4m Dwellings 3&4 - 8m  <b>Satisfies</b>
SIDE SETBACKS <i>Residential Zone</i> <i>PDC 11</i>	<u>Ground floor</u> 1m (minimum; 0m for maximum of 8m)          <u>Upper floor</u> 2m (minimum)	<u>Ground floor</u> Dwellings 1 & 2 - 0.9m Dwellings 3 & 4 - 1m  Garage walls on boundary for 8.8m (dwellings 1 & 2)  <b>Does Not Satisfy</b>  <u>Upper floor</u> 2m (all dwellings)  <b>Satisfies</b>
OVERSHADOWING <i>Residential Development</i> <i>PDC 10, 11, 12, 13</i>	Minimum of 2 hours of sunlight between 9.00am & 3.00pm on 21 June	Shadow diagrams provided - refer assessment below  <b>Partially Satisfies</b>
PRIVATE OPEN SPACE <i>Residential Development</i> <i>PDC 19</i>	<u>Lots &lt;300m<sup>2</sup></u> 24m <sup>2</sup> (minimum) 3m (minimum dimension) 16m <sup>2</sup> (minimum directly accessible from a habitable room)	Dwellings 1&2 - 53m <sup>2</sup> Dwellings 3&4 - 44m <sup>2</sup>  <b>Satisfies</b>
CARPARKING SPACES <i>Transportation and Access</i> <i>PDC 34</i>	8 spaces (4 covered) - plus 1 visitor space	8 spaces (covered)  1 visitor space  <b>Satisfies</b>

<b>LANDSCAPING</b> <i>Landscaping, Fences and Walls</i> <b>PDC 4</b>	10% (minimum)	10% capable of being landscaped  <b>Satisfies</b>
<b>DOMESTIC STORAGE</b> <i>Site Facilities and Storage</i> <b>PDC 4</b>	8m <sup>3</sup> (minimum)	8m <sup>3</sup> (over bonnet storage in garages)  <b>Satisfies</b>

## ASSESSMENT

In assessing the merits or otherwise of the application, the proposed development is discussed under the following sub headings:

### Desired Character

The Desired Character for Low Density Policy Area 20 envisages low density residential development predominantly in the form of "*detached dwellings and some other dwellings types such as semi-detached and group dwellings*". Residential flat buildings and battleaxe subdivision generally is not desirable within the policy area as this kind of development has the potential to detract from the pattern of rectangular allotments and the appearance of buildings along the streetscape.

The proposal comprises the construction of two (2) two storey dwellings with frontage to Morphet Road (Dwellings 1 and 2). Although the sites for these dwellings would not be held exclusively for each respective dwelling (i.e. the dwellings are reliant upon the common driveway for access), the dwellings are designed to front the road and therefore present as detached dwellings. These dwellings are considered desirable in terms of their layout and built form.

The proposal also comprises a two storey residential flat building containing two dwellings that is located to the rear of the property in a battleaxe arrangement. Although this kind of residential development is not necessarily envisaged within the policy area, the desired character for the area and the capacity to achieve its intent needs to be considered with regard to the land use and built form characteristics of the locality. As illustrated below, the subject land is situated within a locality where residential flat buildings and rear of lot dwellings are the predominant form of development. The prevalence of such development throughout the locality has resulted in a shift away from detached dwellings at low densities to medium density housing in the form of group dwellings and residential flat buildings.



**The locality is characterised by residential flat buildings and battleaxe development**

The proposal is therefore considered to be an orderly and appropriate form of development for the site when balanced against the existing site and locality characteristics and the desired character for the policy area.

**Site Area and Frontage**

Principle of Development Control (PDC) 4 of Low Density Policy Area 20 prescribes a minimum site area of 300m<sup>2</sup> for all dwellings (other than those within a residential flat building) located within 400 metres of a centre zone. The subject land is located within approximately 150m of a Neighbourhood Centre Zone on Morphet Road comprising a small supermarket, butcher, chemist and other local amenities. The site is also within a short walking distance from Immanuel College.

For land division proposals, PDC 5 of the Policy Area prescribes a minimum site area of 340m<sup>2</sup> *"other than where the land division is combined with an application for dwellings or follows an approval for dwellings on the site"*. Although the land division and proposed dwellings have not been combined on this occasion, it is considered appropriate to apply the minimum site area of 300m<sup>2</sup> in PDC 4 given the suitability of residential flat buildings within the locality (as discussed) and that both applications are being assessed concurrently. The combining of the applications is not considered necessary for this development as the proposed land division is creating community allotments that are to be accessed from a common property driveway.

The proposed dwelling allotments would have site areas of between 168m<sup>2</sup> and 183m<sup>2</sup> (excluding common land). Although significantly less than 300m<sup>2</sup> standard, the overall dwelling density and allotment layout would not be at odds with the existing built form characteristics of the locality. Furthermore, the proposed dwellings have been designed and sited in a manner that reasonably satisfies the relevant quantitative requirements of the Development Plan relating to building height, boundary setbacks, private open space, site coverage, vehicular access and car parking.

In terms of the site frontage(s), the subject land has a frontage to Morphet Road that is 19.2 metres wide. Within the Residential Zone, the Development Plan typically requires a frontage width of at least 15 metres for developments comprising residential flat buildings. The site frontage of 19.2 metres is acceptable as it allows for the front buildings to address the street while providing for safe and convenient driveway access.

Accordingly, the proposal is not considered to undermine the Desired Character for the Policy Area or the intent of PDCs 4 and 5 of Low Density Policy Area 20.

### **Side Setbacks and Boundary Walls**

The garage wall of Dwellings 1 and 2 are sited on their respective side boundaries for a length of 8.8m. The height of the boundary walls is 3m above the footing. The main side walls of the dwellings are setback 0.9m from the boundaries.

PDC 11 of the Residential Zone recommends a minimum setback of 1m from side boundaries for walls that are 3m or less in height. Whilst the proposal does not strictly achieve this setback, PDCs 12 and 13 make some allowance for walls on side boundaries provided any associated visual and overshadowing impacts are minimised. From a quantitative perspective, it is noted that PDC 13(b) requires boundary walls to have a maximum height of 3m and a maximum length of 8m. The length of the proposed walls exceed this requirement by only 0.8m and are no greater than 3m in height. It is also noted that the adjoining property to the north contains two storey buildings located close to the side boundary. The adjoining property to the south is occupied by group units with a long carport sited on the boundary.

On balance, the siting of the proposed development in relation to the side boundaries is considered acceptable as it would not significantly detract from the amenity of neighbouring properties.

### **Overshadowing**

Given the two storey scale of the proposed buildings and the orientation of the subject land, it is reasonable to expect that some shadow would be cast over the adjoining properties to the south, particularly during winter months.

The applicant has provided some shadow diagrams showing that the shadow cast over the adjoining property at 43-47 Morphett Road would primarily affect the carport that is immediately adjacent to the boundary, with minimal shadow over the residences. The diagrams also confirm that Unit 3, 45-47 Morphett Road would be most affected. While the rear yard of this dwelling would be in shadow for much of the day during winter, the side and rear windows would appear to receive reasonable access to natural light from 12.00pm onwards. As required under PDC 11 of Residential Development module, the north-facing windows of the adjoining dwelling would continue to receive at least three hours of direct sunlight between 9.00am and 5.00pm on the 21 June.

### **Private Open Space**

The proposed dwellings will be provided with at least 44m<sup>2</sup> of private open space, which satisfies PDC 19 of the Residential Development module. In terms of the siting and design of the private open space, PDC 18 recommends that yard areas be provided to the side and rear of the dwellings for privacy reasons. While most of the private open space for Dwellings 1 and 2 is sited in front of the dwellings, this would not adversely affect the privacy or functionality of the yard areas as they would be made secure and private with a 2.1m high masonry fence and would be directly accessible from the ground floor living areas within the dwelling. Accordingly, the proposed development is considered reasonable with regard to the provision of private open space.

### **Street Tree**

The proposed common driveway will require the removal of a Council street tree from the Morphett Road verge. City Assets has assessed the tree and is supportive of its removal subject to Council's standard fees and charges.

### **Site Contamination**

Several structures at the rear of the dwelling have in the past been used for the stabling of horses. The applicant has sought the advice of AM Environmental Consulting with respect to the potential for site contamination as a result of the past use of the land.



AM Environmental Consulting has discussed the potential for site contamination with the Environment Protection Authority (EPA). The EPA has confirmed that horse stables do not represent a potentially contaminating activity if the use is for the holding of horses only. As the stables were only used for holding purposes, the land is considered safe for residential use from a site contamination perspective. PDC 13 of the Hazards module is therefore satisfied.

### **Landscaping**

Landscaping is to be provided along the road frontage and within yard areas and the common driveway that meets the minimum landscaping requirement of 10 percent of the site. The landscaping will include a mix of trees, shrubs and grasses.

Additional plantings, particularly adjacent the common driveway, would further enhance the development by reducing the visual impact and bulk of the proposed buildings and mitigating heat loading impacts generated by the predominance of hard paved surfaces. For this reason, a reserved matter has been added to the staff recommendation.

### **Waste Collection**

As the proposed development comprises only four dwellings, there is adequate area on site and within the adjacent road verge for the storage and collection of waste bins. A private waste contractor is therefore not required. This satisfies Council's requirements and is consistent with Objective 2 of the Waste module of the Development Plan.

## **SUMMARY**

When balanced against the existing site and locality characteristics and the Desired Character for Low Density Policy Area 20, the proposed division of land and associated dwellings are considered to be orderly and appropriate forms of development. In particular, the proposed dwelling density and allotment layout would be compatible with and complement the established pattern and built form characteristics of the locality.

The built form has sufficient regard for adjoining residential development and the streetscape in regards to the overall scale and massing, architectural detailing and siting of the development. It has also been demonstrated that the proposal would not adversely impact upon traffic safety on the adjacent road network.

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

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

## **RECOMMENDATION 1**

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent, Land Division Consent and Development Approval for Application No. 211/463/2017 by CityLux Construction Pty Ltd to undertake a land division - Community Title; DAC No. 211/C063/17; Create three (3) additional allotments and common property at 49 Morphett Road Camden Park (CT 5663/862) subject to the following conditions of consent and reserved matter:

### **Reserved Matter**

1. A detailed landscaping plan, to the satisfaction of Council, shall be submitted prior to the issue of Development Approval.

### Development Plan Consent Conditions

1. The development must be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
2. All existing buildings on the land shall be removed prior to the issue of clearance to this land division approved herein.

### State Commission Assessment Panel Conditions

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

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

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

4. Payment of \$20,028 into the Planning and Development Fund (3 allotments @ \$6676/allotment). Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (7109 7018), by cheque payable to the State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 50 Flinders, Adelaide.
5. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

### RECOMMENDATION 2

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/339/2017 by Chris Wates Architect to undertake demolition of existing dwelling and associated structures and construction of two (2) two storey dwellings with garages under main roof and one (1) two storey residential flat building containing two (2) dwellings with garages under main roof and construction of 2.1 metre high masonry front fence at 49 Morphett Road Camden Park (CT 5663/862) subject to the following conditions of consent:

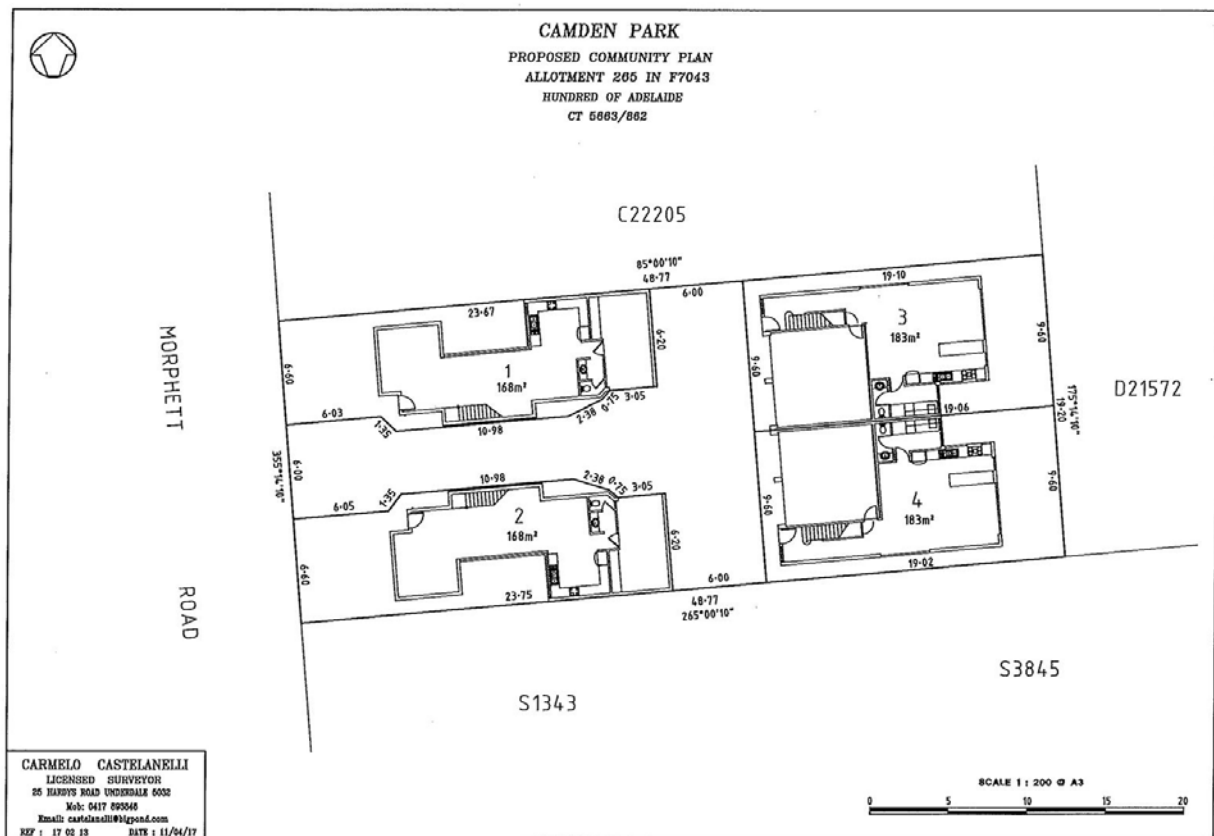
### Development Plan Consent Conditions

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

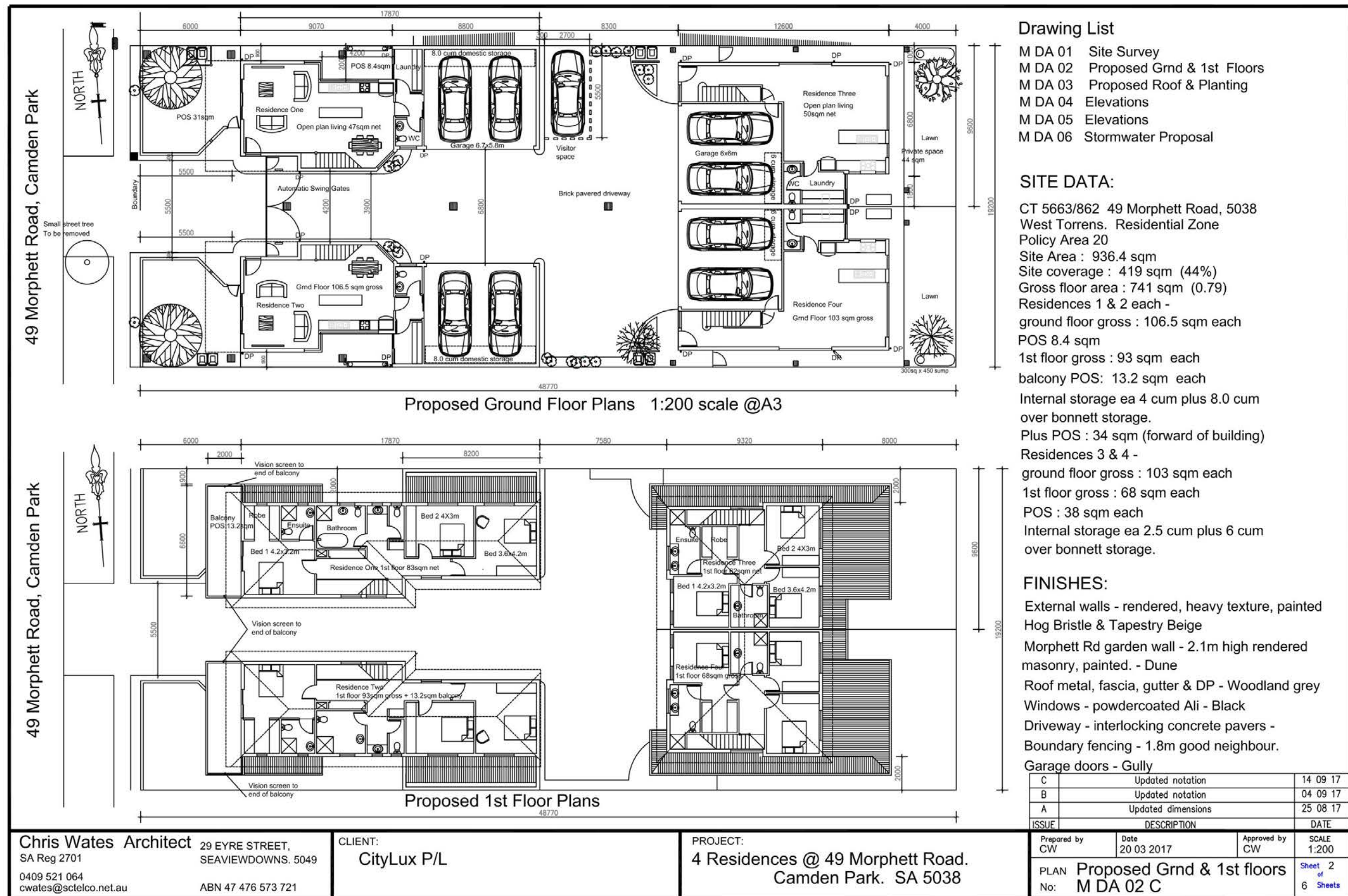
3. Stormwater detention measures will be required to be undertaken to restrict the total discharge from the total development site to a maximum of 20 litres per second for the site critical 20 year ARI storm event. An indication of how the storage is to be provided and calculations supporting the nominated volume are to be submitted to Council prior to Development Approval.
  4. The stormwater connection through the road verge area shall be constructed of shape and material to satisfy Council's standard requirements as follows:
    - 100 x 50 x 2mm RHS Galvanised Steel; or
    - 125 x 75 x 2mm RHS Galvanised Steel; or
    - Multiples of the above.
  5. That all driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained, and shall be maintained in reasonable condition at all times to the satisfaction of Council.
  6. That all landscaping shall be planted in accordance with the approved plan (Roof Plan & Planting) prepared by Chris Wates Architect, Plan No. M DA 03A, Sheet 3 of 6 dated 14/09/2017) within three (3) months of the occupancy of the development. Any person(s) who have the benefit of this approval will cultivate, tend and nurture the landscaping and shall replace any plants which may become diseased or die.
  7. That all side and rear upper level windows of Dwellings 1 to 4 approved herein shall be fitted with fixed obscure glass or raised sills 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 shall be maintained in reasonable condition at all times.
  8. No above-ground structures, such as letterboxes, service meters or similar are to be installed within the common driveway entrance and passing area.
  9. The existing crossover which will be made redundant is to be reinstated to vertical kerb prior to the completion of building works at the applicant's expense.
- 

## **Attachments**

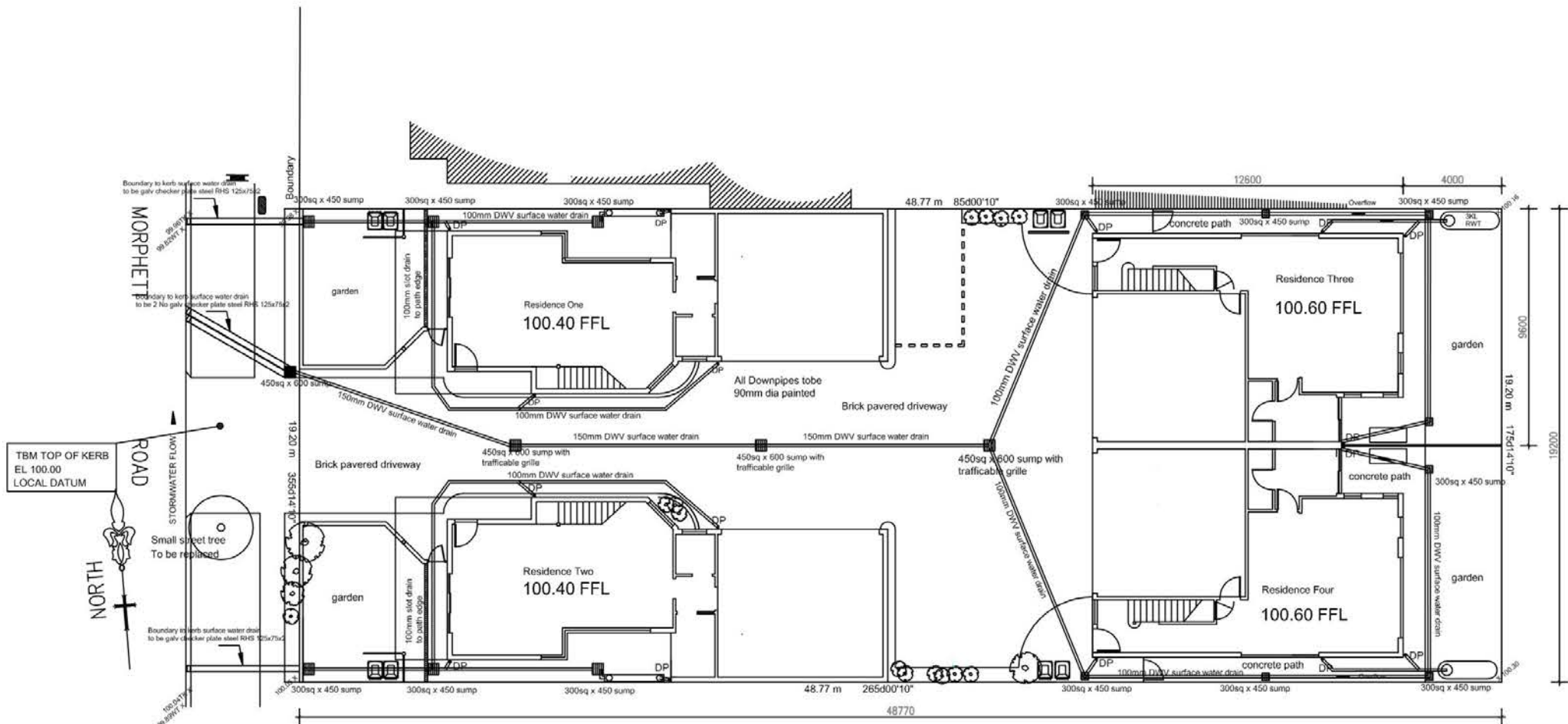
1. **Plan of Division**
2. **Dwelling Plans & Documents**
3. **Copy of Representations**
4. **Referral Responses**







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**Stormwater Proposal**

Residences 1&2 1000L ultra slim rainwater tank (retention)  
Residences 3&4 3000L colorbond slimline tanks (retention)

All tanks with 25mm hose taps in addition to  
recycling pumps plumbed to wc's & laundry

All tank inlet & outlets insect mesh screened.

All subsurface drainage in 100mm or 150mm DWV pipe @ 1:80

Driveway Sumps in GRC pits with steel trafficable grates.

125x75x2 galv plate outlets to kerb as per council specification.

All downpipes in Class 12UPVC 90mm dia, painted.

Residences 3 & 4 inner space

**Chris Wates Architect** 29 EYRE STREET,  
SA Reg 2701 SEAVIEWDOWNS. 5049  
0409 521 064  
cwates@sctelco.net.au ABN 47 476 573 721

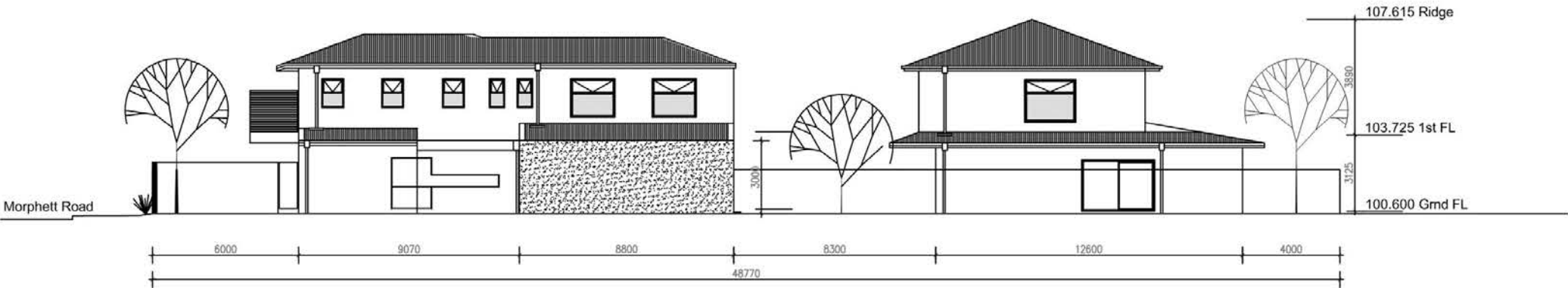
CLIENT:  
**CityLux P/L**

PROJECT:  
**4 Residences @ 49 Morphett Road.  
Camden Park. SA 5038**

ISSUE		DESCRIPTION	DATE
Prepared by CW	Date 16 03 17	Approved by CW	SCALE NTS
PLAN No:	Stormwater Proposal M DA 06		Sheet 6 of 6 Sheets

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South Elevation of Residence 2 & 4 1/200@A3



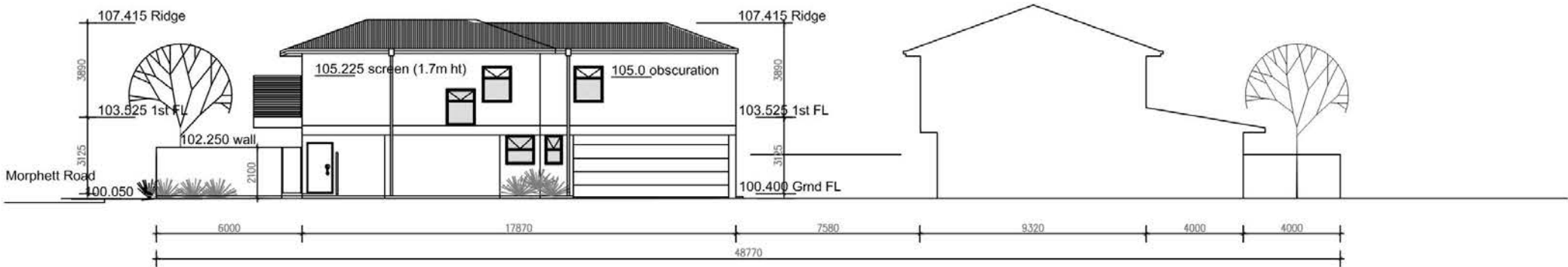
Front Elevation residences 3 & 4



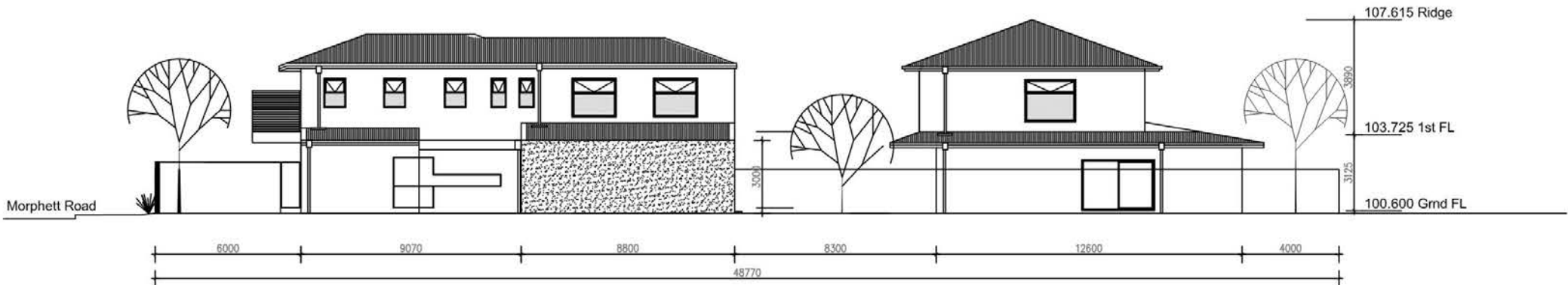
Rear Elevation residences 3 & 4

<div>Chris Wates Architect</div> <div>SA Reg 2701</div> <div>0409 521 064</div> <div>cwates@sctelco.net.au</div> <div>29 EYRE STREET,</div> <div>SEAVIEWDOWNS. 5049</div> <div>ABN 47 476 573 721</div>		CLIENT: CityLux P/L		PROJECT: 4 Residences @ 49 Morphett Road. Camden Park. SA 5038		A	Additional Notation		14 09 17
						ISSUE	DESCRIPTION		DATE
						Prepared by CW	Date 16 03 17	Approved by CW	SCALE 1:200
						PLAN Elevations			Sheet 5 of 6 Sheets
						No: M DA 05 A			

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South Elevation residence 1 1/200 @A3



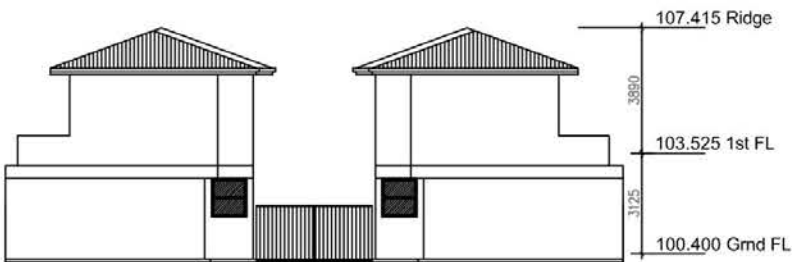
South Elevation residence 2 & 4 1/200 @A3



Morphett Rd Elevation Residences 1 & 2



Front Elevation Residences 1 & 2

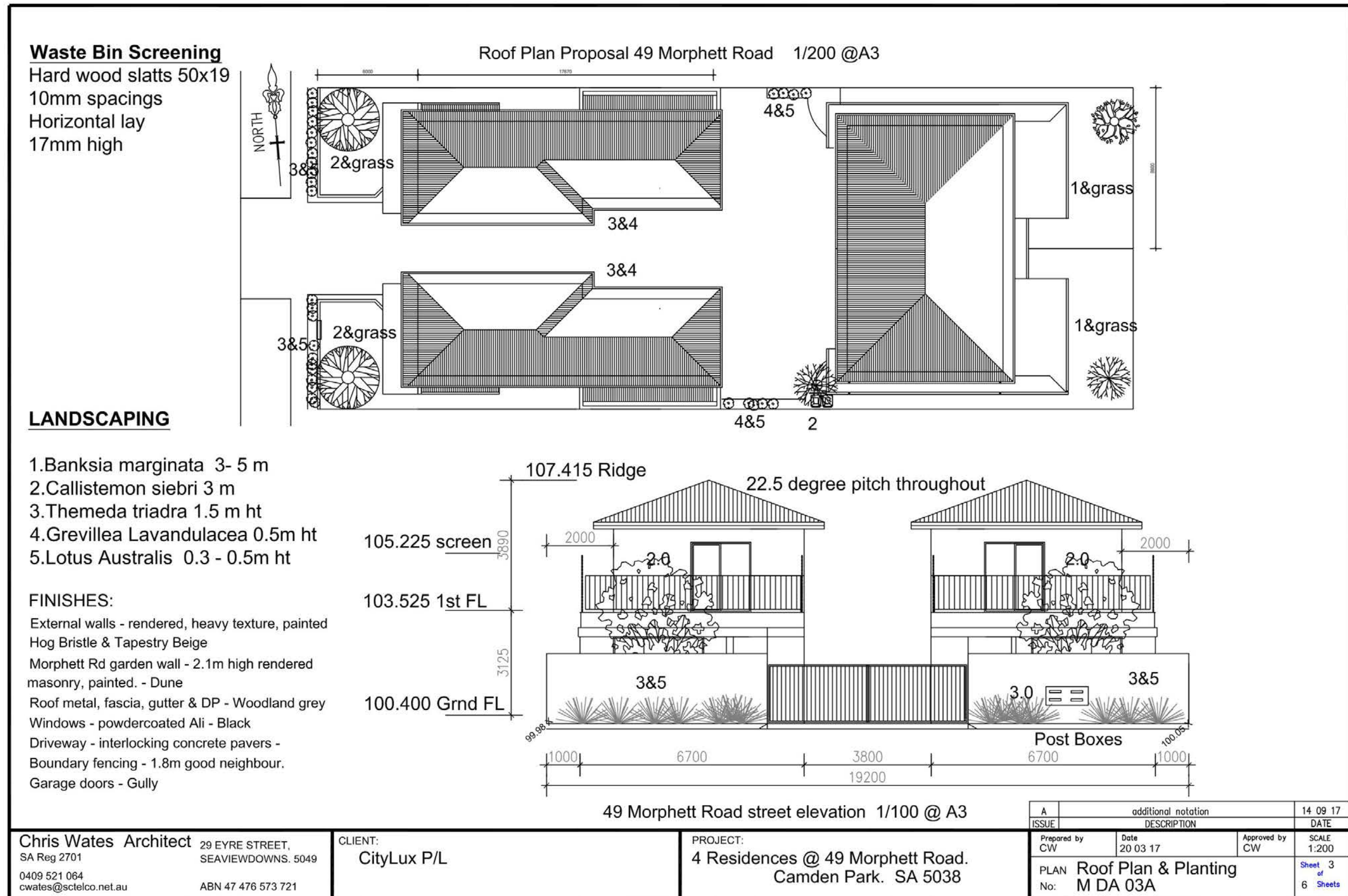


Rear Elevation Residences 1&2

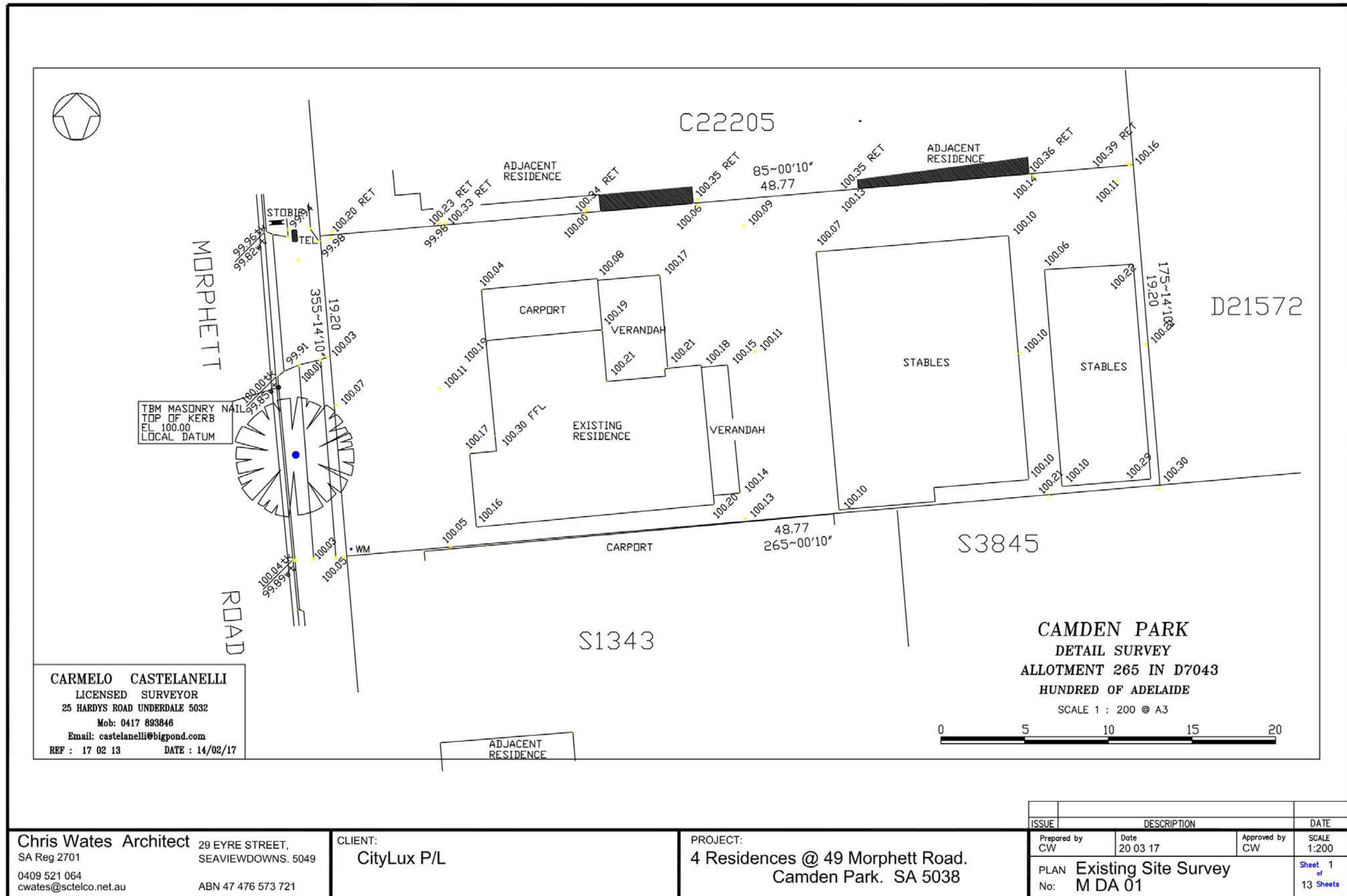
<b>Chris Wates Architect</b> 29 EYRE STREET, SA Reg 2701 SEAVIEWDOWNS. 5049 0409 521 064 cwates@sctelco.net.au ABN 47 476 573 721		CLIENT: <b>CityLux P/L</b>		PROJECT: <b>4 Residences @ 49 Morphett Road. Camden Park. SA 5038</b>		A	Additional Notation		14 09 17
						ISSUE	DESCRIPTION		DATE
						Prepared by CW	Date 20 03 2017	Approved by CW	SCALE 1:200
						PLAN Elevations Residences 1&2			Sheet 4 of 6 Sheets
						No:	M DA 04 A		

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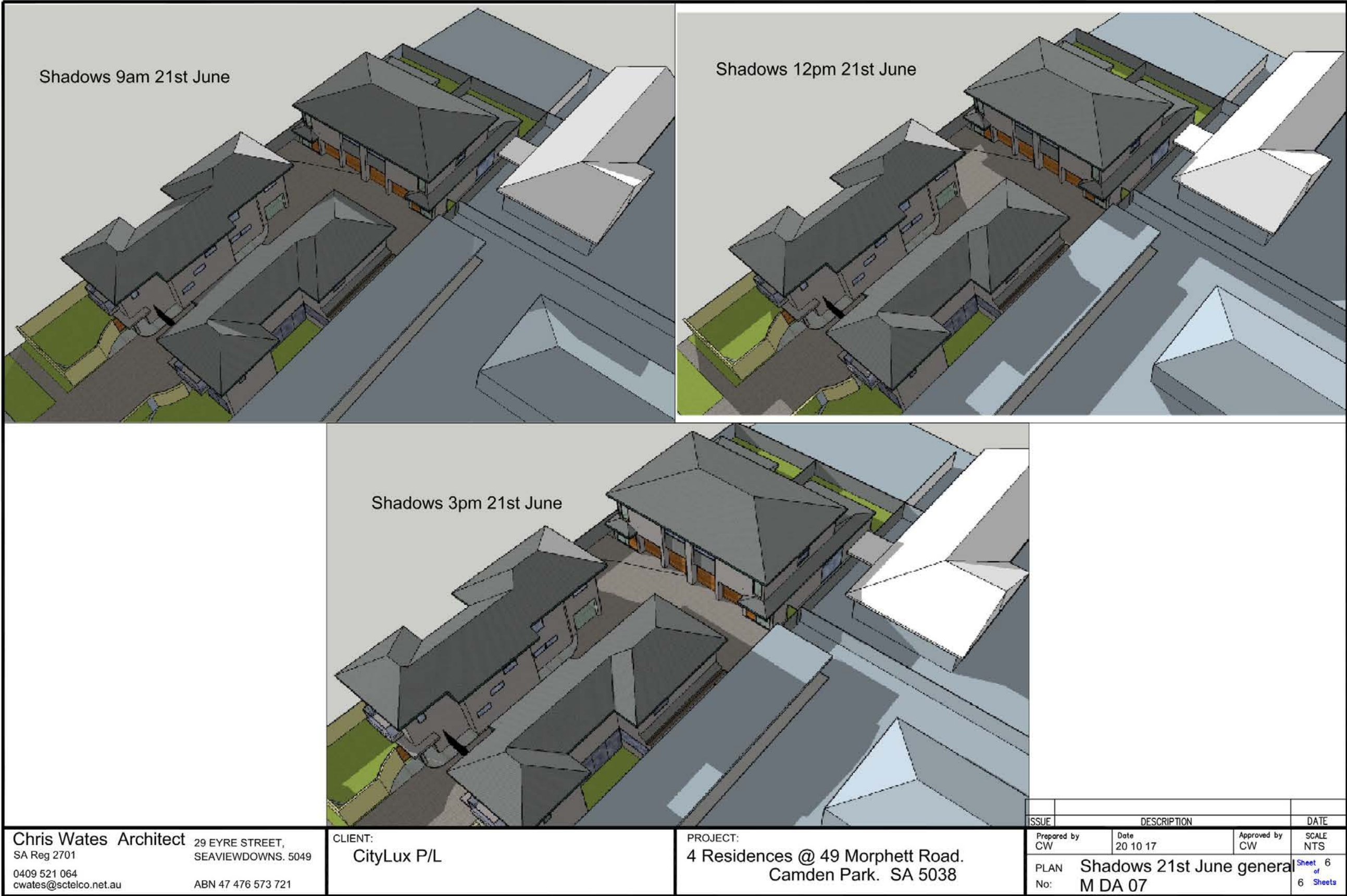




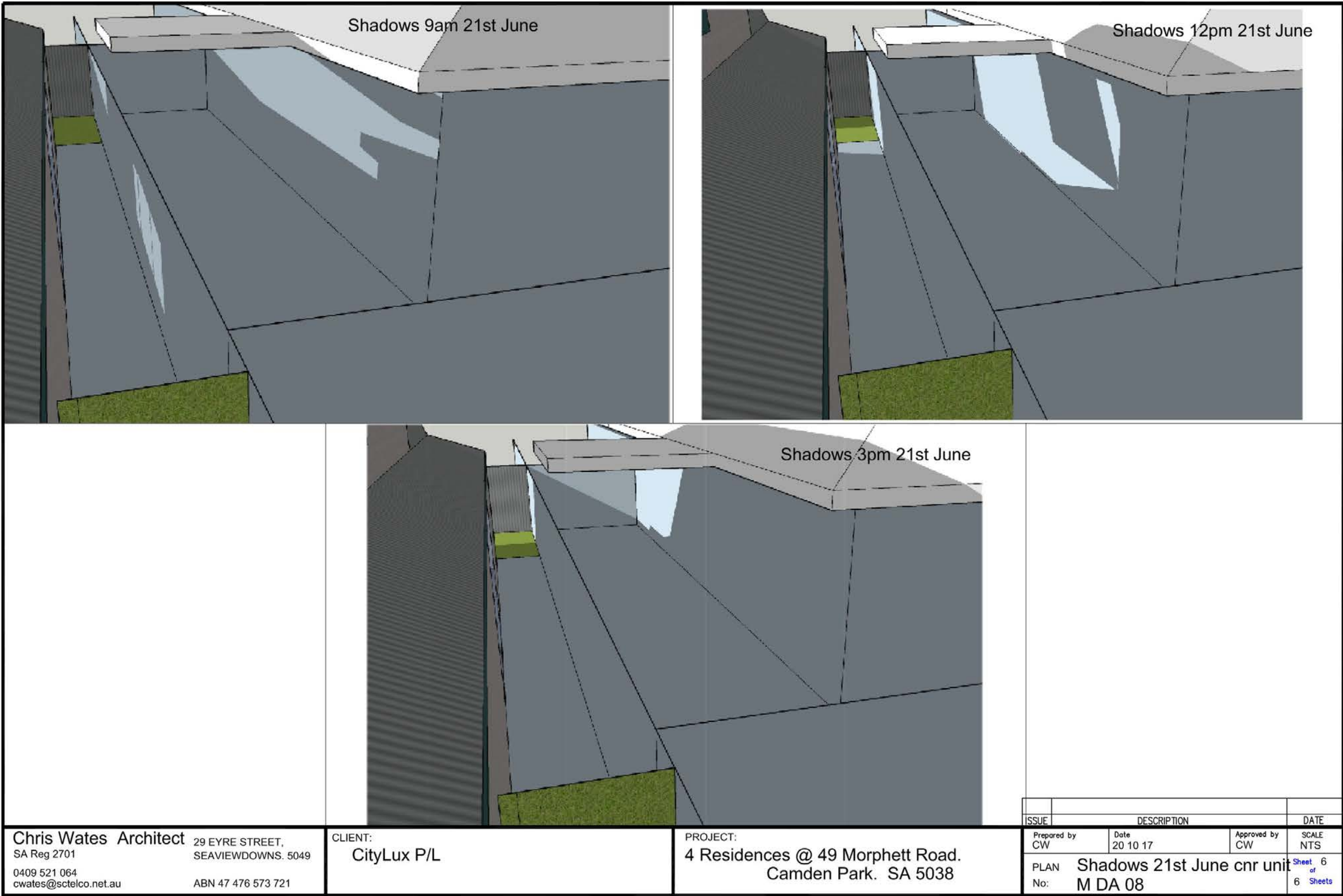
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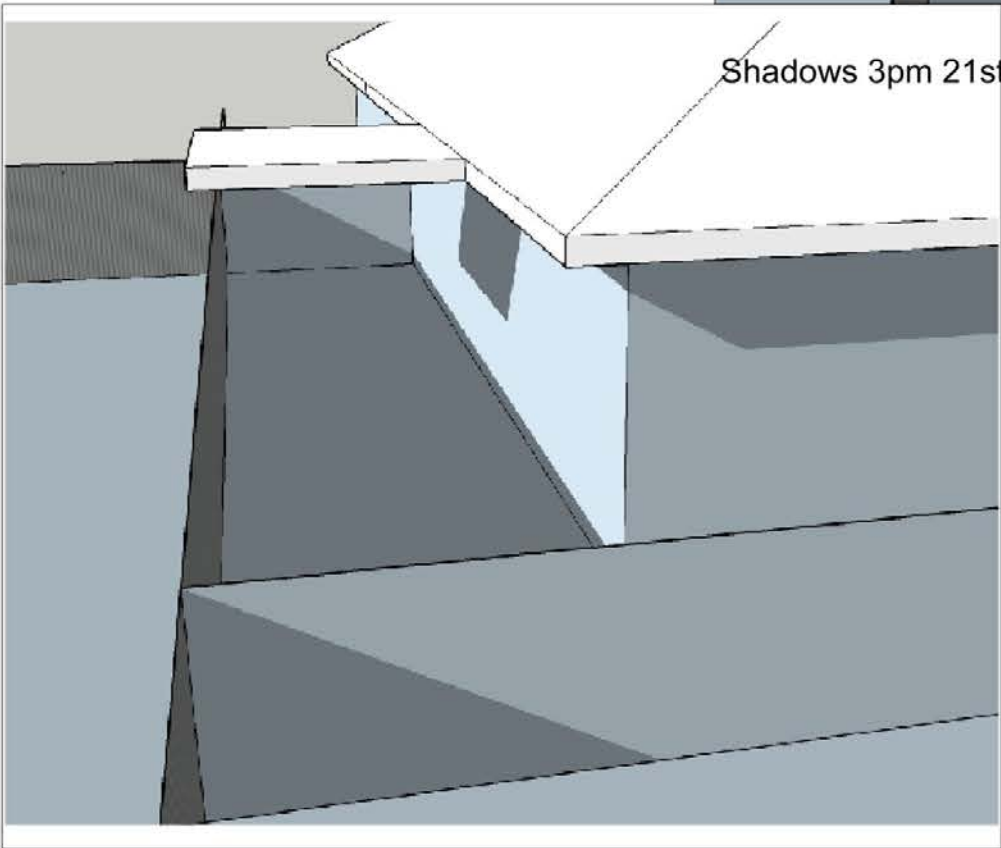
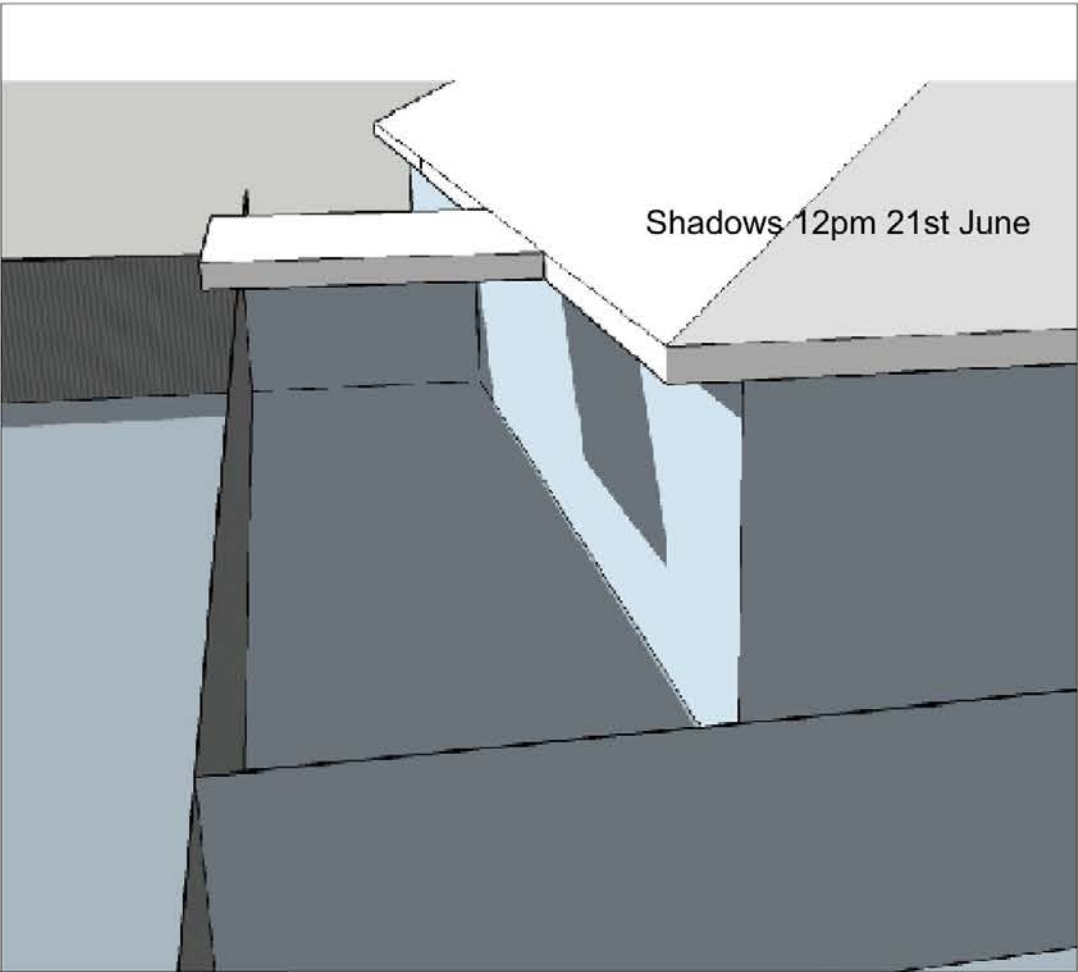
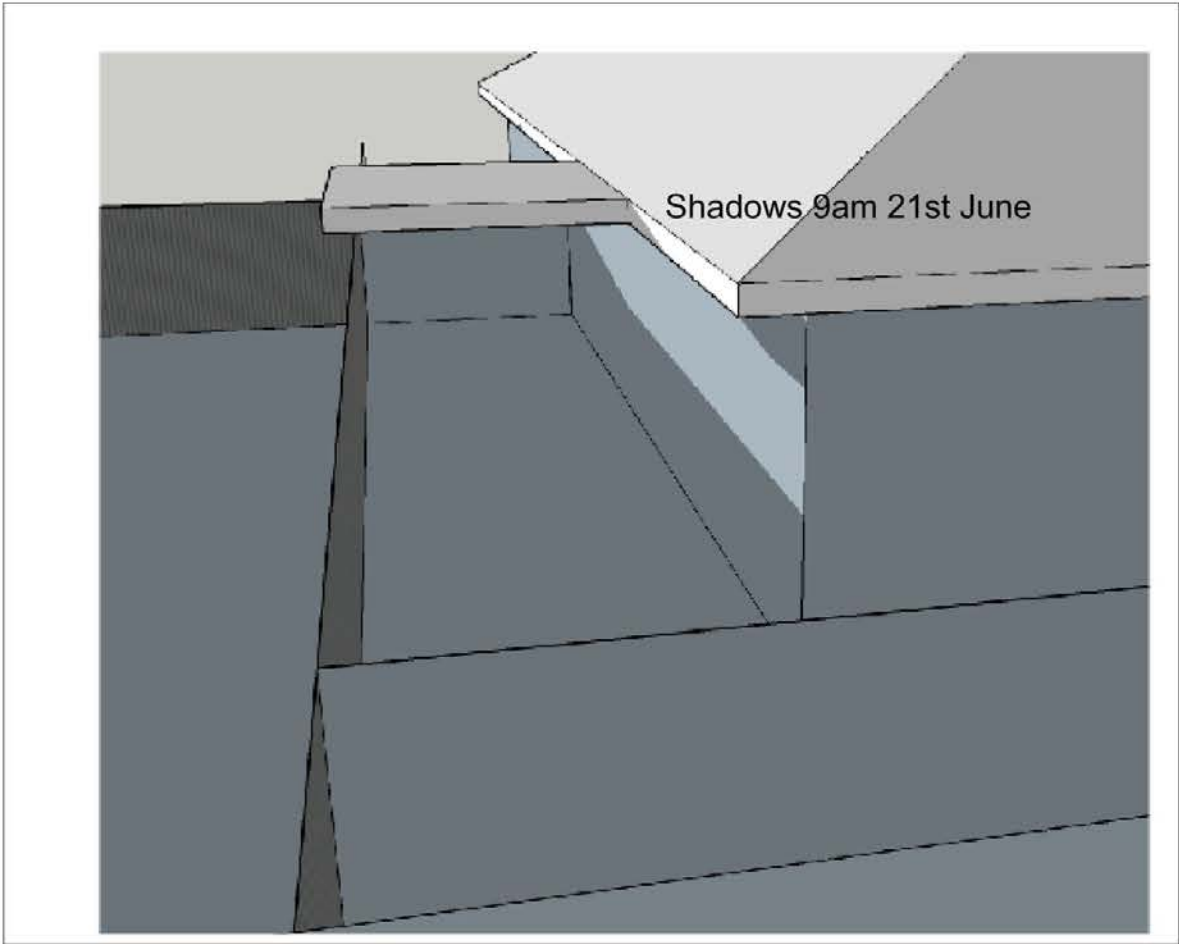


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T. 0407 352 036 | E. ashley@amenvironmental.com.au | PO Box 119, Aldgate, SA 5154

7 August 2018

Mr Shervin Forouzandeh  
3a Lynton Avenue,  
North Brighton, SA

C/- Mr Bill Stefanopoulos  
Town Planning Advisors

Sent by email to: [bill@townplanningadvisors.com.au](mailto:bill@townplanningadvisors.com.au); [citylux@ymail.com](mailto:citylux@ymail.com)

Provision of Environmental Advice  
49 Morphett Road, Camden Park, South Australia (CT5663/862)

Dear Mr Forouzandeh,

### Introduction

Thank you for the opportunity for A.M. Environmental Consulting Pty Ltd (AME) to provide environmental advice for the above referenced site ('the site').

We have discussed the trigger for an environmental site history assessment for the above site and whether there is potentially an alternative approach for considering the impact of the site's horse stables from an environmental perspective. It is understood that the SA EPA has confirmed to Council that horse stables do not represent a potentially contaminating activity if the use was contained to the holding of horses only, as appears to be case from the location of the stables at this site. Council has indicated that a site history assessment is therefore not required, and on this basis has requested a letter from AME outlining this.

We have encountered horse stables at several properties previously (on unsealed ground) and the primary issue was associated with urine stained soils, which had high nutrient concentrations. The issue was therefore not so much a chemical as an 'aesthetic' issue. These sites were subject to a third-party audit and the outcome was to excavate and remove the stained soils within areas that were proposed for open space/landscaped areas. We note the current site has sealed floors, which may have reduced the load of nutrients entering the underlying soils.

We note that the proposed development would comprised concrete slab on ground underlain with fortecon and base course gravels. The balance of the site would be sealed with driveways and paved areas with limited landscaped gardens. Groundwater would not be abstracted for use given the readily available potable municipal water supply. On this basis, there is limited opportunity for access to subsurface soils once developed.

We would recommend that the demolition and/or building contractor consider the building footprints of the horse stables to assess if there are odorous or discoloured soils evident (as per discussion above). If these soils are impacted with odour or staining, it is recommended that you give further discussion to



removal of these soils (in particular within the garden bed areas) from an aesthetic perspective. We would be pleased to discuss and advise you on this issue if required.

#### Discussion

Based on our understanding of the project and council requirements and feedback from the SA EPA, it is our view that the presence of the horse stables would not be considered to be a potentially contaminating activity listed within AS 4482.1-2005 Appendix J 'Chemical Contaminants Listed by Industry Type', Planning Advisory Notice 20 (PAN 20) Appendix 1 'Examples of potentially contaminating activities and industries' and the Environment Protection Regulations 2009 (EP Regs).

However, we do recommend that if soils are observed to be stained or odorous or not consistent with natural soil, then further consideration be given to the nature of these soils and the subsequent suitability for development.

#### Closure

This letter has been prepared in accordance with the Agreement for the Provision of Consulting Services (previously provided) and the Important information attached.

If you require any further information, or if we can be of any assistance, please feel free to contact the undersigned at any time to discuss.

Kind regards,

A handwritten signature in blue ink, appearing to read 'Ashley Moule'.

Ashley Moule  
Director

#### Attached:

Important information



## Attachment 1 Important information

AME has prepared this report based on generally accepted practices and standards in operation at the time that it was prepared. No other warranty is made as to the professional advice included in this report. All parties should satisfy themselves that the scope of work conducted and reported herein meets their specific needs before relying on this document.

AME believes that its opinions have been developed according to the professional standard of care for the environmental consulting profession at the date of this document. That standard of care may change as new methods and practices of exploration, testing, analysis and remediation develop in the future, which may produce different results.

Environmental conditions are created by natural processes and human activity, and as such may change over time e.g. groundwater levels may rise or fall, contamination may migrate and fill may be added to the site. This report therefore presents a point in time assessment of the site, and as such can only be valid for the time at which the investigation was undertaken.

Any investigation such as that contained in this report can examine only a fraction of the subsurface conditions at the site. There remains a risk that pockets of contamination or other hazards may not be identified as investigations are necessarily based on sampling at localised points. Certain indicators or evidence of hazardous substances or conditions may have been outside the portion of the subsurface investigated or monitored, and thus may not have been identified or their full significance appreciated. As such, the identified environmental conditions reported are only valid at the points of direct sampling and any derived or interpolated conditions may differ from these targeted locations and cannot be assumed to be indicative of the remainder of the site.

The methodology adopted and the sources of information used are outlined in this report. AME has limited its investigation to the scope agreed for this contract and it is possible that additional sampling and analysis could produce different results and/or opinions. AME has made no independent verification of this information beyond the agreed scope of works and assumes no responsibility for any inaccuracies or omissions.

This assessment assumes that the proposed development meets requirements as outlined in the Building Code of Australia and Australian Standards. If these recommendations are not met, there is potential for the exposure and therefore risk to building users to be higher than that presented in this assessment.

The soil descriptions contained in this report have not been prepared for engineering design purposes and the reinstatement of any sampling locations were not conducted in accordance with any supervised filling or geotechnical standard. The term suitable has been used in the context of a request from the planning authority and means that the concentrations reported did not exceed the guideline concentrations adopted for the proposed land use/exposure pathway.

This report does not include the assessment or consideration of hazardous building materials, including asbestos. Such materials should be assessed and managed by a qualified and licensed assessor/contractor. It also does not include assessment of airborne pollution, microbiological, or mould.

In general, the available scientific information pertaining to contamination is insufficient to provide a thorough understanding of all of the potential toxic properties of chemicals to which humans may be exposed. The majority of the toxicological knowledge of chemicals comes from experiments with laboratory animals, where there may be interspecies differences in chemical absorption, metabolism, excretion and toxic response. There may also be uncertainties concerning the relevance of animal studies using exposure routes that differ from human exposure routes. In addition, the frequent necessity to extrapolate results of short-term or subchronic animal studies to humans exposed over a lifetime has inherent uncertainty. Therefore, in order to conduct an environmental assessment, it is necessary to take into account these inherent uncertainties and extrapolate information from the data that is available, considered current and endorsed as acceptable for the assessment of risks to human health. There is therefore inherent uncertainty in the process, and to compensate for uncertainty, conservative assumptions are often made that result in an overestimation rather than an underestimation of risk.

All advice, opinions or recommendations contained in this document should be read and relied upon only in the context of the document as a whole. This report does not purport to give legal advice as this can only be given by qualified legal practitioners. This document does not represent a Site Contamination Audit Report.



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

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

DEVELOPMENT No. 211/339/2017  
 PROPERTY ADDRESS: 49 Morphett Road, CAMDEN PARK SA 5038

YOUR FULL NAME	DANIEL KERRIGAN
YOUR ADDRESS	UNIT 8, 45 STONEHOUSE AVE CAMDEN PARK SA 5037
YOUR PHONE No	[REDACTED]
YOUR EMAIL	[REDACTED]
NATURE OF INTEREST	Adjoining resident <small>(eg. Adjoining resident, owner of land in the vicinity etc.)</small>

**REASON/S FOR REPRESENTATION**

I am concerned the proposed development will cause excessive overshadow.

Based on my calculations one of my two north windows will be in full shade all day throughout winter.

Additionally my yard is likely to receive little or no sun in winter across half the back and the entire side gardens.

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

I would like assurance that appropriate studies have been done to assess overshadow of my property. I would like to see the impact and confirm compliance with council guidelines at a minimum. Where necessary I would like the development be altered to ensure compliance to guidelines.

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

I DO NOT WISH TO BE HEARD ☐

I DESIRE TO BE HEARD PERSONALLY ☒

I DESIRE TO BE REPRESENTED BY ☐

(PLEASE SPECIFY)

SIGNED

*D/Kerrigan*

DATE

25/09/17

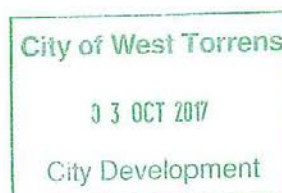
Responsible Officer: Darren Starr  
 Ends: Wednesday 4 October 2017

If space insufficient, please attach sheets

**Brett Mickan**

---

**From:** [REDACTED]  
**Sent:** Monday, 2 October 2017 4:30 PM  
**To:** Development  
**Subject:** Re: Representation - 49 Morphett Road  
**Attachments:** Backroom.png; Backyard.png



Thanks Amelia.

After speaking to my dad and some others this weekend I would like to add an additional concern to my statement of representation.

-----  
We had solar panels installed along the north facing roof just weeks prior to receiving the notice letter and any shading on even one panel will drastically reduce the efficiency of the system. Should we have known about the development we may have chosen a different configuration to maximise output or a specialised panel, like micro inverter system, to reduce the impact of shade.  
-----

If images can be included with the representation the attached show mid-winter sun on interior and exterior of the likely effected areas.

I was also wondering if the council is aware of any special conditions around the demolition (like asbestos) that we may need to be aware of? If there is such material present I would want to be able to arrange to have my young son and wife be absent during the demolition process.

Finally, I have been trying to get in contact with a chap called Tony on the phone as I understand he is the planning officer for this development. I would like to set aside some time to show him our yard and/or some time to discuss our concerns in person before a final decision is made. I would be happy to arrange this via email if more convenient.

Cheers,

Dan

On 25 September 2017 at 14:54, Development <[Development@wtcc.sa.gov.au](mailto:Development@wtcc.sa.gov.au)> wrote:

Hi Dan,

Your representation has been received.

Regards

**Amelia De Ruvo**

**Development Officer - Planning**

City of West Torrens

165 Sir Donald Bradman Drive

Hilton SA 5033

Phone: (08) 8416 6333

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

**From:** [REDACTED]  
**Sent:** Monday, 25 September 2017 2:24 PM  
**To:** Development <[Development@wtcc.sa.gov.au](mailto:Development@wtcc.sa.gov.au)>  
**Subject:** Representation - 49 Morphett Road

I am returning my statement of representation as discussed with the development officer today, apologies I have forgotten the name of the lady we spoke to.

Could I please get confirmation that this has been received?

Cheers,

Dan Kerrigan

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The content of this email is confidential and/or copyright and is solely for the intended recipient. If you have received this email in error: (i) you must not copy or distribute any part of it or otherwise disclose its contents to anyone; (ii) please let the City of West Torrens know by reply email to the sender and delete all copies from your system. No representation is made that this email is free of viruses or other defects. Virus scanning is recommended and is the responsibility of the recipient.

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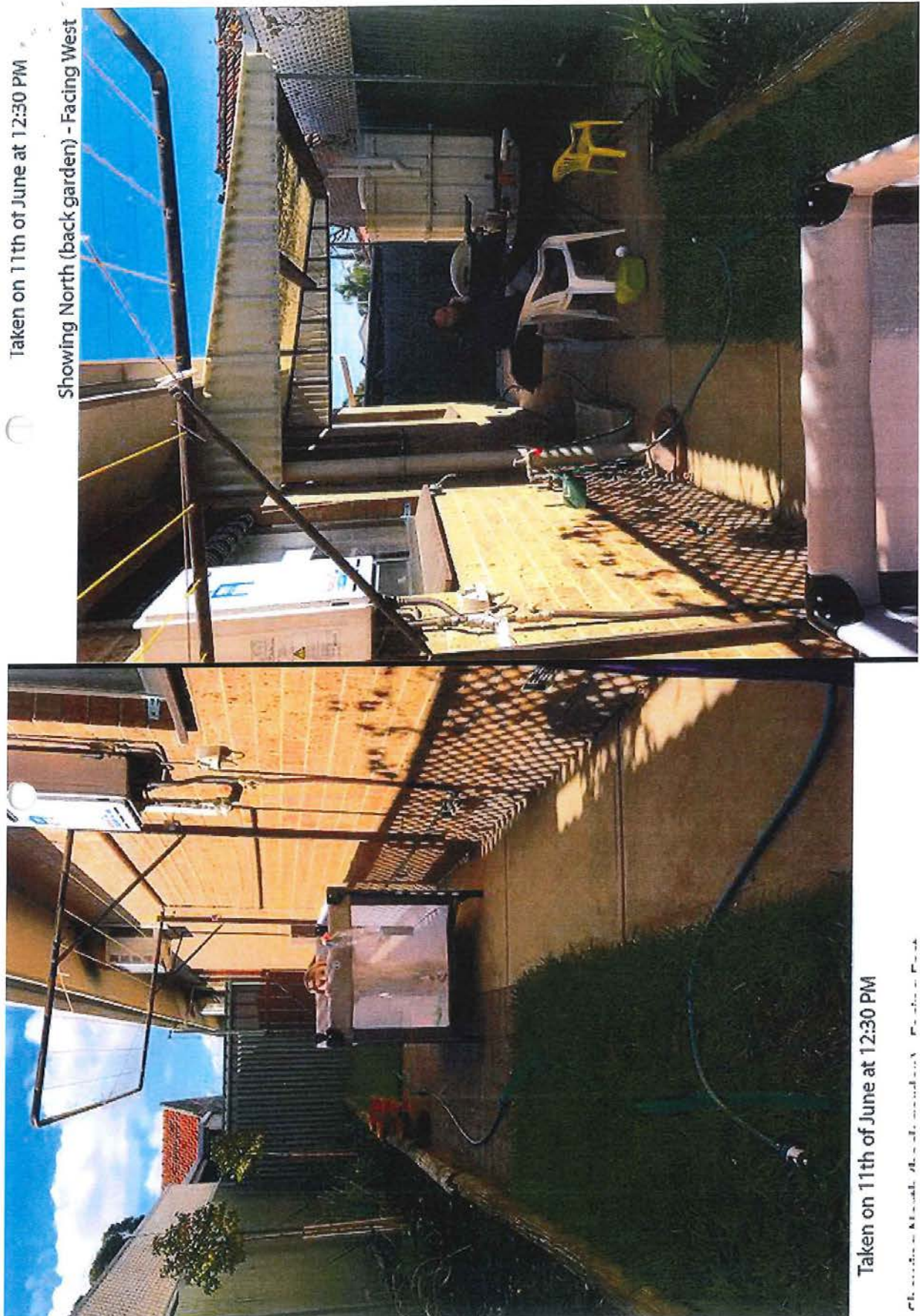


Taken on 25th of June at 3:00 PM

Showing window in north-west corner room

Taken on 25th of June at 2:30 PM





**Brett Mickan**

---

**From:** Alison Reidy [REDACTED]  
**Sent:** Wednesday, 4 October 2017 2:57 PM  
**To:** Development  
**Subject:** DEVELOPMENT NO. 211/339/2017 Statement of Representation  
**Attachments:** Statement of Representation.JPG

**Attn Chief Executive Officer and Darren Starr, Responsible Officer**

Thank you for the councils letter advising of the application for development of the land at 49 Morphett Road, Camden Park SA 5038.

I have attached to this email my concerns for this application on the Statement of Representation which was provided to me.

Please acknowledge receipt of this email. Thank you Alison Reidy



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

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

DEVELOPMENT No. 211/339/2017  
PROPERTY ADDRESS: 49 Morphett Road, CAMDEN PARK SA 5038

YOUR FULL NAME	Alison Toy Reidy
YOUR ADDRESS	Unit 4, 45 Stonchouse Ave Camden Park S.A 5038
YOUR PHONE No	[REDACTED]
YOUR EMAIL	[REDACTED]
NATURE OF INTEREST	adjoining resident <small>(eg. Adjoining resident, owner of land in the vicinity etc.)</small>
REASON/S FOR REPRESENTATION - In winter the dwellings will cast a shadow and block out the sun which will make my house colder and will need to use heating more and less drying time for my clothes line. - Eyesore to see a tall structure when out in backyard	
MY REPRESENTATIONS WOULD BE OVERCOME BY (state action sought) - change plan's to single storey dwellings	

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

I DO NOT WISH TO BE HEARD ☐

I DESIRE TO BE HEARD PERSONALLY ☒

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

(PLEASE SPECIFY)

SIGNED

*A Reidy*

DATE 4/10/17

Responsible Officer: Darren Starr  
Ends: Wednesday 4 October 2017

If space insufficient, please attach sheets

In reply please quote 2017/01931/01, Process ID: 455704  
 Enquiries to Vittorio Varricchio  
 Telephone (08) 8226 8393  
 Facsimile (08) 8226 8330  
 E-mail [dpti.luc@sa.gov.au](mailto:dpti.luc@sa.gov.au)



**Government of South Australia**  
 Department of Planning,  
 Transport and Infrastructure

10/05/2017

Mr Tony Kelly  
 City of West Torrens  
 165 Sir Donald Bradman Drive  
 HILTON SA 5033

City of West Torrens

18 MAY 2017

City Development

**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

Dear Mr Kelly,

### SCHEDULE 8 - REFERRAL RESPONSE

<b>Development No.</b>	211/339/17
<b>Applicant</b>	C Wates
<b>Location</b>	49 Morphett Road, Camden Park
<b>Proposal</b>	Demolish existing dwelling and construct four double-storey detached dwellings

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 Section 37 of the *Development Act 1993*. The proposed development involves development adjacent a main road as described above.

The following response is provided in accordance with Section 37(4)(b) of the *Development Act 1993* and Schedule 8 of the *Development Regulations 2008*.

### CONSIDERATION

The application proposes to demolish the existing dwelling and associated structures and construct a total of four dwellings. DPTI has reviewed this location and it appears the subject site abuts a portion of Morphett Road that is under the care and control of Council. Accordingly, DPTI does not object in-principle to the proposed application. Notwithstanding the above, Council will need to consider the acceptability of the access location given that it appears not comply with AS/NZS2890.1:2004 figure 3.1.

In regards to the proposed development, DPTI is satisfied that traffic generated by the development would not impact on nearby arterial roads.

### CONCLUSION

No objection is raised to this development.

Yours sincerely,

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

**Received**

18 MAY 2017

City of West Torrens  
 Information Management Unit

A copy of the decision notification form should be forwarded to [dpti.developmentapplications@sa.gov.au](mailto:dpti.developmentapplications@sa.gov.au)  
 11494242



Contact Lands Titles Office  
Telephone 7109 7016



11 May 2017

The Chief Executive Officer  
City of West Torrens

Dear Sir/Madam

**Re: Proposed Application No. 211/C063/17 (ID 57766)  
for Land Division  
(Community Title Plan) by CityLux Construction Pty Ltd**

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

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

1. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.  
On receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non standard fees. The developer must inform potential purchasers of the community lots of the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to the owner/applicant.
2. Payment of \$20028 into the Planning and Development Fund (3 allotment(s) @ \$6676/allotment).  
Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (7109 7018), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

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

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

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

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

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'P. Hodgson', with a long, sweeping horizontal stroke extending to the right.

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



11 May 2017

Our Ref: H0058166

The Chairman  
Development Assessment Commission  
136 North Terrace  
ADELAIDE SA 5000

Dear Sir/Madam

**PROPOSED LAND DIVISION APPLICATION NO: 211/C063/17 AT CAMDEN PARK**

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

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

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

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

Yours faithfully

ANN BOND

for **MANAGER LAND DEVELOPMENT & CONNECTIONS**

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

## Preliminary Traffic, Flooding & Stormwater Assessment

**Development Application No: 211/339/2017**

<b>Assessing Officer:</b>	Sonia Gallarello
<b>Site Address:</b>	49 Morphett Road, CAMDEN PARK SA 5038
<b>Certificate of Title:</b>	CT-5663/862
<b>Description of Development</b>	Demolish existing dwelling and associated structures, and construct two (2) two- storey detached dwellings both with single garages under main roof, and a two-storey residential flat building comprising two (2) dwellings both with double garages under main roof

### TO THE TECHNICAL OFFICER - CITY ASSETS

Please provide your comments in relation to:

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

.....  
.....

**PLANNING OFFICER - Sonia Gallarello**

**DATE 7 May, 2018**





## Memo

To Sonia Gallarello  
From Jane Teng  
Date 7/05/2018  
Subject 211/339/2017, 49 Morphett Road, CAMDEN PARK SA 5038

Sonia Gallarello,

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

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

In accordance with the provided plans undertaken by Chris Wates, 'Existing Site Survey M DA 01, Dated 20/03/2017 ' and 'Stormwater Proposal M DA 06' (Chris Wates Architect – Drawing Sheet 06, Dated 16/03/2017), the FFLs of the proposed development have been assessed as satisfying the minimum requirements in consideration of street and/or flood level information.

- Residence 1 & 2: Proposed 100.40 ( Achieved minimum 100.24)
- Residence 3 & 4: Proposed 100.60 ( Achieved minimum 100.24)

### **2.0 Closing of Redundant Crossovers**

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

**It is recommended that revised plans showing the reinstatement of redundant crossovers be provided to Council.**

### **3.0 Verge Interaction (Stormwater connection)**

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

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

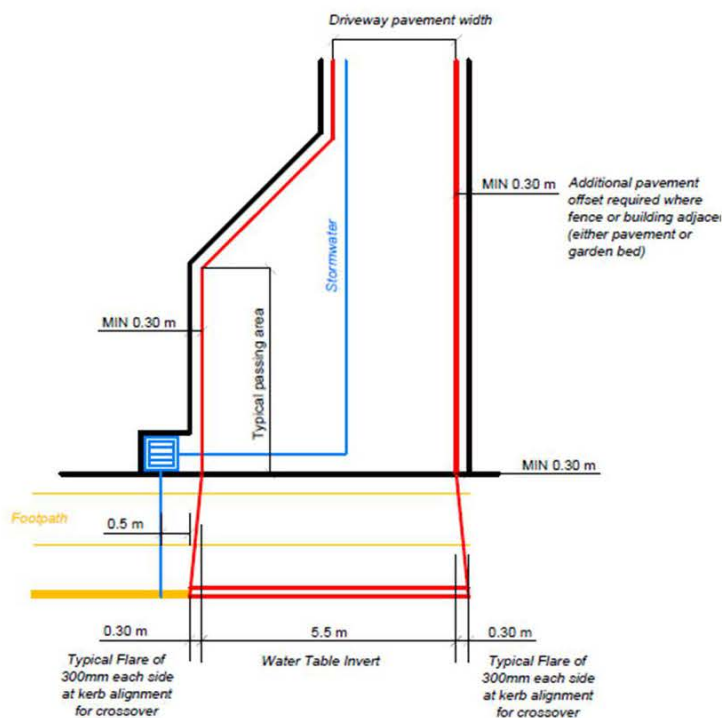


The stormwater connection through the road verge area to be constructed of shape and material to satisfy Council's standard requirements

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

**City Assets does not support the angling of the drainage outlet as indicated on 'Stormwater Proposal M DA 06'. The department recommends that the drainage outlet to the kerb is amended as per the typical standards shown below.**

### ACCESS ARRANGEMENT SERVICING MORE THAN ONE REAR PROPERTY



#### NOTES:

- Do not scale sketch.
- Distance as measured along alignment of front property boundary.
- Must be deemed to comply by Council's Technical Officer (Amenity).
- No aboveground structure(s) such as letterboxes, service meters or similar are to be installed within the common driveway entrance and passing area.
- Stormwater connection through the road verge area to be constructed of shape and material to satisfy Council's standard requirements.
  - 100 x 50 x 2mm RHS Galvanised Steel or
  - 125 x 75 x 2mm RHS Galvanised Steel or
  - Multiples of the above.



#### **4.0 Street Tree Removal**

The proposed driveway is indicated to require the removal of one street tree adjacent to this property.

Only Council staff will be permitted to alter or remove a street tree and this will only be undertaken upon payment of the determined fee.

The tree in question has been assessed and considered acceptable to be removed. Based on Council's 2016 - 2017 standard schedule of fees and charges the fee for the removal of this tree is \$1,308.00 (inc. GST).

#### **5.0 Driveway Access**

No other major concerns or requested for amendments are requested from the applicant as the access driveway has been adjusted to 6.1m.

#### **6.0 Traffic Comments**

Elements of the vehicle manoeuvrability within this development appear to be satisfactory in consideration of the requirements of the relevant Australian Standard (AS/NZS 2890.1:2004). No other major concerns or requested for amendments are requested from the applicant.

#### **7.0 Residential Parking Requirement**

- 7.1 Each dwelling must be provided with **two parking spaces**, at least one of which is covered and the other preferably openly accessible for visitor use.

Greater importance should be provided to the provision of a visitor parking space in localities such as this due to the limited & restricted provision of on-street parking in this location.

**No other major concerns or requested for amendments are requested from the applicant.**

- 7.2 It is understood that for group dwellings it is recommended that there should be a provision of an on-site visitor car parking spaces at a rate of 0.25 spaces per dwelling. As there are 4 proposed dwellings there would be the expectation of one on site visitor car park. The current proposal does not allow for this.

**No other major concerns or requested for amendments are requested from the applicant.**



### **8.0 Stormwater Detention and Quality Requirements**

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

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

Regards

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



**6.6 23 Rutland Avenue, LOCKLEYS**

Application No 211/340/2018 (SCAP 211/D034/18)

**DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Combined Application: Land division - Torrens Title; Create one additional allotment; and the construction of two (2) two storey detached dwellings
APPLICANT	Mr Joseph Portolesi
LODGEMENT DATE	20 March 2018
ZONE	Residential
POLICY AREA	Low Density Policy Area 21
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> <li>▪ City Assets</li> </ul> External <ul style="list-style-type: none"> <li>▪ SCAP</li> <li>▪ SA Water</li> </ul>
DEVELOPMENT PLAN VERSION	6 February 2018
RECOMMENDATION	Support with conditions

**BACKGROUND**

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

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

**PREVIOUS RELATED APPLICATION**

211/709/2018 Demolition of existing house and associated structures (approved 17 July 2019).

**SITE AND LOCALITY**

The subject site is regular in shape and located on the eastern side of Rutland Avenue. It has a frontage of 18.3 metres (m), a depth of 45.7m and an overall area of 835.8 square metres (m<sup>2</sup>).

It is currently improved with a single storey detached dwelling, garage and verandah. These structures will need to be removed in order to facilitate the proposal. Existing landscaping includes small trees, shrubs and a lawned area.

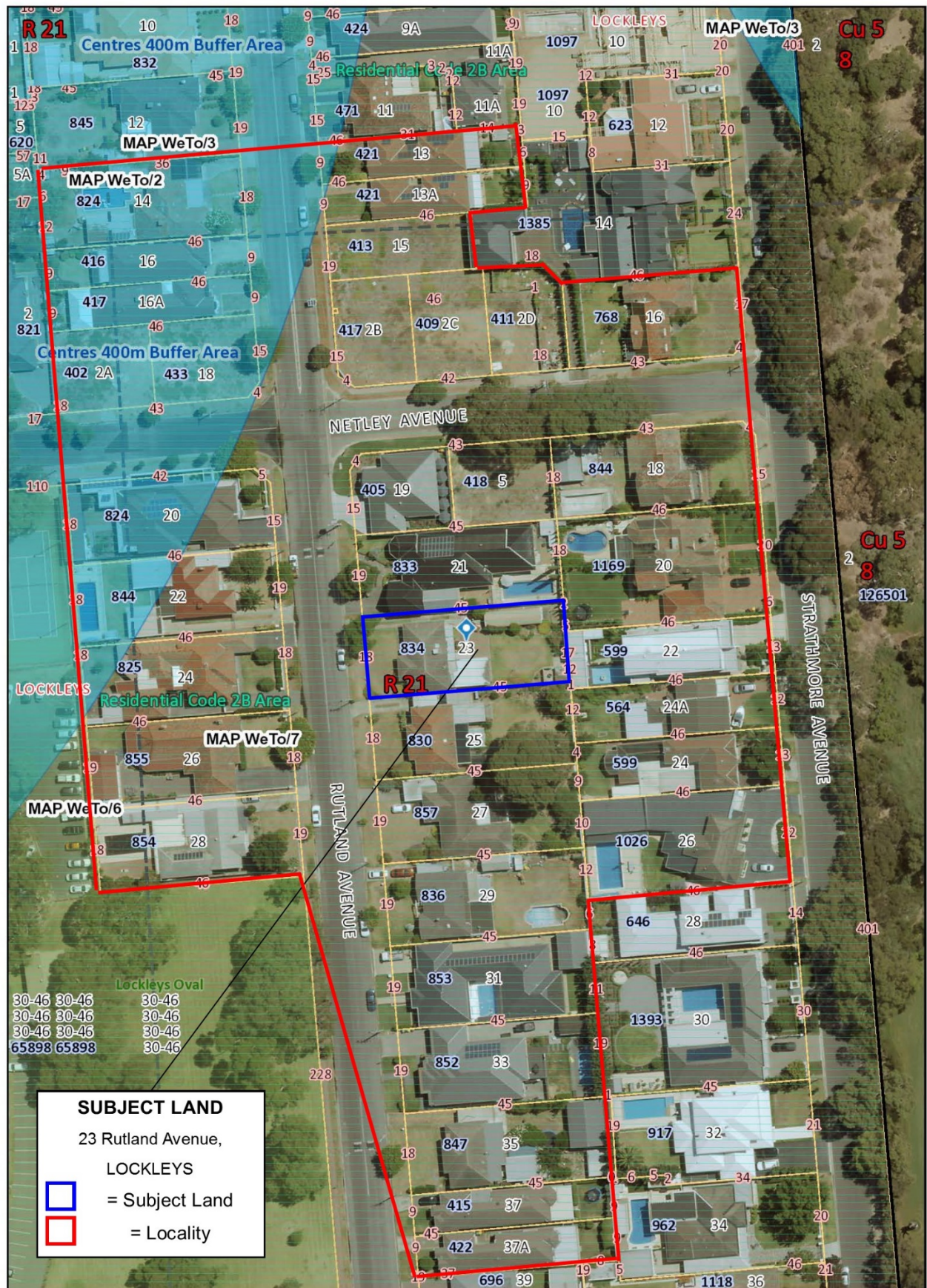
The locality is residential in nature comprised of predominantly single storey detached dwellings. There is a variety of allotment sizes, but they share common traits of being rectangular in shape and having direct access to a public road.

There are several examples of infill development within the locality where a single allotment has been divided into two or three. This infill development is concentrated north of the subject site, however there is also an example south of the subject site at 37 and 37a Rutland Avenue.

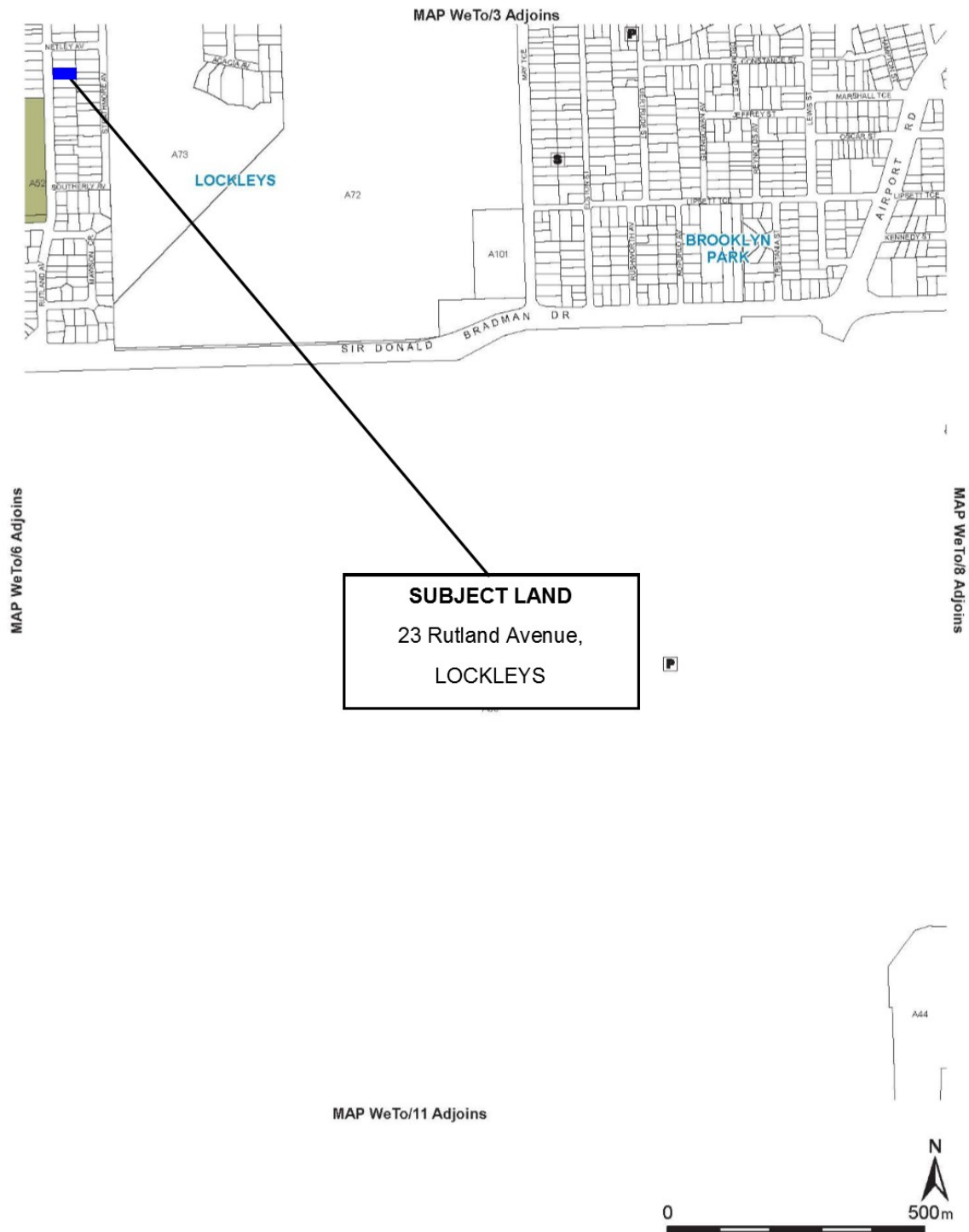
There is significant public open space in close proximity to the subject site by way of the Lockleys Oval to the west and the Kooyonga golf course to the east.

The subject site is located between three Local Centre Zones and a Commercial Zone on Henley Beach Road to the North and an Aldi grocery store in the Airfield Zone to the south. The subject site and locality are well catered for in terms of facilities.

The site and locality are shown on the following aerial image and locality plan.







-  School
-  Post Office
-  Local Reserves

## Location Map WeTo/7

WEST TORRENS COUNCIL  
Consolidated - 6 February 2018



## PROPOSAL

The proposal seeks to initially subdivide one allotment into two and then construct a two storey detached dwelling on each allotment. Each of the proposed allotments will have a frontage of 9.14m and an overall area of 417.9m<sup>2</sup>.

The proposed dwellings are a mirror image of one another and have the following attributes:

- Two storey;
- Single garage;
- Four bedrooms;
- Open plan kitchen, living and family room;
- Alfresco;
- Three bathrooms; and
- Retreat.

The dwellings will be constructed of a variety of materials including face brick, stacked stone, Colorbond, Alucobond and rendered power panel. These materials provide a contemporary finish to a dwelling with a traditional design. The dwelling exhibits eaves on the alfresco and the upper level and a roof with a 25 degree pitch.

The garages will be built to the boundaries for a length of 6.4m. The proposed garages will abut existing structures on both of the adjoining allotments.

The relevant plans and documents are contained in **Attachment 1**.

## REFERRALS

### Internal

#### City Assets

City Assets originally raised concern about the finished floor levels (FFLs), stormwater detention, and verge interaction with crossovers and infrastructure.

These concerns were resolved by way of amended plans.

A full copy of the relevant reports is contained in **Attachment 2**.

### External

#### SCAP

SCAP did not raise any concerns and have imposed the standard conditions.

#### SA Water

SA Water did not raise any concerns and have imposed the standard conditions.

A full copy of the relevant reports are contained in **Attachment 3**.

## RELEVANT DEVELOPMENT PLAN PROVISIONS

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

<u>General Section</u>		
Crime Prevention	Objective	1
	Principles of Development Control	1, 2, 3, 6, 7, 8 & 10
Design and Appearance	Objectives	1 & 2
	Principles of Development Control	1, 2, 3, 9, 10, 11, 12, 13, 14, 15, 20 & 21
Energy Efficiency	Objectives	1 & 2
	Principles of Development Control	1, 2, 3 & 4
Land Division	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 2, 4, 5, 6, 8, 12 & 16
Landscaping, Fences and Walls	Objectives	1 & 2
	Principles of Development Control	1, 2, 3, 4 & 6
Orderly and Sustainable Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1, 3, 5 & 7
Residential Development	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 27, 28 & 31
Transportation and Access	Objective	2
	Principles of Development Control	1, 2, 8, 10, 11, 23, 24, 26, 30, 32, 34, 35, 36, 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 <b>Historic Conservation Area</b>.</i></p> <p><i>Landscaping will be provided throughout the zone to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer.</i></p>	
Objectives	1, 2, 3 & 4
Principles of Development Control	1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13 & 14

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

## QUANTITATIVE STANDARDS

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SITE AREA <i>Low Density Policy Area 21</i> <i>PDC 3</i>	420m <sup>2</sup> (minimum)	417.9m <sup>2</sup> (lots 691 & 692)  <b>Does Not Satisfy</b>
SITE FRONTAGE <i>Low Density Policy Area 21</i> <i>PDC 3</i>	12m (minimum)	9.14m (lots 691 & 692)  <b>Does Not Satisfy</b>
PRIMARY STREET SETBACK <i>Residential Zone</i> <i>PDC 8</i>	Same as one of the adjacent buildings  21 Rutland = 7.7m (approx.) 25 Rutland = 8.8m (approx.)	6.8m (lots 691 & 692)  <b>Does Not Satisfy</b>

<b>SIDE SETBACKS</b> <i>Residential Zone</i> <i>PDC 11</i>	Ground floor - 1m (minimum)  Upper floor - 2m (minimum)	<u>Ground floor</u> 0m & 0.9m (lots 691 & 692)  <u>Upper floor</u> 0.95m (lots 691 & 692)  <b>Does Not Satisfy</b>
<b>REAR SETBACKS</b> <i>Residential Zone</i> <i>PDC 11</i>	Ground floor - 3m (minimum)  Upper floor - 8m (minimum)	<u>Ground floor</u> 8.5m (lots 691 & 692)  <u>Upper floor</u> 12.9m (lots 691 & 692)  <b>Satisfies</b>
<b>BUILDING HEIGHT</b> <i>Residential Zone</i> <i>PDC 6</i>	6 m or 2 storeys (maximum)	5.8m / 2 storeys (both dwellings)  <b>Satisfies</b>
<b>INTERNAL FLOOR AREA</b> <i>Residential Development</i> <i>PDC 9</i>	100m <sup>2</sup> (minimum)	172m <sup>2</sup> (both dwellings)  <b>Satisfies</b>
<b>PRIVATE OPEN SPACE</b> <i>Residential Development</i> <i>PDC 19</i>	60m <sup>2</sup> (minimum)  4m (minimum dimension)  16m <sup>2</sup> (minimum area at rear or side of dwelling accessible from a habitable room).	<u>Lots 691 &amp; 692</u>  118.85m <sup>2</sup> (total)  9.1m (minimum dimension)  118.85m <sup>2</sup> (accessed from habitable room)  <b>Satisfies</b>
<b>CAR PARKING SPACES</b> <i>Transportation and Access</i> <i>PDC 34</i>	2 car parking spaces/dwelling, 1 of which is covered	3 spaces/dwelling (2 undercover)  <b>Satisfies</b>



## ASSESSMENT

In assessing the merits or otherwise of the application, the proposed development is discussed under the following sub headings:

### Allotment Area

The deficiency in the proposed allotment/site areas equates to 2.1m<sup>2</sup>. This is considered to be a minor deficiency which has not adversely affected the capacity of the proposed sites to accommodate a suitable dwelling.

Site areas within the locality along Rutland Avenue range from 394m<sup>2</sup> to 855m<sup>2</sup>. Whilst the adjoining properties exceed the 420m<sup>2</sup> minimum for the policy area, there are several examples of allotments in the locality that are below the minimum, including (refer locality plan below):

- 37 and 37A Rutland Ave;
- 15 Rutland Ave;
- 5 Netley Ave;
- 2B, 2C and 2D Netley Ave; and
- 19 Rutland Ave.

Accordingly, the deficiency in allotment/site areas is considered acceptable.



## Allotment Frontage

The proposed allotments/sites will have frontages which are approximately 2.9m narrower than the 12m minimum for Low Density Policy Area 21. This is considered to be a significant departure and has the potential to undermine the desired character of the area. In this instance, it is not considered fatal to the application for the following reasons:

1. There are numerous other examples of similar development within 200m of the subject site. These examples are concentrated to the north of the subject site, but there is also an example further south at 37 and 37a Rutland Avenue. Altogether, there are 13 allotments along Rutland Avenue (between Henley Beach Road and Strathmore Avenue) that have frontages below 12m and 35 allotments with frontages above 12m.

Accordingly, the proposed allotments are consistent with a third of those in the locality. In addition, it is considered that the existing character of the locality has been sufficiently impacted by these examples of smaller frontages that the proposed development is unlikely to cause a detrimental impact.

2. The Desired Character of the policy area calls for a denser allotment pattern close to centre zones to allow more residents to take advantage of the variety of facilities found within centre zones. It is acknowledged that the subject site is located outside of the 400m buffer area as described in PDC 3 of Low Density Policy Area 21, however, it is only marginally outside this buffer by approximately 40m. The additional 40m is highly unlikely to prevent future residents from walking to at least two of the local centre zones in close proximity to the subject land.

Had the subject site been located within this buffer area it would have met the minimum frontage and exceeded the minimum site area. This being the case, it is considered that the proposed allotments are within sufficient proximity to allow for the reduced frontages afforded in PDC 4.

The proposed development is also considered to be consistent with the Desired Character as it i) creates rectangular shaped allotments with direct frontage to a public road, and ii) proposes detached dwellings.

3. Although 'low density' is not defined in the Development Plan, it is described in both the Planning Strategy (the 30-Year Plan update) and the State Government's "Understanding Residential Densities Handbook" as being fewer than 35 dwellings per hectare. This translates to allotment areas of between 294m<sup>2</sup>- 588m<sup>2</sup>. The proposed allotments fall within this range and are therefore considered to be low density.

In consideration of all these factors, the deficiency in the width of the proposed allotments is acceptable.

## Side setbacks

The upper level side setbacks to the proposed common boundary do not meet the 2m minimum stated in PDC 11 of the Residential Zone. The upper levels are set back 0.95m and 0.93m at the rear half of each dwelling. While this deficiency is not desirable, it is considered to be acceptable as the overlooking impact would be similar if the setback met the zone requirement. It is also worth noting that the upper level setbacks from the common boundary meet the 2m requirement for the front half of each dwelling, thereby minimising the impact to the street.

The upper level of each dwelling has been setback 2m from the northern and southern property boundaries. This is consistent with PDC 11 of the Residential Zone and will effectively minimise the amount of overshadowing to the adjacent properties, especially given the existing boundary structures on these properties (see Image 1 below).



However, the garage walls of each dwelling are proposed to be built on the side boundary for a length of 6.3m. These walls are 3.7m in height which exceeds the recommended 3m wall height described in PDC 13 of the Residential Development module. This is not considered to be fatal to the application as the garages will be built immediately adjacent the structures described above on the northern and southern property boundaries. The presence of the existing structures on these boundaries will mitigate the potential issues that can arise from boundary walls (bulk and scale, overshadowing etc.)

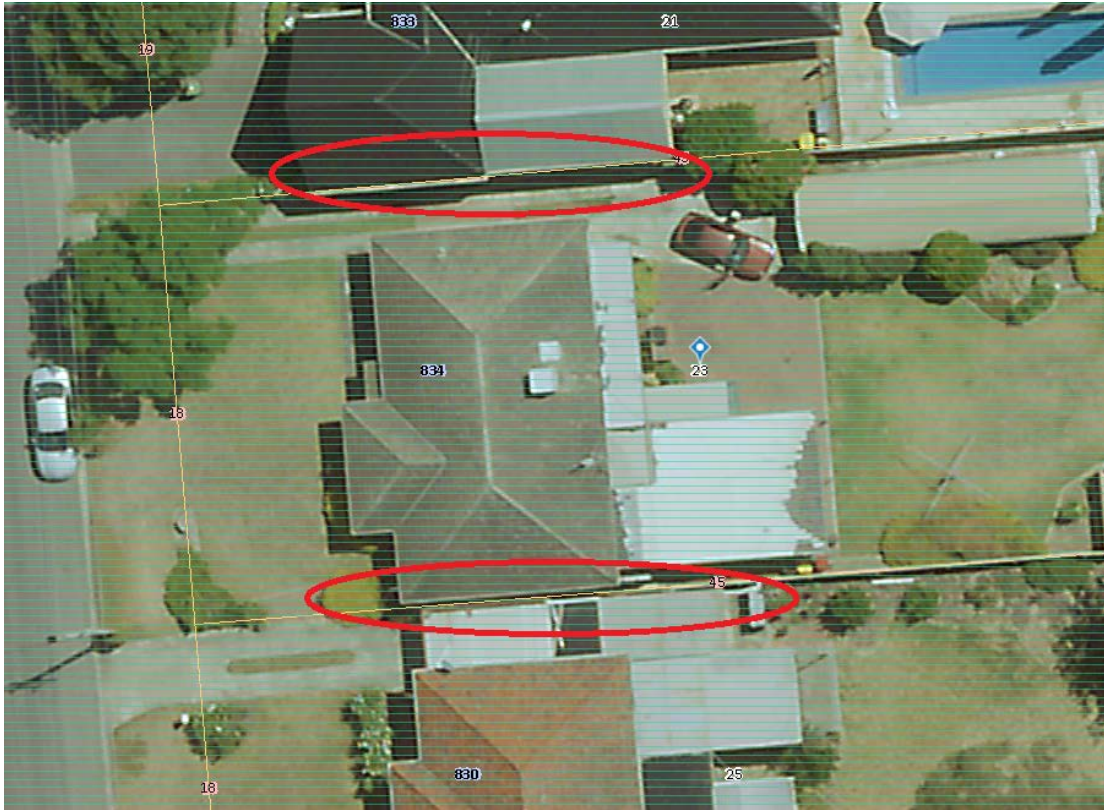


Image 1: northern and southern property boundaries

## Design

The proposed dwellings have been designed to be sympathetic to existing development in the locality. This has been achieved by including a relatively modest upper level and a single-width garage door (3.3m) facing the street. This garage door opens into a double-width garage to provide additional covered storage space for the residents. The garage does not form a dominant feature of the dwelling owing to its reduced width and the placement of a vertical window on the adjacent wall facing the street. The driveway has also been narrowed to provide additional space for landscaping within the front yard.

The proposed dwellings share design elements with surrounding development by incorporating face brick and pitched Colorbond roofs with eaves.

The two storey design of both dwellings allows for a larger rear yard than would be possible if the dwellings were single storey with the same floor area. This element is consistent with other properties in the locality and aids in reducing the bulk and scale impacts of the proposed development on adjoining properties.



## SUMMARY

Notwithstanding the deficiencies in site frontages and upper level side setbacks, the proposal is considered a suitable development for the locality that warrants support. The built form is consistent with the Desired Character of the policy area in that it involves two detached dwellings on low density rectangular allotments.

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

On balance the proposed development accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 6 February 2018 and warrants Development Plan Consent.

## RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent and Land Division Consent for Application No. 211/340/2018 (SCAP No. 211/ D034/18) by Joseph Portolesi to undertake a combined application: Land division - Torrens Title; Creating one additional allotment; and the construction of two (2) two storey detached dwellings at 23 Rutland Avenue, Lockleys (CT5353/252) subject to the following conditions of consent:

### Development Plan Consent Conditions

1. Development is to take place in accordance with the plans prepared by Spectra Building Designers and Bartlett Drafting and Development relating to Development Application No. 211/340/18 (SCAP 211/D034/18).
2. That all stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and, for this purpose, stormwater drainage will not at any time:
  - a) Result in the entry of water into a building; or
  - b) Affect the stability of a building; or
  - c) Create unhealthy or dangerous conditions on the site or within the building; or
  - d) Flow or discharge onto the land of an adjoining owner; or
  - e) Flow across footpaths or public ways.
3. That all driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained prior to occupation, and shall be maintained in reasonable condition at all times.
4. That all planting and landscaping will be completed within three (3) months of the commencement of the use of this development and be maintained in reasonable condition at all times. Any plants that become diseased or die will be replaced with a suitable species.
5. That the upper level windows on the Northern eastern and southern facades 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.

## Land Division Consent Conditions

6. The financial requirements of the S A Water Corporation shall be met for the provision of water supply and sewerage services. (S A Water H0070702)

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

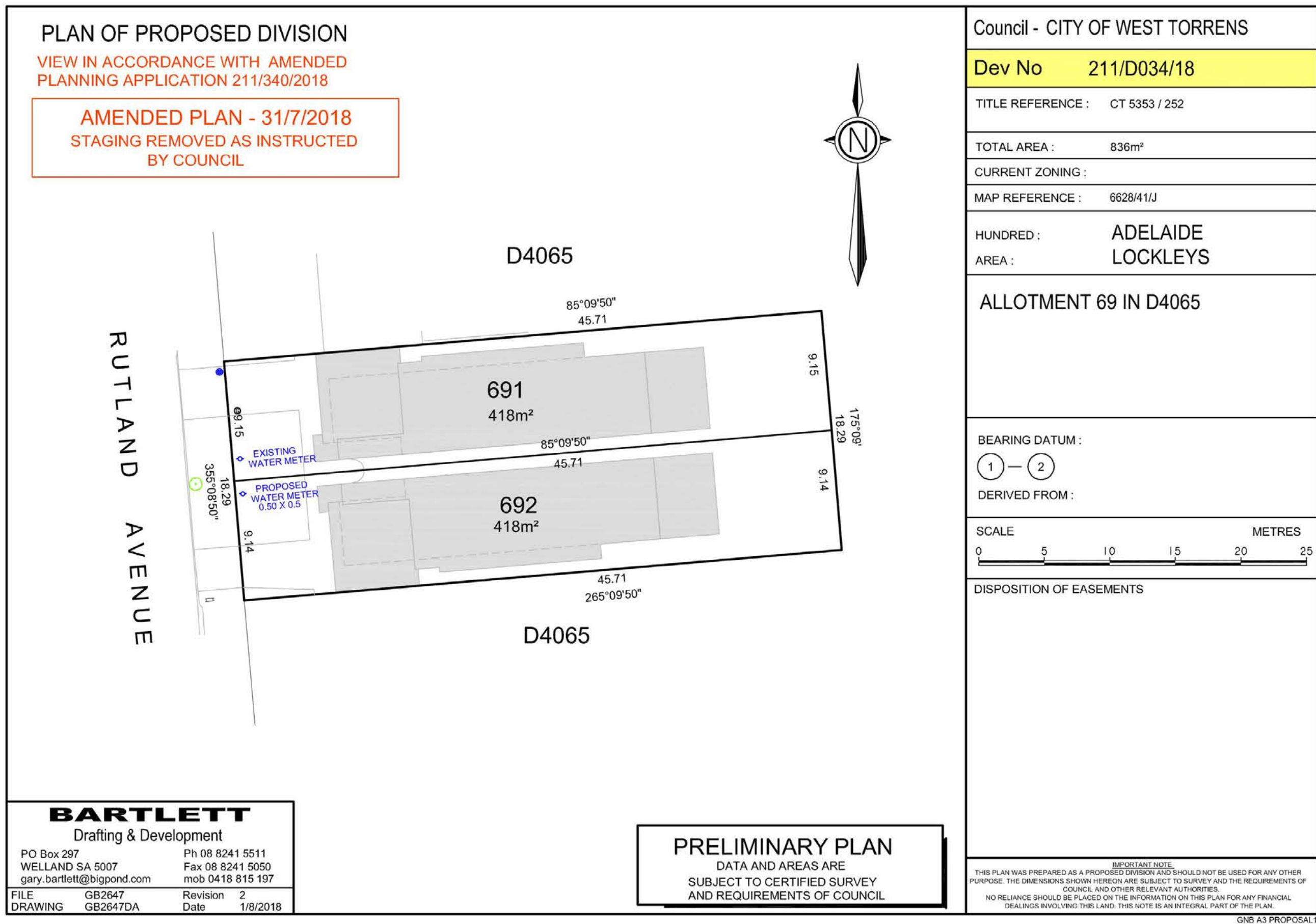
SA Water Corporation further advise that an investigation will be carried out to determine if the water and/or sewer connection/s to your development will be costed as standard or non-standard.

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.

7. Payment of \$6830 into the Planning and Development Fund (1 allotment @ \$6830/allotment). Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (7109 7018), by cheque payable to the State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, by cheque or credit card, at Level 5, 50 Flinders Street, Adelaide.
8. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel for Land Division Certificate purposes.

## Attachments

1. **Plan of division, built form plans and certificate of title**
2. **Internal referrals**
3. **External referrals**





CONSTRUCTION MATERIALS:

- BRICK VENEER CONSTRUCTION TO LOWER
- POWERPANEL CONSTRUCTION TO UPPER
- COLORBOND CUSTOM ORB ON 25° PITCH
- ALUMINIUM SEMI/COMMERCIAL WINDOWS
- CONCRETE SLAB
- BRICK PAVING AND DRIVEWAY

FOR PLANNING APPROVAL ONLY  
LANDSCAPING:



1  
Common Name: Bourmta Beauty Wax Flower  
Plant Height: 1  
Plant Spread: 1



2  
Common Name: James Stirling Pittosporum  
Plant Height: 3  
Plant Spread: 1.5



3  
Common Name: Narrow Leaf Chalk Sticks  
Plant Height: 0.4  
Plant Spread: 1.2

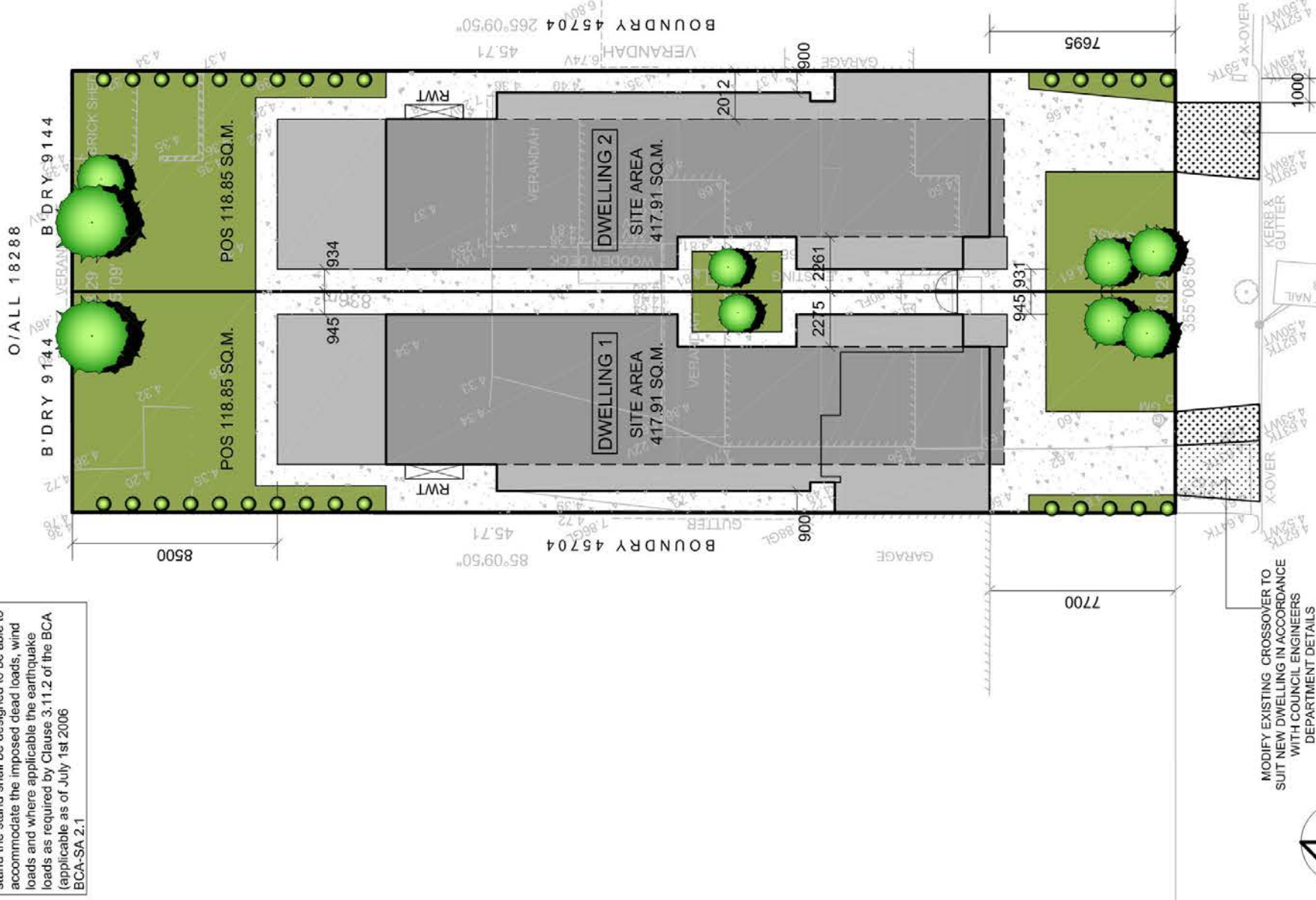


4  
Common Name: Orange Berry  
Plant Height: 4  
Plant Spread: 2



STREETSCAPE  
SCALE 1:200

Details of the required rainwater tank (min 1000 Litres) collecting a minimum of 50 m2 of roof catchment area and plumbed to a water closet, water heater or laundry cold water outlets. The tank must also be fitted with mosquito proof, non de-gradable screens, formed form not less than .315mm diameter material and have a minimum of 6 x 7 openings per cm2. In the event that the tank is to be supported on a stand the stand shall be designed to be able to accommodate the imposed dead loads, wind loads and where applicable the earthquake loads as required by Clause 3.11.2 of the BCA (applicable as of July 1st 2006)  
BCA-SA 2.1



AREAS :

PER DWELLING	
LM. LIVING	131.54
UM. LIVING	141.04
TERRACE	27.94
GARAGE	43.63
POR	2.43
TOTAL	346.58 SQ.M.

REVISIONS

DATE	REV	DESCRIPTION	BY
27.06.18	A	COUNCIL RFI FOR REVIEW	CI
04.07.18	B	COUNCIL RFI FOR REVIEW	CI
06.07.18	C	PLANNING AMEND	CI



SUITE 1, GROUND LEVEL 159 PORT ROAD  
HINDMARSH SA 5007  
Telephone (08) 8338 2211 Facsimile (08) 8338 2188  
www.spectrabuildingdesigners.com

PROJECT  
PROPOSED RESIDENTIAL  
DEVELOPMENT  
23 RUTLAND AVENUE  
LOCKLEYS  
CLIENT  
J. PORTELES

Drawn  
CI / PC  
Scale  
Dated  
MARCH.2018  
Copyright

Project No.  
09.2019  
Sheet No.  
PA 01 OF 06  
Contractors are to verify all dimensions and levels on the job before commencing any work or making shop drawings. If any discrepancy is found, the contractor must report it to the Designer immediately.



SITE PLAN  
SCALE 1:200

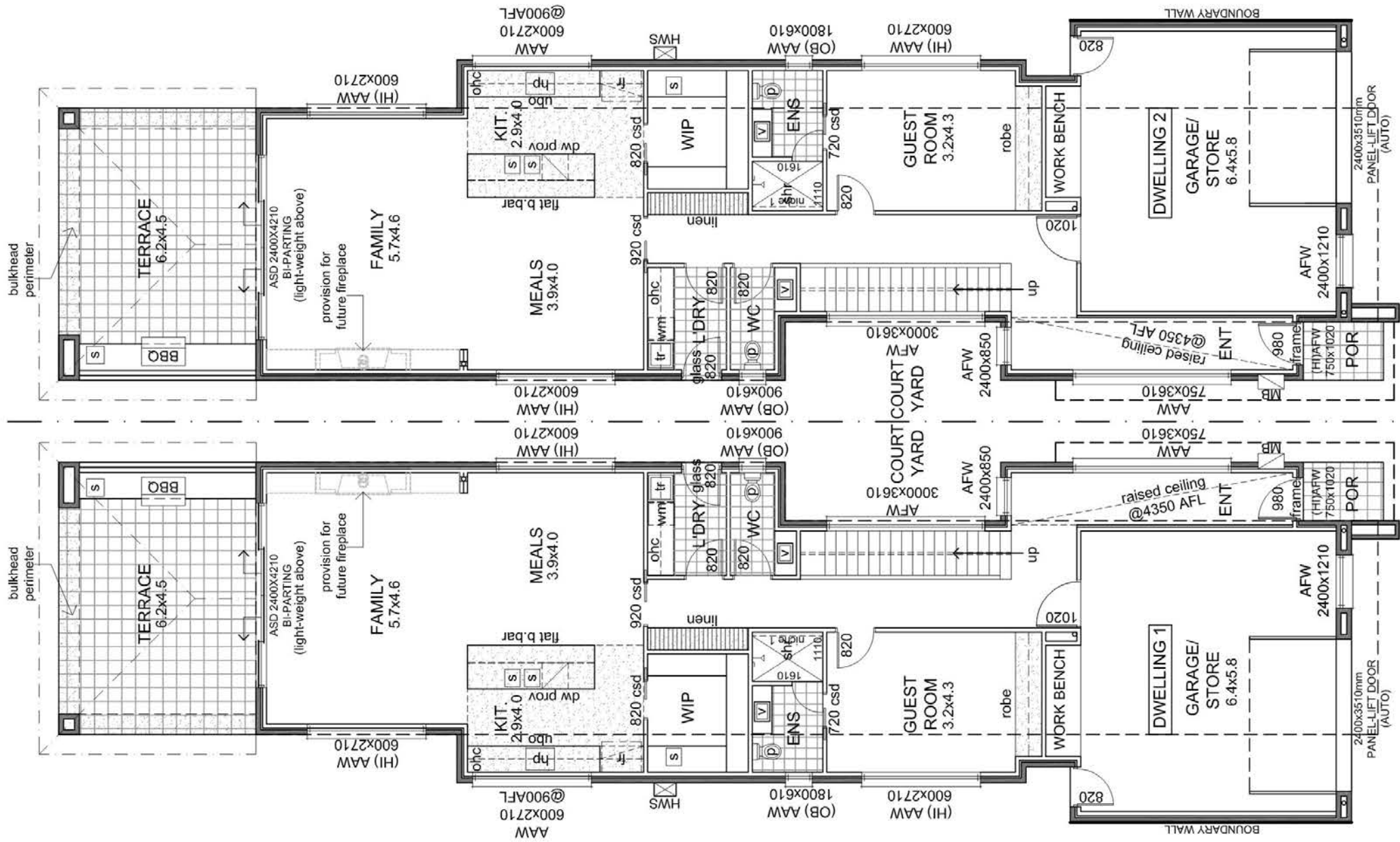
SITEWORKS, DRAINAGE AND LEVELS ARE TO BE AS PER ENGINEERING DESIGN AND DOCUMENTATION.

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

RUTLAND AVENUE



FOR PLANNING APPROVAL ONLY



AREAS :

PER DWELLING	131.54
LM. LIVING	141.04
UM. LIVING	27.94
TERRACE	43.63
GARAGE	2.43
POR	
TOTAL	346.58 SQ.M.

REVISIONS

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04.07.18	B	COUNCIL RFI FOR REVIEW	CI
06.07.18	C	PLANNING AMEND	CI

**SPECTRA BUILDING DESIGNERS**

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HINDMARSH, S.A. 5007  
Telephone (08) 8338 2211 Facsimile (08) 8338 2188  
www.spectrabuildingdesigners.com

PROJECT: PROPOSED RESIDENTIAL DEVELOPMENT  
23 RUTLAND AVENUE  
LOCKLEYS

CLIENT: J. PORTELES

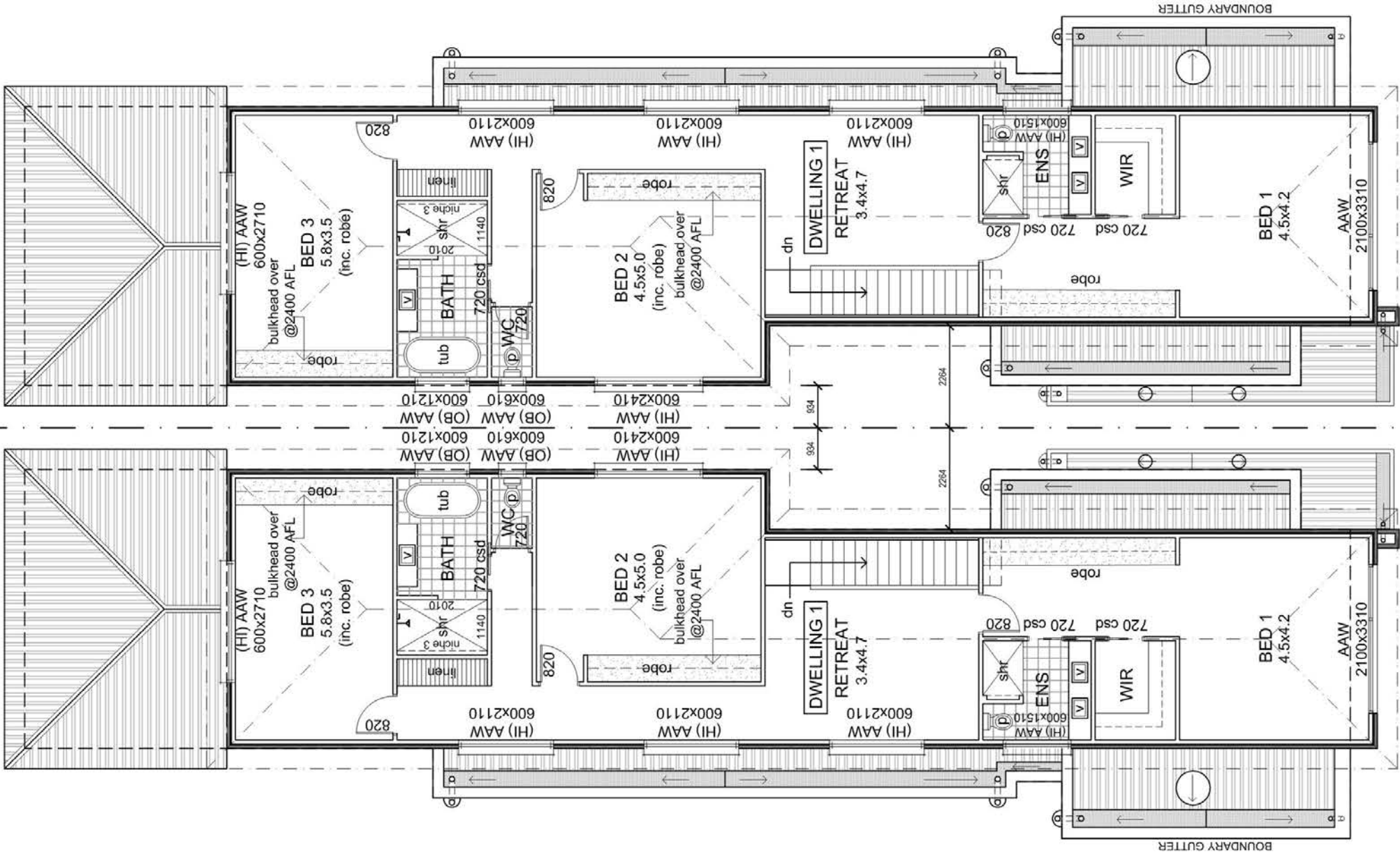
Drawn: CI / PC Date: MARCH.2018  
Scale: Copyright:

Project No: Sheet No: 09.2019 PA 02 OF 06

Contractors are to verify all dimensions and levels on the job before commencing any work or making shop drawings. If any discrepancies are found, the contractor must report them to the Designer immediately.


GROUND FLOOR PLAN  
SCALE 1:100

FOR PLANNING APPROVAL ONLY



AREAS :	
PER DWELLING	
LM. LIVING	131.54
UM. LIVING	141.04
TERRACE	27.94
GARAGE	43.63
POR	2.43
TOTAL	346.58 SQ.M.

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06.07.18	C	PLANNING AMEND	CI



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PROJECT  
PROPOSED RESIDENTIAL  
DEVELOPMENT  
23 RUTLAND AVENUE  
LOCKLEYS  
CLIENT  
J. PORTELES

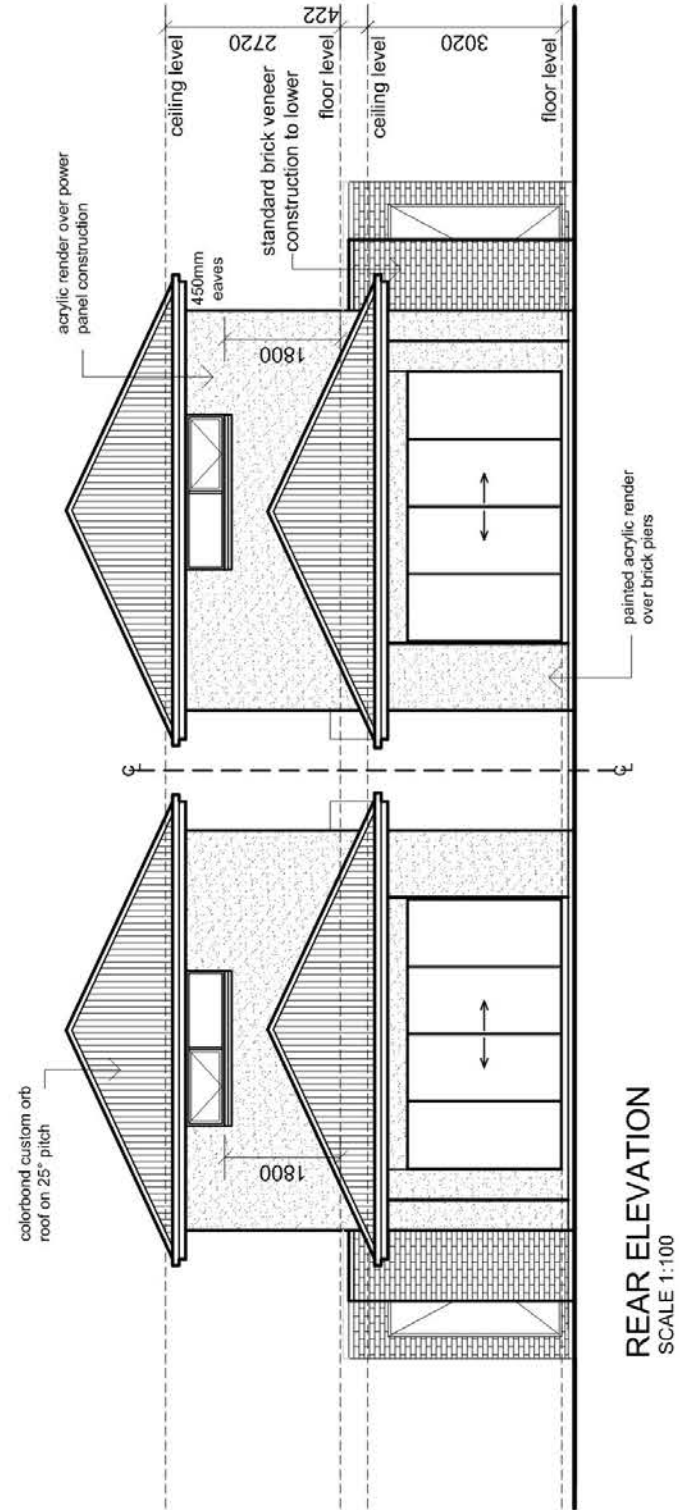
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Scale  
Date  
MARCH.2018  
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09.2019  
Sheet No.  
PA 03 OF 06  
Contractors are to verify all dimensions and levels on the job before commencing any work or making shop drawings. If any discrepancy is found, the contractor must report to the Designer immediately.

UPPER FLOOR PLAN  
SCALE 1:100



FOR PLANNING APPROVAL ONLY



TYPICAL 3D VIEWS

REVISIONS			
DATE	REV	DESCRIPTION	BY
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04.07.18	B	COUNCIL RFI FOR REVIEW	CI
06.07.18	C	PLANNING AMEND	CI

SPECTRA

BUILDING DESIGNERS

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PROJECT

PROPOSED RESIDENTIAL DEVELOPMENT

23 RUTLAND AVENUE

LOCKLEYS

CLIENT

J. PORTELES

Drawn

CI / PC

DATE

MARCH.2018

Scale

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Project No.

Sheet No.

09.2019

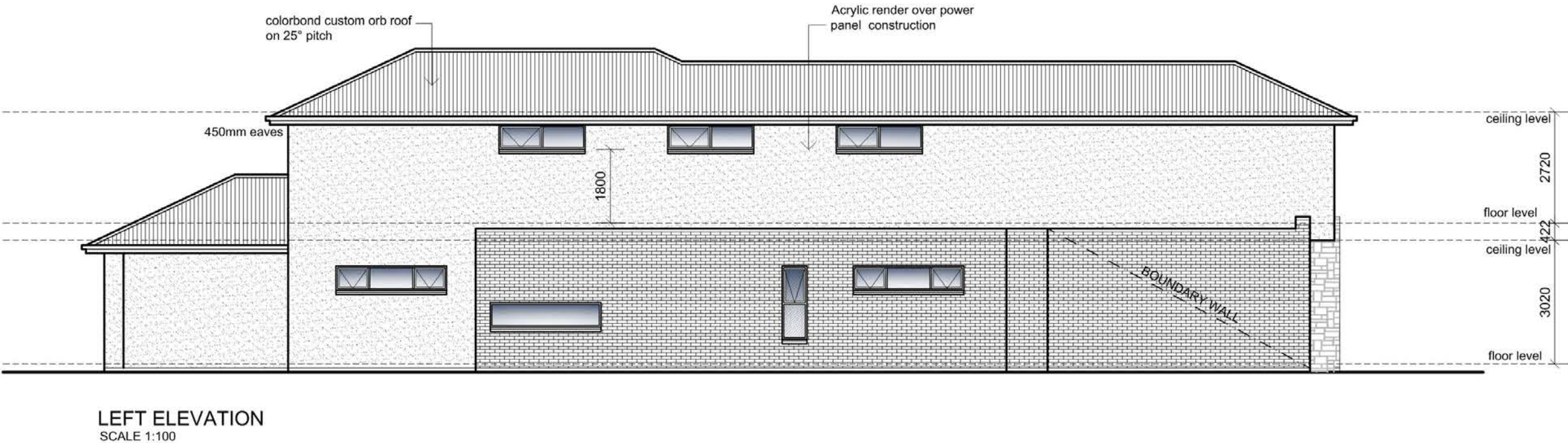
PA 04 OF 06

Contractors are to verify all dimensions and levels on the job before commencing any work or making shop drawings. If any dimensions shall take preference over the drawings, the contractor shall be responsible for reporting to the Designer immediately.



DWELLING 1

FOR PLANNING APPROVAL ONLY



REVISIONS

DATE	REV	DESCRIPTION	BY
27.06.18	A	COUNCIL RFI FOR REVIEW	CI
04.07.18	B	COUNCIL RFI FOR REVIEW	CI
06.07.18	C	PLANNING AMEND	CI

**SPECTRA**  
BUILDING DESIGNERS

SUITE 1, GROUND LEVEL 159 PORT ROAD  
HINDMARSH, S.A. 5007  
Telephone (08) 8338 2211 Facsimile (08) 8338 2188  
www.spectrabuildingdesigners.com

PROJECT  
**PROPOSED RESIDENTIAL DEVELOPMENT**  
23 RUTLAND AVENUE  
LOCKLEYS

CLIENT  
**J. PORTOLESI**

Drawn  
CI / PC

Date  
MARCH.2018

Scale  
1:100

Copyright

Project No.  
09.2019

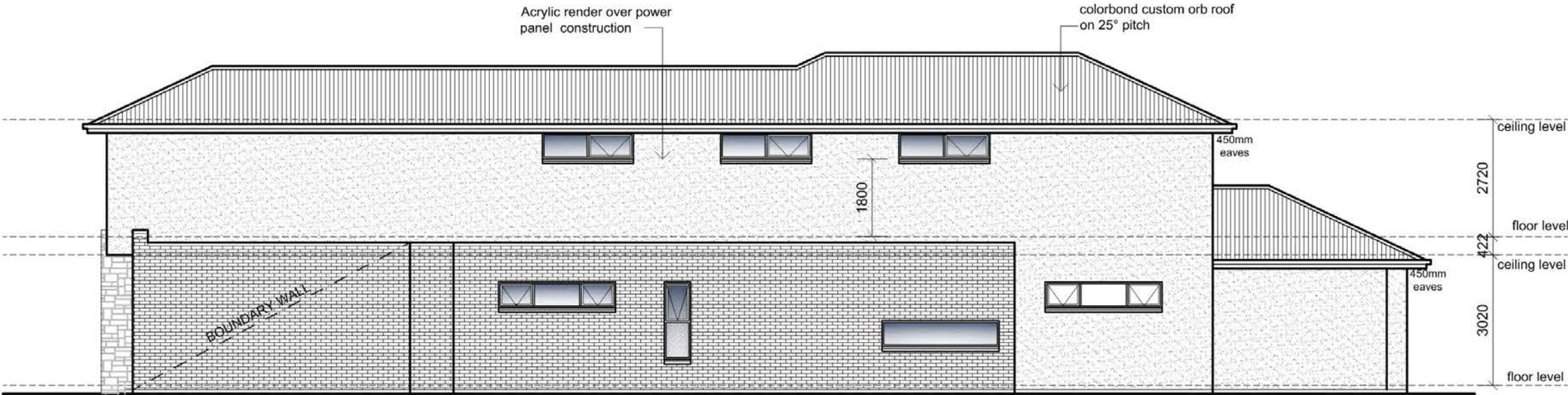
Sheet No.  
PA 05 OF 06

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.



DWELLING 2

FOR PLANNING APPROVAL ONLY



RIGHT ELEVATION  
SCALE 1:100



RIGHT ELEVATION  
SCALE 1:100

REVISIONS			
DATE	REV	DESCRIPTION	BY
27.06.18	A	COUNCIL RFI FOR REVIEW	CI
04.07.18	B	COUNCIL RFI FOR REVIEW	CI
06.07.18	C	PLANNING AMEND	CI



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09.2019

Sheet No.  
PA 06 OF 06

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<b>Product</b>	Register Search (CT 5353/252)
<b>Date/Time</b>	10/01/2018 02:19PM
<b>Customer Reference</b>	
<b>Order ID</b>	20180110007660
<b>Cost</b>	\$28.25

REAL PROPERTY ACT, 1886



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



## Certificate of Title - Volume 5353 Folio 252

<b>Parent Title(s)</b>	CT 2366/149		
<b>Creating Dealing(s)</b>	CONVERTED TITLE		
<b>Title Issued</b>	01/08/1996	<b>Edition</b>	3
		<b>Edition Issued</b>	09/10/2015

## Estate Type

FEE SIMPLE

## Registered Proprietor

JOSEPH ANTHONY PORTOLESI  
OF PO BOX 163 BROOKLYN PARK SA 5032

## Description of Land

ALLOTMENT 69 DEPOSITED PLAN 4065  
IN THE AREA NAMED LOCKLEYS  
HUNDRED OF ADELAIDE

## Easements

NIL

## Schedule of Dealings

Dealing Number	Description
12399052	MORTGAGE TO BENDIGO & ADELAIDE BANK LTD. (ACN: 068 049 178)

## Notations

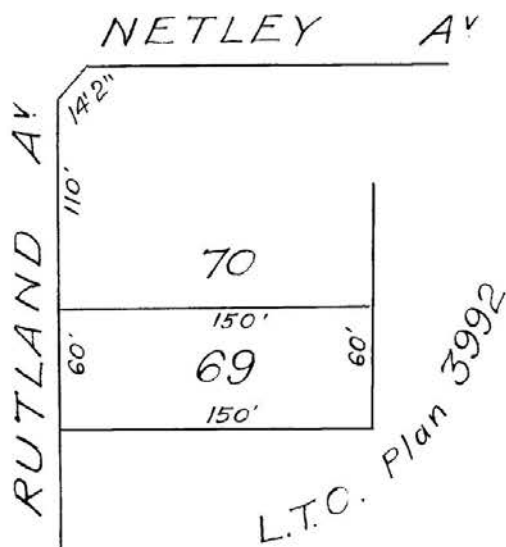
<b>Dealings Affecting Title</b>	NIL
<b>Priority Notices</b>	NIL
<b>Notations on Plan</b>	NIL
<b>Registrar-General's Notes</b>	NIL
<b>Administrative Interests</b>	NIL



Government of South Australia  
Department of Planning,  
Transport and Infrastructure

Product  
Date/Time  
Customer Reference  
Order ID  
Cost

Register Search (CT 5353/252)  
10/01/2018 02:19PM  
20180110007660  
\$28.25



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

## Preliminary Traffic, Flooding & Stormwater Assessment

**Development Application No: 211/340/2018**

**Assessing Officer:** Jordan Leverington  
**Site Address:** 23 Rutland Avenue, LOCKLEYS SA 5032  
**Certificate of Title:** CT-5353/252  
**Description of Development:** Combined Application: Land division - Torrens Title; SCAP No. 211/D034/18; Create one (1) additional allotments; and Construction of two (2) two-storey detached dwellings

### TO THE TECHNICAL OFFICER - CITY ASSETS

Please provide your comments in relation to:

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

.....  
.....

**PLANNING OFFICER - Jordan Leverington      DATE      13 August, 2018**





## Memo

To Jordan Leverington  
From Ming Siow  
Date 13/08/2018  
Subject 211/340/2018, 23 Rutland Avenue, LOCKLEYS SA 5032

Jordan Leverington,

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

### **1.0 Verge Interaction**

- 1.1 Verge interaction has been assessed as acceptable in accordance with the site layout shown in 'Civil & Drainage Plan' (KP Squared - Project No. 1807079 - Drawing No. C2 Issue B).

### **2.0 FFL Consideration – Finished Floor Level (FFL) Requirement**

- 2.1 In accordance with the provided 'Civil & Drainage Plan' (KP Squared - Project No. 1807079 - Drawing No. C2 Issue B), the FFLs of the proposed development (4.85 minimum) have been assessed as satisfying minimum requirements (4.85) in consideration of street and/or flood level information.

### **3.0 Stormwater detention**

In relation to the detention of stormwater runoff from the development, Council typically would be seeking for the rate of discharge of stormwater from the development site would be restricted to a maximum rate equivalent to that of a site with a 0.25 runoff coefficient for the site critical 20 year ARI storm event (i.e effectively mimicking a site with a 25% impervious cover and 75% pervious cover). Sufficient engineering information to demonstrate the practicality of achieving this is recommended to be provided and assessed prior to the issuing of any development approval for the application

Council's City Assets Department would consider acceptable an alternate approach to the provision of conventional stormwater detention calculations and implementation.

This alternate solution would provide improved sustainable supply to water to the ultimate homeowner and at the same time, collect and use the majority of the roof stormwater generated by the properties.



In this alternate stormwater management proposal, the following arrangements should be notated for each dwelling within the development.

- Installation of a 3,000 litre rainwater tank (no detention element).
- Rainwater tank plumbed to deliver recycled water all toilets and laundry cold water outlet. (Can also be connected to Hot Water Service if desired).
- A minimum of 90% of the dwelling roof area is to have its stormwater runoff directed to the rainwater tank.
- Mains water backup, pump and plumbing arrangements as typically required to support such an installation are to be compliant with the standard Building Code requirements associated with a compulsory rainwater tank installation.
- The stormwater collection and re-use system is to be installed and operational prior to occupancy of the dwelling.

**In association with a development where the applicant has nominated this approach, it is recommended that a condition similar to the following be included with any approval;**

- **Prior to occupancy of a dwelling, the 3000 litre stormwater collection & reuse tank and associated plumbing to service all toilets and laundry is to be installed and operational.**

**NOTE: The proposed Civil & Drainage plan shows satisfaction to the above requirements.**

Regards

**Ming Siow**

## Arboricultural Assessment of Street Trees

Development Application No: **211/340/2018**

**REFERRAL DUE DATE:** 24/05/2018

Assessing Officer: **Jordan Leverington**  
Site Address: **23 Rutland Avenue, LOCKLEYS SA 5032**  
Certificate of Title: **CT-5353/252**  
Description of Development **Combined Application: Land division - Community Title; SCAP No. 211/D034/18; Create one (1) additional allotments; and Construction of two two-storey detached dwellings**

### TO THE TECHNICAL OFFICER – CITY ASSETS

Please provide your comments in relation to:

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

PLANNING OFFICER - Jordan Leverington

DATE 10 May 2018

### FROM THE TECHNICAL OFFICER

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

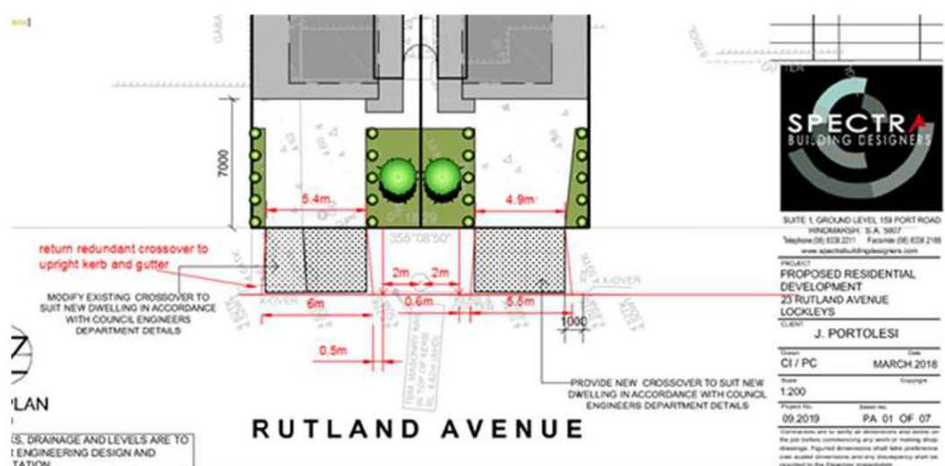
As with all development applications it must be proven beyond reasonable doubt that all alternatives have been explored so not to hinder the progress of any street tree(s).

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

Verge interaction must consider all services that cross council land including stormwater outlets (and other) which will need to be maintained a minimum of 2.0m from any existing street tree (unless existing or otherwise negotiated). All services must be indicated /documented on appropriate plans for Council assessment and approval.

**A site investigation together with the information provided has revealed that the location of the proposed crossovers for the proposed development will impact on an existing Koelreuteria paniculata (Golden Rain) street tree.**

**City Operations will support the proposal based on this recommended layout by City Assets as below with a 2.0m offset from the existing street tree.**



In absence of civil and drainage plan, City Asset proposes the location of the driveway between the new driveways and stormwater outlets at the absolute minimum offset of 0.5m to allow sufficient offset distance to the existing street tree. It is essential for the applicant to include the flaring on both sides of the new driveways and annotated the location of street infrastructure accordingly as depicted in Figure 1.0.

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

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

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

Telephone: 8416 6333  
Fax: 8443 5709  
Email: rholmes@wtcc.sa.gov.au

DATE: 28/05/2018







Contact Planning Services  
Telephone 7109 7016  
Email [dlptipdclearanceletters@sa.gov.au](mailto:dlptipdclearanceletters@sa.gov.au)



12 April 2018

The Chief Executive Officer  
City of West Torrens

Dear Sir/Madam

**Re: Proposed Application No.** 211/D034/18 (ID 61139)  
**for Land Division by** Mr Joseph Portolesi

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 26 March 2018, I advise that the State Commission Assessment Panel (SCAP) 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.

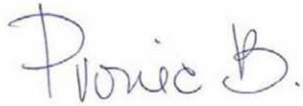
I further advise that the State Commission Assessment Panel has the following requirements under Section 33(1)(c) of the Development Act 1993 which must be included as conditions of land division approval on Council's Decision Notification (should such approval be granted).

1. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.  
The alteration of internal drains to the satisfaction of SA Water is required.  
On receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non standard fees.  
On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.
2. Payment of \$6830 into the Planning and Development Fund (1 allotment(s) @ \$6830/allotment).  
Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (7109 7018), by cheque payable to the Department of Planning, Transport and Infrastructure and marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 50 Flinders Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel 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.**

Yours faithfully

A handwritten signature in blue ink, appearing to read "Biljana B." with a stylized flourish at the end.

Biljana Prokic  
**Land Division Coordinator - Planning Services**  
as delegate of  
**STATE COMMISSION ASSESSMENT PANEL**





12 April 2018

Our Ref: H0070702

The Chairman  
State Commission Assessment Panel  
50 Flinders St  
ADELAIDE SA 5000

Dear Sir/Madam

**PROPOSED LAND DIVISION APPLICATION NO: 211/D034/18 AT LOCKLEYS**

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

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

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

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

JENNIFER ALLCHURCH  
for **MANAGER LAND DEVELOPMENT & CONNECTIONS**

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

**6.7 13 Albert Avenue, CAMDEN PARK**

Application No 211/665/2018

**DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Land division - Torrens Title; SCAP No. 211/D077/18; Create one (1) additional allotment.
APPLICANT	D A Panazzolo
LODGEMENT DATE	27 June 2018
ZONE	Residential Zone
POLICY AREA	Low Density Policy Area 20
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> <li>▪ City Assets</li> <li>▪ City Operations</li> </ul> External <ul style="list-style-type: none"> <li>▪ SCAP</li> <li>▪ SA Water</li> </ul>
DEVELOPMENT PLAN VERSION	6 February 2018
RECOMMENDATION	Support with conditions

**BACKGROUND**

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

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

**PREVIOUS OR RELATED APPLICATION(S)**

Nil

**SUBJECT LAND AND LOCALITY**

The subject land is formally described as Allotment 118 Deposited Plan 7232, in the area named Camden Park, Hundred of Adelaide, Volume 5603 Folio 464. It is more commonly known as 13 Albert Avenue, Camden Park. There are no easements, encumbrances or Land Management Agreements affecting the land.

The subject site is an existing residential property located on the northern side of Albert Avenue with an irregular secondary frontage to Albert Place. Currently the site contains a single storey detached dwelling, attached garage and an outbuilding and shade sails in the north-western corner. Irregular in shape, the site has a 31.4 metre (m) wide frontage to Albert Avenue, a 9.6m wide secondary frontage to Albert Place and an overall site area of 664 square metres (m<sup>2</sup>).

The locality is predominantly residential in nature containing a variety of dwellings which include single storey detached and semi-detached dwellings, residential flat buildings and group dwellings.

Approximately 56m west of the subject site is an Industry Zone fronting Morphett Road and Carlisle Street containing warehousing, offices and service trades premises.

The allotment pattern within the locality is fairly consistent with predominantly rectangular allotments to the west and south of the subject land. There are a number of exceptions in the form of three irregular shaped allotments at 7, 9 and 11 Albert Place as well as the subject site itself. Site areas within the locality vary between 220m<sup>2</sup> to 700m<sup>2</sup>.

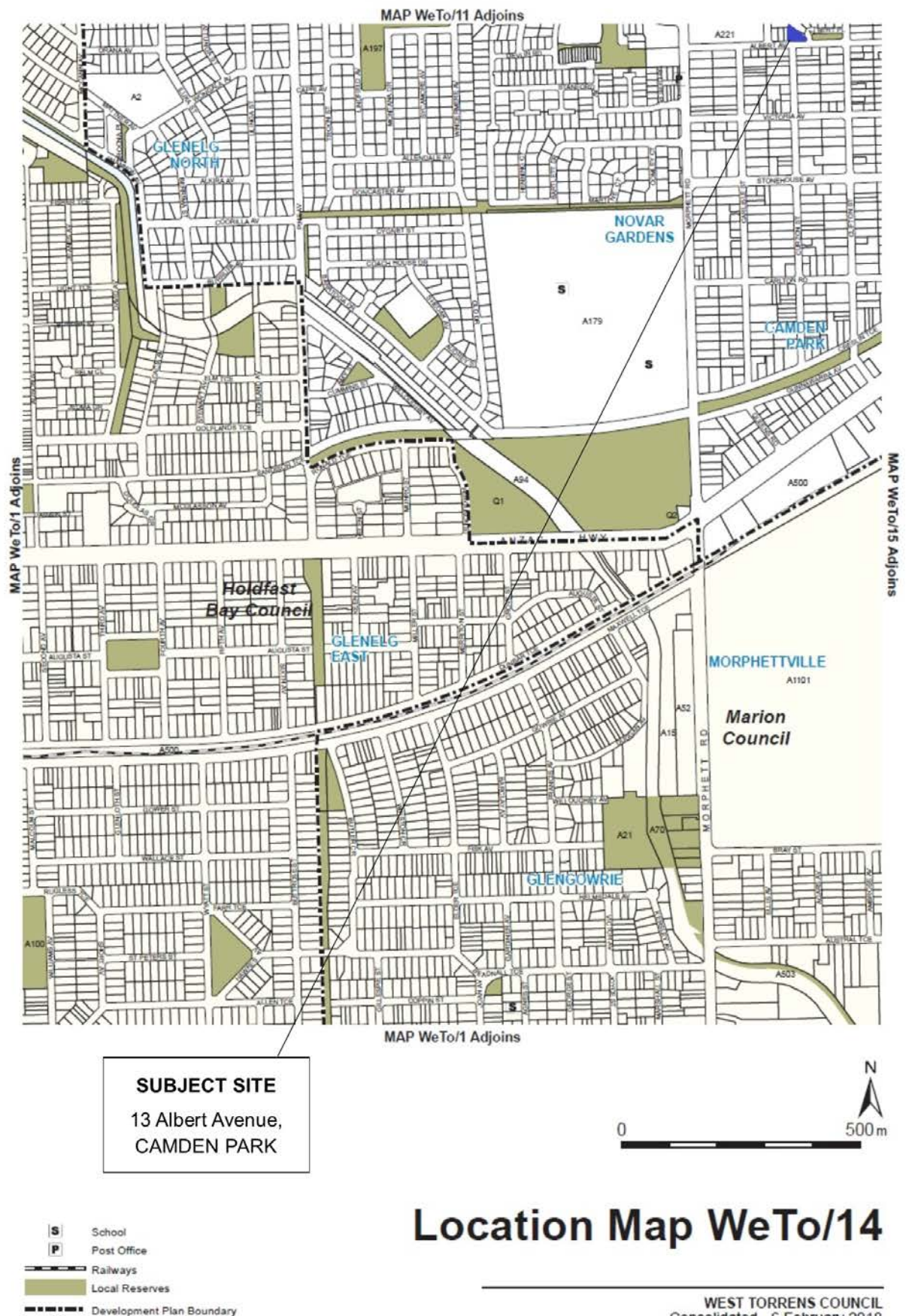
Albert Avenue and Albert Place are separated by a fairly large road reserve containing a number of mature street trees that contribute to the amenity of the locality.

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









## PROPOSAL

The application seeks Development Approval for a Torrens Title land division to create one (1) additional allotment.

Proposed allotment 100 is mostly rectangular in shape with a tapering rear boundary. The allotment has an 11.8m frontage to Albert Avenue, an average depth of 25.8m and an overall site area of 309m<sup>2</sup>.

Allotment 101 is irregular in shape, with a 19.6m frontage to Albert Avenue, a secondary frontage to Albert Place of 9.6m and an overall site area of 360m<sup>2</sup>. An indicative dwelling design has been provided to show that this proposed allotment is able to be functionally developed for residential purposes.

A copy of the plan of division (and indicative dwelling design) is contained in **Attachment 1**.

## REFERRALS

### Internal

#### City Operations

- An existing *Pyrus Calleryana* 'Chanticleer' street tree is located 1.8 metres from the western boundary. Taking into account the need for a 2m offset from this tree, there is sufficient space available to accommodate a crossover on proposed allotment 100 (refer image 1 below).
- There is also a *Pyrus Calleryana* 'Chanticleer' street tree located approximately 4.7m from the western boundary of proposed allotment 101. City Operations support the removal of this tree, leaving sufficient space to accommodate a 6m wide crossover while meeting the offset requirements for the existing stobie pole (refer image 2 below).



**Image 1: Proposed allotment 100**





**Image 2: Proposed allotment 101**

#### City Assets

- Access to allotment 101 from Albert Place is unlikely to be supported due to the property dimensions and the shape of the road intersection.
- Further review will be required when formal applications for dwellings are lodged.

#### **External**

##### SCAP

- SCAP has raised no concerns with the proposal. Standard conditions of consent have been recommended should the application be supported.

##### SA Water

- SA Water has raised no concerns with the proposal. Standard conditions of consent have been recommended should the application be supported.

A full copy of the relevant reports is contained in **Attachment 2**.

## RELEVANT DEVELOPMENT PLAN PROVISIONS

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

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

<b>Zone: Residential Zone</b>	
<p><i>Desired Character</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 <b>Historic Conservation Area</b>.</p> <p>Landscaping will be provided throughout the zone to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer.</p>	
<i>Objectives</i>	4
<i>Principles of Development Control</i>	1, 5 & 22



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

## QUANTITATIVE STANDARDS

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	
		Lot 100	Lot 101
ALLOTMENT AREA <i>Residential Zone</i> <i>PDC 5</i>	340m <sup>2</sup> (minimum)	303m <sup>2</sup> <b>Does Not Satisfy</b>	360m <sup>2</sup> <b>Satisfies</b>
ALLOTMENT FRONTAGE <i>Residential Zone</i> <i>PDC 5</i>	10m (minimum)	11.75m <b>Satisfies</b>	19.39m <b>Satisfies</b>

## ASSESSMENT

In assessing the merits or otherwise of the application, the proposed development is discussed under the following sub headings.

### Land Division

Principle of Development Control (PDC) 5 in Low Density Policy Area 20 seeks allotments with an area greater than 340m<sup>2</sup> and a minimum frontage of 10m. While the proposed division exceeds the frontage requirements for both allotments, allotment 100 does not meet site area requirements by 11.9%. Despite this shortfall, the proposed allotment is considered to be of a suitable size and configuration to comfortably accommodate a dwelling in a manner that meets the Development Plan requirements in relation to setbacks, private open space, access and parking.

PDC 4 of the policy area provides for a more liberal standard (minimum site area of 300m<sup>2</sup> and minimum frontage width of 9m) in cases where a dwelling is located within 400 metres of a Centre Zone. As the subject site is located within 400m of a Centre Zone, some consideration of this provision is warranted in assessing the suitability of the land division, despite no dwelling being proposed as part of the application.

The reduced quantitative requirements of PDC 4 allow for a denser allotment pattern within 400 metres of a Centre Zone. The Desired Character for Policy Area 20 states that the intention of this is to allow for more residents to take advantage of the variety of community facilities available within Centre Zones. It is considered that the proposed division satisfies these requirements by increasing the density of allotments in accordance with PDC 4.

Also worthy of noting is that the subject land is located within a Residential Code area. Should a new application for a dwelling(s) be lodged under the Residential Code, by law, the approach is that the numerical requirements for the site area of a proposed dwelling is to be taken as the lower of the two figures contained in PDCs 6 and 4 respectively (refer to Schedule 4, 2B, (5)(a) of the *Development Regulations 2008*). On this basis, a combined application to obtain the reduced site area and frontage requirements is not considered necessary as the proposal was considered to be of sufficient merit to warrant approval.

### **Future Development**

Due to the irregular shape of proposed allotment 101, an indicative plan for a dwelling was requested. Although not a formal proposal, such a plan provides assurance that a residential dwelling can be developed on site which meet the requirements of the Development Plan in relation to setbacks and private open space. It has been considered that Objective 2 and PDC 2 of the Land Division module of the Development Plan has been reasonably satisfied in that the proposed allotment is considered suitable for its intended purpose.

### **SUMMARY**

While the proposed land division meets the minimum frontage requirements of Low Density Policy Area 20, allotment 100 fails to meet the minimum site area sought by PDC 5. Given the location of the subject site within 400 metres of a Centre Zone, it is considered that the proposed allotments will allow for an increase in density, which is in line with the Objectives of the policy area. The size, shape and configuration of both allotments are also able to accommodate future anticipated dwellings on each site. The proposal is therefore considered to satisfy the desired character of the policy area.

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

On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 6 February 2018 and warrants Development Plan Consent, Land Division Consent and Development Approval.

### **RECOMMENDATION**

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent, Land Division Consent and Development Approval for Application No. 211/665/2018 by D A Panazzolo to undertake a Land Division - Torrens Title; SCAP No. 211/D077/18; to create one (1) additional allotment at 13 Albert Avenue, Camden Park (CT 5603/464) 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 Jeanes & Sommerville Surveyors Pty. Ltd. relating to Development Application No. 211/665/2018 (SCAP 211/D077/18).
2. Prior to the issue of certificates, all existing buildings shall be removed from proposed Lots 100 and 101.

### Land Division Consent

### Council requirements

Nil

### State Commission Assessment Panel Conditions

3. 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.

4. Payment of \$6830 into the Planning and Development Fund (1 allotment @ \$6830/allotment).

Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (7109 7018), by cheque payable to the State Planning Commission, marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001, or in person, at Level 5, 50 Flinders Street, Adelaide.

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

### Notes:

1. The existing street tree has been assessed and considered acceptable to be removed by Council's Arborist.
  - a) Based on Council's standard schedule of fees and charges, a fee for the removal of the street tree inspected is currently valued at **\$452.00**. The stated fee is a value for the current financial year and will vary depending upon the year of removal, which is due to annual price increases and changes to the tree.

**I ..... as the property owner / developer / applicant - for the Development Application number 211/665/2018, acknowledge that this application will result in the necessity for the removal of 1 street tree.**

**Prior to the commencement of any physical works it is acknowledged that a fee must be paid to Council in accordance with the City of West Torrens street tree removal Policy.**

**I acknowledge that the street tree shall only be removed by a Council staff member or contractor who is acting on behalf of City of West Torrens Council.**

**Signature.....**

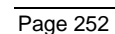
- b) If the street tree is removed outside of this financial year, a further inspection and re-valuation of the street tree will be undertaken and the tree removal fee will be amended and a new invoice posted to the applicant for payment. There is a further requirement for confirmation that this revised fee will override any previous quote, prior to any works being undertaken for the street tree removal.
- c) The applicant / property owner / developer acknowledges that the removal of the street tree must only be undertaken by Council's arboriculture officer or an approved contractor instructed to act on behalf of the City of West Torrens.
- d) At no stage should an applicant / property owner / developer undertake to remove or prune the street tree mentioned as a Penalty up to \$5,000 applies under the Local Government Act.

---

#### **Attachments**

- 1. Plan Set**
- 2. Referral reports**





THIS DRAWING IS INTENDED FOR INDICATIVE BUILDING SETOUT PURPOSES ONLY: REFER TO CIVIL ENGINEER / SURVEYOR DRAWINGS FOR SITE LEVELS, CONTOURS, BENCH MARKS, SERVICE LOCATIONS, & EARTHWORK DESIGN. FINAL BOUNDARY & BUILDING SETOUT SHALL BE CONFIRMED & CERTIFIED BY LICENSED SURVEYOR PRIOR TO ANY CONSTRUCTION.



AREAS	
	sq.m
LIVING	115.23
GARAGE	19.39
PORCH	1.53
TOTAL	136.15
SITE	360.00
P.O.S.	96.59
SITE COVERAGE	37.82%

---

11 September 2018

## **Preliminary Assessment Traffic Land Div adjoining Lane or Intersection**

**Development Application No:** 211/665/2018

**Assessing Officer:** Amelia DeRuvo

**Site Address :** 13 Albert Avenue, CAMDEN PARK SA 5038

**Certificate of Title:** CT-5603/464

**Description of Development:** Land division - Torrens Title; SCAP No. 211/D077/18; Create one (1) additional allotment

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

Please provide your comments in relation to:

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

.....  
.....  
.....  
.....  
.....

**PLANNING OFFICER - Amelia DeRuvo**

**DATE 17 July 2018**



## Memo

To Amelia DeRuvo  
From Andrew King  
Date 17 July 2018  
Subject 211/665/2018, 13 Albert Avenue, CAMDEN PARK SA 5038

Amelia DeRuvo,

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

It is my understanding that at this point in time there are no proposed or concept land use plans in association with the application and hence it is unknown where any proposed access to these allotments would be proposed.

It is also noted that there are no detail plans outlining the location and position of road verge features adjacent to the proposed division site. It is noted that there are road intersection corners, stobie poles and both large and small street trees adjacent to the site.

From visual inspection of the site it is considered that access to proposed Lot 100 would be achievable without the necessity to compromise the substantial existing street tree adjacent to the site.

In relation to proposed Lot 101, it is unlikely that access to Albert Place would ultimately be supported due to the property dimensions and shape of the road intersection. Access to this allotment would likely be restricted to the western two-third of the Albert Ave frontage. Visual inspection would indicate the presence of a stobie pole and small street trees.

It is my understanding that the western most street tree has been considered to ultimately be acceptable for removal by Council's City Works department and as such would provide for acceptable location for an access to be created for this allotment.

In association with future land use applications for both of these allotments there would be inevitable restriction on the potential location for access to each allotment and hence the necessity for further critical review at this time.





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

Regards

**Andrew King**  
**Coordinator Engineering Services**

DRAFT

---

Civic Centre 165 Sir Donald Bradman Drive, Hilton 5033 South Australia Tel (08) 8416 6333  
Email [csu@wtcc.sa.gov.au](mailto:csu@wtcc.sa.gov.au) Website [westtorrens.sa.gov.au](http://westtorrens.sa.gov.au)

## Arboricultural Assessment of Street Trees

Development Application No: 211/665/2018

**REFERRAL DUE DATE:** 17 July 2018

Assessing Officer: **Amelia DeRuvo**  
Site Address: **13 Albert Avenue, CAMDEN PARK SA 5038**  
Certificate of Title: **CT-5603/464**  
Description of Development **Land division - Torrens Title; SCAP No. 211/D077/18; Create one (1) additional allotment**

### TO THE TECHNICAL OFFICER – CITY ASSETS

Please provide your comments in relation to:

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

PLANNING OFFICER - Amelia DeRuvo

DATE 2 July 2018

### FROM THE TECHNICAL OFFICER

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

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

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

Verge interaction must consider all services that cross council land including stormwater outlets (and other) which will need to be maintained a minimum of 2.0m from any existing street tree (unless existing or otherwise negotiated). All services must be indicated /documented on appropriate plans for Council assessment and approval.

**A site investigation together with the information provided has revealed that for Lot 100 there is an existing *Pyrus calleryana* 'Chanticleer' street tree located 1.8m from the western property boundary. By allowing a 2.0m offset from the existing street tree will leave 7.95m to the proposed property boundary to accommodate a crossover.**

**For Lot 101 there is 4.7m from the proposed western property boundary to an existing *Pyrus calleryana* 'Chanticleer' street tree.**

**Removal of this street tree would leave a distance of 10.7m from the western property boundary to an existing stobie pole to accommodate a crossover.**

**In this instance City operations will support the removal of this street tree to accommodate a crossover to access the allotment.**

With reference to the City of West Torrens, Fees and Charges Document 2018-2019 "Tree removal for driveway construction", once Council has assessed all circumstances and considered it acceptable that a street tree can be removed, a fee is calculated based on Council's standard schedule of fees and charges.

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

**As a result of the proposed Land division on Albert Avenue, City Operations has considered the health, structure, form, useful life expectancy, and age of the street tree and will support its removal.**

**A fee of \$ 452.00 will be required prior to the commencement of any work.**

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

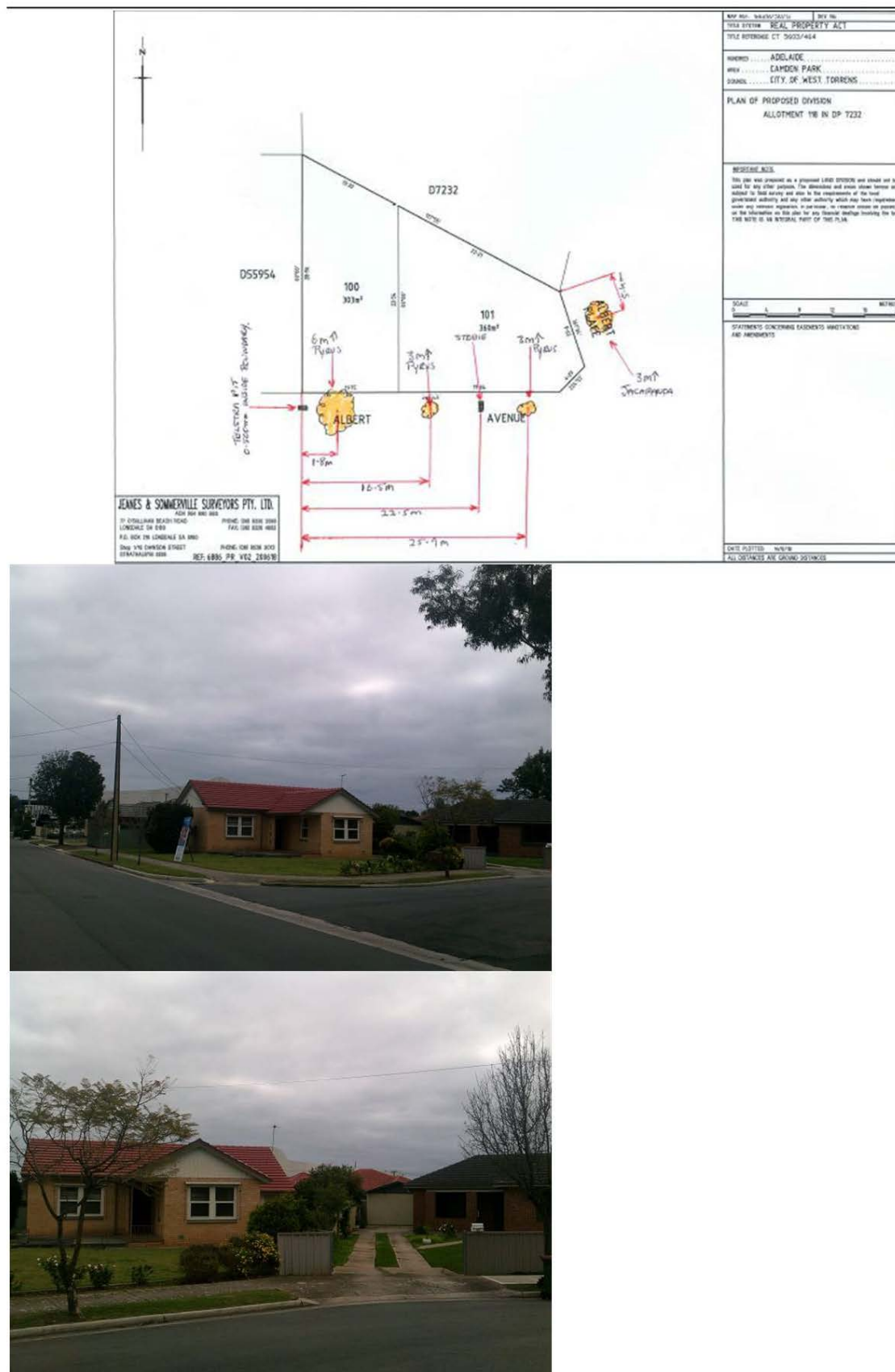
Final crossover locations will be confirmed once appropriate documentation has been received from the applicant and they have submitted "an application to construct a vehicle crossing place(s) across council land".

---

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

**Telephone: 8416 6333**  
**Fax: 8443 5709**  
**Email: rholmes@wtcc.sa.gov.au**

**DATE: 11/07/2018**













Contact Planning Services  
Telephone 7109 7018  
Email [dldptpdclearanceletters@sa.gov.au](mailto:dldptpdclearanceletters@sa.gov.au)



12 July 2018

The Chief Executive Officer  
City of West Torrens

Dear Sir/Madam

**Re: Proposed Application No. 211/D077/18 (ID 62116)**  
**for Land Division by Mr DENNIS PANAZZOLO**

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 26 June 2018, I advise that the State Commission Assessment Panel (SCAP) 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 State Commission Assessment Panel has the following requirements under Section 33(1)(c) of the Development Act 1993 which must be included as conditions of land division approval on Council's Decision Notification (should such approval be granted).

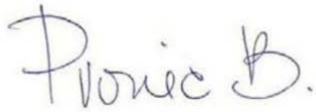
1. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.  
The alteration of internal drains to the satisfaction of SA Water is required.  
On receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non -standard fees  
On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.
2. Payment of \$6830 into the Planning and Development Fund (1 allotment(s) @ \$6830/allotment).  
Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (7109 7018), by cheque payable to the Department of Planning, Transport and Infrastructure and marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 50 Flinders Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel 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.**

Yours faithfully



A handwritten signature in blue ink, appearing to read "Prokic B." with a stylized flourish at the end.

**Biljana Prokic**  
**Land Division Coordinator - Planning Services**  
as delegate of  
**STATE COMMISSION ASSESSMENT PANEL**



12 July 2018

Our Ref: H0074153

The Chairman  
State Commission Assessment Panel  
50 Flinders St  
ADELAIDE SA 5000

Dear Sir/Madam

**PROPOSED LAND DIVISION APPLICATION NO: 211/D077/18 AT CAMDEN PARK**

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

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

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

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

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

Yours faithfully

CAROL CARY

**for MANAGER LAND DEVELOPMENT & CONNECTIONS**

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

## 7 CONFIDENTIAL REPORTS OF THE ASSESSMENT MANAGER

Nil

## 8 SUMMARY OF COURT APPEALS

### 8.1 Summary of SCAP, ERD Court and deferred CAP matters - September 2018

#### Brief

This report presents information in relation to:

1. any matters being determined by the State Commission Assessment Panel (SCAP);
2. any planning appeals before the Environment, Resources and Development (ERD) Court; and
3. any deferred items previously considered by the Council Assessment Panel.

#### Matters pending determination by SCAP that have been received by Council

Reason for referral	DA number	Address	Description of development
Schedule 10 (informal)	211/740/2017 (211/M013/17)	192 ANZAC Highway, GLANDORE	Eight-storey building, 36 dwellings
Major Project	211/61/2018 (211/D203/17)	292-304 Anzac Highway, PLYMPTON	Land division - Boundary Re-alignment
Schedule 10 (informal)	211/784/2018 (211/M020/18)	200-202 Anzac Highway, PLYMPTON	Construction of nine (9) storey mixed use development - retail, café, 75 apartments & associated basement & ground-level parking

#### Development Application appeals before the ERD Court

DA Number	Address	Reason for Appeal	Description of Development	Status
211/1373/2017	33 & 35 Malurus Avenue, LOCKLEYS	Applicant appealed CAP refusal (March meeting)	Land division - Torrens Title (Boundary re-alignment)	Appeal withdrawn
211/1256/2017	240-242 Sir Donald Bradman Drive & 27 Wilson Street, COWANDILLA	Representor appealed CAP approval (July meeting)	Change of use and construction of child care centre	Directions hearing 20 September

**Deferred CAP Items**

DA number	DAP/CAP Meeting	Address	Description of development	Reason for deferral
211/796/2016	9 August 2016	22 Lindsay Street, CAMDEN PARK	Create 2 additional allotments and construct 3 two-storey dwellings within a residential flat building	Acoustic report, tree assessment report

**Conclusion**

This report is current as at 3 September 2018.

**RECOMMENDATION**

The Council Assessment Panel receive and note the information.

---

**Attachments**

Nil



## **9 MEETING CLOSE**

CITY OF WEST TORRENS



# **ATTACHMENTS**

## **UNDER SEPARATE COVER**

**Council Assessment Panel**

**11 September 2018**

Item 6.3 - 25-29 Lipsett Terrace, BROOKLYN PARK



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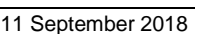
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6.3     25-29 Lipsett Terrace, BROOKLYN PARK

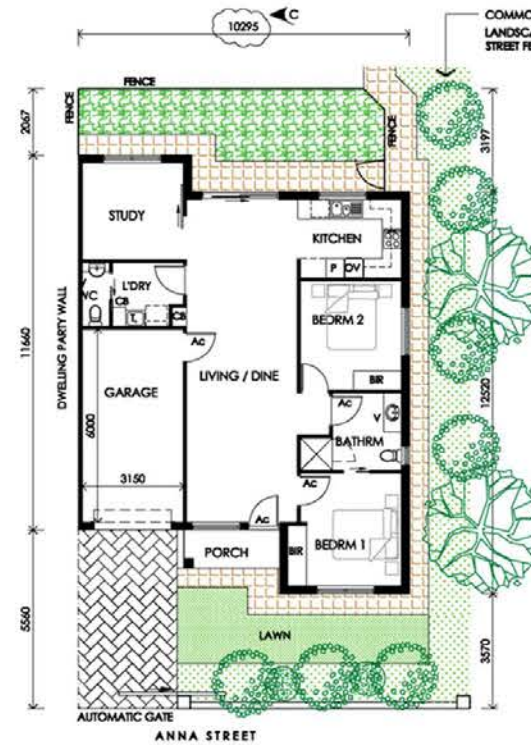
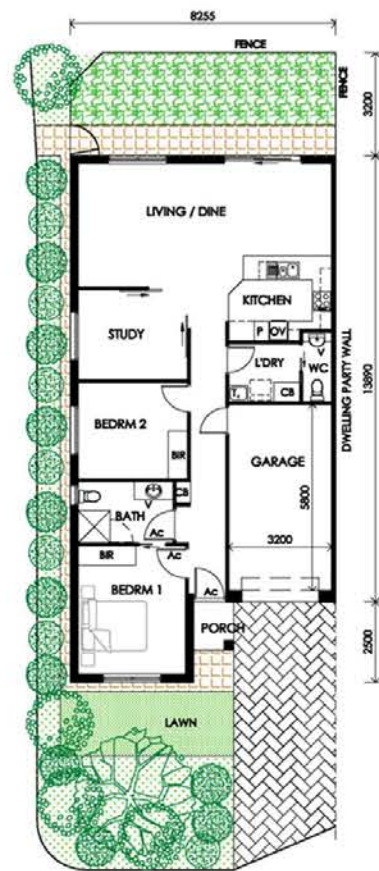
        Attachment 1   Plans and documentation ..... 1

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DWELLING TYPE: LA-A5  
DWELLING No. 7



DETAILED DWELLING AREA SCHEDULE

DWELLING	TYPE	BEDROOMS	STUDY / SITTING	AREA SQM	PRIVATE YARD
1	LA-A1	2	1	126.0	29.5
2	LA-A1	2	1	126.0	26.0
3	LA-B1	2	-	111.0	29.0
4	LA-B1	2	-	111.0	26.0
5	LA-B1	2	-	111.0	30.0
6	LA-B1	2	-	111.0	32.0
7	LA-A6	2	1	138.0	37.5
8	LA-B7	2	-	117.5	36.0
9	LA-B5	2	-	121.0	26.0
10	LA-B6	2	-	122.0	26.5
11	LA-B5	2	-	121.0	24.0
12	LA-B6	2	-	122.0	65.0
13	LA-A4a	2	1	124.0	27.0
14	LA-A4a	2	1	124.0	27.0

TOTAL 441.5  
AVERAGE PRIVATE YARD AREA PER DWELLING 31.5 SQM

#### INTERNAL LEGEND

CB STORE CUPBOARD / LINEN  
B BENCH WITH STORAGE CUPBOARD UNDER  
V VANITY WITH STORAGE CUPBOARD UNDER  
T TROUGH WITH STORAGE CUPBOARD UNDER  
BR BUILT IN ROBE - FULL HEIGHT  
P PANTRY  
OV WALL OVEN WITH MICROWAVE SPACE  
Ac 920MM WIDE ACCESSIBLE DOOR  
HG-D HALF GLASS DOOR

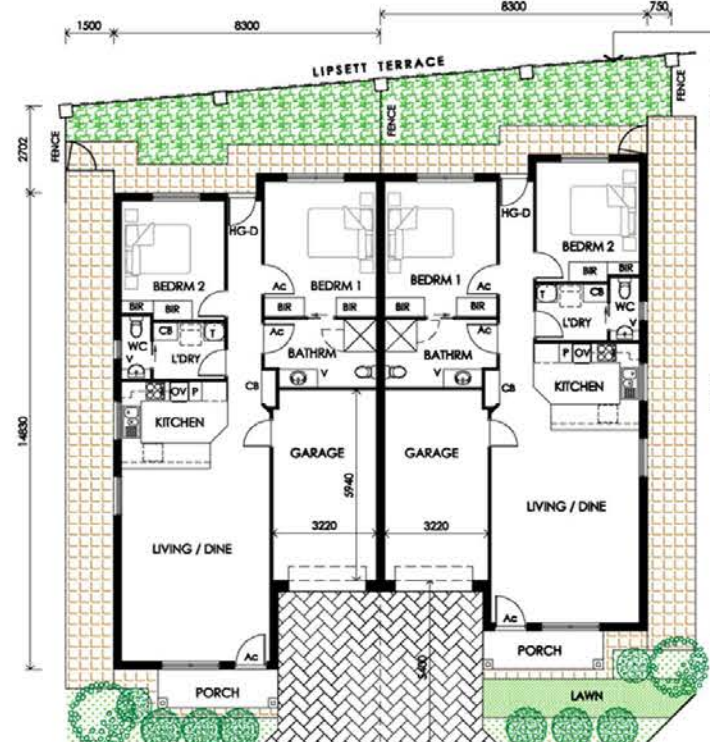
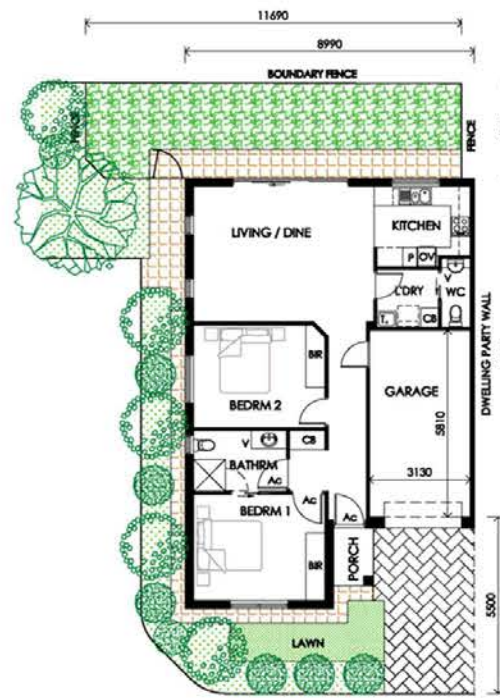
#### EXTERNAL LEGEND

GENERAL LANDSCAPING  
SELECTED PLANTING, MOISTURE RETAINING MULCH AND  
DROUGHT RESISTANT LAWN ON AUTOMATIC IRRIGATION SYSTEM  
REFER LANDSCAPING LEGEND



PRIVATE YARDS

FENCE: PRIVACY FENCING - COLORBOND FINISH

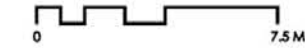


PORCH POSITIONS  
VARY: B5a & B6a

DWELLING TYPE: LA-B5  
DWELLING No. 9 SHOWN



SCALE 1:100 @ A1



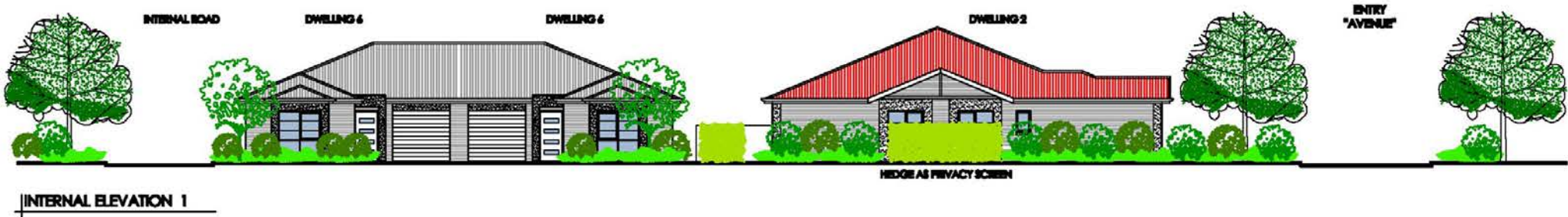
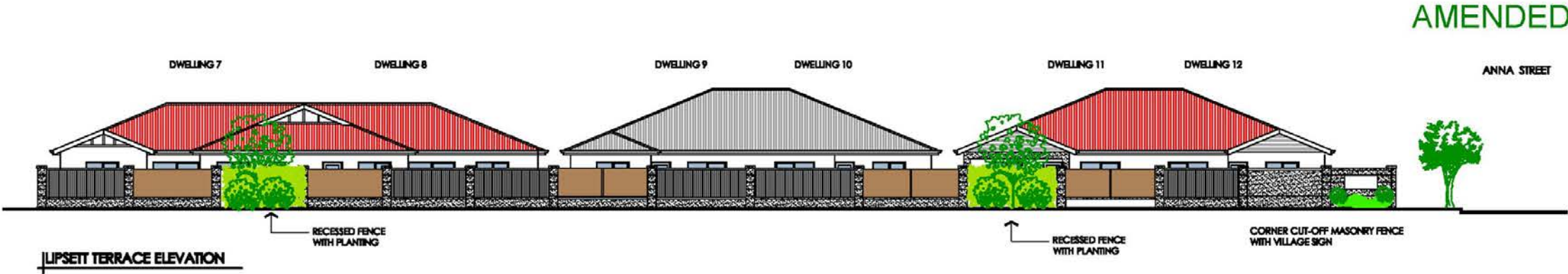
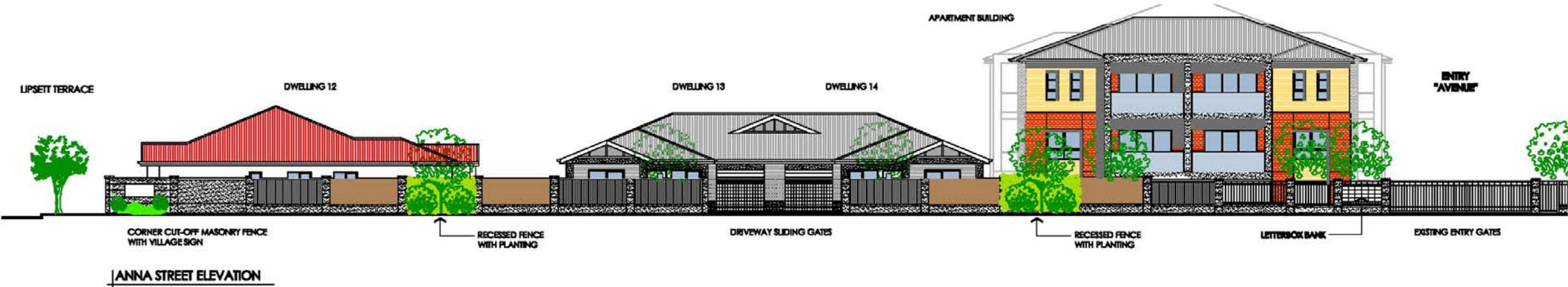
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B: 17APRIL18: SCHEDULES UPDATED  
A: 19FEB18: PLANNING SUBMISSION  
ISSUE

RETIREMENT VILLAGE  
25 - 29 LIPSETT TERRACE  
BROOKLYN PARK SA 5032  
KARIDIS CORPORATION LTD

JOB: 334.17 DATE: JAN18 DWG: 334-P-1.2 REV: C

DAVID ROMALDI ARCHITECTURE

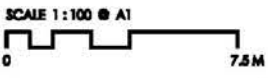




STREET FENCING MATERIAL & FINISHES SCHEDULE		
ELEMENT	MATERIAL	COLOUR / COMMENT
PELLARS AND FLINT WALL	PROPRIETARY PRECAST OR RENDERED MASONRY	PAINT FINISH - SOLVER COORDINATING SPACE
INFILL PANELS	TUBULAR METAL	POWDERCOAT BLACK
INFILL PANELS	TIMBER SLATS	PAINT FINISH - CLEAR
INFILL PANELS	COLORBOND STEEL	WOODLAND GREY - 48% CBS PROFILE

NOTE: 1.8M MAXIMUM FENCE HEIGHT

NOTE  
REFER SHEET 2.3 FOR DWELLING & APARTMENT BUILDING  
MATERIAL & FINISHES SCHEDULE



A: 19FEB18: PLANNING SUBMISSION  
B34E

RETIREMENT VILLAGE  
25 - 29 LIPSEIT TERRACE  
BROOKLYN PARK SA 5032  
KARIDIS CORPORATION LTD

JOB: 334.17 | DATE: JAN18 | DWG: 334-P-2.1 | REV: A

DAVID RONALDI ARCHITECTURE ©

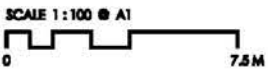
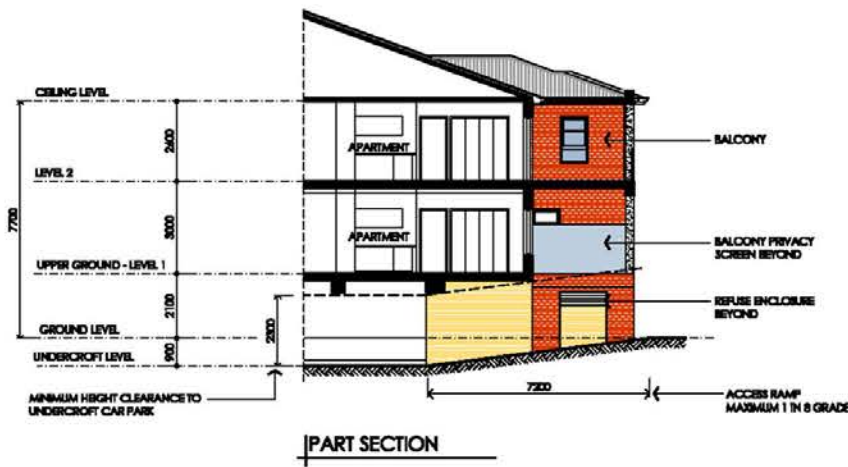






AMENDED

INTERNAL ELEVATION : APARTMENT BUILDING - SOUTH		
APARTMENT BUILDING : MATERIAL & FINISHES SCHEDULE		
ELEMENT	MATERIAL	COLOUR / COMMENT
ROOF	COLORBOND STEEL	WOODLAND GREY
WALLS	FACE BRICK	PGH - CLUE RED
FEATURE WALLS &/ORTIME	FACE BRICK	AUTRAL - URMIND
FEATURE WALLS	TEXTURED RENDER	PAINT - SOLVER COORONG SANDS
BALCONY FEATURE FRAMES	CEMENTIL "RENDALINE" CLADDING	TEXTURE PAINT - SOLVER COORONG SANDS
WALL ARTICULATION & INFILL PANELS	CEMENTIL "ASPECT" CLADDING	PAINT - SOLVER TUCKER BOX
ROOF PLANT SCREEN	PRIE FINISHED METALLOUVRES	WOODLAND GREY
WINDOW FRAMES	POWDERCOATED ALUMINIUM	MONUMENT
BALCONIES	ALUMINIUM FRAMED GLASS	NATURAL ANODISED WITH CLEAR GLASS
DWELLINGS : MATERIAL & FINISHES SCHEDULE		
ELEMENT	MATERIAL	COLOUR / COMMENT
ROOF	COLORBOND STEEL	WOODLAND GREY
ROOF	COLORBOND STEEL	MANOR RED
WALLS	FACE BRICK	SELECTED CLAY BRICK
FEATURE WALLS &/ORTIME	FACE BRICK	COUNTERPARTING CLAY BRICK
FEATURE WALL TINGS	TEXTURED RENDER	PAINT FINISH
PORCHCO ENTRIES & AS BICKOARD	CEMENTIL "RENDALINE" CLADDING	TEXTURE PAINT FINISH
GAULIES	CEMENTIL "ASPECT" CLADDING	PAINT FINISH
WINDOW FRAMES	POWDERCOATED ALUMINIUM	WHITE BRICK

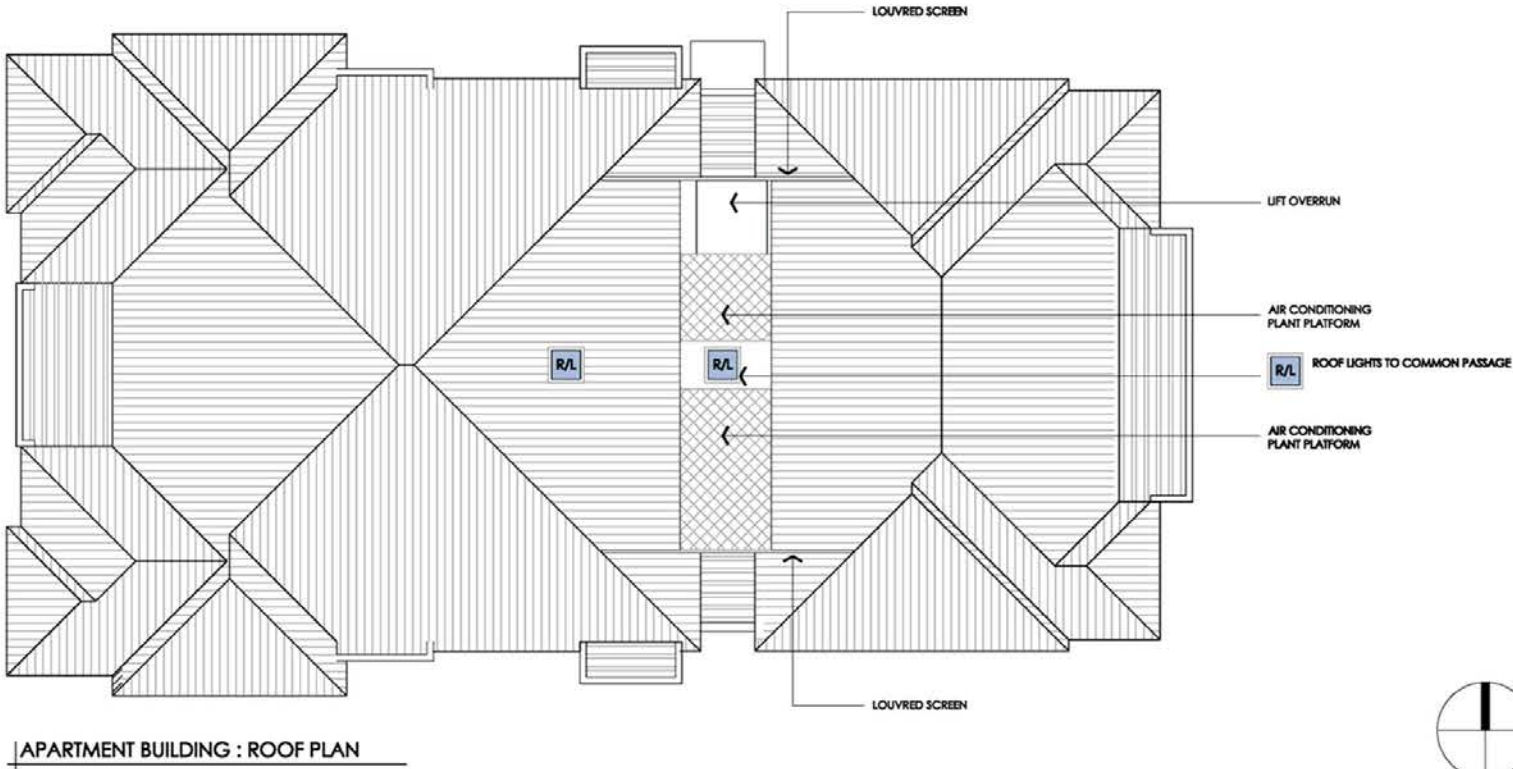
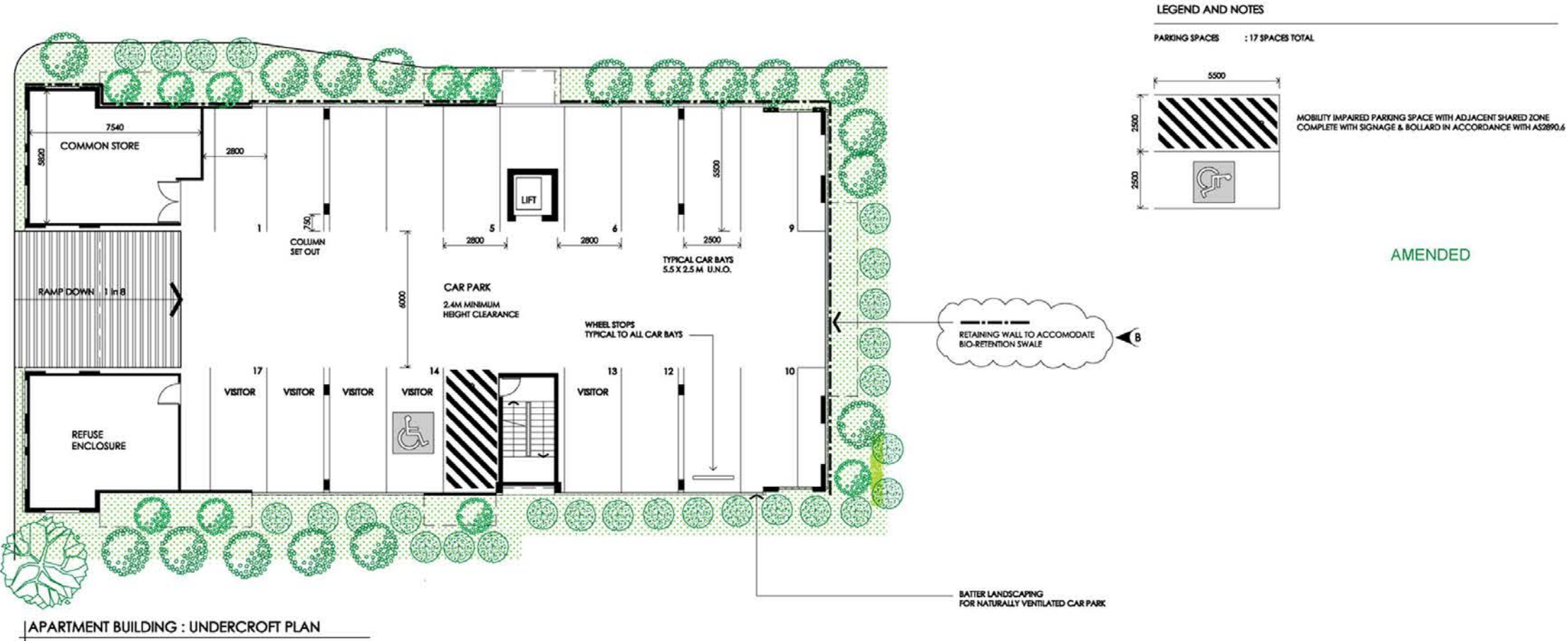


A: 19FEB18: PLANNING SUBMISSION  
B34E

RETIREMENT VILLAGE  
25 - 29 LIPSEIT TERRACE  
BROOKLYN PARK SA 5032  
KARIDIS CORPORATION LTD

JOB: 334.17 | DATE: JAN18 | DWG: 334-P-2.3 | REV: A

DAVID ROMALDI ARCHITECTURE ©



8: 06 JULY 18: COUNCIL RESPONSE REVISIONS  
A: 19 FEB 18: PLANNING SUBMISSION  
ISSUE

RETIREMENT VILLAGE  
25 - 29 LIPSETT TERRACE  
BROOKLYN PARK SA 5032  
KARIDIS CORPORATION LTD

JOB: 334.17 DATE: JAN 18 DWG: 334-P-1.4 REV: 8

DAVID ROMALDI ARCHITECTURE



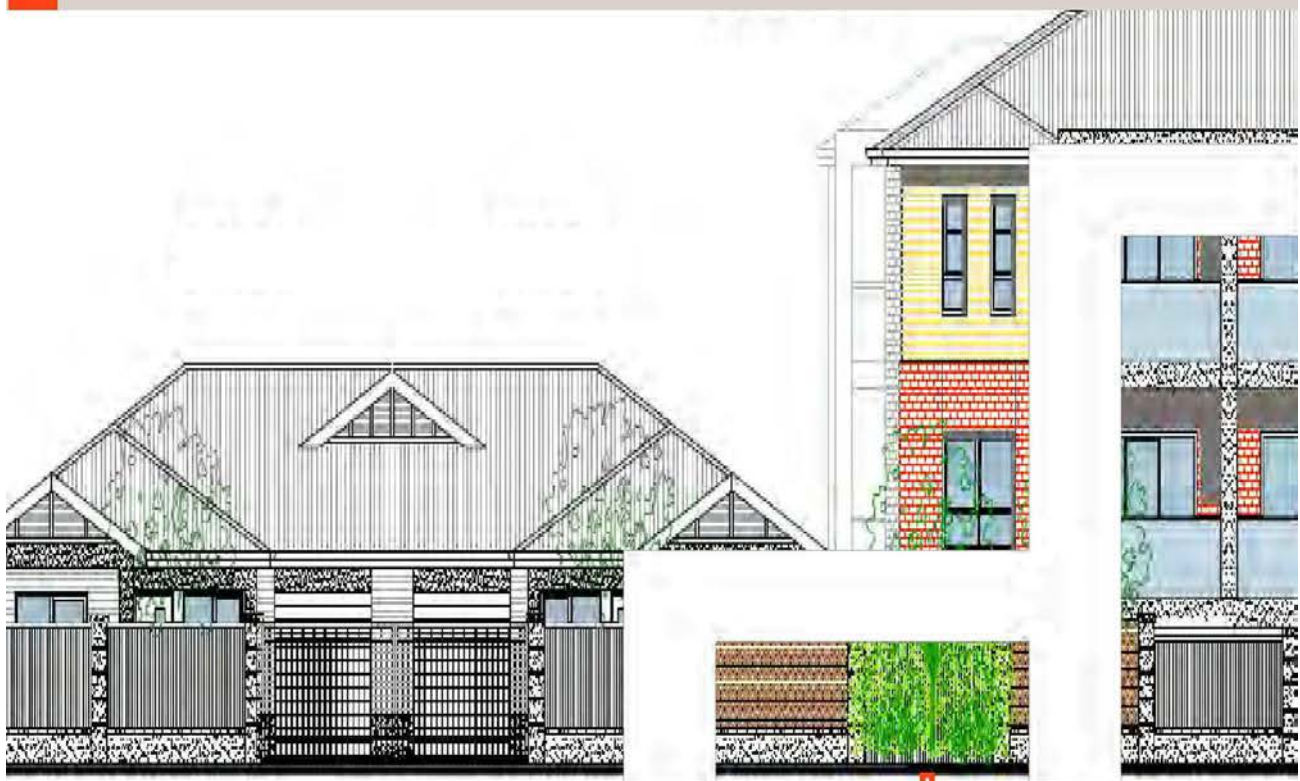


# Retirement Village

25-29 Lipsett Terrace,  
Brooklyn Park 5032

## Planning Report

April 2018



**JENSEN  
PLUS**

Planning  
Landscape Architecture  
Urban Design  
Social Planning



25-29 Lipsett Terrace, Brooklyn Park 5032  
Planning Report

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Revision number: 2

Produced by Jensen PLUS  
6/259 Glen Osmond Road  
Frewville 5063 South Australia  
08 8338 5511  
admin1@jensenplus.com.au  
[www.jensenplus.com.au](http://www.jensenplus.com.au)



# 1. Introduction

---

## Background

Jensen PLUS has been engaged by Karidis Corporation Limited (the applicant) to prepare a planning report to accompany a development application for the development of a retirement village comprising 14 dwellings, an apartment building with 12 apartments and associated street fencing and site works. The proposed development will provide accommodation for senior members of the community as an addition to the existing Acacia Park Villages at Lipsett Terrace, Brooklyn Park.

Karidis Retirement Villages is the specialised retirement arm of the family-owned and operated Karidis Corporation, one of South Australia's most well-established property development organisations. The Acacia Park Villages are five separate but closely-situated villages in Brooklyn Park, Lockleys and Underdale, offering a choice of 2 and 3 bedroom villas and apartments as well as a range of resident and community facilities.

This report has been prepared following a review of the plans and related documents submitted with the development application. The report details the proposed development and undertakes an assessment against relevant provisions of the West Torrens Council Development Plan (consolidated 6 February 2018).

## Proposed Retirement Village

The proposed development will provide additional retirement living choices in a popular location, well positioned to share the community facilities of the existing Acacia Park Village nearby.

14 new semi-detached dwellings, and 12 residential apartment dwellings, will be provided for older members of the community in this well-established and well-serviced part of Adelaide's western suburbs.



## 2. Site + locality assessment

### Subject site

The proposed development will be constructed on land where Anna Street meets Lipsett Terrace, to the south and east of existing elements of the Acacia Park Villages.

The subject site comprises the following separate allotments:

Address	Allotment	CT Reference
25 Lipsett Terrace	Allotment 149 on Deposited Plan 1127	Volume 6106 Folio 89
27 Lipsett Terrace	Allotment 150 on Deposited Plan 1127	Volume 6106 Folio 87
29 Lipsett Terrace	Allotment 151 on Deposited Plan 1127	Volume 6106 Folio 88

A copy Certificate of Title searches for each of the allotments is provided in **Appendix A**.

The subject site is bounded to the north by the private gated entry avenue to the existing retirement village. That private roadway will also provide vehicle access to the proposed development. The subject site is bounded to the south by Lipsett Terrace, to the east by Anna Street and to the west by existing dwellings.

The subject land has a total area of 4,185m<sup>2</sup> and dimensions of approximately 60 metres (north to south) and 62 metres (east to west).

Existing development on the site comprises a single-storey brick building formerly used for residential purposes, with associated concrete pathways and driveways. The building is dilapidated and will be demolished as part of the proposed development. Trees present on the subject site (which on the applicant's advice do not include any significant or regulated trees) will be removed and the proposed development landscaped in accordance with the application plans lodged with Council.



Figure 1 - Subject Site Locality Plan





## Surrounding locality

The subject site is approximately 4.5 kilometres to the west of the Adelaide CBD. It is approximately 1.5 kilometres north-east of the main terminal building at Adelaide Airport. Lipsett Terrace is a two-way, unmarked and undivided thoroughfare running through a predominantly residential neighbourhood from Marion Road in the east to Airport Road in the west. On-street parking is available on both sides of the carriageway, subject to controls in the vicinity of the Brooklyn Park Private Kindergarten and child care centre.

In Lipsett Terrace and elsewhere in the vicinity of the subject land, development is generally residential in nature and takes the form of single or double storey attached or semi-detached dwellings, generally behind landscaped setbacks. Immediately to the west, the subject land is neighboured by a single-storey group dwelling complex, developed with Commonwealth funding under the Nation Building Economic Stimulus Plan.

Further west and connected to the subject site by the private village access roadway, an existing part of the Acacia Villages comprises communal facilities comprising the restored heritage place which acts as the communal hall (which includes a library, pool table, lounges and mini theatre), along with a pool and community gardens and 21 retirement living

dwellings. North of the subject site, across the access roadway, a retirement apartment

building has been approved, comprising 12 apartments over 2 levels plus undercroft car parking, with a total building height to roof of 10.3 metres above ground level. This approved building is yet to be constructed.

In addition to the Acacia Villages, some institutional land use is found in Lipsett Terrace, including the Brooklyn Park Private Kindergarten across Anna Street to the east of the subject land, and further east St. John Bosco Catholic School.

Directly south of the subject land, the Adelaide College of Divinity, a centre of Christian ecumenical higher education, occupies a two-storey building of bulky and relatively massive form, with a long frontage to Lipsett Terrace behind a landscaped setback.

Open space is provided within the locality in the form of the Council reserve at the corner of Lipsett Terrace and Tolley Crescent, within 100 metres of the subject land. Public transport bus services are provided on Sir Donald Bradman Drive, approximately 200 metres south of the subject land, and Marion Road, approximately 300 metres east of the subject land.





### 3. Description of the development

#### Overview

The proposed development will provide a total of 26 new retirement living dwellings:

Independent Living Units	
2 bedrooms plus study/sitting room	14
Apartments	
2 bedrooms plus study/sitting room	12
	26

The development also includes associated landscaping, internal access roads and services infrastructure.

The 26 new dwellings will provide retired members of the community with safe, secure, homely and comfortable residences. Residents will maintain their independence and privacy, but by living in a managed community will have access to a range of lifestyle services and facilities, assistance from a village manager and other benefits from living in a residence specifically designed to meet the needs of senior members of the community.

#### Built form

The 14 independent living units will be constructed as 7 single-storey duplex buildings.

Each independent living unit includes a living/dining area, kitchen, two bedrooms and a study/sitting room. Each is provided with an entry porch and paved surrounds. Each of the independent living units is provided with between 24m<sup>2</sup> and 65m<sup>2</sup> of private open space.

The retirement village apartment building is of two levels, connected by lift and stairs. Level 1 includes an entry lobby and central passage providing access to 6 apartments. On Level 2 the central passage provides access to a further 6 apartments. Each apartment provides a living/dining area, kitchen, two bedrooms and a study/sitting room. Each apartment is provided with a balcony of between 6.5m<sup>2</sup> and 10m<sup>2</sup> in area.

A common store and refuse enclosure (as well as the carpark) are provided at undercroft level. Each apartment will be allocated 7.81m<sup>3</sup> of space within the common store room which, combined with the

within-apartment storage, will provide between 9.47m<sup>3</sup> and 9.88m<sup>3</sup> of storage volumes for each apartment. The undercroft level is served by the lift and stairs that serve the residential levels.

The apartment building will reach a maximum height of 11 metres (to roof pitch – 7.7 metres to eaves) above existing ground level.

The appearance, colours and materials of the proposed new dwellings and apartment building will complement the existing character both of the Acacia Villages and of the wider locality. The independent living units will feature walls and trim of selected clay face brick, with additional trim of textured render. Porticos and gables will be of painted cladding, with powdercoated aluminium window frames. Roofing will be of Colorbond steel, alternating between "Woodland Grey" and "Manor Red" on different duplex buildings.

The apartment building have walls of "Olde Red" PGH brick, with alternative Austral "Unwind" brick to feature walls or trims. Other feature walls will be of textured render, with painted cladding to balcony feature frames and wall infill panels. Roof plant will be screened behind pre-finished metal louvres of Woodland Gray. Window frames will be of powdercoated aluminium, and balconies of natural aluminium anodised framed clear glass. The apartment building roof will be of Colorbond Steel in "Woodland Grey".

Fencing will be to a maximum height of 1.8 metres and will be of proprietary precast or rendered masonry painted in Solver "Coorong Sands", with infill panels of tubular metal in powdercoat black, timber slats with clear paint finish or Colorbond steel in "Woodland Grey".

#### Access and movement

Each of the 14 independent living units will be provided with a single-car enclosed garage accessed via a shared driveway. Twelve of the new dwellings will have vehicle access from the existing private entry avenue, either directly or via a new internal access road. Two of the new dwellings will have direct gated vehicle access to Anna Street.

At undercroft level of the apartment building, accessible via a ramp from the new internal access roadway, a car park will provide 12 resident car parking spaces and 5 visitor car parking spaces, one of which will be designated a disabled parking space.



## Landscaping

Careful consideration has gone into preparing a landscaping plan for the subject site that will complement the built form and the locality, and integrate successfully with the existing Acacia Villages. General landscaping will provide drought-resistant lawn, moisture retaining mulch and selected plants with an automatic irrigation system.

In landscaped setbacks and surrounding the proposed buildings, strong, upright columnar trees and dense evergreen shrubs will provide a sense of delineation and enclosure. Smaller shrubs, ground cover and climbing screening plants will provide visual interest, will soften fences, walls and other hard edges, and will absorb heat from the suburban landscape.

Privacy screens of timber slats with vertical garden hedging will be provided at appropriate places where necessary to shield views from common areas into bedrooms.

Along the Lipsett Terrace and Anna Street frontages of the subject site, recesses in the fence will accommodate planting.

## Stormwater

[commentary on stormwater measures]

## Staging

It is proposed that the development will be completed in the following stages as depicted on the Master Staging Plan accompanying this report:

- Stage 1A - footings and infrastructure for the 14 proposed independent living retirement units
- Stage 1B – superstructure for the 14 proposed independent living retirement units
- Stage 2 – the proposed retirement apartments building.

The applicant seeks that any Development Plan Consent issued reflect this staging and that the Development Plan Consent issued should allow:

- for the commencement and completion of Stages 1A and 1B within the customary period of 12 months and 3 years respectively following Development Approval (unless Council extends this period)
- for the commencement and completion of Stage 2 – a period of 3 years and 5 years respectively following Development Approval (unless Council extends this period).





## 4. Development Plan Assessment

### Procedural matters

The subject site is within the City of West Torrens and is subject to the West Torrens Council Development Plan (consolidated 6 February 2018).

### Land use

The subject site within the Residential Zone under the West Torrens Council Development Plan. In addition, it is within Policy Area 20 – Low Density. See Figure 2.

Within both the Residential Zone and the Low Density Policy Area 20, supported accommodation (which includes retirement homes and retirement villages) are envisaged forms of development.

Land use objectives for the Residential Zone include:

- A residential zone comprising a range of dwelling types, including a minimum of 15 per cent affordable housing (Objective 1).

- Dwellings of various types at very low, low and medium densities (Objective 2).
- Increased dwelling densities in close proximity to centres, public transport routes and public open spaces (Objective 3).

The Desired Character for the Residential Zone is for a diversity of housing options on a range of allotment sizes to support the desired dwelling types anticipated in each policy area.

The Desired Character for Low Density Policy Area 20 includes semi-detached dwellings, among other forms of development.

### Land use assessment of the proposed development

The proposed development will contribute substantially to applicable Objectives by providing a range of semi-detached dwellings and apartments for members of the senior community in a location well served by existing transport, commercial and community services and open space.

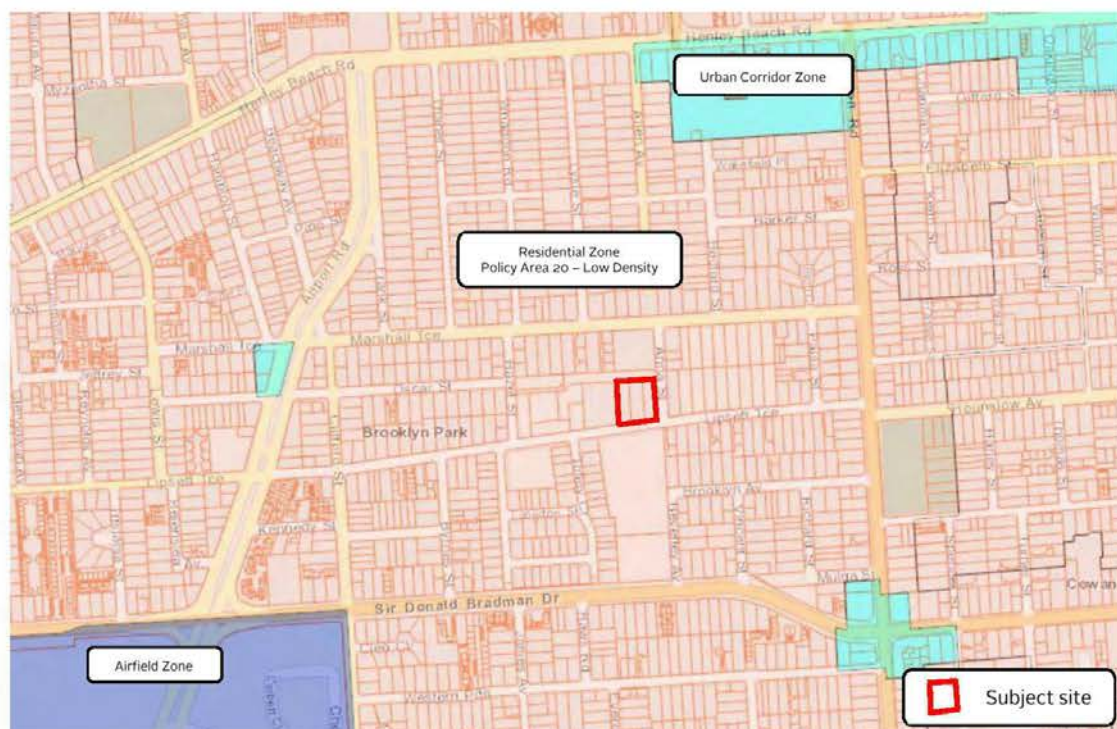


Figure 2 - Zone Plan



## Design and Appearance

### Council Wide provisions

Objectives in relation to Design and Appearance include:

- Development of a high design standard and appearance that responds to and reinforces positive aspects of the local environment and built form (Objective 1).
- Roads, open spaces, paths, buildings and land uses laid out and linked so that they are easy to understand and navigate (Objective 2).

Associated Principles of Development Control (PDCs) include that:

- Buildings should reflect the desired character of the locality while incorporating contemporary designs that have regard to the following:
  - (a) building height, mass and proportion
  - (b) external materials, patterns, colours and decorative elements
  - (c) roof form and pitch
  - (d) façade articulation and detailing
  - (e) verandas, eaves, parapets and window screens
 (PDC 1)
- The external walls and roofs of buildings should not incorporate highly reflective materials which will result in glare to neighbouring properties or drivers (PDC 2).
- Structures located on the roofs of buildings to house plant and equipment should be screened from view and should form an integral part of the building design in relation to external finishes, shaping and colours (PDC 4).
- Balconies should:
  - (a) be integrated with the overall form and detail of the building
  - (b) include balustrade detailing that enables line of sight to the street
  - (c) be recessed where wind would otherwise make the space unusable
  - (d) be self-draining and plumbed to minimise runoff.
 (PDC 5).
- Except in areas where a new character is desired, the setback of buildings from public roads should:
  - (a) be similar to, or compatible with, setbacks of buildings on adjoining land and other buildings in the locality
  - (b) contribute positively to the function, appearance and/or desired character of the locality.
 (PDC 20)

### Residential Zone and Policy Area provisions

Within the Residential Zone:

- Except where otherwise specified by a policy area, dwellings and buildings containing dwellings should be designed within the following parameters:

Parameter	Value
Maximum number of storeys	two storeys (above natural ground level)
Maximum vertical side wall height	6 metres (measured from the natural ground level)

(PDC 6)

- Dwellings should be set back from allotment or site boundaries to:
  - (a) contribute to the desired character of the relevant policy area
  - (b) provide adequate visual privacy by separating habitable rooms from pedestrian and vehicle movement.

(PDC 7).

- Except where otherwise specified by a policy area, and for party walls, dwellings and buildings containing dwellings should be set back from the side and rear boundaries in accordance with the following table:

Parameter	Minimum value (metres)
Side boundary setback where the vertical side wall is 3 metres or less in height (measured from the existing ground level at the boundary of the adjacent property)	1

(PDC 11).

Within the Low Density Policy Area 20 the Desired Character includes the following elements:

- Buildings will be up to 2 storeys in height. Garages and carports will be located behind the front façade of buildings.  
Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians...

### Design and Appearance assessment of the proposed development

The proposed development meets relevant Objectives and PDCs in relation to Design and Appearance by:

- embodying an architecturally designed, high-quality design and appearance that will complement and enhance the residential and institutional context of the subject site and its immediate surrounds





- providing a highly legible and well laid-out development of the subject site, with a high degree of integration and connection with other existing elements of the Acacia Villages nearby
- featuring building height, mass and proportions, external materials, patterns and colours, roof form and pitch, façade articulation and detailing and verandas, eaves, parapets and window screens that are consistent with and complementary of the residential character of the locality
- avoiding the use of highly reflective materials
- ensuring that rooftop plant on the proposed apartment building is effectively screened and that the screening forms an integral part of the design of the building
- integrating the balconies to the apartment building with the overall form and detail of the building, partly recessing the balconies to provide a measure of wind protection while still allowing line of sight to the street
- setting buildings back from the primary (Lipsett Terrace) and secondary (Anna Street) frontages of the subject site in a manner which is similar to and compatible with setbacks of buildings on adjoining land and elsewhere in the locality, and contributes to the function, appearance and desired character of the locality
- providing for a maximum building height of 2 storeys (with an undercroft parking level partly recessed below ground). While the maximum vertical side wall height of the apartment building (7.7 metres) will exceed the specified parameter within the Residential Zone, in the context of the large subject site and the institutional land use immediately opposite the main apartment building frontage to Anna Street, this outcome will not present any material detriment to any current or likely future residents
- providing a setback of 1.048 metres to the side (western) boundary of the subject site, where the vertical walls of the proposed new dwellings are 2.5 metres in height above natural ground level
- ensuring that garages are behind the front façade of proposed new dwellings, and interspersing the development with landscaping, including along the primary (Lipsett Terrace) frontage.

## Hazards

### Council Wide provisions

Objectives in relation to Hazards include:

- *Protection of human health and the environment wherever site contamination has been identified or is suspected to have occurred (Objective 8).*
- *Appropriate assessment and remediation of site contamination to ensure land is suitable for the proposed use and provides a safe and healthy living and working environment (Objective 9).*

The Associated PDC in relation to Site Contamination provides that:

- *Development, including land division, should not occur where site contamination has occurred unless the site has been assessed and remediated as necessary to ensure that it is suitable and safe for the proposed use (PDC 13).*

### Hazards assessment of the proposed development

A Preliminary Environmental Site History Assessment has been undertaken in relation to the subject site by AM Environmental Consulting. A copy of the report dated 2 March 2018 is provided as [Appendix B](#) to this report.

The aim of the assessment was to assess the potential for gross or widespread contamination to exist as a result of current or previous land uses, and whether there are contamination aspects or impacts that may present potential liabilities or constraints on future development. The assessment included consideration of information from a range of sources including a site walkover, review of proposed development plans, a search of Environment Protection Authority (EPA), Department of Planning, Transport and Infrastructure (DPTI) and Department of Environment, Water and Natural Resources (DEWNR) records and registers, and other searches via the State Library of South Australia.

The report states that no visual or olfactory signs of contamination were observed during the site visit, however the site history research shows that there is potential for the site to have been previously occupied by a land use that had the potential to contaminate the site (market gardening).

The likelihood of gross or widespread soil contamination existing on the land at concentrations likely to preclude the proposed development of the site is likely to be low, however the report recommends that screening level soil sampling and chemical testing for select analytes of interest be conducted to further inform this assessment after demolition of the existing buildings and prior to commencement of construction works. This



additional testing is currently being commissioned by the proponent.

## Landscaping, Fences and Walls

### Council Wide provisions

Objectives in relation to Landscaping, Fences and Walls include:

- The amenity of land and development enhanced with appropriate planting and other landscaping works, using locally indigenous plant species wherever possible (Objective 1).
- Functional fences and walls that enhance the attractiveness of development (Objective 2).

Associated Principles of Development Control (PDCs) include that:

- Development should incorporate open space and landscaping and minimise hard paved surfaces in order to:
  - (a) complement built form and reduce the visual impact of larger buildings (eg taller and broader plantings against taller and bulkier building components)
  - (b) enhance the appearance of road frontages
  - (c) screen service yards, locating areas and outdoor storage areas
  - (d) minimise maintenance and watering requirements
  - (e) enhance and define outdoor spaces, including car parking areas
  - (f) maximise shade and shelter
  - (g) assist in climate control within and around buildings
  - (h) minimise heat absorption and reflection
  - (i) maintain privacy
- ...
- (PDC 1)
- Landscaping should:
  - (a) include the planting of drought tolerant species, including locally indigenous species where appropriate
  - (b) be oriented towards the street frontages
  - (c) result in the appropriate clearance from powerlines and other infrastructure being maintained.
- (PDC 2).
- A minimum of 10 per cent of a development site should be landscaped (PDC4).
- Fences and walls ... should:
- ...

- (b) be compatible with the associated development and with existing predominant, attractive fences and walls in the locality
- (c) allow some visibility of buildings from and to the street to enhance safety and allow casual surveillance
- (d) incorporate articulation or other detailing where there is a large expanse of wall facing the street
- ...
- (f) be sited and limited in height, to ensure adequate sight lines for motorists and pedestrians especially on corner sites
- (g) in the case of side and rear boundaries, be of sufficient height to maintain privacy and/or security without adversely affecting the visual amenity or access to sunlight of adjoining land
- (h) be constructed of non-flammable materials.
- (PDC 6)

### Landscaping, Fences and Walls assessment of the proposed development

The proposed development meets relevant Objectives and Principles in relation to Landscaping, Fences and Walls by:

- providing species carefully selected for drought resistance, with landscaping oriented to the street frontages of the subject site as well as internal common spaces and access areas
- using strong upright columnar trees to delineate and define the edges of buildings, including the proposed apartment building, and to soften the edges of built form and internal access roadways
- providing functional site boundary fences consistent with others in the locality and with detailing and articulation, including recesses planted with trees along the Lipsett Terrace and Anna Street site boundaries
- providing a corner cut-off in the fencing at Anna Street and Lipsett Terrace to enhance sightlines for motorists and pedestrians.

## Natural Resources

### Council Wide provisions

Objectives in relation to Natural Resources include:

- Development consistent with the principles of water sensitive design (Objective 5).
- Development sited and designed to:
- ...
- (c) protect water quality, including receiving waters





- (d) *reduce runoff and peak flows and prevent the risk of downstream flooding*

...

(Objective 6).

Associated Principles of Development Control (PDCs) include that:

- *Development should be sited and designed to:*
  - (a) *capture and re-use stormwater, where practical*
  - (b) *minimise surface water runoff*
- ...
- (PDC 7)
- *Water discharged from a development site should:*
  - (a) *be of a physical, chemical and biological condition equivalent to or better than its pre-development state*
  - (b) *not exceed the rate of discharge from the site as it existed in pre-development conditions.*
- (PDC 8)
- *Development should have adequate provision to control any stormwater over-flow runoff from the site and should be sited and designed to improve the quality of stormwater and minimise pollutant transfer to receiving waters (PDC 9).*
- *Development should include stormwater management systems to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure the carrying capacities of downstream systems are not overloaded (PDC 10).*
- *Development should include stormwater management systems to minimise the discharge of sediment, suspended solids, organic matter, nutrients, bacteria, litter and other contaminants to the stormwater system (PDC 11).*

A Stormwater Management Plan and supporting calculations has been prepared by TMK Consulting Engineers and is contained within Appendix C. The proposed development meets relevant Objectives and Principles in relation to Natural Resources by:

- *providing for the detention of stormwater via oversized pipe network across the site achieving a capacity of 11,59kL*
- *detention capacity achieving and in fact exceeding the pre-development flows for a 1 in 20 ARI event*
- *all stormwater flows to either the street watertable, or the existing side-entry pit adjacent the corner of Lipsett Terrace and Anna Street.*

## Residential Development

### Council Wide provisions

Objectives in relation to Residential Development include:

- *Safe, convenient, pleasant and healthy-living environments that meet the full range of needs and preferences of the community (Objective 1).*
- *An increased mix in the range and number of dwelling types available within urban boundaries to cater for changing demographics, particularly smaller households and supported accommodation (Objective 2).*
- *Medium and high density residential development in areas close to activity centres, public and community transport and public open spaces (Objective 3).*
- *...housing for aged persons provided in appropriate locations (Objective 4).*

Associated Principles of Development Control (PDCs) include that:

- *Building appearance should be compatible with the desired character statement of the relevant zone, policy area or precinct, in terms of built form elements such as:*
  - (a) *building height*
  - (b) *building mass and proportion*
  - (c) *external materials, patterns, textures, colours and decorative elements*
  - (d) *ground floor height above natural ground level*
  - (e) *roof form and pitch*
  - (f) *façade articulation and detailing and window and door proportions*
  - (g) *verandas, eaves and parapets*
  - (h) *driveway crossovers, fence style and alignment.*
- (PDC 4).
- *Residential development should provide a high quality living environment by ensuring the following minimum internal floor areas (including internal storage areas but not including balconies and car parking):*
- ...
- (c) *2 bedroom dwelling/apartment: 75 square metres*
- ...
- (PDC 9).
- *Garages, carports and residential outbuildings should have a roof form and pitch, building materials and detailing that complements the associated dwelling (PDC 14).*



- Private open space (available for exclusive use by residents of each dwelling) should be provided for each dwelling and should be sited and designed ... (a) to be accessed directly from the internal living areas of the dwelling... (PDC 18).
- Dwellings at ground level should provide open space in accordance with the following table:

Site area per dwelling (square metres)	Minimum area excluding any area at ground level at the front of the dwelling (square metres)	Minimum dimension (metres)	Minimum area provided at the rear or side of the dwelling, directly accessible from a habitable room (square metres)
<300	24, of which 8 may comprise balconies, roof patios and the like, provided they have a minimum dimension of 2 metres	3 (excluding balconies)	16

(PDC 19).

- Dwellings located above ground level should provide private open space in accordance with the following table:

Dwelling type	Minimum area of private open space
2 bedroom dwelling	11 square metres

(PDC 22).

- Private open space located above ground level should have a minimum dimension of 2 metres and be directly accessible from a habitable room (PDC 23).
- Site facilities for group dwellings, multiple dwellings and residential flat buildings should include:
  - mail box facilities sited close to the major pedestrian entry to the site
  - bicycle parking for residents and visitors (for developments containing more than 6 dwellings)
  - household waste and recyclable material storage areas away from dwellings.

(PDC 30).

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

#### Residential Development assessment of the proposed development

The proposed development meets relevant Objectives and Principles in relation to Residential Development by:



- providing an increased supply of high-quality, modern and convenient dwellings to suit the specific needs of older members of the community
- providing medium-density residential accommodation in close proximity to multiple public transport services, open space and other existing commercial and community facilities
- providing development that is consistent with and complementary in built form and features to the existing mixture of residential and institutional land uses and building styles in the immediate vicinity
- by achieving in every case the minimum floorspace area of 75m<sup>2</sup> for each two bedroom dwelling or apartment
- by providing garages to the semi-detached dwellings which are of roof form, materials and detailing that integrate with and complement the associated dwellings
- by providing open space to each duplex dwelling which is directly accessible from the internal living areas of each dwelling and which includes in each case a private yard with an area equal to or exceeding the minimum 24m<sup>2</sup> specified in the development plan
- by providing private open space to each apartment dwelling in the form of a balcony which is directly accessible from habitable rooms and which in each case has a minimum dimension of 2 metres and which, although in some instances smaller in area than the 11m<sup>2</sup> prescribed in the Development Plan, will when combined with the communal open space and other communal facilities available to residents, ensure that each resident has more than sufficient opportunities for indoor and outdoor activities
- by providing a letterbox bank for residents adjacent to the existing entry avenue and a refuse enclosure at undercroft level of the proposed apartment building
- by providing semi-detached dwellings with individual garages, and each apartment dwelling with an allocation of 7.81m<sup>3</sup> of storage in the common storage area.



## Supported Accommodation

### Council Wide provisions

The Development Plan supports provision of well-designed supported accommodation (including housing for aged persons) for community groups with special needs in appropriate locations (Objective 1).

Associated Principles of Development Control (PDCs) include that:

- Supported accommodation (including ... retirement homes, retirement villages ...) and housing for aged persons ... should be:
  - (a) located within walking distance of essential facilities such as convenience shops, health and community services and public and community transport
  - (b) located where on-site movement of residents is not unduly restricted by the slope of the land
  - (c) sited and designed to promote interaction with other sections of the community, without compromising privacy
  - (d) of a scale and appearance that reflects the residential style and character of the locality
  - (e) provided with public and private open space and landscaping.
 (PDC 1)
- Supported accommodation and housing for aged persons ... should be designed to provide safe, secure, attractive, convenient and comfortable living conditions for residents that include:
  - (a) internal communal areas and private spaces
  - (b) useable recreation areas for residents and visitors, including visiting children
  - (c) spaces to accommodate social needs and activities, including social gatherings, internet use, gardening, keeping pets, preparing meals and doing personal laundry
  - (d) storage areas for items such as boats, trailers, caravans and specialised equipment
  - (e) mail boxes and waste disposal areas within easy walking distance of all units.
 (PDC 2).
- Access roads within supported accommodation and development incorporating housing for aged persons ... should:
  - (a) not have steep gradients
  - (b) provide convenient access for emergency vehicles, visitors and residents
  - (c) provide space for manoeuvring cars and community buses

(d) include kerb ramps at pedestrian crossing points

(e) have level-surface passenger loading areas.

(PDC 3).

- Car parking associated with supported accommodation and housing for aged persons ... should:
  - (a) be conveniently located on site within easy walking distance of resident units
  - (b) be adequate for residents, service providers and visitors
  - (c) include covered and secure parking for residents vehicles
  - (d) have slip-resistant surfaces with gradients not steeper than 1-in-40
  - (e) allow ease of vehicle manoeuvrability
  - (f) be designed to allow the full opening of all vehicle doors
  - (g) minimise the impact of car parking on adjacent residences owing to visual intrusion and noise
  - (h) be appropriately lit to enable safe and easy movement to and from vehicles.

(PDC 4).

- Supported accommodation should include:
  - (a) ground-level access or lifted access to all units
  - (b) an interesting and attractive outlook from units and communal areas for all residents including those in wheelchairs
  - (c) adequate living space allowing for the use of wheelchairs with an attendant
  - (d) storage for items such as small electric powered vehicles and other personal items, including facilities for recharging small electric powered vehicles

(PDC 5).

- Car parking associated with supported accommodation should:
  - (b) include private parking spaces for independent living units
  - (c) include separate and appropriately marked places for people with disabilities and spaces for small electrically powered vehicles.

(PDC 6).

### Supported Accommodation assessment of the proposed development

The proposed development complies with applicable principles in relation to Supported Accommodation and Housing for Aged Persons by:

- providing safe, secure, attractive and convenient retirement accommodation within walking



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- distance of existing shops, public transport and other community and commercial facilities
- being located in a flat area which will create no undue restriction on the movement of residents
- being located amidst an established residential area to allow for interaction with other sections of the community
- by including significant areas of private open space and communal landscaped open space areas for recreation of residents and their visitors
- providing access to community facilities nearby in the existing Acacia Villages
- providing an internal circulation road for ease of access by residents, their visitors, commercial vehicles and emergency services vehicles as necessary
- by providing ground level or lifted access to all new dwellings and adequate living and movement areas for wheelchair users and their attendants
- including private parking spaces for all new dwellings as well as 5 visitor parking spaces, one of which is designated for disabled persons' use.

## Transportation and Access

### Council Wide provisions

Objectives in relation to Transportation and Access include:

- *Development that:*
  - (a) *provides safe and efficient movement for all transport modes*
  - (b) *ensures access for vehicles including emergency services, public infrastructure maintenance and commercial vehicles*
  - (c) *provides off-street parking*
  - (d) *is appropriately located so that it supports and makes best use of existing transport facilities and networks*
  - (e) *provides convenient and safe access to public transport stops.*

(Objective 2).

Associated Principles of Development Control (PDCs) include:

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

Within Table WeTo/2, the required rate of provision of car parking for aged care retirement homes is 1 car parking space per unit.

- *Undercroft and below ground garaging of vehicles should ... ensure:*
  - (a) *the overall height and bulk of the undercroft structure does not adversely impact on streetscape character of the locality or the amenity of adjacent properties*
  - (b) *vehicles can safely enter and exit from the site without compromising pedestrian or cyclist safety or causing conflict with other vehicles*
  - ...
  - (e) *openings to undercroft areas are integrated with the main building so as to minimise visual impact*
  - (f) *landscaping, mounding and/or fencing is incorporated to improve its presentation to the street and to adjacent properties*
  - (g) *the overall streetscape character of the locality is not adversely impaired (e.g. visual impact, building bulk, front setbacks relative to adjacent development*
  - (h) *the height of the car park ceiling does not exceed 1 metre above the finished ground level.*
- (PDC 46)
- *In the case of undercroft and below ground car parks where cars are visible from public areas, adequate screening and landscaping should be provided (PDC 47).*

### Transportation and Access assessment of the proposed development

The proposed development complies with applicable principles in relation to Transportation and Access by:

- providing a secure access and an internal circulation road that will allow safe access to and circulation by residents, emergency services, maintenance and commercial vehicles
- providing off-street vehicle parking which exceeds the required rate of provision for aged care retirement homes, through the provision of 1 car parking space per dwelling, plus 5 additional visitor car parking spaces in the undercroft car park
- providing access to the undercroft parking from the internal road so that vehicles can safely enter and exit without compromising pedestrian or cyclist safety on the public road network
- integrating car parking within the building, recessing it below natural ground level and providing landscaping to improve presentation to the street and to adjacent properties.



25-29 Lipsett Terrace, Brooklyn Park 5032  
Planning Report

## Development Constraints

Within the Development Plan, Overlay Map WeTo/8 maps areas that are subject to development constraints in relation to airport building heights, aircraft noise and flood hazard.

The subject site is not mapped as being affected by any of these development constraints.





## 5. Conclusion

The proposal is for 26 dwellings for senior members of the community at Brooklyn Park, close to the existing Acacia Park Villages on Lipsett Terrace.

The dwellings comprise 14 semi-detached single-storey dwellings and 12 residential apartment buildings in a building of two levels with undercroft car parking, storage and refuse storage areas. Each semi-detached dwelling is provided with an individual garage accessible from a driveway shared with the adjoining dwelling. A car parking space will be available for each residential apartment, with an additional 5 car parking spaces for visitors, one of which will be designated for disabled car parking.

The development will be completed in the following stages, as depicted in the Master Staging Plan accompanying this report:

- Stage 1A - footings and infrastructure for the 14 independent living retirement units
- Stage 1B – superstructure for the 14 independent living retirement units
- Stage 2 – the retirement apartments building.

The applicant seeks that any Development Plan Consent issued reflect this staging by allowing (as is customary) 12 months and 3 years following Development Approval for the commencement and completion of Stages 1A and 1B. For Stage 2 periods of 3 years and 5 years are sought for commencement and completion. These periods are subject to any extension subsequently granted.

The subject site is zoned Residential Zone under the West Torrens Council Development Plan. It is within Policy Area 20 – Low Density.

The proposed development will substantially contribute to several important policy goals under the Development Plan, including through the provision of a range of semi-detached dwellings and apartments for members of the senior community in a location well served by existing transport, commercial and community services and open space.

The proposed development has been designed to integrate with its existing surrounds, both nearby elements of the Acacia Park Villages and other residential and institutional land uses and built form in the immediate vicinity. Materials and design have been selected to be consistent with and complementary to existing residential elements of

the streetscape and the residential nature of the Desired Character for the area.

Building setbacks from the Lipsett Terrace and Anna Street frontages are consistent with the setbacks of other buildings in the vicinity. Setbacks from the side (western) site boundary to existing residential buildings comply with the minimum setback requirement under the Development Plan. Fencing presents a high-quality, articulated frontage to the street boundaries, with recessed planting to add interest along each street frontage.

Landscaping has been chosen to complement and soften building and street frontages and to contribute to the internal and external visual amenity of the proposed development.

Each of the semi-detached dwellings and apartments comfortably exceed the minimum floorspace area prescribed for the relevant number of bedrooms. Other amenity, including storage space, is provided substantially in accordance with the standards prescribed in the Development Plan. Each of the semi-detached dwellings is provided with open space which equals or exceeds the required level under the Development Plan. Each of the apartments will be provided with a balcony, with access to communal open space and the other communal facilities available to residents ensuring that sufficient space for indoor and outdoor activities will be available.

Residents will have access to the existing services and facilities of the Acacia Park Villages, a short walk along the internal access roadway to the west.

While there is a low likelihood of soil contamination existing on the land at concentrations likely to preclude development of the site as proposed, soil sampling and chemical testing are being conducted by the applicant to further inform this assessment prior to the commencement of construction works.

The subject site is not affected by constraints such as building airport heights, aircraft noise and flood hazard which affect some nearby areas.

The proposed development complies with all relevant provisions of the West Torrens Council Development Plan. The proposed development is not considered to be seriously at variance with the provisions of the West Torrens Council Development Plan and is considered to be worthy of being granted Development Plan Consent.







# Appendix A

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## Certificates of Title



# Title Register Search

## LANDS TITLES OFFICE, ADELAIDE

For a Certificate of Title issued pursuant to the Real Property Act 1886

REGISTER SEARCH OF CERTIFICATE OF TITLE \* VOLUME 6106 FOLIO 87 \*

COST : \$26.50 (GST exempt )	PARENT TITLE : CT 5559/76 & OTHERS
REGION : EMAIL	AUTHORITY : VE 11851067
AGENT : BERB BOX NO : 680	DATE OF ISSUE : 01/02/2013
SEARCHED ON : 16/07/2014 AT : 13:36:10	EDITION : 1

### REGISTERED PROPRIETOR IN FEE SIMPLE

THE SALESIAN SOCIETY INC. OF ANNA STREET BROOKLYN PARK SA 5032

### DESCRIPTION OF LAND

ALLOTMENT 150 DEPOSITED PLAN 1127  
IN THE AREA NAMED BROOKLYN PARK  
HUNDRED OF ADELAIDE

### EASEMENTS

TOGETHER WITH A FREE AND UNRESTRICTED RIGHT OF WAY OVER ALLOTMENTS  
212.213.214.215 AND 217 IN DP 1127

TOGETHER WITH A FREE AND UNRESTRICTED RIGHT OF WAY OVER THE LAND MARKED B  
(TG 11851068)

### SCHEDULE OF ENDORSEMENTS

NIL

### NOTATIONS

DOCUMENTS AFFECTING THIS TITLE

NIL

REGISTRAR-GENERAL'S NOTES

NIL

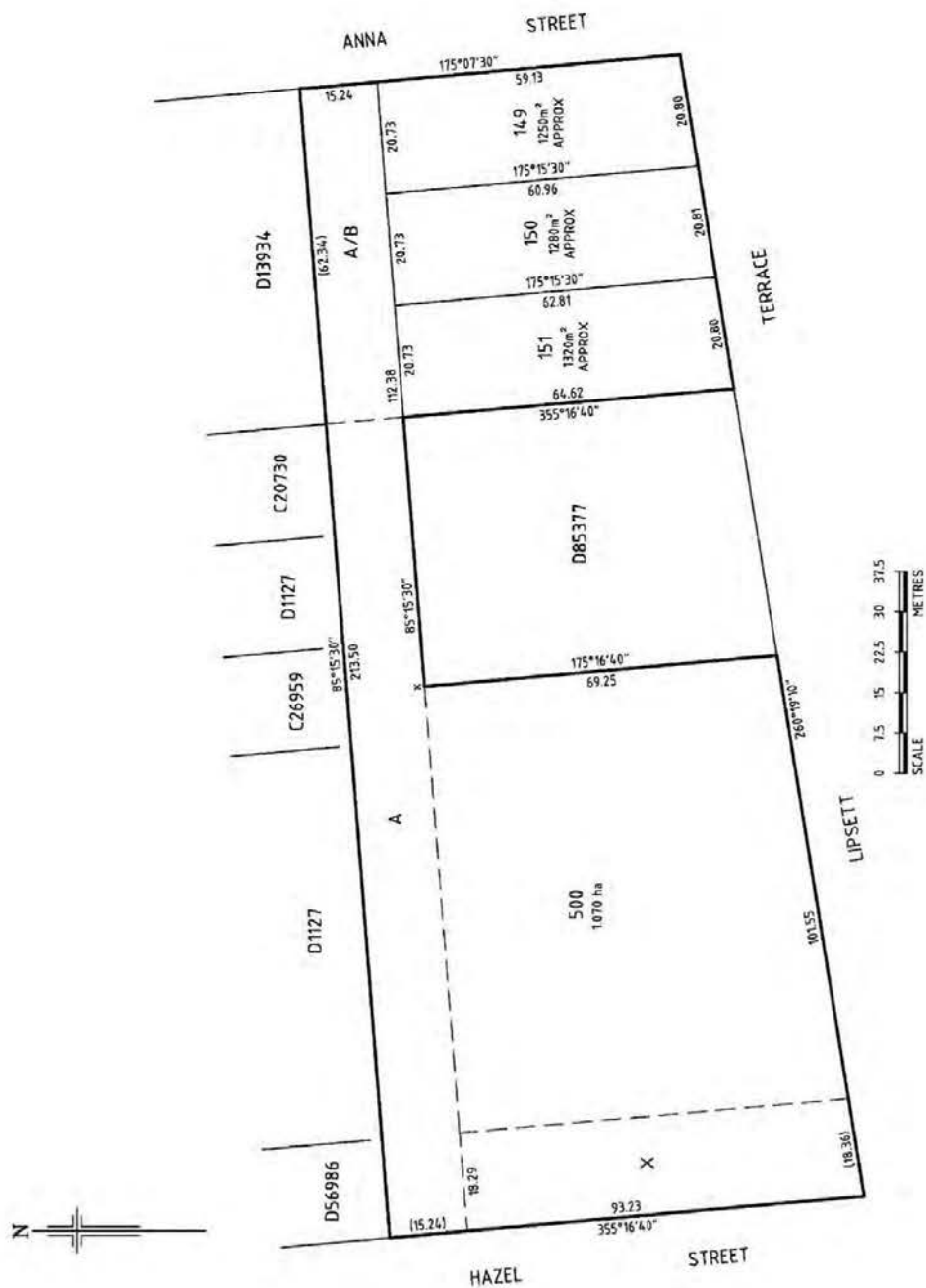
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Page 1 of 2

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

Registrar-General 

LANDS TITLES OFFICE ADELAIDE SOUTH AUSTRALIA  
 DIAGRAM FOR CERTIFICATE OF TITLE VOLUME 6106 FOLIO 87  
 SEARCH DATE : 16/07/2014 TIME: 13:36:10





# Title Register Search

## LANDS TITLES OFFICE, ADELAIDE

For a Certificate of Title issued pursuant to the Real Property Act 1886

REGISTER SEARCH OF CERTIFICATE OF TITLE \* VOLUME 6106 FOLIO 89 \*

COST : \$26.50 (GST exempt )	PARENT TITLE : CT 5505/174 & OTHERS
REGION : EMAIL	AUTHORITY : TG 11851068
AGENT : BERB BOX NO : 680	DATE OF ISSUE : 01/02/2013
SEARCHED ON : 16/07/2014 AT : 13:37:15	EDITION : 1

### REGISTERED PROPRIETOR IN FEE SIMPLE

THE SALESIAN SOCIETY INC. OF ANNA STREET BROOKLYN PARK SA 5032

### DESCRIPTION OF LAND

ALLOTMENT 149 DEPOSITED PLAN 1127  
IN THE AREA NAMED BROOKLYN PARK  
HUNDRED OF ADELAIDE

### EASEMENTS

TOGETHER WITH A FREE AND UNRESTRICTED RIGHT OF WAY OVER THE LAND MARKED B  
(TG 11851068)

### SCHEDULE OF ENDORSEMENTS

NIL

### NOTATIONS

DOCUMENTS AFFECTING THIS TITLE

NIL

### REGISTRAR-GENERAL'S NOTES

NIL

END OF TEXT.

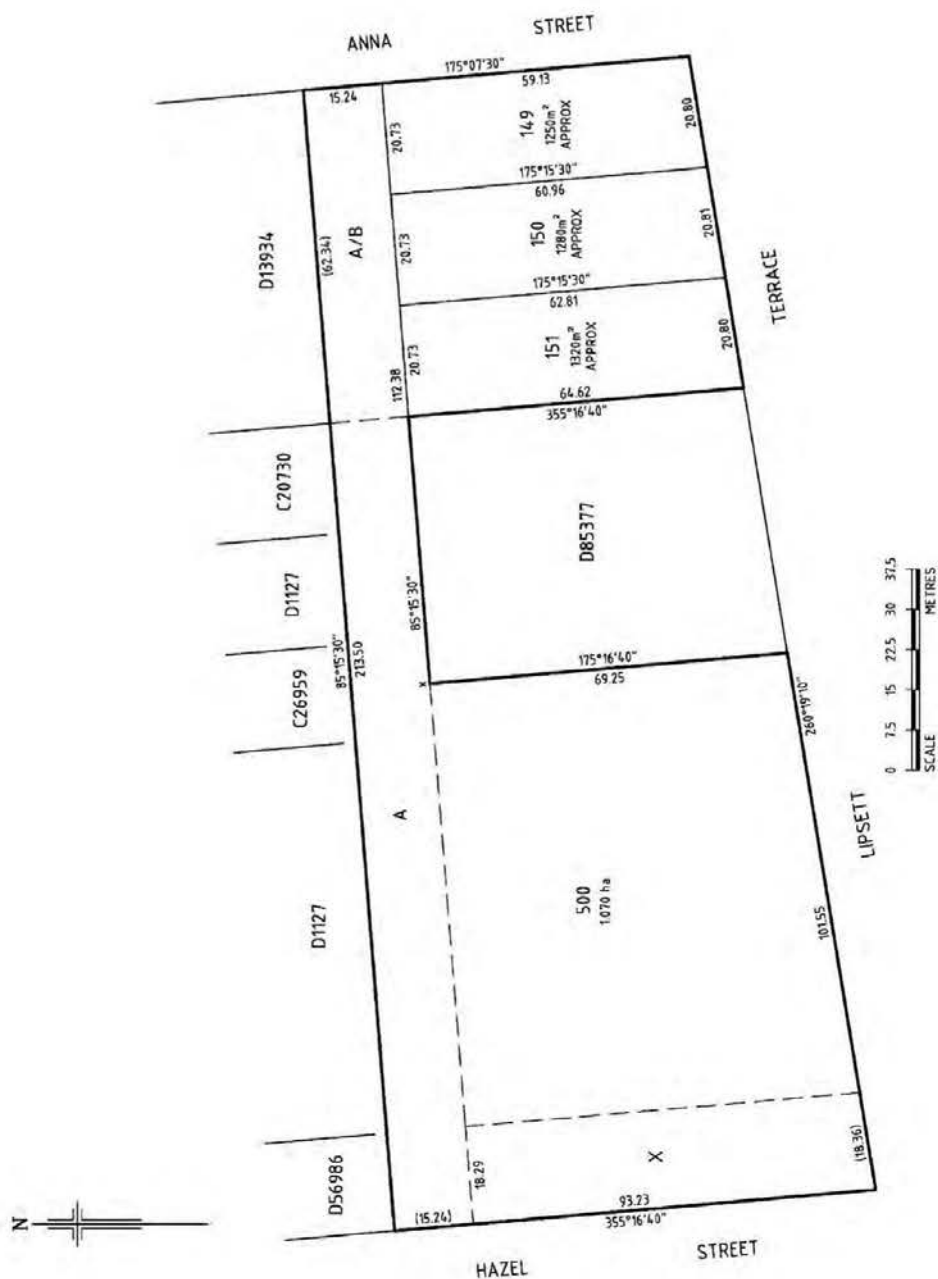
Page 1 of 2

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

Registrar-General 



LANDS TITLES OFFICE ADELAIDE SOUTH AUSTRALIA  
DIAGRAM FOR CERTIFICATE OF TITLE VOLUME 6106 FOLIO 89  
SEARCH DATE : 16/07/2014 TIME: 13:37:15





# Title Register Search

## LANDS TITLES OFFICE, ADELAIDE

For a Certificate of Title issued pursuant to the Real Property Act 1886

REGISTER SEARCH OF CERTIFICATE OF TITLE \* VOLUME 6106 FOLIO 88 \*

COST : \$26.50 (GST exempt )	PARENT TITLE : CT 5559/77 & OTHERS
REGION : EMAIL	AUTHORITY : VE 11851067
AGENT : BERB BOX NO : 680	DATE OF ISSUE : 01/02/2013
SEARCHED ON : 16/07/2014 AT : 13:36:45	EDITION : 1

### REGISTERED PROPRIETOR IN FEE SIMPLE

THE SALESIAN SOCIETY INC. OF ANNA STREET BROOKLYN PARK SA 5032

### DESCRIPTION OF LAND

ALLOTMENT 151 DEPOSITED PLAN 1127  
IN THE AREA NAMED BROOKLYN PARK  
HUNDRED OF ADELAIDE

### EASEMENTS

TOGETHER WITH A FREE AND UNRESTRICTED RIGHT OF WAY OVER ALLOTMENTS  
212.213.214.215 AND 217 IN DP 1127

TOGETHER WITH A FREE AND UNRESTRICTED RIGHT OF WAY OVER THE LAND MARKED B  
(TG 11851068)

### SCHEDULE OF ENDORSEMENTS

NIL

### NOTATIONS

DOCUMENTS AFFECTING THIS TITLE

NIL

### REGISTRAR-GENERAL'S NOTES

NIL

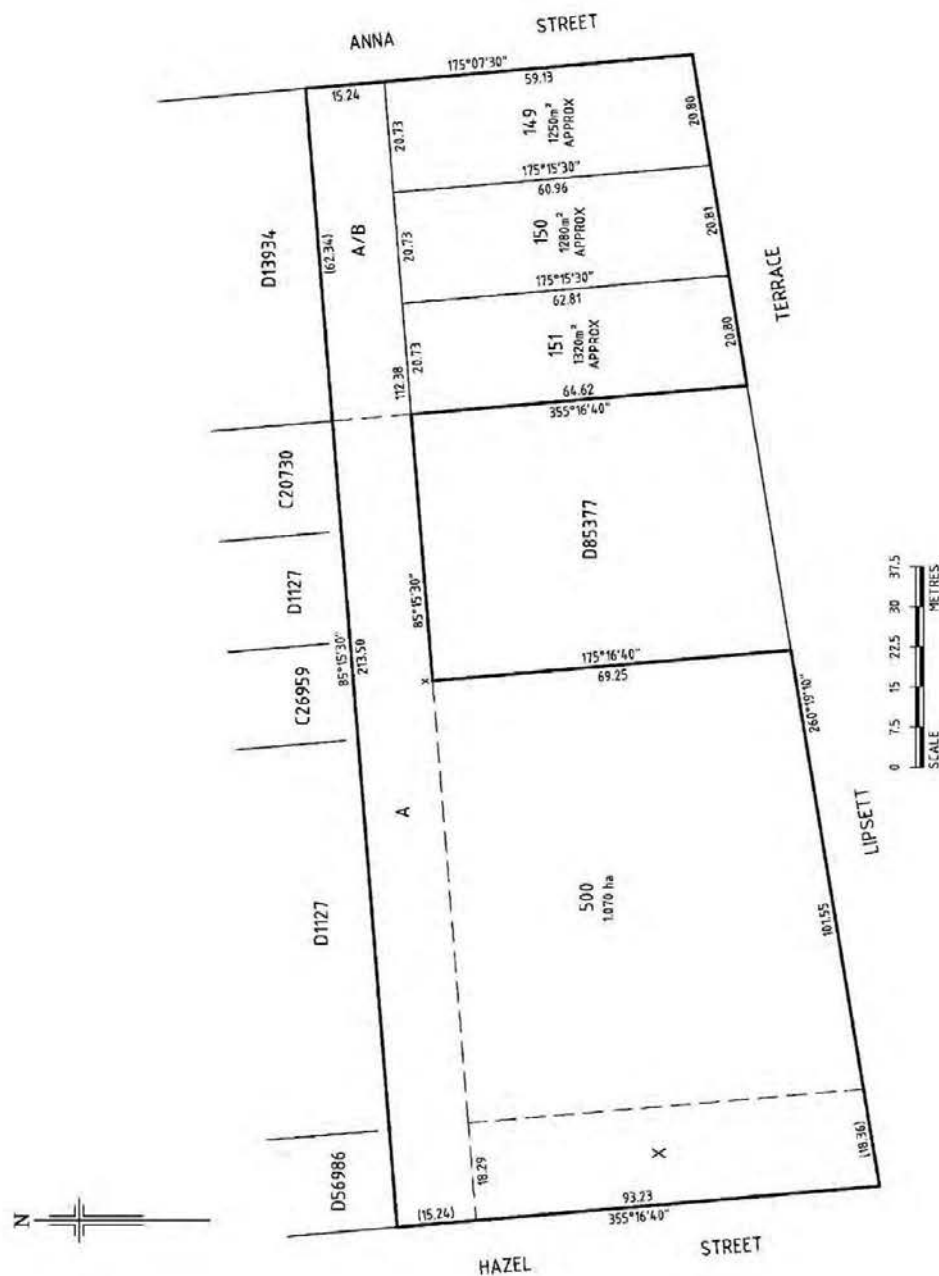
END OF TEXT.

Page 1 of 2

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

Registrar-General 

LANDS TITLES OFFICE ADELAIDE SOUTH AUSTRALIA  
 DIAGRAM FOR CERTIFICATE OF TITLE VOLUME 6106 FOLIO 88  
 SEARCH DATE : 16/07/2014 TIME: 13:36:45





# Appendix B

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## Preliminary Environmental Site History Assessment







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## PRELIMINARY ENVIRONMENTAL SITE HISTORY ASSESSMENT

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25-29 Lipsett Terrace, Brooklyn Park, South Australia  
Prepared For: Karidis Corporation Ltd | 2 March 2018

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## Document reference

1803 R1

## Issue and revision record

Revision	Date	Originator	Checker	Description
A	2 March 2018	RM	ACM	Draft for client review

## Prepared by

A.M. Environmental Consulting Pty Ltd

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Forecasts presented in this document were prepared using Data and the report is dependent or based on Data. Inevitably, some of the assumptions used to develop the forecasts will not be realised and unanticipated events and circumstances may occur. Consequently A.M. Environmental Consulting Pty Ltd does not guarantee or warrant the conclusions contained in the report as there are likely to be differences between the forecasts and the actual results and those differences may be material. While we consider that the information and opinions given in this report are sound all parties must rely on their own skill and judgement when making use of it.

Under no circumstances may this report or any extract or summary thereof be used in connection with any public or private securities offering, including any related memorandum or prospectus for any securities offering or stock exchange listing or announcement.

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## 1.0 Introduction

### 1.1 Background

A.M. Environmental Consulting Pty Ltd (AME) was commissioned by Karldis Corporation Ltd. to conduct preliminary environmental site history research for the land defined as 25-29 Lipsett Terrace, Brooklyn Park, South Australia (Certificates of Title: CT6106/87, CT6106/88, CT6106/89) ('the site'). Copies of the Certificates of Title are provided in Appendix A.

The site is situated in the City of West Torrens local government area and is zoned Residential. The regional context is shown in Figure 1.1 and an aerial photograph of the site is provided in Figure 1.2.

### 1.2 Aim

The aim was to assess the potential for gross or widespread contamination to exist as a result of current or previous land uses at the site and whether there are contamination aspects or impacts that may present potential liabilities or constraints on future development.

### 1.3 Scope of work

The site history assessment included consideration of information from the following sources:

- Site walkover
- Client provided proposed development plans
- SafeWork SA Dangerous Goods Licence search
- Environment Protection Authority (EPA) Section 7 search
- Department of Planning, Transport and Infrastructure (DPTI) Property Assist Certificate of Title search
- Department of Environment, Water and Natural Resources (DEWNR) Mapland historical aerial photograph search
- Department of Environment, Water and Natural Resources Groundwater Database search
- Historical Certificate of Title search via the Department of Planning, Transport and Infrastructure South Australian Integrated Land Information System (SALIS)
- SA EPA Public Register Directory – Site contamination index search
- Almanacs and directories search via the State Library of South Australia

### 1.4 Proposed development

The site is being considered for a retirement village, as such the residential occupation durations are not likely to be long-term as defined by the conservative NEPM Residential criteria. The development will comprise landscaping with paving, lawn, mulch and planting, and ground floor living. The residential buildings would comprise a concrete slab underlain by base course gravel and fortecon plastic. Groundwater is not proposed for abstraction at the site and no basement levels are proposed. It is understood that services would be surrounded with 500mm of imported fill meeting SA EPA Waste Fill Guidelines. A plan of the proposed buildings and landscaping is provided in Figure 1.3. Initial demolition of the existing site buildings was being undertaken at the time of this assessment.



## 2.0 Regulatory and Assessment Framework

### 2.1 Site contamination

Soil contamination has the potential to impact adversely on human health and the environment; however, for a significant or identifiable risk to be present, there must be an exposure pathway. The exposure pathway comprises the following:

- Source – The presence of a substance that may cause harm.
- Receptor – The presence of a receptor which might be harmed at an exposure point.
- Pathway – The existence of a means or mechanism of exposing a receptor to the source.

In the absence of a plausible exposure pathway there can be minimal risk. Therefore, the presence of 'something measurable' i.e. a concentration of a chemical does not necessarily imply that there is measurable human harm. It is necessary to have a significant source of contamination, an appropriate or effective pathway for this to be presented to a receptor, and the receptor must have a negative response to this exposure.

Hence, the nature and importance of sources, receptors and exposure routes will vary with every site, situation, intended end use and environmental setting.

It should also be noted that management measures to address any aspect of the above can reduce the significance of any risks.

### 2.2 West Torrens Council Development Plan (Consolidated – 6 February 2018)

The West Torrens Council Development Plan (Consolidated – 6 February 2018), contains the following provisions in relation to contaminated sites:

#### OBJECTIVES

*8 Protection of human health and the environment wherever site contamination has been identified or is suspected to have occurred.*

*9 Appropriate assessment and remediation of site contamination to ensure land is suitable for the proposed use and provides a safe and healthy living and working environment.*

#### Site Contamination

*13 Development, including land division, should not occur where site contamination has occurred unless the site has been assessed and remediated as necessary to ensure that it is suitable and safe for the proposed use.*

## 2.3 Environment Protection Act, 1993

In South Australia, the assessment, management and remediation of site contamination is regulated by the *Environment Protection Act 1993* (EP Act). The EP Act defines site contamination in section 5B as follows:

- (1) For the purposes of this Act, site contamination exists at a site if—*
- (a) chemical substances are present on or below the surface of the site in concentrations above the background concentrations (if any); and*
  - (b) the chemical substances have, at least in part, come to be present there as a result of an activity at the site or elsewhere; and*
  - (c) the presence of the chemical substances in those concentrations has resulted in—*
    - (i) actual or potential harm to the health or safety of human beings that is not trivial, taking into account current or proposed land uses; or*
    - (ii) actual or potential harm to water that is not trivial; or*
    - (iii) other actual or potential environmental harm that is not trivial, taking into account current or proposed land uses.*
- (2) For the purposes of this Act, environmental harm is caused by the presence of chemical substances—*
- (a) whether the harm is a direct or indirect result of the presence of the chemical substances; and*
  - (b) whether the harm results from the presence of the chemical substances alone or the combined effects of the presence of the chemical substances and other factors.*
- (3) For the purposes of this Act, site contamination does not exist at a site if circumstances of a kind prescribed by regulation apply to the site.*

Based on the above, the first stage in determining whether site contamination exists is to assess whether chemical substances have been added to the site through an activity and whether these substances are above background concentrations. The second stage is to assess whether the chemical substances have resulted in actual or potential harm to the health or safety of human beings or the environment that is not trivial.

The professional assessment of site contamination and consequential risk to human health and the environment is guided by the *National Environment Protection (Assessment of Site Contamination) Measure* (NEPM), Australian Standards and several guidelines prepared by the EPA. The NEPM operates as an environment protection policy under the EP Act.

If site contamination is determined to be present at a site, the EP Act provides mechanisms to assign responsibility for the contamination and appropriate assessment and/or remediation of the contamination.

## 2.4 Assessment guidelines

The scope of works and methodology adopted for the assessment were generally based on the guidance provided in the following documents:

- ANZECC/NHMR.C (1992). Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites.
- NEPC (1999), National Environment Protection (Assessment of Site Contamination) Measure, December 1999 (ASC NEPM) as amended in 2013.
- Edwards J.W., Van Alphen M. and Langley A. (1994). Identification and Assessment of Contaminated Land: Improving Site History Appraisal. Contaminated Sites Monograph Series No 3, SA Health Commission, Adelaide.
- Standards Australia. Guide to the investigation and sampling of sites with potentially contaminated soil – AS 4482.1-2005.



## 3.0 Site Information

### 3.1 Site description and photographs

The site is approximately 4,185 m<sup>2</sup> in plan area and is generally level. A site visit was undertaken on 22 February 2018 by an AME representative.

The southern approximately half of the site was occupied by a large L-shaped brick building with a tiled roof. A double iron garage was located in the south-western corner of the site.

A concrete driveway leads to the site structures from Lipsett Terrace to the south, and a concrete path links the main building to Anna Street to the east. A concrete path surrounds the building perimeter, beyond which is lawn and occasional mature trees. There was no evidence of stained or odorous soils.

Preparation for the building to be demolished in terms of site fencing and what appeared to be some preliminary salvaging/removal of e.g. asbestos eaves was observed at the time of the site visit.

Site photographs are provided in Photos 1-5.



Photo 1: Northern portion of site



Photo 2: Western end of the site, looking north-east



Photo 3: Southern portion of the site, looking north-west



Photo 4: Western boundary of the site looking north





Photo 5: Western boundary of the site, looking north

### 3.2 Aesthetic considerations

Aesthetic considerations relate to the presence of low-concern or non-hazardous inert foreign material (refuse) in soil or fill resulting from human activity. Construction and demolition waste materials, some of which are inert and non-hazardous and are widely distributed in urban areas, soils with discolouration from relatively inert chemical waste (for example ferric metals) or residual odour (for example, natural sulphur odour) are included in this category.

There are no specific numeric aesthetic guidelines; however, site assessment requires balanced consideration of the quantity, type and distribution of foreign material or odours in relation to the specific land use and its sensitivity. The following observations were made in relation to aesthetic issues at the site:

- There were no significant odours (e.g. strong residual petroleum hydrocarbon odours)
- There was no hydrocarbon sheen on the site surface
- There were no discoloured chemical deposits or stains with chemical waste.
- There was no putrescible refuse, including material that may generate hazardous levels of methane, such as a deep-fill profile of green waste or large quantities of timber waste

### 3.3 Surrounding land use

The local area is generally level. The following land uses surround the site:

- North: New medium density residential development (retirement village)
- South: Lipsett Terrace, beyond which are the Adelaide College of Divinity and Flinders University School of Theology
- East: Anna Street, beyond which is residential land use, a kindergarten and school
- West: New medium density residential development and retirement village beyond

Photographs of the surrounding area are provided in Photos 6-8.

Preliminary Environmental Site History Assessment | 25-29 Lipsett Terrace, Brooklyn Park, South Australia



Photo 6: Looking east



Photo 7: Looking north



Photo 8: Looking south

### 3.4 Regional geology and hydrogeology

A summary of the regional geology, soils and hydrogeology is presented in Table 3.1.

Table 3.1: Regional geology, soils and hydrogeology

Source	Detail
<b>Geology</b>	
Adelaide, Geological Survey of South Australia, Department of Mines Adelaide, Published 1969.	Qrk: St. Kilda Formation: Light-grey shelly stranded beach ridge deposits and shelly silts and sands overlain in places by modern intertidal and swamp deposits.
<b>Soils</b>	
Soil Association Map of the Adelaide Region. Published 1989.	Very variable outwash soils mainly poorly drained red-brown earths and alluvial types.
<b>Hydrogeology</b>	
Department of Environment, Water and Natural Resources Groundwater Database	A DEWNR groundwater database search undertaken on 13 February 2018 indicates that there are 34 groundwater wells within 0.5 km of the site. No wells are recorded as located on the site itself.
Where recorded, the purposes of the wells in the vicinity are as follow:	
<ul style="list-style-type: none"> <li>■ Domestic (12 wells)</li> <li>■ Drainage (3 wells)</li> <li>■ Irrigation (3 wells)</li> <li>■ Observation (1 well)</li> </ul>	

Source	Detail
	The standing water level (SWL) ranges from 2.44 mbgl to 19.81 mbgl. The total dissolved solids (TDS) concentration ranges from 657 mg/L to 4,012 mg/L. The maximum drill depths range from 4 mbgl to 204.22 mbgl.
	The groundwater data report and plan showing the locations of the groundwater wells is provided in Appendix B.

No major surface water bodies are located within close proximity to the site. The River Torrens is located >1km from the site. The Gulf St Vincent is located approximately 4.8km west of the site. The regional inferred groundwater flow direction is expected to be westerly.

### 3.5 History of ownership

A history of ownership search was conducted through the DPTI South Australian Integrated Land Information System (SALIS) website for CT6106/87, CT6106/88 and CT6106/89. The search results are summarised in Table 3.2.

Table 3.2 Historical certificate of title ownership search

Title reference	Date	Name	Details
<b>CT6106/87</b>	<b>1/2/2013</b>	<b>The Salesian Society Inc</b>	Anna Street, Brooklyn Park
CT5559/76	29/7/1998	The Salesian Society Inc	Anna Street, Brooklyn Park
CT4124/504	24/8/1978	The Salesian Society Inc	Anna Street, Brooklyn Park
CT704/73	23/5/1903	John O'Reilly (Archbishop of Adelaide), John Healy (Roman Catholic Clergyman) and Jerome Luddy (Teacher)	Glen Osmond and Brooklyn Park
	1/6/1916	Transfer to John Healy, Jerome Luddy (above mentioned) and Robert William Spence (Roman Catholic Archbishop of Adelaide)	Glen Osmond
	18/8/1931	Vested as 'Boy's Home Brooklyn Park Inc'	-
	20/3/1978	Transfer to the Salesian Society Inc	Anna Street, Brooklyn Park
<b>CT6106/88</b>	<b>1/2/2013</b>	<b>The Salesian Society Inc</b>	Anna Street, Brooklyn Park
CT5559/77	29/7/1998	The Salesian Society Inc	Anna Street, Brooklyn Park
CT4124/505	24/8/1978	The Salesian Society Inc	Anna Street, Brooklyn Park
<b>CT6106/89</b>	<b>1/2/2013</b>	<b>The Salesian Society Inc</b>	Anna Street, Brooklyn Park
CT5505/174	20/2/1998	The Salesian Society Inc	Anna Street, Brooklyn Park
CT4124/506	24/8/1978	The Salesian Society Inc	Anna Street, Brooklyn Park
CT482/34	24/7/1885	William John Gurney (Brickmaker)	Brompton Park
	21/4/1909	John O'Reilly (Archbishop of Adelaide), John Healy (Roman Catholic Clergyman) and Jerome Luddy (Teacher)	Glen Osmond and Brooklyn Park
	1/6/1916	Transfer to John Healy, Jerome Luddy (above mentioned) and Robert William Spence (Roman Catholic Archbishop of Adelaide)	Glen Osmond



Title reference	Date	Name	Details
	18/8/1931	Vested as 'Boy's Home Brooklyn Park Inc'	-
	20/3/1978	Transfer to the Salesian Society Inc	Anna street, Brooklyn Park

Source: Department of Planning, Transport and Infrastructure, Government of South Australia

### 3.6 Aerial photographs

Selected aerial photographs of the area were assessed at approximately 10-year intervals from 1949. The aerial photograph data and observations are presented in Table 3.3 and copies of the photographs are provided in Appendix C.

Table 3.3 Historical aerial photograph review

Year	Notes
1949	<p>The aerial photograph is presented in black and white.</p> <p><b>Site:</b> The majority of the site appears to contain rows of trees/shrubs in a structure that is commonly associated with market gardens. There may be two buildings in the south-western corner of the site, however the photograph resolution is poor.</p> <p><b>Surrounding area:</b> The surrounding rural area comprises predominantly highly modified large fields.</p>
1959	<p>The aerial photograph is presented in black and white.</p> <p><b>Site:</b> The site appears to be delineated into four rectangles of differing treatment. Cultivated crop rows are visible in the three rectangles in the northern half of the site, characteristic of a market garden. The southern portion of the site contains trees/shrubs. Two buildings are visible in the south-western corner of the site.</p> <p><b>Surrounding area:</b> The surrounding area still comprises fields, and some new residential development to the south-east. The adjacent land to the west contains what appears to be a small orchard and may comprise part of the same overall property.</p>
1969	<p>The aerial photograph is presented in black and white.</p> <p><b>Site:</b> The site now appears uniformly vegetated and cropped. Buildings are still visible in the south-western corner of the site.</p> <p><b>Surrounding area:</b> The surrounding area appears generally similar to the previous photograph; however, a large commercial appearing building is now located to the south of the site, across a road.</p>
1979	<p>The aerial photograph is presented in colour.</p> <p><b>Site:</b> The site now contains a new large L-shaped building and a smaller rectangular structure in its southern half, and scattered trees/grass in the northern half of the site.</p> <p><b>Surrounding area:</b> The surrounding area appears generally similar to the previous aerial photograph.</p>
1987	<p>The aerial photograph is presented in colour.</p> <p><b>Site:</b> The site appears similar to the previous aerial photograph.</p> <p><b>Surrounding area:</b> The surrounding area appears generally similar to the previous aerial photograph.</p>
1999	<p>The aerial photograph is presented in colour.</p> <p><b>Site:</b> The site appears similar to the previous aerial photograph.</p>



Preliminary Environmental Site History Assessment | 25-29 Lipsett Terrace, Brooklyn Park, South Australia

Year	Notes
	<b>Surrounding area:</b> The surrounding area appears generally similar to the previous aerial photograph.
2005	The aerial photograph is presented in colour.
	<b>Site:</b> The site appears similar to the previous aerial photograph.
	<b>Surrounding area:</b> The surrounding area appears generally similar to the previous aerial photograph.
2018	The aerial photograph is presented in colour.
	<b>Site:</b> The site appears similar to the previous aerial photograph.
	<b>Surrounding area:</b> The surrounding area appears generally similar to the previous aerial photograph, however the adjacent land to the west of the site now contains medium density residential development.

### 3.7 Dangerous goods search

SafeWork SA indicated that there are no dangerous goods licences recorded at the site (refer to Appendix D).

### 3.8 SA EPA Section 7 search

A Section 7 search was made under the *Land and Business (Sales and Conveyancing) Act 1994*. The information indicates that no current environmental Performance Agreements, Environment Protection Orders or Clean-up Orders are registered on the site and no known wastes are listed or have been produced on the site.

### 3.9 SA EPA Public Register Directory

The SA EPA Public Register Directory - Site contamination Index was searched on 13 February 2018. This Index lists notifications and reports received by the EPA since 1 July 2009 under the *Environment Protection Act 1993*, including S83A notification, Audit notification, Audit termination and Audit reports. The listings for Brooklyn Park are presented in Table 3.4. No listings are located within close proximity of the site.

Table 3.4 SA EPA Public Register Directory records in Brooklyn Park

Notification no	Type	Address	Potentially contaminating activity	Location relative to site
61783	Audit Notification	1 Richard Street BROOKLYN PARK SA 5032	Motor vehicle repair or maintenance; Motor vehicle wrecking yards	~320m south-east of site
12328	109 Notification	299 Henley Beach Road BROOKLYN PARK SA 5032	Service stations	~465m north of site
60492	Audit Notification	7 Gertrude Street BROOKLYN PARK SA 5032	Listed Substances (manufacture, production, recycling); Listed Substances (storage)	
60492	Audit Termination	7 Gertrude Street BROOKLYN PARK SA 5032	Not recorded	~1km west of site
60637 - 01	S83A Notification	7 Gertrude Street BROOKLYN PARK SA 5032	Not recorded	
12043	SAHC	77-82 Press Road BROOKLYN PARK SA 5032	Not recorded	~650m south-west of site

### 3.10 Almanacs and directories research

A search of publicly available almanacs and directories via the State Library of South Australia was conducted for the site. It is noted that street numbers in the city have been changed on occasion, in particular in the mid-1880s when the pattern of odd and even numbering was standardised, and again in 1920 to incorporate the subdivisions of city acres which had taken place since settlement. This therefore makes site identification impossible in some instances and/or misleading. It is also noted that inclusion of business details within the almanacs was not mandatory and therefore the absence of a site address in these directories does not necessarily mean that a business was not present at the site.

The suburb of Brooklyn Park first appears in the directory in 1883. From this time onwards, there was gradual development of the land, commencing with primarily farming operations according to the directory listings. The Boy's Reformatory, which is assumed to be located on the current titles of interest, first appears within the directory in 1899 and is a consistent listing until 1943. The Institute of the Brothers of St John the Baptist appears on or adjacent the site from 1927 until 1949. Furthermore, from 1944-49 the St

Johns Boy's Town Orphanage co-existed at the site, until such time as the land between Anna and Hazel Streets was occupied by the St John Boy's Town orphanage alone until 1955. From 1956 until 1973, this land was occupied by the Salesian School.

### 3.11 Acid sulfate soils

Acid sulphate soils as listed in Appendix A of the SA EPA Guidelines Site Contamination – Acid Sulphate Soil Materials (2007) are unlikely to be present at the site.

### 3.12 Anecdotal information

The current site owner advised that an asbestos contractor removed the asbestos in the site buildings in February 2018, as part of pre-demolition site works.

### 3.13 Areas of environmental interest

Based on this environmental site history research, the chemicals presented in Table 3.5 are indicative of the potential historical and current land uses of CT6106/87, CT6106/88 and CT6106/89.

The chemicals listed in Table 3.5 are based on AS 4482.1-2005 Appendix J 'Chemical Contaminants Listed by Industry Type', Planning Advisory Notice 20 (PAN 20) Appendix 1 'Examples of potentially contaminating activities and industries' and the Environment Protection Regulations 2009 (EP Regs).

Table 3.5 Summary of potential areas and chemicals of interest

Activity of Interest	Chemicals of environmental interest	Medium of Interest
Market garden use	Organochlorine pesticides, herbicides, heavy metals	Shallow soil across site
Potential termite treatment	Organochlorine pesticides, heavy metals	Shallow soil under and around current and former building footprints
Asbestos containing material	Asbestos <sup>1</sup>	Shallow soil in the vicinity of former buildings, however it is understood that a licensed contractor was commissioned to conduct building asbestos removal in accordance with relevant regulations, therefore it is reasonable to assume that the contractor addressed this asbestos adequately.

These chemicals of environmental interest are not a prescriptive list for any further exploratory intrusive assessment that may be conducted, nor a statement of the presence of these chemicals, but rather a list to be given consideration. Analytes to be tested for if further assessment is conducted should be selected based on site specific observations and conditions. In addition, screening level testing may be conducted for analytes which are considered to represent the generally accepted basic suite of chemicals which may then give rise to the need for more detailed or varied analysis.

<sup>1</sup> Should asbestos materials be identified during construction, works should be undertaken in accordance with the Asbestos SA Working Safely Tool at <http://www.asbestos.sa.gov.au/workingsafely.html>

## 4.0 Conclusion

The site is being considered for a retirement village. This will comprise landscaping with paving, lawn, mulch and planting, and ground floor living. The residential buildings would comprise a concrete slab underlain by base course gravel and fortecon plastic. Groundwater is not proposed for abstraction at the site and no basement levels are proposed. It is understood that services would be surrounded with 500mm of Imported fill meeting SA EPA Waste Fill Guidelines. The current site owner advised that an asbestos contractor removed the asbestos in the site buildings in February 2018, during pre-demolition site works.

No visual or olfactory signs of contamination were observed during the site visit; however, the site history research shows that there is potential for the site to have been previously occupied by a land use that had the potential to contaminate the site (market gardening).

The likelihood of gross or widespread soil contamination existing in shallow soils and/or groundwater at this site at concentrations likely to preclude the proposed land use is likely to be low. However, it is recommended that screening level soil sampling and chemical testing for select analytes of interest be conducted to further inform this assessment after demolition of the existing buildings and prior to commencement of construction works.





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## ENVIRONMENTAL SITE HISTORY, SOIL AND GROUNDWATER ASSESSMENT

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25-29 Lipsett Terrace, Brooklyn Park, South Australia  
Prepared For: Karidis Corporation Ltd | 9 July 2018

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## 8.0 Conclusion

The site is being considered for a retirement village. This will comprise landscaping with paving, lawn, mulch and planting, and ground floor living. The residential buildings would comprise a concrete slab underlain by base course gravel and fortecon plastic. Groundwater is not proposed for abstraction at the site and no basement levels are proposed. It is understood that services would be surrounded with 500mm of imported fill meeting SA EPA Waste Fill Guidelines. The current site owner advised that an asbestos contractor removed the asbestos in the site buildings in February 2018, during pre-demolition site works.

No visual or olfactory signs of contamination were observed during the site visit; however, the site history research showed that there is potential for the site to have been previously occupied by a land use that had the potential to contaminate the site (market gardening).

The likelihood of gross or widespread soil contamination existing in shallow soils and/or groundwater at this site at concentrations likely to preclude the proposed land use is likely to be low. However, it was recommended that screening level soil and groundwater sampling and chemical testing for select analytes of interest be conducted to further inform this assessment after demolition of the existing buildings and prior to commencement of construction works.

A grid-based soil assessment was therefore undertaken across the site, as per the density recommended by Australian Standard 4482.1-2005. Soil samples were also retrieved and analysed from groundwater well drilling, to provide an indication of the presence/absence of Volatile Organic Compounds (VOCs) in soils at depth. The laboratory results were below the adopted criteria, with the exception of metals in a pocket of shallow fill comprising ash and cinders. The client excavated beyond the impacted depth in this affected area, removing the associated fill to the underlying natural soil. Soil surface samples retrieved from the freshly excavated surface confirmed removal of the metals of interest.

An assessment of groundwater at the site was conducted for the chemicals of interest. The laboratory results were below the adopted criteria.

Based on the results obtained from this assessment, the risk of significant gross or widespread soil or groundwater contamination at the site being present with the potential to preclude the proposed development or to be considered a significant environmental or human health risk is low. On this basis, it is our opinion that there is no obvious requirement for remediation works or more detailed assessment.

## 9.0 Important Information

AME has prepared this report based on generally accepted practices and standards in operation at the time that it was prepared. No other warranty is made as to the professional advice included in this report. All parties should satisfy themselves that the scope of work conducted and reported herein meets their specific needs before relying on this document.

AME believes that its opinions have been developed according to the professional standard of care for the environmental consulting profession at the date of this document. That standard of care may change as new methods and practices of exploration, testing, analysis and remediation develop in the future, which may produce different results.

Environmental conditions are created by natural processes and human activity, and as such may change over time e.g. groundwater levels may rise or fall, contamination may migrate and fill may be added to the site. This report therefore presents a point in time assessment of the site, and as such can only be valid for the time at which the investigation was undertaken.

Any investigation such as that contained in this report can examine only a fraction of the subsurface conditions at the site. There remains a risk that pockets of contamination or other hazards may not be identified as investigations are necessarily based on sampling at localised points. Certain indicators or evidence of hazardous substances or conditions may have been outside the portion of the subsurface investigated or monitored, and thus may not have been identified or their full significance appreciated. As such, the identified environmental conditions reported are only valid at the points of direct sampling and any derived or interpolated conditions may differ from these targeted locations and cannot be assumed to be indicative of the remainder of the site.

The methodology adopted and the sources of information used are outlined in this report. AME has limited its investigation to the scope agreed for this contract and it is possible that additional sampling and analysis could produce different results and/or opinions. AME has made no independent verification of this information beyond the agreed scope of works and assumes no responsibility for any inaccuracies or omissions.

This assessment assumes that the proposed development meets requirements as outlined in the Building Code of Australia and Australian Standards. If these recommendations are not met, there is potential for the exposure and therefore risk to building users to be higher than that presented in this assessment.

The soil descriptions contained in this report have not been prepared for engineering design purposes and the reinstatement of any sampling locations were not conducted in accordance with any supervised filling or geotechnical standard. The term suitable has been used in the context of a request from the planning authority and means that the concentrations reported did not exceed the guideline concentrations adopted for the proposed land use/exposure pathway.

This report does not include the assessment or consideration of hazardous building materials, including asbestos. Such materials should be assessed and managed by a qualified and licensed assessor/contractor. It also does not include assessment of airborne pollution, microbiology, or mould.

In general, the available scientific information pertaining to contamination is insufficient to provide a thorough understanding of all of the potential toxic properties of chemicals to which humans may be exposed. The majority of the toxicological knowledge of chemicals comes from experiments with laboratory animals, where there may be interspecies differences in chemical absorption, metabolism, excretion and toxic response. There may also be uncertainties concerning the relevance of animal studies using exposure routes that differ from human exposure routes. In addition, the frequent necessity to extrapolate results of short-term or subchronic animal studies to humans exposed over a lifetime has inherent uncertainty. Therefore, in order to conduct an environmental assessment, it is necessary to take into account these inherent uncertainties and extrapolate information from the data that is available, considered current and endorsed as acceptable for the assessment of risks to human health. There is therefore inherent uncertainty in the process, and to compensate for uncertainty, conservative assumptions are often made that result in an overestimation rather than an underestimation of risk.

All advice, opinions or recommendations contained in this document should be read and relied upon only in the context of the document as a whole. This report does not purport to give legal advice as this can only be given by qualified legal practitioners. This document does not represent a Site Contamination Audit Report.



## Preliminary Traffic, Flooding & Stormwater Assessment

**Development Application No:** 211/157/2018

**Assessing Officer:** Claudio Barone  
**Site Address:** 25-29 Lipsett Terrace, BROOKLYN PARK SA 5032  
**Certificate of Title:** CT-6106/87  
**Description of Development:** Construction of 14 dwellings and two-storey residential flat building incorporating 12 apartments (retirement village)

### TO THE TECHNICAL OFFICER - CITY ASSETS

Please provide your comments in relation to:

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

.....  
.....

**PLANNING OFFICER - Claudio Barone**

**DATE 4 April, 2018**



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## Memo

To Claudio Barone  
From Jane Teng  
Date 4/04/2018  
Subject 211/157/2018, 25-29 Lipsett Terrace, BROOKLYN PARK SA 5032

Claudio Barone,

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

### **1.0 General Finish Floor Level**

Council seeks to ensure that the FFL to the commercial area is protected from inundation when considering a 350mm stormwater flow depth in the adjacent street watertable.

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

In association with the above proposed development, it is very difficult to read the levels (invert of water table) on of the site survey information provided with the development plan and as such it is impossible to required FFL for the commercial area.

In relation to the Ground Floor car park area, as the proposal indicates that this secure part of the building, it is also imperative that protection from flood inundation from the public road is ensured. It is necessary for the design of the protection elements of the site and access driveway associated with the car park be designed with consideration of the 350mm stormwater flow depth in the adjacent street watertable.

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



## 2.0 Road Verge Interaction

- 2.1 In association with new development, driveways and stormwater connections through the road verge need to be located and shaped such that they appropriately interact with and accommodate existing verge features in front of the subject and adjacent properties. Any new driveway access shall be constructed as near as practicable to 90 degrees to the kerb alignment (unless specifically approved otherwise) and must be situated wholly within the property frontage.

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

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

**City Assets supports in principal the proposal for shared double driveway for Res 13 and 14 in its current driveway format subject to the clearance obtained from the City Arborist in regards to the proposal to remove existing tree on Anna Street.**

- 2.2 It is assumed that all dwellings fronting the internal road would have stormwater system discharge into the internal private underground network system and restricted via stormwater detention mechanism ( please refer Section 3.0 for stormwater management requirements). It is unknown whether Res 13 and Res 14 would consist of similar discharge method.

Should the applicant nominates for direct discharge from these two dwellings out to Anna St, then the outlet connection shall be nominated for to the following shape and material to satisfy Council's standard requirements:

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

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



### 3. ***Stormwater Management and Potential Encroachment over Existing 'WSUD/Detention'***

It can be interpreted from the submitted plan set that the proposed development footprint (south of the existing private roadway) would encroach onto the existing free and unrestricted rights(s) of way and potentially resulting in the removal of a stormwater management mechanisms (akin a detention and water quality features) which may be put in place as part of the overall master planning for the whole site bounded by Anna St, Hazel Street, Marshall Tce and Lipsett Tce.

It is unknown whether the proposed land title for the immediate new development would be amended to suit the current proposed changes. Further clarification would be required from the applicant having regards to the stormwater management for the overall or ultimate development and how the footprint from the new development will be linked into the existing infrastructure whilst maintaining the hydraulics and water quality targets as required by Council.

Council will typical seek to ensure that the following criteria are meet in associated to stormwater detention and water quality provisions as described in Section 3.1 and 3.2 below.

#### 3.1 Stormwater Detention

In relation to the detention of stormwater runoff from the development, Council would be seeking for the rate of discharge of stormwater from the development site would be restricted to a maximum rate equivalent to that of a site with a 0.25 runoff coefficient for the site critical 20 year ARI storm event (ie effectively mimicking a site with a 25% impervious cover and 75% pervious cover). Sufficient engineering information to demonstrate the practicality of achieving this is recommended to be provided and assessed prior to the issuing of any development approval for the application.

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

#### 3.2 Stormwater Quality Improvement

The following table outlines current recommended practice for the targeted improvement of stormwater quality from new developments of scale, as outlined in the State Government's Water Sensitive Urban Design Policy - 2013.





The targets being;

<i>Parameter</i>	<i>Target</i>
Reduction Litter/Gross Pollutant	90%
Reduction in Average Annual Total Suspended Solids (TSS)	80% *1
Reduction in Average Annual Total Phosphorous (TP)	60% *1
Reduction in Average Annual Total Nitrogen (TN)	45% *1

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

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

It is recommended that applicant should be requested to provide a Stormwater Management Plan in association with the proposed development for assessment prior to the issue of any development approval. Such a plan should address stormwater re-use, detention and water quality improvement measures.

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

#### **4.0 Waste Management - Major Concern**

It is unknown how waste management provisions for the new site would be undertaken as there are no information has been provided to Council.

Current Council Policy would preclude the provision of a traditional "three bin system per residence" service for this development due to the scale and nature of the development.

As a result of the above, waste servicing of the site would need to be undertaken by private contractor. Current Council Policy does not provide



for a simple mechanism for private waste contractors to collect waste from the public road or public road verge. (Authority to undertake such business on a public road can only be issued by Council under the Local Government Act).

Council recommends the inclusion for a condition be incorporated with any approval of a development of this nature to indicate that the site must be service by private waste contractors.

It is noted that the new site would consist of gated community residential area. In order to avoid private waste bins being presented on the Council verge space, it is recommended that a condition being incorporated to ensure that no private gates are permitted to the rear fences for the residential dwellings services from the private roadway. An internal turn path assessment indicates that the internal road way would not be able to accommodate a MRV sized truck. Furthermore, there are no turning bays to allow vehicles and truck to enter and exit the site in the forward direction.

Council is particularly concern in regards to the head height requirement and whether there is sufficient head height clearance to allow the bins to be loaded collected by private refuse truck for the proposed apartment building. AS 2890.2-2002 requires a head height clearance of 4.5m for a MRV truck.

In the event that there is a head height issue arising, it would result in the refuse truck would not be able to enter the proposed car park area and collect the waste within the development footprint. In addition, it appears that there are no opportunities for bin collection within verge area of the internal private roadway.

**It is recommended that a detailed Waste Management Plan is requested in association with this development which consequently would demonstrate the appropriate scale and frequency of waste servicing, enabling subsequent design requirements for site manoeuvrability and conditions be included as part of the planning conditions for the site.**

## **5.0 Parking Requirement**

City Assets in the previous 2013 master planning proposal has indicated the following comments.

*"With respect to whether the "link road" between the two development sites shown in the proposal plans should become a public road and handed to Council, I am of the opinion that such a public road would serve no useful purpose to Council, from a road network operation perspective. I would therefore recommend that Council not accept this "link road" as a public road."*



The internal 'link road' as indicated by Council Traffic Consultant in the previous master plan proposal is currently denoted as the internal existing private roadway. The recommendations from Council's traffic consultant would still apply in the current proposal.

Parking rate assessment:

Apartment building (retirement village proposal)

Council's Development Plan requires a parking provision of 1 space per unit for such a development. All of the dwellings would have at least 1 parking space, therefore this requirement would be satisfied. However, other retirement village developments, would have provision of a common visitor car park for this type of dwellings. The proposal has included an additional five visitor parking spaces including 1 disabled parking. In terms visitor parking numbers, the parking rate are acceptable. I note that even though the retirement village mimics a residential flat type dwelling and that there is a provision of 1 disabled parking space, there may be additional requirements associated to Australia Building Rules having regard to age care setting. I shall leave this requirements for comments by others.

Residential dwelling

Council's Development Plan requires a parking provision of 2 spaces per dwelling at least one undercover. This requirement is satisfied.

Notwithstanding the above, it is noted that the head height clearance to the undercroft parking area will require clarification in terms of size of the service vehicles and also provision for private waste collection.

**5.0 Flood Protection to Undercroft Carpark area.**

In relation to the undercroft car park area, as the proposal indicates that this secure part of the building, it is also imperative that protection from flood inundation from the internal road is ensured.

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

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



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

Regards

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