

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, 12 JUNE 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 8 May 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 38 Garfield Avenue, KURRALTA PARK

Application No 211/1268/2017 & 211/1185/2017

#### DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Land Division - Community Title - To Create four (4) additional allotments and common property	Construction of a residential flat building comprising five (5) two-storey dwellings and rear attached verandahs
APPLICANT	Studio ED3	Studio ED3
APPLICATION NO	211/1268/2017 SCAP: 211/C167/2017	211/1185/2017
LODGEMENT DATE	29 September 2017	16 October 2017
ZONE	Residential Zone	
POLICY AREA	Medium Density Policy Area 19	
APPLICATION TYPE	Merit	
PUBLIC NOTIFICATION	Category 1	Category 2
REFERRALS	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>▪ City Operations - Horticulture</li> </ul>
DEVELOPMENT PLAN VERSION	30 May 2017	30 May 2017
MEETING DATE	12 June 2018	

#### 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 REFUSE Development Plan Consent, Land Division Consent and Development Approval for Application No. 211/1268/2017 by Studio ED3 to undertake a Land Division - Community Title to create four (4) additional lots and common property; SCAP No 211/C167/17 at 38 Garfield Avenue, Kurralta Park (CT 5720/180) for the following reasons:

1. The proposed development is contrary to the following objectives and principles of development control of the West Torrens Council Development Plan consolidated 30 May 2017:

Residential Zone, Medium Density Policy Area 19, Principle of Development Control 7

*Reason: The land division fails to achieve allotment sizes with areas greater than 270 square metres indicating an overdevelopment of the site.*

General Section - Land Division, Objective 4

*Reason: The land division is not sufficiently integrated with Brown Hill Creek (an environmental feature) located adjacent the southern boundary in that the size of the rear parcel of land causes built form to be located an insufficient distance from the banks of the creek.*

### General Section - Land Division, Principle of Development Control 8

*Reason: The land division creates allotments that are of an insufficient size to encourage development that minimises the need for additional earthworks and retaining walls that are likely to impede the natural drainage system (Brown Hill Creek) to the rear.*

## 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 REFUSE Development Plan Consent for Application No. 211/1185/2017 by Studio ED3 to undertake the construction of a residential flat building comprising five (5) two storey dwellings and rear attached verandahs at 38 Garfield Avenue, Kurralta Park (CT 5720/180) for the following reasons:

1. The proposed development is contrary to the following objectives and principles of development control of the West Torrens Council Development Plan consolidated 30 May 2017:

Residential Zone, Objective 4 and Principle of Development Control 5

*Reason: The proposed development does not contribute to the desired character of the zone in that it displays insufficient landscaping to enhance the appearance of the building, provide an appropriate transition between the private and public realm and reduce heat loads in summer.*

Residential Zone, Medium Density Policy Area 19, Objective 1 and Principle of Development Control 2

*Reason: The built form proposal does not contribute to the desired character of the policy area in that it displays insufficient landscaping to enhance the appearance of the building, provide an appropriate transition between the private and public realm and reduce heat loads in summer.*

Residential Zone, Medium Density Policy Area 19, Principle of Development Control 3

*Reason: The proposed development fails to achieve the minimum rear setback of 6 metres.*

Residential Zone, Medium Density Policy Area 19, Principle of Development Control 5

*Reason: The proposed site areas for each dwelling fails to achieve an average site area of 150m<sup>2</sup> indicating an overdevelopment of the site.*

General Section - Residential Development, Principle of Development Control 9

*Reason: A high quality living environment is not achieved with internal living areas around 10% less than the standard for a 3 bedroom dwelling which will negatively impact on the amenity for future occupants of the development.*

General Section - Hazards - Objective 1 & 2, Principles of Development Control 1 & 3

*Reason: Brown Hill Creek is an area that is considered vulnerable and subject to risk of natural hazards. The proposed development is sited an insufficient distance from the creek to adequately protect it against the natural hazard risk.*

General Section - Hazards, Principles of Development Control 2 & 4

*Reason: The proposed development has not been designed or sited with sufficient regard to Brown Hill Creek and with appropriate precautions taken against the potential for flood and erosion risk.*

General Section - Hazards, Principle of Development Control 6

*Reason: The proximity of the proposed development to Brown Hill Creek is considered to potentially impede the flow of floodwaters through the subject land or land further downstream which may increase the potential hazard risk to public safety during a flood event. Furthermore the development as currently sited may aggravate the potential for erosion.*

General Section - Natural Resources, Objectives 1, 2 & 4; Principles of Development Control 1 & 2

*Reason: The proposed development does not adequately protect and maintain the natural resource (Brown Hill Creek) and the environmental flows associated with the creek.*

General Section - Natural Resources, Objective 6(a) & (d); Principle of Development Control 3

*Reason: The proposed development is not sited or designed to protect the natural ecological system forming Brown Hill Creek and fails to adequately mitigate the risk of downstream flooding.*

General Section - Natural Resources, Principle of Development Control 17

*Reason: The proposed development will modify the banks of Brown Hill Creek so that it will no longer be retained in its natural state. The modification in this case is not required for essential access or maintenance purposes.*

General Section - Natural Resources, Principle of Development Control 23 (d)

*Reason: The development proposes significant alteration to the banks of Brown Hill Creek which is likely to increase the risk of high energy erosion of the creek banks.*

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## 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 subject site and locality is of strategic importance to Council given its location adjacent Brown Hill Creek. This creek weaves its way through the City of West Torrens (on private and Council owned land) and is an important drainage watercourse within metropolitan Adelaide with a catchment extending across the Mitcham, Burnside, Unley, Adelaide and West Torrens Council areas.

The creek has been the subject of numerous studies given the high flood risk and low level of flood protection across its catchment. The Brown Hill Keswick Creek Stormwater Management Plan, a collaborative project between the five constituent Councils and the State Government (through the Stormwater Management Authority) was approved in 2016 and provides for flood mitigation infrastructure projects totalling \$140 million (refer <https://bhkcstormwater.com.au/>) in order to reduce potential flood impacts (particularly on Adelaide Airport), minimise economic disruption, and improve stormwater quality.

Despite these future works, the creek and any development along the creek banks, remains especially prone to high energy, high erosive forces from flow along the watercourse. Council's City Assets department, who were involved in the development of the Brown Hill Keswick Creek Stormwater Management Plan and have had extensive experience dealing with development along the creek and consequent impacts on the surrounding environment, continue to express major concerns with any built form adjacent to Brown Hill Creek.

### PREVIOUS OR RELATED APPLICATION(S)

The only previous application relating to this site is that for the existing dwelling in 1952.

However, there have been numerous development applications for similar forms of residential development adjacent the creek in the last 10 years. The table below summarises these developments within the area bounded by McArthur Avenue and South Road.

Address	Development
44 Gray Street, Plympton	Land division and residential flat building comprising four (4) dwellings
14, 16 & 18 Tilden Street, Plympton	Land division and two (2) single storey dwellings with a freestanding double garage
69 & 69A Gray Street, Plympton	Land division and single storey dwelling
71 & 71A Gray Street, Plympton	Land division and two (2) single storey detached dwellings
77 Gray Street, Plympton (currently being assessed)	Land division and one (1) two storey detached dwelling, one (1) two storey group dwelling and one (1) two storey residential flat building comprising two (2) dwellings
25 & 25A McArthur Avenue, Plympton	Land division and two (2) single storey dwellings
42-44 Garfield Avenue, Kurralta Park	Land division and two (2) two storey residential flat buildings comprising three (3) and five (5) dwellings respectively. This also included construction of retaining wall and fence and cantilevered structure
37 Basnett Street, Kurralta Park	Land division and two (2) single storey detached dwellings
36 Garfield Avenue, Kurralta Park (currently being assessed)	Land division and one (1) two storey residential flat building comprising six (6) dwellings

30 Selby Street, Kurralta Park	Land division and one (1) single storey detached dwelling
25 & 25A Basnett Street, Kurralta Park	Land division and one (1) single storey detached dwelling
30A & 30B Garfield Avenue, Kurralta Park	Re-instate fire-damaged dwellings
17 & 17B Basnett Street, Kurralta Park	Land division and two (2) single storey detached dwellings
2, 2A, 2B, 2C & 2D Garfield Avenue, Kurralta Park	Land division and one (1) detached dwelling and three (3) group dwellings

## SITE AND LOCALITY

The subject land is commonly known as 38 Garfield Avenue, Kurralta Park. It is more formally described in Certificate of Title Volume 5720 Folio 180 comprising allotment 6 in Filed Plan 7199. There are no easements attached to the title. The subject land has a frontage to Garfield Avenue of 16.0 metres, a depth of 54.8 metres and a total area of 876m<sup>2</sup>. The site is located on the southern side of Garfield Avenue with a north south orientation.

The site currently contains a single storey detached dwelling with associated outbuildings. The land is relatively flat with a fall from front to rear of the land of just over 1 metre as it nears the banks of Brown Hill Creek. The site is located around halfway along that section of the creek between Daly Street and Anzac Highway. The creek in this section has the potential to flood to a water level 1.5 metres to 2.5 metres above the top of bank.



*Photo 1: View of 38 Garfield Avenue, Kurralta Park from street*

Pedestrian access to the rear of the site is limited given there is no linear path along this section of Brown Hill Creek. There is a section of concrete-stepped retaining walls near the Warwick Avenue footbridge to the west of the subject site, although the section immediately adjacent the site consists of soil, rock, trees and shrubs. There is evidence of erosion along the creek bank within the locality.

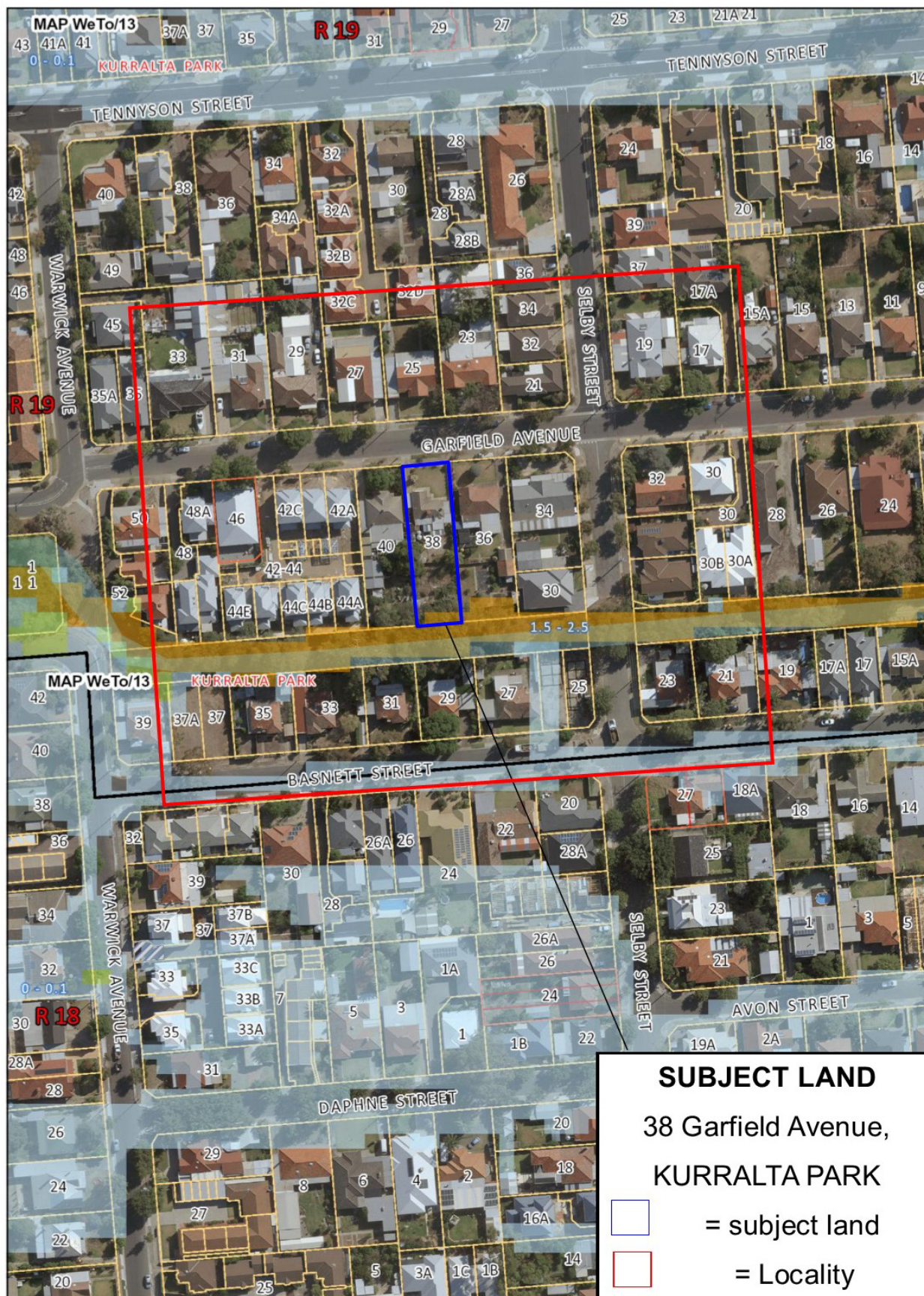
There are a number of trees adjacent the subject land to the rear that are exempt species and do not qualify as regulated trees. A *melaleuca armillaris* (bracelet honey myrtle) tree at 40 Garfield Avenue has a canopy that extends into the subject site. While this tree has a trunk circumference that would qualify it as a regulated tree, it is within 10 metres of a dwelling therefore not controlled by development regulations and may be removed without approval. The tree's condition is senescent, i.e. in decline.

The locality comprises a mix of residential development with a predominance of older detached dwellings built between 1920 and 1940, and newer development constructed in the last 20 years, including a group of two storey residential flat buildings at 42-44 Garfield Avenue. The amenity of the locality is considered to be moderate given the condition and age of dwellings.

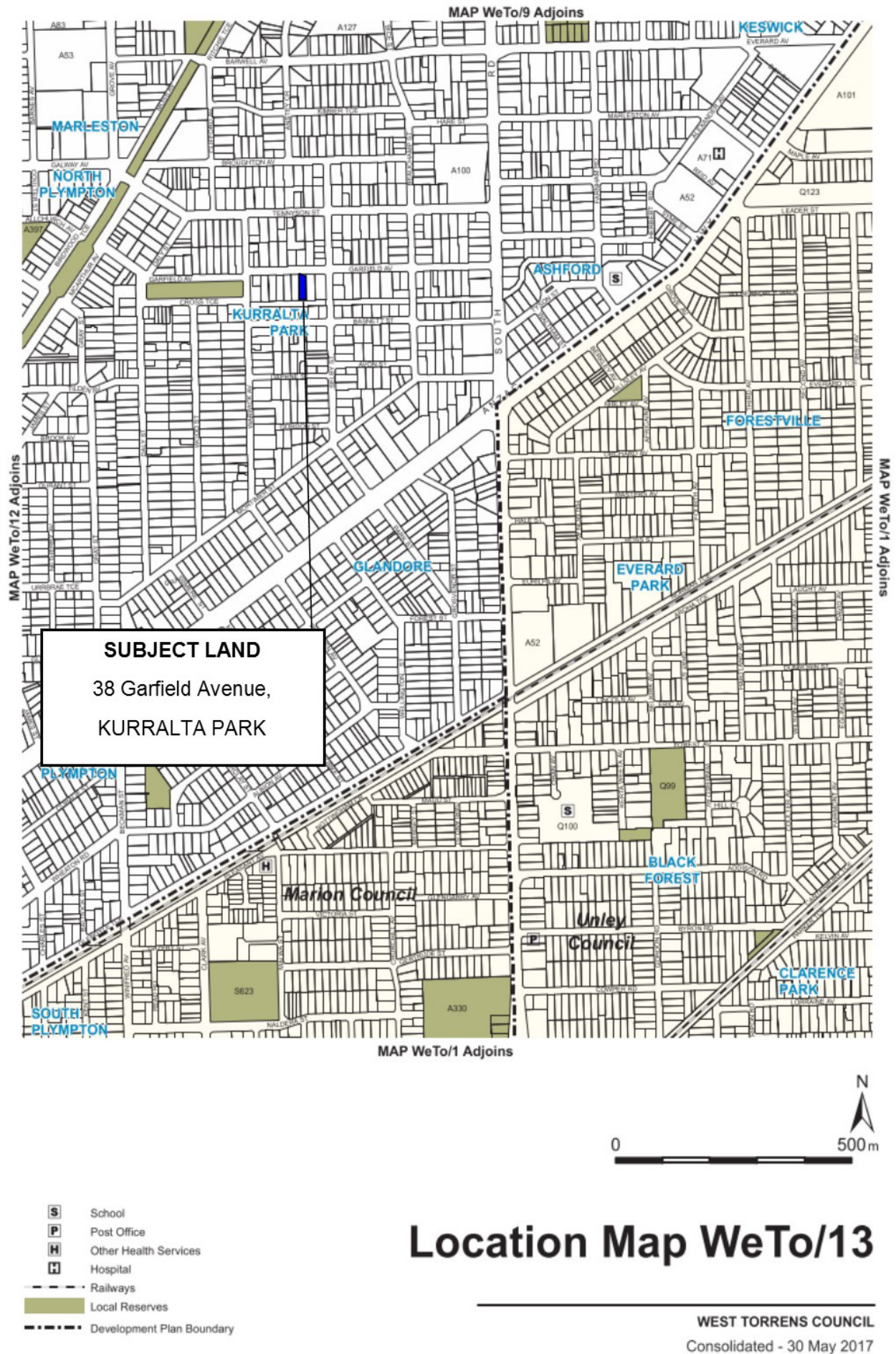
The subject land is within 400 metres of a centre zone (containing the Tennyson Medical Centre) and is 370 metres west of South Road, a major north-south transport corridor for Adelaide that is well serviced by public transport.

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









## PROPOSAL

### Land Division

The applicant proposes the division of the existing allotment to create four additional allotments along with common property in the form of driveway access. The proposed allotments are:

Allotment	Allotment Area	Allotment Frontage (to Garfield Avenue)
1	105m <sup>2</sup>	NA
2	109m <sup>2</sup>	NA
3	109m <sup>2</sup>	NA
4	109m <sup>2</sup>	NA
5	160m <sup>2</sup>	NA
Common property	284m <sup>2</sup>	16 metres

### Dwellings

The residential component of the proposal consists of a two storey residential flat building comprising five (5) dwellings. Each of these dwellings has a similar footprint containing a double garage (accessed via a common driveway), open kitchen and dining area with laundry, toilet and outdoor verandah area on the ground floor and three (3) bedrooms, ensuite and walk in robe, study and bathroom on the upper level.

The design of the two storey residential flat building could be described as modern (i.e. cube appearance) with a flat roof and square-shaped walls and windows. A mix of materials is proposed and includes austral metallix bronze face bricks, render, aluminium windows, 'matrix' cladding and 'decowood' colorbond garage roller doors.

A copy of the plans and supporting documents is contained in **Attachment 1**.

## PUBLIC NOTIFICATION

The dwelling application is a Category 2 form of development pursuant to Section 38 and Schedule 9 of the Development Act and Regulations.

<b>Properties notified:</b>	19 properties were notified during the public notification process
<b>Representations:</b>	Nil representations were received
<b>Persons wishing to be heard:</b>	N/A
<b>Summary of Representations:</b>	N/A

## REFERRALS

### External

#### SA Water

SA Water has raised no concerns with the proposed division.

#### State Commission Assessment Panel (SCAP)

SCAP has raised no concerns with the proposed division.

## Internal

### City Assets

Concerns were raised regarding the following matters:

- Watercourse impacts
  - development in close proximity to the banks of Brownhill Creek;
  - retaining wall design;
  - risk of high energy, explosive erosion of the river bank (where large portions of river bank are washed away in a single storm event or on other random occasions).

City Assets expressed concerns about the proximity of the proposed development to Brown Hill Creek and continue to advocate for a minimum 10 metre setback from the centreline of the watercourse. While such an offset is not a Development Plan requirement, City Assets are of the view that it is necessary to mitigate the risk of high energy, explosive erosion compromising the stability and safety of development adjacent the watercourse.

The original plans had located the proposed development closer to the creek banks with a large retaining wall and fence at the rear boundary of the site. City Assets argued that this could create blockage and reduce the capacity of the creek flow in a peak flow stormwater event. Amended plans were submitted which removed the retaining wall and fence and provided for a series of 200mm high (stepped) plinths down toward the creek. The amended plans also proposed the construction of a continuous pier along the footing for dwelling 5 which the applicant's engineer claims will adequately mitigate the risk to the dwelling from erosion. City Assets consider this amendment to have improved the situation, but remain concerned that the erosion risk has not been adequately addressed.

- Vehicle manoeuvrability
  - limited on-site vehicular movement and non-compliance with relevant Australian Standard;
  - location of site services (letterboxes and meters) and impact on driveway function.

The applicant sought the advice of MFY Traffic Engineers and provided amended plans complying with the relevant Australian Standard that satisfactorily address City Assets' concerns.

- Stormwater management
  - stormwater connection offset from existing stobie pole;
  - stormwater detention/management calculations.

The applicant provided a revised Siteworks and Drainage Plan resolving concerns about the adequacy of the stormwater connection offset from the stobie pole. The applicant has also accepted an alternative stormwater management arrangement proposed by City Assets requiring a greater level of on-site detention.

- Waste management

Concerns were initially raised about the location and capacity of the communal bin storage area and whether the proposal could be accommodated by Council's normal bin collection service. The applicant subsequently confirmed the location of the bin storage area at the front of the site and accepted a reduced shared bin collection service by Council. City Assets remain concerned that the additional landscaping proposed to shield the bin storage area may impact on the function and capacity of that storage area.

### City Operations - Horticultural Services

Advice was sought from Council's Technical Officer - Arboriculturalist regarding trees on both the subject site and adjoining site. The *melaleuca armillaris* located at 40 Garfield Avenue has a trunk circumference that would qualify it to be a regulated tree but is located within 10 metres of a dwelling and therefore may be removed without approval. It is likely that the proposed development will be detrimental to the tree given the canopy overhang and the extension of the root zone into the subject site. As noted, this tree is in decline. It is anticipated that the applicant will discuss the future of the tree with the owner of the property at 40 Garfield Avenue.

A copy of the relevant external and internal referral reports is contained in **Attachment 2**.

The applicant's response consisting of legal and engineering advice is contained in **Attachment 3**.

### ASSESSMENT

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

<u>General Section</u>		
Crime Prevention	Objectives	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, 4, 5, 9, 10, 11, 12, 13, 14, 15, 21, 22
Energy Efficiency	Objectives	1
	Principles of Development Control	1, 2
Hazards	Objectives	1, 2
	Principles of Development Control	1, 2, 3, 4, 5, 6, 7
Infrastructure	Objectives	1, 2, 3
	Principles of Development Control	1, 2, 3, 4, 5, 6, 8, 9
Land Division	Objectives	1, 2, 3, 4
	Principles of Development Control	1, 2, 4, 5, 6, 8, 11, 12
Landscaping, Fences and Walls	Objectives	1, 2
	Principles of Development Control	1, 2, 4, 6, 10, 12
Natural Resources	Objectives	1, 4, 5, 6, 7, 10, 12
	Principles of Development Control	1, 2, 3, 4, 10, 17, 23
Regulated Trees	Objectives	1, 2
	Principles of Development Control	1, 2, 3
Residential Development	Objectives	1, 2, 3, 4, 5
	Principles of Development Control	1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27, 28, 29, 30, 31
Sloping Land	Objectives	1
	Principles of Development Control	1, 2, 4, 5
Transportation and Access	Objectives	1, 2
	Principles of Development Control	1, 8, 10, 11, 18, 23, 24, 34, 35, 36, 43, 44
Waste	Objectives	1
	Principles of Development Control	1, 2

<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 <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>	
<b>Objectives</b>	1, 2, 3, 4
<b>Principles of Development Control</b>	1, 5, 6, 7, 8, 9 10, 11, 12, 13, 14

<b>Policy Area: Medium Density Policy Area 19</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 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>Objectives</b>	1
<b>Principles of Development Control</b>	1, 2, 3, 5, 7

**QUANTITATIVE ASSESSMENT**

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>
<b>LAND DIVISION</b>		
ALLOTMENT AREA <i>Medium Density Policy Area 19</i> <i>PDC 7</i>	270m <sup>2</sup> (minimum)	175.4m <sup>2</sup> (average) <b>Does Not Satisfy by 35%</b>
ALLOTMENT FRONTAGE <i>Medium Density Policy Area 19</i> <i>PDC 7</i>	9 metres (minimum)	16 metres <b>Satisfies</b>
MINIMUM DRIVEWAY HANDLE WIDTH <i>Land Division</i> <i>PDC 7 (b) (i)</i>	4 metres (minimum)	5.4 metres <b>Satisfies</b>
MINIMUM ACCESS AREA <i>Land Division</i> <i>PDC 7 (b) (i)</i>	5.5 metres for first 5 metres	5.8 metres for first 5 metres <b>Satisfies</b>

<b>DWELLINGS</b>		
SITE AREA <i>Medium Density Policy Area 19</i> <i>PDC 5</i>	150m <sup>2</sup> (average per dwelling for residential flat building)	Dwelling 1 = 105m <sup>2</sup> Dwelling 2 = 109m <sup>2</sup> Dwelling 3 = 109m <sup>2</sup> Dwelling 4 = 109m <sup>2</sup> Dwelling 5 = 160m <sup>2</sup>  Average - 118.4m <sup>2</sup> <b>Does not Satisfy by 21%</b>
SITE FRONTAGE <i>Medium Density Policy Area 19</i> <i>PDC 5</i>	15 metres (minimum for complete building)	16 metres <b>Satisfies</b>
SITE COVERAGE <i>Medium Density Policy Area 19</i> <i>PDC 3</i>	60% (maximum)	46% <b>Satisfies</b>

BUILDING HEIGHT <i>Medium Density Policy Area 19</i> <i>PDC 3</i>	Two storeys or 8.5m (maximum)	6.7 metres  <b>Satisfies</b>
STREET SETBACK <i>Medium Density Policy Area 19</i> <i>PDC 3</i>	3 metres (minimum)	2.5 metres  <b>Does not Satisfy by 16.7%</b>
SIDE SETBACK (complete building) <i>Residential Zone</i> <i>PDC 11</i>	1 metre (minimum where the vertical side wall is 3 metres or less)  2 metres (minimum where the vertical side wall measures between 3 metres and 6 metres)	<u>Western side</u> 5.4 metres  <u>Eastern side</u> 3 metres  <b>Satisfies</b>  <u>Western side</u> 5 metres  <u>Eastern side</u> 3 metres  <b>Satisfies</b>
SIDE SETBACKS (dwellings) <i>Residential Zone</i> <i>PDC 11</i>	1 metre (minimum where the vertical side wall is 3 metres or less)  2 metres (minimum where the vertical side wall measures between 3 metres and 6 metres)	<u>Dwelling 1</u> 3 metres (north) 0 metres (south)  <u>Dwellings 2-4</u> 0 metres (north) 0 metres (south)  <u>Dwelling 5</u> 0 metres (north) 3 metres (south)  <b>Does not Satisfy</b>  <u>Dwelling 1</u> 3.2 metres (north) 0 metres (south)  <u>Dwellings 2-4</u> 0 metres (north) 0 metres (south)  <u>Dwelling 5</u> 0 metres (north) 3 metres (south)  <b>Does not Satisfy</b>



REAR SETBACK (complete building) <i>Medium Density Policy Area 19</i> PDC 3	6 metres (minimum)	3.8 metres  <b>Does not Satisfy by 36.7%</b>
REAR SETBACKS (dwellings) <i>Medium Density Policy Area 19</i> PDC 3	6 metres (minimum)	Dwelling 1 - 3 metres Dwelling 2 - 3 metres Dwelling 3 - 3 metres Dwelling 4 - 3 metres Dwelling 5 - 3 metres  <b>Does not Satisfy by 50%</b>
PRIVATE OPEN SPACE <i>Residential Development</i> PDC 19	Minimum 24m <sup>2</sup> (with a minimum dimension of 3m for allotments up to 300m <sup>2</sup> )	Dwelling 1 - 27m <sup>2</sup> Dwelling 2 - 24m <sup>2</sup> Dwelling 3 - 24m <sup>2</sup> Dwelling 4 - 24m <sup>2</sup> Dwelling 5 - 62m <sup>2</sup>  Minimum dimension of 3 metres is achieved for each  <b>Satisfies</b>
LANDSCAPING <i>Landscaping, Fences &amp; Walls</i> PDC 4	Minimum 10% of the site	12.9%  <b>Satisfies</b>
CAR PARKING SPACES <i>Transportation and Access</i> PDC 34	2 car parking spaces per dwelling, one of which is covered + an additional 0.25 car parking spaces per dwelling.  Requirement - 11 car parking spaces	Dwelling 1 - 2 undercover Dwelling 2 - 2 undercover Dwelling 3 - 2 undercover Dwelling 4 - 2 undercover Dwelling 5 - 2 undercover  + 1 visitor space  <b>Satisfies</b>
SITE FACILITIES AND STORAGE <i>Residential Development</i> PDC 31	8m <sup>3</sup> (minimum)	Dwelling 1 - 8.1m <sup>3</sup> Dwelling 2 - 8.1m <sup>3</sup> Dwelling 3 - 8.1m <sup>3</sup> Dwelling 4 - 8.1m <sup>3</sup> Dwelling 5 - 8.1m <sup>3</sup>  <b>Satisfies</b>



INTERNAL FLOOR AREAS <i>Residential Development</i> PDC 9	3+ bedroom dwelling 100m <sup>2</sup> (minimum)	Dwelling 1 - 89.2m <sup>2</sup> Dwellings 2-4 - 91.3m <sup>2</sup> Dwelling 5 - 90.9m <sup>2</sup>  <b>Does not Satisfy</b>
OVERSHADOWING <i>Residential Development</i> PDCs 10, 11, 12 & 13	Winter sunlight available to adjacent dwellings.  Minimum 2 hours of sunlight between 9.00am and 3.00pm on 21 June to ground-level open space of existing buildings	Main impacted dwelling is 40 Garfield Avenue which will be overshadowed in the morning on 21 June but remains shadow free from 12pm onwards.  <b>Satisfies</b>

## QUALITATIVE ASSESSMENT

In assessing the merits or otherwise of the application, the proposed development has been assessed against the relevant Development Plan provisions, as discussed under the following sub headings:

### Desired character

The desired character statement for the policy area seeks medium density residential development accommodating a range of dwelling types (including residential flat buildings) on generally smaller allotments. Such development should incorporate sufficient landscaping to enhance the streetscape appearance of buildings, improve the transitional spaces between the public and private realms, and mitigate heat loads.

The proposal for a two storey residential flat building is consistent with the desired character. While the proposed dwelling site areas are smaller than envisaged in the policy area, they are nonetheless considered to be of medium density. As the site is located within 400 metres of a centre zone and a primary arterial road, it is highly accessible to a variety of facilities (including high frequency public transport services) where smaller site areas are considered reasonable.

Proposed landscaping to the north (front) and eastern sides of the residential flat building and along the western side of the driveway meets the general intent of the desired character statement but it is doubtful whether there is sufficient landscaping to offset the extent of hard surfaces proposed as part of the development (refer below).

### Land division

The land division application is to create four (4) additional allotments to accommodate the five (5) proposed dwellings and common property. The development is considered to be orderly and would utilise existing infrastructure therefore meets Objective 1 of General Section - Land Division.

The common property in this division constitutes 38.5% of the total site area and includes the front visitor space, the driveway, turning area for dwelling 5, hard and soft landscaping and common areas. This results in individual allotment sizes for residential development ranging from around 105m<sup>2</sup> to 160m<sup>2</sup>. As noted, these site areas do not meet the relevant site area requirements stipulated in PDC 7 of Medium Density Policy Area 19.

The site to accommodate dwelling 5 falls short in terms of providing an adequate area for the proposed built form to appropriately integrate with Brown Hill Creek as a key natural resource. It therefore fails to meet Objective 4 of the Natural Resources module of the Development Plan in terms of a land division being integrated with environmental features.

Given these concerns, as well as those associated with the proposed residential development (see below), the land division is not supported.

### **Site area**

The proposal fails to meet either the land division or residential site area requirements of the Development Plan outlined in the quantitative table above. Dwelling 5 is the only dwelling that achieves the site area requirement and this is only due to the inclusion of area adjacent the creek. By way of contrast, dwellings 1 to 4 fall significantly short of the requirement.

In assessing the merit of the proposed site areas, it is worth noting the existing allotment pattern in the locality as well as the other quantitative criteria applicable to the development.

The prevailing allotment pattern in the locality is varied and includes some original allotments of around 850m<sup>2</sup>. During the last 10 years, there have been a number of developments adjacent Brown Hill Creek where the original allotments have been divided into areas of around 160m<sup>2</sup>. In this instance, however, an average site area below 120m<sup>2</sup> is proposed which constitutes a significant shortfall of around 20% from the relevant Development Plan provision.

When this is considered alongside the private open space, site frontage and site coverage provisions, the site area shortfall is not considered to be fatal to the application. However, when considered alongside the front, side and rear setback shortfalls, tight and poor quality internal living areas, as well as the lack of quality landscaping, the site area shortfall contributes to the creation of an unsatisfactory living environment which fails to provide the necessary level of amenity to future occupants. Accordingly, the shortfall in site areas is not supported.

### **Front setback**

The proposed residential flat building is setback 2.5 metres from the street which is 0.5 metres less than stipulated in PDC 3 of the Medium Density Policy Area 19. As this shortfall is due to a feature entrance around the front door, and the main face of dwelling 1 is setback 3.2 metres from the street, it is considered to address the intent of the PDC. The portion of the proposed building that is forward of the 3 metre requirement provides visual interest and is not considered to be bulky or restrict the potential for casual surveillance of the street. As a result, the front setback of the building is considered to be satisfactory.

### **Side setbacks**

When considering the proposed residential flat building as a whole, the proposal meets the required side setbacks for both ground floor and upper floor levels. When considering each of the dwellings, however, the proposal fails to meet the minimum setbacks specified in PDC 11 of the Residential Zone. Given that the proposed residential flat building is envisaged in the policy area the zero setback between dwellings is considered to be satisfactory.

### **Rear setback**

PDC 3 of Medium Density Policy Area 19 requires a minimum rear setback of 6 metres. Each of the proposed dwellings has a rear setback (to the eastern boundary) of 3 metres which falls significantly short of this provision. However, this setback includes the proposed private open space area for each of the dwellings, which meets the area/dimension requirements set out in PDC 19 of the Residential Zone.

The proposed rear setback for the entire building is 3.8 metres from the rear boundary of the site adjacent Brown Hill Creek. This is also significantly short of the zone requirement, which is of particular concern in this case given City Assets' advice about the need for development to have a 10 metre offset from the centreline of the creek. The applicant has sought to mitigate the risk of the reduced setback from the creek by proposing a set of small stepped (200mm high) retaining walls between the rear of the building and the site boundary adjacent Brown Hill Creek. However, this measure has not resolved City Assets' concerns.

While it is acknowledged that a variety of dwelling setbacks adjacent the creek exist in the locality, the proposed building provides for a rear setback that is over 36% below the zone requirement on a site that is prone to significant erosion and flooding risk. For this reason, the rear setback for the complete building is considered to be unsatisfactory and is not supported.

### **Internal living areas**

PDC 9 of the Residential Development module seeks a minimum internal floor area of 100m<sup>2</sup> for dwellings with 3 bedrooms or more. Each of the proposed dwellings provide 3 bedrooms (1 with ensuite), an open study and bathroom on the upper level and, on the ground floor, a double garage, living area (that leads to an outdoor courtyard), kitchen, toilet and laundry. Altogether, the internal floor areas in each dwelling range from 89.2m<sup>2</sup> to 91.3m<sup>2</sup> which fails to meet the minimum requirement sought by PDC 9.

This shortfall in functional floor area is likely to negatively impact on the amenity of future residents in the living environment associated with the proposed development. When considered alongside the shortfall in site areas and rear setback for the complete building (noted above) and the landscaping proposed to mitigate the significant increase in hard paved surfaces (see below), the proposed development fails to adequately provide a good quality living environment for future occupants and is considered to be an over-development of the site.

### **Overshadowing**

The applicant has provided overshadowing diagrams that shows the overshadowing impact is greatest at 9am over the property at 40 Garfield Avenue. At 12pm, most of the overshadowing is towards the creek to the south and within the proposed court yards of the development. At 3pm, the overshadowing impact occurs primarily over the proposed private open space areas of the development and towards 36 Garfield Avenue. Given the shifting nature of the overshadowing impact, the private open space areas of the neighbouring properties and proposed dwellings will receive at least 2 hours of sunlight between 9.00am and 3.00pm on the 21 June as sought by the relevant Development Plan provisions.

### **Landscaping**

Although the proposed development meets the quantitative requirement for at least 10% of the site to be landscaped, the capacity of this landscaping to adequately address the qualitative requirements is debatable. Landscaping is proposed along the driveway, to the front of the development and within the private open space areas of each dwelling. This includes mature tree plantings, shrubs and ground covers that will add to the aesthetic appeal of the proposed development.

However, it is considered that this landscaping does not effectively minimise or mitigate the impacts associated with the extent of hard paved surfaces proposed as sought by PDC 1(a), (f), (g) and (h) of the Landscaping, Fences and Walls module of the Development Plan.

### Flood and erosion hazard

As discussed, the location of the subject site adjacent Brown Hill Creek (see photo below) is of significance given the intensity of the proposed development and the concerns expressed by City Assets about its proximity to the creek banks. This is clearly a critical consideration in the assessment of the proposal and the need to ensure that the impacts of the development will not detrimentally affect flows along the watercourse, the stability of the creek banks and, as a consequence, the stability, integrity and safety of the built form.



*Photo 2: Brown Hill Creek at the rear of the subject site*

Brown Hill Creek or development adjacent creeks or watercourses is not referenced in the Residential Zone or Medium Density 19 Policy Area. Further Brown Hill Creek is not specifically referenced in the general section of the Development Plan. In considering development adjacent Brown Hill Creek, therefore, the following general provisions have been consulted:

General Section - Hazards	
Objectives	1 & 2
PDCs	1, 2, 3, 4, 5(a)(b), 6(a)-(f) & 7(a)-(c)
General Section - Natural Resources	
Objectives	1, 2, 4, 6(a)(d), 10 & 12
PDCs	1, 2, 3, 4, 10, 17, 23(d)

## Hazards

Discussions with City Assets staff confirm that Brown Hill Creek is subject to frequent high level water events and is particularly susceptible to flood and erosion risk. Both Objective 1 and PDC 1 of the Hazards module seek to exclude development from areas vulnerable to natural hazards, such as floods and erosion, particularly where such areas cannot be adequately protected from these risks.

The proposed development is located on land that is not only subject to flood and erosion risk, but it is also considered that the development is unable to adequately and effectively protect against such risk. It is generally acknowledged (and asserted by City Assets staff) that the various measures to be implemented as part of the Brown Hill Keswick Creek Stormwater Management Plan will go some way to mitigating the flood risk associated with the creek system. However, the high energy erosion risk that threatens the integrity and stability of the creek banks is an ongoing risk that cannot be effectively mitigated against, especially in a watercourse that accommodates items that can obstruct the flow of water through it (such as trees and debris).



Image from West Maps

The above image shows that a small portion of the south eastern corner of 38 Garfield Avenue is located within the 1.5 - 2.5m flood depth affected area. Being setback 3.8 metres from the rear boundary, the proposed residential flat building is sited outside of this flood affected area. The proposed dwellings all have finished floor levels that are considered to offer protection against such flooding.

PDC 2 of the Hazards module specifies that development located on land subject to hazard risk should not occur unless it is sited and designed with appropriate precautions to guard against the relevant hazards. In responding to the concerns of City Assets, the applicant has sought further engineering advice and proposed a construction approach that provides for:

- A continuous pier along the footing for proposed dwelling 5 to a nominal depth where the existing creek batter is stable; and
- A series of stepped 200mm high retaining walls downward toward the creek to increase the stability of the bank at this location.

The applicant's engineers claim that employment of these measures satisfactorily addresses both the flood and erosion risk associated with the proposed development. To verify this claim, the applicant has engaged a second engineer (from New South Wales) to review the proposed engineering solution who has confirmed that it is sound and based on accepted engineering practice.



City Assets staff maintain that a 10 metre offset of the proposed development from the centreline of the creek is required to mitigate these risks in the manner stipulated in PDC 2 of the Hazards module. And while there is no reference to such an offset in the Development Plan, it is considered that such an offset provides for a more secure and precautionary approach to achieving the intent of PDC 2. It is also worth noting that Council's City Assets staff have over 20 years of experience in dealing with the site specific characteristics presented by Brown Hill Creek in this locality.

### Natural Resources

Objectives 1 and 2 of the Natural Resources module require that consideration is given to protect natural resources such as Brown Hill Creek and to maintain the quality and quantity (or flow) of surface water. PDC 17 similarly seeks to ensure that watercourses and their banks are retained in their natural state and not damaged or modified by development.

The proposed development is setback approximately 8 metres from the centreline of the creek which is 2 metres less than the offset distance recommended by City Assets to ensure that water flow is not disrupted and the creek environment, particularly the creek banks, is preserved. While it is accepted that the proposed offset distance of 8 metres may not cause damage or disturbance to the flow of water along the creek, there remains some doubt as to whether the proposed offset is sufficient to prevent the high energy erosion that has characterised other development along Brown Hill Creek in the locality (refer photo below).



*Photo 3: An example of explosive erosion, Brown Hill Creek*

The risk of such explosive erosion compromising the stability of the creek bank is considered to be a serious one and requires a precautionary approach to development. Given the proximity of the proposed development to Brown Hill Creek and the flood and erosion risk associated with a reduced setback to that suggested by City Assets, the proposal in its current form does not warrant support.

## **SUMMARY**

The proposed development adjacent Brown Hill Creek presents a number of concerns associated with the integrity of the creek as well as shortfalls in dwelling site areas, setbacks (particularly the rear setback) and internal living areas. The quality of the proposed landscaping and its capacity to adequately mitigate the extent of hard paved surfaces is also of some concern.

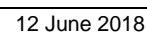
Although the proposal meets the desired character of the relevant policy area in terms of a residential flat building that is medium density, the risks associated with the development given its close proximity to the creek, together with the shortfalls in key quantitative criteria, indicate an overdevelopment of the site that cannot be supported. The applicant's efforts to address the interface with Brown Hill Creek to mitigate the flood and erosion risks without reducing the intensity of the proposed development is considered to be fatal to the application.

While the proposal is not considered to be seriously at variance with the Development Plan, it does not display sufficient merit to be supported.

On balance the proposed development does not sufficiently accord with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 30 May 2017 and does not warrant Development Plan Consent or Land Division Consent.

## **Attachments**

- 1. Survey Plan, URPS' Planning Report, MFY Advice, Proposal Plans**
- 2. External and Internal Referrals**
- 3. Applicant's Advice from Botten Levinson, MLEI and SAFE Oz Consulting Engineers**





Ref: 2017-0308

7 February 2018

Ms Sonia Gallarello  
City of West Torrens  
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HILTON SA 5033



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Dear Sonia

**38 Garfield Avenue, Kurralta Park – residential flat building comprising 5 two storey dwellings each with double garage under main roof and rear attached veranda – Application Number 211/1185/2017**

URPS has been engaged by the applicant in the matter described above to provide planning advice and respond to your additional information request dated 9 January 2018.

In doing so, we have prepared the following amended plans which are attached to this letter:

- Amended Plans prepared by Studio e[D]<sup>3</sup>
  - > Proposed Site Plan - Drawing Number 1732-PD.01- Issue B – Dated 5.2.18.
  - > Proposed Floor Plans, Dwellings 1, 2 & 3 - Drawing Number 1732-PD.02- Issue B – Dated 5.2.18.
  - > Proposed Floor Plans, Dwellings 4 & 5 - Drawing Number 1732-PD.03- Issue B – Dated 5.2.18.
  - > Proposed Elevations 1 - Drawing Number 1732-PD.04- Issue B – Dated 5.2.18.
  - > Proposed Elevations 2 - Drawing Number 1732-PD.05- Issue B – Dated 5.2.18.
  - > Proposed Landscaping Plan - Drawing Number 1732-PD.06- Issue B – Dated 5.2.18.
  - > Proposed Vehicular Movement - Drawing Number 1732-PD.07- Issue B – Dated 5.2.18.
  - > Site Sun Study – 9am - Drawing Number 1732-PD.08- Issue B – Dated 5.2.18.
  - > Site Sun Study – 12pm - Drawing Number 1732-PD.09- Issue B – Dated 5.2.18.
  - > Site Sun Study – 3pm - Drawing Number 1732-PD.010- Issue B – Dated 5.2.18.
- Amended Engineering Plans prepared by SCA Engineers
  - > Survey layout Plan – Drawing Number 170806–C1 – Dated September 17.
  - > Civil layout Plan – Drawing Number 170806–C3/A – Dated January 18.
  - > Combination Detention/Retention Water Tank Detail – Drawing Number 170806–C4/A – Dated January 18.
  - > Section Boundary Cut View – Drawing Number 170806–C5/A – Dated January 18.

Where possible, I will attempt to address each matter raised in corresponding order.



## 1. Regulated Trees

After provision of a survey layout plan you arranged Council's 'Technical Officer – Arboriculture' to review two trees, one situated on council land adjacent the Brown Hill Creek and the other situated on the neighbouring property at 40 Garfield Avenue.

Council's Technical Officer provided the following information:

*"City Operations has inspected the site at 38 Garfield Ave Kurrulta Park and provide the following details,*

*In relation to the tree at the rear of 38 Garfield Ave within the Brown Hill Creek Canal, please be advised that the tree is an exempt species and does not satisfy the criteria as a 'regulated tree'.*

*The Melaleuca Armillaris within the neighbouring property 40 Garfield Ave Kurrulta Park, has a trunk circumference greater than 2.0m when measure 1.0m above natural ground level, however its current condition is best described as senescence, which is the process of deterioration with age. Should development occur within the neighbouring property 38 Garfield Ave, within the TPZ no matter how slight it will affect the 'regulated tree'. Both yards have remained undisturbed for many years and any root disturbance at this point in time will cause irreversible consequences".*

You then advised that no further information is required in relation to either tree. This was because one of the trees is exempt and the other is in a state of deterioration with a low-life expectancy.

I note the neighbouring tree at 40 Garfield Avenue:

- Is in a state of deterioration (senescence).
- Does not significantly contribute to the character or visual amenity of the locality.
- Is only adjacent the proposed driveway, not immediately adjacent the proposed dwellings.
- Does not specifically require removal as a result of the proposed development.
- Is within 10 metres of the dwelling on 40 Garfield Avenue.
- Already overhangs an outbuilding on 38 Garfield Avenue.

We understand that you have no objection to the development in terms of potential impacts upon trees within the locality.

## 2. Shadow Diagrams

Shadow diagrams have been prepared by Studio e[D]<sup>3</sup> and are attached. The diagrams depict the extent of shadowing at 9:00am, 12:00pm and 3:00pm on 21 June (winter solstice)

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

- 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 shadow diagrams demonstrate that adequate direct sunlight will remain available to all neighbouring properties.

In addition:

- The proposal is to be 2 storeys with an approximate building height of 6.4 metres. This is 2.1 metres lower than the maximum building height guideline expressed in the policy area.
- The proposal will be setback 3 metres from the eastern boundary and 5.1 metres from the western boundary. These setbacks satisfy minimum setback guidelines.

The proposal satisfies the Development Plan guidelines with regard to overshadowing.

### 3. Overlooking

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 side and rear-facing windows will either have a sill height not less than 1.7 metres or comprise obscured glazing to a height of 1.7 metres above internal finished floor level.

The proposal satisfies the Development Plan with regard to privacy and overlooking.

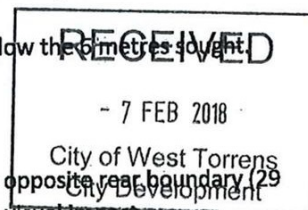
### 4. Rear Setback

Principle 3 within PA19 guides that dwellings should be setback 6 metres from rear boundaries. I consider the likely intent of this guidelines is to minimise visual impact and overshadowing upon adjacent residents and ensure suitable private open space dimensions for occupants.

The rear boundary setback is to be approximately 3.29 metres, clearly below the 6 metres sought. However, in this circumstance:

- The rear boundary abuts Brown Hill Creek.
- The proposed building is setback approximately 15 metres from the opposite rear boundary (29 Basnett Street, Kurralt Park) and will consequently have a very low visual impact.
- The height of the proposed residential flat building satisfies the Development Plan being some 2.1 metres lower than minimum guidelines.
- The building is comparatively small compared to the site width (i.e. less than 50%). Other design features further reduce bulky appearance such as the pitched roof to the eastern elevation.
- Each dwelling satisfies minimum private open space guidelines.

With consideration to the likely intent of the rear setback guideline and the specific site circumstances, the proposed rear setback is considered appropriate.



### 5. Offset from adjacent Creek and Retaining Wall

You have advised:

*"The City Assets Department advises that all structures associated with new development should be located a minimum 10.0m offset from the centreline of an adjacent physical creek or watercourse".*

As per our telephone discussion and my email to you on 22 January 2018, you advised that the setback from the centreline of the creek is intended to preserve the integrity of Brown Hill Creek, particularly with regard to erosion and land stability. You further advised that a lesser setback from the centreline can be considered if matters of erosion and land stability are suitably managed.

The amended 'Civil layout Plan' and the 'Section Boundary Cut View' show that the rear section of the land will be filled and retained with a suitably engineered retaining wall.

The proposed retaining wall will prevent erosion and ensure land stability. The applicant is happy for a reserved matter to be imposed should the council require further engineering detail to justify the structural capacity of the retaining wall.

The height of the retaining wall will vary as the natural slope of the land declines, however will have a total height of 1.5 metres to suit the remaining level of the subject land.

The Development Plan and Schedule 9 of the Development Regulations do not specify the retaining wall to be Category 1 or 2 for public notification purposes and therefore, the retaining wall defaults to Category 3.

However, in accordance with Schedule 9, 2 (g) of the Development Regulations 2008, the retaining wall will not unreasonably impact on the owners or occupiers of land in the locality and can be determined as minor for public notification purposes. This is reasonable because:

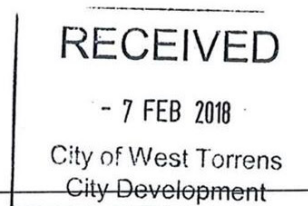
- The 1.5 metre height of the retaining wall primarily abuts Brown Hill Creek rather than adjacent residential properties.
- The retaining wall will not impose an unreasonable visual impact because it is setback some 15 metres from the nearest dwelling site to the south.
- The retaining wall is ancillary to a development that received no objection during its public notification period.

The proposed retaining wall justifies the setback of the building from the centreline of the creek as it:

- Reinforces the stability of the existing embankment.
- Prevents erosion into Brown Hill Creek.
- Protects development and its surrounds from erosion caused by water runoff.

### 6. Vehicle Manoeuvring

Studio e[D]<sup>3</sup> have now prepared Drawing Number 1732-PD.07 Issue B dated 5.2.18. This plan shows Proposed Vehicle Movements.



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The proposal includes 11 on-site car parking spaces which satisfies the Development Plan. The proposal will also retain 9.9 metres of upright kerb to Garfield Avenue which is capable of accommodating 1 on-street car parking space.

Proposed vehicle movements throughout the site have been designed to satisfy the relevant Australian Standard.

A vehicle parked in the on-site visitor space will need to undertake a four-point turn to leave the allotment. This is considered acceptable because:

- Vehicle movements within the driveway are slow with ample sight lines.
- The four-point turn manoeuvre will be infrequent as the space will only service visitors i.e. on weeknights and weekends when visitors are most common.
- The Australian Standards do not specify a particular number of vehicle movements as being inconvenient.

Alternately, the car parked in the visitor space could also theoretically reverse from the site onto Garfield Avenue. While this may not seem good practice such a scenario is not so unusual in many residential settings. Further:

- Vehicles currently reverse onto Garfield Avenue from the existing dwelling and neighbouring dwellings in the locality. There would be far more cars reversing their existing sites in the locality than what would be theoretically generated by this one visitor space.
- The reversing movement is only required by one car. All other cars parked on-site in this development are able to leave the site in a forward direction.
- Garfield Avenue is not an arterial road.
- Garfield Avenue is speed limited to 50km/h.

Setting the above aside, and as noted, an on-street parking space is available directly in front of the allotment if a visitor decided not to utilise the on-site space. Use of such a space is commonly acceptable and could presently occur. Demand for on-street parking is not high given the surrounding uses are residential in nature.

On-street car parking is commonly available within Garfield Avenue and the parking of a vehicle on-street in front of the property would not cause unreasonable road congestion.

The proposed development is considered, overall, to provide safe and convenient vehicle movements and adequate car parking provision to meet its anticipated demand.

## 7. Garage Dimensions

Council has advised that the minimum depth of a garage should be 5.8 metres to achieve the Australian Standard and ensure suitable pedestrian movement within each garage.

The toilet, laundry and storage arrangement has been amended to ensure each garage has a minimum depth of 5.8 metres.

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### 8. Verge Interaction

The stormwater connection to the street has been relocated to the eastern side of the driveway to ensure sufficient setback from street trees and the nearby stobie pole.

The stormwater connection through the road verge area will be constructed of a shape and material that satisfies council's standard requirements.

### 9. Stormwater Management

Please refer to the amended Engineering Plans prepared by SCA Engineers for proposed stormwater management details.

As requested, each dwelling will have a combined 3,000 litre detention/retention tank that is plumbed to at least a toilet, water heater or all laundry cold water outlets.

### 10. Finished Floor Levels

The finished floor level of each dwelling will remain at 20.65. Council has advised that this satisfies minimum requirements.

### 11. Waste Management

The council have advised that a 'shared bin' council service is acceptable to the proposed development.

The 'shared bin' council service enables each type of bin to be shared across the development and therefore less bins need to be stored and collected. The council have therefore offered the following bin allocation under the 'shared bin' council service:

- 4 x 140 litre General Waste Bins (red lid).
- 4 x 240 litre Recycling Bins (yellow lid).
- 3 x 240 litre Green Waste Bins (green lid).

On this basis, 11 bins need to be stored on-site.

The communal bin store adjacent Garfield Avenue provides adequate space for the discrete storage of bins.

### Conclusion

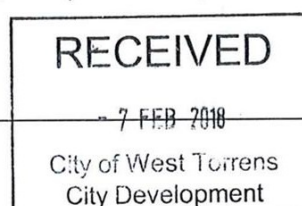
Understanding the transitional intent from low to medium density housing, the proposal achieves the desired outcomes of the Zone/PA19.

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/PA19.

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- The proposal achieves a medium density equivalent to 57 dwellings per hectare to satisfy the density standards sought by the Policy Area.
- The proposal would present an average site area of 175.3 square metres per dwelling, 25.3 square metres larger than the average guided by Principle 5 within PA19.
- The subject land has a frontage of 16 metres, 1 metre larger than the minimum guided by Principle 5 within PA19.
- Each proposed dwelling would have a floor area exceeding 100 square metres and therefore provides a "high quality living environment" for its future occupants.
- The proposal achieves minimum front and side setback guidelines. The rear setback is supported (despite being less than 6 metres) as the site abuts a creek as such no undesirable amenity impacts will occur upon any residential land.
- The proposal would not impose undue overshadowing or overlooking onto any dwellings nearby.
- The proposal would have a maximum building height of 6.4 metres, 2.1 metres lower than the height typically allowed within PA19.
- Each dwelling achieves minimum private open space and car parking guidelines.

In my view, the proposal exhibits sound planning merit and contributes to the achievement of the Zone and PA19 infill objectives.

For all the above reasons planning consent is merited.

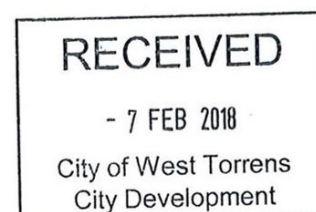
Please contact me on (08) 8333 7999 if you wish to discuss the proposal.

Yours sincerely



Phil Harnett  
Associate

Enc







Traffic • Parking • Transport

Unit 6, 224 Glen Osmond Road  
FULLARTON SA 5063

E:mfyaccounts@mfy.com.au

MFY Pty Ltd

ABN 79 102 630 759

11 April 2018

Att: Mark Sturuss  
Studio eD3 – Building Design  
Po Box 393  
Nairne, SA 5252

Dear Mark

**Re: Vehicular movements – Proposed Development at 38 Garfield Ave, Kurralta Pk  
Development Application 211/1851/17**

As requested, MFY Traffic Engineers, have been engaged to provide opinion & assessment for the vehicular movements of the proposed development at 38 Garfield Ave, Kurralta Pk, in particular the vehicle access requirements to the dwellings Garages and their manoeuvrability within the driveway apron.

We have reviewed the following documentation supplied by 'Studio eD3':

- Architectural drawing Site Plan 1732-PD01D dated 10/4/18
- Architectural drawing Vehicle Movements 1732-PD07D dated 10/4/18.

We have advised Studio eD3 to increase the clear internal dimensions of the garage to the dwellings to be minimum 5.70m wide and 5.80m in length with a minimum garage door opening width of 5.50m for Dwellings 1 to 4, and to be minimum 5.50m wide & 5.80m in length with a minimum garage door opening width of 5.3m.

These dimensions in combination with an increased driveway apron width of 5.70m and in some cases 5.40m have demonstrated via 'AutoTrack' software that vehicle manoeuvrability has been improved and now comply with the relevant Australian Standard AS/NZ 2890.1:2004. Refer to our attached drawing number 180053.01-SH01A

Therefore we confirm that the amended site layout as per architectural drawings: Site Plan 1732-PD01D dated 10/4/18 complies with the relevant Australian Standard AS/NZ 2890.1:2004

If you have any queries regarding this, please do not hesitate to contact us for further information.

Kind regards

A handwritten signature in blue ink, appearing to read 'Melissa Mellen', is written over a blue circular stamp that contains the word 'per'.

Melissa Mellen | Director | MFY Pty Ltd

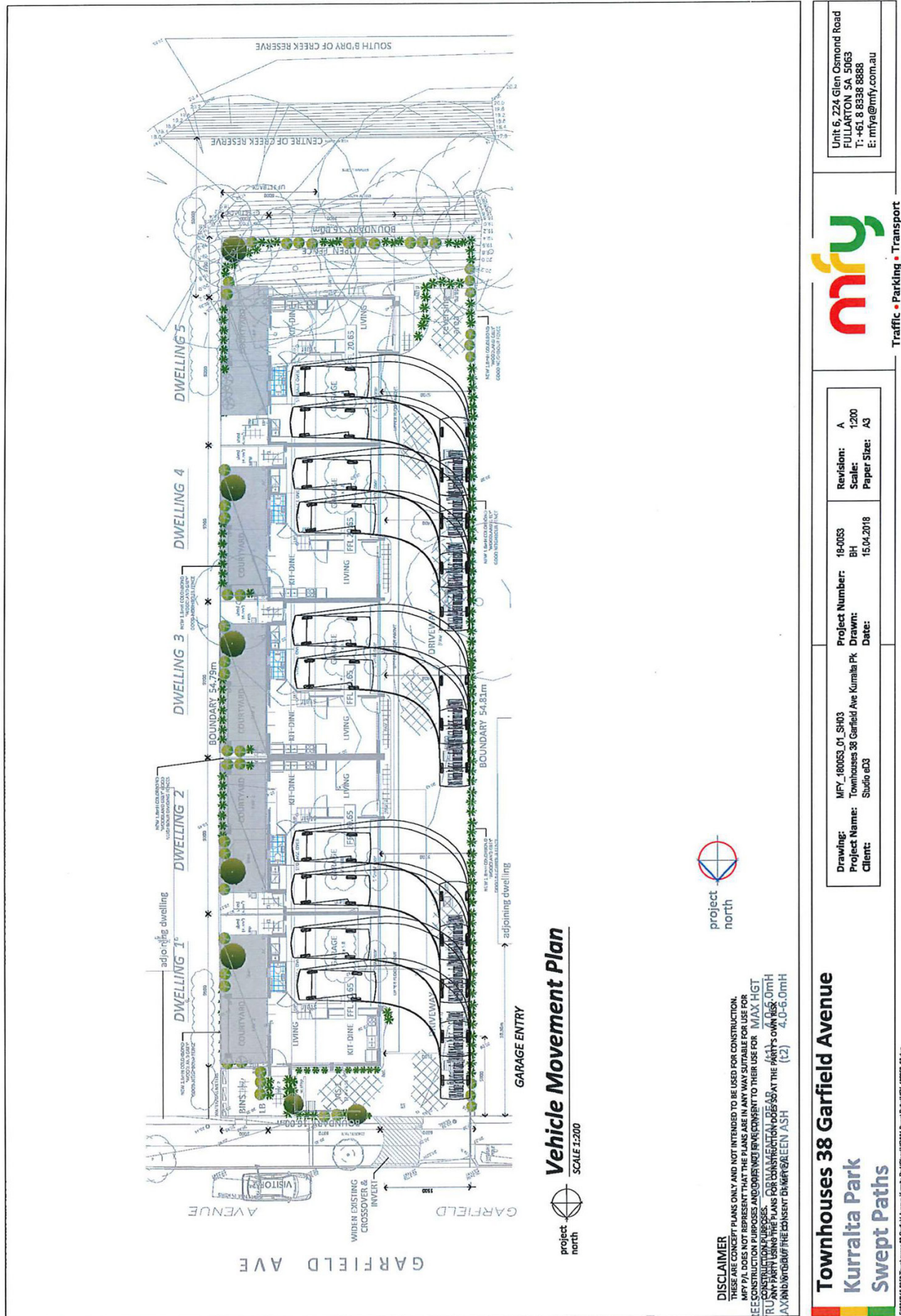


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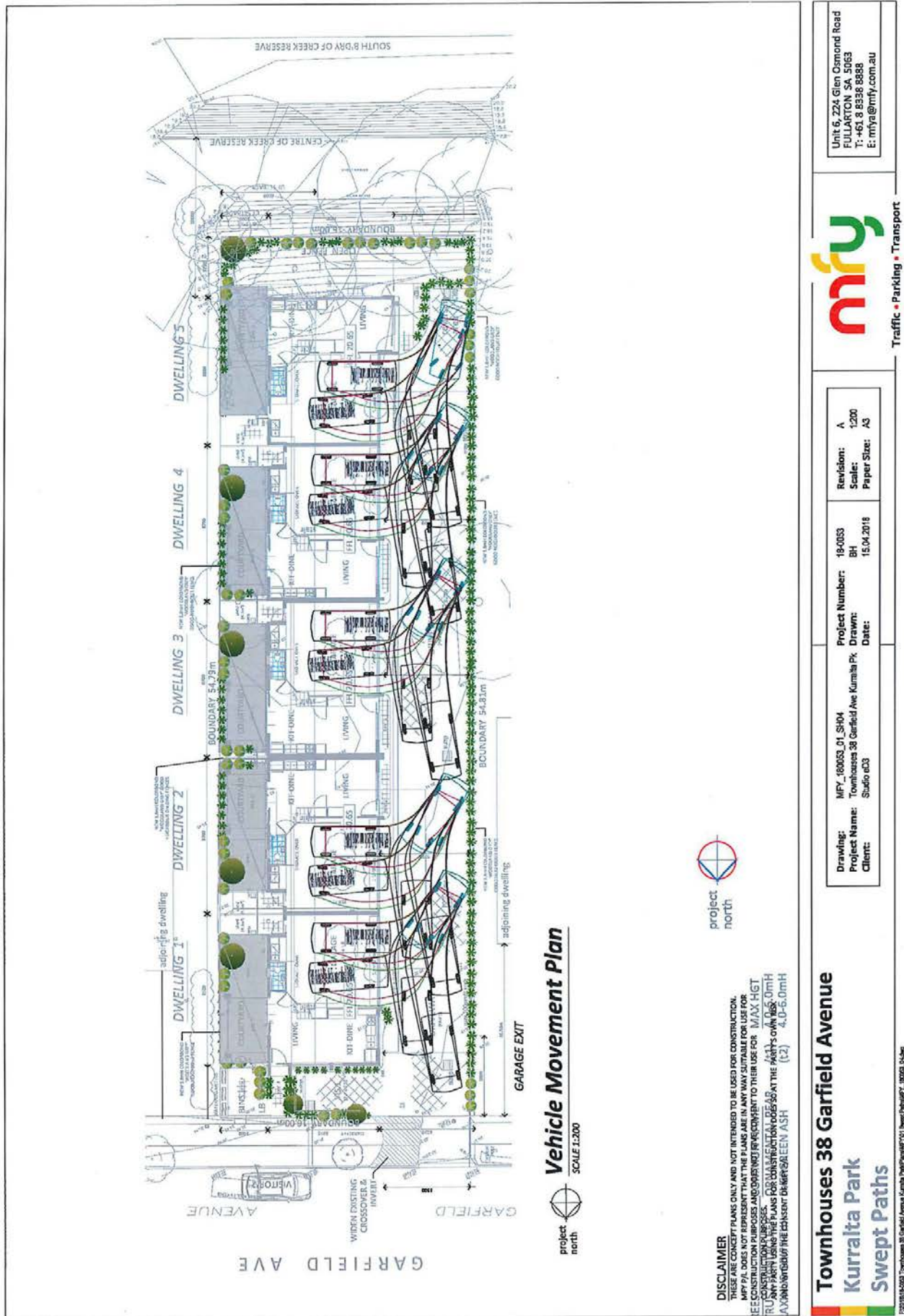
Encl: MFY drawing 180053.01-SH01A

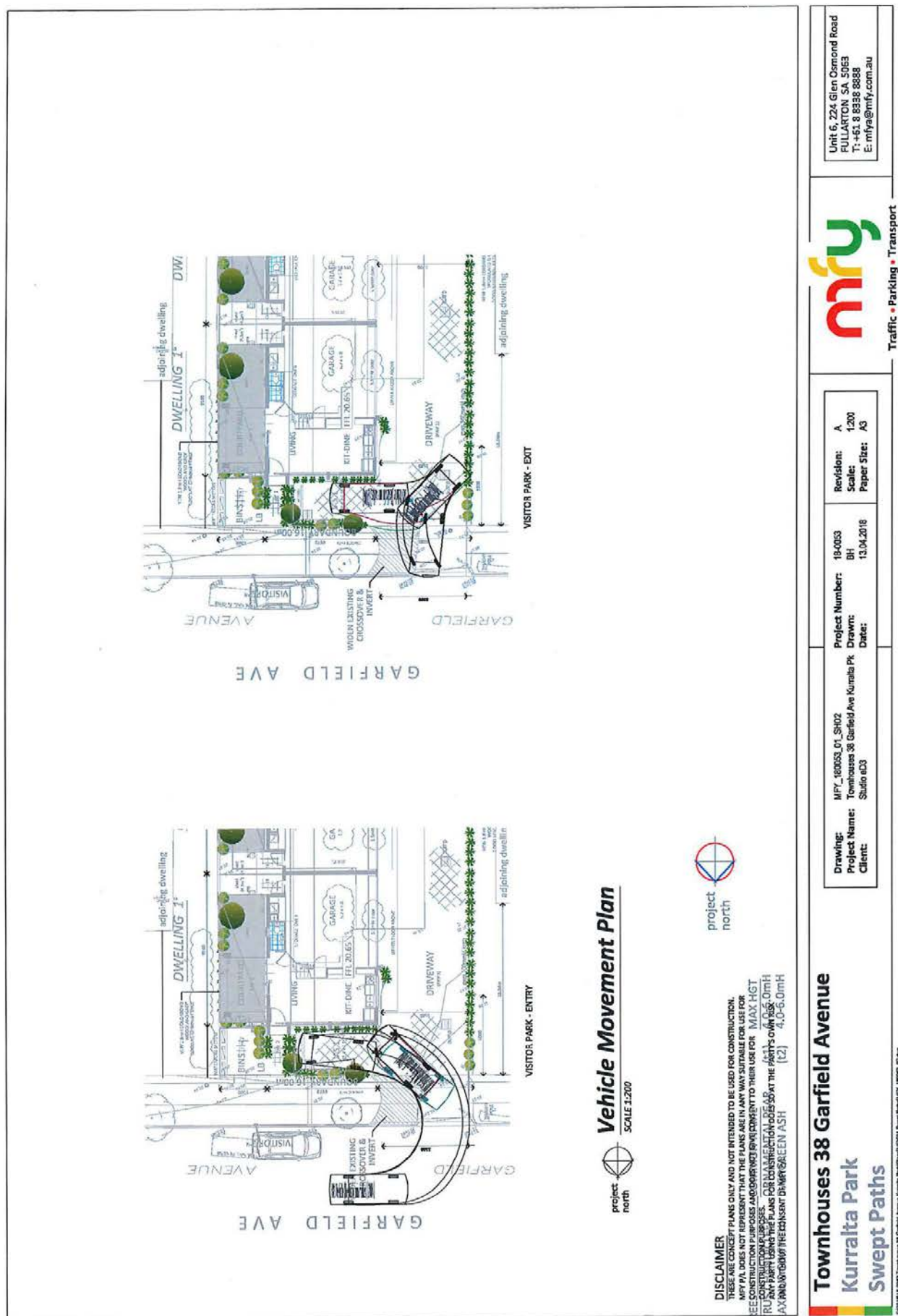








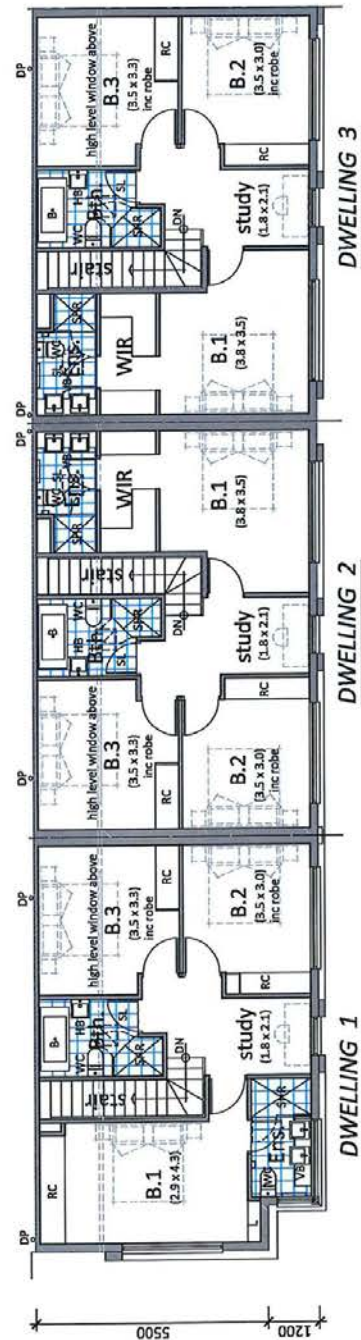








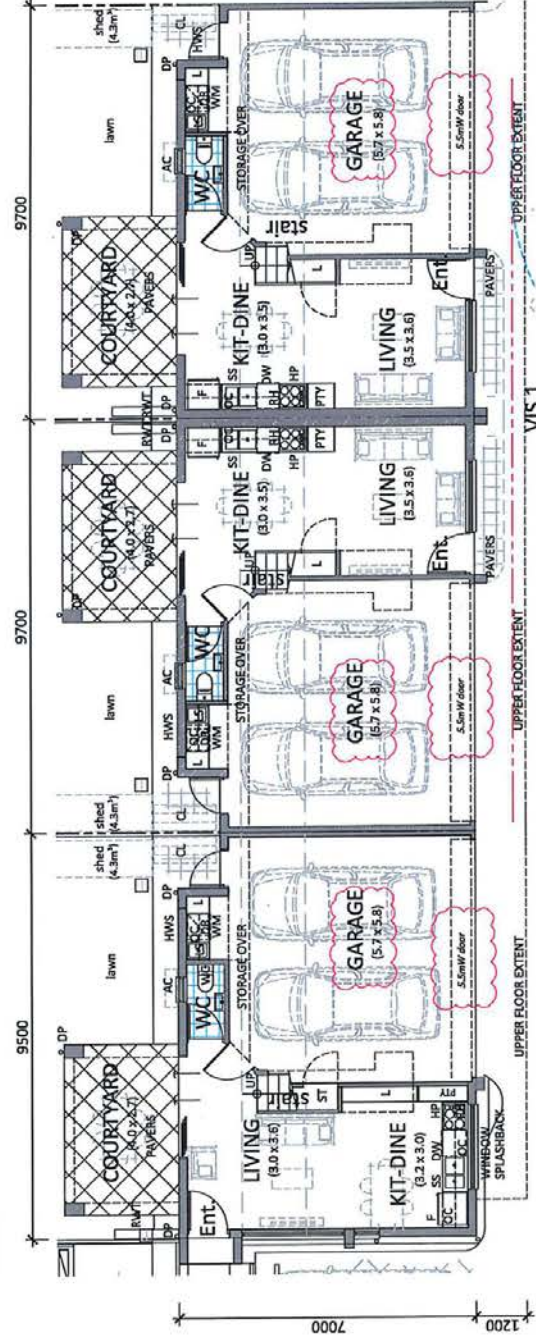
AREA	m <sup>2</sup>
DWELLING 1	
GF LIVING	35.9
GARAGE	32.9
COURT	10.7
POR	1
UF LIVING	64.1
TOTAL	145.8
DWELLINGS 2, 3 & 4	
GF LIVING	36.3
GARAGE	32.9
COURT	10.7
POR	0.5
UF LIVING	65.8
TOTAL	146.3



Upper Floor Plan

SCALE 1:100

LEGEND	
SS	INSET SINK
F	REFRIGERATOR
HP	HOTPLATES
LIBO	UNDERBENCH OVEN
RH	RANGEROOD
DW	DISHWASHER
WC	TOILET PAN
VB	VANITY BASIN
SHR	SHOWER
HB	HAND BASIN
B	PRESTANDING BATH
L	LINEN CUPBOARD
RC	ROBE CUPBOARD
BR	BROOM CUPBOARD
WM	WASHING MACHINE PROVISION
DR	DRYER PROVISION
LS	LAUNDRY SINK
AC	AIR CON UNIT
DP	DOWNPIPE
CL	CLOTHESLINE PROVISION
	DENOTES TILING



Ground Floor Plan

SCALE 1:100



DATE	ISSUE	REVISION
22.01.18	1	Issue 1: Initial Design
22.01.18	2	Issue 2: Revised Design
22.01.18	3	Issue 3: Revised Design
22.01.18	4	Issue 4: Revised Design
22.01.18	5	Issue 5: Revised Design
22.01.18	6	Issue 6: Revised Design
22.01.18	7	Issue 7: Revised Design
22.01.18	8	Issue 8: Revised Design
22.01.18	9	Issue 9: Revised Design
22.01.18	10	Issue 10: Revised Design
22.01.18	11	Issue 11: Revised Design
22.01.18	12	Issue 12: Revised Design
22.01.18	13	Issue 13: Revised Design
22.01.18	14	Issue 14: Revised Design
22.01.18	15	Issue 15: Revised Design
22.01.18	16	Issue 16: Revised Design
22.01.18	17	Issue 17: Revised Design
22.01.18	18	Issue 18: Revised Design
22.01.18	19	Issue 19: Revised Design
22.01.18	20	Issue 20: Revised Design
22.01.18	21	Issue 21: Revised Design
22.01.18	22	Issue 22: Revised Design
22.01.18	23	Issue 23: Revised Design
22.01.18	24	Issue 24: Revised Design
22.01.18	25	Issue 25: Revised Design
22.01.18	26	Issue 26: Revised Design
22.01.18	27	Issue 27: Revised Design
22.01.18	28	Issue 28: Revised Design
22.01.18	29	Issue 29: Revised Design
22.01.18	30	Issue 30: Revised Design
22.01.18	31	Issue 31: Revised Design
22.01.18	32	Issue 32: Revised Design
22.01.18	33	Issue 33: Revised Design
22.01.18	34	Issue 34: Revised Design
22.01.18	35	Issue 35: Revised Design
22.01.18	36	Issue 36: Revised Design
22.01.18	37	Issue 37: Revised Design
22.01.18	38	Issue 38: Revised Design
22.01.18	39	Issue 39: Revised Design
22.01.18	40	Issue 40: Revised Design
22.01.18	41	Issue 41: Revised Design
22.01.18	42	Issue 42: Revised Design
22.01.18	43	Issue 43: Revised Design
22.01.18	44	Issue 44: Revised Design
22.01.18	45	Issue 45: Revised Design
22.01.18	46	Issue 46: Revised Design
22.01.18	47	Issue 47: Revised Design
22.01.18	48	Issue 48: Revised Design
22.01.18	49	Issue 49: Revised Design
22.01.18	50	Issue 50: Revised Design

PO BOX 100, TORRENS, SA 5031  
 08 8333 1000  
 www.electra.com.au  
 A.S.N. 11 876 552 110

**PLANNING ISSUE**

CLIENT: A. RANA

PROJECT: Proposed Residential Development at 38 Garfield Ave, Kurralta Pk SA

DWG TITLE: PROPOSED FLOOR PLANS - DWELLINGS 1, 2 & 3

DWG NO: 11232 - PD.02 ISSUE D1



AREA	m <sup>2</sup>
DWELLING 4	
GF LIVING	36.3
GARAGE	32.9
COURT	10.7
POR	0.5
UP LIVING	65.8
TOTAL	146.3

DWELLING 5	
GF LIVING	35.9
GARAGE	32.9
VER	10.7
POR	0.5
UP LIVING	65.8
TOTAL	146.3

## LEGEND

SS	INSET SINK
F	REFRIGERATOR
HP	HOTPLATES
UBO	UNDERBENCH OVEN
RH	RANGEHOOD
DW	DISHWASHER
WC	TOILET PAN
VB	VANITY BASIN
SHR	SHOWER
HB	HAND BASIN
B	PRESTANDING BATH
L	LINEN CUPBOARD
RC	ROBE CUPBOARD
BR	BROOM CUPBOARD
WM	WASHING MACHINE PROVISION
DR	DRYER PROVISION
LS	LAUNDRY SINK
AC	AIR CON UNIT
DP	DOWNPIPE
CL	CLOTHESLINE PROVISION
	DENOTES TILING

**PLANNING ISSUE**

PLANNING ISSUE

CLIENT: A. RANA

PROJECT: Proposed Residential Development at 38 Garfield Ave, Kurralta Park, SA

DWG TITLE: PROPOSED FLOOR PLANS - DWELLINGS 4 & 5

DWG No: 1732 - PD.03

ISSUE: D1

**e/d**

Architectural Services

PO BOX 123, GURRITON, SA 5003

08 8333 1234

info@edesign.com.au

A.B.N. 71 898 582 110

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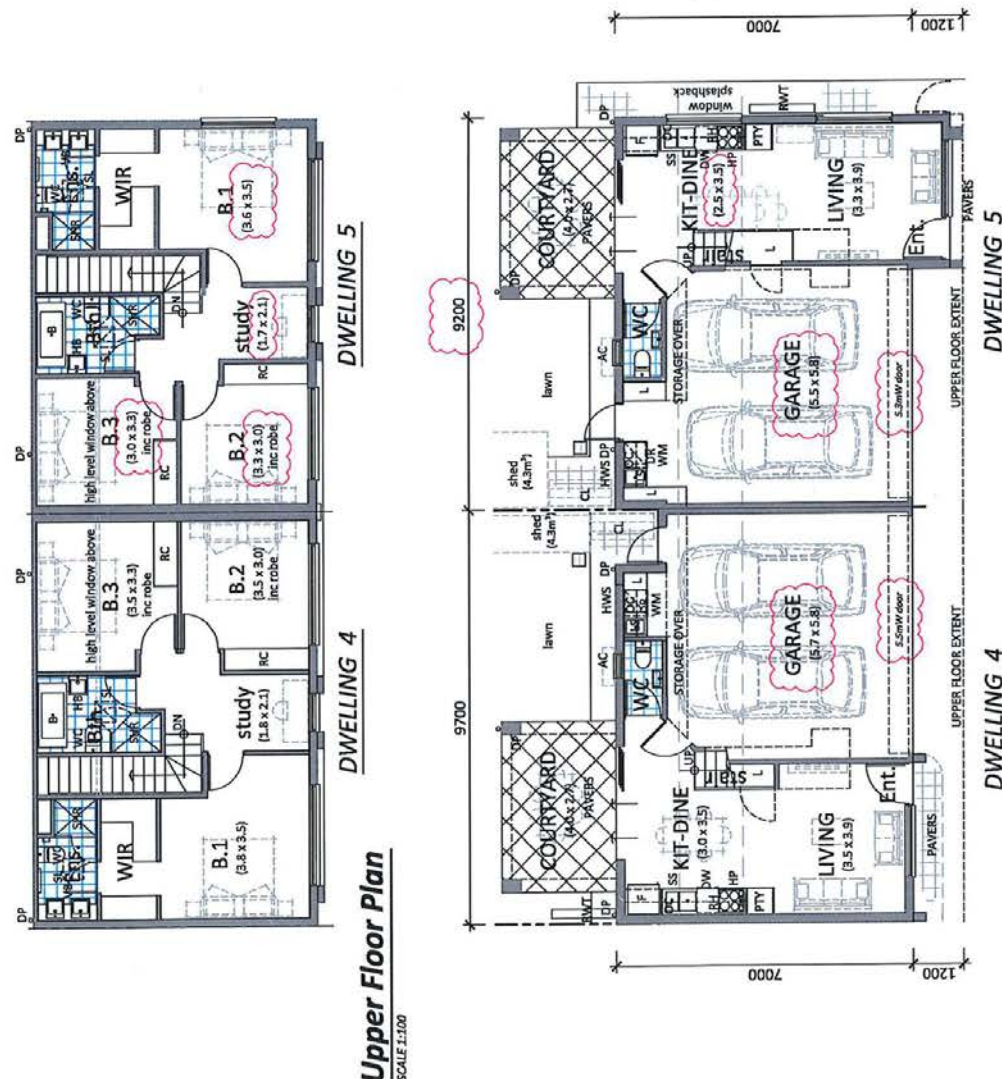
ISSUE	REVISION	DATE
D1	Issue for Client Review	20/06/18
D2	Issue for Client Review	20/06/18
D3	Issue for Client Review	20/06/18
D4	Issue for Client Review	20/06/18
D5	Issue for Client Review	20/06/18
D6	Issue for Client Review	20/06/18
D7	Issue for Client Review	20/06/18
D8	Issue for Client Review	20/06/18
D9	Issue for Client Review	20/06/18
D10	Issue for Client Review	20/06/18



**Ground Floor Plan**



SCALE 1:100





FEATURE TEXTURE WALLS

- APPLIED TEXTURE COAT FINISH
- "COLORBOND MONUMENT"

FEATURE BRICK WALLS

- FACE BRICK FINISH
- AUSTRAL METALLIC BRONZE

GENERAL EXTERNAL WALLS

- APPLIED TEXTURE COAT FINISH
- "COLORBOND SUNFIST"

LIGHTWEIGHT WALLS

- "MATRIX & AVOY CLADDING"
- "COLORBOND SUNFIST"

FEATURE BLADE WALLS

- "MATRIX CLADDING"
- "COLORBOND SHALE GREY"

ROOF & GUTTERS

- CUSTOM OIB ROOFING
- "COLORBOND WOODLAND GREY"

FASCIAS

- METAL FASCIA
- "COLORBOND SUNFIST"

DOWNPIPS

- "COLORBOND SUNFIST"

WINDOWS

- ALUMINUM FRAMED
- "POWDERCOAT BLACK"

ENTRY DOORS

- TIMBER VINER

GARAGE DOORS

- "COLORBOND BECOMWOOD"

**RECEIVED**



bronzé face bris		"surfsmist"	
<p>*The design, drawings, qualifications and copyright remain the property of Studio Gipsy and will not be used, reproduced or sold in any way without the permission of the studio Gipsy.</p> <p>© 1995</p> <p>All drawings shall be checked out 30 days before the commencement of construction or the manufacture of any item.</p> <p>Any discrepancy shall be reported to the studio Gipsy immediately.</p>		<p>Steel columns of steel and 4" bronzé face            designed to drive on 6" concrete slab.</p> <p>17.5 x 13            17.5 x 13            18 x 13            18 x 13            18 x 13            18 x 13            18 x 13</p>	<p>DATE</p>
D4	<p>Meeting to discuss 7 columns.</p>	24.5.95	
G3	<p>1" bronzé face design.</p>	17.5.95	
G1	<p>1" bronzé face design.</p>	17.5.95	
D	<p>REQUIRED MAX VENTILATION 1.5 L/S PER            AND EXTRACT MAXIFIED</p>	18.4.95	
<p>A. PLANNING LEADERSHIP PHASE</p>		18.4.95	
<p>ISSUE REVISION</p>			

**RESERVE**

**PLANNING ISSUE**

PAPER SIZE: **A**

CLIENT: **A. RANA**

PROJECT: **Proposed Residential Development at 38 Gardfield Ave, Kurralta Pk, SA**

DWG TITLE: **PROPOSED ELEVATIONS 1**

DWG No: **1732 - PD 04**

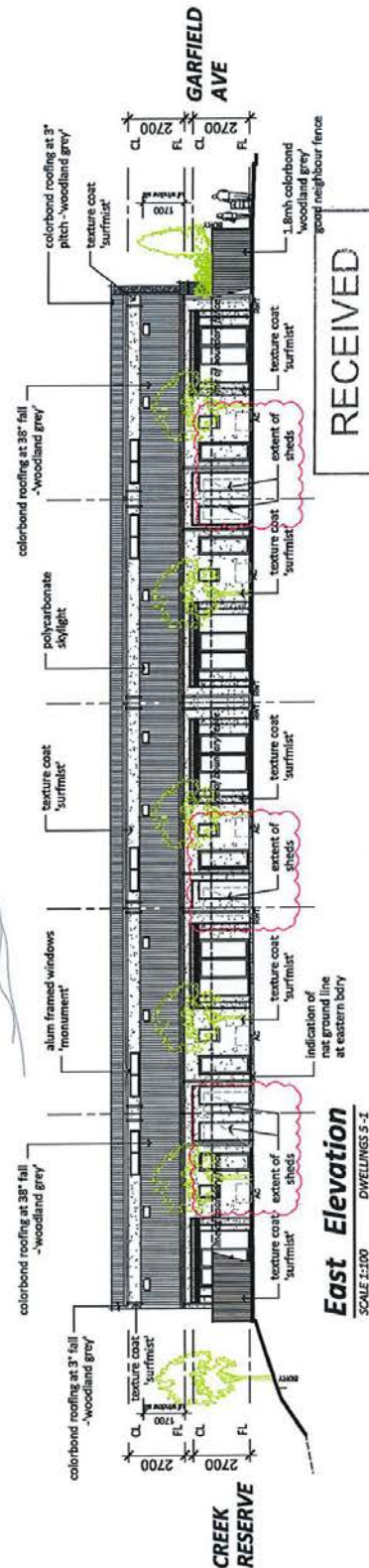
ISSUED: **D4**



**EXTERNAL FINISHES & COLOUR SCHEDULE**

APPLIED TEXTURE COAT FINISH	- 'COLORBOND MONUMENT'
FACE BRICK FINISH	- 'AUSTRAL METALLIC BRONZE'
GENERAL EXTERNAL WALLS	- 'COLORBOND SURFIMIST'
LIGHTWEIGHT WALLS	- 'COLORBOND SURFIMIST'
FEATURE BLADE WALLS	- 'COLORBOND SURFIMIST'
ROOF & GUTTERS	- 'COLORBOND SHALE GREY'
FASCIAS	- 'COLORBOND SHALE GREY'
DOWNPIPES	- 'COLORBOND SURFIMIST'
WINDOWS	- 'ALUMINUM FRAMED'
ENTRY DOORS	- 'POWDERCOAT BLACK'
GARAGE DOORS	- 'COLORBOND DECONWOOD'

DWELLING 5      DWELLING 4      DWELLING 3      DWELLING 2      DWELLING 1



**RECEIVED**  
24 MAY 2018  
City of West Torrens  
City Development

**PLANNING ISSUE**  
PAPER SIZE: A3

CLIENT: A. RANA  
PROJECT: Proposed Residential Development at 38 Garfield Ave, Kurralta Pk, SA  
DWA TITLE: **PROPOSED ELEVATIONS 2**  
DWA No:1732 - PD-05 ISSUE: D4

DATE	REVISION
24.5.18	1. Initial design
24.5.18	2. Final design
24.5.18	3. Final design
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24.5.18	98. Final design
24.5.18	99. Final design
24.5.18	100. Final design

**INDICATIVE LANDSCAPING SCHEDULE**

TREES	COMMON NAME	MAX HGT
PRUNUS CHANDICLER	ORNAMENTAL PEAR	(t1)
		4.0-5.0mH



	EVERGREEN ASH	(t2)
		4.0-6.0mH



SHRUBS	COMMON NAME	URBAN BAMBOO	(t3)



	DIANELLA TASMANICA	FLAX LILY	(t4)



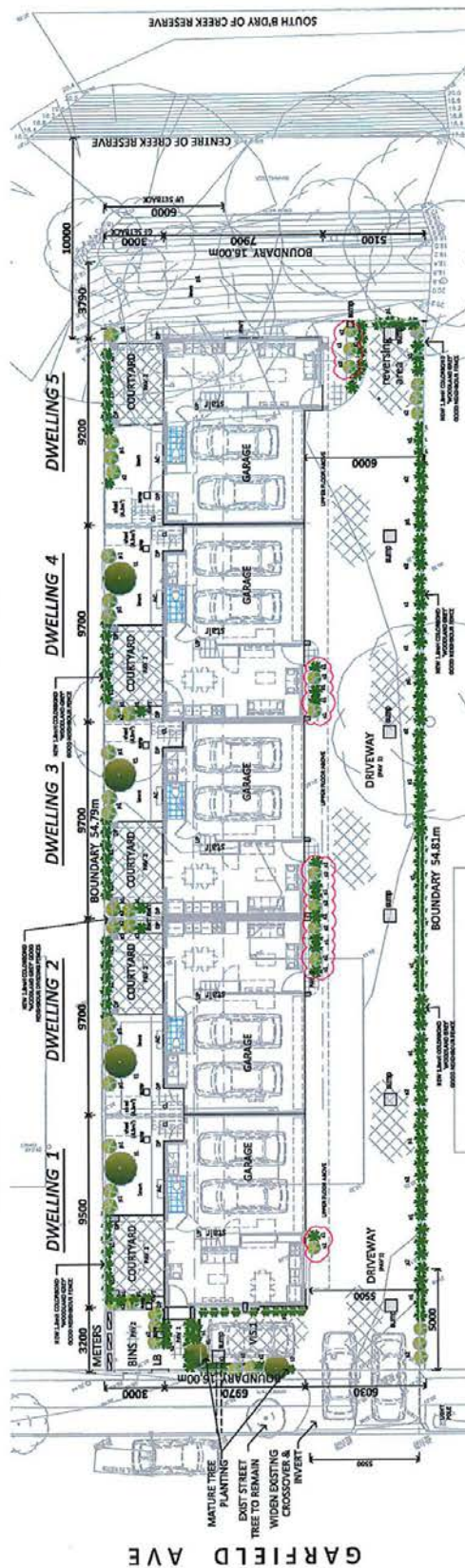
	ACMENA SMITHII	DWARF LILY PILLY	(t5)



GROUND COVERS	COMMON NAME	MAUVE LIRIOPE	(t6)



	LOMANDORA	LIME JET	(t7)



**RECEIVED**  
24 MAY 2018  
City of West Torrens  
City Development

**Proposed Landscaping Plan**

SCALE 1:200

TO BE READ IN CONJUNCTION WITH  
ENGINEER'S DRAWINGS 170806...

**PLANNING ISSUE**  
PROJECT: PROPOSED RESIDENTIAL DEVELOPMENT  
AT 38 GARFIELD AVE, KURRALTA PK, SA  
DWS TITLE: PROPOSED LANDSCAPING PLAN  
DWS NO: 1732 - PD.06 ISSUE: D4

CLIENT: A. RANA

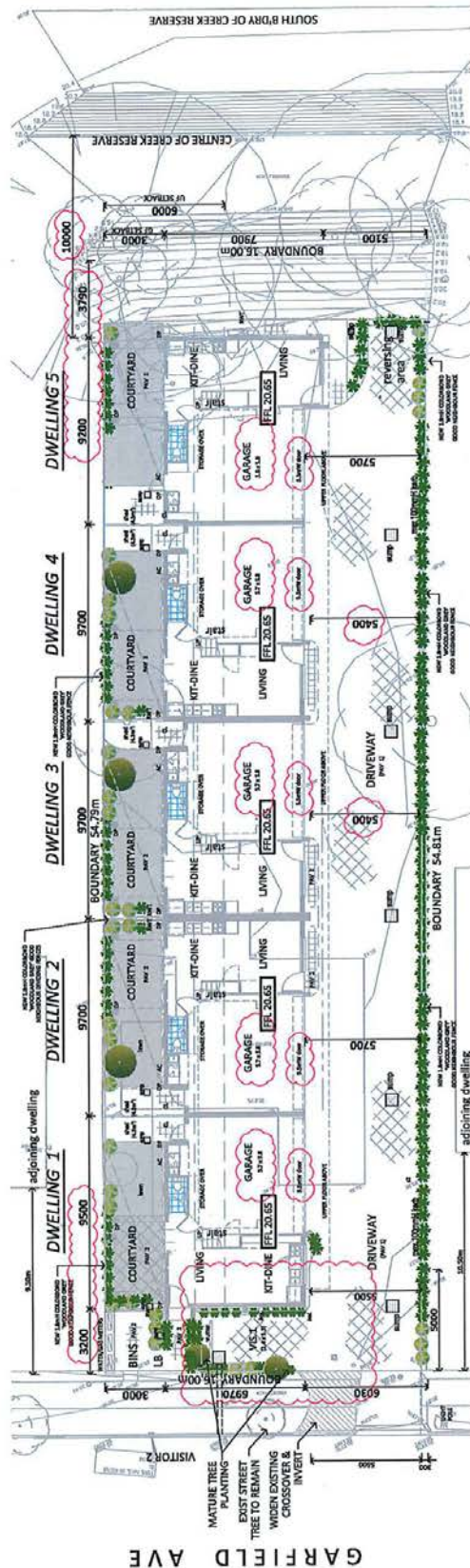
PROJECT: PROPOSED RESIDENTIAL DEVELOPMENT  
AT 38 GARFIELD AVE, KURRALTA PK, SA

DWS TITLE: PROPOSED LANDSCAPING PLAN

DWS NO: 1732 - PD.06 ISSUE: D4

PG 300-305, 300-306, 300-307, 300-308, 300-309, 300-310, 300-311, 300-312, 300-313, 300-314, 300-315, 300-316, 300-317, 300-318, 300-319, 300-320, 300-321, 300-322, 300-323, 300-324, 300-325, 300-326, 300-327, 300-328, 300-329, 300-330, 300-331, 300-332, 300-333, 300-334, 300-335, 300-336, 300-337, 300-338, 300-339, 300-340, 300-341, 300-342, 300-343, 300-344, 300-345, 300-346, 300-347, 300-348, 300-349, 300-350, 300-351, 300-352, 300-353, 300-354, 300-355, 300-356, 300-357, 300-358, 300-359, 300-360, 300-361, 300-362, 300-363, 300-364, 300-365, 300-366, 300-367, 300-368, 300-369, 300-370, 300-371, 300-372, 300-373, 300-374, 300-375, 300-376, 300-377, 300-378, 300-379, 300-380, 300-381, 300-382, 300-383, 300-384, 300-385, 300-386, 300-387, 300-388, 300-389, 300-390, 300-391, 300-392, 300-393, 300-394, 300-395, 300-396, 300-397, 300-398, 300-399, 300-400, 300-401, 300-402, 300-403, 300-404, 300-405, 300-406, 300-407, 300-408, 300-409, 300-410, 300-411, 300-412, 300-413, 300-414, 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### Vehicle Movement Plan

SCALE 1:200

refer to traffic consultant M/FY drawing 180053-SH01-04 for detailed movements.



B85 VEHICLE  
as per AS2890.1

### AS2890.1 B85 Vehicle

SCALE 1:200

### Notes:

1. THE INDICATED TURNING CIRCLES ON THIS SITE ARE IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS OF AS2890.1:
  - SECTION 2 - CLASS 1A - Residential, Domestic Parking.
  - SECTION 5 - Clause 5.4(b) Multiple Vehicle Garage with no Internal Walls
  - Appendix B - Template for for B85th vehicle.
  - Fig.B8 Reverse Manoeuvre for B85th vehicle

**PLANNING ISSUE**

CLIENT: A. RANA  
PROJECT: Proposed Residential Development at 38 Garfield Ave, Kurralta Pk, SA  
DWG TITLE: PROPOSED VEHICULAR MOVEMENT  
DWG No: 1732 - PD.07  
ISSUE: D1

PO BOX 100, KURRALTA Pk, SA 5143  
www.draftworkz.com.au  
A.S.N. 71 898 885 110

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ISSUE	REVISION	DATE
D1	1. Initial design based on proposed floor plan with layout	28.04.18
D2	2. Revised design based on layout plan	18.05.18
D3	3. Revised design based on layout plan	18.05.18
D4	4. Revised design based on layout plan	18.05.18
D5	5. Revised design based on layout plan	18.05.18
D6	6. Revised design based on layout plan	18.05.18
D7	7. Revised design based on layout plan	18.05.18
D8	8. Revised design based on layout plan	18.05.18
D9	9. Revised design based on layout plan	18.05.18
D10	10. Revised design based on layout plan	18.05.18





# **Proposed Site Sunstudy - 9am 21st June**

project north  
SCALE 1:200



## **SITE LEVELS PROVIDED BY OTHERS**

Boundary information on this drawing has been provided via a site survey conducted by a registered surveyor. It is the builder's responsibility to arrange a boundary identification survey to confirm dimensions and set outs.

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DATE	REVISION
25.06.18	1. Initial site levels provided from 9am 21st June
25.06.18	2. Revised site levels provided from 9am 21st June
25.06.18	3. Revised site levels provided from 9am 21st June
25.06.18	4. Revised site levels provided from 9am 21st June
25.06.18	5. Revised site levels provided from 9am 21st June

**PO BOX 200, INVERKEITH, VIC 3015**  
**ALAN J. BROWN**  
**ALAN J. BROWN**

PLANNING	ISSUE
CLIENT: A. RANA	PAPER SIZE: A3
PROJECT: Proposed Residential Development at 38 Garfield Ave, Kurlalla Pk, SA	
DWG TITLE: SITE SUNSTUDY - 9am	
DWG No: 1732 - PD.08	ISSUE: D1



**Proposed Site Sunstudy - 12pm 21st June**  
SCALE 1:200



**SITE LEVELS PROVIDED BY OTHERS**

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**RESERVES**

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**REVISIONS**

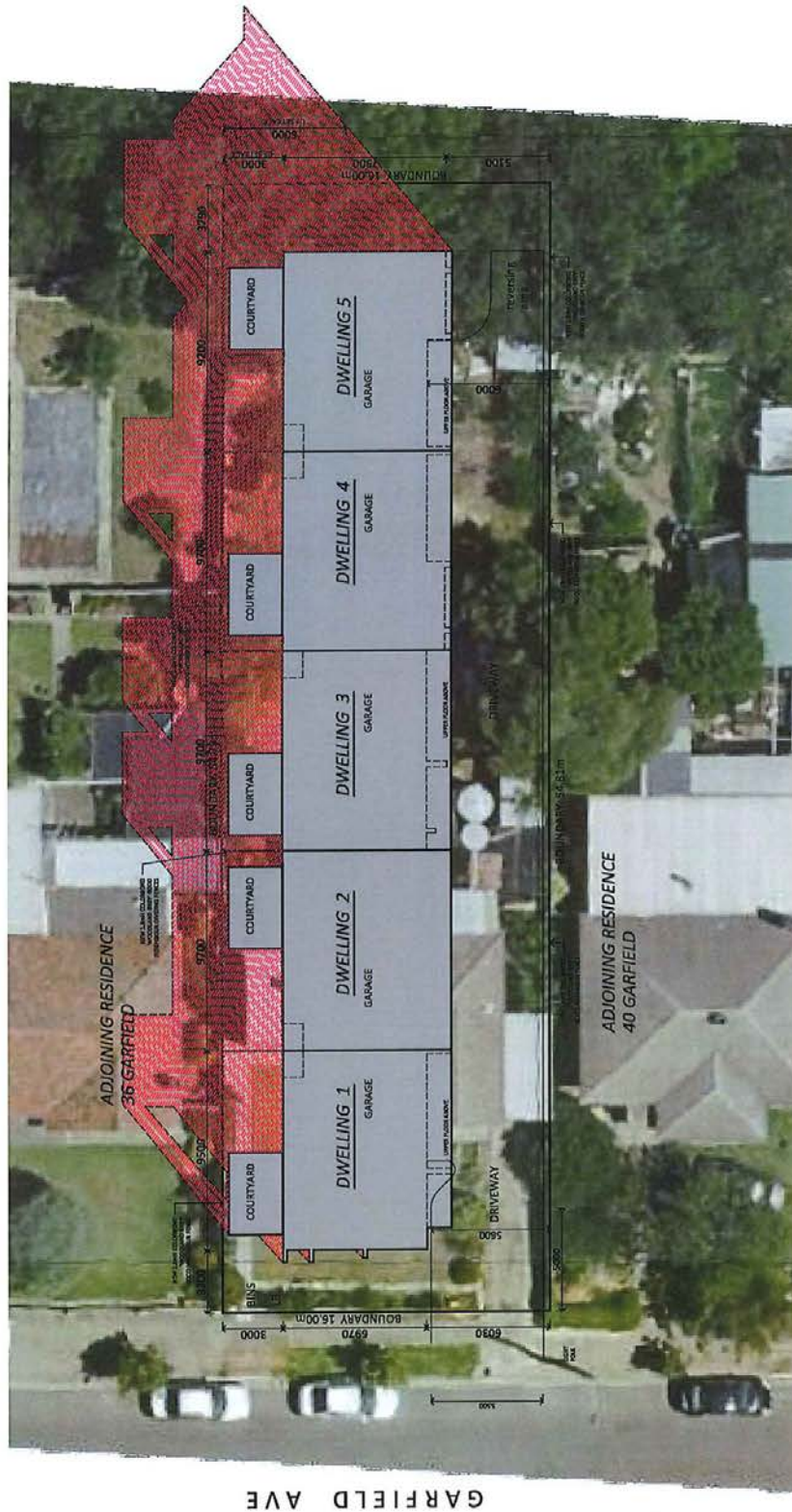
DATE	REVISION
24.06.18	1. All site levels provided by others
24.06.18	2. All site levels provided by others
24.06.18	3. All site levels provided by others
24.06.18	4. All site levels provided by others

**PO BOX 220 INDIAN CREEK QLD 4870**  
**ALAN 11 878 552 115**  
**ALAN 11 878 552 115**

**PLANNING ISSUE**  
 PAPER E100

**CLIENT:** A. RANA  
**PROJECT:** Proposed Residential Development at 38 Garfield Ave, Kurralta Pk, SA  
**DWG TITLE:** SITE SUNSTUDY - 12pm  
**DWG No:** 1732 - PD\_09  
**ISSUE:** D1





# **Proposed Site Sunstudy - 3pm 21st June**



SCALE 1:200



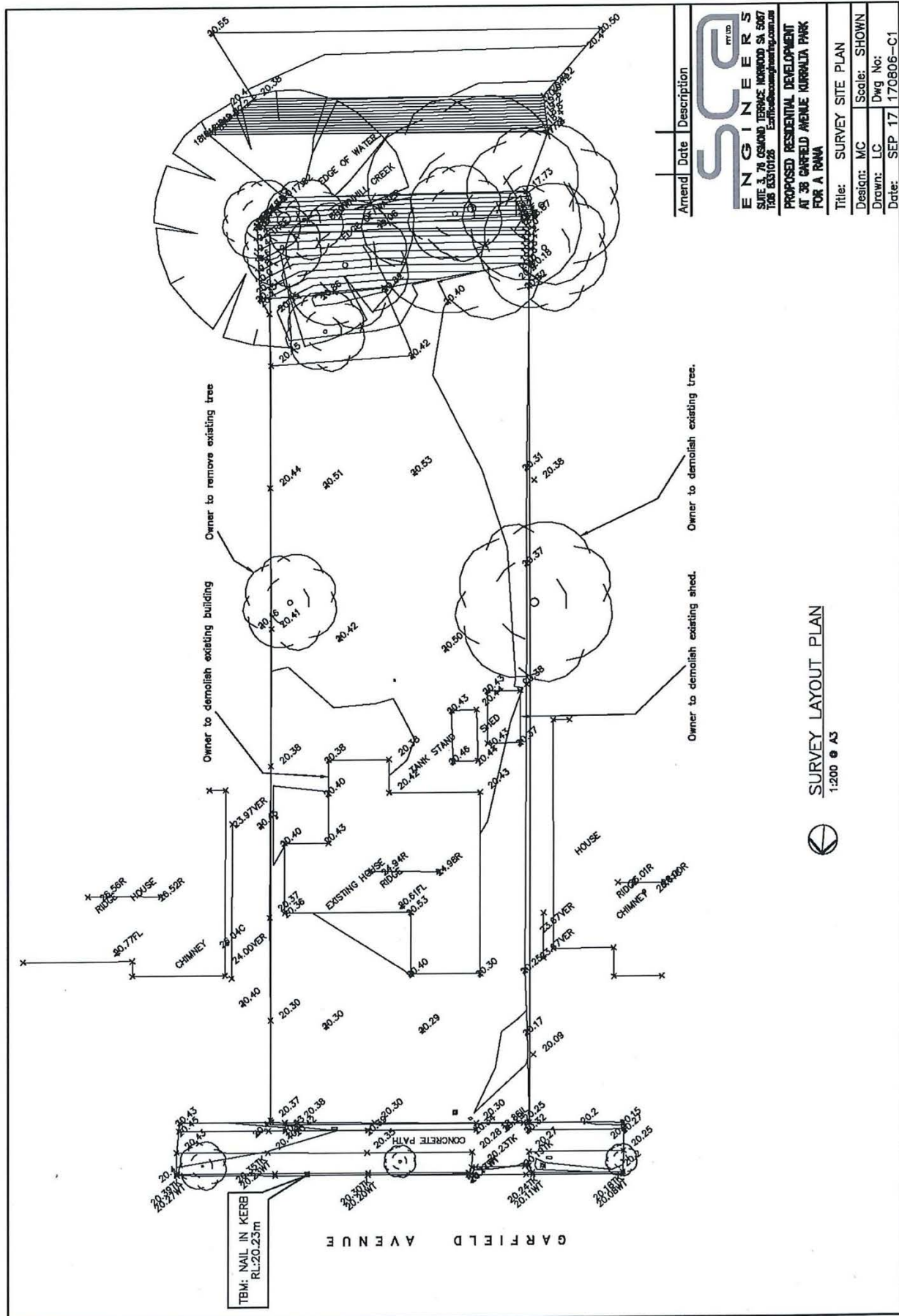
PLANNING	ISSUE
CLIENT: A. RANA	PAPER SIZE: A1
PROJECT: Proposed Residential Development at 38 Garfield Ave, Kurralta Pk, SA	
DWG TITLE: SITE SUNSTUDY - 3pm	
DWG No: 1732 - PD.09	ISSUE: D1

PO BOX 280, MANDURRA, SA 5109  
 A/RNA 11 978 585 110


DATE	REVISION
28.06.18	D1
27.06.17	A
27.06.17	B
27.06.17	C
27.06.17	D
27.06.17	E
27.06.17	F
27.06.17	G
27.06.17	H
27.06.17	I
27.06.17	J
27.06.17	K
27.06.17	L
27.06.17	M
27.06.17	N
27.06.17	O
27.06.17	P
27.06.17	Q
27.06.17	R
27.06.17	S
27.06.17	T
27.06.17	U
27.06.17	V
27.06.17	W
27.06.17	X
27.06.17	Y
27.06.17	Z

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 All dimensions and levels are as shown on this drawing unless otherwise stated.  
 All dimensions shall be applied to the finished site.  
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**SITE LEVELS PROVIDED BY OTHERS**  
 Boundary information on this drawing has been provided via a detailed survey. Prior to any building work commencing, a detailed survey shall be conducted to confirm the boundary and levels. Identification survey is confirm at dimension and set out.



**NOTES:**

1. All downpipe connections are to be #90 UPVC and are to be provided with cleaning eyes.
2. All Stormwater pipes shall be #90 UNO.
3. All Stormwater pipes shall be laid as per AS 3500 to achieve minimum cover and grade U.N.O. If cover can not be achieved encase pipe in 100 thick concrete.
4. Sumps, gratings & MH's shall be 300sq (UNO) with walls & floors of 100 thick concrete, reinforced with SL72 fabric central + an approved cover/grate & frame.
5. Where sumps/grates or the like are cast into a concrete slab, provide 2-N12 crack control bars at the corners of such cast-in items. Bars are to be 1000 long and tied to the top layer of slab reinforcement.
6. Bedding and back-filling around stormwater pipes shall conform to AS 3725-1985.
7. Bedding sand for stormwater pipes shall be coarse, free flowing pit sand, with a plasticity index less than 5. The material shall be clean with 100% passing the 6.7mm sieve and not greater than 10% passing a 0.075mm sieve. It shall have a minimum compacted depth of 75mm.
8. Boundary Locations are based on fences/stakes only. It is recommended that an identification survey be done to establish true boundaries.
9. Provide 40mm thick lagging to all pipe penetrations through footing beams.
10. "  " Denotes combination detention/retention tank in accordance with the amended requirements of the BCA ensure tank water is
  - i) Plumbed to all water closet or a water heater or all laundry cold water outlets.
  - ii) The inlet and overflow of the tank must be fitted with mosquito-proof, non degradable screens formed from #0.315mm material & have a min of 6x7 openings sqcm.

**LEGEND**

UPVC SENSE PIPE	*****
#100 UPVC STORMWATER SEALED SYSTEM	—
UPVC STORMWATER PIPE	—
HOPE PUMP CHAMBER DISCHARGE PIPE	— PUMP —
EXISTING SURFACE SPOT LEVEL	SPOT+
EXISTING WATER TABLE LEVEL	SPW+
EXISTING TOP OF KERB LEVEL	TOP+K
TOP OF RETAINING WALL LEVEL	TOP+R
NEW PAVEMENT LEVEL	NEW+P
LAWN/LANDSCAPE LEVEL	LAND+L
STORMWATER INSPECTION POINT	Ⓢ
STORMWATER #90 PVC GRATE	Ⓢ
450sq GRADED SUMP (UNO)	■
STORMWATER JUNCTION BOX	⊠
#90 DOWNPIPE	• dp
SPREADER DRAIN	• E
ERSA PIT/CABLE	⊙
TELSTRA SERVICES	Ⓢ
STONE POLE	
GAS METER	Ⓢ
WATER METER	⊗
EXISTING TREE	⊗
100" DRAIN K100a WITH GALVANISED GRATE (1500a)	
FINING	
100 KERB AND GUTTER	
CONCRETE SPONG DRAIN	
RETAINING WALL	*****

Changes as req by  
Amend Date Description

A 16.3.18 council

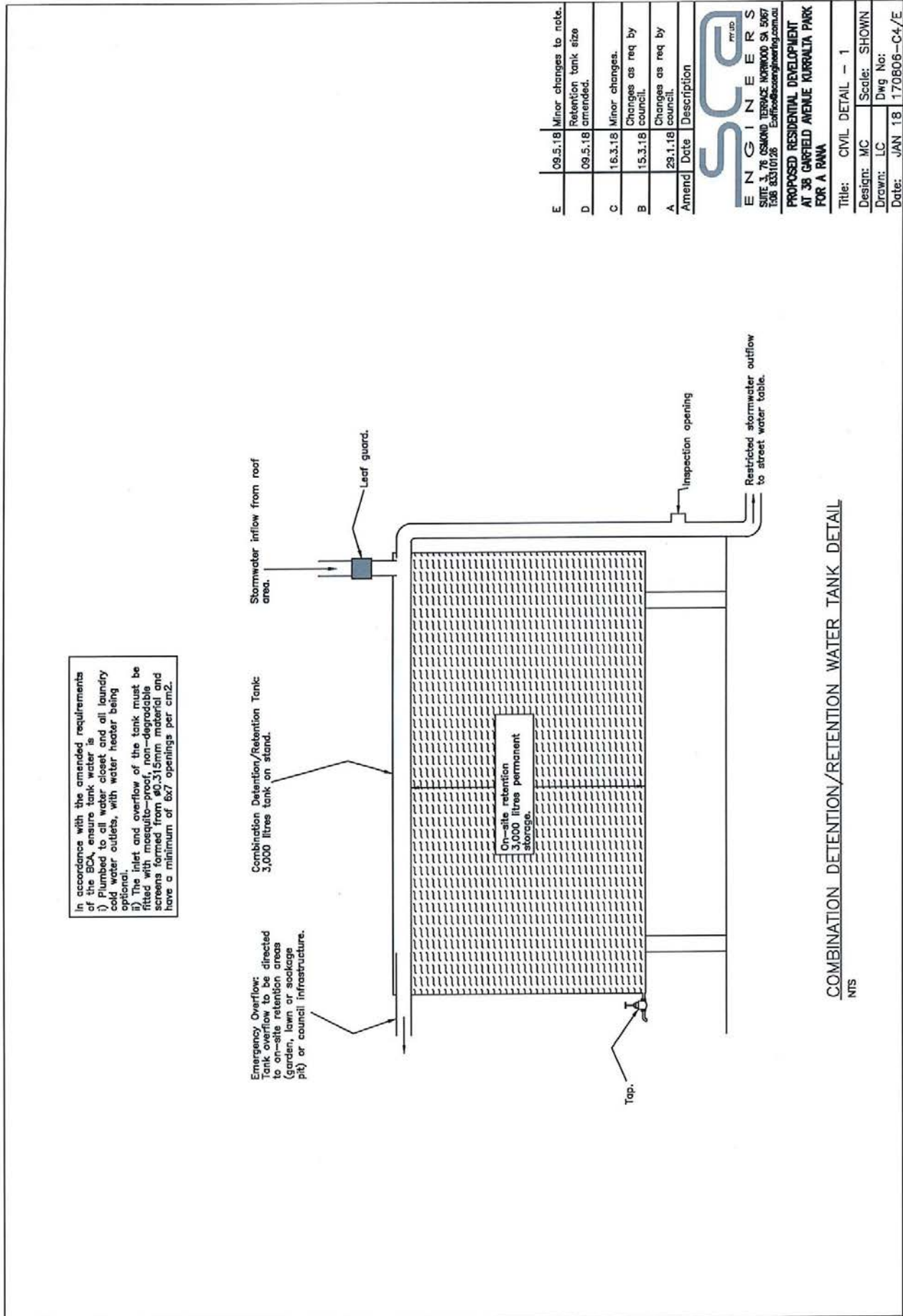
**SCA ENGINEERS**  
SUITE 3, 76 OSWALD TERRACE MORRISON SA 5067  
1300 63310126 [info@scacivilengineering.com.au](mailto:info@scacivilengineering.com.au)

**PROPOSED RESIDENTIAL DEVELOPMENT  
AT 38 GARFIELD AVENUE KURRALTA PARK  
FOR A RANA**

Title: CIVIL COVER PAGE  
Design: MC Scale: SHOWN  
Drawn: LC Dwg No:  
Date: SEP 17 170806-C2/A









17 October 2017

Our Ref: H0064870

The Chairman  
Development Assessment Commission  
136 North Terrace  
ADELAIDE SA 5000

Dear Sir/Madam

**PROPOSED LAND DIVISION APPLICATION NO: 211/C167/17 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.

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

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

Yours faithfully

TONY PANNUNZIO

**for MANAGER LAND DEVELOPMENT & CONNECTIONS**

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



Contact Lands Titles Office  
Telephone 7109 7016



17 October 2017

The Chief Executive Officer  
City of West Torrens

Dear Sir/Madam

**Re: Proposed Application No. 211/C167/17 (ID 59607)  
for Land Division  
(Community Title Plan) by Studio ED3**

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 06 October 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.  
Subject to our new process, on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non standard fees.  
The developer must inform potential purchasers of the community lots of the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to the owner/applicant.
2. Payment of \$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 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", written over a horizontal line.

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



## Preliminary Traffic, Flooding & Stormwater Assessment

**Development Application No:** 211/1185/2017

**Assessing Officer:** Sonia Gallarello  
**Site Address:** 38 Garfield Avenue, KURRALTA PARK SA 5037  
**Certificate of Title:** CT-5720/180  
**Description of Development:** Construct a residential flat building comprising five (5) two-storey dwellings, each with double garages under main roof and rear attached verandahs

### 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 22 May, 2018**



## Memo

To Sonia Gallarello  
From Andrew King  
Date 22/05/2018  
Subject 211/1185/2017, 38 Garfield Avenue, KURRALTA PARK SA 5037

Sonia Gallarello,

The following City Assets Department comments are provided as a summary of the current consideration of numerous elements of the development based on the understanding of current plans and the staged resolution of several of the areas of the development where concerns were originally raised.

### **MAJOR CONCERN - Watercourse Impacts**

#### **1.0 Offset from Adjacent Creek**

The City Assets Department holds the strong opinion based on site specific considerations that new dwellings associated with this development should be established with a minimum 10m offset from the centreline of the existing watercourse.

Although some improvement for original design for the development have been made in relation to the impact of proposed works on the watercourse, the currently proposed arrangement currently presents in the proximity of 2m deficient of the desired offset.

Although the applicant has provided engineering advice in relation to the proposed structure design of the closest dwelling and express believe that the existing creek bank/batter must be stabile as it is currently standing, the City Assets Department does not believe this appropriately considers the risks of high energy and explosive erosion which can occur within a watercourse such as Brown Hill Creek.

In executing Council responsibility for the management and protection to and from the watercourse of Brown Hill Creek, it is believed that the nominated desired 10m offset of the development from the creek centreline should be a critical consideration. Noting that it is also believed likely that should the AMLRNRMB have been required to comment on similar structures in this specific location under a 'water effecting activates permit' process, they would have come to a similar position in relation to desired offset.



## **GENERAL FEEDBACK**

### **2.0 Traffic Comments**

Several issues were originally raised in relation to manoeuvrability associated with the site arrangements.

The proposed site arrangement has subsequently been revised, with the applicant engaging MFY assistance.

Revised plans including alteration to widen roller door, increase critical dimensions and remove obstructions from the common driveway has subsequently led to City Assets previous indicated of the revised site arrangements being considered satisfactory.

It is noted that as the design has been developed the visitor parking space has been relocated to the frontage of the property and would be required to access and reverse in the dedicated passing area at the beginning of the driveway. The City Assets Department consider this arrangement as being undesirable and should be avoided where possible.

### **3.0 Verge Interaction**

The most recently provided Sitework and Drainage Plan (SCA Engineers - Dwg No. 170806-C3/D) demonstrates satisfactory road verge interactions for domestic stormwater connection and driveway crossing place alteration.

### **4.0 Stormwater Management**

For developments of this nature we have recently been enabling applicant to consider an alternate stormwater management solution to conventional stormwater detention. This alternate solution see a large total site volume of stormwater collection and re-use being implemented, with high proportions of roof area diversion and high level of re-use of the collected stormwater. It is considered that the scale of storage provided in association with the development would achieve similar benefit to the receiving Council stormwater network as that provided by conventional detention measures, whilst also providing stormwater quality improvement benefits and improved sustainability benefits to the ultimate homeowner.

Coupled with recommended conditioning, it is also believed that the alternate stormwater management approach will result in greater uptake of stormwater management measures.





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The applicant for this development has elected to adopt this alternate approach and provided demonstration of this in recently provided documentation.

## **5.0 Waste Management**

The applicant has indicated the acceptance of a reduced shared bin service by Council with the appropriate discrete bin storage area being nominated forward of the site.

It is recommended that the following condition is incorporated as part of the planning considerations of the proposed development.

***The site is eligible for a Council reduced shared bin service for general waste, recycling and green waste collection services.***

It is noted that the nominated bin storage location is likely to be just sufficient to contain the correct number of bins required and nominated to service the development.

The City Assets Department subsequently makes no comment or judgement of the efficiency and ease of practical use of this waste area, nor the appropriateness or amenity consideration of the proximity or exposure of this area to the adjacent dwelling or public street.

## **6.0 Finish Floor Level**

It has previously been indicated that the proposed FFL for the development satisfy the typical standard FFL requirement assessment.

Should you require further information, please contact Andrew King on the following direct extension number 8416 6333.

Regards

**Andrew King**  
**Coordinator Engineering Services**

## Preliminary Traffic, Flooding & Stormwater Assessment

Development Application No: 211/1185/2017

**Assessing Officer:** Sonia Gallarello  
**Site Address:** 38 Garfield Avenue, KURRALTA PARK SA 5037  
**Certificate of Title:** CT-5720/180  
**Description of Development:** Construct a residential flat building comprising five (5) two-storey dwellings, each with double garages under main roof and rear attached verandahs

### 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 17 November, 2017



## Memo

To Sonia Gallarello  
From Andrew King  
Date 17 November 2017  
Subject 211/1185/2017, 38 Garfield Avenue, KURRALTA PARK SA 5037

Sonia Gallarello,

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

### ***MAJOR CONCERN - Watercourse Impacts***

The site plan as currently provided with this application indicated the rear (southern) portion of this property currently has the bank of Brown Hill Creek located within it.

The proposed development nominates for a retaining wall to be constructed along the boundary lines and out over the creek bank, which would result in a probable blockage and reduced capacity of the creek flow.

Council would not be supporting of any filling of the creek or flow reduction impacts on this critical watercourse.

Further, in relation to the protection and erodibility of the watercourse, offset of new structures from a watercourse are typically required as outlined in the following.

**It is noted that substantial alteration of the development as currently proposed is likely to be required to address these concerns.**

### ***1.0 Offset from Adjacent Creek***

- 1.1 The City Assets Department advises that all structures associated with new development should be located a minimum of 10.0 m offset from the centreline of an adjacent physical creek or watercourse.

Based on the provided survey information, the currently proposed Dwelling 5 would need to be set back approximately 3m more than currently nominated to achieve this principle.

**It is recommended that amendments to the proposed development be made to address the above typical creek offset requirement. Revised plans should be provided to Council.**





## 1.2 Retaining within Proximity of Watercourse

Further to addressing the above, retaining of land may still be desired within proximity of the watercourse, but above the bank level of the watercourse.

Existing soil and ground conditions within proximity of watercourse are often less stable than that in a typical allotment, and ground within proximity of watercourses can be subject to erosion either through progressive long term movement of a watercourse or as a result of a single major storm event causing large scale erosion or collapse of banks. Based on these considerations it must be ensured that land proposed to be utilised or relied upon in association with new development is suitably retained in relation to the proximity of this land to the watercourse.

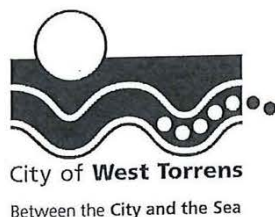
The attached sketch provides an indication of the scale of retaining structures likely to be required in relation to the proposed proximity of a development site to a watercourse. It is noted that this sketch is not a detailed design; however is based on the conservative principles of the construction of a conventional post and sleeper retaining structure.

The key element of this diagram is to seek clarification from the applicant in relation to the manner in which proximity of the development to a watercourse is ultimately to be addressed as part of the application. Is a larger engineering structure to be accommodated in closer proximity to a watercourse or is the development (including usable Private Open Space) to be located further from the watercourse to enable utilisation of a smaller retaining structure.

Alternate methods for retaining land and providing stable ground for development consideration can be provided as part of a development application, but must contain sufficient engineering detail to demonstrate the manner in which they would provide stability and must be developed in consideration of the specific characteristics of the proposed development.

Once the applicant has nominated a suitable retaining arrangement for the proposed development, it should be ensured that in association with any planning approval for the development a condition similar to the following is included to ensure that final engineering detailing of any structure has taken appropriate consideration of the watercourse.

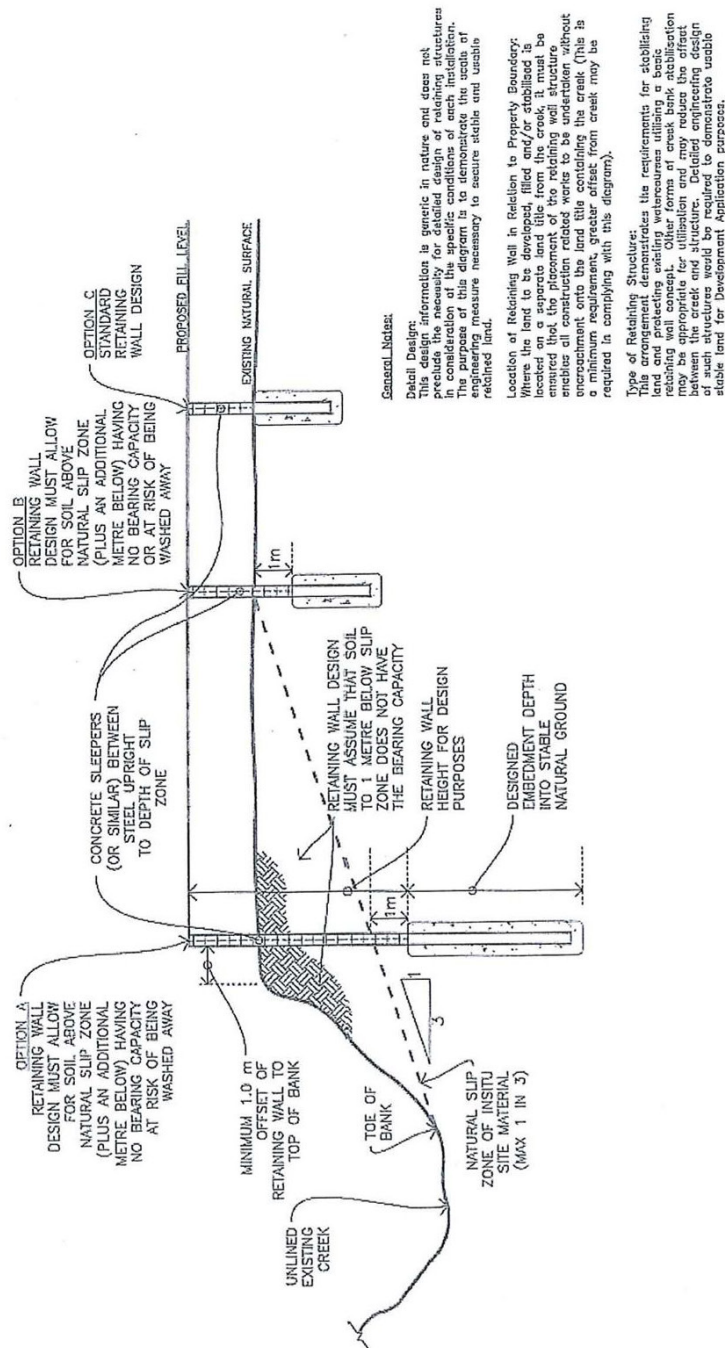
" Prior to the lodgement for Full Development Approval, detailed engineering plans and calculations for the retaining of land adjacent to the watercourse are to be provide and considered acceptable to the reasonable satisfaction of Council's Manager City Assets."



It is noted that the above requirements relate to general land stability within a development site and the reasonable usability of that land for Private Open Space (POS) or similar. These measures are in addition to the standard Council requirement for proposed structures associated with new development to be located with an appropriate offset from the centreline of a watercourse (10m in most circumstances).

***It is recommended that the following be undertaken in relation to this development proposal.***

- *Detailed survey be provided by the applicant in relation to the watercourse and relation to the development site.*
- *The applicant to nominate the scale and degree of retaining structure to be utilised in relation to the development proposal, including offset location of such from the watercourse.*
- *Should a method of retaining and stabilising land be proposed which varies from Council's standard concept sketches, than detailed engineering and design information for such should be provided*
- *Condition on any Planning Approval for the development should be included to require subsequent reasonable satisfaction of Council of detailed design of retaining structure.*



#### General Notes:

**Retain Design:**  
This design information is generic in nature and does not preclude the necessity for detailed design of retaining structures in consideration of the specific conditions of each installation. The purpose of this diagram is to demonstrate the need of engineering measure necessary to secure stable and usable retained land.

**Location of Retaining Wall in Relation to Property Boundary:**  
Where the land to be developed, filled and/or stabilised is located on a separate land title from the creek, it must be located on the separate land title. The retaining wall must be located on the separate land title and must not encroach onto the land title containing the creek (this is a minimum requirement, greater offset from creek may be required in complying with this diagram).

**Type of Retaining Structures:**  
This arrangement demonstrates the requirements for stabilising land and protecting existing watercourses utilising a basic retaining wall concept. Other forms of creek bank stabilisation may be appropriate for installation and may reduce the offset from the creek. The design of such structures would be required to demonstrate suitable stable land for Development Application purposes.

**BASIC RETAINING WALL  
LOCATION AND OFFSET TO  
UNLINED CREEK**

DRAWING 'NOT TO SCALE'



8 JUNE 2016 - DWG 1516.003





## 2.0 Traffic Comments

### 2.1 Manoeuvrability

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

Numerous elements of the current design would provide critical restriction to the satisfactory manoeuvrability for most of the garage parking spaces within the development, these include building wing walls, garden beds and visitor parking space.

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

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

### 2.2 Visitor Parking Space

As the currently proposed development includes 5 dwellings, the provision of an on-site parking space is called for within the development plan.

Although a visitor parking space is nominated on the design, there is no evident manner (nor evident simply evident design change) for this visitor car to be able to turn and exit the site in a forward direction, as such this nominated arrangement is not considered satisfactory.

**It is recommended that locating and design of the visitor parking space and general site is reviewed to facilitate the appropriate servicing of the visitor parking space.**

### 2.3 Garage Dimensions

As best can be interpreted from the provided design drawings, the length of the proposed garages is impacted by add on to the laundry rooms. At these locations the garage appears to be well deficient of the desired length for a garage.



Based on the scale of an Australian Standard vehicle and the provision of minimal pedestrian movement around a car, it is recommended that the minimum depth of a garage should be 5.8m.

**It is recommended that design of the garages for the development be adjusted in accordance with the above information.**

#### 2.4 Garage Dimensions

As best can be interpreted from the provided design drawings, the length of the proposed garages is impacted by add on to the laundry rooms. At these locations the garage appears to be well deficient of the desired length

#### 2.5 Driveway Passing Area

As the access driveway will service more than one property, the driveway corridor to the site will be required to be a minimum of 5.5m wide pavement width (+ 300mm offset from fences/walls/boundary/obstructions) for the first 5.0m into the site to permit the passing of entering and exiting traffic. Please refer to the attached sketch for a typical layout.

Based on the currently provided information, it would appear that the current arrangement is short of satisfying these requirements, partially in consideration of the location of electrical service facilities.

**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.**

#### 2.6 Site Services

It is also important to ensure that the functionality of this driveway entrance and passing area is not compromised by the ultimate installation of letterboxes, above ground service metres or similar. Provided plans should indicate location for letterboxes and meters which would satisfy this requirement.

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



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

### **3.0 Verge Interaction**

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

It is noted that the proposed location of the stormwater connection from the site would not comply with the above due to proximity of both the driveway and a stobie pole. Simple relocation of stormwater connection to the eastern side of the property would address these concerns.

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

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

- 100 x 50 x 2mm RHS Galvanised Steel or
- 125 x 75 x 2mm RHS Galvanised Steel or
- Multiples of the above.
- No connection through bus stop hard stand (if applicable).

**It is recommended that revised plans clearly and**





accurately indicating satisfaction of the above criteria be provided to Council.

#### **4.0 Stormwater Management**

- 4.1 The stormwater detention calculations provided in association with this application have fundamental errors in relation to the manner in which the calculated detention storage is to be implemented on the site.

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.
- 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



City of **West Torrens**

Between the City and the Sea

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.

Specific to the current application, should the alternate rainwater tank approach not be desired, then the proposed mechanism of detention for the site would need to be adjusted to reflect the calculations which have been provided. The calculations nominating all hard surfaces within the development being directed to a common.

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

## **6.0 Finish Floor Level**

In accordance with the provided 'Site Plan' (Studioed3 – Drawing Number 1732-PD.01–Issue A), the FFLs of the proposed development (20.65 minimum ) have been assessed as satisfying minimum requirements (20.60 minimum) in consideration of street and/or flood level information.

## **5.0 Waste Management**

- 5.1 It is unclear whether the 3m x 3m bin storage area as indicated at the north- eastern corner of dwelling 1 is proposed to be the communal bin storage area for the whole site. The applicant has not indicated whether waste collection is to be serviced by Council traditional bin collection services.

The available kerb frontage of the property (excluding the access driveway) leave only an approximate less than 10m of frontage for the collection of bins. Allowing for the presence of an existing street tree, the remaining kerb length for the presentation of bins is likely to be well less than the desired 8m. Consequently, unable to accommodate the bin placements of 10 at a given week.

In circumstances such as this, Council has considered it acceptable to offer a 'Shared Bin' Council service, where each set of bin types are shared across the development and consequently a reduction of the total number of each bin type is provided to the development. Resultantly, the standard bins would then fit within the restrictions of the site frontage. Under this 'Shared Bin' arrangement for this specific site (based on development density, number of bedrooms and garden extent) the following bin allocation could be offered to this site and would be acceptable based on the verge arrangements.



- 4 x 140 litre General Waste Bins (red lid)
- 4 x 240 litre Recycling Bins (yellow lid)
- 3 x 240 litre Green Waste Bins (green lid)

It would then be a requirement for development for a bin storage area to be provided in a communal space within the development site, possibly north of the site adjacent the common driveway.

Other than the above outlined option, the only other consideration for this would be the servicing of waste by private contractor, which would likewise require the provision of a communal waste storage area within the development.

**It is recommended that the applicant be requested to provide a revised consideration and commitment to the manner of waste management within the development site.**

Should you require further information, please contact Andrew King on the following direct extension number 8416 6333.

Regards

**Andrew King**  
**Coordinator Engineering Services**



**Sonia Gallarello**

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**From:** Enio Trombetta  
**Sent:** Friday, 2 February 2018 1:08 PM  
**To:** Sonia Gallarello  
**Cc:** Rick Holmes  
**Subject:** RE: 38 Garfield Avenue, Kurralta Park - Development Number 211/1185/2017

Hello Sonia,

City Operations has inspected the site at 38 Garfield Ave Kurralta Park and provide the following details,

In relation to the tree at the rear of 38 Garfield Ave within the Brown Hill Creek Canal, please be advised that the tree is an exempt species and does not satisfy the criteria as a 'regulated tree'.

The *Melaleuca armillaris* within the neighbouring property 40 Garfield Ave Kurralta Park, has a trunk circumference greater than 2.0m when measure 1.0m above natural ground level, however its current condition is best described as senescence, which is the process of deterioration with age. Should development occur within the neighbouring property 38 Garfield Ave, within the TPZ no matter how slight it will affect the 'regulated tree'. Both yards have remained undisturbed for many years and any root disturbance at this point in time will cause irreversible consequences.

I trust this explains the situation, should you require any additional information please do not hesitate to contact me.

Kind regards,

**Enio Trombetta**  
**Technical Officer Arboriculture**  
City of West Torrens  
165 Sir Donald Bradman Drive  
Hilton SA 5033



---

**From:** Sonia Gallarello  
**Sent:** Tuesday, 23 January 2018 2:24 PM  
**To:** Enio Trombetta  
**Subject:** FW: 38 Garfield Avenue, Kurralta Park - Development Number 211/1185/2017

Could you please review these trees on 40 Garfield and Brownhill creek area to determine if any negative impact on any regulated trees?

Thanks,

**Sonia Gallarello**  
**Development Officer - Planning**



Our ref: GM/211160

3 May 2018

Mr A Rana  
C/- Hijrah Pty Ltd

By email:

Dear Mr Rana

**DA for dwellings at 38 Garfield Avenue, Kurralta Park – DA 211/1185/17**

You have sought my advice in relation to an application that has been lodged with the City of West Torrens to establish five dwellings at 38 Garfield Avenue, Kurralta Park.

The rear of the land abuts the Brownhill Creek. Five dwellings are proposed and the issue that arises is that the distance that the rear dwelling needs to be from the rear boundary i.e. the middle - or centre line - of the creek.

It is understood that the discussions have been had with Mr Andrew King, the Coordinator Engineering Services, City Assets at the City of West Torrens. Mr King has expressed the view that the rear dwelling – dwelling 5 – ought to be located 10m from the centre line of the creek. However the proposed plans propose the dwelling to be 8m from the centre line of the creek.

The issue in respect of which my advice is sought is whether there need be a 10m or 'only' an 8m setback from the centre line of the creek.

**Development plan**

The land is in the Residential Zone, and more particularly the land is in Policy Area 19 – Medium Density.

I have considered the Development Plan as to whether or not there is any express policy regarding the "requirements" for a 10m setback from Brownhill Creek. I have been unable to identify any such provision. I note however that there is a provision relating to the River Torrens – in the general section design and appearance, there is a heading of *Building setback from River Torrens* which sets out 2 principles. Those provisions deal with setbacks from the River Torrens. However I have not been able to identify any express set back provision relating to Brownhill Creek.

It is clear that the author of the Development Plan has turned their mind as to the question of an appropriate set back from my watercourse. The absence of a reference to a setback from the Brownhill Creek is telling.

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e. [info@bllawyers.com.au](mailto:info@bllawyers.com.au)  
[www.bllawyers.com.au](http://www.bllawyers.com.au)

BL Lawyers Pty Ltd trading as Botten Levinson Lawyers ABN 36 611 397 285 ACN 611 397 285  
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gm:p211160\_427.docx



– 2 –

### Concerns of Andrew King

You have provided me with a series of emails from Mr King including an email that Mr King sent to the relevant council planning officer being Sonia Gallarello dated 20 April 2018 Mr King raised a number of matters in that email including his concerns about 'watercourse impacts'. In particular Mr King in that email wrote the following:

*It is standardly requested that new structures of importance are located a minimum of 10m from the centre line of the physical watercourse. This is requirement being in consideration of protecting the functionality of the watercourse and the risk associated with the natural behaviour of water courses to change shape, potentially under explosive erosion circumstances. Site specific consideration was given to the specific site and proposed development based on the depth, nature and material of the watercourse, the 10m offset requirement was considered relevant and appropriate. Recently provided updated design information has increased the setback by 0.5m in comparison to previous designs, which are still in the order of 2m deficient of the desired offset. It is noted that even under the revised design, the southernmost dwelling is proposed to be approximately 1.0m from the existing top of watercourse bank – any natural erosion or shape change of this watercourse bank would subsequently result in risk of undermining this dwelling. (sic).*

As discussed with you, the Development Plan contain some specific provisions which do with flooding and hazards see Hazards section and in particular PDC 4 - 7 inclusive. There is also PDC 23 under the heading Natural Resources. (This list is not exhaustive). But they do not deal with the issue of "structural stability". Of course erosion is linked to the issue of structural stability. Generally the issue of structural stability is to be assessed at the time that building rules consent is obtained. However it is clear from the advice that I have sighted, that the issue of structural stability has been considered with the '8m setback design' such that dwelling 5 can be built in an appropriate manner applying recognized engineering techniques (see discussion below).

The other general provisions of the development plan deal with a range of issues relating to development generally and in particular residential development. Policy area 19 strongly encourages higher density residential development.

Finally I note it is a basic planning precept that development should be appropriate and not subject to hazards such as stormwater or flooding.

### Need for a 10m setback from the centre line of the creek

Having regard to the above, Mr King recommended that the planners take into account the "strong opinion that the provision of this 10m offset is important and appropriate in consideration of the site specific circumstance of this development".

Is there a proper basis for that?

Any planning application has to be assessed against the relevant provisions of the Development Plan. As referred to above, there is no requirement in the Development Plan to seek a 10m setback from the centre line of the Brownhill Creek. Accordingly clearly it cannot be contended that there is a requirement, to use the language of Mr King.

I understand Mr King is an engineer and Mr King is concerned about engineering matters. That is clear from the extract from his email of 20 April 2018 as set out above. What is the engineering situation? In that regard, I have been provided with several reports from Mr Glynn of MLEI Consulting Engineers. Mr Glynn first prepared a report dated 11 April 2018 in

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– 3 –

relation to the engineering solution regarding dwelling five. Mr Glynn's opinion was then "reviewed" by Dr Nasir a senior civil engineer who has obtained his Ph.D. in civil and structural engineering. Dr Nasir reviewed the approach adopted by Mr Glynn and said it was *"adequate and conclusions are sound, reflecting rationale based on fundamental structural engineering principles"*.

However in response to the comments from Mr King dated 20 April 2018, Mr Glynn has reviewed the earlier engineering details and has prepared a report dated 1 May 2018. I have considered that report. Further Dr Nasir has reviewed the 1 May 2018 report from Mr Glynn. Again Dr Nasir supports the engineering 'solution' put forward by Mr Glynn and more particularly says

*I don't see any engineering rationale to apply planning approval limitation of Unit 5 offset of 10m from the creek centreline (sic).*

My reading of all of the reports that there is an engineering solution that has been designed which is based on sound engineering principles to deal with the issues raised by Mr King.

### **Conclusion**

I am satisfied having read the reports from MLEI, the advice from Dr Nasir and of course the concerns expressed by Mr King in his email dated 20 April 2018 to Ms Gallarelo, that there is no or no proper basis at that dwelling 5 be located 10m from the centre line of the creek.

An engineering solution has been designed/prepared which will maintain the structural integrity of dwelling 5 and as I understand the reports, there is no basis to speculate that there will be a further erosion or any additional erosion as result of the dwelling being sited 8m from the centre line of the creek rather than 10m.

In short:

1. there is nothing the Development Plan which requires the rear of dwelling 5 be 10m from the centre line of the creek, and
2. in any event there is good engineering advice available to deal with concerns raised by Mr King that the plans as lodged which locates the rear of dwelling 5 to be located only 8m from the boundary is appropriate.

In my opinion Mr King has adopted a very conservative approach which is not appropriate based on:

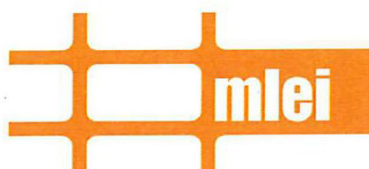
- 1 the express Development Plan provisions.
- 2 the engineering design that has been prepared that is based on appropriate and recognized engineering techniques.

Yours faithfully



**George Manos**  
**BOTTEN LEVINSON**  
Email:

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CONSULTING  
ENGINEERS

Date: April 11, 2018  
Our Ref: 2018-7410

Mark Sturuss  
Studio e(D)3 – building design  
Email:

Dear Mark,

**RE: Proposed Development No. 211/1185/2017 at 38 Garfield Ave, Kurralta Park**

MLEI Consulting Engineers have been engaged to review the planning documentation for the proposed development of 5 townhouses at 38 Garfield Ave, Kurralta Park and provide advice relating to the interface with the existing creek at the southern end of the property.

I am a qualified Civil & Structural engineer with 11 years' industry experience across the land development, residential, water, heavy civil, building and resources industries. My work experience includes being employed by KBR, Santos, Fyfe and MLEI Consulting Engineers in various Civil and Structural engineering capacities and have been involved in the delivery of numerous projects of varying sizes from small to very large. I am experienced in engineering design and providing engineering advice relevant to this specific application through my civil and structural engineering works within the Residential and Land Development Industries.

I have reviewed the following documentation relating to this application:

- Architectural drawings produced by Studio e(D)<sup>3</sup>;
- Engineering drawings produced by SCA Engineers;
- Council comments in their letter dated 9 January 2018, which included their recommended retaining wall requirements adjacent a water course;
- Concerns raised by Sonia Gallarello's in her email dated 28 March 2018;

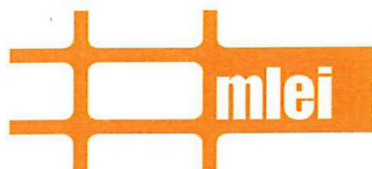
I have spoken with Andrew King, Councils engineering representative, on 5 April 2018 to understand his concerns relating to the application and specific areas that council would like amended. The key areas of concern raised during our discussion was the council's requirement that the existing creek cross-section is not altered by the proposed development to ensure that the creeks conveyance capacity is maintained and that the integrity of proposed structures cannot be put at risk by potential failures of the creek bank in the future. Andrew referred to councils recommended detail for retaining walls adjacent unlined creeks as demonstrating council's requirements.

Following discussions with council and further review of correspondence, we have provided advice to Studio e(D)<sup>3</sup> on amendments and implications to the current application. The required amendments/implications are summarized as follows:

- Remove all retaining walls and solid fencing within the creek cross section, which we interpret as being outlined by the 20.2m contour on the site survey;
  - The yard on the south side of Dwelling 5 should be maintained at existing ground levels and the perimeter footpath should match existing ground level. This will result in no change to the existing surface within the creek cross-section;
  - All solid fencing should be removed within the creek cross-section to prevent obstructing creek flows;
- Increase dwelling setback to provide a minimum of 1m offset from the top of creek bank;
  - Dwelling 5 foundation will need to be structurally engineered to ensure it is founded on suitable founding material and not at risk of erosion in the event of the creek bank failure. Dwelling 5

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foundation will likely take the form of a stiffened raft foundation supported on concrete trench piers within the creek bank slip zone, such that all load is transferred below the slip zone as demonstrated on Councils retaining wall detail adjacent an unlined creek (attached to this letter). We consider that this should be conditioned on the planning approval, then designed and documented in the building rules consent phase;

- We don't consider that an offset of all structures from the adjacent creek centerline of 10m is warranted.
  - This requirement appears to be a quantitative planning requirement and not based on engineering principles. Councils retaining wall detail adjacent an unlined creek, attached to this letter, demonstrates that construction of a critical structure is permitted within 1m of the top of creek bank. An engineering solution has been proposed above to design the adjacent Dwelling 5 foundation in such a way that any risk of erosion causing damage to the structure can be mitigated. We consider that provided the dwelling is founded on suitable material and not at risk of flood inundation (not assessed in this review), that this requirement should not be applicable;
- Area to the south of dwelling 5 is not required for Private Open Space provisions, as this has been met by open space to the east of dwelling 5, hence the grade of existing surface to the south does not pose a concern;

We have reviewed the updated documentation provided by Studio e(D)<sup>3</sup> and confirm that the documentation meets that intent of our advice as described above. We consider that these amendments satisfy the intent of council's concerns relating to potential erosion of the existing creek bank, land stability and reduced capacity of the creek as stated in their letter dated 9 January 2018.

If you have any queries or require any further information, please don't hesitate to contact the undersigned.

Kind Regards,  
MLEI Consulting Engineers

**Craig Glynn B.Eng(Civil & Structural)**

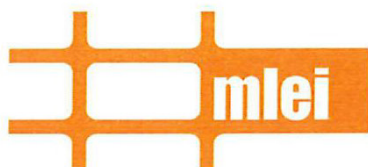
**Senior Civil Engineer**

Encl: Basic Retaining Wall Location and Offset to Unlined Creek  
Encl: CV

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## Craig Glynn

Senior Civil Engineer / Project Manager

### Education

- Bachelor of Engineering (Civil & Structural) University of Adelaide, 2006
- Bachelor of Economics, University of Adelaide, 2006
- Diploma in Work Health and Safety, Plenty Training, 2014
- Certificate IV in Project Management
- Registered Building Supervisor BLD251913

### Affiliations

Certified Practicing Project Manager (CPPM) Australian Institute of Project Managers (AIPM)

### Fields of Expertise

- Land development
- Engineering Management
- Construction and Contract Management
- Civil Infrastructure and Earthworks
- Project Controls and Scheduling
- Project management
- Safety Management
- Environmental and Regulatory Compliance
- Mechanical, Electrical and Controls
- Oil & Gas

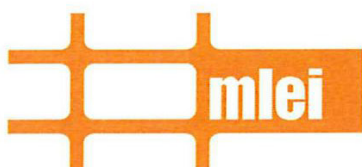
### Professional Experience:

Fyfe: Civil & Structural Manager, Senior Civil Engineer & Project Manager	2015 to 2018
Santos: Senior Project Engineer	2014 to 2015
KBR: Construction & Contract Manager, Civil & Structural Engineer	2007 to 2014
Hansen Yuncken: Site Engineer	2008

Craig has over 11 years' experience across the land development, water, heavy civil, building and oil and gas industries, during which time he has been exposed to a diverse range of engineering, project, team, construction and contract management positions. He has been involved in all phases of an extensive range of projects from concept development, detailed design through to construction and commissioning.

As an experienced Project, Construction and Engineering Manager, Craig has been responsible for the successful delivery of a number of complex multi-disciplinary projects and contract packages. Craig possesses a strong technical focus, leadership qualities as well as team, cost and schedule management skills.

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## Past Projects:

### Land Development

- **Womma Road, Penfield Development (2017-2018)**, Oakford Homes. Project Manager and Senior Civil Engineer for 113 allotment staged land development project. The project includes liaising with Council, DPTI and service authorities, civil design and council and DPTI standards, engineering, project management, tender call and assessment, construction surveillance and contract administration. The project includes the design and construction of a DPTI intersection on a DPTI road as the main entrance to the development.
- **Croydon Park TAFE Redevelopment (2016-2018)**, House Bros. Project Manager and Senior Civil engineer for the redevelopment of an old TAFE site into a 3 stage residential development. The project includes the remediation of contaminated land including substantial earthworks, liaising with council and service authorities, civil engineering, tender call and coordination with all stakeholders.
- **Tabernacle Road, Encounter Bay (2017-2018)**, Oakford Homes. Project Manager and Senior Civil Engineer for the development of Stage 2 of the Tabernacle Road development which includes 40 allotments and stormwater headworks for the overall development.
- **Franklin Island, Encounter Bay (2017-2018)**, Dandevco. Project Manager and Senior Civil Engineer for the development of Stages 4B & 5B of the Franklin Island development.
- **Webber Drive, Nairne Development (2016-2018)**, Oakford Homes. Project Manager, Senior Civil Engineer and Contract Manager for a 75 allotment staged in-fill land development. Craig's responsibilities include liaising with service authorities and council, obtaining approvals, engineering, project management, contractor management, tender call and assessment.
- **Somerton Park Retirement Village (2016-2018)**, Stockland Developments. A 35 dwelling retirement village where Craig is responsible for the delivery of the Civil and Structural engineering services. Craig has coordinated the engineering design with other design consultants, including Architect, Building Services, Landscape architect, Traffic engineer, Planning, Building Certification and Cost planning.
- **Fradd Road, Munno Para – Stage 1B (2016-2017)**, Royal Park Salvage. Project Manager and Senior Civil Engineer for a 70 allotment land development where Craig is responsible for engineering design, liaison with SA Water, NBN, council, APA and SEAGas to achieve required approvals, which included coordinating and participating in a Safety Management Workshop with SEAGas to review and gain approval to cross a high pressure gas transmission pipeline with critical infrastructure efficiently service the development. Craig also advocated to council for the integration of the developments stormwater management strategy with the councils regional strategy.
- **Parklink, Devon Park (2016)**, Qattro. The project is a 90 allotment medium-high density in-fill land development where Craig has a project management, engineering and contract management role. Craig was responsible for the management of construction works through the delivery phase and coordinating all Authority clearances.
- **Paech Road, Mount Baker (2016-2017)**, Monopoly Property Group. A 185 allotment land development project where Craig is responsible for providing Stormwater management advice and concept main connector road earthworks modelling to aid the development approval application.
- **39 Salisbury Highway (2016)**, Vancura Loans. The project was a 10 allotment community titled development where Craig's responsibilities included project management, engineering, obtaining approvals, liaising with service authorities, tender call and evaluation, contract management to completion. Craig was responsible for the project throughout its full life-cycle.

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- **Jollytown Road, Lyndoch (2016)**, Oakford Homes. A 28 allotment land development project where Craig was responsible for preparing a concept cost estimate and feasibility for the project, which required consultation with authorities to effectively scope required headworks and determine any infrastructure constraints.
- **Kilburn and Blair Athol Urban Renewal Plan (2016)**, Renewal SA. An urban design and master planning study for the neighbourhood renewal project, where Craig's responsibilities included engineering review and negotiation with client and council on the stormwater strategy for the precinct.
- **Batson Parade, Hindmarsh Island (2016-2017)**, Middleton Developments. A 20 allotment low density land development project on Hindmarsh Island where Craig is responsible for project management, service authority liaison, engineering, obtaining approvals and tender call & assessment.
- **121 North Road, Nairne (2016-2018)**. An 11 allotment land development project in Nairne where Craig is responsible for the project management, service authority liaison and engineering. The site contains challenging geography and the design has been efficiently designed to minimise earthworks.
- **Kanwyn Road, Kanmantoo (2016-2018)**. A 19 allotment residential development project where Craig is responsible for project management and engineering design.
- **Seaton Ave, Port Lincoln (2016-2018)**. A 20 allotment community titled light industrial development project which incorporates three stages. Craig has been responsible for the engineering, service authority liaison, engineering design, obtaining approvals and coordinating other design consultants.
- **10 Bassett St, Nairne (2016)**. A 6 allotment land development project where Craig was responsible for all engineering services. The project included the successful development of allotments within the 100 year flood zone of the local river for which the approval required a flood study and subsequent negotiations with council to provide advice on the impact of the development.
- **Roche St, Freeling (2016)**. A land development project where Craig managed the engineering design and liaison with council regarding the service connections required for the new allotments.
- **Parkers Road, Gawler Belt (2016)**. A land division project where Craig managed a flood study to analysis the overland flow path during the major storm event in the sites vicinity to support the land division application.
- **Chilton Retirement Village (2016-2018)**, Beyond Today. A 78 dwelling retirement living development where Craig was responsible for reviewing and updating engineering documentation for construction staging purposes.
- **Songvaar Road, Port Victoria (2016)**, Weeks Building Group. A 19 allotment land development project, where Craig was responsible for project close out at the end of the maintenance period.
- **River Road, Marden (2016)**, Qattro. A 132 allotment medium-high density infill land development project where Craig managed project close out through the maintenance period.
- **Elizabeth Village, Penfield (2016)**, Building Design & Drafting. A 60 dwelling retirement community where Craig was responsible for construction engineering support.
- **Coomurra Drive, Salisbury Heights (2016)**. A land division project where Craig was responsible for the Stormwater Management Plan to support the land division application.

#### Water/Civil/Buildings

- **Goolwa Regional Waste and Recycling Depot (2017-ongoing)**, Blubuilt Constructions. Project Manager and Senior Civil Engineer responsible for the Civil and Structural Engineering design for the Waster Transfer Shed, Mechanical Workshop and Office building.
- **Tindal RAAF Base Accommodation Facility (2016-ongoing)**, Ausco Modular. Project Manager and Senior Civil Engineer responsible for the Civil design of the 300 man accommodation facility which included common facilities, rooms, access roads, stormwater management, flood review and construction support.
- **Shared Use Coast Park (2016)**, BluBuilt Constructions. Project Manager and Senior Civil Engineer responsible for the concept engineering design of a new 3.7km shared use Coast Park incorporating elevated board walk and on grade path through a sensitive coastal environment.

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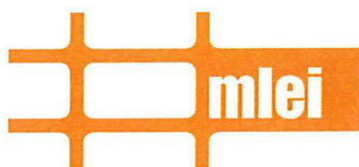


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- **Morgan SA Water Pump Station Stormwater Upgrade (2016)**, Morgan, BluBuilt Constructions. Project Manager and Senior Civil Engineer for the upgrade of the existing pump stations stormwater system to provide 100 year ARI stormwater protection of the facility. Craig's responsibilities included engineering design, facilitating a design workshop with SA Water and construction queries for the project.
- **Main North Road & Philip Highway Intersection (2016)**, Department of Planning, Transport and Infrastructure. Senior Civil Engineer responsible for the concept design of the upgrade of the existing left hand turning lane.
- **Beverley Uranium Mine Haul Roads Upgrade (2015-2016)**, Beverley, Heathgate Resources. Project manager and Senior Civil Engineer for the engineering design of the upgrade and construction of 110kms of haul roads to service the mine site. Craig's responsibilities included engineering, management of sub-consultants, site investigative works and cost estimating.
- **Blanchetown Landfill (2016)**, Adelaide Brighton Cement. Project manager and Senior Civil Engineer for the design of a new landfill cell to EPA requirements, to accept cement kiln dust produced as a waste product during the cement manufacturing process from Adelaide Brighton's Birkenhead facility. Craig was responsible for the engineering design and producing the technical specification for the project.
- **Christies Beach Wastewater Treatment Plant Upgrade (2009 – 2014)**, Christies Beach, SA Water. The project was a large-scale multidisciplinary upgrade project with a value of \$272 million, where KBR were the Engineering, Procurement and Construction Management service provider for SA Water. The brownfield project consisted of an increase in the plant's wastewater treatment capacity, improvement of effluent quality, increase in onsite sludge handling capabilities and the incorporation of onsite power generation.
  - **Construction Manager (2014)** for the project responsible for the oversight of all construction work on site, ensuring contractor compliance with the project safety management plan, representing the client in all contractual negotiations, manage stakeholder relations, manage quality control and ensure works are delivered on schedule and budget.
  - **Mechanical & Electrical Contract Manager (2011 – 2013)** for two contract packages, responsibilities included the management of all safety, environmental, technical, quality, financial, contractual, coordination and schedule issues associated with the works. Craig gained experience in mechanical, electrical and controls engineering disciplines through the management of numerous complex technical issues and coordination with the commissioning team. The contract packages included:
    - Mechanical and Electrical Works – A, B & C Plants contract (≈ \$25 million) for the construction of the new process facilities, aeration system, membrane cassettes, chemical and ethanol dosing, associated process piping and electrical infrastructure including high voltage.
    - UV Disinfection contract (≈ \$2 million) for installation of the new UV disinfection system.
  - **Civil Contract Manager (2009 – 2012)** for five civil contract packages, responsibilities included managing all issues and stakeholders associated with the contract works, while ensuring that the works were delivered safely and to required quality, schedule and budget. The delivery of the works required meticulous coordination between the contractor, design engineers, other civil contractors, subsequent mechanical and electrical contractors, operations contractor and the client. The contract packages included:
    - Early Civil Works contract (≈ \$7 million) for construction of industrial buildings, earthworks, roads, underground process piping and landscaping.
    - Outfall Works contract (≈ \$15 million) for construction of a large ocean outfall pipe which included extensive sheet piling and dredging.
    - Civil Works – Inlet, Sludge Handling and Power Generation contract (≈ \$11 million) for the construction of concrete process tanks, complex tie-in works to operational facilities, earthworks, roads, underground process piping and landscaping.
    - Building Works contract (≈ \$7 million) for construction of industrial and commercial buildings and the refurbishment of an existing workshop.
    - Civil Works – A, B & C Plants contract (≈ \$23 million) for the construction of large concrete process tanks, large industrial facilities, earthworks including handling of contaminated soil, roads, underground process piping and landscaping.
  - **Civil and Structural Engineer (2009 – 2012)** for the project responsible for reviewing and providing feedback on all design and fabrication drawings, including all steel and concrete structures, performing all engineering inspections and completing any temporary works designs.

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- **Noarlunga Downs Wetlands Project (2013)** Noarlunga Downs, SA Water. Project Manager and Civil Engineer for the delivery sludge lagoon remediation and wetland construction (≈ \$5 million). Responsibilities included preparing tender documentation, reviewing engineering design, liaising with numerous stakeholders, construction management and supervision of the earthworks contract which included the management of large quantities of Acid Sulphate Soils.

#### Buildings

- **Hills Industries Head Office Project (2008)**, Adelaide, Hills. Site Engineer for the construction of a 14-storey office building with a value of \$65 million.
- **Schools PPP Project (2008)**, Adelaide, Department of Education. Tender Design Manager for the construction of six schools with a value of \$190 million.
- **Anglicare Canterbury Close (2008)**, Elizabeth East, Anglicare SA. Defects Manager for the close-out of construction of a 150-bed nursing home with a value of \$13 million.
- **Holy Family Catholic Primary School Multipurpose Hall (2008)** Parafield Gardens. Design Manager and Structural Engineer for design of a multipurpose hall.
- **Clipsal 500 Shade Structures and Pit Building (2008)** Adelaide. Structural Engineer assisting with structural design of the new pit building and Turn 1 Gold Stand shade structure.
- **Australian Submarine Corporation Extension (2007)**, Osborne, ASC. Structural Engineer assisting with structural design of the mechanical and hydraulic workshops.
- **Southern Regional Water Pipeline (2007)**, South-East Queensland, SWRP alliance. Civil and Structural Engineer assisting with the civil and structural design of three pump stations.

#### Energy and Resources

- **Darallie Evaporation Pond (2016-2017)**, Santos. Senior Civil Engineer for the engineering design of a new evaporation pond and integration into the existing water management facilities.
- **Arcadia Compression Facility (2016)**, Santos. Senior Civil Engineer responsible for the earthworks design for the new Arcadia Compression Facility. The project involved the relocating of an existing compression facility to the new site and therefore the coordination of the earthworks design with the contractor and the existing facility was critical to minimise re-work of Infrastructure.
- **Structural Assessment (2016)**, Iluka Resources. Project Manager for the structural concept design of transportable process modules for use within Iluka's operational facilities.
- **Mitchie River Crossing Upgrade (2016)**, Santos. Senior Civil Engineer for the engineering design of the upgrade of the Mitchie River crossing to facilitate access for heavy vehicles including drill rigs.
- **Moomba Weigh Bridge (2015)**, Santos. Senior Civil Engineer responsible for the engineering design and work pack for the construction of a truck weigh bridge facility on the main entry road to the Moomba Processing plant.
- **SWQ Project Execution Works Program (2014-2015)**, South Western Queensland, Santos. Senior Project Engineer and Program Manager for the Santos South Western Queensland Project Execution Team for the delivery of small to medium capital and maintenance works within the asset area. This included project management, engineering management of internal resources and external consultants, procurement, construction management of Civil, Mechanical, Electrical & Controls packages and establishing and maintaining a mechanical and instrument/electrical embedded contract work force; which included labour selection, equipment and tooling capability setup, facilities construction and work management practices development.
- **Ballera Yield and Optimisation Project (2015)**, Ballera, Santos. Project Manager for the delivery of a mechanical, electrical and controls upgrade within the Ballera plant to increase yield of higher value gas components and reduce plant fuel gas usage. Responsibilities included managing the project in compliance with the Santos project management process, engaging and managing engineering consultants, procurement, planning the associated plant shutdown and construction management.
- **SWQ Type B Compliance Upgrade Project (2014-2015)**, South Western Queensland, Santos. Project Manager for the delivery of a mechanical upgrade to all large gas engines within SWQ Operations to achieve compliance against relevant Australian Standards. Responsibilities included engaging and managing engineering consultants, procurement and construction management.

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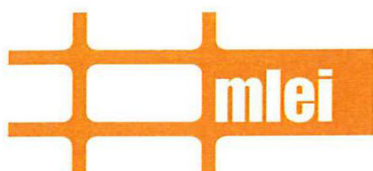
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- **Muthero Interceptor Pond Project (2015)**, South Western Queensland, Santos. Project Manager for the installation of a new oil Interceptor pond, associated pipework and decommissioning of existing non-compliant installation. Responsibilities included managing internal engineering resources and procurement.
- **Cook Water Management Project (2015)**, South Western Queensland, Santos. Mechanical Construction Manager for the installation of a new interceptor pond and evaporation ponds.
- **PASA Compressor Controls Upgrade Project (2015)**, Ballera, Santos. Project Manager for the replacement of all instrumentation and the control panel on an existing gas compressor within the Ballera Plant. Responsibilities included managing the project from the completion of detailed design through construction and close-out.
- **Ballera Abandonments Project (2014)**, Ballera, Santos. Project Manager for the disconnection and abandonment of processing trains within the Ballera Plant. Responsibilities included managing for the project from the completion of detailed design through construction and close-out.
- **Ballera Fire Water Pump Replacement Project (2014)**, Ballera, Santos. Construction Manager for the installation of two new pumps and associated pipework and equipment to supply fire water to the Ballera plant. Responsibilities included procurement and construction management.

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ENGINEERS

Date: May 1, 2018  
Our Ref: 2018-7410

Mark Sturuss  
Studio e(D)3 – building design  
Email:

Dear Mark,

**RE: Proposed Development No. 211/1185/2017 at 38 Garfield Ave, Kurralta Park**

Further to our letter dated 11 April, MLEI Consulting Engineers have been requested to review further council feedback provided dated 20 April 2018, regarding the interface with the existing creek of the proposed development of 5 townhouses at 38 Garfield Ave, Kurralta Park.

We have reviewed the feedback from Council dated 20 April. I spoke with Andrew King on 23 April regarding council's request that new structures of importance are located a minimum of 10m from the centerline of the physical watercourse. We spoke about Andrews concerns of "explosive erosion" of the creek bank and Andrew provided photos displaying typical erosion that has occurred of the creek bank. Andrew also expressed that all fencing should be removed from within the creek cross-section to prevent any flow obstruction.

We respond to council's feedback regarding the creek interface as follows:

- Fencing with Creek Cross-section – We agree with the request to remove all fencing from the creek to maintain the creek flow conveyance capacity and have instructed Studio ed<sup>3</sup> to remove this fencing from the application drawing set.
- New structures of importance located a minimum of 10m from the centerline of a physical watercourse:
  - We have been advised by Botten Levinson Lawyers that there are only two provisions in the West Torrens Council Development Plan that are directly relevant to this matter: point 6 of Hazards - Principles of Development Control (page 39); and point 2(d) of Land Division - Principles of Development Control (page 52)

**PDC 6 of Hazards - Principles of Development Control**

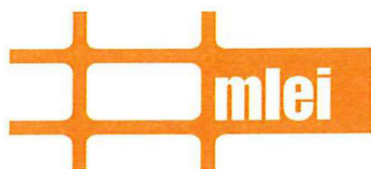
*Development, including earthworks associated with development, should not do any of the following:*

- (a) impede the flow of floodwaters through the land or other surrounding land*
- (b) increase the potential hazard risk to public safety of persons during a flood event*
- (c) aggravate the potential for erosion or siltation or lead to the destruction of vegetation during a flood*
- (d) cause any adverse effect on the floodway function*
- (e) increase the risk of flooding of other land*
- (f) obstruct a watercourse*

**PDC 2(d) of Land Division - Principles of Development Control**

*Land should not be divided if any of the following apply:*

- (d) it is likely to lead to undue erosion of the subject land or land within the locality*



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- Botten Levinson Lawyers also advised of some other general provisions, such as Objective 12 in the section regarding Natural Resources; and PDCs 23(d) and 38 of the same section.
- We have undertaken additional topographical survey of the creek cross-section to allow detailed review of the potential for the existing creek bank to erode. The survey picked up the bottom of the creek and the creek bank at regular intervals to allow us to establish the current grade of the existing creek bank.
- Having regard to the above provisions and also the 'engineering design/solution', we do not consider that councils request for a specific offset from the adjacent creek centerline is either appropriate or warranted. In our view the risk to the proposed dwelling should be assessed on the engineering proposal to satisfy the requirements of the development plan, and the design changes identified in our report of 11 April are an appropriate response from an engineering perspective.
- In particular this engineering proposal for the dwelling 5 footing includes the construction of a continuous pier along the southern face of the footing to nominally 1m below the 1 in 3 influence line from the bottom of the creek, refer included concept sketch of the creek cross-section and interface with dwelling 5 footing. The existing creek batter slopes demonstrate that a 1 in 3 batter is stable in this creek locality and the proposal aligns with the "Councils basic retaining wall location and offset to unlined creek detail" 8 June 2016 – DWG 1516.003.
- This engineering solution removes the risk of undermining of the dwelling and results in the dwelling bearing on soil well below the area at risk of erosion. Accordingly, we consider that provided the dwelling is founded on suitable material (to be assessed in detailed design) that the risk to the dwelling from erosion has been mitigated to an appropriate level based on recognized engineering standards.

With the above Dwelling 5 footing proposal, we are satisfied that the application comprehensively satisfies the above-mentioned provisions of the West Torrens Council Development Plan and is based on recognized engineering standards.

We consider that the above engineering details including removal of the fence from within the creek line appropriately responds to the council's concerns including the potential erosion of the existing creek bank, land stability and reduced capacity of the creek.

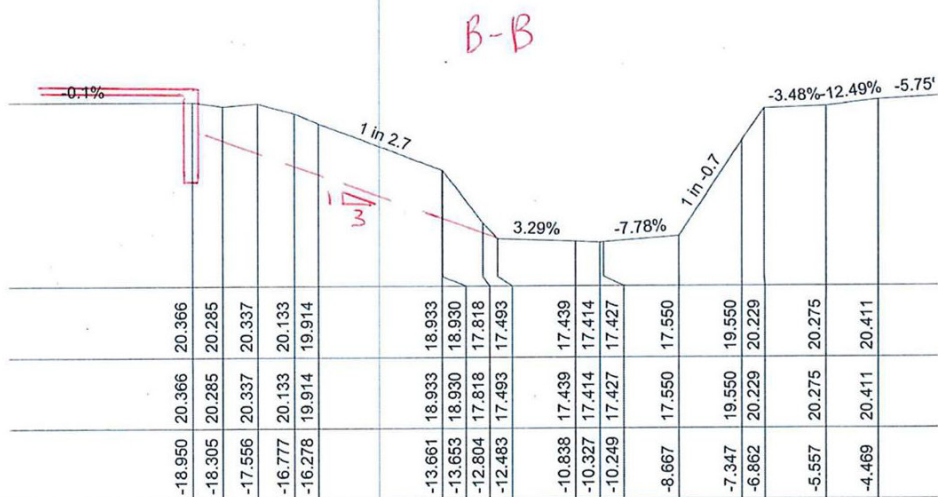
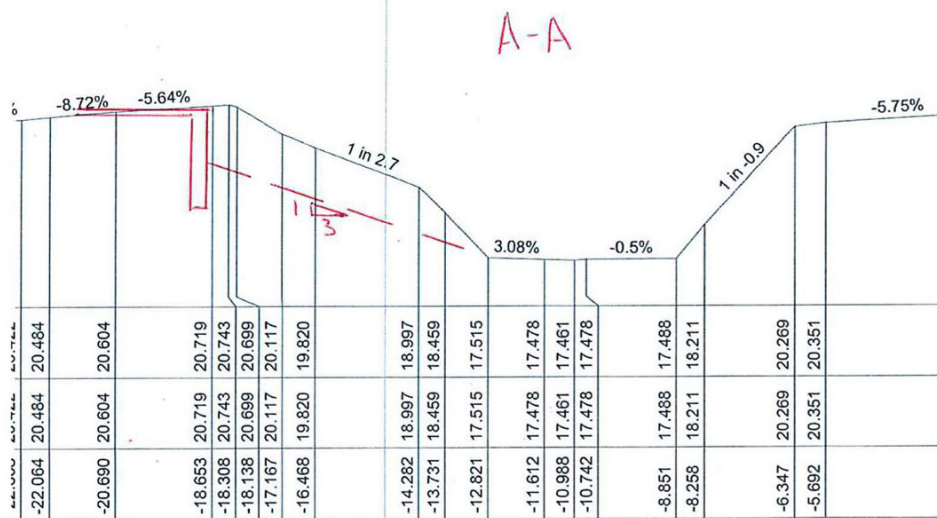
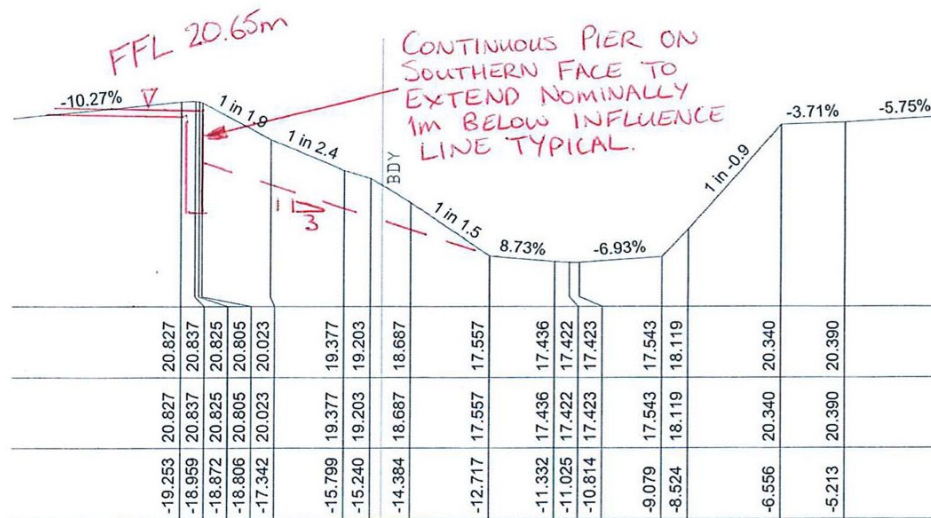
For all of these reasons there is no engineering reason why dwelling 5 needs to be located 10m from the centerline of the creek.

If you have any queries or require any further information, please don't hesitate to contact the undersigned.

Kind Regards,  
**MLEI Consulting Engineers**

**Craig Glynn B.Eng(Civil & Structural)**  
**Senior Civil Engineer**  
Encl: Dwelling 5 Footing Proposal



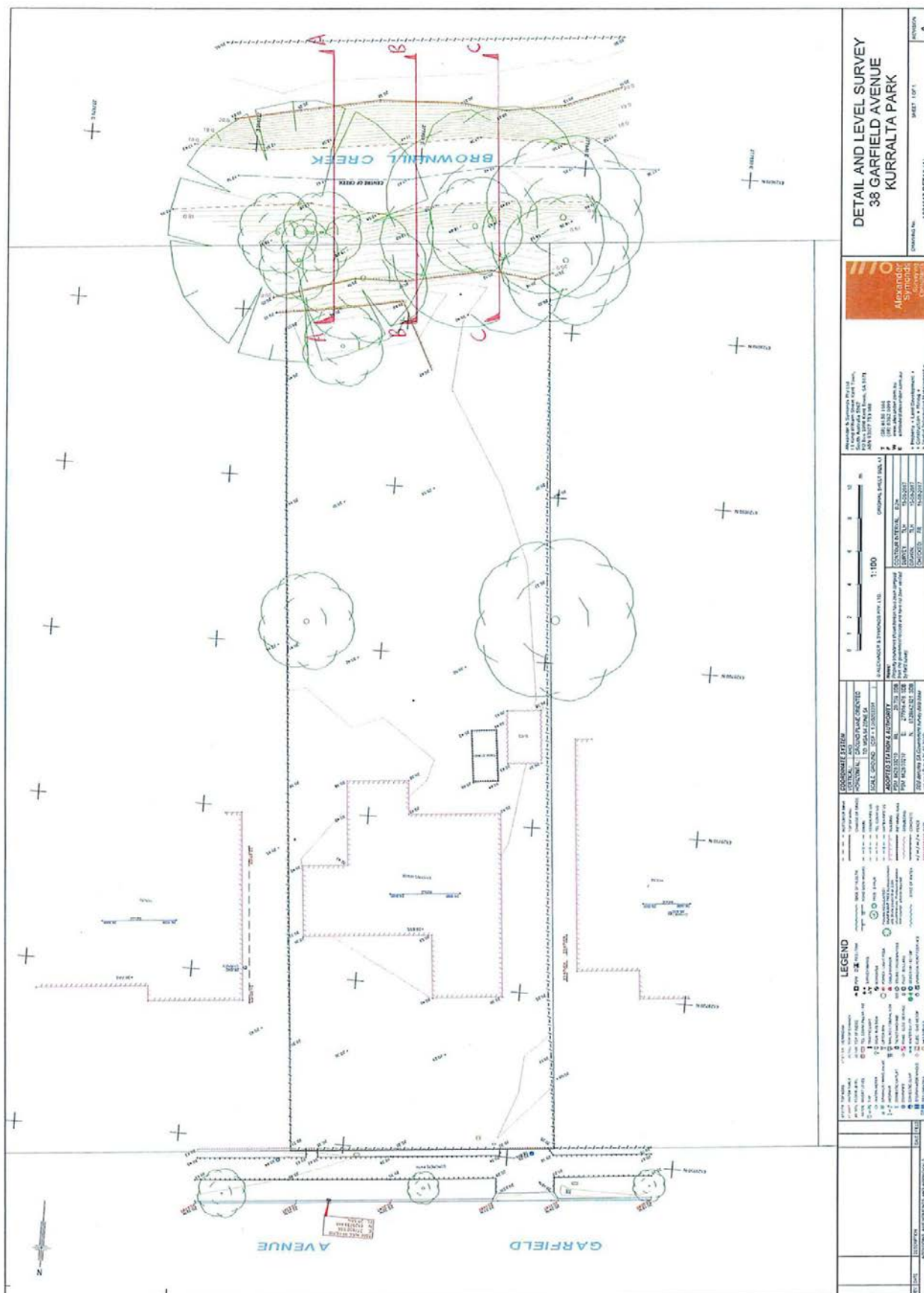


*C-C*

BDY

SECTIONS  
SCALE 1:100





**STRUCTURAL ANALYSIS & FINITE ELEMENT**

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STORMWATER, PROJECT MANAGEMENT CONSULTING ENGINEERS  
AUTHORITY APPROVALS

SafeOz/180410

3 May 2018

Attn: George Manos  
Botten Levinson Lawyers  
Level 1, 28 Franklin Street  
Adelaide SA 5000

**Project:**

Structural Integrity Assessment of proposed dwelling in the creek vicinity

**Project location:**

38 Garfield Avenue, Kurralta Park SA 5037

**Description of Component/s Assessed:**

My professional advice has been sought on a range of matters relating to the proposed development of five townhouses at 38 Garfield Avenue, Kurralta Park SA 5037.

**Instructions**

I understand Botten Levinson Lawyers act for Hijrah Pty Ltd, the developer of the site.

I understand that the City of West Torrens ("the Council") has raised the following issue in its comments dated 20 April 2018:

"It is standardly requested that new structures of importance are located a minimum of 10m from the centreline of the physical watercourse. This is requirement being in consideration of protecting the functionality of the watercourse and the risk associated with the natural behaviour of watercourses to change shape, potentially under explosive erosion circumstances. Site specific consideration was given to this specific site and proposed development and based on the depth, nature and material of the watercourse, the 10m offset requirement was considered relevant and appropriate. Recently provided updated design information has increased the setback by 0.5m in comparison to previous designs, which is still in the order of 2m deficient of the desired offset. It is noted that even under the revised design, the southernmost dwelling is proposed to be approximately 1.0m from the existing top of watercourse bank - any natural erosion or shape change of this watercourse bank would subsequently result in risk of undermining this dwelling."

I am instructed to review the following documents:

- Engineering advice by MLEI Consulting Engineers dated 1 May 2018;
- Architectural drawings from Studio ed[3]'s updated 23 April 2018; and
- Engineering drawings from SCA updated 23 April 2018.

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Nasir Family Trust T/A Safe Australia

This letter shall not be construed as relieving any other party of their responsibilities, liabilities or contractual obligations

**STRUCTURAL ANALYSIS & FINITE ELEMENT**

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Web: [www.safeoz.com.au](http://www.safeoz.com.au)**SAFE AUSTRALIA**

CIVIL, STRUCTURE, DESIGN &  
STORMWATER, PROJECT MANAGEMENT CONSULTING ENGINEERS  
AUTHORITY APPROVALS

SafeOz/180410

After reviewing the above, I am instructed to offer technical input to answer the following questions, *for which I provide my professional opinion in italic:*

➤ **Is MLEI's proposal based on recognised engineering techniques ?**

*The proposed contiguous pier wall, leading to a minimum 1m below the creek zone of influence, is an adequate engineering solution.*

➤ **Under MLEI's proposal, what impact would there be on the functionality of the watercourse ?**

*Upon review of the sections shown in MLEI's Engineering advice, I don't see any impact on the functionality of the watercourse, and completely agree with Mr Glynn's approach.*

➤ **What is Unit 5's factor of safety ?**

*Reasonably higher than the conventional industry practice.*

➤ **Would the proposed development aggravate the potential for erosion or lead to undue erosion ?**

*Given there would be a permanent concrete barrier between the sliding forces from the unit 5 and creek batters, there will be practically no sliding force from the unit 5. This would eventually help creek batter perform better, let alone the risk of erosion is mitigated.*

➤ **Is there any engineering reason why Unit 5 needs to be located 10m from the centreline of the creek ?**

*I don't see any engineering rationale to apply planning approval limitation of Unit 5 offset of 10m from the creek centreline.*

Building Practitioner: Azhar M Nasir  
BSc, MSc, PhD (Civil & Structural Engineering)

Qualifications: MIEAust, CPEng, NER (2016938)

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Signature

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*Resume - Azhar Nasir*  
*Safe Australia, Suite 7, 5-7 Ross St, Parramatta NSW*

## AZHAR NASIR

BSc, MSc, PhD (CIVIL AND STRUCTURAL ENGINEERING),  
 MIEAUST, CPENG, NER, RPEQ, RBP\_Vic, BPB\_NT

### CHARTERED CIVIL & STRUCTURAL ENGINEER

Email: [azhar@safeoz.com.au](mailto:azhar@safeoz.com.au)

Cell: 04 3734 2436

### KEY CAREER PROFILE

Azhar has been working with world-class national and international companies responsible for handling Civil & Structural Engineering component of Conceptual studies followed through Detailed Engineering Design, Construction, and Commissioning phases of the Engineering projects.

The core duties have been focussed to allocate Engineering Resources and Man-hours, to monitor business for the Project, Team, Client and Budget allocations, to prepare, review and evaluate and deliver existing and new projects, meticulously checking various clauses of Specifications and Industry Standards; ensuring Health, Safety, Security and Environment aspects endeavouring to achieve 'fit for purpose' design objective.

Some of the major projects Azhar has played lead and /or significant role are;

- Expert Report for 16 – Merrina Street Hebersham NSW
- Expert Report for 18 – Craiglands Avenue Gordon NSW
- Structural Report of Construction Impact for 49 Drumalbyn Rd Bellevue Hills NSW
- Structural Report of Bulk Excavation for 216 Old South Head Road Vacluse NSW
- Integrated Construction Package of Viewing Platform for Fairfield City Council NSW
- Structural Concept to Construction of 4 Higgs Street Randwick, Sydney
- Structural Concept to Construction of 746 NSH Rd Rose Bay, Sydney
- Structural Certification of Fire Walls for Conveyor Belts, Sydney International Airport
- Design & Certification of Façade design of Multi-storey development – Brisbane
- Design Review and Certification of Inpex, ICHTHYS LNG, Darwin NT
- Design Review and Certification of Lockheed Pavilion, Dubai
- Formwork Certification of Chalmers Street Substation, Transport for NSW, Sydney
- Tender documents for Structural design, Iranian Embassy Canberra
- Monumental and Heritage Sensitive Stupa for Crystal Castle NSW
- Structural Design of Opal Aged Care – 6 storey development in Ashfield NSW
- Structural Design of Poco Warehouse extension in Blacktown NSW
- Structural Design of 140m high Casino Towers, Brisbane QLD
- Structural Design of 120m high Victoria Point Docklands, Melbourne VIC
- Structural Design of 130m high Aspect Apartments, Sydney NSW
- Structural Certification of Steel Lattice Communication Towers, with a height to 110m
- Structural Certification of Ausgrid Timber Street Poles for Telco Antenna Installations
- Structural Design of Westfield White City Development, London, UK
- Structural Design of Jumeirah Golf Estate, Dubai
- Structural Design of Dubai Festival City, Dubai

*Resume - Azhar Nasir*  
*Safe Australia, Suite 7, 5-7 Ross St, Parramatta NSW*

## **PROFESSIONAL INDUSTRY EXPERIENCE**

### **May 2009 to date**

**SafeOz, Australia**

#### **MANAGING DIRECTOR**

Responsible to deliver;

- Structural Certifications, Expert Reports, Technical Studies, Peer Reviews & Value Management of Building and Infrastructure Projects.
- Concept to Construction of Residential, Commercial and Industrial Buildings.

### **November 2011 to Feb 2015**

**Structerre Consulting Engineers, Australia**

#### **DIVISION MANAGER**

Responsible to deliver;

- Engineering Lead, Project Management, Cost Estimation, Tender Evaluation, and Quality Control of Engineering Projects, Authority Approvals liaison.
- Client liaison and Business development.
- Technical Studies, Peer Reviews and Alternative Engineering Solutions.

### **May 2007 to April 2009**

**WSP ME, Dubai**

#### **PRINCIPAL ENGINEER**

Responsible;

- To prepare and implement the structural design criteria.
- To review and approve the drafting standards and quality control parameters.
- To ensure technical integrity of structural design deliverables.
- To deliver structural engineering specifications.
- To liaise with the external design team that includes but not limited to Mechanical Engineer, Electrical Engineer, Infrastructure and Services Engineer, Geotechnical Engineer, Architect, Client agent and the Contractor.

### **March 2002 to April 2007**

**Robert Bird Group, Australia & UK**

#### **STRUCTURAL ENGINEER /ASSOCIATE**

Responsible;

- To prepare and deliver detailed structural design calculations and reports.
- To liaise with the discipline engineers across national and international offices.

### **June 1993 to March 2002**

- Design Engineer
- Bachelor of Civil Engineering – 1993
- Masters in Structural Engineering - 1997
- PhD in Structural Engineering, QUT, Brisbane Australia - 2002

**6.2 16 Warwick Avenue, KURRALTA PARK**

Application No 211/905/2017 &amp; 211/731/2017

**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
APPLICANT	A & R Satani	ZYBECK Consulting
APPLICATION NO	211/905/2017	211/731/2017
LODGEMENT DATE	27 July 2017	21 June 2017
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>▪ SCAP</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	30 May 2017	30 May 2017
MEETING DATE	12 June 2018	12 June 2018

**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. 211/905/2017 by A & R Satani to undertake Land Division - Community Title; Create four (4) additional allotments and common property at 16 Warwick Avenue, Kurralta Park (CT5550/941) 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.

**Land Division Consent Conditions****Council Requirements**

Nil

**SCAP Requirements**

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



3. 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.
4. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State 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. 211/731/2017 by ZYBECK Consulting to undertake demolition of the existing dwelling and ancillary structures and construction of a two storey residential flat building comprising five (5) dwellings at 16 Warwick Avenue, Kurralta Park (CT5550/941) subject to the following conditions of consent:

### Development Plan Consent Conditions

1. The development shall be undertaken and completed in accordance with the following plans and information (except where varied by any condition(s) listed below):
  - Site Plan by Verrocchi Building Design (Project No.ZYB.073, Issue F, dated 3 May 2018);
  - Ground and First Floor Plan by Verrocchi Building Design (Project No.ZYB.073, Issue E, dated 27 April 2018);
  - Elevation Plan by Verrocchi Building Design (Project No.ZYB.073, Issue F, dated 3 May 2018);
  - Civil and Drainage Plan by KP Squared Engineering, Project No: 180305, Drawing No.C2, Issue B, dated 17 May 2018;
  - Landscape Layout Plan by LCS Landscapes (Drawing No.LS.025.18, dated 11 May.
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 nominated stormwater water quality device (SPEL Stormceptor Model 100/15) shall be maintained and cleaned in accordance with the manufacturer's best practice recommendations.
4. A minimum 5KL trafficable underground detention storage tank is to be provided for the site as annotated on the Civil & Drainage Plan (KP Squared Engineering, Project No: 180305, Drawing No.C2, Issue B).
5. The stormwater discharge from the detention tank shall be limited to 6L/s at all times.
6. 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.

7. All landscaping will be planted in accordance with the approved plans 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.
  8. The upper level bedroom windows to the northern elevation of all dwellings shall include fixed obscure glazing to a minimum height of 1.7 metres from the upper floor level, and shall be maintained at all times to the reasonable satisfaction of Council.
  9. The balustrades of all balconies shall include planter boxes to a minimum height of 1.7 metres from the upper floor level and shall be installed prior to occupation of the dwelling.
  10. All wall cladding, roofing materials and external building finishes and colours used on the dwellings shall be natural and non-reflective, and shall be maintained to the reasonable satisfaction of Council.
- 

## BACKGROUND

These applications were presented to the Council Assessment Panel (CAP) meeting of 10 April 2018. The CAP resolved to defer the applications for the following reasons:

- Minimum site areas
- Side setbacks
- Car parking
- Landscaping
- Overlooking and treatment to balconies.

A copy of the previous report and attachments relating to the proposal are contained within **Attachment 2**.

## AMENDMENTS

Having considered the reasons for deferral, the applicant has provided a further supporting statement and has made a series of amendments to address the series of concerns. Details of the amendments are as follows:

- The upper level of the proposed building has been moved 0.5m to the south, resulting in balconies now set back 1.5m from the northern boundary;
- Balcony balustrades have been amended to include timber cladding with planter boxes;
- A comprehensive landscaping plan now specifies a variety of species including larger trees adjacent Warwick Avenue.

It is noted that no changes have been made to the provision of car parking spaces.

Copies of all amended plans relating to this application are contained within **Attachment 1**.

## PUBLIC NOTIFICATION

The amendments to the proposal are considered to be relatively minor, do not change the essential nature of the development and are unlikely to result in any increased impacts to adjoining residents when compared to the original proposal. As such, further public notification was not required, in accordance with Regulation 20(4) of the *Development Regulations 2008*.

## ASSESSMENT OF AMENDMENTS

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 30 May 2017). The main provisions of the Development Plan which relate to the proposed development remain as previously tabled in the report presented to the Panel on 10 April 2018.

The following sections focus on the assessment of the revised proposal as it relates to the Panel's reasons for deferral.

### Site areas

The applicant has chosen not to change the site areas or the number of proposed dwellings in response to the CAP's reasons for deferral. Accordingly, the assessment of the proposal against the site area, frontage and functional (i.e. car parking, vehicle manoeuvrability, landscaping etc) elements remains the same as that for the previous report.

PDC 6 of the Medium Density Policy Area 18 seeks an average minimum site area of 150m<sup>2</sup> for a residential flat building. For land division proposals, PDC 8 of the Policy Area prescribes a minimum site area of 250m<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 appropriate to apply the average minimum site area of 150m<sup>2</sup> given that both applications are being assessed concurrently.

The proposed allotments for the Community Title land division have an average site area of 113m<sup>2</sup> excluding the common driveway and landscaped areas. The intent of minimum allotment sizes is to achieve a residential density that is consistent with the desired character for the area. In this case, the Desired Character Statement for the Policy Area seeks medium density development. On the basis of the subject site having a total area of 903.2m<sup>2</sup>, the 'net' residential density of the proposal has been calculated at 55 dwellings per hectare which corresponds to the definition of medium density in both the Development Plan and the *Planning Strategy for Metropolitan Adelaide (30 Year Plan for Greater Adelaide - 2017 Update)*. As originally discussed, given that the proposal achieves the desired density the shortfall in average site area is considered to be acceptable from a site functionality perspective.

### Side setbacks

Whilst there is no change to setbacks at the ground level, the upper level of the building has been shifted 0.5m to the south. The balconies to the northern side are now set back 1.5m from the side boundary in lieu of 1m as originally proposed. This is a minor but positive change in that the increased setback is closer to the desired figure of 2 metres sought by PDC 11 of the Residential Zone. The revised shadow diagrams provided show a negligible change to overshadowing of the adjacent dwelling to the south as a result of this change.

### Car parking

The amended proposal does not involve any changes to the number of off-street car parking spaces provided. Each dwelling has two dedicated off-street car parks, which satisfies the requirements of Table *WeTo/2* of the Development Plan. The table also specifies that residential flat buildings should provide an additional 0.25 car parking spaces per dwelling for visitors, meaning that an additional space should be provided. The shortfall of one visitor space is not considered to be fatal to the proposal, as two on-street car parking spaces can be comfortably accommodated in front of the subject site.

### Landscaping

The constraints of the development, particularly those relating to vehicle manoeuvrability, have restricted the ability to substantially increase the amount of landscaping on site. Despite this, the applicant has made a conscious effort to increase the provision of landscaping where possible, and has engaged a landscaping professional to provide a detailed concept design.



The design provides for a more refined landscaping layout that includes planter boxes on each balcony and, importantly, species that will grow to heights of up to 3 metres on the northern boundary of the site. The proposed landscaping will assist in both reducing the visual impact of the proposed building while providing improved privacy to adjoining land to the north.

The range of species that has now been proposed includes trees to the front and rear of the site that will grow to 6-8 metres when fully mature. The landscaping proposed along the common area fence line includes appropriate planting to assist in minimising the extent of hard surface paving and fencing on the site. This is a favourable improvement from the original proposal and is considered to satisfy General Section - Landscaping, Fences and Walls - Objective 1 and Principles of Development Control (PDCs) 1, 2 and 3 which seek landscaping to minimise hard paved surfaces, reduce the visual impact of larger buildings and enhance the appearance of road frontages and car parking areas.

### **Overlooking**

The proposal now includes planter boxes on the top of balconies to the northern elevation. The balcony for dwelling 1 at the front of the building does not feature this treatment as views from this position are only to the front of neighbouring land to the north and not into windows of habitable rooms or private open space areas of adjacent properties. Whilst this appears reasonable, and not immediately necessary to minimise overlooking of private open space, the CAP may wish to consider conditioning that this balcony be screened in the same way as the remaining balconies for reasons of consistency.

### **SUMMARY**

The applicant has made a number of amendments to the proposal in part to address the points of deferral raised by the CAP. These amendments have resulted in positive improvements such as an increased upper level setback to the north, planter boxes and timber cladding to the balconies, and the implementation of a detailed landscaping schedule across the site.

The shortfall in average site area is not considered detrimental to the relationship of the proposed building to adjoining properties, on-site parking and vehicle manoeuvrability or enjoyment of the land. The changes to the proposal are considered to adequately address the key concerns previously raised by the CAP. Accordingly, the proposal can be supported.

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

On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan (consolidated 30 May 2017) and both applications warrant support.

### **Attachments**

- 1. Amended proposal plans**
- 2. Original CAP Report and Attachments**

Ref: 2017-0280

18 May 2018

Mr Josh Banks  
Senior Development Officer – Planning  
City of West Torrens  
165 Sir Donald Bradman Drive  
**HILTON SA 5074**



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Dear Josh

**16 Warwick Street, Kurralta Park – Development Numbers 211/731/2017 and 211/905/2017**

Thank you for your assistance with this matter.

We write to you following the deferral of the subject application at the CAP hearing on 10 April 2018. This letter summarises some of the changes made to the proposal in response to the CAP's concerns with the project. Where change cannot be made, further written justification is provided.

**Deferral at CAP Meeting**

The following Development Numbers were referred to the West Torrens Council Assessment Panel meeting held 10 April 2018:

- **211/731/2017** – Demolition of existing dwelling and ancillary structures. Construction of a two-storey residential flat building comprising 5 dwellings.
- **211/905/2017** – Create four additional allotments and common property.

Council staff recommended that Development Number 211/731/2017 be granted Development Plan Consent and Development Number 211/905/2017 be granted Development Approval (i.e. Development Plan Consent and Land Division Consent).

The panel resolved the application be deferred to address the following matters:

- Minimum site areas.
- Side setbacks.
- Car Parking.
- Landscaping.
- Overlooking/treatment of balconies.

From our observation of the CAP's discussion, there appeared to be a general consensus that the proposed site areas could be considered acceptable provided suitable resolution of the other items, particularly landscaping and balcony treatments. I have addressed each matter in corresponding order below.

shaping great communities

### Amended Plans

This response is to be read with the following revised plans and new information:

- Drawing Numbers 1, 2 and 5 – Revision F prepared by Verrocchi Building Design dated 3/5/2018.
- Drawing Number 3 – Revision G prepared by Verrocchi Building Design dated 16/5/2018.
- Drawing Numbers 4, 6, 7, 8, 9 and 10 – Revision E prepared by Verrocchi Building Design dated 27/4/2018.
- Landscape Layout Plan prepared by LCS Landscapes dated 11/05/2018.
- Landscape Concept Design – Sheets 1 and 2 prepared by LCS Landscapes dated 11/05/2018.
- Civil and Drainage Plan – Issue B prepared by KP Squared dated 17/05/2018.

### Minimum Site Areas

You will recall the land is situated within the Residential Zone and Medium Density Policy Area 18.

An assessment of the proposed frontage is shown in **Table 1** below:

Policy Area Frontage Guideline	Proposed Frontage	Does the proposal satisfy the Development Plan?
15m for complete building	18.29m for complete building	✓

An assessment of the proposed average site area is shown in **Table 2** below:

Policy Area Site Area Guideline	Proposed Average Site Area	Does the proposal satisfy the Development Plan?
150m <sup>2</sup> Average	180.63m <sup>2</sup>	✓

The proposal satisfies the frontage and average site area guidelines presented in the policy area.

The average site area has been calculated using the entire site, including common land. In this circumstance, this method of calculation is considered appropriate for the following reasons:

- The common property is private and for the exclusive use of the occupants of all proposed dwellings.
- The common property will clearly appear as private in the context of the street.
- The common property would not act as, or appear to be, a public lane or street.
- The common property includes storage units that will be allocated to individual dwellings.

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.



Setting aside the quantitative compliance, the proposal presents to the streetscape with a contemporary built form that is well spaced with sufficient boundary setbacks and landscaped areas to enhance ambience and street appeal. In addition, each dwelling achieves a high-quality living environment with large internal spaces, compliant private open space, sufficient personal storage and car parking. Even if alternate views are adopted on the compliance with the numerical site area standards, any perceived departures are not considered to diminish the overall planning merits of the proposal.

### Side Setbacks

The upper level of the residential flat building has now been moved 0.5 metres to the south.

This means that the balconies are now setback 1.5 metres from the northern boundary instead of 1 metre as previously proposed. This is a 33% increase in the setback.

As assessment of proposed setbacks is shown in **Table 3** 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
<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>		✓	✓	✓	✓	✓

All walls are now setback in accordance with, or further than, the Development Plan guidelines.

The balconies will protrude into the upper level northern side setback with a total balustrade/planter box height that is approximately 4.7 metres above ground level.

The edge of each balcony will now be setback 1.5 metres from the northern boundary (instead of 1 metre previously proposed). This is acceptable for the following reasons:

- Setbacks from the northern boundary are staggered with the majority of the building having a setback greater than the Development Plan setback guidelines.
- Planter boxes will be incorporated into particular balustrades to soften the appearance of the balconies and the building when viewed from 18 Warwick Avenue.
- A landscaping plan has been prepared by LCS Landscapes which will enhance the amenity the development and complement the locality.

- The balconies will not overshadow neighbouring properties as they are situated on the northern side of the development.
- The balconies will not impact upon privacy given the 1.7 metre high balustrades.
- The balconies 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 considering the types of development envisaged by the policy area.

### Car Parking

The Development Plan guides that each dwelling should be provided with:

- 2 car parking spaces, one of which is covered.
- 0.25 car parking spaces for visitors.

Each dwelling is provided with 2 undercover car parking spaces within respective garages. The proposal therefore has 10 covered on-site car parking spaces (2 per dwelling). Resident parking guidelines are fully met.

By applying 0.25 car parking spaces per dwelling, 1 additional on-site space should be provided for visitors. In lieu of this visitor space it is worthy to note the following:

- The proposal retains 11.49 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 infrequent, typically at night time (during the week) and on weekends. Given the locality, we predict there will be very limited competition for the on-street parking in front of the site during these periods.
- The land is approximately 250 metres from a bus stop and therefore public transport usage is viable.
- Each dwelling is capable of storing a bicycle.

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

### Landscaping

LCS Landscapes has been engaged to supply a detailed landscaping plan (attached). You will note that:

- 12 different plant species will be planted throughout the site to enhance the amenity of the development.
- Proposed species will vary in mature height, width and appearance.
- North facing balconies will be lined with planter boxes to soften the appearance of the building when viewed from 18 Warwick Avenue.
- Larger trees will be planted adjacent Warwick Avenue and the rear property boundary to enhance the streetscape and screen the building when viewed from the west.
- More than 10 percent of the site will be afforded to landscaping.

### Overlooking/Treatment of Balconies

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 will comprise obscured glass up to 1.7 metres above the internal finished floor level to satisfy Principle 27.

The north facing balcony of dwelling 1 has an approximate balustrade height of 1 metre. This is because the balcony faces the front garden of 18 Warwick Avenue which is not private, being visible to the public from Warwick Avenue.

Balcony balustrades have been amended to have a linear cladding with planter boxes above. The features will be fixed so that they cannot be removed. The cladding would have a timber colour that matches design features found elsewhere on the building. This is an improvement to the glass balustrade previously proposed.

Planter boxes will comprise flowering plants to soften the appearance of the building when viewed from 18 Warwick Avenue and to ensure the balustrades surrounding the balconies have a screen height not less than 1.7 metres above the floor level of the balcony.

The applicant is happy to accept a condition(s) ensuring that:

- Plants are maintained and nurtured.
- A screen height to 1.7 metres is provided at all times from upper level, side and rear facing windows and balconies.

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

### Conclusion

The proposal has been amended to address concerns regarding side setbacks, landscaping, over-looking and balcony treatments. While no changes are made to the site density and provision of a visitor car park, we maintain these aspects of the proposal are acceptable as presented and as such are not fatal to the planning merits of the proposal.

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

We look forward to receiving your support and favourable recommendation.

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

Yours sincerely



Philip Harnett

Associate

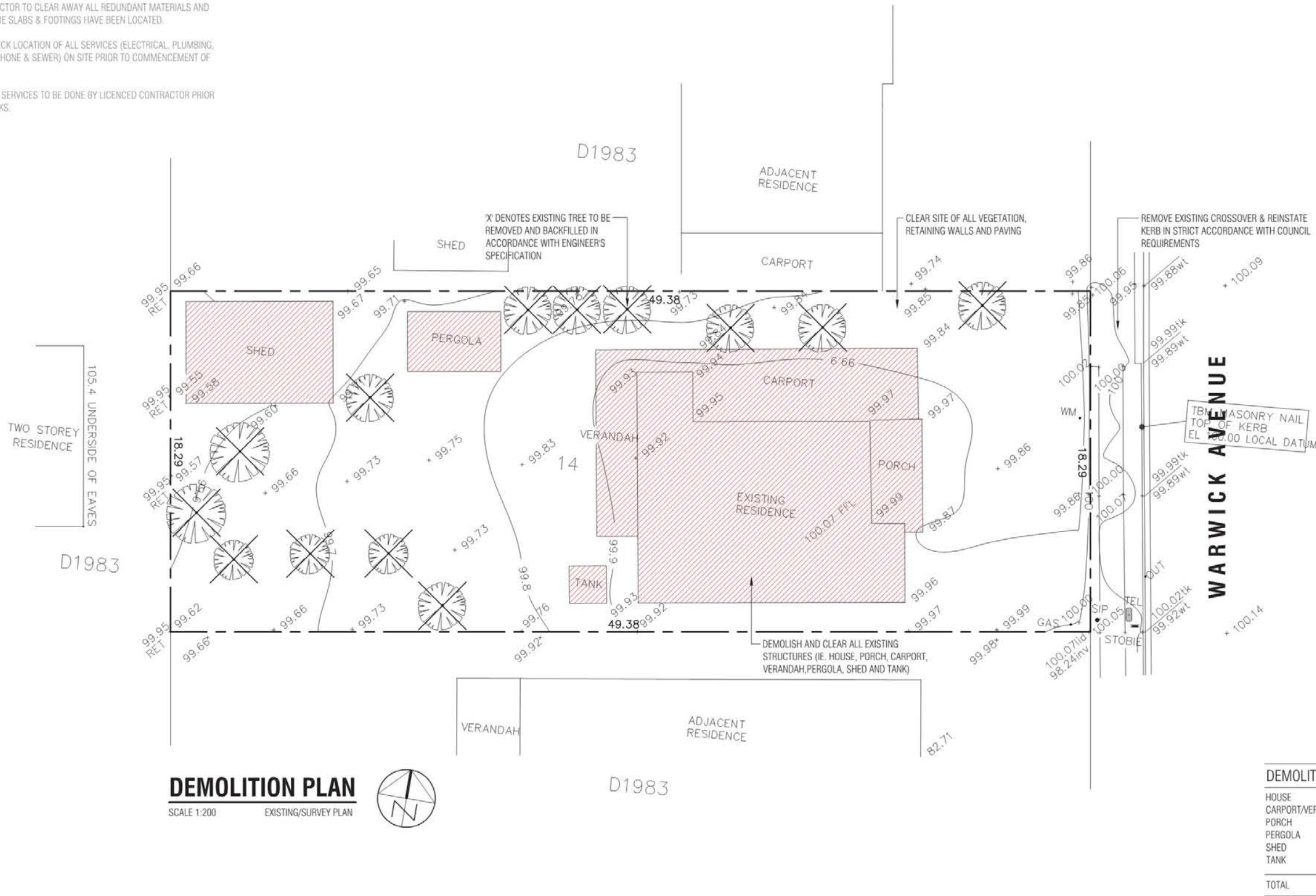


DEMOLITION NOTE:

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.



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	A	16/11	CONCEPT DRAWINGS					
	B	6/12	AMENDED DRIVEWAY TO SUIT COUNCIL'S DRIVEWAY SETUP					
	C	16/12	PLANNING DRAWINGS					
	D	26/2	INCREASED LANDSCAPING AND AMENDED SHADOW DIAGRAMS					
	E	27/4	AMENDED AS PER COUNCIL'S REQUEST INCLUDING SHADOW DIAGRAMS					
PLANNING DRAWINGS	F	3/5	INCREASED LANDSCAPING & AMENDED SCREENING NOTE		128a Mooringe Ave North Plympton 5037 m: 0407 820 946 e: dino.verocchi@gmail.com	at: 16 WARWICK AVENUE KURRALTA PARK SA 5037	scale: 1:200	drawing no: 01
						client: ZYBEK CONSULTING	project no: ZYB.073	sheet size: A3

RWT NOTE:

1000 LTS (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:

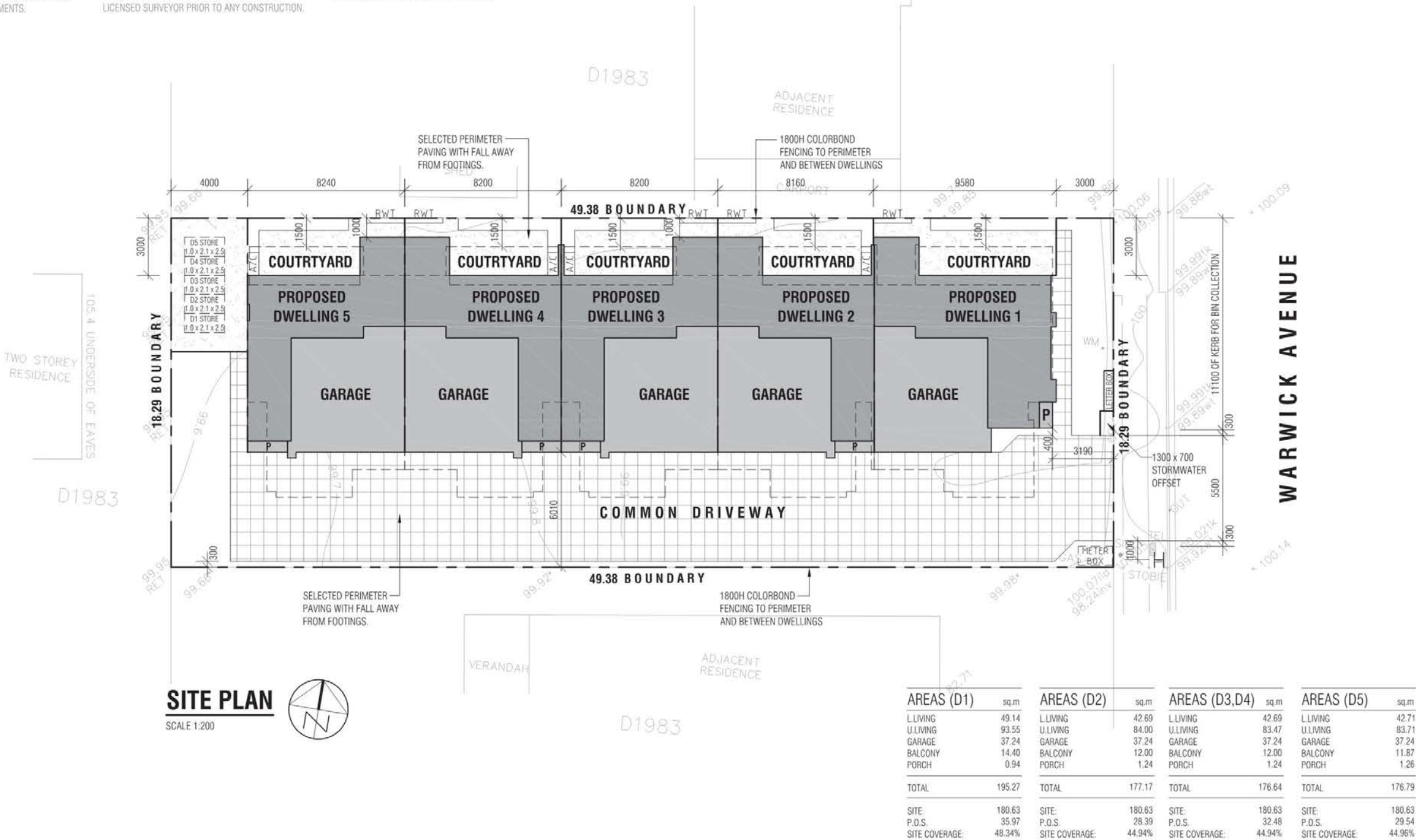
THERE WILL NOT BE ANY BRUSH FENCES WITHIN 3MTRS OF THE PROPOSED BUILDING WORKS. ANY BRUSH FENCES WITHIN 3 METRES OF THE DWELLING ARE TO BE REMOVED (BY OWNER) & REPLACED WITH NON-COMBUSTIBLE MATERIAL. MUST COMPLY WITH BCA REQUIREMENTS.

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.



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	B	6/12	AMENDED DRIVEWAY TO SUIT COUNCIL'S DRIVEWAY SETUP		
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	E	27/4	AMENDED AS PER COUNCIL'S REQUEST INCLUDING SHADOW DIAGRAMS		
	F	3/5	INCREASED LANDSCAPING & AMENDED SCREENING NOTE		
PLANNING DRAWINGS					

verrocchi

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128a Mooringe Ave North Plympton 5037  
m: 0407 820 946 e: dino.verrocchi@gmail.com

project:  
WARWICK AVE DEVELOPMENT

at: 16 WARWICK AVENUE  
KURRALTA PARK SA 5037

client: ZYBEK CONSULTING

date: NOV 2017

drawn by: LD

scale: 1:200

project no: ZYB.073

drawing no: 02

sheet size: A3





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	A	16/11	CONCEPT DRAWINGS			date: NOV 2017    drawn by: LD		
	B	6/12	AMENDED DRIVEWAY TO SUIT COUNCIL'S DRIVEWAY SETUP			at: 16 WARWICK AVENUE KURRALTA PARK SA 5037	scale: 1:200	drawing no: 03
	C	16/12	PLANNING DRAWINGS				project no:	sheet size:
	D	26/2	INCREASED LANDSCAPING AND AMENDED SHADOW DIAGRAMS			client: ZYBEK CONSULTING	ZYB.073	A3
	E	27/4	AMENDED AS PER COUNCIL'S REQUEST INCLUDING SHADOW DIAGRAMS					
	F	3/5	INCREASED LANDSCAPING & AMENDED SCREENING NOTE					
	G	16/5	AMENDED LANDSCAPE PLAN					



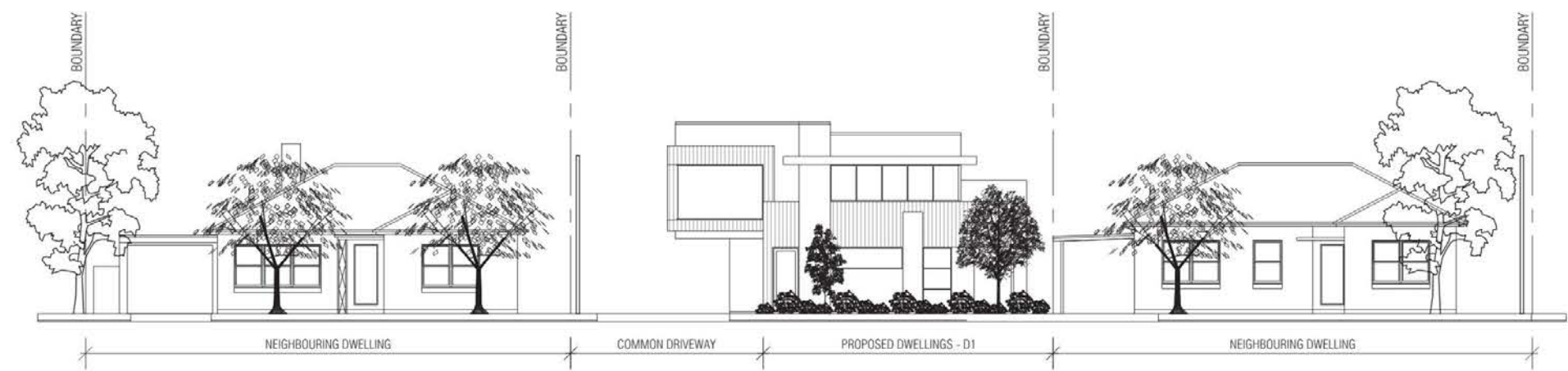
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12 June 2018



Contractors to verify all dimensions prior to commencement of any building work. Figures 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 ©						notes	<div>verrocchi<b>building</b>design</div> <div>128a Moorings Ave North Plympton 5037 m 0407 820 946 e dino.verrocchi@gmail.com</div>	project: WARWICK AVE DEVELOPMENT  at: 16 WARWICK AVENUE KURRALTA PARK SA 5037  client: ZYBEK CONSULTING	date: NOV 2017 drawn by: LD  scale: 1:100 drawing no: 05 project no: sheet size:  ZYB.073 A2
PLANNING DRAWINGS									
rev	date	description							
A	16/11	CONCEPT DRAWINGS							
B	6/12	AMENDED DRIVEWAY TO SUIT COUNCIL'S DRIVEWAY SETUP							
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F	3/5	INCREASED LANDSCAPING & AMENDED SCREENING NOTE							





**STREETSCAPE (WARWICK AVENUE)**  
SCALE 1:200

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	A	16/11	CONCEPT DRAWINGS				at: 16 WARWICK AVENUE KURRALTA PARK SA 5037	scale: 1:100	drawing no: 07	
	B	6/12	AMENDED DRIVEWAY TO SUIT COUNCIL'S DRIVEWAY SETUP							
	C	16/12	PLANNING DRAWINGS							
	D	26/2	INCREASED LANDSCAPING AND AMENDED SHADOW DIAGRAMS							
PLANNING DRAWINGS	E	27/4	AMENDED AS PER COUNCIL'S REQUEST INCLUDING SHADOW DIAGRAMS				client: ZYBEK CONSULTING	ZYB.073	A3	

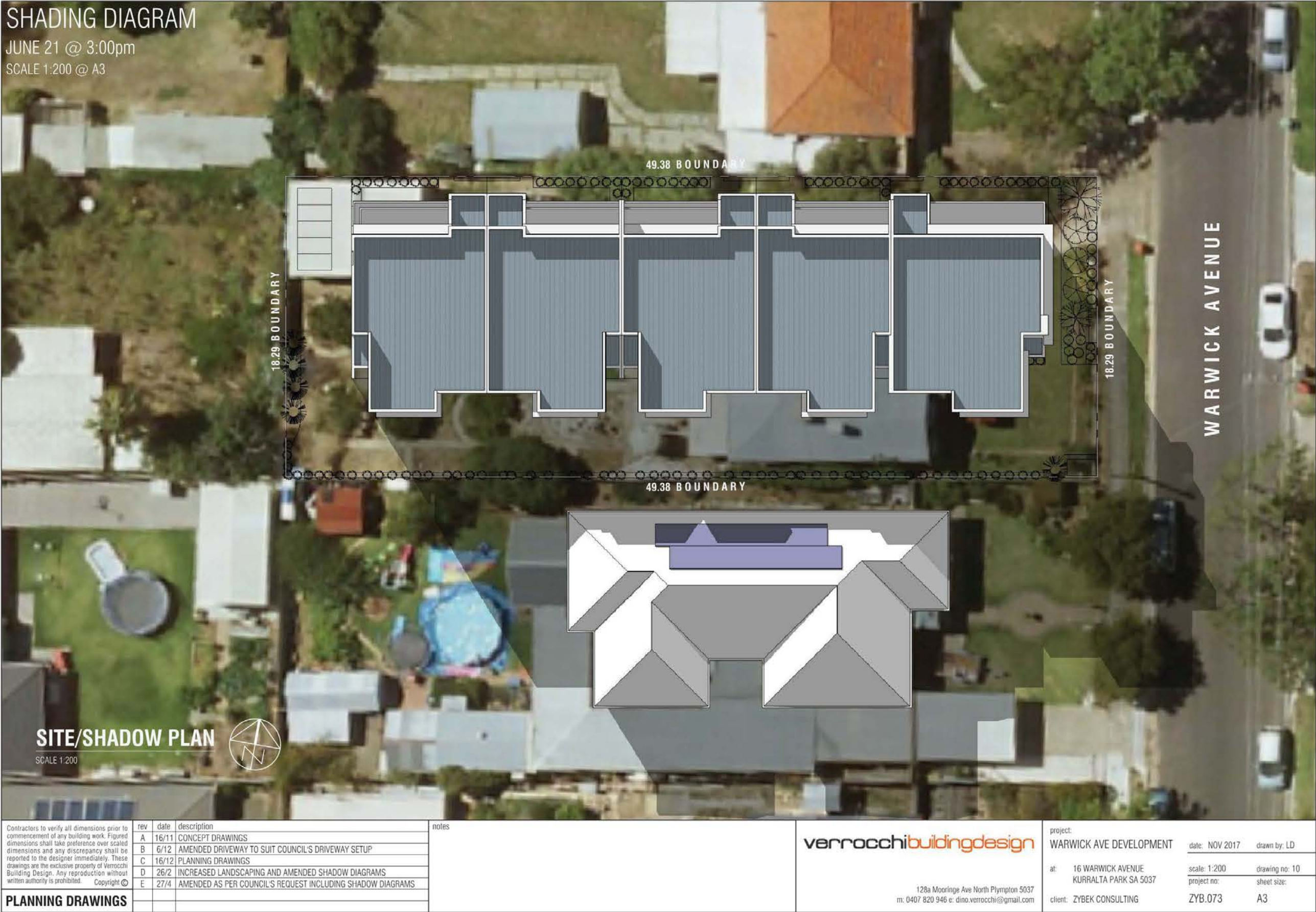




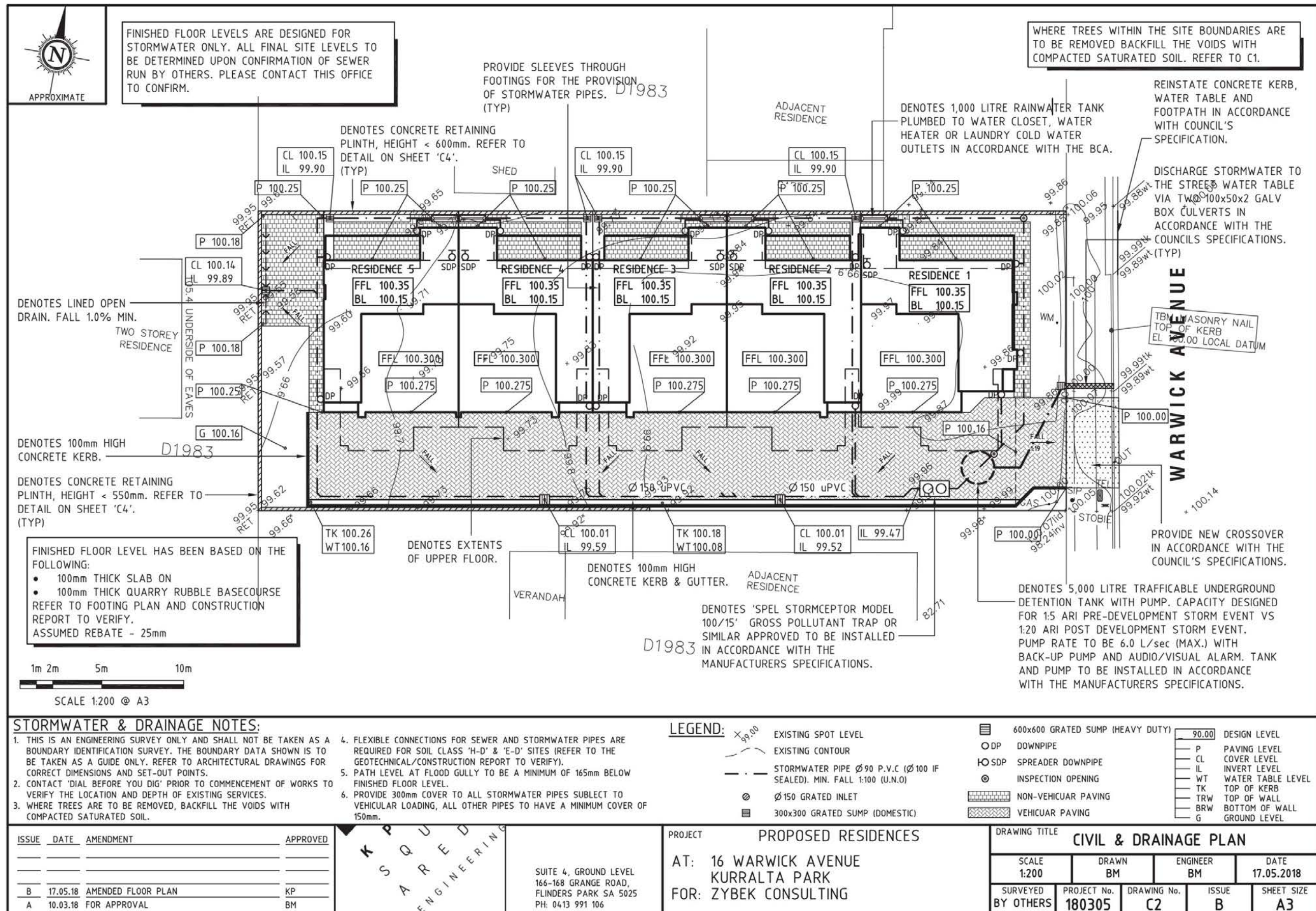
















**LCS LANDSCAPES**  
Defining Spaces

Client: ZYBEK CONSULTING

Project:  
16 WARWICK AVENUE  
KURRALTA PARK

Drawing Title:  
LANDSCAPE LAYOUT PLAN

Scale: 1:100 @ A1

Drawn: KE

Checked: SK

Date: 11.05.2018

Dwp no: LS 025 18

Sheet: 1 OF 1

Sheet 1 of 1

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Landscape Construction Services Pty  
 24-26, Victoria St, Campbelltown, NSW 2560, Australia

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## PLANT SCHEDULE

Abb.	Species	Pot size	Qty
<b>TREES</b>			
Pc	<i>Pistacia chinensis</i>	45L	5
Pv	<i>Prunus cerasifera</i> 'Crimson Spire'	45L	5
<b>UNDERSTORY (140mm)</b>			
An	<i>Anigozanthos</i> 'Reds Velvet'	140mm	30
Ct	<i>Oliva miniata</i>	140mm	12
Dd	<i>Dianella</i> 'Tas Red'	140mm	30
Lp	<i>Limnorchis</i> 'perezii'	140mm	52
Lr	<i>Liriope</i> 'Evergreen Giant'	140mm	70
Ls	<i>Lomandra</i> 'Seascapes'	140mm	22
Nm	<i>Nandina domestica</i> 'nana Moonbay'	140mm	48
Wa	<i>Westringia</i> 'Aussie Box'	140mm	10
<b>UNDERSTORY (200mm)</b>			
Mp	<i>Murraya paniculata</i>	200mm	21
Vd	<i>Viburnum</i> 'Dense Fence'	200mm	22
		<b>TOTAL</b>	<b>327</b>

SCALE 1:100



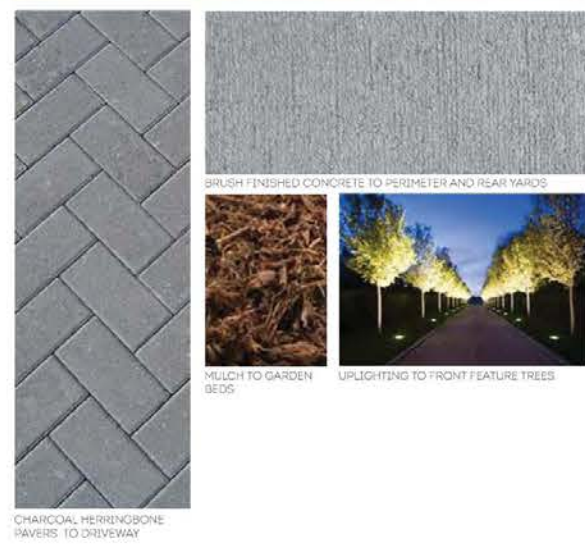




PLANTING SCHEDULE				
CODE	SPECIES	COMMON NAME	POT SIZE	INDICATIVE SIZE (Height x Spread)
LOW/ MEDIUM SHRUBS - STRAPPYS				
1	Anigozanthos 'Gold Velvet'	Kangaroo Paw	140mm	600mm x 400mm
2	Clivia miniata	Clivia	140mm	500mm x 500mm
3	Dianella 'Tas Red'	Flax Lily	140mm	500mm x 500mm
4	Limnium perzli	Sea lavender	140mm	600mm x 400mm
5	Linopse 'Evergreen giant'	Lily turf	140mm	500mm x 500mm
6	Lomandra 'Seascape'	Matt rush	140mm	600mm x 700mm
7	Nandina domestica 'nana' 'Moonbay'	Heavenly Bamboo	140mm	600mm x 700mm
8	Westringia 'Aussie Box'	Coastal Rosemary	140mm	600mm x 900mm

TALL SHRUBS/ SCREENING				
9	Murraya paniculata	Orange Jasmine	200mm	3m x 2.5m
10	Viburnum Dense Fence	Viburnum	200mm	2.5m x 2m

TREES				
11	<i>Pistacia chinensis</i>	Chinese Tallow Tree	45lt	8m x 5m
12	<i>Prunus cerasifera</i>	Crimson Spine	45L	6m x 2m



## ELEMENTS & PLANTS

**6.2 16 Warwick Avenue, KURRALTA PARK**

Application No 211/905/2017 & 211/731/2017

Appearing before the Panel will be:

Representors: **Rita Olbrycht** and **Anton Olbrycht** of 14 Warwick Avenue, Kurralta Park wish to appear in support of the representation.

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

Applicant **Matthew King** of URPS on behalf of **A & R Satani** 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
APPLICANT	A & R Satani	ZYBECK Consulting
APPLICATION NO	211/905/2017	211/731/2017
LODGEMENT DATE	27 July 2017	21 June 2017
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 ▪ Nil External ▪ DAC ▪ SA Water	Internal ▪ City Assets External ▪ Nil
DEVELOPMENT PLAN VERSION	30 May 2017	30 May 2017
MEETING DATE	10 April 2018	10 April 2018

**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. 211/905/2017 by A & R Satani to undertake Land Division - Community Title; Create four (4) additional allotments and common property at 16 Warwick Avenue, Kurralta Park (CT5550/941) 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.



**Land Division Consent Conditions****Council Requirements**

Nil

**Development Assessment Commission Conditions**

2. The financial requirements of the SA Water Corporation shall be met for the provision of water and sewerage services (SA Water H0061890).
3. 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.
4. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State 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. 211/731/2017 by ZYBECK Consulting to undertake demolition of existing dwelling and ancillary structures and construction of a two-storey residential flat building comprising five (5) dwellings at 16 Warwick Avenue, Kurralt Park (CT5550/941) subject to the following conditions of consent:

**Development Plan Consent 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 stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:
  - a) Result in the entry of water into a building; or
  - b) Affect the stability of a building; or
  - c) Create unhealthy or dangerous conditions on the site or within the building; or
  - d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
3. The nominated stormwater water quality device (SPEL Stormceptor Model 100/15) shall be maintained and cleaned in accordance with the manufacturer's best practice recommendations.
4. A minimum 5KL trafficable underground detention storage tank is to be provided for the site as annotated on the proposed the Civil & Drainage Plan (KP Squared Engineering, Project No: 180305, Drawing No.C2, Issue A).
5. The stormwater discharge from the detention tank to be limited to 6L/s at all times.



6. 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.
  7. All landscaping will be planted in accordance with the approved plan 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.
  8. The upper level bedroom windows to the northern elevation of all dwellings shall include fixed obscure glazing to a minimum height of 1.7 metres from the upper floor level, and shall be maintained to the reasonable satisfaction of Council.
  9. The balustrades of all balconies shall comprise obscure glazing to a height of 1.7 metres from the upper floor level and shall be installed prior to occupation of the dwelling.
  10. All wall cladding, roofing materials and external building finishes and colours used on the dwellings shall be natural and non-reflective, and shall be maintained to the reasonable satisfaction of Council.
- 

## 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 AND RELATED APPLICATIONS

### DA 211/881/2015

Combined and division and land use application community title - DAC No -211/C104/15 - create one (1) additional allotment and construction of a residential flat building containing two (2) dwellings and the construction of an attached carport associated with the existing dwelling.

- Refused by DAP 13 September 2016.

### DA 211/368/2015

Land division - Torrens Title DAC No.211/C104/15 - create one (1) additional allotment.

- Development Plan Consent granted 9 September 2016.

## SITE AND LOCALITY

The subject land is Allotment 14 Deposited Plan 1983 in the area named Kurralta Park, Hundred of Adelaide as contained in Certificate of Title Volume 5550, Folio 941. The land is more commonly known as 16 Warwick Avenue, Kurralta Park.

The subject land is located on the western side of Warwick Avenue and is a regularly-shaped allotment totalling 903 square metres. The site has a primary frontage of 18.28 metres and a depth of 49.3 metres. Topographically the site is relatively flat.

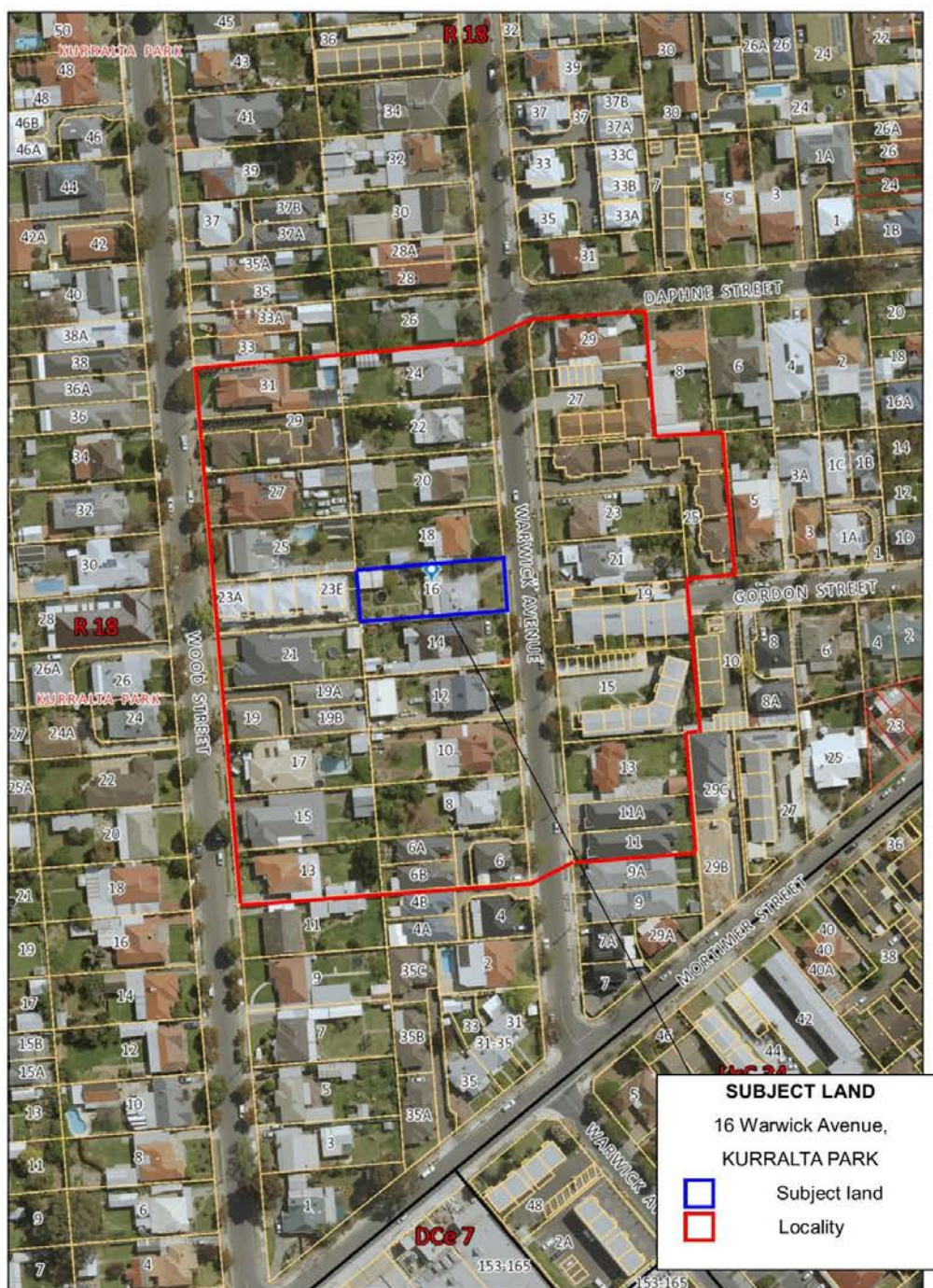
A single storey dwelling circa 1920s is currently on the land with an attached carport and later additions to the rear of the dwelling. A free-standing outbuilding is situated in the north-eastern corner of the allotment. The subject land has a good coverage of vegetation but it does not contain any Regulated or Significant trees, nor are there Regulated or Significant trees in proximity to the subject land. Vehicle access and egress is via a single-width driveway crossover to Warwick Avenue on the northern side boundary.

The subject land is located within the Residential Zone, and more particularly the Medium Density Policy Area 18. The land is located approximately 160 metres north of an Urban Corridor Zone, and approximately 260 metres from Anzac Highway and 470 metres from South Road.

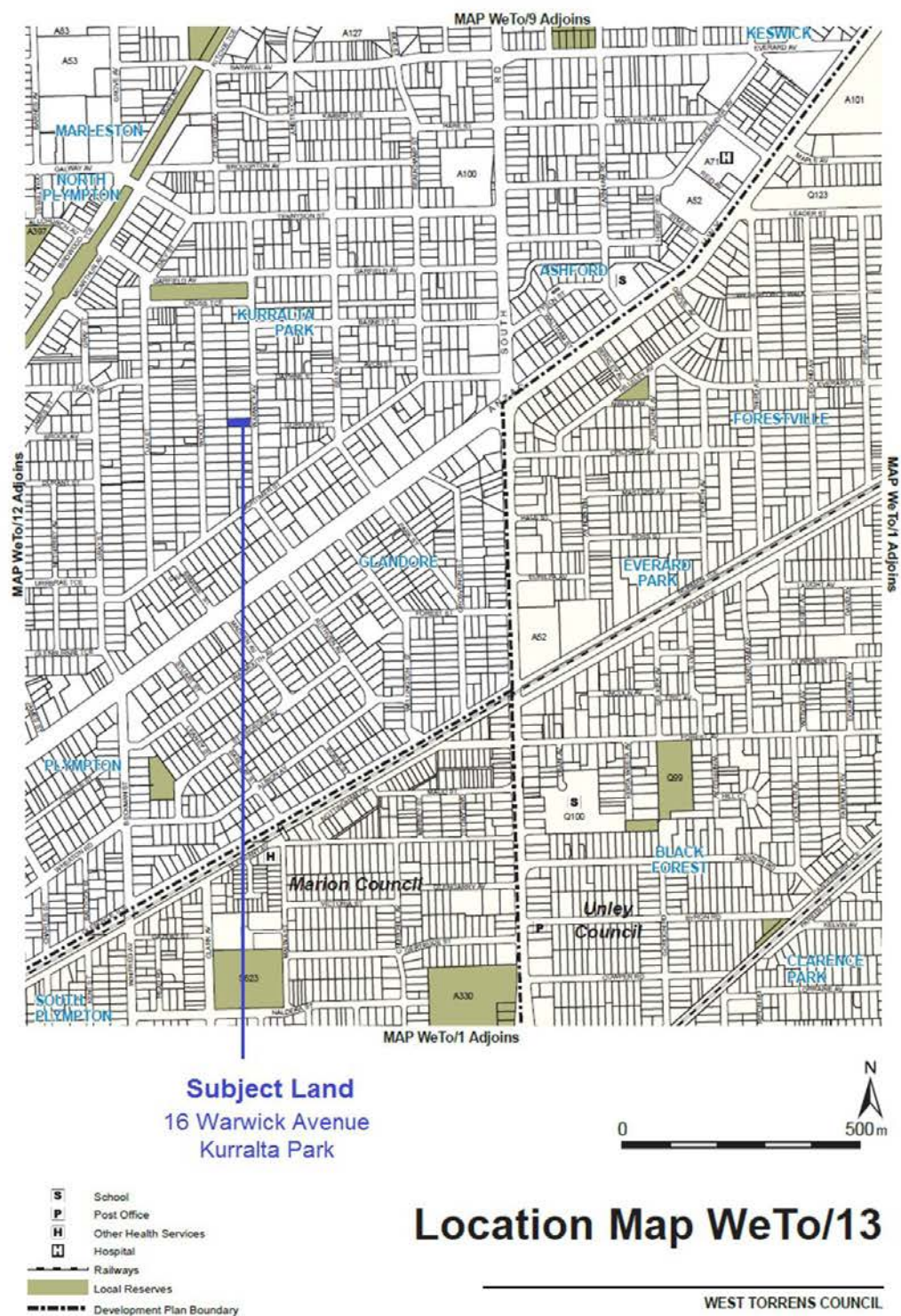
Warwick Street currently comprises primarily single storey detached dwellings, with some instances of two storey dwellings within the locality. A number of newer buildings comprising detached dwellings and group dwellings are evident from more recent infill development. Overall the locality contains a diverse range of dwelling types, including residential flat buildings, with architectural styles ranging from conventional 1950s dwellings to recently constructed contemporary dwellings such as the residential flat building immediately west of the subject land.

The allotment pattern within the locality is considered mixed, as it contains some allotments that have wide frontages in the order of 18 to 19 metres, residential flat buildings with smaller allotments, battle-axe development and land that has been more recently subdivided resulting in narrower street frontages of approximately 10 to 11 metres.

The site and locality are shown on the following maps:







## PROPOSAL

The proposal consists of two development applications, being the land division and the land use (built form).

### Land Division

The land division proposes the creation of four additional allotments and common property in the form of a community title.

Allotment	Site Area	Frontage
1	150m <sup>2</sup>	11.4m
2	103m <sup>2</sup>	N/A
3	104m <sup>2</sup>	N/A
4	104m <sup>2</sup>	N/A
5	104m <sup>2</sup>	N/A
Common Property	338m <sup>2</sup>	10.29m

This results in an average site area per dwelling (less the common area) of 113m<sup>2</sup>.

### Land Use

The land use proposes demolition of the existing dwelling and associated structures, and the construction of a two storey residential flat building comprising five (5) dwellings. Each dwelling will contain:

Ground Floor:

- double garage
- bedroom with walk-in-robe and ensuite
- study corner
- laundry under stairs
- private open space.

First floor:

- two bedrooms
- bathroom and toilet
- open-plan kitchen
- dining and living area
- balcony with 1.7m high screening.

The proposal presents a single, uninterrupted building mass located on the northern side of the subject land. The design of the building includes rendered walls, aluminium windows and upper walls being a mix of render and linear cladding. Roofing will be flat Colorbond® Trimdeck sheeting. Coloured elevations are shown, but specific colours have not been specified.

The common property provides driveway access that extends along the majority of the southern side of the land. Limited areas of landscaping are proposed against boundaries, with larger planter beds located towards the front of the subject land between the proposed building and the road and at the far end of the common driveway area.

The dwellings are internally oriented on the subject land. A shared area is proposed at the rear of the subject land designated for domestic storage sheds for each dwelling, although it is noted that this is not marked as sub-lots on the proposed land division plan.

A copy of the proposed plan of division and the proposed dwelling development is contained in **Attachment 1**.

**PUBLIC NOTIFICATION**

The land use application 211/731/2017 is a Category 2 form of development pursuant to Section 38 and Schedule 9 of the Development Act and Regulations, and more particularly the Procedural Matters of the Residential Zone in the West Torrens Council Development Plan.

<b>Properties notified:</b>	25 properties were notified during the public notification process.
<b>Representations:</b>	3 representations were received.
<b>Persons wishing to be heard:</b>	Three representors identified that they wish to address the Panel. <ul style="list-style-type: none"> <li>• R. R. Olbrycht &amp; A. P. Olbrycht</li> <li>• Y. Shan &amp; F. Gao</li> <li>• V. Haliabalias &amp; S. Haliabalias</li> </ul>
<b>Summary of Representations:</b>	Concerns were raised regarding the following matters: <ul style="list-style-type: none"> <li>• land use and density</li> <li>• landscaping</li> <li>• desired character</li> <li>• design and appearance</li> <li>• setbacks</li> <li>• private open space</li> <li>• privacy</li> <li>• overshadowing</li> <li>• site coverage</li> <li>• car parking</li> <li>• noise and air pollution</li> <li>• sewerage</li> <li>• stormwater management</li> <li>• storage</li> <li>• decreased land value</li> </ul>

The Applicant provided a comprehensive response to the representations. A summary of the response is as follows:

- Acknowledging a locality shift from low to medium density, the proposal of 55 dwellings per hectare achieves the desired medium density of PDC 4 of this Policy Area;
- The existing non-Regulated vegetation demonstrates no special environmental qualities, and just over 10% of the subject land will be landscaped;
- The proposal addresses the Desired Character with a two-storey height and with a strong presence to streets creating a highly varied streetscape;
- The building will have a contemporary appearance, be limited to two storeys, and use articulation resulting in a scale that is appropriate to the locality;
- The setbacks are mostly met, other than the balconies, but are acceptable in the context of the development envisaged in the policy area;
- Each dwelling is provided with an amount of private open space that exceeds the minimum 24 square metres;
- All upper level side and rear windows and balconies are screened to 1.7 metres above the upper floor level, other than a portion of the balcony of Dwelling 1 that faces the street and is front of the adjoining dwelling at 18 Warwick Avenue. The applicant is willing to accept a condition to change this if required;



- The setback from 14 Warwick Avenue (to the south) is such that there will be some overshadowing at 3pm on the winter solstice, and for the majority of the year as the sun will be higher in the sky;
- The total site coverage is 46.8%. The Development Plan allows up to 70%;
- The proposal has been amended by removing an independent driveway to Dwelling 1, maximising on-street parking in the absence of an on-site visitor parking space;
- The proposal is residential and anticipated within a Residential Zone and will not present unreasonable emissions or noise levels;
- The land division referral response from SA Water was not unsupportive of the proposal;
- Stormwater management has been engineered and detailed;
- Each dwelling is to be provided with a designated 8m<sup>3</sup> domestic storage area; and
- Land values are not contemplated by Development Plans, and are not a valid planning matter.

A copy of the representations and the Applicant's response is contained in **Attachment 2**.

## REFERRALS

### Internal

- City Assets

The land use application was referred to Council's City Assets Department for advice on finished floor levels, driveway access/verge interaction, vehicular manoeuvrability, waste management and stormwater management. Initial concerns raised have all been resolved by way of amendments to the design and the provision of amended plans, including a civil site and drainage plan with associated calculations. City Assets are now satisfied with the proposal subject to the inclusion of conditions outlined in the recommendation.

### External

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

- 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. 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 included in the recommendation.

A full copy of the relevant advice and reports are contained in **Attachment 3**.

**ASSESSMENT**

The subject land is located within the Residential Zone and more particularly Medium Density Policy Area 18 as described in the West Torrens Council Development Plan (Consolidated 30 May 2017). The main provisions of the Development Plan which relate to the proposed development are as follows:

<i>General Section</i>		
<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 ASSESSMENT**

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SITE AREA <i>Medium Density Policy Area 18</i> <i>PDC 8</i>	250m <sup>2</sup> (min.)	113m <sup>2</sup> (average, not including common areas)  <b>Does not satisfy</b>
SITE FRONTAGE <i>Medium Density Policy Area 18</i> <i>PDC 6</i>	9m (min.)	18.29m  <b>Satisfies</b>
SITE COVERAGE <i>Medium Density Policy Area 18</i> <i>PDC 5</i>	70% (max.)	46.8%  <b>Satisfies</b>
PRIMARY STREET SETBACK <i>Medium Density Policy Area 18</i> <i>PDC 5</i>	3m (min.)	3m  <b>Satisfies</b>
SIDE SETBACKS <i>Residential Zone</i> <i>PDC 11</i>	Vertical wall 3m or less 1m (min.) Vertical wall 3-6m 2m (min.)	Dwellings 1-5 - 1m Dwellings 1-5 - 1m  <b>Does not satisfy</b>
REAR SETBACK <i>Medium Density Policy Area 18</i> <i>PDC 5</i>	4m (min.)	4m setback  <b>Satisfies</b>
BUILDING HEIGHT <i>Medium Density Policy Area 18</i> <i>PDC 5</i>	3 storeys or 12.5m (max.)	2 storeys (6.8m)  <b>Satisfies</b>
PRIVATE OPEN SPACE <i>Medium Density Policy Area 18</i> <i>PDC 7</i>	24m <sup>2</sup> with a minimum dimension of 3m	Dwelling 1 - 35.5m <sup>2</sup> Dwelling 2 - 28.4m <sup>2</sup> Dwelling 3 - 28.5m <sup>2</sup> Dwelling 4 - 28.5 m <sup>2</sup> Dwelling 5 - 28.6m <sup>2</sup>  <b>Satisfies</b>

Council Assessment Panel Agenda

10 April 2018

<b>LANDSCAPING</b> <i>Module: Landscaping, Fences &amp; Walls</i> <b>PDC 4</b>	A minimum of 10 per cent of a development site	10.2%  <b>Satisfies</b>
<b>CARPARKING SPACES</b> <i>Module: Transportation and Access</i> <b>PDC 34</b> <i>Table WeTo/2</i>	2 car parking spaces per dwelling, one of which is covered plus an additional 0.25 car parking spaces per dwelling.  11.25 required	10 spaces provided (No visitor parking)  <b>Does not satisfy</b>

### QUALITATIVE ASSESSMENT

In assessing the merits or otherwise of the application, the most relevant considerations are discussed under the following sub headings:

#### Land Division

The proposed community title land division creates five community lots consistent with the layout of the five proposed dwellings together with a common property driveway along the southern side of the subject land with a section at the rear for landscaping and domestic storage purposes.

Principle of Development Control (PDC) 8 of Medium Density Policy Area 18 of the Residential Zone prescribes that land division should create allotments greater than 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. The frontages are compliant however.

In contrast, PDC 6 of the same policy area seeks 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 113m<sup>2</sup> - an average shortfall per dwelling of 37m<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 903.16m<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 that the allotments are large enough for the proposed dwellings to reasonably satisfy the relevant quantitative requirements relating to building height/scale, private open space, site coverage and vehicle access and manoeuvrability.

#### Dwelling density and local character

The Desired Character Statement for the Residential Zone envisages residential flat buildings being common near centres and in policy areas where the desired density is higher. As previously discussed the proposed development has an average dwelling site area less than the desired minimum average site area provision. This average has been calculated by removing all common areas. It is noted the average site area including the common areas is 180.6m<sup>2</sup>.

There are a number of similar sized allotments that accommodate a similar form of medium density development to that proposed. The following examples are all within 150 metres of the subject site:

Address	Average site area (m <sup>2</sup> )	Net density (dwellings/hectare)
15 Warwick Avenue	58	89
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 within 300 metres of a shopping centre that fronts Anzac Highway which is also adjacent to the Urban Corridor Zone and high frequency public transport (bus and tram) routes. This places it within a locality identified by the Development Plan as being appropriate for medium density development.

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

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 easily be perceivable as the allotments 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 the Medium Density Policy Area 18 should be a minimum of 3 metres. The proposal contains a staggered setback that ranges from 2.9 metres to 3.19 metres. This is considered satisfactory as the building has an average setback of over 3 metres, is well-articulated and features a landscaped area in front of the building.

The rear setback for dwellings in the Medium Density Policy Area 19 should be at least 4 metres. The proposed development meets this requirement.



**Side setbacks**

The design of the proposed development has ground level portions of the building and the first floor balconies located 1 metre from the northern boundary of the subject land. This does not satisfy the Development Plan requirement for a 2 metre offset for walls 3 to 6 metres in height, although the majority of the rear wall is set back 3 metres. Notwithstanding this, the setback in this instance is considered reasonable for the following reasons:

- The adjoining properties to the north have a carport on the boundary and a rear yard, meaning no shadow would be cast over these properties;
- The locality contains dwellings and outbuildings located in close proximity to side and rear boundaries;
- The ground level of the proposed building has a modest wall height of only 2.72 metres and a roof that is not pitched; and
- There are adequate private open space areas within the rear yards for landscaping.

**Design and Appearance**

The proposed development will sit amongst a variety of dwelling types, sizes and styles, including single storey detached dwellings, group dwellings and residential flat buildings within the locality.

The façade that fronts Warwick Avenue features a variety of materials and includes varying dimensions to avoid extensive areas of uninterrupted walling. The design also incorporates a considerable amount of articulation.

The façade includes windows to both the ground and upper floors that facilitate passive surveillance of the adjacent public space. The dwelling entry points are readily identifiable and accessible from public street frontages 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's mass and proportions. The design also uses a number of different materials, shapes and colour variation that add visual interest without looking haphazard.

The proposed building incorporates a contemporary design that is compatible with the locality in respect to:

- building height;
- built form bulk and scale;
- front and side setbacks;
- façade articulation and detailing; and
- presentation of windows and a front door to Warwick Avenue.

In terms of dwelling design, the internal living rooms have external outlooks to private space, ample access to sunlight (given the northern orientation) and internal floor areas that provide quality living environments. The staggered and varied building lines are considered to minimise impacts to adjoining allotments, particularly in terms of bulk and scale.

The desired character and PDC 5 of the Medium Density Policy Area 18 envisages building heights up to three storeys, or 12.5 metres. The proposal is for a two storey building with a maximum height of 6.8 metres. 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 Design and Appearance module, including Objective 1, PDCs 1, 2 and 5.

**Car Parking**

The proposal includes a double garage for each dwelling, totalling ten car parking spaces. PDC 34 of the Transportation and Access module, and *Table WeTo/2* of the Development Plan seek 0.25 of a parking space per dwelling for visitors. This would result in 1 visitor space being made available on the site. The proposal does not accommodate any visitor parking. At Council's suggestion the applicant amended the proposal by deleting independent driveway access to Dwelling 1, resulting in 11 metres of upright kerbing in front of the site. This area can accommodate one or possibly two on-street parking spaces, which is considered to be a reasonable compromise.

The lack of an on-site visitor parking space is not considered to impact on traffic flows or safe and efficient movements to and from the site. Furthermore the subject land is within 300 metres of high-frequency public transport routes on Anzac Highway.

**Landscaping**

The proposal meets the minimum landscaping requirement of 10% of the site with a variety of planting to the front and rear of the subject land, and with limited planting along the side of the common area and to each of the private open space areas. 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 which allows appropriate access and on-site manoeuvrability to be achieved. Planting within this strip is proposed to provide clumping, 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 in the proposed landscaping schedule, and will assist in providing areas for drainage. The functionality of landscaping to maximise shade and shelter, reduce visual impact and the like as sought in PDC 1 of this module is considered reasonably met given the constraints of the site.

**Private Open Space**

General Section - Residential Development PDC 19 outlines minimum private open space provisions, being 24m<sup>2</sup> for site areas under 300m<sup>2</sup>. As detailed above, Dwelling 1 will have approximately 35m<sup>2</sup> and Dwellings 2 to 5 will have approximately 28m<sup>2</sup> of private open space. The ground level courtyards and upper level balconies of all dwellings achieve the minimum dimension guidelines and are therefore considered acceptable.

**Overlooking**

Visual privacy is dealt with in PDC 27 of the Residential Development module, and PDC 10 of the Design and Appearance module of the Development Plan. The development has been designed having regard to this provision with the majority of upper storey windows having window sill heights of 1.7 metres and/or fixed obscure glazing to this height. The upper level windows of Dwelling 1 do not include these treatments due to the proposed orientation, which is considered reasonable in this instance as it will facilitate passive surveillance of the street but avoid overlooking into habitable room windows or private open space of adjoining land.

**Overshadowing**

The proposed residential flat building is positioned to the north of the subject land, and is offset 6 metres from the southern boundary. There will naturally be some overshadowing onto adjoining land in winter, however the majority will be over the common driveway area. The extent of overshadowing is considered reasonable given the design of the building being limited in height to two storeys, and the setback to the southern boundary of 6 metres. Adjoining properties will still receive adequate access to more than 3 hours of sunlight, thereby satisfying PDCs 11 and 12 of the Residential Development module.

**Stormwater management**

The civil plan has been considered by Council's engineers as being suitable, with appropriate finished floor levels and drainage systems that can adequately cater for and manage stormwater runoff for the development. PDCs 9, 10 and 11 of the Natural Resources module are therefore considered satisfied.

**Waste collection**

The proposed development can adequately cater for on-street waste collection with sufficient verge space available, and therefore a private waste contractor is not required. This meets Council's requirements and complies with Objective 2 - Waste module of the General Section of the Development Plan.

**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 a desirable, orderly and appropriate form of development.

The dwelling density and allotment layout of the proposal sufficiently accords with the Desired Character and is compatible with the established pattern and built form characteristics of the locality. With the exception of quantitative shortfalls in site areas, side setbacks and a single visitor car parking space, 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 considered to be not seriously at variance with the Development Plan.

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

**Attachments**

1. **Proposed plan set and supporting statement**
2. **Representations and Response**
3. **Referral responses**



PLAN OF PROPOSED COMMUNITY DIVISION

DAG DEVELOPMENT NUMBER

2111/C127/17

SUBJECT LAND DETAIL

ALLOTMENT 14 IN DP 1983  
HUNDRED OF ADELAIDE  
IN THE AREA NAMED  
**KURRALTA PARK**  
16 WARWICK AVENUE  
KURRALTA PARK

TITLE REFERENCES  
C.T. VOL. 5559 FOL. 941  
MAP REFERENCE: 6628/50C

COMMUNITY DIVISION

TOTAL SITE AREA: 903m<sup>2</sup>  
NO. OF EXISTING ALLOTMENTS: 1  
NO. OF PROPOSED LOTS: 5  
NO. OF ADDITIONAL LOTS: 4

**COUNCIL: WEST TORRENS**  
ZONE: POLICY AREA:

INSTRUMENTS: 1/2015  
PLEASE REFER TO LAND USE APPLICATION  
PREPARED BY ZYBEX CONSULTING.

EXISTING DWELLING & STRUCTURES  
TO BE DEMOLISHED AND SITE CLEARED

PLEASE NOTE:  
THE COMMON PROPERTY IS IDENTIFIED  
(C1) FOR LAND INFORMATION PURPOSES  
ONLY AND DOES NOT PROVIDE A LEGAL  
IDENTIFIER FOR COMMON PROPERTY.

ALL DATA IN APPROX ONLY  
SUBJECT TO SURVEY AND FINAL PLAN  
ALL DIMENSIONS IN METRES. DO NOT SCALE DRAWING.

**CAVALLO FOREST**  
LICENSED SURVEYORS  
9 George Street  
Hobart, SA 5007  
surveys@cavalloforest.com.au

DATE: 30/03/18 FIELD: -- DRAWN: JC  
REV: 17-166 DWG: PG 00

LOT	TOTAL AREA
1	158m <sup>2</sup>
2	109m <sup>2</sup>
3	110m <sup>2</sup>
4	110m <sup>2</sup>
5	110m <sup>2</sup>

**NOTES:**  
PORTION OF COMMON PROPERTY MARKED U, V, W, X & Y EXISTS BELOW A LEVEL OF \_\_\_\_ METRES AND:  
PORTION OF LOT 1 MARKED U EXISTS ABOVE A LEVEL OF \_\_\_\_ METRES AND:  
PORTION OF LOT 2 MARKED V EXISTS ABOVE A LEVEL OF \_\_\_\_ METRES AND:  
PORTION OF LOT 3 MARKED W EXISTS ABOVE A LEVEL OF \_\_\_\_ METRES AND:  
PORTION OF LOT 4 MARKED X EXISTS ABOVE A LEVEL OF \_\_\_\_ METRES AND:  
PORTION OF LOT 5 MARKED Y EXISTS ABOVE A LEVEL OF \_\_\_\_ METRES AND:

WARWICK AVENUE

175°11'30" 18-29 10-29 (6-59)

8-00 0-25 0-30 0-20 1-30 3-62 2-98 2-65 11'30" 221°27'50" 1-86 6-20 4-62 4-09 1/1(C1) (8m²)

12-58 85°11'30" 0-04 3-00 175°11'30" 355°11'30" 9-68 8-20 12-68 355°11'30" 5-50 265°11'30" 4-00 2/1(C1) (6m²)

8-16 8-20 12-68 355°11'30" 8-20 1-94 4-00 3/1(C1) (6m²)

8-20 12-68 355°11'30" 4-00 4-00 5/1(C1) (6m²)

8-24 12-68 355°11'30" 1-01 4-00 5/1(C1) (6m²)

18-29 355°11'30"

D1983

COMMON PROPERTY

175°11'30" 10-29 (6-59)

221°27'50" 1-86 4-30 0-30 1-30 3-62 2-98 2-65 11'30"

ENLARGEMENT NOT TO SCALE

WARWICK AVENUE

COMMON PROPERTY

175°11'30" 10-29 (6-59)

221°27'50" 1-86 4-30 0-30 1-30 3-62 2-98 2-65 11'30"

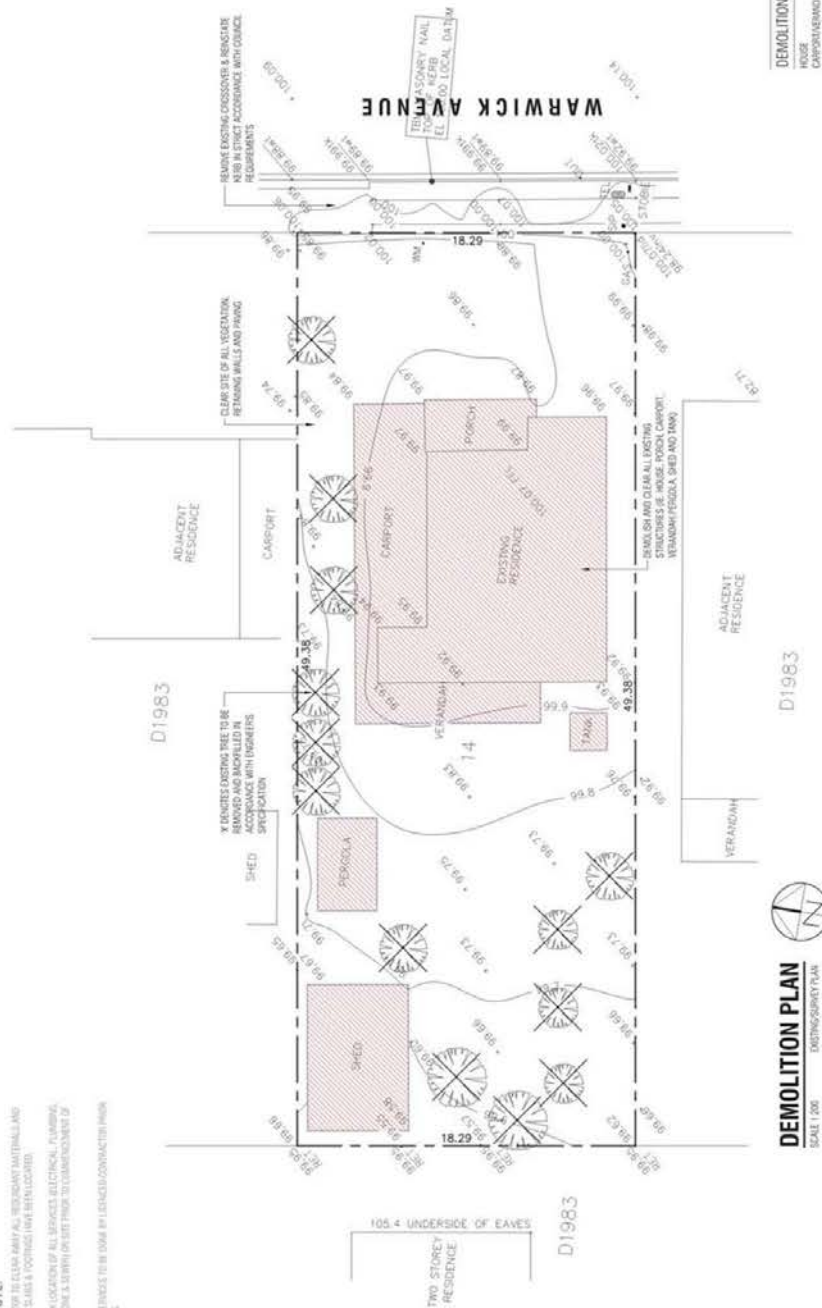
SA WATER NOTE:  
EXISTING WATER METER ON LOT 1 IS TO REMAIN IN ITS CURRENT POSITION.  
NEW 40MM CONNECTION TO BE CONSTRUCTED 6.5MM FROM THE SOUTHERN BOUNDARY OF THE COMMON PROPERTY TO BE FITTED WITH AN AIR VALVE AND 100MM WATER METER.  
OPTION 4 - STRAIGHT LEFT

0 5 10 15 20  
SCALE METRES

PLANNING NOTE:  
YOUR WATER EXAMINER TO PROVIDE  
STREET NAMING WITH THE DECISION NOTIFICATION FORM  
AS PER SAPM AND NEW UTILITIES REQUIREMENT.

**DEMOLITION NOTE:**

DEMOLITION CONTRACTOR TO CLEAR ALL RESIDUAL MATERIALS AND LEVEL GROUND SURFACE SLABS & FOOTINGS (HARDENED).  
 ENGINEER TO CHECK LOCATION OF ALL SERVICES (ELECTRICAL, PLUMBING, STEAM/HEAT, TELEPHONE & CABLE) ON SITE PRIOR TO COMMENCEMENT OF WORK.  
 ALL REMAINS OF RESIDUE TO BE TORN BY LICENSED CONTRACTOR PRIOR TO DEMOLITION WORKS.



DEMOLITION AREAS	
HOUSE	137.34
CARPORT/VERANDAH	72.62
PERGOLA	15.00
SHED	43.00
TOTAL	268.96

PLANNING DRAWINGS	
NO.	DATE
1	10/04/2018
2	10/04/2018
3	10/04/2018
4	10/04/2018
5	10/04/2018
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98	10/04/2018
99	10/04/2018
100	10/04/2018

[illegible]



## LANDSCAPING SCHEDULE

### GROUND COVERS

	<b>PHLOXIS COMPOSITA</b> <i>PHLOXIS COMPOSITA</i> A low, spreading, perennial ground cover with small, white, star-shaped flowers. It is suitable for use as a ground cover in sunny, well-drained areas.
	<b>PHLOXIS COMPOSITA</b> <i>PHLOXIS COMPOSITA</i> A low, spreading, perennial ground cover with small, white, star-shaped flowers. It is suitable for use as a ground cover in sunny, well-drained areas.
	<b>PHLOXIS COMPOSITA</b> <i>PHLOXIS COMPOSITA</i> A low, spreading, perennial ground cover with small, white, star-shaped flowers. It is suitable for use as a ground cover in sunny, well-drained areas.
	<b>PHLOXIS COMPOSITA</b> <i>PHLOXIS COMPOSITA</i> A low, spreading, perennial ground cover with small, white, star-shaped flowers. It is suitable for use as a ground cover in sunny, well-drained areas.

	<b>PHLOXIS COMPOSITA</b> <i>PHLOXIS COMPOSITA</i> A low, spreading, perennial ground cover with small, white, star-shaped flowers. It is suitable for use as a ground cover in sunny, well-drained areas.
	<b>PHLOXIS COMPOSITA</b> <i>PHLOXIS COMPOSITA</i> A low, spreading, perennial ground cover with small, white, star-shaped flowers. It is suitable for use as a ground cover in sunny, well-drained areas.

### SHRUBS

	<b>PHLOXIS COMPOSITA</b> <i>PHLOXIS COMPOSITA</i> A low, spreading, perennial ground cover with small, white, star-shaped flowers. It is suitable for use as a ground cover in sunny, well-drained areas.
	<b>PHLOXIS COMPOSITA</b> <i>PHLOXIS COMPOSITA</i> A low, spreading, perennial ground cover with small, white, star-shaped flowers. It is suitable for use as a ground cover in sunny, well-drained areas.
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### TREES

	<b>PHLOXIS COMPOSITA</b> <i>PHLOXIS COMPOSITA</i> A low, spreading, perennial ground cover with small, white, star-shaped flowers. It is suitable for use as a ground cover in sunny, well-drained areas.
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## LANDSCAPING LEGEND: ALL LANDSCAPE BY DIMENSIONS

GROUND COVERS	PLANTS	MATURE HEIGHT (m)	MATURE SPREAD (m)	PLANTED HEIGHT (m)
	<b>PHLOXIS COMPOSITA</b> <i>PHLOXIS COMPOSITA</i> A low, spreading, perennial ground cover with small, white, star-shaped flowers. It is suitable for use as a ground cover in sunny, well-drained areas.	0.4	0.6	0.3
	<b>PHLOXIS COMPOSITA</b> <i>PHLOXIS COMPOSITA</i> A low, spreading, perennial ground cover with small, white, star-shaped flowers. It is suitable for use as a ground cover in sunny, well-drained areas.	0.4	0.6	0.3
	<b>PHLOXIS COMPOSITA</b> <i>PHLOXIS COMPOSITA</i> A low, spreading, perennial ground cover with small, white, star-shaped flowers. It is suitable for use as a ground cover in sunny, well-drained areas.	0.4	0.6	0.3

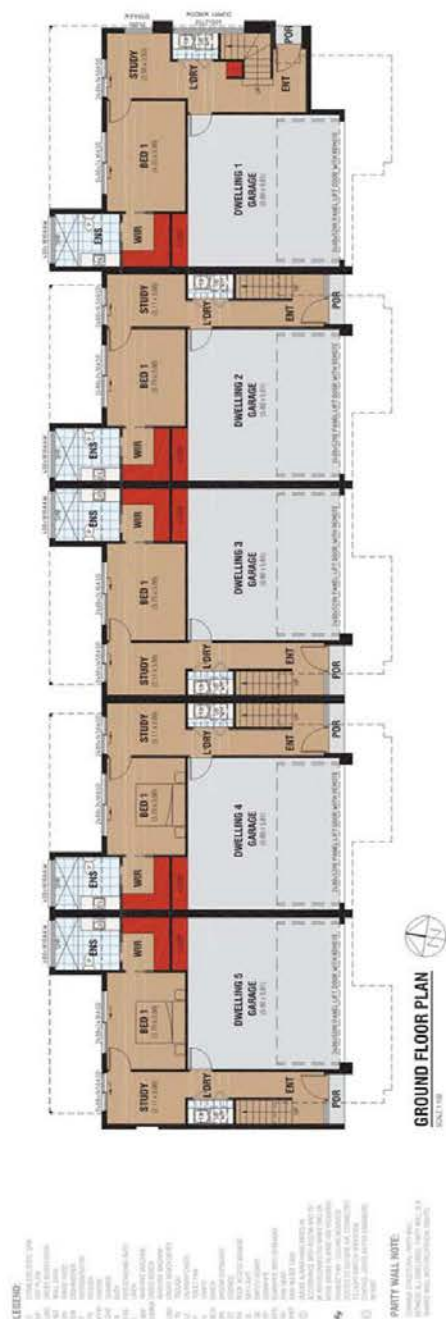


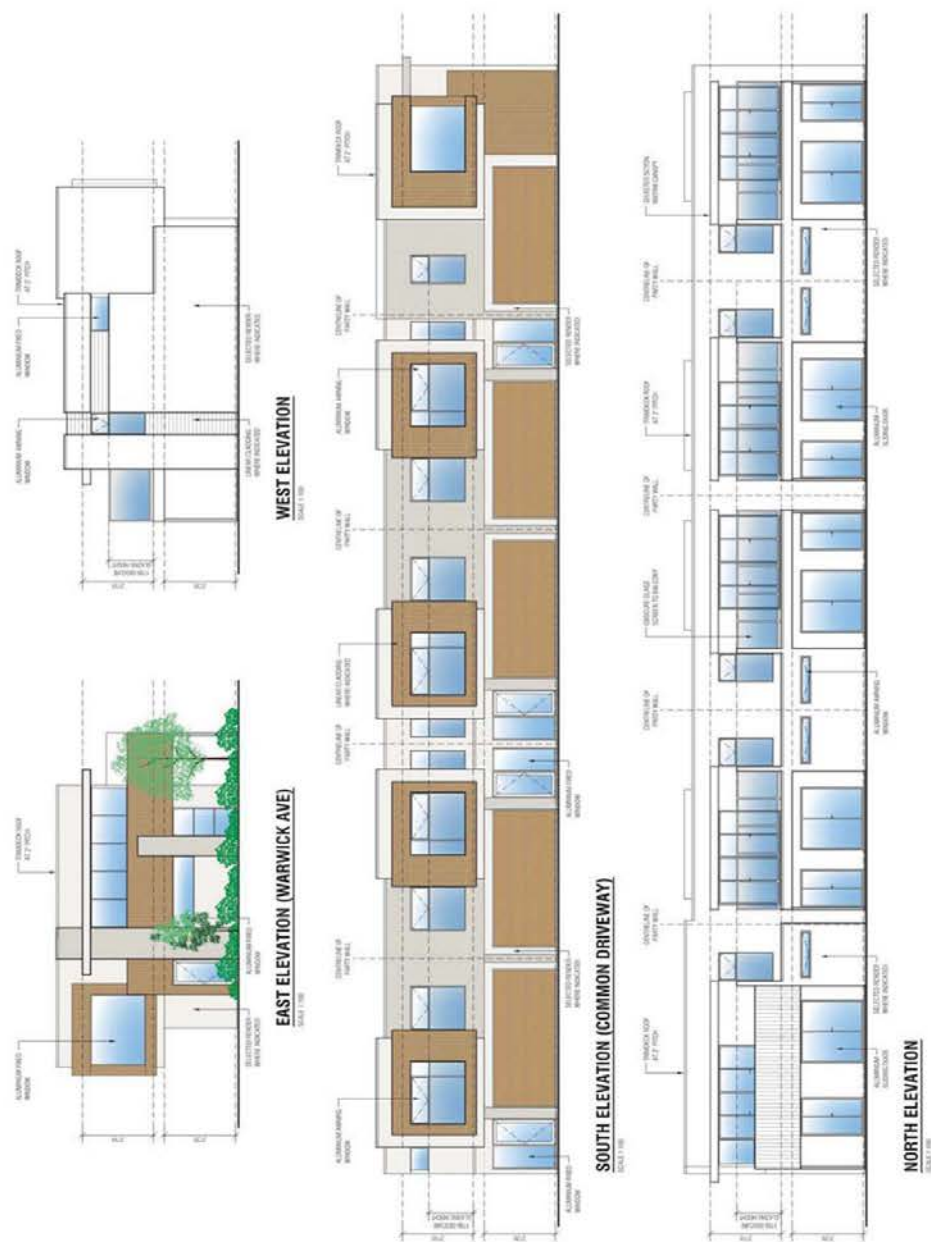
## LANDSCAPE PLAN

SCALE 1:200

NO.	DATE	DESCRIPTION
1	10/04/2018	ISSUED FOR APPROVAL
2	10/04/2018	ISSUED FOR APPROVAL
3	10/04/2018	ISSUED FOR APPROVAL
4	10/04/2018	ISSUED FOR APPROVAL
5	10/04/2018	ISSUED FOR APPROVAL
6	10/04/2018	ISSUED FOR APPROVAL
7	10/04/2018	ISSUED FOR APPROVAL
8	10/04/2018	ISSUED FOR APPROVAL
9	10/04/2018	ISSUED FOR APPROVAL
10	10/04/2018	ISSUED FOR APPROVAL

<b>verracchi</b>	<b>WARWICK AVE DEVELOPMENT</b>	DATE: NOV 2017	ISSUED BY: LD
<b>verracchi</b>	<b>WARWICK AVE DEVELOPMENT</b>	SCALE: 1:200	ISSUED BY: LD
<b>verracchi</b>	<b>WARWICK AVE DEVELOPMENT</b>	PROJECT NO: 27800000000000000000	ISSUED BY: LD
<b>verracchi</b>	<b>WARWICK AVE DEVELOPMENT</b>	PROJECT NO: 27800000000000000000	ISSUED BY: LD
<b>verracchi</b>	<b>WARWICK AVE DEVELOPMENT</b>	PROJECT NO: 27800000000000000000	ISSUED BY: LD
<b>verracchi</b>	<b>WARWICK AVE DEVELOPMENT</b>	PROJECT NO: 27800000000000000000	ISSUED BY: LD
<b>verracchi</b>	<b>WARWICK AVE DEVELOPMENT</b>	PROJECT NO: 27800000000000000000	ISSUED BY: LD
<b>verracchi</b>	<b>WARWICK AVE DEVELOPMENT</b>	PROJECT NO: 27800000000000000000	ISSUED BY: LD
<b>verracchi</b>	<b>WARWICK AVE DEVELOPMENT</b>	PROJECT NO: 27800000000000000000	ISSUED BY: LD
<b>verracchi</b>	<b>WARWICK AVE DEVELOPMENT</b>	PROJECT NO: 27800000000000000000	ISSUED BY: LD

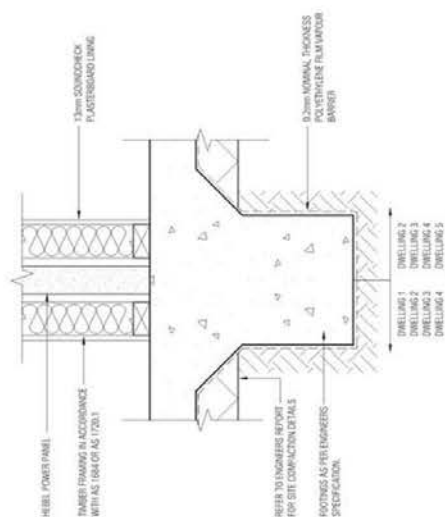


[illegible]



PARTY WALL NOTE:

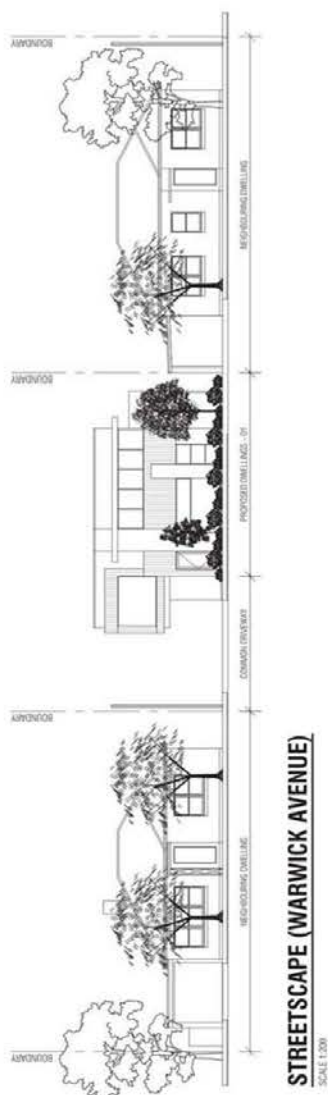
CONCRETE STRUCTURAL PARTY WALL BETWEEN TWO DWELLINGS. PARTY WALL IS A SHOWN WALL WITH TECHNICAL DETAILS.



TYPICAL HEBEL PARTY WALL/SLAB DETAIL

SCALE 1:10

[illegible]

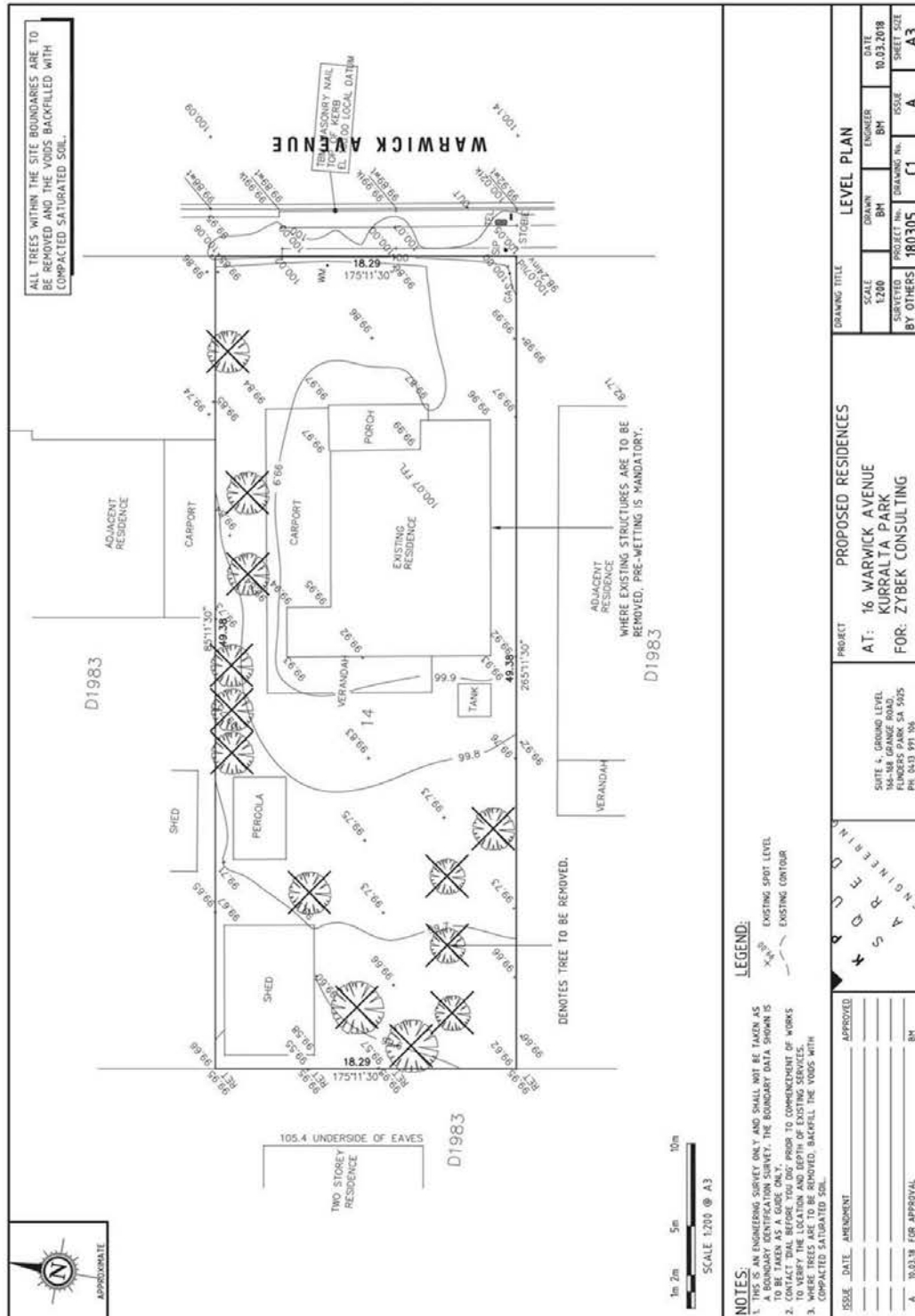
[illegible]



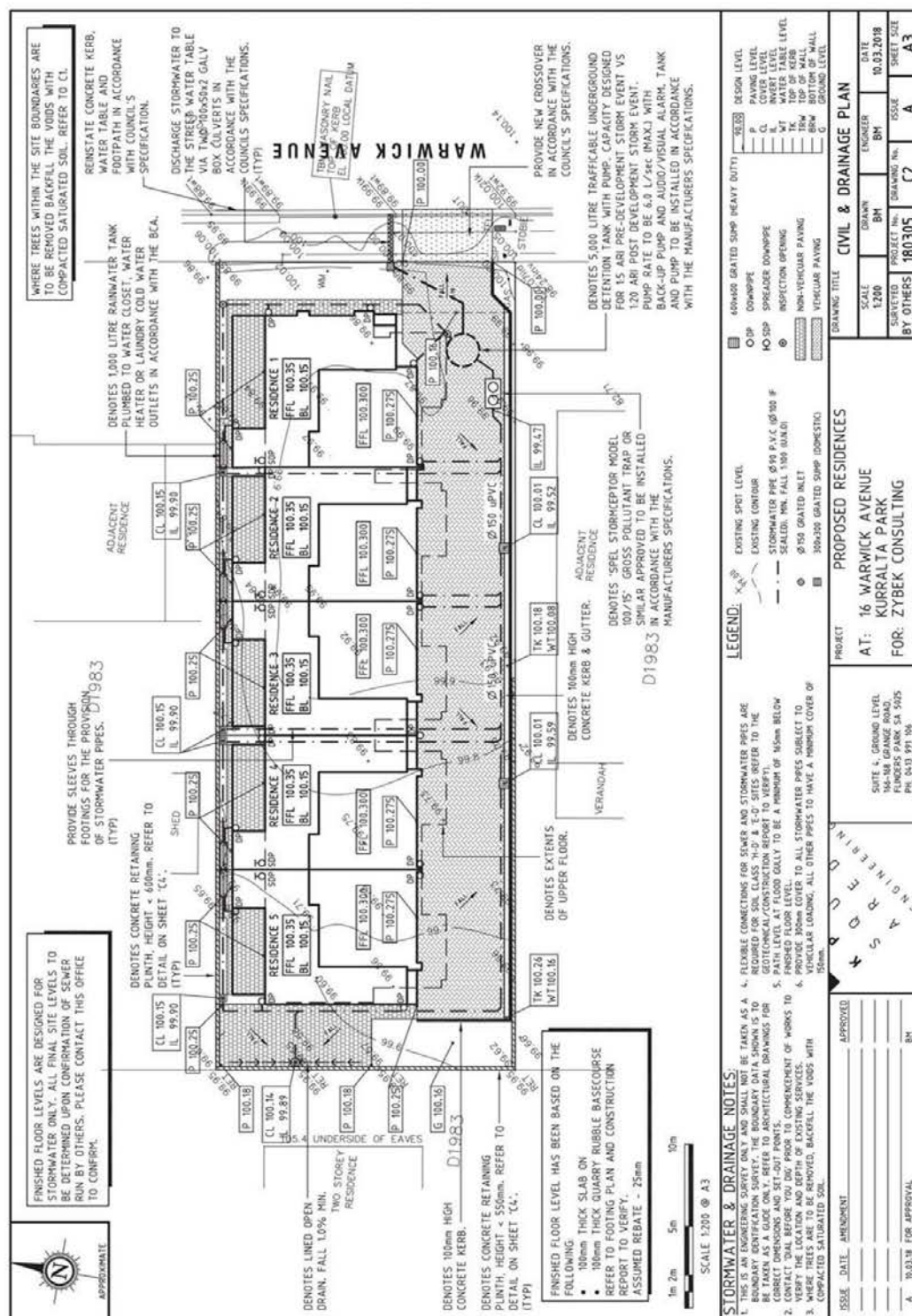


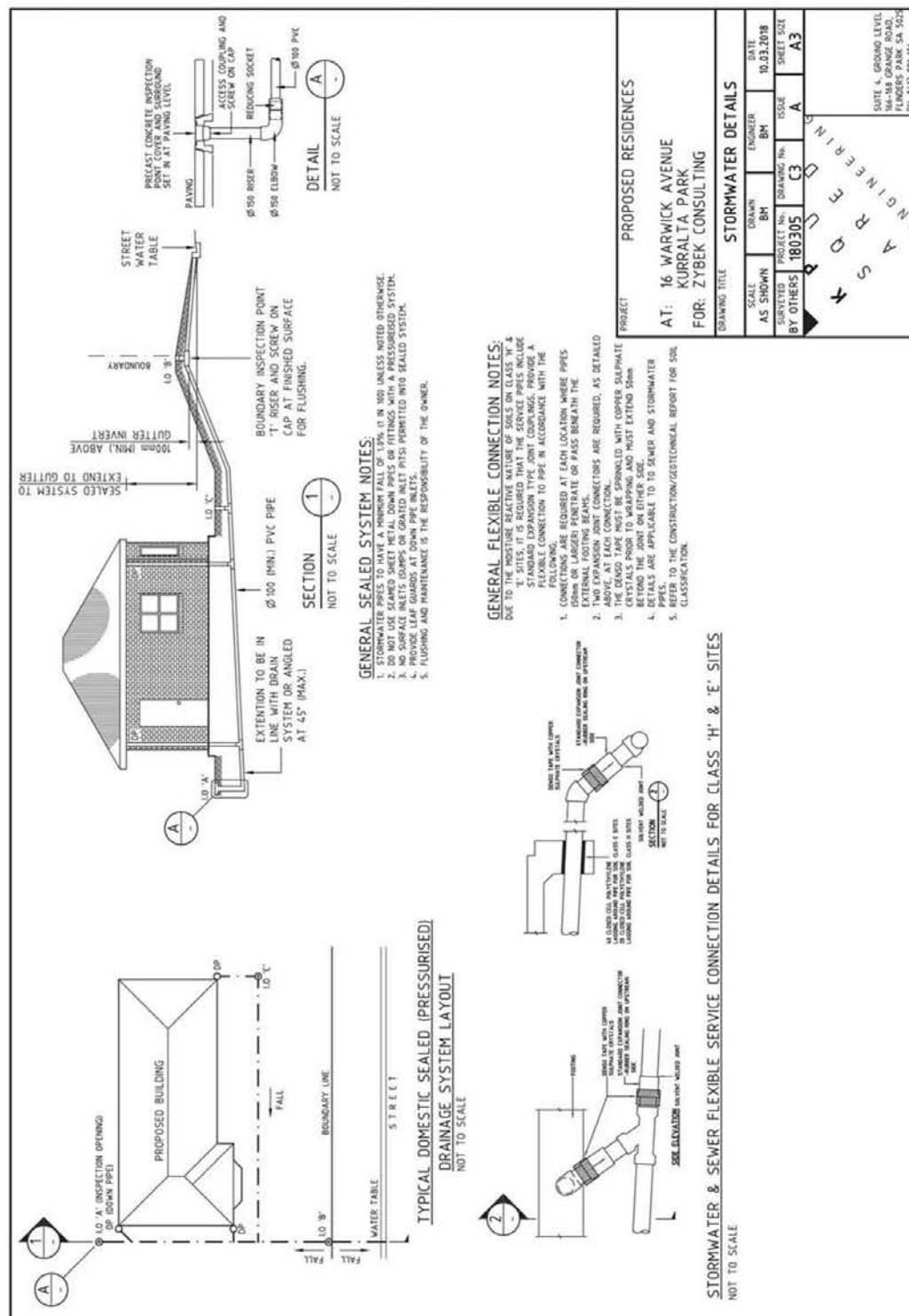


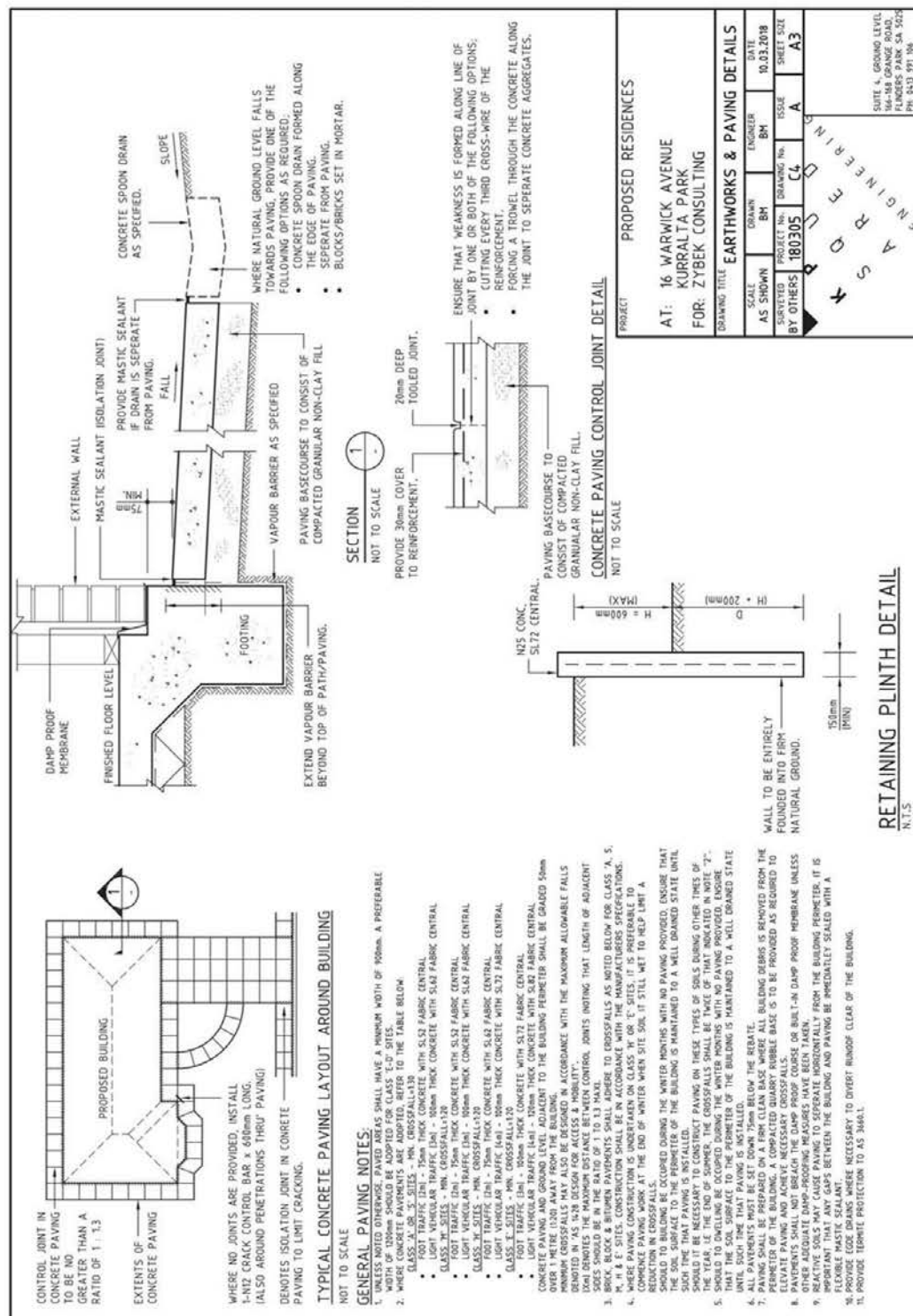




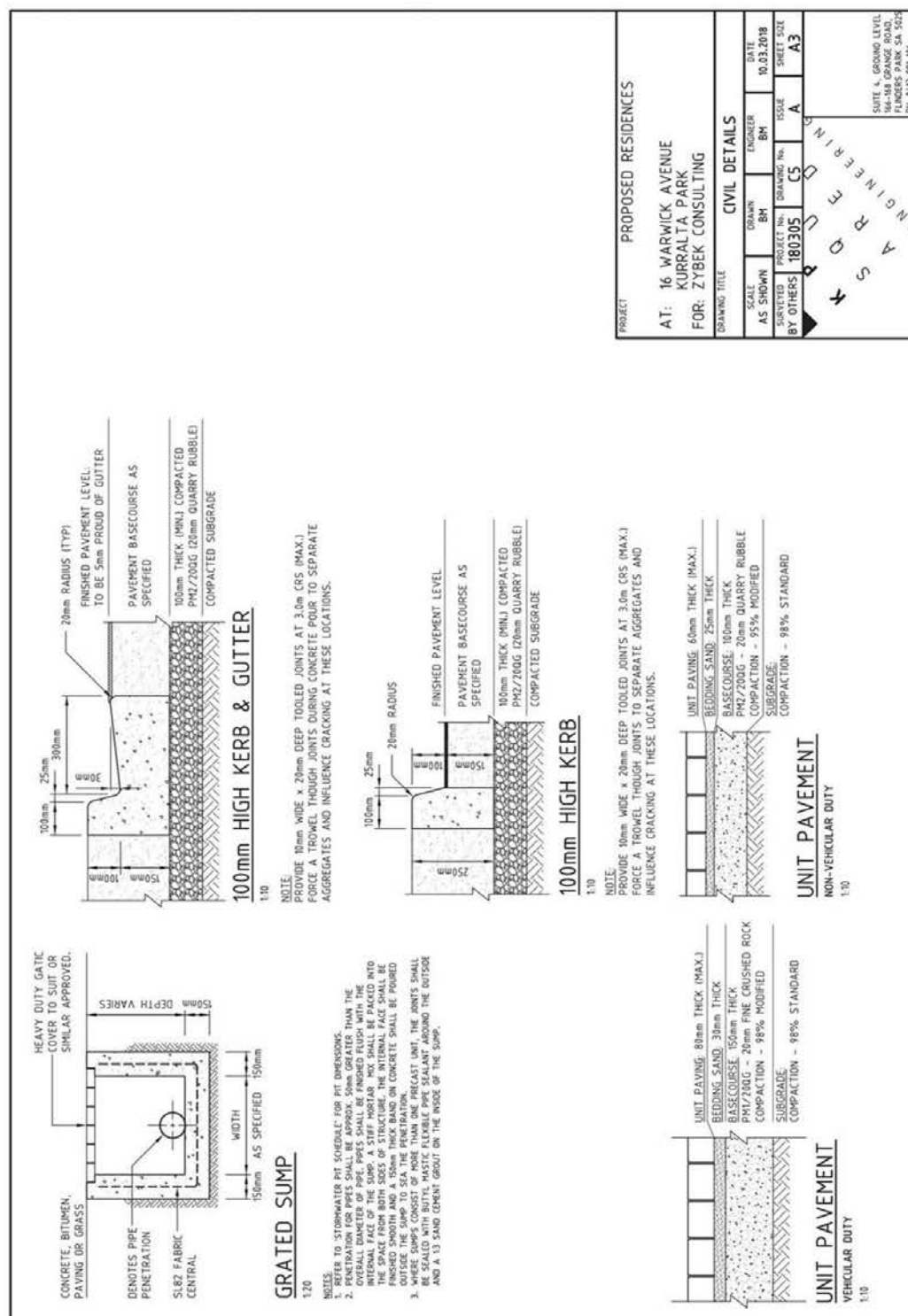












**STORMWATER DETENTION DESIGN**

Project 16 Warwick Avenue,  
Glengowrie

Page CC1/A  
Job No. 180304  
Date MAR '18  
Eng BM

Total Site Area = 903 m<sup>2</sup>

Pre-development - 1:20 ARI 59.2 mm/hr (10min)

**Pre-Development**

Impervious Area -  $A_i = 360 \text{ m}^2$   $C_i = 0.9$   
Pervious Area -  $A_p = 543 \text{ m}^2$   $C_p = 0.1$   
 $C_n = [(C_i \times A_i) + (C_p \times A_p)]/A$   
 $C_n = 0.42$   
Flow Rate -  $Q_5 = (C_n \times i \times A)/3600$   
 $Q_5 = 6.22 \text{ Litres/sec}$

**Post-Development**

Site Area = 903 m<sup>2</sup>  
Impervious Area -  $A_i = 673 \text{ m}^2$   $C_i = 0.9$   
Pervious Area -  $A_p = 230 \text{ m}^2$   $C_p = 0.1$   
 $C_n = [(C_i \times A_i) + (C_p \times A_p)]/A$   
 $C_n = 0.70$   
Peak Flow Rate = 1:20 ARI 20 minute duration

**THEREFORE PROVIDE 4,840 LITRES OF DETENTION REQUIRED**

**Orifice Design**

Paving area collecting stormwater via grated inlets/sumps -  $A = 0 \text{ m}^2$   
 $C_i = 0.9$   
 $Q_{spaving} = 0 \text{ Litres/sec}$   
 $Q_{max} = Q_{total} - Q_{spaving}$   
 $Q_{max} = 6.22 \text{ Litres/sec per Residence}$   
 $Q_{max} = 0.6 \times A \sqrt{(2 \times g \times H)}$  where  $Q_{max} = 0.0062$   $g = 9.81$   
 $A = 0.002703 \text{ m}^2$   $A = ?$   $H = 0.75$   
 $A = (\pi \times D^2)/4$   
Diameter = 0.059 m = 58.7 mm

**PROVIDE 4840 LITRES OF DETENTION WITH A Ø 59 mm ORIFICE.**

# PEAK FLOW CALCULATIONS - 20 YEAR AVERAGE RECURRENCE INTERVAL

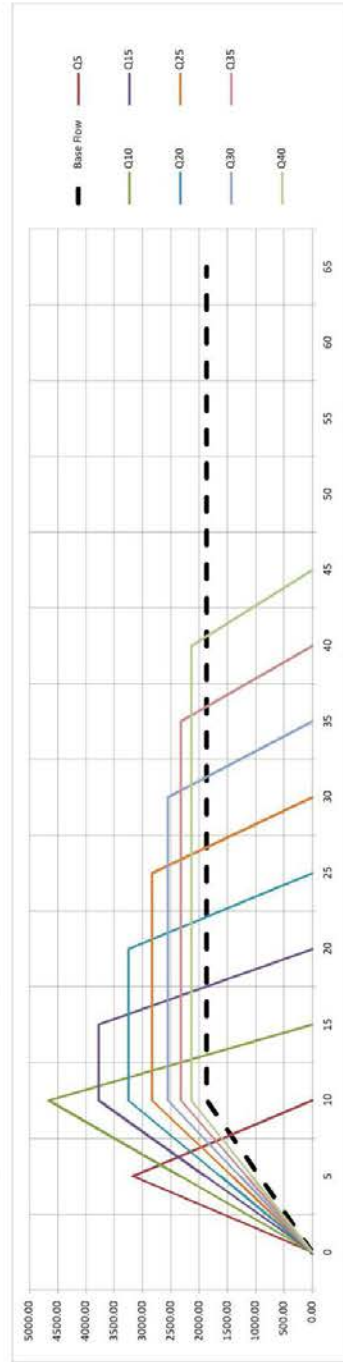
Project 16 Warwick Avenue,  
Glengowrie

Page CC2/B  
Job No. 180304  
Date MAR '18  
Eng BM

Cn = 0.70  
Site Area = 903 m<sup>2</sup>

Denotes Peak Flow

ARI For 20 Year Event	Qb	Flow Rate Over 60 Minutes											Volume Progression Over 60 Minutes										
		Q5	Q10	Q15	Q20	Q25	Q30	Q35	Q40	Q45	Q50	Q55	Q60	Q65	Q70	Q75	Q80	Q85	Q90	Q95	Q100	Q105	Q110
I <sub>h</sub> = 121.0 mm/hr	Q5	21.13 L/sec																					
I <sub>h</sub> = 89.0 mm/hr	Q10	15.54 L/sec																					
I <sub>h</sub> = 72.0 mm/hr	Q15	12.57 L/sec																					
I <sub>h</sub> = 62.0 mm/hr	Q20	10.83 L/sec																					
I <sub>h</sub> = 54.0 mm/hr	Q25	9.43 L/sec																					
I <sub>h</sub> = 48.7 mm/hr	Q30	8.50 L/sec																					
I <sub>h</sub> = 44.3 mm/hr	Q35	7.74 L/sec																					
I <sub>h</sub> = 40.7 mm/hr	Q40	7.11 L/sec																					
I <sub>h</sub> = 37.8 mm/hr	Q45	6.60 L/sec																					
I <sub>h</sub> = 35.3 mm/hr	Q50	6.16 L/sec																					
I <sub>h</sub> = 33.2 mm/hr	Q55	5.80 L/sec																					
I <sub>h</sub> = 31.3 mm/hr	Q60	5.47 L/sec																					





Ref: 2017-0280

8 August 2017

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



Dear Ms Lennon

**16 Warwick Avenue, 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.

**Proposal**

The proposal is for a Residential Flat Building comprising 5 dwellings each with a garage under the main roof. The development would involve the demolition of existing buildings and structures to accommodate the proposal.

**Subject land and locality**

The subject land is one rectangular-shaped allotment with a frontage to Warwick Avenue of 18.29 metres and a depth of 49.38 metres. The subject land therefore has a total area of approximately 903 square metres. Currently a detached dwelling, carport, pergola and outbuilding are situated on the subject land. The land is reasonably flat and does not feature any rights-of-way, easements or other legal encumbrances on the title.

The locality comprises a mix of residential type development including detached dwellings, semi-detached dwellings, group dwellings and residential flat buildings. The era of housing appears to range from the 1950's to 1980's and occasionally comprises Tudor and bungalow style dwellings. Of particular note, some modern replacement dwellings that appear to have been built after the 1980's are also situated within Warwick Avenue.

Further, and of particular relevance, the land is within 400 metres of an Urban Corridor Zone, District Centre Zone and Local Centre Zone, which are situated nearby to the south. Each of these zones envisage some form of commercial type development including shops, offices etc.

shaping great communities

### Procedural matters

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

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.
- Living Environment.
- Setbacks.
- Building Height.
- Design and Appearance.
- Private Open Space and Landscaping.
- Overshadowing.
- Overlooking.
- Car Parking and Traffic.
- Storage.

### Land Use and Density

As per Principle 1 within Medium Density Policy Area 18, residential flat buildings are a specifically envisaged dwelling type.

As per the Desired Character within Medium Density Policy Area 18, allotments will be at medium density, accommodating a range of dwelling types including residential flat buildings.

With the allotment being approximately 903 square metres in area, the proposal would achieve an equivalent density to 55.36 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 Medium Density Policy Area 18.

The proposed land use and density are therefore appropriate for the subject locality.

### Site Areas and Frontage

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 Warwick Avenue of 15 metres.

H:\Synergy\Projects\17ADL\17ADL-0280 16 Warwick Avenue Kurralta  
Park\Submission\S001\_v2\_170808.docx

2

The Development Plan does not present guidance that explains how site area or frontage should be calculated, however 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, in particular landscaped spaces and common 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. In addition, common storage areas would be gated for security and would be private for the benefit of dwelling occupants. 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).

Based on the 'plan of community division' prepared by Cavallo Forest Licensed Surveyors (Revision 1), the site has a total area of approximately 903 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 Warwick Avenue of 18.36 metres. The frontage width satisfies the Development Plan. While I am aware that the specific proposed width of allotment 1 would have a frontage of 11.85 metres to Warwick Avenue it does feature a total rear width of 14.2 metres. Naturally the allotment narrows at its road frontage to accommodate a communal letterbox and a driveway of suitable width for safe and convenient vehicle movements. Overall the shape of this allotment is functional for its intended purpose for use 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 and landscaped areas to enhance ambiance and street appeal. 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.

#### *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 Medium Density Policy Area 18 guides setback parameters from the primary road frontage and back boundary, which should be 3 and 4 metres respectively.

The building would have a staggered façade being setback 3.3 metres up to 5.5 metres from the primary frontage. Not only does the staggered façade achieve minimum setback parameters it also ensures the street fronting garage element is not dominant, being positioned behind the majority of the façade.

The back boundary setback is to be 4.04 metres and therefore achieve Principle 5.

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.

The side boundaries are considered the northern and southern boundaries, which also form a side boundary of 14 and 18 Warwick Avenue neighbouring the subject land. Except for the garage servicing dwelling 1, ground floor components of the building would be setback 1 metre from the northern boundary and 6 metres from the southern boundary. Apart from obscured balconies, upper floor level components would be setback 3 metres from the northern boundary and approximately 4.8 metres from the southern boundary.

General section, residential development, Principle 16 allows a garage to be built along a boundary for a length up to 8 metres. The extent of garage on a boundary would be 6.1 metres.

Upper floor level obscured balconies would be setback 1 metre from the northern side boundary. The intent of side setback parameters is to limit overshadowing and visual impact. Being on the northern façade of the building, the balconies would not overshadow neighbouring allotments. Visually, the balconies form a transition to the proposed building's overall height and present good levels of articulation to the north face of the building.

The proposed setbacks are considered to perform very well against the Development Plan.

### Building Height

The desired character within Medium Density Policy Area 18 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 Medium Density Policy Area 18 guides maximum building heights allowing up to three storeys or 12.5 metres.

The proposal is to be two storeys with an approximate building height of 6.8 metres. 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 three storeys in height.

The proposed building height is appropriate in the context of the Development Plan.

### *Design and Appearance*

The building would have a contemporary appearance with a building height and mass that is expected in Medium Density Policy Area 18. Each elevation would be articulated using a mix of external colours, materials, textures and setbacks.

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.

Balconies have been integrated into the overall form of the building. Private open spaces, including balcony areas and internal living areas, have a northerly aspect to ensure sustained solar access.

The proposal 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. In the context of maximum building height allowances (three storeys), the proposed consistent building height is generally acceptable and supported given the articulation adopted by each dwelling's façade.

### *Private Open Space and Landscaping*

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 private open space may comprise a balcony provided they have a minimum dimension of 2 metres.

Dwelling 1 would have approximately 34.02 square metres of private open space whilst dwellings 2 to 5 would have 29.38 square metres of private open space. Both ground level courtyards and upper level balconies achieve minimum dimension guidelines.

### *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.

18 Warwick Avenue is situated north of the proposed development. Given the northern path of the sun, 18 Warwick Avenue would not be overshadowed by the proposal.

14 Warwick Avenue is situated south of the subject land, however the proposed development would be setback 4.8 metres from the shared side boundary and maintains a 2 storey height against a 3 storey guideline.

The proposal would not present unreasonable overshadowing in the context of the Development Plan's height and setback guidelines.

### Overlooking

Side-facing upper level windows and balconies will be obscured 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 and Traffic

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 onsite car parking spaces should generally be made available for occupants and visitors for this proposal.

The proposal includes 10 on-site car parking spaces, therefore a 1-space shortfall is identified. Dwellings 1 to 4 would have two covered spaces within proposed double garages. Dwelling 1 would have one covered space and an uncovered space forward of the single car garage. The shortfall only relates to a visitor parking space.

Excluding driveways, the proposal would retain approximately 9 metres of the overall frontage as upright kerb. This length is capable of retaining at least one on-street vehicle parking space. Upon review of intermittent aerial photography, Warwick Avenue is not commonly congested with vehicles parked on-street. It is also worthy to note that the demand for visitor car parking is typically at night time (during the week) and on weekends. In addition, the site is approximately 250 metres from a bus stop and each dwelling is capable of storing a bicycle. As such, the site is well connected and occupants have the option of alternate transportation modes.

The proposed parking shortfall of one space would not impact upon the free-flow of traffic or the safe and efficient movement of anticipated transport modes. The proposed on-site car-parking shortfall is considered acceptable and not fatal in the assessment of the merits of the proposal.

### Storage

General section, residential development, Principle 31 states that *"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 at the western end of the development. Each store would have an area of 9.2 cubic metres. In addition, bedrooms would have built-in/walk-in robes and each garage would provide some additional storage space at each end.

### Conclusion

On balance, and understanding the transitional intent of the policy area from low to medium density, the proposal achieves the general intent of the Zone/Policy Area 18.

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.

The quantitative shortfalls are not of themselves serious planning issues for the reasons set out within this report.



In my view, the proposal exhibits sound planning merit and contributes to the achievement of the zone and policy area objectives without conflict with the Development Plan to a significant degree.

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

Yours sincerely



Matthew King  
**Director**

Council Assessment Panel

Item 6.2 - Attachment 2

**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. 211/731/2017  
 PROPERTY ADDRESS: 16 Warwick Avenue, KURRALTA PARK SA 5037

YOUR FULL NAME	Anton Peter & Rita Rosa Olbrycht
YOUR ADDRESS	14 WARWICK AVE KURRALTA PARK SA 5037
YOUR PHONE No	
YOUR EMAIL	
NATURE OF INTEREST	owners of property 'next door' to development property <small>(eg. Adjoining resident, owner of land in the vicinity etc.)</small>
<b>REASON/S FOR REPRESENTATION</b> 1) the shadow diagram proposed by the developers is grossly misleading. We have a 22 panel solar panel array on the Northern roof facing the development property.  Please see accompanying sheets	
<b>MY REPRESENTATIONS WOULD BE OVERCOME BY</b> <small>(state action sought)</small>  Please see accompanying sheets	

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

14/1/2018

Responsible Officer: Josh Banks  
 Ends: Friday 19 January 2018

If space insufficient, please attach sheets

The developers have depicted the shadow as having no effect on the panels, when in fact, the panels are situated lower than shown. When the panels are shown in the correct position, the shadow covers the bottom half of the array.

THIS IS TOTALLY UNACCEPTABLE!!!

- 2) Lack of Privacy from upper floor
- 3) Increased noise from cars in the driveway, which is on our fence side. We have bedrooms on that side of the house.
- 4) This already exists a 2 story 5 unit development on the block behind this property. If this development is approved, there will be 2 such buildings extending from Wood St through to Warwick Avenue. The visual impact of these ~~two~~ 2 developments together going from street to street is detrimental to the ~~the~~ appearance of the area.  
A COMPLETE EYESORE!!!
- 5) Fear of Decrease in Land Value.
- 6) Fear of the neighbourhood becoming an overcrowded ghetto!!



### Google Maps 14 Warwick Ave

The solar panels cover a much larger area than that shown in the Developers' shadow diagram. They are attempting to mislead Council into accepting the proposal by falsifying information.



Imagery ©2018 Google, Map data ©2018 Google 2 m

<https://www.google.com.au/maps/place/14+Warwick+Ave,+Kurralla+Park+SA+5037/@-34.9536101,138.5657981,27m/data=!3m1!1e3!4m5!3m4!...> 15/01/2018

## SOLUTIONS

As far as the solar panels are concerned

- 1) council and developers pay for our electricity bills due to loss of power generating ability.
- 2) council and developers pay for re-locating the panels to a position of no shadow interference and the installation of a storage battery system
- 3) DON'T BUILD A TWO STOREY DEVELOPMENT !!!

We cannot understand why every development in this area has to be a two storey development.

If the population density is to be increased in this area, it can still be achieved with a single storey development.

The only reason we can see for a multi-storey development is more money for developers and more money for council.

We have owned and lived at 14 Warwick Ave for over 31 years. Why is the council more concerned over developers' financial gain rather than the concerns of local residents. It's time Council stopped allowing developers to rape the Kurralt Park area for their own financial gain. In your responses to our concerns, please do not fob us off with the usual BS. Thank you.

ENOUGH IS ENOUGH !!!!

Council Assessment Panel

Item 6.2 - Attachment 2

**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

17 JAN 2018

City Development

DEVELOPMENT No. 211/731/2017  
 PROPERTY ADDRESS: 16 Warwick Avenue, KURRALTA PARK SA 5037

YOUR FULL NAME	Yuanfeng Shen & Teina Gao
YOUR ADDRESS	21 Warwick Ave KURRALTA PARK SA 5037
YOUR PHONE No	
YOUR EMAIL	
NATURE OF INTEREST	owner of property opposite to development property (eg. Adjoining resident, owner of land in the vicinity etc.)
REASON/S FOR REPRESENTATION	The proposed development of 5x double story flats block will bring some negative effects to Warwick Ave:- - Increase in traffic flow/noise - Shortage of parking - Ruin the character of the neighbourhood...
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 Anton Peter Albrycht ☒

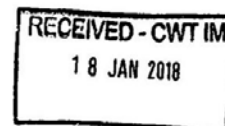
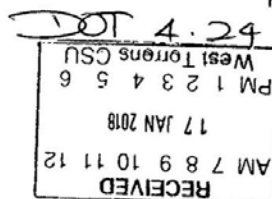
(PLEASE SPECIFY)

SIGNED

Yuanfeng Shen

DATE 15-01-2018

Responsible Officer: Josh Banks  
 Ends: Friday 19 January 2018



If space insufficient, please attach sheets



Council Assessment Panel

Item 6.2 - Attachment 2

**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. 211/731/2017  
 PROPERTY ADDRESS: 16 Warwick Avenue, KURRALTA PARK SA 5037

YOUR FULL NAME	Steve and Voula Haliabalas
YOUR ADDRESS	21 Wood St, Kurralta Pk
YOUR PHONE No	
YOUR EMAIL	
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 <small>(state action sought)</small>	
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: -

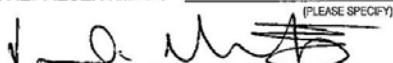
I DO NOT WISH TO BE HEARD

I DESIRE TO BE HEARD PERSONALLY

I DESIRE TO BE REPRESENTED BY

☐  
☒  
☒

SIGNED

  
(PLEASE SPECIFY)

DATE

17/1/18

Responsible Officer: Josh Banks  
 Ends: Friday 19 January 2018

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 shadow diagram provided by the applicant is a fabrication. Who in June has swimming pools in their yards???? The overshadowing that will result from such a development will limit the use of our backyard, 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. We will no longer be able to go into our yard without there being onlookers at every angle. This will have a major impact on the way we use our home and garden. We will be no better off than prisoners in a cell.

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 Warwick Avenue 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. In 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 Warwick 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. 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 lust 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 our property 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 our home and that 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.

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.

Council Assessment Panel

Item 6.2 - Attachment 2

Ref: 2017-0280

7 March 2018

Mr Josh Banks  
Senior Development Officer – Planning  
City of West Torrens  
165 Sir Donald Bradman Drive  
**HILTON SA 5074**



Suite 12  
154 Fullarton Road  
ROSE PARK SA 5067

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

Dear Josh

**Response to Representations – 16 Warwick Street, Kurralta Park – Development Number 211/731/2017**

Thank you for your email dated 29 January 2018 advising of the category 2 representation received regarding the above project. I understand that you are now progressing this application.

Following the request of Mr Simon Zybek, I provide you with my response to this representation as follows.

**Summary of Representation**

The following representations were received after public notification.

Representor	Address
V Haliabalias and S Haliabalias	21 Wood Street, Kurralta Park
Y Shan and F Gao	21 Warwick Avenue, Kurralta Park
R R Olbrycht and A P Olbrycht	14 Warwick Ave, Kurralta Park

The representations are addressed in the corresponding subheadings below.

shaping great communities

### *Land Use and Density*

One of the representors has raised concern with the density of the development.

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.

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.

With respect to the concern about "congestion" this could relate to a perceived concern about overdevelopment of the land.

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 breaks the appearance of lengthy walls.
- Has a building height which is 5.7 metres (45.6%) below that allowed by the policy area.
- Features site coverage of 46.8 percent which is some 23.2 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.



### Desired Character

One of the representors has 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 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 Warwick Avenue 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 facade. 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 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.

Ground and upper level 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 metre from the northern boundary. The balconies will therefore encroach into the Development Plan setback parameter however are staggered with the majority of the building exceeding Development Plan setback guidelines.

The balconies will not overshadow neighbouring properties or impact upon privacy given the obscured glass balustrades 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>	19.2	17.4	17.4	17.4	17.4
<b>Minimum Dimension – Ground Level Private Open Space (metres)</b>	3	3	3	3	3
<b>Balcony Private Open Space (square metres)</b>	12.9	10.7	10.7	10.7	10.7
<b>Minimum Dimension – Balcony Private Open Space (metres)</b>	2	2	2	2	2
<b>Total Private Open Space Area (square metres)</b>	32.1	28.1	28.1	28.1	28.1
<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.

The development provides 92.15 square metres of landscaped area. The total site area is 903 square metres. Therefore 10.2% of the development site will be landscaped.

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

### Privacy

Some of the representors has 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 comprise obscured glass up to 1.7 metres above the internal finished floor level to satisfy 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 18 Warwick Avenue which is visible to the public from Warwick Avenue 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 existing 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 Warwick Avenue.

18 Warwick Avenue is situated north of the proposed development and would not be overshadowed by the proposal given the northern path of the sun.

14 Warwick Avenue is situated south of the subject land and would receive some shadowing on June 21 (winter solstice).

The shadow diagrams originally prepared have been reviewed and amended. It is acknowledged that the solar panels on the roof of 14 Warwick Avenue were inadvertently drawn incorrectly.

The amended shadow diagrams portray the shadow cast as at 21 June (winter solstice) at the following times:

- 9:30am
- 12:00pm
- 2:00pm
- 3:00pm

The shadow diagrams reveal that some of the solar panels are marginally overshadowed at 3:00pm when the sun is low in the sky during the winter solstice (worst case scenario). For the majority of the year, the sun will be higher in the sky and the development will not overshadow the solar panels at all.

It must also be acknowledged that:

- The upper level component is setback 4 metres from the boundary shared with 14 Warwick Avenue. This exceeds the minimum Development Plan guideline by 2 metres or 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.

In accordance with the Development Plan and acknowledging the intent of the policy area to provide increased density and building height, direct winter sunlight remains available to 14 Warwick Avenue to provide sufficient access to solar energy.

In addition, the shadow diagrams reveal that 14 Warwick Avenue will receive more than 2 hours of direct sunlight to more than half of the existing ground-level open space.

#### 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>	46.2	43.6	43.3	43.3	43.5
<b>Garage (square metres)</b>	37.6	37.2	37.2	37.2	37.2
<b>Storage (square metres)</b>	3.3	3.3	3.3	3.3	3.3
<b>Total (square metres)</b>	87.1	84.1	83.8	83.8	84

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 46.8 percent. This is 23.1 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.

With the guidance of council staff, we have amended the proposal to maximise available on-street car parking by removing an independent driveway to service dwelling 1.

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

- The proposal now retains 11.49 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 250 metres from a bus stop and therefore public transport usage is viable.
- The land is approximately 188 metres from a District Centre Zone that accommodates a variety of established shops and encourages walking.
- The land is approximately 160 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 appropriate serviced in accordance with the Development Plan.

### Stormwater Management

A stormwater management plan that suitably satisfies council's guidelines is being prepared by KP Squared Engineering. This will be submitted as soon as possible.

### 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 at the western end of the development. Each store would have an area of 8 cubic metres. In addition, bedrooms would have built-in/walk-in robes and each garage would provide some additional storage space at the far end.

The proposal satisfies the Development Plan with regard to storage.

### Decreased Land Value

An effect upon land values is not contemplated by the Development Plan and therefore is not a valid planning matter in this circumstance.

### 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**





**STATE  
COMMISSION  
ASSESSMENT  
PANEL**

A COMMITTEE OF THE STATE PLANNING COMMISSION

<p><b>Contact</b></p> <p>Telephone 7109 7016</p> <p>Email <a href="mailto:dlpdpdclearanceletters@sa.gov.au">dlpdpdclearanceletters@sa.gov.au</a></p>	<p><b>Planning Services</b></p>	<p>State Commission Assessment Panel</p>
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2 February 2018

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

Dear Sir/Madam

**Re: Proposed Application No. 211/C127/17 (ID 58902) Amended Plan 30.1.18 for Land Division (Community Title Plan) by Ahmed Panjvani & Ms Renish Satani**

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

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

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

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

1. The financial requirements of the SA Water Corporation shall be met for the provision of water and sewerage services (SA Water H0061890).
2. Payment of \$27320 into the Planning and Development fund (4 lots(s) @ \$6830 /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.
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 developer must inform potential purchasers of the community lots of the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to the owner/applicant.

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


**IT IS ALSO REQUIRED THAT COUNCIL PROVIDE THE STATE COMMISSION ASSESSMENT PANEL WITH:**

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

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

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

Yours faithfully



Brett Miller  
**TEAM LEADER – PLANNING SERVICES**  
as delegate of the  
**STATE COMMISSION ASSESSMENT PANEL**



02 February 2018

Our Ref: H0061890

The Chairman  
Development Assessment Commission  
136 North Terrace  
ADELAIDE SA 5000

Dear Sir/Madam

**PROPOSED LAND DIVISION APPLICATION NO: 211/C127/17 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.

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

Council Assessment Panel

Item 6.2 - Attachment 3

**From:** Jane Teng  
**Sent:** Thursday, 15 March 2018 9:25 AM  
**To:** Josh Banks  
**Subject:** City Assets feedback on Stormwater Management Plan: : April CAP - 16 Warwick Ave, Kurralta Park

Hi Josh,

I refer to the provided stormwater calculations ( Job No: 180304, Mar' 18) and the Civil & Drainage Plan (KP Squared Engineering, Project No: 180305, Drawing No.C2, Issue A) .

In accordance with the requirement set out in City Assets original feedback referral, the stormwater management considerations for the development has been assessed as satisfactory.

Could we please include the following conditions as part of the planning approval conditions for the site.

- The nominated stormwater water quality device (SPEL Stormceptor Model 100/15) shall be maintained and cleaned in accordance with the manufacturers best practice recommendations.
- A minimum 5KL trafficable underground detention storage tank is to be provided for the site as annotated on the proposed the Civil & Drainage Plan (KP Squared Engineering, Project No: 180305, Drawing No.C2, Issue A) .
- The stormwater discharge from the detention tank to be limited to 6L/s at all times.

Should you have any enquires, please contact me.

Regards,

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



**6.3 32 Dudley Avenue, NORTH PLYMPTON**

Application No 211/1128/2017 &amp; 211/922/2017

**DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Land division - Community Title; SCAP No. 211/C148/17; Create three (3) additional allotments and common property	Construct two (2) two storey residential flat buildings comprising four (4) dwellings
APPLICANT	Dudley Avenue Pty Ltd	I Think Design Studio
APPLICATION NO	211/1128/2017	211/922/2017
LODGEMENT DATE	22 August 2017	2 August 2017
ZONE	Residential Zone	Residential Zone
POLICY AREA	Medium Density PA19	Medium Density PA19
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>SA Water</li> <li>SCAP</li> </ul>	Internal <ul style="list-style-type: none"> <li>City Assets</li> </ul>
DEVELOPMENT PLAN VERSION	30 May 2017	30 May 2017
MEETING DATE	12 June 2018	12 June 2018

**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. 211/1128/2017 by Dudley Avenue Pty Ltd to undertake a land division - Community Title; SCAP No. 211/C148/17; Create three (3) additional allotments and common property at 32 Dudley Avenue, North Plympton (CT5239/340) 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. That prior to the issue of certificates to the division approved herein, all existing buildings and associated structures shall be removed from subject land (proposed Lots 1 to 4).

**Land Division Consent Conditions****Council Requirements**

Nil

## State Commission Assessment Panel (SCAP) Requirements

3. The financial requirements of the SA Water Corporation shall be met for the provision of water 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 \$20,490 into the Planning and Development fund (3 allotments @ \$6,830/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 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. 211/922/2017 by I Think Design Studio to undertake the construction of two (2) two-storey residential flat buildings comprising four (4) dwellings at 32 Dudley Avenue, North Plympton (CT5239/340) subject to the following conditions of consent:

### Development Plan Consent Conditions

1. The development shall be undertaken and completed in accordance with the following plans and information (except where varied by any condition(s) listed below):
  - a) Site Plan by I Think Design Studio (Project 23.2017, Revision A, dated 9 April 2017);
  - b) Ground, First Floor and Roof Plans by I Think Design Studio (Project 23.2017, Revision A, dated 9 April 2017);
  - c) Elevation Plans by I Think Design Studio (Project 23.2017, Revision A, dated 9 April 2017);
  - d) Civil and Drainage Plan by Gamma Consulting (Drawing No.17351-C01, Revision B, dated 21 December 2017).
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 landscaping will be planted in accordance with the approved plan (Site Plan and Landscape Schedule prepared by I Think Design Studio, PA Sheet 1 of 11, Amended) 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 to the reasonable satisfaction of Council.
4. That all side and rear upper level windows of Dwellings 1 and 2 within the residential flat building 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 to the reasonable satisfaction of Council.
5. That all front, side and rear upper level windows of Dwellings 3 and 4 within the residential flat building 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.
6. 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 a reasonable condition at all times.

---

## BACKGROUND

This application was presented to the Council Assessment Panel (CAP) meeting of 13 March 2018. The Panel resolved to defer the application for the following reasons:

- Excessive site coverage.
- Design of private open space.
- Insufficient quantity and design of landscaping.
- Car parking manoeuvrability.
- Bulk and scale - Medium Density Policy Area 19 PDC 3.
- Insufficient rear setback - Medium Density Policy Area 19 PDC 3.

A copy of the previous report and attachments relating to the proposal is contained within **Attachment 2**.

## AMENDMENTS

Having considered the reasons for deferral, the applicant has provided a further supporting statement and has made a series of amendments to address the issues of concern. Details of the amendments are as follows:

- Removal of alfresco areas to the rear of dwellings 3 and 4.
- Increased balcony area of dwellings 1 and 2 (by 200mm in depth) from 9.9m<sup>2</sup> to 10.8m<sup>2</sup> (resulting in 25m<sup>2</sup> total private open space for each dwelling).
- Landscaping increased to 14% of the site, with landscaping schedule including 'grasscrete' area within common property, and landscaping across the rear of dwellings 3 and 4.
- Garage doors widened from 5100mm to 5400mm for dwellings 1 and 2, and aisle width increased from 6300mm to 6500mm.
- Parapet walls now in sections and reduced by 0.2m-0.3m, feature cladding added, and glazing increased to dwellings 3 and 4.

Copies of the amended plans relating to this application are contained within **Attachment 1**.



## **PUBLIC NOTIFICATION**

The amendments to the proposal are considered to be relatively minor, do not change the essential nature of the development and are unlikely to result in any increased impacts to adjoining residents when compared to the original proposal. As such, further public notification was not required, in accordance with Regulation 20(4) of the *Development Regulations 2008*.

## **ASSESSMENT OF AMENDMENTS**

The subject land is located within the Residential Zone and more particularly Medium Density Policy Area 19 as described in the West Torrens Council Development Plan (consolidated 30 May 2017). The main provisions of the Development Plan which relate to the proposed development remain as previously tabled in the report presented to the Panel on 13 March 2018.

The following sections focus on the assessment of the revised proposal as it relates to the Panel's reasons for deferral.

### **Site coverage**

The proposal has been amended by removing the alfresco areas to dwellings 3 and 4. This results in a small reduction in the amount of impervious roof areas, notwithstanding it does not equate to a calculated reduction in overall site coverage. The departure from Principle of Development Control (PDC) 3 of the Policy Area remains reasonable given the proposed dwellings provide sufficient private open space that is well-landscaped and accessible, adequate space for safe and convenient vehicular movements, and a stormwater management system that satisfies Council requirements.

### **Private open space**

By enlarging the balconies to dwellings 1 and 2 by an additional 200mm in depth, the total private open space for each dwelling now exceeds the minimum 24 square metres sought by PDC 19 of the Residential Development module. These balconies also have a minimum dimension of 2.3 metres, which satisfies PDC 23 of the same module.

### **Landscaping**

The additional landscaping now proposed totals approximately 14% of the site (excluding the 'grasscrete' portion of the common driveway area). The landscaping schedule proposes a variety of shrubs and trees to the front, side and rear of the subject site, including species that will reach 4 - 5 metres in height when mature. The alfresco areas to dwellings 3 and 4 have been deleted, which now results in larger uncovered and well-landscaped spaces that are directly accessible from the family/meals areas.

The addition of a nominated area of 'grasscrete' in the middle of the common driveway area will help reduce heat loads in summer and provide an additional area of natural drainage. The plantings along the common area fence line will assist in reducing the visual impact of the 'gun barrel' driveway and extent of fencing. Given these changes, the proposal is considered to adequately address PDCs 1 and 4 of the Landscaping, Fences and Walls module.

### **Vehicular manoeuvrability**

Amendments have been made to address the previous vehicular manoeuvrability concerns, including increasing the garage door width to dwellings 1 and 2 to 5.4 metres together with a slight increase of 0.2 metres in the aisle width between the proposed buildings. This accords with the advice previously given by Council's City Assets department, and consequently should satisfy any concerns of the Panel.

### **Visual bulk and scale**

The applicant has addressed the concerns over the bulk and scale of the dwellings by breaking up the parapet walls into sections, and reducing their height by 0.2 metres for dwellings 1 and 2, and 0.3 metres for dwellings 3 and 4 respectively. Feature cladding has also been introduced which is particularly evident on the new eastern and western elevation plans for all dwellings. Additional windows have also been introduced to the upper levels of dwellings 3 and 4, resulting in a reduction of large expanses of solid wall areas. It is noted that the maximum building height of the proposal remains at approximately 7 metres, which satisfies the desired maximum building height of two storeys or 8.5 metres in the Residential Zone - Medium Density Policy Area 19 PDC 3. In sum, these changes help to better articulate the proposed built form.

### **Rear setback**

Residential Zone - Medium Density Policy Area 19 PDC 3 seeks a minimum 6 metre rear setback for dwellings with no differentiation between ground and upper levels, dwelling types or siting. As discussed in the original report to the Panel, the rear setback is justified for a number of reasons including the height of the dwellings, the roof profile, and the spatial separation between the proposed development and the existing dwellings on adjoining land.

The amended plans have removed the verandah elements from the rear of dwellings 3 and 4, however this presents no change to the quantitative assessment value, as the setback was originally calculated to be the distance between the boundary and the rear wall of the proposed dwelling. Notwithstanding the numerical shortfall from that sought in PDC 3 of the Policy Area, it is considered reasonable and appropriate to have a 3 metre setback to ground level components of dwellings, given that overshadowing or direct visual impacts are not likely to occur from ground level.

The upper level maintains a 6 metre setback which is appropriate for an upper level component of a dwelling. Coupled with the increase in landscaping along the rear boundary, it is considered that the rear setback is reasonable with no impacts envisaged beyond the site.

### **SUMMARY**

When balanced against the existing site and locality characteristics, and the Desired Character sought for Medium Density Policy Area 19, the proposed division of land and associated dwellings are considered to be a desirable, orderly and appropriate form of development. The overall dwelling density, allotment layout and built form is considered to have sufficient regard for the desired character, which is seeking a range of dwelling types at medium densities.

It has also been demonstrated that appropriate on-site vehicular manoeuvrability can be achieved. Overall, the changes made to the proposal are considered to adequately address the key concerns previously raised by the Panel, and the proposal can be supported.

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

On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan (consolidated 30 May 2017) and both applications warrant support.

### **Attachments**

1. **Amended Plan Set**
2. **Original CAP Report and Plans**

**CONSTRUCTION MATERIALS:**

- HEBEL POWERPANEL CONSTRUCTION TO UPPER LEVEL AND LOWER LEVEL
- REVOLUTION ROOFING REVKLIP ON 2° FALL WITH COLORBOND FINISH
- ALUMINIUM WINDOWS & DOORS
- CSR BARESTONE FEATURE PRODUCTS THROUGHOUT
- CONCRETE PAVING AND DRIVEWAY TO FRONT AND PERIMETER

**SITE DRAINAGE:**

NOTE:  
REFER TO ENGINEERS DETAILS AND DOCUMENTATION FOR ALL SITEWORKS, DRAINAGE AND ALL LEVEL DESIGN

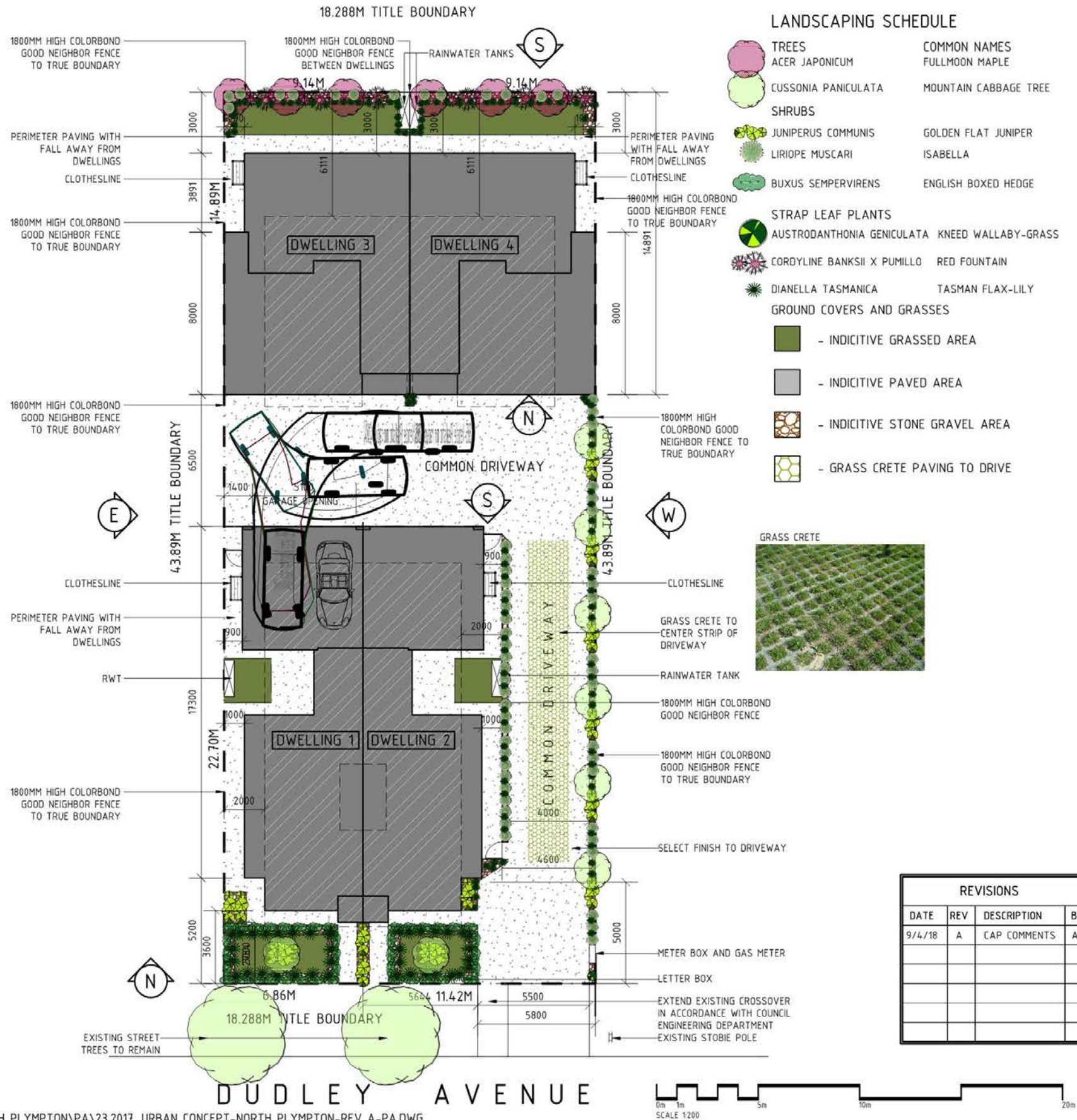
**RAIN WATER TANK:**

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 NCC (APPLICABLE AS OF JULY 1ST 2006 NCC-SA 2.1



**SITE PLAN**  
SCALE 1:200

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**AREAS: DWELLINGS 1 & 2**

L/LIVING	61.72
U/LIVING	71.85
D/GARAGE	35.91
BALCONY	11.18
PORCH	1.32
TOTAL	181.98 SQ.M.
POS:	25.33 SQ.M.

**AREAS: DWELLINGS 3 & 4**

L/LIVING	59.76
U/LIVING	56.54
D/GARAGE	42.66
PORCH	2.44
TOTAL	164.40 SQ.M.
POS:	27.43 SQ.M.

**PRELIMINARY**  
DATED: 2/05/2017

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**ithink DESIGN STUDIO**

DESIGN OUTSIDE THE SQUARE

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M. +61 0403 537 500  
E. hello@ithinkdesignstudio.com.au  
W. www.ithinkdesignstudio.com.au

**PROPOSED RESIDENTIAL DEVELOPMENT**

CLIENT NAME:  
**URBAN CONCEPT**

ADDRESS:  
**32 DUDLEY AVENUE**

SUBURB:  
**NORTH PLYMPTON**

COUNCIL ZONE:  
**CITY OF WEST TORRENS**

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2/05/2017

SHEET NO:  
PA 01 OF 12

PROJECT:  
23.2017

TYPE:  
RESIDENTIAL

PAGE SIZE:  
A3

SCALE:  
1:200

DESIGNED BY:  
ADAM ALBANESE

DRAWN:  
BF

ALL DIMENSIONS AND LEVELS TO BE CONFIRMED PRIOR TO COMMENCING ANY WORK.

FIGURED DIMENSIONS TAKE PREFERENCE OVER SCALED DIMENSIONS

DISCREPANCY SHALL BE REPORTED TO ITHINK BS IMMEDIATELY

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GENERAL NOTES:

1) FIXTURE LOCATION SHOWN INDICATIVE ONLY. EXACT POSITION TO BE CONFIRMED ON SITE AND CO-ORDINATED WITH NOMINATED FIXTURE SPECIFICATIONS.

PLEASE NOTE: ALL KITCHEN & WET AREA LAYOUTS SHOWN ON THESE PLANS ARE INDICATIVE ONLY. REFER TO SELECTED JOINERY MANUFACTURER'S PLANS FOR CORRECT LAYOUTS AND PLUMBING POSITIONS AND CO-ORDINATE ACCORDINGLY.

\*

REMOVABLE DOOR HINGES FITTED IN ACCORDANCE WITH NCC VOLUME TWO- PART 3.8.3.3

SC

STEEL COLUMN. REFER TO ENGINEER'S DRAWINGS FOR SIZE

V

SELECTED VANITY BOWL

P

SELECTED CISTERN

OHC

OVERHEAD CUPBOARDS

UBO

UNDER BENCH OVEN

FR

FRIDGE

DWP

DISHWASHER PROVISION

RHO

RANGEHOOD OVER

CM

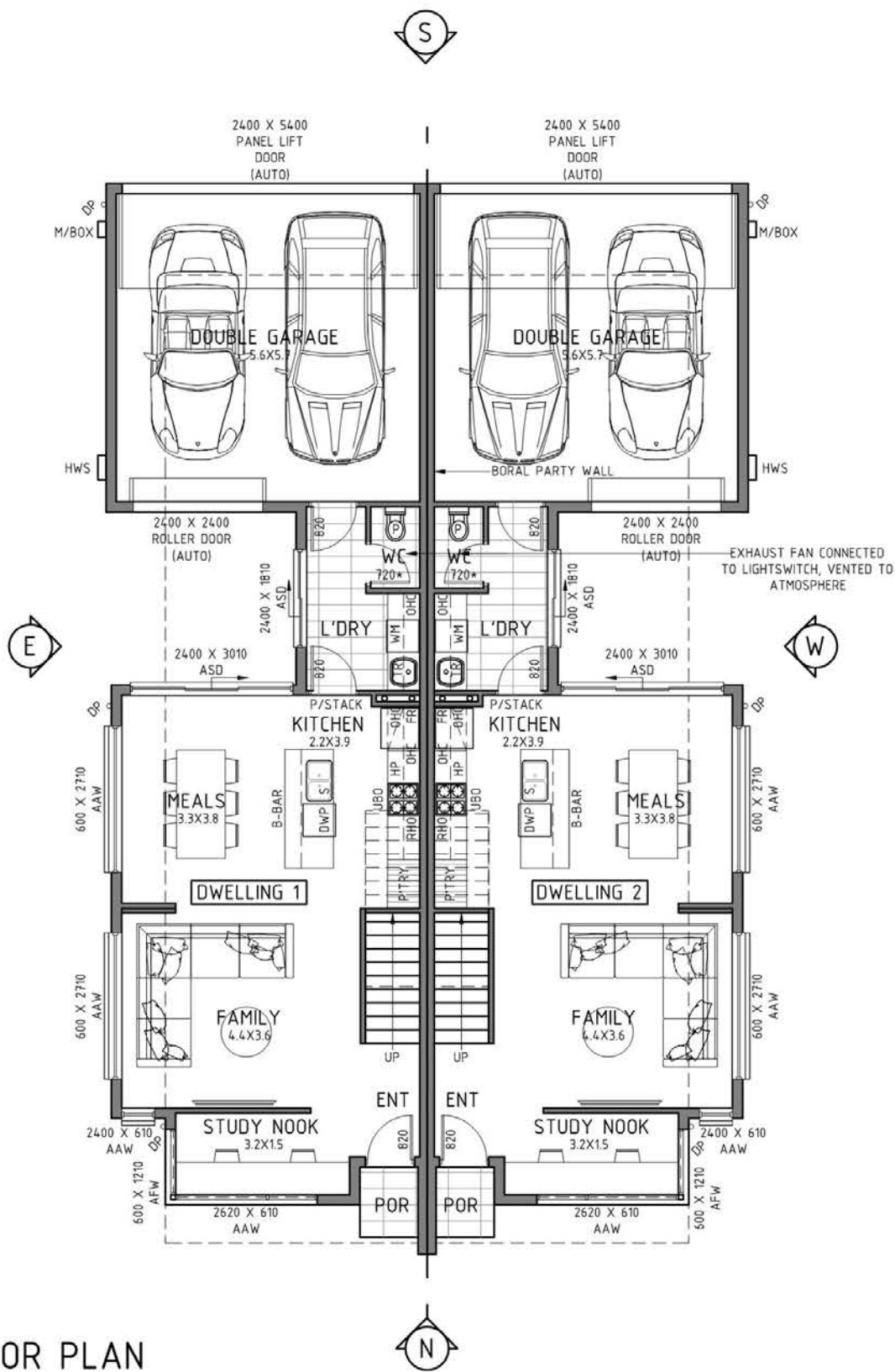
COFFEE MACHINE BUILT IN

TR

SELECTED LAUNDRY TROUGH

WM

WASHING MACHINE PROVISION



GROUND FLOOR PLAN

SCALE 1:100

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REVISIONS			
DATE	REV	DESCRIPTION	BY
9/4/18	A	CAP COMMENTS	AC

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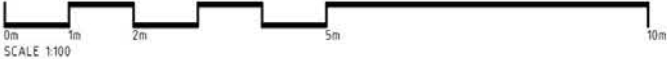
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\*

REMOVABLE DOOR HINGES  
FITTED IN ACCORDANCE WITH  
NCC VOLUME TWO- PART  
3.8.3.3

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STEEL COLUMN.  
REFER TO ENGINEER'S  
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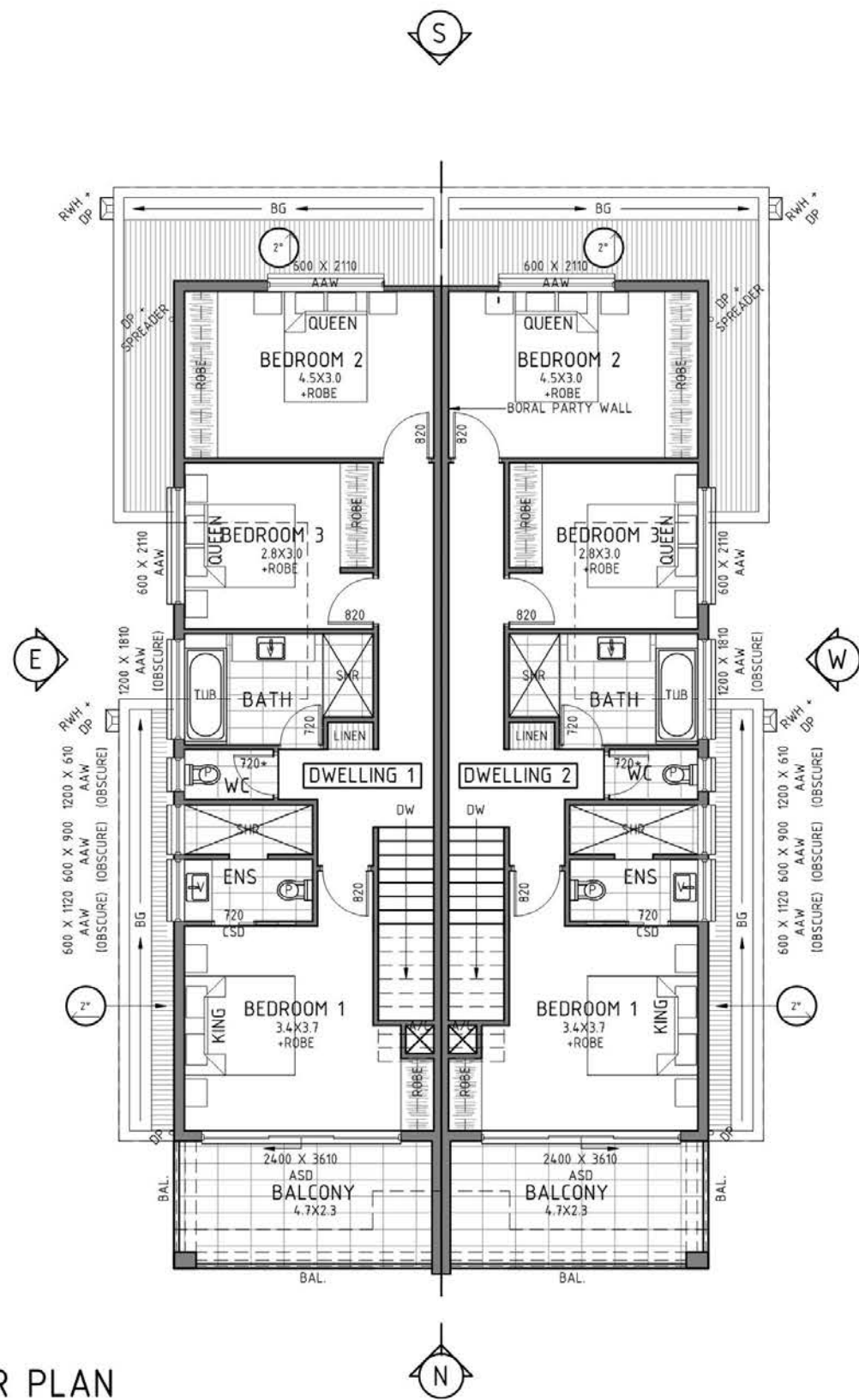
COFFEE MACHINE BUILT IN

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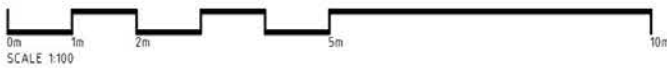
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WASHING MACHINE PROVISION



  
FIRST FLOOR PLAN  
SCALE 1:100

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ADAM  
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DRAWN:  
BF

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-FIGURED DIMENSIONS TAKE PREFERENCE OVER SCALED  
DIMENSIONS

-DISCREPANCY SHALL BE REPORTED TO ITHINK BS IMMEDIATELY

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**LEGEND:**

 RWH SELECTED 'FIELDERS' OR EQUAL RAINWATER HEAD, COLORBOND FINISH. - OVER FLOW PROV

DP 90MM ROUND COLORBOND DOWNPIPES

B/G ZINCALUME BOX GUTTERS, WITH 1:200 GRADED FALL. ARROWS INDICATE DIRECTION OF FALL.

 2° REVOLUTION ROOFING REVKLIP ON 2° FALL WITH COLORBOND FINISH, ARROW INDICATES DIRECTION OF FALL. BMT .48MM

PROVIDE FLASHINGS, SEAL AND ADEQUATELY FLASH ALL PENETRATIONS, JUNCTIONS AND JOINTS.

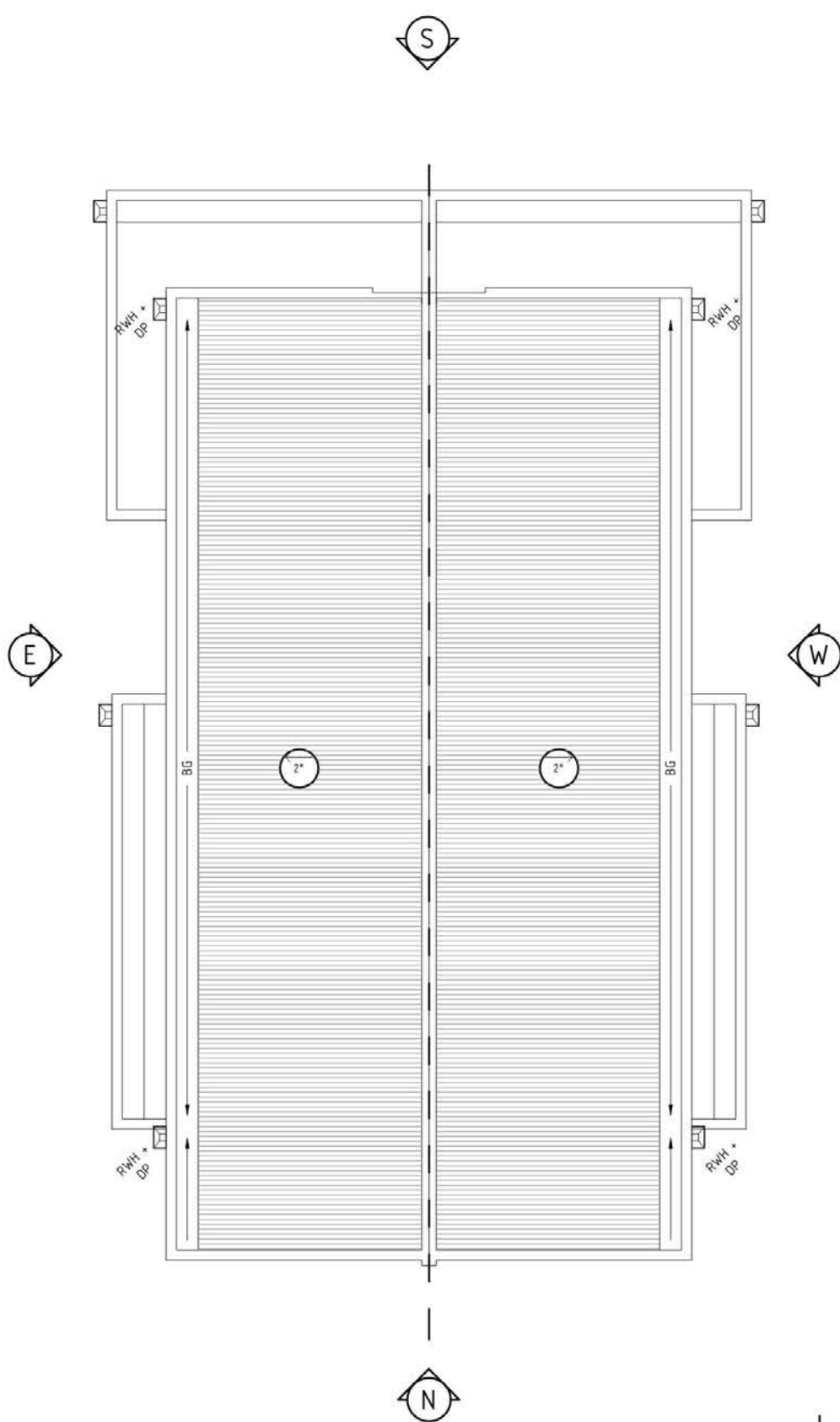
INSTALL ROOF DECK, FLASHINGS AND FITTINGS IN ACCORDANCE WITH THE MANUFACTURERS INSTRUCTIONS AND DETAILS TO ENSURE A NEAT WEATHER TIGHT ROOF.

COLORBOND PARAPET CAPPING TO THE TOP OF ALL PARAPET WALLS.

ALL EXTERNAL, EXPOSED FLASHINGS TO HAVE A COLORBOND FINISH.

CO-ORDINATE INSTALLATION OF ROOF CLADDING WITH ALL SERVICES TO ALLOW FOR ANY PENETRATIONS.

REFER TO ENGINEERS DETAILS FOR ALL STORM WATER CALCULATIONS AND DP LOCATIONS



  
**ROOF PLAN**  
SCALE 1:100

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REVISIONS			
DATE	REV	DESCRIPTION	BY
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**NORTH PLYMPTON**

COUNCIL ZONE:  
**CITY OF WEST TORRENS**

DATE: 2/05/2017	SHEET NO: PA 04 OF 12		
PROJECT: 23.2017	TYPE: RESIDENTIAL		
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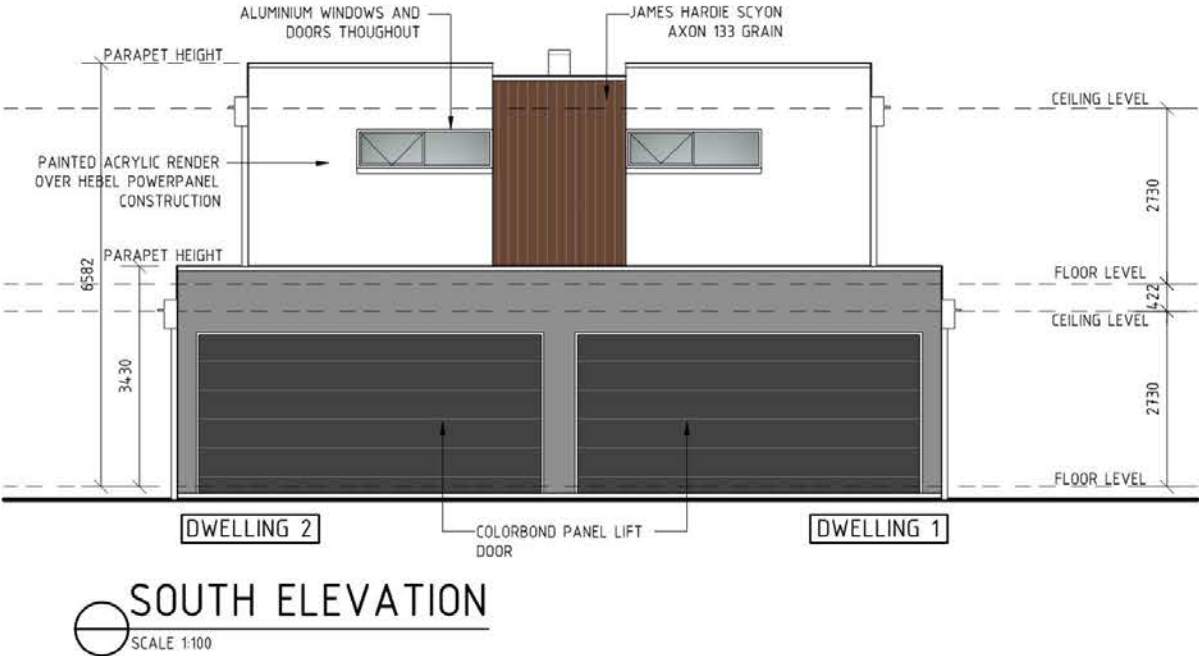
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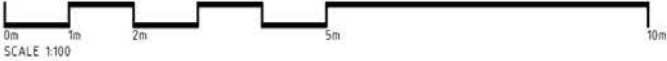
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PLEASE NOTE: ALL KITCHEN & WET  
AREA LAYOUTS SHOWN ON THESE  
PLANS ARE INDICATIVE ONLY.  
REFER TO SELECTED JOINERY  
MANUFACTURER'S PLANS FOR  
CORRECT LAYOUTS AND PLUMBING  
POSITIONS AND CO-ORDINATE  
ACCORDINGLY.

\*

REMOVABLE DOOR HINGES  
FITTED IN ACCORDANCE WITH  
NCC VOLUME TWO- PART  
3.8.3.3

SC

STEEL COLUMN.  
REFER TO ENGINEER'S  
DRAWINGS FOR SIZE

V

SELECTED VANITY BOWL

P

SELECTED CISTERN

OHC

OVERHEAD CUPBOARDS

UBO

UNDER BENCH OVEN

FR

FRIDGE

DWP

DISHWASHER PROVISION

RHO

RANGEHOOD OVER

CM

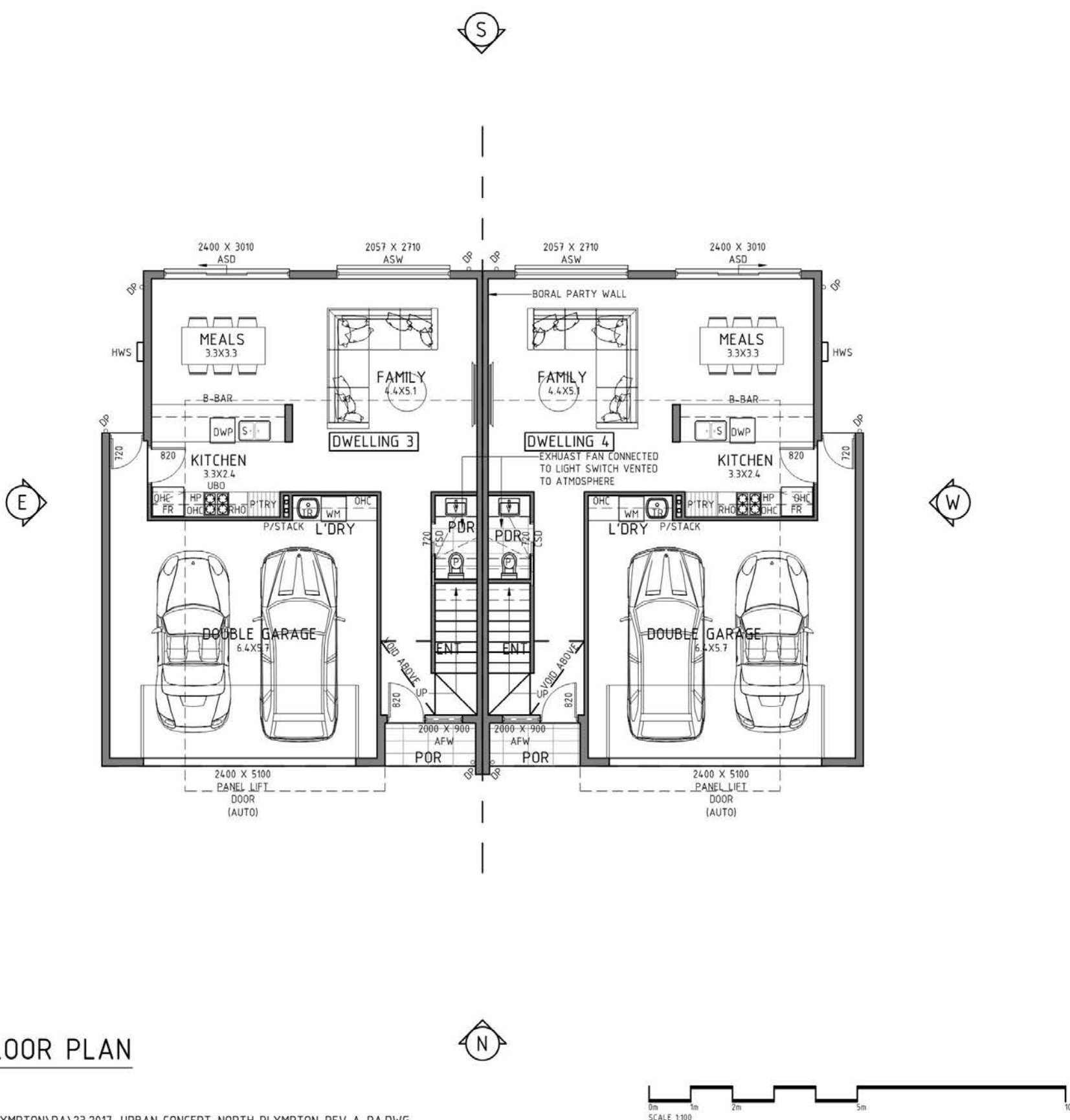
COFFEE MACHINE BUILT IN

TR

SELECTED LAUNDRY TROUGH

WM

WASHING MACHINE PROVISION



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GROUND FLOOR PLAN

SCALE 1:100

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\*

REMOVABLE DOOR HINGES FITTED IN ACCORDANCE WITH NCC VOLUME TWO- PART 3.8.3.3

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STEEL COLUMN. REFER TO ENGINEER'S DRAWINGS FOR SIZE

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SELECTED VANITY BOWL

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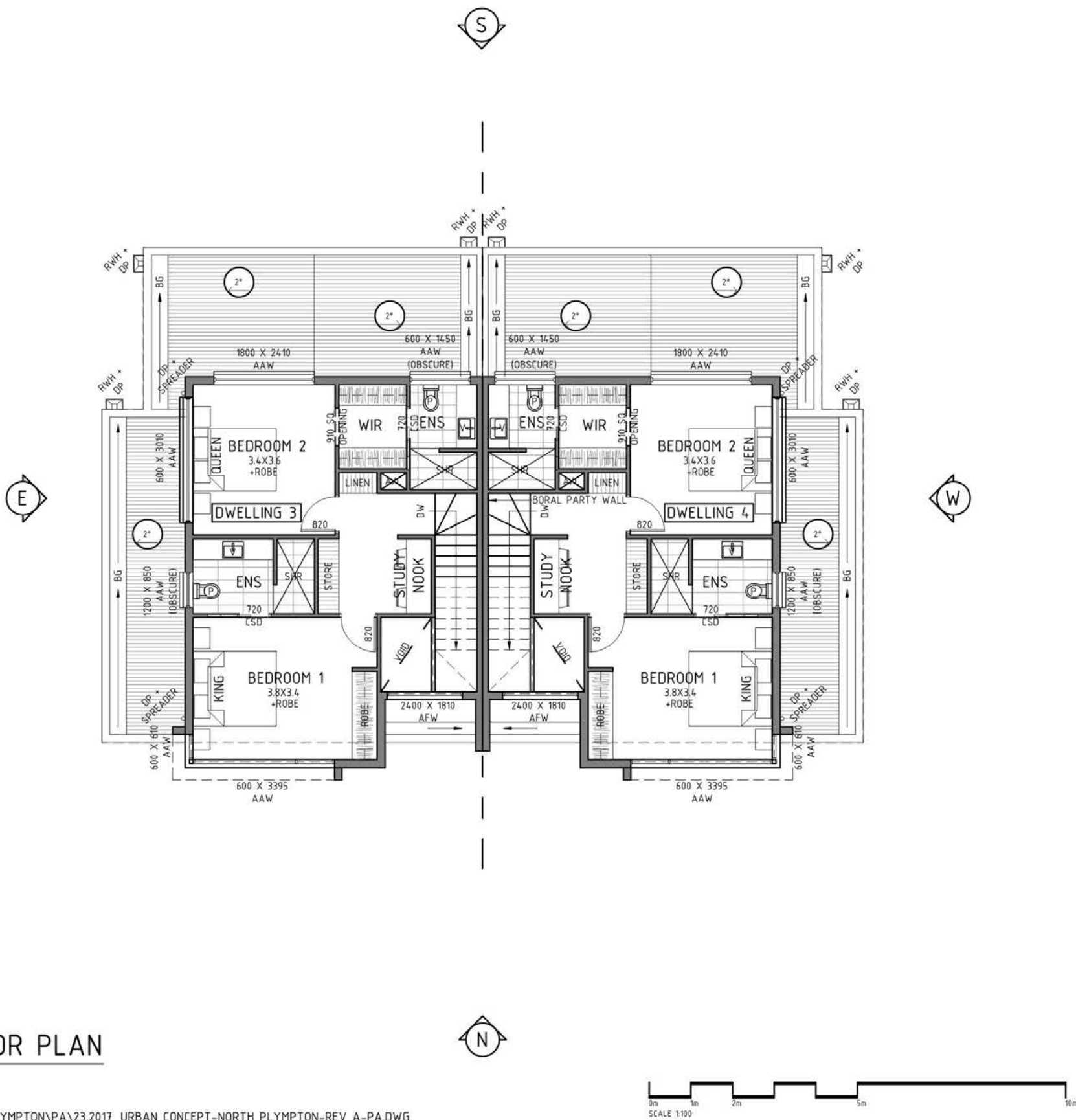
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**LEGEND:**

 RWH SELECTED 'FIELDERS' OR EQUAL RAINWATER HEAD, COLORBOND FINISH. - OVER FLOW PROV

DP 90MM ROUND COLORBOND DOWNPIPES

B/G ZINCALUME BOX GUTTERS, WITH 1:200 GRADED FALL. ARROWS INDICATE DIRECTION OF FALL.

REVELATION ROOFING REVKLIP ON 2" FALL WITH COLORBOND FINISH, ARROW INDICATES DIRECTION OF FALL. BMT .48MM

PROVIDE FLASHINGS, SEAL AND ADEQUATELY FLASH ALL PENETRATIONS, JUNCTIONS AND JOINTS.

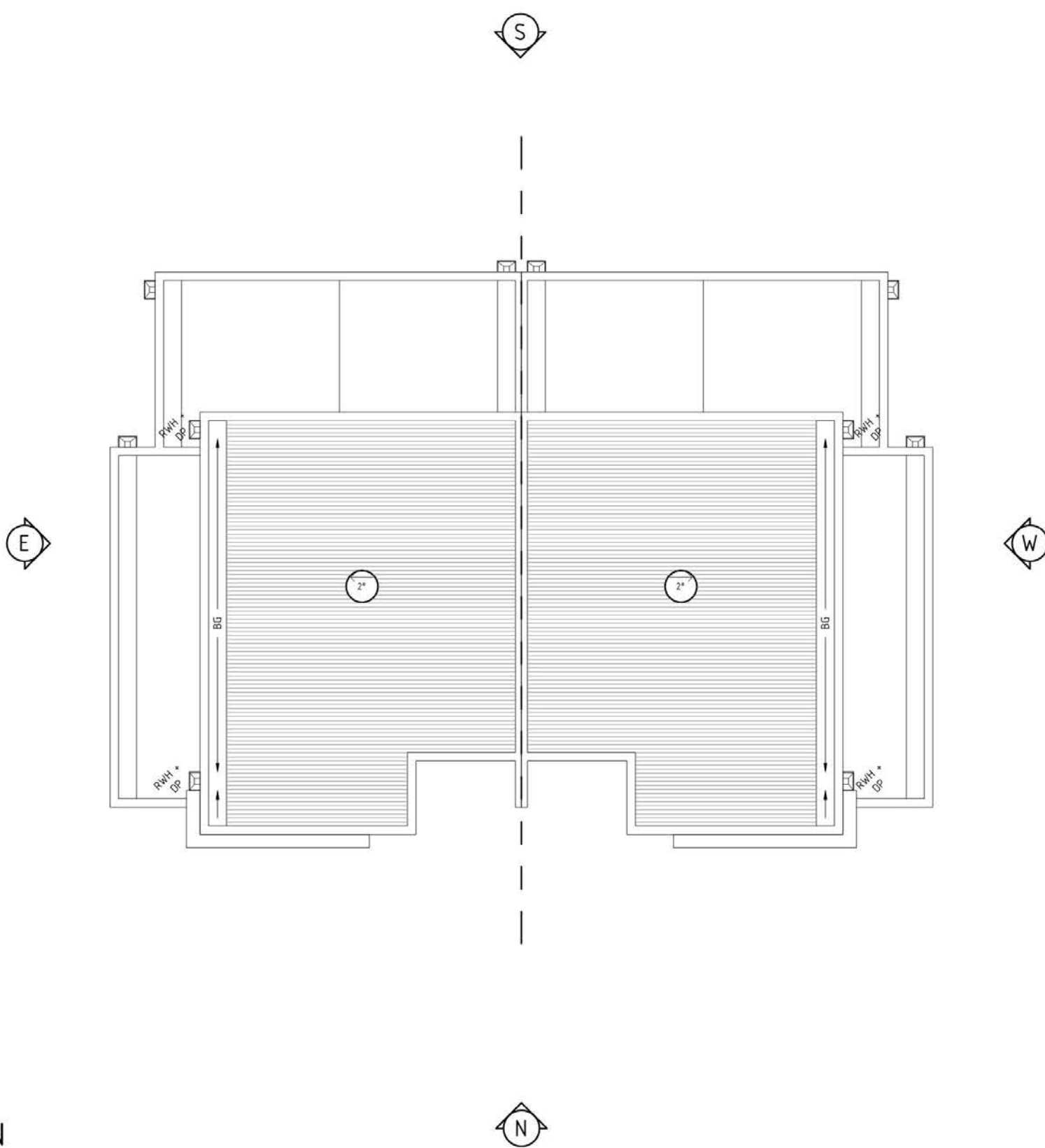
INSTALL ROOF DECK, FLASHINGS AND FITTINGS IN ACCORDANCE WITH THE MANUFACTURERS INSTRUCTIONS AND DETAILS TO ENSURE A NEAT WEATHER TIGHT ROOF.

COLORBOND PARAPET CAPPING TO THE TOP OF ALL PARAPET WALLS.

ALL EXTERNAL, EXPOSED FLASHINGS TO HAVE A COLORBOND FINISH.

CO-ORDINATE INSTALLATION OF ROOF CLADDING WITH ALL SERVICES TO ALLOW FOR ANY PENETRATIONS.

REFER TO ENGINEERS DETAILS FOR ALL STORM WATER CALCULATIONS AND DP LOCATIONS

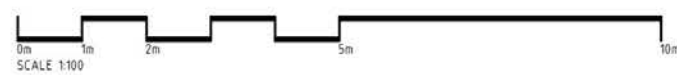




**ROOF PLAN**

SCALE 1:100

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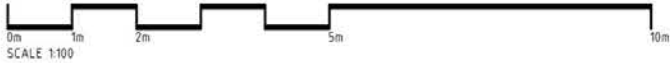
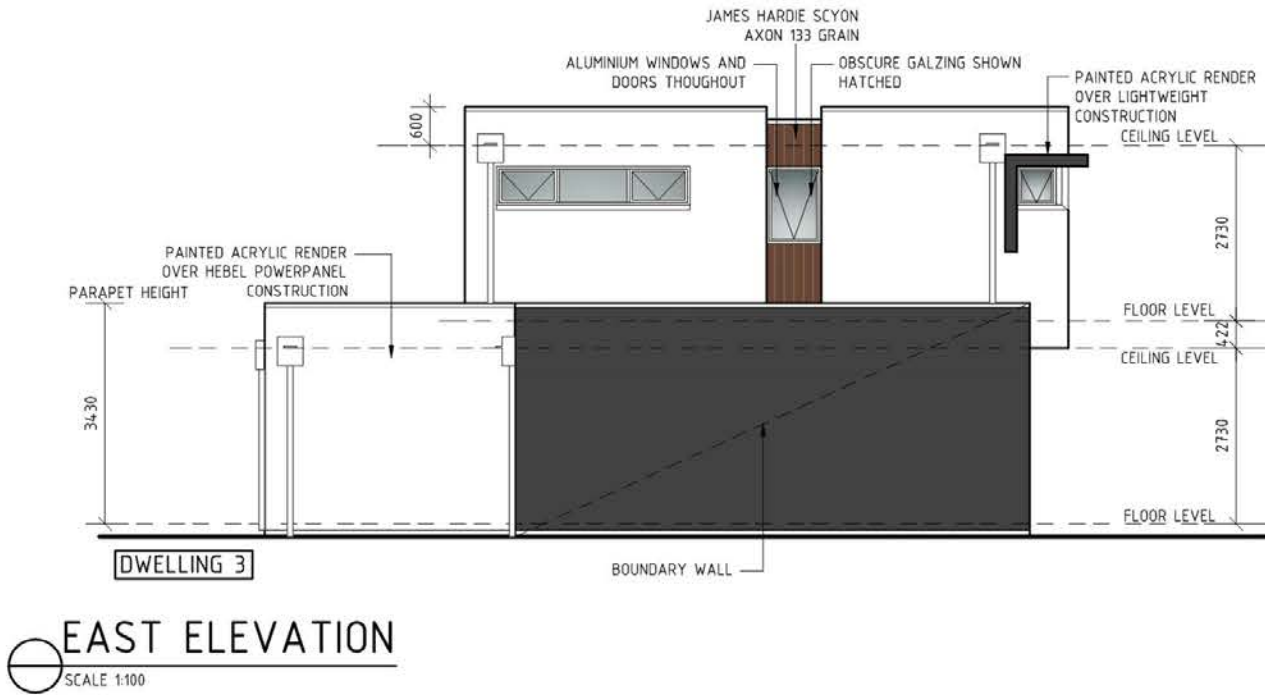
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PERSPECTIVE VIEW  
SCALE N.T.S

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Website: [www.townplanningadvisors.com.au](http://www.townplanningadvisors.com.au)

23 April 2018

Mr Josh Banks  
Senior Development Officer - APPS  
City of West Torrens  
165 Sir Donald Bradman Drive  
HILTON SA 5033

Dear Josh,

**RE: Development Application 211/922/2017 – 32 Dudley Avenue, NORTH  
PLYMPTON**

I refer to the above application considered by Councils Assessment Panel (CAP) at its meeting of 13 March 2018, and its decision to defer the application to enable the following matters to be addressed:

- Excessive site coverage;
- Concerns relating to the design of private open space;
- Insufficient quantity and design of landscaping;
- Concerns relating to car parking manoeuvrability;
- Concerns relating to bulk and scale – Medium Density Policy Area Principle of Development Control 3;
- Insufficient rear setback – Medium Density Policy Area Principle of Development Control 3.

In responding to the above, I have had regard to the relevant provisions of the West Torrens Council Development Plan (consolidated 30 May 2017), the site and its locality.

The proposal seeks Development Plan Consent for the construction of two, two-storey residential flat buildings comprising four dwellings, associated garages and verandahs.



At the same time as considering the above application, CAP considered Development Application 211/1128/2017 to divide the land and create three additional allotments (Community Title); the deferral by CAP applies to both.

The subject site measures 803m<sup>2</sup> in area and is located on the southern side of Dudley Avenue, between Edward Davies Street and Birdwood Terrace, opposite Packard Street.

The site has a frontage of 18.29m to Dudley Avenue, is relatively flat and contains a single storey detached dwelling and ancillary minor domestic structures.

The site is void of vegetation deemed Significant and/or Regulated by definition.

There are no easements or encumbrances registered over the land.

Refer Figures 1 - 3.

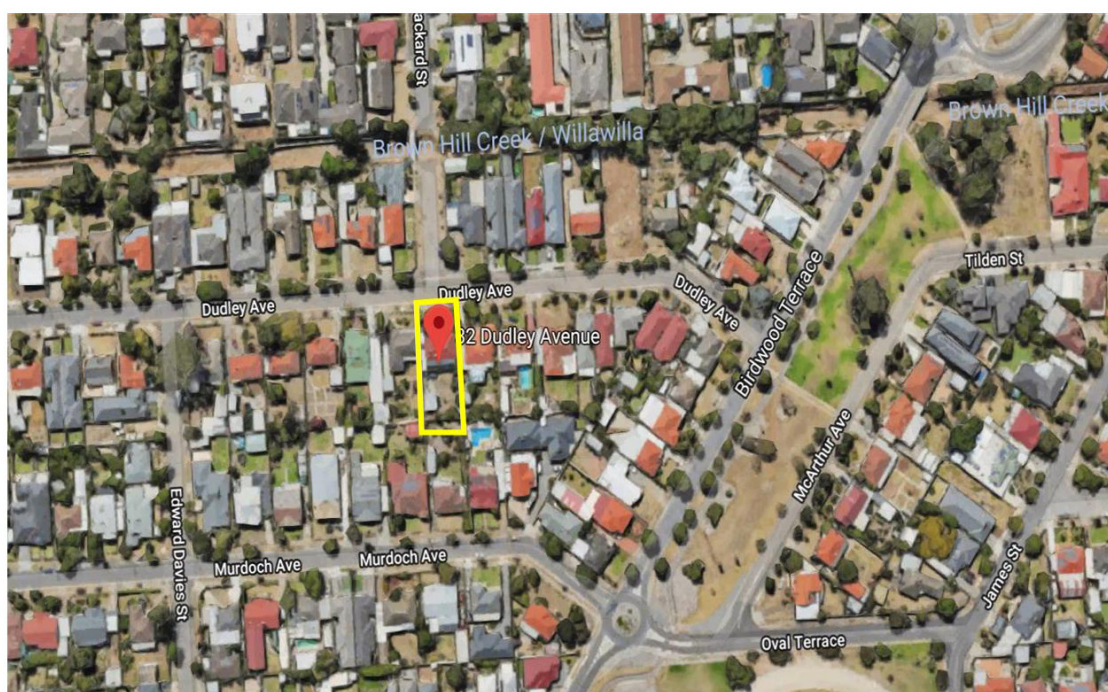


Figure 1: Subject site (highlighted in yellow)



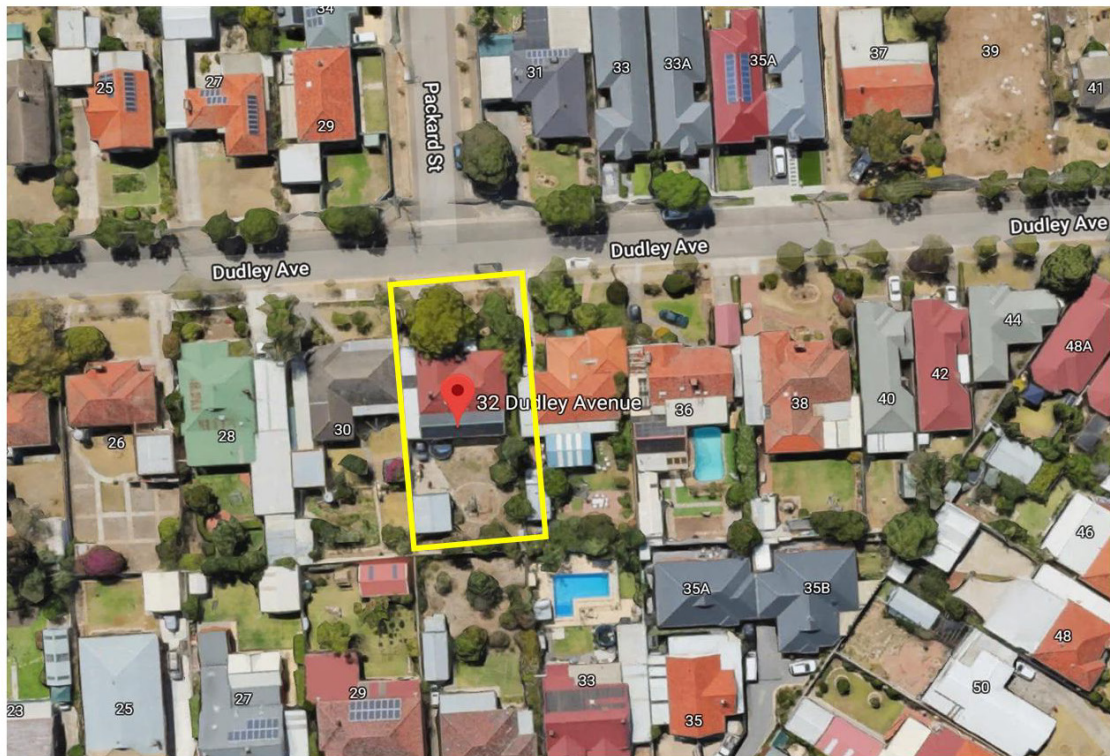


Figure 2: Subject site (highlighted in yellow)

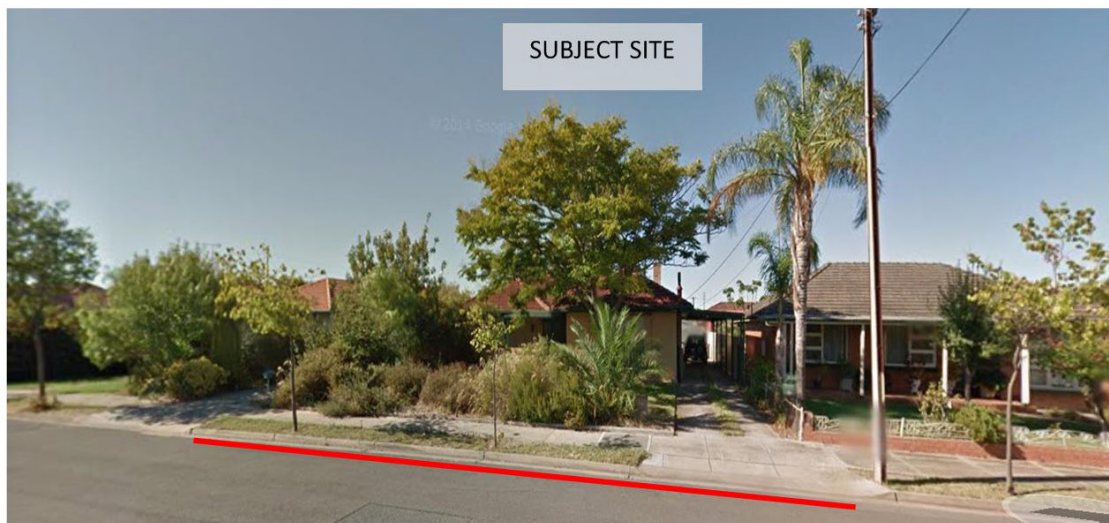


Figure 3: Streetscape (site frontage highlighted in red)

The locality is residential in nature and a built form character derived from medium density group dwellings and residential flat buildings of up to two storeys.

Housing stock is mixed, as is the general amenity of the immediate and wider locality.

The subject site is contained within the Medium Density Policy Area 19 of the Residential Zone, as is land to its sides, rear and across the road.

## Excessive Site Coverage

The proposal has been amended to remove the alfresco areas associated with Dwellings 3 and 4. This amendment does not alter site coverage calculations as it is calculated based on “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” (PA 19 PDC 3); however, it does reduce the total amount of impervious roof areas.

Based on the proposed average site area of 146m<sup>2</sup>, the site coverage of each dwelling site is as follows:

- Dwelling 1: 66.8%
- Dwelling 2: 66.8%
- Dwelling 3: 70.1%
- Dwelling 4: 70.1%

It is acknowledged that the site coverage of each dwelling site exceeds Policy Area PDC 3 which refers to dwellings as having a maximum site coverage of 60% (excluding unroofed balconies, verandas and pergolas).

Whilst each dwelling covers an area greater than 60% of its exclusive site, it is appropriate to assess site coverage in the context of the overall development (i.e. 400.1m<sup>2</sup> ground floor building area and 803m<sup>2</sup> total site area); as in the case of residential flat buildings, provisions relating to site area and frontage refer to average site areas and complete building frontages as opposed to individual dwelling sites and individual frontages as they do for detached, semi-detached, group and row dwellings. The proposed residential flat buildings cover 49.82% of the total site area.

Given that each dwelling is provided an area of private open space which satisfies requirements, i.e. minimum area of 24m<sup>2</sup> with a minimum dimension of 2m, any perceived departure from Policy Area PDC 3 are minor.

## Concerns Relating to the Design of Private Open Space

General Section *Residential Development* PDCs 18 – 21 and 23 are relevant:

PDC 18:

*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*
- (b) to be generally at ground level (other than for residential flat buildings) and to the side or rear of a dwelling and screened for privacy*
- (c) to take advantage of, but not adversely affect, natural features of the site*
- (d) to minimise overlooking from adjacent buildings*
- (e) to achieve separation from bedroom windows on adjoining sites*
- (f) to have a northerly aspect to provide for comfortable year round use*



- (g) *not to be significantly shaded during winter by the associated dwelling or adjacent development*
- (h) *to be partly shaded in summer*
- (i) *to minimise noise or air quality impacts that may arise from traffic, industry or other business activities within the locality*
- (j) *to have sufficient area and shape to be functional, taking into consideration the location of the dwelling, and the dimension and gradient of the site.*

All areas of private open space are: accessible directly from habitable rooms including the internal living areas; are predominantly at ground level or to the side or rear of the respective dwelling; located to have a northerly aspect; minimise overlooking from adjacent buildings; and are functional spaces.

**PDC 19:**

Dwellings at ground level should provide private 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

Each dwelling is provided a total area of private open space which exceeds 24m<sup>2</sup> with a minimum dimension of 3m at ground level and 2m balconies.

Notwithstanding the above, we have enlarged the balconies to Dwelling 1 and 2 by an addition metre. The overall private open space to Dwellings 1 and 2 are now 25m<sup>2</sup>. Furthermore, all areas of private open space are directly accessible from habitable rooms and satisfy minimum dimensions.

**PDC 20:**

*Private open space should not include driveways, effluent drainage areas, rubbish bin storage areas, sites for rainwater tanks and other utility areas, sites for outbuildings, and common areas such as parking areas and communal open space.*

Areas associated with driveways, effluent drainage areas, rubbish bin storage areas, other utility areas, outbuildings, and common areas such as parking areas and communal open space are not located within areas of private open space.

PDC 21:

*Private open space at ground level should be designed to provide a consolidated area of deep soil (an area of natural ground which excludes where there is a structure underneath, pools and non permeable paved areas) to:*

- (a) Assist with ease of drainage*
- (b) Allow for effective deep planting*
- (c) Reduce urban heat loading and improved micro-climatic conditions around sites and buildings.*

All dwellings are provided a deep soil area which is free of structures to assist in drainage, reduce heat loading, and allow for deep planting.

PDC 23:

*Private open space located above ground level should have a minimum dimension of 2 metres and be directly accessible from a habitable room.*

Upper level private open spaces, i.e. balconies associated with Dwellings 1 and 2, have a minimum dimension of 2.3m and are directly accessible from a habitable room (i.e. bedroom).

I therefore consider the proposal to provide each dwelling with an appropriate amount of well-located and function private open spaces in accordance with General Section Residential Development PDCs 18 – 21 and 23.

### **Insufficient Quantity and Design of Landscaping**

General Section *Landscaping, Fences and Walls* PDC 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, landscapes 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.*

The proposal has been amended to provide landscaping totalling 16% of the development site, which well exceeds the above principle of development control.

This has been achieved by introducing additional landscaping within the common driveway area as well as introducing grasscrete within the common driveway.

Plantings include:

- Trees:
  - Acer japonicum (Fullmoon maple), 4m – 5m in height
  - Cussonia paniculata (Mountain cabbage tree), 4m – 5m in height
- Shrubs:
  - Juniperus communis (Golden flat juniper), 1m in height
  - Liriope muscari (Isabella), 0.3m – 0.4m in height
  - Buxus sempervirens (English boxed hedge), 0.4m – 1.5m
- Strap Leaf:
  - Austrodanthonia geniculate (Knead wallaby-grass), 0.5m – 0.8m in height
  - Cordyline banksia x pumillo (Red fountain), 0.5m – 0.8m in height
  - Dianella tasmanica (Tasman flax-lily), 0.5m – 2m in height

I consider the proposal to be sufficiently landscaped.

### **Concerns Relating to Car Parking Manoeuvrability**

Council's Civil Engineer, as part of a City Assets Referral, advised:

- *The access driveway dimensions are now acceptable (Site Plan – iThink Design Studio – 21/12/2017).*
- *The provided turning path diagrams do not demonstrate vehicle manoeuvrability for all garage spaces. I note that for Dwelling 2 an additional turn would be required to enter both garage spaces, based on the proposed layout of the dwelling. Exit movements would be of the standard reverse and exit. Such a constraint is similar to the typical manoeuvre into the first space of most car park designs. In our opinion, on balance, the additional turn required to enter the Dwelling 2 garage spaces is considered to be acceptable.*

*However, entry into Dwelling 1 is considered to be unsatisfactory. When one vehicle is already parked inside, an entering vehicle is unable to enter without having to perform multiple turns. In order to address this manoeuvrability issue it is recommended that the garage door be widened to 5.4m (minimum). Alternatively, Dwelling 1 could be set forward slightly (eg. 1.0m) to increase the driveway aisle width, however this may not comply with planning requirements.*

*Vehicle manoeuvrability for Dwellings 3 and 4 are acceptable.*

Based on the above, vehicle manoeuvrability is acceptable for Dwellings 1, 3 and 4.



The proposal has since been amended to increase the aisle width between garages by 0.2m, providing a clearance of 6.5m. Further, garage doors associated with Dwellings 1 and 2 have been increased in width to 5.4m as suggested.

Based on the above, manoeuvrability issues have been resolved.

**Concerns Relating to Bulk and Scale - Medium Density Policy Area Principle of Development Control 3**

Medium Density Policy Area 19 PDC 3 refers to design parameters relating to setbacks from boundaries, site coverage and building height.

In relation to building height, the provision applies a maximum height (from natural ground level) of two storeys or 8.5m. The proposed residential flat buildings do not exceed two storeys or 8.5m in height above natural ground level, and therefore the provision is satisfied with respect to building height.

With regards to visual bulk and scale impacts, the proposal has been amended; parapet walls have been broken up into sections and reduced in height by 0.2m (Dwellings 1 and 2) and 0.3m (Dwellings 3 and 4), feature cladding added, and the amount of glazing increased.

**Insufficient Rear Setback - Medium Density Policy Area Principle of Development Control 3**

Policy Area PDC 3 states that dwellings should be designed within the following parameters: *minimum setback from back boundary – 6 metres*; with no differentiation between ground and upper levels.

The proposal, as considered by CAP provided Dwellings 3 and 4 with a rear boundary setback of 0.6m to the verandah, 3m to the ground level, and 6.11m to the upper level. The upper level is positioned in accordance with the provision.

The proposal has since been amended to delete verandah components, achieving a 3m rear setback at ground level. The upper level setback remains unchanged.

Whilst Dwellings 3 and 4 are positioned at ground level 3m closer to the rear boundary than that sought, the reduced setback does not create overshadowing to a habitable room window of an adjoining dwelling and is not dissimilar to setbacks of recently constructed single storey dwellings or outbuilding developments displayed within the locality. Further, I note that, whilst not applicable to this development, Zone PDC 11 applies a 3m rear setback requirement to single storey components of dwellings, indicating that a 3m rear setback is appropriate in some circumstances within the zone.

In the context of its urban setting, the rear setback of Dwellings 3 and 4 is appropriate and not seriously at variance with established and desired development outcomes.

## Conclusion

In conclusion, I am of the view that the proposal effectively achieves the development of underutilised land in an envisaged manner.

The proposal represents a well-designed infill development, provides residents with functional internal living areas, private open spaces, external street views (Dwellings 1 and 2), and clearly identifiable entrances.

Further, the proposal appropriately provides for on-site vehicle movements, is well landscaped and maintains access to direct sunlight of adjacent dwellings, as sought by relevant provisions.

Therefore, the proposal is not seriously at variance with the West Torrens Council Development Plan and displays sufficient planning merit to warrant the granting of Development Plan Consent.

Should you have any queries or require any further information or clarification with any components of this application, please do not hesitate to contact by calling me on 0478 509 777 or by email [bill@townplanningadvisors.com.au](mailto:bill@townplanningadvisors.com.au)

Yours faithfully



**Bill Stefanopoulos, MPIA**

BA Planning, Grad Dip Environmental Planning



**6.8 32 Dudley Avenue, NORTH PLYMPTON**

Application No 211/1128/2017 &amp; 211/922/2017

**DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Land division - Community Title; SCAP No. 211/C148/17 (Unique ID 59205); Create three (3) additional allotments	Construct two (2) two-storey residential flat buildings comprising four (4) dwellings; Dwelling 1 & 2 with front porticos and balconies and double garages under main roof, and Dwellings 3 & 4 with front porticos, rear verandahs to alfresco and double garages under main roof
APPLICANT	Dudley Avenue Pty Ltd	I Think Design Studio
APPLICATION NO	211/1128/2017	211/922/2017
LODGEMENT DATE	21 September 2017	2 August 2017
ZONE	Residential Zone	Residential Zone
POLICY AREA	Medium Density PA19	Medium Density PA19
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>SA Water</li> <li>DAC</li> </ul>	Internal <ul style="list-style-type: none"> <li>City Assets</li> </ul>
DEVELOPMENT PLAN VERSION	30 May 2017	30 May 2017
MEETING DATE	13 March 2018	13 March 2018

**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. 211/1128/2017 by Dudley Avenue Pty Ltd to undertake a land division - Community Title; SCAP No. 211/C148/17 (Unique ID 59205); Create three (3) additional allotments at 32 Dudley Avenue, North Plympton (CT5239/340) 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. That prior to the issue of clearance to the division approved herein, all existing buildings and associated structures shall be removed from subject land (proposed Lots 1 to 4).



**Land Division Consent Conditions**Council Conditions

Nil

State Commission Assessment Panel (SCAP) Conditions

3. The financial requirements of the SA Water Corporation shall be met for the provision of water 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 \$20,490 into the Planning and Development fund (3 allotments @ \$6,830/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 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. 211/922/2017 by I Think Design Studio to undertake the construction of two (2) two-storey residential flat buildings comprising four (4) dwellings; Dwelling 1 & 2 with front porticos and balconies and double garages under main roof, and Dwelling 3 & 4 with front porticos, rear verandahs to alfresco and double garages under main roof at 32 Dudley Avenue, North Plympton (CT5239/340) subject to the following conditions of consent:

**Planning Conditions**

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

3. That all landscaping will be planted in accordance with the approved plan (Site Plan and Landscape Schedule prepared by I Think Design Studio, PA Sheet 1 of 11, Amended) 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.
4. That all side and rear upper level windows of Dwelling 1 and 2 within the residential flat building 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.
5. That all front, side and rear upper level windows of Dwelling 3 and 4 within the residential flat building 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.
6. 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.
7. That the stormwater connection to the street watertable shall satisfy the following requirements:
  - 100 x 50 x 2mm RHS Galvanised Steel; or
  - 125 x 75 x 2mm RHS Galvanised Steel; or
  - Multiples of the above.

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## 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.

## SITE AND LOCALITY

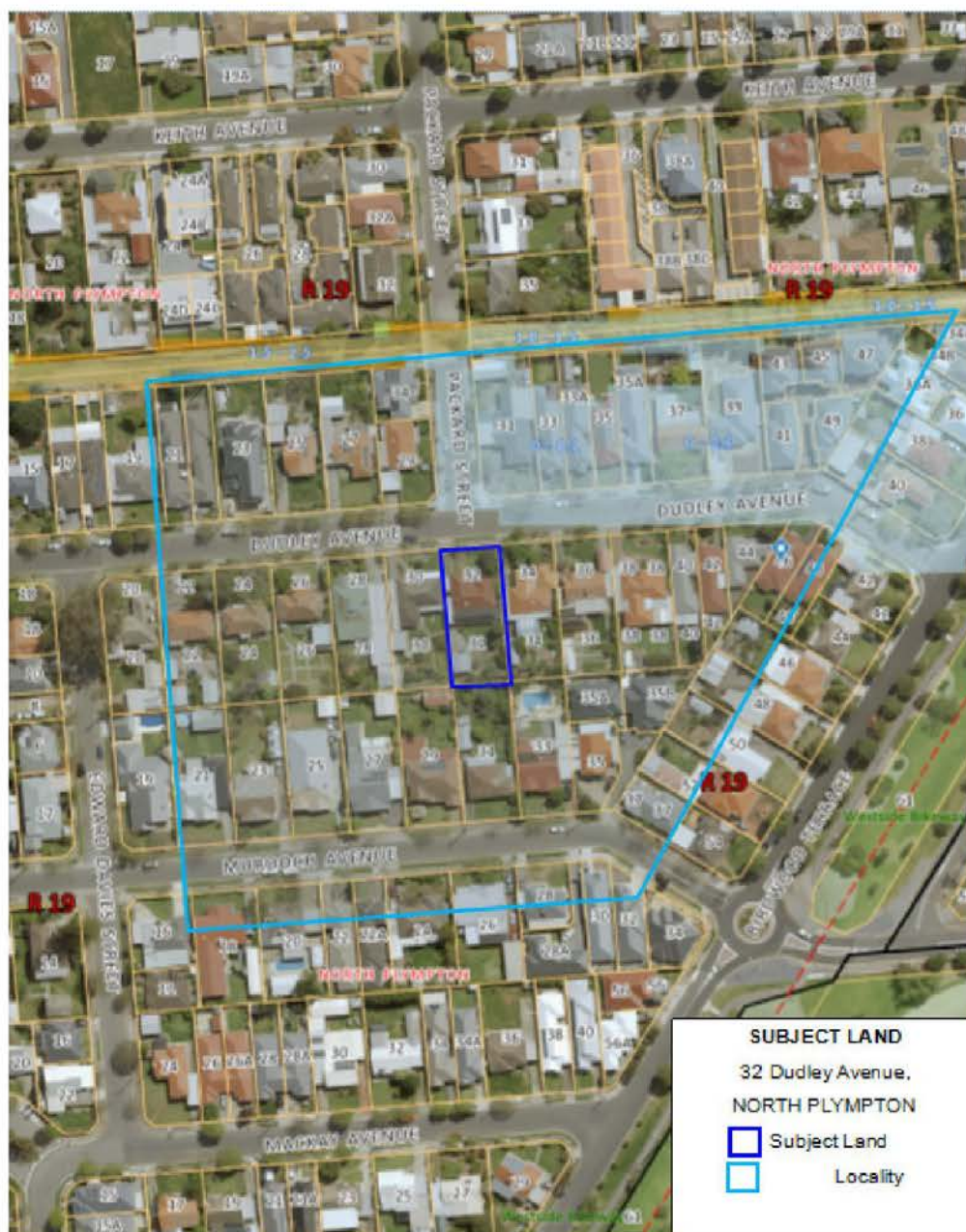
The subject land is an existing residential allotment situated at 32 Dudley Avenue, North Plympton. The land is located on the southern side of the road and is approximately 150 metres west of Birdwood Terrace and the Westside Bikeway.

The land is formally described in Certificate of Title Volume 5239 Folio 340, comprising Allotment 35 in Deposited Plan 3143 in the area named North Plympton. There are no easements, encumbrances or Land Management Agreements registered on the title.

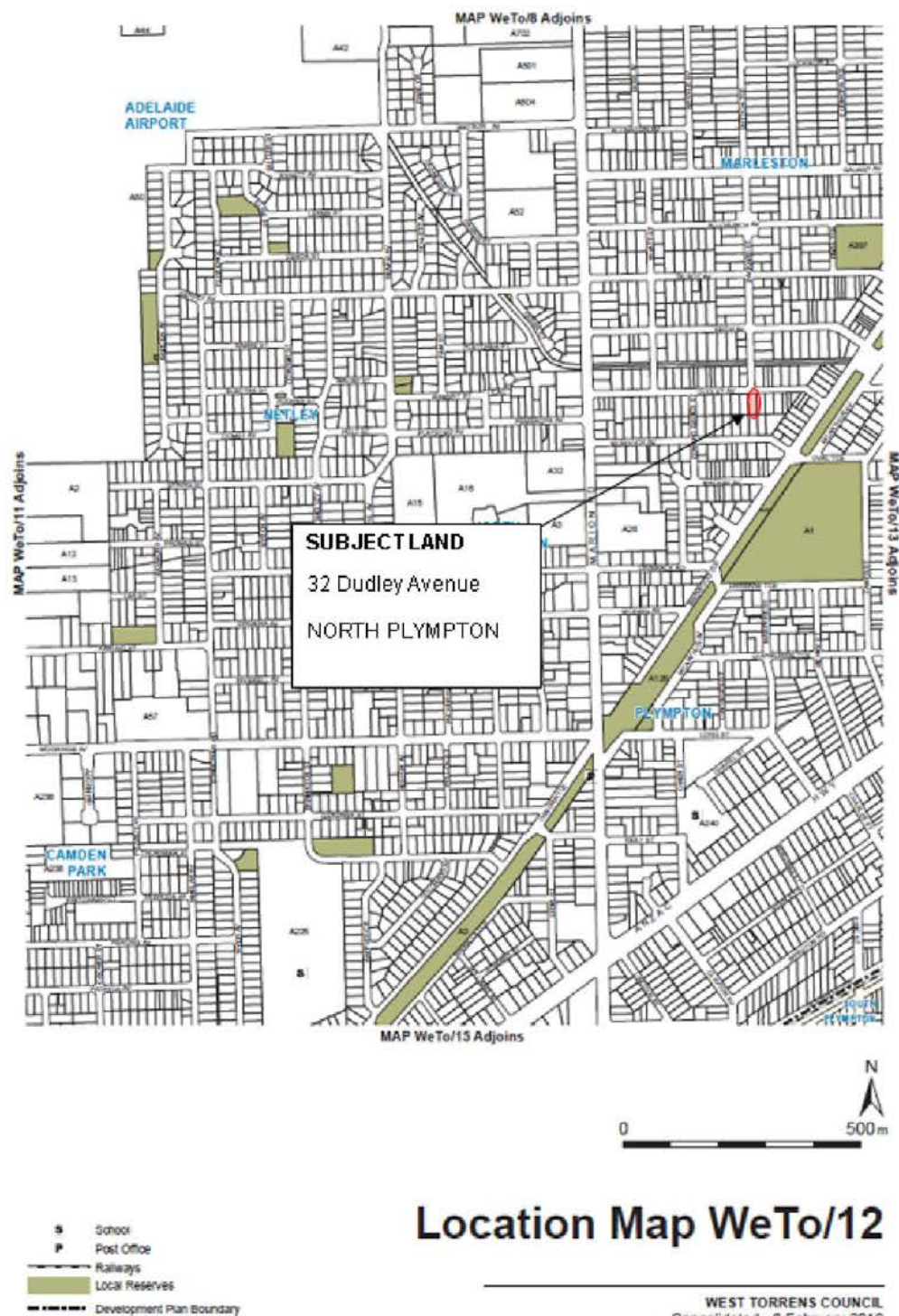
The allotment is rectangular in shape with an 18.29 metre wide frontage to Dudley Avenue and a total allotment size of 803m<sup>2</sup>. The land is naturally flat and does not contain any Regulated trees. A modest single storey dwelling and a shed currently occupy the site.

The locality comprises an established residential area with a mixed built form character. The area is currently in transition, as conventional detached dwellings are being replaced with single and two storey group dwellings and residential flat buildings at medium densities. This is resulting in a diverse allotment pattern, particularly near public reserves. The Weigall Oval reserve and Westside Bikeway are in close proximity to the east and south.

The amenity of the locality is considered only moderate due to the mixed housing stock, the changing development pattern and limited streetscape enhancements such as established street trees and landscaped verges.







## PROPOSAL

### Application 1 (211/1128/2017)

A Community Title land division to create three additional allotments. The proposal is seeking to divide the land into four community allotments with common driveway access from Dudley Avenue that is to be contained within its own common property allotment. The allotments are being created for two residential flat buildings containing a total of four dwellings (refer to 211/922/2017). The proposed allotments are between 141m<sup>2</sup> and 155m<sup>2</sup> in area.

### Application 2 (211/922/2017)

The construction of two (2) two-storey residential flat buildings comprising a total of four (4) dwellings.

Dwelling 1 and 2 are located at the front of the allotment and are designed to address the road frontage. The main front wall of the dwellings are setback 3.8 metres from the road boundary, with the front upper level balconies setback at a distance of 3 metres. Dwelling 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 articulated facades that comprise upper storey projections and recesses, front porticos and balconies, feature cladding and flat roofs behind parapets. External materials and finishes include rendered Hebel cladding, aluminium frame windows and doors and glass balustrades.

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

## PUBLIC NOTIFICATION

Development Application 211/922/2017 is a Category 2 form of development pursuant to Section 38 and Schedule 9 of the *Development Regulations 2008*. One representation was received during the notification period, which was subsequently withdrawn.

<b>Properties notified:</b>	10 properties were notified during the public notification process.
<b>Representations:</b>	M Kastrappi (withdrawn)
<b>Persons wishing to be heard:</b>	N/A

## REFERRALS

Internal

- City Assets

Concerns were raised regarding the following matters:

- The width of the common driveway;
- Inadequate manoeuvrability for the garage of Dwelling 1 and 2;
- Visitor car parking space should be removed; and
- The location of the stormwater connection.

The applicant has addressed the above concerns and City Assets has no objection to the proposed development.

A copy of the relevant report is attached, refer **Attachment 3**.

External

The application was referred to the following external agencies:

- 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 copy of the relevant reports is attached, refer **Attachment 4**.

### ASSESSMENT

The subject land is located within Medium Density Policy Area 19 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



**Zone: Residential Zone****Desired Character Statement:**

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

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

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

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

**Objectives**

1, 2, 3 &amp; 4

**Principles of Development Control**

1, 2, 5, 6, 7, 9, 10, 11, 12, 13 &amp; 14

**Policy Area: Medium Density Policy Area 19****Desired Character Statement:**

*Allotments in this policy area will be at medium density, accommodating a range of dwelling types including semi-detached, row and group dwellings, as well as some residential flat buildings and some detached dwellings on small allotments. There will be a denser allotment pattern close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones.*

*New buildings will contribute to a highly varied streetscape. Buildings will be up to 2 storeys, except for allotments fronting Brooker Terrace, Marion Road and Henley Beach Road, and overlooking the Westside Bikeway, where buildings will be up to 3 storeys in height and provide a strong presence to streets. Garages and carports will be located behind the front facade of buildings.*

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

**Objectives**

1

**Principles of Development Control**

1, 2, 3, 4 &amp; 7

**QUANTITATIVE ASSESSMENT**

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SITE AREA <i>Medium Density Policy Area 19</i> PDC 5 & 7	150m <sup>2</sup> average - Residential Flat Building  270m <sup>2</sup> minimum - land division unless combined with application for dwellings	146m <sup>2</sup> average  <b>Minor Departure</b>  Dwellings and land division not combined  <b>Does Not Satisfy</b> (Refer to assessment below)
SITE FRONTAGE <i>Medium Density Policy Area 19</i> PDC 5	15m minimum - Residential Flat Building	11.88m (Dwelling 1 & 2) 6.4m (Dwelling 2 & 3)  <b>Does Not Satisfy</b> (Refer to assessment below)
SITE COVERAGE <i>Medium Density Policy Area 19</i> PDC 3	60% maximum	64% (Dwelling 1) 67% (Dwelling 2) 80% (Dwelling 3) 80% (Dwelling 4)  <b>Does Not Satisfy</b>
STREET SETBACK <i>Medium Density Policy Area 19</i> PDC 3	3m minimum	3.8m - main face 3m - balcony (Dwelling 1 & 2) N/A (Dwelling 3 & 4)  <b>Satisfies</b>

Council Assessment Panel Agenda

13 March 2018

<p><b>SIDE/REAR SETBACKS</b>  <i>Residential Zone</i>  <i>PDC 11</i></p> <p><i>Medium Density Policy Area 19</i>  <i>PDC 3</i></p>	<p>Side  1m minimum - vertical side wall is 3 metres or less  2m minimum - vertical side wall is between 3 and 6 metres</p> <p>Rear  6m minimum</p>	<p>Dwelling 1 &amp; 2 (6.58m max. wall height)  - 1m ground level  - 2m upper level</p> <p><b>Satisfies</b></p> <p>Dwelling 2 &amp; 3  - garage on boundary  - 2m upper level</p> <p><b>Partially Satisfies</b></p> <p>3m ground floor  6.9m upper floor</p> <p><b>Partially Satisfies</b></p>
<p><b>OVERSHADOWING</b>  <i>Residential Development</i>  <i>PDC 10, 11, 12, 13</i></p>	<p>Protect winter sunlight to adjacent dwellings' north facing windows, private open space and solar panels - min. 2 hours of sunlight between 9.00am and 3.00pm on 21 June</p>	<p>- North-south orientation of site  - Rear yards and north facing windows of adjoining properties would receive in excess of two hours of direct sunlight.</p> <p><b>Satisfies</b></p>
<p><b>OVERLOOKING</b>  <i>Residential Development</i>  <i>PDC 27</i></p>	<p>Upper level, windows, balconies, terraces and decks that overlook habitable room windows or private open space require sill height or permanent screen minimum of 1.7m above floor level</p>	<p>All side/rear upper windows have sill heights or obscure glass to a height of 1.7m.</p> <p>Condition of consent included to reinforce.</p> <p><b>Satisfies</b></p>
<p><b>PRIVATE OPEN SPACE</b>  <i>Residential Development Module</i>  <i>PDC 19</i></p>	<p>&lt;300m<sup>2</sup>  - 24m<sup>2</sup> (min.)  - Minimum dimension 2m</p>	<p>24m<sup>2</sup> (Dwelling 1)  24m<sup>2</sup> (Dwelling 2)  27m<sup>2</sup> (Dwelling 3)  27m<sup>2</sup> (Dwelling 4)</p> <p><b>Satisfies</b></p>
<p><b>DRIVEWAY ACCESS</b>  <i>Land Division Module</i>  <i>PDC 7</i></p>	<p>5.5m wide for first 5m then reduce to 4m</p>	<p>5.5m wide for first 5m then reduce to 4m</p> <p><b>Satisfies</b></p>



CARPARKING SPACES <i>Transportation and Access Module PDC 34</i>	2 spaces (one covered) - Detached Dwelling and Residential Flat Building, plus additional 0.25 space per dwelling in residential flat building	2 covered spaces per dwelling  <b>Partially Satisfies</b> (Refer to assessment below)
LANDSCAPING <i>Landscaping, Fences and Walls Module PDC 4</i>	Minimum 10% of development site	Approximately 10% of development site to be landscaped  <b>Satisfies</b>
DOMESTIC STORAGE <i>Site Facilities and Storage Module PDC 4</i>	Minimum storage area of 8m <sup>3</sup>	8m <sup>3</sup> + (living areas, garage and robes)  <b>Satisfies</b>

### QUALITATIVE ASSESSMENT

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

#### Site Area and Frontage

Principle of Development Control 5 of Medium Density Policy Area 19 prescribes a minimum average site area of 150m<sup>2</sup> per dwelling within a residential flat building where located within 400 metres of a centre zone. The development site is within 400 metres of a centre zone and is within a short walking distance of a public reserve and the Westside bikeway.

For land division proposals, Principle of Development Control 7 of the Policy Area prescribes a minimum site area of 270m<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 appropriate to apply the minimum site area of 150m<sup>2</sup> in Principle of Development Control 5 given 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 Community Title land division indicates that the proposed allotments would have site areas of between 141m<sup>2</sup> and 155m<sup>2</sup>. When assessed against Principle of Development Control 5, the maximum site area shortfall would be 9m<sup>2</sup> or 6 percent for Dwellings 3 and 4. The average site area shortfall across the whole of the site would be 4m<sup>2</sup> or 2.66 percent, which is considered relatively minor. Notwithstanding the site area shortfalls, 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 and vehicle access and car parking. The only notable exceptions are the rear ground level setbacks of Dwelling 3 and 4 and the siting of their respective garages on the side boundaries. The amenity impacts associated with these dwellings are considered below in more detail.

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 the Policy Area is for allotments to be at medium density (i.e. net density of between 40 and 67 dwellings per hectare). On the basis of the subject land having a total area of 803m<sup>2</sup>, the net residential density of the development has been calculated at 50 dwellings per hectare (dw/ha) which is well within the medium density range.

The road frontage for Dwelling 1 and 2 is 11.88 metres wide. The frontage for Dwelling 3 and 4 is in the form of a common driveway that is contained within its own common property allotment. Whilst the frontages to the proposed residential flat buildings are less than the recommended frontage width of 15 metres, the shortfalls would not have any detrimental impacts given that the front dwellings present to the street as one integrated building and are designed with 'rear loaded' garaging. Furthermore, the front of the dwellings and the common driveway will be landscaped to visually soften the built form and paved areas.

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. Accordingly, the proposal is considered to satisfy the Desired Character for the Policy Area and the intent of Principle of Development Control 5 and 7 of Medium Density Policy Area 19.

### **Boundary Setbacks**

#### Side Setbacks

The garages of Dwelling 3 and 4 are proposed to be located on the eastern and western side boundaries. The boundary walls are 8 metres in length and 3.43 in height above the footing. The ground and upper levels of the dwellings are setback one metre and two metres respectively.

Principle of Development Control 11 of the Residential Zone recommends a minimum setback of one metre from side boundaries for walls that are three metres or less in height. Whilst the proposal does not achieve this setback, Principle of Development Control 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 Principle of Development Control 13(b) requires boundary walls to have a maximum height of three metres and a maximum length of eight metres. The height of the proposed walls exceed this requirement by only 430mm.

From an amenity perspective, the proposed walls would not result in a significant loss of outlook for the adjoining properties as the eastern wall would be immediately adjacent to a garden shed at the rear of no. 34 Dudley Avenue and the western wall would be located some distance from any windows within the dwelling at no. 30 Dudley Avenue. Similarly, minimal shadow would be cast of the adjoining properties given the north to south orientation of the subject land and the adjoining properties.

Furthermore, it has been well established in planning law that regard should be given to complying or 'as of right' standards when assessing the merits of a proposal. Although hypothetical, it is possible to locate an outbuilding on the respective side boundaries for a length of up to eight metres and at a height of 3 metres under the allowances of the Residential Code (Schedule 4 of the *Development Regulations 2008*). A wall of this size is generally the same as the proposed boundary wall, albeit there is a differential of 430mm in the wall height.

On balance, the siting and design of the proposed development in relation to side boundaries would not significantly detract from the amenity of neighbouring properties and therefore is considered acceptable.

#### Rear Setback

The rear of Dwelling 3 and 4 is setback 3 metres at ground floor level and 6.9 metres at upper floor level. Principle of Development Control 3 of Medium Density Policy Area 19 recommends a minimum setback distance of 6 metres to both ground and upper levels. The upper level setbacks satisfy this setback standard.

Typically, Development Plan policies allow for single storey buildings to be located closer to rear boundaries than two storey buildings as there is potentially less visual and overshadowing impacts associated with single storey development. This is recognised in the complying standards under Schedule 4 of the *Development Regulations 2008*, which only requires the ground floor of a dwelling on a site of less than 300m<sup>2</sup> to be setback 3 metres from a rear boundary. This setback requirement increases to 4 metres on sites greater than 300m<sup>2</sup>. These complying standards are a material planning consideration in this case given that the subject land is situated within a code complying area. Whilst the proposed development is not complying, it would however be possible to develop the subject land with a dwelling or dwellings located within 4 metres of the rear boundary 'as-of-right'.

Notwithstanding the above, the rear boundary setback of 3 metres to the ground level of Dwelling 3 and 4 is acceptable for the following reasons:

- The modest height of the dwellings (6.78 metres) would ensure that only minimal shadow is cast over the adjoining properties to the south;
- The ground level of the dwellings have a low roof profile;
- The locality is characterised by dwellings and outbuildings located in close proximity to rear boundaries; and
- There is adequate spatial separation between the proposed dwellings and the existing dwellings on adjoining land to the south.

The proposal is therefore considered to satisfy the intent of Principle of Development Control 11 of the Residential Zone.

#### Site Coverage

Principle of Development Control 3 of the Policy Area recommends a maximum ground floor building area of 60 percent of each dwelling site. Dwelling 3 and 4 in particular would exceed the recommended site coverage, which for the most part is due to the dwelling sites not having a direct frontage to a public road (i.e. no front building setbacks required).

Although exceeding 60 percent of the site, the proposed dwellings will be provided with sufficient private open space and a stormwater management system that satisfies Council requirements. There is also adequate space for safe and convenient vehicular access and on-site landscaping.

For these reasons, the departure from Principle of Development Control 3 of the Policy Area is not considered to be fatal to the overall merits of the proposed development.

#### Car Parking

In terms of car parking, *Table WeTo/2 – Off Street Vehicle Parking Requirements* prescribes a minimum car parking rate of two spaces per dwelling with an additional requirement of 0.25 spaces per dwelling for a residential flat building, presumably for visitors. As there would be four dwellings within the development, there is a Development Plan 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 parks for visitors.

There is considered to be sufficient on-site car parking to meet the anticipated demand generated by the proposed development. Accordingly, the proposal satisfies the intent of Principle of Development Control 34 of the General Section (Transportation and Access).



**SUMMARY**

When balanced against the existing site and locality characteristics and the Desired Character for Medium Density Policy Area 19, the proposed division of land and associated dwellings are considered to be a desirable, orderly and appropriate form of development.

Although there are some deficiencies with the proposal, the overall dwelling density, allotment layout and built form is considered to have sufficient regard for the desired character, which is seeking a range of dwelling types at medium densities.

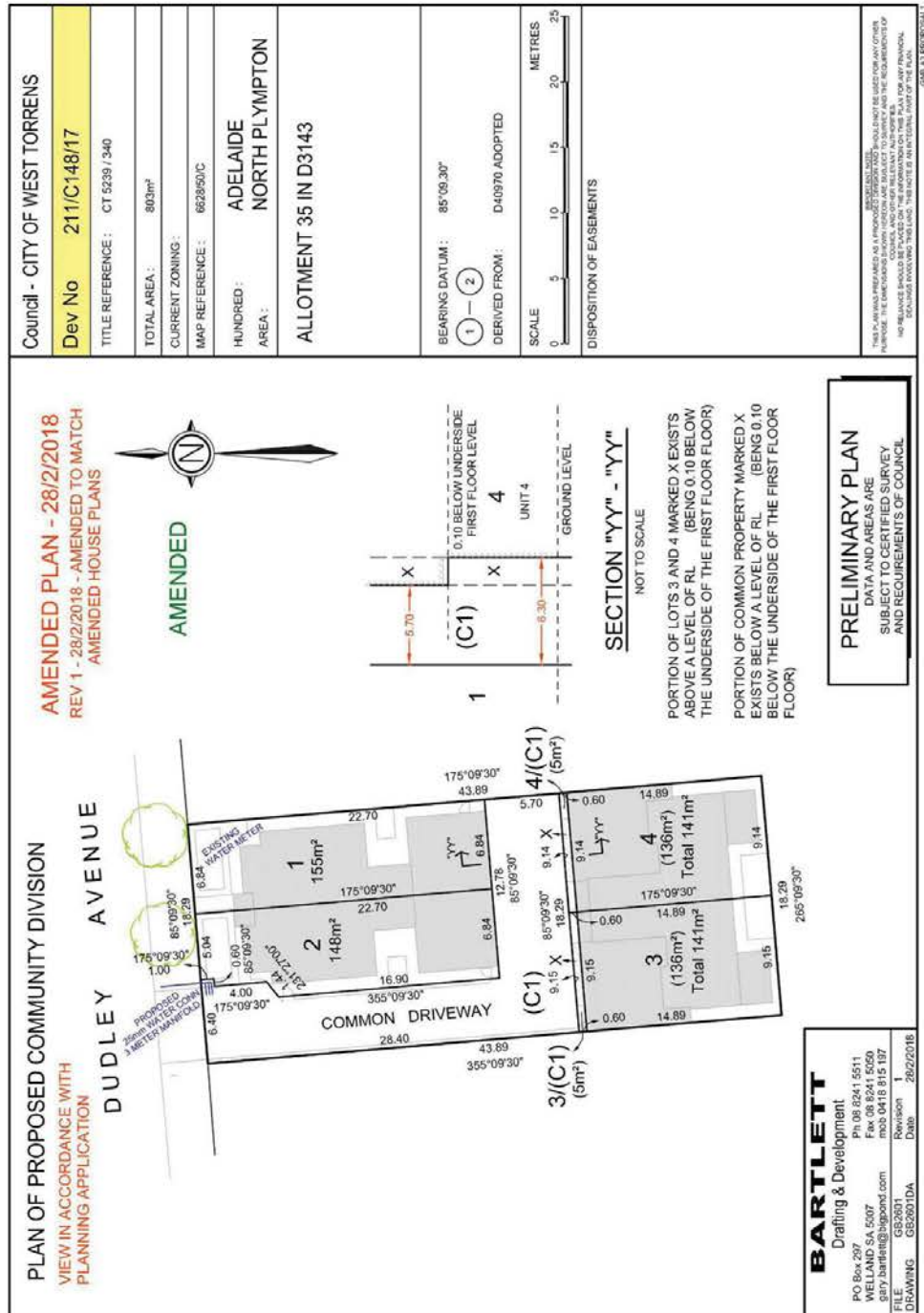
It has also been demonstrated that the proposal would not adversely impact upon traffic safety on the adjacent road network.

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

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

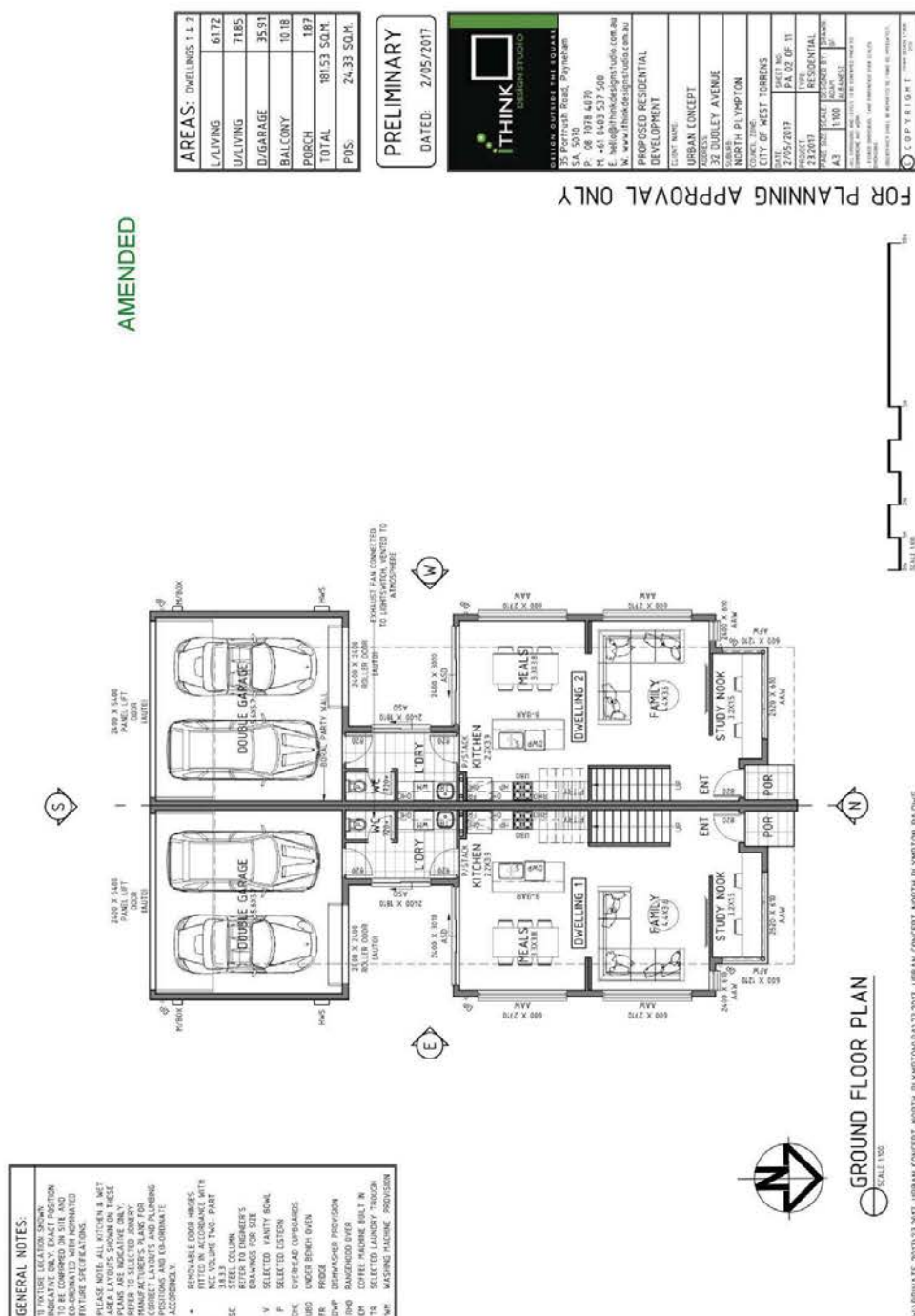
**Attachments**

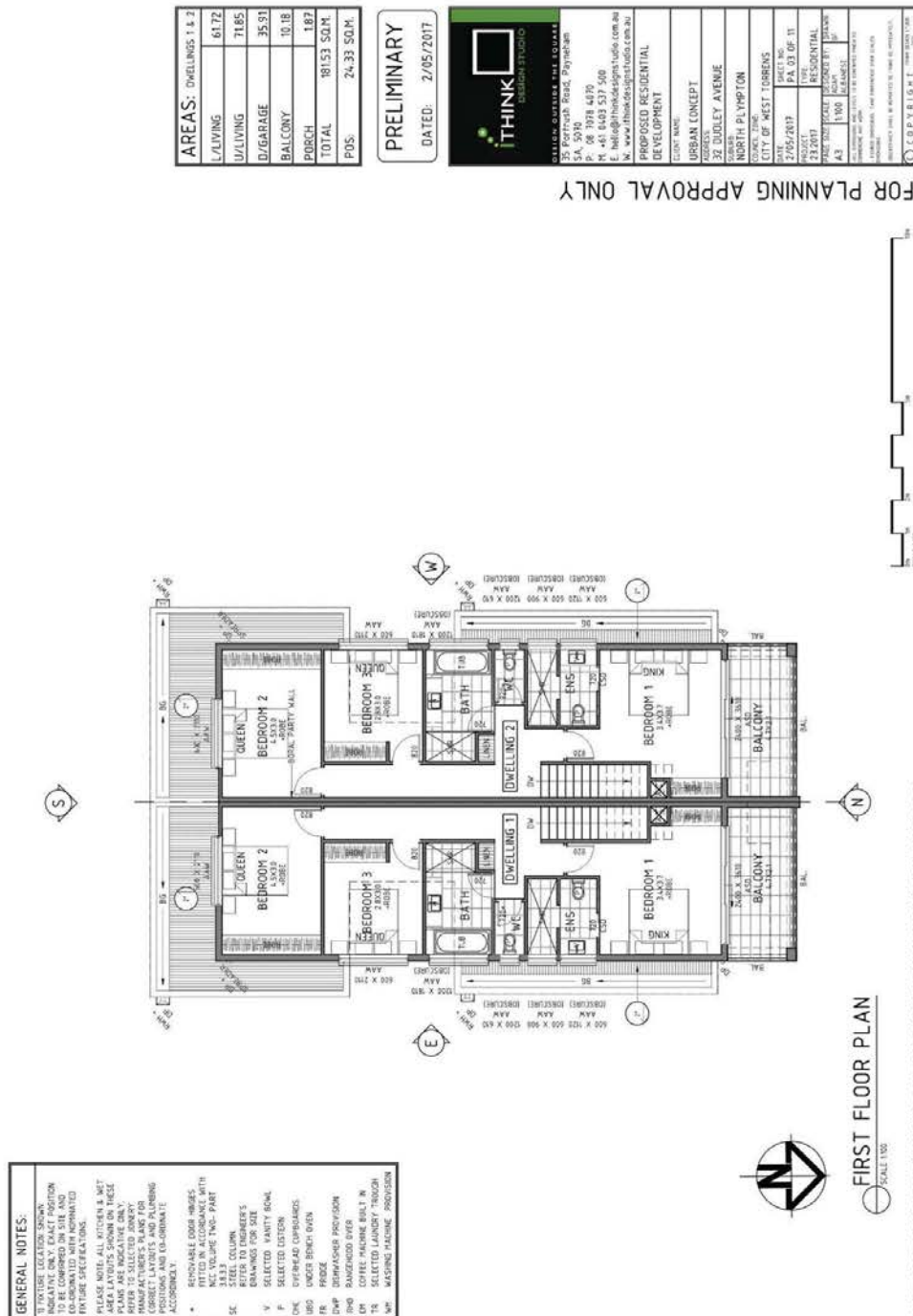
1. **Plan of Division**
2. **Dwelling Plans**
3. **City Assets Referral Response**
4. **SA Water and SCAP Referral Responses**

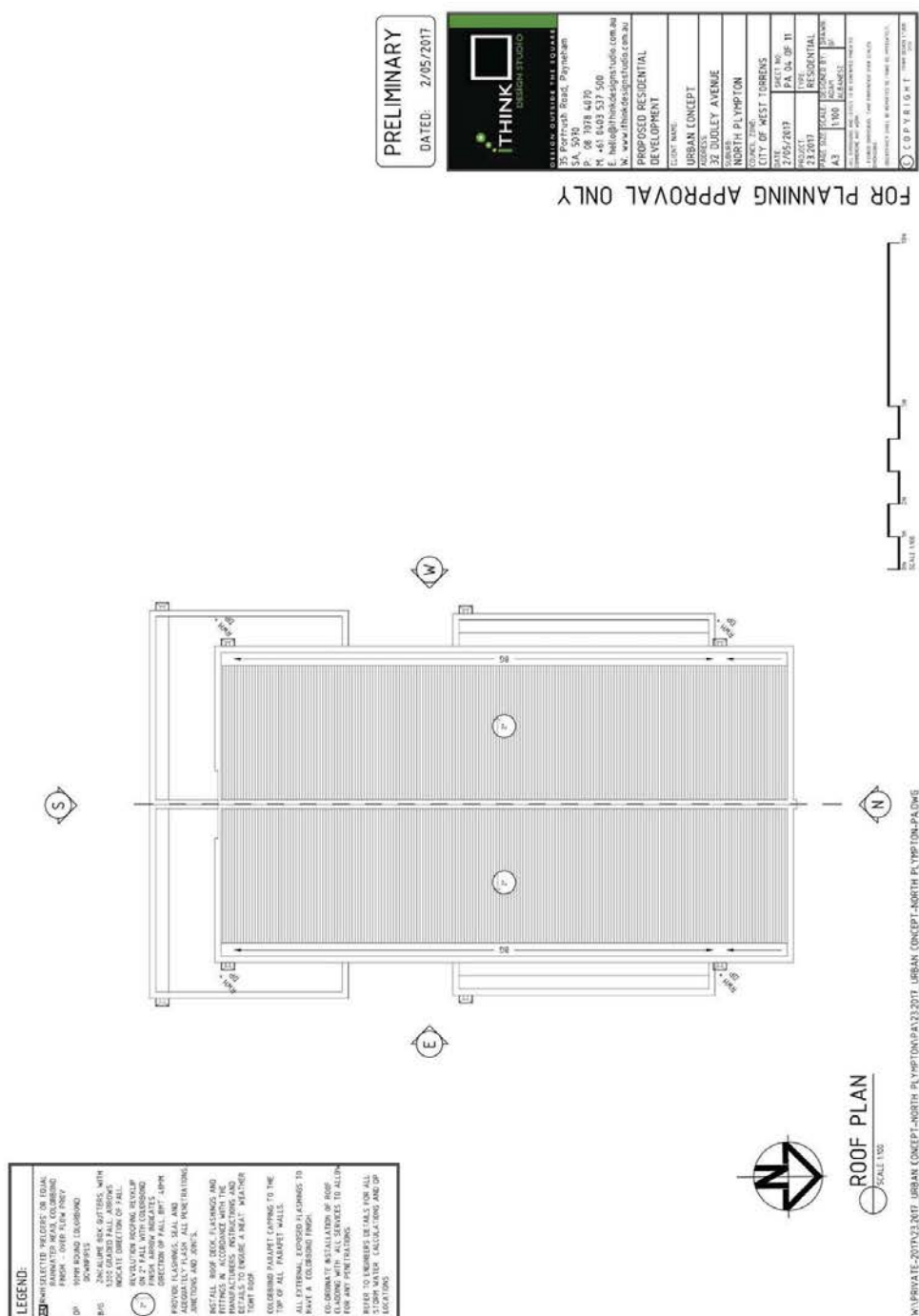






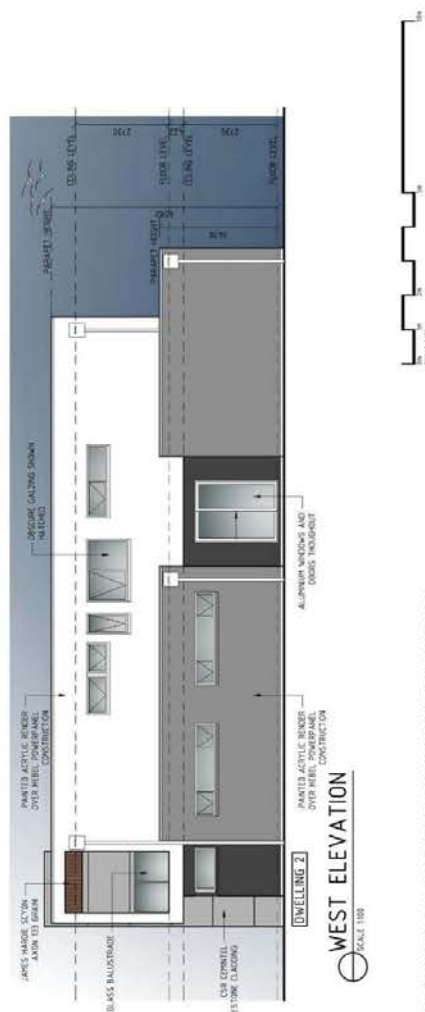
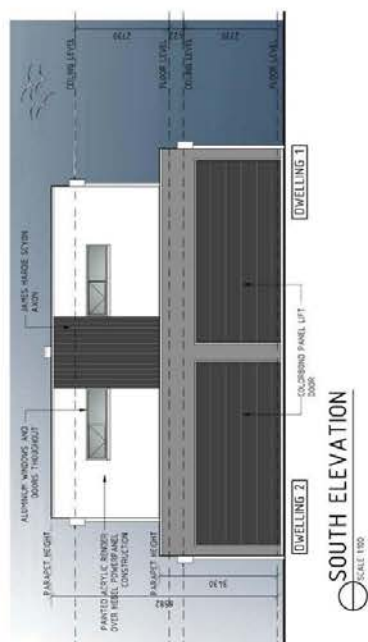








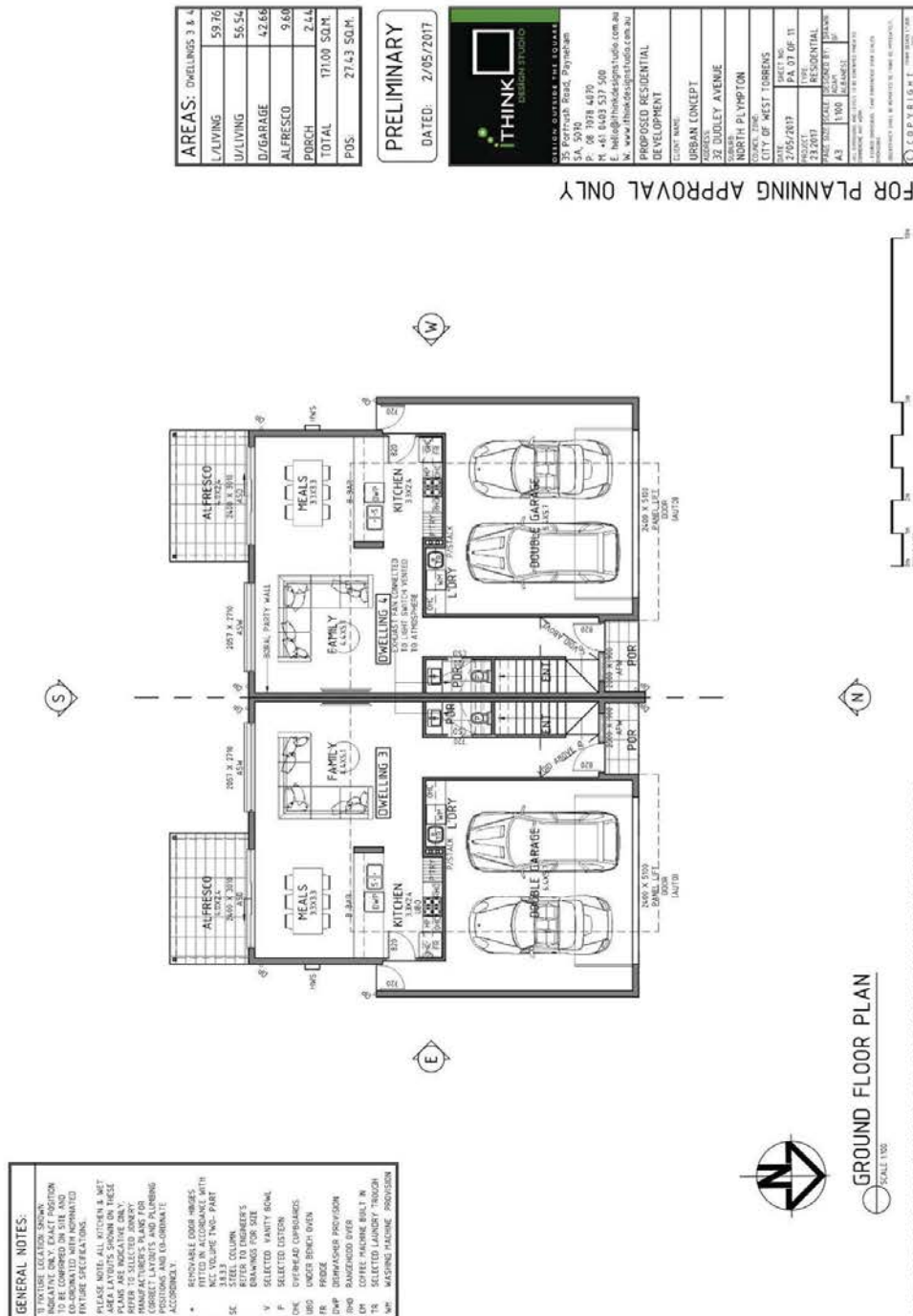




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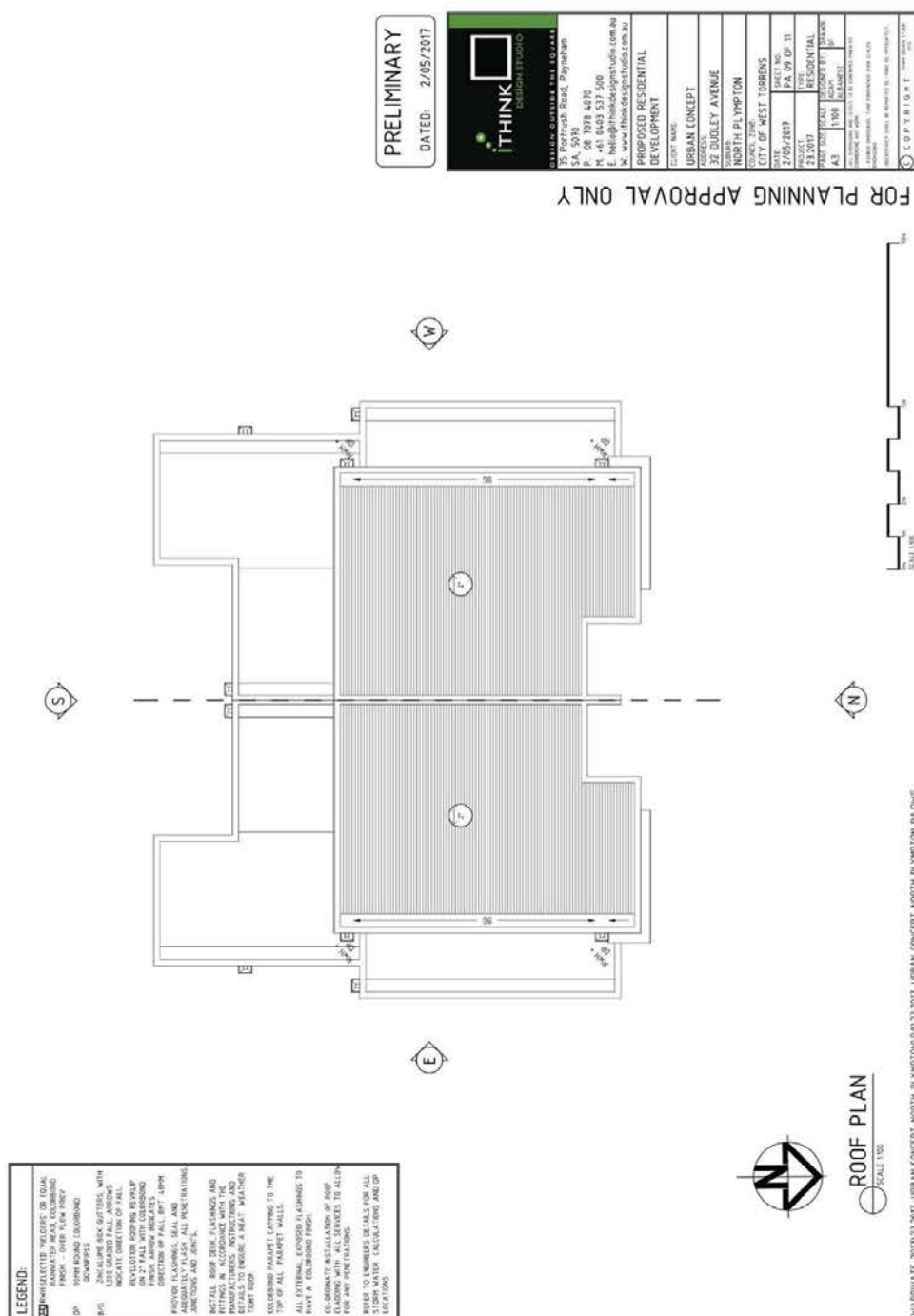
FOR PLANNING APPROVAL ONLY

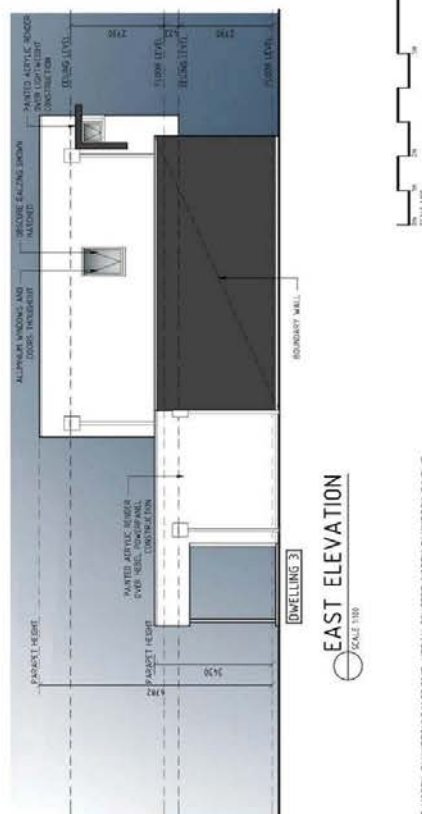
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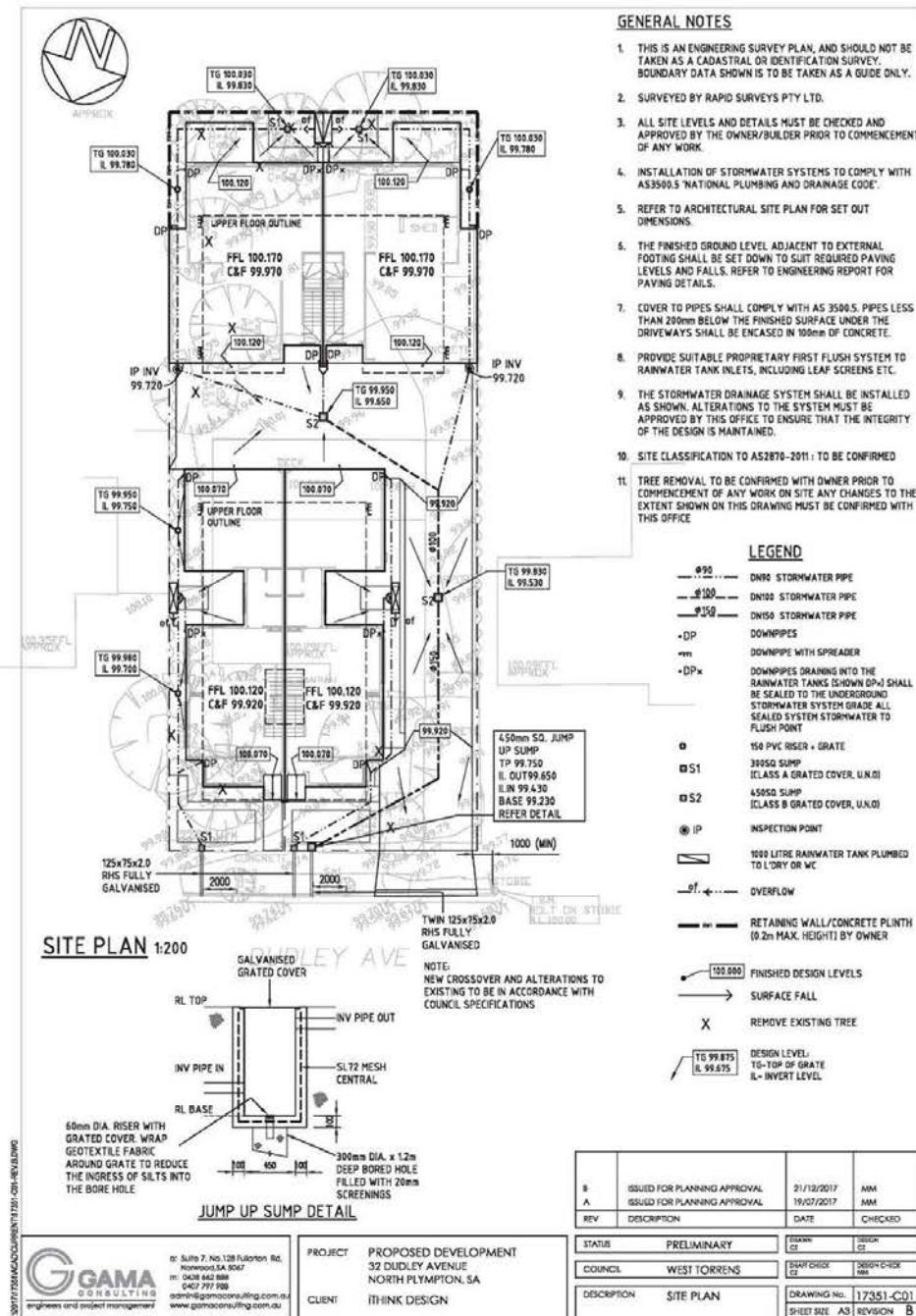
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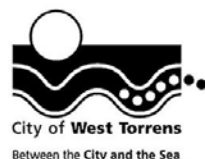
FOR PLANNING APPROVAL ONLY











## Memo

To Brendan Fewster  
From Jane Teng  
Date 29/01/2018  
Subject 211/922/2017, 32 Dudley Avenue, NORTH PLYMPTON SA 5037

Brendan Fewster,

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

### 1.0 Traffic Comments

- 1.1 The access driveway dimensions are now acceptable (Site Plan – iThink Design Studio - 21/12/2017).
- 1.2 The provided turning path diagrams do not demonstrate vehicle manoeuvrability for all garage spaces. I note that for Dwelling 2 an additional turn would be required to enter both garage spaces, based on the proposed layout of the dwelling. Exit movements would be of the standard reverse and exit. Such a constraint is similar to the typical manoeuvre into the **first space** of most car park designs. In our opinion, on balance, the additional turn required to enter the Dwelling 2 garage spaces is considered to be acceptable.

However, entry into Dwelling 1 is considered to be unsatisfactory. When one vehicle is already parked inside, an entering vehicle is unable to enter without having to perform multiple turns. In order to address this manoeuvrability issue it is recommended that the garage door be widened to 5.4m (minimum). Alternatively, Dwelling 1 could be set forward slightly (eg. 1.0m) to increase the driveway aisle width, however this may not comply with planning requirements.

Vehicle manoeuvrability for Dwelling 3 and 4 are acceptable.

### 2.0 Verge Interaction (with street tree)

- 2.1 The stormwater plan shows satisfaction to Council's typical offset requirements.





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

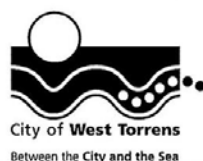
Regards

**Jane Teng**  
Civil Engineer

MS 29.01.2018

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Civic Centre 165 Sir Donald Bradman Drive, Hilton 5033 South Australia Tel (08) 8416 6333 Fax (08) 8443 5709  
E-mail [csu@wicc.sa.gov.au](mailto:csu@wicc.sa.gov.au) Website [westtorrens.sa.gov.au](http://westtorrens.sa.gov.au)



## Memo

To Jessica Grima  
From Jane Teng  
Date 24/10/2017  
Subject 211/922/2017, 32 Dudley Avenue, NORTH PLYMPTON SA 5037

Jessica Grima,

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

### 1.0 Traffic Comments

- 1.1 As the access driveway will service more than one property at the rear, the driveway corridor to the site will require widening to a minimum of 5.5m wide pavement width (+ 300mm offset from fences/walls/boundary) for the first 5.0m into the site to permit the passing of entering and exiting traffic. The proposed driveway falls short of this requirement. Some slight adjustment is required to the proposed landscaping area. Typical layout sketch attached.

**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.**

- 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 or similar. The provided plans indicate that a meter box would be adjacent to the driveway without provision of the 0.3m driveway offset. The meter boxes should be relocated or the driveway shifted further away.

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

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



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

Access into the garage of Dwelling 1 is considered to be unsatisfactory. When one vehicle is already parked inside, an entering vehicle is unable to enter without having to perform multiple turns. Access into the proposed garage for Dwelling 2 is also not possible without multiple turns.

Access for visitor car park at the front of the subject site is not possible given the limited front setback of Dwelling 2. This visitor park should be removed from plans.

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

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

## **2.0 FFL Consideration – Finished Floor Level (FFL) Requirement**

- 2.1 In accordance with the provided 'Site Plan' (GAMA Consulting – Drawing 17351-C01 – Rev A), the FFLs of the proposed development (100.12 minimum) have been assessed as satisfying minimum requirements (100.00 minimum) in consideration of street and/or flood level information.

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

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

- 3.2 The stormwater plan does not correspond with the site plan in regards to the double driveway design. The stormwater connection is shown to be within the double driveway area. Consequently, revised plans are required relocating the stormwater connection and satisfying the above typical requirements.
- 3.3 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.

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

Regards

**Jane Teng**  
Civil Engineer

M.S

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Civic Centre 165 Sir Donald Bradman Drive, Hilton 5033 South Australia Tel (08) 8416 6333 Fax (08) 8443 5709  
E – mail [csu@wtcc.sa.gov.au](mailto:csu@wtcc.sa.gov.au) Website [westtorrens.sa.gov.au](http://westtorrens.sa.gov.au)

Contact Lands Titles Office  
Telephone 7109 7016



12 September 2017

The Chief Executive Officer  
City of West Torrens

Dear Sir/Madam

**Re: Proposed Application No. 211/C148/17 (ID 59205)  
for Land Division  
(Community Title Plan) by Dudley Avenue 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 31 August 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 \$20490 into the Planning and Development Fund (3 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 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.**



12 September 2017

Our Ref: H0063510

The Chairman  
Development Assessment Commission  
136 North Terrace  
ADELAIDE SA 5000

Dear Sir/Madam

**PROPOSED LAND DIVISION APPLICATION NO: 211/C148/17 AT NORTH PLYMPTON**

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

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

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

Kirsty Jennings

**for MANAGER LAND DEVELOPMENT & CONNECTIONS**

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



CITY OF WEST TORRENS



**MINUTES**  
**of the**  
**COUNCIL ASSESSMENT PANEL**

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

on

**TUESDAY, 13 MARCH 2018**  
**at 5.00pm**

A handwritten signature in black ink, appearing to read "A. Catinari", is positioned above the printed name.

**Angelo Catinari**  
**Assessment Manager**

**6.8 32 Dudley Avenue, NORTH PLYMPTON**

Application No 211/1128/2017 & 211/922/2017

**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. 211/1128/2017 by Dudley Avenue Pty Ltd to undertake a land division - Community Title; SCAP No. 211/C148/17 (Unique ID 59205); Create three (3) additional allotments at 32 Dudley Avenue, North Plympton (CT5239/340) 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. That prior to the issue of clearance to the division approved herein, all existing buildings and associated structures shall be removed from subject land (proposed Lots 1 to 4).

**Land Division Consent Conditions**Council Conditions

Nil

State Commission Assessment Panel (SCAP) Conditions

3. The financial requirements of the SA Water Corporation shall be met for the provision of water 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 \$20,490 into the Planning and Development fund (3 allotments @ \$6,830/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 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.

**COUNCIL ASSESSMENT PANEL DECISION**

The Panel resolved that the recommendation is not adopted.

## 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. 211/922/2017 by I Think Design Studio to undertake the construction of two (2) two-storey residential flat buildings comprising four (4) dwellings; Dwelling 1 & 2 with front porticos and balconies and double garages under main roof, and Dwelling 3 & 4 with front porticos, rear verandahs to alfresco and double garages under main roof at 32 Dudley Avenue, North Plympton (CT5239/340) subject to the following conditions of consent:

### Planning Conditions

1. That the development shall be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
2. That all stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:-
  - a) Result in the entry of water into a building; or
  - b) Affect the stability of a building; or
  - c) Create unhealthy or dangerous conditions on the site or within the building; or
  - d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
3. That all landscaping will be planted in accordance with the approved plan (Site Plan and Landscape Schedule prepared by I Think Design Studio, PA Sheet 1 of 11, Amended) 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.
4. That all side and rear upper level windows of Dwelling 1 and 2 within the residential flat building 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.
5. That all front, side and rear upper level windows of Dwelling 3 and 4 within the residential flat building 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.
6. 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.
7. That the stormwater connection to the street watertable shall satisfy the following requirements:
  - 100 x 50 x 2mm RHS Galvanised Steel; or
  - 125 x 75 x 2mm RHS Galvanised Steel; or
  - Multiples of the above.

**COUNCIL ASSESSMENT PANEL DECISION**

The Panel resolved that the item be deferred to enable the applicant to address the following matters:

- Excessive site coverage
- Concerns relating to the design of private open space
- Insufficient quantity and design of landscaping
- Concerns relating to car parking manoeuvrability
- Concerns relating to bulk and scale - Medium Density Policy Area Principle of Development Control 3
- Insufficient rear setback - Medium Density Policy Area Principle of Development Control 3

**6.9 504 Henley Beach Road, FULHAM**

Application No 211/1383/2017

**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 Development Approval for Application No. 211/1383/2017 by Jennifer Frisby-Smith to undertake a change of use from an office to an office and consulting room at 504 Henley Beach Road, Fulham (CT5324/360) subject to the following conditions of consent (and any subsequent or amended condition that may be required as a result of the consideration of reserved matters under Section 33(3) of the Development Act 1993):

**Council Conditions**

1. That the development shall be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
2. That the hours of operation shall not exceed the following:
  - Monday to Friday: 9am to 8pm
  - Saturday: 9am - 12pmAny variation to these hours of operation will require a further consent.
3. The maximum number of staff on the site shall be limited to four (4) at any one time.
4. That driveways, parking and manoeuvring areas and footpaths shall remain formed (surfaced with concrete, bitumen or paving) and be properly drained and maintained in a reasonable condition at all time.
5. That all carparking spaces shall be linemarked, in accordance with the approved plans and in accordance with Australian Standards Association Code AS 2890.1, 2004 Parking Facilities, Part 1, Off Street Carparking, prior to the occupation of the proposed development. Linemarking and directional arrows shall be clearly visible at all times.
6. All landscaping shall be planted in accordance with the approved plans within three (3) months of commencement of the use of the development and maintained in good health at all times. Any landscaping which may become diseased or die shall be replaced with the same or like species/variety to the reasonable satisfaction of Council.

**COUNCIL ASSESSMENT PANEL DECISION**

The Panel resolved that the recommendation be adopted.



**6.4 37 Daly Street, KURRALTA PARK**

Application No 211/916/2017 and 211/475/2017

**DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Land division - Community Title; SCAP No. 211/C133/17; Creating three additional allotments and common property for the purposes of residential flat buildings	Construction of two (2) two storey residential flat buildings each comprising two dwellings with a garage under main roof with associated landscaping and car parking
APPLICANT	K & S Williams	KA Williams
APPLICATION NO	211/916/2017	211/475/2017
LODGEMENT DATE	26 July 2017	26 April 2017
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>City Assets</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	30 May 2017*	5 May 2016*
MEETING DATE	12 June 2018	12 June 2018

\* For the purposes of this assessment there are no material differences between the two relevant versions of the Development Plan.

**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. 211/916/2017 by K & S Williams to undertake the land division - Community Title; SCAP No. 211/C133/17; Creating three additional allotments and common property for the purposes of residential flat buildings at 37 Daly Street, Kurralta Park (CT 5578/271) subject to the following conditions:

**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.

**Land Division Consent Conditions****State Commission Assessment Panel Conditions:**

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

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

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

3. Payment of \$20490 into the Planning and Development Fund (3 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 Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 50 Flinders Street, Adelaide.
4. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

## RECOMMENDATION 2

The 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. 211/475/2017 by KA Williams to undertake the construction of two (2) two-storey residential flat buildings each containing two dwellings with garage under main roof with associated landscaping and car parking at 37 Daly Street, Kurralta Park (CT CT5578/271) subject to the following conditions:

### Development Plan Consent Conditions

1. The development shall be undertaken and completed in accordance with the amended plans dated 24/04/2018 and information detailed in this application except where varied by any condition(s) listed below.
2. 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.
3. All stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and, for this purpose, stormwater drainage shall not at any time:
  - a) Result in the entry of water into a building; or
  - b) Affect the stability of a building; or
  - c) Create unhealthy or dangerous conditions on the site or within the building; or
  - d) Flow or discharge onto the land of an adjoining owner; or
  - e) Flow across footpaths or public ways.
4. All planting and landscaping shall be completed within three (3) months of the commencement of the use of this development and be maintained in a reasonable condition at all times. Any plants that become diseased or die shall be replaced with a suitable species.
5. With the exception of the upper level western facing windows of dwellings 1 & 2 the upper level windows of all 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 to the satisfaction of Council.

## BACKGROUND

The application was previously presented to the Council Assessment Panel (CAP) at its meeting on 13 February 2018. The CAP resolved to defer the application for the following reasons:

- Insufficient space provided for safe and convenient vehicle movements within the proposed development;
- Insufficient space in each garage for two vehicles to conveniently access;
- Unsafe and inconvenient access and egress from visitor parking;
- Inadequate space for functional landscaping;
- Potential for landscaping to overshadow adjoining dwellings and for root invasion into adjoining land;
- Solar access to dwellings and covered private open space.

## AMENDMENTS

Having considered the reasons for deferral, the applicant has made the following changes to the proposal:

- The rear portion of the upper level of dwellings 1 and 2 has been reconfigured to allow additional light to the private open space below;
- The landscaping area along the driveway has been increased from 300mm to 600mm on each side;
- Permeable paving (grasscrete) has been included within the driveway;
- The ground floor plan has been altered to provide a laundry and store between the dwelling and the garage;
- The garages have been widened to 6m in order to provide for more convenient vehicle manoeuvrability; and
- The garage of dwelling 2 has been setback from the southern boundary by 900mm.

A copy of the amended plans is contained within **Attachment 1**

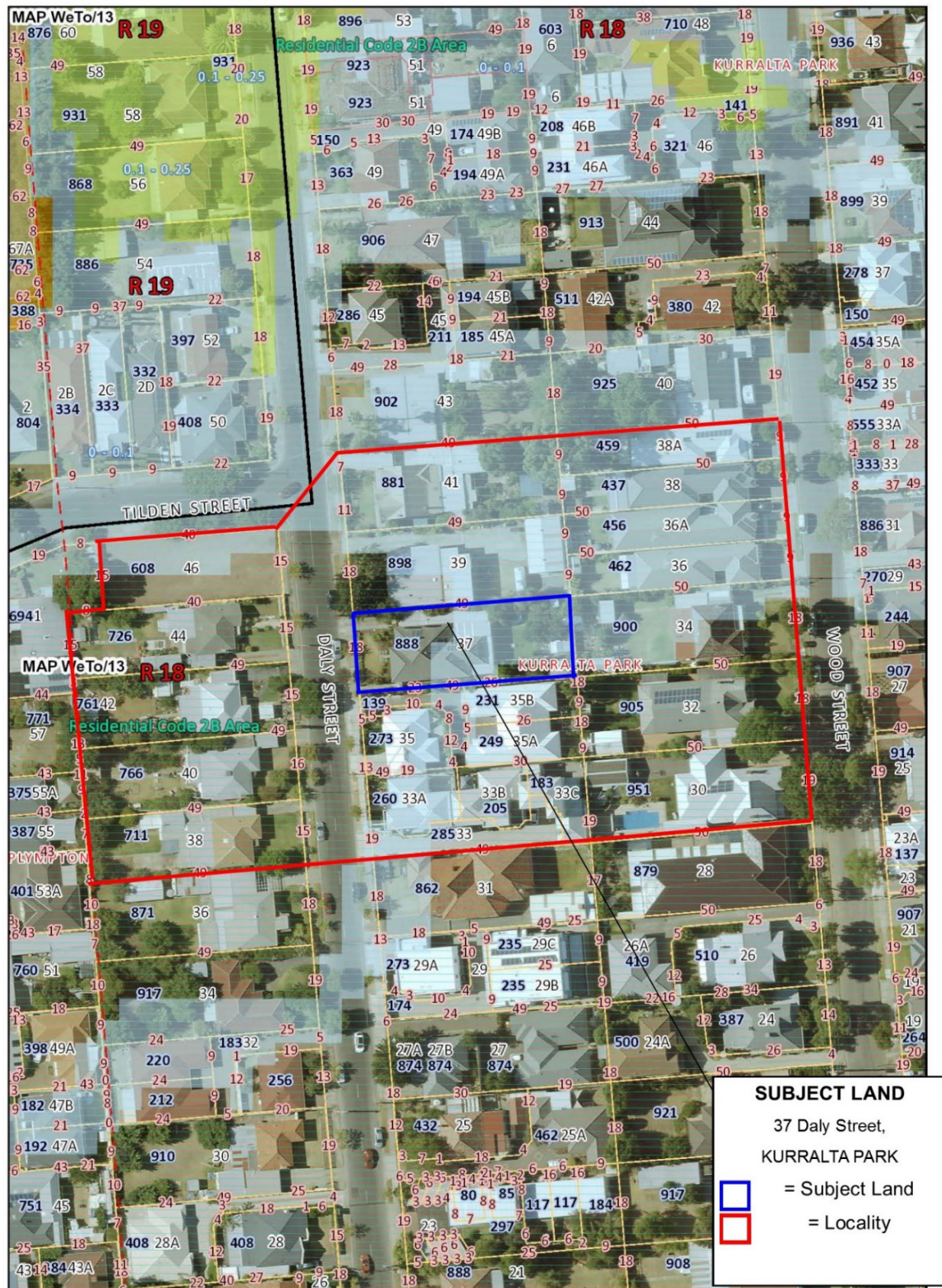
A copy of the previous CAP report and attachments relating to the proposal is contained within **Attachment 2**.

## SITE AND LOCALITY

The site and locality maps below have been updated as the previous CAP report displayed some inconsistencies.







## PUBLIC NOTIFICATION

The amendments to the proposal are considered to be relatively minor, do not change the essential nature of the development and are unlikely to result in any increased impacts to adjoining residents when compared to the original proposal. As such, further public notification was not required for this application in accordance with Regulation 20(4) of the *Development Regulations 2008*.

## REFERRALS

### Internal

#### *City Assets*

City Assets have reviewed the amended plans and are generally supportive of the proposal. They have indicated that multiple vehicle movements will be required to enter the garage of dwelling 2, however this is a typical manoeuvre into the first space of most car parks and is considered acceptable.

A full copy of the relevant report is contained in **Attachment 3**.

## ASSESSMENT OF AMENDMENTS

The subject land is located within the Residential Zone, Medium Density Policy Area 18 as described in the West Torrens Council Development Plan. The main provisions of the Development Plan which relate to the proposed development remain as set out in the original report and are still considered relevant.

## QUANTITATIVE ASSESSMENT

For clarity, the table below has been included and updated from the previous report. 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>Residential Zone, Medium Density Policy Area 18</i> PDC 6	150m <sup>2</sup> (average)	162m <sup>2</sup> (average)  <b>Satisfies</b>
ALLOTMENT AREA <i>Residential Zone, Medium Density Policy Area</i> PDC 8	250m <sup>2</sup> (minimum)	Lot 1 - 161m <sup>2</sup> Lot 2 - 181m <sup>2</sup> Lot 3 - 149m <sup>2</sup> Lot 4 - 156m <sup>2</sup>  <b>Does Not Satisfy</b>
SITE FRONTAGE <i>Residential Zone, Medium Density Policy Area 18</i> PDC 6	15m (minimum) for complete building/s	18.3m  <b>Satisfies</b>

ALLOTMENT FRONTAGE <i>Residential Zone, Medium Density Policy Area</i> PDC 8	9m (minimum)	Lot 1 - 4.8m Lot 2 - 7.27m Lot 3 - N/A Lot 4 - N/A  <b>Does Not Satisfy</b>
LANDSCAPING <i>Landscaping, Fences &amp; Walls</i> PDC 4	10% minimum	14% (not including grasscrete)  <b>Satisfies</b>
CAR PARKING SPACES <i>Transportation and Access</i> PDCs 34, 35 & 36	2 car parking spaces required for each dwelling	2 provided for each dwelling  <b>Satisfies</b>

## QUALITATIVE ASSESSMENT

The assessment below focuses on the amended components of the application as these relate to the reasons for deferral.

### Land Use and Zoning

The development is consistent with the kind of residential development envisaged for the Residential Zone, Medium Density Policy Area 18.

### Land Division and Site Areas

The land division proposes to create four community lots and common property for the purposes of accommodating two residential flat buildings and a common driveway.

The overall land area of 903m<sup>2</sup> is proposed to be divided as follows:

- Lot 1 - 161m<sup>2</sup>
- Lot 2 - 181m<sup>2</sup>
- Lot 3 - 149m<sup>2</sup>
- Lot 4 - 156m<sup>2</sup>
- Common property - 256m<sup>2</sup>

As the built form proposal is not combined with the land division, the proposed allotments should satisfy PDC 8 of the Policy Area that states allotments should have a minimum size of 250m<sup>2</sup> and a minimum frontage width of 9m. As outlined above, this has not been achieved.

The applicant has also lodged an application for built form which enables consideration of what is being proposed for the subject land. PDC 6 of the Policy Area states the minimum site area and frontages for residential flat buildings. Site areas are not always the same as allotments and, in this instance, the site areas of PDC 6 relate to the built form application whereas the allotment areas of PDC 8 relate to the land division application.

PDC 6 of the Policy Area states that residential flat buildings should have an average site area of 150m<sup>2</sup> and a minimum frontage width of 15m for the whole building. The built form application shows an average site area (not including the common property) of 162m<sup>2</sup> and a frontage width of 18.3m which satisfies PDC 6.



Notwithstanding that the land division does not satisfy the quantitative requirements, it has been suitably demonstrated that the proposed site areas are adequate to accommodate a desired built form outcome sought within the policy area.

Should these applications gain approval and the applicant decides not to proceed with the built form application, Council will still have the capacity to ensure that appropriate development will be built on the allotments created.

### **Setbacks**

PDC 5 of Medium Density Policy Area 18 calls for a minimum front setback of 3m and a minimum rear setback of 4m. The proposed development exceeds the minimum front setback by 130mm and meets the rear setback.

PDC 11 of the Residential Zone states that dwellings should have a ground floor side setback of 1m and a 2m setback from a vertical wall of between 3-6 metres in height. The ground floor has a minimum setback of 0.91m and the upper level has a side setback 2m. Whilst the proposal does not meet the 1m ground floor side setback, it is common practice to allow a 900mm side setback for walls with penetrations as stipulated in the Building Code of Australia.

### **Private Open Space**

One of the main reasons for deferral of the application was to determine whether the private open space of dwellings 1 and 2 could obtain access to sunlight. The applicant has responded by narrowing the rear portion of the upper level of these dwellings in order to allow more natural light into the ground floor space.

The main area of private open space for dwelling 1 will still be affected by overshadowing from the upper level, especially in winter when the sun is in its lowest arc. However, this is not considered fatal to the application as dwelling 1 also has access to an area in front of the dwelling that will have access to winter sunlight for a large proportion of the day. The partially covered area between the dining room and garage will serve as a practical area of private open space during the hotter months of the year and when there is inclement weather.

Due to the orientation of the allotment and the design of the dwellings, it is difficult to obtain private open space for each dwelling that satisfies every aspect of PDC 18 of the Residential Development section of the Development Plan. Further, it is considered that the proposed design - with two dwellings facing the street and garaging at the rear - is a better outcome than having two large garages facing the street, which would limit the opportunity for casual surveillance of the public realm.

Proposed dwellings 2, 3 and 4 are considered to have private open space with sufficient solar access due to having a northerly aspect.

### **Landscaping**

The proposed development exceeds the requirement for a minimum 10% of the site area to be landscaped, however the CAP was concerned with the amount of hardstand paving and the increase in urban heat load it would create. The applicant has responded to these concerns by increasing the width of the landscaped area on both sides of the driveway and integrating grasscrete into the driveway. Locating the grasscrete in this way will allow the grass the greatest chance of survival, which is preferable to placing it in the vehicle manoeuvring areas as turning wheels will likely rip up the grass.

The 600mm of landscaping along each side of the driveway will allow for an appropriate amount and size of landscaping to be planted and maintained. These larger garden beds will allow for more stormwater runoff to be absorbed into the ground, as will the permeable paving that has been introduced to replace normal paving. Proposed plantings include English Box Hedge, Screen Master, Lavender, Manchurian Pear and Silver Birch.



Although it would be beneficial to have landscaping provided between the garages of the proposed residential flat buildings, this area is required for vehicle manoeuvring. Some landscaping may be possible between the roller doors, but it would be unlikely to survive or contribute to the amenity or reduce the heat load.

The amendments to the landscaping are considered to improve the proposal's presentation to the street and create a more sustainable living environment for future occupants.

### **Vehicular Access and Car Parking Provision**

The development proposes one double garage for each dwelling and one shared visitor space. This satisfies the relevant car parking provisions specified in Table WeTo/2 of the Development Plan.

Although Council's traffic engineers supported the original design for vehicle manoeuvrability, the CAP held concerns that the design of the garages restricted vehicular movement on the site. The applicant has modified the proposal to provide for wider garages (from 5.5m to 5.8m). Council's traffic engineers have reviewed the amended plans and have indicated that the vehicle movements will be easier to undertake and, as such, the proposed amendment is supported.

Multiple movements will still be required to enter and exit the garage of dwelling 2, however this is not uncommon and this movement is regularly seen in commercial carparks.

### **Storage**

The Development Plan calls for a minimum of 8m<sup>3</sup> of storage to be provided for each dwelling. Dwellings 1 and 2 meet this requirement by having a store room attached to the garage and areas for storage underneath the stairway. Dwellings 3 and 4 have storage located under the stairs and within a linen closet on the first floor.

### **SUMMARY**

The proposal has been amended as a result of the Panel's comments outlined in their deferral. The amendments have adequately resolved these concerns and will result in a suitable development outcome.

The proposed development is not considered to be detrimental to the existing or desired character of the area and is consistent with the majority of relevant provisions of the Development Plan.

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

On balance the proposed land division and built form sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan (consolidated 30 May 2017) and warrants support.

### **Attachments**

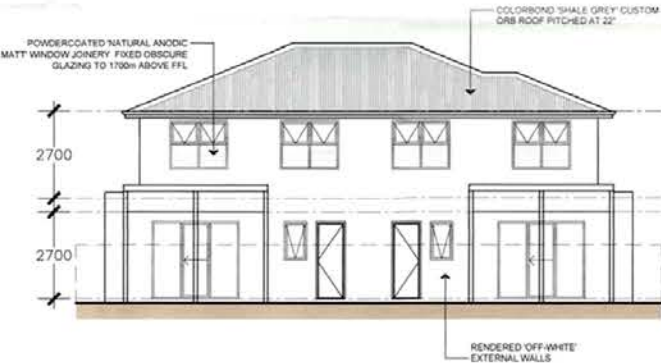
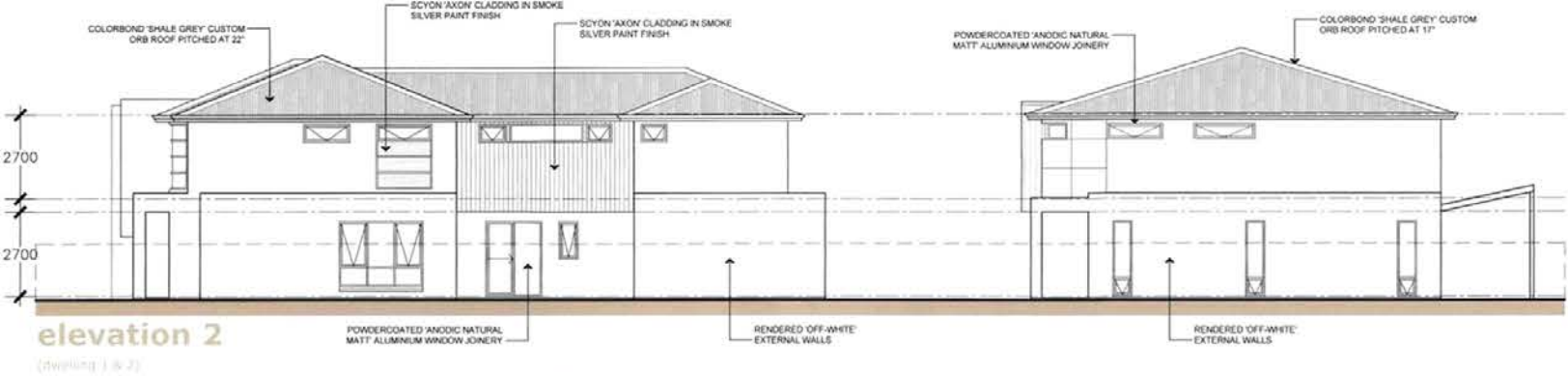
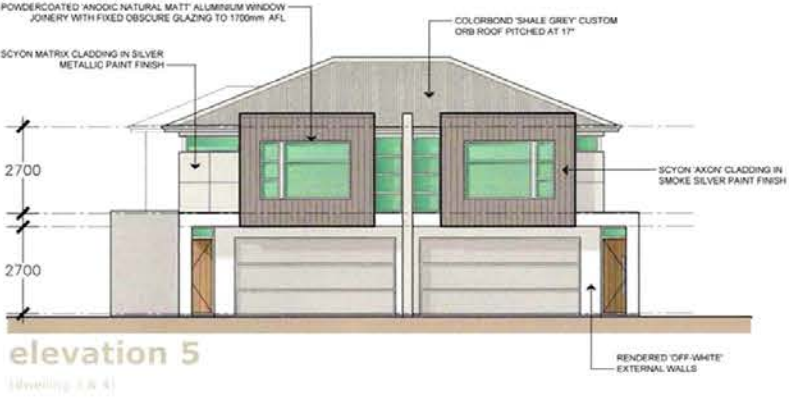
1. **Amended Plans**
2. **Original CAP Agenda and Minutes 13 February 2018**
3. **City Assets Comments**

37 Daly St, Kurralta Park

sheet 01 of 01

AMENDED  
City of West Torrens  
91 MAY 2018  
City Development

PRELIMINARY - 30-06-2016  
19-07-2016  
10-08-2016  
24-04-2017  
REV A - 31-05-17  
REV B - 23-11-17  
REV C - 08-01-18



site ground/floor plan  
scale 1:100  
proposed 4 two storey dwellniga at: No. 37 Daly St Kurralta Park

A. D'ANDREA AND ASSOCIATES  
ARCHITECTS  
10/11 GLENVIEW ROAD  
GLENVIEW VIC 3143  
PH: 03 9594 1111  
WWW.DANDREAARCHITECTS.COM.AU




sheet 01 of 01

City of West Torrens  
81 MAT 106  
City Development

AMENDED

**LANDSCAPING SCHEDULE**

1. ENGLISH BOX HEDGE	(mature height .9H).....	
2. SCREEN MASTER	(mature height 1.6H).....	
3. LAVENDER	(mature height .9H).....	
4. MANCHURIAN PEAR	(mature height 3-4H).....	
5. SILVER BIRCH	(mature height 3-4H).....	

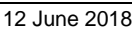
REFER TO ENGINEER'S SITE WORKS AND DRAINAGE  
PLAN FOR ALL FINISHED FLOOR LEVELS, SITE WORKS  
AND DRAINAGE DETAILS



proposed 4 two storey dwellings at: No. 37 Daly St Kurralta Park

**A. D'ANDREA AND ASSOCIATES**  
ARCHITECTS







A4

**PRELIMINARY**

NOT TO BE USED FOR CONSTRUCTION


**NOTES:**

ANY SURPLUS SPOIL FROM SITEWORKS IS THE OWNERS RESPONSIBILITY AND SHOULD BE REMOVED OR DISPERSED AS APPROPRIATE, UNLESS STATED OTHERWISE IN THE BUILDING CONTRACT. THIS SPOIL SHOULD BE STOCKPILED SUCH THAT IT DOES NOT OBSTRUCT SITE ACCESS AND CAN BE EASILY REMOVED FROM THE SITE

THE RETAINING WALLS SHOWN ON THIS PLAN ARE TO BE CONSTRUCTED BY THE OWNER EXCEPT WHERE THE RETAINING WALL FORMS PART OF THE BUILDING STRUCTURE OR WHERE SPECIFIED OTHERWISE WITHIN THE BUILDING CONTRACT.

**ANY RETAINING WALLS ADJACENT EXCAVATIONS, A SERVICE TRENCH/EASEMENT (PROPOSED OR EXISTING) OR IF FOUND IN FILL SHOULD HAVE AN UNDERMINING COMPONENT INCORPORATED IN THE DESIGN OF THEIR FOOTING/PIER SUPPORT SYSTEM.**

OWNER TO RETAIN ANY MINOR CUT/FILL ON THE BOUNDARIES WITH A CONCRETE PLINTH, SLEEPER OR SIMILAR.

 : 1.0 KILOLITRE MODULAR RAINWATER TANK (BY OWNER) AS PER THE BCA TO BE PLUMBED TO AT LEAST A WC, WATER HEATER OR ALL LAUNDRY COLD WATER OUTLETS. TYPICAL TANK TO BE USED IS A CODE NO. TTT-1100-3 MODULAR TANK FROM ECO BUILDING SUPPLIES OR SIMILAR. WHERE A RWT IS SUPPORTED ON A STAND OR OTHER STRUCTURE, THE SUPPORTING STRUCTURE MUST COMPLY WITH AS/NZ 1170.1 AND 1170.2. TANK TO BE USED IN CONJUNCTION WITH A MAXIMUM 0.50m HIGH TANK STAND. THE TANK SHALL ALSO BE LOOPED INTO THE MAINS WATER SYSTEM.

--- : STORMWATER PIPES AS A SEALED SYSTEM USED TO CONNECT  
 - DWELLING 1 & 2 - DP1 TO DP3 TO TANK  
 - DWELLING 3 & 4 - DP1 TO DP3 TO TANK  
 (MINIMUM 50m<sup>2</sup> OF ROOF AREA). REFER TO FOOTING CONSTRUCTION REPORT ATTACHMENT SHEET SS1.

--- : STORMWATER PIPES UNDER GRAVITY FLOW USED TO CONNECT TANK OVERFLOW PIPE, SURFACE STORMWATER DRAINS & DP's NOT CONNECTED TO TANK TO THE STREET WATER TABLE.

ENSURE GRAVITY FLOW PIPES MAINTAIN SUFFICIENT GRADE TO MEET THE APPROPRIATE OUTLET AS SHOWN ON THIS PLAN. CONSTRUCT ANY SEALED SYSTEM PIPES SUCH THAT THEY DO NOT INTERFERE WITH THE GRAVITY FLOW SYSTEM.

WHERE GRATED SURFACE STORMWATER SUMPS ARE USED GRADE SOIL/PAVING IN TOWARDS SUMPS IN ACCORDANCE WITH THE "BENCH" NOTES ON THIS PAGE. ALTERNATIVELY CONSTRUCT LINED SPOON DRAINS WITH 0.3% GRADIENT AS PER THE DETAILS ON ATTACHMENT SHEET PD1. SUMP SIZES AND QUANTITY ARE DIAGRAMMATIC ONLY. ADDITIONAL AND/OR LARGER SUMPS MAY BE REQUIRED DEPENDING ON AREAS THEY SERVICE AND PAVEMENT TYPE USED.

USE THE "SUBSTITUTE" VERTICAL FLEXIBLE CONNECTION SET-UP AS SHOWN ON DETAIL SHEET SD1 WHERE DP's CONNECT INTO THE DRAINPIPE (THIS SET-UP IS NOT TO BE UTILISED IN A SEALED SYSTEM)

**IMPORTANT NOTE:**

IT IS STRONGLY RECOMMENDED THAT LANDSCAPING STRIPS ADJACENT SIDES OF BUILDINGS NOT BE INSTALLED - THIS RECOMMENDATION IS BASED ON CSIRO DOCUMENT BTF18 "FOUNDATION MAINTENANCE AND FOOTING PERFORMANCE: A HOMEOWNER'S GUIDE". IF HOWEVER STRIPS ARE PROVIDED, THIS OFFICE SHALL NOT BE HELD RESPONSIBLE FOR ANY FOOTING/ PAVEMENT FAILURE OR MOVEMENT THAT MAY OCCUR DUE TO SEASONAL SOIL MOISTURE CONTENT CHANGES IN THESE VICINITIES. SUGGEST MINIMUM 600mm WIDE PAVING BE PROVIDED IN THESE LOCATIONS.

**PARAMETERS FOR DESIGN:**

(TO BE CONFIRMED BY THE BUILDER AS CORRECT PRIOR TO ANY COUNCIL APPROVALS BEING ISSUED):

- 25mm MAX DEEP REBATE
- PERIMETER PAVING SETDOWN 25mm BELOW UNDERSIDE OF REBATE (perimeter termite management provided to AS 3660) UNLESS SITE CLASSIFICATION IS "E" THEN PAVING SETDOWN 75mm REGARDLESS OF TERMITE MANAGEMENT PROVISION (REFER TO DETAIL SHEET PD1)
- PERIMETER PAVING TO BE 1000mm WIDE
- PERIMETER PAVING CROSS-FALL AS PER "BENCH" NOTES
- SEGMENTAL BLOCK/BRICK PAVING TO BE USED FOR PATHS AND DRIVEWAYS (DRIVEWAY PAVING TO BE LAID IN AN INTERLOCKING PATTERN TO AS 3727.1:2016)
  - 60mm THICK (DRIVEWAY/LIGHT VEHICULAR TRAFFIC)
  - 40mm THICK (PEDESTRIAN TRAFFIC)

NOTE: THE ABOVE PAVING SETDOWN, WIDTH AND CROSS-FALL HAVE BEEN SPECIFIED IN ACCORDANCE WITH AS2870 - 2011, THE NCC AND ENGINEERING JUDGEMENT.

(IF ANY OF THE ABOVE PARAMETERS ARE CHANGED/ALTERED OR SETDOWNS ARE DIFFERENT, A REVIEW OF THIS PLAN WILL BE NECESSARY.)

- IF SPOON/V-DRAIN CANNOT BE FORMED IN PAVING, USE CONCRETE TO FORM THE SAME 300mm WIDE x 130mm DEEP (30mm DEEP AT CENTRE) REINFORCED WITH SL72 CENTRAL AND TOOLED JOINTS EVERY 4.0m

**SITEWORKS NOTES**

ADDRESS: No. 37 DALY STREET,  
KURRALTA PARK.

CLIENT: CONSTRUCTION SOLUTIONS

**Residential  
Commercial  
Industrial**  
**Consulting Engineers**  
A.B.N. 17 131 375 356

1 Hawke Street  
ALBERT PARK, SA 5014  
**P (08) 8241 2326**  
F (08) 8241 2409  
admin@rciconsulting.com.au  
www.rciconsulting.com.au

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JOB No. **C21935** SHEET No. **2 of 2** ISSUE No. **B.**

DRAWN : L.G. DESIGN: D.A. DATE: 28-Apr-17



SCALE 1:200


METRES

No.	REVISION	BY	DATE
A	AMENDED X-OVER AND ARCH. PLANS	J.R.	10.01.18
B	AMENDED ARCHITECTURAL PLANS	L.G.	17.05.18

**SITEWORKS NOTES**

(THESE NOTES ARE TO BE READ IN CONJUNCTION WITH SITEWORKS PLAN - SHEET 1 OF 2)

**KEY**

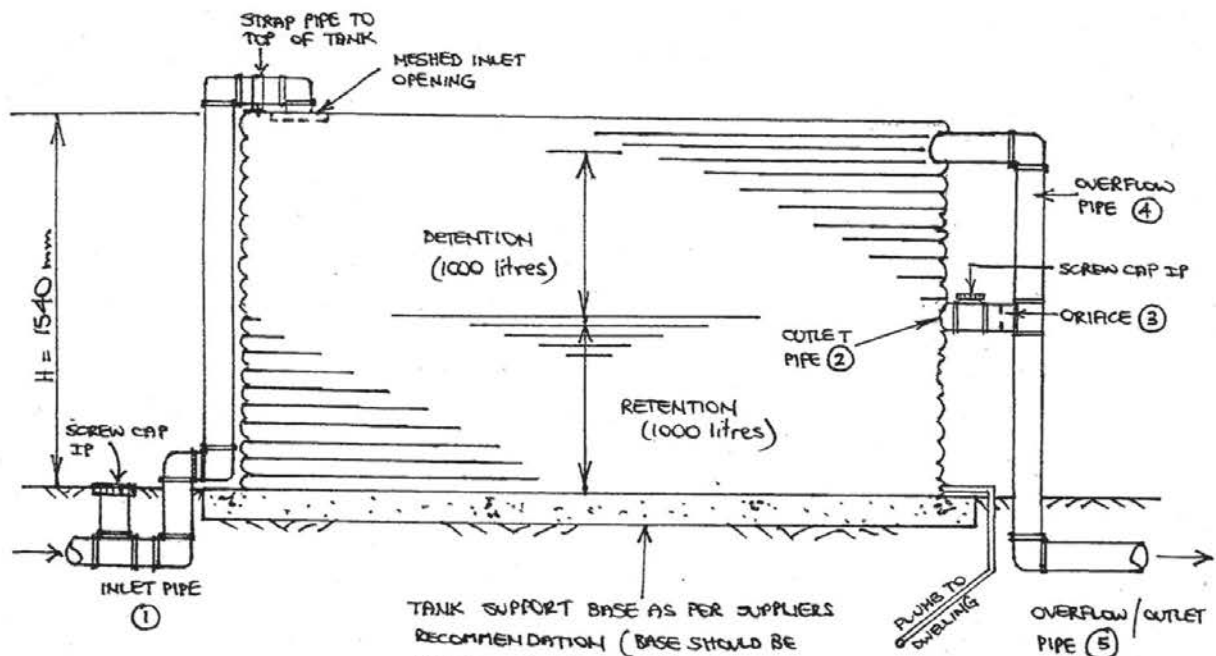
TK	TOP OF KERB
WT	WATER TABLE
BL	BENCH LEVEL
FL	FLOOR (POURED) LEVEL
FFL	FINISHED FLOOR LEVEL (ie. tiled/paved/decking level)
IL	INVERT LEVEL (BOTTOM OF GRAVITY FLOW STORMWATER PIPE SYSTEM)
T.O.S	TOP OF SUMP
EGS	EXISTING GROUND SURFACE LEVEL
FGL	FINISHED GROUND LEVEL
RF	APPROXIMATE
U.N.O.	UNLESS NOTED OTHERWISE
C.O.S	CHECK ON SITE
RD	ROLLER DOOR REBATE
FP	FOOTPATH
	FINISHED LEVEL
(P)	PAVING LEVEL
	SCREW CAP STORMWATER INSPECTION POINTS IN GRAVITY FLOW/SEALED SYSTEM SW RUN (AS A MINIMUM) TO FINISHED PAVING/GROUND LEVELS (PROVIDE PROPRIETARY CONCRETE SURROUND AND LID WHERE FOUND IN DRIVEWAY).
RWT	RAINWATER TANK
DPO	DOWNPIPE
RH	RAINWATER HEAD
SP	SPREADER PIPE
VD	DRIVEWAY TO BE FORMED IN THE SHAPE OF A "V" AND GRADED TOWARD DEPRESSION DESIGNATED AS "VD" (V-DRAIN) - TO FALL AT 0.30% MINIMUM.
	300mm SQUARE x 300mm DEEP REINFORCED CONCRETE SUMP (HEAVY DUTY GRATE).
RTW	RETAINING WALL
	CONCRETE SLEEPER RETAINING WALL
	SCREEN WALL
	RAMP PAVING AT 12.5% (MAX) (LOCATION & SETUP SCHEMATIC ONLY)

PROJECT:	NO.37 Daly Street, KURRALTA PARK				
JOB No:	C21935	SHEET:			
DATE:	MAY, 2017	BY:		CHK:	
REVISION:					

# COMBINATION RETENTION / DETENTION TANK (DIAGRAMMATIC)

(STEEL OR SIMILAR "SLIMLINE" TANK)

TANK : 2000 LITRE BY BETTA TANKS  
(OR SIMILAR)



TANK SUPPORT BASE AS PER SUPPLIERS RECOMMENDATION (BASE SHOULD BE SEATED ON FIRM NATURAL GROUND OR IF TANK IS FOUND ON FILL, THEN THE FILL SHOULD BE PLACED IDEALLY AS "CONTROLLED FILL". ALTERNATIVELY PER SUPPORT BASE TO NATURAL GROUND AS PER THE TANK SUPPLIERS/MANUFACTURERS RECOMMENDATIONS)

①	INLET PIPE	φ :	90 mm
②	OUTLET PIPE	φ :	90 mm
③	ORIFICE	φ :	30 mm
④	OVERFLOW PIPE	φ :	90 mm
⑤	OVERFLOW/OUTLET PIPE	φ :	90 mm



Date  
Job Number  
Site

29/04/2017
C21935
No.37 Daly Street, Kurralta Park

### Post Development Flow Rate from Site

Allowable Outflow rate:  l/s

### Consider Flow Rate from roof

Building/Site use	Area m <sup>2</sup>	Runoff Coefficients
Roof	230	1.00
Total		230 m <sup>2</sup>

(50% of roof Area to Tanks)

Weighted runoff coefficient (C<sub>w</sub>) = 1.000

Tank Storage = 4000 litres (1000 Litres x 4 Dwellings)  
 Tank flow from site = 6.40 l/s (1.60 l/s x 4 Dwellings)

Return Period  ▼

Time of concentration:  min

Duration mins	Intensity (i) mm/hr	Flow Rate (Q) m <sup>3</sup> /s	inflow m <sup>3</sup>	outflow m <sup>3</sup>	Storage Required	Overflow m <sup>3</sup>
5	120.65	0.0077	2.3	1.9	0.4	0.0
6	111.98	0.0072	2.6	2.1	0.5	0.0
10	88.93	0.0057	3.4	2.9	0.5	0.0
15	72.37	0.0046	4.2	3.8	0.3	0.0
20	61.79	0.0039	4.7	4.8	-0.1	0.0
25	54.31	0.0035	5.2	5.8	-0.6	0.0
30	48.69	0.0031	5.6	6.7	-1.1	0.0
40	40.73	0.0026	6.2	8.6	-2.4	0.0
50	35.3	0.0023	6.8	10.6	-3.8	0.0
60	31.32	0.0020	7.2	12.5	-5.3	0.0
90	24.02	0.0015	8.3	18.2	-10.0	0.0
120	19.83	0.0013	9.1	24.0	-14.9	0.0
180	15.08	0.0010	10.4	35.5	-25.1	0.0

$$Q = C \cdot I \cdot A \cdot 10^{(-4)/360}$$

Allowable Outflow from Surface Stormwater = 13.60 l/s

**Determine if Underground Storage is Required****Consider inflow to basin**

Building/Site use	Area m <sup>2</sup>	Runoff Coefficients	
Roof	230	1.00	(50% of roof Area Un-Detained)
Paving	337	0.90	
Garden	110	0.10	
Total	677 m <sup>2</sup>		

Time of concentration from site 10 min

Weighted runoff coefficient (C<sub>w</sub>) = 0.804

Duration mins	Intensity (i) mm/hr	Flow Rate (Q) m <sup>3</sup> /s	inflow m <sup>3</sup>	roof overflow m <sup>3</sup>	outflow m <sup>3</sup>	Storage Required
5	120.65	0.0182	5.5	0.0	6.1	-0.6
6	111.98	0.0169	6.1	0.0	6.5	-0.4
10	88.93	0.0134	8.1	0.0	8.2	-0.1
15	72.37	0.0109	9.8	0.0	10.2	-0.4
20	61.79	0.0093	11.2	0.0	12.2	-1.0
25	54.31	0.0082	12.3	0.0	14.3	-2.0
30	48.69	0.0074	13.3	0.0	16.3	-3.1
40	40.73	0.0062	14.8	0.0	20.4	-5.6
50	35.3	0.0053	16.0	0.0	24.5	-8.5
60	31.32	0.0047	17.0	0.0	28.6	-11.5
90	24.02	0.0036	19.6	0.0	40.8	-21.2
120	19.83	0.0030	21.6	0.0	53.0	-31.5
180	15.08	0.0023	24.6	0.0	77.5	-52.9

Detention Basin Volume = 0 litres  
 (Therefore Underground Storage Not Required)

**Detention Tank Orifice Size**

Flow rate from tank 1.60 l/s

$$Q = AC(2gH)^{1/2}$$

C = 0.6

A = Orifice area

g = 9.8 m/s<sup>2</sup>

Q = Outflow

Consider total head 750 mm

Area = 695.5 mm<sup>2</sup>

Therefore Diameter = 30 mm



**6.2 37 Daly Street, KURRALTA PARK**

Application No 211/475/2017 and 211/916/2017

Appearing before the Panel will be:

Representors: **Alisha Grocke** of 35 Daly Street, Kurralta Park, wishes to appear in support of the representation.

Applicant **Kent Williams** of Connekt Urban Projects wishes to appear to respond representations and answer questions.

**DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Land division - Community Title; SCAP No. 211/C133/17 (Unique ID 58973 ); Create three (3) additional allotments and common property	Construction of two (2) two-storey residential flat buildings each comprising two dwellings with a garage under main roof with associated landscaping and car parking
APPLICANT	K & S Williams	KA Williams
APPLICATION NO	211/916/2017	211/475/2017
LODGEMENT DATE	26 July 2017	26 April 2017
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>City Assets</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	30 May 2017*	5 May 2016*
MEETING DATE	13 February 2018	13 February 2018

\* For the purposes of this assessment there are no material differences between two relevant versions of the Development Plan.

**RECOMMENDATION 1**

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land pursuant to the provisions of the Development Act 1993 resolves to REFUSE Development Plan Consent and Land Division Consent for Application No. 211/916/2017 by KA Williams to undertake land division - Community Title; SCAP No. 211/C133/17 (Unique ID 58973); Create three (3) additional allotments and common property at 37 Daly Street, Kurralta Park (CT5578/271) for the following reasons:

The application is contrary to the following provisions of the City of West Torrens Development Plan consolidated 30 May 2017:

## General Section

### Land Division

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

PDC 2 Land should not be divided if any of the following apply:

- (a) the size, shape, location, slope or nature of the land makes any of the allotments unsuitable for the intended use.

PDC 4 The design of a land division should incorporate:

- (c) safe and convenient access from each allotment to an existing or proposed road or thoroughfare.

PDC 5 Land division should result in allotments of a size suitable for their intended use.

*Reason:* There is insufficient space provided for landscaping and safe and convenient vehicle movements within the proposed development.

## 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 REFUSE Development Plan Consent for application No. 211/475 /2017 by K & S Williams to undertake the construction of two (2) two-storey residential flat buildings each containing two dwellings with garage under main roof with associated landscaping and car parking at 37 Daly Street, Kurralta Park (CT5578/271) for the following reasons:

The development is contrary to the following provisions of the City of West Torrens Development Plan consolidated on 5 May 2016:

### *Landscaping, Fences and Walls*

Objective 1: The amenity of land and development enhanced with appropriate planting and other landscaping works, using locally indigenous plant species where possible.

PDC 1: 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
- (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
- (j) maximise stormwater reuse
- (m) promote water and biodiversity conservation.

*Reason:* The landscaping areas around the perimeter of the common property driveway in particular, lacks adequate dimension and space for the planting of substantial and functional landscaping.

- PDC 3: Landscaping should not:
- (a) unreasonably restrict solar access to adjoining development; and
  - (b) cause damage to buildings, paths and other landscaping from root invasion, soil disturbance or plant overcrowding.

*Reason:* It has not been demonstrated that the proposed planting will not overshadow the dwelling/s on adjoining land in the afternoon, and, that there will not be issues arising from root invasion into the adjoining land.

#### *Transportation and Access*

##### *Vehicle Parking*

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

*Reason:* Excessively tight and inconvenient vehicle access for two vehicles in each garage may reduce the effective number of space able to be used within the development.

- PDC 36 Vehicle parking areas should be sited and designed to:
- (c) facilitate safe and convenient traffic circulation

*Reason:* The arrangements for access and egress from the visitor parking are not safe and convenient.

##### *Vehicle Parking for Residential Development*

- PDC 44 On-site vehicle parking should be provided having regard to:
- (a) the number, nature and size of proposed dwellings
  - (b) proximity to centre facilities, public and community transport within walking distance of the dwellings
  - (c) the anticipated mobility and transport requirements of the likely occupants, particularly groups such as aged persons.

*Reason:* The garages are of narrow width dimensions and will provide restricted access when two vehicles are required to be parked within them. This has the potential to effectively restrict the overall number of parking spaces available within the development.

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## **BACKGROUND**

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

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

## **PREVIOUS OR RELATED APPLICATION(S)**

Nil

**SITE AND LOCALITY***The Site*

The site is rectangular in shape with a frontage/width of 16.29m and a depth of 49.38m producing an area of 804.4m<sup>2</sup>. The site is relatively level with only a gentle fall of approximately 170mm from the rear to the street frontage.

Portion of the land is identified by flood plain mapping as being located within the area affected by Keswick and Brownhill Creek flood plain. The depth is indicated at 100mm during a 1 in 100 year ARI flood event.

There are no easements or other matters registered on the Certificate of Title that affect the development potential of the land and there are no heritage or regulated tree issues.

The site currently contains a detached dwelling and associated outbuildings in the rear yard. All would be demolished to accommodate the proposed development.

*The Locality*

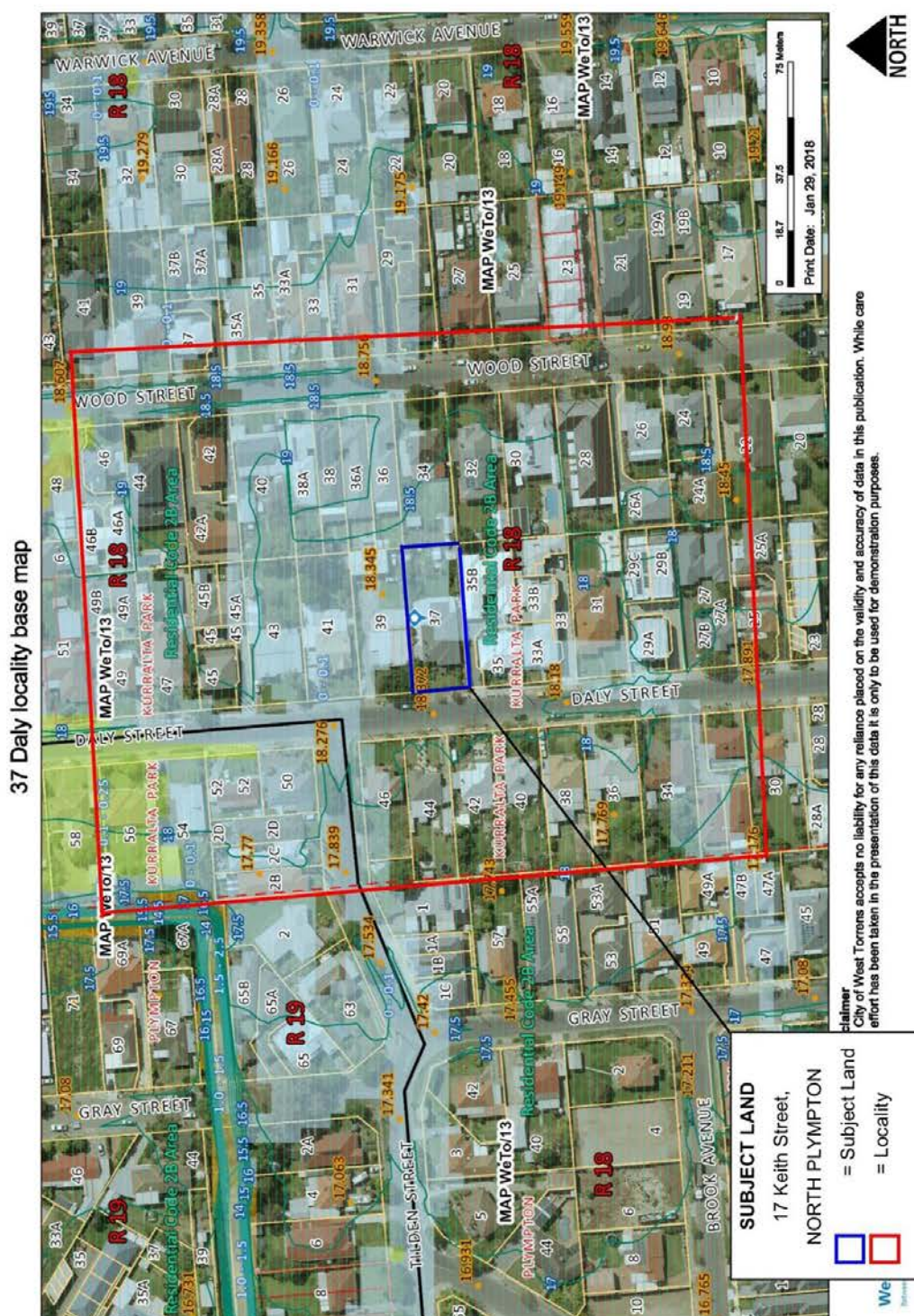
The locality comprises a mix of detached dwellings at low densities and several new medium density developments. It is an area of moderate amenity.

The area comprises relatively flat terrain and substantial areas of the locality are subject to very shallow flooding in a 1 in 100yr ARI rainfall event from the Keswick and Brownhill Creek flood plains. This is not sufficiently deep to restrict redevelopment of the area.









**PROPOSAL**

## Land Division - 211/916/2017

The proposal comprises the creation of 4 community lots, the boundaries of which align with the layout of the proposed development of 4 dwellings on the land along with common property which forms the driveway access for all of the garages.

The common property widens at the front to allow for vehicles to stand and pass on the driveway before it narrows to 4.5m in width.

The layout of the development provides for the two dwellings on two community lots fronting Daly Street. The other two dwellings are located to the rear of the land and front onto the internal driveway and do not have a street frontage and will not provide a streetscape presence when developed. This arrangement allows for the front dwellings to be oriented towards Daly Street and to make a positive streetscape contribution.

## Two, 2 storey Residential Flat Buildings - 211/475/2017

The built form proposal comprises;

- Two buildings, of a contemporary style, each containing two, two storey dwellings.
- Dwellings 1 and 2 have separate double width (5.5m) garages at the rear of their sites partially under the upper level.
- Dwellings 3 and 4 have double width (5.5m) garages located wholly under the upper level.
- Access is gained by means of a common driveway, 4m in width, except for the 5.5m wide entrance.
- The two pairs of dwellings are separated by an access driveway area, creating a break in the built form and airflow between and around the buildings.
- The private open space of Dwellings 1 and 2 is located between the living/dining rooms and the garages at the rear. This arrangement means that only approximately 8m<sup>2</sup> is open to the sky with the balance enclosed and covered by the upper level.
- Each dwelling is to be provided with a 2000L rainwater tank with 1000L of retention and 1000L of detention.
- There is approximately 6.2m<sup>3</sup> of storage in the garages of Dwellings 1 and 2 but no dedicated storage for Dwellings 3 and 4.
- Landscaping is shown at the front and rear where reasonable space is available and along portions of the driveway in strips between 0.3m and approximately 0.4m wide to contain various nominated shrubs and trees.
- Windows in upper levels are a combination of fixed obscure glazing to a height of 1.7m or high level windows with high level sills.
- The buildings are of light weight construction with rendered external walls in an off white colour.

A copy of the application documents are contained in **Attachment 1**.

## PUBLIC NOTIFICATION

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

<b>Properties notified:</b>	Fourteen properties were notified during the public notification process.
<b>Representations:</b>	One representation was received from Alisha Grocke of 35 Daly Street, Kurralta Park.
<b>Persons wishing to be heard:</b>	Alisha Grocke of 35 Daly Street, Kurralta Park
<b>Summary of Representations:</b>	Concerns were raised regarding the following matters; <ul style="list-style-type: none"> <li>• Loss of privacy</li> <li>• Light entering her windows at night from windows in existing dwellings and this will be increased by the proposed dwellings.</li> <li>• The representor requests a redesign of windows facing towards her dwelling.</li> </ul>

A copy of the representation is contained in **Attachment 2**

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

- The plans do not need rectification as the relevant issues are addressed in the plans.
- Windows in the southern elevation of the front dwellings are set 1.7m above floor level eliminating overlooking concerns.
- Relocation of windows to the other side of the building is not possible due to party walls.

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

## REFERRALS

### *Internal*

- City Assets

Concerns were raised regarding the following matters;

- The Development Plan indicates that a portion of the subject land is affected by up to 100mm flood waters during a 1 in 100 year ARI flood event. Further investigations identified that in the location of the proposed development, there could be a flood level of up to 40mm. Finished Floor Levels are required to provide freeboard of at least 200mm above the predicted flood level. The required levels would be 100.34 for Dwellings 1 and 2, and 100.44 for Dwellings 3 and 4.
- New driveways and stormwater connections at least 1m from infrastructure and 2m from street trees.
- The proposed relocation of the existing northern street tree to accommodate the driveway is not possible as the common stormwater sump and outlet system will be only approximately 1m from the relocated street tree.
- Driveway entry dimensions should not be prejudiced by letterboxes and service meters etc.
- Elements of vehicle manoeuvrability is unsatisfactory when assessed against AS 2890.1:2004.
- Garage width dimensions are only 5.5m and should in accordance with accepted standards, be a minimum of 5.8m.



The following concerns remain outstanding;

- Dwellings 2 and 3 will require multi point turns.
- Narrow garage dimensions that will significantly limit driver's ability to conveniently enter and exit vehicles when two vehicles are parked in the garages.
- Conflict between stormwater infrastructure and the relocated street tree.
- Lack of arrangements for letterboxes, stormwater and utility connections at the front of the development.

A full copy of the relevant report(s) is/are attached, refer **Attachment 4**.

#### *External*

Pursuant to Section 38 and Schedule 9 of the Development Act and Regulations, the application was referred to:

- Development Assessment Commission

No concerns were raised and standard conditions have been recommended.

- SA Water

No concerns were raised and standard conditions have been recommended.

A full copy of the relevant reports are contained in **Attachments 5 & 6**.

### **ASSESSMENT**

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

<i>General Section</i>		
<i>Crime Prevention</i>	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 3, 6, 7, 8 & 10
<i>Design and Appearance</i>	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 9, 10, 11, 13, 14, 15 & 21
<i>Energy Efficiency</i>	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2 & 3
<i>Hazards</i>	<i>Objectives</i>	1, 2 & 4
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7 & 13
<i>Infrastructure</i>	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 12
<i>Interface between Land Uses</i>	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2,
<i>Land Division</i>	<i>Objectives</i>	1, 2, 3 & 4
	<i>Principles of Development Control</i>	1, 2, 5, 6, 8, & 12
<i>Landscaping, Fences and Walls</i>	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2, 3, 4 & 6
<i>Natural Resources</i>	<i>Objectives</i>	1, 2, 5, 6, 7 & 10
	<i>Principles of Development Control</i>	1, 2, 5, 7, 8, 9, 10, 11, 13, 14, 26, 38, 39 & 40

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Orderly and Sustainable Development	Objectives	1, 3, 4 & 5
	Principles of Development Control	1 & 5
Renewable Energy Facilities	Objectives	1 & 2
	Principles of Development Control	1 & 2
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, 22, 23, 24, 25, 26, 27, 28, 29, 30 & 31
Transportation and Access	Objectives	2
	Principles of Development Control	8, 10, 11, 23, 24, 31, 34, 35, 36, 37, 38, 40, 41, 44, & 45
Waste	Objectives	1 & 2
	Principles of Development Control	1, 2, 3, 4, 5, 6, 7 & 10

**Zone: Residential****Desired Character Statement:**

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

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

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

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

Objectives	1, 2, 3 & 4
Principles of Development Control	1, 5, 6, 10, 14,

<b>Policy Area: Medium Density Policy Area 18</b>	
<b>Desired Character Statement:</b>	
<p>Allotments in this policy area will be at medium density, accommodating a range of dwelling types including residential flat buildings, row dwellings, group dwellings, semi-detached dwellings and some detached dwellings on small allotments. Allotment amalgamation to create larger development sites will occur to maximise the density of development while also achieving integrated design outcomes, particularly within a comfortable walking distance of centre zones. Vehicle access will occur from side streets and new rear public and private laneways wherever possible, also supporting the retention of existing street trees.</p> <p>New buildings will contribute to a highly varied streetscape. Buildings will be up to 3 storeys and provide a strong presence to streets, other than in the part of the policy area in Underdale, Ashford (other than allotments adjacent to Residential Character Ashford Policy Area 22) and allotments bounded by Anzac Highway, Morphett Road and Cromer Street in Camden Park where buildings will be up to 4 storeys. Parking areas and garages will be located behind the front facade of buildings.</p> <p>Buildings on the edge of the policy area which adjoin residential policy areas at lower densities will pay particular attention to managing the interface with adjoining dwellings, especially in terms of the appearance of building height and bulk, and overshadowing.</p> <p>Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer.</p>	
<b>Objectives</b>	1
<b>Principles of Development Control</b>	1, 4, 5, 6, 7 & 8.

### QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SITE AREA Module: Residential Zone, Medium Density Policy Area 18 PDC 6	150 m <sup>2</sup> (average)	188m <sup>2</sup> (average) <b>Satisfies</b>
ALLOTMENT AREA Module: Residential Zone, Medium Density Policy Area 18 PDC 6	600m <sup>2</sup> (4 x 150m <sup>2</sup> average = 600m <sup>2</sup> minimum area)	755m <sup>2</sup> allotment area. <b>Satisfies</b>
SITE FRONTAGE Module: Residential Zone, Medium Density Policy Area 18 PDC 6.	15m (minimum) for complete building/s	16.29m (existing) 16.29m (proposed) <b>Satisfies</b>

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SITE DEPTH	No standard	49.38m (existing) 49.38m (proposed)
SITE COVERAGE Module: Residential Zone, Medium Density Policy Area 18 PDC 5	70% maximum	52.46% approximately
STREET SETBACK Module: Residential Zone, Medium Density Policy Area 18 PDC 5	3m minimum	3m <b>Satisfies</b>
SIDE/REAR SETBACKS Module: Residential Zone, PDC 11	Side 1m minimum  Rear 4m minimum	0.6m- 1.0m setback  <b>Does not satisfy</b> (minor non-compliance)  4m setback to rear walls and 1m to alfresco  <b>Satisfies</b>
PRIVATE OPEN SPACE Module: General Section, Residential Development PDC 19	24m <sup>2</sup> minimum for sites areas <300m <sup>2</sup>	Dwg 1 = 26m <sup>2</sup> Dwg 2 = 26m <sup>2</sup> Dwg 3 = 31m <sup>2</sup> Dwg 4 = 31m <sup>2</sup>  <b>Satisfies</b>
LANDSCAPING Module: Landscaping, Fences & Walls PDC 4	10% minimum	11.75% approximately  <b>Satisfies</b>
CARPARKING SPACES Module General Section, Transportation and Access PDC 34, 35 & 36	2 car-parking spaces required For each dwelling & Compliance with AS 2890.1	2 provided (narrow dimensions)  <b>Does Not Satisfy</b> (usual standard is 5.8m minimum internal width)



**QUALITATIVE ASSESSMENT**

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

**Land Division**

The proposed land division proposes to create 4 community lots and common property to accommodate the proposed two residential flat buildings. As set out in the assessment of the dwellings below, there are issues relating to:

- the dimensions of spaces available for landscaping (Objective 1 and PDC 1 of the General Section, Landscaping, Fences and Walls);
- the function of the landscaping (Objective 1 and PDC 1 of the General Section, Landscaping, Fences and Walls);
- the difficulty of vehicle movement in parts of the development (PDC 45 of the General Section, Transportation and Access); and
- the potential for a visitor vehicle to reverse all the way out of the development (PDC 45 of the General Section, Transportation and Access).

It is considered that the design and layout of the dwellings should be revised. Notwithstanding that the site areas meet the minimum set out in Principle of Development Control 6 of the Policy Area, the revised dwelling design will likely impact on the suitability of the dimensions of the proposed lots and common property area.

On this basis, it is considered that the land division and the lots it will create, in their current form, are not suited for their intended purpose and do not warrant Development Plan Consent and Land Division Consent.

**Land Use and Zoning**

The development is consistent with the kind of residential development envisaged for the Residential Zone, Medium Density Policy Area 18.

**Surrounding Uses**

The locality is in a phase of transition as the medium density provisions of the Residential Zone, Medium Density Policy Area 18 are progressively being implemented over time. There is therefore, a mix of early single storey detached dwellings and recent medium density development comprising three dwellings on allotments similar to the subject land, to the south of the subject land.

**Finished Levels**

The land is relatively level with only a minor gradient to front of the land and very shallow flooding potential of approximately 40mm in a 1 in 100yr ARI event from the Keswick and Brownhill Creek flood plains. Such shallow flooding can be readily addressed by ensuring the finished floor levels are at least 200mm above flood level. This is not considered excessive and will have minimal effect on the overall height or appearance of the buildings and use of the development.

A condition would be appropriate in this instance should the Panel be minded to support the proposal.

**Bulk and Scale**

The bulk and scale is acceptably limited. General Section, Residential Development, Design and Appearance PDC 4 addresses issues of building height, mass and proportions etc.

The design addresses this in a positive manner. The apparent bulk and scale is assisted by the design which provides for two separate buildings. This creates space between the front and rear buildings. The effect is to reduce the apparent bulk and scale of the built form particularly as viewed from adjoining premises. The combination of space between the two buildings and setbacks from side and rear boundaries limits the impact of the development on adjacent premises.

**Setbacks**

The proposed setbacks generally comply with the minimum primary road frontage and minimum back boundary setback set out in Residential Zone, Medium Density Policy Area 18 PDC 5.

Residential Zone PDC 11 calls for setbacks of 1m for single walls and 2m for upper level walls.

These side boundary setbacks are met being 1m at ground floor level and 2m for the upper floor with one minor exception. The exception is that a short section of the southern wall of Dwelling 1, where for a distance of slightly over 3m, the single storey garage wall extends to within 600mm of the boundary to accommodate a storage area for chattels. This will have minimal impact on the adjoining premises and is considered relatively minor and not of itself fatal to the proposal.

There is a single storey section of the garage of Dwelling 1 that extends to within 0.6m of the southern side boundary for a distance slightly in excess of 3m. This is however considered minor with minimal impact on the outlook from the adjoining premises.

**Overlooking and Overshadowing**

Overlooking is sufficiently well managed through a combination of fixed obscure glazing to a height of 1.7m above upper floor level of each dwelling or high levels windows with sill heights 1.7m above floor level where these face the sides and rear of the subject land.

There is sufficient side and rear setbacks of the upper levels of the buildings to reduce overshadowing to within acceptable standards.

**Site Coverage and Open Space**

The extent of the site covered by the built form is within anticipated limits, however, the total areas occupied by the buildings and hard paved areas leaves only restricted and narrow areas available for landscaping and minimal uncovered/unshaded private open space available for Dwellings 1 and 2.

General Section, Residential Development PDC 18 calls for private open space, among other things to:

- to have a northerly aspect to provide for comfortable year round use;
- not to be significantly shaded during winter by the associated dwelling or adjacent development; and
- to be partly shaded in summer.

The private open spaces of Dwellings 1 and 2 have limited access to sunlight with all but 8m<sup>2</sup> of the private open space being covered by the upper level of the dwelling. Dwelling 2 will have some limited access to direct sunlight as the open portion is north facing, however Dwelling 1 will be almost entirely shaded most of the time.

This is considered contrary to PDC 18. As a minimum, the upper level activity space in Dwelling 1 should be reduced to only a passageway width to connect front and rear rooms. This would reduce the overhead enclosure of the alfresco area, thereby allowing more direct natural light into the alfresco area and avoid excessive shading of it.

### **Vehicular Access and Car Parking Provision**

The development proposes one double garage for each dwelling and one visitor space. On the face of it, this complies with Table WeTo/2 and PDC 45 of the General Section, Transportation and Access, however, due to tightness of space the following issues arise:

- The garages are less than the recommended width at 5.5m each. There are two issues arising from this. It will be difficult to enter and exit vehicles in such narrow garages and the tightness does not allow early turning movements when exiting the garaging for example and this reduces vehicle manoeuvrability on the driveway, however Council's Traffic Consultant has accepted this arrangement.
- The turning manoeuvres are tight, do not satisfy AS2890.1 and will require multipoint turns in excess of the standard. Council's Traffic Consultant advises that the vehicle turning paths although requiring an additional turning manoeuvre to enter the garage of Dwelling 2, are acceptable. This advice is however, based on the limited and very compact and narrow landscaping areas shown on the plans, particularly along the driveway and would not be satisfactory if the landscaping is increased to provide more functional dimensions and effective shade and amenity contribution to the development.
- The visitor parking space adjacent Dwelling 3 will be difficult to reverse out of and turn to leave the site in a forward direction but is considered acceptable. This would be further restricted however, if the landscaping area was to be increased in area as is desirable to improve landscaping outcomes on the site.

The driveway is only 4m wide for a distance slightly in excess of 18m. With widened areas at either end of the 4m section this is likely to function satisfactorily with the vehicle movements likely to be generated by 4 dwellings. It is noted that it is highly desirable to increase the width and height of the landscaped areas along the driveway and that this should be taken into consideration when determining the final width of the driveway.

### **Landscaping**

The development meets the minimum of 10% of the site area although the landscaped areas are not well distributed around the site in order to satisfactorily achieve what is sought by General Section, Landscaping, Fences and Walls Objective 1 and PDC 1 in particular. These provisions calls for landscaping that:

- Enhances the amenity of development with appropriate planting and other landscaping works, using locally indigenous plant species where possible;
- Complements the built form and reduce the visual impact of larger buildings (eg taller and broader plantings against taller and bulkier building components);
- Minimise maintenance and watering requirements ;
- Enhances and defines outdoor spaces, including car parking areas ;
- Maximise shade and shelter;
- Assist in climate control within and around buildings;
- Minimise heat absorption and reflection; and
- Maximise stormwater reuse.

The plans indicate landscaping to be planted along the northern side of the driveway and the visitor car park, alongside Dwelling 2 and at the southern boundary of the access driveway for the garages. The negative aspect is that these areas vary between 0.3m and 0.5m in width. This results in plants having to be planted immediately adjacent the adjoining property boundary and probably extending their roots and canopy over the boundary into the adjoining premises. The plants along the driveway will be in a narrow strip and a harsh environment between pavement and tight against a fence. In these circumstances the plants cannot flourish and they lack space. If the plants are successful, any that overhang the narrow planting strips will occupy vehicle paths of travel turning paths and likely to restrict vehicular access.

In these circumstances, coupled with extent of the hard paved surfaces, the planting will not have sufficient space to accommodate shade trees to minimise heat absorption, assist in climate control around the buildings or complement the scale of two storey buildings. The result will be a hotter, harsher and less pleasant environment as a place in which to live with increased reliance on mechanical cooling than may otherwise be necessary.

It is a matter of not enough space having been allocated for landscaping in appropriate places. There are either too many dwellings or the dwellings are too large to allow sufficient space for landscaping that will be able to flourish and perform its intended function. There is no professional landscape design provided to demonstrate the performance of the proposed landscaping.

### **Site Facilities and Storage**

General Section, Residential Development PDC 30 calls for mailboxes, bicycle parking, waste and recyclable materials storage away from dwellings.

There are no bicycle storage facilities but within the layout of the development there is sufficient independent access and space to park a bicycle in the garage space of Dwellings 1 and 2 or in a small shed at the rear of Dwellings 3 and 4 if it is provided in the future as may be required.

There are no waste bin enclosures provided within the development, however, there is sufficient space within each of the yard spaces to accommodate a pair of mobile garbage bins without reducing space below the 24m<sup>2</sup> minimum. Each space is independently accessible to accommodate bin movements to allow occupants to place their bins on the footpath for Council waste collection services.

General Section, Residential Development PDC 31 requires dwellings to provide a minimum of 9m<sup>3</sup> of storage for goods and chattels other than food or clothing.

Dwelling 1 and 2 provide approximately 6m<sup>3</sup> in the side of their garages. This is functional but is at the expense of reduced space for landscaping along the driveway areas. Dwellings 3 and 4 are not provided with any storage, although it would be feasible to install a small garden shed in the rear yards with some reduction in permeable landscaped areas. This would be acceptable for small sheds of a few square metres, adequate for the storage of chattels.

There is a need for letter boxes and utility connections at the front of the land. The combination of letter boxes and utility connections if not well designed and implemented, can detract from the use, landscaping and appearance of the front setback area, particularly when setbacks are only 3m from the front boundary. There is no indication on the plans as to how and where this will be achieved and needs to be addressed.



**SUMMARY**

The development has a number of sound aspects, including a separation of the built form into two buildings, thereby breaking up the bulk and scale of the building and allow air movement between them. However, the allocation of space within the development results in building footprints that do not allow sufficient space for safe and convenient vehicle movements and landscaping that will enhance the appearance of the development and complement the scale of the proposed buildings, create shade and assist in the creation and maintenance of a suitable micro-climate within the development and minimisation of the heat island effect.

The design has undergone two revisions however aspects of the proposal remain unsatisfactory.

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

*DA 211/916/2017 - Land division*

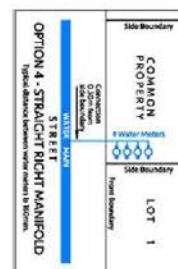
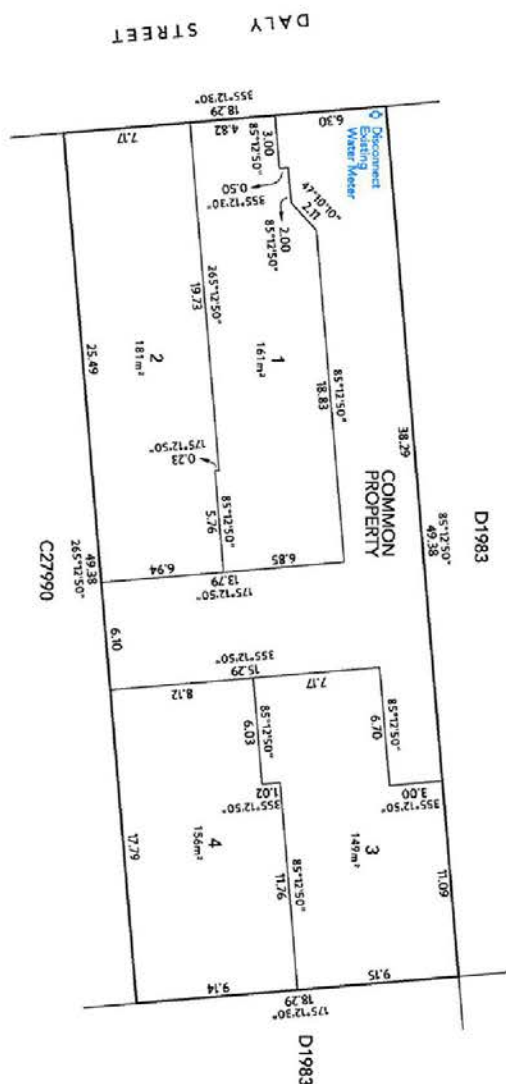
On balance the proposed land division development does not sufficiently accord with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 30 May 2017 and does not warrant Development Plan Consent or Land Division Consent.

*Development Application 211/475/2017 - Dwellings*

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

**Attachments**

1. **Application documents**
2. **Representation**
3. **Applicant's response to representation**
4. **City Assets response**
5. **SCAP response**
6. **SA Water response**



211/C	17
SHEET 1 OF 1 SHEETS	
City of West Toronto	
Total area of site	3024m <sup>2</sup>
Area of wetland potential	10m <sup>2</sup>
Area of existing disturbance	10m <sup>2</sup>
Area of proposed disturbance	6
Area of additional disturbance	3
Subject and location	
Allotment 93 in D1983	
Box Address: 37 Dorset Street Subject: Kewanna Park Remarks: Adelaide TMSID: C.T. 5318 / 271	
Accession Number:	

Do not scale drawing. Original street site is A-1.

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

Refer to the building plans for the proposed dwelling. Owner/developer or building designer to advise if the configuration of the dwelling changes in any form.

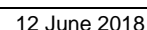
All existing structures are to be demolished. Owner or developer to apply to Council for demolition approval.

The purpose of the common property is for access and provision of services.

**SA Water Contact Details**  
Michael Zaina  
Zaina Stacey Pty Ltd  
phone 8379 7979



No.	Date	Canceled time
767	18-07-2012	Original time
<b>ZAINA STACEY</b>		
<b>DEVELOPMENT CONSULTANTS</b>		
Office	13 Avenue Road, Toronto, ON M5S 3K9	
Phone	(416) 924-2779	
Fax	(416) 924-2779	
Email	stacey@zainastacey.com	
Salesperson	17243	



**A4**

**PRELIMINARY**  
 NOT TO BE USED FOR CONSTRUCTION


**NOTES:**

ANY SURPLUS SPOIL FROM SITEWORKS IS THE OWNERS RESPONSIBILITY AND SHOULD BE REMOVED OR DISPERSED AS APPROPRIATE, UNLESS STATED OTHERWISE IN THE BUILDING CONTRACT. THIS SPOIL SHOULD BE STOCKPILED SUCH THAT IT DOES NOT OBSTRUCT SITE ACCESS AND CAN BE EASILY REMOVED FROM THE SITE.

THE RETAINING WALLS SHOWN ON THIS PLAN ARE TO BE CONSTRUCTED BY THE OWNER EXCEPT WHERE THE RETAINING WALL FORMS PART OF THE BUILDING STRUCTURE OR WHERE SPECIFIED OTHERWISE WITHIN THE BUILDING CONTRACT.

ANY RETAINING WALLS ADJACENT EXCAVATIONS, A SERVICE TRENCH/ASSIDMENT (PROPOSED OR EXISTING) OR IF FOUND IN FILL SHOULD HAVE AN UNDERMINING COMPONENT INCORPORATED IN THE DESIGN OF THEIR FOOTING/PIER SUPPORT SYSTEM.

OWNER TO RETAIN ANY MINOR CUT/FILL ON THE BOUNDARIES WITH A CONCRETE PLINTH, SLEEPER OR SIMILAR.

 : 1.0 KILOLITRE MODULAR RAINWATER TANK (BY OWNER) AS PER THE BCA. TO BE PLUMBED TO AT LEAST A WC, WATER HEATER OR ALL LAUNDRY COLD WATER OUTLETS. TYPICAL TANK TO BE USED IS A CODE NO. TTT-1100-3 MODULAR TANK FROM ECO BUILDING SUPPLIES OR SIMILAR. WHERE A RWT IS SUPPORTED ON A STAND OR OTHER STRUCTURE, THE SUPPORTING STRUCTURE MUST COMPLY WITH AS/NZ 1170.1 AND 1170.2. TANK TO BE USED IN CONJUNCTION WITH A MAXIMUM 0.50m HIGH TANK STAND. THE TANK SHALL ALSO BE LOOPED INTO THE MAINS WATER SYSTEM.

--- : STORMWATER PIPES AS A SEALED SYSTEM USED TO CONNECT

- DWELLING 1 & 2 - DP1 TO DP2 TO TANK
- DWELLING 3 & 4 - DP1 TO DP3 TO TANK

(MINIMUM 50m² OF ROOF AREA). REFER TO FOOTING CONSTRUCTION REPORT ATTACHMENT SHEET SS1.

--- : STORMWATER PIPES UNDER GRAVITY FLOW USED TO CONNECT TANK OVERFLOW PIPE, SURFACE STORMWATER DRAINS & DP's NOT CONNECTED TO TANK TO THE STREET WATER TABLE.

ENSURE GRAVITY FLOW PIPES MAINTAIN SUFFICIENT GRADE TO MEET THE APPROPRIATE OUTLET AS SHOWN ON THIS PLAN. CONSTRUCT ANY SEALED SYSTEM PIPES SUCH THAT THEY DO NOT INTERFERE WITH THE GRAVITY FLOW SYSTEM.

WHERE GRATED SURFACE STORMWATER SUMPS ARE USED GRADE SOIL/PAVING IN TOWARDS SUMPS IN ACCORDANCE WITH THE "BENCH" NOTES ON THIS PAGE. ALTERNATIVELY CONSTRUCT LINED SPOON DRAINS WITH 0.3% GRADIENT AS PER THE DETAILS ON ATTACHMENT SHEET PD1.

SUMP SIZES AND QUANTITY ARE DIAGRAMMATIC ONLY. ADDITIONAL AND/OR LARGER SUMPS MAY BE REQUIRED DEPENDING ON AREAS THEY SERVICE AND PAVEMENT TYPE USED.

USE THE "SUBSTITUTE" VERTICAL FLEXIBLE CONNECTION SET-UP AS SHOWN ON DETAIL SHEET SD1 WHERE DP's CONNECT INTO THE DRAINPIPE (THIS SET-UP IS NOT TO BE UTILISED IN A SEALED SYSTEM)

**IMPORTANT NOTE:**

IT IS STRONGLY RECOMMENDED THAT LANDSCAPING STRIPS ADJACENT SIDES OF BUILDINGS NOT BE INSTALLED - THIS RECOMMENDATION IS BASED ON CSIRO DOCUMENT BT18 "FOUNDATION MAINTENANCE AND FOOTING PERFORMANCE: A HOMEOWNER'S GUIDE". IF HOWEVER STRIPS ARE PROVIDED, THIS OFFICE SHALL NOT BE HELD RESPONSIBLE FOR ANY FOOTING/ PAVEMENT FAILURE OR MOVEMENT THAT MAY OCCUR DUE TO SEASONAL SOIL MOISTURE CONTENT CHANGES IN THESE VICINITIES. SUGGEST MINIMUM 600mm WIDE PAVING BE PROVIDED IN THESE LOCATIONS.

**PARAMETERS FOR DESIGN:**

(TO BE CONFIRMED BY THE BUILDER AS CORRECT PRIOR TO ANY COUNCIL APPROVALS BEING ISSUED):

- 25mm MAX DEEP REBATE
- PERIMETER PAVING SETDOWN 25mm BELOW UNDERSIDE OF REBATE (perimeter termite management provided to AS 3660) UNLESS SITE CLASSIFICATION IS "c", THEN PAVING SETDOWN 75mm REGARDLESS OF TERMITE MANAGEMENT PROVISION (REFER TO DETAIL SHEET PD1)
- PERIMETER PAVING TO BE 1000mm WIDE
- PERIMETER PAVING CROSS-FALL AS PER "BENCH" NOTES
- SEGMENTAL BLOCK/BRICK PAVING TO BE USED FOR PATHS AND DRIVEWAYS (DRIVEWAY PAVING TO BE LAID IN AN INTERLOCKING PATTERN TO AS 3722.1:2016)
  - 60mm THICK (DRIVEWAY/LIGHT VEHICULAR TRAFFIC)
  - 40mm THICK (PEDESTRIAN TRAFFIC)

NOTE: THE ABOVE PAVING SETDOWN, WIDTH AND CROSS-FALL HAVE BEEN SPECIFIED IN ACCORDANCE WITH AS2870 - 2011, THE NCC AND ENGINEERING JUDGEMENT. (IF ANY OF THE ABOVE PARAMETERS ARE CHANGED/ALTERED OR SETDOWNS ARE DIFFERENT, A REVIEW OF THIS PLAN WILL BE NECESSARY.)

- IF SPOON/V-DRAIN CANNOT BE FORMED IN PAVING, USE CONCRETE TO FORM THE SAME. 300mm WIDE x 130mm DEEP (30mm DEEP AT CENTRE) REINFORCED WITH SL72 CENTRAL AND TOOLED JOINTS EVERY 4.0m

**TITLE:** SITEWORKS NOTES

**ADDRESS:** No. 37 DALY STREET, KURRALTA PARK.

**CLIENT:** CONSTRUCTION SOLUTIONS

**Residential Commercial Industrial**

**Consulting Engineers**

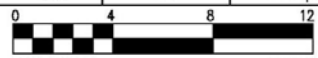
A.B.N. 17 131 375 356

1 Howie Street  
ALBERT PARK, SA 5014  
P (08) 8241 2328  
F (08) 8241 2409  
admin@rciconsulting.com.au  
www.rciconsulting.com.au

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**JOB No.** C21935 **SHEET No.** 2 of 2 **ISSUE No.** —

**DRAWN :** L.G. **DESIGN:** D.A. **DATE:** 28-Apr-17



SCALE 1:200 METRES

No.	REVISION	BY	DATE
A	AMENDED X-OVER AND ARCH. PLANS	J.R.	10.01.18

**SITEWORKS NOTES**

(THESE NOTES ARE TO BE READ IN CONJUNCTION WITH SITEWORKS PLAN - SHEET 1 OF 2)

**KEY**

TK	TOP OF KERB
WT	WATER TABLE
BL	BENCH LEVEL
FL	FLOOR (POURED) LEVEL
FFL	FINISHED FLOOR LEVEL (ie. tiled/paved/decking level)
IL	INVERT LEVEL (BOTTOM OF GRAVITY FLOW STORMWATER PIPE SYSTEM)
T.O.S	TOP OF SUMP
EGS	EXISTING GROUND SURFACE LEVEL
FGL	FINISHED GROUND LEVEL
M	APPROXIMATE
U.N.O.	UNLESS NOTED OTHERWISE
C.O.S	CHECK ON SITE
RD	ROLLER DOOR REBATE
TP	FOOTPATH
FL	FINISHED LEVEL
(P)	PAVING LEVEL
⊙	SCREW CAP STORMWATER INSPECTION POINTS IN GRAVITY FLOW/SEALED SYSTEM SW RUN (AS A MINIMUM) TO FINISHED PAVING/GROUND LEVELS (PROVIDE PROPRIETARY CONCRETE SURROUND AND LID WHERE FOUND IN DRIVEWAY).
RWT	RAINWATER TANK
DPO	DOWNPIPE
RH	RAINWATER HEAD
SP	SPREADER PIPE
VD	DRIVEWAY TO BE FORMED IN THE SHAPE OF A "V" AND GRADED TOWARD DEPRESSION DESIGNATED AS "VD" (V-DRAIN) - TO FALL AT 0.30% MINIMUM.
■	300mm SQUARE x 300mm DEEP REINFORCED CONCRETE SUMP (HEAVY DUTY GRATE).
RTW	RETAINING WALL
CS	CONCRETE SLEEPER RETAINING WALL
SW	SCREEN WALL
RP	RAMP PAVING AT 12.5% (MAX) (LOCATION & SETUP SCHEMATIC ONLY)





Government of South Australia  
Department of Planning,  
Transport and Infrastructure

Product	Register Search (CT 5578/271)
Date/Time	24/04/2017 03:37PM
Customer Reference	KW
Order ID	20170424008532
Cost	\$27.75



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 5578 Folio 271

Parent Title(s)	CT 1947/182		
Creating Dealing(s)	CONVERTED TITLE		
Title Issued	22/09/1998	Edition 4	Edition Issued 19/10/2015

## Estate Type

FEE SIMPLE

## Registered Proprietor

KENT ALEXANDER WILLIAMS  
STACY NICOLE WILLIAMS  
OF 37 DALY STREET KURRALTA PARK SA 5037  
AS JOINT TENANTS

## Description of Land

ALLOTMENT 93 DEPOSITED PLAN 1983  
IN THE AREA NAMED KURRALTA PARK  
HUNDRED OF ADELAIDE

## Easements

NIL

## Schedule of Dealings

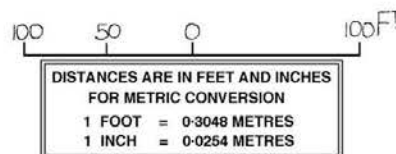
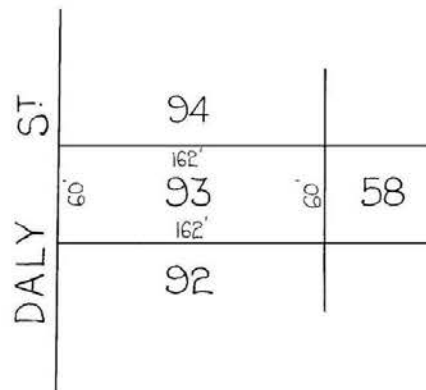
Dealing Number	Description
12403049	MORTGAGE TO BENDIGO & ADELAIDE BANK LTD. (ACN: 068 049 178)

## Notations

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



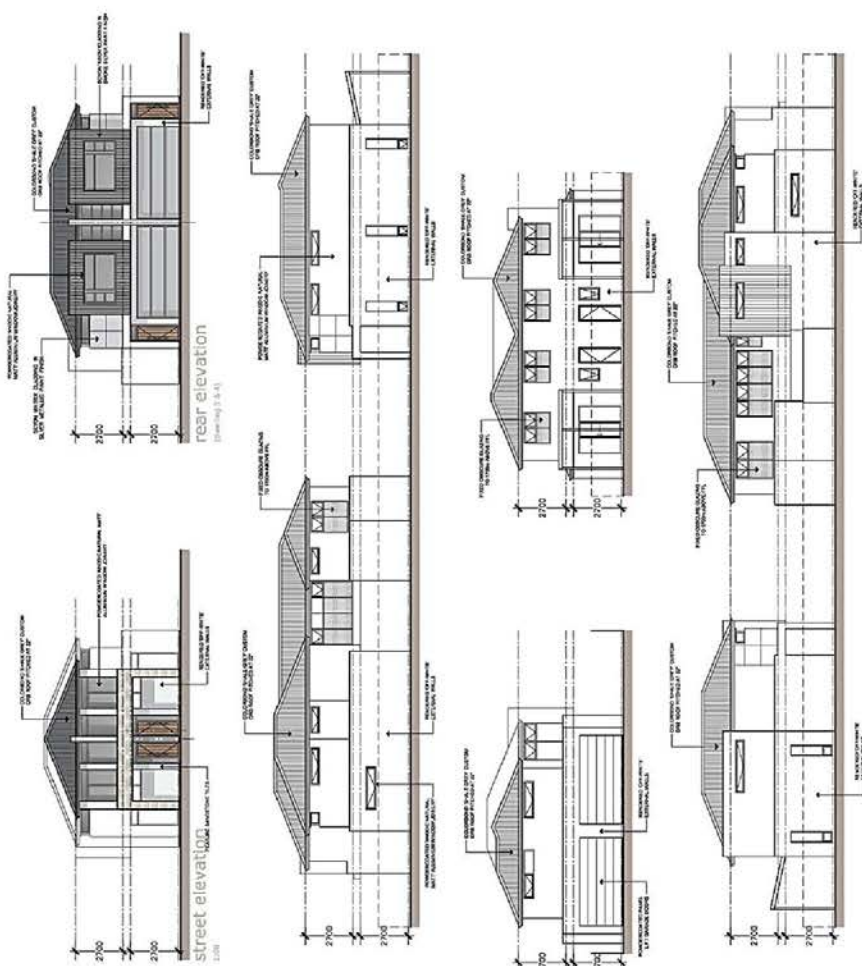
Product Register Search (CT 5578/271)  
Date/Time 24/04/2017 03:37PM  
Customer Reference KW  
Order ID 20170424008532  
Cost \$27.75





## 37 Daly St, Kurralta Park

sheet 01 of 01  
 PRELIMINARY - 30-05-2018  
 19-07-2016  
 10-08-2016  
 24-04-2017  
 REV A - 31-05-17  
 REV B - 22-11-17  
 REV C - 08-01-18



**A. D'ANDREA AND ASSOCIATES**  
INC.  
901 CONGRESS AVENUE  
SUITE 200  
ANN ARBOR, MI 48106  
TEL: (313) 763-1100  
FAX: (313) 763-1101  
WWW: WWW.ADA-INC.COM

site ground/floor plan  
scale 1:100  
proposed 4 two storey dwellings at: No. 37 Daly St Kurralta Park



Council Assessment Panel

Item 6.2 - Attachment 2

**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.  
PROPERTY ADDRESS:

211/475/2017  
37 Daly Street, KURRALTA PARK SA 5037

YOUR FULL NAME	Alisha GROCKE
YOUR ADDRESS	35 Daly St KURRALTA PARK
YOUR PHONE No	
YOUR EMAIL	
NATURE OF INTEREST	Adjoining resident <small>(eg. Adjoining resident, owner of land in the vicinity etc.)</small>
<p>REASON/S FOR REPRESENTATION</p> <p>as a result of similar build on southern boundary of my property, I now suffer from light pollution into my bedroom windows. The proposed dwelling has a significant number of windows that would add to this from the north boundary. Lack of any privacy in my rear yard. I would get light into both my bedroom &amp; lounge room from the windows proposed - would not be able to have curtains open to watch TV as would result in glare.</p> <p>MY REPRESENTATIONS WOULD BE OVERCOME BY my bedroom is already lit up every night, impacting sleep.</p> <p>re-design of windows looking into my rear yard - bedroom window &amp; lounge window. ie: smaller windows move bedroom window to otherside</p>	
<p>Please indicate in the appropriate box below whether or not you wish to be heard by Council in respect to this submission: -</p> <p>I DO NOT WISH TO BE HEARD <input type="checkbox"/></p> <p>I DESIRE TO BE HEARD PERSONALLY <input checked="" type="checkbox"/></p> <p>I DESIRE TO BE REPRESENTED BY <input type="checkbox"/> <small>(PLEASE SPECIFY)</small></p>	
SIGNED	<p><u>Alisha Grocke</u> DATE <u>29/8/2017</u></p> <p align="right">Responsible Officer: Jordan Leverington Ends: Tuesday 29 August 2017</p>

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

Phone: (08) 8416 6333

Email:

**From:** Kent Williams

**Sent:** Monday, 18 September 2017 11:53 AM

**To:** Development

**Cc:**

**Subject:** DA 211/475/2017 - 37 Daly St, Kurralt Park - Representation Response.

Hi Amelia and all others concerned,

I write to you in reference to development application 211/475/2017 37 Daly St, Kurralt Park.  
I recently received a "Summary of Representations Received" letter dated 4<sup>th</sup> September notifying me of one representation from a direct neighbor.

Alisha Grocke of 35 Daly St Wrote;

*As a result of a similar build on the southern boundary of my property, I now suffer from light pollution into my bedroom window.  
The proposed dwelling has a significant number of windows that would add to this from the north boundary and lack of any privacy in my rear yard.  
I would get light into both my bedroom and lounge room from the windows proposed and would not be able to have curtains open to watch TV as would result in glare.  
My bedroom is already lit up every night impacting sleep.  
My representation would be overcome by;  
A Re-design of windows looking into my rear yard, bedroom window and lounge window.  
ie smaller windows, move bedroom window to other side.*

I do not consider any of the mentioned objections to be correct nor need rectification.

As per the lodged plans, all windows on the Southern elevation of the front dwelling (directly adjacent 35 Daly St) are either set 1700mm above finished floor level or have obscured glass up to 1700mm from finished floor level as per council requirements.  
This eliminates any concern for privacy/overlooking into the adjacent property.

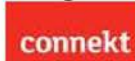
All upper story windows are set back the required 2 meters from the boundary and given that the entire northern wall of the house is a party wall with an adjoining property, relocation of the windows is not achievable.  
Smaller windows will create a very dark and unattractive upper floor for the end users.

In summary, we have met all minimum council requirements and believe that the proposed plans represent the best possible outcome.  
We do not wish to make any changes.

Please feel free to contact me at any time to discuss further.  
As today is the last day for my response, I do ask that you please email confirmation of receiving this email.

I look forward to hearing from you soon.  
Kindest regards  
Kent Williams

**Kent Williams**  
Manager - Projects

 **T** (08) 8203 1288 **M** 0418 826 222 **E** [kent@connektup.com.au](mailto:kent@connektup.com.au)  
Level 1, 120 Hutt Street, Adelaide SA 5000



© Connekt Urban Project RLA247093. [Form R3 – Buyers Information Notice](#), [Form R7 – Warning Notice](#).  
The information in this email are confidential and intended only for the use of the individual or entity named.  
If you have received this email in error please notify the sender and disregard immediately.

## Preliminary Traffic, Flooding & Stormwater Assessment

**Development Application No:** 211/475/2017

**Assessing Officer:** Jordan Leverington  
**Site Address:** 37 Daly Street, KURRALTA PARK SA 5037  
**Certificate of Title:** CT-5578/271  
**Description of Development:** Construction of two (2) two-storey residential flat buildings each with garage 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 - Jordan Leverington      DATE    3 January, 2018**





## Memo

To Jordan Leverington  
From Jane Teng  
Date 3/01/2018  
Subject 211/475/2017, 37 Daly Street, KURRALTA PARK SA 5037

Jordan Leverington,

The following City Assets Department comments are provided with regards to the assessment of the above development application. The following response has been adapted from City assets referral response dated 12/072017. Edit notes in response to the traffic turn path diagrams and res-submission of proposed development plans received by Council on Wed 13/12/2017 are dated as 3/01/2018.

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

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

Investigation indicates that the physical flood depth within the portions of the allotment proposed to be developed is approximately 40mm 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 240mm above the existing natural site levels within the footprint of the development.

In accordance with the provided 'Site ground/floor plan' (A. D'Andrea and Associates – Sheet 01 of 01 – Revision A- Received by Council 20 Jun 2017), the following FFLs are required for the proposed development:

- Dwelling 1 and 2 : 100.34
- Dwelling 3 and 4: 100.44

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

**ED note 3/01/2018: The above requirements are outstanding and requires addressing by the applicant**



## 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 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).

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

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

- 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.

**ED note 3/01/2018: The above requirements are outstanding and requires addressing by the applicant. The applicant has proposed for the relocation of the existing northern street tree by 1.30m towards to the new proposed driveway access arrangements. This is not possible as provisions will need to be allowed for the common stormwater sump and outlet systems for all four dwellings as detailed in Section 2.2 and based on the sketch attached in Section 3.2 of this referral. The location of the northern street tree appears to have lesser 2.0m minimum offset distance (approx. 1.0m as measured on plans). It is recommended that the advice from the City Arborist is sought in regards to the viability of this tree to be retained. Nomination of stormwater outlet is essential for the site.**



City of **West Torrens**

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### 3.0 Driveway Access

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

**ED note 3/01/2018: The above requirement is addressed by the applicant.**

- 3.2 It is also important to ensure that the functionality of this driveway entrance and passing area is not compromised by the ultimate installation of letterboxes, above ground service metres or similar. Provided plans should indicate location for letterboxes and meters which would satisfy this requirement.

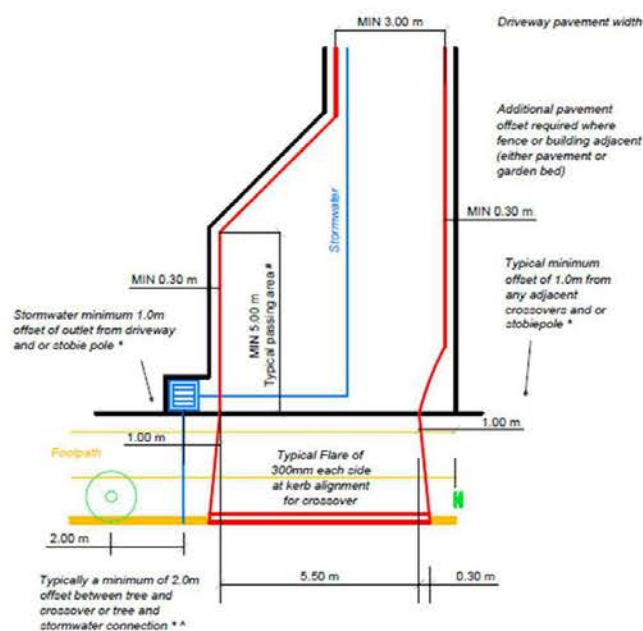
It is recommended that any approval associated with this development included a condition of similar wording to the following;

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

**ED note 3/01/2018: The above requirement is addressed by the applicant.**



### ACCESS ARRANGEMENT SERVICING TWO REAR PROPERTY



#### NOTES:

- \* Distance as measured along alignment of front property boundary.
- \* Must be deemed to comply by Council's Technical Officer (Amenity).
- \* No aboveground structure(s) such as letterboxes, service meters or similar are to be installing within the common driveway entrance and passing area.

#### 4.0 Traffic Comments

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

The proposed garage will not allow vehicles to exit the site in a forward direction. It should be noted that a number of changes to the dwelling will be required and no simple solution can be suggested by Council.

In the revision of the traffic manoeuvrability design, it is required that information be provided to clearly demonstrate the compliance of





City of West Torrens

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manoeuvrability for critical parking spaces and movements using suitable techniques as outlined within AS/NZS 2890.1:2004.

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

**ED note 3/01/2018: As demonstrated by the vehicle turn path movements provided by the applicant, proposed Res 2 and Res 3 would require multi point turns before able to exit the proposed garage double systems in the forward direction due to large exit turning radius of the parked vehicles. It is recommended that the applicant undertakes a review on the turn paths to enable parked vehicles in the garages in three point turn. Turn path movement reports and amended drawings should then be submitted to Council for reassessment.**

#### **5.0 Residential Parking Requirement and Visitor Parking Space**

Each dwelling has provided with **two parking spaces**, which are covered as per the requirements in the development plan. However, as highlighted in Section 4.0 of traffic comments, demonstration for compliance of critical vehicle manoeuvrability using suitable techniques as outlined within AS/NZS 2890.1:2004 is required to be provided to Council.

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 has allowed for this. However, as highlighted in Section 4.0 of traffic comments, demonstration for compliance of critical vehicle manoeuvrability using suitable techniques as outlined within AS/NZS 2890.1:2004 is required to be provided to Council.

It is recommended that revised plans satisfying the above requirement be provided to Council.

**ED note 3/01/2018: Pending on the outcome of the necessary alteration required for proposed Res 2 and Res 3 to accommodate the necessary traffic requirements in section 4.0, the above requirement still require addressing by the applicant**



City of **West Torrens**

Between the City and the Sea

#### **6.0 Garage Dimensions**

The internal garage lengths is currently proposed as 5.50m requiring the minimum internal length of an enclosed garage or enclosed carport space should be a minimum of 5.8m.

It is recommended that revised plans be submitted, showing a garage internal length of 5.8m.

**ED note 3/01/2018: The above requirement is addressed by the applicant.**

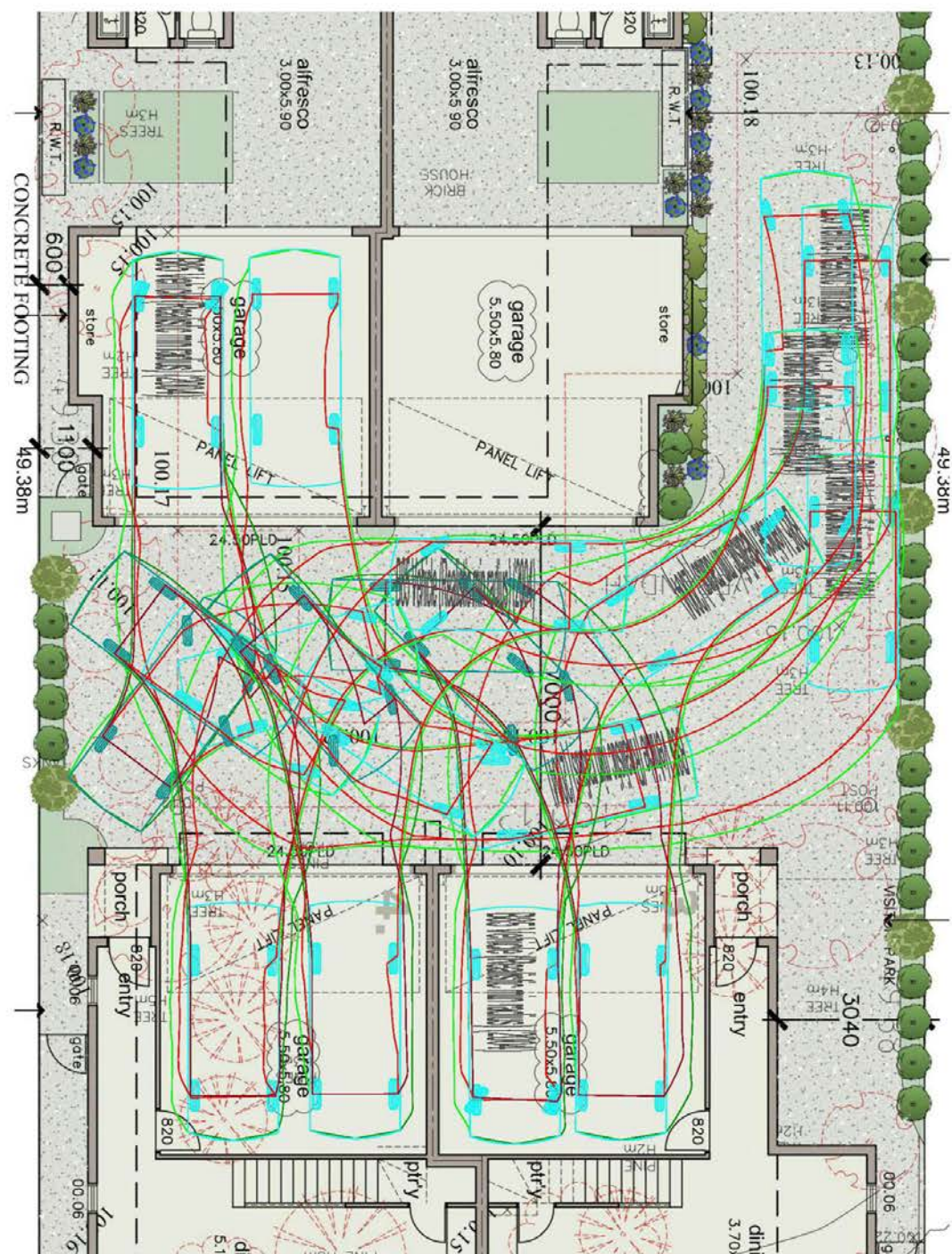
#### **7.0 Stormwater Detention and Quality Requirements**

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

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

Regards

**Jane Teng**  
Civil Engineer





Contact Lands Titles Office  
Telephone 7109 7016



12 August 2017

The Chief Executive Officer  
City of West Torrens

Dear Sir/Madam

**Re: Proposed Application No. 211/C133/17 (ID 58973)  
for Land Division  
(Community Title Plan) by Kent & Stacy Williams**

In accordance with Section 33 of the Development Act 1993 and Regulation 29 (1) of the Development Regulations 2008, and further to my advice dated 28 July 2017, I advise that the Development Assessment Commission has consulted with SA Water Corporation (only) regarding this land division application. A copy of their response has been uploaded in EDALA for your consideration. The Commission has no further comment to make on this application, however there may be local planning issues which Council should consider prior to making its decision.

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

1. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.  
Subject to our new process, on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non standard fees.  
On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.
2. Payment of \$20490 into the Planning and Development Fund (3 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 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



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



12 August 2017

Our Ref: H0062141

The Chairman  
Development Assessment Commission  
136 North Terrace  
ADELAIDE SA 5000

Dear Sir/Madam

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

Inquiries TONY PANNUNZIO  
Telephone 7424 1243

**PROPOSED LAND DIVISION APPLICATION NO: 211/C133/17 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.

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

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

Yours faithfully

TONY PANNUNZIO  
for **MANAGER LAND DEVELOPMENT & CONNECTIONS**

CITY OF WEST TORRENS



**MINUTES**

**of the**

**COUNCIL ASSESSMENT PANEL**

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

on

**TUESDAY, 13 FEBRUARY 2018**  
**at 5.00pm**

A handwritten signature in black ink, appearing to read 'Angelo Catinari'.

**Angelo Catinari**  
**Assessment Manager**

- (c) dormer windows with a total length less than 30 per cent of the total roof length along each elevation.

Reason: The development does not offer a sympathetic two-storey addition that uses the roof space to the rear of the existing dwelling.

### **Torrensville Character Policy Area 28**

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

Reason: The development would not create a two storey building that is designed in a manner that is complementary to the single storey character of nearby buildings including the subject dwelling.

PDC 2: Development should not be undertaken unless it is consistent with the desired character for the policy area.

Reason: The development would not create a two storey building that is designed in a manner that is complementary to the single storey character of nearby buildings including the subject dwelling.

### **6.2 37 Daly Street, KURRALTA PARK**

**5.11pm** Wayne Stokes declared an indirect conflict of interest in this item due to long term business and family connections and left the meeting for the discussion and vote on the item.

Application No 211/475/2017 and 211/916/2017

Representors: **Alisha Grocke** of 35 Daly Street, Kurralta Park, appeared in support of the representation.

Applicant **Kent Williams** of Connekt Urban Projects appeared to respond to representations and answer questions.

### **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 REFUSE Development Plan Consent and Land Division Consent for Application No. 211/916/2017 by KA Williams to undertake land division - Community Title; SCAP No. 211/C133/17 (Unique ID 58973); Create three (3) additional allotments and common property at 37 Daly Street, Kurralta Park (CT5578/271) for the following reasons:

The application is contrary to the following provisions of the City of West Torrens Development Plan consolidated 30 May 2017:

#### **General Section**

##### **Land Division**

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

PDC 2 Land should not be divided if any of the following apply:

- (a) the size, shape, location, slope or nature of the land makes any of the allotments unsuitable for the intended use.



- PDC 4      The design of a land division should incorporate:
- (c)      safe and convenient access from each allotment to an existing or proposed road or thoroughfare.
- PDC 5      Land division should result in allotments of a size suitable for their intended use.
- Reason:* There is insufficient space provided for landscaping and safe and convenient vehicle movements within the proposed development.

### COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the item be deferred to enable the applicant to address the matters identified in the recommendation as reasons for refusal.

### 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 REFUSE Development Plan Consent for application No. 211/475 /2017 by K & S Williams to undertake the construction of two (2) two-storey residential flat buildings each containing two dwellings with garage under main roof with associated landscaping and car parking at 37 Daly Street, Kurralta Park (CT5578/271) for the following reasons:

The development is contrary to the following provisions of the City of West Torrens Development Plan consolidated on 5 May 2016:

#### *Landscaping, Fences and Walls*

- Objective 1:      The amenity of land and development enhanced with appropriate planting and other landscaping works, using locally indigenous plant species where possible.
- PDC 1:      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
  - (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
  - (j)      maximise stormwater reuse
  - (m)      promote water and biodiversity conservation.
- Reason:* The landscaping areas around the perimeter of the common property driveway in particular, lacks adequate dimension and space for the planting of substantial and functional landscaping.
- PDC 3:      Landscaping should not:
- (a)      unreasonably restrict solar access to adjoining development; and
  - (b)      cause damage to buildings, paths and other landscaping from root invasion, soil disturbance or plant overcrowding.
- Reason:* It has not been demonstrated that the proposed planting will not overshadow the dwelling/s on adjoining land in the afternoon, and, that there will not be issues arising from root invasion into the adjoining land.

*Transportation and Access**Vehicle Parking*

- PDC 34      Development should provide off-street vehicle parking and specifically marked disabled car parking places to meet anticipated demand in accordance with Table WeTo/2 - Off Street Vehicle Parking Requirements.
- Reason: Excessively tight and inconvenient vehicle access for two vehicles in each garage may reduce the effective number of space able to be used within the development.
- PDC 36      Vehicle parking areas should be sited and designed to:
- (c) facilitate safe and convenient traffic circulation
- Reason: The arrangements for access and egress from the visitor parking are not safe and convenient.

*Vehicle Parking for Residential Development*

- PDC 44      On-site vehicle parking should be provided having regard to:
- (a) the number, nature and size of proposed dwellings
  - (b) proximity to centre facilities, public and community transport within walking distance of the dwellings
  - (c) the anticipated mobility and transport requirements of the likely occupants, particularly groups such as aged persons.
- Reason: The garages are of narrow width dimensions and will provide restricted access when two vehicles are required to be parked within them. This has the potential to effectively restrict the overall number of parking spaces available within the development.

**COUNCIL ASSESSMENT PANEL DECISION**

The Panel resolved that the item be deferred to enable the applicant to address the matters identified in the recommendation as reasons for refusal and in addition to address light access to the dwelling and covered private open space in accordance with General Section Residential Development Principle of Development Control 18.

**5.24pm** Mr Wayne Stokes returned to the meeting.

## Preliminary Traffic, Flooding & Stormwater Assessment

**Development Application No:** 211/475/2017

**Assessing Officer:** Jordan Leverington  
**Site Address:** 37 Daly Street, KURRALTA PARK SA 5037  
**Certificate of Title:** CT-5578/271  
**Description of Development:** Construction of two, two-storey residential flat buildings each comprising two dwellings with associated landscaping and car parking

### 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**    **14 May, 2018**



## Memo

To Jordan Leverington  
From Jane Teng  
Date 14/05/2018  
Subject 211/475/2017, 37 Daly Street, KURRALTA PARK SA 5037

Jordan Leverington,

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

### 1.0 Vehicle Manoeuvrability for Dwelling 2.

Based on the provided proposed "Site Ground /Floor plan undertaken by A.D'Andrea and Associates (Sheet 1 of 1, Rev D, Dated 24-04-18), the double garage system for Dwelling 2.0 has been widened by an additional 300mm which is a minor improvement from the previous versions of plans.

City Assets commentary associated with the vehicle movements for Dwelling 2.0 will remain as additional turn to enter both garage spaces. Exit movements for Dwelling 2.0 would be of the standard reverse and exit.

Entry constraint would only apply to Dwelling 2.0. Such a constraint is similar to the typical manoeuvre into the first space of most car park designs. In the Department's opinion, on balance, the additional turn required to enter the Dwelling 2.0 garage spaces is considered to be acceptable.

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

Regards

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



**6.5 81 Hayward Ave TORRENSVILLE**

Application No 211/224/2018 and 211/107/2018

**DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Land division - Torrens Title; SCAP No. 211/D021/18 Create one (1) additional allotment	Construct a single storey detached dwelling demolition of existing freestanding carport and construction of a new freestanding carport
APPLICANT	Property Solutions SA Pty Ltd	Russo Design and Construction
APPLICATION NO	211/224/2018	211/107/2018
LODGEMENT DATE	22 February 2018	7 February 2018
ZONE	Residential Zone	Residential Zone
POLICY AREA	Low Density Policy Area 21	Low Density Policy Area 21
APPLICATION TYPE	Merit	Merit
PUBLIC NOTIFICATION	Category 1	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> <li>City Assets</li> </ul> External <ul style="list-style-type: none"> <li>SA Water</li> <li>SCAP</li> </ul>	Internal <ul style="list-style-type: none"> <li>City Assets</li> </ul>
DEVELOPMENT PLAN VERSION	6 February 2018	6 February 2018
MEETING DATE	12 June 2018	12 June 2018

**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. 211/224/2018 by Property Solutions SA Pty Ltd to undertake a land division - Torrens Title; SCAP No. 211/D021/18 Create one (1) additional allotment at 81 Hayward Avenue (CT5795/357) 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. That prior to the issue of certificates to the division approved herein, the existing carport shall be removed from Lot 132.

**Land Division Consent Conditions****Council Conditions**

Nil

**State Commission Assessment Panel (SCAP) Conditions**

3. The financial requirements of the SA Water Corporation shall be met for the provision of water 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 \$6,830 into the Planning and Development fund (1 allotment @ \$6,830/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 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 SCAP 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. 211/107/2018 by Russo Design to undertake the construction of a single storey detached dwelling demolition of existing freestanding carport and construction of a new freestanding carport at 81 Hayward Avenue Torrensville (CT5795/357) 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. 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 landscaping will be planted in accordance with the approved plan (Site Plan and Landscape Schedule prepared by Russo Design dated January 2018) 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.
4. That all driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained, and shall be maintained in reasonable condition at all times.
5. That all sides of the freestanding carport on Lot 132 shall remain open.

## 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

## SITE AND LOCALITY

The subject land is formally described as Allotment 13 Filed Plan 123407 in the area named Torrensville Hundred of Adelaide, Volume 5795 Folio 357, more commonly known as 81 Hayward Avenue Torrensville. The subject site is rectangular in shape and has a frontage to Hayward Avenue of 21.3 metres and a depth of 42.7 metres with an overall site area of 909.3m<sup>2</sup>.

The subject land currently contains a single storey detached building comprising 3 dwellings with a freestanding carport located at the front of the building. The site is flanked by industrial and commercial uses to the west and north (of Ashwin Parade) and residential uses to the east and south.

The locality contains a variety of dwelling types, although most are single storey and on allotments of similar size and dimensions to that of the subject site. The amenity of the locality is considered to be moderate due to the mixed housing stock, proximity of industrial and commercial uses, changing development pattern and limited streetscape enhancements such as established street trees and landscaped verges.

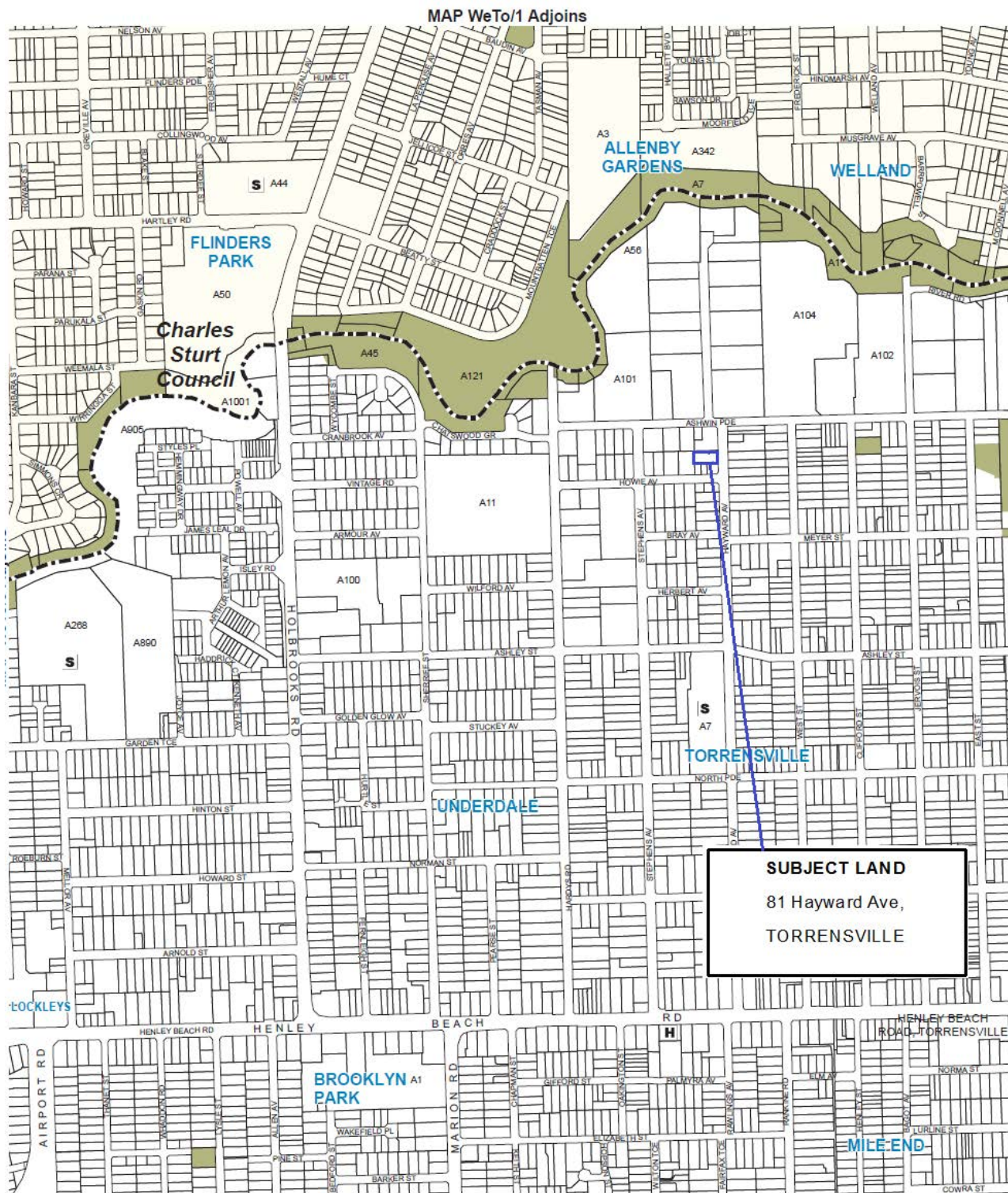
The area immediately west of the subject site has recently been rezoned from Industry to Urban Renewal. This new zone envisages low impact industrial uses which are more compatible with the existing adjacent residential uses.

Some local landmarks include the Thebarton Senior College, Thebarton Oval, Thebarton Community Centre, the Brickworks site and shopping complex. South Road, a primary arterial road is some 850 metres east of the subject site. Ashwin Parade is located just north of the site.

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







## PROPOSAL

### Land Division

The land division proposal seeks the creation of one (1) additional allotment. Proposed lot 131 is to contain a new single storey detached dwelling and proposed lot 132 will accommodate the existing building containing three (3) dwelling units and freestanding carport.

Lot 131 is proposed to have a frontage of 9.6 metres to Hayward Avenue and a depth of 33.4 metres and an overall site area of 319m<sup>2</sup>.

Lot 132 is proposed to have a frontage of 11.9 metres to Hayward Avenue a depth of 42.7 metres and overall site area of 598m<sup>2</sup>.

### Land Use

The land use or built form proposal seeks the construction of a single storey detached dwelling with a single garage under the main roof and a rear covered alfresco area. The site for the dwelling is currently utilised as a large area of lawn accessible to the existing dwellings on the subject land. The proposed dwelling comprises 3 bedrooms, lounge/dining and associated amenities. The external materials include face brick with a colorbond roof at a 25 degree pitch and a panel lift door to the garage. Access to the site is from Hayward Avenue via a new 3 metre wide crossover.

An existing freestanding carport is proposed to be demolished and a new freestanding carport accommodating 3 vehicles is proposed to be constructed along the southern boundary of the land located in front of the existing building.

Extensive landscaping is proposed across the front of both lots comprising a mix of mature trees and low to medium sized shrubs and fencing across the front of Lot 132.

A copy of the application and accompanying documents is contained in **Attachment 1**.

## REFERRALS

### Internal

#### *City Assets*

Concerns were raised regarding the following matters:

- Crossover widths (particularly for the existing building).
- Modification of the proposed carport to safely accommodate vehicles.
- Provision of a site works plan to establish the Finished Floor Level (FFL) of the proposed dwelling.

These concerns have been addressed by the provision of a site works plan that provides the FFL of the dwelling which is consistent with Council requirements. Although the access width to the existing building has not been modified to the 6 metre wide requirement, the provision of a 5 metre wide crossover is considered appropriate as it reduces the extent of crossovers and allows for on-street parking in front of the site. The carport has also been modified in accordance with City Assets' comments to facilitate easier vehicle movement on the site.

A full copy of the relevant report is contained in **Attachment 2**.

## ASSESSMENT

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

<u>General Section</u>		
<i>Crime Prevention</i>	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 3, 6, 7, 8 & 10
<i>Design and Appearance</i>	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 9, 10, 11, 13, 14, 15 & 21
<i>Energy Efficiency</i>	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2 & 3
<i>Hazards</i>	<i>Objectives</i>	1, 2 & 4
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7 & 13
<i>Infrastructure</i>	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 12
<i>Interface between Land Uses</i>	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2,
<i>Land Division</i>	<i>Objectives</i>	1, 2, 3 & 4
	<i>Principles of Development Control</i>	1, 2, 5, 6, 8, & 12
<i>Landscaping, Fences and Walls</i>	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2, 3, 4 & 6
<i>Natural Resources</i>	<i>Objectives</i>	1, 2, 5, 6, 7 & 10
	<i>Principles of Development Control</i>	1, 2, 5, 7, 8, 9, 10, 11, 13, 14, 26, 38, 39 & 40
<i>Orderly and Sustainable Development</i>	<i>Objectives</i>	1, 3, 4 & 5
	<i>Principles of Development Control</i>	1 & 5
<i>Renewable Energy Facilities</i>	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1 & 2
<i>Residential Development</i>	<i>Objectives</i>	1, 2, 3 & 4
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 & 31
<i>Transportation and Access</i>	<i>Objectives</i>	2
	<i>Principles of Development Control</i>	8, 10, 11, 23, 24, 31, 34, 35, 36, 37, 38, 40, 41, 44, & 45
<i>Waste</i>	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7 & 10

<b>Zone: Residential Zone</b>	
<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, 10, 11 and 12,

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



**QUANTITATIVE ASSESSMENT**

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

<b>DEVELOPMENT PLAN PROVISIONS</b>	<b>STANDARD</b>	<b>ASSESSMENT</b>
ALLOTMENT AREA <i>Residential Zone Low Density</i> <i>Policy Area 21</i> <i>PDC 6</i>	420m <sup>2</sup> (minimum)	Lot 131 - 319m <sup>2</sup> Lot 132 - 598m <sup>2</sup>  <b>Partially Satisfies</b>
ALLOTMENT FRONTAGE <i>Residential Zone Low Density</i> <i>Policy Area 21</i> <i>PDC 6</i>	12 metres (minimum)	9.6m  <b>Does not Satisfy</b>
SITE AREA <i>Residential Zone, Low Density</i> <i>Policy Area 21</i> <i>PDC 3</i>	420m <sup>2</sup>	Lot 131 - 319m <sup>2</sup>  <b>Does not Satisfy</b>
SITE FRONTAGE <i>Low Density Policy Area 21</i> <i>PDC 3</i>	12 metres (minimum)	Lot 131 - 9.5m Lot 132 - 11.5m  <b>Does not Satisfy</b>
STREET SETBACK <i>Medium Density Policy Area 21</i> <i>PDC 5</i>	5 metres (average)	Proposed Freestanding Carport 4.5m  <b>Does Not Satisfy</b>  Proposed dwelling 6.4m  <b>Satisfies</b>
SIDE SETBACK <i>Residential Zone,</i> <i>PDC 11</i>	1 metre (minimum)	900mm  <b>Does not Satisfy</b>
REAR SETBACK <i>Residential Zone</i> <i>PDC 11</i>	4 metres (minimum)	4.36m  <b>Satisfies</b>
PRIVATE OPEN SPACE <i>Residential Development</i> <i>PDC 19</i>	60m <sup>2</sup>	84m <sup>2</sup>  <b>Satisfies</b>

LANDSCAPING <i>Landscaping, Fences &amp; Walls</i> PDC 4	10%	30%  <b>Satisfies</b>
CAR PARKING <i>Transportation and Access</i> PDCs 34, 35 & 36	2 spaces	Existing Dwellings - 1 Plus 1 additional visitor space  Proposed dwelling 2 spaces  <b>Partially Satisfies</b>

## QUALITATIVE ASSESSMENT

The key issues arising from the assessment of this application include:

- The suitability of the proposed site area to accommodate a functional residential development (including the existing dwellings).
- The adequacy of the proposed carport forward of the existing building.
- The appropriateness of the land division creating a new allotment smaller than that envisaged in the Policy Area.

These aspects are discussed in more detail below.

### Desired character

The desired character statement for the policy area seeks low density residential development accommodating predominately detached dwellings with other dwelling types and denser allotment patterns envisaged closer to centre zones.

The proposal for a single storey detached dwelling is consistent with the desired character. While the proposed dwelling site area is smaller than envisaged in the policy area, it is nonetheless considered to be of low density rather than medium density.

Proposed landscaping to the east (front) sides of the development meets the general intent of the desired character statement providing sufficient landscaping to offset the extent of hard surfaces proposed as part of the development.

When viewed from the street the proposal will present as two allotments with adequate frontages thus achieving the intent of the desired character which seeks to avoid battleaxe allotments.

### Land Division

Principle of Development Control (PDC) 6 of Low Density Policy Area 21 seeks allotments of 420m<sup>2</sup> with a minimum frontage of 12 metres, other than where the land division follows an approval for dwellings on the site.

Proposed lot 131 falls short by 101m<sup>2</sup> (or 24%) of achieving the minimum allotment area while the proposed frontage shortfall is 2.4 metres (or 20%) less than the minimum requirement. However, the proposed allotment is of a sufficient size to adequately accommodate a dwelling which reasonably satisfies the relevant quantitative requirements of the zone and policy area. The proposed frontage relates well with adjacent development and the reduced site area is not discernible when viewed from the street. It is therefore considered that this component of the proposal also accords with General Section Land Division Principles of Development Control 1, 2, 5, 6, 8 and 12.

The allotment containing the three existing dwellings has an allotment area of 598m<sup>2</sup> and frontage width of 11.9 metres which is considered to satisfy PDC 6 given that the proposal is located in close proximity to a District Centre Zone.

It should also be noted that the subject land is located adjacent to the newly created Urban Renewal Zone (replacing the previous Industry Zone). This new zone envisages site areas of 250m<sup>2</sup> and 9 metre frontages for detached dwellings. Given that the proposed development is at the interface of this new zone, it is considered that the reduced site area provides a transition between that zone and the Low Density Policy Area 21 and the Torrensville Character Policy Area 28 to the east.

### **Land Use and Zoning**

As the proposal is for the retention of the existing building and construction of a new detached dwelling, the residential land use is envisaged and supported within the Residential Zone, Low Density Policy Area 21 and is therefore appropriate in land use terms.

### **Site Area and Frontage**

PDC 5 of Low Density Policy Area 21 prescribes a minimum site area for detached dwellings of 420m<sup>2</sup> and a minimum frontage width of 12 metres. As noted, the area and frontage for proposed lot 131 is less than that specified. Notwithstanding this shortfall, it has been demonstrated that the allotment is large enough for the proposed dwelling to reasonably satisfy the relevant quantitative requirements relating to building height/scale, boundary setbacks, private open space, site coverage and vehicle access and car parking.

The shortfall would not be perceivable in a visual context from the street. In addition, it is considered that there would be no material consequences for the development pattern as significant infill development has occurred throughout the locality. There are several examples of single and two storey group dwellings and residential flat buildings on relatively small allotments on land to the east and south of the subject site. These dwelling types make up the majority of built form within the locality. Accordingly, the shortfall in site area and frontage for the proposed dwelling on lot 131 is considered to be consistent with the existing pattern of development in the locality.

### **Siting and Setbacks**

As seen in the images below the proposed dwelling is to be located on the existing vacant portion of the land that is currently unutilised. The creation of a separate allotment and construction of a dwelling on this portion of land is considered to be consistent with the general pattern of development in the locality and reinforces the regular pattern of development sought by the desired character for the policy area.

In addition, the front setback of the proposed dwelling will be greater than the average of the adjoining dwellings and is considered appropriate in the context of the street.



*Location of Proposed detached dwelling over existing lawn area.*



*Aerial view of site for the proposed detached dwelling*

In relation to the proposed freestanding carport to service the existing dwellings, General Section Residential Development PDC 16 seeks to ensure that carports do not dominate the streetscape and that they are sited no closer to the primary street than the associated dwelling and not forward of that dwelling. At only 4 metres from the primary street frontage and located forward of the associated building, the proposed carport clearly does not achieve this objective.



It should be acknowledged, however, that the proposed carport replaces an existing older carport in a similar location and with a similar design where all sides of the carport (including the side that faces the street) are to remain open. Extensive landscaping that includes mature trees and low to medium high plants will also help to reduce the impact of the carport on the amenity of the streetscape. Given these factors it is considered that the proposal adequately accords with the Desired Character for Policy Area 21 and General Section Residential Development PDC 16 and Residential Zone PDCs 7 and 8.

### **Bulk and Scale**

The proposed single storey dwelling is consistent with the built form that currently exists in the locality in terms of its bulk and scale and palette of material and colours to be used in construction.

### **Private Open Space**

General Section, Residential Development PDC 18 calls for private open space to:

- to have a northerly aspect to provide for comfortable year round use;
- not to be significantly shaded during winter by the associated dwelling or adjacent development; and
- to be partly shaded in summer.

The private open space for the proposed dwelling meets these requirements.

The private open space for existing dwellings 1 and 2, however, fall short of meeting the minimum quantitative requirement by 5m<sup>2</sup> and also fail to meet the qualitative measures listed above largely as a result of the proposed dwelling. These are the only dwellings within the whole development that have a shortfall but they are provided with sufficient space for amenities and outdoor entertaining generally associated with dwellings of this type and age.

It should also be acknowledged that this is an existing situation that has adequately served the occupants of the dwellings for many years. The shortfall in POS of 5m<sup>2</sup> is not considered fatal to the proposal and overall the proposal adequately accords with General Section, Residential Development PDCs 18 and 19.

### **Traffic and Movement**

Table WeTo/2 - Off Street Vehicle Parking Requirements applies the rate of 2 car parking spaces per dwelling (one of which should be covered) plus an additional 0.25 car parking spaces per dwelling for visitor parking.

The proposed detached dwelling is provided with 2 car parking spaces, one undercover and one within the driveway. The existing dwellings are to be provided with a total of four parking spaces (1 undercover car parking space per dwelling plus 1 visitor space). There is also sufficient vehicle turning space on the site for vehicles to exit in a forward direction.

The existing freestanding carport which currently services the existing dwellings provides for 3 vehicles with sufficient space forward of the carport to accommodate an additional 2 vehicles, making a total of 5 spaces. The proposed car parking arrangement thus amounts to a loss of 1 parking space overall.

As seen in the image below, however, the current arrangement creates a frontage dominated by cars and concrete and is considered to be an unsightly presentation to the street. The loss of one parking space associated with the proposed carport will reduce the number of vehicles forward of the dwelling and allow for the inclusion of extensive landscaping along the front boundary to improve the amenity of the proposed development when viewed from the street. In light of this, the shortfall in parking is not considered fatal to the proposal which is considered to adequately accord with General Section Transportation and Access PDCs 34, 35 and 36.



*Existing parking arrangements*

### **Landscape Assessment**

At present the site is provided with landscaping in the form of mature olive trees across the front of the property and a large expanse of lawn along the northern side of the site and front fencing in the form of low metal panels (see image below).



*Existing landscaping on site*

The olive trees are to be replaced with mature Manchurian pears, medium height plants and a 1.5m high fence across the front of proposed lot 132. These measures will assist in minimising the impact of the proposed carport on the streetscape and provide improved amenity for occupants of the existing dwellings. Accordingly, the proposal is considered to adequately accord with General Section Landscaping Fences and Walls PDCs 1, 2 and 4.

## **SUMMARY**

The proposed development provides a satisfactory solution to enable the utilisation of land that is currently vacant and not optimally utilised by existing development on the site.

The dwelling density and allotment layout of the proposal sufficiently accords with the desired character of the policy area and is compatible with the established pattern and built form characteristics of the locality. The reduced car parking rate for the existing dwellings is tempered by improved on-site amenities, landscaping and overall streetscape appeal. The proposed allotment layout provides for two regularly shaped allotments as viewed from the street with the proposed shortfalls in site area and frontage considered to be consistent with the existing pattern of development in the locality.

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

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

## **Attachments**

- 1. Application Documents**
- 2. City Assets Referral**

# Development Application form

**Civic Centre:** 165 Sir Donald Bradman Drive, Hilton SA 5033. **Office hours:** Mon - Fri 8.30am - 5pm.  
**Phone:** (08) 8416 6333. **Email:** development@wtcc.sa.gov.au. **Web:** westtorrens.sa.gov.au.



## Section 1- correspondence method

By selecting 'I ACCEPT' below, you agree (as the applicant, the owner and/or the authorised agent) to be legally bound by the 'Terms and conditions' of this service and you consent that all correspondence relevant to this application, or which is otherwise required to be provided to you under the *Development Act 1993* - including Decision Notification forms, stamped plans and relevant documents, be provided to you in **electronic format** only. Please tick **ONLY** one of the following boxes.

☒ I ACCEPT

or, if you do not wish to correspond electronically, three complete sets of hardcopy documents will be required

☐ I choose only to receive general assessment correspondence via email. All stamped plans and Decision Notification forms must be sent by hardcopy mail.

Email address: DANTE@RUSSO DESIGN.COM.AU

## Section 2 - consent sought

Select **one** type of consent you wish to apply for:

☒ Development Plan consent  
(Planning only)

☐ Building Rules consent  
(Building only)

☐ Development Approval  
(Planning and building)

If unsure what type of consent is needed, contact Council on 8416 6333.

## Section 3 - location of proposed development

81 HOUSE NUMBER OR LOT NUMBER DP PLEASE ORDER CT VOLUME FOLIO

HAYWARD AVENUE TORRENSVILLE  
STREET NAME SUBURB

SA 5031  
STATE POST CODE

## Section 4 - applicant details

Please note that all correspondence will be sent to the applicant (this section must be completed).

RUSSO DESIGN & CONSTRUCTION  
GIVEN NAMES SURNAME PHONE

2 MYER COURT BEVERLEY  
POSTAL ADDRESS SUBURB

SA 5009 DANTE@RUSSO DESIGN.COM.AU  
STATE POST CODE EMAIL

## Section 5 - owner's details of the subject land

If same as applicant details, please leave blank and go to section 6.

TONY LUVERA  
GIVEN NAMES SURNAME PHONE

17 MC NEILLY CRE SEATON  
POSTAL ADDRESS SUBURB

SA 5023  
STATE POST CODE EMAIL



**Section 6 - contact for further information**

Please note - this section is to be completed if the contact person is not the applicant.

DANTE	D'ANGELO
Given names	Surname
DANTE@RUSSO DESIGN.COM.AU	8244 4439
Email	Phone

**Section 7 - builder's details**

This section must be completed by the applicant for Building and Development approval.

<input checked="" type="checkbox"/> Owner builder	OR	<input type="checkbox"/> Builder
Name of builder (company)		Licence number
Postal address		Suburb
State	Post code	Email

**Section 8 - description of development and associated details**

Please describe the development (eg single storey detached dwelling, domestic garage, warehouse with office, tree removal).

SINGLE STOREY DETACHED DWELLING &amp; PROPOSED CARPORT TO EXISTING UNITS

Existing site use: VACANT RESIDENTIAL LAND

Does the proposal affect a regulated or significant tree?

☐ Yes ☒ No

Note: a regulated or significant tree may be on the adjoining land that may be affected (including damage to tree roots) by the proposed development. If unsure what a regulated or significant tree is, visit Council's website for more information.

Is there a brush fence within three metres of the proposed building work?

☐ Yes ☒ No

Are there any easements on the land?

☐ Yes ☒ No**Section 9 - costing and floor area**

Council may require written justification to verify costs (this section must be completed).

\$ 180,000	171.1 m <sup>2</sup>
Estimated total cost of works (excluding fitout)	Estimated floor area of work

**Section 10 - building classification**

If unsure, contact Council on 8416 6333 or visit the Council office during business hours.

1A 10A	1A 10A
Current classification	Classification sought

If Class 5, 6, 7, 8, or 9, state number of employees: Male ..... Female .....

**Section 11 - declaration**

Council is required by the *Development Act 1993* to make Category 2 and 3 Developments available for public inspection and the public may obtain copies of this material for a fee. If you have concerns over the confidentiality or security content of such documents, you should discuss these with a member of Council's planning staff before lodging.

**declare that the information I have provided on this application form is correct to the best of my knowledge and give permission to make this information available for public inspection.**


Signature:  Date: 6/2/18☒ Applicant ☐ Owner ☐ Authorised agent

# Powerline Clearance Declaration form

## Development Regulations 2008



Civic Centre: 165 Sir Donald Bradman Drive, Hilton SA 5033. Office hours: Mon - Fri 8.30am - 5pm.  
Phone: (08) 8416 6333. Email: development@wtcc.sa.gov.au. Web: westtorrens.sa.gov.au

Date of Application: 6 / 2 / 18			
Applicant:	Given Name: RUSSO DESIGN & CONSTRUCTION		Family Name:
Address:	Lot No:	House No: 81	Street: HAYWARD AVE
	Suburb: TORRENSVILLE		P/Code:
Volume:	Folio:		
Nature of proposed development: PROPOSED SINGLE STOREY DETACHED DWELLING & CARPORT TO EXISTING UNITS			
<p>I <u>DANTE</u> being the applicant / a person acting on behalf of the applicant (delete the inapplicable statement) for the development described above declare that the proposed development will involve the construction of a building which would, if constructed in accordance with the plans submitted, not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i>. I make this declaration under clause 2A(1) of Schedule 5 of the <i>Development Regulations 2008</i>.</p>			
Date: 6 / 2 / 18			
Signature: 			

Last updated 13 Sept 2017



<b>Product</b>	Register Search (CT 5795/357)
<b>Date/Time</b>	20/02/2018 10:15AM
<b>Customer Reference</b>	
<b>Order ID</b>	20180220002590
<b>Cost</b>	\$28.25



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 5795 Folio 357

<b>Parent Title(s)</b>	CT 3725/55		
<b>Creating Dealing(s)</b>	CONVERTED TITLE		
<b>Title Issued</b>	03/08/2000	<b>Edition</b>	7
		<b>Edition Issued</b>	13/11/2012

## Estate Type

FEE SIMPLE

## Registered Proprietor

PROPERTY SOLUTIONS SA PTY. LTD. (ACN: 133 171 329)  
OF 17 MCNEILLY CRESCENT SEATON SA 5023

## Description of Land

ALLOTMENT 13 FILED PLAN 123407  
IN THE AREA NAMED TORRENSVILLE  
HUNDRED OF ADELAIDE

## Easements

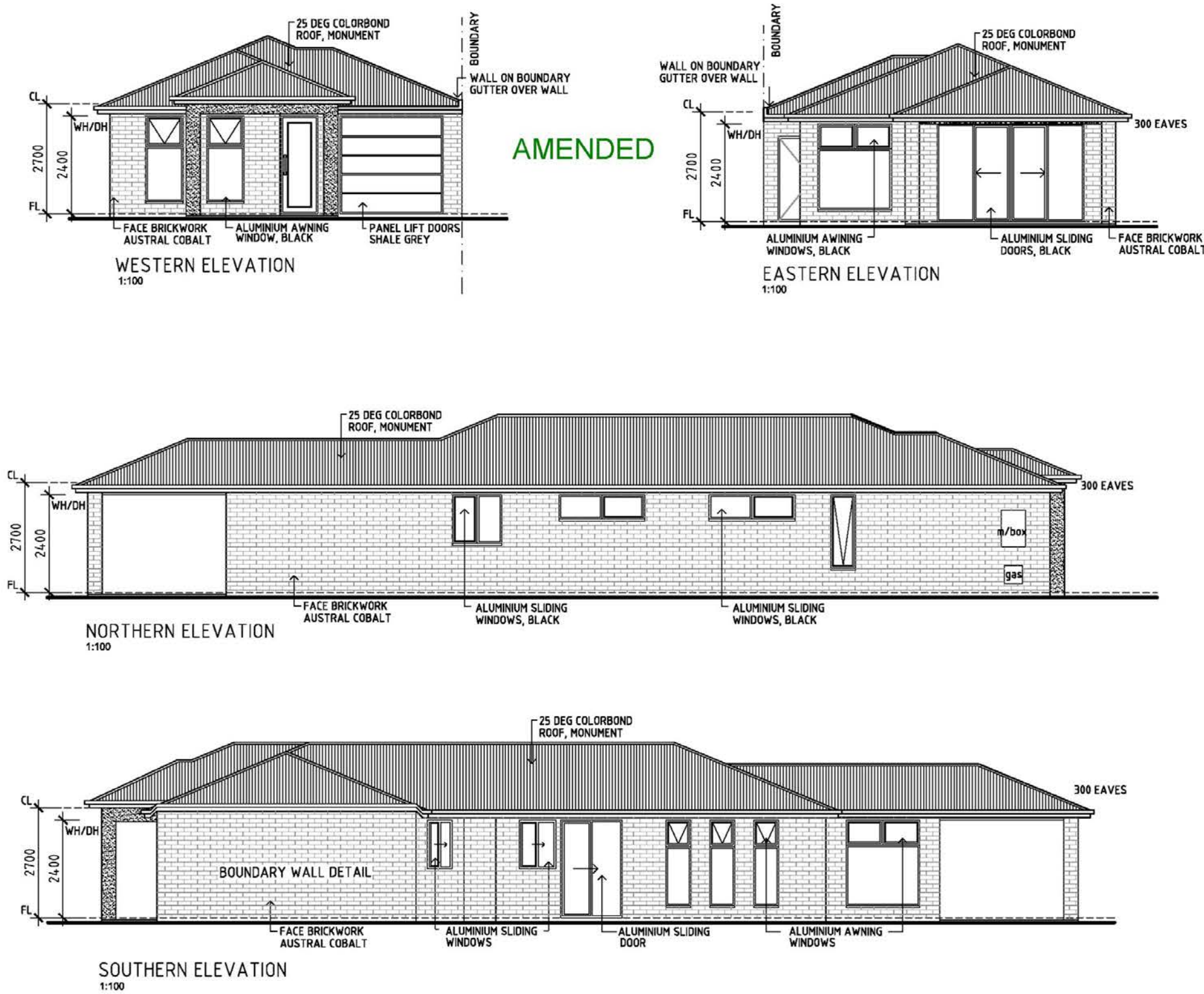
NIL

## Schedule of Dealings

Dealing Number	Description
11840691	MORTGAGE TO NATIONAL AUSTRALIA BANK LTD.

## 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



**RDC**  
RUSSO DESIGN  
CONSTRUCTION

GL: 118804  
S/GL: 118804  
Maurice Russo  
NO.2 MYER COURT  
BEVERLEY 5009.SA  
PH: 8244 4439

CLIENT:  
**TONY LUVERA**

LOCATION:  
**81 HAYWARD AVE  
TORRENSVILLE**

DRAWING :  
**ELEVATIONS**

ISSUED  
**15.01.2018**

AMENDMENTS:

SCALE	1:100
DATE:	JAN 18
DRAWN:	DD
SHEET NO:	1 OF 1
DRAWING NO:	WD 01

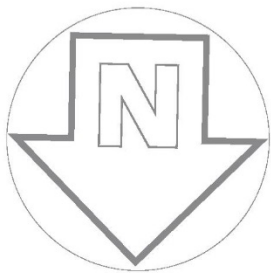
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PROPOSED RESIDENCE	
LIVING AREA	320 m <sup>2</sup>
LIVING AREA	130.2 m <sup>2</sup>
GARAGE	21.4 m <sup>2</sup>
PORCH	1.9 m <sup>2</sup>
ALFRESCO	17.6 m <sup>2</sup>
TOTAL	171.1 m <sup>2</sup>
REAR YARD	84 m <sup>2</sup>



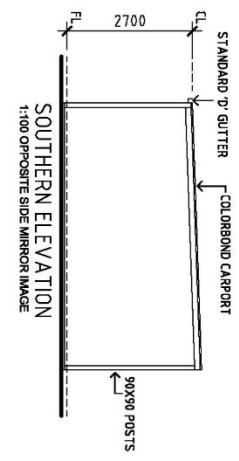
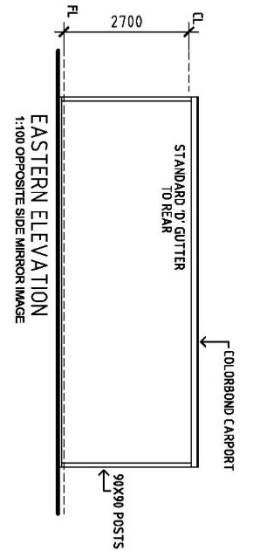
LANDSCAPING SCHEDULE




- 1. ACACIA PYCNANTHA  
CALITRISPRESSI  
SOUTHERN CYPRESS PINE
- 2. MEDIUM SHRUBS  
ARTIST'S SPIRACALATA  
HYDRANGEA VICTORIANA  
COAST BONEFIRE  
SMOOTH RICE FLOWER
- 3. SMALL GROUND SHRUBS  
DIANELLA REVOLUTA  
POA PODEROSA  
STREPTA ELAVESCENS  
SMOOTH RICE FLOWER
- 4. ORNAMENTAL PEAR  
PYRUS CALLERYANA

ALL SPECIES TO BE COVERED BY  
LANDSCAPING CONTRACTOR  
OF AVAILABILITY AND SUITABILITY

SITE STORMWATER DRAINAGE WILL BE  
CONSTRUCTED IN ACCORDANCE WITH AS/NZS 3500.5  
SURFACE STORMWATER RUN OFF SHALL BE DIRECTED  
AWAY FROM THE BUILDING AND NEIGHBOURING PROPERTIES  
AND TOWARDS THE STREET WATER TABLE  
SITE STORMWATER DRAINAGE WILL BE  
CONSTRUCTED IN ACCORDANCE WITH AS/NZS 3500.5  
SURFACE STORMWATER RUN OFF SHALL BE DIRECTED  
AWAY FROM THE BUILDING AND NEIGHBOURING PROPERTIES  
AND TOWARDS THE STREET WATER TABLE

- 300x300x300 PLASTIC  
SUMP WITH SILT TRAP  
200 BELOW INVERT  
LEVEL OF SUMP  
(TYPICAL)
- FT FLOOR TRAPS
- DP 75 Ø DOWN PIPE
- IP STORM WATER INSPECTION POINT  
UP V.C (MIN. FALL 1:200)
- STORMWATER PIPE Ø 90mm
- 1x3000L RW DETENTION TANKS WITH  
OVERFLOW (O/F) AT TOP & 20mm SLOW  
RELEASE OUTLET AT BOTTOM CONNECTED  
TO THE U/G STORMWATER SYSTEM &  
DISCHARGE TO THE STREET W/T PLUS  
1x3000L RW DETENTION TANK WITH O/F AT  
TOP PROVIDE A SEALED SYSTEM BETWEEN  
THE ROOF & THE WATER TANKS  
(TYPICAL)
- WRAPPED IN POLYFOAM  
STORMWATER PIPE Ø 100mm  
UP V.C (MIN. FALL 1:200)





Search | Configure Notification Email | Log Out |

---

### Application Form Details - DA. 211/D021/18 (Unique Id. 60894)

[Cancel](#)

**NB \*** represents a mandatory field.

Application Type :  \*

What Consents do you wish to apply for? : ☐ Provisional Development Plan Consent Only

☒ Provisional Development Plan Consent with Land Division Consent

Certificate of Approval Fee: ☒ Pay Now

☐ Pay Later

Is this a combined Land Division/Land Use application? : ☐ Yes

☒ No

Council :  \*

Submitting Agents OrganisationId :

Submitting Agents Name :

Submitted By UserId :

Submitted By Details :

Agents Reference :

---

**APPLICANT DETAILS :**

Applicant Salutation :  \*

Applicant First Name :  \*

Applicant Last Name :  \*

Applicant Organisation Name :  \* (Mandatory if Salutation, First, and Last Name have not been completed)

Postal Address Line 1 :  \*

Postal Address Line 2 :  \*

Postal Address Line 3 :

State :

Country :  \*

---

**OWNER DETAILS :**

Owner Salutation :  \*

Owner First Name :  \*

Owner Last Name :  \*

Owner Organisation Name :  \* (Mandatory if Salutation, First, and Last Name have not been completed)

Postal Address Line 1 :  \*

Postal Address Line 2 :  \*

Postal Address Line 3 :

State :

Country :  \*

---

**CONTACT DETAILS :**

Contact Salutation :  \*

[https://www.edala.sa.gov.au/edala/Edala.aspx?PageMode=ApplicationMaintain\\_CSB...](https://www.edala.sa.gov.au/edala/Edala.aspx?PageMode=ApplicationMaintain_CSB...) 8/03/2018



Contact First Name : Gary \*

Contact Last Name : Bartlett \*

Postal Address Line 1 : PO Box 297

Postal Address Line 2 : WELLAND SA 5007

Postal Address Line 3 :

State : South Australia

Country : AUSTRALIA

Telephone 1 : 0418 815 197 \*

Telephone 2 : 8241 5511

Fax 1 : 8241 5050

Fax 2 :

Email : gary.bartlett@bigpond.com

Mobile :

Existing Use : Residential Units and vacant land

Description of Proposed Development : Land Division

SUBJECT PROPERTY DETAILS :

House Number : 81

Lot Number :

Street : Hayward Avenue \*

Suburb/Town : Torrensville \*

Hundred : Adelaide \*

Reference Section :

TITLE DESCRIPTION DETAILS :

Title Reference Type : CT - Certificate of Title ▾ \*

Volume : 5795 \*

Folio : 357 \*

PLAN PARCEL DETAILS :

Plan Type : F - Filed Plan ▾ \*

File Plan Number : 123407 \*

Parcel Number : a13 \*

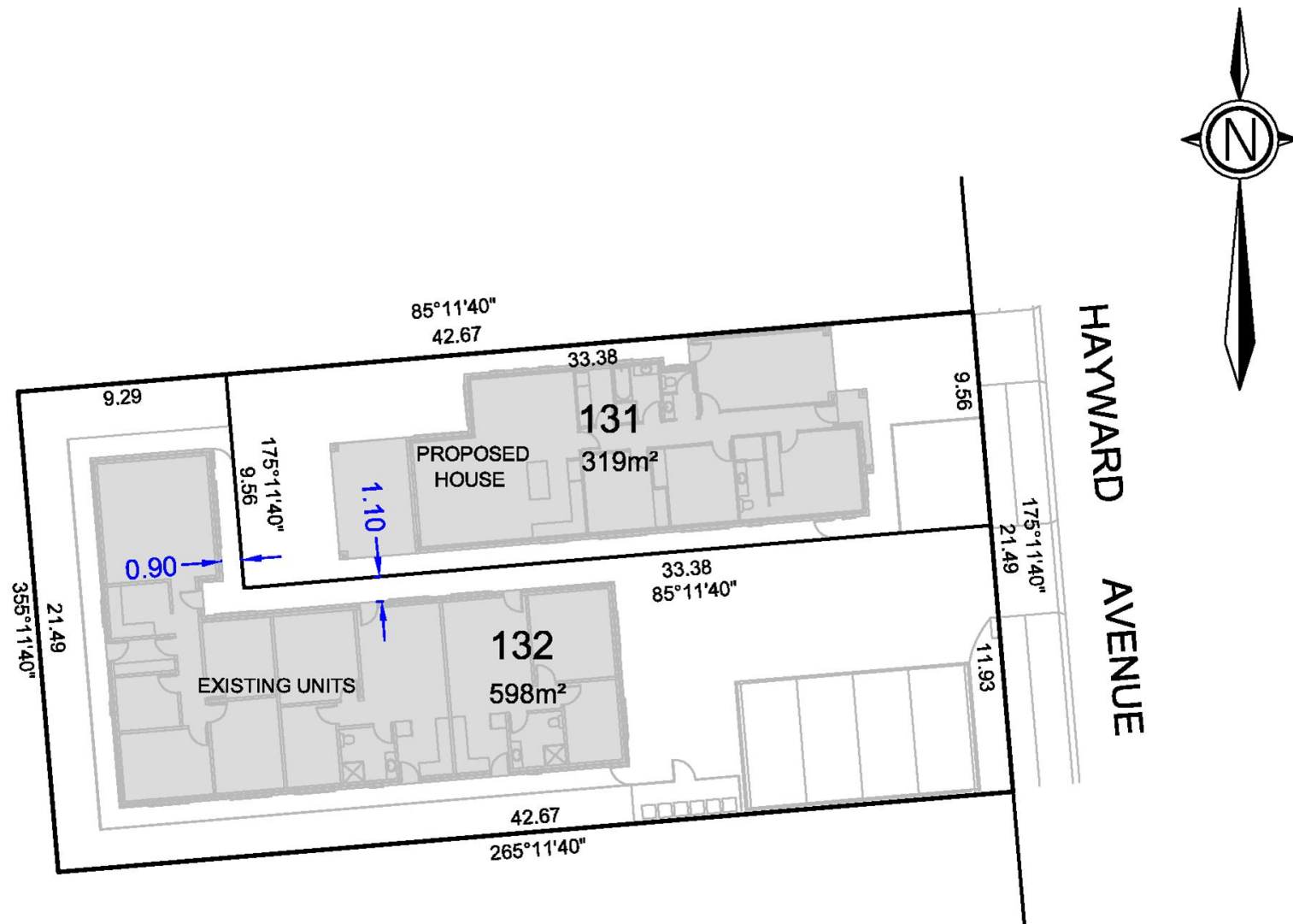
Does either schedule 21 or 22 of the  
Development Regulations 1993 apply? : ☐ Yes  
☒ No

Notes :

Lodgement Date : 22 Feb 2018

Acknowledgement : I acknowledge that copies of this application and supporting  
documentation may be provided to interested persons in accordance  
with the Development Regulations 1993  
☒ Yes

VIEW IN ACCORDANCE WITH  
PLANNING APPLICATION Dev No 211/107/2018



## DISPOSITION OF EASEMENTS

GNB A3 PROPOSAL1



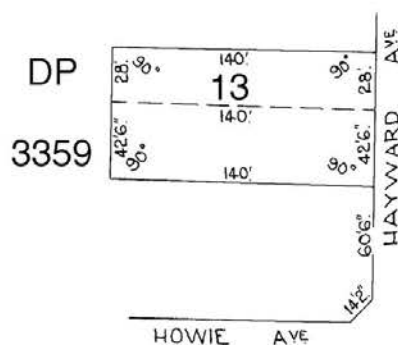


Government of South Australia  
Department of Planning,  
Transport and Infrastructure

Product	Register Search (CT 5795/357)
Date/Time	20/02/2018 10:15AM
Customer Reference	
Order ID	20180220002590
Cost	\$28.25

THIS PLAN IS SCANNED FOR CERTIFICATE OF TITLE 3725/55

LAST PLAN REF: DP 3359



80 40 0 80 FT

DISTANCES ARE IN FEET AND INCHES  
FOR METRIC CONVERSION  
1 FOOT = 0.3048 METRES  
1 INCH = 0.0254 METRES

NOTE: SUBJECT TO ALL LAWFULLY EXISTING PLANS OF DIVISION

## Preliminary Traffic, Flooding & Stormwater Assessment

**Development Application No:** 211/107/2018

**Assessing Officer:** Claudio Barone  
**Site Address:** 81 Hayward Avenue, TORRENSVILLE SA 5031  
**Certificate of Title:** CT-5795/357  
**Description of Development** Construction of a detached dwelling

### 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 8 March, 2018**



---

## Memo

To Claudio Barone  
From Jane Teng  
Date 8/03/2018  
Subject 211/107/2018, 81 Hayward Avenue, TORRENSVILLE SA 5031

Claudio Barone,

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 - Eastern New Dwelling**

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

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

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

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

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

### **2.0 Residential Parking Requirement - Existing Dwelling consisting three units**

Each units must be provided with **two parking spaces**, at least one of which is covered and the other preferably openly accessible for visitor use. The



current proposal does not satisfy this criteria and will require addressing by the applicant with shortfall of two parking spaces.

**It is recommended that revised plans satisfying the above requirement be provided to Council.**

### **3.0 Driveway Access**

#### **3.1 Existing Western Dwelling**

Notwithstanding the shortfall of parking spaces for the exiting units, in order for vehicles to enter and exit in the forward direction, the access into the common driveway at the front development boundary would require widening to 6.0m.

The carport spaces for vehicles located next to the support posts should also be increased in width by 300mm. The posts would require 750mm offset from its current location into the carport as per the requirements of AS/NZS 2890.1:2004.

**It is recommended that revised plans satisfying the above requirement be provided to Council.**

#### **3.2 New Eastern Dwelling**

The driveway access to the new dwelling will require to be limited to 3.0m from the front property boundary and 3.60m at the kerbline. The new single driveway would require to be located 1.0m minimum away from the eastern property boundary to allow for the provision of one on-street parking between the 6.0m wide main driveway to the western dwelling and the single driveway. Private driveway permitter is to abut new single driveway location.

**It is recommended that revised plans satisfying the above requirement be provided to Council.**

### **4.0 Verge Interaction**

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).

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**

### **5.0 Stormwater Detention and Quality Requirements**

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

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

Regards

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

**6.6 39 Wood Street KURRALTA PARK**

Application No 211/1524/2017

**DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Combined Application: Land division - Torrens Title; Create one (1) additional allotment and Removal of Existing Carport and Reinstatement of Garage Under Main Roof
APPLICANT	Mr M Sidlo
APPLICATION NO	211/1524/2017
LODGEMENT DATE	7 December 2018
ZONE	Residential Zone
POLICY AREA	Medium Density Policy Area 18
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> <li>▪ City Assets</li> </ul> External <ul style="list-style-type: none"> <li>▪ Nil</li> </ul>
DEVELOPMENT PLAN VERSION	30 May 2017
MEETING DATE	12 June 2018

**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. 211/1524 /2017 by Mr M Sidlo to undertake Land Division and Removal of Existing Carport and Reinstatement of Garage Under Main Roof at 39 Wood Street Kurralta Park (CT5455/305) 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. The existing carport shall be removed and the garage under the main roof of the dwelling shall be reinstated prior to the issue of Section 51 clearance.

**Land Division Consent Conditions****Council Requirements**

Nil

## State Commission Assessment Panel Requirements

1. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services. Subject to our new process, on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non-standard fees.

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 @ \$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 Development Assessment Commission 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 Development Assessment Commission for Land Division Certificate purposes.

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## 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 is commonly known as 39 Wood Street, Kurralta Park. It is more formally described in Certificate of Title Volume 5455 Folio 305 comprising Allotment 42 in Deposited Plan 1983. There are no easements attached to the title. The site is a rectangular shaped allotment on the eastern side of Wood Street. The allotment is relatively flat with a frontage width of 18.3 metres, a depth of 49.4 metres and a total site area of 904m<sup>2</sup>.

The land currently contains a detached dwelling with a carport that extends along the front and northern side of the dwelling, a verandah to the rear and a detached outbuilding located at the rear of the dwelling. There is one regulated tree in the rear yard located within 10 metres of the dwelling which is proposed to be removed (and is exempt from requiring approval). There is also a regulated tree located in the rear yard of the adjoining property to the north. The land is subject to flooding but this does not preclude the division of land to occur.

The locality is characterised by regular shaped allotments with a mix of dwelling types ranging from low to medium density.

The site and locality are shown on the following photos, map and aerial imagery.



View of the rear of the existing dwelling

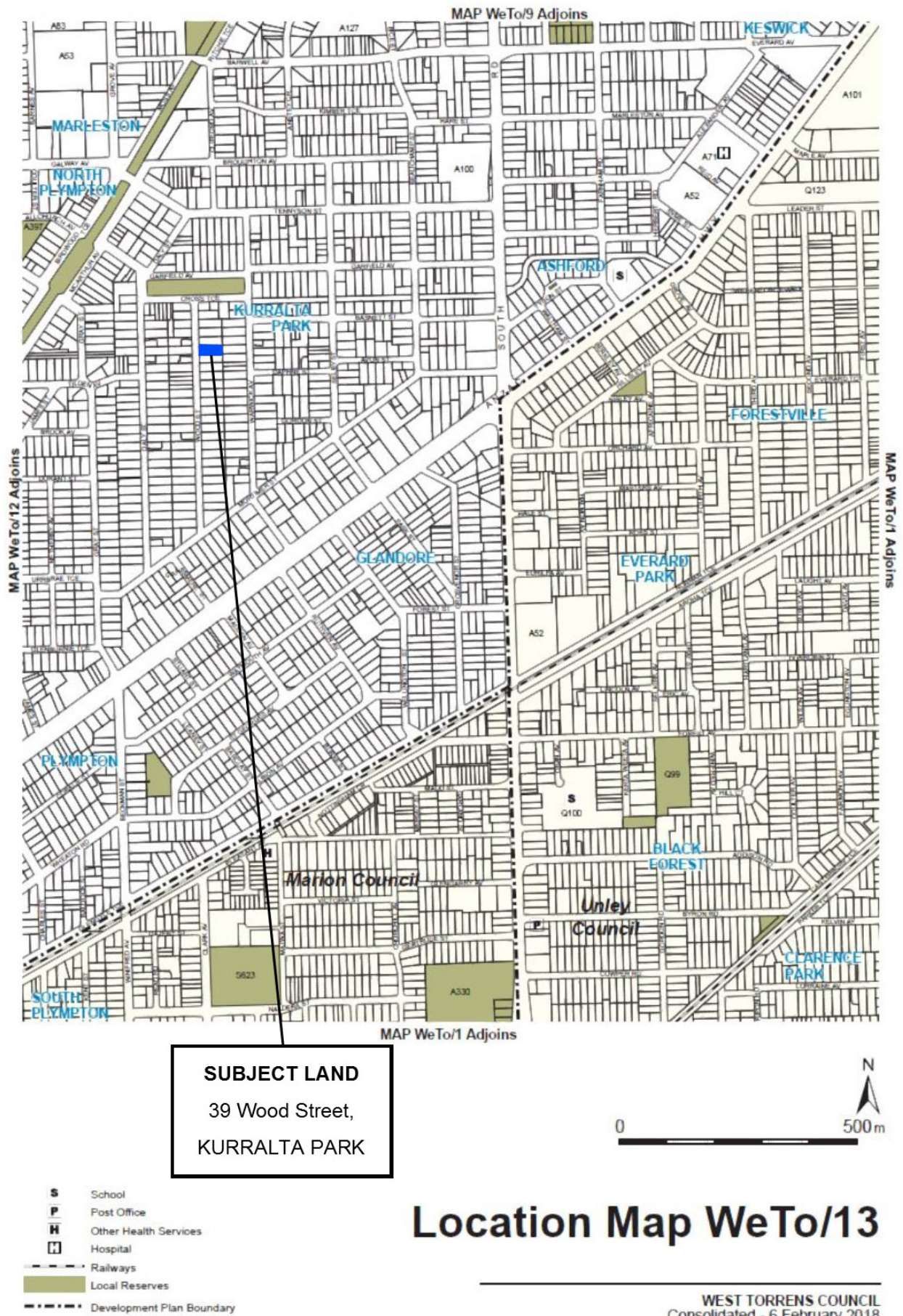


Building located along rear boundary of proposed Lot 2









## PROPOSAL

The proposal is for the demolition of the existing carport across the front and northern side of the dwelling, the reinstatement of a garage under the main roof of the dwelling and the creation of two allotments in a battleaxe configuration. The existing allotment has a frontage of 18.3 metres, a depth of 49.4 metres and a site area of 904m<sup>2</sup>.

The owners of the land had previously modified the garage to convert it into a living area for the dwelling. In order to achieve one undercover car park for this existing dwelling, it is proposed to reinstate the garage for the purposes of providing one undercover car park. The modification required is minimal and for the most part involves the removal of the front window frame and the erection of a new garage door to the front. Building Rules Consent will be required for these works.

The removal of the verandah is required to facilitate the 'Handle' for lot 2. Areas of landscaping have been incorporated along this 'Handle' that satisfies Council's requirements. A detailed schedule of plants has not yet been requested as this will be dealt with when an application for a dwelling on the rear allotment is lodged for assessment. At this stage it is sufficient to know that adequate landscaping can be provided without interfering with on-site vehicle movements.

The front allotment (lot 1) proposes a frontage of 14.3 metres to Wood Street and a depth of 30.4 metres with an overall allotment area of 436m<sup>2</sup>. The rear allotment (lot 2) is of a battleaxe configuration with a frontage to Wood Street of 4 metres. The head of the proposed lot, exclusive of the handle, is 348m<sup>2</sup> and the total area of the lot (inclusive of the handle) is 467m<sup>2</sup>.

A copy of the proposal plans is contained in **Attachment 1**.

## REFERRALS

### Internal

#### *City Assets*

Concerns were raised regarding the following matters;

- Vehicular access separation for lots 1 and 2.
- Widening of driveway to 3.6 metres.
- Flood consideration.

The matters raised by City Assets have been addressed, except for issues arising from potential flood levels at this location. It is appropriate to consider the flood risk when an application for any dwelling is lodged for lot 2. It is not a matter that can be resolved in relation to the current land division proposal. The key issue to address with regard to this land division is whether the site can be functionally developed, which is discussed below.

A full copy of the City Assets report is contained in **Attachment 2**.

## ASSESSMENT

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

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



<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 <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>	
<b>Objectives</b>	1, 2, 3 & 4
<b>Principles of Development Control</b>	1, 5, 7, 8, 11, 12, 13, 17, 18, 22,

<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. 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, 2, 5 and 6

## QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
ALLOTMENT AREA <i>Medium Density Policy Area 18</i> <i>PDC 8</i>	250m <sup>2</sup> (minimum)	Lot 1 - 436m <sup>2</sup> Lot 2 - 348m <sup>2</sup> (not including the handle)  <b>Satisfies</b>
ALLOTMENT FRONTAGE <i>Medium Density Policy Area 18</i> <i>PDC 8</i>	9 metres (minimum)	Lot 1 - 14.3m Lot 2 - 4m  <b>Partially Satisfies</b>
CAR PARKING SPACES <i>Transportation and Access</i> <i>PDC 34</i>	2 car parking spaces required 1 being undercover	2 provided for the existing dwelling with one undercover.  <b>Satisfies</b>

## QUALITATIVE ASSESSMENT

It should be noted that this application is combined only because it includes an assessment for the reinstatement of the garage to appropriately service the existing dwelling on proposed lot 1 (which requires Building Rules Consent). Accordingly, the following assessment focuses on the proposed land division.

The key issues arising from the proposed land division are as follows:

- Appropriateness of the proposed land division creating a battleaxe allotment in this location;
- Access and egress arrangements to and from the site.

### Land Division

The key consideration with a battleaxe form of land division is whether the resultant layout and configuration of allotments is appropriate within the zone and policy area in terms of the prevailing the pattern of development.

Residential Zone Medium Density Policy Area 18 does not speak against battleaxe allotments as is the case in other policy areas. Battleaxe allotments are clearly envisaged in certain areas of the City of West Torrens as demonstrated in General Section Land Division PDC 7 which prescribes the following:

*Allotments in the form of a battleaxe configuration should:*

- have an area of at least the minimum site area specified by the zone, policy area or precinct (excluding the area of the 'handle' of such an allotment);*
- provide for an access onto a public road, with the driveway 'handle' being not less than:*

- i. 4 metres in width to facilitate landscape planting along the driveway, and
- ii. 5.5 metres for at least the first 5 metres of the driveway for an allotment accommodating two or more dwellings to allow vehicles to pass safely.

On examination of the locality it is evident that there exists a range of medium density developments with a mix of dwelling types including detached dwellings on individual allotments, residential flat buildings and group dwellings.

There are also a number of battleaxe allotments with common driveways in the locality. The distinction between these sites and the proposed development when viewed from the street is indiscernible. Accordingly, the proposal is considered to satisfy the Desired Character for the Policy Area and the intent of PDC 1 of Medium Density Policy Area 18.

### **Allotment Area and Frontage**

PDC 8 of Medium Density Policy Area 18 prescribes a minimum site area of 250m<sup>2</sup> for a detached dwelling. The land division proposal indicates that proposed lots 1 and 2 would have site areas of 436m<sup>2</sup> and 348m<sup>2</sup> respectively. Accordingly, both proposed lots meet the minimum site area standard.

Whilst the allotment frontage of lot 2 achieves a width of only 4 metres, this is an inherent feature of battleaxe allotments which have a narrow driveway 'handle' and a larger 'head' for the siting of a dwelling.

In considering the appropriateness of the 4 metre frontage it is necessary to consider General Section Land Division PDC 7 (cited above) which describes the nature of battleaxe allotments in terms of site areas and frontages. It is evident that lot 2 achieves the minimum width to facilitate access prescribed in PDC 7 and also exceeds the minimum site area prescribed for detached dwellings in Policy Area 18. On this basis the frontage is considered reasonable and appropriate and will not unduly impact the prevailing streetscape character.

Similarly, the site area resulting from the proposed division can easily accommodate a dwelling whilst meeting all other functional requirements relating to setbacks, private open space, car parking and on-site manoeuvring.

### **Transport and Access**

The existing dwelling will be provided with one undercover car parking space plus additional parking in front of the garage.

The access arrangements for both the existing dwelling and the proposed rear allotment have been designed in accordance with Council policy relating to the separation of driveways and distance from street trees and infrastructure. Access to the rear allotment also accords with Land Division PDC 7 by the inclusion of a 4 metre-wide driveway allowing for appropriate landscaping and a 3 metre-wide apron. Vehicles associated with a future dwelling on lot 2 will have a sufficient turning area to be able to exit the site in a forward direction.

Accordingly, the proposal is considered to accord with the requirements of Transportation and Access PDCs 34, 35 and 36.

### **Regulated Trees**

There is a Lemon Scented Gum *Corymbia citriodora* located at the rear of the adjoining property to the north which measures 2.4 metres in circumference one metre above ground level. The tree is located approximately 3.5 metres from the boundary of the subject land and has a canopy that overhangs approximately 5 metres into the subject land. Other than achieving the dimensions of a regulated tree, the species does not qualify as regulated in accordance with *Part 2 Regulation 6A (5) of the Development Regulations 2008* as it is located within 10 metres of a dwelling and is not a eucalypt. Removal of this tree therefore does not require approval.



Lemon Scented Gum *Corymbia citriodora* located at the rear of the adjoining northern property

There is also a regulated multi-trunked *Ficus spp.* located within the proposed driveway of lot 2. This tree is located within 10 metres of a dwelling and does not therefore qualify as a regulated tree in accordance with *Part 2 Regulation 6A (5) of the Development Regulations 2008*. Removal of this tree also does not require approval.



Ficus Tree located within the rear yard of the existing dwelling



## Flood

As shown in the image below, the subject site is subject to flooding which requires new development to adopt certain design standards in order to minimise the risk of inundation. City Assets have provided comments to this effect, which are relevant to any future dwelling proposed for lot 2. At this stage no dwelling is proposed on Lot 2 and therefore design standards are not required to be considered or applied to the proposal.

City Assets would require a new dwelling to achieve a finished floor level (FFL) of 350mm above the existing natural site level. This FFL is considered achievable on the site without impacting on adjoining properties. Such measures will be considered when an application for a dwelling on Lot 2 is lodged with Council.



Extent of potential flooding in locality

## 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 is considered to be a desirable, orderly and appropriate form of development.



The dwelling density and allotment layout of the proposal sufficiently accords with the Desired Character and is compatible with the established pattern and built form characteristics of the locality. The proposed development is also unlikely to negatively impact on the amenity of adjoining properties.


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

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

## Attachments

1. **Proposal Plans and Documentation**
2. **City Assets Comments**



Government of South Australia

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### Application Form Details - DA. 211/D195/17 (Unique Id. 60279)

Cancel

NB \* represents a mandatory field.

Application Type :	D - Conventional Land Division *
What Consents do you wish to apply for? :	<input type="radio"/> Provisional Development Plan Consent Only <input checked="" type="radio"/> Provisional Development Plan Consent with Land Division Consent
Certificate of Approval Fee:	<input checked="" type="radio"/> Pay Now <input type="radio"/> Pay Later
Is this a combined Land Division/Land Use application? :	<input type="radio"/> Yes <input checked="" type="radio"/> No
Council :	City of West Torrens (211) *
Submitting Agents OrganisationId :	635
Submitting Agents Name :	Zaina Stacey Development Consultants
Submitted By UserId :	952
Submitted By Details :	Michael Zaina, David Stacey, Zaina Stacey Development Consultants
Agents Reference :	17391

---

**APPLICANT DETAILS :**

Applicant Salutation :	*
Applicant First Name :	*
Applicant Last Name :	*
Applicant Organisation Name :	Michael Sidlo * (Mandatory if Salutation, First, and Last Name have not been completed)
Postal Address Line 1 :	c/o Zaina Stacey Development Consultants *
Postal Address Line 2 :	PO Box 1000 *
Postal Address Line 3 :	Torrens Park 5062
State :	South Australia
Country :	AUSTRALIA *

---

**OWNER DETAILS :**

Owner Salutation :	*
Owner First Name :	*
Owner Last Name :	*
Owner Organisation Name :	Michael Sidlo * (Mandatory if Salutation, First, and Last Name have not been completed)
Postal Address Line 1 :	c/o Zaina Stacey Development Consultants *
Postal Address Line 2 :	PO Box 1000 *
Postal Address Line 3 :	Torrens Park 5062
State :	South Australia
Country :	AUSTRALIA *

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<b>CONTACT DETAILS :</b>	
Contact Salutation :	Mr *
Contact First Name :	Michael Zaina, *
Contact Last Name :	David Stacey *
Postal Address Line 1 :	Zaina Stacey Development Consultants
Postal Address Line 2 :	PO Box 1000
Postal Address Line 3 :	Torrens Park 5062
State :	South Australia
Country :	AUSTRALIA
Telephone 1 :	8379 7979 *
Telephone 2 :	
Fax 1 :	
Fax 2 :	
Email :	planning@zainastacey.com
Mobile :	

---

Existing Use :	Residential Land *
Description of Proposed Development :	Division of land into 2 new Torrens title allotments. Keep existing dwelling. *

---

<b>SUBJECT PROPERTY DETAILS :</b>	
House Number :	39
Lot Number :	42
Street :	Wood Street *
Suburb/Town :	Kurraltia Park *
Hundred :	Adelaide *
Reference Section :	

---

<b>TITLE DESCRIPTION DETAILS :</b>	
Title Reference Type :	CT - Certificate of Title *
Volume :	5455 *
Folio :	305 *

---

<b>PLAN PARCEL DETAILS :</b>	
Plan Type :	D - Deposited Plan *
Deposited Plan Number :	1983 *
Parcel Number :	A42 *

---

Does either schedule 21 or 22 of the Development Regulations 1993 apply? :	<input type="radio"/> Yes <input checked="" type="radio"/> No
Notes :	Refer to plan

[https://www.edala.sa.gov.au/edala/Edala.aspx?PageMode=ApplicationMaintain\\_CSB&ApplicationId=60279](https://www.edala.sa.gov.au/edala/Edala.aspx?PageMode=ApplicationMaintain_CSB&ApplicationId=60279)[12/12/2017 11:25:27 AM]

Lodgement Date :	<input type="text" value="07 Dec 2017"/>				
Acknowledgement :	I acknowledge that copies of this application and supporting documentation may be provided to interested persons in accordance with the Development Regulations 1993 <input checked="" type="radio"/> Yes <input type="radio"/> No				
<b>CONVENTIONAL LAND DIVISION :</b>					
Total Area of Land to be Divided :	<input type="text" value="903"/>	<input type="text" value="Square metres"/>	*		
Reserve Area :	<input type="text" value="0"/>	<input type="text" value="Square metres"/>	*		
Number of existing allotments :	<input type="text" value="1"/>	*			
Number of proposed allotments :	<input type="text" value="2"/>	*			
Number of additional allotments :	<input type="text" value="1"/>				

APPLICATION DOCUMENTS						Hide
Document Title	Document Type	Version #	State	File Size (Kb)	Date Uploaded	Notes
Proposal Plan	Proposed Plan of Division	1	Uploaded	67.5400000	07 Dec 2017	<a href="#">Show</a>
CT5455/305	Certificate of Title/Lease	1	Uploaded	48.9100000	07 Dec 2017	<a href="#">Show</a>
Lodgement Fee Receipt	Miscellaneous	1	Uploaded	29.4200000	07 Dec 2017	<a href="#">Show</a>
Location plan - enlargement <b>New</b>	Miscellaneous	1	Uploaded	169.3300000	08 Dec 2017	<a href="#">Show</a>
Location plan <b>New</b>	Miscellaneous	1	Uploaded	391.0000000	08 Dec 2017	<a href="#">Show</a>
LOTS Admin Interests <b>New</b>	Miscellaneous	1	Uploaded	14.3000000	08 Dec 2017	<a href="#">Show</a>
DAC Regulation 29 Letter <b>New</b>	Miscellaneous	1	Uploaded	2.1100000	08 Dec 2017	<a href="#">Show</a>

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Product	Register Search (CT 5455/305)
Date/Time	17/11/2017 09:08AM
Customer Reference	
Order ID	20171117001284
Cost	\$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 5455 Folio 305

Parent Title(s)	CT 4267/90		
Creating Dealing(s)	CONVERTED TITLE		
Title Issued	07/10/1997	Edition 2	Edition Issued 28/07/2004

## Estate Type

FEE SIMPLE

## Registered Proprietor

DESPINA SIDLO  
OF 39 WOOD STREET KURRALTA PARK SA 5037

## Description of Land

ALLOTMENT 42 DEPOSITED PLAN 1983  
IN THE AREA NAMED KURRALTA PARK  
HUNDRED OF ADELAIDE

## Easements

NIL

## Schedule of Dealings

Dealing Number	Description
10028539	MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA

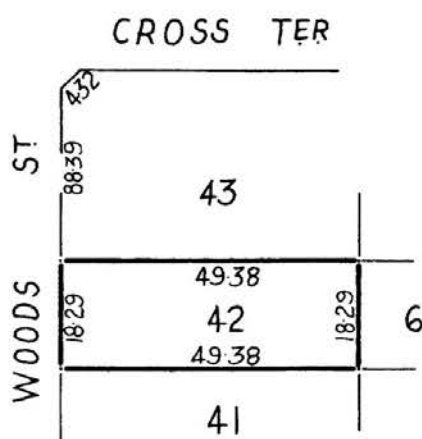
## Notations

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

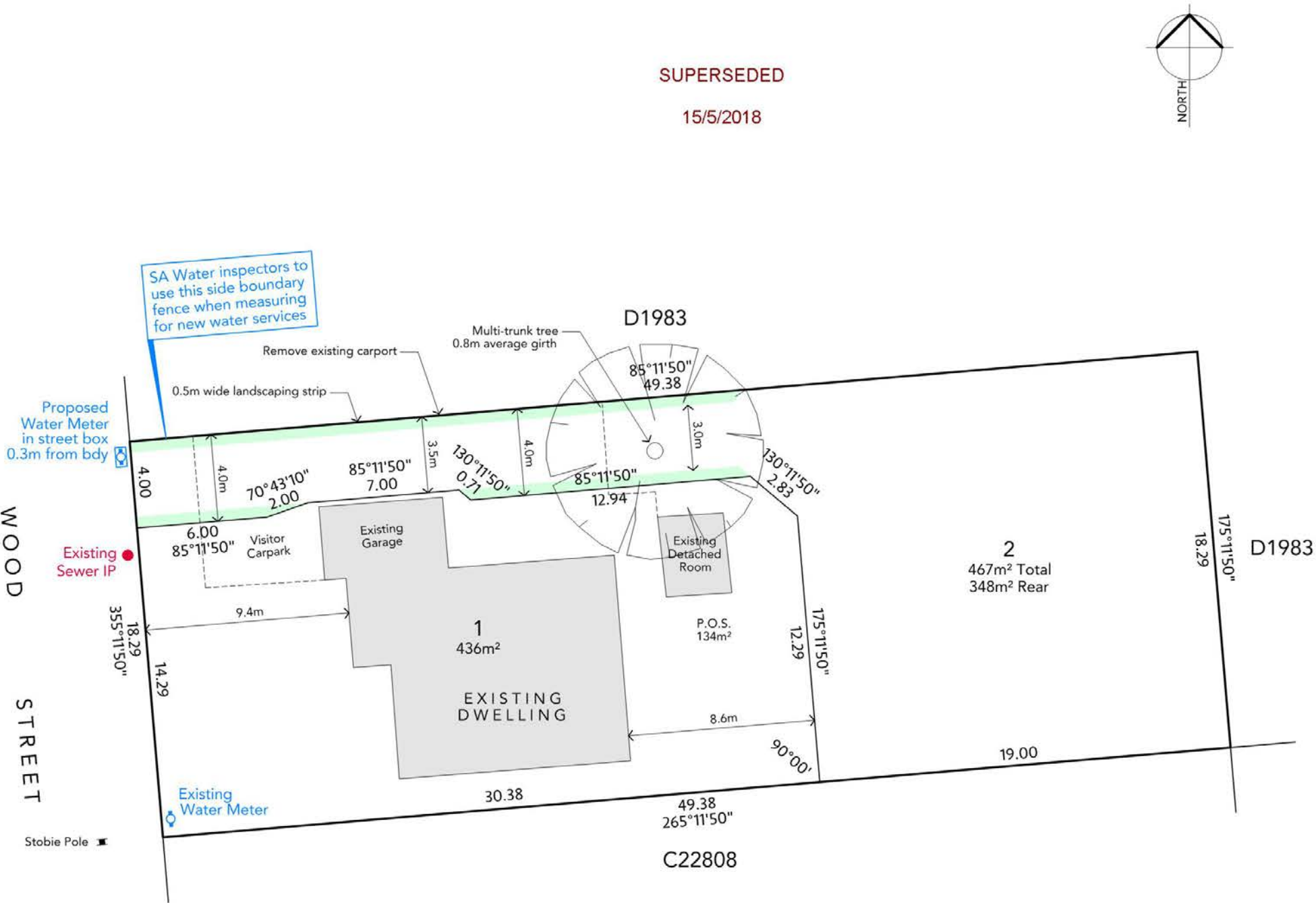


Government of South Australia  
Department of Planning,  
Transport and Infrastructure

Product	Register Search (CT 5455/305)
Date/Time	17/11/2017 09:08AM
Customer Reference	
Order ID	20171117001284
Cost	\$28.25



0 10 20 30 40 Metres



Land division application:

**211 / D / 17**

SHEET 1 OF 1 SHEETS

City of West Torrens

Total area of site: 903m<sup>2</sup>

Area of reserve provided: 0m<sup>2</sup>

No. of existing allotments: 1

No. of proposed allotments: 2

No. of additional allotments: 1

Subject land details:

**Allotment 42 in D1983**

Site Address: 39 Wood Street

Suburb: Kurralt Park

Hundred: Adelaide

Title(s): C.T. 5455 / 305

Annotations:

All measurements in metres unless shown otherwise. Do not scale drawing. Original sheet size is A3. All measurements are subject to survey and final plan of division. Always check the current certificate(s) of title for any easement(s) and annotations(s) that affect the within land.

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

The existing dwelling is to be retained for this project. All other structures are to be demolished/removed as per the plan diagram. Owner or developer to apply to Council for demolition approval (if required).

SA Water Contact Details  
Michael Zaina  
Zaina Stacey Pty Ltd  
Phone 8379 7979



02/12/2017	Original issue
Rev: Date	Description

**ZAINA STACEY**  
DEVELOPMENT CONSULTANTS

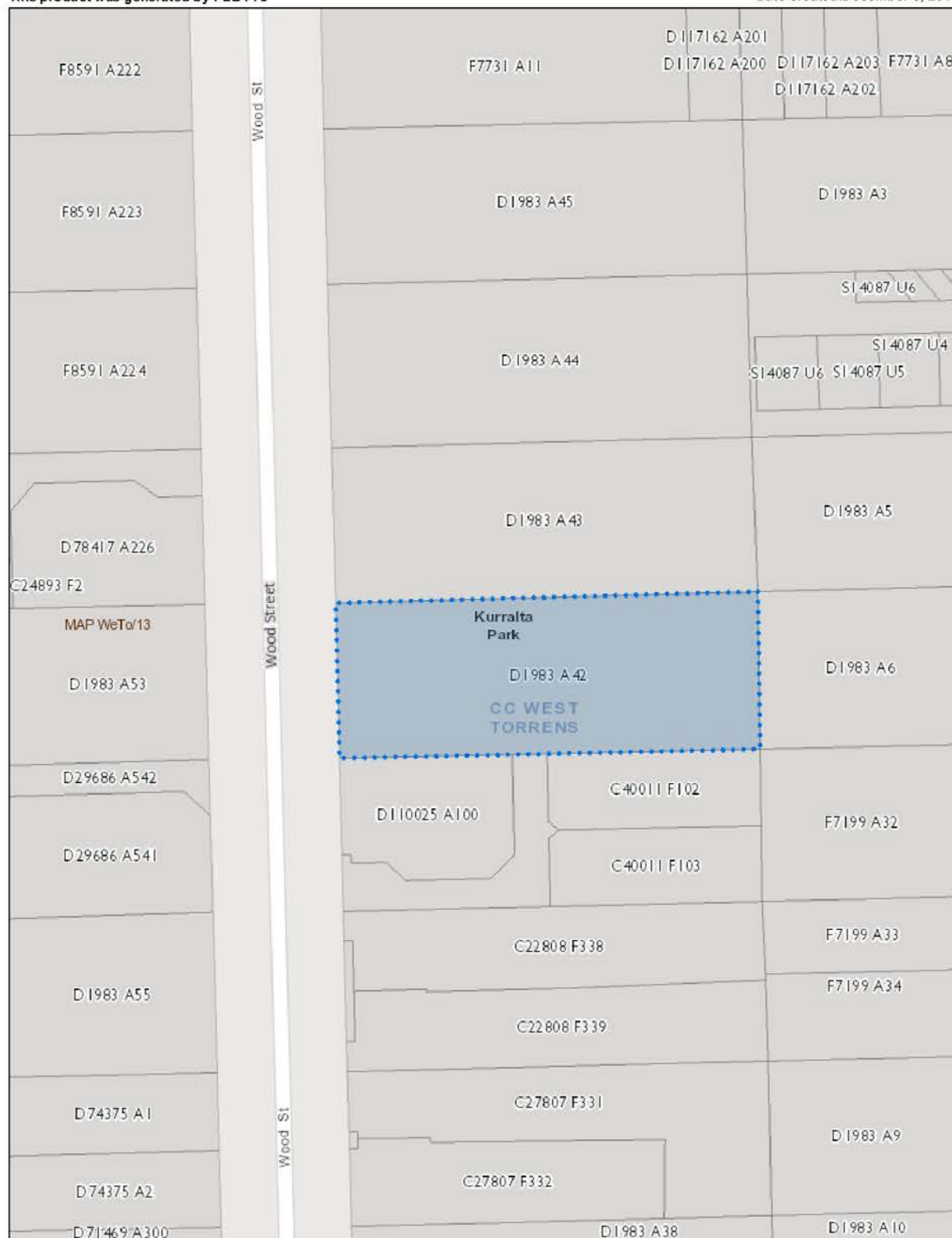
Office: 13 Avenue Road, Frewville SA  
Post: PO Box 1000, Torrens Park SA 5062  
Phone: 08 8379 7979  
Email: planning@zainastacey.com

Reference: **17391**

60279 e

This product was generated by PLB Pro

Date created: December 8, 2017



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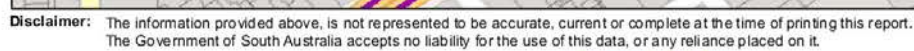
PLB Pro - developed by DPTI GIS Office

[DPTI.GISOffice@sa.gov.au](mailto:DPTI.GISOffice@sa.gov.au)

Government of South Australia  
Department of Planning,  
Transport and Infrastructure



Date created:December 8, 2017



[DPTI.GISOoffice@sa.gov.au](mailto:DPTI.GISOoffice@sa.gov.au)



**Government of South Australia**Department of Planning,  
Transport and Infrastructure

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**Tax Invoice / Receipt**

**ABN:** 92 366 288 135  
**Agency:** Department of Planning, Transport and Infrastructure  
**Address:** PO Box 1815, Adelaide SA 5001  
**Phone:** 7109 7018

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Fee Description	GST excl.	GST	GST incl.
Lodgement Fee (additional allotment)	\$209.50	\$0.00	\$209.50
Land Division Fee (additional allotment)	\$158.00	\$0.00	\$158.00
Land Division Fee (per Additional Allotment)	\$14.90	\$0.00	\$14.90
Statement of Requirements Fee (additional allotment)	\$417.00	\$0.00	\$417.00
Certificate of Approval Fee (additional allotments)	\$347.00	\$0.00	\$347.00
DAC Consultation Report Fee (additional allotments)	\$208.00	\$0.00	\$208.00
<b>Total</b>	<b>\$1354.40</b>	<b>\$0.00</b>	<b>\$1354.40</b>

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**APPLICATION DETAILS**

**Unique Id:** 60279  
**Development Number:** 211/D195/17  
**Agents Reference:** 17391  
**Applicant:** Michael Sidlo  
**Owner:** Michael Sidlo  
**Type:** CreditCard  
**Agent:** Zaina Stacey Development Consultants  
**Address:** Zaina Stacey Development Consultants PO Box 1000 Torrens  
Park 5062  
South Australia

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**TRANSACTION DETAILS**

**Received:** Thursday, 07 Dec 2017  
**Receipt Ref. No:** 79186894959  
**Process Id:** DEV6027920171207163723420  
**Amount Paid:** \$1354.40  
**Payment Method:** Credit Card

Contact      Lands Titles Office  
Telephone    7109 7016



*Development  
Assessment Commission*

08-December-2017

The Chief Executive Officer  
City of West Torrens

Dear Sir/Madam

**Re:            Proposed Application No.            211/D195/17 (ID 60279)**  
**for Land Division by                Michael Sidlo**

I refer to the above application received at this office and advise that the Development Assessment Commission will, within the prescribed time, forward to Council its report in accordance with Regulation 29 of the Development Regulations 2008 and (if applicable) any requirements under Section 33 (1)(d) of the Development Act 1993.

Yours faithfully

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

## NO GOVERNMENT ADMINISTRATIVE INTERESTS

There are no

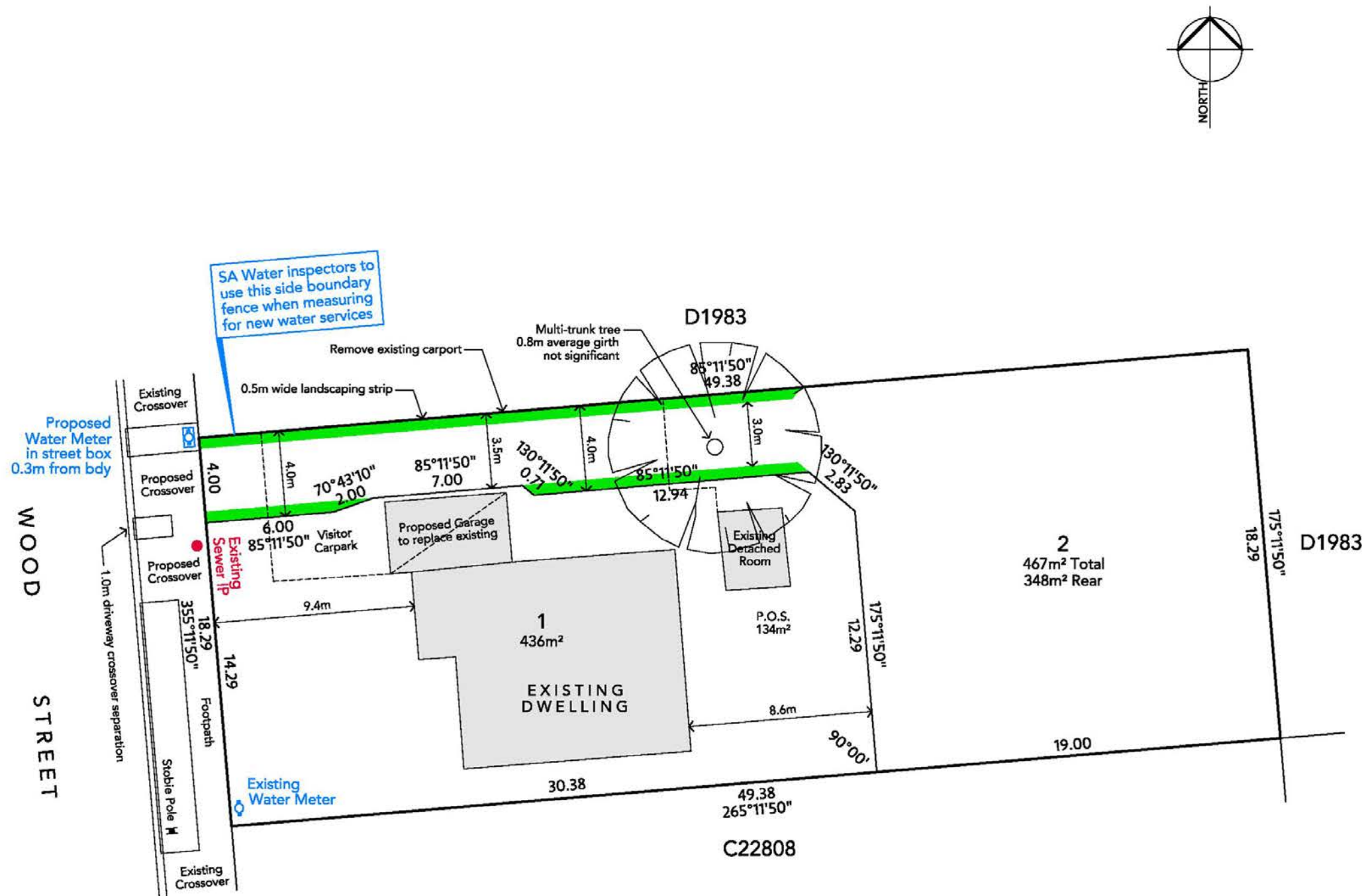
- Planning interests (either land division or land use)
- State Heritage interests
- Aboriginal Heritage interests
- Environment Protection Act interests

recorded on the Property Interests System for this property at the date of lodgement of the application.

Other Government Departments may have administrative interests recorded but this has not been searched by Department of Planning, Transport and Infrastructure.

NOTE: The Certificate of Title should be checked for registered interests, e.g. Land Management Agreements.





Land division application:

211 / D195 / 17

SHEET 1 OF 1 SHEETS

City of West Torrens

Total area of site: 903m<sup>2</sup>

Area of reserve provided: 0m<sup>2</sup>

No. of existing allotments: 1

No. of proposed allotments: 2

No. of additional allotments: 1

Subject land details:

Allotment 42 in D1983

Site Address: 39 Wood Street

Suburb: Kurralt Park

Hundred: Adelaide

Title(s): C.T. 5455 / 305

All measurements in metres unless shown otherwise. Do not scale drawing. Original sheet size is A3. All measurements are subject to survey and final plan of division. Always check the current certificate(s) of title for any easement(s) and annotations(s) that affect the within land.

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

The existing dwelling is to be retained for this project. All other structures are to be demolished/removed as per the plan diagram. Owner or developer to apply to Council for demolition approval (if required).

The proposed boundary shall be fenced with a 1.8m high colourbond 'good neighbour' fence from the front of the proposed garage and all proposed boundaries thereafter to the rear of allotment 1.

SA Water Contact Details  
Michael Zaina  
Zaina Stacey Pty Ltd  
Phone 8379 7979

0 2 4 6 8 10 SCALE 1:200m METRES		
A	07/05/2018 02/12/2017	Various amendments per Council planner Original Issue
Rev.	Date	Description
<b>ZAINA STACEY</b> DEVELOPMENT CONSULTANTS Office: 13 Avenue Road, Frenville SA Post: PO Box 1000, Torrens Park SA 5062 Phone: 08 8379 7979 Email: planning@zainastacey.com Reference: 17391		

## Preliminary Assessment

### Traffic Land Div adjoining Lane or Intersection

**Development Application No:** 211/1524/2017

**Assessing Officer:** Claudio Barone

**Site Address :** 39 Wood Street, KURRALTA PARK SA 5037

**Certificate of Title:** CT-5455/305

**Description of Development:** Land division - Torrens Title; SCAP No. 211/D195/17 (Unique ID 60279); 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:

.....

.....

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.....

.....

**PLANNING OFFICER - Claudio Barone**

**DATE 21 March 2018**



## Memo

To Claudio Barone  
From Jane Teng  
Date 21/03/2018  
Subject 211/1524/2017, 39 Wood Street, KURRALTA PARK SA 5037

Claudio Barone,

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

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

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

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

In addition, Council would also seeks to ensure that the FFL of all new development is protected from inundation when considering a 350mm stormwater flow depth in the adjacent street watertable.

This is typically achieved through establishing the FFL of new development a minimum of 350mm above the highest adjacent street water table. The development however does not require flood flow corridor within the allotment boundaries.

### **2.0 Driveway Access**

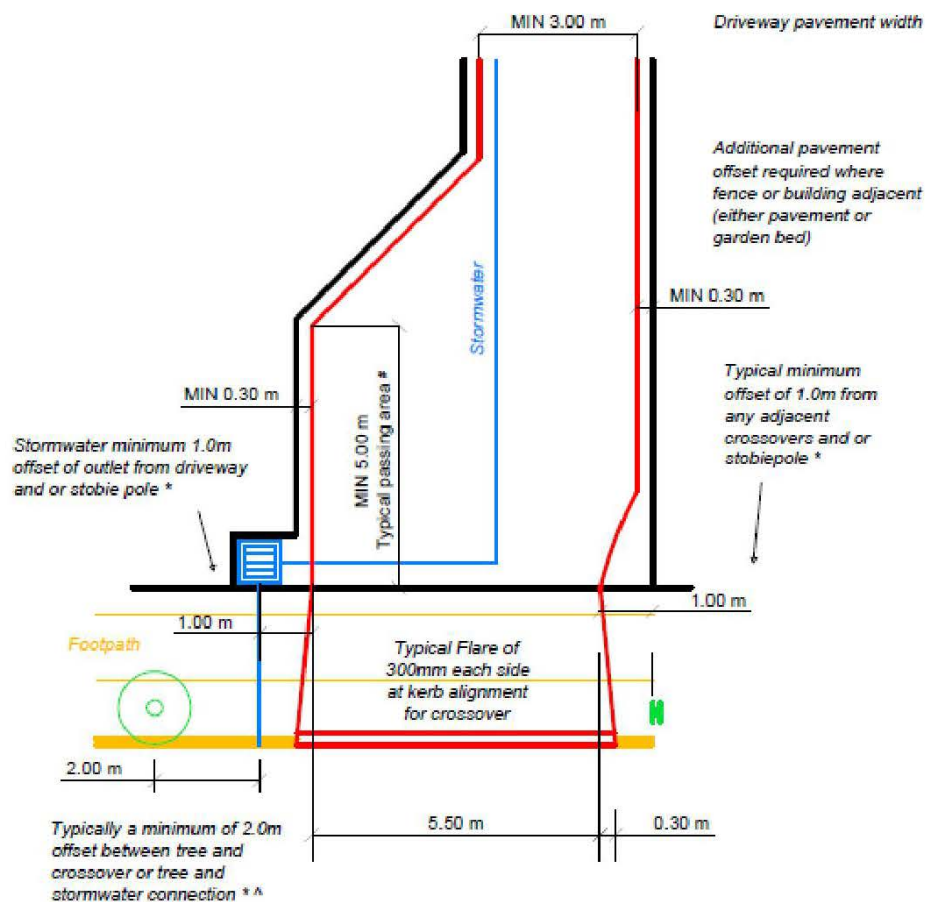
#### **2.1 Deficient Driveway Corridor**

As the access driveway will service more than one property, the common driveway corridor to the site will require widening to a minimum of 3.6m wide including the 1.0m x 1.0m notch out for the stormwater sump. The proposed driveway falls short of this requirement. Please refer to the attached sketch for a typical layout.



**It is recommended that the common driveway 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.**

## ACCESS ARRANGEMENT SERVICING TWO REAR PROPERTY



### NOTES:

- \* Distance as measured along alignment of front property boundary.
- ^ Must be deemed to comply by Council's Technical Officer (Amenity).
- # No aboveground structure(s) such as letterboxes, service meters or similar are to be installing within the common driveway entrance and passing area.





## 2.2 Driveway Separation

Council would typically require new driveways to be located a minimum 1.0m offset from adjacent driveways. 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.

Currently, there is an existing driveway to 39 Wood St separated from the existing neighbouring driveway by a 1.0m upright kerb and gutter.

The proposed driveway access to the rear dwelling as it is currently presented in the current format, combined with the driveway of the existing neighbouring property and the existing dwelling to the front will result in an excessively long driveway access fronting the site.

It is recommended that driveway separation in the form of 1.0m kerb separation be implemented for the above site. It is noted that the private stormwater sump and outlet for the new rear dwelling will need to be concurrently addressed with the driveway proposal.

Further southward offsets to the driveway access profile to the existing garage of the existing dwelling will further complicate maneuverability of vehicles traversing the existing dwelling.

**Revised plans showing a driveway that satisfies the above provisions 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**

**6.7 3 Layton Street, FULHAM**

Application No 211/424/2018

**DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Land division - Torrens Title; SCAP No. 211/D042/18; Create one (1) additional allotment
APPLICANT	R Stevens
APPLICATION NO	211/424/2018
LODGEMENT DATE	20 April 2018
ZONE	Residential Zone
POLICY AREA	Low Density Policy Area 21
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> <li>▪ City Assets</li> </ul> External <ul style="list-style-type: none"> <li>▪ SA Water</li> <li>▪ SCAP</li> </ul>
DEVELOPMENT PLAN VERSION	6 February 2018
MEETING DATE	12 June 2018

**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. 211/424/2018 by R Stevens to undertake Land division - Torrens Title; SCAP No. 211/D042/18; Create one (1) additional allotment at 3 Layton Street, FULHAM (CT 5516/676) subject to the following conditions of consent:

**Development Plan Consent Conditions**

1. Development is to take place in accordance with the plans prepared by Cavallo Forest relating to Development Application No. 211/424/2018 (SCAP 211/D042/18).
2. Prior to the issue of certificates, all existing buildings shall be removed from proposed Lots 1 and 2 as indicated on the approved plans.

**Council Conditions**

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.

An investigation will be carried out to determine if the connection/s to your development will be costed as standard or non-standard. On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.

4. 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.

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.

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## 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 APPLICATIONS

DA 211/513/2018: Construction of two (2) two storey detached dwellings. This application was lodged on 23 May 2018 and is currently under assessment.

## SITE AND LOCALITY

The subject site is formally described as Allotment 85 Deposited Plan 4445 in the area named Fulham, Hundred of Adelaide, Volume 5516 Folio 676. It is more commonly known as 3 Layton Street Fulham. There are no easements, encumbrances or Land Management Agreements affecting the subject site.

The subject site is an existing residential property located on the eastern side of Layton Street approximately 50 metres south of Henley Beach Road. The subject site is rectangular in shape with a 19.2 metre wide frontage to Layton Street, a depth of 45.7 metres and an overall site area of 877.8 square metres. The land is generally flat and currently contains a single storey detached dwelling and associated outbuilding and pool.

There are two mature (but not regulated) trees on the site and a number of smaller shrubs and trees located along the site boundaries. In the north west corner of the adjacent property at 6 Ashburn Avenue Fulham, there is a large gum tree with a circumference of 1.9m one metre above ground level which is not considered to be of a regulated size.

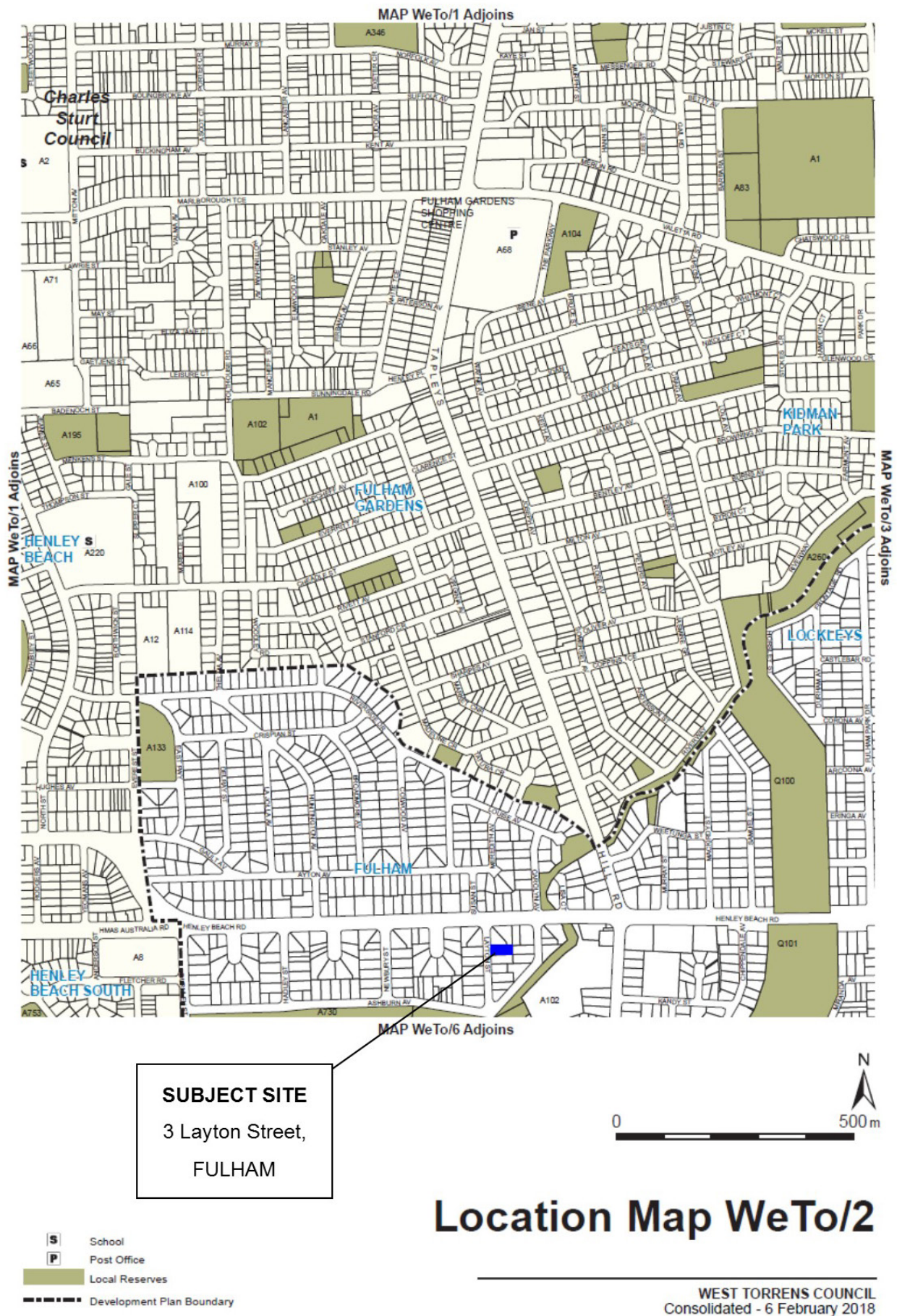
The locality is residential in nature containing a mix of single storey and double storey detached dwellings. The locality is currently undergoing transition with a number of sites located within 400 metres of a Centre Zone being divided to take advantage of the reduced allotment size requirements. A number of corner allotments have also been subdivided into irregular triangular shaped allotments. These land divisions are changing the prevailing allotment pattern in the locality. Whereas allotments located between Henley Beach Road and Ashburn Avenue have retained a rectangular allotment shape, the allotment sizes now vary between 400 and 1000 square metres.

The site and locality are shown on the following maps.









## PROPOSAL

The application seeks Development Approval for a Torrens Title land division creating one additional allotment.

Proposed allotments 1 and 2 are mirrored allotments, each with a 9.6 metre wide frontage to Layton Street, a depth of 45.72 metres and an overall site area of 438 square metres. An existing single width crossover is able to service proposed allotment 2. A new single width crossover can be accommodated to allow for vehicular access to proposed allotment 1 while meeting a minimum offset of 2 metres from the existing street tree.

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

## PUBLIC NOTIFICATION

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

## REFERRALS

### Internal

#### *City Assets*

As noted, City Assets have confirmed that proposed allotment 1 has a sufficient frontage width to accommodate a minimum 3.6m wide driveway access, allowing for a 2m offset from the existing street tree (refer Figure 1). It is worth noting that many of the comments raised by City Assets relate to a built form application that is currently under assessment and not technically relevant to the current application.

A full copy of the relevant report is contained in **Attachment 2**.



Figure 1: 3 Layton Street with proposed offset and crossover areas indicated



## External

The application was referred to the following external agencies:

### *State Commission Assessment Panel (SCAP)*

SCAP have raised no concerns with the proposal. Standard conditions of consent have been recommended should the application be supported.

### *SA Water*

SA Water have raised no concerns with the proposal. The developer will be required to meet the requirements of SA Water for the provision of water and sewerages services. Standard conditions of consent have been recommended should the application be supported.

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

## ASSESSMENT

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 (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>Land Division</i>	<i>Objectives</i>	1, 2, 3 & 4
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 & 21
<i>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

<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 <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>	
<b>Objectives</b>	2, 3 & 4
<b>Principles of Development Control</b>	5

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



## QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT	
		Allotment 1	Allotment 2
ALLOTMENT AREA <i>Low Density Policy Area 21</i> PDC 6	420m <sup>2</sup>	438m <sup>2</sup> <b>Satisfies</b>	438m <sup>2</sup> <b>Satisfies</b>
ALLOTMENT FRONTAGE <i>Low Density Policy Area 21</i> PDC 6	12m	9.6m <b>Does not Satisfy by 20%</b>	9.6m <b>Does not Satisfy by 20%</b>

## QUALITATIVE ASSESSMENT

In assessing the merits or otherwise of the application, the proposed development has been assessed against the relevant Development Plan provisions, as discussed under the following sub heading:

### Land Division

Principle of Development Control (PDC) 6 of the Residential Zone, Low Density Policy Area 21 seeks land divisions that create allotments with an area greater than 420m<sup>2</sup> and a minimum frontage of 12m (except where land division is combined with an application for dwellings or follows an approval for dwellings on site). While the proposed division exceeds the minimum site area requirement of PDC 6, it does not meet the minimum allotment frontage width. Despite this shortfall, the proposed allotments are considered to be of a suitable size and configuration to comfortably accommodate dwellings in a manner that meets the Development Plan requirements in relation to setbacks, private open space, access and parking.

PDC 4 of Low Density Policy Area 21 provides for a more conservative standard (minimum site area of 350m<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, notwithstanding that an application for dwellings has been lodged separately.

The reduced minimum quantitative requirements in PDC 4 allow for a denser allotment pattern within 400 metres of a Centre Zone. The Desired Character Statement for Policy Area 21 states that the intention of this is to allow more residents to take advantage of the variety of community facilities available within Centre Zones. It is considered that the proposed division satisfies the requirements of the Desired Character Statement by increasing the density in accordance with PDC 4.

It is also worth noting that 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 (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 is considered to be of sufficient merit to warrant approval.

It is evident that this particular locality is undergoing transition. Similar land division applications for 4 and 5 Layton Street, Fulham have previously been granted Development Approval by the Development Assessment Panel (DAP) and CAP. These divisions created similar sized allotments and frontages to those proposed and were not combined to include the built form. However, the proposed allotments were considered appropriate in the context of the desired character sought and the capacity of each allotment to accommodate further development. In this particular instance, it is considered that the proposed land division will suitably accord with the evolving pattern of allotments in the locality.

## **SUMMARY**

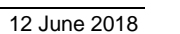
The proposed land division satisfies the minimum site area requirements of Low Density Policy Area 21 but fails to meet the minimum frontage width sought. Given the location of the subject site within 400 metres of a Centre Zone, the proposed allotments will allow for an increase in density in a locality which is currently transitioning away from a low density residential environment. As the proposed allotments are also capable of accommodating the future anticipated development of dwellings on the site, the proposal is 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 considered to not 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.

## **Attachments**

- 1. Plan of Division**
- 2. Internal Referrals Reports**
- 3. External Referral Reports**



## Preliminary Traffic, Flooding & Stormwater Assessment

**Development Application No:** 211/424/2018

**Assessing Officer:** Amelia DeRuvo  
**Site Address:** 3 Layton Street, FULHAM SA 5024  
**Certificate of Title:** CT-5516/676  
**Description of Development:** Land division - Torrens Title; SCAP No. 211/D042/18;  
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 - Amelia DeRuvo**

**DATE 23 May, 2018**





## Memo

To Amelia DeRuvo  
From Jane Teng  
Date 23/05/2018  
Subject 211/424/2018, 3 Layton Street, FULHAM SA 5024

Amelia DeRuvo,

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

### 1.0 General Comment

It is anticipated that both lots has sufficient front property widths to accommodate a minimum 3.60m wide single driveway access. In absence of detailed site survey, City Assets is unable to confirm whether there is sufficient 2.0m minimum between the existing street tree, new stormwater outlet locations for Lot 1 and Lot 2 and new driveway. Below are the typical requirements in relations to minimum offset requirements and a diagram d depicting single driveway aces arrangement for new dwellings.

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

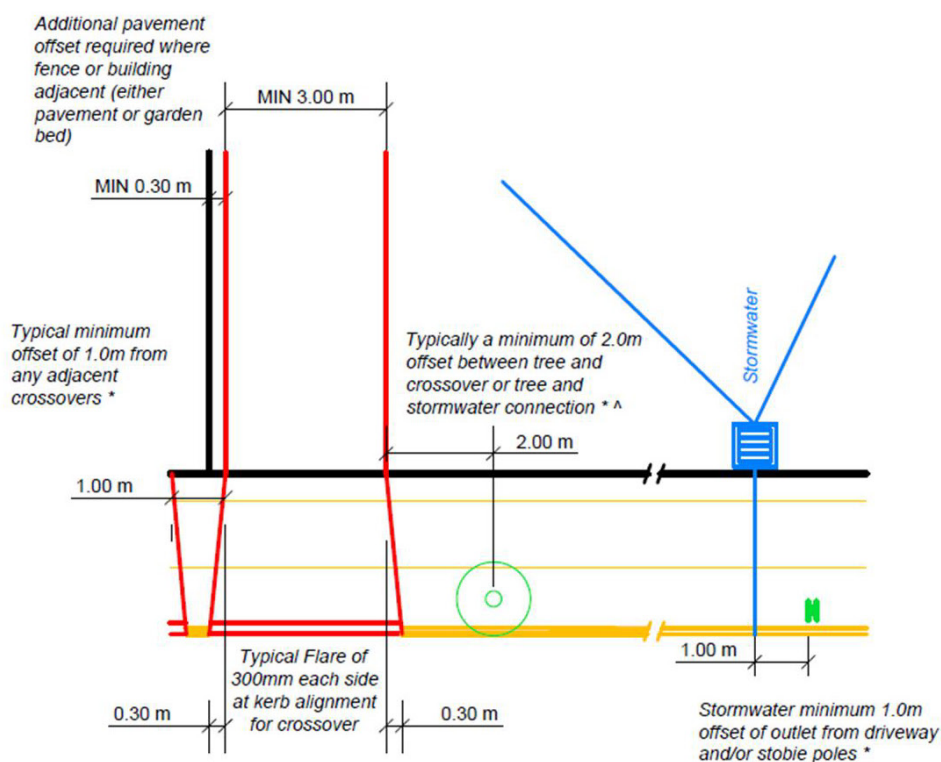
In association with new development, driveways and stormwater connections through the road verge need to be located and shaped such that they appropriately interact with and accommodate existing verge features in front of the subject and adjacent properties. Any new driveway access shall be constructed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

New driveways and stormwater connections are 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).



## SINGLE DRIVEWAY ACCESS TO FRONT PROPERTY



### NOTES:

\* Distance as measured along alignment of front property boundary

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

- 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.

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

Regards  
**Jane Teng**  
 Civil Engineer



Contact  
Telephone  
Email

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

State Commission  
Assessment Panel

16 May 2018

The Chief Executive Officer  
City of West Torrens

Level 5  
50 Flinders Street  
Adelaide SA 5000

Dear Sir/Madam

GPO Box 1815  
Adelaide SA 5001

**Re: Proposed Application No.** 211/D042/18 (ID 61459)  
**for Land Division by** Mr Robert Stevens

08 7109 7061

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 April 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. An investigation will be carried out to determine if the connection/s to your development will be costed as standard or non standard. On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.
2. Payment of \$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

Biljana Prokic  
**LAND DIVISION COORDINATOR – PLANNING SERVICES**  
as delegate of the  
**STATE COMMISSION ASSESSMENT PANEL**



16 May 2018

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

Our Ref: H0071768

Inquiries JOSIE BONNET  
Telephone 7424 1119

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

Dear Sir/Madam

**PROPOSED LAND DIVISION APPLICATION NO: 211/D042/18 AT FULHAM**

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

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

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

An investigation will be carried out to determine if the connection/s to your development will be costed as standard or non standard.

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

Yours faithfully

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



## **7 CONFIDENTIAL REPORTS OF THE ASSESSMENT MANAGER**

### **7.1 33 & 35 Malurus Avenue, LOCKLEYS**

Application No. 211/1373/2017

#### **Reason for Confidentiality**

It is recommended that this Report be considered in CONFIDENCE in accordance with regulation 13(2)(a) (vii) and (viii) of the *Planning, Development and Infrastructure (General) Regulations 2017*, which permits the meeting to be closed to the public for business relating to the following:

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

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

#### **RECOMMENDATION**

It is recommended to the Council Assessment Panel that:

1. On the basis that this matter is before the Environment Resources and Development Court so any disclosure would prejudice the position of Council, the Council Assessment Panel orders pursuant to regulation 13(2) of the *Planning, Development and Infrastructure (General) Regulations 2017*, that the public, with the exception of the Chief Executive Officer, members of the Executive and Management Teams, Assessment Manager, City Development staff in attendance at the meeting, and meeting secretariat staff, and other staff so determined, be excluded from attendance at so much of the meeting as is necessary to receive, discuss and consider in confidence, information contained within the confidential reports submitted by the Assessment Manager on the basis that this matter is before the Environment Resources and Development Court and it is a requirement of the Court that matters are kept confidential until such time as a compromise is reached or the matter proceeds to a hearing.
2. At the completion of the confidential session the meeting be re-opened to the public.

## 8 SUMMARY OF COURT APPEALS

### 8.1 Summary of SCAP, ERD Court and deferred CAP matters - June 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.

#### RECOMMENDATION

The Council Assessment Panel receive and note the information.

#### Matters pending determination by SCAP that have been received by Council

Reason for referral	DA number	Address	Description of development
Section 49	211/40/2018 (211/V002/17)	Lot 102 Anderson Avenue, WEST BEACH	Installation of Solar Photovoltaic cells (PV)
Schedule 10	211/740/2017 (211/M013/17)	192 ANZAC Highway, GLANDORE	Eight-storey building, 36 dwellings
Schedule 10	211/9/2018 (211/M044/17)	4 Selby Street, KURRALTA PARK	Six storey residential flat building with ground level car park
Major Project	211/61/2018 (211/D203/17)	292-304 Anzac Highway, PLYMPTON	Land division - Boundary Re-alignment

#### Development Application appeals before the ERD Court

DA Number	Address	Reason for Appeal	Description of Development	Status
211/676/2017	425 Anzac Highway, CAMDEN PARK	Representor appealed CAP approval (April meeting)	Construct three storey residential flat building with 8 dwellings	Directions Hearing scheduled for 26 June
211/906/2017	7 Durham Avenue, LOCKLEYS	Applicant appealed CAP refusal (March meeting)	Create one additional allotment and construct two (2) two storey semi-detached dwellings	Conciliation Conference scheduled for 25 June

211/1373/2017	33 & 35 Malurus Avenue, LOCKLEYS	Applicant appealed CAP refusal (March meeting)	Land division - Torrens Title (Boundary re-alignment)	<b><i>Additional information presented to June CAP meeting.</i></b> Conference scheduled for 20 June
211/1159/2017; 211/1309/2017	37 & 39 Malurus Avenue, LOCKLEYS	Applicant appealed CAP refusal (February meeting)	Create one additional allotment and construct 3 dwellings	Hearing scheduled for 5-6 June.

### Deferred CAP Items

DA number	DAP/CAP Meeting	Address	Description of development	Reason for CAP's 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
211/475/2017;2 11/916/2017	13 February 2018	37 Daly Street, KURRALTA PARK	Create 3 additional allotments and common property	Land division, landscaping, transportation and access, vehicle parking for residential development, light access to dwellings and covered private open space. <b><i>Presented to June CAP meeting</i></b>
211/1128/2017 211/922/2017	13 March 2018	32 Dudley Avenue, NORTH PLYMPTON	Create 3 additional allotments and construct 2 two storey residential flat buildings	Site coverage, private open space, landscaping, manoeuvrability, bulk and scale, rear setback. <b><i>Presented to June CAP meeting</i></b>
211/905/2017 211/731/2017	10 April 2018	16 Warwick Avenue, KURRALTA PARK	Create four (4) additional allotments and common property and construct a two storey residential flat building comprising five (5) dwellings	Minimum site areas, side setbacks, car parking, landscaping, overlooking / treatment of balconies. <b><i>Presented to June CAP meeting</i></b>

## **Conclusion**

This report is current as at 1 June 2018.

## **Attachments**

**Nil**

## **9 MEETING CLOSE**