

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, 13 AUGUST 2019**  
**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 9 July 2019 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 22 Lindsay Street, CAMDEN PARK

Application No 211/796/2016

#### DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Combined Application: Land division - Community Title; DAC No. 211/C101/16; Creating two additional allotments; and construction of three, two storey dwellings within a Residential Flat Building
APPLICANT	Geoff Matthews
LODGEMENT DATE	23 June 2016
ZONE	Residential
POLICY AREA	Medium Density Policy Area 18
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 2
REFERRALS	Internal <ul style="list-style-type: none"> <li>▪ City Assets</li> </ul> External <ul style="list-style-type: none"> <li>▪ SCAP</li> <li>▪ SA Water</li> </ul>
DEVELOPMENT PLAN VERSION	5 May 2016
RECOMMENDATION	Support with conditions
AUTHOR	Jordan Leverington

#### BACKGROUND

This application was presented to the Development Assessment Panel (DAP) at its meeting of 9 August 2016. The DAP resolved to defer the application to enable the applicant to address the following matters:

1. *Regulated Tree information required:*  
*A tree assessment report prepared by a suitably qualified consultant that:*
  - a) *Identifies the species and location of trees*
  - b) *Assesses the trees against the current provisions of regulated tree legislation*
  - c) *Assesses the general condition and structure of the trees*
  - d) *Determines the suitability of the retention of the trees in relation to the proposed development and/or existing buildings*
  - e) *Makes recommendation for appropriate action in relation to the trees*
  - f) *Clarifies which trees (if any) are to be removed.*
2. *As the site is within close proximity to the tram line, a noise impact report prepared by a suitably qualified engineer that examines the design and materials of proposed dwelling 3 and the buildings suitability with regard to the abatement of noise intrusion is required.*

In response to the DAP's decision, the applicant has submitted amended plans and additional information, including an acoustic report from Resonate. A copy of the amended plans and supporting information is contained within **Attachment 1**.

The original assessment report and associated plans and information are included within **Attachment 2**.



## AMENDED PROPOSAL

The amended plans incorporate a number of changes to the original proposal. These changes are as follows:

- An acoustic report from Resonate has been provided demonstrating that internal noise levels comply with AS/NZS2107:2016;
- An arborist report was found not to be necessary (refer **Assessment** section);
- Dwelling 1 has been altered so that the front door faces Lindsay Street;
- Each dwelling will be connected to a 3000L rainwater tank;
- Additional landscaping provided;
- Garages widened to allow appropriate vehicle manoeuvres;
- Privacy screens and 1.7m bottom sill level windows added to the upper level of the dwellings.

## PREVIOUS RELATED APPLICATION

A previous application for the construction of three two storey dwellings on the land was superseded by the current application.

## INTERNAL REFERRALS FOR AMENDED PLANS

Department	Comments
City Assets	<ul style="list-style-type: none"><li>• FFL's are satisfactory;</li><li>• The stormwater connection point is sufficiently setback from street infrastructure;</li><li>• On-site vehicle manoeuvring is satisfactory; and</li><li>• Stormwater collection and use is satisfactory.</li></ul>
City Operations	<ul style="list-style-type: none"><li>• The reduced 1.4m offset between the proposed crossover and street tree is satisfactory.</li></ul>

## EXTERNAL REFERRALS FOR AMENDED PLANS

Department	Comments
SCAP	<ul style="list-style-type: none"><li>• No concerns and standard conditions imposed.</li></ul>
SA Water	<ul style="list-style-type: none"><li>• No concerns.</li></ul>

A copy of the relevant referral responses are contained in **Attachment 3**.

## QUANTITATIVE STANDARDS

The amended proposal is assessed for consistency with the quantitative requirements of the Development Plan. The following table includes only those provisions relevant to the reasons for the deferral as follows:

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SITE AREA <i>Medium Density Policy Area 18</i> PDC 6	150m <sup>2</sup> (avg.)	Average = 279.3m <sup>2</sup>  <b>Satisfies</b>
SITE FRONTAGE <i>Medium Density Policy Area 18</i> PDC 6	15m (complete building)	15.9m  <b>Satisfies</b>
SITE COVERAGE <i>Medium Density Policy Area 18</i> PDC 5	70% (max.)	47%  <b>Satisfies</b>
PRIMARY STREET SETBACK <i>Medium Density Policy Area 18</i> PDC 5	3m (min.)	3m  <b>Satisfies</b>
SIDE SETBACKS <i>Residential Zone</i> PDC 11	0/1m	1m (Lot 701) 1.1m (Lot 703)  <b>Satisfies</b>
REAR SETBACK <i>Medium Density Policy Area 18</i> PDC 5	4m (min.)	1m (Lot 702) 0m (Lot 703)  <b>Does Not Satisfy</b>
BUILDING HEIGHT <i>Medium Density Policy Area 18</i> PDC 5	3 storeys or 12.5m	2 storeys / 7.7m  <b>Satisfies</b>
INTERNAL FLOOR AREA <i>Residential Development</i> PDC 9	100m <sup>2</sup> (min.)	229m <sup>2</sup> (Lot 701) 213m <sup>2</sup> (Lot 702) 231m <sup>2</sup> (Lot 703)  <b>Satisfies</b>

PRIVATE OPEN SPACE <i>Residential Development</i> PDC 19	24m <sup>2</sup> (min. area) 3m (min. dimension) 16m <sup>2</sup> (min. at the rear or side of dwelling, directly accessible from a habitable room).	<u>Lot 701</u> 27m <sup>2</sup> (total) 3.7m (min. dimension) 27m <sup>2</sup> (accessed from habitable room)  <u>Lot 702</u> 26m <sup>2</sup> (total) 3.7m (min. dimension) 26m <sup>2</sup> (accessed from habitable room)  <u>Lot 703</u> 33m <sup>2</sup> (total) 3.7m (min. dimension) 33m <sup>2</sup> (accessed from habitable room)  <b>Satisfies</b>
STORAGE <i>Residential Development</i> PDC 31	8m <sup>3</sup> (min.)	8.6m <sup>3</sup> (Lot 701) 9.3m <sup>3</sup> (Lot 702) 9.2m <sup>3</sup> (Lot 703)  <b>Satisfies</b>
CAR PARKING SPACES <i>Transportation and Access</i> PDC 34	7 (3 covered) required	7 spaces provided  <b>Satisfies</b>
LANDSCAPING <i>Landscaping, Fences and Walls</i> PDC 4	10% (min.)	12.3%  <b>Satisfies</b>

## PUBLIC NOTIFICATION

As two years has elapsed since the application previously underwent public notification, it was necessary for it to be notified again in accordance with Regulation 22(5) of the *Development Regulations 2008*.

No representations were received during the second notification period.

## ASSESSMENT

This section focusses on the assessment of the amended components of the application and the reasons for deferral outlined by the CAP.

### Arborist report

During deliberation at the previous DAP meeting, concern was raised that there were two large trees on the property that would need to be removed in order to facilitate the proposed development. However, the Arborist report supplied only referred to one of these trees.

Council staff undertook a site visit on 26 August 2016 to inspect the trees in question. This revealed that the tree not discussed in the Arborist report is a Lemon Scented Gum (*Corumbia citriodora*). This species is not classed as a regulated tree if it is located within 10m of a dwelling which applies in this case. As a result, no approval is required for its removal.

The other large tree is a She-oak (*Allocasaurina cunninghamiana*) and is classed as a regulated tree because it is located more than 10m from a dwelling. As Council was already in possession of the Arborist report for the She-oak (which concluded that the tree represents an unacceptable risk to site users and should be removed), it was considered that this effectively resolved this reason for deferral.

### **Acoustic report**

The applicant has provided an Acoustic report, prepared by Resonate Systems, which concludes that the treatments applied to proposed dwelling 3 are sufficient to reduce the noise within the dwelling to comply with the relevant Australian Standard 2107:2016.

The treatments proposed are as follows:

#### **External walls**

- 75mm PowerPanelXL
- 35mm Hebel top hat
- 90mm timber stud
- Sisalation building membrane
- Fletcher insulation r3.0 sonobatts
- 13mm Soundcheck plaster board

#### **External Windows and doors**

- Dowell double glazed low E 4/8/4

#### **Roof ceiling**

- Profiled metal roof
- Minimum cavity 200mm
- Permastop roof blanket r3.0
- Sisalation building membrane
- Fletcher insulation R3.0 sonobatts
- 13mm Soundchek plasterboard

### **Additional Design Considerations**

In addition to the matters raised by the DAP, the administration reviewed the application and requested some additional aspects to be amended. These aspects are discussed in detail as follows:

#### **1. Wider garages and door widths to accommodate vehicle movements**

The original proposal had garages with a width of 5.9m, which in combination with the 5.8m width of the common driveway meant that B85 vehicles would not be able to enter and exit the garages without hitting either the other car in the garage or the fence. This would have resulted in the double garages only being able to be used for one car, with the other displaced to the street. As Table WeTo/2 of the Development Plan seeks 2.25 carparks for each dwelling the applicant was asked to amend the proposal.

In response, the plans were amended to provide for double garages that are 6.8m in width. This is sufficient to allow cars to enter and exit the garages safely without conflict and is supported by City Assets.

## **2. Front door of dwelling 1 to address the street**

In the previous iteration of the proposal, the front door of dwelling 1 faced the internal driveway and failed to address the public realm. PDCs 12 and 15 of the Design and Appearance section of the Development Plan seek the front façade of dwellings and pedestrian entry points to be orientated towards the public realm.

The amended plans have achieved this by re-orientating the front door of dwelling 1 towards Lindsay Street. While this required a change to the internal floor plan, it has not required any change to setbacks and floor areas. As a result, the proposal is now considered to satisfy PDCs 12 and 15 of the Design and Appearance section of the Development Plan.

## **3. Additional landscaping**

In the original proposal, the only landscaping shown was a 300mm wide garden bed along the common driveway which equated to 17m<sup>2</sup> or 2.1% of the site area. PDC 4 of the Landscaping, Fences and Walls section of the Development Plan seeks a minimum of 10% of the site area to be used for landscaping.

The proposal has been amended to provide 99.8m<sup>2</sup> or 12.3% of the site area. The plant species proposed include:

- Magnolia Little gem
- Lilly Pilly (Australian native)
- Cordyline Australis Red Star
- Dianella Little revelation (Australian native)
- Liriope Giant Evergreen Arizona
- Purple flax (Australian native)

All garden beds will be irrigated to ensure the best chance of survival. This is considered to satisfy PDC 4 of the Landscaping, Fences and Walls section of the Development Plan.

## **4. FFL's and rainwater tanks**

The original proposal did not include a civil plan and only rudimentary stormwater disposal information was displayed on the site plan. The amended plans provide survey information and include provision for a 3000 litre rainwater tank for each dwelling. The proposed FFL's are 340mm above the top of kerb and all stormwater from the roofs will be directed to the 3000L tanks.

This has been considered and supported by City Assets.

## **SUMMARY**

The amendments to the proposal made as a result of both the reasons for deferral and the issues raised by the administration are now considered to have been satisfied.

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

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

## RECOMMENDATION

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. 211/796/2016 by Geoff Mathews to undertake a combined application: Land division - Community Title; DAC No. 211/C101/16; Creating two (2) additional allotments; and construction of three, two storey dwellings within a Residential Flat Building at 22 Lindsay Street, Camden Park (CT 5113/207) subject to the following conditions of consent:

### Development Plan Consent Conditions

1. The development shall be undertaken, completed and maintained in accordance with the plans and information detailed in this application except where varied by any conditions listed below.  
*Reason: To ensure the proposal is developed in accordance with the plans and documents lodged with Council.*
2. Prior to the occupation or use of the development, the upper storey windows on the eastern, western and southern elevations of the dwelling shall be fitted with fixed obscure glass (not film coated) 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. The glazing in these windows shall be maintained in good condition at all times to the reasonable satisfaction of Council.  
*Reason: To minimise the impact on privacy to residents of adjoining dwellings.*
3. A watering system shall be installed at the time landscaping is established and thereafter maintained and operated so that all plants receive sufficient water to ensure their survival and growth.  
*Reason: To enhance the amenity of the site and locality and mitigate against heat loading.*
4. The establishment of all landscaping shall occur no later than the next available planting season after substantial completion of the development. Such landscaping shall be maintained in good health and condition to the reasonable satisfaction of Council at all times. Any dead or diseased plants or trees shall be replaced with a suitable species.  
*Reason: To provide amenity for the occupants of the development and those of adjacent properties.*
5. Prior to the occupation or use of the development, all driveways, parking and vehicle manoeuvring areas shall be constructed and surfaced with concrete, bitumen or paving, and shall be drained and maintained in a good condition at all times to the reasonable satisfaction of Council.  
*Reason: To provide safe and convenient parking and manoeuvring areas for users of the development.*
6. Prior to the occupation or use of the development, all stormwater design and construction shall be to the satisfaction of Council 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 insanitary 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.*Reason: To ensure that adequate provision is made for the collection and dispersal of stormwater.*

## Land Division Consent Conditions

7. Payment of \$12,976 into the Planning and Development Fund (2 allotments @ \$6488 / 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.

*Reason: To satisfy the requirements of the Development Assessment Commission.*

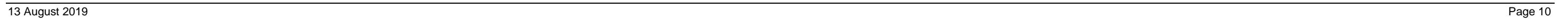
8. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

*Reason: To satisfy the requirements of the Development Assessment Commission.*

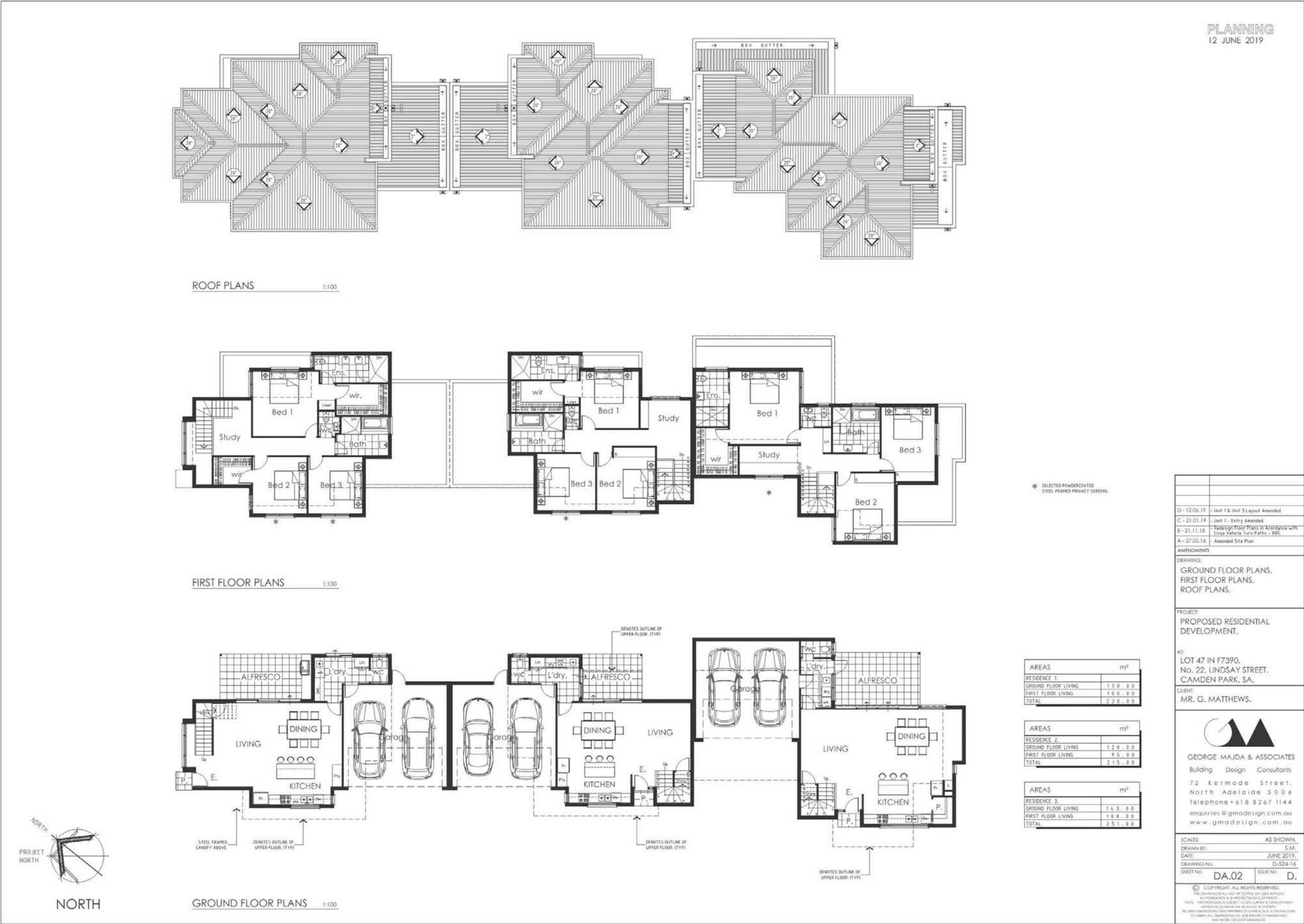
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## Attachments

1. Amended plans and documentation
2. Development Assessment Panel report (9/8/2016)
3. Referral Responses











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Tuesday, 11 September 2018

Project number: A16566

Reference: A16566LT1

Geoff Matthews  
Geoff Matthews Real Estate  
66b The Parade Norwood SA 5067

Dear Geoff,

**22 Lindsay Street Residential Development  
Acoustic Design Report**

## 1 Introduction

Resonate consultants were engaged to conduct a noise assessment for the impact of tram noise on the proposed residential development at 22 Lindsay Street, Camden Park. A condition of consent from City of West Torrens is as follows:

- 2) As the site is within the close proximity to the tram line, a noise impact report prepared by a suitably qualified engineer that examines the design and materials of proposed dwelling 3 and the building's suitability with regard to the abatement of noise intrusion as required.

This report details results from attended noise measurements on site, an analysis of predicted noise levels on the facades of the proposed residential buildings, and an assessment of the proposed materials to be used for the build and their suitability for the required level of noise mitigation.

The development site is not positioned within a noise and air emissions overlay, and an assessment against Minister's Specification 78B is not required. As such the development has been assessed against criteria from Australian/New Zealand Standard (AS/NZS) 2107:2016.<sup>1</sup>

## 2 Proposed development

The proposed development site is located between Lindsay Street, approximately to the north-east, and the tram line approximately to the southwest. The development is to consist of 3 adjacent dwellings, with the proposed 3<sup>rd</sup> residence to be located the nearest to the tram line. The development is to consist of two storeys, with bedrooms on the 2<sup>nd</sup> level to have a clear line-of-site to the tram line. Based on information obtained from the proponent and a visit to the site, Resonate understand that the nearest facade of the building is to be located approximately 15 metres from the nearest tram track (city bound).

Figure 1 shows the layout and position of the proposed development. In addition, the two positions where noise measurements were taken on site are displayed.

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<sup>1</sup> Australian/New Zealand Standard 2107:2016 *Acoustics—Recommended design sound levels and reverberation times for building interiors*.



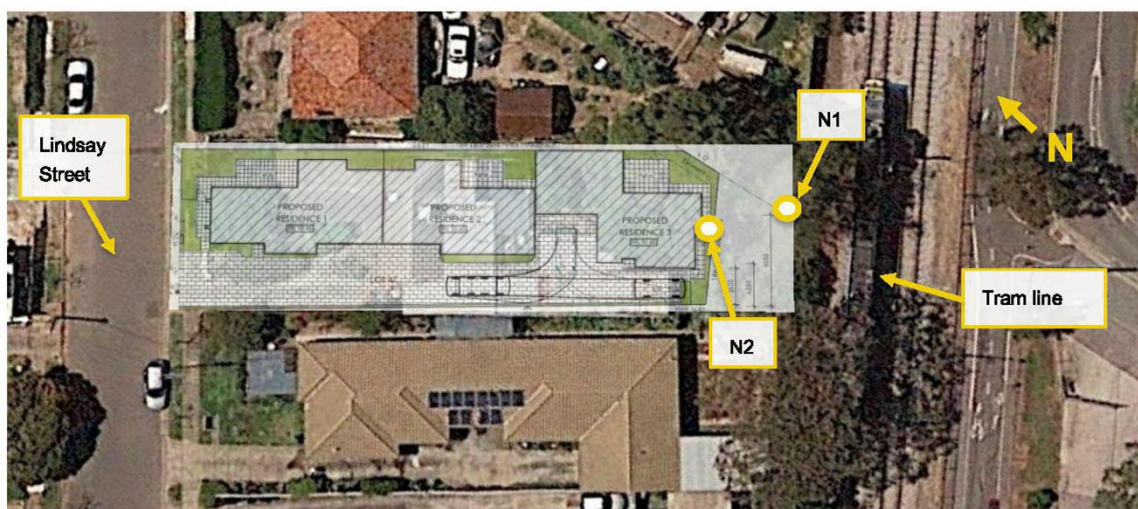


Figure 1 Proposed development site layout, and noise measurement positions

## 3 Noise criteria

Internal noise level criteria are based on the recommendations from Australian/New Zealand Standard (AS/NZS) 2107:2016.<sup>2</sup> The design internal noise level criteria are presented in Table 1.

Table 1 AS/NZS 2107 internal noise criteria—Residential buildings in suburban areas

Type of occupancy/activity	Recommended Design Sound Level $L_{eq}$ dB(A)
Living areas	30 - 40
Sleeping areas (night time)	30 - 35

<sup>2</sup> Australian/New Zealand Standard 2107:2016 *Acoustics—Recommended design sound levels and reverberation times for building interiors*.



## 4 Noise ingress assessment

### 4.1 Noise measurements

Noise measurements were taken on site on Wednesday the 15<sup>th</sup> of August, 2018.

A measurement of a tram passing by on the near track (city bound) was taken at the property boundary, noted as position N1 in Figure 1, at a distance of approximately 7 metres to the centre of the track and above the height of the existing fence (approximately 1.6 – 1.8 m). The results of the measurement are presented in Table 2.

**Table 2 Position N1 Tram pass-by measurement result**

Start time	Duration	L <sub>eq</sub> , dB(A)	L <sub>max</sub> , dB(A)	Observations
08:21am	10 seconds	76	83	Tram pass-by up track, measurement started on tram approach and stopped approximately 1-2 seconds after complete pass.

A 15-minute attended measurement was taken at position N2 at 1.5m above ground level, as per Figure 1, which was deemed to be best representative of the location of the nearest ground floor facade of the proposed development. The results of the measurement are presented in Table 3.

**Table 3 Position N2 attended measurement results**

Start time	Duration	L <sub>eq</sub> , dB(A)	L <sub>max</sub> , dB(A)	Observations
08:23am	15 minutes	56	72	3 trams on the up track (approx. 71 dBA) and 3 trams on the down track (approx. 65 dBA) during the measurement period. Birds very active (approx. 48-62 dBA)

### 4.2 External facade predictions

Based on the measurements taken on site, predictions of the worst-case 15-minute noise level due to tram noise was calculated. The prediction is presented in Table 4.

**Table 4 Worst-case noise level at the facade of 22 Lindsay Street proposed development**

Duration	L <sub>eq</sub> , dB(A)	Assumptions
15 minutes	60	6 tram pass-bys during the 15-minute period, all on the near track. Direct line-of-site from the trams on the near track to the level 1 facade

As noted in the assumptions column, the prediction is conservative by nature and considered an appropriate basis for the design of noise mitigation for the development.



## 5 Material assessment

Based on the information presented in Section 4, the level of attenuation required to achieve the criteria for different spaces within Residence 3 of the development are presented in Table 5.

**Table 5 Worst-case noise level at the facade of 22 Lindsay Street proposed development**

Space	Worst-case noise level, dB(A)	Internal criteria, dB(A)	Level of attenuation required
Ground Level Living/Dining	60	40	20
Level 1 Bedroom	60	35	25

The proponent of the development has indicated the materials intended for the build as described below. Resonate have determined the indicative level of attenuation for each system and this is also presented.

### External walls

- 75mm PowerPanelXL
- 35mm Hebel top hat
- 90mm timber stud
- Sisalation building membrane
- Fletcher insulation R3.0 sonobatts
- 13mm Soundchek plasterboard

$R_w + C_{tr}$  41

### External windows and doors

- Dowell double glazed low E 4/8/4

$R_w + C_{tr}$  30

### Roof and ceiling

- Profiled metal roof
- Minimum cavity 200mm
- Permastop roof blanket R3.0
- Sisalation building membrane
- Fletcher insulation R3.0 sonobatts
- 13mm Soundchek plasterboard

$R_w + C_{tr}$  38

We have predicted internal noise levels based on the above construction materials. Internal noise levels comply with the criteria described in Section 3.

A16566LT1

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## 6 Conclusion

Based on the level of noise measured in the area and the predictions to the facade of the development, the materials intended to be used for the build of the development are sufficient for the attenuation of tram noise to achieve the internal noise criteria in AS/NZS 2107:2016.

We trust that this information is satisfactory to your needs. If you have any questions please contact us on 08 8155 5888.

Yours sincerely,

A handwritten signature in black ink, appearing to read "JT" or "James Tudor Tsourtos".

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**6.3 22 Lindsay Street, CAMDEN PARK**

Application No. 211/351/2016

Appearing before the Panel will be:

Representors: **Mrs June Phillips** wishes to appear in support of the representation. Mrs Phillips will also be representing Suzanne Parslow.

Applicant **Mr George Majda** wishes to appear to respond to representations.

**DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Combined Application Land division (DAC No. 211/C101/16 Unique ID 54820) to create two (2) additional allotments and construction of three (3) dwellings within a Residential Flat Building
APPLICANT	State Surveys & George Majda & Associates
APPLICATION NO	211/796/2016 (Combined Land Use & Land Division) 211/351/2016 (Original Land Use)
LODGEMENT DATE	23 June 2016 211/796/2016 (Combined Land Use & Land Division)
ZONE	Residential
POLICY AREA	Medium Density Policy Area 18
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 2
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	05 May 2016
MEETING DATE	09 August 2016
RECOMMENDATION	<b>CONSENT</b>

**BACKGROUND**

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

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

**PREVIOUS or RELATED APPLICATION(S)**

Nil



## SITE AND LOCALITY

The subject site fronts Lindsay Street, Camden Park and backs onto the Adelaide to Glenelg Tramline. The site measures 15.95 metres by 50.98 metres with a site area of approximately 807m<sup>2</sup>. A 1.52 m width infrastructure easement exists in the south east corner of the land. The site contains an existing dwelling and outbuildings that will require demolition should the proposed development proceed. The site also contains a Regulated Tree that has been assessed as suitable for removal.

The subject site is shown in Figure 1.

**Figure 1 Subject Site**



The immediate locality contains predominately single storey dwellings however it is noted that the Medium Density provisions that relate to the locality provide for a changed built form to emerge over time.

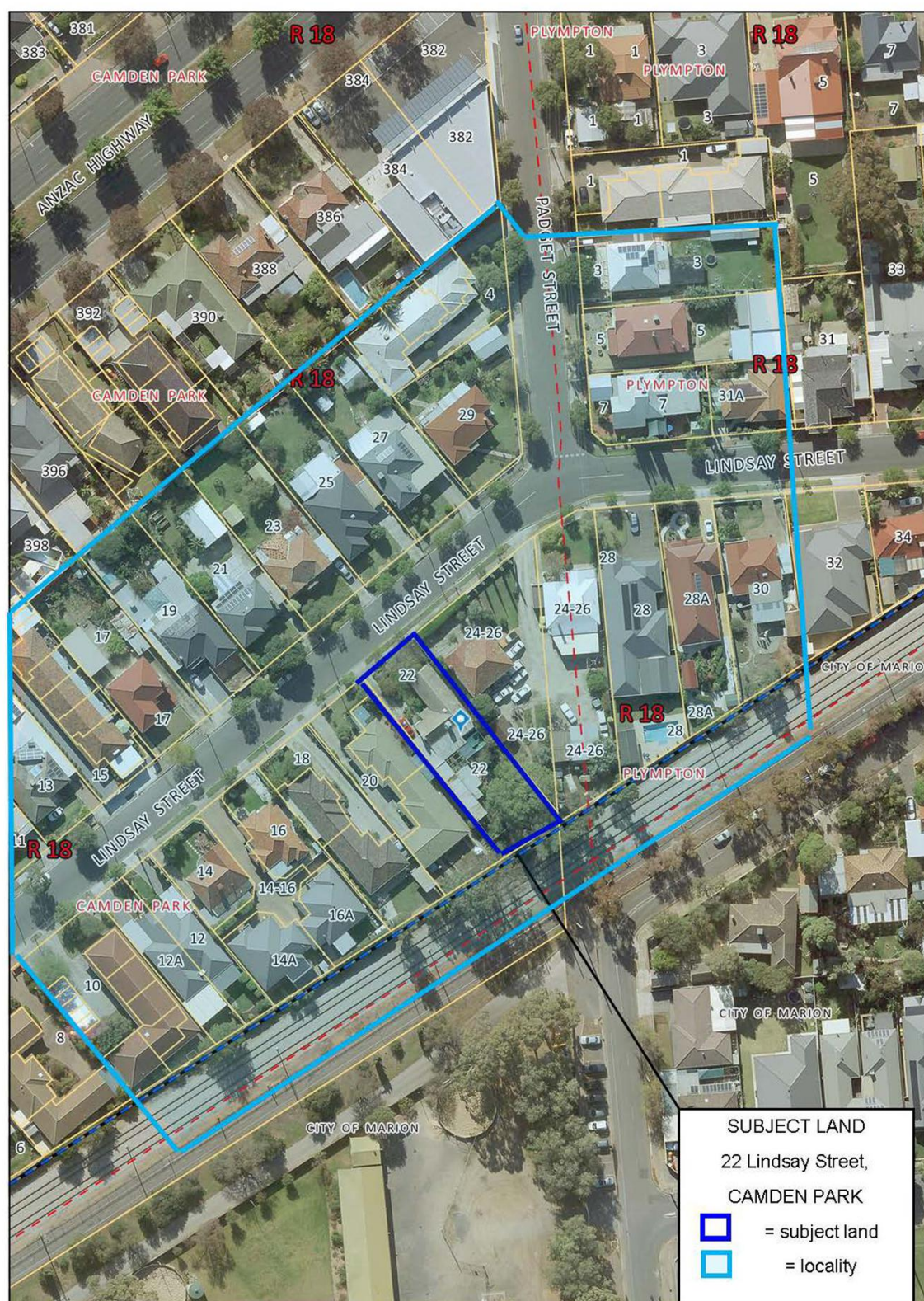
The wider locality contains Cross Road, Anzac Highway and open space areas with the built form being predominately residential. Other notable land uses in the locality include a tram stop on the Glenelg to Adelaide tramline.

The site and locality are shown in the following maps.

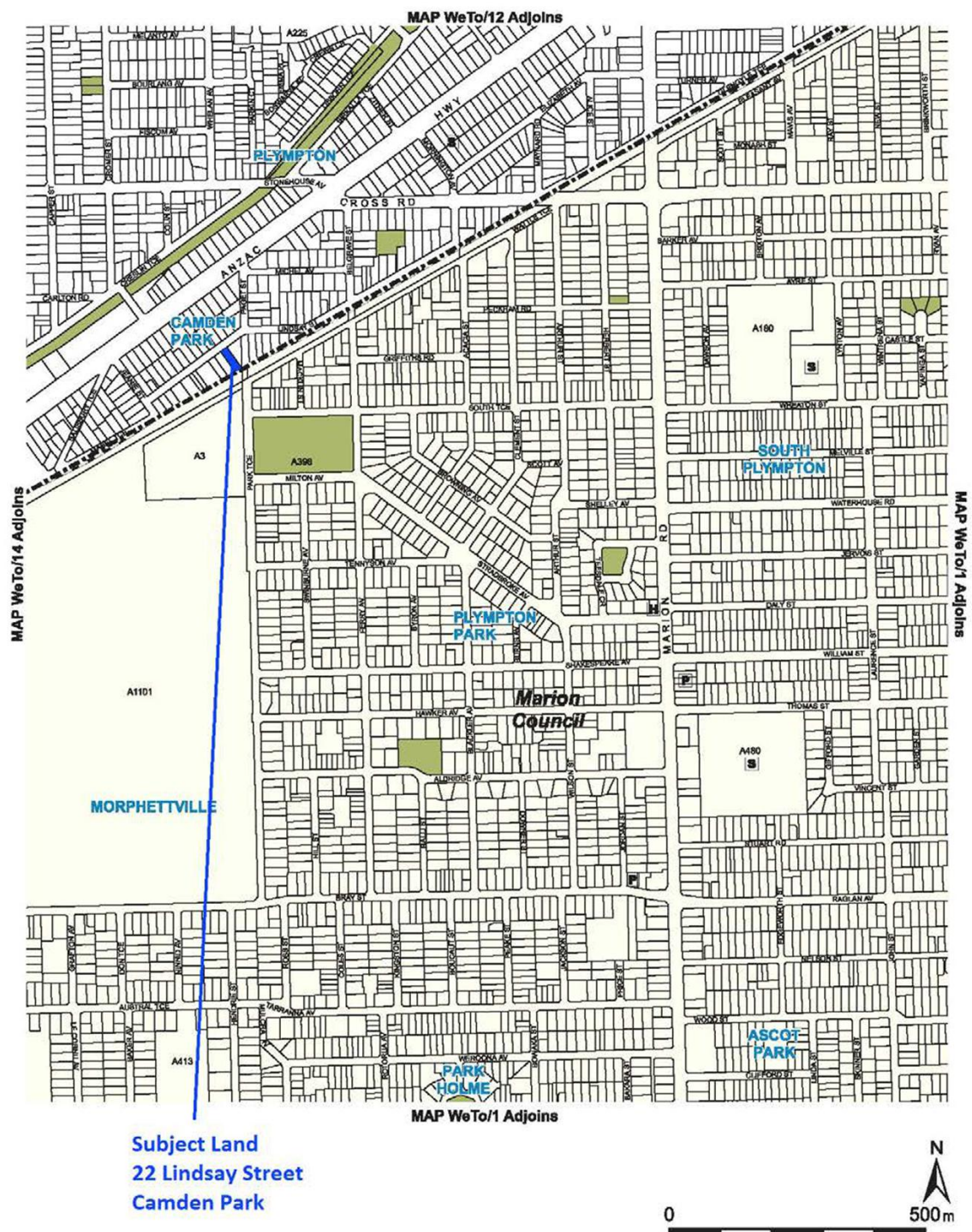


DEVELOPMENT ASSESSMENT PANEL  
9 August 2016

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## Location Map WeTo/15

**WEST TORRENS COUNCIL**  
Consolidated - 5 May 2016

**PROPOSAL**

The proposed development involves a land division to create two (2) additional allotments and the construction of three (3) two storey dwellings within a Residential Flat Building.

The dwellings will contain three bedrooms and a study on the upper level with kitchen, family living and car parking located on the lower level. The dwellings are internally oriented on the subject site with bedrooms overlooking the common driveway.

Dwelling 1 will provide 188m<sup>2</sup> of living area, Dwelling 2 will provide 167m<sup>2</sup> of living area and Dwelling 3 will provide 196m<sup>2</sup> of living area. All dwellings will be provided with garage and alfresco areas.

The land division will create allotments of:

Allotment 701: 207m<sup>2</sup>

Allotment 702: 156m<sup>2</sup>

Allotment 703: 264m<sup>2</sup>

Common Property (driveway): 180m<sup>2</sup>

**PUBLIC NOTIFICATION**

The application is a Category 2 form of development pursuant to Section 38 and Schedule 9 of the Development Act and Regulations and Residential Zone, Procedural Matters.

<b>Properties notified:</b>	5 properties were notified during the public notification process.
<b>Representations:</b>	Three (3) representations were received.
<b>Persons wishing to be heard:</b>	2 representors identified that they wish to address or be represented at the Panel. <ul style="list-style-type: none"> <li>• <b>Mrs June Philips</b></li> <li>• <b>Suzanne Parslow</b> (to be represented by Mrs Phillips)</li> </ul>
<b>Summary of Representations:</b>	Concerns were raised regarding the following matters; <ul style="list-style-type: none"> <li>• Out of character with existing development</li> <li>• Overshadowing</li> <li>• Overlooking</li> <li>• Tree Removal</li> </ul>

The Applicant provided a written response to the representation which is outlined below:

*In response to the representations received, we are pleased to advise the following;*

*Representor – Mrs June Philips – 2/20 Lindsay Street Camden Park*

1. *Council's Development Policy promotes diversity in housing stock and as a result of infill development ultimately the character of the streetscape will change.*
2. *Boundary fence – A proposed new 1800mm high Colorbond fence will replace the garage wall / structures. Every endeavour will be undertaken to maintain security and privacy for the adjoining residents during the demolition process.*
3. *With the removal of the existing built structures along the western boundary and the proposed increased setback of the proposed new dwellings the status of the morning sunlight will be basically maintained.*

4. *Consideration has been given to the design of the proposed dwellings with the orientation of the allotment on a North East / South West axis together with the generous setback from the Western boundary.*
5. *The design does not include any Balconies.*

*Representor – Suzanne Parslow – 1/20 Lindsay Street Camden Park*

1. *Council's Development Policy promotes diversity in housing stock and as a result of infill development ultimately the character of the streetscape will change.*
2. *Every endeavour of safety precautions will be undertaken during Demolition and Construction, including temporary fencing to ensure privacy for the property owner.*
3. *Consideration has been given to the design of the proposed dwellings with the orientation of the allotment on a North East / South West axis together with the generous setback from the Western boundary.*
4. *The Privacy Screens will act to maintain privacy and actually assist the reduction of heat gain, together with the double glazing proposed in order to achieve an Industry Standard minimum of 6 Stars.*
5. *The design does not include any balconies. The rear unit incorporates a flat roofed section over the single storey area below. No impact on privacy.*
6. *All trees located on the allotment have reached maturity and do not add any benefit to both the owner and adjacent neighbours - but will simply eliminate the amount of debris currently disposed into their properties.*

*Representor – Nicholas Myriti – 24 Lindsay Street Camden Park*

1. *Council's Development Policy promotes diversity in housing stock and as a result of infill development ultimately the character of the streetscape will change.*
2. *The design will only reduce the late afternoon sunlight from the South West direction.*
3. *The North East elevation of the units ( Elevation 2) shows the Upper level windows at a sill height of 1700mm – a complying form of attained privacy in accordance with Council Policy*

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

## **REFERRALS**

### **Internal**

#### City Assets Department

Concerns were raised regarding the following matters:

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

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

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

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



Simply conditioning that a development satisfy this consideration can have its complications with regards to the ultimately required level of the development in relation to neighbouring properties and the related planning considerations this brings about. It may also bring about the necessity for alterations to the design of the development which are outside of the expectations of the applicant (for example; requiring step(s) up from existing buildings to additions). It is recommended that appropriate site and adjacent road verge survey information be provided to correctly assess the required minimum FFL for this proposal.

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

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

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

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

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.

### ***Traffic Comments***

Traffic manoeuvrability has been assessed as acceptable for vehicles from all garages in accordance with the site layout shown in 'Site Plan' (George Majda Dwg D-524 received 08/04/16).

However, vehicle manoeuvrability for visitor vehicles appear to be unsatisfactory in consideration of the requirements of the relevant Australian Standard (AS/NZS 2890.1:2004). This visitor parking space either should be deleted or the applicant should clearly demonstrate the compliance of manoeuvrability for critical parking spaces and movements using suitable techniques as outlined within AS/NZS 2890.1:2004.

The plans currently before the DAP have been amended to satisfy the above requirements or alternatively conditions of consent are recommended.

### ***Arboriculture Assessment***

*The subject tree appears free from major pests and diseases, however, a substantial amount of deadwood was noted within the canopy and foliage density is sparse- indicating tree health is not optimum. It is considered fully-grown in its current growing conditions and I believe it has reached the end of its useful life expectancy.*

*Visible delamination of the two main stems is evident as large cracks extend longitudinally to ground level on both sides of the mains stem. Upon closer inspection it was determined that aggressive fungal decay has entered the heartwood and root plate of the subject tree, which has most likely jeopardized the structural integrity of the whole tree.*

*The visible separation of the two main stems represents a significant structural defect. It is considered likely that the failure of the two stems will ultimately occur as a result, causing significant property/ structural damage to the proposed dwellings.*

*Large internal branches within the canopy are rubbing/ crossing several limbs. This has the potential to lead to decay and create further potential failure points within the crown.*

*To remediate the obvious and visible defects identified throughout the tree would involve removing approximately 50% of live foliage. This will have a detrimental affect on tree health, damage its visual amenity and would not comply with Australian Standards for 'Pruning of Amenity Trees (AS 4373-2007)'. Therefore, these defects cannot be remediated via approved arboricultural methods or techniques.*

*Having given consideration to the plans provided, and issues associated with this tree I believe the applicant has provided supporting information that can be considered as satisfying the criteria required.*

*I concluded that the tree represents an unacceptable risk to site users. There is no alternative but to remove the *Allocasaurina cunninghamiana* as soon as is practicably possible.*

#### **External**

Nil

#### **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.

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

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

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

**Zone: Residential Zone***Desired Character Statement (extract);*

*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.*

*Landscaping will be provided throughout the zone to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer.*



<i>Objectives</i>	<p>1 A residential zone comprising a range of dwelling types, including a minimum of 15 per cent affordable housing.</p> <p>2 Dwellings of various types at very low, low and medium densities.</p> <p>3 Increased dwelling densities in close proximity to centres, public transport routes and public open spaces.</p> <p>4 Development that contributes to the desired character of the zone.</p>
<i>Principles of Development Control</i>	<p>1 The following forms of development are envisaged in the zone:</p> <ul style="list-style-type: none"> <li>▪ affordable housing</li> <li>▪ domestic outbuilding in association with a dwelling</li> <li>▪ dwelling</li> <li>▪ dwelling addition</li> <li>▪ small scale non-residential use that serves the local community, for example: <ul style="list-style-type: none"> <li>- child care facility</li> <li>- health and welfare service</li> <li>- open space</li> <li>- primary and secondary school</li> <li>- recreation area</li> <li>- shop measuring 250 square metres or less in gross leasable floor area</li> <li>▪ supported accommodation.</li> </ul> </li> </ul> <p>5 Development should not be undertaken unless it is consistent with the desired character for the zone and policy area.</p> <p>7 Dwellings should be set back from allotment or site boundaries to:</p> <p>(a) contribute to the desired character of the relevant policy area</p> <p>(b) provide adequate visual privacy by separating habitable rooms from pedestrian and vehicle movement.</p> <p>10 Dwelling setbacks from side and rear boundaries should be progressively increased as the height of the building, (with the total wall height of the building being measured from the existing ground level at the boundary of the adjacent property as shown by Figure 1), increases to:</p> <p>(a) minimise the visual impact of buildings from adjoining properties</p> <p>(b) minimise the overshadowing of adjoining properties.</p>

	<p>12 Side boundary walls in residential areas should be limited in length and height to:</p> <p>(a) minimise their visual impact on adjoining properties</p> <p>(b) minimise the overshadowing of adjoining properties.</p> <p>13 Except where otherwise specified by a policy area, side boundary walls comply with the following:</p> <p>(a) side boundary walls should be located immediately abutting the wall of an existing or simultaneously constructed building on the adjoining site and constructed to the same or to a lesser length and height</p> <p>(b) side boundary walls:</p> <p>(i) should have a maximum vertical wall height of 3 metres</p> <p>(ii) should have a maximum length of 8 metres</p> <p>(iii) should be constructed along one side of the allotment only and no further than 14 metres from the front boundary</p> <p>(c) where there is an existing adjacent boundary wall which is setback greater than 1 metre from the front setback standard established for the rest of the street, side boundary walls should be located not more than 1 metre closer to the primary street frontage.</p>
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**Policy Area: Medium Density 18****DESIRED CHARACTER (extract)**

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.

**Objectives**

- 1 The following forms of development are envisaged in the policy area:
- affordable housing
  - detached dwelling
  - domestic outbuilding in association with a dwelling
  - domestic structure
  - dwelling addition
  - group dwelling
  - residential flat building
  - row dwelling
  - semi-detached dwelling
  - small scale non-residential use that serves the local community, for example:
    - child care facility
    - open space
    - recreation area
    - shop, office or consulting room
  - supported accommodation.

<i>Principles of Development Control</i>	<p><i>1 Development should not be undertaken unless it is consistent with the desired character for the policy area.</i></p> <p><i>4 Medium density development that achieves gross densities of between 23 and 45 dwellings per hectare (which translates to net densities of between 40 and 67 dwellings per hectare, where net density can be calculated by dividing 10000 by the site area and multiplying that number by the number of proposed dwellings for the site) should be in the form of 2 to 4 storey buildings.</i></p>
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**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>
SITE AREA  PDC 6 Medium Density Policy Area	150m <sup>2</sup>	Allotment 701: 207m <sup>2</sup> Allotment 702: 156m <sup>2</sup> Allotment 703: 264m <sup>2</sup> Common Property: 180m <sup>2</sup>  <b>Satisfies</b>
SITE FRONTAGE  PDC 6 Medium Density Policy Area	15 m	15.93m (existing)  <b>Satisfies</b>
SITE COVERAGE  PDC 5 Medium Density Policy Area	70%	<b>Satisfies</b>
STREET SETBACK  PDC 5 Medium Density Policy Area  SIDE/REAR SETBACKS  PDC 11 Residential Zone  PDC 5 Medium Density Policy Area	3 metres   Side 1.0 m ground level (up to 3m wall height)  2.0m upper level (up to 6m wall height)	3m  <b>Satisfies</b>   Dwelling 1 1.0m (northern ground level boundary) 5.3m (southern ground level boundary) 1.0m (northern upper level boundary) 4.5m (southern upper level boundary)  <b>Partly Satisfies</b>

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
		<p>Dwelling 2 1.0m (northern ground level boundary) 5.0m (southern ground level boundary) 1.0m (northern upper level boundary) 4.4m (southern upper level boundary)</p> <p><b>Partly Satisfies</b></p> <p>Dwelling 3 0.0m (northern ground level boundary) 5.3m (southern ground level boundary) 2.0m (northern upper level boundary) 2.9m (southern upper level boundary)</p> <p><b>Partly Satisfies</b></p>
	Rear 4m	<p>1.0m (at closest point)</p> <p><b>Not Satisfied</b></p>
<p>PRIVATE OPEN SPACE</p> <p>Council Wide PDC 19 Council Wide PDC 20</p>	<p>24 m<sup>2</sup> Minimum dimension of 3 metres</p>	<b>Satisfies</b>
<p>CARPARKING SPACES</p> <p>Council Wide PDC 34 (Transportation &amp; Access) Table WeTo/2</p>	<p>2 car-parking spaces required per dwelling (1 covered) and 0.25 additional spaces per dwelling 7 spaces</p>	<p>7 spaces</p> <p><b>Satisfies</b></p>
<p>BUILDING HEIGHT</p> <p>PDC 5 Medium Density Policy Area</p>	<p>Three storey or 12.5 maximum</p>	<b>Satisfies</b>

## QUALITATIVE ASSESSMENT

In assessing the merits or otherwise of the application, the proposed development generally satisfies the relevant Development Plan provisions with the following comments provided:

### Siting

The proposed development is generally consistent with front and rear setbacks identified in the Development Plan; however it does include boundary development on the northern allotment boundary that is inconsistent with the Development Plan. This garage boundary wall is located towards the rear of the site away from the dwelling on the adjacent land and has a length of 8.6m at the ground level which is marginally above what the Development Plan considers. The rear setback also does not meet the Development Plan requirements however given this boundary is adjacent the Tramline this departure is not likely to result in negative impacts.

### Bulk and Scale

While the dwellings are oriented internally to the site, the primary façade to Lindsay Street has attempted to address the primary street frontage. The building design has attempted to break up wall areas fronting Lindsay Street through the use of different materials, finishes and articulation.

It is noted that the subject site could have been developed for a three storey building up to a height of 12.5 metres. The height of the proposed development is lower than the Development Plan allows and overall it is considered that the bulk and scale of the proposed building is reasonable.

### Overlooking and Overshadowing

The proposed development includes window sill heights of 1.7 metres on the upper level northern elevation. The southern elevation windows which overlook the common driveway are proposed to have an aluminium privacy screen to a height of 1.5 metres. It is considered that the screens should be installed to a height of 1.7 metre to be consistent with the Development Plan provisions and a recommended condition of consent has been included to deal with this issue.

The subject site comprises an allotment that is oriented broadly north/south and the upper storey is setback 4.5 metres (southern boundary) and 2.0 metres (northern boundary). On this basis it is expected that adjoining land owners will maintain access to sunlight consistent with the provisions in the Development Plan that call for north-facing windows to habitable rooms of existing dwelling(s) on adjacent allotments, to receive at least three (3) hours of direct sunlight over a portion of their surface between 9.00 am and 5.00 pm on the 21 June.

### Visual Impact on Neighbouring Developments & Streetscape

The proposed development is oriented towards the common driveway and not its primary frontage of Lindsay Street.

As outlined above the building design has attempted to break up wall areas fronting Lindsay Street through the use of different materials, finishes and articulation. Landscaping is proposed on the Lindsay Street frontage as is a 1.8 metre colorbond fence for a portion of the Lindsay Street frontage. It is considered that the development would have a stronger relationship to the street if the landscaping on this frontage was increased and the length of colorbond fence was reduced in the order of 1.5 metres to be located to end in line with the adjacent wall. A condition of consent has been included to address this issue.

### Regulated & Significant Trees

The proposed development should it proceed will require the removal of an existing regulated tree. The tree has been inspected by Council's independent arborist and has been recommended for removal as it presents an unacceptable risk.

**Landscape Assessment**

An indicative landscaping schedule has been provided as part of the development application and the areas of landscaping have been included in the site plan. Landscaping will be contained within the front setback area, adjacent the common driveway and adjacent the proposed visitor space. Each dwelling will also have its own private open space that can be landscaped.

**Land Division**

Council Wide provisions that relate to Land Division include:

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

*Objective 5 Land division should result in allotments of a size suitable for their intended use.*

The proposed allotments will meet the recommended site area and are considered suitable for their intended use for residential development.

**SUMMARY**

The proposed development involving a land division to create two (2) additional allotments and the construction of three (3) two storey dwellings within a Residential Flat Building within the Residential Zone and Policy Area 18 is considered an appropriate land use. In particular given the proximity to public transport, medium density development on this site is considered desirable.

The application underwent Category 2 notification with three representations being received. Issues raised were that the development was out of character with existing development in this locality, potential for overshadowing and overlooking and requirement of tree removal.

While it is acknowledged that the development is somewhat out of character with the existing built form (single storey dwellings) in this locality it is noted that the medium density policies in the Development Plan seek to change that character over time and the proposed development is consistent with the desired character.

Minimum levels of sunlight to adjoining land will be provided and the potential for overlooking is dealt with by the provision of privacy screens on the proposed development and a condition of consent to require the screens to a minimum height of 1.7 metres.

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

On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens (City) Development Plan Consolidated 05 May 2016 and warrants the granting of Development Plan Consent & Land Division Consent.

**RECOMMENDATION**

The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development and division of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent & Land Division Consent for Application No. 211/114/2016 by State Surveys to undertake a Community Title land division (DAC No. 211/C101/16 Unique ID 54820); creating two (2) additional allotments and construction of three (3) two storey dwellings within a Residential Flat Building at 22 Lindsay Street Camden Park (CT 5113/207) subject to the following conditions:

**Council Conditions****DEVELOPMENT PLAN CONSENT**

1. The development must be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
2. The construction of a drainage system and the position and manner of discharge of a stormwater drain must not at any time:-
  - a) Result in the entry of water into a building; or
  - b) Affect the stability of a building; or
  - c) Create unhealthy or dangerous conditions on the site or within the building; or
  - d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
3. All driveways, parking and manoeuvring areas must be formed, surfaced with concrete, bitumen or paving, and be properly drained. They must be maintained to the reasonable satisfaction of Council thereafter.
4. All planting and landscaping must be completed within 3 months of the commencement of the use of this development and must be maintained to the reasonable satisfaction of Council. Any plants that become diseased or die must be replaced with suitable species.
5. The upper level windows of the dwelling must be provided with privacy screens 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 privacy screens are to be maintained at all times to the reasonable satisfaction of Council.
6. The finished floor level must be a minimum of 350mm above the highest point of the watertable adjacent to the property
7. The length of colorbond fence on the Lindsay Street boundary to be reduced in length by 1.5 metres to be located in line with the adjacent dwelling wall.

**LAND DIVISION CONSENT**

1. The development must be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
2. Prior to the issue of clearance to this division approved herein, the existing outbuilding(s) from proposed lots must be removed.

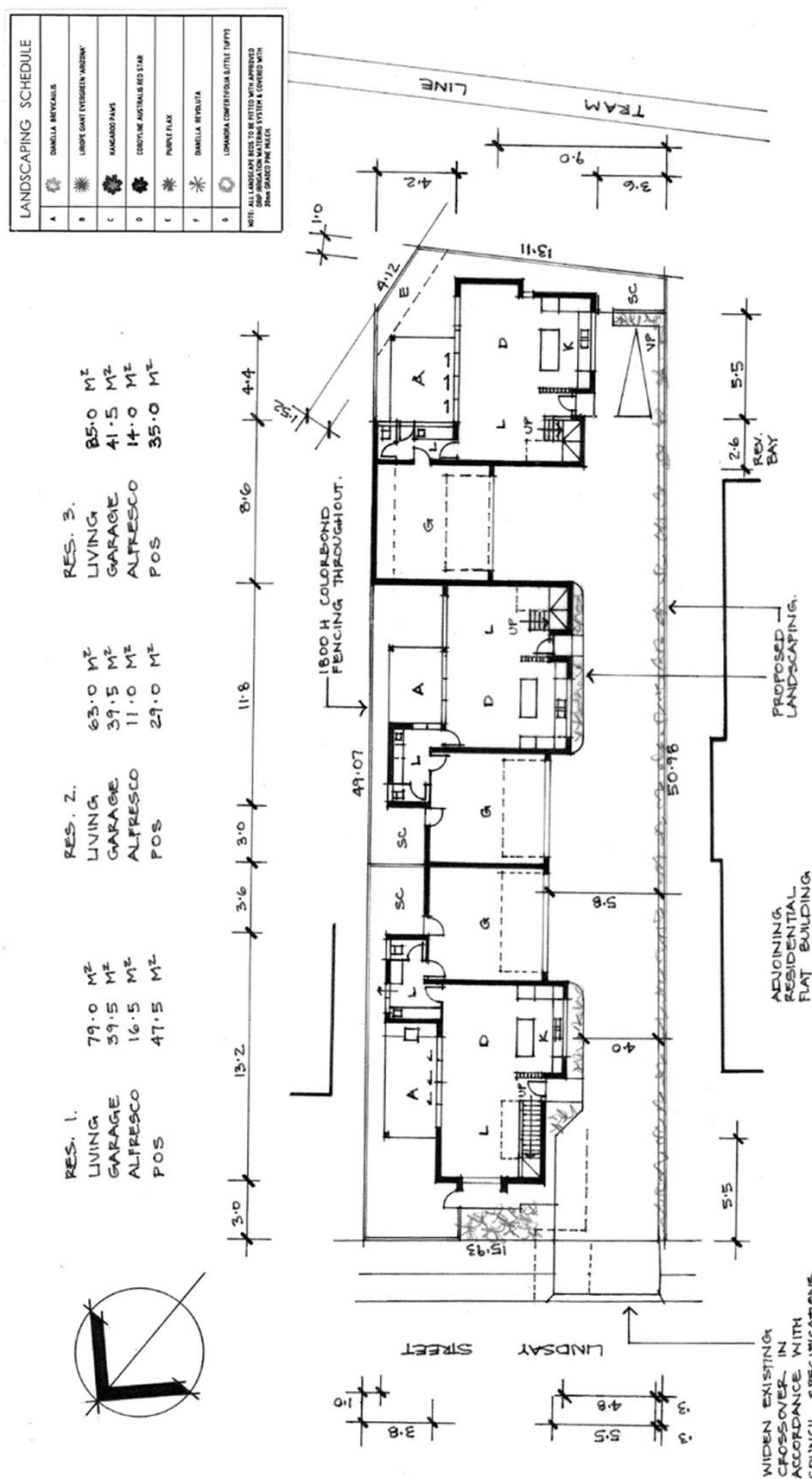
**Agency Conditions**

1. Payment of \$12,976.00 into the Planning and Development Fund (2 allotment(s) @ \$6,488.00/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 (71097018), 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.
2. 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.

**DEVELOPMENT ASSESSMENT PANEL**  
**9 August 2016**

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**ATTACHMENT 1**



FLOOR - SITE PLAN  
1:200



**GEORGE MAJDA  
& ASSOCIATES**  
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North Adelaide SA 5006  
Ph. +61 8 8267 1144  
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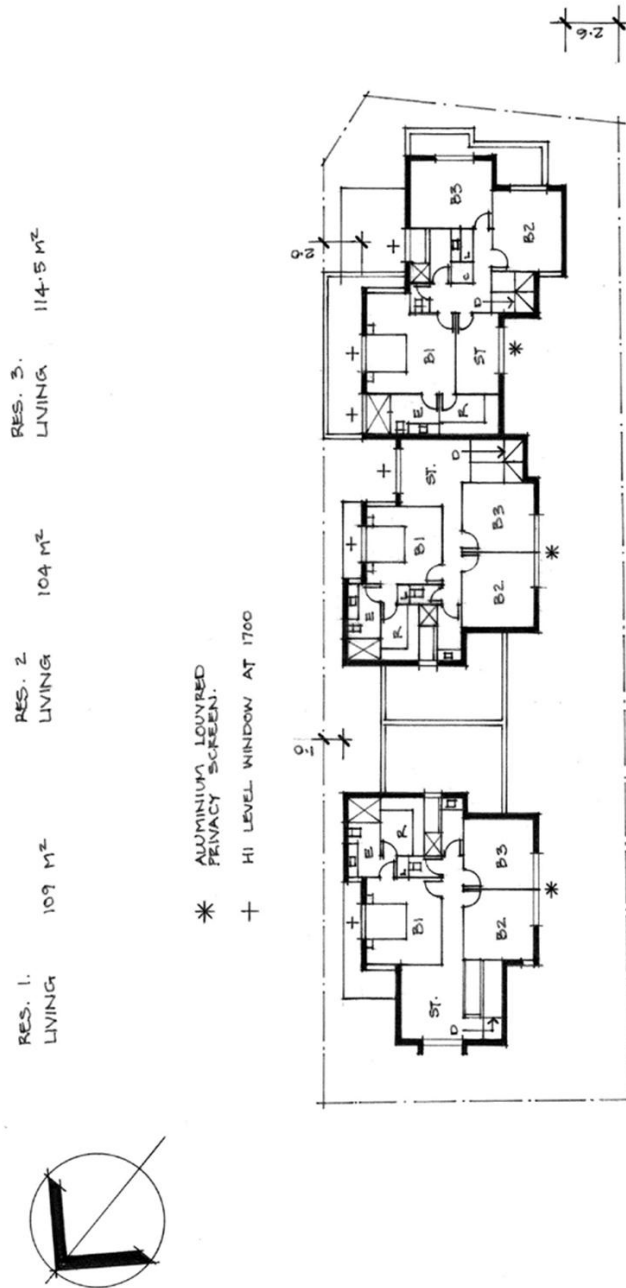
RESIDENTIAL DEVELOPMENT  
22 LINDSAY STREET  
CAMDEN PARK  
FOR: G. MATTHEWS

DATE : MARCH '16  
DWG. : D-524  
REVISED : 27 JULY '16



DEVELOPMENT ASSESSMENT PANEL  
9 August 2016

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FIRST FLOOR PLAN  
1:200

**RESIDENTIAL DEVELOPMENT**  
**22 LINDSAY STREET**  
**CAMDEN PARK**  
**FOR: G. MATTHEWS**

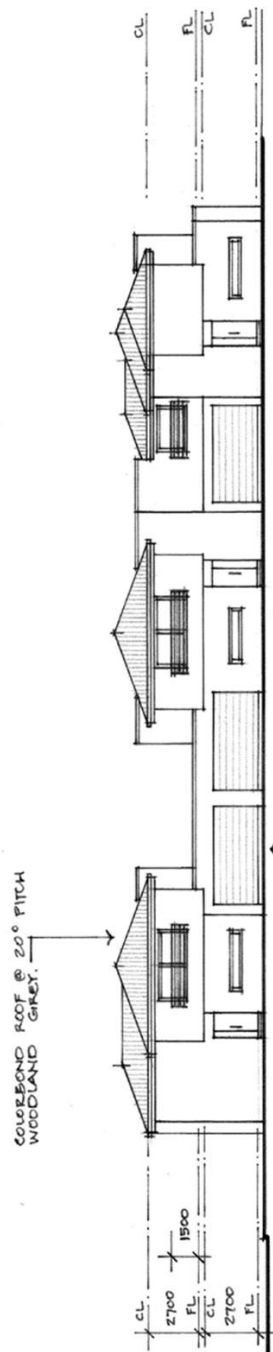
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www.gmajda.com.au

DATE: 1 MARCH '16  
DWG: D-524  
AMENDED: 27 JULY '16

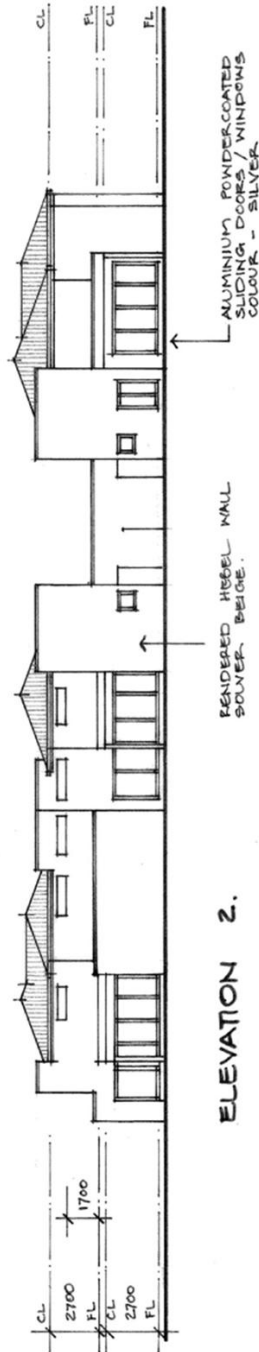
ISSUE: E  
SHEET: 12

DEVELOPMENT ASSESSMENT PANEL  
9 August 2016

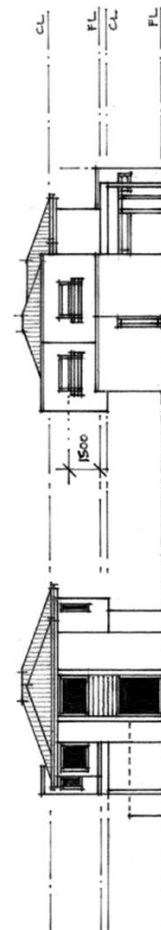
Page 144



ELEVATION 1. COLORBOND AUTO LIFT PANEL DOORS TO GARAGES - PATERBARK.



ELEVATION 2.



ELEVATION 3

ELEVATION 4

**RESIDENTIAL DEVELOPMENT**  
**22 LINDSAY STREET**  
**CAMDEN PARK**  
**FOR: G. MATTHEWS**

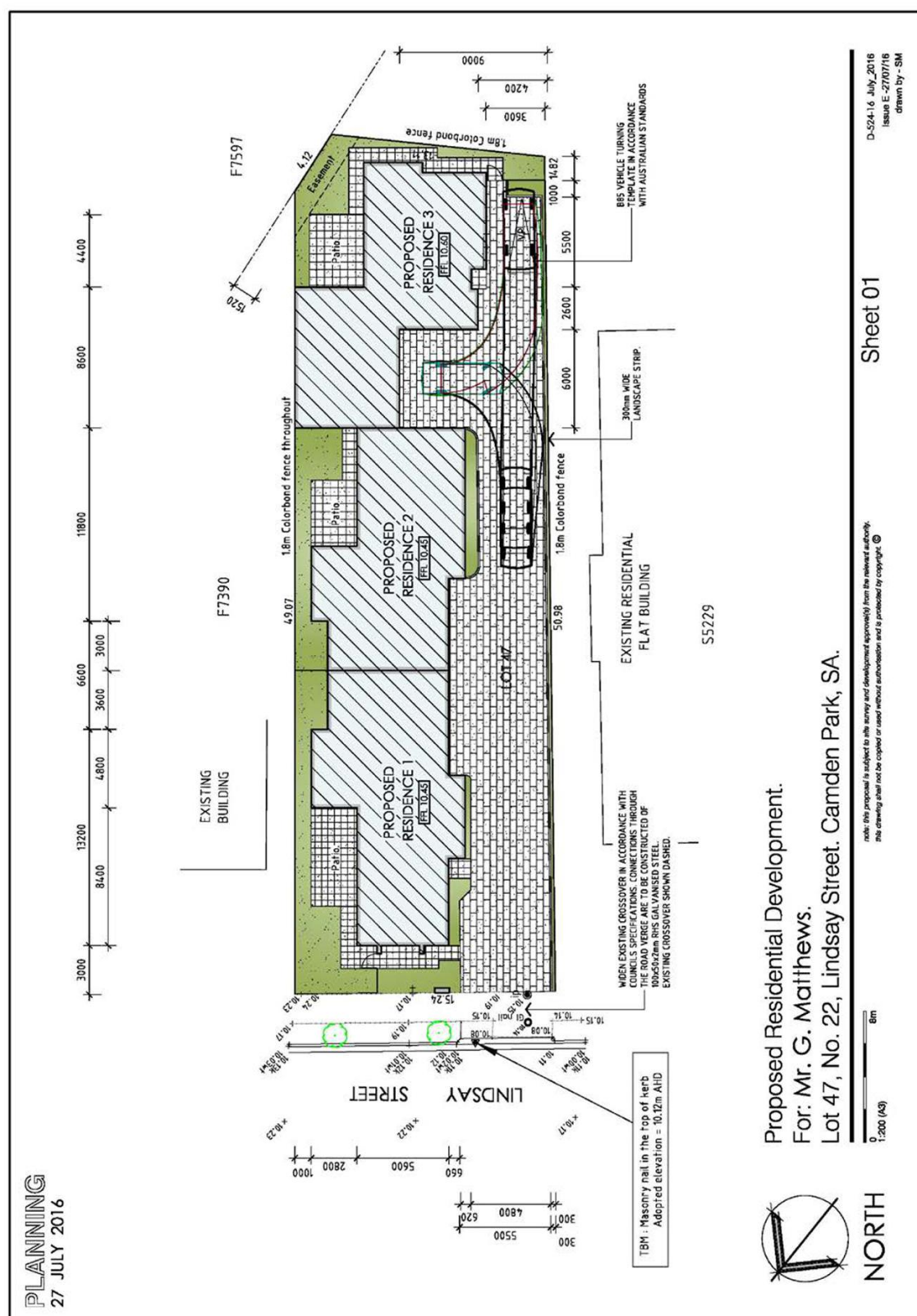
**GEORGE MAJDA & ASSOCIATES**  
BUILDING DESIGN CONSULTANTS  
72 Kermode Street,  
North Adelaide SA 5006  
Ph: +61 8 8267 1142  
Fax: +61 8 8267 1143  
enquiries@gmadesign.com.au  
www.gmadesign.com.au

DATE: MARCH '16  
DWG: D-524  
AMENDED: 27 JULY '16

ISSUE: E  
SHEET: 3

**DEVELOPMENT ASSESSMENT PANEL**  
**9 August 2016**

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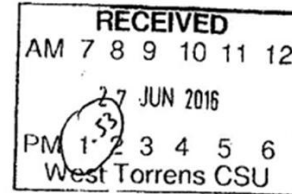
DEVELOPMENT ASSESSMENT PANEL  
9 August 2016

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## 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. 211/351/2016  
PROPERTY ADDRESS: 22 Lindsay Street, CAMDEN PARK SA 5038

NAME & ADDRESS OF  
PERSON(S) MAKING  
REPRESENTATION (mandatory  
requirement \*)

Suzanne Parslow  
1/20 Lindsay Street  
Camden Park SA 5038

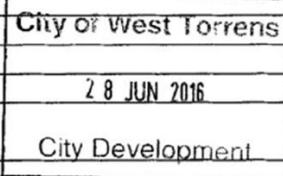
NATURE OF INTEREST \*  
AFFECTED BY DEVELOPMENT  
(eg adjoining resident, owner  
of land in vicinity, or on behalf  
of an organization or company)

Adjoining Resident

REASONS FOR \*  
REPRESENTATION

Refer attached

MY REPRESENTATION \*  
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 0  
I DESIRE TO BE HEARD PERSONALLY 0  
WILL BE REPRESENTED BY June Phillips ✓  
(PLEASE SPECIFY)



SIGNED

[Signature]

DATE

27/6/16

\* If space insufficient, please attach sheets

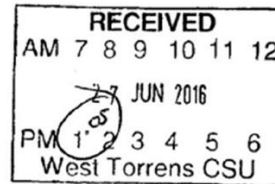
(FORM 3)  
Responsible Officer: Janine Lennon  
Ends: Tuesday 28 June 2016

DEVELOPMENT ASSESSMENT PANEL  
9 August 2016

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

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



DEVELOPMENT No. 211/351/2016  
PROPERTY ADDRESS: 22 Lindsay Street, CAMDEN PARK SA 5038

NAME & ADDRESS OF  
PERSON(S) MAKING  
REPRESENTATION (mandatory  
requirement \*)

NICHOLAS MYRTI  
24 LINDSAY STREET  
CAMDEN PARK

NATURE OF INTEREST \*  
AFFECTED BY DEVELOPMENT  
(eg adjoining resident, owner  
of land in vicinity, or on behalf  
of an organization or company)

ADJOINING RESIDENT

**Received**

27 JUN 2016

City of West Torrens  
Information Management Unit

REASONS FOR \*  
REPRESENTATION

2 STOREY DWELLINGS WOULD  
BLOCK OUT SUNLIGHT TO MY  
WHOLE YARD, CREATE OVERLOOKING  
ISSUES AND RUIN THE STREET  
APPEAL. I'M CONCERNED ABOUT  
MY PRIVACY AFTER LIVING HERE FOR 43 years.

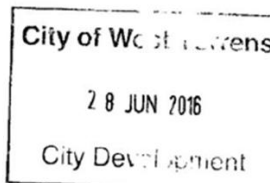
MY REPRESENTATION \*  
WOULD BE OVERCOME BY  
(state action sought)

I HAVE NO PROBLEMS WITH SINGLE  
STOREY DWELLINGS TO BE  
CONSTRUCTED.

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

I DO NOT WISH TO BE HEARD ☒  
I DESIRE TO BE HEARD PERSONALLY ☐  
WILL BE REPRESENTED BY ☐

(PLEASE SPECIFY)



SIGNED

[Signature]

DATE

27.6.2016

\* If space insufficient, please attach sheets

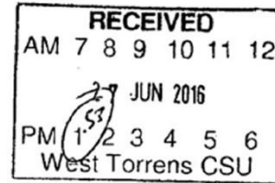
(FORM 3)  
Responsible Officer: Janine Lennon  
Ends: Tuesday 28 June 2016

DEVELOPMENT ASSESSMENT PANEL  
9 August 2016

Page 148

**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. 211/351/2016  
PROPERTY ADDRESS: 22 Lindsay Street, CAMDEN PARK SA 5038

NAME & ADDRESS OF  
PERSON(S) MAKING  
REPRESENTATION (mandatory  
requirement \*)

Mrs June Phillips  
2/20 Lindsay St  
Camden Park 5038  
City of West Torrens

NATURE OF INTEREST \*  
AFFECTED BY DEVELOPMENT  
(eg adjoining resident, owner  
of land in vicinity, or on behalf  
of an organization or company)

Adjoining resident.  
City Development

REASONS FOR \*  
REPRESENTATION

- 1- Out of character of area (single story dwellings)
- 2- Boundary "fence" is solid rendered wall
- 3- Blocks (nothing seen)
- 4- Overlooks property (balcony on rear unit?)
- 5- Trees

MY REPRESENTATION \*  
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  
WILL BE REPRESENTED BY \_\_\_\_\_

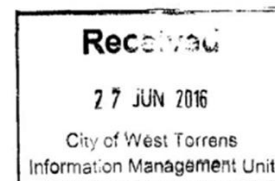
0  
☒  
0

(PLEASE SPECIFY)

SIGNED

DATE

J Phillips  
27/6/16



\* If space insufficient, please attach sheets

(FORM 3)  
Responsible Officer: Janine Lennon  
Ends: Tuesday 28 June 2016

DEVELOPMENT ASSESSMENT PANEL  
9 August 2016

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## June Phillips

Proposed Development at 22 Lindsay Street, Camden Park

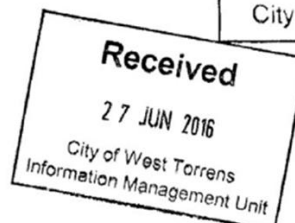
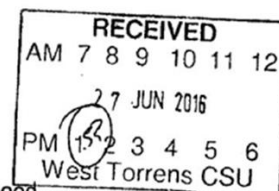
- 1 Two story structure is not in keeping with existing dwellings in neighbourhood
- 2 Boundary "fence" between unit 2, 20 Lindsay Street is a rendered wall (side of garage) approximately 4m high and 15 m long, plus a covered side of the carport that currently exists at the front of the current garage. I am concerned over potential damage to my property during demolition of this wall, plus the potential loss of privacy that the current wall offers. Unit 1 also has a boundary "fence" of approximately 6 metres from the same garage and shares the concerns regarding damage during demolition.
- 3 Both units will potentially lose most of the morning sun
- 4 Upper windows of units, despite louvered privacy screens, will overlook both properties but they face west and will be effected by summer heat. Rethinking the location of the windows would have merit, not only for our privacy but the comfort of the occupants. It appears the rear unit has a second story balcony overlooking the tram line, this would also impact on privacy of unit 2
- 5 Removal of trees, there are currently nine (possibly more) She oaks in a small area of the backyard and their removal is very welcome. The parent tree located on the side of the tram tracks should also be removed as it would be a threat to any development. There is a very large gum tree also located in the back yard and I would assume would require an arborist report as to its significance

Yours sincerely,

Mrs June Phillips



Owner/occupier  
2/20 Lindsay Street  
Camden Park 5038



## Arboricultural Assessment of Street Trees

Development Application No: 211/796/2016

**REFERRAL DUE DATE: 25/12/2018**

Assessing Officer: **Jordan Leverington**  
Site Address: **22 Lindsay Street, CAMDEN PARK SA 5038**  
Certificate of Title: **CT-5113/207**  
Description of Development **Combined Application: Land division - Community Title; DAC No. 211/C101/16 (Unique ID 54820); Create two(2) additional allotments; and Construction of three (3) two storey dwellings within a Residential Flat Building**

### TO THE TECHNICAL OFFICER – CITY ASSETS

**Please provide your comments in relation to:**

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

PLANNING OFFICER - Jordan Leverington

DATE 11 December 2018

### FROM THE TECHNICAL OFFICER

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

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

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

Verge interaction must consider all services that cross council land including stormwater outlets (and other) which will need to be maintained a minimum of 2.0m from any existing street tree (unless existing or otherwise negotiated). All services must be indicated /documented on appropriate plans for Council assessment and approval.

**A site investigation together with the information provided has revealed that the location for the proposed crossover to access the multiple dwellings will impact an existing *Jacaranda mimosifolia* street tree.**



There is 6.9m from the western property boundary to the existing *Jacaranda* street tree.

With the nominated 5.5m crossover width (including flare) this will allow for a 1.4m offset from the existing street tree.

In this instance City Operations will support a reduced offset of 1.4m from the existing street tree and support this proposal.

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

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

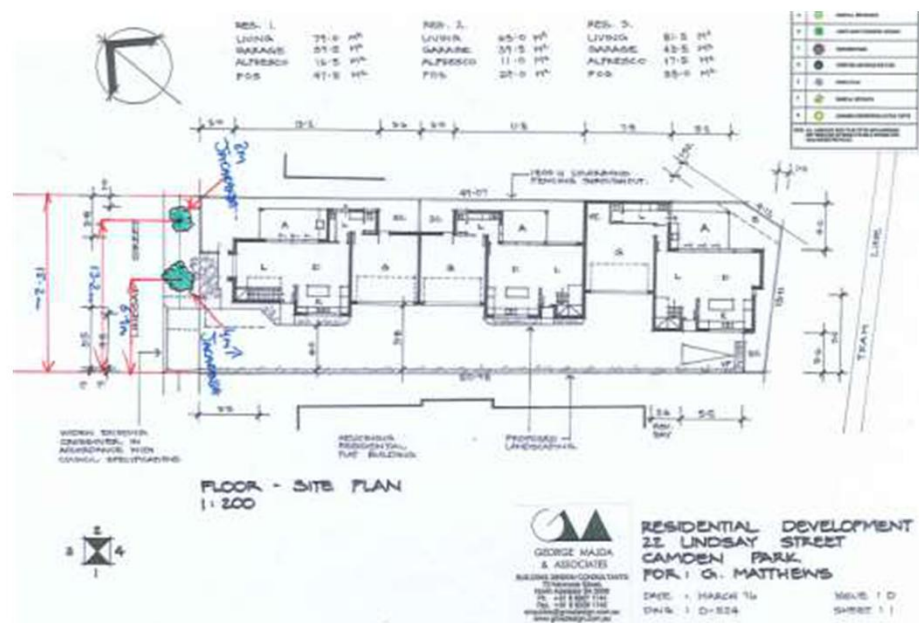
**Rick Holmes**  
**Technical Support Officer Arboriculture**  
**165 Sir Donald Bradman Drive**  
**Hilton SA 5033**

Telephone: 8416 6333

Fax: 8443 5709

Email: rholmes@wtcc.sa.gov.au

DATE: 19/12/2018









## Preliminary Traffic, Flooding & Stormwater Assessment

**Development Application No: 211/796/2016**

**Assessing Officer:** Jordan Leverington  
**Site Address:** 22 Lindsay Street, CAMDEN PARK SA 5038  
**Certificate of Title:** CT-5113/207  
**Description of Development:** Combined Application: Land division - Community Title; DAC No. 211/C101/16 (Unique ID 54820); Create two(2) additional allotments; and Construction of three (3) two storey dwellings within a Residential Flat Building

### 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      24 December, 2018**





## Memo

To Jordan Leverington  
From Richard Tan  
Date 24/12/2018  
Subject 211/796/2016, 22 Lindsay Street, CAMDEN PARK SA 5038

Jordan Leverington,

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

**Note: Dot points 1.0-3.0 have been previously raised in DA 211/351/2016 dated 28/04/2016. Previous issues raised (dot point 1.0-3.0) and new comments (dot point 4.0-5.0) have been reviewed based on new revised plan received 7/12/2018 in DA 211/796/2016**

### 1.0 FFL Consideration – Finished Floor Level (FFL) Requirement

- 1.1 In accordance with the provided 'Proposed Site Plan' (George Majda & Associates, Ref: D-524-16-DA.01 Rev B, Dated 11/2018) the FFLs of the proposed development (10.45 minimum) have been assessed as satisfying minimum requirements (10.38) in consideration of street and/or flood level information.

### 2.0 Verge Interaction (with street tree)

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

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

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





Proposed driveway crossover has less than 1.0m offset from existing tree.

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

There is note regarding stormwater connection in 'Proposed Site Plan' (George Majda & Associates, Ref: D-524-16-DA.01 Rev B, Dated 11/2018) however the detailed location has not been shown on the plan.

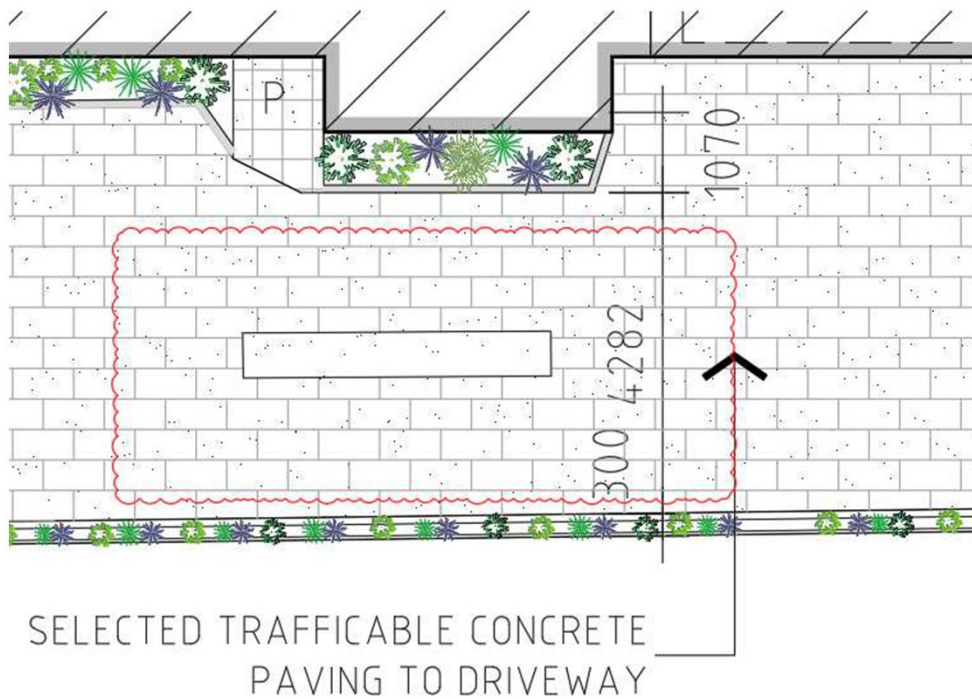
**It is recommended that revised plans indicating satisfaction to the above requirements should be provided to Council.**

- 2.2** The shape and material for new stormwater connection as indicated in 'Proposed Site Plan' (George Majda & Associates, Ref: D-524-16-DA.01 Rev B, Dated 11/2018) has been assessed as satisfying minimum requirements.

### **3.0 Traffic Comments**

- 3.1** Traffic manoeuvrability has been assessed as acceptable in accordance with the site layout shown in 'Proposed Site Plan' (George Majda & Associates, Ref: D-524-16-DA.01 Rev B, Dated 11/2018). It should be noted that the following conditions shall be met for the traffic manoeuvrability to be achievable:

- the landscaping proposed on common driveway is non-structural landscaping;
- The common area in front of garage of residence 3 shall be marked 'no parking' on plan.





#### 4.0 Waste Management

- 4.1 There is sufficient public kerbside space for a total of 9 bins with 6 (3 general waste weekly + 3 recycling or food waste/organics fortnightly) bins being serviced every week.

#### 5.0 Stormwater Management (3 or more higher density, row and group dwelling) (ROOF AREA MUST BE 50% OF SITE OR MORE)

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





This alternate solution would provide improved sustainable supply to water to the ultimate homeowner and at the same time, collect and use the majority of the roof stormwater generated by the properties.

In this alternate stormwater management proposal, the following arrangements should be notated for each dwelling within the development.

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

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

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

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

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



Richard Tan  
Development Engineer





13 July 2016

Our Ref: H0047647

The Chairman  
Development Assessment Commission  
136 North Terrace  
ADELAIDE SA 5000

Dear Sir/Madam

**PROPOSED LAND DIVISION APPLICATION NO: 211/C101/16 AT CAMDEN PARK**

In response to the abovementioned proposal, I advise that this Corporation has no requirements pursuant to Section 33 of the Development Act.

Existing structures and services

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 74241119

Contact Lands Titles Office  
Telephone 7109 7016



13 July 2016

The Chief Executive Officer  
City of West Torrens

Dear Sir/Madam

**Re: Proposed Application No. 211/C101/16 (ID 54820)  
for Land Division  
(Community Title Plan) by Mr Geoff Matthews**

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

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

1. SA Water has no requirements pursuant to the Development Act.  
Existing structures and services
2. Payment of \$12976 into the Planning and Development Fund (2 allotment(s) @ \$6488/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**

**6.2 16 Strathmore Avenue, LOCKLEYS**

Application No 211/499/2019

**DEVELOPMENT APPLICATION DETAILS**

DESCRIPTION OF DEVELOPMENT	Demolition of existing dwelling and masonry fence and construction of 3 storey detached dwelling, swimming pool and associated safety fence, detached garage, boundary wall (3m maximum height) and masonry fence (2.1m maximum height)
APPLICANT	The Galvin Group
LODGEMENT DATE	22 May 2019
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>Nil</li> </ul>
DEVELOPMENT PLAN VERSION	Consolidated 12 July 2018
DELEGATION	<ul style="list-style-type: none"> <li>The relevant application proposes residential development of three or more storeys above finished ground level.</li> </ul>
RECOMMENDATION	Support with conditions
AUTHOR	Ebony Cetinich

**SUBJECT LAND AND LOCALITY**

The subject land is formally described as Allotment 12 in Deposited Plan 111294 in the area named Lockleys, Hundred of Adelaide, Volume 6176 Folio 379, more commonly known as 16 Strathmore Avenue, Lockleys. The subject site is rectangular in shape with a 16.75 metre (m) wide frontage to Strathmore Avenue, a 32.71m wide frontage to Netley Avenue, a corner cut off of 4.31m and a site area of 704 square metres (m<sup>2</sup>).

It is noted that there are no easements, encumbrances or Land Management Agreements on the Certificate of Title and there are no Regulated Trees on the subject site or on adjoining land that would be affected by the development. There are three Regulated Trees situated within the Netley Avenue road reserve (southern side), however, these are located greater than 15 metres from the proposed development.

The site is relatively flat, has little substantial vegetation and currently contains a two storey detached dwelling and low lying masonry front fence.

The locality consists of a mixture of residential and non-residential development. The Kooyonga Golf Club is situated to the east of the subject site, Lockleys Oval is situated to the south-west and the River Torrens Linear Park is situated to the west. Strathmore Avenue is a unique street within the City of West Torrens, given the nature and scale of the existing built form. Dwellings are typically large, between one and three storeys in height, feature a range of architectural styles and are situated on generous sized allotments. Figures 1 to 4 below show examples of existing dwellings within the locality (sourced from Google Streetview 2019). These dwellings have well landscaped and maintained front gardens while ancillary structures, such as swimming pools and domestic outbuildings, are common.



**Figure 1 - 12 & 14 Strathmore Avenue, Lockleys**



**Figure 2 - 8 Strathmore Avenue, Lockleys**





**Figure 3 - 5 & 7 Strathmore Avenue, Lockleys**



**Figure 4 - 20 & 22 Strathmore Avenue, Lockleys**

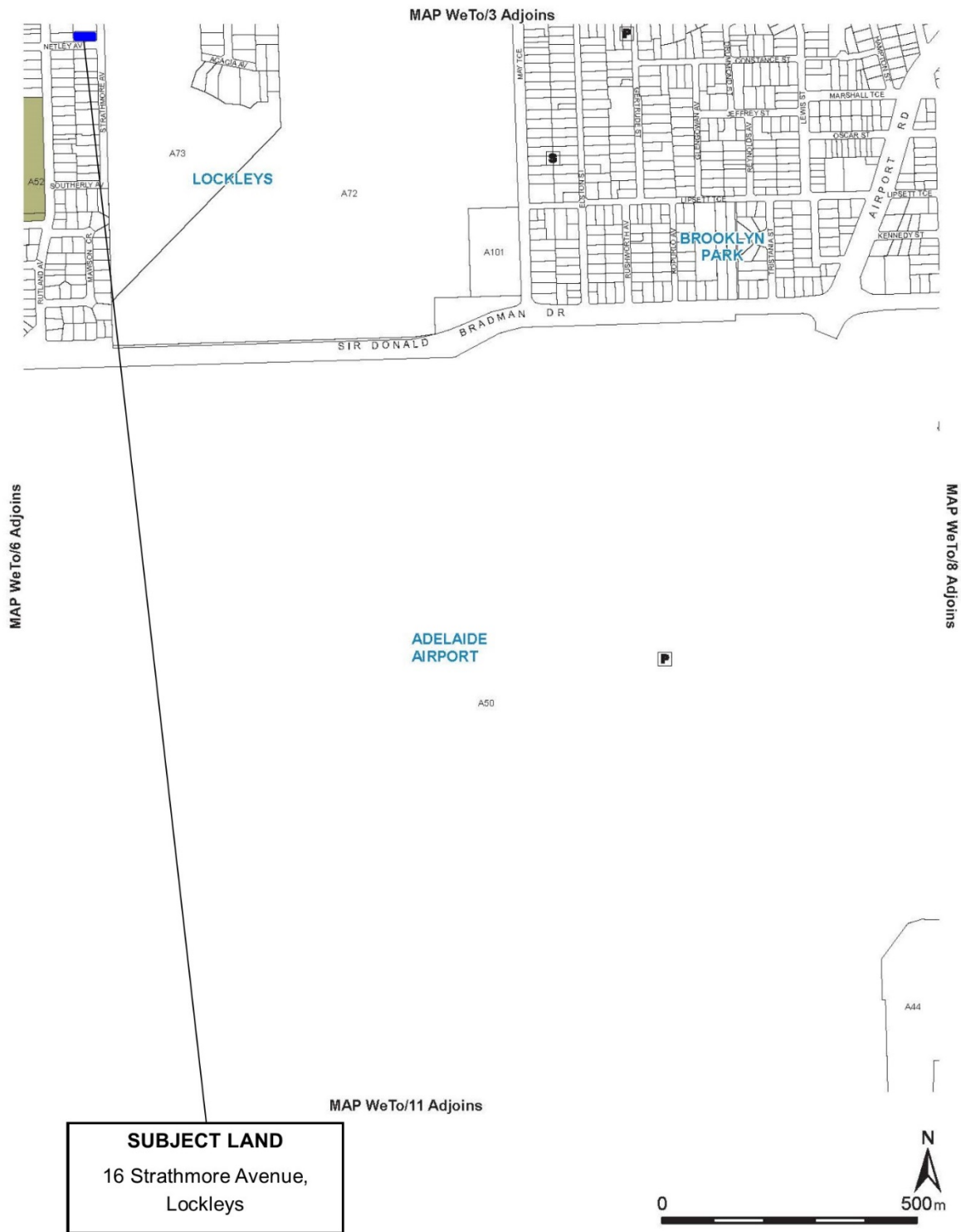
The amenity of the locality is considered to be high taking into account the low density character, well maintained dwellings and gardens and availability of public open space and community facilities.






**SUBJECT LAND**  
16 Strathmore Avenue,  
Lockleys

  = Subject Land  
  = Locality





## Location Map WeTo/7

-  School
-  Post Office
-  Local Reserves

WEST TORRENS COUNCIL  
Consolidated - 12 July 2018

## PROPOSAL

The applicant is seeking Development Plan Consent for the following:

- Demolition of an existing detached dwelling and low lying masonry fence.
- Construction of a three storey detached dwelling with two double garages, two alfresco areas, an open plan kitchen, dining and living area, three bedrooms, a study, a lift and a gallery/museum. The dwelling is of a modern architectural design featuring various external materials, including rendered masonry, Scyon Matrix cladding, Eco Stone and Alucobond. The external colour palette is neutral, predominantly consisting of grey and white, with a feature third storey eave clad in Alucabond "Champagne Metallic". The design of the dwelling and clever use of fenestration allows the building to appear more like a two storey building than a three storey building.
- Construction of a detached garage with a flat roof finished in render and painted surfmist to match the dwelling.
- Construction of an in ground swimming pool and associated safety fence.
- Construction of a 2.1m high rendered masonry fence along the street frontages. The fence will be finished in surfmist to match the dwelling. Portions of the fence along Netley Avenue will be solid to maintain privacy to the rear yard of the proposed dwelling. Portions of the fence along Strathmore Avenue will consist of open aluminium fence panels of a simple design to complement the dwelling.
- Construction of a 3m high rendered lightweight boundary wall along the northern boundary of the site adjacent to existing boundary development.
- A retaining wall up to 0.75m in height is proposed. The applicant has confirmed that this retaining wall will be constructed abutting the proposed fences and will not be part of the fence structure. As such, Development Approval is not required for this component.
- Two new access points to Netley Avenue and one new access point to Strathmore Avenue will be constructed and one existing access point to Netley Avenue will be reinstated.
- The driveways, alfresco and swimming pool surrounds will be sealed with pavers and exposed aggregate. Unsealed areas will be landscaped with lawn, mature trees and hedges.

The relevant plans and documents are contained in **Attachment 2**.

## PUBLIC NOTIFICATION

Detached dwellings, swimming pools, garages and fences are all listed as Category 1 forms of development within Schedule 9, Part 1(2) of the *Development Regulations 2008*.

Boundary walls are not specifically listed within Schedule 9 of the *Development Regulations 2008*. The proposed boundary wall has been determined to be a Category 1 form of development pursuant to Schedule 9, Part 1 (2)(g) of the *Development Regulations 2008*. It is of a minor nature for the following reasons:

- The proposed boundary wall is located against an existing boundary wall and will not be readily visible external to the site. As such, the boundary wall is unlikely to unreasonably impact upon the owners or occupiers of land in the locality.
- The finish of the boundary wall complements the associated dwelling and is of a reasonable size and scale when taking into account the size of the site, the proposed dwellings and existing dwellings within the locality.

As all elements of the proposal are Category 1, public notification was not required to be undertaken.

## INTERNAL REFERRALS

1. Department	2. Comments
3. City Assets	<ul style="list-style-type: none"> <li>The finished floor level (FFL) should be a minimum of 99.75.</li> <li>The distance between proposed stormwater outlets and proposed crossovers should be 1m minimum.</li> <li>Stormwater outlets are to be constructed of shape and material to satisfy Council's standard requirements.</li> <li>Existing redundant crossovers should be reinstated to vertical kerb prior to the completion of any building works at the applicant's expense.</li> <li>A 1m pedestrian refuge is required between the westernmost proposed crossover and the existing crossover on the adjacent site to the west.</li> <li>To enable vehicle manoeuvrability to a double garage and also maintaining an on-street car parking space, an invert flaring crossover (3.6m wide at kerb with 0.3m flaring towards the boundary on each side, equating to 4.2m wide at the boundary) will be supportable.</li> <li>Internal garage dimensions satisfy the minimum requirements.</li> <li>Garage setback distances satisfy the minimum requirements.</li> <li>Sufficient kerbside space is available for bin presentation.</li> <li>Stormwater detention is not required for this development.</li> </ul> <p>4.</p> <p>5. NOTE: Since the referral, City Assets have verbally confirmed that a FFL of 99.70 would be acceptable. As such, no changes to the FFL of 99.69 were required. The applicant made the necessary amendments to satisfy the remaining comments. As such, re-referral was not necessary.</p>

A copy of the relevant referral response is contained in **Attachment 3**.

## RELEVANT DEVELOPMENT PLAN PROVISIONS

The subject land is located within the Residential Zone and, more specifically, Low Density Policy Area 21 as described in the West Torrens Council Development Plan.

The relevant Desired Character statements are as follows:

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

*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, 4
Principles of Development Control	1, 5, 6, 7, 8, 9, 11, 12, 13

#### **Low Density Policy Area 21 - Desired Character**

*This policy area will have a low density character. In order to preserve this, development will predominantly involve the replacement of detached dwellings with the same (or buildings in the form of detached dwellings).*

*There will be a denser allotment pattern and some alternative dwelling types, such as semi-detached and row dwellings, close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones. Battleaxe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments developed with buildings that have a direct street frontage. In the area bounded by Henley Beach Road, Torrens Avenue and the Linear Park, where the consistent allotment pattern is a significant positive feature of the locality, subdivision will reinforce the existing allotment pattern.*

*Buildings will be up to 2 storeys in height. Garages and carports will be located behind the front façade of buildings. Buildings in the area bounded by Henley Beach Road, Torrens Avenue and the Linear Park will be complementary to existing dwellings through the incorporation of design features such as pitched roofs, eaves and variation in the texture of building materials.*

*Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer. Low and open-style front fencing will contribute to a sense of space between buildings.*

Objectives	1
Principles of Development Control	1, 2

Additional provisions of the Development Plan which relate to the proposed development are contained in **Attachment 1**.



## QUANTITATIVE STANDARDS

The proposal is assessed for consistency with the quantitative requirements of the Development Plan as outlined in the table below. Please note that since the proposed dwelling is oriented towards the Netley Avenue, Netley Avenue is considered to be the primary street frontage and Strathmore Avenue is considered to be the secondary street frontage.

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
<b>Dwelling</b>		
PRIMARY STREET SETBACK <i>Residential Zone</i> PDC 8	N/A	Refer qualitative assessment
SIDE SETBACKS <i>Residential Zone</i> PDC 11	0/1m (min. ground floor) 2m (min. upper floor)	<u>Western side only</u> GF - 16.32m 2F - 16.32m 3F - 17.22m  <b>Satisfies</b>
SECONDARY STREET SETBACK <i>Residential Zone</i> PDC 9	2m (min. ground floor) 3m (min. upper floor)	<u>Eastern side</u> GF - 1.8m 2F - 2m 3F - 3m  <b>Does not Satisfy</b>
REAR SETBACKS <i>Residential Zone</i> PDC 11	3m (min. ground floor) 8m (min. upper floor)	GF - 0m 2F - 1.5m 3F - 2.5m  <b>Does not Satisfy</b>
BUILDING HEIGHT <i>Residential Zone</i> PDC 6	2 storeys or 6m wall height (max.)	3 storeys or 9.7m wall height  <b>Does not Satisfy</b>
PRIVATE OPEN SPACE <i>Residential Development</i> PDC 19	80m <sup>2</sup> (min. area) 4m (min. dimension) 24m <sup>2</sup> (min. area directly accessible from a habitable room).	Area - 253m <sup>2</sup> Dimension - 5m Accessible Area - 26m <sup>2</sup>  <b>Satisfies</b>
CAR PARKING SPACES <i>Transportation and Access</i> PDC 34 Table WeTo/2	2 spaces (1 covered)	10 spaces (8 covered, 2 uncovered)  <b>Satisfies</b>
LANDSCAPING <i>Landscaping, Fences and Walls</i> PDC 4	10% (min.) or 70.4m <sup>2</sup>	22.2% or 156.2m <sup>2</sup>  <b>Satisfies</b>

<b>Detached Garage</b>		
FLOOR AREA <i>Residential Development</i> PDC 16	Maximum 60m <sup>2</sup>	82.9m <sup>2</sup> <b>Does not Satisfy</b>
WALL HEIGHT <i>Residential Development</i> PDC 16	Maximum 3m	3.74m <b>Does not Satisfy</b>
BUILDING HEIGHT <i>Residential Development</i> PDC 16	Maximum 5m	3.74m <b>Satisfies</b>
SETBACKS <i>Residential Development</i> PDC 16	No closer to the primary road frontage than any part of the associated dwelling  0.9m from secondary street frontage or in line with existing dwelling	Located behind that main façade of the dwelling.  Not within 0.9m of the secondary street frontage. <b>Satisfies</b>
LENGTH ALONG BOUNDARY <i>Residential Development</i> PDC 16	Maximum 8m or 50% length of boundary (whichever is less)	6.86m and 12m <b>Does not Satisfy</b>
MAXIMUM OPENING <i>Residential Development</i> PDC 16	6 m or 50% of the allotment frontage (whichever is less)	5.36m <b>Satisfies</b>

## ASSESSMENT

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

### Land Use

Residential development and, more specifically, detached dwellings and domestic structures are listed as envisaged forms of development within the Policy Area. As such, the proposed land use is considered to be appropriate.

### Desired Character and Pattern of Development

The Desired Character statement for the Zone and Policy Area seeks low density residential development, predominantly in the form of detached dwellings replacing existing detached dwellings. As the proposal involves the replacement of an existing detached dwelling with a detached dwelling, the Desired Character statement is satisfied in this regard. It is further satisfied by the proposal in terms of garages being located behind the front façade of buildings, landscaping at the road frontage and open-style front fencing.

While the Desired Character statement seeks buildings up to two storeys in height, it is considered that a three storey dwelling is appropriate for the subject site taking into account the context of the locality (discussed further in the built form section below). As such, this particular departure from the Desired Character is not considered to be fatal to the proposal.

## **Built Form**

### Setbacks

PDC 8 of the Residential Zone specifies that development should be setback from the primary road frontage by either the same setback or the average setback of buildings located on adjacent allotments. It is considered that this provision cannot strictly be applied to the proposed development as there are no dwellings situated on the adjacent allotment on Netley Avenue. The Strathmore Avenue road verge is situated to the east of the subject site and a driveway is situated to the west. Allotments further to the west, on the same side of Netley Avenue, are vacant. Existing dwellings situated on the opposite side of Netley Avenue have either no setback or a 1m setback from the street boundary. Based on these measures and the lack of any consistent primary street setbacks along Netley Avenue, the proposed front setback has been determined to be acceptable and unlikely to negatively impact on the streetscape character of Netley Avenue.

Portions of the ground floor and second floor of the proposed dwelling incur shortfalls in secondary street setback, while the third floor meets the minimum requirements. The ground floor has a shortfall of 0.2m and the second floor has a shortfall of 1m. The ground floor shortfall is considered to be a minor deviation and unlikely to be visually notable. Furthermore, only one third of the ground floor incurs this shortfall. The remainder of the ground floor is setback between 2.3m and 5.8m, which satisfies the minimum requirements. The second level also has a staggered façade, with one third of the building setback 2m, one third setback 2.5m and one third setback 6m from the secondary street boundary. The articulated and staggered façade is considered to offset the shortfalls in secondary street setback while adding visual interest. As such, the secondary street setback is considered to be appropriate.

The shortfall in rear setback is not considered to be of detriment to the proposal. Sufficient private open space is provided to the western side of the proposed dwelling and no overshadowing will occur to the adjoining allotment to the rear. The proposed dwelling will not be highly visible from the adjoining allotment to the rear, given the existing boundary development along the rear boundary.

### Wall Height and Number of Storeys

The Residential Zone and Policy Area seek buildings to be no greater than two storeys in height. Maximum wall height provisions in the Residential Zone help to reinforce this requirement. It is important to note that the Development Plan provisions are a guide only. There may be some circumstances where it is appropriate to depart from the provisions depending on the context of the locality, existing pattern of development and amenity impacts associated with a development.

As noted above, Strathmore Avenue is unique in that the existing dwellings are large and elaborate. A majority of dwellings are two storeys in height, with one three storey dwelling situated on the adjoining allotment to the north of the subject site. The applicant has undertaken a streetscape analysis of the overall height of nearby dwellings along Strathmore Avenue. The streetscape elevation plan provided demonstrates that the overall height of the proposed dwelling is similar to the overall height of the four existing dwellings situated to the north. In two instances, the overall height of existing dwellings exceed that of the proposed dwelling. It is also important to note that the architect has designed the dwelling in a way that presents as a two storey building rather than a three storey building. As such, it is considered that the height of the proposed dwelling is appropriate in the context of both the locality and of Strathmore Avenue more generally.

Amenity impacts that may arise from a three storey building are visual impact, overlooking and overshadowing. These matters are deliberated in the amenity section below and are considered to be within acceptable limits. Given that the context of the locality supports a dwelling of this scale and amenity impacts are acceptable, departure from the height provisions of the Development Plan is warranted in this instance.

### Design and Appearance

The subject site is not located within a Character or Conservation Area. As such, the contemporary design of the dwelling is considered to be appropriate. The dwelling exhibits characteristics of modern architecture and will be an interesting feature within the context of the locality, complementing other modern dwellings along Strathmore Avenue.

The dwelling, detached garage and fencing exhibit a coordinated design theme with consistent external materials and colours. The dwelling will be finished with white render and dark grey Scyon Matrix Cladding with Eco Stone to provide contrast. The upper level eave is finished in "Champagne Metallic" Alucobond to add another feature element to the proposed dwelling. The detached garage and fence will be finished in white render to match the dwelling.

Garage dominance is not a concern as the garages form a relatively minor component of the proposed development. The dwelling provides sufficient opportunity for passive surveillance of the street given the extensive fenestration on the eastern and southern facades of the building, satisfying PDCs 1 and 2 of the Crime Prevention module of the Development Plan.

Taking into consideration the above, the design and appearance of the proposed development is considered to be acceptable.

### Garage Provisions

The proposed detached garage exceeds the maximum floor area, wall height and length on boundary requirements prescribed by PDC 16 of the Residential Development module. The wall height and length on boundary is not considered to be an issue given that the proposed garage is located adjacent to a driveway to the west and existing boundary development to the north. Furthermore, the floor area of the garage is considered to be acceptable as the site is of a sufficient size to accommodate the structure without compromising other functional elements such as private open space.

### **Amenity**

#### Overlooking

The proposed dwelling has been designed and positioned in a way that restricts unreasonable overlooking to the adjoining allotments to the north and west. The dwelling is positioned notably forward of the dwelling situated on the adjoining allotment to the north. As such, views from the upper level windows, alfresco and balcony on the northern façade of the building will be restricted to the front yard and side boundary wall of the dwelling to the north. The applicant has provided a sightline sketch that demonstrates that the side boundary wall of the dwelling to the north restricts views from the northern balustrade of the second level alfresco to their usable private open space.

On the western façade of the proposed dwelling, overlooking has been minimised by the use of high level windows and screening to the alfresco. The sightline sketch demonstrates that overlooking from the western kitchen window of the proposed dwelling will be restricted by the side boundary wall of the dwelling to the north combined with the proposed garage.

It is considered that the positioning of and treatments to the upper level windows will maintain the privacy of adjoining dwellings, satisfying PDC 10 of the Design and Appearance module.

#### Overshadowing

The applicant has provided an overshadowing diagram demonstrating the extent of overshadowing at 9am, 12pm and 3pm on 21 June. The diagram confirms that the proposal will result in limited overshadowing to residential properties within the vicinity of the site, with a majority of overshadowing affecting the Netley Avenue road verge. Some overshadowing will reach allotments to the west of the subject site and on the opposite side of Netley Avenue to the south at varying extents throughout the day. However, the extent of overshadowing will be within the limits prescribed by PDCs 11 and 12 of the Residential Development module.

It is worthy to note that three large Regulated Trees are situated on the southern side of Netley Avenue which already create a level of overshadowing to the allotments on the southern side of Netley Avenue.

### Visual Impact

The proposed development is considered to have an acceptable visual impact on adjoining residential allotments. The adjoining dwelling to the north does not have any windows which face the subject site and an existing boundary wall will largely block views of the proposed dwelling and garage from the north. Similarly, the dwelling situated on the southern side of Netley Avenue does not have any substantial windows which face the subject site.

A driveway which belongs to the adjoining allotment to the north is situated to the west of the subject site. Further to the west are vacant allotments. It is considered that the driveway acts as a sufficient buffer to reduce the visual impact of the proposed garage on the allotments further to the west. The dwelling is also sufficiently setback from the adjoining allotments to the west to suitably minimise visual impact.

The dwelling is well articulated by a means of staggered facades and a range of different external material and colour finishes. This provides an element of visual interest and reduces the visual bulk of the building. While not to be solely relied upon, landscaping will also soften the visual impact of the proposed dwelling when viewed from adjoining allotments or the street.

### Pool Equipment

Pool equipment will be stored in the proposed detached garage. Given that the garage will be fully enclosed with no openings facing adjoining residential properties, it is unlikely that the pool equipment will cause noise nuisance.

### **Landscaping and Fences**

The applicant has provided a Landscape Plan showing the extent of landscaping and hard paved surfaces within the development. Soft landscaping comprises approximately 22% of the development site, satisfying PDC 4 of the Landscaping, Fences and Walls module. Exposed aggregate and paving seals the driveways and external terrace, which is reasonable and expected.

While the plant species indicated are not locally indigenous, the selection includes plants of varying heights and forms to complement the modern architectural design of the proposed dwelling. The plant species are hardy and regularly found throughout the locality. A number of trees are incorporated within the landscaping to maximise shade and shelter and assist with climate control around buildings. Accordingly, the proposed development satisfies PDC 1 of the Landscaping, Fences and Walls module.

A masonry fence containing both solid and open infills will be constructed along the Netley Avenue and Strathmore Avenue Road frontages. To complement existing front fences along Strathmore Avenue and to maintain a sense of openness and visibility to the proposed dwelling, the Strathmore Avenue portion of the proposed fence will contain open infill panelling. The Netley Avenue portion of the proposed fence will contain some solid infill panelling to maintain privacy to the rear yard. Solid infill panelling is considered to be reasonable and unlikely to negatively impact the streetscape of Netley Avenue, given that solid fencing is common. Gates for pedestrian and vehicle access will consist of open panelling to highlight entrances and to maintain sightlines for pedestrian safety. Taking into consideration the above, PDC 6 of the Landscaping, Fences and Walls module is considered to be satisfied.

## **Parking and Access**

As outlined in the quantitative table above, the proposed dwelling provides 10 off-street car parking spaces (eight covered), more than satisfying the requirements of Table WeTo/2 of the Development Plan.

Three new crossovers are proposed which have been positioned and shaped to satisfy the requirements of the City Assets department. One existing crossover will be reinstated back to vertical kerb and gutter at the completion of the development.

Taking into consideration the above, the proposal is considered to satisfy the relevant provisions of the Development Plan relating to access and car parking.

## **Waste Management**

No alternative waste storage or collection arrangements are required or proposed. The road verge is of a sufficient width to support bin presentation to the street. This is reaffirmed by City Assets.

## **Stormwater Management**

City Assets have raised no concerns with the proposed stormwater management system and have advised that stormwater detention is not required for this development.

## **Earthworks and Retaining**

The existing site levels currently sit lower than the water table, which does not allow for surface stormwater to drain to the street via gravity. The FFL of the existing dwelling is approximately 0.25m above the water table at the highest point which does not comply with the current City Assets standard of 0.35m.

In order for the FFL of the proposed dwelling to meet the current standard and achieve surface stormwater discharge to the street via gravity, the site must be raised. Fill and fill retaining up to 0.5m is required in order to achieve this. The applicant has indicated that retaining walls will be constructed so as to abut the proposed fences, existing fences and existing boundary development. As such, retaining walls will not be visible external to the site and are unlikely to negatively impact on the amenity of the locality.

## **SUMMARY**

The proposed three storey detached dwelling, detached garage, swimming pool, boundary wall and fencing is considered to be an orderly and appropriate form of development within the context of the locality. The built form sufficiently accords with the established pattern of large detached dwellings unique to Strathmore Avenue.

The proposed dwelling incurs shortfalls in terms of building height and setbacks and the detached garage incurs shortfalls in terms of floor area, wall height and length on boundary. These shortfalls have been determined to be acceptable and are not considered to be fatal to the proposal. Overshadowing and visual impacts are within acceptable limits and overlooking suitably minimised to maintain the privacy of adjoining properties.

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

On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 12 July 2018 and warrants Development Plan Consent.



## RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/499/2019 by The Galvin Group to undertake the demolition of existing dwelling and masonry fence and construction of a 3 storey detached dwelling, swimming pool and associated safety fence, detached garage, boundary wall (3m maximum height) and masonry fence (2.1m maximum height) at 16 Strathmore Avenue, Lockleys (CT 6176/379) 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 contained within this application except where varied by any condition(s) listed below.
  - a) Architectural Plans by The Galvin Group (Page Numbers 1 to 27).

*Reason: To ensure the proposal is developed in accordance with the plans and documents lodged with Council.*
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.

*Reason: To ensure that adequate provision is made for the collection and dispersal of stormwater.*
3. All driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained prior to occupation of the dwelling approved herein, and shall be maintained in good condition at all times to the reasonable satisfaction of Council.

*Reason: To ensure that dust nuisance is minimised.*
4. All landscaping shown on the approved 'Landscape Plan' by the Galvin Group (Revision: A Date: 06/06/2019), shall be planted within three (3) months of the occupation of the dwelling approved herein.

*Reason: To enhance the amenity of the site and locality and to mitigate against heat loading.*
5. All landscaping shall be maintained in good health and condition at all times and any dead or diseased plants shall be replaced immediately to the reasonable satisfaction of the Council.

A watering system shall be installed and maintained at the time landscaping is established and operated so that all plants receive sufficient water to ensure their survival and growth.

*Reason: To enhance the amenity of the site and locality and to mitigate against heat loading.*

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## Attachments

1. Relevant Development Plan Provisions
2. Application Plans
3. City Assets Referral Response

## Relevant Development Plan Provisions

<b>General Section</b>		
Crime Prevention	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 3
Design and Appearance	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 3, 5, 9, 10, 11, 12, 13, 14, 15, 20, 21, 22
Energy Efficiency	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2
Landscaping, Fences and Walls	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2, 3, 4 & 6
Residential Development	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 27, 28
Transportation and Access	<i>Objectives</i>	2
	<i>Principles of Development Control</i>	1, 2, 8, 9, 10, 11, 17, 18, 19, 23, 24, 30, 34, 35, 44
Waste	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	2, 4, 5



**THE GALVIN GROUP**  
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BLD 36150

**FLOURENTZOU, GEORGE**  
16 STRATHMORE AVENUE  
LOCKLEYS

**SCOPE OF WORKS:**  
1 / NEW GARAGE TO LANEWAY  
2 / NEW POOL & LANDSCAPING  
3 / ALTERATIONS TO EXISTING ALFRESCO



THE GALVIN GROUP HEREBY TAKE NO RESPONSIBILITY FOR ANY STRUCTURAL DESIGN OR DETAILS IF CHANGES OR ALTERATIONS ARE MADE TO THE PLANS DURING OR PRIOR TO CONSTRUCTION WITHOUT WRITTEN NOTICE & APPROVAL.

IT IS THE BUILDERS / CONTRACTORS RESPONSIBILITY TO CHECK AND CONFIRM ALL DRAWINGS AND DETAILS PRIOR TO ORDERING OF MATERIALS AND OR OUTING OF PROJECT. THE GALVIN GROUP WILL NOT ACCEPT ANY RESPONSIBILITY FOR ERRORS AND OR OMISSIONS.

VERIFY ALL DIMENSIONS PRIOR TO THE COMMENCEMENT OF ANY SHOP DETAILS, FABRICATION OR CONSTRUCTION.

DO NOT SCALE OFF PLAN. FIGURED DIMENSIONS TO TAKE PRECEDENCE OVER SCALED DIMENSIONS.

COMPLY WITH THE BUILDING CODE OF AUSTRALIA, BUILDING ACT AND REGULATIONS, AND RELEVANT AUSTRALIAN STANDARDS AND LOCAL AUTHORITY.

WHILE SPECIFIC INSTALLATION DETAILS AND OR REQUIREMENTS MAY NOT BE STATED OR SPECIFIED ON THESE PLANS IT DOES NOT IMPLY THAT THE BUILDER / CONTRACTOR DOES NOT UNDERTAKE & INSTALL ALL BUILDING PRODUCTS & MATERIALS IN STRICT ACCORDANCE WITH MANUFACTURERS SPECIFICATION & RECOMMENDATIONS. THIS ALSO DOES NOT TAKE AWAY RESPONSIBILITY FOR THE BUILDER / CONTRACTOR TO INFORM & EDUCATE THEMSELVES IN RESPECT TO SUCH

**DEMOLITION**

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

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

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

**WHITE ANT TREATMENT**

PROVIDE TERMIMESH PERIMETER TERMITE TREATMENT TO MAIN FOOTINGS & PENETRATIONS IN ACCORDANCE WITH AS 3660-1.

A DURABLE NOTICE SHALL BE PERMANENTLY FIXED TO THE BUILDING WITHIN METER BOX. A TERMITE EXPERT SHALL INSPECT & PROVIDE A MAINTENANCE PROGRAM

**SITE PLAN:**

REFER TO ENGINEERS DRAINAGE PLAN FOR ALL LEVELS, RETAINING WALLS & STORMWATER DRAINAGE DESIGN.

2000L RAIN-WATER TANK (nom) PER ENGINEERS DETAILS. PLUMBED TO EITHER TOILET, HOT WATER SYSTEM OR ALL LAUNDRY COLD WATER OUTLETS. TANK MUST BE FITTED WITH OVERFLOW DEVICE. INLET & OVERFLOW MUST BE FITTED WITH MOSQUITO-PROOF SCREENS.

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

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. ENSURE COMPLIANCE WITH MINISTERS SPECIFICATION SA 76G. \* PROTECTION OF BUILDINGS EXPOSED TO BRUSH FENCES

**SLAB PLAN**

REFER TO ENGINEERS SPECIFICATIONS AND LAYOUTS FOR ADDITIONAL DETAILS

ANY DISCREPANCIES TO BE REFERRED TO THIS OFFICE FOR CLARIFICATION BEFORE PROCEEDING WITH FURTHER WORK

THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND LEVELS ON SITE PRIOR TO THE COMMENCEMENT OF ANY WORK OR SHOP DRAWINGS

THE CONTRACTOR SHALL NOT MAKE ALTERATIONS OR CHANGES TO PLANS DURING OR PRIOR TO CONSTRUCTION WITHOUT PROVIDING WRITTEN NOTICE AND GAIN APPROVAL FROM THE GALVIN GROUP

PROVIDE 0.2mm DAMP PROOF MEMBRANE UNDER SLAB & FOOTING BEAMS.

COMPACTION & FILL TO ENGINEERS DETAILS

**UNDERFLOOR HEATING: (IF APPLICABLE)**

ALLOW FOR HYDRONIC UNDERFLOOR HEATING TO BE INSTALLED TO ENTIRE RESIDENCE, WITH THE EXCEPTION OF GARAGE, ALFRESCO, CARPORT & VERANDAH.

REHAU PIPE WORK TO BE INSTALLED WITHIN GLAS IN ACCORDANCE WITH MANUFACTURER & ENGINEERS RECOMMENDATIONS.

MANUFACTURER & HEAT SOURCE TO BE SELECTED BY OWNER.

**ENERGY EFFICIENCY:**

REFER TO INDEPENDENT ENERGY EFFICIENCY REPORT FOR ALL INSULATION AND GLAZING REQUIREMENTS

EXTERNAL SWINGING DOORS MUST BE FITTED WITH A DRAUGHT PROTECTION DEVICE TO THE BOTTOM EDGE OF EACH LEAF.

WINDOWS & DOORS - ALL CARE HAS BEEN TAKEN, HOWEVER IT IS THE BUILDERS RESPONSIBILITY TO CHECK AND VERIFY ALL WINDOWS & DOORS PRIOR TO CONSTRUCTION AND ORDER AS NO RESPONSIBILITY CAN BE ACCEPTED FOR ANY ERROR OR OMISSIONS.

**FLOOR PLAN:**

W.C. DOOR TO BE INSTALLED WITH HINGES WHICH ARE READILY REMOVABLE FROM THE OUTSIDE COMPLIANT WITH BCA - PART 2.4.2 & 3.8.2. - OTHERWISE DOOR SHALL SWING OUTWARD

SERVICE DUCT LOCATIONS INCLUDING PLUMBING, A/C, ELECTRICAL SHALL BE CONFIRMED WITH BUILDING DESIGNER PRIOR TO ANY CONSTRUCTION.

GLAZING TO BE IN ACCORDANCE WITH AS 1288 & AS 2047 USING THE DESIGN GUST WIND SPEED APPROPRIATE FOR THE SITE.

IF USING PRE-FABRICATED TRUSSES - GANGMAILED ROOF TRUSSES WHEN USED SHALL BE DESIGNED & MANUFACTURED BY A LICENCED MANUFACTURER BASED ON A CERTIFIED DESIGN COMPLYING WITH THE REQUIREMENTS OF AS 1720.1-1988 AND AS 1649 UTILISING A WIND SPEED AS PER ENGINEERS DETAIL & ERECTED & BRACED IN ACCORDANCE WITH THE MANUFACTURERS SPECIFICATIONS.

PG NO.	PAGE TITLE	DATE REVISED
1	COVER PAGE	
2	3D RENDERS EXTERNAL	
3	RENDERS INTERNAL	
4	SITE PLANS 1:200	6/6/19
5	SITE PLAN 1:100	6/6/19
6	STORMWATER PLAN	6/6/19
7	GROUND FLOOR PLAN	
8	LEVEL 1 FLOOR PLAN	
9	LEVEL 2 FLOOR PLAN	
10	ROOF PLAN	
11	GARAGE FLOOR PLAN	
12	GARAGE ELEVATION	
13	ELEVATIONS	6/6/19
14	SECTIONS X1-X2	
15	SECTIONS X3-X4	
16	SECTIONS Y1-Y2	
17	SECTIONS Y3-Y4	
18	BOUNDARY ELEVATIONS	6/6/19
19	INTERNAL ELEVATIONS 1	
20	INTERNAL ELEVATIONS 2	
21	STREET ELEVATION	
22	SUN STUDIES	
23	WINDOW AND DOOR SCHEDULE	
24	OUTDOOR KITCHEN AREA	
25	LANDSCAPE PLAN	
26	POOL PLAN	
27	OVERLOOKING VIEWS	6/6/19



**THE GALVIN GROUP**  
519 TORRENS RD, WOODVILLE  
SOUTH AUSTRALIA 5011  
Ph: 08 8268 9915  
www.galvingroup.com.au

**FLOURENTZOU, GEORGE**  
16 STRATHMORE AVENUE, LOCKLEYS

**COUNCIL APPROVAL**  
REVISION A

DATE: 6/06/2019

Page size: A1

Scale as drawn

The builder shall have sole liability of all drawings and plans and all responsibility to the Council. Do not make any changes. Council will be liable for construction and safety of the building.

A copy must be provided to the Council and a copy must be provided to the Council and a copy must be provided to the Council.

**LAST AMENDMENT** 6/6/19

- Revised section of plot/lot A, all aspects of all dimensions added
- Plot area of 1/1000 acre plot added
- Driveway cross section revised in accordance with council requirements
- Stormwater verge connection represented in accordance with council requirements







 <div>THE GALVIN GROUP 110 TORING RD, VOORHEES VIC 3048 PH: 08 8558 5515 WWW.GALVINGROUP.COM.AU</div>	FLOURENTZOU, GEORGE		16 STRATHMORE AVENUE, LOCKLEYS	COUNCIL APPROVAL	REVISION A	<div>The builder shall have and verify all: - Dimensions of the work as shown and complying to the - Approved Do Not Leave the property. Change sheet - will be used for construction purposes only. - To the satisfaction of the council. - In compliance with the relevant standards and specifications, which are the - approved by the relevant authority and the relevant standards.</div>	<div>LAST AMENDMENT 14/07/19</div> <ul style="list-style-type: none"><li>- Maximum height of plot/build A, all height dimension added</li><li>- Plot floor line of light color plot added</li><li>- Driveway cross street layout in accordance with council requirements</li><li>- Stormwater verge connection represented in accordance with council requirements</li></ul>	14/07/19 - 1:100 site plan page added
	FLOURENTZOU G LOCKLEYS CA 2 / 3D RENDERS EXTERNAL		DATE: 6/06/2019	Page size: A1	Scale as drawn			

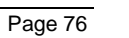




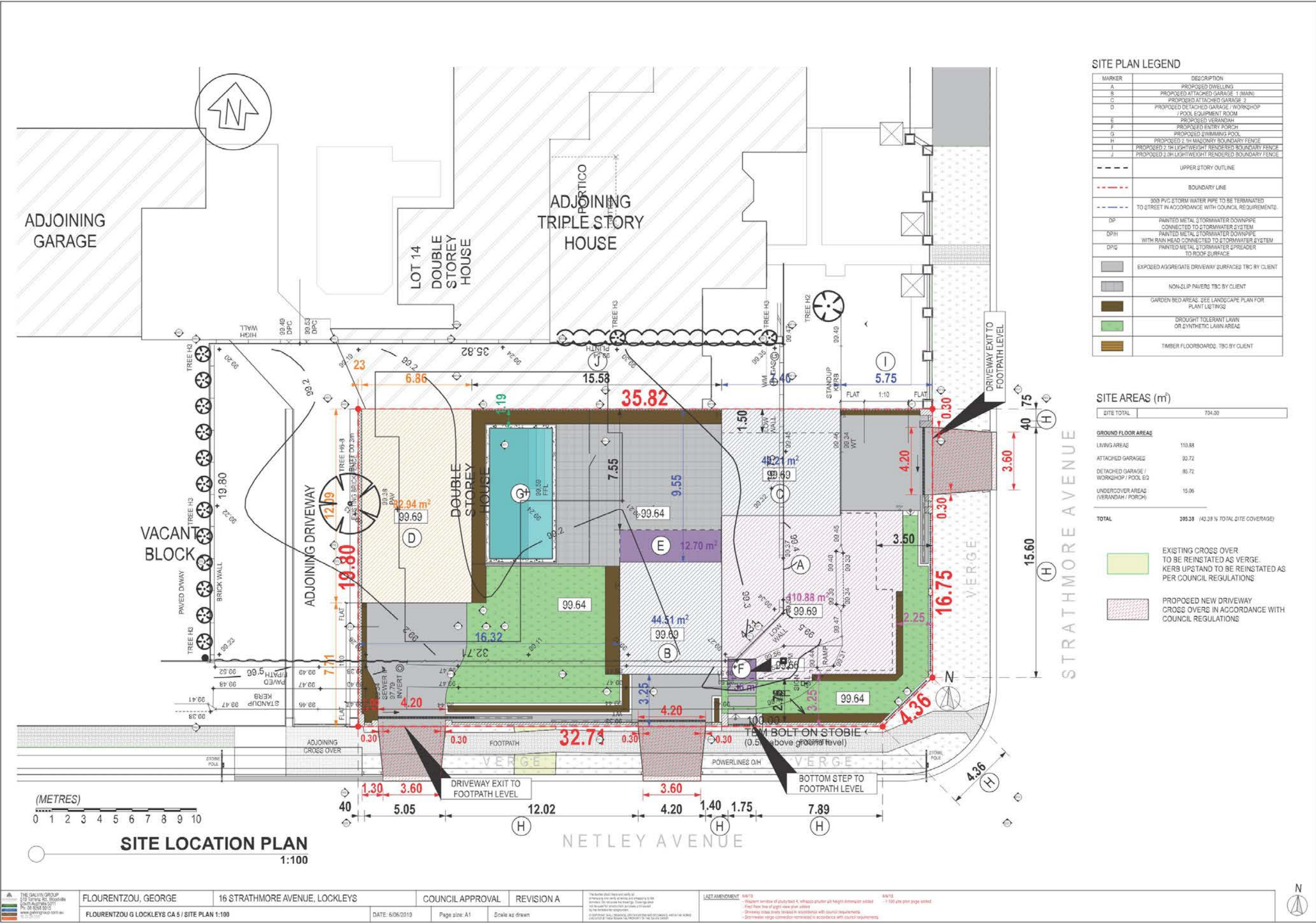


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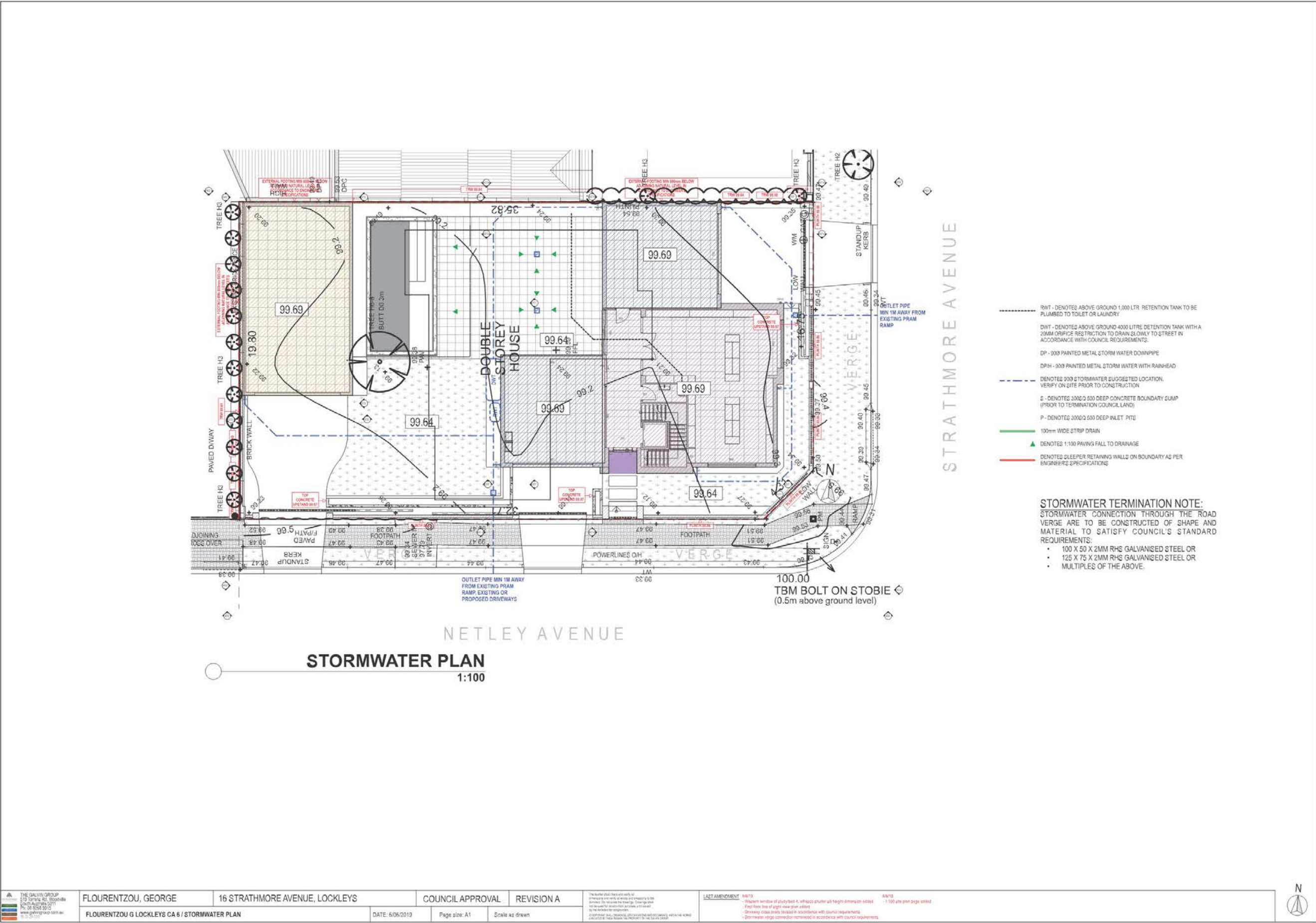






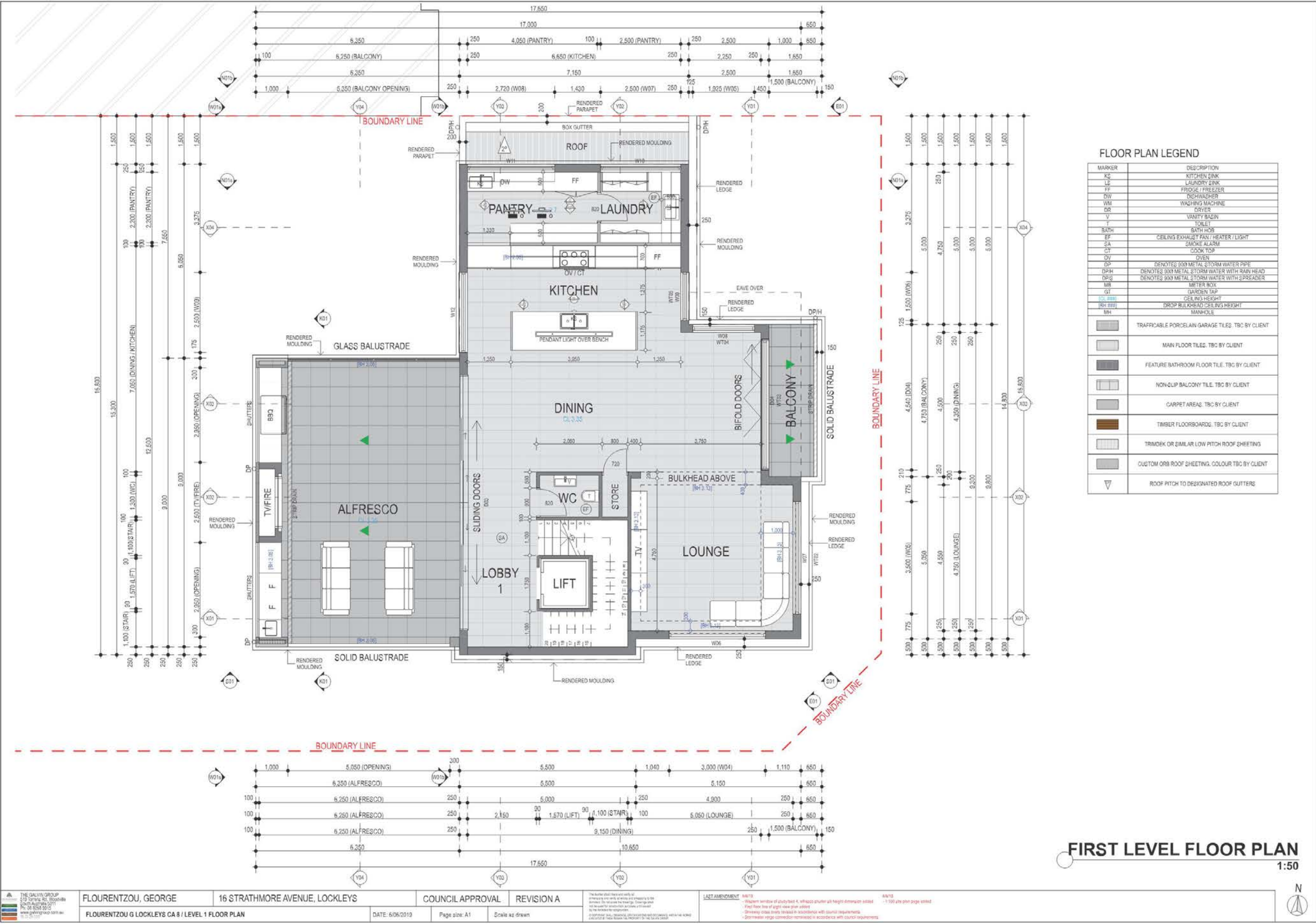


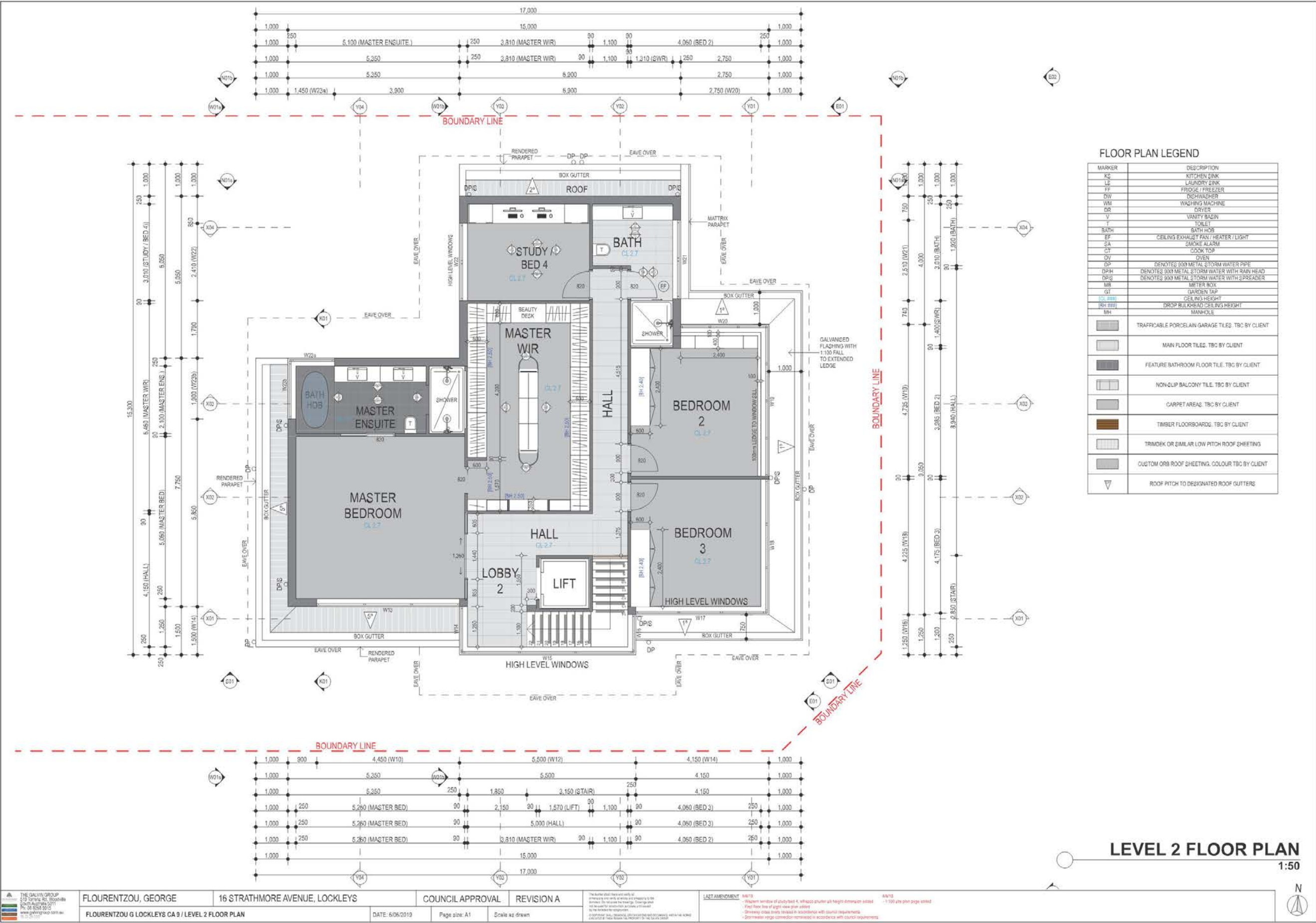




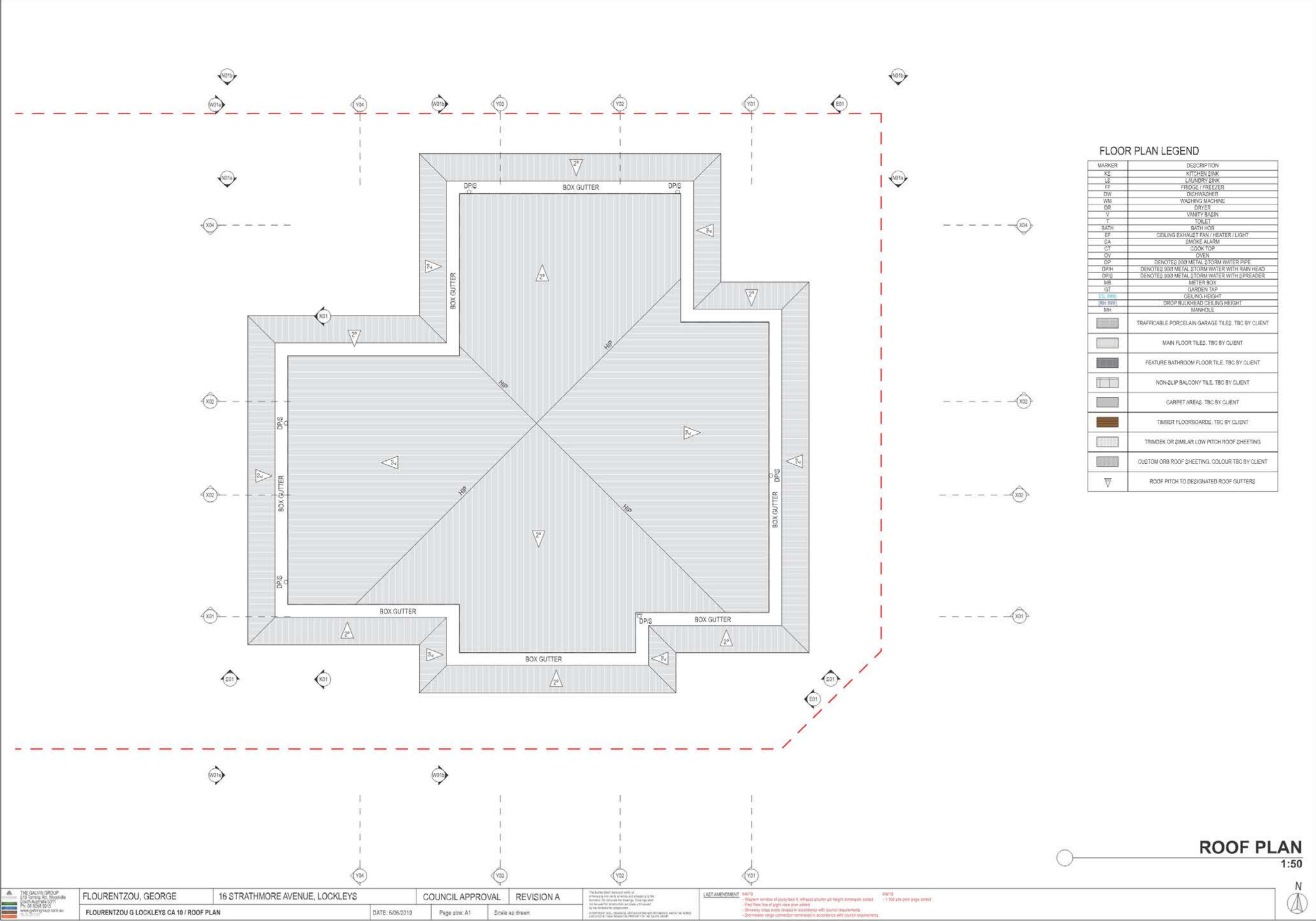




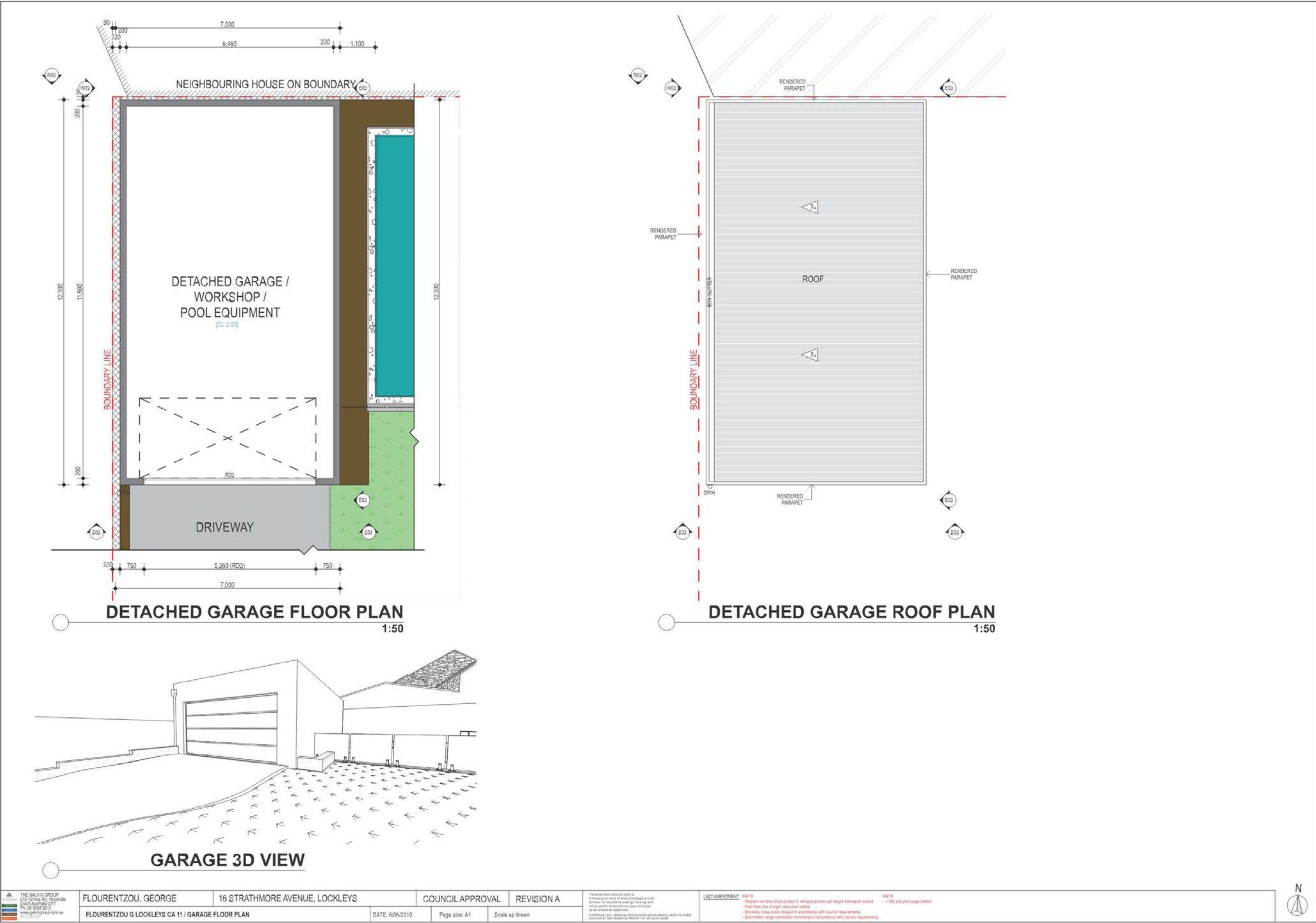


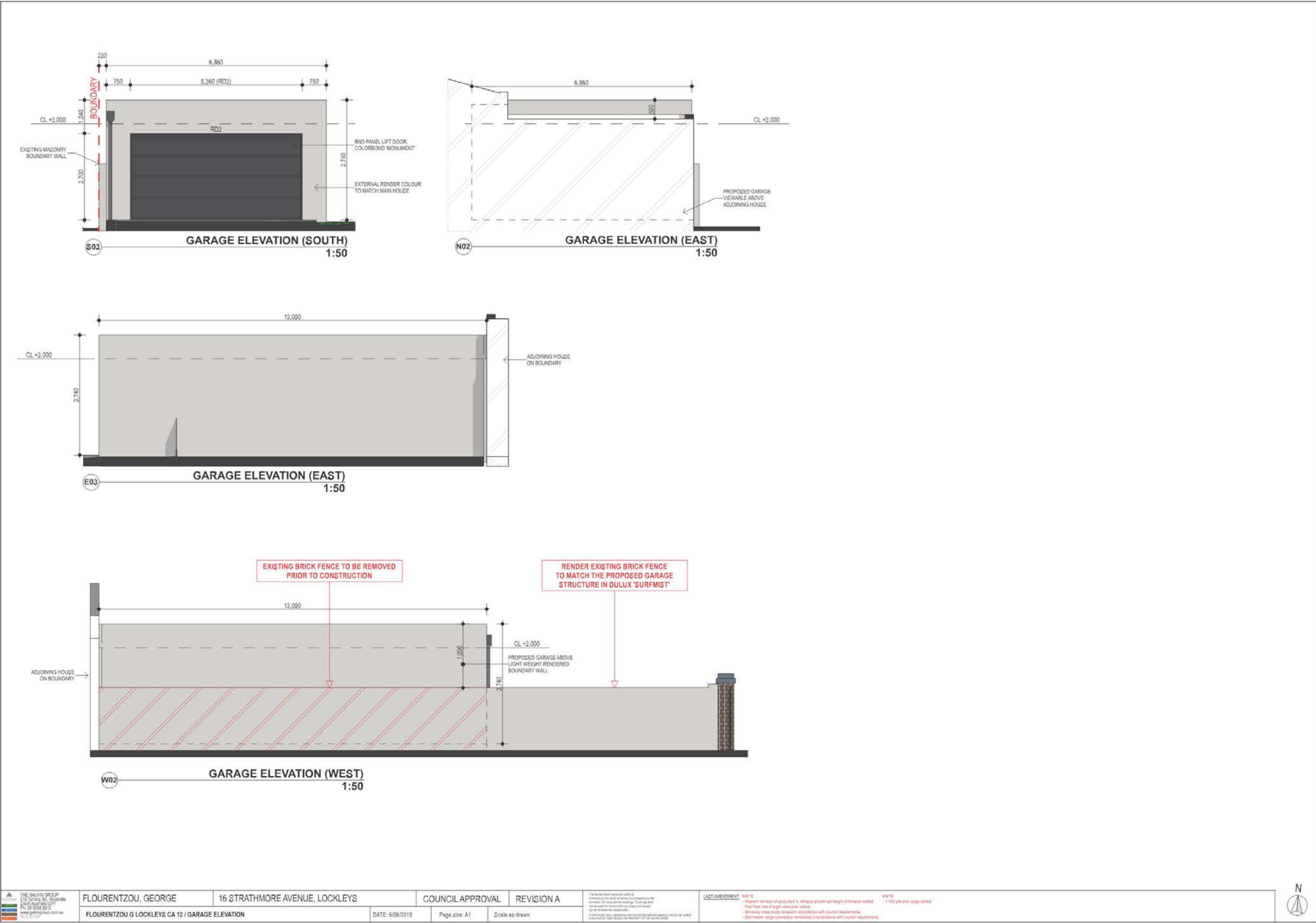




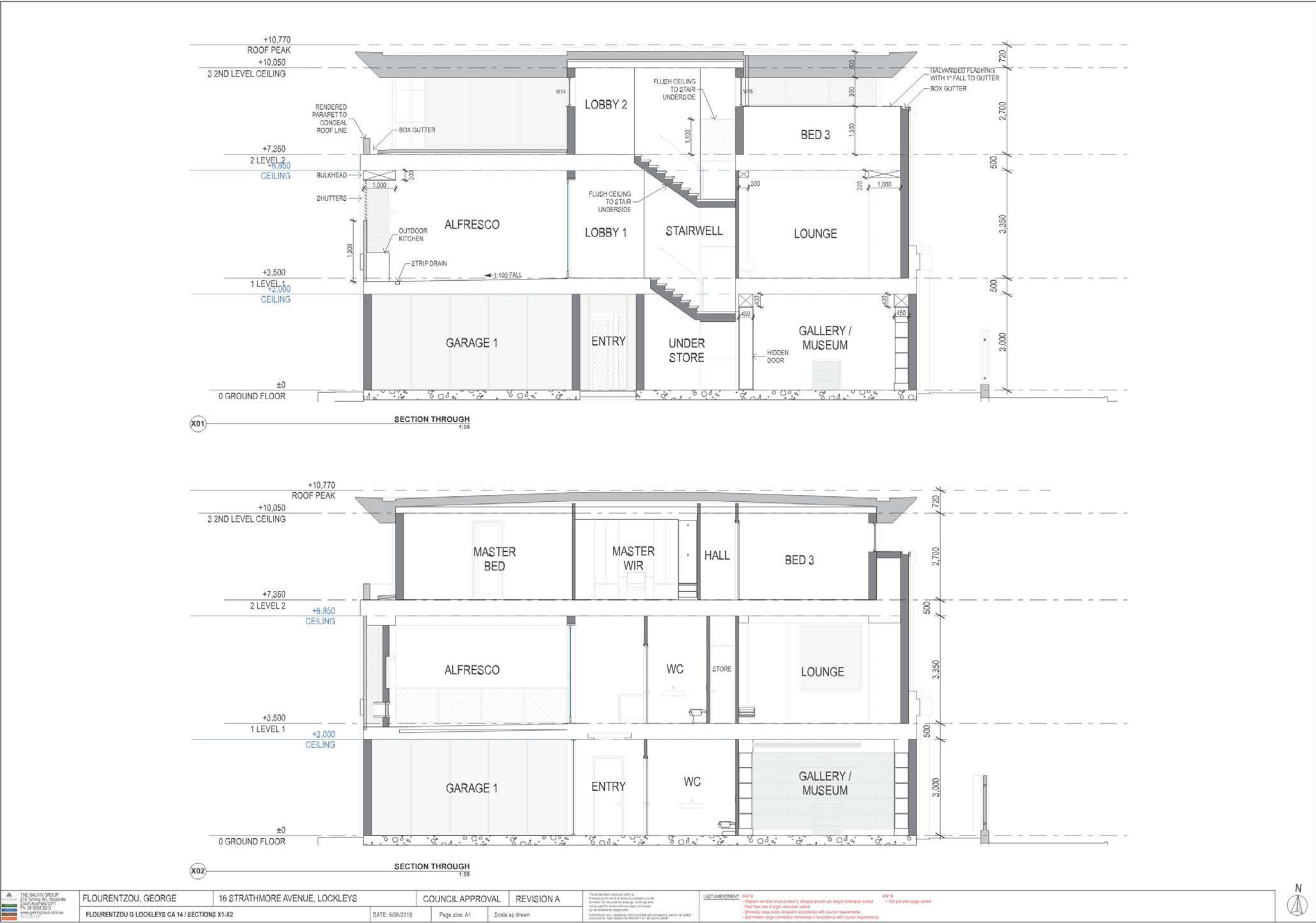




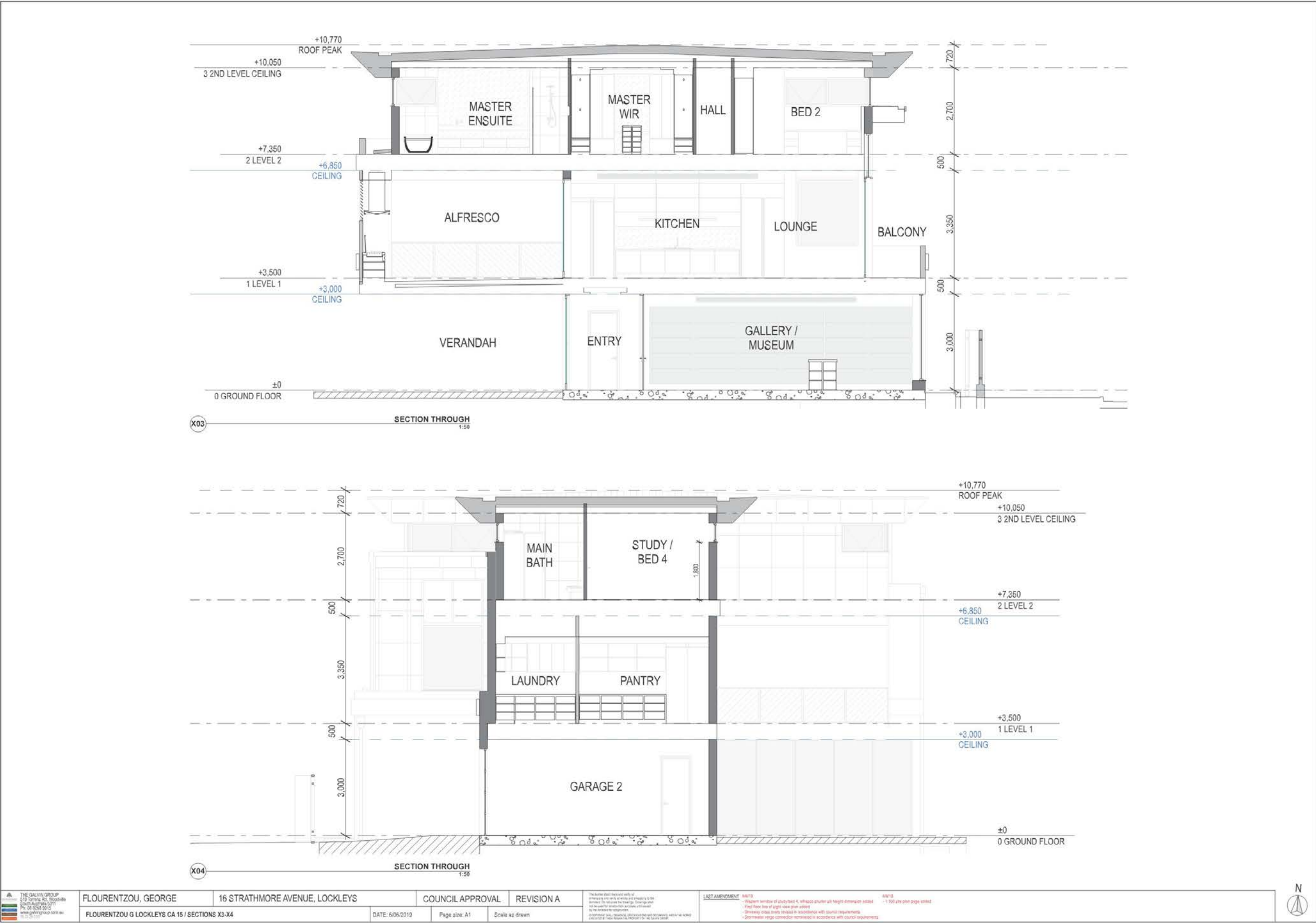


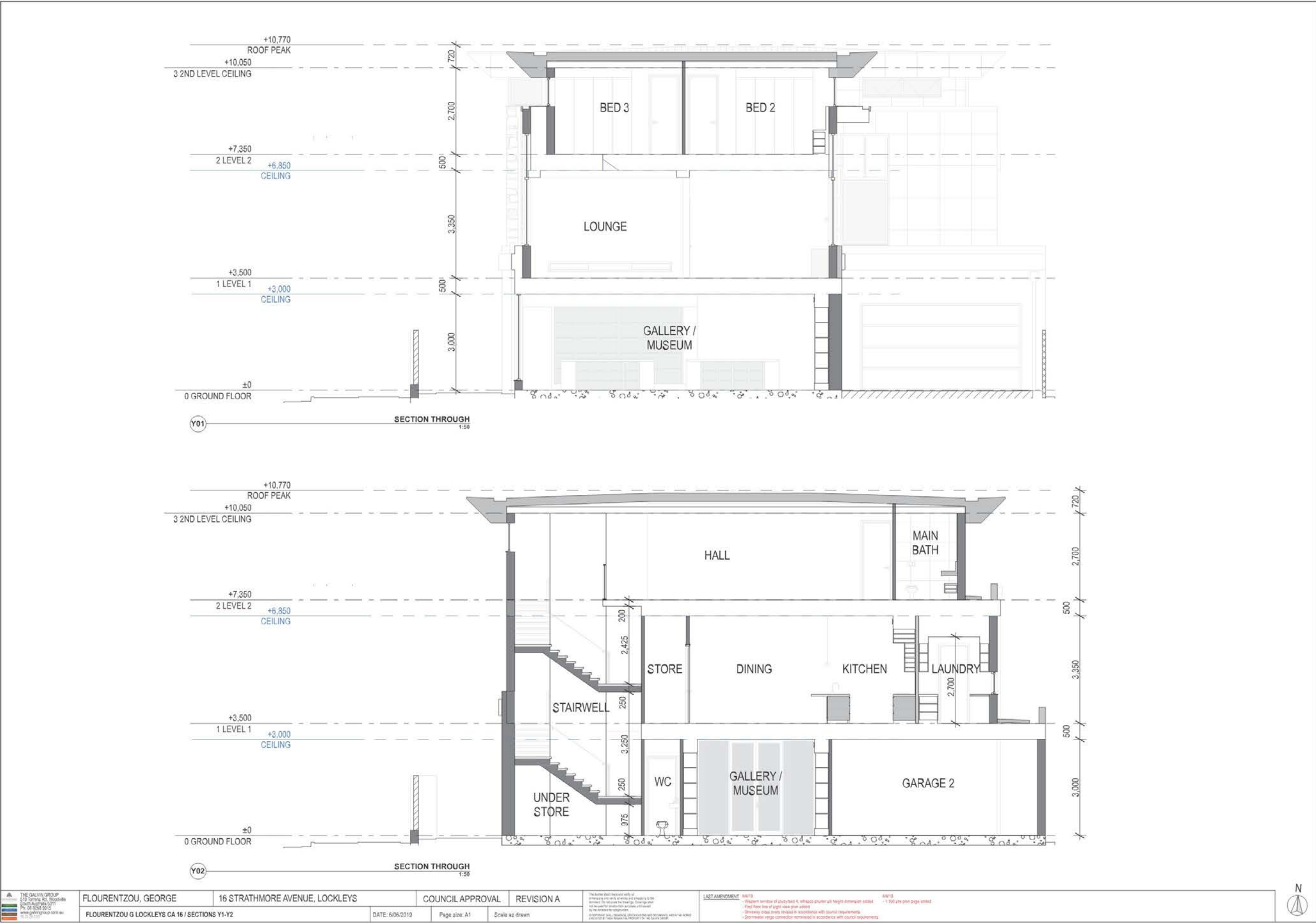




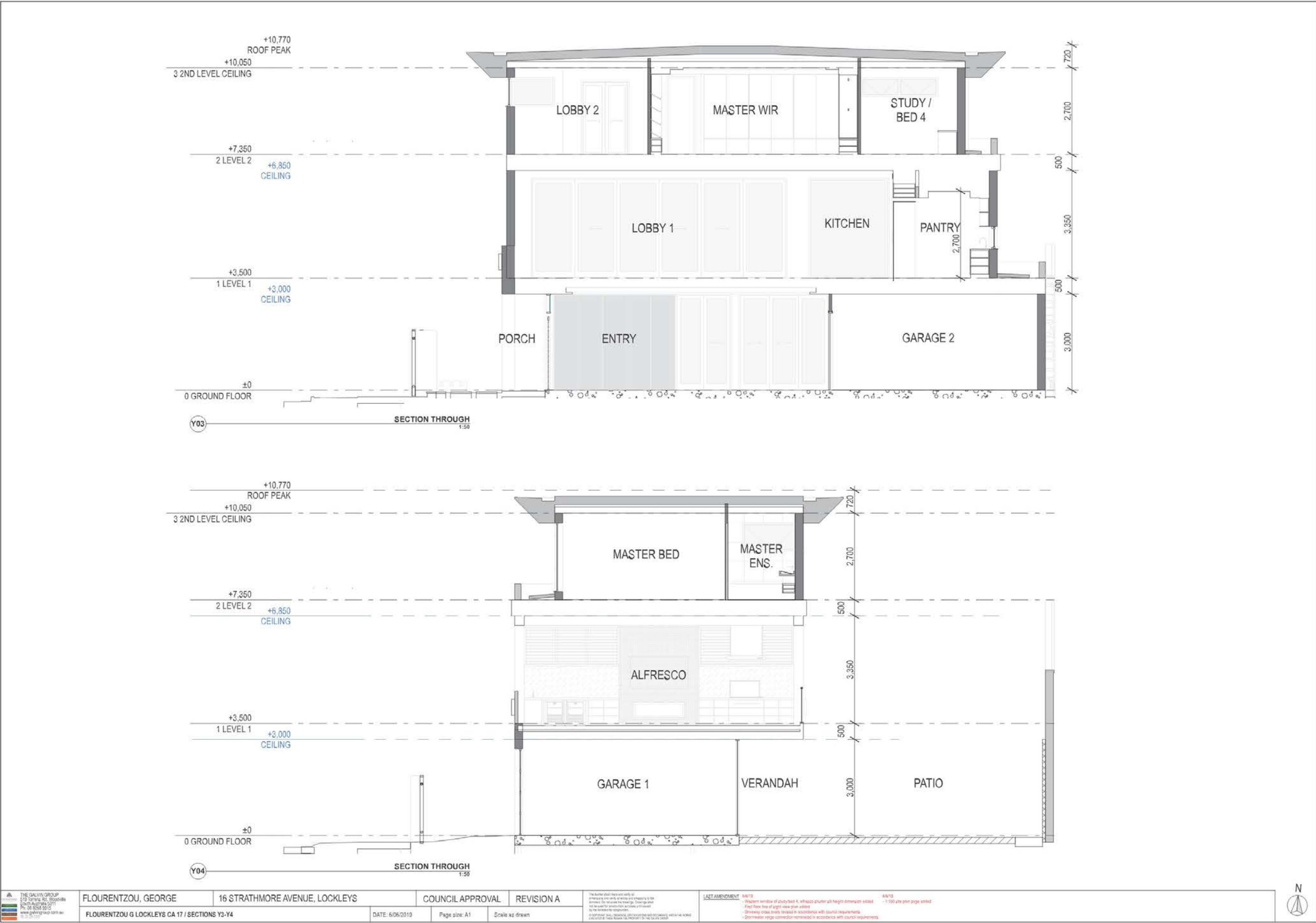


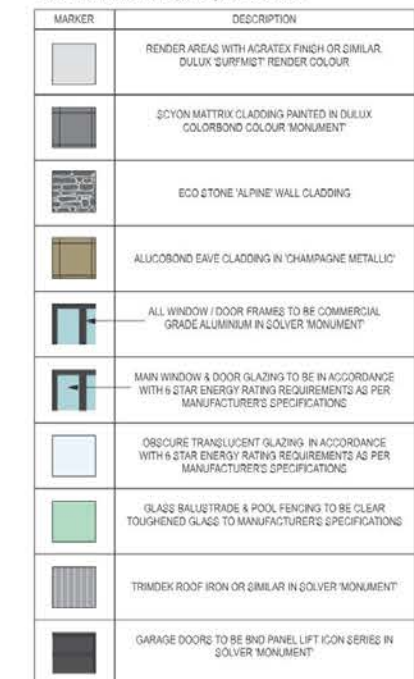


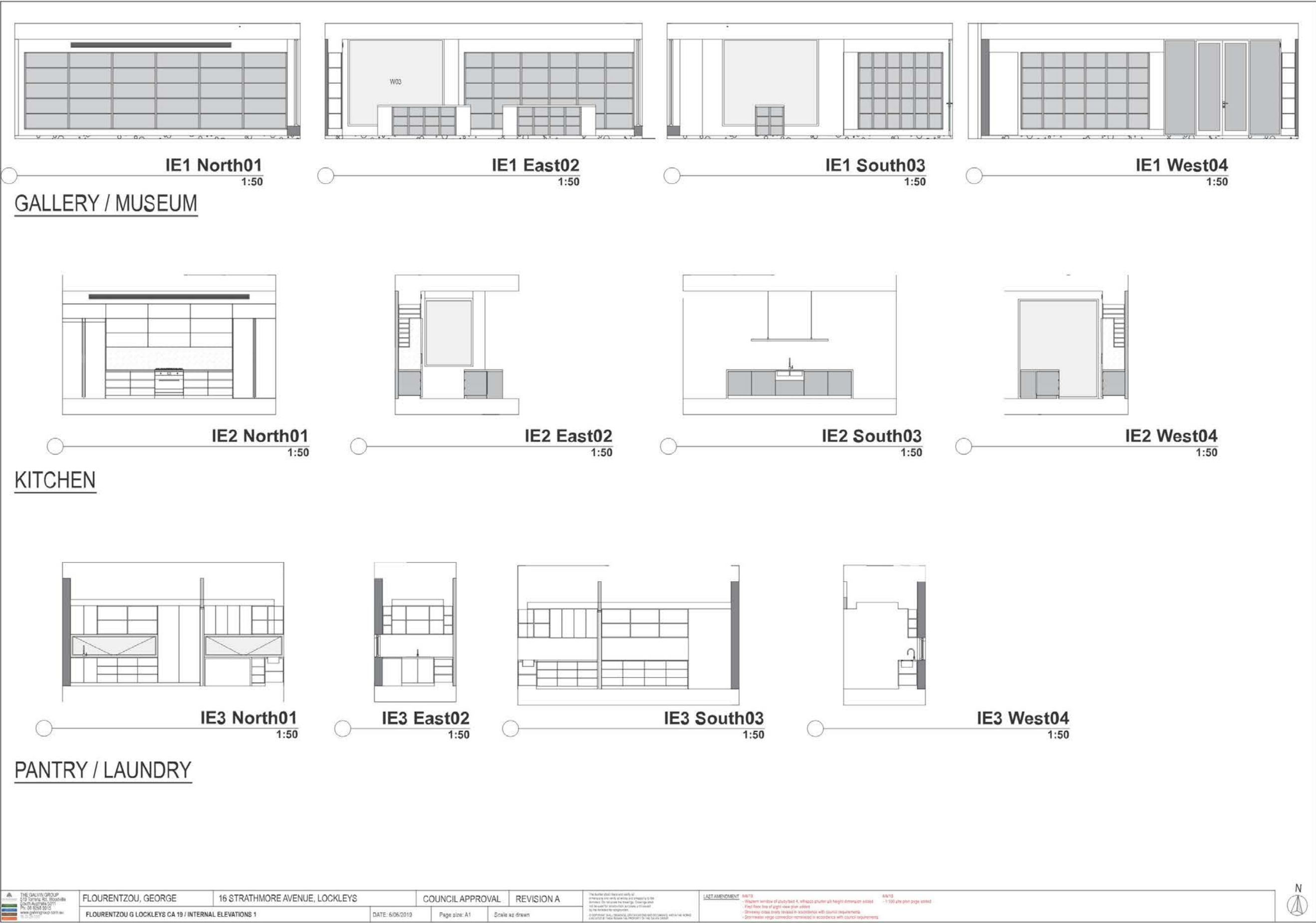


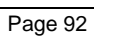




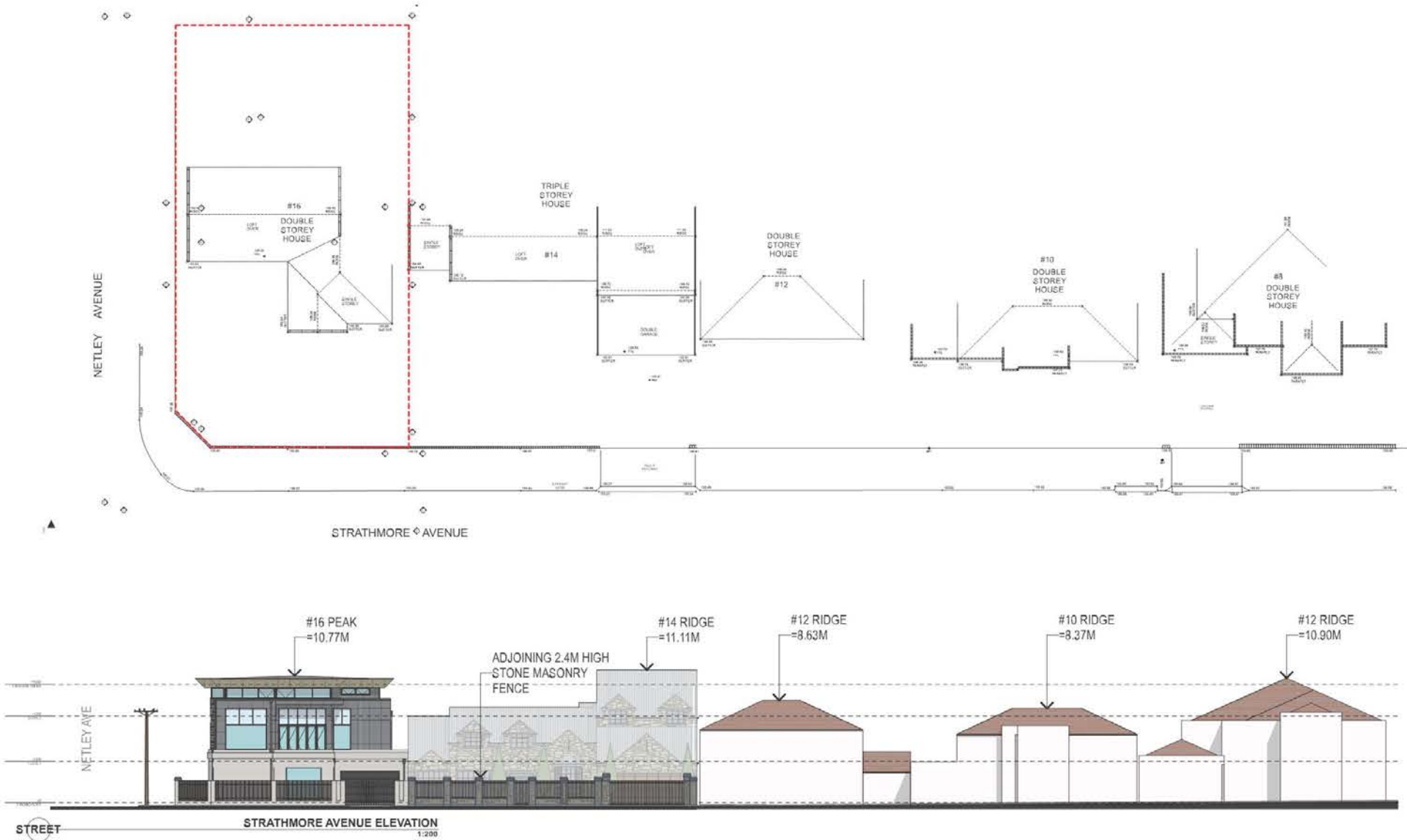








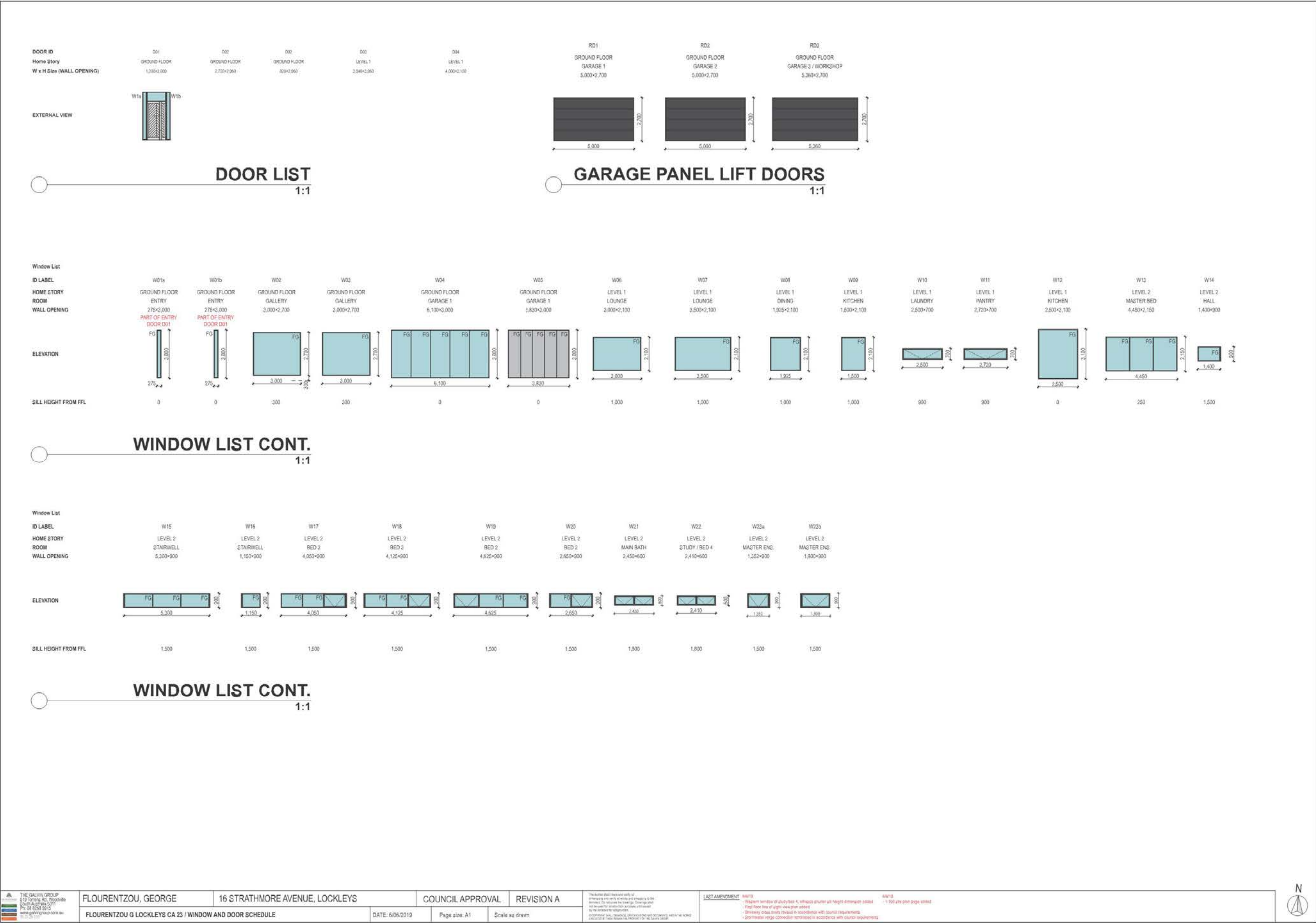


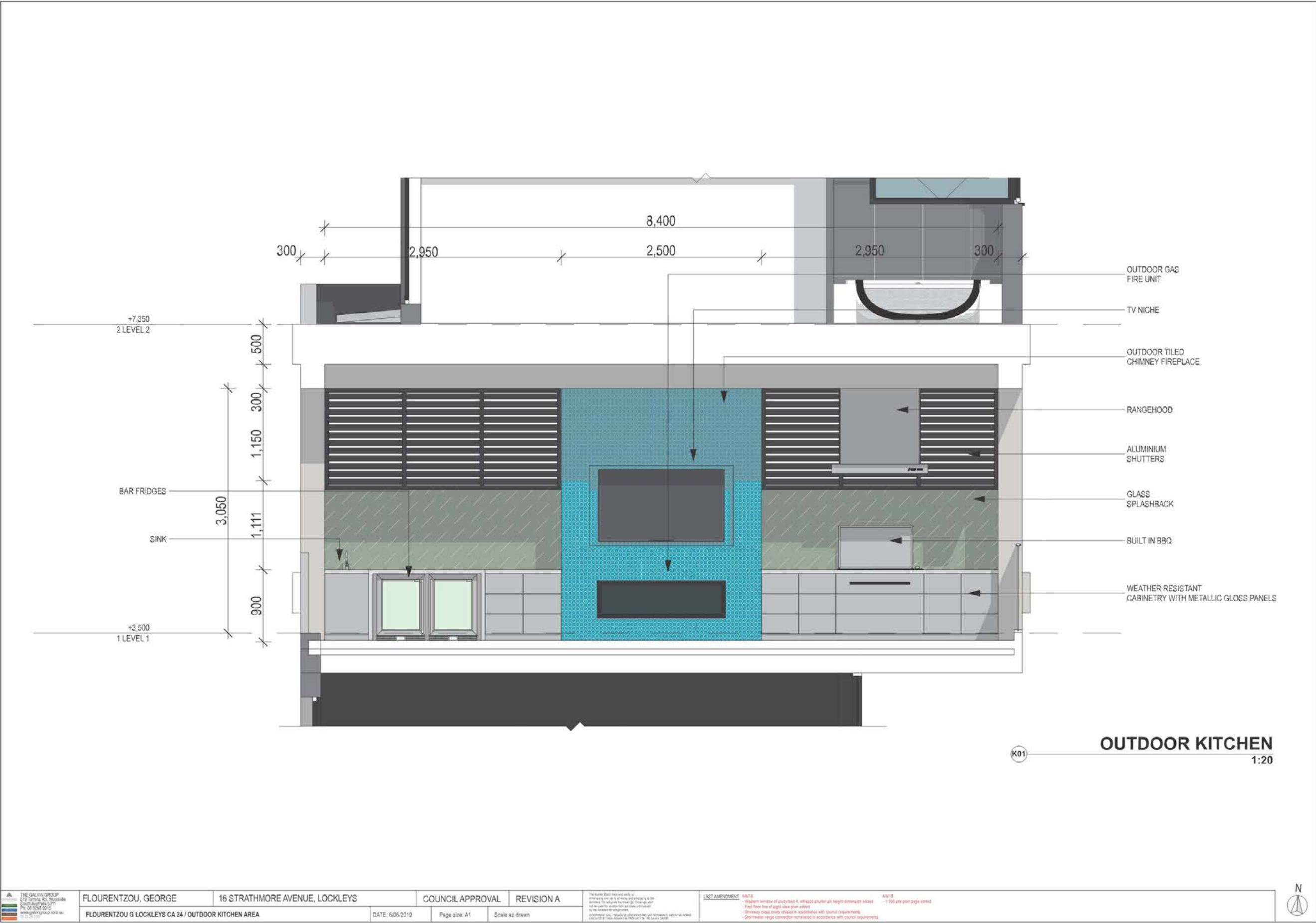


 <div>THE GALVIN GROUP 210 TORING RD, Woodville SA 5011 Australia Ph: 08 8558 5515 www.galvin.co.uk</div>	FLOURENTZOU, GEORGE		16 STRATHMORE AVENUE, LOCKLEYS	COUNCIL APPROVAL	REVISION A	<div>The number shall have an entry of: - Planning for the use of the site and property in the future. Do not use the property for any other purpose than the one for which it was originally intended. - The number shall be maintained in accordance with the requirements of the Council. - The number shall be maintained in accordance with the requirements of the Council.</div>	LAST AMENDMENT 6/6/19		6/6/19
	FLOURENTZOU G LOCKLEYS CA 21 / STREET ELEVATION		DATE: 6/06/2019	Page size: A1	Scale as drawn		- 1:100 site plan page scaled		

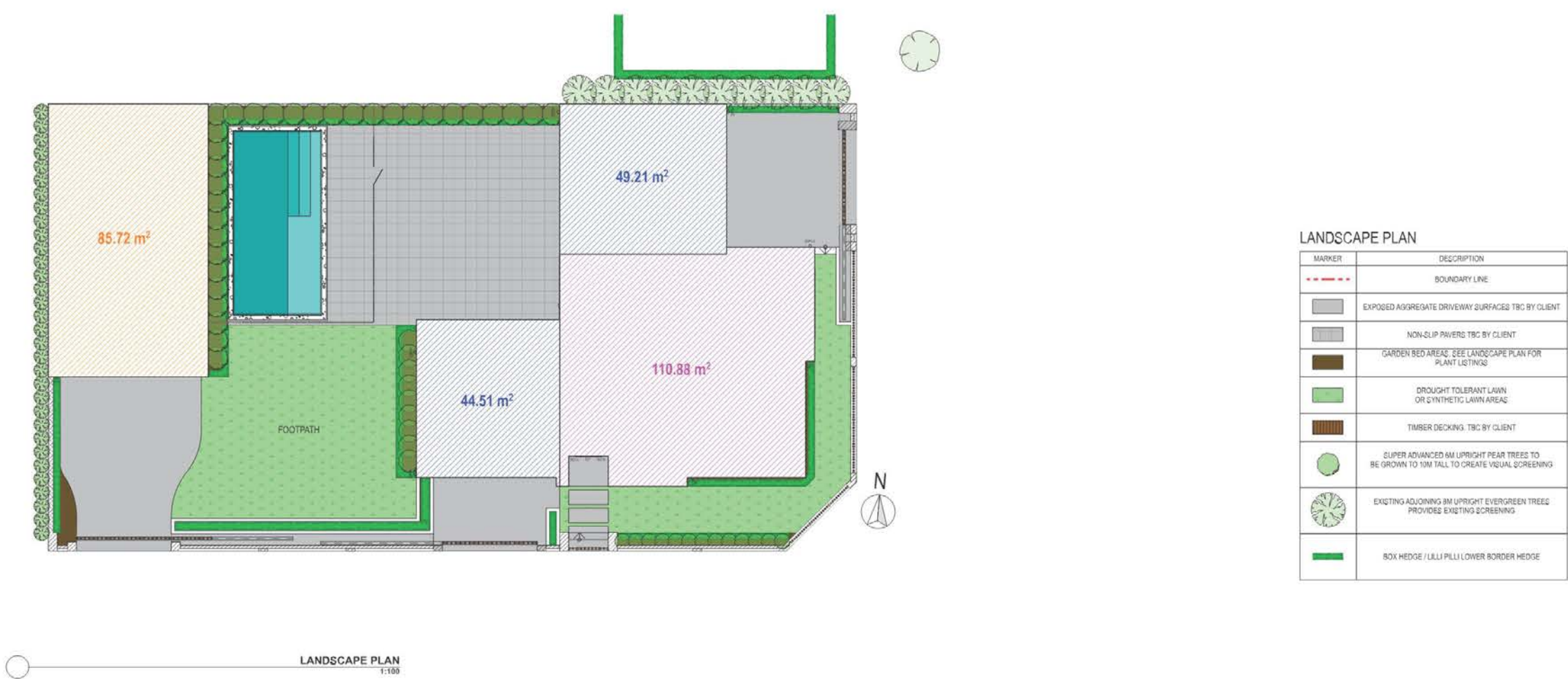






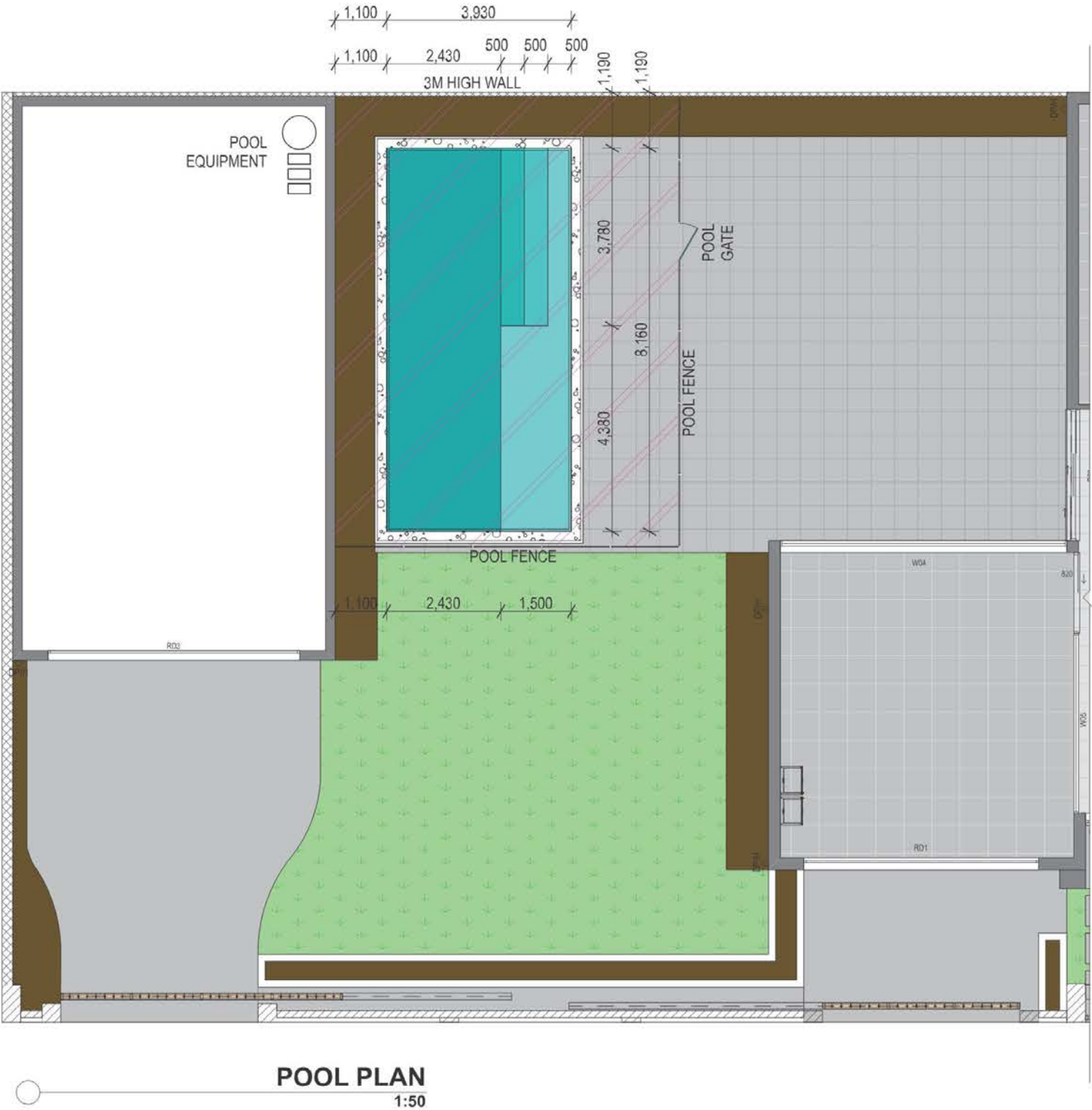






	FLOURENTZOU, GEORGE	16 STRATHMORE AVENUE, LOCKLEYS	COUNCIL APPROVAL	REVISION A	<p>The number shall have an entry of: - Planning for work at all times and reporting to the Council. Do not leave the property. Change must not be made for construction or other purposes.</p> <p>In compliance with planning, construction and other requirements, and in the event of a change to the plan, the client must notify the Council.</p>	LAST AMENDMENT 6/6/19 - Replaced border of study bed A, with a different plant height dimension added. - Plant flow line of light color plant added. - Driveway cross drain replaced in accordance with council requirements. - Stormwater verge connection represented in accordance with council requirements.	6/6/19 - 1:100 site plan page scaled.
	FLOURENTZOU G LOCKLEYS CA 25 / LANDSCAPE PLAN	DATE: 6/06/2019	Page size: A1	Scale as drawn			







POOL SAFETY ZONE



**PERFECTION**  
Glass Fencing

**PRODUCTS & INSTALLATION SPECIFICATIONS**

**Frameless Glass Fencing**

All our glass pool fencing complies with AS/1926 - 2010

**Frameless Glass Specs**

- All glass is Stamp approved Toughened Safety glass that meets Australian Standards
- 12mm glass thickness for all frameless glass fencing panels
- Custom Panel widths – custom sized to fit, not greater than 2,000mm
- Standard Panel heights – 1200mm high (approx. finished fence height between 1240mm and 1280mm).
- Standard Panel widths – 500mm, 800-1800mm

**Frameless Hardware Specs**

- 316 Marine Grade Stainless Steel, self-closing hinges and magna-latches.
- 316 Marine Grade Stainless Steel spigots, approx. 50mm diameter, 300mm long
- Approx. 50% of spigot set into existing concrete slab/footings
- Spigots - either bolt through or friction spigots
- Slot tube hand rail if required. We use Techno Glass Design handrails (Specs. can be provided if required.)

**Concrete Footing Specs**

- Installed on existing concrete slab, or
- Installed on concrete strip footing, 300x300mm for the length of the fence, enforced with 2 x Y12 rods.
- Coredrill through pavers or straight into concrete strip footing
- Set spigots into concrete footing using Bostik Techflow Non Shrink Grout HES.

**Installation spacing**

- Gaps between/under panels usually between 40 and 65mm, never greater than 100mm
- All glass installed with a minimum of 1200mm finished fence height from any step up (custom panels supplied to suit).

**Installation:**

Strip footing 300x300mm fence length with 2 x Y12 rods  
Core drill - 180mm into concrete footing  
Spigots set - 130mm into footing using Bostik Techflow Grout HES  
Spigots - either bolt through or friction spigots  
Ground level - pavers, tiles, lawn

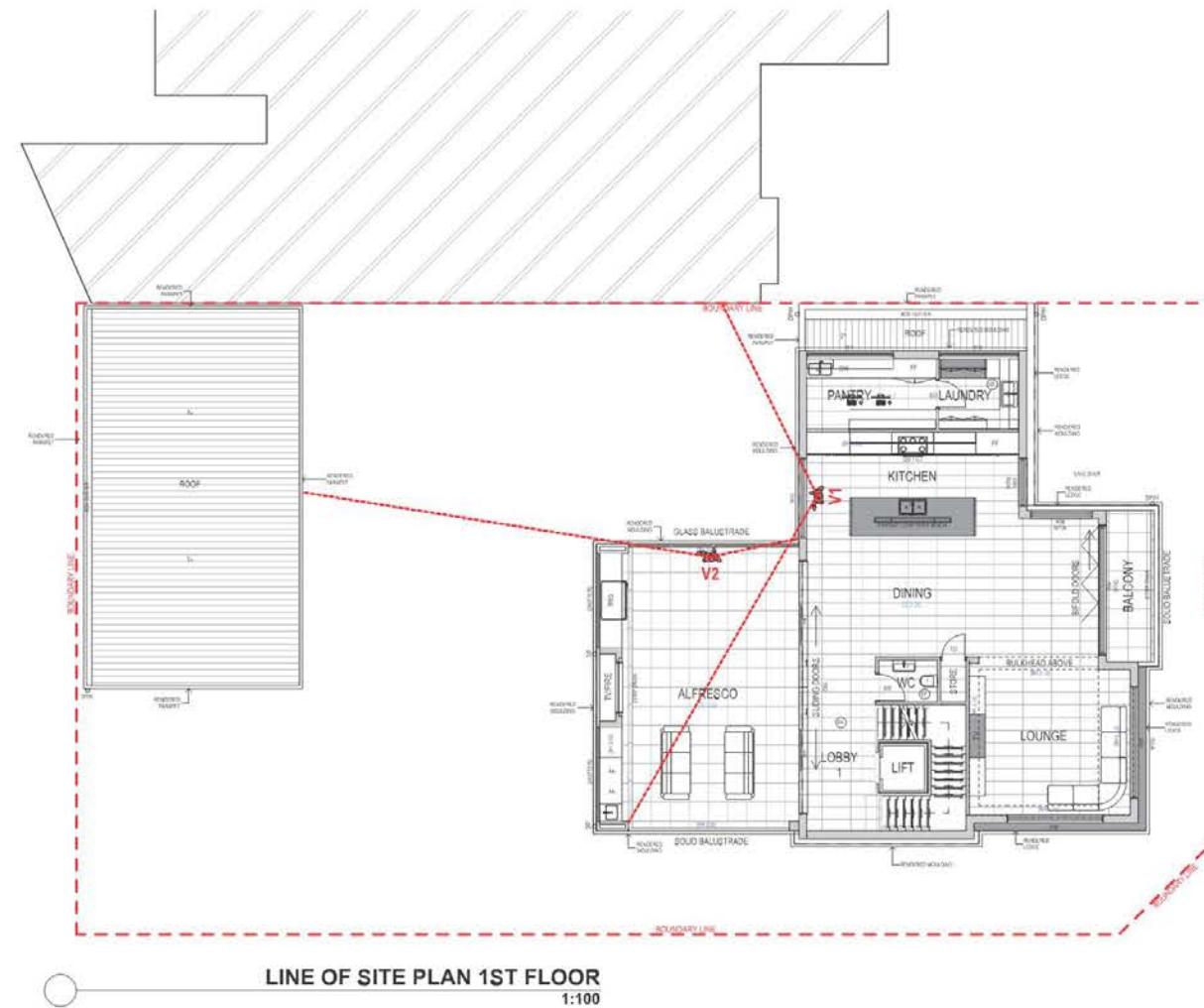
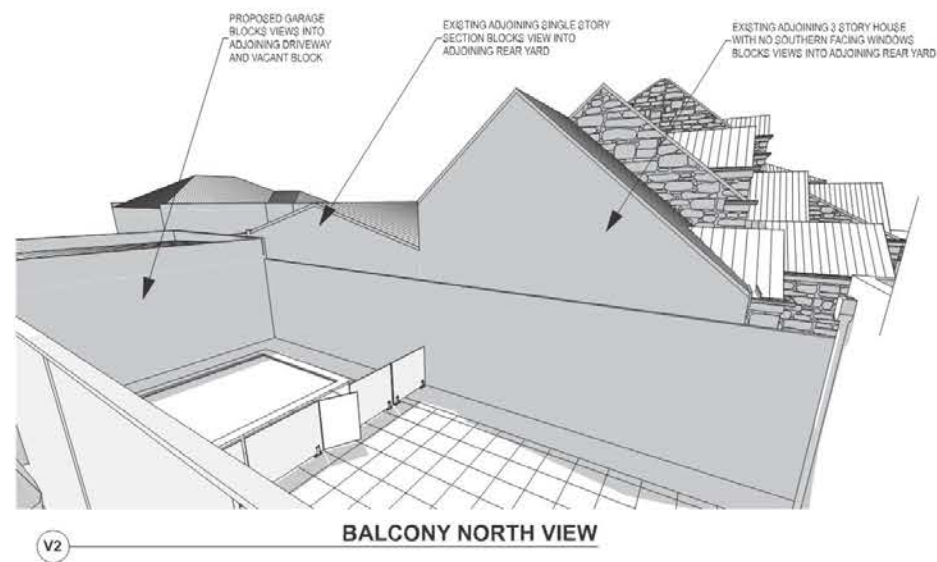


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 <div>THE GALVA GROUP SIP FORMING AUSTRALIA PO BOX 100 P.O. BOX 100 www.galvagroup.com.au</div>	<div>FLOURENTZOU, GEORGE</div> <div>16 STRATHMORE AVENUE, LOCKLEYS</div>	<div>COUNCIL APPROVAL</div> <div>REVISION A</div>	<div>DATE: 6/06/2019</div> <div>Page size: A1</div> <div>Scale as drawn</div>	<div>The builder shall have access to all drawings and specifications for the project. Do not use the drawings for any other purpose without the permission of the designer.</div> <div>© Copyright 2019, Perfection Glass Fencing Pty Ltd. All rights reserved.</div>	<div>LAST AMENDMENT 6/6/19</div> <div>• Updated version of drawing A, all dimensions updated</div> <div>• Final line of light blue line added</div> <div>• Drawings cross check in accordance with council requirements</div> <div>• Gatewater hinge connector replaced in accordance with council requirements</div>	<div>6/6/19</div> <div>• 1:500 site plan page added</div>
<div>FLOURENTZOU G LOCKLEYS CA 26 / POOL PLAN</div>	<div>DATE: 6/06/2019</div>	<div>Page size: A1</div>	<div>Scale as drawn</div>	<div>The builder shall have access to all drawings and specifications for the project. Do not use the drawings for any other purpose without the permission of the designer.</div> <div>© Copyright 2019, Perfection Glass Fencing Pty Ltd. All rights reserved.</div>	<div>LAST AMENDMENT 6/6/19</div> <div>• Updated version of drawing A, all dimensions updated</div> <div>• Final line of light blue line added</div> <div>• Drawings cross check in accordance with council requirements</div> <div>• Gatewater hinge connector replaced in accordance with council requirements</div>	<div>6/6/19</div> <div>• 1:500 site plan page added</div>



## Preliminary Traffic, Flooding & Stormwater Assessment

**Development Application No:** 211/499/2019

**Assessing Officer:** Ebony Cetinich  
**Site Address:** 16 Strathmore Avenue, LOCKLEYS SA 5032  
**Certificate of Title:** CT-6176/379  
**Description of Development:** Construction of 3 storey detached dwelling, swimming pool and associated safety fence, detached garage, lightweight fence (3m maximum height) and masonry fence (2.1m maximum height)

### 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 - Ebony Cetinich**

**DATE 3 June, 2019**





## Memo

To Ebony Cetinich  
From Richard Tan  
Date 03-Jun-2019  
Subject 211/499/2019, 16 Strathmore Avenue, LOCKLEYS SA 5032

Ebony Cetinich,

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

### 1.0 FFL Consideration – Finished Floor Level (FFL) Requirement

- 1.1 Based on the survey information provided on 'Stormwater Plan' (The Galvin Group, Ref: Rev A, dated 22/05/2019) a minimum FFL of 99.75 would be required.

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

### 2.0 Verge Interaction

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

New driveways and stormwater connections are typically desired 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). An absolute minimum offset of 0.5m from new crossovers and stormwater connections to other existing road verge elements is acceptable in cases where space is limited.

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





City of **West Torrens**

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removed, then assessment for the suitability of such will be necessary from Council's Technical Officer (Arboriculture).

**2.1.1** The offset distance between proposed crossover (measured from flaring) and stormwater connection along Strathmore Avenue is less than 1.0m.

**It is recommended that a minimum 1.0m offset between proposed crossover and and stormwater connection should be provided.**

**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.**

**2.3** It is noted that the existing crossover at Strathmore Avenue will be made redundant. This redundant portion of crossover should be reinstated to vertical kerb prior to the completion of any building works at the applicant's expense. It should also be indicated on revised plans that any redundant crossovers will be reinstated.

**It is recommended that revised plans showing the reinstatement of redundant crossovers be provided to Council.**

**2.4** It is unclear whether the existing crossover next to the western property boundary is proposed to be modified or to be maintained. If modification to the existing crossover is to be proposed, then proposed crossover should be separated from the existing crossover servicing the adjacent property. The offset between the crossovers is required to be a minimum of 1m (measured at the front property boundary). The 1m separation allows for a pedestrian refuge. The extension and separation of the driveway crossover shall be undertaken prior to the completion of any building works at the expense of the applicant.

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

### **3.0 Traffic Requirements**



City of **West Torrens**

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- 3.1** To enable vehicle maneuverability to a double garage and also maintaining on-street car parking space, an invert flaring crossover (3.6m wide at kerblines with 0.3m flaring towards the boundary on each side - 4.2m wide at the boundary) will be supportable.

**It is recommended that revised plans showing an invert flaring crossover (3.6m wide at kerblines with 0.3m flaring towards the boundary on each side - 4.2m wide at the boundary) be provided to Council.**

- 3.2** The garage's internal dimension as indicated in 'Ground Floor Plan' (The Galvin Group, Ref: Rev A, dated 22/05/2019) have been assessed as satisfying minimum requirements.
- 3.3** The garages set back distance as indicated in 'Site Location Plan' (The Galvin Group, Ref: Rev A, dated 22/05/2019) has been assessed as satisfying minimum requirements.

#### **4.0 Waste Management**

- 4.1** The public kerbside space available for bin presentation has been assessed as satisfying minimum requirement.

#### **5.0 Stormwater Management**

- 5.1** Stormwater detention is not required for this development.

Regards  
Richard Tan  
Civil Engineer

**6.3 14 Gifford Street, TORRENSVILLE**

Application No 211/687/2018

**DEVELOPMENT APPLICATION DETAILS**

DESCRIPTION OF DEVELOPMENT	Land division - Community Title; SCAP No. 211/C021/18; Create one (1) additional allotment and common property
APPLICANT	Eljay Homes
LODGEMENT DATE	26 June 2018
ZONE	Residential Zone
POLICY AREA	Cowandilla/Mile End West Character Policy Area 23
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> <li>• Nil</li> </ul> External <ul style="list-style-type: none"> <li>• State Commission Assessment Panel (SCAP)</li> <li>• SA Water</li> </ul>
DEVELOPMENT PLAN VERSION	Consolidated 6 February 2018
DELEGATION (as at lodgement)	<ul style="list-style-type: none"> <li>• 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,</li> <li>• The relevant application proposes a merit form of development and, in the opinion of the delegate, should be refused, <b>except</b> where the application is to be refused for a failure to provide information pursuant to section 39 of the Act or where a referral agency direct that the application is refused pursuant to section 37 of the Act.</li> </ul>
RECOMMENDATION	Refuse
AUTHOR	Ebony Cetinich

**BACKGROUND**

Following a preliminary planning and engineering assessment of the proposed land division, a number of issues were identified in terms of desired character, allotment pattern, private open space and access. These issues were communicated to the applicant in July 2018. Shortly after, the applicant requested the application be put on hold for three weeks to allow for sufficient time to respond to the planning issues identified.

The application was put on hold in September 2018 and has not progressed since. A final reminder email was sent in May 2019 requesting that the applicant confirm how they wish to proceed with the application. A deadline of 26 June 2019 was given. The applicant failed to respond to the email within the specified timeframe and, as a result, the application must be assessed in its current form.

## SUBJECT LAND AND LOCALITY

The subject land is formally described as Allotment 8 in Deposited Plan 2911 in the area named Torrensville, Hundred of Adelaide, Volume 5761 Folio 659, more commonly known as 14 Gifford Street, Torrensville. The subject site is rectangular in shape with a 14.75 metre (m) wide frontage to Gifford Street and a site area of 685.6 square metres (m<sup>2</sup>).

It is noted that there are no easements, encumbrances or Land Management Agreements on the Certificate of Title and there are no regulated trees on the subject site or on adjoining land that would be affected by the development.

The site is relatively flat and currently contains a single storey detached dwelling of a traditional bungalow design and appearance and a domestic outbuilding/garage. An existing vehicular access point is located at the eastern end of the allotment and a street tree and stobie pole are located within the verge adjacent to the site.

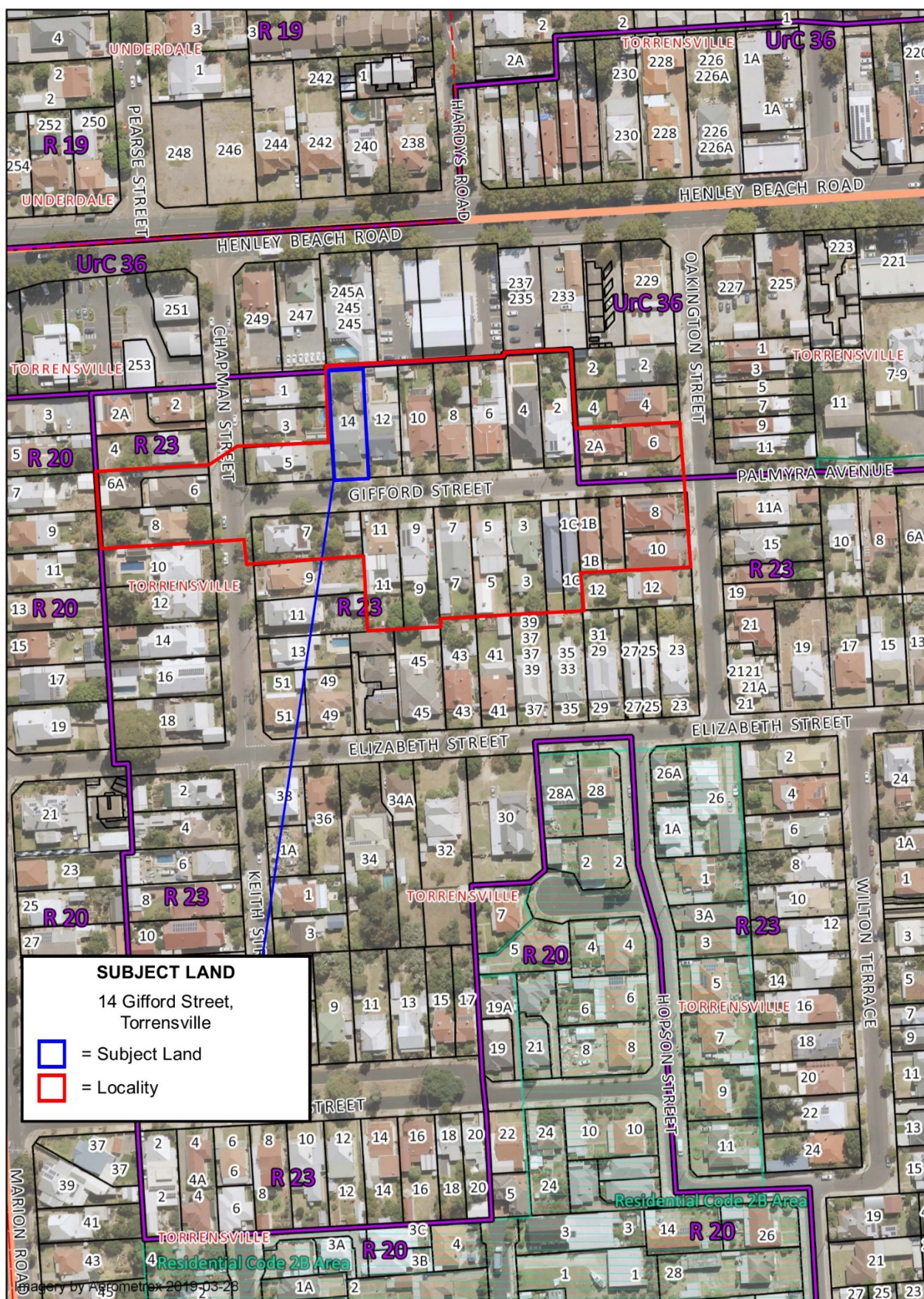
The locality consists of residential development predominantly in the form of single storey detached dwellings on generous sized allotments. A majority of dwellings along Gifford Street are of a traditional bungalow design and appearance. Non-residential development is located to the north of the subject site along Henley Beach Road. The allotment pattern along Gifford Street is relatively consistent with rectangular shaped allotments typically having a frontage width of 15m and an area greater than 650m<sup>2</sup>. Some narrower allotments are located at the eastern end of the street. Existing front fences along Gifford Street are typically low or open style which contributes to a sense of openness along the street (refer Figures 1 and 2 below).



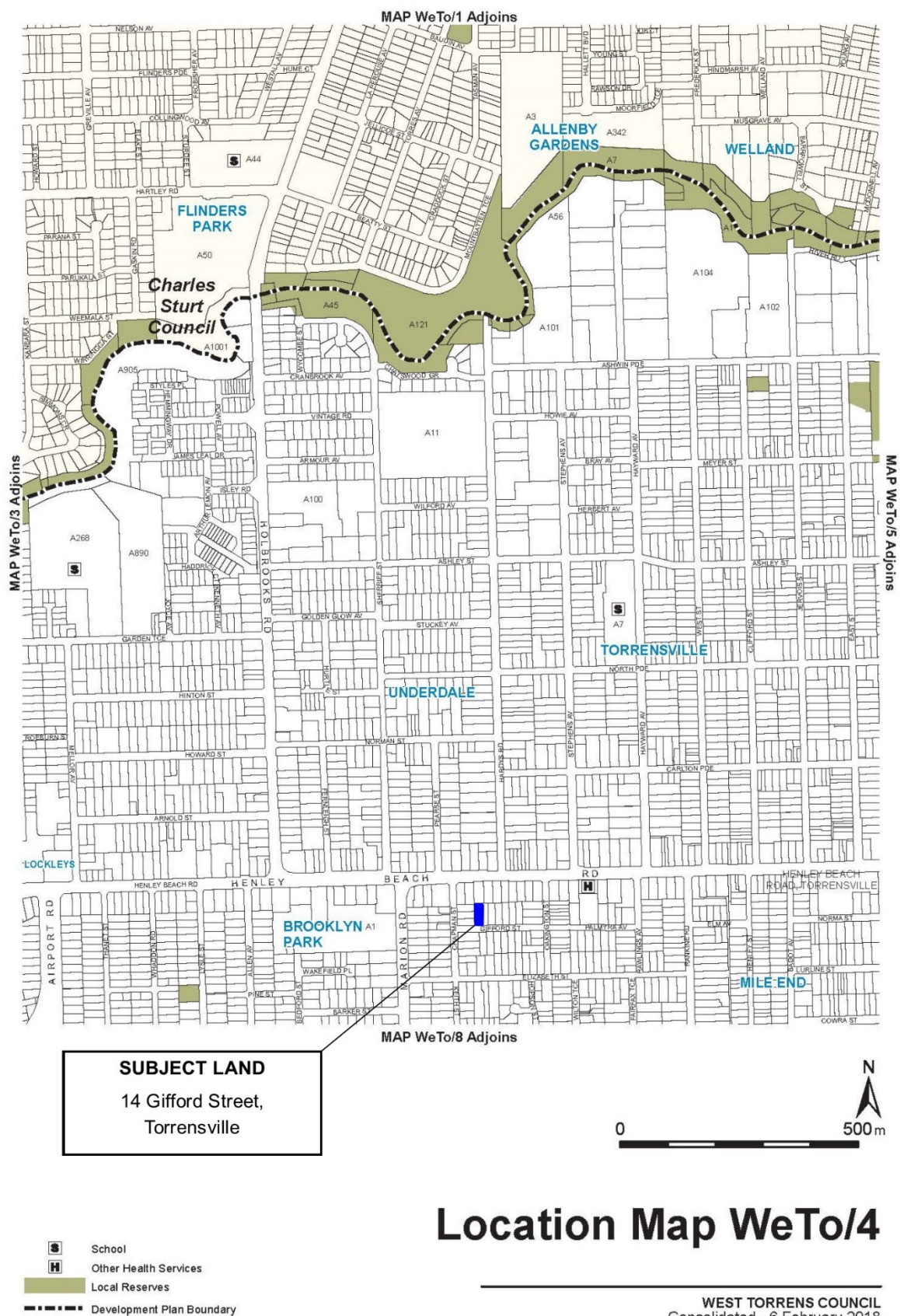
**Figures 1 & 2 - Gifford Street Streetscape**

The subject land and locality are shown on the aerial imagery and maps on the following page.









## RELEVANT APPLICATIONS

DA Number	Description of Development	Decision	Decision Date
211/634/2018	Alterations to existing single storey detached dwelling and construction of a single storey group dwelling and carport	Refused	22 July 2019

The abovementioned development application was lodged and assessed concurrently with the proposed land division application.

The built form proposal was refused as the additional information requested by Council in July 2018 was not provided. The built form site plan is contained within **Attachment 2** as it provides context to the proposed land division.

## PROPOSAL

The applicant is seeking Development Plan Consent and Land Division Consent for a Community Title land division where one allotment will be divided into two allotments with associated common property.

Allotment	Area (m <sup>2</sup> )	Frontage (m)
1	265	8.56
2	263	N/A

The proposed plan of division is contained in **Attachment 3**.

## EXTERNAL REFERRALS

Department	Comments
SCAP	No concerns were raised by the SCAP and standard conditions have been recommended should the application be supported.
SA Water	SA Water raised no concerns with the proposal and have recommended standard conditions should the application be supported.

A copy of the relevant referral responses are contained in **Attachment 4**.

## RELEVANT DEVELOPMENT PLAN PROVISIONS

The subject land is located within the Residential Zone and, more specifically, Cowandilla/Mile End West Character Policy Area 23 (herein referred to as the Policy Area) as described in the West Torrens Council Development Plan.

The relevant Desired Character statements are as follows:

<b>Residential Zone - Desired Character</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>	
Objectives	1, 2, 3, 4
Principles of Development Control	1, 5, 22

<b>Cowandilla/Mile End West Character Policy Area 23 - Desired Character</b>	
<p><i>The policy area will contain predominantly detached dwelling and semi-detached dwellings. There will also be some small-scale non-residential activities such as offices, shops and consulting rooms in certain locations. Non-residential activities will be complementary to surrounding dwellings.</i></p> <p><i>Allotments will vary in size from low density to very low density and are generally deep, with narrow frontages to main streets. Subdivision will reinforce the existing allotment pattern which is a significant positive feature of the policy area.</i></p> <p><i>There will be unity of built-form, particularly as viewed from the street, where all new development is complementary to the key character elements of Victorian-era villas, cottages, inter-war bungalows, Spanish mission and Dutch colonial-style dwellings, rather than dominating or detracting from them. Key elements of this character include pitched roofs, veranadas/porticos and masonry building materials. There will be predominantly one storey buildings, with some two storey buildings designed in a manner that is complementary to the single storey character of nearby buildings. Setbacks will be complementary to the boundary setbacks of older dwelling in the policy area, preserving considerable space in private yards for landscaping.</i></p> <p><i>There will be no garages/carports forward of the main façade of buildings. Fencing forward of dwellings will be low to provide views of built-form that define the character of the policy area. Any driveway crossovers will be carefully designed and located to ensure the preservation of street trees which have an important positive impact on the streetscape.</i></p>	
Objectives	1
Principles of Development Control	1, 2, 3

Additional provisions of the Development Plan which relate to the proposed development are contained in **Attachment 1**.



## QUANTITATIVE STANDARDS

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
ALLOTMENT AREA <i>Cowandilla/Mile End West</i> <i>Character Policy Area 23</i> <i>PDC 3</i>	340m <sup>2</sup> (minimum)	Lot 1 - 265m <sup>2</sup> Lot 2 - 263m <sup>2</sup> <b>Does not Satisfy</b>

## ASSESSMENT

### Land Use

Residential development is an envisaged land use within the Residential Zone and the Policy Area. While the proposed land division provides for this type of land use, it is important to note that a future dwelling situated on allotment 2 would be defined as a group dwelling which is not listed as an envisaged form of development within the Policy Area. While the land use is considered to be appropriate, the allotment form and configuration is not considered to be acceptable as it does not provide for the envisaged dwelling type.

### Desired Character and Allotment Pattern

The Desired Character statement for the Residential Zone specifies that a range of allotment sizes will support the desired dwelling types anticipated in each policy area. As mentioned above, the proposed land division does not provide for the desired dwelling type within the Policy Area.

The Desired Character statement for the Policy Area seeks for land division to reinforce the existing allotment pattern which is noted as a significant positive feature of the policy area. Principle of Development Control (PDC) 22 of the Residential Zone reinforces the importance of allotment pattern within a Character Policy Area in stating that the division of land should only occur where it will be consistent with the existing pattern and scale of allotments.

The existing allotment pattern along Gifford Street is relatively consistent and is characterised by deep and rectangular shaped allotments. Allotments are typically 15m wide and 46m deep, with site areas ranging from 650m<sup>2</sup> to 750m<sup>2</sup>. The proposed land division is of a battle-axe configuration which is inconsistent with and does not reinforce the existing allotment pattern along Gifford Street. It is acknowledged that two battle-axe allotments are located to the west of the subject site along Chapman Street. These divisions occurred in 2006 and 2008, prior to the Character Policy Areas being introduced into the Development Plan. Regardless, these existing battle-axe allotments are not considered to alter the prevailing allotment pattern to a degree that would justify the proposed land division.

The Desired Character statement for the Policy Area also seeks for fencing forward of dwellings to be low profile to provide views of the built form that define the character of the Policy Area. The existing dwelling is considered to positively contribute to the character of the Policy Area as it is of a traditional bungalow design. As a result of the proposed land division, the existing dwelling will not have any private open space to the rear of the dwelling. As part of the refused built form application, the area forward of the existing dwelling was indicated as private open space, enclosed by a solid 1.8m high fence. This conflicts with the Desired Character statement of the Policy Area as the fencing forward of the dwelling will not be low profile and will restrict views of the dwelling and reduce opportunities for casual surveillance of the street.

Taking into consideration the above, the proposed land division is not consistent with the Desired Character of the Zone and Policy Area and does not accord with Residential Zone Objective 4 and PDC 5 and Cowandilla/Mile End West Character Policy Area 23 Objective 1 and PDC 2.

### **Allotment Area**

The proposed allotments (excluding the common property) do not satisfy the minimum allotment area requirements specified within PDC 3 of the Policy Area. Recently, Council has been privy to legal advice suggesting that there is a logical approach to determining site areas where a common driveway services all dwellings involved in the development.

The legal advice suggests that where the common property provides vehicular access and landscaping to all dwellings as part of a proposed development, the common property should be included within site area calculations (i.e. total site area divided by number of dwellings). It was argued that it is not correct to ignore a substantial area of land that typically forms part of the context/setting of a dwelling.

In this instance, the common property provides vehicular access for both the existing dwelling and a future dwelling situated upon proposed Lot 2. Should the common property be included within the site area calculations, the proposed allotments would have an average area of 342.8m<sup>2</sup> which would satisfy PDC 3 of the Policy Area. As such, departure from PDC 3 of the Policy Area is not considered to be fatal.

### **Private Open Space**

As touched on in the Desired Character section above, private open space for the existing dwelling is proposed to be located in front of the dwelling and enclosed by a solid fence 1.8m in height. PDC 19 of the Residential Development module discourages this arrangement, as the minimum area of private open space excludes any area at the front of the dwelling.

In addition to conflicting with the Desired Character for the Policy Area, the private open space arrangement is likely to have a negative impact on the streetscape character of Gifford Street. Existing allotments fronting Gifford Street typically have no front fence or an open style front fence which enables visibility of the dwelling and a sense of openness. The proposed private open space arrangement will effectively close off the existing dwelling from the street and minimise its presence, disturbing the existing streetscape character. In addition to this, closing off the existing dwelling reduces passive surveillance of the street, which conflicts with Crime Prevention PDCs 1 and 2.

In line with the above, the private open space arrangement associated with the proposed land division is not considered to be acceptable.

### **Access**

PDC 7(b) of the Land Division module states that allotments in the form of a battle-axe configuration should provide for access onto a public road, with the driveway "handle" not being less than 4m in width to facilitate landscaping.

The proposed land division results in a driveway corridor that narrows down to approximately 3.4m when adjacent to the existing dwelling. As such, the proposal does not satisfy PDC 7(b) of the Land Division module. The deficiency in width also does not allow for meaningful landscaping to be established along the driveway.

Taking into consideration the above, the access arrangement is not considered to be acceptable.

## SUMMARY

The proposed land division is not considered to be a desired, orderly and appropriate form of development within the Policy Area. The allotment layout does not sufficiently accord with the Desired Character and is not compatible with the established allotment pattern and built form characteristics of the locality.

The land division does not facilitate the development of the desired dwelling type for the Policy Area and the private open space arrangement for the existing dwelling is likely to have a negative impact on the streetscape character of Gifford Street. Closing off the existing dwelling to the street also reduces opportunities for passive surveillance. The width of the driveway will not allow for substantial landscaping to be establishing within the common property.

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

However, on balance the proposed development does not sufficiently accord with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 6 February 2018 and does not warrant Development Plan Consent, Land Division Consent or Development Approval.

## RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to REFUSE Development Plan Consent, Land Division Consent and Development Approval for Application No. 211/687/2018 by Eljay Homes to undertake Land division - Community Title; SCAP No. 211/C021/18; Create one (1) additional allotment and common property at 14 Gifford Street, Torrensville (CT 5761/659) for the following reasons:

The proposed development is contrary to the following provisions of the West Torrens Council Development Plan Consolidated 6 February 2018:

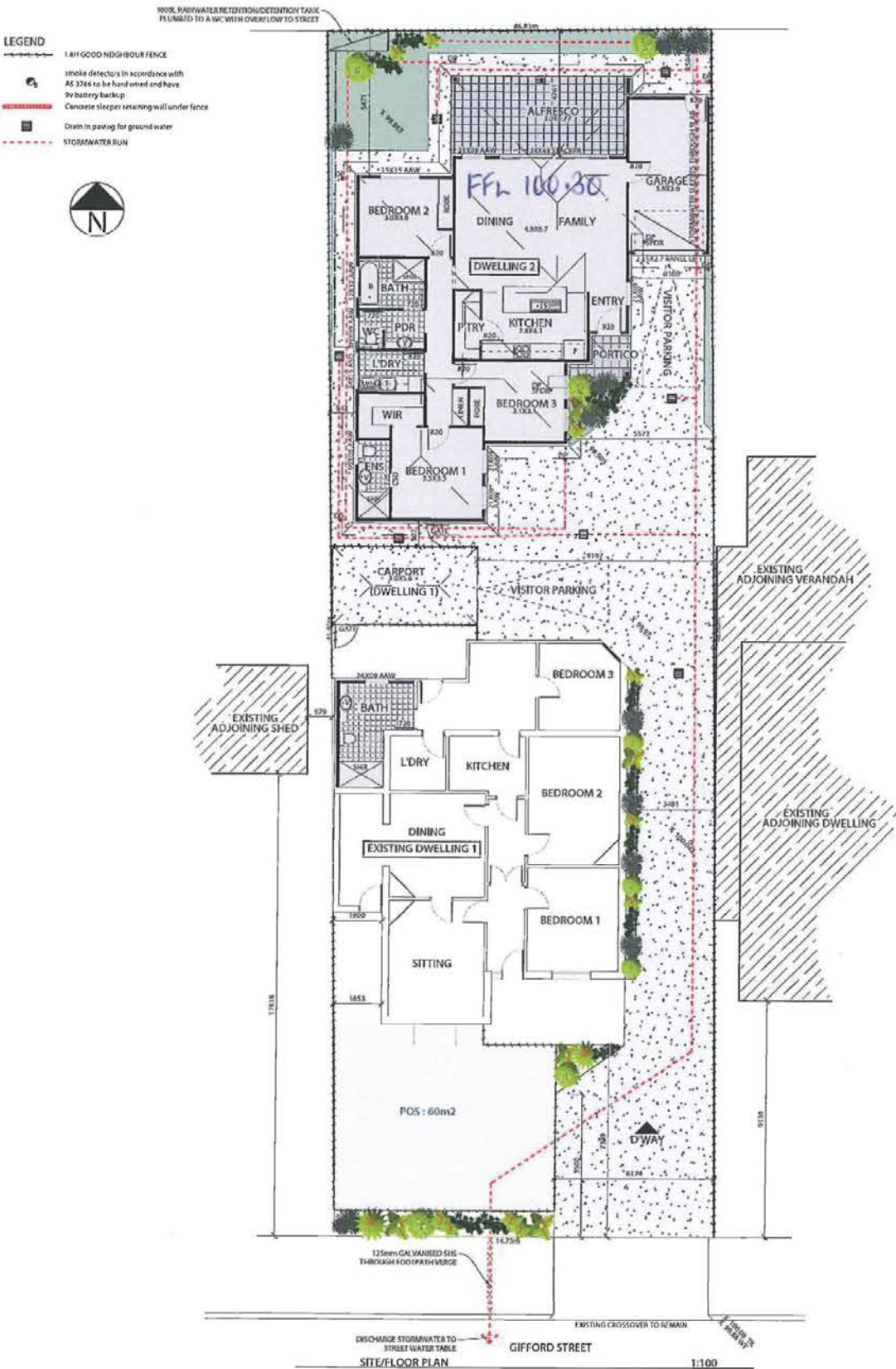
- General Section, Crime Prevention PDCs 1 & 2  
*Reason: The proposed private open space arrangement for the existing dwelling does not allow for casual surveillance of the street.*
- General Section, Land Division PDC 7(b)  
*Reason: The driveway "handle" does not have a minimum width of 4m.*
- General Section, Residential Development PDC 19  
*Reason: The proposed private open space arrangement for the existing dwelling is located at the front of the dwelling.*
- Residential Zone, Desired Character, Objective 4 & PDC 5  
*Reason: The proposed land division is not consistent with the desired character for the zone and policy area.*
- Residential Zone, PDC 22  
*Reason: The proposed land division is not consistent with the existing pattern and scale of allotments.*
- Cowandilla/Mile End West Character Policy Area 23, Desired Character, Objective 1 & PDC 2  
*Reason: The proposed land division is not consistent with and does not contribute to the desired character for the policy area.*
- Cowandilla/Mile End West Character Policy Area 23, Desired Character & PDC 1  
*Reason: The proposed land division does not provide for the desired dwelling type in the policy area.*

## **Attachments**

- 1. Relevant Development Plan Provisions**
- 2. Refused Built Form Site Plan**
- 3. Proposed Plan of Division**
- 4. Referral Responses**



<b>General Section</b>		
Crime Prevention	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2
Infrastructure	<i>Objectives</i>	3
	<i>Principles of Development Control</i>	1
Land Division	<i>Objectives</i>	1, 2, 3, 4
	<i>Principles of Development Control</i>	1, 2, 4, 5, 6, 7, 8, 9
Residential Development	<i>Objectives</i>	1, 2
	<i>Principles of Development Control</i>	1, 3, 19
Transportation and Access	<i>Objectives</i>	2
	<i>Principles of Development Control</i>	8, 23, 24



CITY OF WEST TORRENS  
22 Jul 2019  
REFUSED

BUILDING AND COLOUR SCHEDULE		
ITEM	CONSTRUCTION	COLOUR
FLOORS	CONCRETE RAFT SLAB & FOOTING TO ENGINEER'S DESIGN	—
WALLS	HEBEL VENTIL CONSTRUCTION TO LOWER FLOOR	—
	(TEXTURE COATED FINISH)	DUNE
ROOF	COLORBOND	MONUMENT
CLADDING	SHOWERED	DUNE
WINDOWS	ALUMINIUM	NATURAL ANODISED
PAINT & LIFT DOOR	TO MANUFACTURERS SPECS	SURFEST



'PLANNING ONLY'

AREAS  
PROPOSED DWELLING 2  
TOTAL SITE AREA: 690m<sup>2</sup>  
SITE AREA: 330m<sup>2</sup>  
  
LOWER LIVING 124.54m<sup>2</sup>  
GARAGE: 20.27m<sup>2</sup>  
ALFRESCO: 20.51m<sup>2</sup>  
PORTICO: 2.83m<sup>2</sup>  
TOTAL: 168.45m<sup>2</sup>  
  
P.O.S: 66.83m<sup>2</sup>  
PERCENTAGE: 20.25 PERCENT  
  
SITE COVERAGE: 144.81m<sup>2</sup>  
PERCENTAGE: 43.88 PERCENT

'PI'

PRIMARY ISSUE 'PI'  
28 04 18  
  
APPROVED FOR CONSTRUCTION  
DATE: / / 20...  
SIGN: .....

AMENDMENTS  
DATE  
DESCRIPTION

PROPOSED RESIDENCE FOR  
MR THEO SKALTSAS  
TO BE ERCTED AT  
14 GIFFORD STREET  
TORRENSVILLE  
  
SHEET 2 of 3  
DRAWN: RICK

FIGURED DIMENSIONS SHALL TAKE PREFFERENCE OVER SCALE. DRAWINGS VERIFY ALL DIMENSIONS, SEFS, WINDOW, DOORS, ETC. ALL DOCUMENTATION BEFORE COMMENCEMENT OF CONSTRUCTION. RESPONSIBILITY FOR ANY & ALL ON-SITE ISSUES ARISING FROM NON COMPLIANCE WITH THE ABOVE WILL NOT BE TAKEN BY THE DESIGNER. ANY DISCREPANCY TO BE REPORTED TO THE DESIGNER IMMEDIATELY.

THESE DESIGNS ARE COPYRIGHT LEGAL ACTION WILL BE TAKEN AGAINST ANY INFRINGEMENT IN PART OR WHOLE UNLESS WRITTEN AUTHORITY IS GIVEN BY THE DESIGNER (MODERN DAY CONCEPTS)

ELJAY HOMES  
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E | jim@eljayhomes.com.au

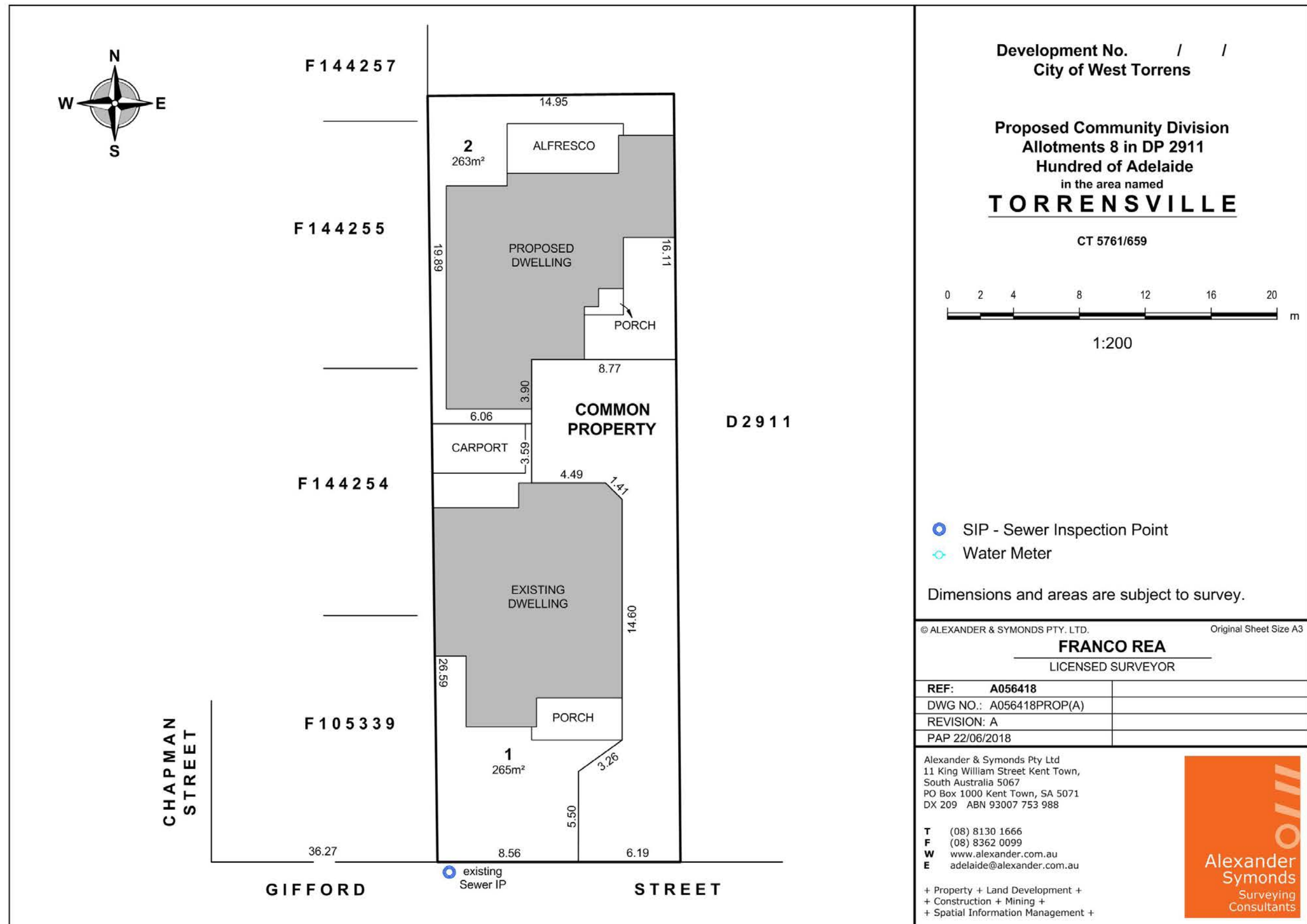
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MODERN DAY CONCEPTS

SKALTSAS - TORRENSVILLE

13 August 2019

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



18 July 2018

The Chief Executive Officer  
City of West Torrens

Dear Sir/Madam

**Re: Proposed Application No. 211/C081/18 (ID 62217)  
for Land Division  
(Community Title Plan) by Eljay Homes**

In accordance with Section 33 of the Development Act 1993 and Regulation 29 (1) of the Development Regulations 2008, and further to my advice dated 28 June 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)(d) 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 \$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 (SCAP) 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 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

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

Yours faithfully

A handwritten signature in blue ink, reading "Biljana B.", is centered within a light gray rectangular box.

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



18 July 2018

Our Ref: H0074272

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

Dear Sir/Madam

**PROPOSED LAND DIVISION APPLICATION NO: 211/C081/18 AT TORRENSVILLE**

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

## 6.4 34B Hawson Avenue, NORTH PLYMPTON

Application No 211/1062/2017

### DEVELOPMENT APPLICATION DETAILS

DESCRIPTION OF DEVELOPMENT	Construction of carport forward of dwelling
APPLICANT	Brad Jessop
LODGEMENT DATE	6 September 2017
ZONE	Residential Zone
POLICY AREA	Low Density Policy Area 20
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> <li>• Nil</li> </ul> External <ul style="list-style-type: none"> <li>• Nil</li> </ul>
DEVELOPMENT PLAN VERSION	Consolidated 19 December 2017
DELEGATION	<ul style="list-style-type: none"> <li>• The relevant application proposes a merit form of development and, in the opinion of the delegate, should be refused, <b>except</b> where the application is to be refused for a failure to provide information pursuant to section 39 of the Act or where a referral agency direct that the application is refused pursuant to section 37 of the Act.</li> </ul>
RECOMMENDATION	Refuse
AUTHOR	Brendan Fewster

### BACKGROUND

The applicant was advised in writing on 9 October 2017 that the proposal is considered to be at variance to the relevant provisions of the Development Plan and therefore could not be supported.

Since providing this advice the applicant has been contacted on several occasions to ascertain whether it is his intention to proceed with the application in its current form, amend the proposal or have the application withdrawn. A response from the applicant has not been forthcoming.

### SUBJECT LAND AND LOCALITY

The subject land is formally described as Allotment 1 in Deposited Plan 70403 in the area named North Plympton, Hundred of Adelaide, Volume 5965 Folio 590, and is more commonly known as 34B Hawson Avenue, North Plympton. The land is rectangular in shape with a 9.18 metre (m) wide frontage to Hawson Avenue and a site area of 385 square metres (m<sup>2</sup>).

It is noted that there are no easements, encumbrances or Land Management Agreements on the Certificate of Title and there are no regulated trees on the site or on adjoining land that would be affected by the development.

The site is relatively flat and currently contains a single storey dwelling with a single garage under the main roof.

The locality comprises an established residential area with predominantly detached dwellings at low densities. A mix of conventional and modern dwelling styles has resulted in a diverse built form character, although the existing housing stock is generally of good quality. While some recent subdivision has resulted in alterations to the original allotment pattern, road frontages are typically 15 metres or more in width.

There is a large residential care facility (The Pines Lodge) to the north-east that includes a significant number of independent living units.

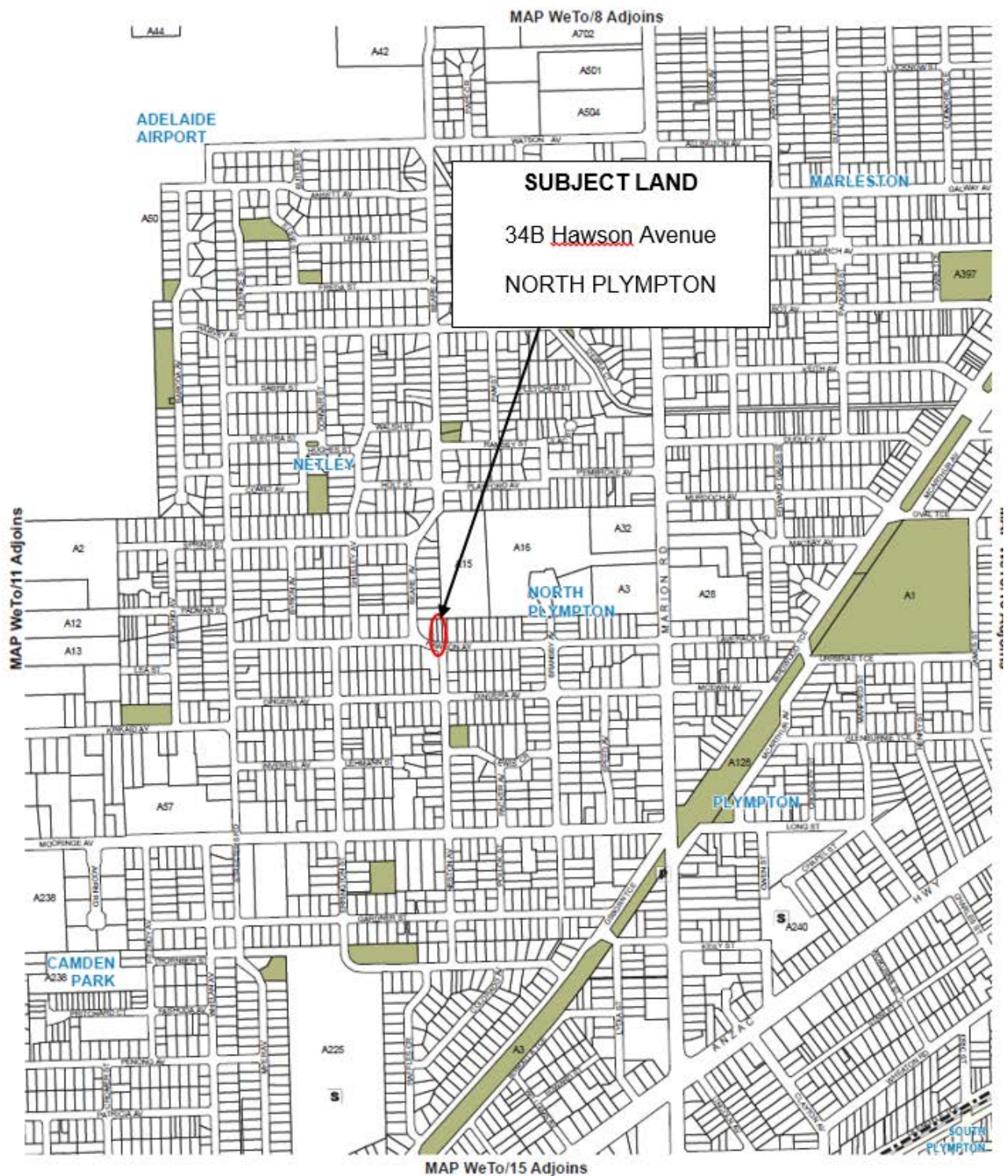
The amenity of the locality is considered moderate to high, with a pleasant streetscape character particularly to the east along Hawson Avenue, which is attributed to the wide frontages, good quality housing stock and tree-lined verges.

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









## Location Map WeTo/12

WEST TORRENS COUNCIL  
Consolidated - 12 July 2018

## PROPOSAL

The application is for the construction of a carport that is to be located in front of the garage of the existing dwelling.

The carport measures 7.3m in length, 2.7m in width and 2.7m in height to the top of the parapet roof. Construction materials include steel posts and a flat roof enclosed with rendered foam cladding in a colour to match the dwelling.

It should be noted that the site plan provided does not appear to accurately depict the location of the carport in relation to the front boundary. A carport with a length 7.3m would be located closer to the road frontage than the distance shown on the site plan.

The relevant plans and documents are contained in **Attachment 2**.

## RELEVANT DEVELOPMENT PLAN PROVISIONS

The subject land is located within the Residential Zone and, more specifically, within Low Density Policy Area 20 as described in the West Torrens Council Development Plan.

The relevant Desired Character statements are as follows:

Residential Zone - Desired Character	
<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>	
<i>Allotments will be at very low, low and medium densities to provide a diversity of housing options in different parts of the zone. The range of allotment sizes will support the desired dwelling types anticipated in each policy area, and the minimum allotment sizes shall be treated as such in order to achieve the Desired Character for each policy area and, in turn, reinforce distinction between policy areas. Row dwellings and residential flat buildings will be common near centres and in policy areas where the desired density is higher, in contrast to the predominance of detached dwellings in policy areas where the distinct established character is identified for protection and enhancement. There will also be potential for semi-detached dwellings and group dwellings in other policy areas.</i>	
<i>Residential development in the form of a multiple dwelling, residential flat building or group dwelling will not be undertaken in a <b>Historic Conservation Area</b>.</i>	
<i>Landscaping will be provided throughout the zone to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer.</i>	
Objective	4
Principles of Development Control	1, 5, 7, 8

Low Density Policy Area 20 - Desired Character	
<i>Allotments in the policy area will be at low density, accommodating predominantly detached dwellings and some other dwellings types such as semi-detached and group dwellings. There will be a denser allotment pattern close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones. Battle-axe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments developed with buildings that have a direct street frontage.</i>	

*Buildings will be up to 2 storeys in height. Garages and carports will be located behind the front façade of buildings.*

*Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer. Low and open-style front fencing will contribute to a sense of space between buildings.*

Objective	1
Principles of Development Control	2

Additional provisions of the Development Plan which relate to the proposed development are contained in **Attachment 1**.

### QUANTITATIVE STANDARDS

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
PRIMARY STREET SETBACK <i>Residential Zone</i> <i>PDC 8</i>	Average setback of adjacent buildings:  6m (approximately)	0-350mm (approximately)  <b>Does not satisfy</b>
GARAGES, CARPORTS & OUTBUILDINGS <i>Residential Development</i> <i>PDC 16</i>	Garages and carports sited no closer to road frontage than associated dwelling	Sited forward of dwelling  <b>Does not Satisfy</b>

### ASSESSMENT

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

#### Form of Development

The proposed carport is to be used by occupants of the dwelling for covered parking. Domestic structures such as carports are appropriate within the policy area as envisaged by Principle of Development Control (PDC) 1 of Low Density Policy Area 20.

As the carport is ancillary to the existing dwelling, it would not change the residential use of the land. The proposal is therefore acceptable in general land use terms.

#### Built Form, Siting & Desired Character

The Desired Character for Low Density Policy Area 20 seeks to ensure that garages and carports are located behind the front façade of buildings. The proposed carport would be located in front of the garage of the existing dwelling and approximately 6 metres forward of the front building façade. Accordingly, the siting of the carport would not contribute to the desired character of the policy area and therefore is at variance to Objective 1 and PDC 2 of Low Density Policy Area 20.



PDCs 4 and 14 of the Residential Development module require garages and carports to be designed in a manner that is complementary to the associated dwelling and the prevailing streetscape. In terms of design and appearance, the carport has not been integrated with the built form of the existing dwelling to minimise its visual dominance, and while the structure would have open sides, the flat roof form is not complementary to the hip roofline of the dwelling. The unsympathetic appearance of the carport would be exacerbated by its siting forward of the dwelling façade.

PDC 8 of the Residential Zone recommends that new buildings are setback from road frontages at a distance that is consistent with the average setback of the adjoining buildings. More specifically, PDC 16 of the Residential Development module seeks to ensure that a carport is sited no closer to the road boundary than the façade of the dwelling to minimise its visual dominance within the streetscape. The proposal represents a departure from these principles as the carport would extend forward of the main face of the dwelling by up to 6 metres and would be sited in close proximity to the road boundary, which is well forward of the adjoining buildings on either side.

The locality is characterised by detached dwellings with relatively consistent setbacks from road boundaries. Dwellings on the northern side of Hawson Avenue are setback at least 7 metres from their respective front boundaries, while on the southern side the setbacks are typically 8 metres or more. Most properties have wide frontages that are open (i.e. limited front fencing) and well landscaped. These features contribute to a pleasant streetscape. There are no existing garages or carports located forward of dwellings observed within the locality.

Accordingly, the proposed carport is considered to detract from the prevailing streetscape character and the amenity of the locality by virtue of its unsympathetic design and siting forward of the dwelling, contrary to the above-mentioned Development Plan provisions.

### **Access and Car Parking**

The proposal would not alter the existing access arrangements onto Hawson Avenue. In terms of car parking, PDC 34 of the Transportation and Access module requires at least two on-site car parking spaces to be provided for the dwelling, one of which should be covered. The proposal would continue to provide on-site parking for at least two vehicles.

### **Trees, Landscaping & Private Open Space**

The proposal is unlikely to affect any existing vegetation on the site as much of the subject area is already hard paved. Similarly, the proposal would not impact on the existing private open space provision for the occupants of the dwelling as the carport is sited in front of the dwelling.

## **SUMMARY**

The unsympathetic design and siting of the proposed carport well forward of the existing dwelling and in close proximity to the road frontage is considered to detract significantly from the prevailing streetscape character and amenity of the locality.

Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is considered to be at variance with the Development Plan.

On balance, the proposed development does not sufficiently accord with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 19 December 2017 and does not warrant Development Plan Consent.

## RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to REFUSE Development Plan Consent for Application No. 211/1062/2017 by Brad Jessop for construction of a carport forward of dwelling at 34B Hawson Avenue, North Plympton (CT 5965/590) as the proposed development is contrary to the following provisions of the West Torrens Council Development Plan Consolidated 19 December 2017:

- General Section, Design and Appearance Objective 1  
*Reason: The design and siting of the proposed carport would not complement the associated dwelling and would detract from the prevailing streetscape character.*
- General Section, Design and Appearance Principles of Development Control 1 & 20  
*Reason: The design of the proposed carport would not complement the associated dwelling and the carport would be sited further forward than the average setback of adjacent buildings.*
- General Section, Residential Development Principles of Development Control 4, 14 & 16  
*Reason: The design of the proposed carport would not complement the associated dwelling and would detract from the streetscape, and the carport would be sited well forward of the main building façade.*
- Residential Zone Principles of Development Control 7 & 8  
*Reason: The proposed carport would be sited further forward than the average setback of the adjacent buildings and would not contribute to the desired character of the policy area.*
- Low Density Policy Area 20 Objective 1  
*Reason: The design and siting of the proposed carport would not contribute to the desired character for the policy area.*
- Low Density Policy Area 20 Principle of Development Control 2  
*Reason: The design and siting of the proposed carport would not be consistent with the desired character for the policy area.*

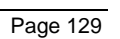
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## Attachments

1. Relevant Development Plan Provisions
2. Proposal Plans

**Relevant Development Plan Provisions**

<b>General Section</b>		
Design and Appearance	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 3, 9, 10, 12, 13, 14, 15, 20 & 21
Orderly and Sustainable Development	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 3, 5, 7 & 8
Residential Development	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	4, 5, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21 & 27
Transportation and Access	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	23, 24, 25, 30, 32, 33, 34, 35, 36, 37, 39, 40, 41, 43 & 44







# Creative Lightweight Solutions

[Sales@Creative-Lightweight.com.au](mailto:Sales@Creative-Lightweight.com.au)

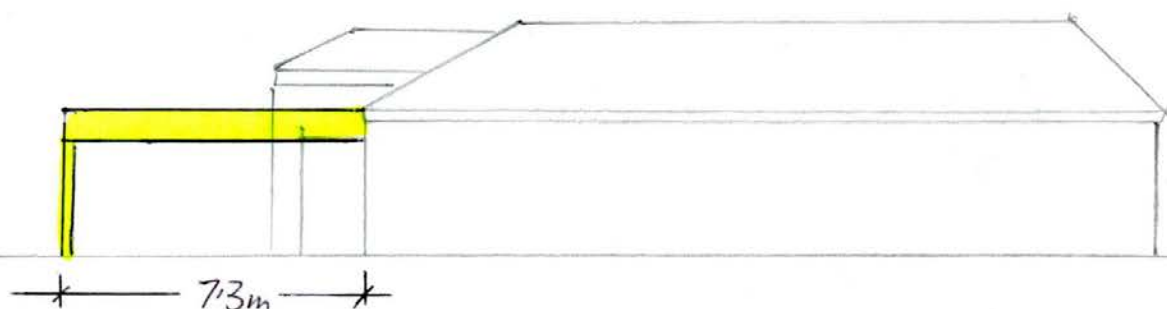
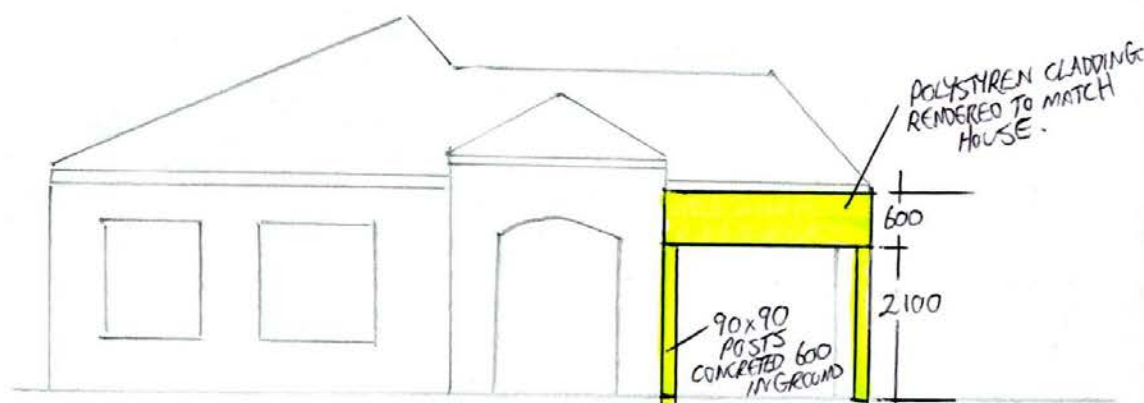
[www.Creative-Lightweight.com.au](http://www.Creative-Lightweight.com.au)

ABN 76 413 456 366

Lic No Bld 195438

Quote No:

**Customer:** Creative Lightweight Solutions  
**Job Address:** 34b Hawson Av Plympton SA  
**Contact:** Brad Jessop 0413 417 550  
**Date:** 04/09/2017  
**Scope of Works:** Various



Regards

Brad Jessop  
Creative Lightweight Solutions  
Customer Name (Please print)

Customer Signature

Date

Page 1 of 1

**6.5 4 Barker Street, BROOKLYN PARK**

Application No 211/167/2018

**DEVELOPMENT APPLICATION DETAILS**

DESCRIPTION OF DEVELOPMENT	Removal of one (1) Significant Tree - Eucalyptus Camaldulensis (River Red Gum)
APPLICANT	Steven Desyllas
LODGEMENT DATE	21 February 2018
ZONE	Residential Zone
POLICY AREA	Low Density Policy Area 20
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> <li>• Arboriculture Advisor</li> </ul> External <ul style="list-style-type: none"> <li>• Nil</li> </ul>
DEVELOPMENT PLAN VERSION	Consolidated 6 February 2018
DELEGATION	<ul style="list-style-type: none"> <li>• All applications where the assessment officer recommends refusal shall be assessed and determined by the CAP.</li> </ul>
RECOMMENDATION	Refuse
AUTHOR	Ebony Cetinich

**BACKGROUND**

On 11 April 2018, the applicant was advised via email that Council staff were not in support of the proposal to remove the subject tree. The applicant was further advised that they may wish to seek the advice of an arboricultural expert to provide a report in support of the removal of the subject tree. The applicant responded stating that they were preparing a report for Council showing the extent of structural damage caused by the subject tree. This report was never received.

In February 2019, the applicant was reminded of the status of the application and was given two weeks to provide a response. A response was not received and a recommendation report was prepared for the 9 April 2019 meeting. When the applicant was notified of the meeting, they requested that the report be withdrawn from the meeting as they will be engaging an arborist to provide expert advice in support of the removal. The applicant gave a timeframe of 3 weeks to submit the arboricultural advice. The arboricultural advice was never provided to Council.

The applicant was given a deadline of the 14 July 2019 to submit any additional information in support of the proposal. A response was never received. As a result, the application must progress and be assessed in its current form.

**SUBJECT LAND AND LOCALITY**

The subject land is formally described as Allotment 86 in Deposited Plan 3793 in the area named Brooklyn Park, Hundred of Adelaide, Volume 5063 Folio 986, more commonly known as 4 Barker Street, Brooklyn Park. The subject site is rectangular in shape with an 18 metre (m) wide frontage to Barker Street and a site area of 736 square metres (m<sup>2</sup>).

The site is relatively flat and currently contains a single storey detached dwelling, carport, pergola and domestic outbuilding.

The locality consists of residential development predominantly in the form of detached dwellings on generous sized allotments. Vegetation within the locality is relatively scarce.

The subject tree (*Eucalyptus Camaldulensis* - River Red Gum) is located in the rear (north-eastern) corner of the site. The tree has a trunk circumference of 3m when measured at 1m above natural ground level and is therefore considered to be a Significant Tree pursuant to Regulation 6A(2) of the *Development Regulations 2008*.

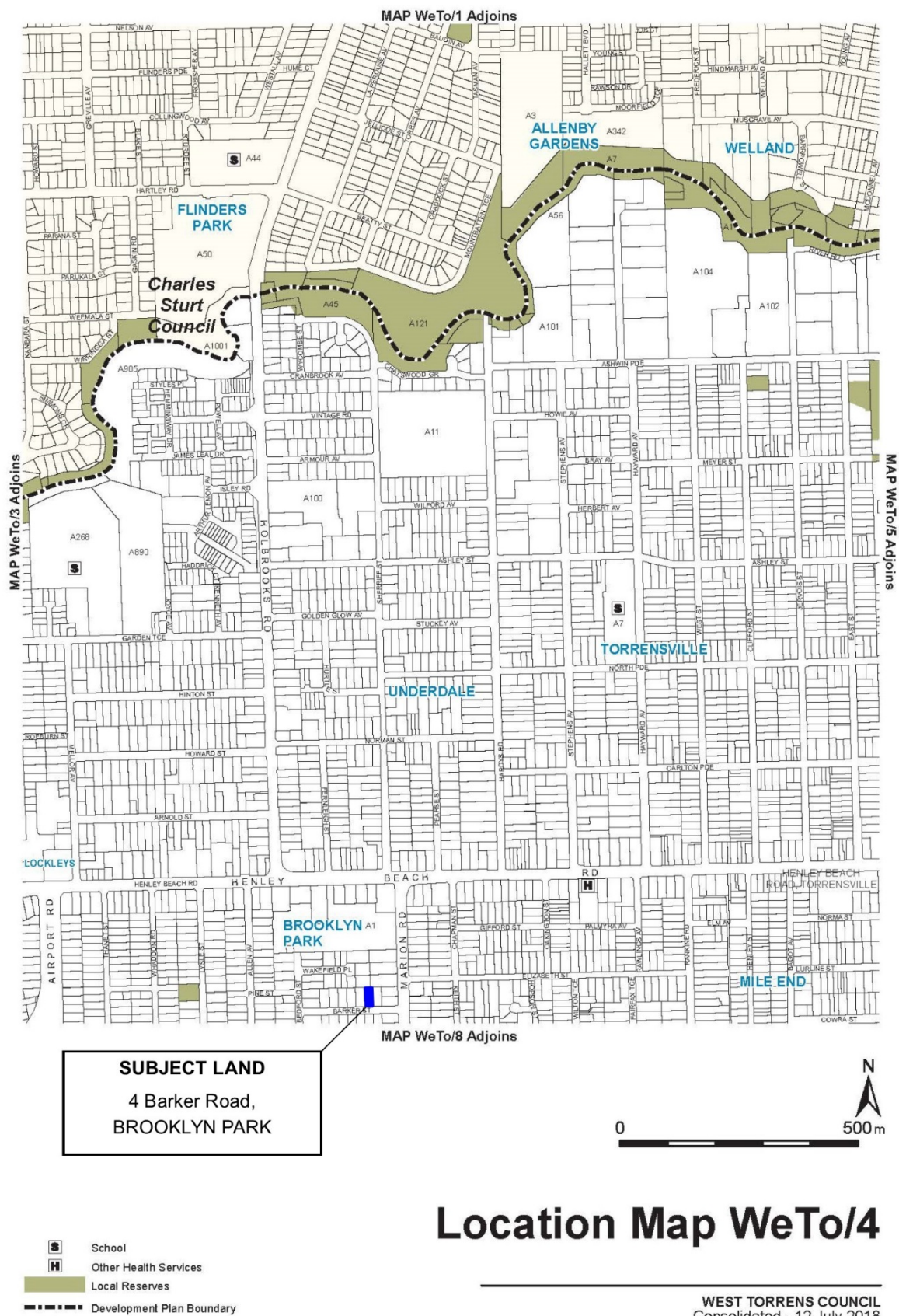
The subject tree is visible from the street, adjoining properties and within the immediate locality.

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









## RELEVANT APPLICATIONS

DA Number	Description of Development	Decision	Decision Date
211/1331/2007	Pruning of significant tree	Approved	28 July 2008

## PROPOSAL

The applicant is seeking Development Plan consent for the removal of a Significant Tree - *Eucalyptus Camaldulensis* (River Red Gum) located in the rear north-eastern corner of the subject site.

The applicant has indicated the reasons for tree removal include risk to safety and property damage posed by the subject tree due to its positioning close to dwellings situated on the adjoining allotments to the rear.

The applicant indicated that he was unable to consult with an arborist and provide an arborist report at lodgement due to financial constraints.

A copy of the information and plans submitted by the applicant is contained in **Attachment 2**.

## PUBLIC NOTIFICATION

Tree damaging activity in relation to a Regulated Tree situated on private land is listed as a Category 1 form of development pursuant to Schedule 9, Part 1 (13) of the *Development Regulations 2008*. Accordingly, public notification of the application was not required.

## INTERNAL REFERRALS

Department	Comments
<b>Arboriculture Advisor</b>	<ul style="list-style-type: none"> <li>• Mature indigenous River Red Gums are especially important for biological reasons as they provide conditions suitable for a wide range of animals, plants and invertebrates, many of which require the unique environment provided by an older tree.</li> <li>• All major branch junctions throughout the tree appear sound and well structured.</li> <li>• The tree shows little evidence of pruning work and a moderate amount of deadwood is located within the canopy.</li> <li>• The tree contains some slightly over extended limbs, however, no evidence of limb failure was noted. This is a typical characteristic of this species and pruning in accordance with the Australian Standards can rectify this problem.</li> <li>• There were no visible signs of fungal fruiting bodies or active pests and diseases.</li> <li>• Foliage colour is good and foliage density is typical of this species.</li> <li>• Its useful life expectancy is estimated to be in excess of 50 years.</li> <li>• The risk posed by this tree is considered to be broadly acceptable.</li> <li>• Medium to long-term management is sustainable and therefore, retention is warranted and recommended.</li> </ul>

A copy of the relevant referral response is contained in **Attachment 3**.

## RELEVANT DEVELOPMENT PLAN PROVISIONS

The subject land is located within the Residential Zone and, more specifically, the Low Density Policy Area 20 as described in the West Torrens Council Development Plan.

The relevant Desired Character statements are as follows:

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

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

Additional provisions of the Development Plan which relate to the proposed development are contained in **Attachment 1**.



## ASSESSMENT

In assessing the merits or otherwise of the application, the proposed development is discussed under the following sub headings, which reflect the key Development Plan provisions related to Significant Trees.

### Character and Visual Amenity

The subject tree is highly visible from Barker Street, adjoining properties and the locality more generally due its height and canopy spread. It is considered to form a notable element of the landscape, which is largely void of other tall and mature indigenous tree species. Given its high visibility, form and maturity, the subject tree is considered to provide important aesthetic benefit and make an important contribution to the character of the area.

For these reasons, tree removal cannot be supported in accordance with Objective 1 and Principles of Development Control (PDCs) 1(a) and 1(f) of the Significant Trees module and Objectives 1 and 2(a) of the Regulated Trees module.

Images 1 to 6 below are taken from various locations around the locality highlighting the widespread visibility of the tree. Please refer to the locality plan in the section above for the location and direction of sight for all images.



Image 1



Image 2



Image 3



Image 4





Image 5



Image 6

### Tree Species

The species is not listed as rare or endangered, so removal of the tree could be supported by PDC 1(b) of the Significant Trees and Objective 2(c) of the Regulated Trees modules.

### Indigenous to Locality

The subject tree is of a species that is indigenous to South Australia and the local area. Removal of the tree does not satisfy Objective 2(b) of the Regulated Trees module.

### Environmental Benefit/Habitat Value

It is considered that the subject tree provides important environmental benefits and an important habitat for native fauna whilst maintaining biodiversity of the local area. This is based on the indigenous status of the tree, its mature size and the limited number of other mature indigenous trees within the locality. This is reinforced by Council's consulting arborist who states that mature indigenous species, such as the subject tree, are especially important for biological reasons as they provide conditions suitable for a wide range of animals, plants and invertebrates. The proposed removal of the tree is therefore inconsistent with Objective 1 and PDCs 1(c) and 1(e) of the Significant Trees module and Objectives 1 and 2(d) of the Regulated Trees module.

### Tree Health

Council's consulting arborist provided the following comment in terms of tree health:

- The tree is in good overall health with no visible signs of active pests or diseases.
- The foliage colour and foliage density of the tree is typical of its species.
- The useful life expectancy of the tree is estimated to be in excess of 50 years.
- All major branch junctions throughout the tree appear sound and well structured.
- The limbs are slightly over extended, which is a typical characteristic of mature River Red Gums and pruning can rectify this problem.
- There is a moderate amount of deadwood located within the canopy due to lack of pruning in the past.

Taking into consideration the expert advice in relation to the health of the subject tree, its removal cannot be supported in accordance with PDC 3(a)(i) of the Significant Trees module and PDC 2(a) of the Regulated Trees module.

### Risk to Public/Private Safety

Council's consulting arborist is of the opinion that the risk posed by the subject tree is broadly acceptable. As mentioned previously, all major branch junctions throughout the tree appear sound and well structured. The consulting arborist has advised that due to the robust, broad-spreading canopy, the subject tree contains some slightly over extended limbs where foliage is located mostly at branch extremities, however, no evidence of limb failure was noted. This is a typical characteristic of a healthy, vigorous *Eucalyptus Camaldulensis* and pruning in accordance with Australian Standard AS 4373- 07 'Pruning of Amenity Trees' can rectify this problem.

No supporting evidence from a suitably qualified arboricultural expert has been provided by the applicant to suggest that the tree is a risk to public and/or private safety.

Taking into consideration the above, the subject tree does not currently present an unacceptable or material risk to public or private safety as suitable remedial measures are available to manage the risk associated with the tree in the future. Accordingly, removal cannot be supported by PDCs 3(a)(ii) and 3(e)(ii) of the Significant Trees module and PDC 2(b) of the Regulated Trees module.

### **Risk to Buildings**

The Significant Tree provisions call for removal to be justified on the basis that it is causing substantial damage to a substantial building or structure of value. The applicant has not provided any evidence demonstrating that the tree is causing damage to a building.

It is acknowledged that given the positioning of the tree, some limbs extend over the neighbouring properties to the rear. Taking into consideration the expert advice in relation to tree structure, risk to safety and available remediation techniques, the tree is not considered to be threatening to cause substantial damage to this building. As such, removal cannot be supported by PDCs 3(b) and 3(e)(iii) of the Significant Trees module and PDC 2(c) of the Regulated Trees module.

### **Reasonable Development**

No development other than tree removal is proposed. As such, removal of the subject tree cannot be supported by Objective 2 of the Significant Trees module and PDC 2(d) of the Regulated Trees module.

### **Alternative Remediation Treatments**

Council's Consulting Arborist has determined that medium to long term management of the tree is sustainable (i.e. maintenance pruning). Given that alternative remediation treatments are available, tree removal cannot be supported by PDCs 3(c), 3(d), and 3(e)(v) of the Significant Trees module.

### **SUMMARY**

The subject tree is highly visible and forms a notable element in the landscape. It provides important aesthetic and environmental benefit to the local area given its maturity and indigenous status. The tree is also considered to be in good health with a useful life expectancy in excess of 50 years. While the limbs are slightly overextended, all major branch junctions throughout the tree appear sound and well-structured. Pruning options are available to rectify the overextended limbs and remove the deadwood located within the tree canopy. No evidence has been provided demonstrating that the tree is currently causing damage to a substantial building and the current risk to safety is considered to be acceptable.

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

On balance it is considered that the proposed development does not sufficiently accord with the relevant provisions contained within the West Torrens (City) Development Plan consolidated 6 February 2018 and does not warrant Development Plan Consent or Development Approval.

## RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to REFUSE Development Plan Consent and Development Approval for Application No. 211/167/2018 by Steven Desyllas to undertake the removal of one (1) Significant Tree - *Eucalyptus Camaldulensis* (River Red Gum) at 4 Barker Street, Brooklyn Park (CT 5063/986) as the proposed development is contrary to the following provisions of the West Torrens Council Development Plan Consolidated 6 February 2018:

General Section, Regulated Trees Objective 1.

*Reason: The tree provides important aesthetic and environmental benefit.*

General Section, Regulated Trees Objective 2(a)(b)(d).

*Reason: The tree significantly contributes to the character and visual amenity of the locality, is indigenous to South Australia and the local area and provides an important habitat for native fauna.*

General Section, Regulated Trees PDC 2(a)(b)(c)(d).

*Reason: The tree is not diseased and its life expectancy is not short, does not represent a material risk to public or private safety, is not currently causing damage to a building and is not preventing reasonable development of the site.*

General Section, Significant Trees Objective 1.

*Reason: The tree provides important aesthetic and environmental benefits.*

General Section, Significant Trees Objective 2.

*Reason: The tree is not preventing appropriate development on the site.*

General Section, Significant Trees PDC 1(a)(c)(e)(f).

*Reason: The tree makes an important contribution to the character and amenity of the local area, provides an important habitat for native fauna, is important to the maintenance of biodiversity in the local environment and forms a notable visual element to the landscape of the local area.*

General Section, Significant Trees PDC 3(a)(b)(c)(d)(e).

*Reason: The tree is not diseased, its life expectancy is not short, it does not represent an unacceptable risk to public or private safety, is not currently causing or threatening to cause substantial damage to a substantial building or structure of value, it is not preventing appropriate development on the site and reasonable alternative remediation options are available.*

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## Attachments

1. Relevant Development Plan Provisions
2. Application Documents and Plans
3. Referral Response

**RELEVANT DEVELOPMENT PLAN PROVISIONS**

<u>General Section</u>		
<i>Regulated Trees</i>	<i>Objectives</i>	<i>1 &amp; 2</i>
	<i>Principles of Development Control</i>	<i>1, 2 &amp; 3</i>
<i>Significant Trees</i>	<i>Objectives</i>	<i>1 &amp; 2</i>
	<i>Principles of Development Control</i>	<i>1, 2, 3, 4 &amp; 5</i>



## Regulated and Significant Tree proposal 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.



Property No: 04		Street: Barker Street	
Title: Mr	Given name: Steven	Family name: Deoglas	
Company name:			
Address: 04 Barker Street Brooklyn Park			
P/Code: 5032.			
Telephone	Mobile	Email address	
<b>1. Details of tree</b>			
Circumference of trunk 1m above natural ground level: 3.5m			
Height of tree: 20-30m			
Spread of tree: 15m			
Species or type of tree: Gum Tree			
<b>2. Site plan</b>			
Please attach site plan scale not less than 1:200.			
<b>3. Photograph(s)</b>			
Yes <input type="checkbox"/> If yes provide details No <input checked="" type="checkbox"/>			
<b>4. Details of the proposed activity you want to undertake affecting the Regulated/Significant Tree (e.g. pruning, removal etc.).</b>			
Remove Tree - unsafe to Property and Human life.			
<b>5. Is the tree, or does the tree appear to be diseased?</b>			
Yes <input type="checkbox"/> If yes provide details No <input checked="" type="checkbox"/>			
<b>6. Does the tree represent an unacceptable risk to public or private safety?</b>			
Yes <input checked="" type="checkbox"/> If yes provide details No <input type="checkbox"/>			
The tree has lost limbs previously. Tree is situated less than 1m away from neighbouring house and 5m away from other neighbour's house.			

7. If you answer yes to - 6, 7 or 8, have all other remedial steps been determined ineffective by a suitably qualified professional?

Yes ☐ If yes, provide details No ☒

Cannot afford for arborist to attend.

8. Is the tree causing or threatening to cause substantial damage to a building or structure of value?

Yes ☒ If yes, provide details No ☐

Tree looks limbs in storm. Have two houses very close to tree with tiled roofs. Do not want to be sued for damaged to other's property.

9. Has specialist advice been obtained (from a qualified arboriculturalist, botanist or horticulturalist)?

Yes ☐ If yes, please attach info No ☒

No - as above cannot afford for specialist to attend.

10. If your application involves the division of land, is it likely that the application will result in substantial "tree-damaging" activity to a Regulated/Significant Tree?

Yes ☐ If yes, provide details No ☒

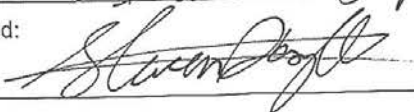
11. Should Council approve the pruning or removal of a Regulated/Significant Tree, it is a legislative requirement that 2 - 3 replacement trees to be planted on the subject site.

In the instance that replacement trees cannot appropriately be planted on the site, are you willing to make payment of an amount specified in the Development Regulations 2008 to the Urban Tree Fund in lieu of planting replacement trees?

Yes ☐ No ☒

Depending on what type of tree is required to be planted. I will not plant another gum tree.

Signed:



Date: 20/02/18



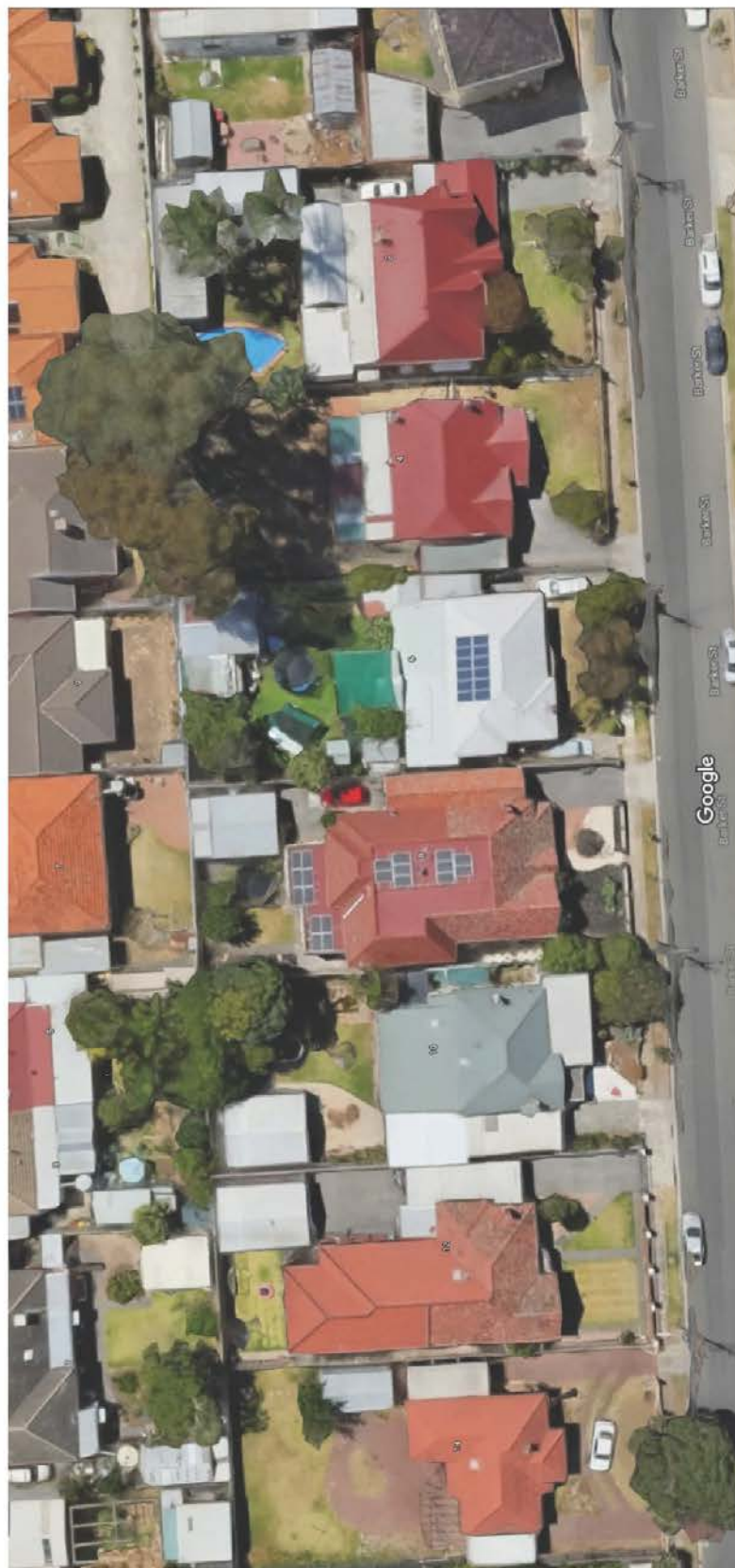


#### Disclaimer

The City of West Torrens accepts no liability for any reliance placed on the validity and accuracy of data in this publication. While care and effort has been taken in the presentation of this data it is only to be used for demonstration purposes.







Imagery ©2018 Google, Map data ©2018 Google 5 m

<https://www.google.com.au/maps/place/4-Barker-St,+Brooklyn+Park-SA-5032/@-34.9268393,138.550939,77m/data=!3m1!1e3!4m5!3m4!1s0x6b0c585a9d957b3-0x1ca2e9-8e62f878m2!3d-34.9268963!...> 20.02.2018



4 Barker St - Google Maps



4 Barker St  
Brooklyn Park SA 5032



<https://www.google.com.au/maps/place/4+Barker+St,+Brooklyn+Park+SA+5032/@-34.9268393,138.550939,77m/data=!3m1!1e3!4m5!3m4!1s0x6a6b0c585a9d957b3:0xc42e9c8e62f878m2!3d-34.9268963!...> 20/02/2018

## Arboricultural Assessment of Non- Council Owned Significant Tree/s

Development Application No: **211/167/2018**

**Referral Due Date:** 21 March 2018

**Assessing Officer:** Ebony Cetinich

**Site Address:** 4 BARKER STREET, BROOKLYN PARK SA 5032

**Certificate of Title:** CT-5063/986

**Description of Development** Removal of significant tree (Gum Tree)

*To be completed by:* **CONSULTANT ARBORIST**

**SPECIES & COMMON NAME:** *Eucalyptus camaldulensis* (River Red Gum)

**TOTAL CIRCUMFERENCE:** 3000mm

**MULTI-TRUNK:** No

The following comments are provided with regards to the relevant Objectives and Principles of Development Control of the General Section, Significant Tree Section of the West Torrens Council Development Plan:

### OBJECTIVE 1

*The conservation of significant trees, in Metropolitan Adelaide, that provide important aesthetic and environmental benefit.*

### OBJECTIVE 2:

*The conservation of significant trees in balance with achieving appropriate development.*

### PDC 1:

*Development should preserve the following attributes where a significant tree demonstrates at least one of the following attributes:*

- (a) Makes an important contribution to the character or amenity of the local area; or*  
**Yes**
- (b) Is indigenous to the local area and its species is listed under the National Parks and Wildlife Act 1972 as a rare or endangered native species*  
**No**
- (c) Represents an important habitat for native fauna*  
**Yes**
- (d) Is part of a wildlife corridor or a remnant area of native vegetation*  
**No**
- (e) Is important to the maintenance of biodiversity in the local environment*  
**Yes**
- (f) Forms a notable visual element to the landscape of the local area*  
**Yes**

**PDC 2:**

*Development should be undertaken so that it has a minimum adverse effect on the health of a significant tree.*

**PDC 3:**

*Significant trees should be preserved, and tree-damaging activity should not be undertaken, unless:*

- (a) In the case of tree removal, where at least one of the following apply:*
  - a. The tree is diseased and its life expectancy is short*  
**No**
  - b. The tree represents an unacceptable risk to public or private safety*  
**No**
  - c. The tree is within 20 metres of a residential, tourist accommodation or habitable building and is a bushfire hazard within a Bushfire Prone Area*  
**No**
- (b) The tree is shown to be causing or threatening to cause substantial damage to a substantial building or structure of value*  
**No**
- (c) All other reasonable remedial treatments and measures have been determined to be ineffective*  
**No**
- (d) It is demonstrated that all reasonable alternative development options and design solutions have been considered to prevent substantial tree-damaging activity occurring.* **No**
- (e) In any other case, and of the following circumstances apply:*
  - a. The work is required for the removal of dead wood, treatment of disease, or is in the general interest of the health of the tree*  
**No**
  - b. The work is required due to unacceptable risk to public or private safety*  
**No**
  - c. The tree is shown to be causing or threatening to cause damage to a substantial building or structure of value*  
**No**
  - d. The aesthetic appearance and structural integrity of the tree is maintained*  
**Yes**
  - e. It is demonstrated that all reasonable alternative development options and design solutions have been considered to prevent substantial tree-damaging activity occurring*  
**No**

**PDC 4:**

*Development involving ground work activities such as excavation, filling, and sealing of surrounding surfaces (whether such work takes place on the site of a significant tree or otherwise) should only be undertaken where the aesthetic appearance, health and integrity of a significant tree, including its root system, will not be adversely affected.*

**PDC 5**

*Land should not be divided or developed where the division or development would be likely to result in a substantial tree-damaging activity occurring to a significant tree.*

**ADDITIONAL COMMENTS:**

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As requested, a site inspection was carried out on 12<sup>th</sup> March to assess one significant *Eucalyptus camaldulensis* located in the rear yard of 4 Barker Street, Brooklyn Park. Access into the rear yard could not be obtained so the tree was inspected from the neighbouring property to the north. This allowed a close-up inspection of the subject tree, although the exact trunk circumference could not be measured.

This tree is a good representative of its species due to its visual amenity, good overall health/ structure and long safe life expectancy. Mature indigenous species such as this are especially important for biological reasons as they provide conditions suitable for a wide range of animals, plants and invertebrates, many of which require the unique environment provided by an older tree.

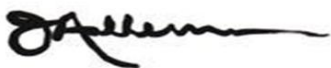
The subject tree shows little evidence of pruning work and a moderate amount of deadwood is located within the canopy. All major branch junctions throughout the tree appear sound and well structured.

Due to the robust, broad-spreading canopy, the *E. camaldulensis* contains some slightly over extended limbs where foliage is located mostly at branch extremities, particularly over the applicants rear yard to the west. However, no evidence of limb failure was noted. This is a typical characteristic of a healthy, vigorous *E. camaldulensis* and pruning in accordance with AS 4373- 07 'Pruning of Amenity Trees' can rectify this problem.

There were no visible signs of fungal fruiting bodies and/ or active pests and diseases noted. Foliage colour is good and foliage density is typical of this species. If site conditions remain conducive to tree health, its useful life expectancy is estimated to be in excess of 50 years. The risk posed by this tree is considered broadly acceptable.

Having given consideration to the plans provided, and observations made of the trees, I conclude that the desired outcome of 'tree removal' is unjustified, as the applicant has not provided sufficient evidence that can be considered as satisfying the criteria required. I believe medium to long- term management is sustainable and therefore, retention is warranted and recommended.

**RECOMMENDATION:        RETAIN**



Jarrad Allen  
Calypso Tree Co

DATE: 17/03/18



**PHOTO's ATTACHED:**



**Figure 1 (above): Subject tree when viewed from the front of 4 Barker Street, Brooklyn Park to the south.**

## **7 CONFIDENTIAL REPORTS OF THE ASSESSMENT MANAGER**

### **7.1 Compromise Proposal - ERD-19-81 - 428 Henley Beach Road, LOCKLEYS**

Application No. 211/1059/2018

#### **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 ERD Court matters, items determined by SCAP/Minister/Governor and deferred CAP items - August 2019

#### Brief

This report presents information in relation to:

1. any planning appeals before the Environment, Resources and Development (ERD) Court;
2. any matters being determined by the State Commission Assessment Panel (SCAP);
3. any matters determined by the Minister of Planning (Section 49);
4. any matters determined by the Governor of South Australia (Section 46); and
5. any deferred items previously considered by the Council Assessment Panel.

#### Development Application appeals before the ERD Court

DA Number	Address	Reason for Appeal	Status
211/981/2018	322 Marion Road, NETLEY	Applicant appealed CAP's refusal for removal of significant tree	Hearing completed, Awaiting decision
211/1059/2018	428 Henley Beach Road, LOCKLEYS	Applicant appealed CAP's refusal of five (5) two storey group dwellings	Conference on compromise proposal 22 August.

#### Matters pending determination by SCAP

Reason for referral	DA number	Address	Description of development
Schedule 10	211/M030/18	192 ANZAC Highway, GLANDORE	Eight-storey RFB, 40 dwellings & removal of regulated tree
Schedule 10	211/M015/19	1 Glenburnie Terrace, PLYMPTON	Six-storey RFB, 32 dwellings & associated car parking
Concurrence	211/L026/18V1	2 May Terrace, LOCKLEYS	Alts & additions to club house & removal of 1 significant & 2 regulated trees

#### Matters pending determination by the Minister of Planning

Reason for referral	DA number	Address	Description of development
Section 49	211/V007/12 V3	Lot 2 in FP 1000, West Beach Road WEST BEACH	Variation - removal of east-west internal road

#### Matters pending determination by the Governor of South Australia

Nil

### **Deferred CAP Items**

Nil

### **Conclusion**

This report is current as at 2 August 2019.

### **RECOMMENDATION**

The Council Assessment Panel receive and note the information.

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### **Attachments**

Nil



**9 OTHER BUSINESS**

Nil

**10 MEETING CLOSE**