

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, 9 JULY 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 11 June 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

6.1 262 South Road, HILTON

Application No 211/260/2019

DEVELOPMENT APPLICATION DETAILS

DESCRIPTION OF DEVELOPMENT	Installation of internally and externally illuminated wall signage and upgrade to building facade
APPLICANT	Wenxi Wang
LODGEMENT DATE	12 March 2019
ZONE	Commercial Zone
POLICY AREA	Arterial Roads Policy Area 1
PRECINCT	Precinct 5 South Road (Mile End)
APPLICATION TYPE	Non-complying
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> • Nil External <ul style="list-style-type: none"> • Nil
DEVELOPMENT PLAN VERSION	Consolidated 12 July 2018
DELEGATION	<ul style="list-style-type: none"> • The relevant application proposes a non-complying form of development and the application is to be determined after a full merit assessment against the Development Plan, except where the relevant development application proposes a change of use to office in a Commercial Zone.
RECOMMENDATION	Support with conditions
AUTHOR	Ebony Cetinich

SUBJECT LAND AND LOCALITY

The subject land is formally described as Allotment 114 in Deposited Plan 32555 in the area named Hilton, Hundred of Adelaide, Volume 5858 Folio 159, more commonly known as 262 South Road, Hilton. The subject site is rectangular in shape with a 17 metre (m) wide frontage to South Road and a site area of 688 square metres (m²).

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 commercial building previously used as a retail showroom/warehouse (see Figure 1 below). An existing vehicular access point, driveway and sealed area are located at the southern end of the site. It is anticipated that the sealed area was previously used for vehicular access and car parking but no line marking is evident. All existing advertising signs have been removed from the subject site.



Figure 1 - View of subject site from South Road

The locality consists of a mixture of residential and non-residential land uses. A range of commercial uses are located to the north, south and east of the subject site while residential development abuts the site to the west. Commercial uses include a hotel and drive through bottle-shop, retail showroom, office and light industry. State Heritage listed buildings are situated in close proximity to the site to the south-east but are separated by South Road. Advertisements are common within the locality, with sites often having more than one sign (see Figures 2 to 4 below, sourced from Google Maps 2019).

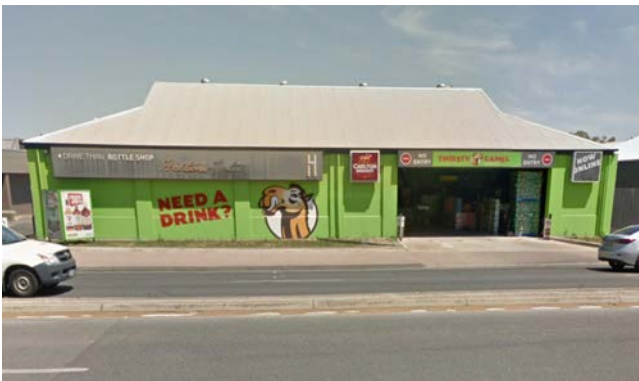


Figure 2 - 264-270 South Road



Figure 3 - 258-260 South Road

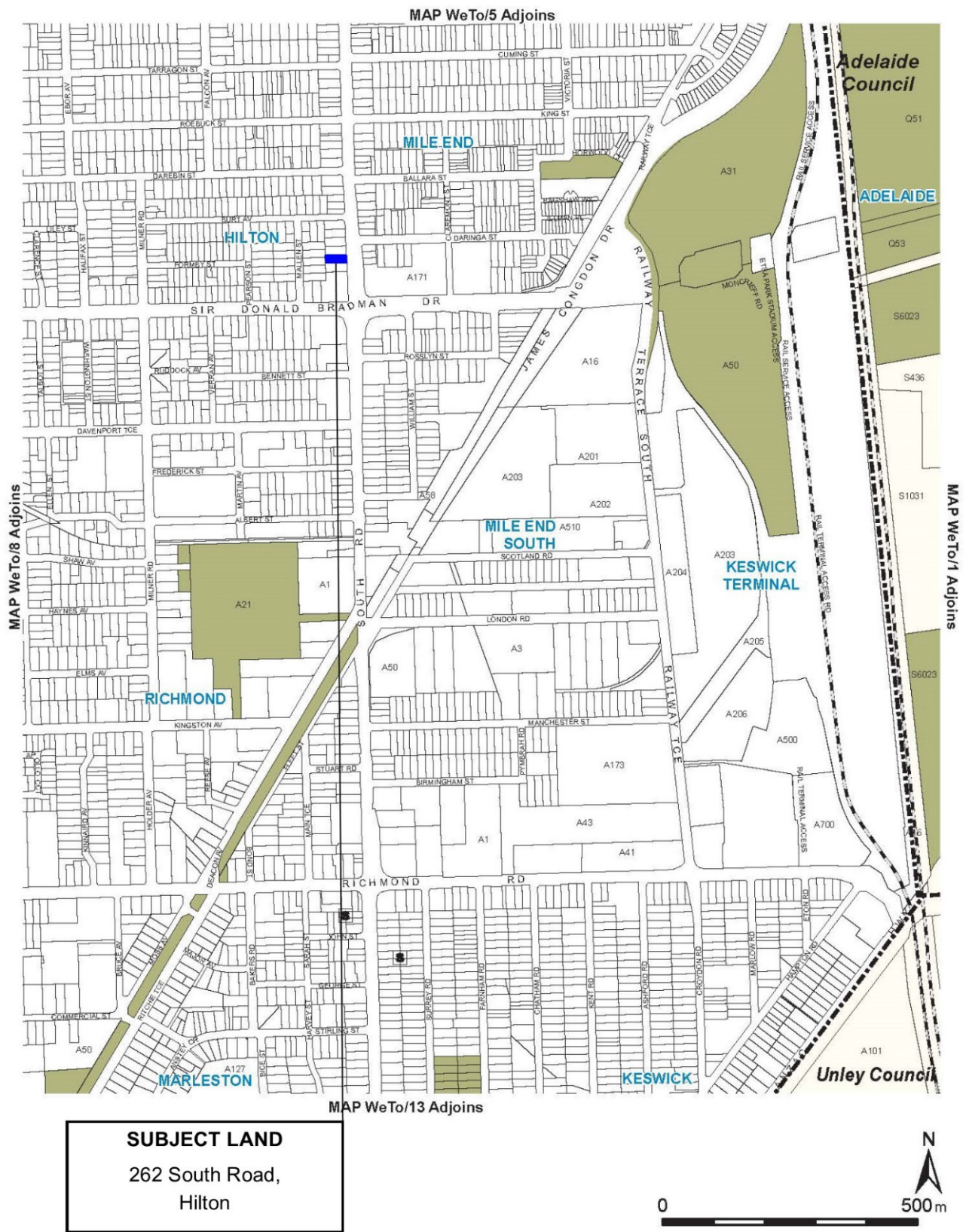


Figure 4 - 32-56 South Road

The amenity of the locality is not of a high quality, taking into consideration the traffic volumes and associated amenity impacts associated with South Road.

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





Location Map WeTo/9

WEST TORRENS COUNCIL
Consolidated - 12 July 2018

RELEVANT APPLICATIONS

At the time of finalising this report, the applicant was in the process of lodging a land use application. It was determined that the land use application should be a separate application to avoid being caught up in the non-complying process for the proposed signs.

PROPOSAL

The applicant is seeking Development Plan consent for the construction of four signs located on the northern and eastern facades of an existing commercial building. Two signs will be internally illuminated, one sign will be externally illuminated and one sign will not be illuminated. The signs are of a consistent design and colour scheme, being predominantly black and white with a feature brass statement sign on the front façade.

The proposal also includes an upgrade to the external appearance of the building comprising texture coated cement sheet panelling in white and dark grey and feature timber batten cladding in western red cedar.

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

NON-COMPLYING

The Procedural Matters section of the Commercial Zone lists advertisements exceeding 7m in height and 4m² (plus an additional 0.1m² per metre of site frontage) in area as non-complying. The site has a frontage of 17m, therefore, the non-complying trigger for the advertisement area is 5.7m². The proposed signage has an advertisement area of approximately 30m² which captures the proposal as a non-complying form of development.

The applicant was not required to provide a Statement of Effect pursuant to Regulation 17(6) of the *Development Regulations 2008*. This clause specifies that a Statement of Effect is not required if the proposed development involves the construction of a new building subject to the following:

- The building is to be used in a manner which is ancillary to, or in association with, the use of an existing building; and
- The building would facilitate the better enjoyment of the existing use of the existing building.

The proposed signage falls within the definition of a building (which includes a structure) and will be used to advertise the business occupying the subject land. The proposed signage will assist in identifying the business and attracting customers to support the continued use of the site. This is considered to facilitate the better enjoyment of the purpose for which the existing building is being used.

Should the CAP resolve to approve the application, the concurrence of the State Commission Assessment Panel is required. Alternatively, should the CAP refuse the application, no appeal rights are afforded to the applicant. As the administration resolved, under delegation, to proceed with an assessment of the proposal, the application is now presented to the Panel for a decision.

PUBLIC NOTIFICATION

The proposal is considered to be a Category 1 form of development pursuant to Schedule 9, Part 1, (3)(b) of the *Development Regulations 2008*. This clause involves three elements which are discussed below:

- **The proposal involves the construction of a building to be used as ancillary to/associated with an existing building.**

The proposed signage falls within the definition of a building (which includes a structure) and will be used to advertise the business occupying the subject land.

- **The proposal will facilitate the better enjoyment of the purpose for which the existing building is being used.**

The proposed signage will assist in identifying the business and attracting customers to support the continued use of the site. This is considered to facilitate the better enjoyment of the purpose for which the existing building is being used.

- **The proposal constitutes, in the opinion of the relevant authority, development of a minor nature only.**

The proposed signage is considered to be relatively minor in scale taking into account the size of the building to which it is attached and the size and scale of existing advertisements within the locality.

The illumination of the proposed signs is unlikely to unreasonably impact adjacent land owners and occupiers within the locality. A majority of sites from where the proposed signs will be visible are occupied by land uses that are not sensitive in nature (i.e. commercial premises). It is anticipated that with careful control of luminance and lux levels, the proposed signage is unlikely to cause nuisance to adjoining land owners or a hazard to road users.

REFERRALS

Nil

RELEVANT DEVELOPMENT PLAN PROVISIONS

The subject land is located within the Commercial Zone and, more specifically, the Arterial Roads Policy Area 1 and Precinct 5 South Road (Mile End) as described in the West Torrens Council Development Plan.

The relevant Desired Character statements are as follows:

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

Precinct 5: South Road (Mile End) - Desired Character	
<i>This precinct will primarily accommodate small scale offices and consulting rooms.</i>	
<i>Development will be one and two storeys in height, and establish in existing buildings or in buildings which complement the character of the Edwardian buildings in the area. In particular, development will exhibit architectural features which complement the predominant style in the area particularly in terms of the style and pitch of roofs, the style and proportions of windows visible from the site, the style of verandas and carports and roof and external wall materials.</i>	
Objectives	<i>Nil</i>
Principles of Development Control	<i>43, 45, 46</i>

Please note that the Commercial Zone does not have a specific Desired Character Statement.

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

ASSESSMENT

Land Use, Desired Character and Existing Character

The proposed signage will be associated with an office and warehouse tenancy. It is important to note that signage in itself is not a land use. Whilst advertisement (signage) is not specifically listed as an envisaged form of development, both offices and warehouses are envisaged within the zone and policy area. It is considered that the signage is an integral part of a commercial enterprise and therefore it is considered to be an appropriate form of development in the zone and policy area.

Maximum advertisement area triggers have been included within the list of non-complying forms of development to discourage large signs and avoid the proliferation of advertisements within the urban environment. Whilst the proposed signs exceed the maximum advertisement area trigger, it is considered that the locality and size of the existing building allows for the scale of signage proposed. As demonstrated above, advertisements are common within the locality. Therefore, it is unlikely that the proposed signage will negatively impact on the existing character of the locality.

Design and Appearance

It is considered that the proposed signs are well designed, being of a uniform, neat and professional appearance with a limited colour palette (black, white and brass). The content of the signs relate to the legitimate use of the land and the signs are well integrated within the new facade. Given the co-ordinated design theme, the signs do not result in clutter or disfigurement of the urban environment. The signs do not extend higher than the top of the wall and are designed to conceal their supporting hoarding. Accordingly, the proposed signs are considered to be in keeping with the existing character of the locality and will result in a better design outcome than a number of existing signs within the locality. Taking into consideration the above, the proposed signs satisfy Objectives 1 and 3 and Principles of Development Control (PDCs) 1, 2, 4, 5, 6, 7, 10 and 11 of the Advertisements section of the Development Plan.

Amenity

The amenity of properties within the locality is unlikely to be negatively impacted by the proposed signs as the signs are only visible from sites that are occupied by commercial premises and not sensitive land uses such as residential. Furthermore, the signs will only be visible from within close proximity to the site. With careful control of luminance and lux levels, the proposed signage is unlikely to cause nuisance to adjoining land owners. This will be enforced by way of condition.

Safety

As noted above, it is anticipated that with careful control of luminance and lux levels, the proposed signage is unlikely to cause a hazard to road users. The internally illuminated signs use a white light so as not to be interpreted as a traffic control device. Accordingly, Objective 2 and PDCs 2(d) and 14 of the Advertisements module are satisfied. As South Road has a 60km/h speed limit, PDC 22 of the Advertisements module is also satisfied.

SUMMARY

The proposal involves the construction of four signs, two of which will be internally illuminated and one of which will be externally illuminated. Despite their non-complying status, the signs are considered to be an appropriate form of development taking into account the context of the locality and the existing signage within it. The signs are considered to be of a high design standard and are integrated well with the existing building to which they are attached. With careful control of luminance and lux levels, the proposed signage is unlikely to cause nuisance to adjoining land owners or a hazard to road users.

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

On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 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. 211/260/2019 by Wenxi Wang to undertake the installation of internally and externally illuminated flat wall signage and upgrade to building facade at 262 South Road, Hilton (CT 5858/139) subject to the concurrence of the State Commission Assessment Panel and the following conditions of consent:

Development Plan Consent Conditions

1. The development must 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. The content of the signage approved herein shall relate to the legitimate use of the land at all times and shall not be used for third party advertising.

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

3. Lighting associated with the signs shall be of an intensity to not cause a light over spill nuisance to adjacent occupiers, or cause a distraction to drivers on adjacent public roads.

Reason: To ensure the proposed signage does not cause undue disturbance, annoyance or inconvenience to adjoining land users and motorists.

4. The illuminated signs shall be limited to a low level of illumination ($<150\text{Cd/m}^2$) in order to minimise distraction to motorists.

Reason: To ensure the proposed signage does not cause undue disturbance, annoyance or inconvenience to adjoining land users and motorists.

5. The signs shall not contain any element that flashes, scrolls, moves or changes, or imitates a traffic control device.

Reason: To ensure the proposed signage does not cause undue disturbance, annoyance or inconvenience to adjoining land users and motorists.

Attachments

- 1. Relevant Development Plan Provisions**
- 2. Statement of Support and Application Plans**

Relevant Development Plan Provisions

General Section		
Advertisements	<i>Objectives</i>	1, 2, 3
	<i>Principles of Development Control</i>	1, 2, 4, 5, 6, 7, 10, 11, 14, 15, 22

RE: DA211/260/2019 - Request for statement of support - 262 South Road, Hilton
23/04/2019

Hi Ebony,

We believe the proposed building front is appropriate design approach which should be approved for the following reasons:

Timber look claddings are used to soften the façade of this office building along with the new cement sheet panel to enhance the building quality. These two new materials and the recoated surface will create different layers. As a result, it will make the building more attractive thus to positively contribute to the street scape.

We choose not to use the cheaper acrylic signage, instead, a 3D laser cut metal signage was shown the Positioning of the user's company. Besides the main metal signage in the top middle, all the other signage was painted on the wall in Black and white to minimise the visual impact.

Compared with the adjacent two buildings, our approach is to make the building itself more interesting rather than promoting the business via large signage and graphic. The adjacent building on the southern side is the Thirsty Camel. There are large areas of advertisement on the wall and the coloured painting on the wall seems to be attractive. Another adjacent building on the northern side is the Telefix. This company created a large-scale roof parapet, and made the whole part as signage to be their advertisement. Besides this, more advertisements were made on the wall and windows. It also makes the building visually confusing.

Therefore, we believe our approach should be considered since it reflects the true architecture, material and texture, the value of the company and the value of the streetscape.



South side building



North side building

Kind regard

Yao Liu

Architectural Designer

SOKO
Design Studio

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W: www.sokods.com.au

Studio address: 312A, Unley Road, Hyde Park, SA 5061

Lannister Head Office

262 South Road, Hilton

DRAWING SCHEDULE

00	DRAWING REGISTER
01	SITE PLAN
02	FRONT ELEVATION
03	NORTH ELEVATION
04	SIGNAGE DETAIL
05	EXTERNAL 3D VIEW
06	EXTERNAL 3D VIEW
07	EXTERNAL 3D VIEW
08	EXTERNAL 3D VIEW
09	EXTERNAL 3D VIEW



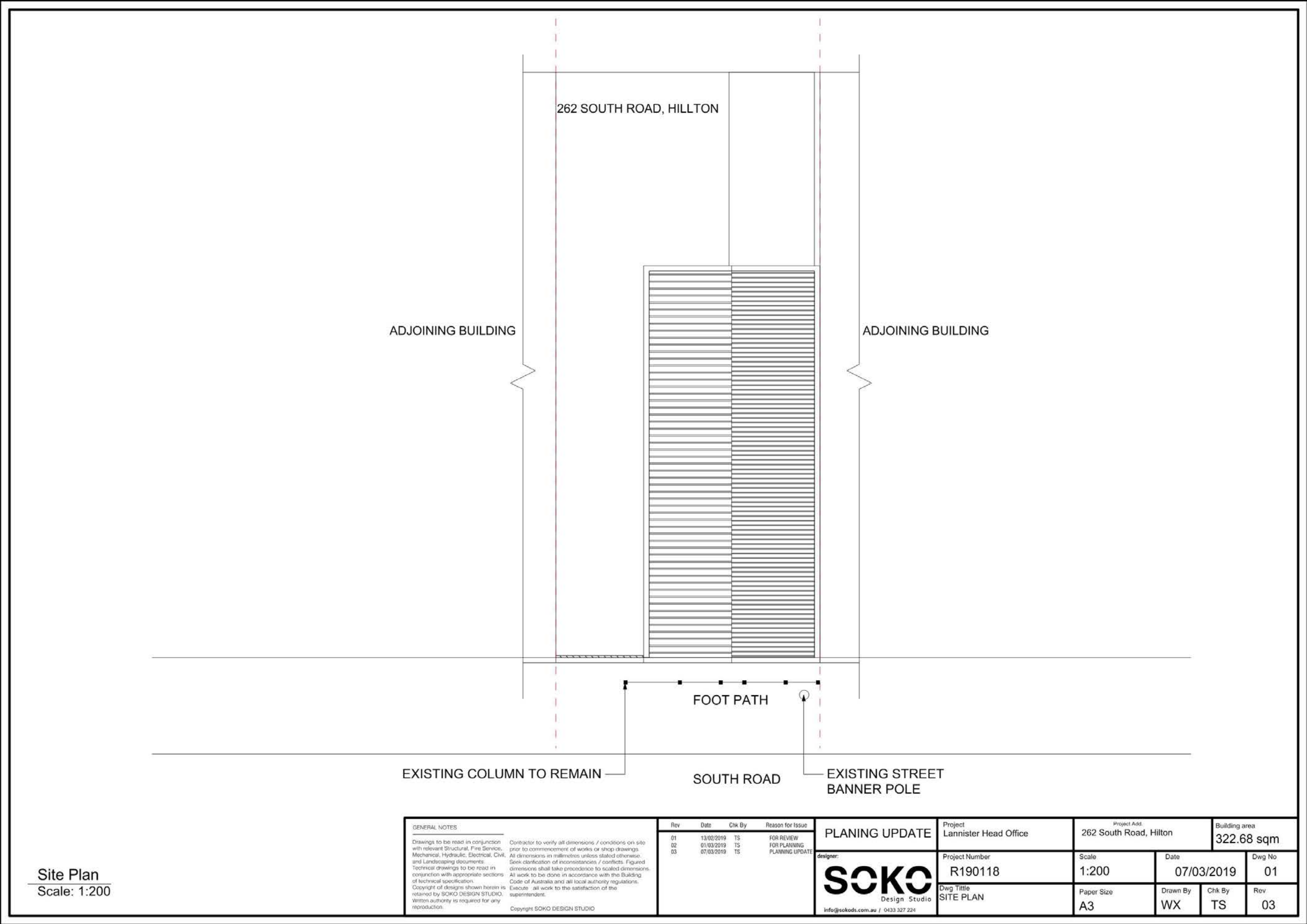
Location Plan

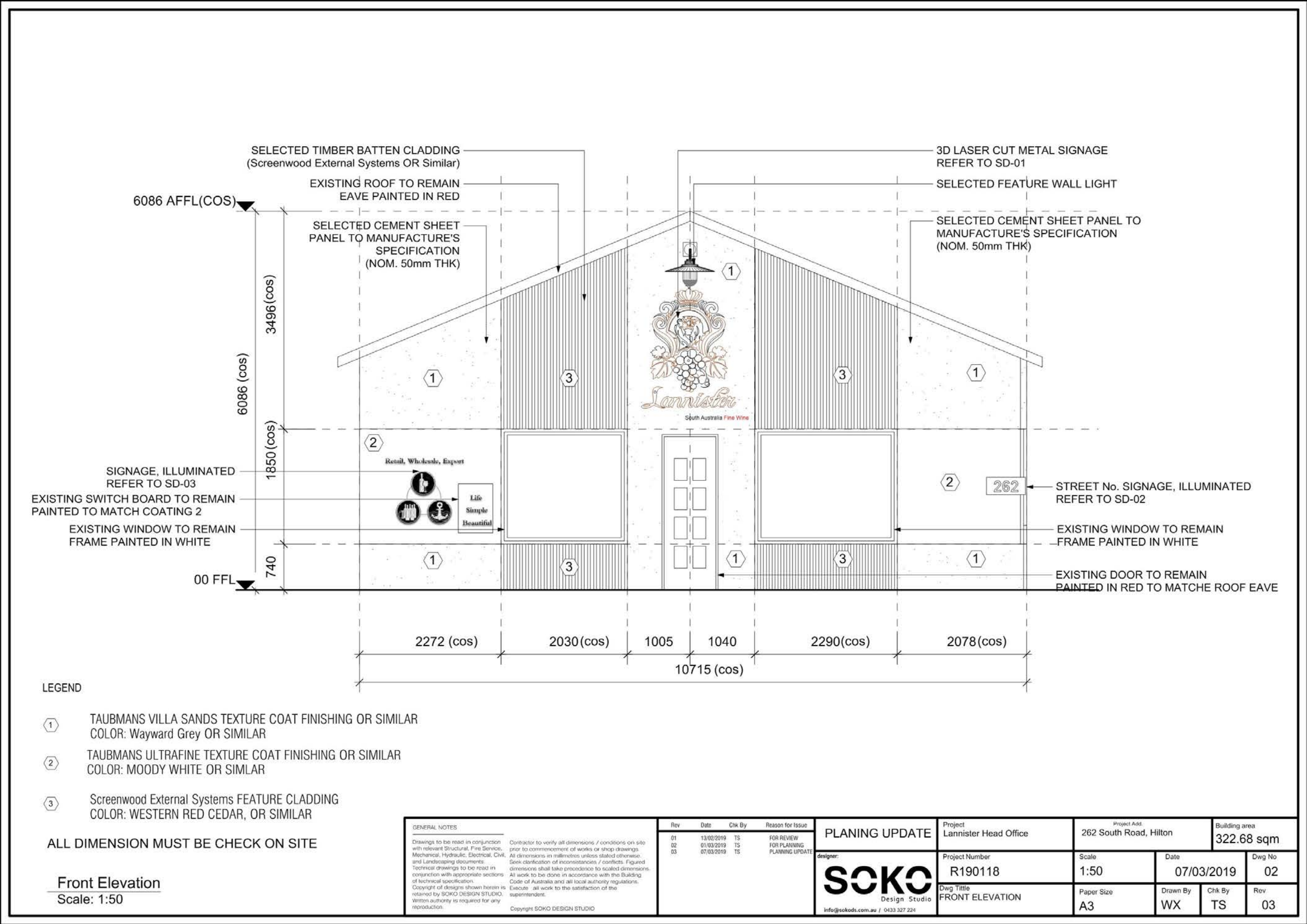
SCALE NTS

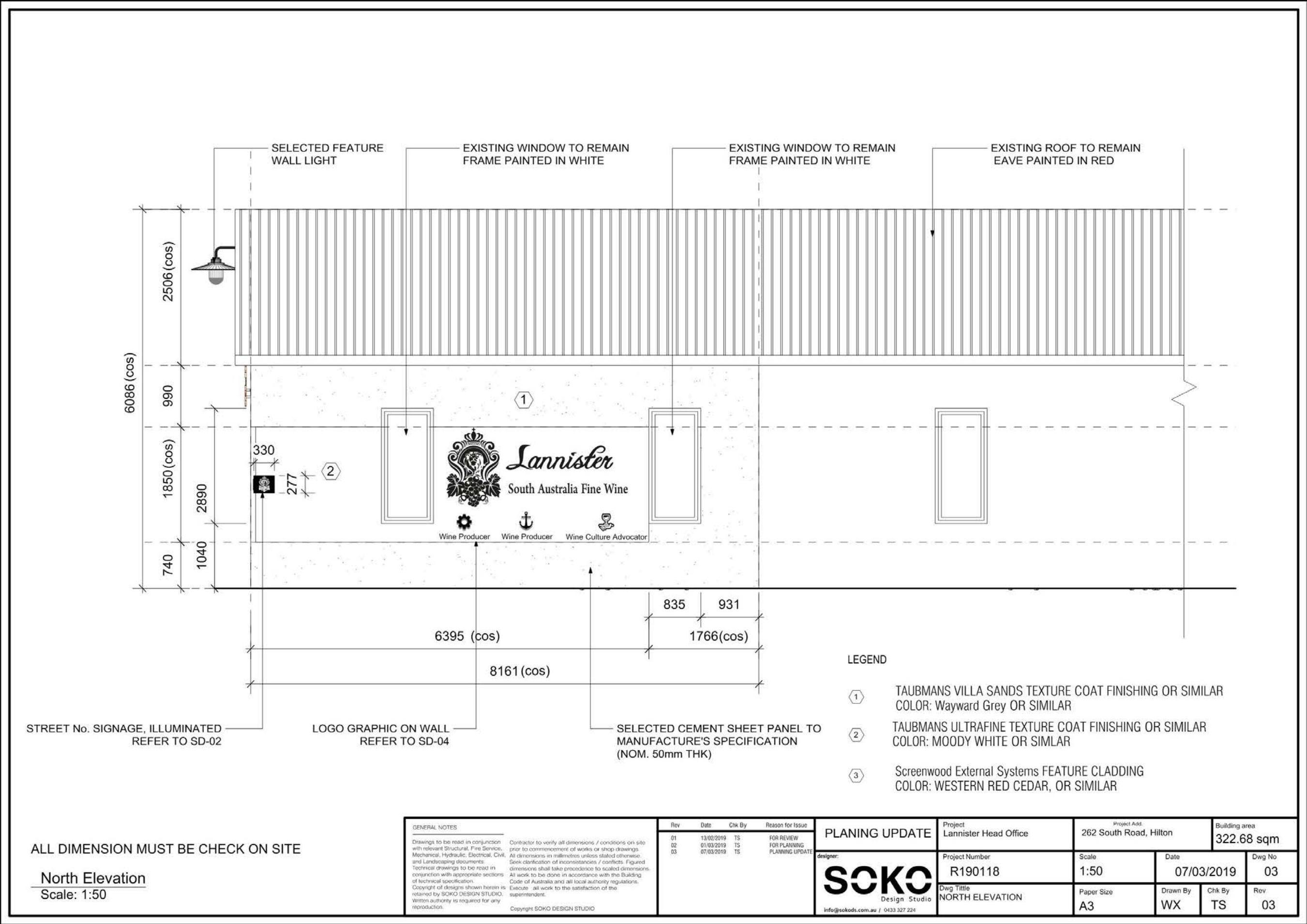
PLANNING UPDATE

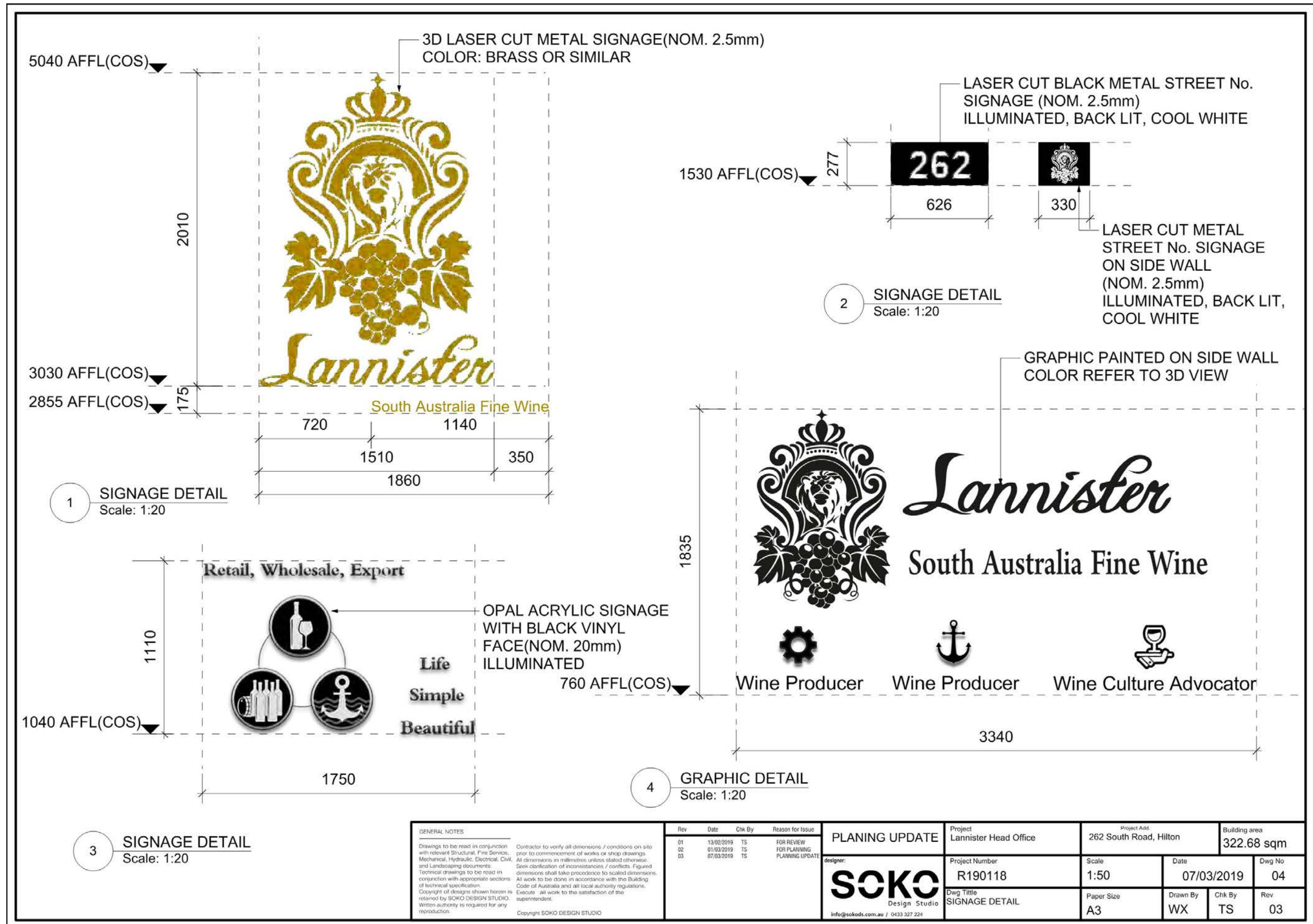
07/03/2019

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	<div>02</div>	<div>01/03/2019</div>	<div>TS</div>	<div>FOR PLANNING</div>		<div>Scale</div> <div>NTS</div>	<div>Date</div> <div>07/03/2019</div>	<div>Dwg No</div> <div>00</div>		
	<div>03</div>	<div>07/03/2019</div>	<div>TS</div>	<div>PLANNING UPDATE</div>		<div>Dwg Title</div> <div>COVERAGE</div>	<div>Paper Size</div> <div>A3</div>	<div>Drawn By</div> <div>WX</div>	<div>Chk By</div> <div>TS</div>	<div>Rev</div> <div>03</div>











EXTERNAL 3D VIEW

GENERAL NOTES		Rev				Date	Chk By	Reason for Issue	PLANING UPDATE		Project Lannister Head Office		Project Add 262 South Road, Hilton		Building area 322.68 sqm					
		01	13/02/2019	TS		FOR REVIEW	02		01/03/2019	TS	FOR PLANNING	Scale NTS		Date 07/03/2019		Dwg No 05				
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												Dwg Title 3D VIEW								



EXTERNAL 3D VIEW

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		01		13/02/2019		TS		FOR REVIEW		<div>designer:</div> <div></div> <div>info@sokods.com.au / 0433 327 224</div>		Project Number R190118		Scale NTS		Date 07/03/2019		Dwg No 06			
		02		01/03/2019		TS		FOR PLANNING				Dwg Title 3D VIEW		Paper Size A3		Drawn By WX		Chk By TS		Rev 03	
		03		07/03/2019		TS		FOR PLANNING UPDATE													



EXTERNAL 3D VIEW

GENERAL NOTES		Rev				Date	Chk By	Reason for Issue	PLANING UPDATE		Project Lannister Head Office		Project Add 262 South Road, Hilton		Building area 322.68 sqm					
		01				13/02/2019	TS	FOR REVIEW	designer: SOKO Design Studio info@sokods.com.au / 0433 327 224		Project Number R190118		Scale NTS		Date 07/03/2019		Dwg No 07			
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		03				07/03/2019	TS	PLANNING UPDATE			Dwg Title 3D VIEW		Paper Size A3		Drawn By WX		Chk By TS		Rev 03	



EXTERNAL 3D VIEW

GENERAL NOTES Drawings to be read in conjunction with relevant Structural, Fire Services, Mechanical, Hydraulic, Electrical, Civil, and Landscaping documents. Technical drawings to be read in conjunction with appropriate sections of technical specification. Copyright of designs shown herein is retained by SOKO DESIGN STUDIO. Written authority is required for any reproduction. Copyright SOKO DESIGN STUDIO		Rev		Date	Chk By	Reason for Issue	PLANING UPDATE		Project Lannister Head Office		Project Add 262 South Road, Hilton		Building area 322.68 sqm						
		01	02	03	13/02/2019	01/03/2019	07/03/2019	TS	TS	TS	FOR REVIEW FOR PLANNING PLANNING UPDATE	designer: SOKO Design Studio info@sokods.com.au / 0433 327 224		Project Number R190118		Scale NTS		Date 07/03/2019	
								Dwg Title 3D VIEW		Paper Size A3		Drawn By WX		Chk By TS		Rev 03			



EXTERNAL 3D VIEW

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		01	13/02/2019	TS	FOR REVIEW	designer: <div>SOKO</div> <div>Design Studio</div> <div>info@sokods.com.au / 0433 327 224</div>	Project Number R190118		Scale NTS	Date 07/03/2019	Dwg No 09		
		02	01/03/2019	TS	FOR PLANNING		Dwg Title 3D VIEW		Paper Size A3	Drawn By WX	Chk By TS	Rev 03	
		03	07/03/2019	TS	PLANNING UPDATE								

6.2 27 Surrey Road, KESWICK

Application No 211/318/2019

DEVELOPMENT APPLICATION DETAILS

DESCRIPTION OF DEVELOPMENT	Construction of one carport and one verandah
APPLICANT	Creative Outdoors Pty Ltd
LODGEMENT DATE	29 March 2019
ZONE	Residential Zone
POLICY AREA	Medium Density Policy Area 18
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> • City Assets External <ul style="list-style-type: none"> • Nil
DEVELOPMENT PLAN VERSION	Consolidated 12 July 2018
DELEGATION	<ul style="list-style-type: none"> • The relevant application is a merit application and is a variation to, or similar in nature to a development application which was refused by the CAP or former DAP within the past 5 years.
RECOMMENDATION	Support with conditions
AUTHOR	Ebony Cetinich

SUBJECT LAND AND LOCALITY

The subject land is formally described as Allotment 411 in Deposited Plan 1288 in the area named Keswick, Hundred of Adelaide, Volume 5239 Folio 492, more commonly known as 27 Surrey Road, Keswick. The subject site is rectangular in shape with a 15.24 metre (m) wide frontage to Surrey Road and a site area of 697 square metres (m²).

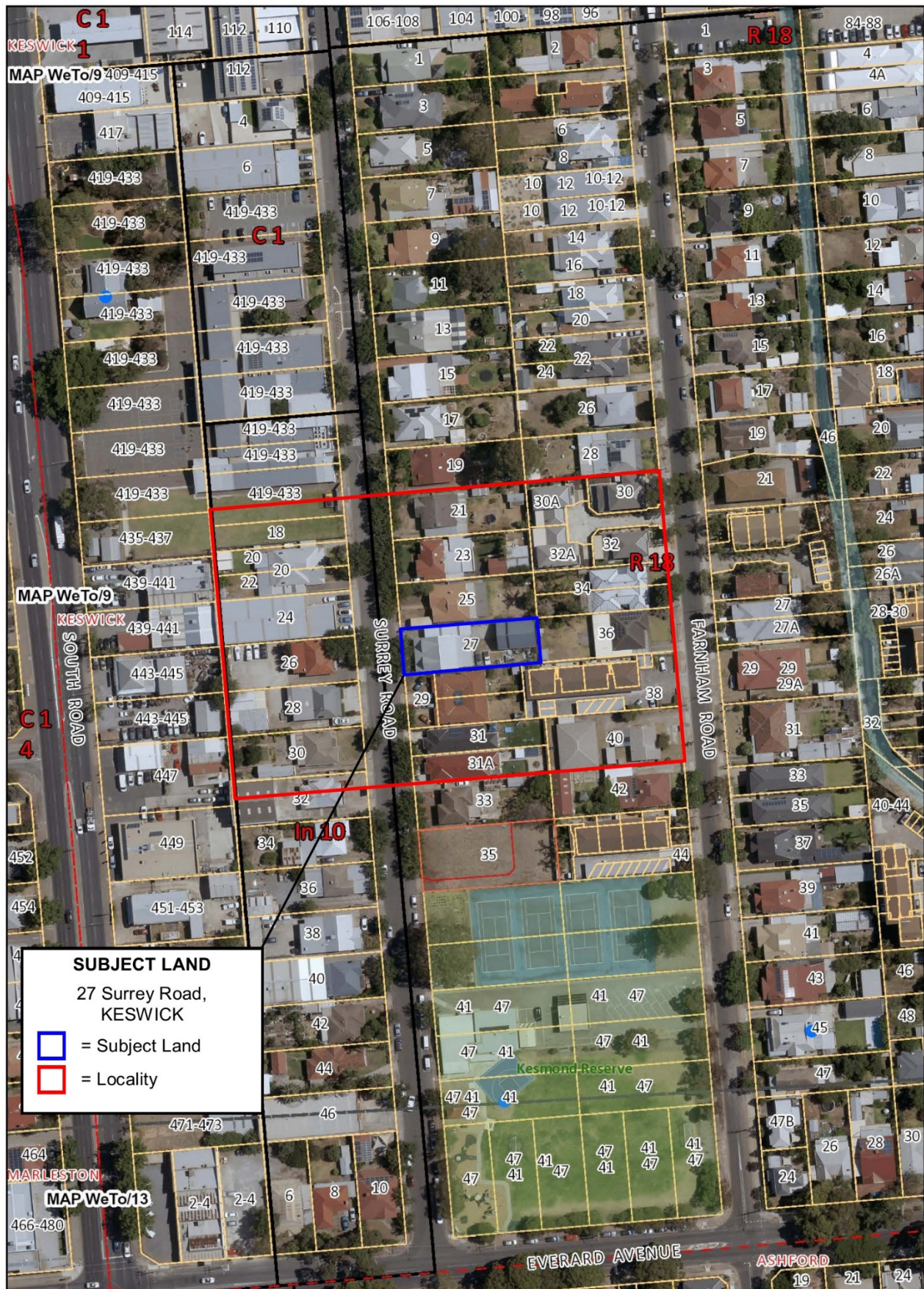
It is noted that there are no easements, encumbrances or Land Management Agreements on the Certificate of Title and there are no Regulated Trees on the subject site or on adjoining land that would be affected by the development.

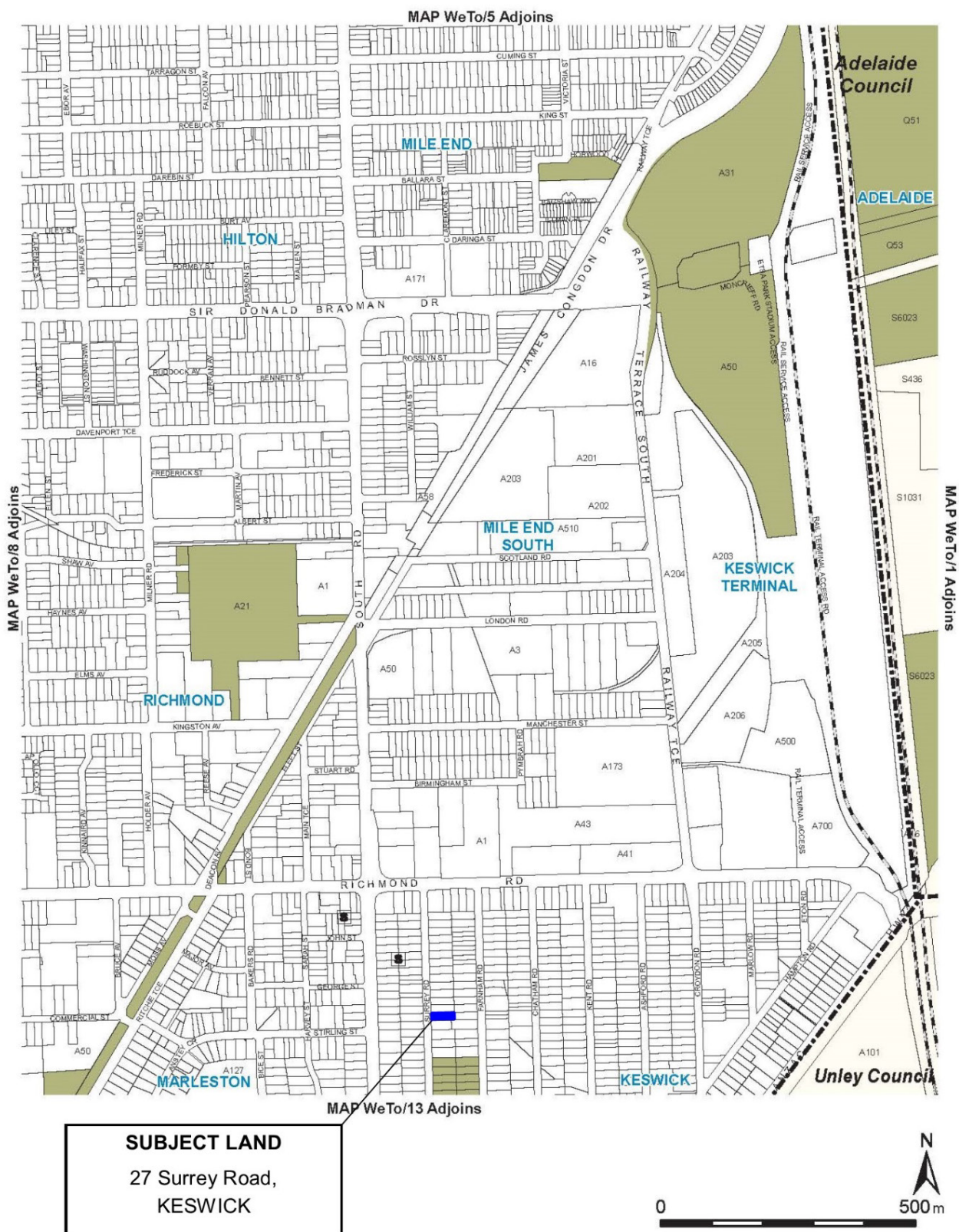
The site is relatively flat and currently contains a single storey detached dwelling, carport and domestic outbuilding. An existing crossover is located at the northern end of the allotment and two street trees and one stobie pole are located within the road verge adjacent to the subject site. The site is located within a flood hazard area, with an anticipated depth up to 0.1m in the portion of the site where the proposed development is to be located.

The locality consists of a mixture of residential and non-residential land uses. The Industry Zone is located on the western side of Surrey Road, where a number of detached dwellings have been converted into commercial premises. Further to the west is the Commercial Zone which runs along South Road and to the north along Richmond Road. The Residential Zone is located on the eastern side of Surrey Road, where detached dwellings, group dwellings, residential flat buildings, carports and verandahs are common. The Richmond Primary School is located in close proximity to the north of the subject site and the Kesmond Reserve is located in close proximity to the south of the subject site. The locality is widely affected by flooding, with an anticipated depth up to 0.25m.

The amenity of the locality is considered to be moderate. The mature street trees along Surrey Road contribute to a positive and appealing streetscape but the presence of non-residential land uses detract from the amenity of the locality in terms of additional traffic, noise and other interface issues.

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





Location Map WeTo/9

WEST TORRENS COUNCIL
Consolidated - 12 July 2018

RELEVANT APPLICATIONS

DA Number	Description of Development	Decision	Decision Date
211/452/2016	Construction of a domestic outbuilding/carport	Refuse	12 July 2016
211/1253/2002	Erect a domestic outbuilding (garage with upper mezzanine storage area)	Development Approval	14 May 2003

The most recent proposal (211/452/2016) involved the construction of a partially enclosed verandah. A copy of the previous plans are contained within **Attachment 2**. Despite the applicant confirming that the structure would be used for entertaining purposes, the structure was referred to as both a domestic outbuilding and a carport under this assessment. The application was refused by the Development Assessment Panel on 12 July 2016 for reasons listed below.

- 1) Design and Appearance Objective 1
Reason: The proposal does not exhibit a satisfactory design that reinforces the positive aspects of built form in the locality.
- 2) Design and Appearance Principles of Development Control 3, 9 & 14
Reason: The proposal will cause unsatisfactory visual impact and overshadowing to adjoining properties.
- 3) Energy Efficiency Principle of Development Control 1
Reason: The proposal has unsatisfactory overshadowing impacts.
- 4) Residential Development Principles of Development Control 4 & 16
Reason: The proposal exceeds the wall height, length of boundary development and floor area requirements.
- 5) Residential Zone Objective 4
Reason: The proposal does not contribute to the Desired Character of the Zone.
- 6) Medium Density Policy Area 18 Objective 1
Reason: The proposal does not contribute to the Desired Character of the Zone.

The new proposal involves the construction of a similarly sized verandah in the same location as the previous proposal. Even though the proposed verandah is similar in nature to the previous proposal, there are some key differences which require a change to the planning assessment of the application. After reviewing the new proposal and the relevant provisions of the Development Plan, it became evident that the reasons of refusal are no longer valid. This is deliberated below.

Reason 1 for refusal

Gable infill detailing has been added to the verandah which allows for greater design consistency with the existing domestic outbuilding and dwelling. As there is sufficient merit in the design of the proposed structure, it is considered that reason 1 for refusal is no longer valid.

Reasons 2 & 3 for refusal

The proposed verandah has been reduced in width by 0.74m and is no longer partially enclosed as it remains open on all sides. It is considered that the proposed verandah has an acceptable visual impact and level of overshadowing on adjoining residential properties. This is explored in greater detail in the assessment section below. As such, reasons 2 and 3 for refusal are no longer valid.

Reason 4 for refusal

The proposed structure is a verandah and not a carport or domestic outbuilding. In this instance, PDC 16 of the Residential Development module cannot be applied as the provision does not include verandahs. As such, reason 4 for refusal is invalid. The open nature of the proposed verandah further reinforces the invalidity of this reason.

Reasons 4, 5 & 6 for refusal

The Desired Character statements of the Residential Zone and Medium Density Policy Area 18 do not make mention of verandahs. As such, PDC 4 of the Residential Development module, Objective 4 of the Residential Zone and Objective 1 of Medium Density Policy Area 18 cannot be applied. Accordingly, reasons 4, 5 and 6 for refusal are invalid.

PROPOSAL

The applicant is seeking Development Plan Consent for the construction of one carport and one verandah. The carport will be located to the rear of the existing carport, in front of the existing domestic outbuilding, in order to provide shelter for collectable cars. The verandah will be located to the south of the existing domestic outbuilding, attached at the gutter. The applicant has confirmed that the verandah will be used for entertaining purposes.

The sides of both structures will remain open. The roof form, design, colour scheme and height of the proposed structures are relatively consistent with the existing dwelling and domestic outbuilding.

Amendments

Due to issues raised in relation to the overall height and visual impact of the proposed carport, the applicant made amendments to the proposal. These amendments include:

- Reduction in roof pitch from 27.5 degrees to 17.5 degrees.
- Resulting in a reduction in overall height from 5.4m to 4.4m.

The amendments are considered to be a positive improvement to the proposal and reduce its visual impact on the adjoining allotment to the north. This is discussed further in the assessment section below.

The relevant plans and documents are contained in **Attachment 3**.

INTERNAL REFERRALS

Department	Comments
City Assets	<ul style="list-style-type: none">• It is possible for the proposed structures to be connected to the existing stormwater system which discharges to the street.• The amount of roof runoff caused by the two new structures is considered to be insignificant. <p>Further to the formal referral response, the City Assets department verbally confirmed that vehicle manoeuvrability is acceptable.</p>

A copy of the relevant referral response is contained in **Attachment 4**.

RELEVANT DEVELOPMENT PLAN PROVISIONS

The subject land is located within the Residential Zone and, more specifically, the Medium Density Policy Area 18 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 Historic Conservation Area.</i></p> <p><i>Landscaping will be provided throughout the zone to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer.</i></p>	
Objectives	4
Principles of Development Control	1, 5, 8

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

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 relevant quantitative requirements of the Development Plan as outlined in the table below. Please note that the quantitative assessment below relates to the proposed carport only as PDC 16 of the Residential Development module does not include verandahs.

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
FLOOR AREA <i>Residential Development</i> PDC 16	Maximum 60m ²	80m ² Does not Satisfy
BUILDING HEIGHT <i>Residential Development</i> PDC 16	Maximum 5m	4.4m Satisfies
SETBACKS <i>Residential Development</i> PDC 16	No closer to the primary road frontage than any part of the associated dwelling	Located behind the existing dwelling. Satisfies
LENGTH ALONG BOUNDARY <i>Residential Development</i> PDC 16	Maximum 8m or 50% length of boundary (whichever is less)	9.2m Does not Satisfy
PRIVATE OPEN SPACE <i>Residential Development</i> PDC 19	Minimum total area: 80m ² Minimum dimension: 4m Minimum usable area accessed from a habitable room: 24m ²	160m ² area 6m dimension 160m ² accessible from a habitable room: Satisfies

ASSESSMENT

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

Land Use

Domestic structures are listed as an envisaged form of development within Medium Density Policy Area 18. The applicant has confirmed that the carport is to be used for the storage of vehicles and the verandah for entertaining purposes. As such, the proposed carport and verandah are considered to be domestic structures in association with the existing dwelling on the site.

From reviewing aerial imagery, the rear yard of the site appeared cluttered with vehicles, spare parts and other goods. After undertaking a site inspection, it became clear that the existing dwelling was being renovated and the site was not being used for commercial or other non-residential land uses. The property owner made mention that he collects classic cars and will tidy the yard once the proposed structures had been constructed.

Desired Character

The Desired Character statement of the Residential Zone focuses broadly on the density of development and the type of dwellings and touches on land use. There is no mention of carports, verandahs or any ancillary domestic structures. The Desired Character statement of Medium Density Policy Area 18 focuses more specifically on the development density and dwelling type and also includes aspects such as building height, vehicular access, varied streetscape and location of parking areas and garages. Again, there is no specific mention of carports or verandahs.

The only components of the Desired Character statement which could be applied to the proposal is land use more broadly and the location of car parking areas behind the front façade of buildings. The proposed carport and verandah allow for the continued use of the site for residential purposes and the carport is located behind the dwelling. As such, the intent of the desired character is considered to be satisfied in this regard.

Amenity

The proposal is considered to have an acceptable impact on the amenity of adjoining residential properties. The proposed carport will result in limited, if any, overshadowing external to the site as it is situated along the northern property boundary, approximately 6.1m from the southern property boundary. An overshadowing assessment has been undertaken in relation to the proposed verandah adjacent to the southern boundary of the site (see Figure 1 below). As demonstrated within the diagram, the adjoining properties to the south will be subject to overshadowing to varying degrees at different times of the day. The property at 1/29 Surrey Road will experience most overshadowing during the morning, reducing consistently throughout the day. The residential flat building situated at 38 Farnham Road will experience only minor overshadowing during the late afternoon. In terms of overshadowing, Principles of Development Control (PDCs) 11 and 12 of the Residential Development module states that development should ensure that:

- *North-facing windows to habitable rooms of existing dwelling(s) on the same allotment, and on adjacent allotments, receive at least 3 hours of direct sunlight over a portion of their surface between 9.00 am and 5.00 pm on the 21 June; and*
- *Ground-level open space of existing buildings receives direct sunlight for a minimum of two hours between 9.00 am and 3.00 pm on 21 June to at least the smaller of the following:*
 - a) *half of the existing ground-level open space*
 - b) *35 square metres of the existing ground-level open space (with at least one of the area's dimensions measuring 2.5 metres).*

The extent of overshadowing created by the proposed development is not considered to be unreasonable and is clearly within the Development Plan guidelines specified above. It is worthy to note that there are existing structures, such as boundary fencing and domestic outbuildings that cause an existing level of overshadowing. Furthermore, the open nature of the structures will allow for some additional light to pass through.

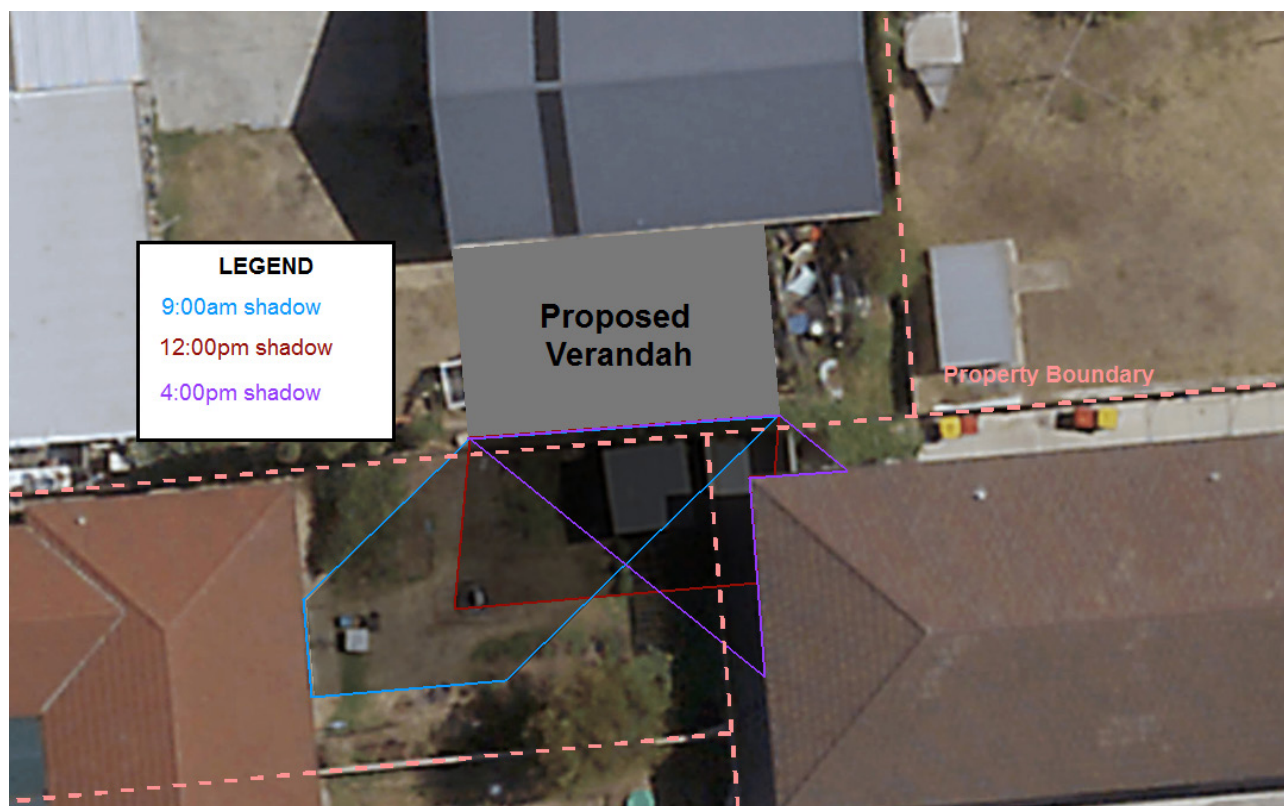


Figure 1 - Overshadowing assessment diagram

Given that the proposed carport and verandah are located on and in close proximity to property boundaries, the visual impact associated with these structures is an important consideration. Both structures will be of an open nature with no solid walls. The open form inherently has a reduced level of visual impact when compared to structures with a solid wall, as views are able to penetrate through the structure. As noted above, the applicant has amended the roof pitch of the carport, reducing its overall height by 1m. This will reduce the extent of visual impact experienced by the adjoining property to the north and is within the maximum height guidelines specified within the Development Plan. Taking into account the open nature of the proposed structures and the positive improvements made by the applicant to reduce the height of the carport, the level of visual impact incurred as a result of the proposal is considered to be acceptable. It is worthy to note that the south-eastern portion of the subject site is situated at a lower level than the adjoining allotments to the south by between 0.2 and 0.4m. As such, the visibility of the proposed verandah from the adjoining allotments to the south is likely to be further reduced.

The length of the proposed carport on the northern boundary exceeds the maximum requirement specified by PDC 16 of the Residential Development module. The proposed carport combined with the existing carport and domestic outbuilding results in a notable amount of boundary development which must be carefully considered. As mentioned above, the proposed carport and existing structures will not result in any overshadowing to the adjoining allotment to the north. The extent of visual impact is considered to be acceptable as the proposed carport and existing carport are open structures and the height of the proposed carport has been notably reduced. While the extent of boundary development is not ideal, it is not considered fatal to the proposal for reasons outlined above.

Site Coverage

There are no site coverage provisions within the Development Plan that can be strictly applied to the proposal as these provisions relate to a dwelling. PDC 5 of Medium Density Policy Area 18 prescribes that dwellings should be designed with a maximum site coverage of 70%. Although this provision cannot strictly be applied, it does provide guidance with regards to an acceptable extent of site coverage within the Policy Area. The proposal results in approximately 72% site coverage, which is only marginally over what would ordinarily be expected within the Policy Area. This discrepancy is considered to be minor and inconsequential as the site considerations regularly impacted on by excessive site coverage (such as private open space and car parking) are in excess of the minimum requirements specified within the Development Plan. Furthermore, the City Assets department have confirmed that the additional roof stormwater catchment from the proposed structures is insignificant.

Floor Area

The floor area of the proposed carport exceeds the maximum requirement by 20m². When floor area exceeds the maximum requirements, important considerations include land use, impacts on adjoining properties and whether the site can accommodate the structure without compromising other important functional aspects such as private open space. As deliberated in the sections above, these three elements have been satisfactorily addressed. As such, departure from PDC 16 is considered to be acceptable in this instance. It is worthy to note that PDC 16 could be better adapted to have different maximum floor area requirements as some larger sites may be able to accommodate a carport, garage or domestic outbuilding with a floor area greater than 60m².

Parking and Access

The existing crossover located at the northern end of the subject site will be utilised for the proposed carport. No new crossovers are required or proposed. The City Assets department have not raised any concerns in relation to on-site vehicle manoeuvrability.

The proposed carport will provide an additional two covered off-street car parking spaces. Taking into account the existing provision of off-street car parking, the proposal will result in an excess amount of off-street car parking when considering minimum requirements specified within Table WeTo/2 of the Development Plan. It is important to note that the Development Plan does not prescribe a maximum number of car parking spaces within the Residential Zone. Given that the proposed structures will be used for residential purposes in conjunction with the existing dwelling and will have an acceptable impact on adjoining properties, the excess off-street car parking is unlikely to have any planning consequences.

Stormwater Management

City Assets have confirmed that it is possible for the proposed structures to be connected to the existing stormwater system and that detention is not required. As such, the proposal is considered to have acceptable stormwater management.

Flooding

City Assets have not raised any issues in terms of flooding. As the sides of the proposed carport and verandah are open, the structures will not impede the flow of flood waters or increase the risk of flooding on other land, therefore satisfying the relevant flooding provisions of the Development Plan.

SUMMARY

The proposed carport and verandah are considered to be an appropriate form of development within the Zone and Policy Area. The proposed carport satisfies a majority of quantitative provisions within the Development Plan with the exception of floor area and length on boundary. There are no quantitative provisions which could be applied to the proposed verandah.

In determining the appropriateness of the proposed development and justifying the discrepancies in quantitative provisions, it was found that the overshadowing and visual impact would not be unreasonable while the land use will remain as residential. Furthermore, the existing provision of private open space exceeds the minimum requirements and site coverage is within acceptable limits for the Policy Area.

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. 211/318/2019 by Creative Outdoors Pty Ltd to undertake the construction of one carport and one verandah at 27 Surrey Road, Keswick (CT 5239/492) subject to the following conditions of consent:

Development Plan Consent Conditions:

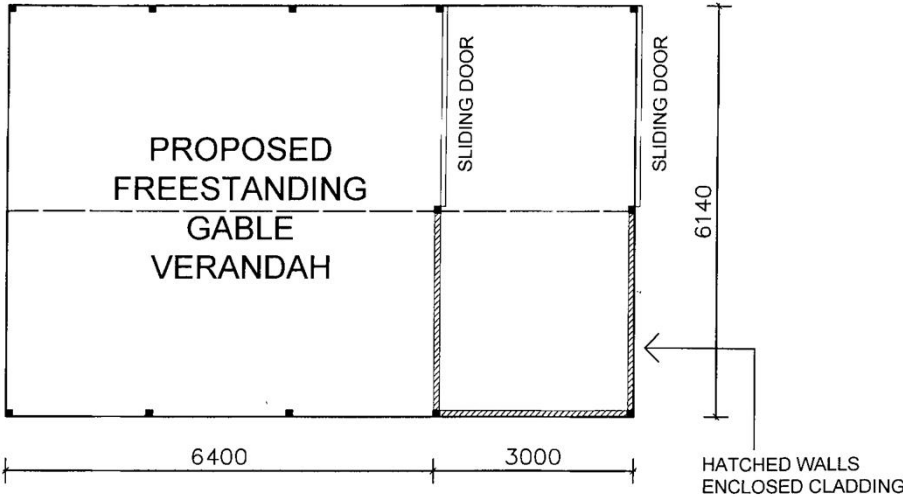
1. The development shall be undertaken, completed and maintained in accordance with the plans and information detailed in this application except where varied by any conditions listed below.
Reason: To ensure the proposal is developed in accordance with the plans and documents lodged with Council.
2. The carport and verandah approved herein shall not be enclosed, have the walls clad or be fitted with a roller/panel-lift door at any time without the prior approval of Council.
Reason: To ensure the development is established in accordance with the plans and documents lodged with Council.
3. 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.*
4. All external materials, surface finishes and colours shall be consistent with the information detailed in this application and shall be maintained in a good condition at all times to the reasonable satisfaction of Council.
Reason: To ensure a high standard of materials and finishes are used in the final presentation of the building.

Attachments

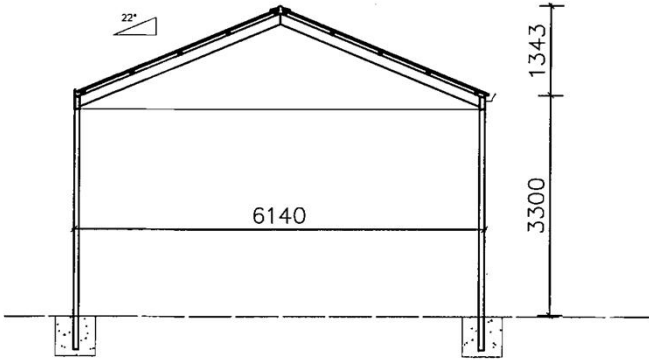
- 1. Relevant Development Plan Provisions**
- 2. Refused Plans from Previous Development Application 211/452/2016**
- 3. Proposed Plans**
- 4. City Assets Referral Response**

Relevant Development Plan Provisions

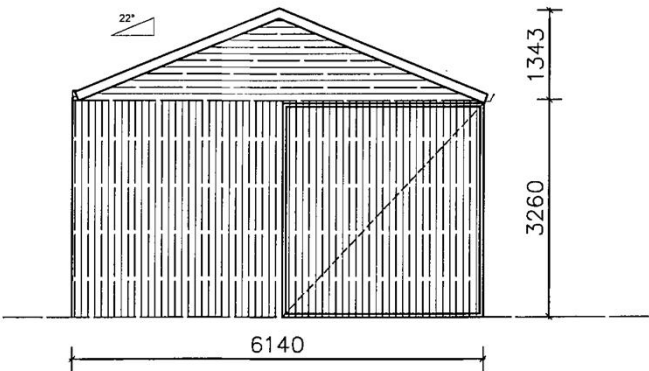
General Section		
Design and Appearance	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 9
Energy Efficiency	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2
Hazards	<i>Objectives</i>	1, 2, 4
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7
Residential Development	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	4, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21
Transportation and Access	<i>Objectives</i>	2
	<i>Principles of Development Control</i>	23, 34



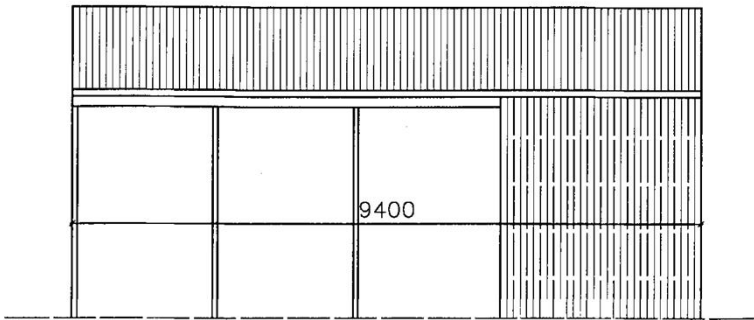
FLOOR PLAN
Scale 1:100



ELEVATION A
Scale 1:100



ELEVATION C
Scale 1:100



ELEVATION B
Scale 1:100

NOTES:
FREESTANDING GABLE VERANDAH
POWDERCOATED C-SECTION CONSTRUCTION
22° ROOF PITCH
COLORBOND ROOF, GUTTERS & FLASHINGS
2x SLIDING DOOR
ENCLOSED WALLS TO FRONT
COLOUR- TBA

REFUSED
15 JUL 2016
211/ /
City of West Torrens

AMENDED

REVISION B
02/06/2016
REVISION A
25/05/2016

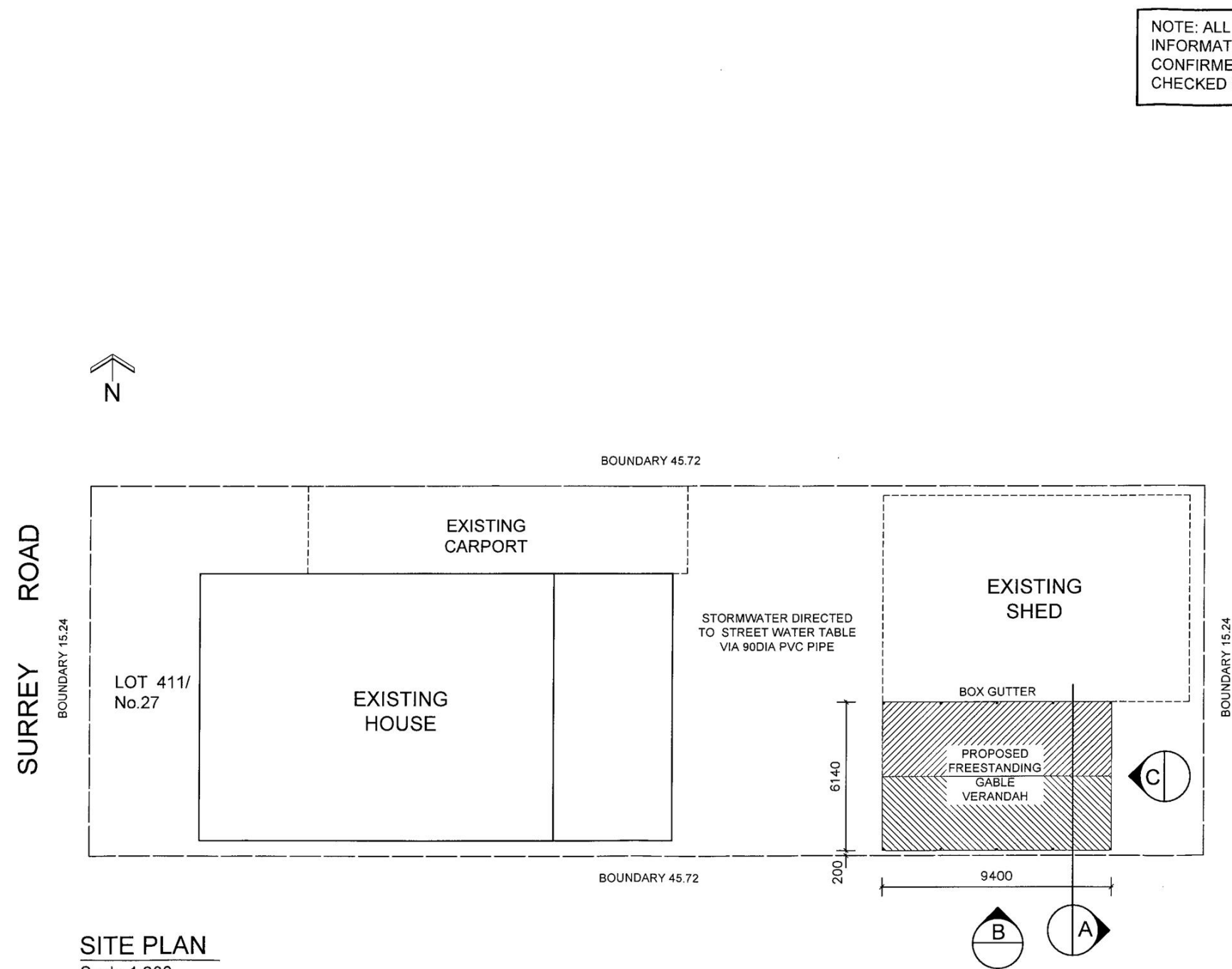
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DEMETRIOS KONTOS
LOT 411/No.27 SURREY ROAD
KESWICK S.A.

DRAWN BY: AS
DRAWN ON: 15/04/2016
SCALE: AS NOTED
SHEET: 2 OF 2

BARGAIN STEEL CENTRE
LOT 10 HEASLIP RD, BURTON SA 5110
PH: (08) 8280 6000 FAX: (08) 8280 5689

amanda schmidt
design and drafting

Amanda Schmidt
20 Angle Vale Road
Angle Vale SA 5117
taschmidtcarpentry@gmail.com
0438 873 165



SITE PLAN
Scale 1:200

REFUSED

15 JUL 2016

211/ /
City of West Torrens

AMENDED

REVISION B
02/06/2016
REVISION A
25/05/2016

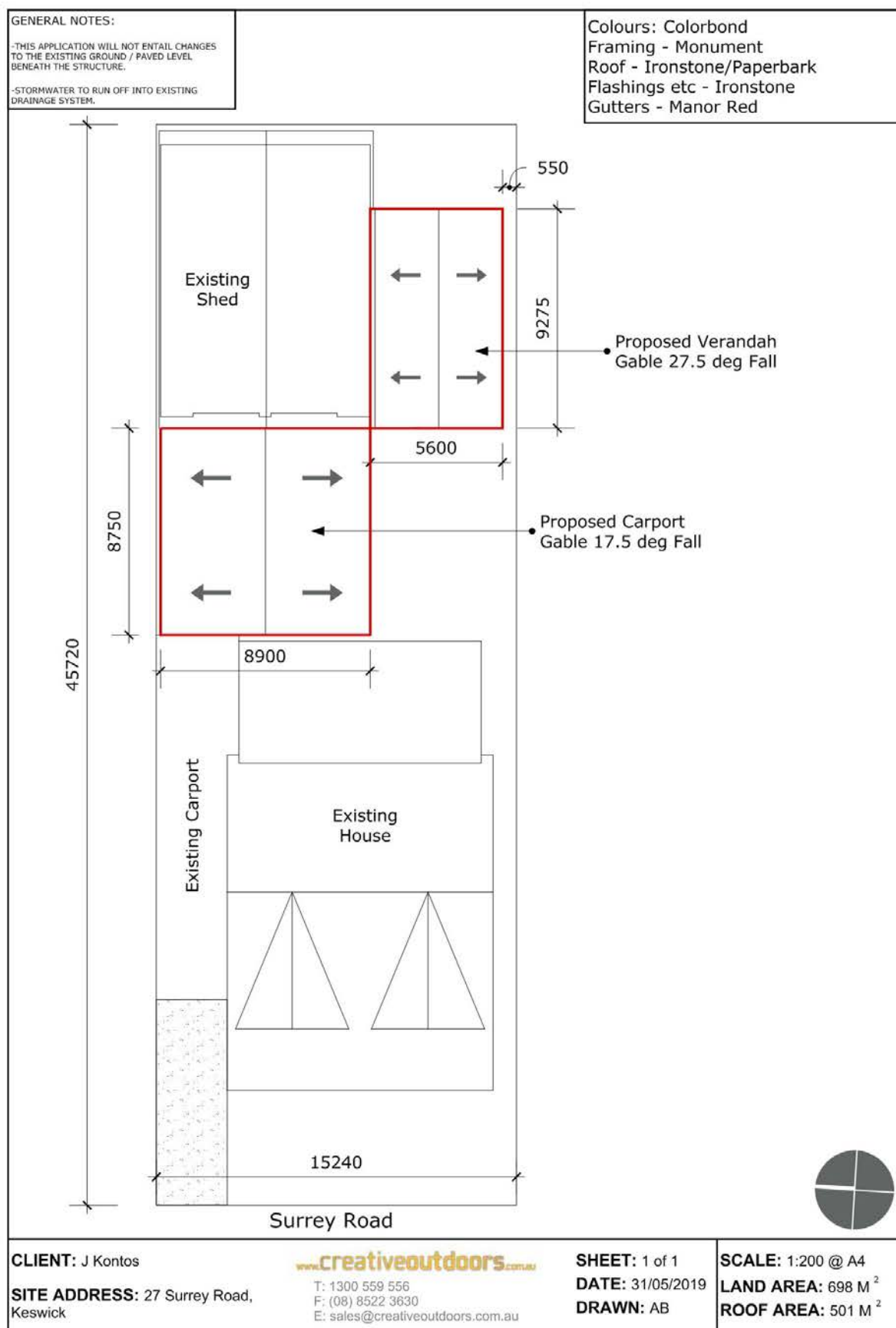
CLIENT:
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DRAWN BY: AS
DRAWN ON: 15/04/2016
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SHEET: 1 OF 2



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PO Box 350 St Agnes SA 5097

CLIENT
Jim
Kontos

0409 510 256

SITE ADDRESS
27 Surrey Street,
Kewwick

Kontos Working Drawings

DATE
May 31, 2019

DRAWN
AB

SCALE
As indicated @ A3

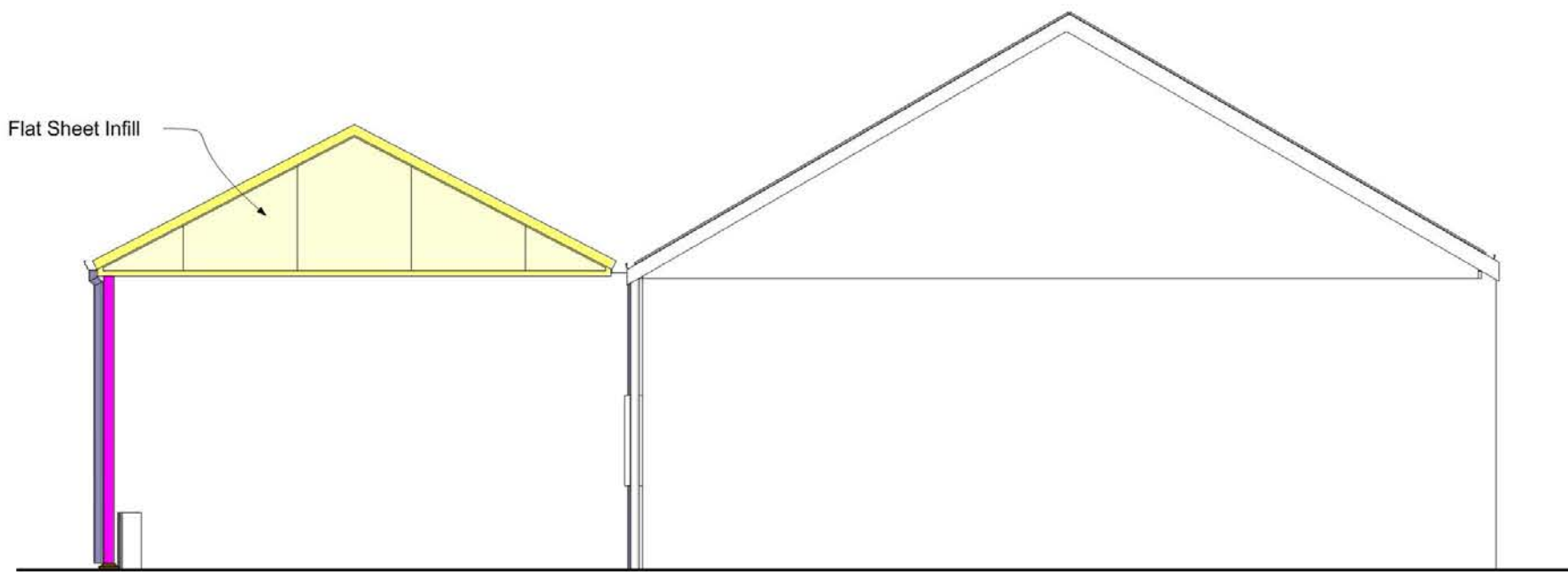
REVISION
2

A01

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Contractors to verify dimensions prior to commencement of building work.
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written permission.

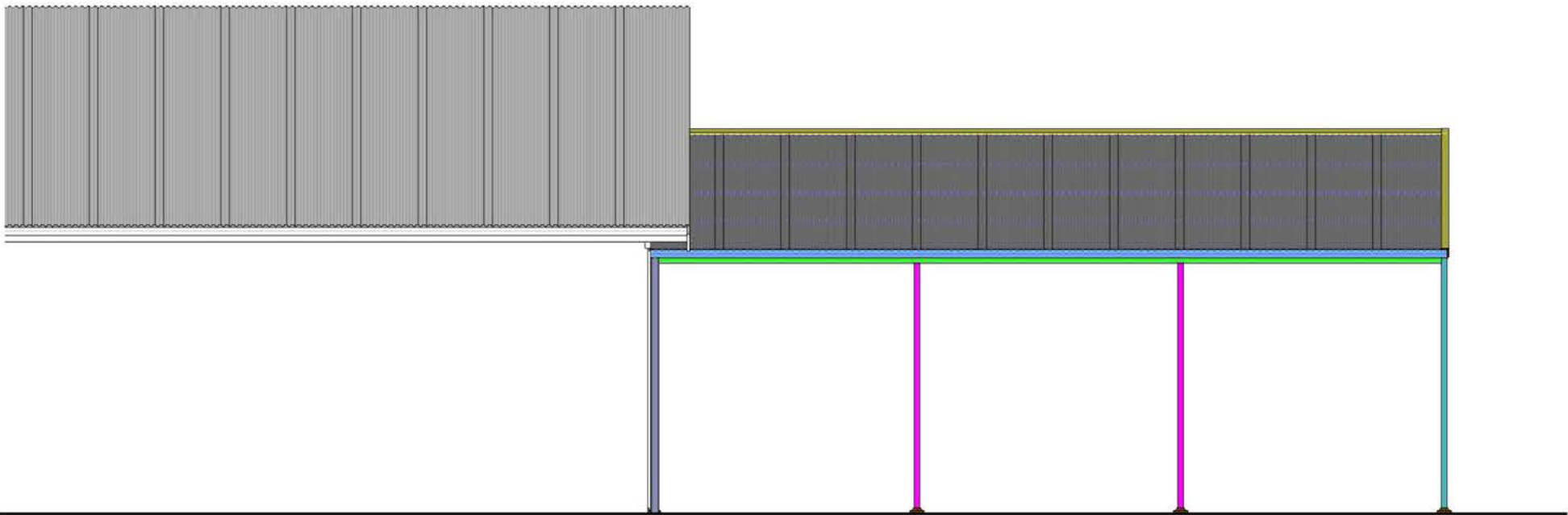
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Flat Sheet Infill

1 Rear Elevation (East)
A04 Scale: 1:60 @ A3



2 Side Elevation (North)
A04 Scale: 1:60 @ A3


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SITE ADDRESS
27 Surrey Street,
Kewwick

DATE
May 31, 2019
DRAWN
AB
SCALE
As indicated @ A3
REVISION
2

A04

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Builder : Creative Outdoors
Customer : jim kontos
Site Address : 27 Surrey Road KESWICK SA 5035

Quote No. : P27464Q5
Quote Date : 03-Jun-2019
Prepared By : Andrew Bransbury

GENERAL DESCRIPTION :

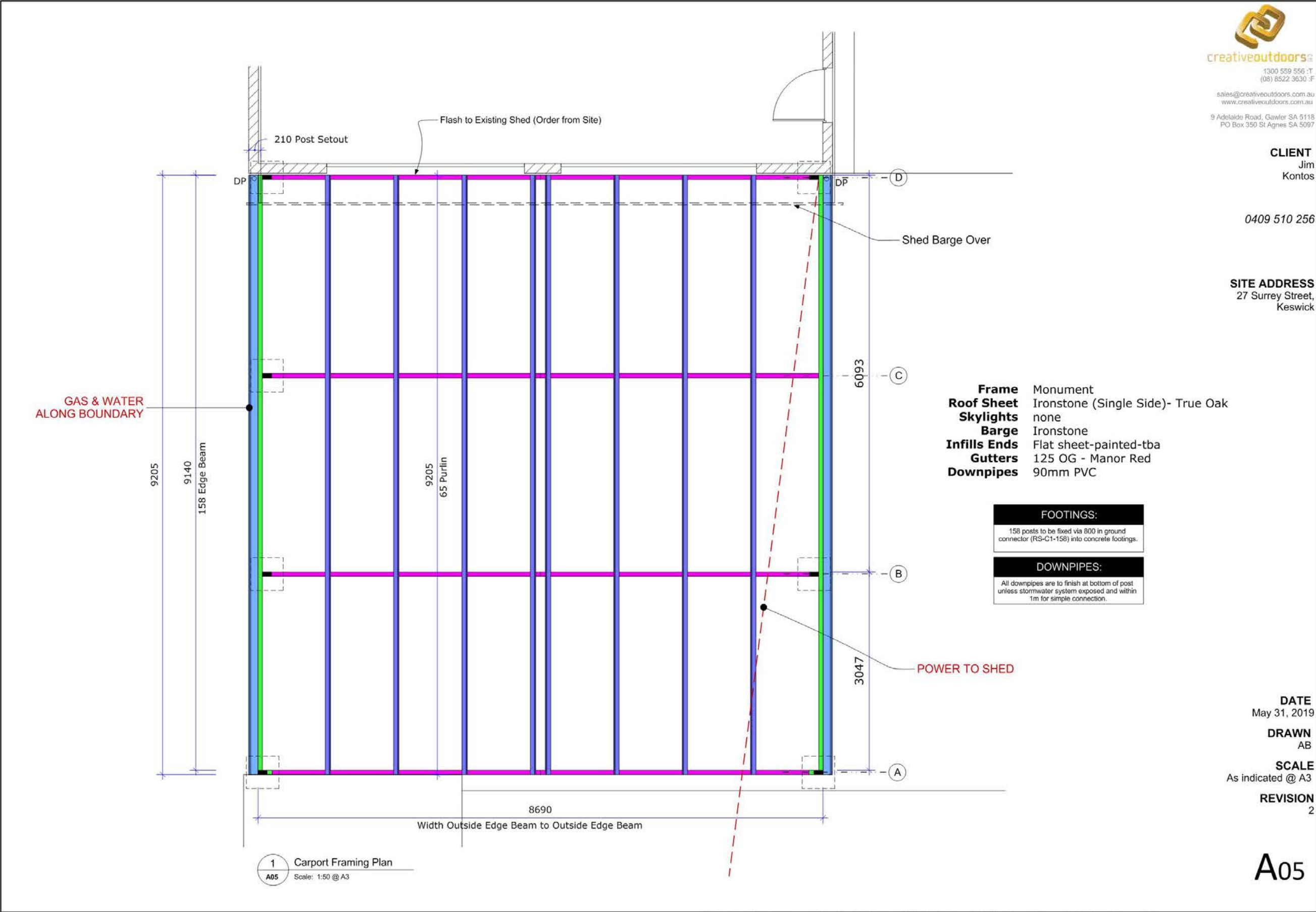
Note : Structure is free standing

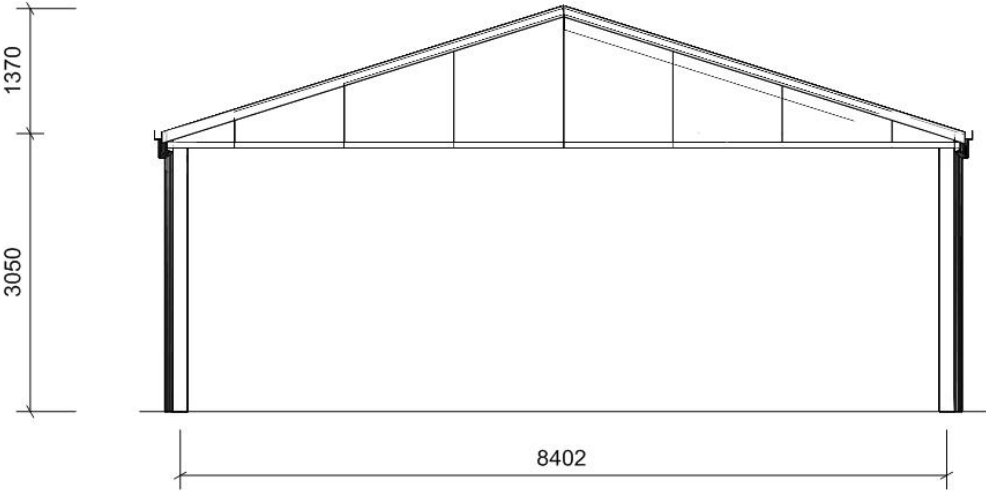
Other Info :

Infill Type FC-Plain 6mm

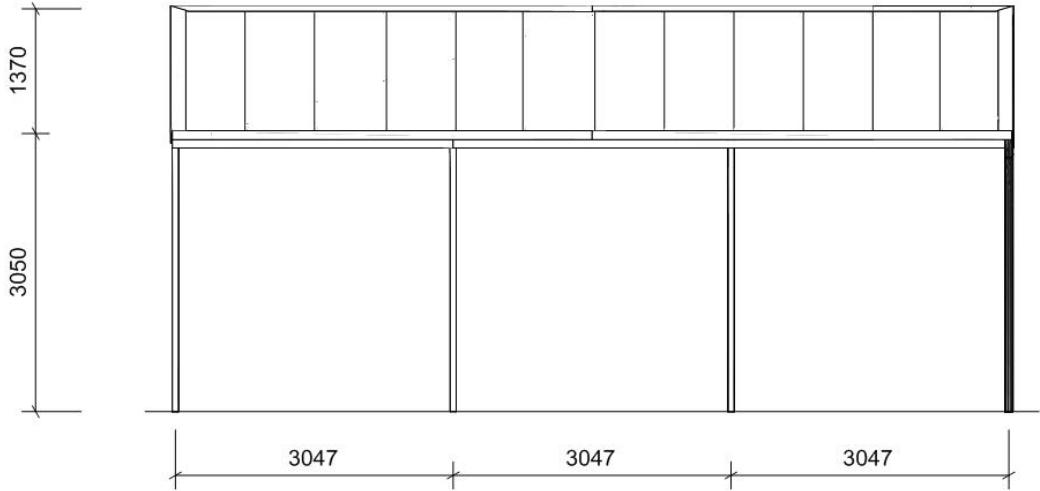
**SITE DESIGN PARAMETERS**

Wind Region (to AS/NZS 1170.2:2011) :	A
Average Recurrence Interval (Strength) :	500 years
Average Recurrence Interval (Serviceability) :	20 years
Wind Terrain Category (to AS/NZS 1170.2:2011) :	3
Wind Speed Reference Height (to AS/NZS 1170.2:2011) :	3.63 metres
Wind direction multiplier, Md :	1
Wind shielding multiplier, Ms :	1
Wind topographic multiplier, Mt :	1
-->Design Wind Speed, Vdes (Strength) :	37.3 m/s
-->Design Wind Speed, Vdes (Serviceability) :	30.7 m/s

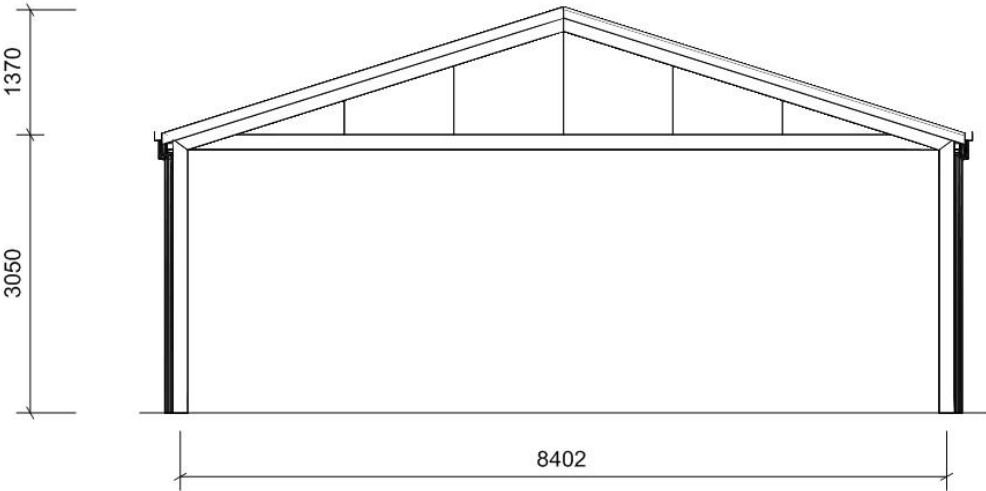




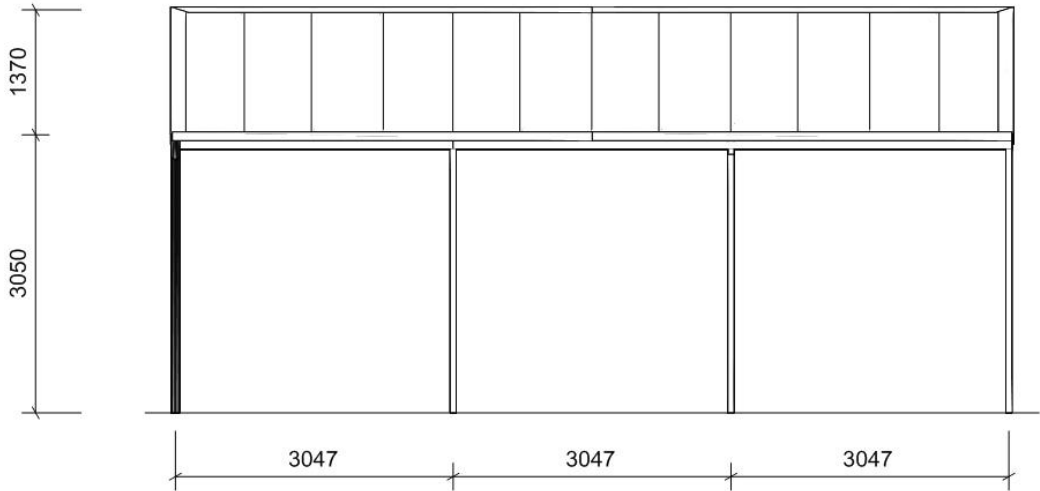
FRONT ELEVATION 1:100



LEFT ELEVATION 1:100



REAR ELEVATION 1:100



RIGHT ELEVATION 1:100

Project 27464 / Quote 5
jim kontos
27 Surrey Road, KESWICK, 5035
Ph:
Mob:



www.creativeoutdoors.com.au | sales@creativeoutdoors.com.au

Consultant:
Branch:
Phone:
Email:
Date: Mon 3rd Jun
Scale:

Builder : Creative Outdoors
Customer : jim kontos
Site Address : 27 Surrey Road KESWICK SA 5035

Quote No. : P27464Q2
Quote Date : 26-Mar-2019
Prepared By : Andrew Bransbury

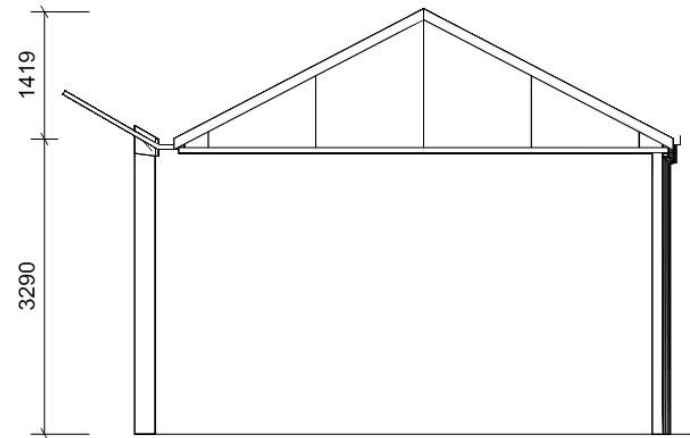
GENERAL DESCRIPTION :

Existing Structure :
Eave Width 35
Fascia Type Timber
Frame Type Timber
Other Info :
Infill Type FC-Plain 6mm

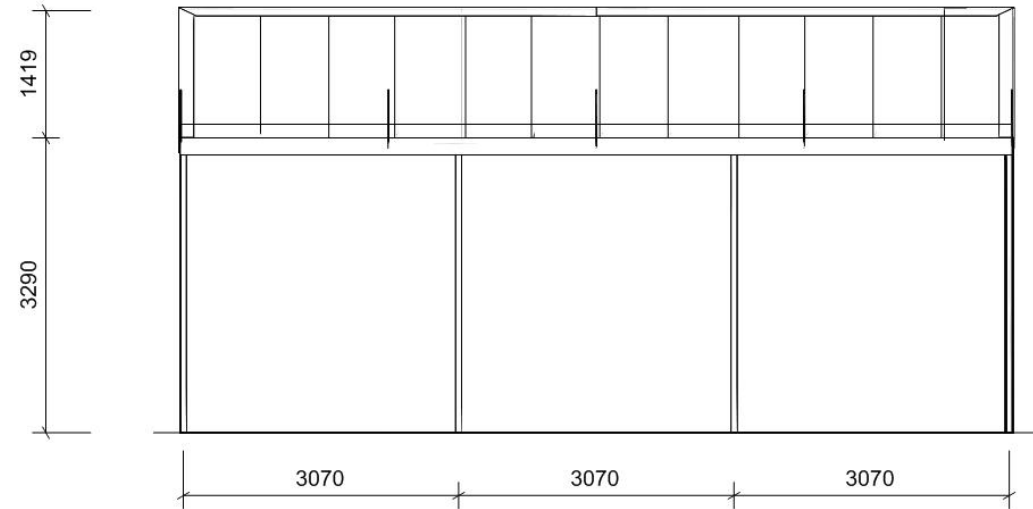
**SITE DESIGN PARAMETERS**

Reference height of attached house :	3.6 metres
Wind Region (to AS/NZS 1170.2:2011) :	A
Average Recurrence Interval (Strength) :	500 years
Average Recurrence Interval (Serviceability) :	20 years
Wind Terrain Category (to AS/NZS 1170.2:2011) :	3
Wind Speed Reference Height (to AS/NZS 1170.2:2011) :	3.92 metres
Wind direction multiplier, Md :	1
Wind shielding multiplier, Ms :	1
Wind topographic multiplier, Mt :	1
-->Design Wind Speed, Vdes (Strength) :	37.3 m/s
-->Design Wind Speed, Vdes (Serviceability) :	30.7 m/s

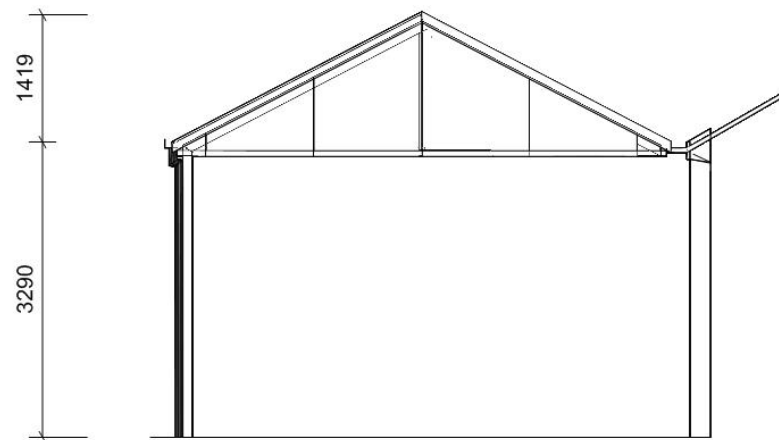




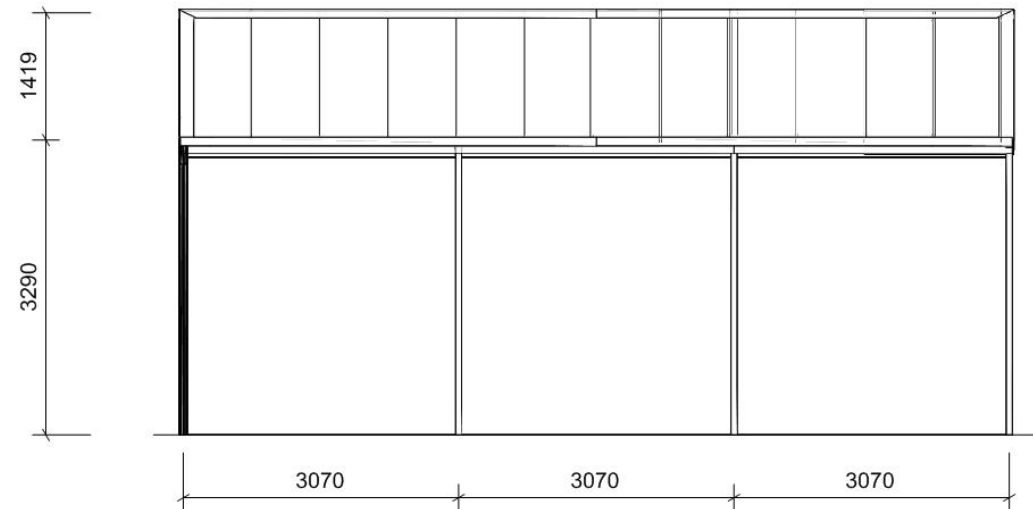
FRONT ELEVATION 1:100



LEFT ELEVATION 1:100



REAR ELEVATION 1:100



RIGHT ELEVATION 1:100

Project 27464 / Quote 2
jim kontos
27 Surrey Road, KESWICK, 5035
Ph:
Mob:



Consultant:
Branch:
Phone:
Email:
Date: Tue 26th Mar
Scale:

Preliminary Traffic, Flooding & Stormwater Assessment

Development Application No: 211/318/2019

Assessing Officer: Ebony Cetinich
Site Address: 27 Surrey Road, KESWICK SA 5035
Certificate of Title: CT-5239/492
Description of Development: Construction of one carport and one verandah

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 21 May, 2019



Memo

To Ebony Cetinich
From Richard Tan
Date 21-May-2019
Subject 211/318/2019, 27 Surrey Road, KESWICK SA 5035

Ebony Cetinich,

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

1.0 Stormwater

- 1.1** Two new verandah has been proposed, in which one of the verandah will be constructed across existing driveway pavement and the other will be across existing landscaping area. I noted that there is gutter along the edge of the verandah which is able to collect and divert roof runoff to the ground and connect to existing stormwater, which has also been indicated in General Notes of provided plan (Creative Outdoors, Ref: Sheet 1 of 1, dated 26/03/2019).

It would be considered reasonable that the amount of roof runoff by the two new proposed verandah is insignificant.

Regards
Richard Tan
Civil Engineer

6.3 27 Broadmore Avenue, FULHAM

Application No 211/491/2019

DEVELOPMENT APPLICATION DETAILS

DESCRIPTION OF DEVELOPMENT	Land division - Torrens Title; SCAP No. 211/D048/19; Create one (1) additional allotment
APPLICANT	Mr Michael Simm
LODGEMENT DATE	10 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"> • Nil External <ul style="list-style-type: none"> • State Commission Assessment Panel (SCAP) • South Australian Water Corporation (SA Water)
DEVELOPMENT PLAN VERSION	Consolidated 12 July 2018
DELEGATION	<ul style="list-style-type: none"> • The relevant application proposes a merit form of development which does not meet the minimum site area requirements in the relevant Zone or Policy Area by 7.5% or more.
RECOMMENDATION	Support with conditions
AUTHOR	Brendan Fewster

SUBJECT LAND AND LOCALITY

The subject land is formally described as Allotment 184 in Deposited Plan 4924 in the area named Fulham, Hundred of Adelaide, Volume 5245 Folio 870, and is more commonly known as 27 Broadmore Avenue, Fulham. The subject site is mostly rectangular in shape with a 16.82 metre (m) wide frontage to Broadmore Avenue, a secondary frontage to Crispian Street of 47.95m and a site area of 896 square metres (m²).

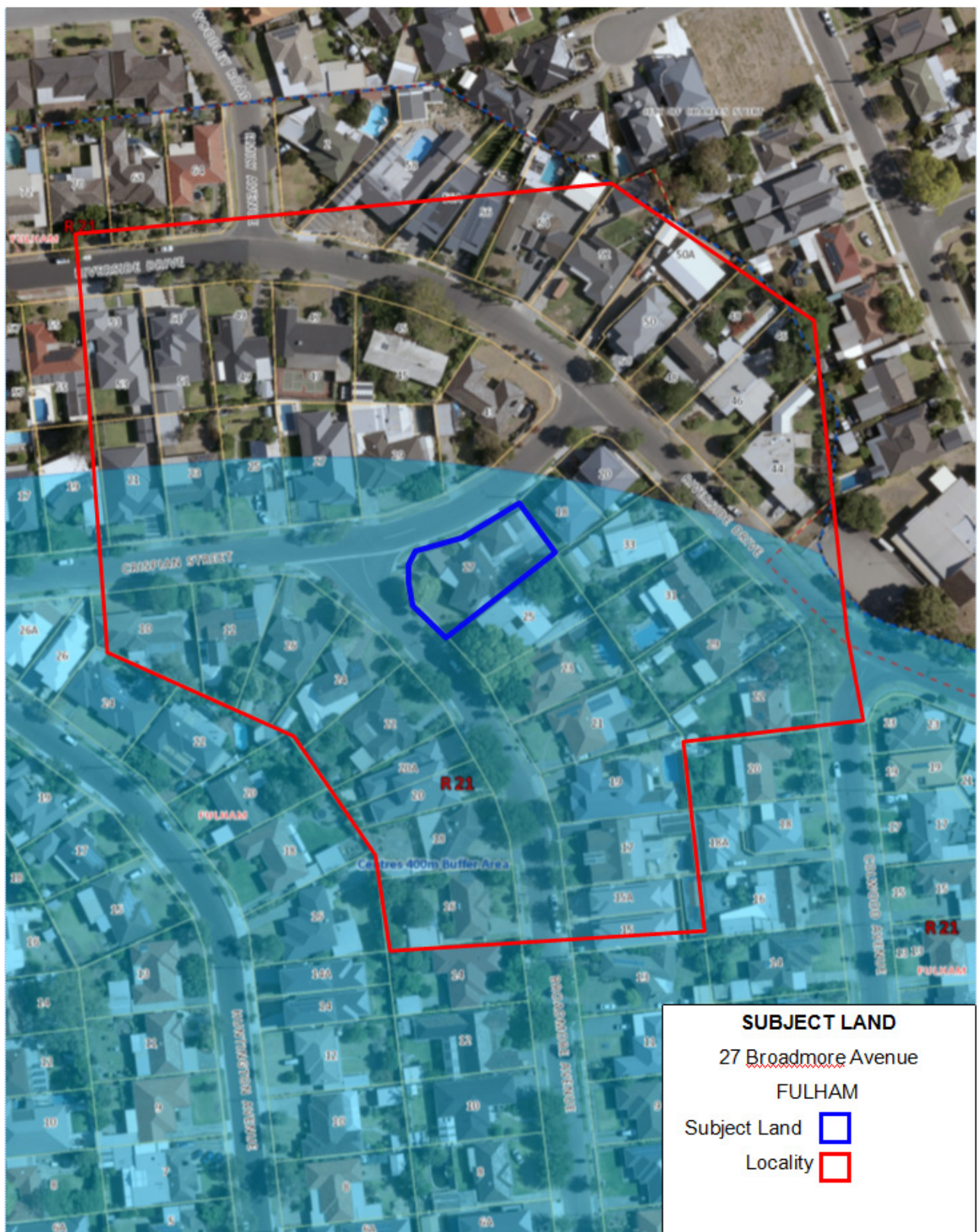
It is noted that there are no easements, encumbrances or Land Management Agreements on the Certificate of Title and there are no regulated trees on the site or on adjoining land that would be affected by the development.

The site is relatively flat and currently contains a single storey dwelling, a garage and several shade structures.

The locality comprises an established residential area with predominantly detached dwellings at low densities. A mix of conventional and modern dwelling styles of up to two storeys has resulted in a diverse built form character. While some recent subdivision has resulted in alterations to the original allotment pattern, road frontages are typically 15m or more in width.

The amenity of the locality is considered to be moderate to high, which is attributable to the large allotments with wide frontages, modest scale dwellings, vegetated front yards and open style fencing.

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





Location Map WeTo/2

-  School
 Post Office
 Local Reserves
 Development Plan Boundary

WEST TORRENS COUNCIL
Consolidated - 12 July 2018

PROPOSAL

The application is for a Torrens Title land division to create one additional allotment (one allotment into two). The proposed allotments will be 350m² and 546m² in area and have a frontage of at least 19.42 metres to Crispian Street and 16.82 metres to Broadmore Avenue. The proposed allotments are being created for residential purposes (i.e. detached dwelling).

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

EXTERNAL REFERRALS

Department	Comments
SCAP	<ul style="list-style-type: none"> No concerns with the proposal. Standard conditions of consent have been included in the recommendation.
SA Water	<ul style="list-style-type: none"> No concerns with the proposal. The developer will be required to meet the requirements of SA Water for the provision of water and sewerage services. Standard conditions of consent have been included in the recommendation.

A copy of the relevant referral responses 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> <p><i>Residential development in the form of a multiple dwelling, residential flat building or group dwelling will not be undertaken in a Historic Conservation Area.</i></p> <p><i>Landscaping will be provided throughout the zone to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer.</i></p>	
Objectives	1, 2, 3, 4
Principles of Development Control	1, 2, 5

Low Density Policy Area 21 - Desired Character	
<p><i>This policy area will have a low density character. In order to preserve this, development will predominantly involve the replacement of detached dwellings with the same (or buildings in the form of detached dwellings).</i></p> <p><i>There will be a denser allotment pattern and some alternative dwelling types, such as semi-detached and row dwellings, close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones. Battleaxe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments developed with buildings that have a direct street frontage. In the area bounded by Henley Beach Road, Torrens Avenue and the Linear Park, where the consistent allotment pattern is a significant positive feature of the locality, subdivision will reinforce the existing allotment pattern.</i></p> <p><i>Buildings will be up to 2 storeys in height. Garages and carports will be located behind the front façade of buildings. Buildings in the area bounded by Henley Beach Road, Torrens Avenue and the Linear Park will be complementary to existing dwellings through the incorporation of design features such as pitched roofs, eaves and variation in the texture of building materials.</i></p> <p><i>Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer. Low and open-style front fencing will contribute to a sense of space between buildings.</i></p>	
Objectives	1
Principles of Development Control	1, 2, 4, 6

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
SITE AREA <i>Low Density Policy Area 20</i> PDC 6	420m ² (min)	Lot 40 - 350m ² Does not satisfy
		Lot 41 - 546m ² Satisfies

SITE FRONTAGE <i>Low Density Policy Area 20</i> PDC 6	12m (min)	Lot 40 - 19.42m Satisfies Lot 41 - 28.53m Satisfies
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ASSESSMENT

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

Suitability of Land for Intended Purpose

Principle of Development Control (PDC) 2 of the Land Division module of the Development Plan seeks to ensure that when land is divided it is suitable for the purpose for which it is to be used or developed. The proposed division of land would create two Torrens Title allotments that are intended to accommodate detached dwellings.

The Desired Character for Low Density Policy Area 21 envisages that *"....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".

The proposal will create two allotments capable of accommodating detached dwellings at relatively low densities within 400m of a Local Centre Zone and in close proximity to public transport along Henley Beach Road to the south and Tapleys Hills Road to the east. The proposed division of land is therefore desirable within the policy area.

Furthermore, the size and configuration of the proposed allotments are such that a detached dwelling could reasonably be designed to meet the quantitative requirements of the Development Plan, such as building height and form, boundary setbacks, private open space, site coverage and vehicular access and car parking. This has been demonstrated by the 'indicative' dwelling plans provided by the applicant that show a single storey dwelling for each allotment.

A copy of the indicative dwelling plans (which are not subject to assessment) is contained in **Attachment 2**.

Allotment Size

PDC 6 of Low Density Policy Area 21 prescribes a minimum allotment area of 420m² and a frontage width of 12m unless the land division is combined with an application for dwellings, in which case the allotments should have a minimum site area of 350m². As the proposed land division is not combined with a dwelling proposal for the site, proposed Lot 40 is 70m² less than the minimum site area requirement. Although this shortfall is significant, the average allotment size would be 448m² and the wide frontage of 19.42m to Crispian Street would ensure the site area shortfall for Lot 40 would not be readily perceivable from the street.

The intent of minimum allotment sizes is to achieve a residential density that is consistent with the desired character for the area. The desired character for Low Density Policy Area 21 is seeking allotments at low densities with 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"*.

As the subject land is located in the close proximity to a Local Centre Zone and is accessible to high frequency public transport services along nearby arterial roads, the proposal would contribute positively to the desired character.

The proposed frontages are well in excess of the minimum width of 12m and therefore the future development of the allotments would maintain the existing development pattern and streetscape character.

Allotment Layout and Pattern

The proposed allotments are regular in shape and orientated north to south (front to back), which would provide optimal energy efficiency for future dwellings. The size and the configuration of the proposed allotments would reinforce the existing allotment pattern.

The proposed allotments could utilise the existing vehicle crossovers along Crispian Street or rationalise the existing arrangements to provide safer access and to increase on-street parking.

Services and Infrastructure

PDC 1 of the Land Division module requires new allotments to be capable of being serviced economically and conveniently with public utilities and formed all-weather public roads.

As required by Section 33 of the *Development Act 1993* and Regulation 54 of the *Development Regulations 2008*, the applicant will be required to provide all necessary road, sewer, electricity and stormwater infrastructure prior to Council issuing clearance to the State Commission Assessment Panel.

Existing road, sewer, electricity and stormwater services are readily accessible to the proposed allotments. The proposal therefore satisfies PDC 1 of the Land Division module.

SUMMARY

The proposed division of land is considered to be an orderly and desirable form of development within Low Density Policy Area 21 of the Residential Zone.

While one of the proposed allotments would be less than the minimum quantitative standard, the overall allotment density and layout would not be at odds with the existing and desired character for the Policy Area.

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

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

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent, Land Division Consent and Development Approval for Application No. 211/491/2019 by Mr Michael Simm to undertake a Land division - Torrens Title; SCAP No. 211/D048/19; Create one (1) additional allotment at 27 Broadmore Avenue, Fulham (CT 5245/870) subject to the following conditions of consent:

Development Plan Consent Conditions:

1. The development must 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.

Land Division Consent Conditions Council Requirements

2. All existing buildings on the land shall be removed prior to the issue of clearance to this land division approved herein.

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

SCAP Requirements

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

A sewer main extension will be required for Lot 40. On receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non-standard fees.

On approval of the application, it is the developer's/owner's responsibility to ensure all internal pipework (water and wastewater) that crosses the allotment boundaries has been severed or redirected at the developer's/owner's cost to ensure that the pipework relating to each allotment is contained within its boundaries.

Reason: To satisfy the requirements of the South Australian Water Corporation.

4. Payment of \$7253 into the Planning and Development Fund (1 allotment @ \$7253/allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the 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.

Reason: To satisfy the requirements of the State Commission Assessment Panel.

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

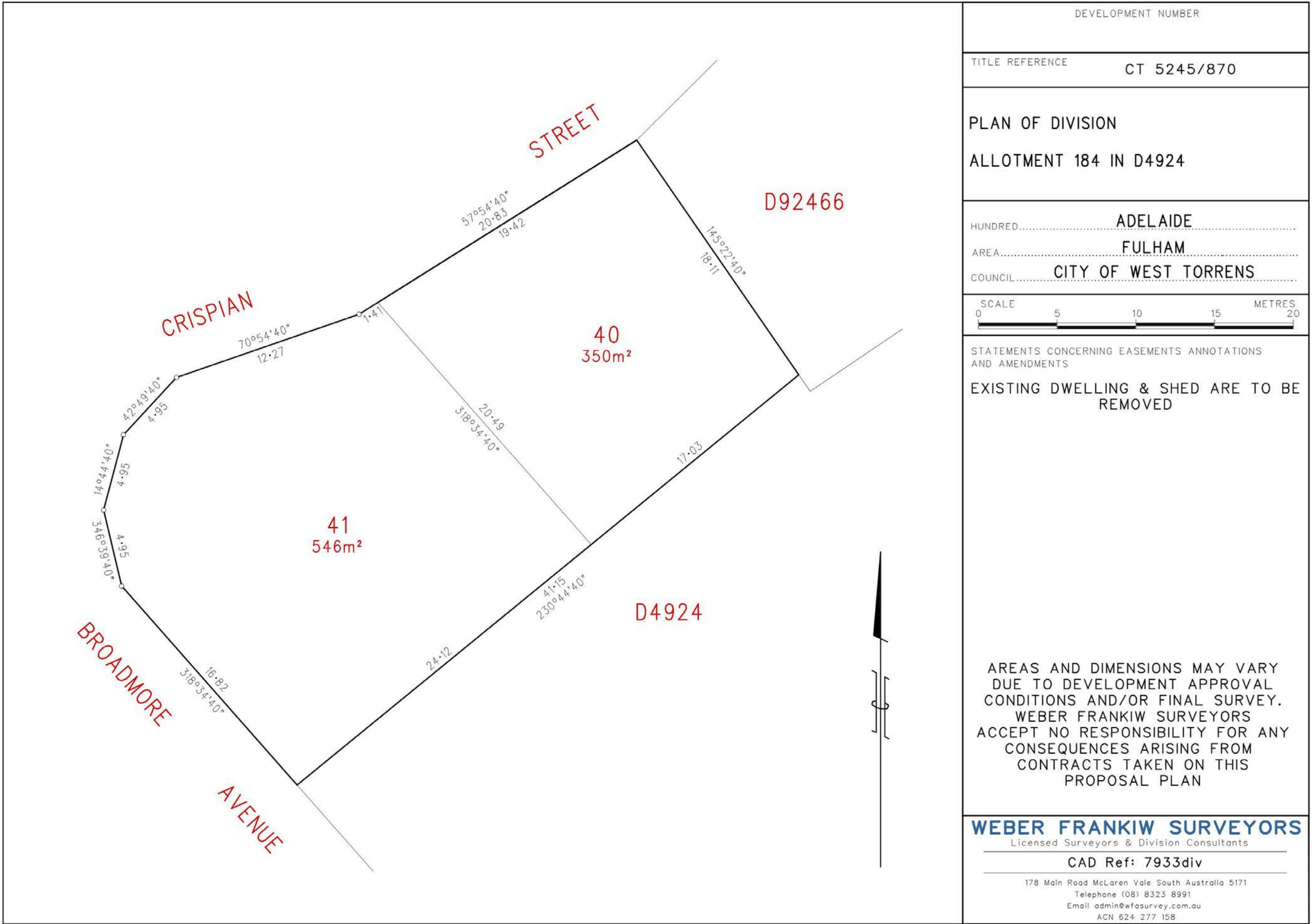
Reason: To satisfy the requirements of the State Commission Assessment Panel.

Attachments

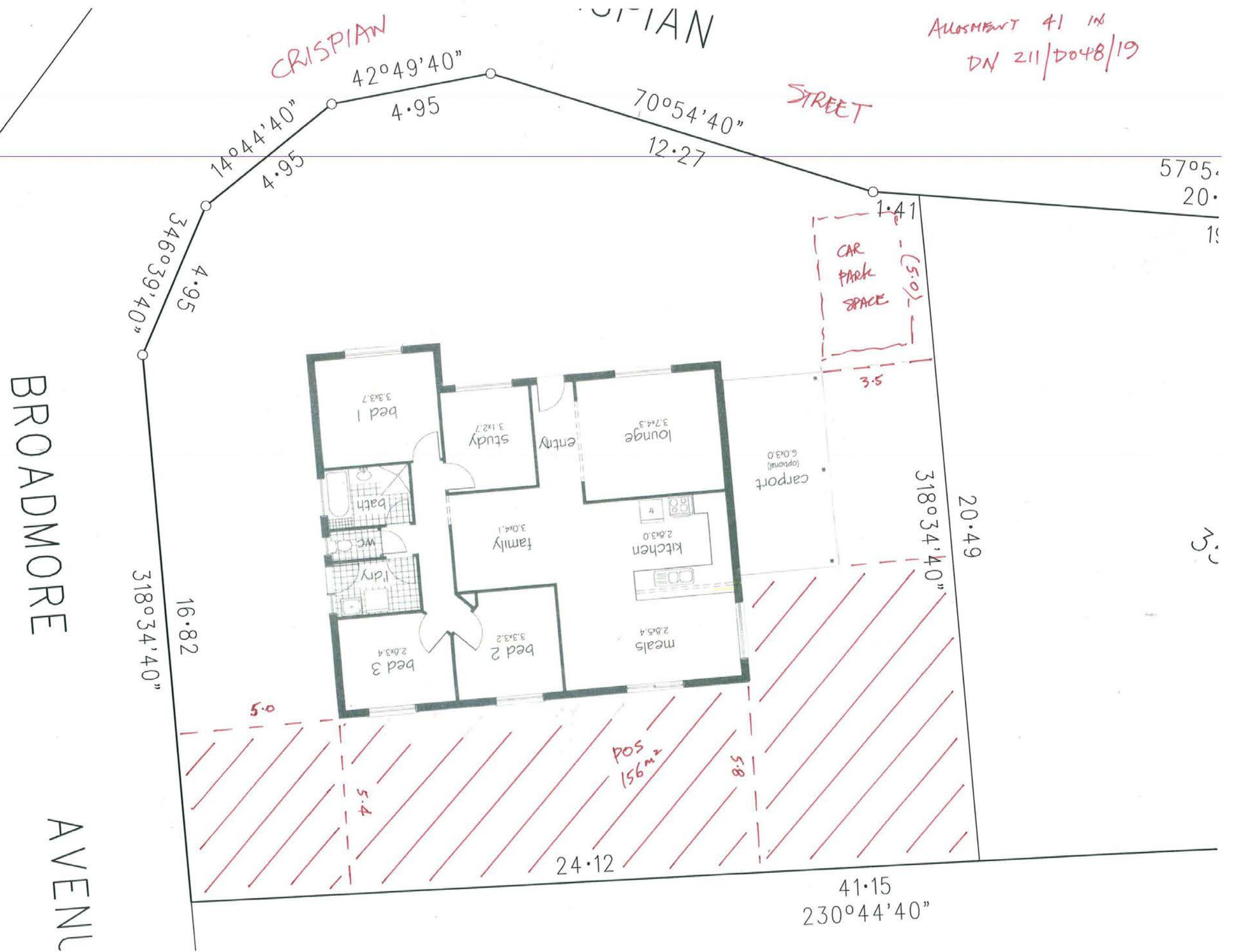
1. Relevant Development Plan Provisions
2. Proposal Plans
3. Agency Referral Responses

Relevant Development Plan Provisions

General Section		
Energy Efficiency	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, & 3
Infrastructure	<i>Objectives</i>	1 & 3
	<i>Principles of Development Control</i>	1, 3, 4, 5, 6, 8, 9, 10, 14 & 16
Land Division	<i>Objectives</i>	1, 2, 3 & 4
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7, 8 & 12
Orderly and Sustainable Development	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 3, 5, 6, 7 & 8
Residential Development	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 2, 3, 19, 20, 21 & 23
Transportation and Access	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2, 8, 10, 11, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 27, 30, 32, 33, 34, 35, 36, 37, 40, 41, 43, 44 & 45







Contact Planning Services
Telephone 7109 7016
Email dldptipdclearanceletters@sa.gov.au



17 May 2019

The Chief Executive Officer
City of West Torrens

Dear Sir/Madam

Re: Proposed Application No. 211/D048/19 (ID 65030)
for Land Division by Mr Michael Simm

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 15 May 2019, I advise that the State Commission Assessment Panel (SCAP) has consulted with SA Water Corporation (only) regarding this land division application. A copy of their response has been uploaded in EDALA for your consideration. The Commission has no further comment to make on this application, however there may be local planning issues which Council should consider prior to making its decision.

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

1. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.
A sewer main extension will be required for Lot 40. On receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non standard fees
On approval of the application, it is the developers/owners responsibility to ensure all internal pipework (water and wastewater) that crosses the allotment boundaries has been severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.
2. Payment of \$7253 into the Planning and Development Fund (1 allotment(s) @ \$7253/allotment).
Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Department of Planning, Transport and Infrastructure and marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 50 Flinders Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel for Land Division Certificate purposes.

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

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

Yours faithfully

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

Biljana Prokic
Land Division Coordinator - Planning Services



17 May 2019

Our Ref: H0085534

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

Dear Sir/Madam

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

PROPOSED LAND DIVISION APPLICATION NO: 211/D048/19 AT FULHAM

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

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

A sewer main extension will be required for Lot 40. On receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non standard fees

On approval of the application, it is the developers/owners responsibility to ensure all internal pipework (water and wastewater) that crosses the allotment boundaries has been severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.

Yours faithfully

Michael Zoanetti

for MANAGER LAND DEVELOPMENT & CONNECTIONS

6.4 17 East Parkway, FULHAM

Application No 211/408/2019

DEVELOPMENT APPLICATION DETAILS

DESCRIPTION OF DEVELOPMENT	Land Division - Torrens Title; SCAP No. 211/D040/19; Create one (1) additional allotment
APPLICANT	Mr Shannon Adams
LODGEMENT DATE	15 April 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"> • Nil External <ul style="list-style-type: none"> • State Commission Assessment Panel (SCAP) • South Australian Water Corporation (SA Water)
DEVELOPMENT PLAN VERSION	Consolidated 12 July 2018
DELEGATION	<ul style="list-style-type: none"> • The relevant application proposes a merit form of development which does not meet the minimum site area requirements in the relevant Zone or Policy Area by 7.5% or more.
RECOMMENDATION	Support with conditions
AUTHOR	Sonia Gallarello

SUBJECT LAND AND LOCALITY

The subject land is formally described as Allotment 99 in Deposited Plan 4923 in the area named Fulham, Hundreds of Adelaide and Yatala, Volume 5638 Folio 168, more commonly known as 17 East Parkway. The subject site is rectangular in shape with a 19.8 metre (m) wide frontage to East Parkway and a site area of 764 square metres (m²).

It is noted that there are no 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 is currently vacant with perimeter fencing.

The locality consists largely of single storey dwellings on low density allotments with wide frontages. Dwellings have spacious front yards due to generous front setbacks and the landscaping is well maintained contributing to a moderate to high amenity. There is a small reserve to the north-west of the subject land. The subject land is in close proximity to the City of West Torrens boundary with the City of Charles Sturt. The subject land is 150m from Henley Beach Road and within 400m of a Centre Zone.

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





Location Map WeTo/2

-  School
 Post Office
 Local Reserves
 Development Plan Boundary

WEST TORRENS COUNCIL
Consolidated - 12 July 2018

RELEVANT APPLICATIONS**17 East Parkway, Fulham**

DA Number	Description of Development	Decision	Decision Date
211/300/2017	Combined land division (one additional allotment) and construction of two detached dwellings	Planning Consent granted	25 January 2018
211/289/2018	Demolition of existing dwelling and ancillary structures	Development Approval granted	29 March 2018

19 East Parkway, Fulham

DA Number	Description of Development	Decision	Decision Date
211/137/2019	Construction of two (2) detached dwellings	Development Approval granted	25 March 2019
211/192/2019	Land Division (one additional allotment)	Development Approval granted	7 March 2019

As DA 211/300/2017 was for a combined application, a smaller site area applied. The applicant has not proceeded with building rules consent, preferring to sell the allotments without being tied to specific dwellings. Technically therefore the land division component has been granted consent, but as it was a combined application, full development approval has not yet been obtained.

PROPOSAL

The proposal is for the division of land to create one additional Torrens titled allotment. Both of the proposed allotments will have frontage to East Parkway.

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

EXTERNAL REFERRALS

Department	Comments
SCAP	SCAP raised no concerns with the proposal. Standard conditions of consent have been included in the recommendation.
SA Water	SA Water raised no concerns with the proposal. The developer will be required to meet the requirements of SA Water for the provision of water and sewerage services. Standard conditions of consent have been included in the recommendation.

A copy of the relevant referral responses 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:

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

Policy Area: Low Density Policy Area 21	
<p><i>This policy area will have a low density character. In order to preserve this, development will predominantly involve the replacement of detached dwellings with the same (or buildings in the form of detached dwellings).</i></p> <p><i>There will be a denser allotment pattern and some alternative dwelling types, such as semi-detached and row dwellings, close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones. Battleaxe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments developed with buildings that have a direct street frontage. In the area bounded by Henley Beach Road, Torrens Avenue and the Linear Park, where the consistent allotment pattern is a significant positive feature of the locality, subdivision will reinforce the existing allotment pattern. Buildings will be up to 2 storeys in height. Garages and carports will be located behind the front façade of buildings. Buildings in the area bounded by Henley Beach Road, Torrens Avenue and the Linear Park will be complementary to existing dwellings through the incorporation of design features such as pitched roofs, eaves and variation in the texture of building materials.</i></p> <p><i>Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer. Low and open-style front fencing will contribute to a sense of space between buildings.</i></p>	
Objectives	1
Principles of Development Control	1, 2, 6

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
ALLOTMENT AREA <i>Low Density Policy Area 21</i> PDC 6	420m ² (min.)	382m ² (lot 3) 382m ² (lot 4) Does Not Satisfy
ALLOTMENT FRONTAGE <i>Low Density Policy Area 21</i> PDC 6	12m (min.)	9.9m (lot 3) 9.9m (lot 4) Does Not Satisfy

ASSESSMENT

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

Desired character

The desired character for this policy area seeks low density residential development. The proposed allotment areas are deemed to be low density by virtue of their size and can accommodate a detached dwelling (either single or two storey) on each allotment that would be considered to be low density. Other aspects of the desired character that relate to built form can be accommodated in the future, particularly landscaping about future dwellings and low and open fencing. Accordingly, the proposed development is considered to be consistent with Objective 1 and PDC 2 of the Low Density Policy Area 21.

Pattern of development

A denser allotment pattern is envisaged close to centre zones. The subject land is within 400m of a centre zone which is constituted by a small group of shops on the corner of Henley Beach Road and Huntington Avenue. The subject land also has reasonable accessibility to other centre zones and shops nearby.

In cases where a dwelling is proposed within 400m of a centre zone, Principle of Development Control (PDC) 4 of the Policy Area provides for a smaller minimum site area of 350m² and smaller frontage width of 9m. Although this application is for land division purposes only, the proposed division nonetheless provides for allotment sizes and frontage widths that are consistent with this provision and that will retain the low density character of the locality.

While the locality contains largely low density allotments of sizes that are greater than 700m², there have been three land divisions within the locality in recent times summarised as follows:

- 18 and 20 Delray Street which now have site areas of around 488m². This land division was approved in 2003 and two dwellings approved in 2002.
- 19 East Parkway was granted planning consent for two dwellings as a residential code development. The subsequent land division was approved as a complying form of development in March 2019 for two allotments of 357m² and 444m².
- 17 East Parkway, as previously described, was a combined application which was granted planning consent and land division consent in 2008 with site areas of 382m² and frontage widths of 9.9m; the same dimensions as those currently proposed.

The proposal is considered to satisfy PDC 2 of the Land Division module as the allotments are suitable for their intended use and provide for low density dwellings on each lot that could be either single or two storey. Accordingly, the proposed allotment layout is considered to be compatible with the existing pattern of development in the locality.

SUMMARY

As described, this development has technically already been granted consent as a land division, however in a combined form with two dwellings. The current proposal provides for two residential allotments that provide sufficient frontage widths and allotment areas to constitute low density development. In addition, the subject land is located within 400m of a centre zone that allows for a denser allotment pattern.

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, Land Division Consent and Development Approval.

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent, Land Division Consent and Development Approval for Application No. 211/408/2019 by M Shannon Adams to undertake a Land Division - Torrens Title; SCAP No. 211/D040/19; Create one (1) additional allotment at 17 East Parkway, Fulham (CT 5638/168) subject to the following conditions of consent:

Development Plan Consent Conditions:

1. Development is to take place in accordance with the plans prepared by Hennig & Co. Pty Ltd, reference 17916, date 2/4/19 relating to Development Application No. 211/408/2019 (SCAP 211/D040/19)

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

Land Division Consent Conditions

Council Requirements

Nil

State Commission Assessment Panel Requirements

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

On receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non -standard fees.

On approval of the application, it is the developer's/owner's responsibility to ensure all internal pipework (water and wastewater) that crosses the allotment boundaries has been severed or redirected at the developer's/owner's cost to ensure that the pipework relating to each allotment is contained within its boundaries.

Reason: To satisfy the requirements of the South Australian Water Corporation.

3. Payment of \$7253 into the Planning and Development Fund (1 allotment @ \$7253/allotment). Payment may be made via credit card via the internet at 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.

Reason: To satisfy the requirements of the State Commission Assessment Panel.

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

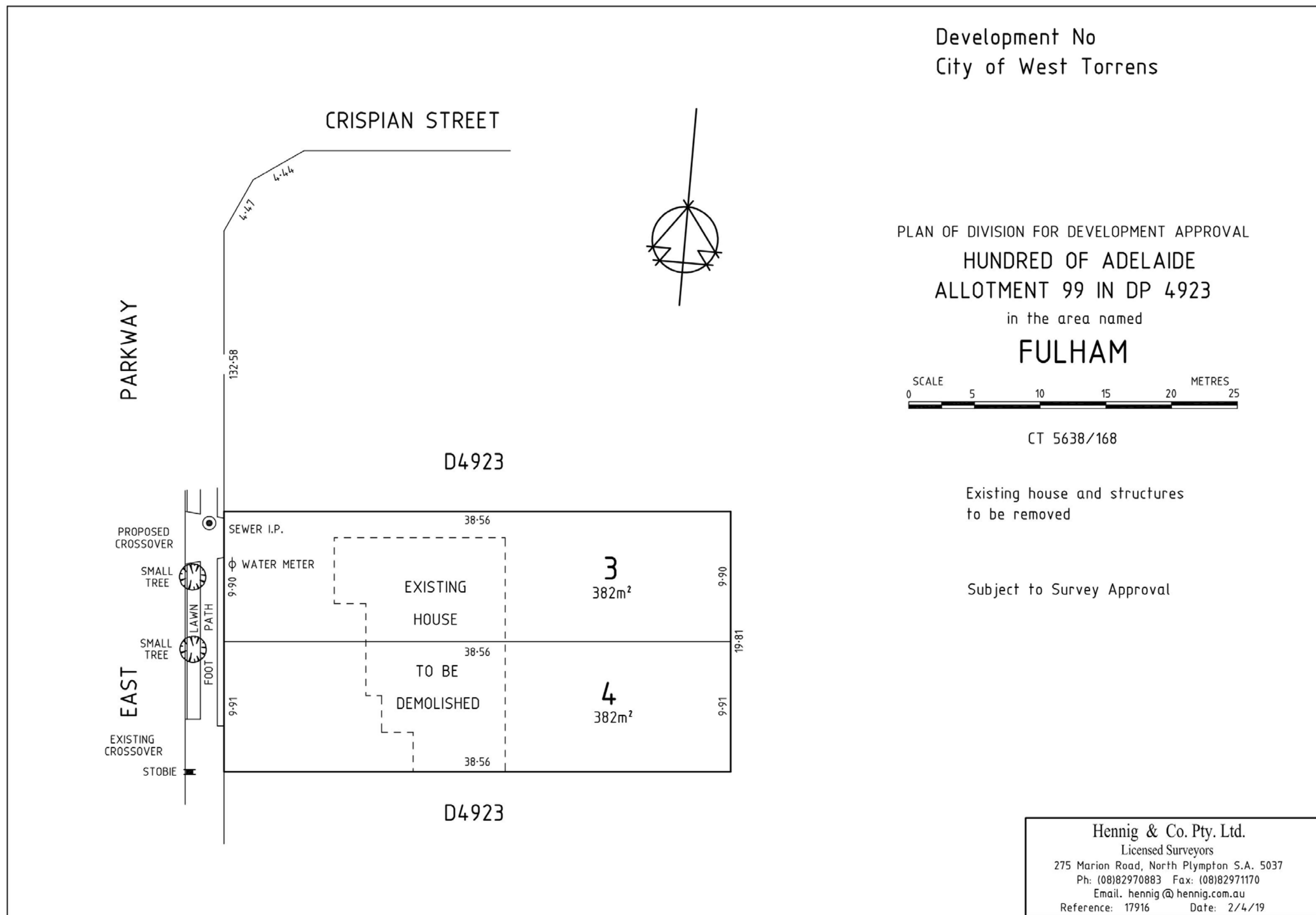
Reason: To satisfy the requirements of the State Commission Assessment Panel.

Attachments

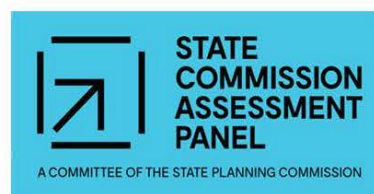
1. **Additional Provisions of the Development Plan**
2. **Proposal plan**
3. **External referrals**

Relevant Development Plan Provisions

General Section		
Land Division	<i>Objectives</i>	1, 2, 3, 4
	<i>Principles of Development Control</i>	1, 2, 4, 5, 6, 7, 8, 12
Orderly and Sustainable Development	<i>Objectives</i>	1, 2, 3, 4, 5
	<i>Principles of Development Control</i>	1



Contact Planning Services
Telephone 7109 7016
Email dldptipdclearanceletters@sa.gov.au



06 May 2019

The Chief Executive Officer
City of West Torrens

Dear Sir/Madam

Re: Proposed Application No. 211/D040/19 (ID 64856)
for Land Division by Mr Shannon Adams

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 16 April 2019, I advise that the State Commission Assessment Panel (SCAP) has consulted with SA Water Corporation (only) regarding this land division application. A copy of their response has been uploaded in EDALA for your consideration. The Commission has no further comment to make on this application, however there may be local planning issues which Council should consider prior to making its decision.

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

1. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.
On receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non -standard fees.
On approval of the application, it is the developers/owners responsibility to ensure all internal pipework (water and wastewater) that crosses the allotment boundaries has been severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.
2. Payment of \$7253 into the Planning and Development Fund (1 allotment(s) @ \$7253/allotment).
Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Department of Planning, Transport and Infrastructure and marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 50 Flinders Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel for Land Division Certificate purposes.

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

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

Yours faithfully

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

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



01 May 2019

Our Ref: H0084693

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

Dear Sir/Madam

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

PROPOSED LAND DIVISION APPLICATION NO: 211/D041/19 AT NORTH PLYMPTON

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

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

On receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non standard fees.

On approval of the application, it is the developers/owners responsibility to ensure all internal pipework (water and wastewater) that crosses the allotment boundaries has been severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.

Yours faithfully

TONY PANNUNZIO
for **MANAGER LAND DEVELOPMENT & CONNECTIONS**

7 CONFIDENTIAL REPORTS OF THE ASSESSMENT MANAGER

Nil

8 SUMMARY OF COURT APPEALS

8.1 Summary of ERD Court matters, items determined by SCAP/Minister/Governor and deferred CAP items - July 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	Compromise proposal to be presented to CAP August meeting.

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 RF building, 40 dwellings & removal of regulated tree

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

DA number	DAP/CAP Meeting	Address	Description of development	Reason for deferral
211/796/2016	9 August 2016	22 Lindsay Street, CAMDEN PARK	Create 2 additional allotments and construct 3 two-storey dwellings within a residential flat building	Acoustic report, tree assessment report

Conclusion

This report is current as at 27 June 2019.

RECOMMENDATION

The Council Assessment Panel receive and note the information.

Attachments

Nil

9 OTHER BUSINESS**10 MEETING CLOSE**